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To: <EIS_Office@ymp.gov>
 CC:
 Subject: comments against using Yucca Mountain as Nuclear Waste Storage

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1 [Yucca Mountain is sacred to the Shoshone as an herb gathering site, for rituals, and as a part of their stories. Yucca Mountain is known in Shoshone language as Snake Mountain. Indeed it looks like a snake. It is said that the snake was headed north when it froze where it is. Further more it is said that it will move again and "flip around". Geologists say that there are thirteen different fault lines running through it.]

3 [Pahrump and Las Vegas NV are among the fastest growing populations in the U.S. Amargosa Valley, at the base of the mountain is home the

State's largest dairy, providing milk all the way to Los Angeles. Amargosa Valley shares the aquifer with Yucca Mt.]

4 [Some of the land is controlled by the U.S. Air Force and all of it is within the treaty lands of the Western Shoshone nation, ratified by Congress in 1863 and recently upheld by the UN Committee to End Racial Discrimination, naming the Yucca Mt. Project as part of ongoing human rights violation against the Western Shoshone.]

5 [Yucca Mountain is in one of the most arid regions in the U.S. When rain does come, it is often in flash floods that travel rapidly. Any escaping radionuclides that reach the surface can travel down the Amargosa River channel. Climate conditions also appear to be changing rapidly and a high-level nuclear waste repository must be able to isolate the waste for hundreds of thousands of years. Throughout the lifetime of the waste, the region is expected to experience future climate cycles that would include ice ages and wetter conditions.]

6 [The ground water under the Yucca Mountain flows into a hydrogeologic basin that covers thousands of square miles, and is inhabited by many communities, the Timbisha Shoshone Tribe, and Death Valley National Park, visited by nearly 1 million visitors a year, all of whom rely on groundwater for survival. The Amargosa River, which is fed by all pathways on both sides of Yucca Mt., is considered the third largest in the western U.S. and parts of it run year round above ground. Research conducted by Inyo County, CA, defines fast pathways from Yucca Mt. to area springs used for drinking water by many.]

7 [The draft repository SEIS deals primarily with DOE's decision to alter the design of repository surface facilities to incorporate the concept of Transportation, Aging and Disposal (TAD) canisters. TADs are intended to simplify handling of spent fuel at the repository by having waste loaded into welded canister at the reactor sites. Then, using a series of different overpacks, the TADs can be stored at the reactors, transported to the repository, stored or aged at the repository surface facility, and ultimately disposed of underground, all without ever having to rehandle the actual

spent fuel

While in theory, TADs would simplify repository surface facility design and operations (by reducing the need for extensive SNF handling facilities), the reality is that the effect is to transfer risks and impacts from the repository to the reactor locations where the handling operations would take place. The final SEIS needs to comprehensively assess risks and impacts to workers, facilities, communities and the environment at all of the reactor locations where TADs would have to be used.

TADs also complicate waste transportation. Many reactor sites already have (or are in the process of implementing) on site dry storage facilities using multipurpose (storage/transport) container systems that are not compatible with TADs and would require either repackaging of the SNF into TADs prior to transport or the use of non-standard transport vehicles.

TADs can only be shipped via rail or by very large, oversized/heavy-haul trucks. Because rail access is NOT available at Yucca Mountain, and there is not guarantee it ever will be, the SEIS should have assessed the impacts of a TAD based transportation system that can not use rail as the primary mode of transportation to Yucca.

There are no final TAD designs in the draft SEIS, so it is difficult to assess how TADs will impact the repository system, including the transportation components.

Costs and financial arrangements for the use of TADs are unknown.

The proposed TAD system is not compatible with dry storage systems currently in use at civilian nuclear power plants.

Many utilities have specific problems with use of the proposed TAD system at specific reactor sites.

DOE offers no meaningful alternative to the proposed TAD canister system.]

8 [The draft Rail EIS includes the Mina Rail Corridor as a "non-preferred alternative." However, NEPA requires that alternative evaluated in an EIS be capable of being selected -i.e., they must be viable alternatives. Because to Walker River Paiute Tribe has refused permission for DOE to use any portion of its reservation for the proposed rail spur (and without such permission the Mina route cannot be used), it is inappropriate for DOE to have included Mina as an alternative for comparing rail corridors in the draft EIS.

The mina route is not viable and should have been excluded from the EIS.]

9 [The Rail DEIS No Action Alternative is also inappropriate and perhaps unlawful. If DOE does not select the Caliente or Mina rail alignment, the DEIS states that the future course "is uncertain." In fact, if rail access to Yucca Mountain is not implemented, the NO Action alternative would be legal-weight truck shipments.]

10 [The repository SEIS should have evaluated the impacts of a legal-weight truck transport system nationwide and within Nevada.]] DEIS Does Not Adequately Address Transportation Safety and Security.

11 It does not consider worst case accidents - such combinations of factors "are not reasonably foreseeable".

It underestimates consequences of severe accidents involving long duration fires.]

12 [It underestimates consequences of terrorist attack.

It dismisses potential for human error to exacerbate consequences of accidents or terrorist attacks.

Dismisses potential for unique local conditions to exacerbate consequences of accidents or terrorist attacks]

13 [The rail DEIS does not fully evaluate repository shipments into NV from CA or the impacts to Northern Nevada

(especially the Reno/Sparks/Washoe County area.

Under Proposed Action, 9,500 rail casks and 2,700 truck casks to Yucca Mountain over 50 years; if no second repository, 24,000 rail casks and 5,000 truck casks.

Only 8% of rail shipments enter NV from CA if Caliente rail line is developed, compared to 21% if Mina rail line is developed; 32 % of truck casks enter NV from CA.

The rail DEIS ignores potential for larger number of rail cask shipments into NV from CA for Caliente or Mina options (>4,400, or >45% of total under proposed action).

The rail DEIS Ignores potential for large number of LWT shipments into NV from CA if there is no rail access to Yucca (>24,000, >45% of total under proposed action).]

- 14 [DOE's selection of the Caliente Corridor is not supported by the information presented in the Draft SEIS –the information in the DEIS does not adequately compare Caliente with other *viable* rail corridors.]
- 15 [DOE's study of the Mina Corridor as a "non-preferred alternative" is not warranted given the Walker River Paiute Tribal Council's withdrawal of support.]
- 16 [Because DOE has now announced that the rail line it proposes would be a "Shared Use" line, the USDOT Surface Transportation Board should be the lead agency that prepares the Rail Alignment EIS.]
- 17 [The DOE contention that non-rail shipments would be made by over-weight trucks is unsubstantiated, and the impacts of the use of overweight truck in Nevada and elsewhere are not analyzed.]

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