

12                   ROBERT HALSTEAD: I have a terrible cold.  
13 Because of that cold, I've lost my voice. But the good  
14 news is I won't try to say more than I can say. I'm  
15 Transportation Advisor for the State of Nevada's Agency for  
16 Nuclear Projects. That's the agency that represents the  
17 State on Test Site and Yucca Mountain activities.

18                   We're going to be preparing very detailed  
19 written comments submitted by January 10th. Although  
20 some of you may know we've asked for a 60-day extension  
21 in the comment period, other parties have requested 30  
22 days. Hopefully we'll have a little more time.

23                   But not taking anything for granted, we intend  
24 to have most of our comments ready by January 1st.  
25 They'll be posted on our Website. I have some written  
1 comments and phone number for the agency, 775-687-3744.  
2 And a two-way flow of information is what we'd like. If  
3 you'd like us to include your concerns in the comments  
4 that the State files, please contact us either by  
5 computer or by phone.

6                   If you'd like to see the comments that we  
7 have, you'll be able to see them posted on our Website,  
8 or you can call and request them and we'll send you a  
9 paper copy of them.

10                   Anyone who hasn't had a chance to actually  
11 look at the DOE's Draft EISs, we recommend that you do  
12 that, no matter what your position is on Yucca Mountain.  
13 There's a lot of detail about the transportation system.

14                   DOE's doing a pretty good job for those people

15 that don't want to read this on a computer. If you call  
16 them up, they usually can have -- weighs about 35 pounds  
17 to get this whole Draft EIS in paper. But they've been  
18 pretty good getting it delivered to people. So if you  
19 haven't done that already, you might want to do that.

20 It's hard in five minutes even when you've got  
21 a voice to say all the things we might like to say.

22 General comments on what DOE is about. [Important to  
23 remember spent nuclear fuel is very dangerous. That's  
24 why there's a federal program and federal regulations.

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25 Ten years after it's been out of the reactor,  
1 it can still give you a lethal dose of radiation in one  
2 to two minutes. 20 years after it's been out of the  
3 reactor, it still has so much cesium-137 that a  
4 1 percent release in a shipping container would cost  
5 hundreds of millions of dollars to clean up in a rural  
6 area, billions to clean up in an urban area. It's  
7 important to remember we're not talking about shipping  
8 tubs of peanut butter here.

9 I believe DOE would have served its own  
10 purposes better actually talking about the dangers of  
11 spent nuclear fuel somewhere in the Draft EIS. A little  
12 bit of that information is buried back in Appendix D and  
13 Appendix G.

14 Similarly, DOE has dealt with a lot of the  
15 transportation safety and security issues. I commend  
16 them, particularly for going further than the Nuclear  
17 Regulatory Commission and acknowledging that these  
18 shipments are likely to be attractive targets for

19 terrorists and saboteurs, and they are vulnerable.

20           And DOE, while we disagree with their  
21 estimation of what the consequences would be, I give  
22 them high marks compared to the Nuclear Regulatory  
23 Commission in the fact that they've actually laid the  
24 issue out there. The TAD canister system that's being  
25 proposed doesn't exist yet. So, remember, DOE is  
1 talking about something quite speculative.]

2           [Regarding the selection of the corridors, we  
3 don't think the current EISs do any better job of  
4 supporting selection of Caliente than the Final EIS did  
5 in 2002.] [We think there's a big problem with continuing  
6 to keep the Mina Route up when the Walker River Paiute  
7 Tribe has withdrawn their approval.]

8           [The main thing I want to say tonight is that  
9 there are land use conflicts that affect ranching and  
10 mining and recreational uses of these areas and some  
11 cultural resources. And every one of you as a local  
12 person should read that EIS and see whether you agree  
13 with DOE's preferred routes or their alternatives.

14           And they've also hidden some alternatives back  
15 in Appendix C of the Rail EIS that in our opinion may  
16 cause less impacts than some others. They cost more,  
17 but that's not a good grounds under the NEPA law for DOE  
18 to say they want to choose one route or another.

19           Cost is not going to cut it for them if they  
20 get challenged legally. So everybody who is in ranching  
21 or mining or has an interest in what your neighbors are

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22 doing needs to get those documents and look at them.

23 Now, the State is developing some better maps.

24 I'll just show you one example. This is from  
25 Garden Valley. Anybody who would like to contact us, we  
1 will be submitting all of these maps to DOE as a map  
2 book with our comments. But if you want to have a  
3 little easier to understand map than we think some of  
4 the maps in the EIS are, then you can contact us, give  
5 me your name tonight, and I'll be happy to eventually in  
6 a couple weeks get our map person to run some maps in  
7 the areas you're concerned about.]

8 Finally, [because this is going to be a 5  
9 shared-use railroad, the State believes that the Surface  
10 Transportation Board, which is the federal agency that  
11 normally regulates railroad construction, a railroad  
12 wants to build a railroad in this country has to go  
13 before them and get a construction authorization.

14 The fact that DOE is leaning towards a  
15 shared-use option on this says to us that the Surface  
16 Transportation Board should be in charge of doing this  
17 EIS and making the final selection on the routes.

18 Now, we're not just saying that because we  
19 think the STB would stop DOE from building a railroad.  
20 Quite the contrary. STB is in the business to figure  
21 out the least bad impacts of building railroads.

22 We've studied the way they've looked at the  
23 last two big railroad projects in Montana and in the  
24 Dakotas. The process that they've used we believe would  
25 be much fairer for the affected stakeholders. It's

1 certainly an issue we discussed with our lawyers.

2           And if DOE goes forward and issues a final EIS  
3 in a Record of Decision that endorses the shared-use  
4 option and doesn't ask the STB to intervene, we  
5 certainly will be doing that in federal court.]

6           The final message I want to leave is this.  
7 The Agency for Nuclear Projects would like to help  
8 anybody who wants to prepare their comments, whether  
9 you're in favor of Yucca Mountain or against it.

10           The transportation system is very important  
11 that it be safe and secure, that it cause the least  
12 adverse impacts possible. If we can help you write your  
13 comments, please get in touch with us. Thank you.

**Preliminary Comments on  
DOE Draft SEIS  
for Yucca Mountain &  
Draft Nevada Rail Corridor SEIS  
and Rail Alignment EIS**

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Nevada Agency for Nuclear Projects  
US DOE Public Hearing  
Goldfield, Nevada  
November 27, 2007**

Additional documentation available at  
<http://www.state.nv.us/nucwaste/trans.htm>  
Phone: 775-687-3744

**General Comments on the Draft Rail  
Corridor SEIS & Rail Alignment EIS**

Spent nuclear fuel is dangerous

- Transportation safety and security not adequately addressed
- TAD canister system exists as concept only  
DEISs do not support selection of the Caliente Corridor

Study of the Mina Corridor as a “nonpreferred alternative” unwarranted given Walker River Paiute Tribal Council withdrawal of support

## Land Use Conflicts: Ranching, Mining, Recreation, and Cultural Resources

- RA DEIS fails to adequately consider the railroad as a physical barrier to the movements of humans, livestock, and wildlife, and the impacts of rail operations
- RA DEIS fails to adequately consider the impacts of the proposed new water wells and quarries
- RA DEIS fails to adequately consider the full range of impacts of rail operations, especially if shared use leads to expanded use (example: coal-fired power plants)
- Some of the alternative segments that might reduce land use conflicts appear to have been eliminated from further consideration based solely, or primarily, on estimated construction costs

## Potential Role for Surface Transportation Board (STB)

DOE "shared use" decision should give STB lead agency status to prepare EIS

DOE should evaluate STB final decisions regarding DME & Tongue River III rail projects

- STB EIS should evaluate alternative routes and approve selection of preferred route
- STB EIS should identify conditions to mitigate adverse impacts
- STB construction authorization, if granted, should ensure conditions are met