

OCT 05 1999

13 MR. GUDGELL: Hello, my name is Dallas  
14 Gudgell. I live here in Boise. I sometimes come  
15 to these hearings and comment, and sometimes don't  
16 comment. I felt compelled to comment on this one  
17 tonight.

18 I have been following the process for  
19 quite sometime as well. I understand the NEPA and  
20 where we are at right now commenting on EIS.  
21 However, some of it -- I guess some of the comments  
22 maybe didn't have to do with EIS in the particular  
23 comment period earlier tonight.

24 One of the problems is, is that we are  
25 only considering two alternatives in the EIS. So I

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1 will start off by saying [I support the no-action  
2 alternative in scenario one in the no-action  
3 alternative, which is just leave it where it is at.

4 I support no transportation of  
5 radioactive materials across the country. There is  
6 just too much risk involved. ] In that  
7 transportation there is pieces of that that I think  
8 are probably at the transportation risk that may  
9 not have been completely looked at in the EIS.

10 So I will just try to highlight a couple  
11 of things that may have already been highlighted  
12 tonight. It is a serious environmental justice  
13 issue. I really think it is quite serious. I  
14 think it is quite serious in two different  
15 categories.

16 Basically, Yucca Mountain and a number  
17 of the transportation scenarios in the huge  
18 leviathan conglomeration of the Department of  
19 Energy that wants to play the shell game with  
20 radioactive waste from a legacy of a lot of weapons  
21 production and so forth. And a legacy of other  
22 types of energy production relative to radioactive  
23 materials is just that. It is just a shell game.  
24 Let's move it around.

25 And that's maybe not within the realm of

1 what the EIS that we are commenting on tonight but  
2 it is important. | It is important because we don't  
3 have a decent waste policy within this country. So  
4 I think that DOE needs to step back, and take  
5 another look, and rethink what the nuclear waste  
6 policy really is. And it shouldn't be the shell  
7 game. And it shouldn't be the one biggest, best  
8 hole in the ground, whether that being New Mexico  
9 or Nevada. |

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10 | What's happening is the environmental  
11 justice piece of this is that politically weak  
12 states in the west that are not as populated are  
13 going to take the brunt of this particular  
14 radioactive waste that is going to Yucca Mountain  
15 and that is going all over the country, frankly.

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16 So that is one of the aspects of  
17 environmental justice that I don't think is  
18 completely looked at within the EIS or within the  
19 Department of Energy's overall waste -- nuclear  
20 waste policy. |

21 The second piece of that that I am sure  
22 if you -- the hearings that are going to be held in  
23 Nevada will probably -- hopefully, the comments  
24 will be made already and this is just a repeat of  
25 that. | The western Shoshone tribe has an unratified

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1 treaty, the Ruby Valley Treaty that has claim on  
2 that land. It is unratified by Congress;  
3 nonetheless, it was a treaty that was signed with  
4 that tribe and the United States government at that  
5 time.

6 That is another serious environmental  
7 justice issue that I think is not being considered  
8 heavily enough in this environmental impact  
9 statement. That the western Shoshone nation claims  
10 that land. It is ceded territory as far as the  
11 western Shoshones are concerned. I am not  
12 particularly western Shoshone but I have got a  
13 number of friends who have -- well, anyway I  
14 understand that. I understand that process of  
15 Indian law and treaty process. I don't think that  
16 that is being considered. I haven't seen it in  
17 much of the environmental impact statements that  
18 deal with the transportation piece to where it is  
19 going to cross Indians lands across the country.  
20 But those are the two areas where I think this is a  
21 serious environmental justice problem.

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22 Frankly, it's just, like I said, without  
23 the Department of Energy taking a step back, and  
24 rethinking the entire nuclear waste policy, you are  
25 going to have these environmental justice problems

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1 because you are always going to have those folks  
2 that are out there wanting to do a quick and dirty  
3 political answer to a scientific problem. Yucca  
4 Mountain isn't the scientific answer to the problem  
5 for this high-level waste.

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6 Key thing right there, one particular  
7 specific comment on why this isn't the one, the one  
8 best hole in the ground or the one best parking  
9 lot. Sometimes I refer to the Yucca Mountain  
10 facility as just the parking lot for this high  
11 level waste is that the mountain has been -- in  
12 more recent research the mountain is not going to  
13 be the primary thing that is going to contain the  
14 waste. It is going to be the canister and the  
15 containers.

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16 This isn't the one best hole in the  
17 ground for this waste. It should be left where it  
18 is at and stored safely on site as close to a point  
19 of generation above the ground, monitored in tribal  
20 storage facilities, and we can do that. The  
21 technology is there. We need to stop looking for  
22 these political answers to scientific problems.  
23 And we are smart folks. We can do the research  
24 that needs to be done to figure out what to do with  
25 this waste. But Yucca Mountain isn't the answer

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1 for this particular waste. I think I'll just stop  
2 there. I think you kind of get the gist of my  
3 comments.

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4 The western Shoshone thing as far as  
5 environmental justice is a very important piece.  
6 It is not being considered. The environmental  
7 justice piece having political answers to  
8 scientific problems and not doing the science

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9 really, and not having an overall nuclear waste  
10 policy is some of the biggest problems that are  
11 within the Department of Energy. I think they have  
12 programatic EISs, WIPP EIS, Yucca Mountain. We  
13 have all these different EISs that have commented  
14 on in various states across the country and in  
15 Washington. We need to take a look back. This is  
16 not something that -- we don't have to number a big  
17 hurry for it. Certainly nuclear facility, the  
18 nuclear utilities want to be in a big hurry about  
19 this and that's why it becomes political.

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20 But this stuff is going to be around for  
21 250 million years. Longer than any of us. We  
22 really need to do the science and figure what  
23 really we can be doing with this stuff as opposed  
24 to solving a short-term political answer to it. So  
25 that's the environmental justice piece again.

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1 | Don't dump it on the western states that are  
2 | politically weak. | Eighty percent of Idahoans --  
3 | That's not even in Idaho. It is in Nevada. Idaho  
4 | is opposed to this.

5 | I think we really need to take a better  
6 | look at the nuclear energy, nuclear waste policy  
7 | within the Department of Energy. We need to stop  
8 | with these little programatic EISs, and these  
9 | little pieces here and there, and really take a  
10 | good look at it. This stuff is going to be around.  
11 | We can figure out what to do with it. This isn't  
12 | the answer. Thanks.

13 | MS. SWEENEY: Thank you.

14 | MR. BROWN: Thanks very much. Since we are  
15 | reconvened, is there anyone else who would like to  
16 | make a comment at this time? All right. We will  
17 | recess once again. Thanks very much.

18 | (Recess at 8:26 p.m.)

19 | MR. HOLMES: We will reconvene the evening  
20 | session and ask if anyone wishes to make comments?  
21 | All right. No comments will be made. We are  
22 | adjourned.

23 | (Meeting concluded 10 p.m.)

24 | -ooOoo-

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