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To the Editor:

Re "Roadblock at Yucca Mountain" (editorial, Aug. 23):

The headline of *the Times* editorial (Roadblock on Yucca Mountain, August 23, 2004) accurately captures the effect of a recent federal appeals court decision invalidating the radiation standard for the proposed Yucca Mountain nuclear waste repository. The Court of Appeals has indeed "thrown a gigantic roadblock" in the way of the site's approval. Unfortunately, other than the headline, nearly everything else in the *Times* editorial is incorrect.

The court did not rule that the Environmental Protection Agency's radiation standard had to extend for hundreds of thousands of years. Rather, the court held that the EPA standard should be based on "the time when the greatest risk occurs." Any notion that the court is unrealistically holding EPA to an impossible task is based on ridiculously optimistic Energy Department estimates on the longevity of its "miracle metal" waste containers. Nevada's experts believe that the time of greatest risk may actually occur in thousands of years—because the containers will corrode faster than DOE estimates. The scientists on the federal Nuclear Waste Technical Review Board agree.

The real problem with the 10,000 year standard is that it allows DOE to avoid addressing Yucca's unfavorable geology by creating the fiction that its containers will stay intact beyond 10,000 years. This fiction assumes truly mythic proportions when considered in light of the highly corrosive environment the containers would endure over time. Nevada can't help asking: If the containers really are that good, why can't they just go anywhere? Why does the most lethal material known to man have to be trucked across the country to Nevada?

Your editorial states that the nuclear waste should be buried in "stable geological formations resistant to leaking." But, Yucca does not remotely meet this test. Yucca is a sieve down to the water table, which then acts as a conveyer belt to farms in Amargosa Valley and then into Death Valley. DOE proposes to treat Yucca as a gigantic septic field for radioactive waste.

The complex geologic and geochemical issues can't be passed off casually by saying that "the site has a lot to recommend it." Do not be misled by Yucca's "arid"

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designation. There is lots of water--many times more than DOE first imagined. To limit the corrosive potential of Yucca's mineral-laden water, DOE has supplemented its original design by covering each waste package with a titanium "drip shield"—a name that says it all. What it comes down to is that the site offers nothing; rather DOE is using its containers and drip shields to overcome the inadequacies of an inadequate site.

The Academy recommendation that you deride was one of several Yucca-specific standards the Academy prepared for EPA at the behest of Congress. The NAS actually *relaxed* previous generic repository standards and eased the way for Yucca Mountain approval. In only one respect—protecting people past the peak dose—did the Academy stand firm on the previous standard. It's a package deal. The alternative would be a return to the generic EPA and NRC regulations for nuclear waste repositories. They are *much more stringent* with respect to geology than the Yucca Mountain-specific ones.

There are US locations that would meet the overall Academy-recommended radiation standards. Yucca is not one of them because it is a uniquely bad choice. Yucca would be the only repository *above* the water table. No other country has even considered such a repository over the water table where the presence of water and oxygen promote corrosion. DOE's choice is universally regarded as an aberration. Other countries are taking their time to get it right. We have the time, too.

The most important thing in terms of safety at US nuclear power plants is to secure the spent nuclear fuel in NRC-approved "dry" containers. Many utilities are already doing this. Dry casks will provide safe storage for decades, if not longer, and at a modest cost compared to Yucca Mountain's nearly \$100 billion price tag. The only ones who gain from rushing forward with the Yucca Mountain project are DOE's overfed contractors.

The Times is surely correct that one reason the Yucca Mountain site was chosen was "a perception that Nevada lacked the political clout to reject it." The appeals court has given Nevada its chance to contest the site on geologic grounds in the NRC licensing hearing. For Congress to legislate this right away on behalf of DOE and its contractors would be to elevate raw political muscle over public safety and the environment.

Sincere regards,

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