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To: Lake Barrett, Acting Director
Office of Civilian Radioactive Waste Management
U.S. Department of Energy
1000 Independence Avenue, SW
Washington, DC 20585

I refer to my comments, made on behalf of the SLO GREEN Party, on 1/11/2000 in front of the D.O.E. in Las Vegas, Nevada.
As a member of the San Luis Obispo (SLO) County Nuclear Waste Management Committee and the SLO GREEN Party I object to the lack of reasonable timely notice and opportunity for hearing on the DOE's site recommendation of Yucca Mountain for a national high-level nuclear waste repository. As a resident of a county that has a nuclear power plant that could potentially send it's high-level waste to Yucca Mountain, I demand my right to be heard on this matter. I request that hearings be held in San Luis Obispo County, CA and in every other county in the United States that has a nuclear power plant. Hearings should also be held in Counties along the transportation routes on which high-level radioactive waste would travel on its way to Yucca Mountain.

On August 21, 2001, with less than 30 days for any interested person to read the DOE's more than 370 page long technical report, "Yucca Mountain Preliminary Site Suitability Evaluation," your agency announced it was holding public hearings on the site recommendation of Yucca Mountain in Nevada between September 5th and 13th. Not only are these hearings provided with totally inadequate notice, but also, for persons who will be affected by the requisite transportation of high-level nuclear waste through their hometowns via rail and road, your agency has provided no opportunity to comment on the suitability of the recommendation. A few meetings in Nevada does not come close to providing an opportunity for public hearing on a project of this magnitude and immense potential danger to those on transportation routes throughout the county. In addition, it is plain that the notice you provided was defective not only for being absurdly short notice, but for providing notice to meet at a place, canceling that site, then providing another site with an incorrect

address. Moreover, your agency provided that final notice of the meeting at the wrong address on August 31st,the beginning of the long Labor Day weekend, less than five days to the meeting including the intervening weekend and holiday.

Finally, it is plain from the notices your agency published in the Federal Register on August 21, 27 and 31, that the public is not clearly placed on notice that these are public hearings on your agency's decision to recommend Yucca Mountain as the site for a level-level nuclear waste repository. Persons reading the notice are given the impression that these are merely hearings on the preliminary site suitability evaluation. Even then, your provision of less than thirty days notice from the availability of the370 page evaluation and the few hearings in Nevada make it impossible for ordinary citizens to have any meaningful participation in such meetings. The notice was absurdly short even to arrange one's schedule to attend, too far away from most persons who are interested due to being on the high-level nuclear waste transportation routes, too little time to acquire and assimilate the substance of the 370-plus page evaluation of the site, and completely defective due tithe errors mentioned above.

There is no doubt that, no matter what provisions may be in the Nuclear Waste Policy Act, the United States Constitution's Fifth Amendment protections require that affected residents must have at least reasonable notice and an opportunity to be heard on a decision such as this one, a decision with vast repercussions and grave potential dangers. Your agency's actions in this matter do not meet the most minimal constitutional protections of citizens' rights to due process.

I call upon you to reschedule these hearings with adequate notice and a meaningful opportunity to be heard for all persons who will be affected by your agency's recommendation of Yucca Mountain as the national high-level waste repository.

Sincerely,

Klaus Schumann

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