

010288

Escalante Wilderness Project

P.O. Box 652
Escalante UT 84726
Phone/Fax: 435/826-4778

RECEIVED

JUL 10 2001

4 July 2001

Jane Summerson, EIS Document Manager
Yucca Mountain Site Characterization Office
Office of Civilian Radioactive Waste Management
U.S. Department of Energy
P.O. Box 30307, M/S 010
North Las Vegas, NV 89036-0307
Fax: 1.800.967.0739

RE: SUPPLEMENT TO THE DEIS FOR YUCCA MOUNTAIN

Dear Ms. Summerson:

1 We were quite disappointed that this Supplement did not address all the comments made on the
DEIS. The SDEIS should have addressed insufficiencies in the DEIS (such as Nye County
2 employment figures and the hazards of transporting high level waste from its source to Yucca
Mountain), and it should have responded to comments made on the DEIS. Frankly, the entire
DEIS needs to be redone. Certainly, the alternative of storing radioactive waste above ground at
the point of origin in order to facilitate monitoring and repackaging when necessary still appears
much safer than transport to and storage under Yucca Mountain, and our concerns along this line
(expressed in our comments on the DEIS, dated 29 February 2000) have still not been addressed.

Comments on specific aspects of the Supplement follow:

3 All this additional design work is based on the presumption that proposed regulations will
be adopted (thereby disregarding many hundreds of opposing comments). In this Supplement, the
assertions of safety made by the Department of Energy (DOE) are based on guidelines that the
public has never seen. This Supplement asserts that the proposal is safe according to these new,
less rigorous guidelines. Final, safe, and publicly acceptable guidelines must be in place before
the design is finalized.

4 According to the Nuclear Regulatory Commission (NRC), DOE must have final site
design for the license application. The site recommendation is more important than the license
application, because the President will determine, based on it, whether or not to recommend
Yucca Mountain to Congress. The Final Environmental Impact Statement (EIS) must be as clear
as the NRC license application, and must indicate a final design choice. This supplement does
nothing to achieve that.

5... This Supplement is insufficient because it does not provide specific design alternatives

010288

5 cont for the Proposed Action. Instead, it describes a range of design features and operational parameters that could be combined to arrive at two alternative designs - above boiling drift wall temperature or below boiling waste container surface temperature. These identified features and parameters (Table 2-1) are said to bound the design so the range of potential impacts could be analyzed. The Supplement does not identify specific alternatives for which the impacts could be compared. There is no reason to accept this bounding approach, since the 1999 DEIS made the same claim, and the Supplement has impacts that are outside those bounds. What will happen with the Final EIS as the design continues to "evolve"? The Final EIS is supposed to reflect whatever design the Secretary describes as a comprehensive basis for Site Recommendation. This Supplement assumes to use an area which hasn't even been investigated yet (2-20). Surface facilities as presented could not get a license to operate if this were at a reactor site.

6 The Supplement does not acknowledge any uncertainties now on record regarding repository performance. These include uncertainties of alloy 22, (the metal which is supposed to keep the waste isolated from the environment), titanium drip shields, and uncertainties in subsurface performance of these metals. This Supplement does not acknowledge the orders of magnitude of uncertainty that the DOE waste package peer review is now questioning.

7 The Supplement says DOE is considering aging (cooling) up to 40,000 MTHM (up to 4,500 dry storage casks) of spent commercial fuel for up to 50 years on 200 acres of cement pad near the North Portal (page 2-8; 3-7; figure 2-4). The Supplement does not consider the seismic risk for this facility, which would probably prohibit it if it had to be licensed under NRC rules for Independent Spent Fuel Storage Facility Installation (ISFSI) - 10 CFR Part 72. This is equivalent to the temporary storage site proposed for Skull Valley, but the pad at Skull Valley would only be 100 acres, and Skull Valley has a less severe problem with seismicity. The applicant (PFS) has requested an exemption from the seismic regulation that would disqualify it. If the coolest design is the selected design, why not age the fuel at the reactor sites for 50 years? This would be a realistic modification for the No-Action Alternative in the DEIS.

9 The process of mixing fuel assemblies of different temperatures to lower a waste package temperature is inadequately discussed in the Supplement. To blend fuels safely, the exact history of each fuel assembly must be known. Any mistakes in record-keeping would lead to mistakes in packaging, and more uncertainties in the repository performance. The Supplement fails to discuss any specific plans or mechanics for fuel blending, and makes no mention of possible impacts of incorrect record keeping.

10... There appears to be a major error of reasoning in the analysis of the "maximum reasonably foreseeable accident" (3-11). The Waste Handling Building would have a large storage pool, holding 5,000 MTHM (12,000 fuel assemblies), as an inventory for fuel blending. The radiation dose from the "maximum reasonably foreseeable accident" is predicted to be less than that presented in the original DEIS, because the accident scenarios in both cases only include damage to all the spent fuel in dry containers in the building in. The pool is erroneously ignored as a risk. If the building collapses, the pool will too, because it is built to the same design basis accident specifications as the building. The pumps and water could be lost, and the waste

010288

10 cont could even go critical. Therefore the "maximum reasonably foreseeable accident" should include the consequences of damage to all the fuel in the pool as well.

11 The waste water from the fuel pools, and from washing down the transportation casks, would go through an ion exchange, which would supposedly trap all the radionucleides in a filter, and the water would then go to the evaporation pools, while the filters would be disposed of as low-level radioactive waste. The Supplement should not assume the repository water supply will come from appropriated water from the State (page 2-19 and 3-6), since the application for State water was denied because a repository is not in the public interest. Water will not be available unless the State Engineer is overturned on appeal. The Supplement should look at alternative water sources and evaluate the impacts of these alternatives.

12 Radon releases for the low temperature scenario are very large (page 3-4), but the doses and latent cancer deaths are low, due to the use of the 20 km boundary, with all air dilution, to cut the doses. The 20 km boundary proposal is for regulating doses from released waste during operation, not radon from construction. Radon doses should be counted near the sources, outside of the restricted operations area, because that's where most people will get their doses.

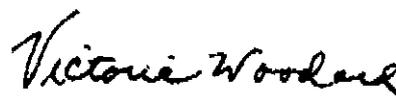
13 Section 3.1.1 talks about how DOE would obtain permanent control of the land surrounding the repository site, yet makes no mention of how it plans to own that area. The area in question (in fact all of Yucca Mountain) is currently owned by the Western Shoshone Nation under the 1863 Treaty of Ruby Valley, who oppose this project. The Nuclear Regulatory Commission requires DOE to prove ownership of the lands it plans to use, yet DOE does not have ownership. Permanent control cannot be proved without legal title to these lands.

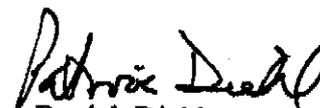
14 Since this is a national program, with considerable national interest already demonstrated, this supplemental DEIS should be presented in national public hearings. Hearings should also be held in every town in Nevada, rather than being limited to Amargosa Valley, Pahrump and Las Vegas. Nevada has two major population centers, and the people in rural areas have the right to express their opinions on these documents, on the record, in a local public hearing. Also, some information available at the hearings (such as the poster session) is not available to anyone other than at the hearings. While the DOE may be upholding its legal responsibilities according to the Nuclear Waste Policy Act, this is another example of the DOE failing to uphold its moral and ethical responsibility to the public.

We would like to thank you for your attention to these detailed comments, and reaffirm our hope that the Final EIS will select the No Action Alternative.

Sincerely,


Juniper Allison


Victoria Woodard
Executive Committee, Escalante Wilderness Project


Patrick Diehl