

2 BOB HALSTEAD: Good evening and thank you  
3 everybody who's here. [ I also want to say thank you to the |  
4 Department of Energy for returning to this more traditional  
5 form of taking this format for taking public comments on  
6 environmental impact statements, project documents, and so  
7 forth.

8 Many people have expressed concern over the  
9 past couple of years about the absence of this kind of  
10 an opportunity for people to give comments in front of  
11 their neighbors as opposed to speaking to the court  
12 reporter, which is perfectly fine if you prefer to speak  
13 to the court reporter. So, again, I just want to start  
14 off by saying that we acknowledge and appreciate having  
15 this type of a forum.]

16 There are obviously many, many things we can  
17 say about these humungous documents. Those of you who  
18 have been looking at them know that we're talking about  
19 thousands of pages, and we're still in the process of  
20 preparing our work plan for the next two months of work  
21 that we'll do.

22 So the comments I'm going to give you tonight  
23 are preliminary. I do want to say that I am the  
24 transportation advisor for the State of Nevada Agency  
25 for Nuclear Projects. We have a team of people who are

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1 working on different aspects of both of these  
2 Environmental Impact Statements, and you can call our

3 agency in Carson City at 775-687-3744, that's  
4 775-687-3744, and ask for any help that you want in  
5 preparing your own comments or seeing what our  
6 explanation of a particular technical point is.

7 I have prepared a little handout that --  
8 unfortunately it's in very small print, so you'll have  
9 to wear your reading glasses to read it, but it's over  
10 on the table over here. I'm not going to go through the  
11 whole thing, but if you're interested, you can see some  
12 of the other points so that we stay within the  
13 five-minute limit tonight.

14 I'm going to break my comments into two parts.  
15 The first is the General Supplemental Environmental  
16 Impact Statement, and I want to emphasize that there are  
17 some procedural concerns that the state has.

18 [ First, we believe that there are limited  
19 hearing opportunities outside Nevada. This is important  
20 because the proposed TAD canister system would affect  
21 all 72 of the shipping sites in one way or another.

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22 The majority under DOE's plan would use them.  
23 Even the ones that can't would also be affected by DOE's  
24 transportation plan. And there's only one hearing in  
25 Washington, D.C., and one in Lone Pine, California.

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1 Secondly, the 90-day comment period is in our  
2 opinion not adequate given the complexity, the size, and  
3 importance of these documents. We requested an

4 additional 60 days, and we hope that anyone else who  
5 thinks they need that time would join us.

6 Thirdly, we don't think DOE has given  
7 themselves enough time to actually look at the comments  
8 and come up with a good final document. They have a  
9 self-imposed target date for getting their license  
10 application to the NRC next June. That, unfortunately,  
11 we believe is going to limit what they might do in  
12 response to comments.]

13 [Finally, there's an unclear relationship  
14 between these two Environmental Impact Statements, these  
15 drafts and the Final EIS from 2002. Particularly, when  
16 you look at the no action alternatives, it's not clear  
17 whether a fallback to the 2002 final EIS is, in fact,  
18 the contingency plan if for some reason the Caliente  
19 Rail Corridor is rejected and/or the TAD canister system  
20 is rejected.]

21 [A few brief comments about the TAD.  
22 Understand that the Supplemental Draft EIS is required  
23 and justified primarily because DOE has come up with a  
24 new hardware plan. I hate to say that it's something of  
25 a silver bullet, but I've been around the hardware

1 planning for the nuclear waste -- the national nuclear  
2 waste system for a long time.

3 And there are many positive conceptual things  
4 about the TAD canister system, but the big problem is  
5 that the designs aren't final yet. There may or may not

6 be designs that have been -- that have gone through the  
7 Nuclear Regulatory Commission safety analysis process by  
8 next June.

9           There's great uncertainty in the utility  
10 industry about whether they want to actually use the  
11 TADs. About 25 of the 72 reactor sites don't have rail  
12 access that would make it easy for them to use the TADs.

13           And regarding the 10 percent or so of the  
14 spent fuel that might be shipped by truck, DOE is now  
15 saying that this would be made in overweight as opposed  
16 to legal weight trucks. There are a lot of  
17 transportation uncertainties that come out of the TAD  
18 canister proposal, but there are also uncertainties just  
19 about whether it's going to work, period, whether the  
20 utilities will adopt it.]

21           [I guess one other thing I would like to say 5  
22 about the TAD system is in relation to transportation.  
23 DOE is saying that most of the transportation, perhaps  
24 90 percent would be by rail. But even DOE says  
25 10 percent might have to come by truck.

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1           We think looking at the shipping sites that it  
2 would be more like 25 to 35 percent by truck. Whether  
3 it's shipped by truck or by rail, we believe there are  
4 still a number of transportation safety and security  
5 issues that haven't been completely considered or  
6 considered adequately.

7                   One is worst case accidents versus what DOE  
8 calls reasonably foreseeable accidents. Another  
9 involves specifically long-duration, high-temperature  
10 fires in accidents, the issue of predicting what happens  
11 in a successful terrorist attack.

12                   To their credit, DOE has been more up front,  
13 frankly, in dealing with this issue than the Nuclear  
14 Regulatory Commission. We still think that they tend to  
15 underestimate the consequences, but we acknowledge that  
16 they have done more than the Nuclear Regulatory  
17 Commission in actually evaluating what might happen and  
18 putting the numbers in their document.

19                   Let me just say a couple other things. The  
20 issues of human errors and unique local conditions need  
21 to be rolled into transportation safety. Those are some  
22 of the general issues that mostly affect the  
23 Supplemental EIS that I wanted to speak about tonight. ]

24                   Now, keeping these two documents separate is  
25 somewhat difficult, because then when we turn and look

1 at the Caliente Corridor proposal and look at the way  
2 that that would affect the state of Nevada and the  
3 nation, you can't look just at the -- at the Rail EIS  
4 and get all the information you need.

5                   You really have to look at the transportation  
6 chapter. There's an appendix called Appendix G that  
7 really lays out I think very accurately all the areas of  
8 disagreement between the Department and various

9 stakeholders in the state of Nevada.

10 So let's look at two specific -- actually,  
11 three specific issues in the Rail EIS and in the  
12 Supplemental EIS that deal with what the selection of  
13 Caliente Corridor means.

14 [The first thing that I want to say are a few  
15 general things about the way that the environmental  
16 impacts are dealt with. We don't believe that the  
17 Caliente Corridor proposed rail line impacts on land use  
18 conflicts have been adequately addressed, particularly  
19 with the ranching, mining, recreation, and cultural  
20 resources.]

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21 [We have some general concerns that some of the  
22 alternative segments that seem to have been eliminated  
23 from future consideration, sometimes long circuitous  
24 routes. Those of you who are familiar with the specific  
25 document here, some of these alternatives seem to have

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1 been ruled out because they would cost a few tens of  
2 millions of dollars more, but they would address the  
3 specific concerns of the affected landowners.

4 This is going to be a really interesting legal  
5 question we've discussed with the lawyers. They say  
6 they're not going to want to take any cases to federal  
7 court until a final action, like a final EIS and Record  
8 of Decision come out.

9 But the notion that certain alternatives, for

10 example, to the way you get from the UP main line up to  
11 Bennett Springs, the way that you get around Timber  
12 Mountain Pass and the White River alternative, the  
13 Coal Valley and Garden Valley alternatives.

14           What about the possibility of Murphy Gap which  
15 has been suggested? A couple of options for getting  
16 around Reveille Valley. And, of course, there's quite a  
17 bit of concern in the Goldfield Mining District.

18           So when we look at the discussion, and I hate  
19 to sound like a geek on this, okay, you go to Appendix C  
20 in Volume 4 of the rail discussion, there's a very  
21 interesting discussion there where DOE has put price  
22 tags on the different alternatives.

23           And this is a very serious NEPA issue we feel.  
24 The project cost has gone from 800,000,000 dollars now  
25 to a projected cost of somewhere two to three billion

1 dollars over five years of study. And given that that's  
2 the case, to say that you take a least cost route  
3 because it's more convenient and cheaper for the  
4 Department as opposed to picking the route that has the  
5 least adverse impacts, particularly in this area on  
6 ranching and grazing and on residential home development  
7 and recreation, also, we think there are some legal  
8 issues there.]

9           [I spent too much time on that point, but  
10 that's probably a really important point from the  
11 standpoint of how if this is all done, understand the

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12 state opposes Yucca Mountain, the state doesn't think  
13 there is a high probability that Yucca Mountain is going  
14 to go forward.

15 But if it were to go forward and the rail line  
16 were to be built, it's important that it be built in a  
17 way that causes the least adverse impacts; and to the  
18 extent there are positive impacts, that it maximizes  
19 those. That's what this discussion is all about.]

20 I hope all the affected stakeholders here will  
21 give their personal information about unique local  
22 conditions to the Department. [I'm going to wrap up by 9  
23 saying that one other general issue about the Caliente  
24 route that we're concerned about at the state level is  
25 that when you look at the national routes from the 72

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1 shipping sites, DOE is underestimating the number of  
2 these shipments that might come east to west on  
3 southerly rail routes, come into Caliente, go into LA or  
4 San Bernardino, and come back either through Las Vegas  
5 if the Caliente option is chosen, or if the Mina option  
6 were to be chosen, coming back through Reno.

7 So we've done our own mapping on the land use  
8 impacts I was mentioning. Fred Dilker, who's our GIS  
9 specialist, is preparing a set of maps like this on the  
10 grazing allotments. We'll shortly be posting these on  
11 our Website. We will be providing them to DOE as part  
12 of our comments.

13                   And anyone who would be interested in seeing  
14 what we've done on the areas of your concern, again, if  
15 you call 775-687-3744, we'll arrange to get copies to  
16 you. We've also done some national mapping of the  
17 routes that we think are actually most likely to be used  
18 for the shipments to Caliente. And they're somewhat  
19 different from the routes in the DOE's Environmental  
20 Impact Statement.

21                   We've actually been looking at the routes that  
22 the railroads have already told DOE they're most likely  
23 to use, whereas DOE has been looking at what they call  
24 representative rail routes that might or might not be  
25 used. ]

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1                   I think that's a good place for me to end.  
2 Again, I'd like it say that we appreciate the fact that  
3 DOE has restored this traditional format for taking  
4 input from the public. We're happy that all of you are  
5 here, and we would ask that anyone who thinks that we  
6 can be of assistance to them in preparing their  
7 comments, please get in touch with us.

8                   ~~JAN COLE: I suffer stage fright, so if my voice  
9 starts to quiver, don't worry about me. John and I have  
10 been involved here in this community for about six years.  
11 We own the Caliente Hot Springs Motel and Spa. We also  
12 own -- well, a total of about 152 acres within the city  
13 limits of Caliente.~~

14                   ~~I'm a real estate broker. I specialize in~~

1                   BOB HALSTEAD: I want to add just a couple  
2 comments that -- let's be blunt about this. The state and  
3 Lincoln County haven't always seen eye to eye on this  
4 project. And on the other hand, one of the things that the  
5 state is looking forward to is seeing the comments and the  
6 consultant studies that Lincoln County has done to document  
7 the stakeholders' views about unique local conditions and  
8 impacts.

9                   Now, we're doing some of this, but our  
10 responsibility is to cover the whole area. And so we  
11 can't do the Lincoln County or the Nye County in the  
12 same detail. [ I just want to share with you a couple of  
13 the -- actually, three of the specific concerns about  
14 land use conflicts that we have heard from the  
15 presentations that have been given so far to  
16 Lincoln County that show that there are really some  
17 similar points of view between what Lincoln County's  
18 consultants are looking at and what the state's  
19 consultants are looking at.

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20                   And that is when we look at the land use  
21 impacts of the railroad, and I certainly do not want to  
22 diminish the nuclear aspect of the railroad, okay, and  
23 the stigma impacts that might occur in the city and so  
24 forth, but when you get out -- when you get out of the  
25 city, the real issue is that building the railroad is

1 not just building the railroad, it's like building a

2 320- to 340-mile crushed stone wall that's got a  
3 railroad on top of it and may or may not have fences  
4 around it.

5           And so one issue for us is that DOE has to  
6 look at these aspects of the railroad that have nothing  
7 to do with nuclear waste, have nothing to do with  
8 people's concerns about safety and terrorism, but have  
9 everything to do with the way that the railroad itself.

10           The railroad for any purpose creates a  
11 physical barrier to the movements of humans and  
12 livestock and wildlife.] That's issue number one. [Issue  
13 number two is -- and we're still digesting the 800 pages  
14 or so in Volume 3 that talk about water use  
15 requirements.

16           And you'll notice that now DOE is projecting  
17 that they need a significant amount more water, maybe  
18 eight or nine times what they originally projected.  
19 Some of that is just because the construction plan is  
20 better understood for dust suppression and things, some  
21 maybe they just underestimated to begin with.

22           The point is they're projecting a much more  
23 significant need for construction water, and there are  
24 different ways to get water in the West. You can buy it  
25 and truck it in. There's a proposal to build -- there's

1 a proposal to drill a large number of new water wells  
2 which, of course, is going to be complicated from a  
3 regulatory standpoint dealing with the State Water

4 Engineer, dealing with ranchers who already have water  
5 rights, for example, in Reveille Valley.

6 Issue number two where I think the concerns of  
7 Lincoln County and Nye County and the state is actually  
8 getting a good handle on these construction water use  
9 requirements and the drilling of new wells for them.]

10 [The third one maybe doesn't initially jump out | 2  
11 at you, but, you know, a great amount of crushed stone  
12 for subballast and ballast is required when you build a  
13 railroad. And DOE -- there are also other construction  
14 aggregate requirements.

15 DOE is proposing to build a number of quarries  
16 along the route as opposed to one option, which would be  
17 to bring in the ballast from existing ballast mines  
18 in -- the ones that are best known are in Wyoming and  
19 Missouri. We know DOE has done a lot of looking at  
20 alternatives.

21 They talked to the Union Pacific about whether  
22 they could piggyback their purchases of ballast and get  
23 the Union Pacific's discount rate and then get a better  
24 rate for shipping and so forth. There are alternatives  
25 in many aspects of the construction of the railroad.

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1 A third one, and I think this more affects  
2 Nye County than Lincoln County, with the quarry, the  
3 size of the quarries that are being discussed, but  
4 looking at whether it's really necessary to bring in

5 those construction materials and build these large  
6 quarries along the route as opposed to -- these are the  
7 kinds of questions that hopefully the counties are going  
8 to look at in their work. ]

9           And, again, I've probably taken too much time,  
10 but it's a rare and happy opportunity when the state and  
11 Lincoln County can talk together about some shared  
12 concerns. Thank you.