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KEVIN PHILLIPS

MR. PHILLIPS: My name is Kevin Phillips. I'm the mayor of the City of Caliente, Nevada and chairman of the Lincoln County/City of Caliente Joint Impact Alleviation Committee. I'm here to today to offer additional verbal comments on the sufficiency of the Draft Environmental Impact Statement for the Yucca Mountain Project to support waste management program decisions. My remarks today are intended to supplement those I offered at the November 9th hearing in Caliente. In addition, we will and are preparing and will submit extensive written comments on the DEIS.

I come today gravely concerned that the Department of Energy as an agent of the United States stands poised to impose a task providing final resting place for this nation's spent nuclear fuel and other high-level radioactive waste upon the people and resources of the State of Nevada. My distress is not motivated out of a fear that my fellow residents, indeed my own family members will be injured or face death as a result of waste management activities in Nevada. To the contrary, I am convinced that nuclear waste can be safely managed and that public health and safety can be protected.

1...

Rather [what I find unacceptable in the DEIS and within the state and national debate is the complete lack of attention to compensating Nevada for unmitigable impacts of transporting through and disposing of nuclear waste within the state. The DEIS must suggest alternatives for sharing the benefits which will accrue to states and communities across the nation who will be relieved of the stigma associated with radioactive waste management.]

1 cont...

I know that there are sources at risk which pose a far greater risk to public health and safety. Examples from Rich Wilson of Harvard University are quite instructive in this regard. If one considers the risk of living within twenty miles of an operating power plant, a person would need to live at that location for 150 years to obtain the same risk of death associated with smoking 1.4 cigarettes or driving 300 miles by car, a distance I was required to travel this morning to attend this hearing. Management of radioactive waste will involve radiation exposure risk no more than those associated with operating nuclear power plants. [Despite the relatively low degree of risk associated with radioactive waste management, not one state is willing to host a repository. Indeed users of nuclear energy are willing to pay tens of billions of dollars to move waste away from their places of residence, recreation and employment. As a consequences, the nation's waste management requirements will be forced upon an unwilling host, and in the case of Yucca Mountain, that host is Nevada.]

Other states and locales will be relieved largely of the perceived risks associated with radioactive waste management. Such risk, both real and perceived, will be transferred to Nevada and communities proximate to Yucca Mountain. Other states and communities will no longer face the prospect of being viewed as less than desirable destination for tourism, residential development or industrial plant sites due to the presence of radioactive waste. Any disamenity associated with nuclear waste will be transferred from across the United States and concentrated in Nevada. If the Yucca Mountain Environmental Impact Statement is to be legally sufficient, it must consider ways in which the State of Nevada and impacted communities can be compensated for unmitigable consequences of the transportation and disposal of nuclear waste.

The benefit of waste management to states and locales currently hosting nuclear power plants and waste storage facilities can be approximated by the amount of money these people are willing to pay ultimately perhaps in excess of fifty billion dollars to move the waste to Nevada. Should Nevada and its impacted communities be granted a service fee of, say, ten percent? Arguably five million dollars will go a long way to offset deficiencies in local emergency first response, emergency medical capabilities to handle radiation contaminated patients, and possible stigma induced impacts to Nevada's economy. What is reasonable I honestly do not know. I do know, however, that the DEIS has failed to sufficiently quantify or even characterize potential impacts as to enable consideration of compensation scenarios.]

2 [I'm disappointed that the DEIS largely characterizes potential waste management systems impacts in Nevada as insignificant, generally positive in terms of job creation or both. If transportation through and disposal of waste within Nevada is such a benign activity, then why is no other state in the nation willing to host a facility like Yucca Mountain? The DEIS should answer this by way of a more thorough and fair assessment of impacts, including stigma.

Beyond its deficient approach to treating equity between Nevada and the rest of the nation, the DEIS does not provide sufficient treatment of the distribution of radioactive waste transportation risks among Nevada's urban and rural communities. In 1975, Governor O'Callaghan, State Senator Richard Bryan and their respective colleagues formally requested this activity come to Nevada with one particular caveat, that transportation avoid the Las Vegas Valley.

Today Nevada's governor and Congressional delegation have made clear their intent to restrict shipments of nuclear waste from highways in Nevada's urban centers. Rather, Nevada's leaders see it as in Nevada's best interest to shift transportation related risk to rural counties and communities. As a consequence, low-level radioactive waste is now and spent nuclear fuel and other high-level radioactive waste in the future will be shipped through Nevada's rural counties and communities on its way to the Nevada Test Site.

MR. LAWSON: Thirty seconds, please.

MR. PHILLIPS: I find it ironic that just a few years ago a suggestion by Lincoln County and City of Caliente officials to avoid shipments through the Las Vegas Valley resulted in the Nevada Attorney General seeking to throw several of my colleagues and I out of office.]

1 cont... In closing, [let me observe that the National Environmental Policy Act and Nuclear Waste Policy Act require that DOE prepare an Environmental Impact Statement which can assist the secretary of energy, president of United States and the Congress in making major federal decisions about how and under what conditions to manage spent nuclear fuel and other high-level radioactive waste. The secretary, the president and Congress must consider program costs when reaching conclusions about waste management. Failure in the DEIS to consider alternative costs for adequately mitigating impacts and compensating Nevada and her impacted communities renders the document insufficient as a decision support tool.] Thank you.