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**Nevada Nuclear Waste Task Force
P. O. Box 26177
Las Vegas, NV 89126**

October 20, 2006

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

Dear Mr. Sproat:

This letter is in response to the Notices of Intent published in the Federal Register on October 13, 2006 regarding the Yucca Mountain project. Both Department of Energy (DOE) notices invite public comment but the brief time allotted and lack of information make meaningful involvement impossible.

The "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" addresses the possible use of a rail line referred to as the Mina corridor. This route was among the least analyzed rail options of the possible Nevada rail alignments and was among those eliminated from consideration in the Yucca Mountain FEIS. DOE presents no map with the sort of detailed information needed to consider environmental or other impacts. To access the Mina corridor, shipments entering Nevada would impact communities that have not previously been potentially affected by rail transportation of nuclear waste to Yucca Mountain. These communities should have the opportunity to participate in EIS scoping meetings. Towns and cities in California and Utah must be invited to participate and be provided the opportunity to interact with DOE in local meetings.

The "Supplement 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" presents substantial changes from the previous analysis. The transportation, aging, and disposal (TAD) concept makes significant shifts in responsibility in handling and packaging of the waste. To make informed and useful comments on a repository program that utilizes a TAD canister system, both experts and members of the public certainly need detailed design graphics and proposed operational information. In addition to the meeting locations in the notices, there need to be meetings in reactor communities where TAD use would originate.

Since the time is so short between the publishing of these notices and the commencement of the meetings, this hastily written letter mentions only our first impressions of the issues not reasonably addressed or considered. The scoping process for these two significant NEPA actions is extremely important. DOE spent years

identifying and evaluating features, events, and processes (FEPs) at Yucca Mountain that were then screened out or were determined to be important to safety (ITS). Similarly the scoping process for an EIS is where the important issues are identified for analysis. These Federal Register notices seem to be an attempt to scope the action before it is sufficiently defined. This process certainly cannot be successful if it begins backwards and provides such an inadequate amount of time.

These two NEPA actions could significantly impact workers and residents in reactor communities as well as many rural and Native American citizens in Nevada. A fair and beneficial scoping process would require DOE to provide complete information to the public during interactive meetings. In addition to poster sessions, all meetings need to provide a recorded audience question and answer session with DOE personnel and comments made on the record in front of the audience. Yucca Mountain staff and members of the public who make the time and effort to attend, both benefit from the open exchange of ideas. After a complete series of meetings has finished, the public, their local governments, tribal governments and other concerned individuals and groups need at least sixty days to read, research, write and submit their comments. If this time period includes the end of the year holiday season, an additional thirty days should be allowed. Unlike paid contractors with deadlines for work products, these citizens have families, jobs and generally long distances to drive.

The DOE needs to issue new notices for these actions that provide more local opportunities for comment. The meeting dates must be set far enough in advance to allow people the time to prepare and arrange to be there. Please note that the date for the Las Vegas meeting shown in the notice is on the same day as a Technical Exchange. The OCRWM calendar does not give the time for the November 2 Technical Exchange so we are unable to determine if it is even possible to attend both meetings. Perhaps if the meeting dates published in the notices had been entered on the OCRWM calendar, the conflict would have been seen.

It is obvious that DOE is not prepared to begin these very important actions and neither is the affected public. You should not consider a local public meeting to be a service provided to the community by DOE. The residents of those cities and towns and the public interest groups who represent them are the best source of information that is otherwise unavailable to a federal agency. They are the experienced experts. They do not require or expect "dumbed down" information. It is necessary to provide these groups and individuals complete, detailed and well illustrated materials if they are going to provide you with useful comments. We hope that you will take the necessary steps to meaningfully engage the public rather than discourage participation.

Sincerely,



Judy Freichel
Executive Director

*Copy to
Benson - Plo diff response after we
finalized response to NV.
Knox
Lanther
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Date: October 20, 2006

To: Edward Sproat, Director

From: Judy Treichel, Executive Director

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