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Joan Claybrook, President

July 5, 2001

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

Re: Comments on the U.S. Department of Energy's *Supplement to the Draft Environmental Impact Statement for a Geologic Repository for the Disposal of Spent Nuclear Fuel and High-level Radioactive Waste at Yucca Mountain, Nye County, Nevada* (DOE/EIS-0250-D-S).

To Whom It May Concern:

Public Citizen is a national, non-profit, consumer advocacy organization that has been active since 1971. We are supported by 150,000 members across the country and work closely with local, state-level, and national organizations on issues of energy policy. From the perspectives of public health and safety, as well as sustainable energy policy, we oppose the proposal to establish a geologic repository for high-level nuclear waste at Yucca Mountain. The Supplement to the Draft Environmental Impact Statement (SDEIS) raises many concerns, outlined below.

Flawed Process

1 1. The stated purpose of the SDEIS is to provide additional information on current repository design proposals to allow for an updated assessment of environmental impact. However, the DOE has failed to address the underlying problem that made this update necessary. The DOE's "evolving design" for the repository means that the current proposal – as outlined and analyzed in the SDEIS – may change again. The DOE should specify a repository design and receive public comment before finalizing the Environmental Impact Statement.

2... 2. Other "evolving" aspects of the repository proposal have not been included in this Supplement, leaving the Draft Environmental Impact Statement (DEIS) outdated and deficient in these areas. The scenario for transporting nuclear waste to Yucca Mountain is of particular concern in this regard. Certain shipment route projections analyzed in the DEIS must be changed, and the DOE does not intend to finalize the routing scenario until after the Environmental Impact Statement has been finalized. As a result, the environmental impact of transporting nuclear waste will not be accurately assessed. The DOE should specify

2 cont. transportation routes and receive public comment before finalizing the Environmental Impact Statement.

3 3. The 45-day period for public comment on the SDEIS was inadequate, given the highly technical nature of the subject, irregular summer schedules of many stakeholders, and the decision to hold no hearings outside of Nevada. The 11-day extension does not address our concerns. Compounding this serious problem is the additional 45-day extension granted exclusively to individuals erroneously omitted from the Department of Energy's (DOE) mailing list in May. This situation is not only confusing, but also inequitable. Other concerned members of the public who are not on the DOE's mailing list and have only recently accessed the document(s) have not been afforded the same extension. Also, since it is likely that some of the people originally omitted from the DOE's mailing list found other ways to acquire the document before it was mailed to them on June 25th, the selective extension arbitrarily grants these individuals the benefit of a longer comment period, while denying the same to other interested stakeholders. Given the national significance of the Yucca Mountain Project, public participation must be taken seriously and processes must be conducted with integrity. The DOE should unify the new deadlines for public comment by further extending the general comment period until *at least* August 13, 2001.

Design Changes

4 1. The SDEIS introduces the concept of fuel pools for blending waste at Yucca Mountain. Fuel pools will introduce new risks that have not been adequate analyzed, particularly in relation to seismicity. Also, fuel pools will require huge quantities of water – a precious resource in the desert. The SDEIS assumes that water will be available from the State of Nevada, although the State has denied water appropriations for the Yucca Mountain Project. The DOE should assess the feasibility and impact of importing water from another source.

5 2. The SDEIS outlines plans for aging up to 40,000 metric tons of fuel in dry casks at the Yucca Mountain site. An earthquake could have in catastrophic consequences at this type of facility, but the SDEIS does not fully analyze these risks. This oversight must be corrected.

6 3. If waste at Yucca Mountain is to be stored for ground for 50 years in pools and dry casks, shipping it shipping it from where it is currently stored introduces the inevitable risks of transportation with no obvious benefit. The SDEIS fails to draw this conclusion because of a fragmented approach it does not consider relative transportation risks.

7 4. The impact analyses in the SDEIS ignores the large uncertainties associated with long-term projections of repository performance (Table 3-14). These should be quantified and detailed, since the waste will remain dangerously radioactive well beyond the 10,000 year regulatory period that the EPA has established (this regulatory period is currently being contested in the courts).

Thank you for your attention to these concerns.

Sincerely,

Lisa Gue
Policy Analyst
Public Citizen's Critical Mass Energy and Environment Program