

MR. DE BOTTARI: I have previously commented on various inadequacies of this DEIS. Today I will raise more questions concerning the adequacy of this DEIS. This document, which at first glance looks like a document that is a work of unbiased authors, upon reading this document, one quickly comes to the conclusion that the authors purposely have attempted to confuse the public.

1 The DOE over the past year has attempted to convince the reader and anyone who would listen that the proper way to determine the suitability of this project was the total systems performance assessment.

The EIS in Volume 1 presents data that shows in the eyes of the DOE the project is viable. On page 1-19 of Volume 1, DOE states that the TSPA is based on the data available in 1998. DOE continues by stating, quote, "This EIS summarizes results from the viability assessment, where applicable, and data analysis that continued after the completion of the viability assessment."

That, on the surface, sounds like the results can be clearly stated for the Secretary of Energy to easily sign off on the safety of the proposed project. The EIS is supposed to be a document that can be understood by people outside of DOE.

On Page 1-19, Volume 1, the DOE refers the reader to Chapter 5. Table 5-1 on Page 5-5 presents the average radionuclide inventory used for the performance assessment calculations. One can see in this table the half lives of the material. I focus on this because DOE states that the data used in the computer runs is not an exact match with the inventory data in Appendix A --

The values vary by a factor of over a hundred. Now, I don't pretend to know how bad it is, but when assimilation is conducted and is the basis for providing the Secretary of Energy the technical input that insures him that the project meets all the safety criteria and health for the environment of humans, I expect that that analysis would be the best it can be.

When the data used is off by more than a factor of a hundred, and this error occurs in a time period that will -- you notice I didn't say "can" -- contaminate the earth and humans after the containers are gone, the assessment must be done with the latest data and clearly spell out why a radiation level of greater than 11 curies per package will not impact the human race for over a million years after the containers are gone? Would DOE bury that much material in the ground today?

2 Now, let's take the same material in a transportation cask that has been transported on I-15. As the cask approaches Cajon Pass on a windy day, a depleted uranium warhead pierces the cask. The energy provided by the velocity and mass of the warhead will not only vaporize a uranium warhead, but will penetrate the cask and vaporize some of the material within the cask; the resultant dust cloud will be carried downwind covering a large area. The material that DOE was so concerned about and had enclosed in a very strong cask is now spreading on water, land, and people. Over 3,000 curies will be spread on the ground for over 40,000 years, and at least 11 curies for over a million years. DOE has not addressed this scenario which in today's climate is a very credible scenario.

The Haz-Mat teams have no solution, and there is no insurance dollars available to clean up the disaster. This is the Achilles' heel of the project. There is no safe way to transfer the material that's planned for this project.

The DEIS sweeps the problem under the rug, by example, using the average velocity for the entire United States and the average atmospheric model for the entire United States when they talk about the Cajon Pass.

FACILITATOR HOLMES: Four-minute mark.

3 MR. DE BOTTARI: Okay. In the comments earlier today that was made about the robustness of the other cask when tested for the DOE by Sandia, if the test was so great and so precise, why weren't they reported in the DEIS so that people, other than the maker of the test, could evaluate their results?

4 That's one comment. The other comment is, if the nuclear energy is so safe, why did Congress place  
continued limits on liability for the nuclear industry? So, therefore, they could not be sued to a higher level for  
below damages.

5 And the next question I have is, if it's so safe, how are we ever going to, if they go into the private sector to transport the material, how will we ever be able to control this area? We can't control the truckers today. We don't know how many have different licenses from different states. The accident rates we don't know about.

6 So, therefore, I suggest the following. It will take me about 35 seconds. DOE has been forced to use antiquated techniques to solve a very serious problem, because DOE has had their hands and brains tied up by the political giant in Washington. It is conceded by both sides that the material stored where it is today is safe for another hundred years. I propose that Congress untie the hands of DOE, establish a nonprofit corporation that is not under the thumb of the NRC which is politically supported by the nuclear power lobby, and then have the corporation funded by Congress directly, not under the thumb of any agency.

The make-up of the personnel will be scientists from all disciplines, whose only goal is to find a way to safely dispose and/or use the nuclear waste already generated. They would have 50 years to come up with the solution, that would be automatically funded and put in place in the following 50 years.

The power companies that use nuclear power to generate electricity would have to pay back the government. I believe the government would have more faith in this method than the present method that is driven by near-term profits, in total disregard for the health of future generations. The political and business leaders are not concerned about generations in the future; and as I have pointed out, if this plan is approved, could care less about people in the next 30 years who live in the area of the transportation highways and railway.

4 continued Maybe if the insurance liability limits are removed and the power companies are forced to carry insurance that would cover an accident like I projected, that power companies and Congress people support, other projects wouldn't be so positive.

We have seen how well in the past oil tankers have been operated to protect the environment. There is absolutely no assurance from this poorly written EIS that the DOE can plausibly show how a terrorist attack will not cause a major disaster in an area like the Inland Empire.

Thank you.

[APPLAUSE.]

FACILITATOR HOLMES: Thank you very much. John Charff to be followed by Reinard Knutsen.

Just a reminder. It seems like people's watches over there go a little more slowly than mine do. If you have more to say you can always come back.