

October 24, 2006

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DATE: 10/25/2006

Edward Sproat, Director
Office of Civilian Radioactive Waste Management
U.S. Department of Energy
1000 Independence Ave., SE
Washington, D.C. 20585

Dear Mr. Sproat:

As you are aware, on October 13, 2006, DOE published a Federal Register notice announcing its intention to prepare a Supplemental to the Final Environmental Impact Statement for a Geologic Repository for the Disposal of Spent Nuclear Fuel and High-Level Radioactive Waste at Yucca Mountain, Nye County, Nevada (Yucca Mountain Final EIS). On the same day, the DOE also published an Amended Notice of Intent to Expand the Scope of the Environmental Impact Statement for the Alignment, Construction, and Operation of a Rail Line to a Geologic Repository at Yucca Mountain, Nye County, Nevada.

As environmental and consumer groups representing members of the public, we are writing to request that more information be provided in the Federal Register about DOE's proposed design changes and proposed rail line. We also request that the comment deadline be extended to 90 days in order to allow full public participation in this process.

DOE's proposals are a major change from the Yucca Mountain EIS, affecting waste packaging at reactors, waste transport, and design at the Yucca Mountain site. The descriptions of the proposed actions in the Federal Register notices, however, lack sufficient detail to enable the public to adequately assess and provide scoping comments. In particular, the Federal Register notices should include more detail on the design of the canisters, on the proposed design of the surface facilities at Yucca Mountain, and on the proposed route for the Mina corridor.

The deadline for commenting on these announcements is November 27, 2006, only 45 days from the publication of the Notices. Forty-five days is insufficient for members of the public to make meaningful scoping comments on the proposed overhaul of the design of the site and impacts on waste transportation. The new proposed canisters and their transport will have an impact on people living throughout the United States. It will take time to inform people living in other parts of the country that the DOE is planning to prepare a Supplemental EIS and an expanded Rail Line EIS and that they can submit scoping comments.

Furthermore, the meetings in Washington, DC and Nevada are scheduled to be held only 11 to 13 working days after the Federal Register notices were published. Given that we have insufficient information to provide scoping comments, we urge DOE to reschedule the meetings for a later date, after a new Federal Register notice is published. The DC scoping meeting should also accept comments on DOE's Amended NOI to Expand the Scope of the EIS for the rail line in Nevada, and this should be made explicit in the Federal Register.

Finally, the proposed format for these public meetings is insufficient for public discussion. A poster session and oral comments to a court reporter does not foster information sharing among community members. Time should be allotted during the 3-hour meetings for a formal, open public comment period, during which the public can ask DOE questions, for all to hear. Public meetings should also be scheduled at locations along the proposed Mina route.

We appreciate your serious consideration of these matters. Please contact Michele Boyd at Public Citizen (202-454-0785 or mboyd@citizen.org) with any responses to this letter or with any questions.

Sincerely,

Susan Gordon, Director
Alliance for Nuclear Accountability

Allison Peeler, Nuclear Issues Coordinator
Carolina Peace Resource Center,
South Carolina

Grant Smith, Executive Director
Citizens Action Coalition of Indiana

Peggy Maze Johnson, Executive Director
Citizen Alert, Nevada

Lisa Crawford, President
Fernald Residents For Environmental Safety
& Health, Inc., Ohio

Jim Riccio, Nuclear Policy Analyst
Greenpeace

Jennifer O. Viereck, Director
HOME: Healing Ourselves & Mother Earth
Tecopa, California

Geoffrey H. Fettus, Senior Project Attorney
Natural Resources Defense Council

Tony Guzman, Outreach Director
Nevada Conservation League, Nevada

Alice Slater, Director, NY Office
Nuclear Age Peace Foundation

Dave Kraft
Nuclear Energy Information Service, Illinois

Michael Mariotte, Executive Director
Nuclear Information and Resource Service

Jay Coghlan, Executive Director
Nuclear Watch New Mexico

Kimberly Roberts, Director of Policy and
Programs, Security
Physicians for Social Responsibility

Michele Boyd, Legislative Director
Public Citizen

Jeremy Maxand, Executive Director
Snake River Alliance, Idaho

Anna Aurillo, Director of the Washington
DC Office
U.S. PIRG (U.S. Public Interest Research
Group)