RECEIVED
MAY 31 2001
010324

STEVE FRISHMAN: My name is Steve Frishman. I'm here today representing Bob Loux who is executive director of the Nevada Agency for Nuclear Projects. And he's provided me with a short statement to present to this hearing.

The Nevada Agency for Nuclear Projects is a state agency within the governor's office designated by the Nevada legislature to carry out the state's oversight duties associated with the federal high-level waste program. These comments are being presented on behalf of the State of Nevada and are in addition to Nevada's comments already submitted on the Draft DEIS in February 2000. We'll be submitting written
1 comments on the Supplement prior to the end of the comment period. We and affected units of local government have requested, as you've heard, an additional 45 days be included in the comment period for this Supplement, and we urge DOE's timely consideration of this request.

The State's primary comment regarding the Supplement is that it fails to meet the requirement that the
2 Secretary of Energy's site recommendation include a description of the proposed repository and preliminary engineering specifications for the facility. The Final Environmental Impact Statement is part of the comprehensive basis required for the Secretary's recommendation, just as is the repository design description. And the Final EIS must reflect the proposed repository design. A set of revolving design scenarios with variable design features and operational parameters is neither sufficient for a Final EIS nor for a site recommendation, if one is to be made. The DEIS, including any supplements, is the basis for the Final Environmental Impact Statement. It must include an evaluation of the impacts associated with specific design alternatives in order to support informed public review and comment and ultimately an informed decision by the secretary.

The Supplement describes two general design options, one which would result in drift wall temperatures rising above the boiling temperature, and one which would keep the waste container surface below 85
3 degrees C. Variable operational modes and design features are discussed that in combination could be arranged to meet either of the design options. The Supplement asserts that the range of operational modes and design features serves to bound the potential impacts of the repository. The Draft EIS made the same claim for the three general design options evaluated; however, the design features and operational modes described in the Supplement result in an increase beyond the bounds evaluated in the DEIS in nearly all of the cases.

Two new significant features have been added to the conceptual repository surface facility by this
4... Supplement, and neither has been adequately analyzed. The proposed blending pool in the waste handling building, designed to hold 5,000 metric tons of heavy metal, or 12,000 spent fuel assemblies, is not properly included in the accident analysis. The accident analysis in the Supplement has the same scenario condition

as that in the Draft EIS: A seismic collapse of the waste handling building with damage to all waste casks in the building. The Supplement fails to consider that if the waste handling building collapses, the large fuel blending pool, built to the same design basis accident standards, will also fail. It also does not recognize that with the collapse of the building, electric power will be terminated ending the ability to cool the spent fuel in the damaged or collapsed pool. In any case there will be a rapid and possibly catastrophic heating of the damaged spent fuel in the pool. The accident scenario must be fully analyzed and its consequences described in the Supplement. ...4

The Supplement also describes a 200-acre spent fuel storage area in the vicinity of the North Portal Operations Area that would hold 40,000 metric tons of heavy metal in spent fuel and 4500 dry casks for a 50-year cooling period. This facility is the equivalent of the spent fuel storage facility proposed for Skull Valley, Utah with the exception of the storage pad at Skull Valley is supposed to be only 100 acres. The Supplement does not include a seismic hazard analysis for the facility, but were it required to be licensed under the same NRC rules being applied to Skull Valley, would likely not be licensable because of the earthquake potential in the area. The Supplement must include a seismic hazard and consequence analysis for the proposed spent fuel storage area. 5 6

Furthermore, if 50 years of storage for purposes of cooling the spent fuel is being considered, why is it necessary to bring the spent fuel to Yucca Mountain? Evaluation of a decades-long cooling period at the reactors would have provided a realistic no action alternative to replace the Draft EIS's analysis of the unrealistic scenario of essentially abandoning the spent fuel at the reactors for 10,000 years. Thank you.