

**Preliminary Comments on
DOE Draft SEIS
for Yucca Mountain &
Draft Nevada Rail Corridor SEIS
and Rail Alignment EIS**

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Procedural Concerns

- Limited hearing opportunities outside Nevada – Especially important regarding TAD Canister proposal
- Inadequate Comment Period relative to Size, Scope, and Importance of the EISs - Nevada has requested additional 60 days
- Inadequate time for DOE to consider Comments and issue Final EISs – Self-imposed deadline relative to June 2008 LA submittal to NRC
- Unclear relationship of the Draft EIS to the 2002 Final EIS for Yucca Mountain – No contingency plan for reliance on FEIS in the event TAD system and/or Caliente rail alignment rejected

Proposed Action

Is Use of TAD Canisters

- Under DOE Proposed Action, up to 90% of spent fuel would be loaded into Transport, Aging and Disposal (TAD) canisters at reactors and welded shut
- TAD canisters would be inserted into large transportation casks and shipped by rail to Yucca Mountain
- TADs are large (hold up to 10 MTU) and heavy (weigh up to 180 tons with impact limiters & skids)
- At about 25 reactor sites which lack rail access, TADs would be moved by barge or heavy haul truck to rail
- 10% of spent fuel would shipped directly to repository by truck (DOE says it would use over-weight trucks)

Proposed Action Cannot Be Evaluated Based on the Draft SEIS

- No final TAD designs (“Proof of concept” only)
- NRC must approve TAD transport and storage components separately (10CFRPart 71 &72)
- Costs and financial arrangements are unknown
- Proposed TAD system not compatible with dry storage systems currently in use at civilian nuclear power plants
- Many utilities have specific problems with use of the proposed TAD system at specific reactor sites
- DOE offers no meaningful alternative to the proposed TAD canister system (Under the DSEIS No Action Alternative, “DOE would not construct a repository at Yucca Mountain.”)

Proposed Action Creates Uncertainties About Repository Transportation

- TAD Canister system requires rail transportation
- Yucca Mountain lacks rail access
- Estimated cost of Caliente railroad has escalated from \$800 million in 2002 to \$2.5-3.0 billion in 2007
- Strong opposition in Nevada likely to delay rail access
- One-third of shipping sites lack rail access
- Post 9/11 security concerns about cross-country rail shipments through major cities
- RA DEIS No Action Alternative: If DOE does not select Caliente or Mina rail alignment, future course “is uncertain”

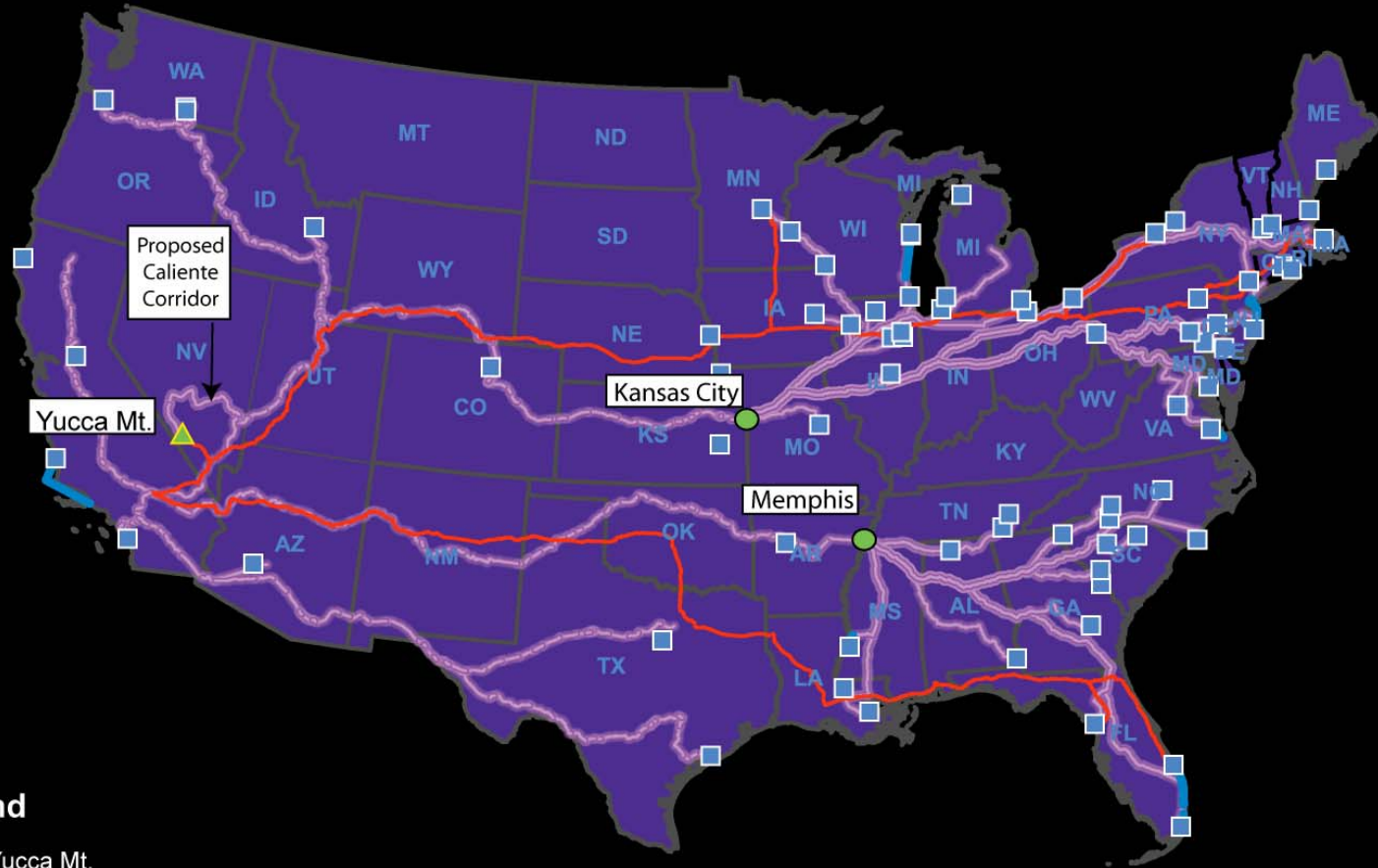
DSEIS Does Not Adequately Address Transportation Safety and Security

- Does not consider worst case accidents - such combinations of factors “are not reasonably foreseeable”
- Underestimates consequences of severe accidents involving long duration fires
- Underestimates consequences of terrorist attack
- Dismisses potential for human error to exacerbate consequences of accidents or terrorist attacks
- Dismisses potential for unique local conditions to exacerbate consequences of accidents or terrorist attacks
- Acknowledges clean-up costs could reach \$10 billion

DEISs Show “Representative Routes” for Rail and Truck Shipments to Nevada

- Rail routes shown in DEISs do not include those already identified by Union Pacific and BNSF as “preferred routes” to Caliente
- Highway routes shown in DEISs are for the most part the same routes identified by Nevada
- Rail shipments via Caliente would traverse downtown Las Vegas
- Truck shipments to Yucca Mountain would traverse Las Vegas metro area
- Map prepared by Nevada more accurately depicts rail routes that DOE would actually use

Potential Rail Routes to Yucca Mt. via Proposed Caliente Spur (Suite of Routes from Kansas City and Memphis Gateways)



Legend

- ▲ Yucca Mt.
- Shipping Sites
- Rail routes to Yucca Mt.
- FEIS barge routes
- Truck Routes used under Mostly Rail Scenario

This map depicts routes for the Mostly Rail Scenario from nuclear waste shipping sites to the proposed Yucca Mt. repository via the proposed Caliente spur. It shows routes on Class I Track from the shipping sites to the gateways of Kansas City and Memphis. The map also depicts likely highway routes from six reactor sites that ship by legal weight truck under the Mostly Rail Scenario.

DSEIS Does Not Fully Evaluate Repository Shipments into NV from CA

- Under Proposed Action, 9,500 rail casks and 2,700 truck casks to Yucca Mountain over 50 years; if no second repository, 24,000 rail casks and 5,000 truck casks
- Only 8% of rail shipments enter NV from CA if Caliente rail line is developed, compared to 21% if Mina rail line is developed; 32 % of truck casks enter NV from CA
- DSEIS ignores potential for larger number of rail cask shipments into NV from CA for Caliente or Mina options (>4,400, or >45% of total under proposed action)
- DSEIS Ignores potential for large number of LWT shipments into NV from CA if no rail access (>24,000, >45% of total under proposed action)

General Comments on the Draft Rail Corridor SEIS & Rail Alignment EIS

- DOE selection of the Caliente Corridor is not supported by the information presented in the Draft SEIS
- DOE study of the Mina Corridor as a “nonpreferred alternative” is not warranted given the Walker River Paiute Tribal Council withdrawal of support
- DOE selection of the “Shared Use” option should cause DOE to request the Surface Transportation Board prepare the Rail Alignment EIS
- The DOE contention that non-rail shipments would be made by over-weight trucks is unsubstantiated
- The No Action Alternative should have evaluated the Mostly Legal-weight Truck scenario presented in the 2002 Final EIS for Yucca Mountain

General Comments on the Evaluation of the Caliente Rail Corridor

- DOE has not adequately assessed the environmental impacts of developing the Caliente rail corridor, particularly land use conflicts with ranching, mining, recreation, and cultural resources
- Some of the alternative segments that might reduce land use conflicts appear to have been eliminated from further consideration based on solely or primarily of construction costs
- DOE has not assessed the environmental impacts of developing the Caliente rail corridor on Clark County communities along the existing Union Pacific rail line through Las Vegas
- DOE has not assessed the potential for larger than projected numbers of rail shipments through Clark County, and failed to evaluate unique local conditions such as the proximity of the existing rail line to the Las Vegas Strip

Specific Concerns about Land Use Conflicts

- Failure to adequately consider the railroad as a physical barrier to the movements of humans, livestock, and wildlife
- Projected construction water use and the proposal to obtain construction water from new wells
- Proposed construction of quarries for obtaining railroad track ballast and construction aggregates