

**Statement of U.S. Representative Shelley Berkley
to the Surface Transportation Board (STB)**

Las Vegas, Nevada Hearing Re: Caliente Rail Line

December 4, 2008

On behalf of Nevada's Congressional delegation, and the families and businesses we represent, I want to welcome you to our community.

We thank you for today's forum and for allowing the views of those here in person, and those who contributed comments, to be added to the record.

Chairman Nottingham, we recognize this is not something that STB does every day and your attention to an issue that is critical both to Nevada and our nation is truly appreciated.

I know I speak for the majority of Nevadans when I say that we vehemently oppose Yucca Mountain and the transportation of nuclear waste to our home state.

Both proposals are unnecessary and both present unacceptable risks to families, communities and our environment.

The nuclear industry and the Bush administration can continue to deny reality and act as if nothing changed on November 4th. But we now have a President-elect who has said there will be no Yucca Mountain when he is in the White House.

So why are we still discussing plans for a 300-mile-long, \$3 billion gold-plated railroad to nowhere that ends at a hole in the Nevada desert that will never become home to this nation's nuclear waste! Yucca Mountain is a \$100 billion dinosaur waiting to become another fossil in the desert sands, and working together with President-elect Obama, Nevada's Congressional delegation will see that it's safely buried once and for all.

This brings me to the subject of today's hearing – Nevada's opposition to the Caliente rail line and the dangers that will arise from current plans to ship more than 70,000 tons of nuclear waste across more than 40 states to Yucca Mountain.

Approving the construction of this rail line when the entire Yucca Mountain Project is on the verge of utter collapse would be absolutely irresponsible.

The Caliente rail line will be of no benefit to families in Nevada and across the nation who will be at risk from shipments of this toxic garbage. Nor will it help boost Nevada's tourism based economy.

But we do know that 50 million Americans living along transportation routes will be endangered by decades of radioactive waste passing within miles of their homes and workplaces.

One accident or terrorist attack involving nuclear waste can cause deaths, injury, environmental damage and the closure of major transportation routes.

And that's before one of these waste canisters is ever be transported on the "Yucca Mountain Express."

At every step of the journey, nuclear waste shipments will be a prime target for those seeking radioactive materials for terrorist purposes. And we know that accidents will occur, whether in Nevada, or on the way to Yucca Mountain.

This is why the men and women who operate the trains that would haul nuclear waste to Nevada have also raised red flags about this plan.

Testifying before Congress this past September on Yucca Mountain transportation, Brotherhood of Locomotive Engineers and Trainmen Vice President John Tolman warned: "We believe that this will have negative impacts on the safety of our members and the communities through which they run trains.

While adding, "Rail workers do not receive proper training to handle spent fuel and do not receive the same exposure protections given to other workers exposed to nuclear radiation."

STB cannot ignore this risk to railroad workers, or any other American, when looking at the overall impact that current plans for transporting nuclear waste will have on railways from Maine to Missouri to Utah, Arizona and California.

The alternative to STB moving forward would be to allow Nevada to regulate DOE's "Railroad to Nowhere" which we know is never going to haul anything but supplies for the proposed dump and radioactive garbage to be buried next to Las Vegas.

The Bush Energy Department is clearly hoping to do an end run on Nevada's authority by shopping for a favorable forum based on ridiculous claims.

Those who would ask you to believe that the Yucca Mountain Express will be hauling fresh fruits and vegetables to market may as well be saying they have acres of ocean front property to sell in Nye County right along the rail route.

But if STB is going to buy this hapless bluff, and move forward on DOE's application, the Board must look at the true impact that thousands of radioactive waste shipments -- transported over more than four decades -- will have on America's railroads and the residents of every state through which these "Mobile Chernobyls" will pass.

Anything less would be a failure to recognize the real dangers that will threaten those you are charged to protect should waste shipments to Yucca Mountain ever occur.

Not a single canister of nuclear waste will ever reach Caliente without traveling along one of our nation's existing rail lines.

The STB must consider the entire process from start to finish in order to truly assess the total risk that would accompany the mass movement of high level nuclear waste, one of the most toxic substances known to man and a prime target for terrorists hunting for the means to make dirty bombs they can unleash on U.S. soil.

I would urge STB to reject DOE's blatant attempt to game the system and its claims that the Caliente rail line is anything other than a one trick pony meant solely to speed nuclear waste to Yucca Mountain.

STB has no obligation to approve DOE's application and I respectfully ask on behalf of Nevadans and families across this nation that you not allow this dangerous scheme to move forward.

Thank You.