

**Statement of Oscar B. Goodman, Mayor
City of Las Vegas**

Public Comment - U.S. Nuclear Waste Technical Review Board

September 10 - 12, 2001

I would like to thank the U.S. Nuclear Waste Technical Review Board for allowing me the opportunity to address the Department of Energy's (DOE) efforts to characterize Yucca Mountain as a possible site for a permanent repository to store high-level nuclear waste in Nevada. The Yucca Mountain project is a very serious issue because of the dangers to the well being of my constituents, and the potential negative impacts to the State of Nevada, Clark County and the City of Las Vegas.

It has been nearly fourteen years since Yucca Mountain was named as the only site to be studied as a repository, and the scientific evidence against it continues to grow. To start with, Yucca Mountain is located in an earthquake and volcanic eruption zone. Also, it is widely known that the engineered barriers not the geology are the prevalent defense against the release of deadly toxins into the environment.

Scientific evidence against the proposed Yucca Mountain site is unmistakable and legitimate arguments against the site abound. For example, the Environmental Protection Agency (EPA) set groundwater standards at four (4) millirems per year, and a personal radiation dose of 15 millirems per year at 18 kilometers, for the first 10,000 years of waste disposal. The DOE claim is these standards are too low and there is no real danger at even a 30-millirem dose per year. We believe there are still over five orders of magnitude of uncertainty in DOE's millirem dose calculations. For example, if DOE says that the site can meet a 15-millirem standard for radiation releases, the range could actually be as wide as 15,000 millirems or .00015 millirems. DOE cannot reduce this uncertainty any further because the site is so complex.

Most importantly, the Nuclear Waste Policy Act requires the geology of the site to be the primary barrier against radiation releases to the public. The DOE now proposes that the engineered barriers, waste packages, drip shields, and so on, are 95% of Yucca Mountain's performance, with the geology capable of providing only 5% of the waste isolation capability. DOE's sole use of total system performance assessment (subsets of performance analysis) to measure site suitability allows them to mask or hide the site's faulty geology and hydrology by compensating with engineered barriers. Again, the use of engineered barriers is contrary to the Nuclear Waste Policy Act's basic premise that the geology must be the primary form of protection. When this project started, the idea was to find a site capable of containing the radiation entirely through its natural geologic features. Yucca Mountain is now far from that premise!

As you know, on August 21, 2001 the DOE announced the scheduling of three hearings on the Secretary's consideration of Yucca Mountain, as well as released a Preliminary Site Suitability Evaluation Report (PSSER). DOE believes that it has made its case in the PSSER for Yucca Mountain's suitability based on the site's ability to meet EPA standards and the new, yet

unpublished siting guidelines. However, the evaluation found in the PSSE is based on 10 CFR 963 guidelines, which are draft regulations – regulations we contend that are not in compliance with federal law. We believe current-siting guidelines, if applied to the site would disqualify it. As you know DOE issued a draft rule change for public comment, has received those comments, but has yet to issue a new rule.


On September 12th and 13th, the Department of Energy will hold two more hearings on the Secretary of Energy's consideration to recommend Yucca Mountain to the President, that we believe are premature and illegal. We believe the problem with holding the hearings is that the basis for the Secretarial consideration of the site has not been established. Such hearings should not take place since the final environmental impact statement has not been released, nor is there final siting guidelines for Yucca Mountain in place. In essence, the public is being asked to comment on the Secretarial consideration without knowing what the basis is for his consideration. Until the release of the final environmental impact statement, the public will not know what DOE believes the impacts of the project are not, nor will they have the regulatory standard for a suitability decision.

Finally, the Supplement to the Draft Environmental Impact Statement describes two design options for an evolving repository, one that would result in drift wall temperatures rising above the boiling point, and one with the waste container surface temperatures below boiling, at 85 degrees Celsius. First of all, we fail to understand how an evolving repository can ever be licensed.

DOE purports these design modifications in the mentioned in DEIS will improve the long-term performance, operational safety, and efficiency of the proposed repository by reducing the uncertainties related to the high, above – boiling repository host rock temperatures. The fact is the heat could affect the geochemistry, hydrology, and mechanical stability of the emplacement drifts, which would influence the flow of ground water and the transport of radionuclides from both the engineered and natural barrier systems. These factors have yet to be properly addressed. Further, the cold design alternative if accepted, would create the largest transportation campaign in history. Transportation of radioactive waste through the streets and highways of Las Vegas is unacceptable.

In closing, I do not believe that Yucca Mountain meets scientific muster. I think the use of 95% engineered barriers underscore what Nevadans have been saying all along about the site's ability to protect the public. It seems the more money is spent; the more obvious it is that Yucca Mountain is not the answer. I request that the U. S. Congress and the Department of Energy change their course, and stop ignoring the will of the residents of Nevada, and abandon this debacle.

Sincerely,


Oscar B. Goodman
Mayor