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MS. MITCHELL: Good afternoon. My name is

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Cynthia Mitchell. I'm a consulting economist based out of

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Reno. I specialize in energy and utility issues.

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I'm here today, though, not in my

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professional role but as a mother, and I'm representing my

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young sons Ted and Wesley Albright, and my comments today

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are offered as a meager response to their future questions

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of, Mom, what were you doing when the country was going to

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hell?

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My comments focus on particular concerns with

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the no action alternative and the national, state and

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transportation routes. For those who wish to shift to

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snooze control, I'll begin with my concluding request to

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the ladies and gentlemen of the DOE, and borrowing from

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Mark Twain, Get your facts first and then you can distort

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them as much as you please.

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The no action alternative. In order for the

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DOE to designate a preferred alternative, the EIS process

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must consider and conduct various analyses. The critical

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starting point is the evaluation of what would happen or

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what would be done if no -- if the proposed action was

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rejected. This starting point labeled the no action

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alternative becomes the base line from which all other

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analyses proceed. Professionals and practitioners, from

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all fields of hard and soft science and institutions

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alike, citizens, consumers and even including our children

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understand that if the starting point or base line of

23 critical thinking is incorrect and incomplete, then all
24 subsequent results and selected actions are also incorrect
25 and incomplete.

1 Now the NEPA requires that the no action
2 alternative represent a reasonable alternative. However,
3 the no action alternative scenarios one and two both
4 involve on-site institutional control of spent fuel and
5 high level nuclear waste from these 77 source sites
6 throughout the country. In other words, the no action is
7 the status quo base line that's already been considered
8 and rejected by the American people as unacceptable.

9 Obviously, this is why consideration of Yucca
10 Mountain is on the table in the first place. Now even the
11 DOE in the Draft EIS acknowledges that the no action
12 alternative is not a likely alternative. The quandary
13 lies with the DOE connotation of no action to mean status
14 quo. Again, NEPA clearly specifies that no action
15 analysis develop and consider a reasonable alternative
16 action to the proposed action.

17 National and state transportation route
18 analysis. There are two very major analytical components
19 to the proposed Yucca Mountain repository. The first is
20 logistics of transporting spent nuclear waste and high
21 level radioactive waste to Southern Nevada. The second is
22 the on-site eternal storage and containment.

23 Leaving matters of eternity to those more
24 qualified, the Draft EIS provides general discussion of
25 national transportation methods and routes throughout the
1 country and in Nevada. This is not enough to get the job

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2 done.

3 Remember that the intent and purpose of the
4 Draft EIS is to provide sufficient information and data by
5 which more detailed analysis may be conducted. The draft
6 itself should at a minimum specifically identify the
7 possible rail and highway routes. Failure to do so
8 amounts to ignoring the existing national base line
9 specifications that form the critical starting point for
10 necessary analysis and of specific conditions and impacts
11 and hazards along these routes.

12 DEIS specifies that it's uncertain when the
13 transportation route decisions will be made. Now this is
14 followed by a variety of trust us statements throughout
15 volumes 1 and 2, such as DOE believes that the Draft EIS
16 gives enough basic information to make a choice between
17 rail and highway. And they also specify that whatever
18 chosen, they are sure that we'll comply with the
19 Department of Transportation and the NRC, Nuclear
20 Regulatory Commission, regulations, and latter being
21 somewhat akin to the fox in the chicken coop.

22 Nonetheless, all of this avoids really the
23 intent and purpose of an EIS, which is to again evaluate,
24 analyze and discern the facts and lay them on the table
25 before the public.

1 By failing to do so with transportation, it
2 keeps it at a level of ambiguity that the public cannot
3 grasp and we cannot comment.

4 In conclusion, in many ways the omission of

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5 national routing regulations is even more disturbing than
6 distortion of the no action alternative. In the latter
7 apparently the DOE is incapable of developing a reasonable
8 alternative to the proposed action. This is akin to the
9 bureaucracy without a brain syndrome.

10 But in the former, the DOE appears to be flat
11 out ignoring recognized and accepted information and data
12 on existing transportation standards. Now this is the
13 ostrich head in the sand syndrome.

14 Again, Mark Twain's advice: Facts first,
15 then distortion.

16 Lest the DOE forget, the EIS process is
17 supposed to be about finding, evaluating and analyzing the
18 facts. Remember that after chewing on the EIS fact
19 finding apple, there's no guarantee that it will ever be
20 given due heed. Afterall, there is still one very
21 important apple to go after and that being politics. As
22 an American historian Henry Adams said, Practical politics
23 consists of ignoring facts. Thank you.