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October 18, 2001

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Ms. Carol Hanlon
U.S. Department of Energy
Yucca Mountain Site Characterization Office
(M/S #025)
P.O. Box 30307
North Las Vegas, Nevada 89306-0307

RE: Lincoln County/City of Caliente Comments Regarding a Possible Site Recommendation by the Secretary of Energy for Yucca Mountain

Dear Ms. Hanlon:

On behalf of Lincoln County and the City of Caliente, through their Joint City/County Impact Alleviation Committee I am pleased to submit these comments on a possible site recommendation of Yucca Mountain as this nation's first deep geologic repository for spent nuclear fuel (SMF) and other high-level radioactive waste (HLW). Lincoln County is one of ten local governments designated by the Secretary of Energy as potentially "affected" by the Yucca Mountain Project. As a consequence, the County and the City of Caliente have a responsibility to provide these comments and accompanying recommendations to the Department of Energy (DOE).

Lincoln County and the City of Caliente have been deeply involved in the detailed oversight of the Yucca Mountain Project for over 10 years. We have determined to approach this difficult issue in a straightforward and constructive manner that best protects and provides for the needs of the residents of our communities. To that end we have adopted the following points as the focus of our oversight program; 1) to understand and minimize risks, 2) to understand and mitigate impacts, 3) to understand and maximize benefits associated with DOE radioactive waste management activities in Nevada. In keeping with that focus we provide you our comments of concern regarding some of the technical bases upon which the Secretary may formulate his recommendation regarding the Yucca Mountain site.

Lincoln County is concerned about the possible use of proposed rather than existing siting guidelines in preparing the preliminary site suitability evaluation. We understand that the Nuclear Energy Act directed the Environmental Protection Agency (EPA) to establish standards specific to Yucca Mountain. We are, however, not aware that DOE guidelines have been finalized at 10 CFR 963 that will assure conformance with 10 CFR 63 and 40 CFR 197. DOE should promulgate final revised siting guidelines based on the fair application of all appropriate standards in advance of any recommendation by the Secretary to the President.

Lincoln County and the City of Caliente believe that the Secretary of Energy should consider the Final Environmental Impact Statement (FEIS) for the Yucca Mountain site when deciding whether to recommend the site to the President. Department of Energy staff has suggested that release of the FEIS would occur concurrently with the site recommendation. This suggests that the Secretary of Energy will not have time to consider the contents of the FEIS before making a decision on whether to recommend the site. Lincoln County and the City of Caliente recommend that the Secretary assure himself sufficient time to fully consider the FEIS prior to making a recommendation of the site.

Lincoln County and the City of Caliente are deeply concerned about the quality of life and health and safety of our families and communities. In deciding whether to recommend the Yucca Mountain site to the President we strongly encourage the Secretary of Energy to consider not only the suitability of the site but also the impacts associated with the development and operation of the repository upon the residents, economy and environment of rural Nevada. Lincoln County and the City of Caliente have exerted considerable effort to establish baseline data to determine future impacts and impact mitigation measures. We strongly urge and fully expect that the Secretary of Energy will consider whether identified impacts can be sufficiently mitigated in order to ensure maintenance of the quality of life currently enjoyed by County and City residents.

Lincoln County assumes it will be impacted by the transportation of SNF and HLW. We fully recognize our position on the mainline of the Union Pacific Railroad and our relative proximity to Yucca Mountain via routes through sparsely populated rural Nevada. We believe it is likely that we will become the neck of the funnel for shipments of HLW and SNF to Yucca Mountain. We have, in recognizing the reality of our location expressed a willingness, under proper circumstances, to assume a meaningful and constructive role in solving this component of the challenging problem of transporting SNF and HLW to Yucca Mountain. However, we request that the Secretary not conclude the fate of Yucca Mountain until such time as DOE establishes a process for selecting a preferred transportation mode and route(s) for SNF and HLW. We further request that, should Lincoln County and the City of Caliente in fact be impacted, we be included as a part of that process.

Sincerely,



Kevin Phillips
Chairman, Joint City/County
Impact Alleviation Committee
Mayor, City of Caliente