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PUBLIC STATEMENT OF JOHN HADDER

MR. HADDER: I like to see people's faces. So you can see my face also. My name is John Hadder. I'm staff with Citizen Alert.

I'm just going to submit some general comments right now. Citizen Alert will be submitting written detailed comments at a later time.

1...

First of all, I'd like to point out that the Draft Environmental Impact Statement violates the intent of the National Environmental Policy Act.

The no action alternative presented in the DEIS -- wait a minute. The no action -- there is a no action alternative presented in the DEIS, but there is no alternative action presented in the Environmental Impact Statement. The National Environmental Policy Act outlines the need to always have reasonable alternatives to propose action.

The Department of Energy has told us that the Nuclear Waste Policy Act said that it allowed them not to do that. I should like to quote from the Nuclear Waste Policy Act of 1982 that the Secretary of Energy shall not be required to consider the need for the repository, the alternatives to geological disposal or alternative sites to the Yucca Mountain site. Need not be required. Although they could have done so. There's no legal reason why the Department of Energy could not have done reasonable alternatives to proposed action.

In fact, the Department of Energy wasn't even going to do the no action alternative until the 1995 scoping hearings that enough public comment on that. And there was also public comment on the 1995 scoping hearings requiring the Department of Energy to do a reasonable alternative to the proposed action.

So I just wanted to point out that the National Environmental Policy Act has been severely limited by the Nuclear Waste Policy Act, but also the Department of Energy could have done and did not. The no action discussion is also unreasonable and also makes on-site storage look, appear to be untenable.

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1 cont.

I think that the no action -- appears to us that the no action alternative is actually designed as a straw man argument to be torn down to make the proposed action look good.

There is almost no decision to be made because it looks like it already has been made. This is completely contrary to the intent of an Environmental Impact Statement which is intended to explore the possibilities and to come up with the best -- with the best proposal for the safety of the public and the environment at large.

2

There is insufficient transportation analysis in it. This is one of the most glaring omissions in the statement itself. There is not a clear picture of where the transportation routes are going to be, how the waste is to be transported. How is the public to make a decision on the impacts when we're unclear how it is going to be transported?

The mode of transportation and the stopping points along the routes are unknown as well. So routine exposure on route cannot be properly evaluated either.

There is also, to my knowledge, still the possibility that the transportation may be privatized. If that is the case, then all bets are off. That is another unknown or are we yet to swallow? So that is a question also. Is privatization off the books, or is it still a possibility?

3

And the transportation casks have never been full scale tested as required by the public on numerous occasions. The casks that are currently in some of the designs, and we learned tonight that the designs are still on the table. We don't know what the final design is going to be to transport the waste.

So that is unclear also to us. Another unknown that we have to deal with in making a decision.

7

Also the health analysis is incomplete. It is assumed that radiation health impact by cancer fatality is the only health impact to be concerned with. Latent cancer fatality is the terminology that is used.

Cancer fatality represents only one of many radiation health impacts. Other possible effects are premature aging, mild

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2 cont. mutations on offspring, excess tumors, genetic effects, so on, so forth. There are lots of people in the health radiation field that know of other effects that can be incorporated into these analysis.

1 cont. Also the Environmental Impact Statement, the draft also violates the Nuclear Waste Policy Act of 1982, and the fundamental concept was for geological disposal as outlined in the act for waste isolation. The mountain is supposed to contain it. That was the idea, and it is not happening.

Instead, the DEIS describes an evolving facility. Well, how long is it going to evolve? When is it going to stop? Is it going to keep evolving while it is being built? We don't know.

It is based on the idea of delayed release of radioactivity by means of engineered barriers. The site will leak. That is known.

How much and when is not entirely clear.

4... Another unknown are we yet to swallow. Inadequate evaluations of uncertainties, which has already been addressed tonight in good detail. I wanted to point out some of the imprecise language myself.

There is a quote. I have a quote from page 3-25 where there was a scientific panel estimated the probability of what they call dike disruption of the repository. That is volcanic eruption into the repository. One chance in 7,000 in 10,000 years.

What is the uncertainty on that number? Is it off by possibly a factor of two? Is it off by 50 percent? I'd like to see more uncertainties clearly defined. How uncertain are these figures?

Another point I'd like to make also, again the computer models is many of the systems studied are chaotic systems. It is a very special type of system, and we learn very important in nature, very common in nature.

In chaotic systems there can be little or no guesswork. Otherwise the calculator results to have no resemblance to reality. This is a known factor about chaotic systems. You have to know exactly how it works.

Small differences in your initial conditions when you plug into the calculation can cause you the great differences in the

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4 cont.

final result. Exponentially different in fact.

So there is a lot of models out there that I'm really uncertain of as to whether they are going to predict anything accurately.

5

This also violates the Treaty of Ruby Valley, which has also been addressed. It fails to address the fact that the Western Shoshone protests this land outlined in the 1863 Treaty of Ruby Valley with the United States. The use of their aboriginal lands for the dump of nuclear waste is outside the scope of the treaty.

The Western Shoshone National Council contends that their ancestors would have never signed such a treaty had they known that such a substance as nuclear waste would be brought and buried on their land. The Western Shoshone nation has declared this section of New East Segovia, which is their land, including Yucca Mountain, nuclear free.

6

Insufficient public process. And this is a big one. While there have been a number of hearings in Nevada, and we do appreciate that very much, only seven hearings outside of Nevada. The sheer scope of the transportation portion of this project alone should require public hearings in at least every major city along the transportation corridors. Whatever they are.

The DOE also claims -- and I believe the DOE claims it is very costly to hold these hearings. I'm sure that is true. But if this is so, the hearing process should have been budgeted into the entire project.

My gosh, the project is billions of dollars. I think we can afford public process. It's hard to believe that there isn't enough for that.

That's all the comments I have for now. Thank you very much for this time.

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