

September 20, 2001

**To: Dr. Jane Summerson, EIS Documents Manager  
M/S 610  
US Dept. of Energy  
Office of Civilian Radioactive Waste Management  
Yucca Mountain Site Characterization Office  
PO Box 30307  
North Las Vegas, NV, 89036-0307**

010485

**Fax: 1800 967 8739**

RECEIVED

SEP 21 2001

**Re: Public Comment on the Supplement to the Draft EIS for Yucca Mountain**

To Whom It May Concern,

I submitted comments on the DOE Draft EIS for the proposed Nuclear Waste Dump on Western Shoshone Land at Yucca Mountain on February 5, 2000.

This letter contains my comments on the Supplement to the Draft EIS.

**General Comments:**

1 I believe that DOE has already made it's decision to recommend moving forward with their project to the President-select.

The Supplement has failed to address-to my satisfaction, the lingering questions about Land Title, Land Use and Ownership, Cultural Resources, Accidents, Environmental Justice and Transportation.

It is my belief that, unfortunately, Public Comment is simply a formality that will not affect DOE's decision to move forward.

Therefore, it is entirely reasonable to assume that DOE's science and technical information are simply shaped to support a pre-determined outcome.

I have no confidence in the Public Process, Site Characterization or the Science represented in the DOE EIS.

**Item 1. Section 3.1.1 Land Use and Ownership:**

2 The question about Land Title and Ownership has not been addressed by DOE.

US Government ownership of this land is disputed by the Western Shoshone and the Treaties support their claim of Aboriginal Ownership.

**Item 2. Section 3.1.5 Cultural Resources:**

3 Given DOE's admission that "DOE recognizes that it could not construct and operate a repository at Yucca Mountain without some conflict with Native American concerns," (p. 3-16) it seems an inherent contradiction in the EIS that DOE will respect and protect the sites' cultural resources even as they presume land ownership.

September 20, 2001

010485

**Item 3. Section 3.1.8 Accidents:**

4 Given the September 11, 2001, hijacking of commercial jets, it is not difficult to imagine similar events taking place on our highways, irrespective of the claims made for the strength of the spent fuel/nuclear waste containers.

These possibilities are not addressed by the FIS.

**Item 4. Section 3.1.13 Environmental Justice:**

I would like to call your attention to Section 3.1.13 of the Supplement to the Draft FIS, Environmental Justice, p.3-16:

"DOE recognizes that it could not construct and operate a repository at Yucca Mountain without some conflict with Native American concerns. DOE will continue to consult with tribal organizations and will work with representatives of the Consolidated Group of Tribes and Organizations to ensure the consideration of tribal rights and concerns before making decisions or implementing programs that could affect tribes. DOE will also continue its protection of Native American sacred sites, cultural resources, and potential traditional cultural properties, and will implement appropriate mitigation measures."

5 The Supplement does not include the American Indian Writers Subgroup Document, and it is  
questionable to what extent the DOE has been willing to include comments from local Native  
6 residents, or Native writers at the National level who are critical of the proposed project and the  
FIS. The Mitigation process, and Native review of any proposed mitigation is also not discussed.

**Item 4. Section 3.1.14 Transportation:**

7 While, according to the Supplement, "Transportation of spent nuclear fuel and high-level radioactive waste to the repository would not be affected by the repository design evolution and is not evaluated in this Supplement," the DOE should disclose the growing resistance to shipping nuclear waste throughout the country in the Supplement.

**Conclusion:**

The EIS does not quiet, but rather increases my concerns about the proposed project. Moreover, I find the DOE's optimistic projected outcomes to be questionable and disturbing.

**Alternate Recommendation:**

8 The DOE needs to recommend an alternative solution to the nations' nuclear waste storage dilemma, in which the Federal Government, the Military and the Corporations which produce and "benefit" from these lethal materials find acceptable solutions at the sites of the existing power plants, weapons, and research and development facilities.

9 Furthermore, a moratorium on the mining of uranium, the construction of new power plants, weapons facilities, nuclear testing areas, etc., should be enacted immediately, and existing nuclear facilities phased out in the very near future, to be replaced by wind, solar and other ecologically friendly systems.

**Art Petersen**  
4121 Greenwood Ave. N.  
Seattle, WA., 98103