

Summary of Public Scoping Comments

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

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William Craig
Dade Moeller & Associates
545 Blackburn Drive
Augusta, GA 30907

David Lechel
Lechel, Inc.
9600 Allande Road
Albuquerque, NM 87109

Lee Morton
Bechtel SAIC Company, LLC
1180 Town Center Drive
Las Vegas, NV 89144

Process to Evaluate Scoping Comments

This document describes the process used to categorize and evaluate public comments received during and after the scoping period for the Rail Alignment (RA) EIS. The scoping period started April 8, 2004 and closed June 1, 2004. However, DOE has considered all public comments received.

Comment documents were received in the form of oral testimony (court reporter transcripts), letters, comment forms, emails, and fax. Upon receipt, each comment document was date stamped, assigned a unique document identifier number, and scanned into the Project database along with relevant commentor information (e.g., name, address, phone number if available).

Comment documents were reviewed preliminarily to identify types of issues so as to develop a working issues list (termed Binning List for purposes of this document). The working Binning List was revised as more comment documents were reviewed. As a result, about 85 bins or sub-bins (i.e., issue categories) were identified to categorize comments (see Attachment I). Each comment was assigned to one bin or sub-bin.

The following describes the comment identification and evaluation process in greater detail:

1. The comment document was assigned to a reviewer.
2. The reviewer read the comment document in its entirety, and then identified comments (defined as a discrete remark about a particular topic). Comments were assigned to a bin or sub-bin by brackets and using the numbering scheme shown in Attachment I. To ensure consistency, a single reviewer performed Step 2.

As an example, the following excerpt illustrates two comments that were assigned to sub-bins 8a and 8j:

8a [...DOE should include in its analysis the potential effects construction and operation of the rail spur will have on current land use and environmental attributes. This includes effects on ranchers and other property owners/users][surrounding plant and animal species.] 8j

3. Once all comment documents were bracketed and assigned bin/sub-bin numbers, comments were culled from a copy of each document, and all comments assigned to the same bin number were placed in envelopes.
4. The envelopes were assigned to reviewers for evaluation. Comments within each bin/sub-bin were reviewed, grouped according to similar sub-issues, and the essence of the comments summarized into tables (see Attachment II).

As the comments in each bin/sub-bin were reviewed, minor re-binning occurred as a quality assurance and fine-tuning step. When comments were re-binned, the original bracketed comment document was modified to match the re-binning.

In the process of grouping according to similar sub-issues, preparing a comment summary, and identifying key words to describe the sub-issues, the use of sub-bins as part of the final summaries no longer held value. Therefore, sub-bins were not utilized in the final summaries (Attachment II). No effort was undertaken to re-mark the original bracketed comment document was made.

5. It should be noted that DOE received both similar and duplicate comment documents whereby the statements provided in the documents were the same. In the case of all similars (where multiple commentors submitted the exact same comments, typically as a form letter) and duplicates (where the same commentor submitted the same comments twice), each comment document was assigned a document number, but comments in only one document were identified and assigned bin numbers. However, each duplicate comment document was considered unique, and the total number of both similar and duplicate comments was counted on the summary tables as an indicator of public input. A breakdown of both similar and duplicate comments is provided in Attachment III.

The information contained in Attachment II will be used by DOE to finalize the scope of the RA EIS. The RA EIS will describe the results of the scoping process, as well as how the preliminary scope evolved in response to public comment.

Summary of public comments

544 Commentors provided 4,167 Comments in 19 categories

NEPA Process	807
Rail Alignment Alternatives	108
New Rail Alternatives	16
No Action Alternative	13
Shared Use of Railroad	65
Rail Related Infrastructure	28
Rail Construction and Operation	54
Environmental Resources and Issues	1050
Cumulative Impacts	265
Cost Analyses and Comparisons	18
Land Access Issues	350
Native American Tribal Issues	66
Accidents	65
Terrorism/Sabotage	350
Emergency Response and Planning	58
Mitigation of Impacts	395
Shipping Containers/Casks	21
Miscellaneous	432
Affected Environment	6

Attachment I – Comment Binning List

1. **NEPA Process**
 - a. Mode Decision [includes comments on preferring truck over rail and associated highway issues (pros/cons), suggestions relevant to proposed action and alternatives in RA EIS, as well as all trucking alternatives and the barging alternative]
 - b. Corridor Decision [Pro/Con corridor decision as described in the ROD, basis for decisionmaking]
 - c. Consider other Corridors [e.g., Carlin]
 - d. Scoping Meetings/Scoping Process and Compliance with NEPA [includes comments on general outreach programs, criticisms specific to the RA EIS scoping process and approach to public meetings, and includes broader comments on compliance with NEPA]
 - e. Public Notification [comments on the notification process and why property owners were not individually notified of the proposed rail line]
 - f. Document Availability [scoping documents and other documents used in the decision making process for the ROD - requests for availability of all documents]
 - g. Cooperating Agencies [includes requests from organizations and communities not qualified to be a cooperating agency; consideration of BLM Regional Management Plans; STB status; and USAF concerns; also comments on cooperative agreements]
 - h. Consultations [includes comments on formal consultations as well as comments e.g., I want to be kept informed]

2. **Rail Alignment Alternatives** [comments on the specific alignments identified in the NOI and suggestions for other alignments related to these alternatives, or elimination of one or more alternative alignment(s)]
 - a. Interface with mainline railroad
 - b. White River
 - c. Garden Valley
 - d. Mud Lake
 - e. Goldfield
 - f. Bonnie Claire
 - g. Oasis Valley
 - h. Other Alignment Comments [comments on new alignments related to the Caliente corridor that cannot be readily associated with one of the alignments identified in the NOI]

3. **New Rail Alternatives** [comments that propose a rail corridor not previously identified or associated with one of the existing corridors]

4. **No Action Alternative**
 - a. Comments on the NOI Definition
 - b. Suggested No Action Alternatives

5. **Shared use of the Rail Line** [including comments related to specific rail use and general economic development; opposition to the rail line is captured in bin 1a; those commentors not opposed to a rail line but not in favor of shared use are captured in bin 7]
 - a. General Economic Development
 - b. Specific Rail Use Proposals

6. **Rail Related Infrastructure** [fleet management facilities, construction lay-down yards, intermodal-transfer facilities, staging areas, etc.; also captures comments on locations for borrow material, spoil, and ballast materials' also suggested locations for rail spurs]

7. **Rail Construction and Operation** [comments on potential operators, policies and procedures rather than impacts. Also includes comments as to the number of expected shipments]

8. **Environmental Resources to be Considered**
 - a. Land use [reserved for general land use comments, e.g., your going through a wildlife study area; more specific concerns about access, grazing and water rights issues, etc., are binned separately because of the visibility of the issues - see bin 11]
 - b. Socioeconomics
 - c. Environmental Justice
 - d. Visual/Scenic Resources [includes comments on the City Sculpture in Garden Valley]
 - e. Noise
 - f. Cultural Resources (historic, archaeological, paleontological; Native American Indian interests; includes plant and animal species important to Native Americans)
 - g. Geology and Soils (includes soils, topography, seismicity, and volcanism)
 - h. Water Resources [both surface and subsurface; focuses on water impacts and general availability rather than water rights]
 - i. Air Resources
 - j. Biological Resources [terrestrial and aquatic]
 - k. Threatened and Endangered species
 - l. Floodplains and Wetlands
 - m. Agriculture [includes any comments on prime farmland designations]
 - n. Recreation Resources [includes comments on any recreational use of lands within the corridors, e.g., hiking, hunting, rocking, etc.]
 - o. Traffic and Transportation [comments on the impacts of transportation; for example intermodal rail/truck has more impacts due to more handling of the shipments; also includes info on traffic loads at potential rail crossings. Does not include comments on number of shipments or shipping policies/logistics - see Bin 7 for these comments]
 - p. Human Health & Safety [includes issues raised about possible resuspension of radioactive material in soils on the NTS as part of construction activities]
 - q. Waste Management [includes comments on changes in the classification and characterization of waste forms to be shipped]
 - r. Non-Native and Noxious Plants
 - s. Mineral Resources [both known and potentially viable mineral areas]
 - t. THIS BIN HAS BEEN VOIDED
 - u. Utilities [includes any comments on known conflicts with pipelines, cell towers, etc.]

9. **Cumulative Impacts** [includes specific comments on cumulative impacts or comments that can be interpreted to mean they apply to cumulative impacts]
10. **Cost Analyses and Comparisons** [captures comments on cost of construction and operation for the rail line; includes comments on the Price Anderson Act]
11. **Land Access Issues** [comments on specific issues related to the following]
 - a. Road Closure and Access
 - b. Grazing Rights
 - c. Water Rights
 - d. Land Withdrawal
 - e. Land Ownership [includes comments on contested land ownership and the lack of boundary maps for the counties; includes broad comments on property rights]
 - f. Condemnation
 - g. Mineral Claims
12. **Native American Tribal Issues** [comments on general issues not related to impact analysis]
 - a. Native American Lands
 - b. Treaty of Ruby Valley
 - c. Consultations and Notifications
 - d. Other [also includes comments on tribal recognition]
13. **Accidents** [includes comments on all forms of accidents and accident scenarios including the potential for the rail line to cause wildfires]
14. **Terrorism/Sabotage** [includes comments on the consideration of T/S and the general security concerns for the rail line and the integrity of the shipments]
15. **Emergency Planning and Response** [includes comments on providing funding for emergency planning, first responder training, medical facilities; does not include impacts associated with T/S or accidents]
16. **Mitigation of Impacts** [comments proposing specific mitigation measures or general concerns over mitigation]
 - a. Access [including over- and under-passes including culverts for livestock and wildlife; also captures comments related to the uncertainty of the rail alignment and the resulting effect on planned projects]
 - b. Grazing Rights
 - c. Water Rights
 - d. Mineral Claims [includes comments on hazardous abandoned mines]
 - e. AUGs [mitigation comments provided by or about the Affected Units of Government and general mitigation as it pertains to the NWPA; PETT payments; general economic development; includes request for compensation from Native American Tribes]

- f. Compensation [includes comments on compensation to individuals whose land may be acquired or otherwise impacted; also includes comments on other forms of compensation e.g., for livestock loss]
- g. Fencing/No Fencing [captures all comments and questions on fencing]
- h. Plants [not suitable for grazing to deter livestock from an area] and Plant Control [noxious and non-native plant species]
- i. Wildlife and Wildlife Habitat [includes comments on predator control]
- j. Erosion Control
- k. Stream Protection
- l. Air and Water Monitoring
- m. Training Classes/Support to schools [comments on general classes geared to educating workers; support to schools; capture comments more toward the provision of institutional services rather brick and mortar school facilities]
- n. Wireless/Cell Phone Communications
- o. Specified Truck Routes [includes comments on the need for new and upgraded roads]
- p. Community Infrastructure [e.g., water/sewer systems]
- q. Seasonal Construction [construction based upon seasonal wildlife habits e.g., the foaling season for wild horses]
- r. Human health effects

17. Shipping Containers/Casks [comments specific to the research and development of shipping containers]

18. Miscellaneous

- a. National Transportation Impacts
- b. Pro/Con the Yucca Mountain Geologic Repository [including opposition to the transport of waste or the opinion to keep the waste at the generator sites]
- c. Pro/Con the NWPA
- d. Pro/Con Nuclear Power
- e. Pro/Con DOE [includes comments on the U.S. Government in general]
- f. Risk Perception and Stigma
- g. Other [includes alternative sources of energy and reprocessing of nuclear material]

19. Affected Environment [includes comments on establishing regions of influence; need for baseline studies]

Attachment II: Rail Alignment EIS Scoping Comment Summary Tables

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Table 1. NEPA Process

Subissue (key word)	Comment Summary
1 (Preferences for mode)	<p>Commentors expressed opinions in favor of, or against, DOE's decision to use mostly rail (or to construct a railroad) to ship SNF and HLRW to a repository at Yucca Mountain. Commentors also suggested other means of transport such as aircraft.</p> <p>In support of their opinions commentors offered that shipping by rail is more safe and efficient (relative to truck), rail construction and operation cost more (or less) than truck shipping, rail offers an increased security risk (versus shipping by air), and rail construction would take place in areas contaminated by fallout from bomb tests. Shipping by truck is more practical, or shipping by air can take advantage of nearby restricted airspace. Barge use could be beneficial in limited areas (Great Lakes, Mississippi River).</p> <p>37 comments, 24 commentors (40002, 40005, 40007, 40012, 40030, 40036, 40042, 40046, 40058, 40066, 40071, 40130, 40134, 40155, 40169, 40235, 40250, 40261, 40262, 40277, 40397, 40545, ? with missing commentor number)</p>
2 (Nature of mode decision)	<p>Commentors questioned the nature of, and sought clarification of DOE's decision to use mostly rail nationally and in Nevada. For instance, one commentor stated that DOE has not determined whether rail will be the primary means of transport and cited DOE's supplement analysis that analyzed a rail to legal-weight truck intermodal facility. Other commentors requested clarification of the means of transporting SNF in addition to the use of rail, and suggested that use of the intermodal facility is inappropriate from a risk perspective.</p> <p>5 comments, 3 commentors (40040, 40269, 40248)</p>
3 (Proposed action and alternatives)	<p>Commentors suggested alternatives and associated analyses to be considered in the RA EIS. These included, for instance, the rail to heavy-haul truck scenario analyzed in the Yucca Mountain Repository Final EIS, believing DOE's mode decision did not eliminate such a scenario. Commentors requested the identification of alternatives (such as all truck) in the event the railroad is not constructed in time for shipments of SNF to begin. Others stated the RA EIS should evaluate a rail to legal-weight truck intermodal facility scenario (for shipping repository construction materials and SNF), and should include analysis of truck shipments (including projected highway routes) associated with the mostly rail alternative; one commentor suggested that intermodal facilities would be needed at the 77 DOE and commercial SNF sites, and another suggested a specific location for the facility (Apex area). Commentors also wanted DOE to identify the exact location and width of the alignment, address how well the Caliente alignments conform to Congressional directives in</p>

Subissue (key word)	Comment Summary
	<p>the FY04 Energy and Water Development Appropriation Act, and describe the details of selection of the Caliente corridor. Another commenter urged DOE to prepare an RA EIS that would enable a variety of decisions including whether to construct a rail line, on which alignment to construct the rail line, whether and where to construct and operate rail to truck intermodal facility(ies), and the number and routing of legal-weight truck shipments.</p> <p>Commentors also suggested that DOE analyze the Carlin, Valley Modified, and Caliente-Chalk Mountain corridors as alternatives in the RA EIS.</p> <p>32 comments, 22 commentors (40008, 40030, 40034, 40079, 40131, 40147, 40230, 40237, 40240, 40261, 40262, 40269, 40274, 40394, 40401, Similar 2¹)</p>
4 (Preferences for corridor)	<p>Commentors expressed opinions in favor of, or against, DOE's decision to select the Caliente rail corridor. One commentor in favor of the Caliente corridor foresaw potential economic opportunities. Commentors in opposition to the Caliente corridor offered various reasons including, for example, the corridor was too near waterways and towns, the high cost of construction, conflicts with Western Shoshone lands established under the Treaty of Ruby Valley, adverse impacts to natural resources (such as gold reserves and geothermal resources), and because of the number of major population centers through which waste will be shipped.</p> <p>27 comments, 24 commentors (40002, 40008, 40016, 40017, 40027, 40039, 40049, 40071, 40080, 40150, 40160, 40166, 40174, 40233, 40254, 40258, 40260, 40261, 40262, 40263, 40264, 40279, 40395, 40402)</p>
5 (Basis for corridor decision)	<p>Commentors sought clarification for, or questioned the basis of, DOE's decision to select the Caliente corridor. Commentors also questioned the basis for not selecting other corridors such as Valley Modified or the Caliente-Chalk Mountain corridors.</p> <p>Regarding selection of the Caliente corridor, commentors (for example) asked DOE to describe the criteria used to select the corridor, and to provide a quantitative estimate (months or years) of the potential for delay as mentioned in the Record of Decision. Commentors also believe that DOE did not conduct inspections of the corridor, and that avoidance of the Las Vegas area should be no different than avoiding other metropolitan areas.</p>

¹ See Attachment III to identify commentors associated with Similar 1, 2, 3 and 4.

Subissue (key word)	Comment Summary
	<p>Regarding other corridors, commentors suggested that national security concerns by themselves should not have eliminated the Caliente-Chalk Mountain corridor (and it would be less expensive to construct), the Carlin corridor would have more economic benefits relative to the Caliente corridor and would have less private lands to cross, and the Jean corridor would be less expensive to construct. Commentors also believe that DOE did not adequately study all five corridors.</p> <p>25 comments, 16 commentors (40007, 40008, 40023, 40030, 40044, 40047, 40115, 40133, 40147, 40174, 40239, 40259, 40269, 40272, 40274, 40397)</p>
6 (Corridors not from Repository FEIS)	<p>Commentors suggested that rail corridors other than the five analyzed in the Final EIS (e.g., Mina, Crucero, Arden) should have been evaluated. Two commentors suggested that DOE develop the rail line from Hawthorne using an abandoned railroad bed to Goldfield.</p> <p>4 comments, 4 commentors (40042, 40046, 40174, 40272)</p>
7 (Scoping period and meeting locations)	<p>Commentors suggested that the scoping period be extended, and that public meetings should be held in additional locations. More specifically, commentors suggested scoping periods of 90 to 180 days, believing DOE's period of 52 days to be too short to receive adequate comments or for the public to understand the proposed action. Commentors also requested DOE to hold scoping meetings in various locations outside Nevada that would be affected by transportation of materials, as well as in additional locations within Nevada. Some commentors believe that DOE held meetings with elected officials in "secret" without benefit of public input and in violation of open meeting laws.</p> <p>532 comments, 273 commentors (40030, 40078, 40123, 40139, 40182, 40234, 40242, 40269, 40273, 40373, 40383, 40391, 40393, Similar 2, Similar 3, Similar 4)</p>
8 (Nature of scoping meetings)	<p>Commentors were displeased with DOE's use of an open-meeting format for the public meetings, and often suggested that a more "traditional", hearing process with DOE presentations, questions and answers, and a court reporter taking public comments in a public session would be more appropriate. These commentors prefer the more traditional process believing it better prepares others for comment and thus provides more insightful comments to DOE.</p> <p>24 comments, 22 commentors (40015, 40030, 40036, 40049, 40087, 40089, 40090, 40091, 40128, 40142, 40147, 40182, 40256, 40269, 40274, 40393, Similar 2)</p>

Subissue (key word)	Comment Summary
9 (Response to scoping comments)	Commentors requested that DOE publish a scoping report containing transcripts of comments (to be provided in hard copy, in reading rooms, and on the Internet), while others suggested that the RA EIS provide responses to scoping comments.
10 (Scoping advertisement)	11 comments, 9 commentors (40029, 40091, 40092, 40142, 40147, 40237, 40269, 40274, 40393) Two commentors suggested that the scoping process should have been more broadly advertised in various major media.
11 (Compliance with NEPA)	2 commentors, 2 commentors (40145, 40246) Commentors generally believe that DOE has not complied with the letter or spirit of NEPA and the Council on Environmental Quality Regulations. A variety of reasons were cited. For example, commentors stated that DOE could not select a rail corridor without a more thorough national intermodal analysis, without providing greater opportunities for public participation in the process (in identifying a preference as well as in making the decision), and without conducting on-the-ground surveys of the corridors. Commentors also stated that the proposed land withdrawal in advance of the decision to select the Caliente corridor was inconsistent with the regulations. In addition, commentors requested that the RA EIS evaluate a no action alternative, evaluate "all standard impact categories duly covered under a NEPA analysis," and provide all of the information used to select the Caliente corridor from among the five corridors. Other commentors observed that DOE should prepare a supplemental EIS because of the rail to legal-weight truck intermodal scenario. One commentor called for the RA EIS to "ensure a full, complete, and open airing of the relevant issues."
12 (Notices to individuals)	40 commentors, 18 commentors, (40036, 40039, 40069, 40116, 40170, 40233, 40259, 40269, 40272, 40274, 40393, Similar 2) Commentors believe that DOE had an obligation to, and erred by not contacting individuals along the Caliente corridor in advance of announcing its preferred corridor and resultant decisionmaking, or its proposed land withdrawal. By doing so commentors charge that DOE overlooked certain land use conflicts.
13 (Document availability)	18 comments, 10 commentors (40008, 40019, 40030, 40036, 40043, 40239, 40259, 40269, 40274, 40275) Commentors provided suggestions regarding the availability of certain documents. Some requested that DOE post verbatim transcripts on the web or provide copies to reading rooms, while others would like to receive copies of transcripts from the scoping meetings or the Draft RA EIS. Some commentors wanted to

Subissue (key word)	Comment Summary
	<p>review preliminary copies of the Draft RA EIS, and others suggested that DOE provide design maps and plan views.</p>
14 (Cooperating agencies)	<p>11 comments, 10 commentors (40008, 40012, 40036, 40044, 40063, 40182, 40269, 40271, 40274, 40373)</p> <p>Commentors offered a variety of opinions regarding cooperating agencies and associated jurisdictions/responsibilities. For example, commentors suggested that the Surface Transportation Board should be the lead agency for preparation of the RA EIS. Other commentors identified potential cooperating agencies such as the Moapa Band of Paiutes, Federal Emergency Management Agency, Nuclear Regulatory Commission, counties, and the Federal Railroad Administration. Commentors also suggested that agency jurisdictions be addressed in the RA EIS, and that additional agencies be consulted (e.g., DOT's Research and Special Programs Administration, Department of Homeland Security). Regarding the Bureau of Land Management, commentors noted that their (BLM's) land use plans would need to be modified.</p>
15 (Consultation)	<p>14 comments, 8 commentors (40015, 40028, 40075, 40078, 40131, 40237, 40261, 40269, 40373)</p> <p>Commentors suggested that DOE consult with the public (keep them informed), various organizations and tribes for transportation planning in general, as well as during preparation of the RA EIS. For example, implementation of transportation plans (e.g., construction and operation of the railroad), and rail alignments and road crossings should be developed in consultation with counties, state agencies (e.g., Highway Patrol, Department of Public Safety, Division of Health), cooperating agencies (e.g., Surface Transportation Board), and other federal agencies (Fish and Wildlife Service).</p> <p>25 comments, 20 commentors (40040, 40065, 40091, 40121, 40131, 40169, 40170, 40174, 40239, 40240, 40241, 40269, 40272, 40274, 40277, 40397, 40522, 40545, Duplicate 1²)</p>

² See Attachment III to identify commentors associated with Duplicate 1 and 2.

Table 2. Rail Alignment Alternatives

Subissue (key word)	Comment Summary
1 (Interface with mainline)	<p>Commentors offered their perspectives of the three alternative alignments that interface with the Union Pacific railroad. Five commentors favored the Caliente alignment, using the abandoned rail line to Pioche, suggesting that land may be acquired more easily, planned housing developments would not be impeded, and it would offer economic benefits to the town of Caliente. One commentor favored the Crestline alternative alignment to minimize hazards to the town of Caliente. Three commentors favored the Eccles alternative alignment, because it would best minimize risk and ensure public safety.</p> <p>One commentor identified a possible fourth alternative alignment that would connect with the main line in Elgin, head west crossing Kain Springs Wash and then go north to the Sheep range of mountains and then south to Beatty.</p> <p>11 comments, 8 commentors (40017, 40057, 40127, 40141, 40260, 40274, 40395, 40396) [note: 1 comment did not have the commentor number]</p>
2 (Bonnie Claire)	<p>Commentors suggested the Bonnie Claire alternative west (BC1) should either be eliminated from consideration because it crosses Timbisha-Shoshone trust lands, or moved further to the west (possibly using an abandoned rail bed) to avoid these lands. One commentor suggested that if this alternative is not eliminated, grade separation crossings should be used at the intersection with U.S. 95.</p> <p>8 comments, 3 commentors (40008, 40076, 40093)</p>
3 (Nevada Test and Training Range)	<p>Commentors proposed that a corridor through the Nevada Test and Training Range (NTTR) would be preferable for a number of reasons: the NTTR has been withdrawn under public land laws, offers enhanced security, minimizes impacts to the general public, and costs less (relative to the Caliente corridor). Some commentors encouraged DOE to develop a rail line that remains on the NTTR, following its perimeter.</p> <p>47 comments, 18 commentors (40008, 40076, 40093, 40134, 40135, 40180, 40248, 40265, 40276, 40398, Similar 1)</p>
4 (Garden Valley)	<p>Commentors urged DOE to adopt an alignment that would bypass the Garden Valley and the "City" sculpture. They suggested an alignment that would follow the existing highways starting from Caliente – US 93 to NV 375 to US 6 through Tonopah and then south to US 95, or develop an alignment that would pass through Coal Valley and Murphy Gap (Golden Gate Range). One commenter suggested an alignment that would cross the Seaman Range passing over Lake Mill Summit.</p>

Subissue (key word)	Comment Summary
5 (Goldfield)	<p>11 comments, 6 commentors (40022, 40023, 40212, 40233, 40275, 40521)</p> <p>Commentors suggested that DOE relocate its Goldfield alternatives to the west to avoid the historic mining district, private property, and the transportation network (access roads). Some commentors suggested the alignment should use an abandoned railbed, and others provided a map with a suggested alignment. In contrast, two commentors suggested that the alignment(s) should be close to Goldfield or remain east of Goldfield. Two commentors recommended that the alignment should remain within the NTTR.</p>
6 (Oasis Valley)	<p>24 comments, 17 commentors (40040, 40042, 40046, 40050, 40051, 40053, 40091, 40153, 40154, 40168, 40229, 40231, 40265, 40276, 40401, 40522) [note: 2 comments did not have the commentor number]</p> <p>One commentor identified parcels of land believe to be intersected by the Caliente corridor. The commentor requested relocation of the corridor and associated alternative alignments to avoid these parcels.</p>
7 (General commentary)	<p>2 comments, 1 commentor (40122)</p> <p>Commentors suggested that any alignment should be on publicly managed lands, and should avoid any communities (one suggested a five-mile buffer around towns such as Beauty).</p> <p>5 comments, 3 commentors (4008, 40020, 40545)</p>

Table 3. New Rail Alternatives

Subissue (key words)	Comment Summary
1 (Alternate corridor)	<p>Commentors expressed that other corridors had advantages over the Caliente corridor and that the RA EIS should evaluate these other specific corridors (in addition to the Caliente corridor). Corridors noted included routes previously identified in DOE documents as Mina 6, Mina 6A, and Ludlow (Tonopah/Tidewater).</p> <p>10 comments, 5 commentors (40001, 40002, 40007, 40120, 40234)</p>
2 (Transportation routing in Nevada)	<p>Commentors questioned transport routes and shipment numbers for SNF and HLRW in the vicinity of Nevada.</p> <p>3 comments, 3 commentors (40087, Duplicate 2)</p>
3 (Design)	<p>Commentors suggested the rail line should be constructed underground.</p> <p>2 comments, 2 commentors (40113, 40157)</p>
4 (Commercial rail)	<p>One commentor submitted DOE should use a railroad (Nevada Central Railroad) under construction within the center corridor of the state of Nevada capable of providing a connection to Yucca Mountain. This commentor also noted that DOE's development of a separate rail line within the Caliente corridor would cause economic impacts to the commercial railroad operation.</p> <p>1 comment, 1 commentor (40164)</p>

Table 4. No Action Alternative

Issue (key words)	Comment Summary
<p>1 (NOI definition of the No Action alternative)</p>	<p>Several commentors noted that DOE must analyze a realistic and defensible No Action alternative. One commentor stated that the impacts should be addressed in a manner that allows comparisons among the alternatives and the No Action alternative.</p> <p>In commenting on the NOI, one commentor noted that CEQ interprets the No Action alternative, as the federal agency does not act at all (in this case, not constructing a rail line or any new facilities). The commentor explains that this means that DOE can make no selection of transportation mode or the concomitant transportation elements - i.e., no intermodal shipment scenario can be considered a No Action alternative, since to realize this scenario, DOE would have to act and/or develop new facilities that do not now exist.</p> <p>Another commentor cited the No Action alternative described for the RA EIS: "...these materials would be shipped by legal-weight and heavy-haul truck within the State of Nevada to a repository at Yucca Mountain." The commentor then stated that because these alternatives were fully and completely analyzed in the Yucca Mountain FEIS, they should not be analyzed again.</p> <p>5 comments - 3 commentors (40036, 40269, 40397)</p>
<p>2 (Suggestions on make-up of the No Action alternative)</p>	<p>Several commentors noted that DOE must evaluate the legal-weight truck/rail intermodal scenario as the actual No Action alternative. One commentor pointed out that the timeframe for the No Action alternative should be either 24-years or 38-years depending on whether DOE seeks authority to dispose of more than 70,000 MTU of spent-nuclear fuel and high-level radioactive waste. The commentor went on to say that DOE must consider the legal-weight truck rail/intermodal scenario as a six-year contingency plan.</p> <p>One commentor stated that the mostly truck scenario is the only true No Action alternative and should be considered in the RA EIS. Several other commentors also noted the need to look at the mostly truck scenario, as well as the truck rail intermodal scenario, and heavy-haul trucks.</p> <p>One commentor noted that the No Action alternative should be addressed in the context of commercial power plant owners and electrical power consumers bearing all cost associated with spent-nuclear fuel and not the taxpayers.</p>

Issue (key words)	Comment Summary
	8 comments - 5 commentors (40029, 40076, 40147, 40274, 40269)

Table 5. Shared Use of Railroad

Subissue (key word)	Comment Summary
1 (General in favor)	<p>Commentors expressed their support for public/commercial use of the railroad. Reasons included, for example, the potential for economic development (maximize value and minimize risk); shipping of various commodities such as building materials, oil, and minerals from mining; and use by passengers or tourists pursuing various recreational pursuits.</p> <p>46 comments, 38 commentors (40006, 40008, 40010, 40013, 40014, 40016, 40025, 40026, 40042, 40045, 40046, 40048, 40065, 40067, 40068, 40072, 40076, 40078, 40082, 40096, 40120, 40155, 40169, 40174, 40203, 40226, 40229, 40257, 40397, 40401, 40545, Similar 1)</p>
2 (General in opposition)	<p>One commenter indicated that the railroad should be restricted to DOE shipments.</p> <p>1 comment, 1 commentor (40373)</p>
3 (Spur locations)	<p>Commentors requested DOE to construct rail spurs in various communities (Beatty, Tonopah, Goldfield, and Amargosa Valley) for public/commercial use.</p> <p>7 comments, 6 commentors (40006, 40013, 40051, 40052, 40064, 40257)</p>
4 (Consideration in EIS)	<p>Commentors identified specific issues related to shared use that should be considered in the RA EIS including a request for a mineral appraisal which might contribute to commercial use of the railroad; use by the Nevada Test Site; safety implications and risk of shipping commodities such as munitions, civilian explosives, hazardous materials and petroleum products; general economic development opportunities including an examination of private sector activities that might benefit from rail; identification of private entities that may relocate to the area if rail were available, and transport of locally procured construction materials.</p> <p>11 comments, 7 commentors (40061, 40147, 40174, 40237, 40261, 40269, 40274, 40545)</p>

Table 6. Rail Related Infrastructure

Subissue (key word)	Comment Summary
1 (Construction infrastructure)	<p>Commentors requested that DOE identify and analyze the infrastructure necessary to construct the rail line. Examples of infrastructure identified included: borrow/fill/spoil areas, sources of ballast and sub-ballast, concrete batch plants, construction staging areas, construction camps, laydown areas, and security/maintenance/access roads (as well as any rights-of-way necessary for their use).</p> <p>8 comments, 4 commentors (40036, 40078, 40116, 40269)</p>
2 (Rail operations infrastructure)	<p>Commentors requested that DOE identify and analyze the infrastructure necessary to operate the rail line. Examples of infrastructure identified included: rail yards, operations center, railroad maintenance facilities, fueling facilities, communications and power lines, training facilities, and emergency response facilities.</p> <p>3 comments, 3 commentors (40036, 40116, 40269)</p>
3 (Intermodal transfer)	<p>Commentors indicated the RA EIS should examine alternative locations for intermodal transfer facilities in Nevada and nationally, including the rail/legal-weight truck scenario. Issues that should be examined include public health effects, routing implications of each location, highway transportation impacts, and emergency response/Section 180(c) implications. Commentors also suggested locations for the intermodal transfer facilities including along the UP rail line and I-80 in northern Nevada, along the UP rail line and highways in southern NV, and in West Wendover, Utah.</p> <p>5 comments, 5 commentors (40169, 40262, 40269, 40274, 40394)</p>
4 (Expressions of interest)	<p>Commentors requested that DOE place various infrastructure-related facilities in communities, such as Nye/Esmeralda/Lincoln Counties, and the communities of Tonopah and Caliente.</p> <p>12 comments, 11 commentors (40016, 40022, 40042, 40072, 40169, 40170, 40257, 40261, 40395, 40396, 40402)</p>

Table 7. Rail Construction and Operation

Subissue (key word)	Comment Summary
1 (Construction)	<p>Commentors raised a number of questions and issues regarding construction of the railroad and associated facilities. These included, for example: construction sequencing and timing (including timing relative to construction authorization for repository, and availability for hauling repository construction materials); the need for final track elevations and height/slope of ballast; description of the right-of-way and land ownership; identification of construction equipment and use of explosives; identification of permits and approvals; identification of features such as crew stations, maintenance facilities, emergency response equipment/plans, access roads, and operational controls; number and location of construction initiation points; number of structures; location/size/duration of work camps; laydown yards and construction stockpile locations; and the location of the intermodal station.</p>
2 (Operation)	<p>20 comments, 8 commentors (40003, 40116, 40131, 40147, 40230, 40236, 40269, 40274, 40545)</p> <p>Commentors raised a number of questions and issues associated with operation of the railroad. These included, for example: which organization or agency would operate the railroad; train speeds; plans and timing of decommissioning of the rail line; how rail casks would be loaded (at the site of origination); how rail cars would be tracked; types of inspections and testing of cargo and rail cars; how waste would be shipped in the event the railroad were shut down; plans for travel and routing restrictions around cities; identification and use of safe parking areas; rail security; identification of permits and approvals; suggestions that older fuel be transported first; compliance with Federal Railroad Administration and Nuclear Regulatory Commission requirements; use of dedicated trains, special safety protocols, and special car designs as recommended by the American Association of Railroads; operational aspects associated with shared use (differences between personnel, escorts, buffer cars, speeds, elapsed time for shared use vs. dedicated use); the number of rail cask and trains; operation of intermodal station). Commentors also called for a plan of operation, and a business plan that would disclose operational details such as those described above, business-related details (e.g., procurement, equipment fabrication), and requested a role in determining operational parameters.</p>
3 (Number of shipments)	<p>28 comments, 15 commentors (40013, 40018, 40041, 40094, 40131, 40134, 40147, 40170, 40254, 40262, 40269, 40274, 40545, Duplicate 2)</p> <p>Commentors requested DOE to identify the number of shipments on the railroad.</p> <p>2 comments, 2 commentors (40115, 40248)</p>

Subissue (key word)	Comment Summary
4 (funding)	One commentor questioned the source of funding for additional trackage and other facilities for shared use.
5 (low-level waste)	1 comment, 1 commentor (40131)
	A commentor requested that DOE also ship its low-level waste that is presently being shipped by truck for disposal at the Nevada Test Site.
	2 comments, 1 commentor (40545)

Table 8. Environmental Resources and Issues

Issue (key words)	Comment Summary
1 (Land Use Impacts)	<p>Several commentors expressed general concern over land use issues and the need to analyze the potential effects of construction and operation on current land use and environmental attributes as well as the degree to which land would be disrupted. Commentors noted DOE should minimize impacts to private property owners and users of public land including ranchers, miners, off-road vehicle enthusiasts, and hunters/trappers.</p> <p>One commentor stated that the RA EIS should clearly define haul routes and describe how these routes affect local communities and the public's ability to utilize the public lands in a multi-use capacity. Similarly, a commentor asked how the proposed rail line would impact the multiple use provisions of the Federal Land Policy and Management Act of 1976.</p> <p>One commentor suggested limiting the width of the rail right-of-way to minimize the amount of non-usable land. Another Commentor indicated that the impacts to Kershaw Ryan State Park need to be evaluated.</p>
2 (Land Use - Wilderness Study Areas)	<p>8 comments - 4 commentors (40023, 40147, 40269, 40400)</p> <p>A number of commentors expressed concern about the rail line's proximity to wilderness study areas (WSAs). In particular a number of commentors indicated that a number of WSAs would be at risk. These include the Kawich, South Revielle, Weepah Springs, Rawhide, and Worthington Mountain WSAs. Several commentors also noted that wilderness values must also be considered and that additional wilderness areas are being proposed based on a citizen's inventory of wilderness values. Addition to the Quinn Canyon WSA was also cited.</p>
3 (Land Use - Ranching in Nevada)	<p>19 comments - 12 commentors (40030, 40116, 40134, 40136, 40143, 40146, 40147, 40161, 40170, 40258, 40266, 40269)</p> <p>Commentors noted that DOE's corridor preference and the criteria presented in the Notice of Intent ignore the realities of ranching in Nevada. The commentors make the point that land ownership does not accurately reflect land use. One commentor notes that ranching operations are based upon the combination of privately owned fee land and grazing leases on publicly owned lands. Splitting an existing operation with a rail line that will limit access to the leased land can have significant adverse effects on the operation whether or not the ranch is located on private or public lands.</p>

Issue (key words)	Comment Summary
4 (Land Use - Private Land)	<p>4 comments - 2 commentors (40036, 40269)</p> <p>One commentor requested that DOE and the BLM provide maps with overlays showing the allotments that the rail line would traverse so the private property owners will know exactly where the rail line will go. Another commentor noted that the final rail alignment should minimize impacts to private property owners and users.</p>
5 (Land Use Plans)	<p>3 comments - 2 commentors (40036, 40269)</p> <p>Commentors provided comments regarding the consideration of federal, state, and local land use plans including zoning ordinances. They suggested that the RA EIS should consider all impacts the rail line would have on existing land use plans, including the BLM's Land Management Plans, and identify conflicting and inconsistent uses.</p>
6 (Socioeconomics - Population)	<p>3 comments - 2 commentors (40269, 40274)</p> <p>One commentor asked how many people live within 1 mile of the rail line.</p>
7 (Socioeconomics - Employment)	<p>1 comment - 1 commentor (40115)</p> <p>Several commentors provided comments on employment and the creation of jobs. Several commentors wanted to know the percentage of jobs to be performed by local residents; the aggregate number of jobs for each construction scenario; the total number of jobs and types of jobs by employment area (geographical location).</p> <p>One commentor indicated that the socioeconomic impacts of construction and operations jobs on the rural communities must be assessed in detail. The commentor continued by saying DOE should provide detailed information on the number and type of construction workers required for the project. This information should include construction workers required for support facilities such as the operations center, locomotive shop, maintenance headquarters, automotive vehicle maintenance facility, emergency stations, dormitories, fueling stations, railroad car repair shop, and storage tracks.</p> <p>A commentor stated that the RA EIS must present an accurate and scenario-sensitive assessment of the potential employment impacts of the construction and operation of the rail line and also a comparative analysis of the employment impacts of the legal-weight truck rail intermodal scenario for both a 24-year and 6-year contingency period. The commentor continues to say this should be compared to a mostly truck No</p>

Issue (key words)	Comment Summary
	<p>Action alternative. The commentator suggested a bounding scenario which estimates high, low, and most-likely employment impacts. The commentator noted DOE needs to base employment impacts on route segments (4, 6, or 8) being constructed concurrently. The commentator suggested that at a minimum the construction should begin concurrently at the Yucca Mountain Repository and Caliente and that the two-segment construction scenario should be compared to a multiple-segment scenario, which should be designed to increase local employment.</p>
8 (Socioeconomics - Housing and Public Services)	<p>16 comments - 10 commentators (40014, 40024, 40029, 40071, 40149, 40169, 40261, 40262, 40265, 40269)</p> <p>A few commentators suggested the RA EIS should identify the baseline housing resources along the routes and identify the increased demands for police, fire, social services, schools, and medical facilities and the actions required to avoid those impacts.</p> <p>A commentator noted that the rail line may affect current school bus routes and should be assessed in the RA EIS. The rail line bisecting school districts could limit the flexibility of the school districts in the future if they wanted to change the enrollment areas for students.</p>
9 (Socioeconomics - Mining Economy)	<p>6 comments - 6 commentators (40019, 40024, 40030, 40135, 40274, 40400)</p> <p>Several commentators expressed concern that the rail line would adversely affect the local economies that are reliant upon mining. The commentators are concerned that the rail line would impact existing and potential mining operations in Esmeralda and Nye Counties and that could result in the elimination of jobs because future exploration and development would be hindered.</p>
10 (Socioeconomics - City Sculpture)	<p>12 comments - 10 commentators (40265, 40276, Similar 1)</p> <p>A commentator expressed concern that the rail line would result in the abandonment of the City Sculpture project. The commentator notes that the project is only 60% complete and has positively contributed to the local economy through the creation of local jobs and the use of local materials. The abandonment of the project would result in lost jobs for the completion and maintenance of the sculpture and in the loss of tourism spending.</p>
11 (Socioeconomics - Rail Support)	<p>1 comment - 1 commentator (40233)</p> <p>Commentors noted that the RA EIS should identify and evaluate the socioeconomic impacts associated with rail support facilities for communications and shipment tracking; rail line maintenance; rolling stock storage</p>

Issue (key words)	Comment Summary
Facilities)	and maintenance; crew training; security; and emergency response.
12 (Environmental Justice)	<p>2 comments - 2 commentors (40169, 40269)</p> <p>A commentor stated that the RA EIS must adequately analyze the project's impacts with respect to the principles of environmental justice. The commentor noted that DOE's risk models are based on avoiding urban areas and thus presume that risks from the project should be borne by rural people. The commentor said that the RA EIS should consider the effects of the proposed project as well as past programs on rural low-income populations. The commentor specifically cited the past nuclear weapons testing on the Nevada Test Site.</p>
13 (Visual/Scenic Resources)	<p>1 comment - 1 commentor (40274)</p> <p>A few commentors indicated the RA EIS should consider whether or not the rail line would have an adverse effect on aesthetics from important viewpoints and consider the feasibility of alternatives and mitigation measures. As the great majority of the rail line would be constructed on public land administered by the BLM, a commentor noted that it would be appropriate that the visual impacts be analyzed in accordance with BLM's procedures and standards. The commentor stated that DOE should produce computer-modeled images of the virtual appearance of the project in the affected environment for comparison to existing visual conditions.</p> <p>Another commentor noted that particulate matter and other light-scattering or light-absorbing pollutants constitute an aesthetic impact and should be considered.</p> <p>One commentor indicated that visual impacts might extend far beyond the rail corridor.</p> <p>A commentor specifically requested that the impacts to Beaver Dam State Park be addressed. The commentor suggested that the rail line should avoid, wherever possible, unnecessary cuts and fills and should follow existing disturbed areas whenever possible.</p>
14 (Visual/Scenic - City Sculpture)	<p>7 comments - 3 commentors (40036, 40269, 40274)</p> <p>Several commentors noted the proximity of the City Sculpture in Garden Valley to the Garden Valley alternative. Commentors stated that the impacts of DOE's proposed action to the City Sculpture must be thoroughly assessed in terms of disturbance of view sheds, loss of visual resources, and noise. A commentor</p>

Issue (key words)	Comment Summary
	<p>noted that the prevailing silence and the undisturbed environment are essential to the basic concept of the sculpture.</p> <p>9 comments - 6 commentors (40036, 40233, 40237, 40269, 40275, 40521)</p>
15 (Noise)	<p>A commentor indicated that the RA EIS must define the sources and magnitudes of sound that will be generated during construction and operation of the rail line. The RA EIS must also examine all applicable local, state, and federal laws and regulations governing the emission of sound from a site; the environmental impacts of the sound emissions; and the alternatives and measures that can be employed to reduce the impacts.</p> <p>A commentor noted that noise impacts could extend far beyond the 400 meters limit used by DOE to bound impacts on adjacent lands.</p> <p>A commentor noted that the noise would result in a negative impact on real estate values.</p> <p>4 comments - 2 commentors (40269, 40274)</p>
16 (Cultural Resources)	<p>A commentor stated that DOE must thoroughly assess the impacts of rail construction and operations on cultural resources, archaeological sites, artifacts, and other historic and prehistoric occurrences within the rail corridor in full compliance with Part 43 of the U.S. Code. A Commentor noted that there needs to be a well-documented cultural resource assessment of lands before they are destroyed.</p> <p>Commentors noted that the RA EIS must specifically disclose anticipated impacts on both archeological and ethnographic resources. The RA EIS must also consider the potential impacts to cultural resources due to third party actions made more possible by improved access to sites as a result of project related improvements such as access roads.</p> <p>Commentors stated that the RA EIS should discuss the known sites and actions to be taken to avoid or reduce impacts and should prescribe programmatic approaches to protecting and managing cultural resources discovered during construction activities to avoid, reduce, or mitigate the impacts.</p> <p>6 comments - 6 commentors (40036, 40118, 40269, 40274, 40374, 40521)</p>
17 (Cultural Resources)	<p>Several commentors indicated that the impacts of disturbing tribal land and cultural resources must be</p>

Issue (key words)	Comment Summary
<p>- Native American Interests)</p>	<p>considered. Commentors noted that the rail corridor would traverse traditional holy lands important to the Southern Paiute and Shoshone peoples and would adversely impact lands held in trust for the Timbisha Shoshone tribes. One commentor stated that the appropriate approach is to conduct archaeological surveys for the entire corridor.</p>
<p>18 (Cultural Resources - Cultural Sites of Specific Interests)</p>	<p>18 comments - 12 commentors (40033, 40036, 40060, 40147, 40237, Similar 2, Similar 4) Several commentors expressed concern over several specific archeological sites and other sites of historical importance. One commentor noted that Black Springs (50 east and 4 north) is an archaeological site that the rail line would cross. Another commentor asked how sites would be protected and preserved. One commentor noted that the Nevada Historical Society has conducted a 20-year research project on the WWII era Tonopah Army airfield located in Ralston Valley. Between Mud Lake and the airfield, WWII aircraft crash sites have been located, identified, and marked. The commentor further noted that an area at Ralston and East Stone Cabin Valley (near Warm Springs Summit) was the test site for the predecessor of today's Smart Bombs. Target sites and remnants of those 1940's tests still remain.</p> <p>Another commentor expressed concern about petroglyph panels in Paranagut Valley near Hiko; the commentor also alluded to petroglyphs in the White River Narrows.</p>
<p>19 (Cultural Resources - American Indian Writer Subgroup)</p>	<p>6 comments - 4 commentors (40030, 40229, 40385, 40386) A commentor believed the American Indian Writer Subgroup should be permitted to develop a resource document for reference and inclusion in the RA EIS. This document should include systematic ethnographic studies.</p>
<p>20 (Geology and Soils - Topography)</p>	<p>1 comment - 1 commentor (40373) A Commentor noted that the grades and topography in Reveille Valley are severe. The commentor noted the rail line would require numerous cuts and fills, along with culverts.</p>
<p>21 (Geology and Soils - Volcanoes)</p>	<p>1 comment - 1 commentor (40030) Commentors in general noted the volcanic history of the area. One commentor referenced work that has identified new basaltic features within 12 miles of the Yucca Mountain Repository, which are candidate new volcanoes previously unidentified.</p>

Issue (key words)	Comment Summary
22 (Geology and Soils - Earthquakes)	<p>2 comments - 2 commentors (40118, 40276)</p> <p>Several commentors noted that the Caliente corridor is prominent for earthquakes and DOE should consider the risk of earthquakes. The commentors also noted the area is riddled with earthquake faults. One commentor suggested that DOE should conduct geologic surveys to determine whether any portion of the route would be subject to seismic disturbance and whether engineering innovations or alignment modifications may be employed to avoid risk.</p>
23. (Geology and Soils - Desert Soils)	<p>6 comments - 6 commentors (40047,40147, 40148, 40174, 40181,40274)</p> <p>Commentors stated that the impacts on desert soils also need to be addressed. The commentors noted that desert soils are fragile and can easily be damaged by human activities and recovery takes hundreds of years. DOE needs to evaluate the impact of construction and operation of a rail spur on ecologically sensitive soils and environmentally sensitive lands. A commentor pointed out that soils in some areas might be strongly alkaline in nature. The floor of the valleys also includes playa deposits that consist of finer grained sediments. There also may be alkali flats. These soil types are generally more difficult to re-vegetate following a disturbance. The commentor goes on to point out that construction of the rail line will result in loss of soils through wind erosion and that all the potential soil impacts need to be addressed in the RA EIS.</p>
24 (Water Resources)	<p>4 comments - 4 commentors (40036, 40113, 40269, 40274)</p> <p>Commentors noted that the route up Meadow Valley would go over a large aquifer. Additionally, commentors noted that the area proposed for the rail line includes numerous springs. A commentor stated that the impacts of spring degradation on wildlife and livestock need to be thoroughly assessed. A few commentors noted that cuts required to maintain grade and curve requirements could result in shallow groundwater seepage into the cuts and changing flow patterns.</p> <p>Another commentor stated DOE needs to assess the impacts on current and future water resources, water users, and water quality. One commentor asked if the rail line would impact the watershed; would it divide the flow of surface waters or change their course?</p> <p>A commentor pointed out that the water resources within the vicinity of the proposed rail corridor have not</p>

Issue (key words)	Comment Summary
	<p>been thoroughly studied. The commentor went on to suggest that water resources should be inventoried and mapped using GIS technology and characterized in terms of surface water, streams, ephemeral creeks, springs, wetlands, groundwater reservoirs and aquifers (as examples).</p> <p>18 comments - 11 commentors (40036, 40079, 40146, 40147, 40198, 40226, 40273, 40274, 40377, 40393, 40401)</p>
<p>25 (Water Resources - Water Permits/Availability)</p>	<p>In general commentors wanted to know where DOE would obtain water and how much water is needed. A commentor stated that the RA EIS must address how DOE plans to obtain water required for the construction of the proposed rail line, rail operations, and other activities. The commentor pointed out that since the Nevada State Engineer has already denied DOE permanent water rights for the Yucca Mountain Repository, it is difficult to see how a rail line for the importation of radioactive waste will pass the public interests test.</p> <p>Another commentor pointed out that the Ralston well contains a good, reliable water supply that could be used as a source of water during rail line construction. Several commentors stated that the RA EIS should evaluate the potential impacts of the use of such wells upon ground water resources.</p> <p>12 comments - 10 commentors (40036, 40079, 40146, 40147, 40148, 40269, 40273, 40774)</p>
<p>26 (Air Resources)</p>	<p>A few commentors indicated that the RA EIS must describe and quantify the projected impacts upon air quality from 1) fugitive dust releases during construction and operations, 2) emissions from diesel and gasoline engines, and 3) other combustion related activities during construction. Commentors also requested that the RA EIS address methods of controlling fugitive dust during all phases of the project. A commentor asked if the project could trigger the PSD requirements in any basin along the corridor.</p> <p>A commentor noted that the NOI did not include the issue of air quality impacts associated with an intermodal facility, but the RA EIS should address these impacts.</p> <p>7 comments - 4 commentors (40159, 40269, 40270, 40274)</p>
<p>27 (Biological Resources - Wildlife)</p>	<p>A few commentors generally noted that the RA EIS must thoroughly evaluate potential impacts upon wildlife including: 1) conversion of wildlife habitat to other uses, 2) fragmentation of habitat 3) damage to forage from land disturbance, introduction of weeds, increased wildfire, 4) restriction on wildlife movement and migration, 5) loss of water supplies or restricted access to water supplies, 6) loss of wildlife hit by trains or other motor vehicles, 7) changes in value of wildlife areas for hunting and fishing, 8) changes in the costs</p>

Issue (key words)	Comment Summary
	<p>of wildlife management, and 9) increases in harassment of wildlife.</p>
<p>28 (Biological Resources - Plant Communities)</p>	<p>5 comments - 5 commentors (40036, 40108, 40170, 40248, 40274) Commentors noted that the rail line would go through sparsely populated portions of the state but is in a region where numerous plant and animal species can be found. A commentor stated that DOE must work closely with the Nevada Natural Heritage Program and the Department of Conservation and Natural Resources in conducting new, updated, independent assessments of potential impacts upon environmentally sensitive plants. One commentor noted that the route would impact nine Great Basin portfolio sites that contain viable native species and plant communities.</p>
<p>29 (Biological Resources - Critical Habitat)</p>	<p>2 comments - 2 commentors (40036, 40116) Commentors expressed concern over the impact the rail line could have on critical habitat and indicated the potential impacts to critical habitat described in the RA EIS should not be understated. The commentors pointed out the critical habitat near the rail corridor include sage grouse strutting grounds or leks. The commentors stated that the rail line does not have to actually cross critical habitat to have an impact. Human activity even near critical habitat can degrade the value of the habitat for wildlife.</p>
<p>30 (Biological Resources - Wild Horses and Burros)</p>	<p>5 comments - 4 commentors (40173, 40266, 40269, 40274) A commentor stated that the RA EIS must identify all possible impacts to wild horses and burros within the areas affected by the rail corridor and the cumulative impacts to each herd. The commentor pointed out that the proposed action must take into consideration special seasonal impacts, such as the foaling season, and migration.</p>
<p>31 (Threatened and Endangered Species)</p>	<p>1 comment - 1 commentor (40269) In general commentors noted the importance to consider the impacts to threatened and endangered species and the need to conduct surveys on lands that would be disturbed. A commentor submitted a table showing known occurrences of rare and sensitive species that may be affected if and when rail construction occurs. The commentor however goes on to state that a complete and thorough assessment of flora and fauna in the rail corridor must be undertaken as part of the RA EIS process. A Commentor pointed out that trains frequently kill livestock and wildlife. This carries then attracts other species, particularly eagles and other raptors, which then are killed by trains. These impacts on threatened</p>

Issue (key words)	Comment Summary
	<p>and endangered raptors should be assessed.</p> <p>Another commentator noted that DOE has amassed a body of evidence about the radiological impacts on various native species and that the impact assessment should draw on that body of knowledge and explicitly references it when examining the impacts on threatened and endangered species in the area.</p> <p>753 comments - 260 commentors (40036, 40116, 40147, 40170, 40237, 40269, Similar 2, Similar 3)</p>
32 (Floodplains and Wetlands - Flooding)	<p>Commentors noted the flooding potential and related risk in the Caliente corridor. Commentors noted that flooding and flash floods are endemic to the rail corridor. Therefore, the RA EIS must analyze whether the integrity of the rail line or the safety of the waste shipments could be compromised by a flood within the corridor. The commentors asked how the presence of the rail line in the flood plain could affect flood conditions (including 100-year flood conditions). Commentors indicated that the RA EIS must also analyze any potential for flood-related disruption or delay in shipments and any resulting impacts to the transportation of the waste.</p> <p>2 comments - 2 commentors (40274, 40400)</p>
33 (Agriculture)	<p>Commentors noted that the potential impacts associated with agricultural lands are similar to those generally described for grazing. That is, the division of agricultural operations precludes the effective use of land due to access constraints. Another commentator expressed the opinion that the rail line would result in increased cost in agricultural production and reduce the value of agricultural lands.</p> <p>3 comments - 2 commentors (40027, 40274)</p>
34 (Recreation Resources)	<p>Commentors noted that the lands within the rail corridor are enjoyed by people for a number of reasons. People use the land to hunt, camp, hike, backpack, take pictures, star gaze, and to watch wildlife.</p> <p>One commentator indicated that the RA EIS must analyze the anticipated impacts of the proposed action on recreation. Specifically the RA EIS must consider the impacts of 1) constructing and operating a raised railroad bed and access road through back country areas and hunting ranges, 2) constructing and operating roads connecting the rail corridor to resources such as borrow pits, 3) constructing fences, (4) restricting or improving access to the back country, 5) direct and indirect damage to recreational, historical, and natural resources, and 6) direct and indirect impacts on fish and game.</p>

Issue (key words)	Comment Summary
35 (Traffic and Transportation)	<p>4 comments - 4 commentors (40014, 40036, 40266, 40274)</p> <p>A commentor stated that the RA EIS must analyze and disclose the impacts of the proposed action on the railroad and the main improved highways. Specifically, the RA EIS must consider 1) the existing capacities of road and railroad links in terms of weight and traffic volume, 2) the anticipated increases in utilization of those links, 3) the impacts of those increases on rail, pavements, road beds, and travel times, and 4) whether the proposed action would create a need or demand for additional routes.</p> <p>One commentor noted that the transportation chapter in the Yucca Mountain Repository EIS was the largest. The commentor stated that unless there is something new pertaining to this RA EIS, there should be no need for duplication of data or analyses.</p> <p>Another commentor noted that the RA EIS must address all of the standard impact categories including traffic and transportation. One commentor stated that it is critically important that DOE present detailed rail alignment design maps and plan views, including vertical profiles in the RA EIS. The commentor goes on to state that the alignment maps and plan views (at a horizontal scale of 1 inch = 500 feet and a vertical scale of 1 inch = 50 feet) must clearly show the relationship to the existing transportation network (including all highway and road crossings) and the right-of-way according to ownership and land use.</p> <p>One commentor provided information on traffic loads and the type of traffic that could be expected at crossings to mining areas. The commentor noted when the mine is active there are some 60-90 vehicles per day that could cross the proposed corridor. During construction periods, vehicles with trailers hauling construction aggregate may also use the crossings (weight 26-28 tons). Individual pieces of equipment weighing up to 80 tons apiece may have to cross the line.</p> <p>One commentor took issue with the mostly rail scenario making use of trucks for at least a six-year period. The commentor charges that DOE rejected the legal weight truck usage in its Supplemental Analyses. The commentor notes that in the Yucca Mountain FEIS, DOE concluded that intermodal transport would involve multiple handling steps, which would lead to worst impacts, including the risks of accidents.</p> <p>The commentor also questions the difference in the number of shipments announced by the Secretary (175 train cars per year) versus what the commentor concludes would actually be 447 to 580 shipments per year based on the information presented in the FEIS. The commentor also asks about barge and/or heavy-haul truck shipments that would be required to get waste from certain generator sites to the nearest railway</p>

Issue (key words)	Comment Summary
<p>36 (Human Health & Safety)</p>	<p>25 comments - 15 commentors (40040, 40131, 40153, 40269, 40274, Similar 2, Duplicate 1)</p> <p>In general, commentors expressed concern over the potential for radiation exposure from transporting spent-nuclear fuel and high-level nuclear waste both nationally and in Nevada and indicated the RA EIS must provide a thorough evaluation of potential radiation exposures. A commentor indicated that the significance of routine radiation doses at transportation stops should be considered.</p> <p>Another commentor asked if DOE plans to execute a medical surveillance and chromosome aberration screening program for workers. If DOE does not institute these programs the commentor asked for the scientific and regulatory basis for not doing so.</p> <p>A commentor indicated the RA EIS must address the potential for non-lethal health consequences in addition to latent cancer fatalities. The RA EIS should also provide a full discussion of relevant issues in the health physics community, including the current debates over background radiation levels, use of different dose conversion factors, different population groups, the linear no threshold theory, and the radiation hormesis theory.</p> <p>A commentor stated that the RA EIS must address the additional worker exposures (compared to the mostly rail and mostly truck scenarios) that could result from the unloading, loading, and safety inspections. One commentor hoped that the RA EIS could provide the most objective and bias-free portrayal of risk assessments, building upon the relevant sections of the Yucca Mountain Repository EIS.</p> <p>One commentor requested that DOE compare and contrast shipment alternatives in terms of the routine radiation emitted in Clark County. The number of shipments to the potential Yucca Mountain Repository, and the shipment configuration (e.g., general freight, and container on flat car) should be included. The RA EIS should contain a Leopold Matrix that depicts the alternative shipping options contained in the Supplemental and Final Yucca Mountain Repository EISs. The commentor requests that the impacts be measured in terms of bounding and supplemental modal scenarios: mostly rail, mostly truck, and container and flatcar (truck casks on railcars). The comparison should compare the routine radiation emitted during two shipping configurations: the use of three-car unit trains and the use of general freight. The commentor wants the comparison for each modal configuration and for several population groups including the off-link population and the worker population.</p>

Issue (key words)	Comment Summary
37 (Human Health and Safety - Contaminated Soils)	<p>23 comments - 16 commentors (40039, 40094, 40104, 40115, 40116, 40119, 40131, 40198, 40237, 40269, 40274, 40387, 40393, 40397, 40684)</p> <p>Several commentors noted the rail line's proximity to the Nevada Test Site, the location of past atmospheric nuclear weapons tests. The commentors believe DOE should do a complete inventory of the radioactive contamination of the proposed rail corridor. Commentors pointed out that the railroad work will involve movement of large quantities of desert soil which will likely result in radioactive particulates being dispersed to the air. The commentors believe DOE must assess the risks of impacts from soil disruption.</p> <p>Commentors also asked how silica and erionite would be disposed of and how would DOE prevent worker and public exposure to these elements. The commentors noted that tunnel workers had been exposed to silica.</p> <p>A few commentors pointed out that Valley Fever is a concern when large amounts of topsoil are disturbed in the southwest and should be assessed in the RA EIS. Valley fever is caused by fungi present in certain soils.</p>
38 (Waste Management)	<p>15 comments - 12 commentors (40036, 40266, 40269, 40271, 40274, Similar 2)</p> <p>Commentors stated that the RA EIS must provide updated information on the radiological characteristics of the SNF and HLRW that would be shipped on the proposed rail line. The commentor cited several changes in the nuclear industry, which may result in significant changes in fuel characteristics.</p> <p>Commentors also noted that the RA EIS must disclose the quantities and fates of solid waste that would be generated under the proposed action. The RA EIS must discuss the waste disposal infrastructure (i.e., landfills, transfer stations, and transportation systems), as well as any capacity constraints. The RA EIS should address the impacts on publicly owned landfills, if used, or knew landfills and their locations if required. Specific material identified included scrap rail, ties, bridge timbers, and track fastenings.</p>
39 (Non-Native and Noxious Plants)	<p>8 comments - 8 commentors (40012, 40079, 40159, 40198, 40269, 40274, Duplicate 2)</p> <p>Commentors noted that exotic plants are an increasing problem for Nevada's range and ranchers. The commentor stated that new roads and rail lines bring undesirable plants such as cheat grass and Russian thistle.</p>

Issue (key words)	Comment Summary
40 (Mineral Resources)	<p>2 comments - 2 commentors (40116, 40274)</p> <p>One commentor stated that the RA EIS must fully assess impacts on mining and mineral exploration.</p> <p>Other commentors stressed that the Goldfield area has a rich mining history and that the rail corridor would bisect a well mineralized and highly prospective mining district.</p> <p>A Commentor noted that the RA EIS must evaluate the effects of the proposed action on mining, including: 1) possible restrictions on claimants' access to their mining claims, 2) the division of mining claims, 3) the possible physical and legal barriers to the exploitation of mineral deposits, and 4) the potential benefits to mining from improved access to railroad services. The RA EIS should also identify all existing and pending mining claims, and the potential for implementing the potential mining of valuable mineral resources.</p> <p>23 comments - 22 commentors (40036, 40147, 40154, 40264, 40265, 40274, 40276, Similar 1)</p>
41 (Utilities)	<p>One commentor observed that the proposed right-of-way for water pipelines, powerlines, and off-highway trails would be complicated in terms of moving forward with those plans because of the rail corridor.</p> <p>Another commenter indicated that the RA EIS must include a survey of the corridor to determine whether the proposed action would conflict with existing utility infrastructure (e.g., gas lines, water lines, utility rights-of-way, whether or not occupied, electric lines, utility access roads, and the maintenance and use of any such utilities). The RA EIS should also evaluate any necessary re-locations or other actions that may be needed to remove the conflict.</p> <p>The RA EIS should also consider as a part of the project whether any utilities are required to support the proposed activities (e.g., water, power, or gas) and include any such infrastructure work as part of the environmental review.</p> <p>2 comments - 2 commentors (40116, 40274)</p>

Table 9. Cumulative Impacts

Issue (key words)	Comment Summary
1 (National Steel Market)	<p>One commentator noted that significant quantities of steel would be required for the rails. The commentator suggested that DOE assess the impact of rail acquisition on the national steel market, including the cumulative impacts from other DOE activities, such as clean-up at other DOE sites. The commentator also stated that the location of rail welding facilities should be provided.</p> <p>1 comment - 1 commentator (40269)</p>
2 (Transportation of Waste)	<p>One commentator noted that the cumulative effects associated with the transportation of waste must be considered in order for the RA EIS to be complete. In this case, the commentator indicated that the cumulative impact relates to the radiological hazard and additional traffic accidents imposed on communities along the rail line. The commentator alluded to three different radioactive waste streams simultaneously being transported through the Las Vegas area. The commentator stated that the RA EIS must consider the interrelationships of these programs and their potential impacts.</p> <p>Similarly, other commentators indicated that even though the rail line doesn't go directly through Las Vegas, the impacts to Las Vegas need to be addressed.</p> <p>3 comments - 3 commentators (40147, 40160, 40237)</p>
3 (Multiple Use of the Rail Line)	<p>One commentator stated that the cumulative impacts of multiple-use rail operations need to be addressed in the RA EIS. The commentator identified those factors as increased traffic, increased risk from operations and/or from other cargoes such as toxics and explosives.</p> <p>1 comment - 1 commentator (40274)</p>

Issue (key words)	Comment Summary
4 (Other DOE Activities)	<p>Several commentors stated that the RA EIS must thoroughly assess the cumulative impacts of other DOE activities at the Repository and in the transportation corridors. Specifically the commentors mentioned low-level radioactive waste transportation and disposal, and the transuranic waste activities at the Nevada Test Site including shipments to WIPP. The commentors noted the assessment should include past weapons testing activities at the NTS as well as the possible resuspension of contaminated soil. The RA EIS should also include commercial and/or private industry activities at or near the NTS.</p> <p>In addition, the commentors believe the RA EIS must look cumulatively at the proposed action and all other DOE activities in terms of how they impact ranching, mining, any planned highway or other infrastructure need (both existing and planned) for the areas surrounding the proposed rail line.</p> <p>254 comments - 252 commentors (40036, 40267, 40269, 40274, 40400, Similar 3)</p>
5 (Wild Horse and Burro Herd Management)	<p>One commentor noted that the Wild Horse and Burro Act guarantee each herd full access to their herd management area and their free roaming nature. To this end, the commentor stressed that the RA EIS must identify all possible impacts of how each herd would be impacted cumulatively.</p> <p>1 comment - one commentor (40124)</p>
6 (Nellis Test and Training Range)	<p>One commentor noted that the rail alignment borders and in some instances intrudes upon land withdrawn for the U.S. Air Force at the Nellis Test and Training Range. The commentor believes the RA EIS must thoroughly and comprehensively assess impacts on all aspects of the proposed rail line on Air Force missions and activities. The analyses must include both physical and operational impacts such as restrictions on in-flight training missions due to the need to protect SNF and HLRW shipments by avoiding the risk of aircraft crashes. The analyses must not be limited to areas adjacent to Nellis but must include the entire length of the rail corridor where Nellis flight operations currently occur or could occur in the future.</p> <p>1 comment - 1 commentor (40269)</p>
7 (Groundwater Wells)	<p>A commentor stated that the use of local groundwater could be cumulatively significant when combined with existing uses and the applications to use water in southern Nevada. Another commentor noted that DOE must reassess the impacts of past nuclear weapons testing on groundwater.</p> <p>3 comments - 3 commentors (40036, 40274, 40521)</p>
8 (Air Resources)	<p>One commentor indicated that the RA EIS should also consider the cumulative impacts on air quality. Other</p>

Issue (key words)	Comment Summary
	<p>activities that should be considered include activities at the NTS, Nellis, local construction projects, and wildfires.</p> <p>1 comment - 1 commentor (40274)</p>

Table 10. Cost Analyses and Comparisons

Issue (key words)	Comment Summary
1 (Rail Line Cost)	<p>A number of commentors commented on the estimated \$880 million required to construct a rail line in the Caliente corridor. Several commentors expressed concerns about cost over-runs due to uncertainties. One commentor noted that using the Apex corridor would result in a savings of about \$580 million. Another commentor questioned why a legal weight truck scenario was not evaluated. The commentor made the point that DOE would have to spend \$16,000 per legal truckload to equal the cost of the Caliente rail line.</p> <p>9 comments - 8 commentors (40001, 40008, 40012, 40030, 40115, 40116, 40156, 40240)</p>
2 (Price Anderson Act)	<p>Commentors stated that there needs to be a full discussion on the cost of cleanup from a serious accident in both rural and urban settings. Commentors requested a full disclosure of the Price Anderson Act and how it would apply and what would be its limitations. DOE should also identify other insurance programs and their applicability to the Yucca Mountain transportation system.</p> <p>7 comments - 3 commentors (40147, 40269, 40274)</p>
3 (Cost Analysis)	<p>One commentor stated that cost estimates must include a detailed analysis of the requirements along a specific corridor and reflect uncertainty costs based on things that might cause major rerouting e.g., archaeological sites or sensitive environmental areas. The commentor observed that the cost analysis should reflect the historical experiences with rail construction in the U.S. and cited the Orin Line constructed in the Powder River Basin and the Joyce Line.</p> <p>The commentor also stated that the cost analysis must provide a stand-alone comparison between mostly truck and mostly rail and a legal-weight truck/rail intermodal scenario. The commentor stated that the cost analysis must reflect the detailed costs of hardware investments and shipping casks to provide a discriminator between shipping by rail and shipping by truck.</p> <p>2 comments - 1 commentor (40029)</p>

Table 11. Land Access Issues

Subissue (key words)	Comment Summary
1 (Continued access)	<p>Commentors expressed interest in how construction and operation of the rail line might impact access to public and private lands along the corridor; many of the commentors stated that the rail line should not result in any changes to current accessibility either during the evaluation period (preparation of the RA EIS) or after an alignment is selected, constructed and operational. Commentors stated that current access should not be restricted to features such as; existing; primary, secondary and dirt roads, water and mineral rights, and grazing allotments.</p> <p>Commentors suggested that the RA EIS provide the location and description of all proposed grade crossings and such a description should specify the type of crossing and the type of traffic control/warning devices to be installed.</p> <p>14 comments, 11 commentors (40036, 40040, 40041, 40068, 40078, 40257, 40266, 40269, 40338, 40369, 40545)</p>
2 (Dividing lands)	<p>Commentors expressed interest in how construction and operation of the rail line will impact ranching and other uses when the rail line splits private lands or grazing allotments. Commentors suggested the RA EIS address impacts if livestock were not permitted to freely graze from one side to the other and how the rail line might split property planned for development.</p> <p>4 comments, 3 commentors (40036, 40056, 40269)</p>
3 (Use of rail access roads)	<p>Commentors expressed interest in how access roads constructed in support of the rail line might be available for public use. Commentors stated that the RA EIS should describe all such roads and any access restrictions.</p> <p>2 comments, 2 commentors (40078, 40274)</p>
4 (Grazing allotments)	<p>Commentors expressed concern over how the rail corridor might impact existing grazing privileges and suggested that the RA EIS evaluate the issue and identify mitigations to impacts. Specific issues included; the corridor dividing grazing allotments, allotments being reduced in size for the corridor, the ability of livestock and wildlife to free range across the corridor and how restrictions on their allotments might change.</p> <p>7 comments, 7 commentors (40022, 40073, 40170, 40233, 40237, 40274, 40545)</p>
5 (Ranching)	<p>Commentors stated that the rail corridor would have impacts on ranching operations. One commentor</p>

Subissue (key words)	Comment Summary
operations)	questioned if some ranchers will be affected more than others.
6 (Private ranch lands)	250 comments, 249 commentors (40023, 40269, Similar 3) Commentors stated that the rail corridor would result in impacts to private lands and suggested that the RA EIS evaluate such impacts.
7 (Dividing water rights)	3 comments, 3 commentors (40014, 40047, 40147) Commentors expressed interest in how construction and operation of the rail line will impact access to existing water rights if grazing pastures are split by the rail line or by fencing of the rail line. Among concerns were issues of effectively eliminating grazing on one side of the rail line when water improvements are on the other side (especially if the rail line is fenced), of extending water from one side of a grazing allotment across the rail line to the other side, and loosing grazing rights when access to water was no longer available. Commentors stated that the RA EIS should address impacts to ranchers related to access to water.
8 (Impacts to existing water rights)	7 comments, 4 commentors (40022, 40030, 40269, 40274) Commentors stated that the construction of the rail line and transportation activities would require water and that the RA EIS should define DOE's water requirements, consider the impacts on existing water right holders, and how DOE will mitigate (compensate) these holders for the impacts.
9 (Future use of DOE water wells)	9 comments, 8 commentors (40014, 40031, 40036, 40047, 40073, 40078, 40269, 40520) Commentors stated that the RA EIS should address how water systems as part of the rail construction process would be used when DOE was done. Commentors were particularly interested in whether these systems would be made available for private use or remain under control of the Federal government. Commentors stated their concern that BLM is using this process to obtain water rights on grazing allotments.
10 (Current land withdrawal is premature)	3 comments, 3 commentors (40030, 40078, 40239) Commentors stated that current withdrawal of the corridor land is premature. Reasons included uncertainties related to licensing of Yucca Mountain and the viability of rail transport safety, security, and infrastructure,
11 (Land withdrawal)	2 comments, 2 commentors (40116, 40274) Commentors suggested that the process followed by BLM to withdraw the corridors was flawed. Reasons

Subissue (key words)	Comment Summary
process)	<p>stated included that the process did not conform to the U.S. Constitution (specifically, Article I, Section 8, paragraph 17) because BLM did not obtain the consent of the State of Nevada and that the land should not have been withdrawn prior to DOE issuing a record of decision selecting the Caliente corridor.</p> <p>Commentors suggested that the RA EIS should clearly define the process that will be followed to acquire public, state, private and tribal lands for the selected alignment.</p> <p>8 comments, 8 commentors (40030, 40116, 40131, 40239, 40390, Duplicate 2) [note: 1 comments did not have the commentor number]</p>
12 (Current withdrawal land use restrictions)	<p>A commentor questioned how both the current and the final withdrawals will effect current permitted uses of the BLM lands.</p> <p>1 comment, 1 commentor (40078)</p>
13 (Final land withdrawal)	<p>Commentors provided suggestions related to the nature of any final land withdrawal. One commentor stated that the final corridor should be as narrow as possible to reduce impacts to adjacent public lands and that the corridor should be a right-of-way and not a withdrawal. Another commentor suggested that a linear right-of-way would be a better approach than withdrawal.</p> <p>2 comment, 2 commentor (40075, 40269)</p>
14 (BLM is not the only land owner in the corridor)	<p>Commentors stated that DOE needs to identify and work with all property interest holders along the corridor (not just BLM). Mentioned were Native American Tribes, owners of private lands, fee simple titleholders, special use permittees, and those with water rights, mineral rights and grazing privileges on publicly-owned lands.</p> <p>Commentors stated that the RA EIS should thoroughly examine and define the impacts to all groups and suggest alternatives that are favorable to maximization of continued use and development.</p> <p>3 comments, 3 commentors (40044, 40139, 40545)</p>
15 (Some withdrawn land is not public land)	<p>Commentors stated that portions of the BLM land withdrawal are invalid because some of the publicly owned land BLM withdrew for the corridor is not public land because of existing water rights and grazing privileges. Commentors cited a U.S. Supreme Court decision (Bardon v. Northern Pac. R. Co. 12 S CT 856, 145 US 535, 538 36L, ED 806, "It is well settled that all land to which any claim or rights of others is</p>

Subissue (key words)	Comment Summary
	attached does not fall within the designation of public lands.”] and an ongoing case in the United States Court of Federal Claims (case number 03-1942L) as evidence of their claims to the land.
16 (Ranching in Nevada)	5 comments, 3 commentors (40030, 40073, 40239) Commentors stated that when the RA EIS needs to consider impacts to ranching and that it should recognize that ranching includes a combination of private land and grazing privileges on publicly owned lands. One commentor stated the preference criteria used to select the Caliente corridor, particularly avoidance of private land, ignored this reality.
17 (Inaccurate Maps)	2 comment, 2 commentor (40266, 40269) One commentor stated that there are no accurate boundary survey maps for the state or the counties and that they would be required to determine jurisdictions.
18 (Condemnation of homes)	1 comment, 1 commentor (40012) Commentors expressed concern that development of the rail line might lead to condemnation of their homes. One commentor questioned the timeframe for any such condemnations.
19 (Mineral claims)	3 comments, 2 commentors (40021, 40079) Commentors stated that the rail line crosses over or comes very close to numerous existing mineral claims and that impacts to these claims should be considered in the RA EIS. Commentors specifically detailed numerous concerns in the Goldfield area. Commentors stated the RA EIS should develop an alignment that minimized any impact to these claims. 24 comments, 21 commentors (40014, 40036, 40042, 40096, 40122, 40154, 40231, 40264, 40265, 40269, 40401, 40522, 40545, Similar 1)

Table 12. Native American Tribal Issues

Subissue (key words)	Comment Summary
1 (Treaty of Ruby Valley)	<p>Commentors expressed that the United States government has not honored the Ruby Valley Treaty of 1863 with the Western Shoshone Nation. The rail corridor lies completely on lands belonging to the Western Shoshone Nation under the Treaty of Ruby Valley, and there still remains an unsettled land dispute that DOE has ignored and that the treaty remains in full force and effect. Commentors stated that this issue is the subject of legislative action in Congress and also litigation in Federal Court. Commentors expressed that the United States has failed to demonstrate that they legally and lawfully acquired the lands.</p> <p>34 comments, 179 commentors (40033, 40034, 40036, 40044, 40080, 40255, 40269, 40373, 40379, 40382, 40393, Similar 2, Similar 4)</p>
2 (Other Land)	<p>Commentors stated that the corridor would impact tribal lands, either by crossing those lands or coming close to the lands. Commentors were opposed to any alignment that would cross or approach Native American lands.</p> <p>4 comments, 3 commentors (40009, 40032, 40115)</p>
3 (Consultation and notification)	<p>Commentors expressed that DOE has failed to conduct valid and adequate government-to-government consultations between with Native American tribes (in Nevada and nationally) on issues related to the proposed rail alignment. Prominent among the comments were; insufficient consultations with indigenous people living along the corridor, the inadequacy of public hearings as a substitute for government-to-government consultation, and the DOE tendency to deal with the Consolidated Group of Tribes and Organizations rather than specific tribal governments.</p> <p>Commentors also expressed that DOE had failed to adequately notify Native Americans related to identifying a corridor preference, selecting a corridor, and initiating preparation of the Rail Alignment EIS.</p> <p>18 comments, 13 commentors (40034, 40147, 40170, 40373, 40374, 40375, 40378, 40379, 40383, 40384, 40386, 40388, 40541)</p>
4 (Tribal recognition)	<p>Commentors had expressed that DOE has failed to formally and completely identify all potentially affected Native American tribes. Commentors suggested that DOE recognize affected tribe status and provide financial and technical assistance.</p> <p>5 comments, 4 commentors (40034, 40269, 40373, 40393)</p>

Subissue (key words)	Comment Summary
5 (Socioeconomic impacts)	<p>Commentors suggested the RA EIS consider the potential for socioeconomic impacts, specifically negative impacts to economic development activities within Native American Tribal lands.</p> <p>2 comments, 2 commentors (40009, 40256)</p>
6 (Cultural impacts)	<p>Commentors suggested the RA EIS consider impacts to the Native American culture. Comments included concerns regarding impacts to the traditional Native American cultural way of life and the nature of impacts that may occur to Native American cultural resources related to accident cleanup activities on, or near, tribal lands. Commentors stated that impacted tribes should conduct a comprehensive study of Native American Cultural and Archeological sites along/in the corridor.</p> <p>3 comments, 3 commentors (40036, 40255, 40541)</p>

Table 13. Accidents

Issue (key words)	Comment Summary
1 (Rail Accidents)	<p>Commentors expressed concerns about shipping accidents and cited incidents of train derailments in the west. Specifically, commentors expressed concern about the possibility of an accidental bombing or aircraft crash in the vicinity of Nellis Air Force Range; the train moving too close to mining areas using high-explosives; chlorine shipments through Las Vegas; and the shared use of the rail line whereby SNF/HLRW would be shipped with military munitions, civilian high-explosives, and other flammable or explosive materials. Another commentor questioned the relative safety of truck casks vs. rail casks in a railway fire.</p> <p>Several commentors stated that DOE must thoroughly and completely reexamine the impacts of severe rail accidents and must specifically evaluate a maximum reasonably foreseeable accident at an urban and rural location in Nevada. In addition, the commentors stated that the RA EIS must also include an updated analysis of severe truck accidents.</p> <p>22 comments - 20 commentors (40024, 40046, 40059, 40069, 40106, 40118, 40124, 40134, 40140, 40148, 40157, 40158, 40160, 40250, 40267, 40269, 40271, 40274, 40382, 40386)</p>
2 (Fuel Characteristics)	<p>Several commentors noted that transportation schemes described by DOE in 2002 might be changed. The commentors observed that there might be a possibility that newer fuel stored at generator sites could be shipped before older fuel. The commentors indicated this would require a reanalysis of accident risks.</p> <p>9 comments - 9 commentors (40147, 40269, Duplicate 2, Similar 4)</p>
3 (Natural Hazards)	<p>Commentors stated that the RA EIS must consider accidents involving natural hazards such as flash floods, wildfires, and earthquakes. One commentor also noted that the RA EIS must examine the relationship between natural hazards, the durability of the cask, and the potential difficulty of recovering a cask lost in a remote area as a result of a natural hazard event.</p> <p>6 comments - 3 commentors (40237, 40270, 40274)</p>
4 (Aircraft Over Flights)	<p>Several commentors stated that the RA EIS must thoroughly address the impacts of Nellis activities on the proposed rail line. Such activities must include the evaluation of the risks and impacts associated with aircraft over flights and aircraft crashes into trains as well as accidental bombing.</p> <p>16 comments - 9 commentors (40269, 40274, Similar 2)</p>
5 (Burlington Northern)	<p>One commentor stated that the RA EIS must comprehensively assess the impacts on safety from issues</p>

Issue (key words)	Comment Summary
and Santa Fe Railway Lawsuit)	<p>raised in the lawsuit brought by workers and employees against the Burlington Northern and Santa Fe Railway Corporation. The commentor stated that the RA EIS must address the safety deficiencies identified in the lawsuit and assess the impacts on risk, operations, and overall performance.</p> <p>2 comments - 1 commentor (40269)</p>
6 (Unique Local Conditions/Risk Assessments)	<p>Several commentors noted Nevada's unique local conditions that could render a worst-case accident. Commentors recommended that DOE use a comprehensive risk assessment in the RA EIS to develop a range of accident possibilities rather than a single value. The commentors believe that the use of NUREG/CR-6672 is inappropriate because it does not take into consideration unique local conditions in Nevada. Unique local conditions in Nevada, in the view of the commentors, constitute significant deviations from the national average and include earthquake incidences, gas pipeline intersections, military flight operations, floods, and steep grades/curves.</p> <p>10 comments - 7 commentors (40047, 40147, 40269, 40390, 400393, 40394)</p>

Table 14. Terrorism/Sabotage

Issue (key words)	Comment Summary
<p>1 Vulnerability to Terrorism/Sabotage Attacks</p>	<p>Commentors generally expressed the opinion that waste shipments could be prime targets for terrorism and that given the length of the rail line and its remoteness, the corridor would be very difficult to secure and would be open to attack by shoulder fired weapons. Commentors asked questions about how the rail line and waste shipments would be secured, would the shipments be tracked by satellite, and would there be constant communications between the train and security personnel. Several commentors noted that the risk would be less and the waste better protected if it remained at the generator sites.</p> <p>One commentor noted that if the rail line is designed and SNL and HLRW shipments are conducted in accordance with the applicable security and safeguards regulations of the U.S. NRC, the U.S. DOT, and the U.S. Department of Homeland Security, as well as DOE's own internal requirements, the shipments will pose no national security threat and further analysis is unnecessary.</p> <p>26 comments - 23 commentors (40012, 40013, 40020, 40027, 40035, 40039, 40045, 40069, 40078, 40116, 40142, 40147, 40163, 40235, 40236, 40239, 40249, 40256, 40266, 40273, 40393, 40397, 40684)</p>
<p>2 (Terrorism/Sabotage Analysis)</p>	<p>Commentors stated that the RA EIS must fully analyze the possible environmental impacts of an attack on a train carrying spent-nuclear fuel and high-level nuclear waste, making the assumption that the cask sustains significant damage and is breached. A commentor noted that the dismissal of this concern on the grounds that such an event is not likely enough to be significant would not be acceptable. Commentors noted that the RA EIS must identify the methodology it would employ to regularly inspect the rail line to ensure its integrity and safety.</p> <p>One commentor also emphasized that the RA EIS must include an updated analysis of terrorism and sabotage against truck shipments.</p> <p>The analysis must include:</p> <ol style="list-style-type: none"> 1. Attacks involving multiple weapons and/or combinations of weapons designed to maximize release and dispersal of radioactive materials; 2. Attacks involving coordinated use of hijacked vehicles, including tanker trucks; 3. Attacks involving large groups of well-trained adversaries, including suicide attacks; 4. Attacks involving terrorist infiltration of trucking and railroad companies (or what is known as an active insider); and

Issue (key words)	Comment Summary
	<p>5. Attacks at locations with highly symbolic social, political, or economic values.</p> <p>Additionally, the assessments must address:</p> <ol style="list-style-type: none"> 1. Standard socioeconomic impacts, including cleanup and disposal costs and opportunity costs to affected individuals and businesses; 2. Economic losses resulting from public perception of risk and stigma effects; and 3. Impacts on emergency responders and recovery workers including long-term monitoring, care, and health benefits for these responders.
<p>3 (Security Suggestions)</p>	<p>250 comments - 249 commentors (40269, 40274, Similar 3)</p> <p>A number of commentors provided suggestions for the security of the shipments:</p> <ol style="list-style-type: none"> 1. Establish key points along the rail line that would be secure from unauthorized entry; 2. Provide armed escorts for the shipments; 3. Shipment time should be random and unannounced; 4. Track the shipments by satellite; 5. Construct a road on each side of the rail line for the purpose of sweeping the tracks; 6. Share the rail line with other users in that it would make it more difficult for terrorists to determine which train contained waste; 7. Keep the corridor at a 1-mile width as a security buffer; 8. Fence both sides of the rail line; 9. Provide overnight vehicle storage in a bombproof closure; 10. Have available retrieval devices that could get to any location within 30-45 minutes in case of an event and move the shipment to a safe enclosure; 11. Involve the military; and 12. Use trucks rather than trains because they are easier to secure. <p>16 comments - 14 commentors (40005, 40006, 40026, 40049, 40066, 40109, 40134, 40269, 40177, 40253, 40274, 40386, Duplicate 2)</p>

Table 15. Emergency Response and Planning

Issue (key words)	Comment Summary
<p>1 (Emergency Response and Planning)</p>	<p>Commentors stated that because the rail line would traverse remote, non-populated areas it would take sometime for first responders to arrive at many locations along the rail line. Commentors also noted that local emergency response personnel are not trained and are ill-equipped to handle emergencies involving radioactive materials</p> <p>Several commentors requested that the RA EIS include a comprehensive evaluation of feasible methods to mitigate transportation system related risks. One commentor stated that the measures which should be addressed in the RA EIS include training and equipping of emergency first responders and emergency medical personnel; provision of emergency communications equipment; and the design and implementation of a risk communication program.</p> <p>Several commentors had questions regarding emergency response plans. One commentor wanted to know if qualified and equipped personnel trained to handle events involving radioactivity would accompany the trains. Another question pertained to whether or not casks would have sensors that could trigger emergency response procedures. One commentor stated that plans should be in place before waste shipments start.</p> <p>27 comments - 17 commentors (40012, 40036, 40082, 40095, 40097, 40114, 40113, 40115, 40147, 40169, 40261, 40262, 40269, 40274, 40397, Duplicate 2)</p>
<p>2 (Emergency Response Personnel)</p>	<p>Commentors made specific requests for emergency response personnel that are more specific than the general need for training and equipment. The requests included providing all deputies and staff terrorism training; providing funds for full-time deputies and dispatchers for each community; and additional deputies for better coverage on federal highways</p> <p>Commentors emphasized that DOE must explain how its access road and fencing systems would be managed and how emergency responders would use or cross rail facilities and access roads to reach distant destinations. They also indicated that DOE must address emergency access for ingress and egress both during construction and operations.</p> <p>Commentors noted that the RA EIS must also assess the adequacy of emergency response and security resources (local, state, federal) all along the proposed rail line and identify the measures required to assure the safety and security of the shipments.</p>

Issue (key words)	Comment Summary
	<p>The RA EIS must assess impacts to state and local agencies with operational oversight for the shipments. Such impacts include costs of continuous inspection and escort operation that will be required, whether the rail line functions independently or in concert with intermodal operations.</p> <p>Commentors noted that the Nuclear Waste Policy Act, Section 180(c) calls for federal action to provide improvements in emergency response training and capability along routes designated for the transport of HLRW and SNF. The RA EIS should attempt to estimate the federal resources necessary to meet DOE obligations under Section 180(c) for both the truck-dominated phase and for the rail line. They also emphasized that DOE should project when and where reductions would occur in emergency preparedness funding as a result of the operation of the rail line.</p> <p>One commentor noted that the impacts of a railroad caused wildfire on emergency response personnel should be assessed. Another commentor noted that the RA EIS should consider the direct and indirect effects to local emergency response agencies, including the costs of training and maintaining their personnel.</p> <p>20 comments - 10 commentors (40004, 40068, 40072, 40082, 40146, 40174, 40269, 40279, 40280, 40394)</p>
3 (Medical Services)	<p>A number of commentors expressed concern about the lack of medical personnel and facilities in rural Nevada. Commentors noted the need for additional medical personnel and hospital beds in the communities in the vicinity of the rail line. Specifically, commentors noted that there must be full-time medical coverage with staff trained in trauma and nuclear accident medicine. A commentor requested that a 10-bed hospital be located in Amargosa Valley while other commentors requested funding for the existing hospitals in Pahrump and Tonopah.</p> <p>Most of the Caliente Route is far removed from emergency response resources and hospitals qualified to deal with radiological contamination. The RA EIS should identify, for each section of the route, what medical facilities could be impacted by radiological incidents along the route - where air evacuation is possible and where air evacuation is not possible. The RA EIS should discuss how emergency response mutual aid agreements, protocols and scenarios might combine to place demands upon these facilities.</p> <p>11 comments - 6 commentors (40006, 40010, 40012, 40114, 40269, 40395)</p>

Table 16. Mitigation of Impacts

Subissue (key words)	Comment Summary
1 (Impacts to livestock)	<p>Commentors expressed concern that livestock movement would be obstructed from access to grazing and water. Other commentors expressed concern about livestock being disturbed by noise. Concerns related to both construction and operation. Concerns were expressed that such impacts could occur with and without fencing of the rail line. Commentors requested that the RA EIS address these impacts and identify mitigations by identifying the locations, sizes, and types of livestock underpasses and culverts that will be provided and how ranchers will be compensated for livestock losses</p> <p>21 comments, 9 commentors (40022, 40031, 40078, 40036, 40147, 40155, 40266, 40269, 40274)</p>
2 (Regional Infrastructure Improvements)	<p>Commentors expressed the desire that, as part of the rail system, DOE fund infrastructure improvements along the corridor and statewide. These improvements were not linked to the direct mitigation of impacts. The types of improvements mentioned include; education systems (primary and higher), telecommunications networks (cable and cellular), water and sanitation systems, and solid waste disposal systems. Other commentors expressed that general financial compensation be provided to individuals and all levels of local government (fairly distributed to rural and urban areas) as compensation for the repository being located in the state.</p> <p>Other commentors noted that the Nuclear Waste Policy Act and NEPA serve as bases from which mitigation measures can be justified and qualified. The commentors stated that the RA EIS should define how DOE will provide financial assistance to affected governments and tribes.</p> <p>45 comments, 29 commentors (40004, 40016, 40019, 40025, 40036, 40037, 40044, 40049, 40059, 40060, 40071, 40072, 40078, 40082, 40114, 40148, 40149, 40157, 40159, 40160, 40178, 40230, 40239, 40261, 40269, 40274, 40386, 40396, 40402, 40522)</p>
3 (Fencing)	<p>Commentors expressed an interest that the RA EIS clearly define how fencing will be used along the corridor. Some commentors indicated that fencing would serve to mitigate non-specified impacts, while other commentors indicated that the fencing itself would cause impacts (such as ranching segmentation). Commentors called for the RA EIS to identify the reasoning for any fencing, identify the location proposed for fencing, and who would be responsible for construction and maintenance. One commentor specifically expressed that no fencing should be used.</p> <p>8 comments, 3 commentors (40078, 40269, 40274)</p>

Subissue (key words)	Comment Summary
4 (Revegetation of Disturbed Areas)	<p>Commentors expressed concern regarding the potential introduction and spread of invasive weed species along the rail-line corridor following ground disturbances from construction. Commentors indicated that the RA EIS should identify the mitigation measures (topsoil removal storage, and replacement, contouring, and revegetation) that would be used to address these concerns. Other commentors stressed that revegetations not use palatable plant species that would be attractive to livestock (so that livestock would not be attracted to graze close to the rail line).</p> <p>8 comments, 2 commentors (40078, 40269)</p>
5 (Waterways and washes)	<p>One commentor expressed concern that the rail line would eliminate existing surface hydrology (washes). The commentors expressed that culverts should be used whenever the rail line crosses an existing wash to ensure that water flow directions remain unchanged.</p> <p>2 comments, 1 commentor (40023)</p>
6 (Mining and Mineral Development)	<p>Commentors noted that the rail corridor would pass near areas of existing mining claims and could cause potential impacts to those operations by blocking access or restricting future development. Commentors suggested that access to all existing mining claims should be maintained and that restrictions on future development be minimized. Commentors suggested that the RA EIS identify the measures to be taken to ensure continued mining activities or compensate claim holders for their lost opportunities.</p> <p>One commentor also noted the strong probability of abandoned and unsecured mine openings existing along the corridor. The commentor asserted that the NV-State Division of Minerals and DOE are ultimately responsible for ensuring that such mine openings are secured along the corridor, indicating that the RA EIS should address this issue.</p>
7 (Perception-based impacts)	<p>19 comments, 15 commentors (40036, 40040, 40257, 40274, 40401, Duplicate 1, Similar 1)</p> <p>Commentors suggested the RA EIS should analyze perception-based and stigma-related impacts that could arise from the construction and operation of the rail line. Commentors stated that they are entitled to adequate compensation for any decrease in their property values, loss of resources, negative impacts to local economies, and damaged quality of life from the construction/operation of the rail corridor.</p> <p>One commentor suggested the project develop a mobile education system with project information so that rural communities could have access to information and help alleviate concerns.</p>

Subissue (key words)	Comment Summary
	13 comments, 12 commentors (40030, 40044, 40055, 40059, 40060, 40078, 40131, 40174, 40261, 40262, 40274, 40519, 40520)
8 (Accidents)	<p>Commentors expressed concern related to the potential for loss in the event of a transportation accident. The commentors suggested the establishment of a special insurance fund to compensate Nevada residents if such losses were to occur. One commentor recommended that a subcommittee monitor the project chartered with ensuring any injured party be properly treated.</p> <p>4 comments, 4 commentors (40114, 40158, Duplicate 2)</p>
9 (Truck transportation)	<p>Commentors were concerned that several roads in rural Nevada would need to be expanded/upgraded to adequately facilitate potential trucking demands associated with the Project. One commentor suggested that the RA EIS should address road upgrades and also that all truck routes need to be clearly defined and truckers must be required to follow those routes. One commentor suggested that truck transport be minimized.</p> <p>3 comment, 2 commentor (40082, 40120)</p>
10 (Monitoring program)	<p>Commentors stated that existing monitoring programs are inadequate and a full environmental monitoring program (including air, water, and ground resources) should be executed along the entire corridor. This monitoring program must be adequately funded given the importance and overall visibility of the program. Other commentors were concerned that the rail line might disrupt the ability for future monitoring programs to accurately monitor other Nevada Test Site activities (past, present, and future) suggesting that the rail plans must consider the need for other monitoring.</p> <p>5 comments, 5 commentors (40044, 40046, 40082, 40269, 40393)</p>
11 (DOE purchase of electricity)	<p>One commentor was concerned as that the operation of the intermodal transfer facility and other facilities would require DOE to purchase electricity from the Lincoln County Power District. The commentor expressed concern that the system capacity might not be adequate for this burden and the RA EIS needed to evaluate such impacts and address how to limit the impact.</p> <p>1 comment, 1 commentor (40016)</p>
12 (Animal Damage Control Program)	<p>One commentor had a concern that the project might negatively interfere with the Animal Damage Control Program resulting in an increase in predator species in the vicinity of the corridor. The commentor stated</p>

Subissue (key words)	Comment Summary
	<p>that the RA EIS should address how the proposed project will accommodate the Animal Damage Control Program.</p> <p>1 comment, 1 commentator (40274)</p>
13 (Wildlife seasonal impacts)	<p>One commentator stated that any planned construction activities associated with the rail line should address work by wildlife seasonal use, including impacts to the foaling season, migration, and water access disruption.</p> <p>1 comment, 1 commentator (40124)</p>
14 (health risks)	<p>Commentors stated that the RA EIS should address all health risks, both fatal and non-fatal. Commentors further stated that the RA EIS should identify specific mitigations that would be put in place to reduce those risks.</p> <p>3 comment, 3 commentators (40169, 40261, 40269)</p>
15 (Job training)	<p>Commentors expressed interest in whether new, comprehensive job-training opportunities will be available to county residents to support the Transportation Program.</p> <p>One commentator requested that training and classes be coordinated through the Lincoln County Community College.</p> <p>5 comments, 5 commentators (40016, 40072, 40082, 40261, 40274)</p>
16 (Uncertainty of alignment, Private-Project delays)	<p>Commentors stated that rail alignment uncertainty is causing significant delays for potential commercial and personal projects/endeavors.</p> <p>4 comments, 3 commentators (40025, 40051, 40169)</p>
17 (Housing impacts)	<p>Commentors provided recommendations regarding how to mitigate housing impacts created by the project. Specifically, the commentors called for low-interest loans for construction, employee buy-back policies, and for vacated housing to be turned over to local communities for resale after use by project personnel has ended.</p> <p>3 comments, 2 commentators (40044, 40082)</p>
18 (Compensation of	<p>One commentator noted that, according to the Nevada Constitution, before any private property can be</p>

Subissue (key words)	Comment Summary
Private Property)	taken, arrangement must be made for payment first.
19 (Water secured for basin)	1 comment, 1 commentor (40044) One commentor expressed concern over losing water via the basin that is on his land. Has irrigation plan in place for his property.
20 (Compensation for loss of grazing and mineral rights)	1 comment, 1 commentor (40008) Commentors indicated that the RA EIS should address how ranchers and miners would be compensated for loss of grazing and mineral development rights. 247 comments, 247 commentors (Similar 3)

Table 17. Shipping Containers/Casks

Subissue (key words)	Comment Summary
1 (Cask testing)	<p>Commentors expressed that current NRC cask testing requirements are inadequate and that full-scale cask testing should be performed on the casks analyzed in the RA EIS. Some commentors recommended that all the casks be tested to failure (noting that the NRC had promised a full-scale test of only one rail cask.) Some commentors suggested specific testing requirements to demonstrate effects under routine operations, as well as accidents and terrorism attacks. One commentor noted that the current information on physical cask testing all appeared to be 20 years old and that new testing should be conducted. Another commentor expressed that DOE was attempting to lighten container requirements.</p> <p>15 comments, 11 commentors (40007, 40012, 40115, 400125, 40044, 40146, 40177, 40256, 40269, Duplicate 2)</p>
2 (General)	<p>Commentors stated that the RA EIS should describe the shipping casks or containers to be used for SNF and HLRW, the number of casks per train. One commentor was concerned about cask inspection being conducted by government contractors that fail to properly perform the appropriate inspections.</p> <p>One commentor expressed that the safety of the casks to be used for SNF and HLRW transport was adequate.</p> <p>6 comments, 5 commentors (40138, 40147, 40159, Duplicate 2)</p>

Table 18. Miscellaneous

Subissue (key word)	Comment Summary
1 (National Transportation)	<p>A number of commentors emphasized the RA EIS should address the impacts of nationwide transportation including modal and route analyses. Commentors contend that DOE has not performed an adequate nationwide transportation analysis.</p> <p>One commentor noted that in the absence of considering the impacts of intermodal operations nationwide, the RA EIS could not properly consider intermodal operations in Nevada. Another commentor noted that since DOE has not ruled out shipping SNF and HLRW as general freight, the RA EIS must examine the impacts to rail operations nationwide of having SNF and HLRW interspersed with other cargoes. The commentor continued by pointing out that even for the use of dedicated trains, the RA EIS must assess the impacts to the railroads and rail yards where the SNF and HLRW would be consolidated and loaded.</p> <p>Several commentors observed that the selection of preferred rail corridor has implications for route selection across the country and should be evaluated on a system-wide basis.</p> <p>283 comments, 266 commentors (40029, 40116, 40129, 40147, 40170, 40182, 40242, 40248, 40269, 40271, 40274, Duplicate 2, Similar 2, Similar 3)</p>
2 (Yucca Mountain Geologic Repository)	<p>A number of commentors provided statements of support for, or opposition to, the Yucca Mountain Geologic Repository, the transportation of SNF and HLRW, and by default the Caliente rail corridor.</p> <p>80 comments, 63 commentors (40016, 40018, 40025, 40027, 40033, 40036, 40038, 40039, 40047, 40051, 40069, 40077, 40079, 40088, 40105, 40107, 40112, 40114, 40115, 40116, 40130, 40136, 40138, 40140, 40141, 40142, 40144, 40159, 40160, 40162, 40166, 40170, 40171, 40172, 40174, 40175, 40176, 40177, 40178, 40179, 40180, 40181, 40186, 40190, 40232, 40246, 40247, 40250, 40251, 40258, 40266, 40273, 40378, 40379, 40382, 40381, 40389, 40385, 40391, Similar 4)</p>
3 (Nuclear Power)	<p>A number of commentors provided statements of support for, or opposition to, nuclear power generation. The advocates for nuclear power cited nuclear power's efficiency, relative low generation costs, and the lack of greenhouse gases. Those opposed to nuclear power cited its inherent safety issues the continued creation of spent nuclear fuel.</p> <p>23 comments, 23 commentors (40039, 40058, 40069, 40079, 40085, 40099, 40142, 40157, 40160, 40232, 40235, 40236, 40247, 40249, 40250, 40255, 40266, 40273, 40381, 40397, Duplicate 2)</p>

Subissue (key word)	Comment Summary
4 (DOE and the US Government)	<p>Commentors expressed a general lack of trust in President Bush and the Department of Energy. The commentors expressed the opinion that they have been lied to regarding the decision-making process for the Yucca Mountain Geologic Repository and resent the fact that the government has forced Nevadans to bear the burden of the Repository along with the burdens caused by past nuclear weapons testing in Nevada.</p> <p>19 comments, 13 commentors (40024, 40039, 40044, 40047, 40054, 40069, 40079, 40086, 40104, 40110, 40111, 40114, 40116)</p>
5 (Risk Perception and Stigma)	<p>Commentors expressed concern over the high perception of risk people have for all things nuclear and the stigmatizing affects that could have on the economy, especially the tourism industry in Nevada. Several commentors indicated risk perception and stigma should be evaluated in the RA EIS. One commentor noted that risk perception and stigma related to transportation activities would be problematic even without an accident.</p> <p>15 comments, 10 commentors (40014, 40116, 40036, 40071, 40079, 40162, 40174, 40269, 40274, 40400)</p>
6 (Reprocessing and alternative sources of energy)	<p>Several commentors suggested the waste slated to be transported to the Yucca Mountain Geologic Repository be reprocessed or recycled. Several other commentors suggested that the country should move to renewable and other alternative energy sources.</p> <p>9 comments, 7 commentors 40174, (40175, 40176, 40198, 40226, 40250, 40382)</p>
7 (Open meeting law)	<p>One commentor asked DOE to investigate the failure of the Central Nevada Community Protection Working Group to obey the state's open meeting law.</p> <p>1 comment, 1 commentor (40070)</p>
8 (Regulatory oversight)	<p>One commentor questioned whether DOE is responsible for shipping all "levels of nuclear waste" and the role of the Department of Transportation in shipping nuclear waste.</p> <p>2 comments, 2 commentors (Duplicate 2)</p>

Table 19. Affected Environment

Subissue (key words)	Comment Summary
1 (Regions of influence)	<p>Commentors stated that the RA EIS should clearly define regions of influence for the affected environment to ensure that all potential environmental impacts are considered. Several commentors said the RA EIS should look beyond the physical boundaries of any eventual right-of-way when defining regions of influence (one specified a distance of 5 miles.) Another commentor said the RA EIS should evaluate any ground disturbance as very slow to recover, regardless of reclamation efforts.</p> <p>3 comments, 2 commentors (40269, 40274)</p>
2 (Baseline studies)	<p>Commentors suggested that DOE prepare baseline studies to clearly identify the existing emergency response capabilities for accidents involving SNF and HLRW as well as the levels of background radiation and airborne particulate levels within the regions of influence.</p> <p>3 comments, 3 commentors (40269, 40271, 40274)</p>

Attachment III - Breakdown of Similar and Duplicate Comments

Similar 1 includes the following eight commentor numbers;
40081, 400100, 40165, 40168, 40192, 40263, 40392, 40399

Similar 2 includes the following seven commentor numbers;
40183, 40187, 40194, 40234, 40243, 40244, 40268

Similar 3 includes the following 248 commentor numbers;
40200, 40201, 40202, 40203, 40204, 40205, 40206, 40207, 40208, 40209,
40210, 40211, 40212, 40213, 40214, 40215, 40216, 40217, 40218, 40219,
40220, 40221, 40222, 40223, 40224, 40225,
40270
40280, 40281, 40282, 40283, 40284, 40285, 40286, 40287, 40288, 40289,
40290, 40291, 40292, 40293, 40294, 40295, 40296, 40297, 40298, 40299,
40300, 40301, 40302, 40303, 40304, 40305, 40306, 40307, 40308, 40309,
40310, 40311, 40312, 40313, 40314, 40315, 40316, 40317, 40318, 40319,
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40500, 40501, 40502, 40503, 40504, 40505, 40506, 40507, 40508, 40509,
40510, 40511, 40512, 40513, 40514, 40515, 40516, 40517, 40518
40523, 40524, 40525, 40526, 40527, 40528, 40529,
40530, 40531, 40532, 40533, 40534, 40535, 40536, 40537, 40538, 40539

Similar 4 includes the following five commentor numbers;
40441, 40442, 40443, 40444, 40445

Duplicate 1 includes the following two commentor numbers;
40074, 40083

Duplicate 2 includes the following two commentor numbers;
40090, 40098