

DRAFT

PROPOSED MAJOR POINTS ON THE DRAFT YUCCA MT. SEIS November 9, 2007

1. Inadequate Disclosure of Potential Impacts in CA: The potential impacts in California from the proposed repository include transportation impacts, potential groundwater impacts in the Death Valley region, as well as impacts on parks, habitats, and wildlife in California. DOE is required under the National Environmental Policy Act to provide a complete evaluation and disclosure of these impacts and provide adequate notice to the communities potentially affected by the proposed project.
2. SEIS Failed to Address Major Inadequacies Identified in Comments on the DEIS by California, Local Governments, and Others. These deficiencies include, among other things, an inadequate assessment of the impacts in California associated with the transportation of spent fuel and high-level waste and potential groundwater impacts.
3. Inadequate Notification of Local CA Communities: DOE failed to notify affected communities along the shipment corridors in California regarding their plans for SNF shipments to the repository. Without this information, these communities have had no way of knowing that they will be impacted by decisions being made regarding the Yucca Mountain project concerning the transport, storage and disposal of spent fuel and high-level waste. DOE should base their nuclear waste transport and disposal policy decisions on sound technical information that includes adequate input from the affected states, tribes, and local jurisdictions. Failure to do so would result in a fatally flawed process and serious questions regarding the potential public health and safety impacts from the proposed Yucca Mountain repository project.
4. Inadequate Public Disclosure: DOE held only two public hearings in California on the EIS for Yucca Mountain: one on November 4, 1999, in Lone Pine in response to a request by Inyo County, and a second hearing held February 22, 2000, in San Bernardino in response to a request by Senator Boxer. Only one public hearing is being held in California on this SEIS: Lone Pine, although the State of California requested hearings in Sacramento, Lone Pine, Bishop, and Barstow. No additional public hearings have been held in California, although they have been requested.

5. DOE Has Failed to Conduct Route-Specific Analyses and Describe Mitigation for Potential Transportation Impacts in California: (Caltrans) No mitigation is being offered for national transportation impacts outside of Nevada. "Shipments of spent nuclear fuel and high-level radioactive waste would represent a very small fraction of total national highway and railroad annual traffic (less than 0.1 percent." Summary S.3.3.2 page S-42 (and other places). Certainly in the perspective of all highways in all states, the impact is minimal. However, to adequately determine impacts to a facility or particular city or county, individual route-specific analyses must be provided.
6. DOE Has Failed to Identify Routes and Shipment Modes for Repository Shipments and potentially hazardous locations or conditions along these routes: Segments of the routes, e.g., tunnels, bridges, adjacent refineries could provide conditions in which an accident or terrorist attack could result in a long duration, fully engulfing fire that could exceed the spent fuel packaging test requirements. For example, two major highway accidents in California this year (e.g., the Bay Area freeway fire, which melted part of the roadway and the Santa Clarita tunnel fire) may have resulted in fire temperatures and durations that exceeded the fire testing requirements for the spent fuel packaging.

The National Academies' 2006 study of spent fuel and high-level waste transportation recommended that detailed surveys of transportation routes be done to identify potential hazards that could lead to or exacerbate extreme accidents involving very long duration, fully engulfing fires, and should take steps to avoid or mitigate such hazards. The National Academies' study concluded that the radiological risks associated with the shipment of spent fuel and high-level waste are well understood and are generally low, with the possible exception of the risks from releases in extreme accidents involving very long duration, fully engulfing fires. They further concluded that, "While the likelihood of such extreme accidents appears to be very small, their occurrence cannot be ruled out based on historical accident data for other types of hazardous materials shipments." They further concluded that recently published work suggests that extreme accident scenarios involving very long duration, fully engulfing fires might produce thermal loading conditions sufficient to compromise package containment effectiveness. The SEIS should evaluate the potential consequences of an accident involving extreme fire conditions exceeding packaging requirements and the SEIS should describe the bounding-level of package performance in response to such very long duration, fully engulfing fires.

7. Concerns About Possible Use of SR-127: Concern about Yucca Mountain shipments in California increased with DOE's decision to reroute a major portion of their low-level radioactive waste shipments from eastern states

to the Nevada Test Site in Nevada. Beginning in January 2000, DOE began using a southern route through California (State Route 127) for a major portion of thousands of low-level waste shipments annually from DOE facilities in eastern states to the Nevada Test Site. In 2004, shipments from the Nevada Test Site (NTS) to the Waste Isolation Pilot Plant also began using predominantly California routes (SR 127) to avoid shipments through Las Vegas even though this extended the shipment routes. DOE had rerouted these shipments through California in response to requests by the Governors of Nevada and Arizona that DOE avoid nuclear waste shipments through Las Vegas and over Hoover Dam.

Senators Dianne Feinstein and Barbara Boxer, the California Congressional Chairs Sam Farr and Jerry Lewis, Inyo and San Bernardino Counties, and the Cities of Needles and Barstow strongly objected to rerouting these shipments from eastern states through California over greater distances. Letters from the California Highway Patrol and the Energy Commission expressed strong concern to DOE over DOE's increased use of SR 127 in Inyo and San Bernardino Counties for these truck shipments. Concerns include SR-127 road conditions, periodic flash flooding, seasonally peaks in tourism (SR-127 is the main access route to the Death Valley National Park, which has 1.25 million visitors each year), scarcity of and long response time for emergency response to a shipment accident, and impacts on the road infrastructure from increased heavy truck traffic.

8. Inadequate Evaluation of Potential Groundwater Impacts in CA:
9. Inadequate Evaluation of Potential Impacts from a Terrorist Attack on Spent Fuel Shipments: The National Academies' 2006 spent fuel transport study noted that malevolent acts against spent fuel and high-level waste shipments are a major concern, especially following 9/11 terrorist attacks. NAS recommended an independent examination of the security of spent fuel and high-level waste transportation including the threat environment, the response of spent fuel packages to credible malevolent acts, and operational security requirements for protecting spent fuel and high-level waste while in transport. The SEIS should examine, to the extent possible without exposing classified information, the bounding consequences of a terrorist attack against these shipments. The SEIS should explain how the consequences of a severe accident or terrorist attack can be mitigated through, for example, emergency responder preparedness (how emergency responder professionals responding to the event or escorting the shipments can respond effectively and in a timely manner to a major event involving spent fuel and high-level waste shipments).