RECEIVED
JUN 07 2004

040442

Ms. Robin Sweeney, EIS Document Manager
Office of National Transportation,
Office of Civilian Radioactive Waste Management
U.S. Department of Energy
1551 Hillshire Drive, M/S 011
Las Vegas, NV 89134

Re: Environmental Impact Statement for the Alignment, Construction, and Operation of a Rail Line to a Geologic Repository at Yucca Mountain, Nye County, NV

I am writing in opposition to the DOE's proposal to haul 77,000 tons of highly radioactive wastes to its proposed national dumpsite at Yucca Mountain, Nevada, and to build a rail line from Caliente, NV to provide direct rail access for waste shipments to Yucca Mountain. There are many aspects of this proposal that I find unacceptable; among them the short period for public input, the inadequate scoping process, the use of unsafe intermodal transport, and the dangers and destructive impact along the targeted corridor of land between Caliente and Yucca Mountain in terms of proximity to the Nellis Air Force bombing range and mining operations.

In addition the entire corridor is on lands belonging to the Western Shoshone Indian Nation under the Treaty of Ruby Valley, which the U.S. government signed and ratified in 1863. Such treaties with sovereign Native American tribes are the highest law of the land, equal in stature to the U.S. Constitution itself, and DOE should not violate the Treaty of Ruby Valley by building this proposed railway, or by building the Yucca Mountain dump. DOE's proposed rail line and dump immorally and illegally threaten cultural resources, archaeological sties, artifacts, sacred sites and holy lands of the Western Shoshone and other Native American tribes.

Sincerely, Shirley Fairclotth

X