NO HIGH LEVEL NUCLEAR WASTE IN LAS VEGAS VALLEY

010028

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BY:

Dear Dr. Summerson:

Comments on The Supplement to the Draft Environmental Statement (SDEIS)
For a Geologic Repository at Yucca Mountain – Issued May 2001

My name is Henry T. Dzięgiel [pronounced "Jingle"] and I currently live in Henderson, Nevada. I am a retired Nuclear Power Engineer and I wish to submit the following comments and suggestions, along with oral testimony, at the Public Hearing for the SDEIS to be held in Las Vegas on June 5, 2001. Because of my 30 years of Nuclear Facility Siting and Power Utility experience, I would appreciate if my comments and suggestions were given careful consideration to help solve this Nation Nuclear Waste challenge.

1 **Comment 1:** Congress intended that there should be good Public participation in the process to solve this Nation's High Level Nuclear Waste processing and storage challenge to promote public confidence in the safety and disposal.... While DOE may have been satisfying the letter of the regulations and law, the complete process of involving the General Public in the Geologic Repository at Yucca Mountain has not met the intent of Congress and has willfully been lacking.

For instance, while I read both the Las Vegas Review-Journal and the Henderson Home News, I found no public notice about the SDEIS and these public hearings. If it were not for a friend sending me an Email, I would not be here tonight.

I suggest that the DOE do a better job of keeping the Nevada Public informed about Yucca Mountain and especially the TRANSPORTATION of High Level Nuclear Waste in Nevada. All releases of Documents, Notices of Hearing, etc. should be placed in Ads {Minimum one-half page} in all the Regional papers not just the Federal Register. Relying on the reporters to carry out DOE's public notification responsibility is inappropriate for a program as important to the Nation as Yucca Mountain.

The Yucca Mountain website is a good start, but the notice of the SDEIS and these hearing are buried and not easily reached from the Home Page.

2 **Comment 2:** The SDEIS and the Yucca Mountain Science and Engineering Report are written for a technical audience with too many references to other previous reports. Because of the complex nature of Nuclear Waste processing and storage, the DOE needs to determine what are the main concerns of the Nevadans and the General Public. And, then, write a Public Summary document addressed to the average citizen that includes all the key parameters, not just by reference. The existing reports are too difficult for the average citizen to read. The use of references, without a summary of values, leaves you to feel that the writers are hiding something and telling the public "*that the Federal government will take care of them.*"

6/5/2001 /

Las Vegas, NV
6/5/2001
Exhibit #: 1-4

2 cont'd. **Comment 2:** (Continued) I am still looking for the Seismic Design criteria, discussion on Capable Faults to name a few critical issues.

3 **Comment 3:** This SDEIS is very narrow in scope and is an inadequate and incomplete Supplement to address the needs of the Public to be kept informed about Yucca Mountain. Waiting for the Final EIS to address all the comments is inappropriate on such a complex project that is still in the concept stage. The Final EIS will not give the Public a chance to review how that comments where addressed. A COMPLETE Supplemental DEIS should be issued which clearly addresses the current proposed undertaking and all the public comments to date. This Complete SDEIS should then be followed with public hearings that are advertised in the Regional newspapers.

4 **Comment 4:** Page S-2 Paragraph 3 – The Overall Project and Suitability of the Yucca Mountain Site must be determined based upon an INTERGATE Geologic Repository and TRANSPORTATION System. The DEIS had no Specific Transportation System proposed as required by Environmental Regulations. This area of the DEIS was deficient and inadequate. Only alternative transportation routes and methods were addressed with limited environmental impacts. This approach is inadequate from both a technical point of view and to inform Nevadans and the General Public of the MAJOR area of IMPACT on them.

The Transportation of High Level Nuclear Wastes has the greatest impact on the public and is the major Public Concern across the Country. The Complete Supplemental DEIS must include a Transportation System with FIRM Routes and comprehensive treatment of the safety, accidents, impacts, reasonable alternatives routes, etc… The issues of traffic congestion, terrorists' attacks and other accidents, etc. must be addressed in detail.

5 Further, Nevadans in general oppose Yucca Mountain! However, the Federal Government must understand that the issue of Transporting High Level Nuclear Waste through the Las Vegas Valley and its Million-Plus people is **UNACCEPTABLE** to Las Vegans. These **Alternative ROUTES through the Las Vegas Valley shall be deleted from the DEIS and not addressed in the FINAL EIS.** If the DOE wants to force the issue, than impact such as Civil disobedience, even more extreme than what was recently experienced during the shipments of High Level Nuclear Wastes in Germany must be addressed. How many Nevadans will be injured, killed by the Feds, or jailed in the process of shipping Nuclear Waste through Las Vegas Valley? Will the Nevada police support the Federal forces to stop Nevadan's standing up for their States Rights? The socioeconomic impacts to Nevada and other States need to be included. The rail lines and highways are long and lonely. Please reconsider the current path that could lead to another Oklahoma incident or even a Waco.

6 We are concerned about the negative effect of all the shipments proposed on our local tourist economy. If a terrorist wanted to make an International incident to get back at the United Stated, where better to plan an attack than Las Vegas. A determined Terrorist group can develop plans and methodology to breach a shipping cask, which could contain one or two whole cores. The subsequent Radiation release would cause Billions of dollars of damage and many lost of life over time. The people who proposed the mass shipments of these Spent Fuel Assemblies through population centers anger me. This lack of consideration for the citizens and guests to the Las Vegas Valley does harm to the overall process of solving this Nations Nuclear Waste challenge.

7 **Comment 5:** Yucca Mountain is a Political solution to an Engineering and Scientific Challenge. In 1987, Congress, against the wishes of Nevada, arbitrarily chose to abandon rational Engineering and Environment practices and make Nevada the Nations Nuclear Waste DUMP! Good engineering practice requires that Viable Alternative to the Action be considered. This decision and the earlier Political decision not to reprocess and use mixed fuel further complicated and greatly restricted the engineers and scientists. I strongly believe that these Political actions have greatly harmed this Nation. The solution for the Safe processing the Nuclear Waste is needed to free up this Nation to seriously reconsider various Nuclear Power as proposed recently by the President's Energy Policy.

Nevadans will never believe that the Site Suitability of Yucca Mountain was based upon fundamental fairness and science-based approach and have full trust and confidence in the project without seriously looking at other geologic repositories located in other States.

The current siting and licensing process is ill advised. It is a political fabrication that only gives an appearance of fairness. When Yucca Mountain is recommended, Nevada's governor will object. Will the President not want to proceed to allow Nuclear Power to be considered in the solution to this Nation Energy crisis? Will Congress stop their Political process? If not, then the pressure is on the Nuclear Regulatory Commission (NRC)! This will be unreasonable political pressure on the NRC's staff to OK Yucca Mountain. Under this process can the NRC reasonably and appropriately review the SAFETY of Yucca Mountain regarding the site suitability issues of: Seismic Design Criteria, Capable Faults, faulting and differential ground displacement from all causes, volcanism, security, (to name of few important issues).

8 This Nation should not allow the Site Safety Issues to be deferred until after the President and Congress in their wisdom say Yucca Mountain is suitable. There is a very great difference between an Environmental Impact Statement review of key site safety issues and the Nuclear Regulatory Commissions staffs' review of safety. I propose that the process be modified and that all the Site Safety Issues not involved with the subsurface repository design be addressed now using the Nuclear Power Plant Early Site Review Process. This process was legislated in the late 1970s to allow that determination of a proposed nuclear plant site prior to submitting a complete Construction Permit Application. The Early Site Review Process leads to a Letter from the Atomic Committee on Reactor Safety (ACRS). This process was successfully used for the proposed San Joaquin Nuclear Generating Station (Four 1200 MWe units) that was located in northwestern Kern County, California. However, after an informational vote of the citizens of Kern County against this San Joaquin Nuclear Generating Station, which was a joint project of all the major California Utilities, the project was cancelled in favor of Large Coal-Fired Generating units in Utah.

Comment 6: When are comments due on the Yucca Mountain Science and Engineering Report and is there any planned Public Hearing to accept public comments? I could not find any notice on this report? As in Comment 1, DOE intents should be advertised in the Regional newspapers.

9 **Comment 7:** The alternative of storing the Nuclear Waste at their current locations should be more fully addressed instead of shipping the Nuclear Waste to Yucca Mountain for either Fuel Aging or Fuel Assembly Blending. This will greatly reduce the quantity of above ground Storage that is now proposed to be up to 40,000 MTHM (57 per cent of the 70,000 MTHM repository Design Capacity).

In summary, with the limited time that I had available, the above seven comments are my current main issues. I plan to continue my review of the reports and submit additional comments as time allows.

The challenge of solving the High Level Nuclear Waste issue is very important to this Nation. The Politicians and the President as part of this Nation's Energy Policy need to free up the hand of the Engineers and Scientists, who are currently enslaved by BAD legislation and policies. This will allow the Engineers and Scientists to appropriately look at all the available Alternatives to a Geologic Repository at Yucca Mountain, including the reduction of waste
10 volume through Reprocessing and reuse of the fissile material in mixed fuels. Further, this Nation will need more than one repository; so, why not start now to find the other suitable locations.

Sincerely,

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