



OFFICE OF THE GOVERNOR

KENNY C. GUINN
Governor

November 28, 2006

Samuel Bodman, Secretary
US Department of Energy
1000 Independent Avenue S.E.
Washington, DC 20585

Re: Divine Strake Open-Air Explosive Detonation at the Nevada Test Site

Dear Secretary Bodman:

A recent press release from the office of U.S. Senator Pete Domenici indicates that the Department of Defense has decided that it will pursue the open-air conventional explosive detonation, Divine Strake, at the Nevada Test Site (NTS) after having considered conducting the test at an alternative site at the White Sands Missile Range in New Mexico.

Earlier this year, the Department of Energy National Nuclear Security Administration (NNSA) issued its Revised Environmental Assessment for a Large-Scale, Open-Air Explosive Detonation, Divine Strake, at the Nevada Test Site, May 2006. The Finding of No Significant Impact of May 9, 2006, was subsequently withdrawn on June 9, 2006. Reportedly, the Nevada Test Site organization is now in the process of up-dating the Environmental Assessment for Divine Strake, and there are indications that the test could be in the planning for fiscal year 2007.

The issuance of the NNSA's Environmental Assessment and the Finding of No Significant Impact initiated considerable concern among Nevadans, as well as citizens in Utah and Idaho. Also, a lawsuit challenging the test remains unresolved.

In 1996, the Department of Energy issued an environmental impact statement (EIS) for the Nevada Test site in which a broad range of potential activities at the NTS, including the conduct of large-scale open-air explosive detonations, were addressed. However, it did not evaluate the impacts of such a test in locations other than the Big Explosive Experimental Facility. The selected site for the Divine Strake detonation is at Tunnel U16b, which is not within the boundaries of the Big Explosive Experimental Facility. In its five-year review of the EIS, NNSA determined in 2002 the EIS adequately addressed the environmental impacts of activities conducted and anticipated to be conducted at the NTS.

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I do not believe the proposed Divine Strake detonation is consistent with the evaluation of impacts in the 1996 NTS EIS, or with the five-year review. A major concern of Nevadans and other citizens of the region is that the 700-ton experimental detonation and its air blast will re-suspend radioactive debris from numerous atomic weapons tests conducted in the vicinity of Tunnel U16b in past years. The broadly stated fear is that re-suspended radioactive fall-out, driven by wind currents, will impact offsite locations in Nevada and other states that previously experienced, to their grave detriment, fall-out from atomic weapons testing at the NTS.

Because of the potential significant environmental and human health impacts of the Divine Strake test, the deep and genuine concern of the public, and the fact that detonations such as Divine Strake were never evaluated in the NTS EIS, it is incumbent on the Department of Energy NNSA to prepare a supplement to the EIS, and issue the document for public review and comment. If the plans to conduct the detonation at the NTS proceed, an environmental assessment is inadequate to evaluate the potential impacts of this action both in terms of the necessary rigor of the analysis, and the appropriate level of public involvement in the environmental review and decision-making process.

I trust that you will find it in the best interest of sound and fair public policy to require the full intent of the National Environmental Policy Act be exercised, and direct that a Supplemental Nevada Test Site Environmental Impact Statement be prepared to fully evaluate the impacts of the proposed Divine Strake detonation.

Sincerely,



KENNY C. GUINN
Governor

RL/rc

cc: Nevada Congressional Delegation
Allen Biaggi, Director, Nevada Department of Conservation and Natural Resources
Robert R. Loux, Executive Director, Nevada Nuclear Projects Office