



CITY OF FALLON

OFFICE OF THE
MAYOR

060086

KEN TEDFORD, JR.

MAYOR

December 12, 2006

VIA FACSIMILE & U.S. MAIL

Mr. M. Lee Bishop
EIS Document Manager
Office of Logistics Management
Office of Civilian Radioactive Waste Management
U.S. Department of Energy
15514 Hillshire Drive, M/S 011
Las Vegas, NV 89134
(800) 967-0739

Re: Scoping Comments Relating to the Department of Energy's Intent to Expand the Scope of the Rail Corridor and Alignment Environmental Impact Statement (EIS) to Include the Study of the Mina Corridor Alternative in Addition to the Caliente Rail Corridor (Federal Register/Vol.31, No.198/Friday, October 13, 2006/Notices/60484) (Deadline: December 12, 2006).

Dear Mr. Bishop:

The City of Fallon comments in the above referenced matter as follows:

General Comments

1. The City of Fallon is in general agreement with the report and recommendations of the Nevada Commission on Nuclear Projects which was presented to the Governor and Legislature of the State of Nevada in December of 2006. The afore-mentioned report treats all aspects of the proposal to develop a high level nuclear waste repository at Yucca Mountain as well as the issues surrounding the transportation of high level nuclear and spent fuel rods across the United States to Yucca Mountain.

2. The City of Fallon wishes to register its specific opposition to the Mina transportation route. This route traverses land within Churchill County, east of Fallon, that is being developed for dense residential use. This area of Nevada is experiencing a rapid rate of residential growth exceeding that for most of Nevada and most of the nation. The report of the Nevada Commission on Nuclear Projects makes the point that "the Mina rail alternative poses significant new issues and impacts to Nevada as well as for other western states potentially effected by the

changes in national railroading for spent fuel and high level waste shipments”, report, page 36. The City of Fallon agrees with this observation. Furthermore, the City of Fallon wishes to emphasize the fact that the Mina route presents “new issues” which haven’t been under consideration for a sufficient length of time to justify or underwrite a decision about the adequacy or propriety of the route should a decision to use rail transportation be made.

3. All of the routes identified by the DOE over the years would result in shipments impacting major Nevada population centers and this proposal is no different in that it traverses environmentally, economically and culturally sensitive areas of the state. The City of Fallon have reviewed prior transportation proposals and can see that all of them face major geographic, engineering and institutional obstacles. The DOE determined that Yucca Mountain ranked the worst in terms of transportation access, both rail and highway, as early as 1980 and nothing has changed that would make transportation access easier or better at Yucca Mountain today. See report, page 37.

4. The proposed Mina route has been coupled by the Department of Energy (“DOE”) with a proposed design in the shipping container. The proposed design, called the TAD, has not yet been adequately tested, hence the City of Fallon does not possess the data needed to assess the engineering integrity and long term performance of the TAD design. The design of the container which will be used to transport the waste under consideration of this proposal is an important component that needs to be addressed in discussing the general subject of transportation and transportation routes.

5. The City of Fallon believes and, in fact has no doubt, that Yucca Mountain was chosen for political reasons rather than for reasons owing to its suitability as a repository.

6. The City of Fallon believes that there is insufficient information at this point in time to guarantee that high level nuclear waste and spent fuel rods can be safely transported along the Mina corridor or any other corridor and that it cannot rule out the occurrence of accident, sabotage or other contingencies that should be considered and that were suggested for consideration by the National Academy Committee on Transportation of Radio Active Nuclear Waste in February 2006.

7. The City of Fallon believes the comment process itself has dubious value. The DOE presentation in the City of Fallon in November 2006 certainly was not, by virtue of the very form of the presentation, likely to inspire confidence in the DOE or confidence in the process. The parties who attended and were interested and wanted to make comments had the opportunity to sit before a Notary Public in an absolutely cold and intimidating atmosphere that was simply not conducive to healthy, vigorous, robust thought or comment.

Conclusion

As Mayor of the City of Fallon and, on behalf of the residents of the City of Fallon, I want to express my disappointment in the process that lead to the consideration of the Mina corridor as an alternative and the process under which the Mina corridor is being evaluated and, for these and other reasons, my opposition to the choice of the Mina corridor as a transportation

route for the transportation of high level nuclear waste and spent fuel rods and would urge that the DOE extend itself to give further and deeper and more extensive consideration to all of the issues that attend the subject of transportation of high level nuclear waste and spent fuel rods and that no agency decision be considered until all aspects of the transportation program through the Mina corridor have been fully and properly evaluated.

Respectfully Submitted this 12th day of December 2006.

Ken Tedford Jr.,
Mayor



cc.
Board of County Commissioners
The Honorable Harry Reid
The Honorable John Ensign
The Honorable Kenny Guinn
Sheriff Richard Ingram
Brad Goetsch
Mert Mickelson, County Emergency Manager
Churchill County District Attorney
Fallon City Councilmen