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*Lamond Mills*

Lamond Mills, Esq.

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BEFORE THE U.S. DEPARTMENT OF ENERGY

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PUBLIC HEARING ON YUCCA MOUNTAIN :  
SITE CHARACTERIZATION PLAN :

=====

MEMBERS OF THE U.S. DEPARTMENT OF ENERGY PANEL:

LAMOND R. MILLS, ESQ.  
Hearing Moderator

CARL P. GERTZ  
Hearing Official  
U.S. Department of Energy  
Project Manager for Yucca Mountain Project

JEAN YOUNKER  
Technical Representative  
Senior Staff Geologist  
Science Applications International Corp.

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TRANSCRIPT OF PROCEEDINGS

March 23, 1989

Reno Hilton  
Reno, Nevada

Reported by: DAWN C. BRATCHER, CSR #253, RPR, CP  
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RENO, NEVADA, THURSDAY, MARCH 23, 1989, 2:05 P.M.

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MR. GERTZ: Good afternoon.

On behalf of the Yucca Mountain Project in Las Vegas and the Department of Energy I'd like to welcome you here this afternoon.

My name is Carl Gertz. I'm manager of the Yucca Mountain Project office. I will be Department of Energy's presiding officer for this afternoon's hearing on the Yucca Mountain Site Characterization Plan for characterizing Yucca Mountain, Nevada to determine its suitability for a nuclear waste repository.

For the record, this hearing is convened at approximately 2:00 p.m. on March 23rd at the Reno Hilton Hotel in the City of Reno, Nevada.

This hearing was noticed in the Federal Register on Friday, December 30th, as well as being advertised widely in local newspapers. In addition, notices were sent to public mailing lists and the news media were also notified.

We are here this afternoon to receive your comments on the Site Characterization Plan. Department



1 of Energy has prepared this document as a plan to guide  
2 detailed scientific studies which will be conducted at  
3 Yucca Mountain during the next five to seven years.

4 The SCP or Site Characterization Plan is a  
5 living document. It will be updated and modified as  
6 more is learned about the geologic, hydrologic and  
7 climatological conditions at the site. These changes  
8 will be compiled into SCP project reports which will be  
9 issued semiannually to the Nuclear Regulatory  
10 Commission, NRC, to the State of Nevada and to the  
11 public. The first SCP progress report is due to be  
12 published this summer.

13 In addition to the comments that you make  
14 this afternoon, written comments on DOE's Site  
15 Characterization Plan may be made at any time during  
16 the site characterization process which is expected to  
17 last the next five to seven years. These comments may  
18 be sent to Yucca Mountain Project Office, U.S.  
19 Department of Energy, Post Office Box 98518, Las Vegas,  
20 Nevada, 89193-8518.

21 Both oral and written comments will  
22 receive the same consideration. At about the same time  
23 the SCP progress reports are issued, DOE will issue  
24 comment response packages. These will contain  
25 responses to the comments on the SCP that you make this

1 afternoon and any written SCP comments that are  
2 submitted to us. This includes comments made by the  
3 public, the State of Nevada, the Nuclear Regulatory  
4 Commission and other interested parties.

5 Originally April 15th was the deadline set  
6 for the close of the initial SCP comment period. At  
7 the request of Governor Miller the deadline has now  
8 been extended to June 1st. Let me emphasize, however,  
9 that comments on DOE site characterization studies or  
10 activities received after June 1st will be considered  
11 by DOE and receive responses at a later date.

12 Last month DOE held a series of project  
13 update meetings. These meetings were designed to  
14 provide to the public information about the project and  
15 information that the public told us that they wanted to  
16 hear. Those meetings were intended to furnish you with  
17 information. This afternoon we are looking for  
18 information from you.

19 Notice of both the project update meetings  
20 and the SCP hearings was widely advertised in local  
21 newspapers, printed in the Federal Register, and, in  
22 addition, public mailing lists were used as well as  
23 media contacts.

24 In a few moments I will introduce the  
25 moderator of this afternoon's hearing. The moderator

1 is an individual with experience in sharing public  
2 proceedings. He is not a DOE employee. He will  
3 conduct the hearing, calling on speakers and closely  
4 following the presentations. He also will certify the  
5 record in this hearing.

6 Also here tonight is a technical expert  
7 who will also listen to the presentations and who,  
8 along with myself, may ask clarifying questions in  
9 order to make sure that the record fully reflects your  
10 comments.

11 All comments made here today are being  
12 recorded by a professional court reporter and will be  
13 transcribed. The transcript from the hearings will be  
14 made available in local libraries as soon as possible  
15 after it's prepared. A list of these libraries is  
16 available at the door. Anyone wishing to purchase a  
17 copy of the transcript can make arrangements with the  
18 hearing reporter during breaks or after the hearing.

19 Now I would like to introduce the  
20 technical representative on the panel this afternoon.  
21 On my right is Jean Younker, the Yucca Mountain Project  
22 geologist who had a major role in development of the  
23 Site Characterization Plan. She worked with about 300  
24 scientists and engineers in developing plans to obtain  
25 data to assess the suitability of Yucca Mountain for a



1 high level waste repository. She's a former university  
2 professor and has a doctorate degree in geology.

3 At this point I would like to introduce  
4 today's moderator. Lamond Mills is a former U.S.  
5 attorney in southern Nevada. He's now in private  
6 practice in Las Vegas. He has experience in conducting  
7 public proceedings.

8 As I said earlier, he is here to conduct  
9 the meeting, call on the speakers and follow the  
10 presentations. I will now turn the hearing over to  
11 him.

12 MR. MILLS: Thank you, Carl.

13 Let me just take a moment and review the  
14 procedures we're going to be following. As you know,  
15 those of you who have signed up will be given ten  
16 minutes to speak, and we urge any of you who are in the  
17 audience who wish to address this panel to go back to  
18 the back of the table that's set out in the hall and  
19 sign up and we will give you that opportunity.

20 At the end of eight minutes I will hold up  
21 two fingers. That indicates the amount of time that  
22 you have left. At the end of the time, your time, I  
23 will hold up a closed hand to indicate that your time  
24 is through. We would appreciate that if at that point  
25 you would finish your thought and conclude your remarks

1 as there's a number of people who want to address this  
2 audience.

3 Some of you, I've noticed in the past  
4 hearings, will bring written documents in which you'll  
5 read from. We would appreciate it if you would give  
6 those documents to the court reporter. If you want to  
7 keep a copy of the same, we're provided a copy machine  
8 out in the hall and we'll make a copy for you, but it's  
9 important that we have those documents as part of our  
10 record and they will be attached to the record when  
11 it's finally concluded.

12 As we have mentioned several times, the  
13 court reporter is taking down your remarks. For that  
14 reason it's important as you come forward that you give  
15 your name clearly. And I will mispronounce several of  
16 your names, I know from experience, and I apologize  
17 now, but if you'll just state your name clearly as you  
18 start, that will help alleviate that problem.

19 Finally, we will take you in the order in  
20 which you have signed up. Occasionally because a  
21 number of the speakers will take less than ten minutes  
22 in our experience, as we get ahead of our schedule I  
23 will take those of you who are on the walk-in status  
24 and begin to call on you and fuse those into my list.

25 Finally, this is not a place of argument.

1 It's a place for this panel to hear you and there will  
2 be no questions answered by them. Occasionally as they  
3 mentioned they may ask a question. It's strictly for  
4 clarification, if perhaps to find out the source of the  
5 document you referred to or something like that which  
6 will help them in their research of this site.

7 We're pleased to have today as our first  
8 speaker, Nevada's attorney general and we will start  
9 with our Attorney General Brian McKay.

10 MR. MCKAY: Thank you very much.

11 For the record my name is Brian McKay.  
12 I'm the -- Thanks folks.

13 I'm the attorney general of the state and  
14 I obviously have the basic responsibilities of  
15 enforcing our laws and also the laws of the federal  
16 government when they are appropriate to fall within our  
17 jurisdiction.

18 As you know I presented to this panel a  
19 prepared written testimony in Las Vegas on Tuesday. I  
20 utilized my full ten minutes. I think because I have  
21 done that once there is no need to read that into the  
22 record again and I will dispense with most of that.

23 I think in summary my major concern was  
24 the past track record of the Department of Energy in  
25 managing the hazardous waste stream and flow from its



1 facilities throughout the United States for the past 30  
2 years and, therefore, I expressed significant  
3 skepticism that the DOE was prepared to handle the same  
4 problem at the Yucca Mountain site unless they go  
5 through the process of seeking all of the required  
6 state permits, all of the required licenses, that they  
7 recognize the sovereignty of the State of Nevada and  
8 that they recognize that the process itself today has,  
9 in my opinion and that of many of the people of this  
10 state, been unfair.

11 In my remarks at that hearing in Las Vegas  
12 on Tuesday I painted a fairly grim picture of the  
13 Department of Energy's performance over the years in  
14 dealing with hazardous waste, radioactive waste and  
15 toxic waste accumulating from its programs and those of  
16 its predecessors.

17 For those of you, and there are some  
18 obviously that think I'm being too hard on the  
19 Department of Energy, let me assure you that I'm in  
20 good company and varied company. The interesting fact  
21 is that people closest to DOE's activities are often  
22 the most critical.

23 Recently confirmed Energy Secretary  
24 Admiral James D. Watkins charged during the Senate  
25 confirmation hearings that managers of the Department's

1 weapons, plants and facilities too often sacrificed  
2 public safety in an effort to protect secrecy and meet  
3 production goals.

4 Department of Energy Deputy Secretary  
5 Joseph Salgado, and I can tell you he is no friend of  
6 the states based upon my past dealings with Joe, has  
7 stated, "There are some legitimate concerns about the  
8 agency's capability to plan and execute technically  
9 sophisticated projects."

10 The United States general accounting  
11 office has documented ground water contamination from  
12 radioactive and hazardous waste at over 90 percent of  
13 the 127 DOE nuclear facilities across this country.

14 As to DOE's program at Yucca Mountain,  
15 Hugh Thompson of the NRC has said that Department of  
16 Energy and their contractors at Yucca Mountain have not  
17 been doing well and the DOE was planning to collect  
18 only data that would prove its case for site  
19 suitability and not data that might show flaws that  
20 would preclude the site's use.

21 The U.S. Geological Survey scientists in  
22 an August 17, 1988 letter charged that "DOE has  
23 attempted to prevent the discovery of problems that  
24 would probably doom the repository."

25 DOE officials in Nevada have conceded that

1 what little work has been done at Yucca Mountain was  
2 done so sloppily that it cannot be used to justify  
3 opening a repository. Dr. Carl Stahlkop of the  
4 Electric Power Research Institute says, "We're not  
5 making much progress out there. If you look at it from  
6 a milestone standpoint, we may have gone backward  
7 rather than forward."

8 The director of the Utility Waste  
9 Management Group which reviews DOE's program has said  
10 that "The nuclear industry has just about had it with  
11 DOE's program at Yucca Mountain."

12 So I think it's fair to say that  
13 considering what others have had to say, that my  
14 comments could be considered to be somewhat charitable.  
15 And I'm not saying that DOE cannot do it right. I'm  
16 saying that if DOE is going to do it at all that it  
17 should and it ought to do it right.

18 Much of my testimony which I referred to  
19 before has been read into the record in Las Vegas and  
20 it dealt with a terrible record that the Department of  
21 Energy and its predecessors had had. Much of this has  
22 just been coming to light in Congress and in the states  
23 over the last few years.

24 The record has been uncontrovertibly  
25 terrible and it's one that we don't want to see

1 continue in the State of Nevada, if ultimately Yucca  
2 Mountain is chosen as the site. We are very concerned  
3 just like everybody else with our environment. We are  
4 very concerned with our water and our air and our soils  
5 and the rest and we would just want to let you know  
6 that I, in my capacity as attorney general and my  
7 office are going to do our very best to make sure that  
8 you comply with all of the laws and regulations and  
9 that it's done with a thorough and methodical manner  
10 and that we not take any shortcuts or make any  
11 compromises.

12 Thank you very much. I appreciate it.

13 MR. MILLS: Thank you, General McKay.

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2 MR. MILLS: Our next speaker will be Bob  
3 Loux.

4 MR. LOUX: Thank you.

5 Mr. Chairman, I am Bob Loux, director of  
6 the Agency for Nuclear Projects for the State of  
7 Nevada.

8 The Nevada Agency for Nuclear Projects,  
9 the Nuclear Waste Project Office, is a state agency  
10 assigned by the Nevada statute to oversee U.S.  
11 Department of Energy's high-level management and  
12 disposal program.

13 The professional staff of the agency and  
14 its technical contractors, including elements of the  
15 University of Nevada System private-sector firms, are  
16 now in the process of carrying out a technical review  
17 of DOE's Site Characterization Plan for the Yucca  
18 Mountain Candidate nuclear waste repository site.

19 The Agency for Nuclear Projects has been  
20 instructed by Nevada Governor Bob Miller to take the  
21 time necessary in its review to assure its thoroughness  
22 and technical rigor, notwithstanding the schedule  
23 constraints imposed on the SCP review by the Department  
24 of Energy. This is similar to the direction of the  
25 chairman of the U.S. Nuclear Regulatory Commission to



1 the NRC staff regarding its required review of the same  
2 document. The agency expects to submit its technical  
3 review to the DOE on behalf of the State of Nevada by  
4 September 1st, 1989, at which time it will also be  
5 released for public distribution.

6 We have made a preliminary analysis of the  
7 available elements of DOE's overall program of studies  
8 and evaluations proposed to be carried out during the  
9 site characterization period. Our conclusion is that  
10 the comprehensive program remains conceptually  
11 incomplete in that the supporting and associated  
12 documents necessary even to begin site characterization  
13 are either incomplete, nonexistent or lacking in  
14 sufficient detail to determine what work will actually  
15 be proposed and how various work elements interface  
16 with each other.

17 Without a clearly articulated  
18 comprehensive plan of activities and proposed specific  
19 studies in all the necessary environmental plans and  
20 activities, it's not possible to evaluate the true  
21 merit of the plans that have been presented for review.

22 Of particular note in light of DOE's  
23 stated intention to begin Exploratory Shaft Facility  
24 construction in 1989 of November, it is the lack of  
25 sufficient and acceptable ESF location rationale and

1 study plans to support initiating this potentially  
2 irreversible action we're concerned about.

3 The DOE has scheduled the initiation of  
4 Exploratory Shaft site preparation for May 1989. The  
5 State of Nevada objects to this activity being  
6 undertaken as scheduled and strongly recommends that  
7 the ESF site preparation be deferred until the  
8 following concerns are resolved:

9 The DOE expects the ESF site preparation  
10 to result in the application of 6.7 million gallons of  
11 water to the site for surface pad construction. Also  
12 some fraction of the 43 million gallons of water  
13 allocated to dust control at the Exploratory Shaft  
14 Facility will also be applied to the pad. This is  
15 roughly equivalent to dumping an additional full years'  
16 annual rainfall directly on the ESF site in a very  
17 short period of a few months.

18 It's important to recognize this because  
19 studies planned at the ESF site include hydrologic  
20 analysis of the unsaturated zone while the underground  
21 ESF is being constructed. The data collected are  
22 intended to be used ultimately in determining the  
23 site's suitability, and the artificial addition of a  
24 significant amount of water to the unsaturated  
25 hydrologic system will bring the validity of these data

1 into serious question.

2           Knowing of this concern, it's reasonable  
3 to conclude that the ESF site preparation is, in the  
4 terminology of the NRC, "important to safety" in  
5 repository licensing considerations. This being the  
6 case, the ESF site preparation should not proceed until  
7 the following two matters are adequately addressed:

8           First, the potential effects of this  
9 addition of water to the hydrologic system must be  
10 studied sufficiently in order to resolve the data  
11 validity question.

12           Second, the resolution of the data  
13 validity question and the actual application of the  
14 water to the site must be subject to controls of an  
15 approved quality assurance program and procedures,  
16 which at this time are not fully in place in the  
17 Department of Energy's program, nor is it expected that  
18 they will be in place by May of 1989.

19           I would now like to repeat the essence of  
20 some of our earlier findings regarding the draft Site  
21 Characterization Plan released earlier last year for  
22 our informal review and comment. These comments bear  
23 repeating since we have not discovered that they were  
24 heeded in DOE's preparation of the statutory-required  
25 SCP plan which is the subject of the hearing today.



1                   We believe the DOE's conceptual approach  
2 to site characterization at Yucca Mountain should be  
3 reexamined and the SCP significantly revised before it  
4 can be viewed for a credible basis for evaluating the  
5 suitability of the site for safe nuclear waste  
6 isolation for the thousands of years required. It  
7 should come as no surprise that Nevada's expectations  
8 are that any repository site determined to be suitable  
9 must first be the best understood piece of geology on  
10 earth.

11                   To meet this requirement nothing less than  
12 the most rigorous, objective scientific investigation  
13 will be acceptable. And this must precede the emphasis  
14 on engineering a repository at Yucca Mountain, which is  
15 obviously the focus of DOE's current Site  
16 Characterization Plan.

17                   This misdirected emphasis on DOE's part  
18 results from its apparent but unproven assumption that  
19 the site is suitable for a repository. This assumption  
20 seems to prevail in spite of the fact that the key  
21 standard for determining site suitability for the  
22 long-term nuclear waste isolation has yet to be  
23 established by the U.S. Environmental Protection  
24 Agency. And it's not expected to be finally adopted  
25 into regulations for another two to three years since

1 the initial EPA standard was overturned in federal  
2 court and returned to the agency for additional  
3 consideration.

4 Site Characterization Plan also does not  
5 but should reflect a high priority on first carrying  
6 out the prerequisite geologic and geohydrologic studies  
7 that address the conditions most likely to lead to  
8 early disqualification of the site. These include such  
9 issues as faulting and earthquake potential, volcanism,  
10 the significance of fracture flow in both the  
11 unsaturated and saturated zones and the mineral  
12 resource potential at the site.

13 The conceptual approach of the Site  
14 Characterization Plan puts unjustly early emphasis on  
15 construction of the Exploratory Shaft Facility when  
16 critical surface-based geologic and hydrologic studies  
17 should have the highest priority in the initiation of  
18 site characterization activities.

19 Finally in closing, I have introduced in  
20 your hearing in Las Vegas last Tuesday for the record,  
21 three videotapes which contain the entire February  
22 23rd, 1989 technical presentation of my agency to the  
23 NRC's Advisory Committee on Nuclear Waste. This  
24 presentation outlines in considerable detail many of  
25 Nevada's technical concerns that relate to the geology,

1 geohydrology of the site. The content of these tapes  
2 is intended to constitute additional comments of Nevada  
3 on the DOE Site Characterization Plan.

4 Thank you.

5 MR. MILLS: Thank you, Bob.

6 Could you leave a transcript of that?

7 -oOo-

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1  
2 MR. MILLS: Our next speaker is Ann  
3 Peirce.

4 MS. PEIRCE: Thank you.

5 My name is Ann Peirce. My family and I  
6 are residents here in Reno, Nevada. I appear before  
7 you today, however, as a commissioner of the Nevada  
8 Commission on Nuclear Projects. This Commission on  
9 Nuclear Projects was created by the 1985 Nevada  
10 Legislature to study and to be kept informed on all  
11 matters relevant to the high-level radioactive waste  
12 repository program and to report to, advise and make  
13 recommendations to the governor and the legislature on  
14 the policy of the state involving this disposal of  
15 radioactive waste.

16 But when it established the Commission on  
17 Nuclear Projects, the legislature did much more than  
18 simply create another state oversight body. It sent a  
19 clear message to the federal government that Nevada  
20 intends to exercise its full rights and  
21 responsibilities to assure that the health and safety  
22 of present and future Nevadans and our state's unique  
23 environment and economy are adequately protected in the  
24 face of continuing federal attempts to locate the  
25 repository in Nevada.



1 I am very sorry to advise that in these  
2 last several years of studying this matter as a  
3 commissioner I have found no such assurances for the  
4 people of our state. Indeed, the commission has found  
5 that there remains grave cause for concern about the  
6 way in which Congress and the United States Department  
7 of Energy have approached repository site selection and  
8 site evaluation.

9 Numerous characteristics of the Yucca  
10 Mountain geohydrologic setting continue to cast doubt  
11 over the ability of the proposed site to safely isolate  
12 radioactive materials for the extremely long period of  
13 time required. In addition, questions remain as to the  
14 ability of DOE's proposed site characterization program  
15 as presently designed to resolve these key site  
16 suitability issues.

17 This commission has now issued two reports  
18 to the governor and to the Nevada Legislature. One in  
19 1986 and the other in late 1988. Former Governor Grant  
20 Sawyer serves as commission chairman. I am submitting  
21 these two reports to you today for your review and your  
22 response. However, I would like to summarize at this  
23 time a few of the commissions' recommendations.

24 The commission strongly recommended in its  
25 1988 report that the 1989 Nevada Legislature advise the



1 United States Department of Energy and the United  
2 States Congress by proper and formal resolution that it  
3 will not approve the withdrawal of any land at or near  
4 Yucca Mountain for the purpose of characterizing,  
5 building or operating a repository.

6 Further, the commission recommended that  
7 the 1989 legislature indicate clearly that the 1989  
8 Nevada Legislature is opposed to the location of a  
9 repository at Yucca Mountain.

10 We are extremely pleased and appreciative  
11 that just such strong resolutions have passed the State  
12 Assembly by an overwhelming majority. We have every  
13 reason to believe that our State Senate will follow  
14 suit. The commission also recommended that the 1989  
15 legislature support the efforts of the attorney general  
16 to vigorously pursue litigation designed to affirm  
17 Nevada's rights with regard to the nuclear waste issue  
18 recognizing that the essential principles involved  
19 relate directly to the overriding issue of  
20 federal/state relationships in a constitutional context  
21 and to the definition and legitimate meaning of  
22 federalism.

23 The commission also recommended that the  
24 Nevada Legislature, the governor and our congressional  
25 delegation send a clear and forceful message to

1 Congress and the President that planning must be done  
2 and done expeditiously to cover the eventuality that  
3 Yucca Mountain be found to be unsuitable as a  
4 repository location.

5 Such planning must include alternatives to  
6 deep geologic disposal of nuclear waste as well as the  
7 definition of the process by which alternatives to the  
8 Yucca Mountain site are to be identified should Yucca  
9 Mountain prove to be technically unacceptable.

10 In closing, I would like to say that after  
11 serving as a commissioner for the last three-and-a-half  
12 years, how gratifying it is to see this united front in  
13 firm opposition to the repository from our governor,  
14 legislature, attorney general and our congressional  
15 delegation. They are to be commended for the strong  
16 opposition on behalf of the health and safety of the  
17 citizens of Nevada. We owe nothing less to our state.

18 MR. MILLS: Thank you.

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2 MR. MILLS: Mr. Harold Rogers will be our  
3 next speaker.

4 MR. ROGERS: Good afternoon.

5 My name is Hal Rogers. I'm the northern  
6 Nevada liaison for the Nevada Section of the American  
7 Nuclear Society. Our membership consists of some  
8 15,000 scientists, engineers, doctors and others in the  
9 nuclear community here and abroad.

10 All of the major countries of the world  
11 have nuclear programs. Several are now or soon will be  
12 satisfying their electrical needs primarily from  
13 nuclear plants. France is now operating at about 70  
14 percent of their needs from nuclear plants and Japan is  
15 expanding their capability very rapidly. All of these  
16 countries, including our neighbor Canada, plan for  
17 geologic disposal of waste.

18 For example, Sweden has completed a major  
19 series of studies and has found such disposal  
20 "completely safe." This is the same method of proposal  
21 proposed for under Yucca Mountain provided the  
22 characterization investigation finds that the site  
23 meets safety criteria.

24 The American Nuclear Society has studied  
25 the DOE plan as now presented and supports this plan



1 for characterization of Yucca Mountain. Questions  
2 raised by the NRC and Nevada have been addressed in the  
3 revised plan, and between the DOE and Nevada the finest  
4 scientific and engineering talent available will be  
5 performing these studies.

6 When these people reach a consensus, and  
7 it may not be unanimous, then we'll know whether or not  
8 Yucca Mountain is a safe site for disposal of nuclear  
9 waste. Until then we'll have nothing but speculation,  
10 unfounded claims and misunderstandings and much  
11 political posturing. And a recent example of that is  
12 our senators' strongly worded reaction to a survey  
13 published back east showing 69 percent of Nevadans want  
14 negotiations for financial compensation if Yucca  
15 Mountain is used.

16 Our senators ignored a hometown University  
17 of Nevada study, both in Reno and Las Vegas, which  
18 showed 89 percent of Nevadans favor such negotiations.  
19 Some outside of the nuclear community propose solutions  
20 that display a lack of understanding. For example,  
21 some who oppose geologic disposal have suggested  
22 nuclear fuel reprocessing as a solution to the waste  
23 problem. Reprocessing will recover about 98 percent of  
24 the spent fuel material for reuse in new fuel. This  
25 process still leaves a residue of high-level waste for

1 disposal. A disposal site would still be required, but  
2 for only a thousand years or so.

3 Some propose that a new process for  
4 transmutation of nuclear waste is the answer. This  
5 isn't a new idea but was recently raised again as part  
6 of a design competition between Westinghouse and the  
7 General Electric Company for the design of a new  
8 generation of modular inherently safe breeder reactor  
9 power plants. Without such a breeder program plus  
10 reprocessing as is done in France, transmutation of  
11 waste has proven unfeasible.

12 Because of the worldwide activity in  
13 nuclear waste transportation, many thousand tons have  
14 been transported safely by both land and sea in foreign  
15 experience in nuclear waste disposal. We request the  
16 Yucca Mountain study include appropriate consideration  
17 of foreign knowledge in these matters.

18 For example, an ongoing study, a  
19 long-term, ongoing study in Canada of uncontained  
20 nuclear waste immersed in flowing water has shown  
21 especially interesting results, very low leach rates,  
22 even under such extreme conditions. This ongoing study  
23 might possibly reduce the need for the extensive  
24 hydrological investigation described in DOE's  
25 characterization plan.

1           In conclusion, the society has not taken a  
2 position on Yucca Mountain as a technically acceptable  
3 disposal site. This must await the results of site  
4 characterization. A plan for characterization has been  
5 presented by DOE. The plan has been revised to reflect  
6 NRC and Nevada concerns. This plan is flexible. It  
7 allows for changes in the plan as experience dictates.  
8 The law requires that the Department of Energy perform  
9 a characterization study of Yucca Mountain for use as a  
10 high-level waste disposal site. A comprehensive  
11 flexible plan for this activity is in existence. Let's  
12 get on with it.

13           Thank you.

14           MR. MILLS: Thank you.

15           I want to comment very briefly. I notice  
16 that there was a verbal response to something the last  
17 speaker said. It is understood that not all of us will  
18 agree with everything that is said, but, please, we  
19 have a lot of people and we have a goal of listening to  
20 everyone fairly and objectively. If we could refrain  
21 from that it would be appreciated.

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2 MR. MILLS: Our next speaker is Philip  
3 Oldani.

4 Oh, sir, could we have your notes, please  
5 for the court reporter?

6 MR. ROGERS: I will send those in along  
7 with those Canadian reports.

8 MR. MILLS: Appreciate it. Thank you.

9 MR. OLDANI: My name is Philip Oldani.

10 Ladies and gentlemen, we are gathered  
11 together in this room to help solve a serious and  
12 pressing problem that threatens the health and safety  
13 of us, or is it the health and safety of the U.S., or  
14 does this particular problem potentially separate us  
15 from the rest of the U.S. I hope not.

16 Let us look at the facts. Currently,  
17 large masses of lethal high-level nuclear waste is  
18 accumulating at nuclear power plants and armament  
19 factories located east of the Mississippi, California  
20 and the State of Washington. This nuclear waste has  
21 got to be dealt with because when these power plants  
22 and armament factories were being planned, the people  
23 who lived around the proposed sites were assured that  
24 they would be safe and harmless to the lives and  
25 societies they were intended to benefit. And in fact

1 these societies did benefit from the electricity the  
2 power plants generated.

3 The benefits from the armament factories  
4 can be debated at another time, but the fact is some  
5 people are getting nervous because the men who promised  
6 safety have now retired or have admitted to some  
7 miscalculations or have passed the responsibility on to  
8 others.

9 Now, the answer to this pressing problem  
10 seems to be package it up and ship it to another place,  
11 and throughout this whole land called the U.S., the  
12 only place the current decision makers believe to be  
13 safe for this nuclear garbage is among us here in  
14 Nevada.

15 Now, it is true there are fewer of us here  
16 in Nevada compared to the other states in the U.S. who  
17 receive the direct benefits from the power that  
18 generated this waste, so I guess what I'm actually  
19 driving at is the U.S. doesn't really consider us all  
20 that important or the nuclear waste in question would  
21 be considered safe where it is now, among the people  
22 and societies who receive the direct benefits of its  
23 production.

24 In my final analysis it all boils down to  
25 just who are you going to believe? I choose to believe



1 Nevada Governor Bob Miller when he says "The health and  
2 safety of the Nevada citizens can't be bought at any  
3 price." I don't want a nuclear waste dump site in  
4 Nevada and I appreciate this opportunity of going on  
5 record to say as much.

6 I also have nine questions that I would  
7 like answers from, but I realize they will not be  
8 answered so I'm going to submit them now as rhetorical  
9 and hopefully later I'll receive an answer from the  
10 Department of Energy.

11 The first question is what is the  
12 viability of permanent on-site storage of the  
13 high-level nuclear waste in question?

14 Second question: What was the original  
15 plan for disposing of nuclear waste in question when  
16 the nuclear generators and munitions factories were in  
17 their planning stages?

18 Third question: How long would any part  
19 of any transportation route be contaminated if a  
20 shipping cask were to rupture en route to the proposed  
21 dump site at Yucca Mountain and what would be the total  
22 estimated damage if the worst-case accident scenario  
23 were to ever happen?

24 Four: Would not the development of  
25 nuclear waste dump only promote the development of

1 nuclear power and does not the development of nuclear  
2 power create more high-level nuclear waste which in  
3 turn would create our state's own unique, incurable  
4 disease?

5 If Nevada Power were -- If nuclear power  
6 were developed to decrease our dependence on petroleum,  
7 would not the fact the vehicles that transport the  
8 waste are petroleum-powered, create the ultimate  
9 dependence on petroleum?

10 How much data has the Department of Energy  
11 compiled on the nuclear waste stigma?

12 Seven: Has anyone in the Department of  
13 Energy ever heard or used the term "screw Nevada" at  
14 any time in the decision-making process of finding a  
15 high-level nuclear waste dump?

16 Question eight: Exactly how many Nevada  
17 citizens will have to go on record in opposition to  
18 locating a nuclear dump site within our borders to  
19 actually keep it from happening?

20 And the final question: In your honest  
21 opinion, what is the best and most effective avenue for  
22 myself and other concerned Nevada citizens to pursue to  
23 keep a high-level nuclear waste dump from ever becoming  
24 a reality at Yucca Mountain or anywhere within our  
25 borders for that matter.

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I thank you very much.

MR. MILLS: Thank you.

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2 MR. MILLS: Our next speaker will be Phil  
3 Caterino.

4 Our next speaker will be Gwen S. Shook.

5 Our next speaker will be John Mycelli.

6 Is Mr. Charles Watson present?

7 Will you come forward to the mike, please.  
8 You'll be our next speaker.

9 Either one, sir.

10 MR. WATSON: This one is more my height.

11 MR. MILLS: Okay.

12 MR. WATSON: Mr. Gertz, members of the  
13 Department of Energy, my name is Charles S. Watson, Jr.  
14 I am the director of the Nevada Outdoor Recreation  
15 Association in Carson City, Nevada.

16 Very briefly, we are widely regarded as  
17 the nation's oldest U.S. Bureau of Land Management  
18 environmental advocacy and we had a pioneering role to  
19 play over the last 30 years in the 1976 enactment of  
20 the Federal Lands Policy and Management Act also known  
21 as FLPMA.

22 We have some very serious concerns with  
23 the depository overview that's been presented outside  
24 and we've had the following comments to make:

25 Sixty-nine, 69,000 acres of the 73,000



1 acres constitute -- proposed for the site  
2 characterization constitutes an illegal attempt by the  
3 agency, Department of Energy, which is engaged in  
4 the -- in military testing, in other words, has  
5 military standing as a -- or quasi-military standing as  
6 an agency, to circumvent the 1958 Engle Act.

7 The Department of Energy cannot be allowed  
8 to proceed with the collateral effort to create a  
9 loophole in the Federal Land Policy and Management Act  
10 by designating this 69,000 acres as a right-of-way that  
11 is in fact -- which is in fact an agency transfer.

12 This whole enterprise must include an  
13 area-wide solution including such things as the nearby  
14 Beatty nuclear dump which has been cited as one of the  
15 worst violations of nuclear storage in the nation. A  
16 full environmental impact statement is required to  
17 analyze the impact on an area -- on the area-wide  
18 wildlife, rare fish and wholly endemic species that are  
19 known to exist in the area.

20 The Department of Energy is becoming a  
21 master at using such words as "minimize" and  
22 "mitigation." We are appalled to see a half page in  
23 this overview that we have seen today, sharing a half  
24 page on the environmental impact with socioeconomic  
25 impacts. The overview contains no mention at all of

1 wildlife fisheries and flora.

2           The Nevada Outdoor Recreation Association  
3 has prepared an inventory and atlas over the past 30  
4 years citing ten endemic species in the nearby Amargosa  
5 Desert. We have asked the U.S. Fish and Wildlife  
6 Service repeatedly to start analyzing these species in  
7 order to determine whether or not they should be added  
8 to the endangered species list.

9           The Department of Energy cannot ignore  
10 without an EIS an area-wide analysis of impacts, not  
11 just the site -- the waste scenario in its own right,  
12 but developments associated with the project. I'm  
13 talking about roads and towns and all these other  
14 appurtenances that will come with it that could be  
15 enormously destructive in this fragile area of the  
16 Amargosa Desert.

17           Our organization, for instance, has  
18 submitted two Section 1613 "areas of critical  
19 environmental concern," also known in the BLM under  
20 FLPMA language as ACECs, to the Nevada BLM state  
21 director as required and mandated by the Federal Lands  
22 Policy and Management Act. These sites are in the  
23 direct area of the site of the -- I'm sorry, of the  
24 nuclear repository to the west.

25           One is the Amargosa River, site of endemic

1 pupfish known as Cyprinodont Amargosae subspecies  
2 Amargosae.

3           Number two, a major dune system known as  
4 Big Dune known to contain nine endemic species, and so  
5 far there is no mention of this in any of the  
6 Department of Energy's work simply because it's  
7 directly outside -- it's not on the 63,000 acres -- I'm  
8 sorry, the 73,000 acres mentioned in the site  
9 characterization.

10           My organization is not opposing the Yucca  
11 Mountain repository simply on the well-worn  
12 not-in-our-backyard concept. We have seen Nevada's  
13 wasteland image seized upon for sole site selection.  
14 Nevada on the contrary has a unique and spectacular and  
15 highly scenic as well as fragile landscape.

16           Again, we urge the Department of Energy to  
17 inspect our 30-year-old inventory known as the Nevada  
18 Outdoor Recreation Resources Index and Survey. The  
19 sites and areas involved in this inventory cannot be  
20 ignored in any EIS process, which I think the whole  
21 process must have.

22           Finally, we must protest for the record  
23 the Department of Energy's recent use of the U.S.  
24 Geological Survey to illegally violate the Kawich WSA,  
25 wilderness study area number Nevada 060019. The BLM

1 was not informed of this incident at the time. It was  
2 an intrusion within -- it was a water site monitoring  
3 facility built inside, about a mile inside of the WSA  
4 in which the BLM was not even informed it was done.  
5 Only later was it learned by -- learned that this was  
6 done in connection with Yucca Mountain. This incident  
7 violated Section 603 of the Federal Land Policy and  
8 Management Act. We demand that the record disclose the  
9 purpose of this water monitoring facility in the  
10 college wilderness study area and a full explanation as  
11 to why it was done.

12 Thank you very much.

13 MR. MILLS: Thank you.

14 Sir? Sir, if you have written notes we  
15 wish that you would give them to the court reporter.

16 Thank you.

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2 MR. MILLS: Is Marjorie Sill present?

3 Thank you. Please come forward.

4 MS. SILL: My name is Marjorie Sill. I am  
5 conservation chair for the Toiyabe chapter of the  
6 Sierra Club. The Toiyabe chapter has approximately  
7 2200 members in the State of Nevada. We have long been  
8 concerned about the problem of nuclear waste disposal.  
9 In fact, we have been concerned about the nuclear  
10 energy program because we knew that there was not a  
11 good mechanism set up for the waste disposal, and as  
12 early as the middle 1970s, representations were made  
13 that the program was flawed partly because of the  
14 disposal problem.

15 We could -- We did, we did anticipate the  
16 problem that has arisen and we feel that the process  
17 has been flawed. First of all, in -- on page 11 of the  
18 document I received from you, and thank you for sending  
19 me all of these documents, it says, "The screening  
20 process that led to the selection of Yucca Mountain for  
21 characterization started in 1977 when the U.S.  
22 Government decided to investigate the possibility of  
23 siting a repository at the Nevada Test Site. It was  
24 selected for this investigation because it was used for  
25 nuclear operations. Its land was withdrawn from public

1 use and the land was committed to long-term  
2 institutional control."

3 We submit that is not a good reason for  
4 selecting Yucca Mountain as a candidate site. Later on  
5 the three sites were selected. We again were concerned  
6 that only three sites were selected, all of them west  
7 of the Mississippi River, and we were particularly  
8 concerned when Congress saw fit to pick the Nevada --  
9 to pick Yucca Mountain at the edge of the Nevada Test  
10 Site as its candidate site.

11 I say the process is flawed because if you  
12 pick a site, one site to study, and the study is to be  
13 done by the Department of Energy, you immediately  
14 thwart the scientific process, what I know of as  
15 scientific research.

16 You have to have a hypothesis in doing a  
17 scientific study. Perhaps the null hypothesis where  
18 you would say that you have -- the site is not  
19 suitable, you could say the site was suitable, but  
20 there must be a hypothesis present and then the  
21 scientific investigator must go ahead and develop a  
22 program of analyzing or collecting, analyzing the data  
23 and coming to some conclusion that can be defended.

24 To have the DOE do this when the DOE has  
25 so much stake in seeing, it seems to me from my

1 perception, that Yucca Mountain is a suitable site, is  
2 flawed. It's the wrong way of going about doing the  
3 process. And I'm not totally faulting DOE for this, I  
4 am faulting also Congress and the leaders who saw fit  
5 to put all of their eggs in the basket of nuclear  
6 energy without knowing what they were going to do with  
7 the nuclear waste.

8 I am not advocating sending this nuclear  
9 waste to any other particular site, but I am saying  
10 that right now we're in a position where we're going to  
11 have to come up with some solution that makes sense.

12 The other part of the process that seems  
13 to me to be flawed is you're investigating a site  
14 without investigating what seems to me the biggest  
15 problem of all and that's the transportation of the  
16 nuclear waste. Eighty percent of the nuclear waste is  
17 generated east of the Mississippi River according to  
18 the figures I have seen. Nothing in the material I  
19 have received from DOE has addressed the issue of  
20 transportation. I think you have put the cart before  
21 the horse and I would say that transportation is  
22 perhaps the biggest problem that you face, and if you  
23 do not address that problem, then you have -- you  
24 cannot say that a Site Characterization Plan has any  
25 validity at all.

1 I would suggest that -- and I don't know  
2 whether it's the position of the DOE, I don't know  
3 whose position it is, but someone must look into some  
4 kind of alternative storage. Dry cask storage on-site  
5 has been mentioned as a viable alternative. What we're  
6 going to do that way, of course, is to buy time until  
7 something is worked out so that we can have a good  
8 method of getting rid of this nuclear waste.

9 Until that time we also call for a  
10 moratorium on the production of nuclear waste and  
11 putting our energy efforts, and particularly our money,  
12 into the development of alternative energy sources, not  
13 relying on petroleum but going to things like solar  
14 power where there is no waste.

15 Thank you.

16 MR. MILLS: Thank you.

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2 MR. MILLS: Is Phil Caterino here?

3 Is Tom Stille here?

4 Thank you.

5 MR. STILLE: Hello, my name is Tom Stille.

6 I have been around Nevada for about 21 years. I have a  
7 family here. We like Nevada and we plan on staying  
8 around here.

9 I'm a landscape architect. I own my own  
10 business. I'm a member of the conservation district,  
11 and when I knew that, I wanted to make what little  
12 ideas that I have known. I went around and talked to  
13 all of my friends and relatives and at my church, I  
14 talked to people about this issue and I didn't find  
15 anybody that seemed to think that this was a  
16 particularly good idea.

17 And I think the main problem that I see  
18 with having nuclear waste in the west is that most of  
19 it is generated in the East and the transportation is  
20 the major issue that I see a problem with. Bringing so  
21 much of that nuclear waste from the East across  
22 thousands and thousands of miles and roads and trains  
23 seems like a tremendous potential for an awful lot of  
24 problems with an awful lot of people.

25 Secondly, I think that there's some major

1 questions whether Yucca Mountain is really safe or not.  
2 As I understand it there's a water table problem. It's  
3 near a volcano. We're in an earthquake zone. It seems  
4 obvious that there certainly could be problems with how  
5 real safe the Yucca Mountain is.

6 In the past I've been a solar advocate and  
7 for years and years I've been concerned about nuclear  
8 energy and where -- what do we do with the waste? And  
9 it just seems like that there are other -- a lot of  
10 alternatives. I know that the Department of Energy  
11 some years ago decided that they weren't going to  
12 support solar energy. During that time when there was  
13 support there was a flourishing industry of solar  
14 energy. I have some collectors on my roof. I have  
15 passive solar. It's a kind of energy that we can, each  
16 individual person can take advantage of and it just  
17 seems like there should be more emphasis on this kind  
18 of a situation.

19 And lastly, it seems like as an  
20 alternative would be to continue to store these  
21 materials in the places where they're made. These  
22 people are supposedly getting the advantages of nuclear  
23 energy. Why not let them store these wastes on-site  
24 perhaps until there's some other value for these  
25 materials. Maybe they can be turned around and used in

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another two or 300 years.

Thank you.

MR. MILLS: Thank you.

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2 MR. MILLS: Is Delna Campbell here?

3 Is Eric Davis here -- Oh, here comes  
4 Delna, excuse me.

5 MRS. CAMPBELL: Mr. Moderator, I am  
6 pleased to come and speak before you today and I come  
7 as a private citizen with not any particular expertise  
8 in many of the topics that have been discussed today.

9 My name is Delna Campbell and I live just  
10 west of Interstate 80 and the Transcontinental Railroad  
11 in Verdi, Nevada. I do not believe that a remote site  
12 should be made available for storage of hazardous  
13 nuclear waste in the State of Nevada or in any other  
14 state or possession of the United States of America.

15 Provision for the storage of waste  
16 generated from nuclear projects must be made in the  
17 same locality in which it is produced.

18 It is unreasonable for our government to  
19 risk the lives of citizens along the transportation  
20 route or at the destination of hazardous nuclear waste  
21 for storage that has been produced in other parts of  
22 the country. Accidents have already occurred and  
23 faulty shipping containers identified per the September  
24 1988 General Accounting Office Report.

25 I am one of those citizens living adjacent



1 to interstate transportation routes and I am a citizen  
2 of the State of Nevada. I believe that if the  
3 responsibility for storage is placed upon the industry  
4 in the locality in which it is produced, we will have a  
5 nuclear industry that is truly responsive to the needs  
6 of all the citizens of this country.

7 I recommend that a thorough study be made  
8 of on-site dry cask storage referenced to in the  
9 September 1988 report to Congress by the United States  
10 General Accounting Office, Appendix II, pages 53 to 56,  
11 titled "Commercial Waste Storage at Nuclear Plants."

12 Thank you.

13 MR. MILLS: Thank you.

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2 MR. MILLS: Is Eric Davis present?

3 Is Corbin Harney present, H-a-r-n-e-y?

4 MR. HARNEY: My name is Corbin Harney.

5 I'm a western Shoshone Indian from this State of Nevada  
6 I guess. I've lived here all my life. My people have  
7 lived here for thousands and thousands of years before  
8 you people ever came into this part of the country.

9 What I'm going to say about the Yucca  
10 Mountain, Yucca Mountain, some of the people that's  
11 talking about bringing in the nuclear waste here, it's  
12 going to affect all of us, not only the people here.  
13 It's going to affect all the living things on this  
14 mother earth as I call it.

15 It's very important for us as a people to  
16 get this waste out of here. Wherever they come from,  
17 that's where they should store the stuff because we  
18 don't want it here as the Shoshone, the native of this  
19 land, we don't want that stuff because it's going to  
20 wipe us all out. It's going to bring in sickness, it's  
21 already been happening.

22 We all know it's very important for us to  
23 unite together and say we don't want it here. We want  
24 clean air, we want clean water. The nuclear waste that  
25 they are going to stick into the ground, it's going to

1 get into the water level down in the earth. We really  
2 don't know, nobody knows what's going to take place if  
3 an earthquake takes place here, what that nuclear waste  
4 is going to be happening underneath the earth. We're  
5 not God, as I call, a creator in my language. We  
6 really don't know what's going to take place within few  
7 years down the road.

8 If it ever erupts, what's going to take  
9 place here? It's going to kill us all off or are we  
10 going to have some kind of sickness? If those nuclear  
11 things, that ever happened here in this part of the  
12 continent, where are we going? Us redskins, we cannot  
13 leave this country. This is our home, our homeland.

14 Some of you people that came across a  
15 pond, you might say, "I'm going to go home, leave this  
16 waste here for them to live with." Those are the  
17 things that we have to worry about, all of us, not just  
18 me or my people. All the living things on this earth  
19 today is looking at us to keep the mother earth clean  
20 so we can continue to live on, live from our earth. If  
21 we don't clean this mother earth up, where are we  
22 going? What food are we going to be eating? What kind  
23 of water are we going to be drinking? What kind of air  
24 are we going to be breathing? We cannot manufacture  
25 air. We cannot manufacture water. Those are the very

1 important parts that my people are concerned with.

2 Our young, very young, unborn is going to  
3 be born sickly. We don't want that to be happening.  
4 We're all together here on this earth. We should keep  
5 it clean so we can continue to live on. It's very  
6 important for of all of us to be very, very sensible  
7 way that we can really look at this earth that we're  
8 living on. We have to keep it in nice, clean earth in  
9 order to plant our seed on it so we can continue to  
10 eat.

11 Right now as I see it all the living  
12 things on this earth today is created with some kind of  
13 sickness, some kind of chemical. I don't think people  
14 here want that. I don't think -- we all don't want it.  
15 We want something really good for us so that we can  
16 enjoy our life until the end, whenever the end comes,  
17 but we shouldn't end it this way. We shouldn't end it  
18 with chemical or this nuclear thing. We should never  
19 end it that way. We should always say this is -- what  
20 we want is clean life, clean health. We don't want to  
21 be sickness on this mother earth. We don't want to be  
22 wandering out here with no arms, no legs or whatever.  
23 That's not right. The creator didn't put this mother  
24 earth like this for us to destroy. The mother earth  
25 has been put here for us to take care of. That's the



1 reason why my forefathers, everything they done they  
2 prayed to everything that they gathered on this earth,  
3 they put the seed back into it and those are the  
4 reasons why our forefather had kept it clean, they had  
5 a clean life and so forth.

6           Although we didn't have no doctors, we  
7 didn't have such thing as a miracle doctors that we got  
8 today, all these pills and whatnot. Thousands of years  
9 ago my people survived because they had a clean world  
10 to live in, clean air, clean water that they drink.  
11 Today those things are not clean at all. I wish you  
12 people would think about those things and send those  
13 chemicals, all this nuclear waste back to where they  
14 come from.

15           Right now we're looking at dollars,  
16 millions of dollars. I think this is where the dollar  
17 twisted in our minds. The dollar have twisted our  
18 minds so bad today we're just looking at that dollar in  
19 our eyes. We're not looking at our health, we're not  
20 looking at the earth, we're not looking at the --  
21 anything else but that dollar. If we can make a  
22 dollar, put few dollars into your pocket, leave here,  
23 leave the rest to us. That's not the way it should be  
24 cause it should be that we all live healthy life. It's  
25 very important for all of us.

1 I think you people today is doing  
2 something here to hear part of us. I might not make  
3 sense to you, but that's the way I look at my world.  
4 My world, my forefather's world and today it looks sad  
5 to me looking at it out there. I'm a young man yet.  
6 I'm very young to some of you people older than I am,  
7 but I don't know too much, I'm not an educated person.  
8 What I'm saying here is really something important to  
9 all of us.

10 Thank you.

11 MR. MILLS: Thank you.

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2 MR. MILLS: Is Lew Maine here? M-a-i-n-e.

3 MR. MAINE: Okay. My name is Lew Maine.

4 I did not prepare no speech. I just came down with  
5 Corbin Harney. But my viewpoint is about the same as  
6 he did. It seems like the people here are just getting  
7 greedy on everything they are getting. There's just no  
8 stop to it.

9 I feel that this here United States is a  
10 good world to live in. Why should we all here and go  
11 and destroy it. For one thing we're talking about  
12 peace there, but what I see in Yucca Mountain, to me  
13 it -- we're only gearing up for another war. Is that  
14 going to help our state? Absolutely not, it's going to  
15 destroy it.

16 Now, I don't have too much more to say  
17 than what Corbin already told you. We believe strongly  
18 in our wildlife and our game that we live on. When we  
19 go out to hunt we pray on our forefathers to give us a  
20 good hunting season. Not greed, not to go out there  
21 like the white man go and look for trophy bucks to hang  
22 on the wall. We go out there to kill meat for the  
23 table and that's the sole purpose of the Indian nation.

24 And that's all that we're in for is, you  
25 know, live equal and live a decent life, cleanly. With

1 this nuclear waste going on and all the stuff going  
2 into the ground, it's got to come out somewhere's. You  
3 cannot put something in the ground and expect it to  
4 stay down there. It's going to come up. Whatever you  
5 throw up is going to have to some day come down too.

6 And that's the way it is here and that's  
7 the way we feel about the nuclear war. If I had my  
8 say-so we'd close it down tomorrow, but I don't have a  
9 say-so, I can just say a voice in it.

10 And that's about all I got to say.

11 MR. MILLS: Thank you.

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MR. MILLS: J. R. Wilkinson.

MR. WILKINSON: Good afternoon.

My name is J. R. Wilkinson and I'm a land surveyor by trade and I have chosen Reno as my new home.

I'm no stranger to hearings held by DOE. In the past we have discussed Hanford site characterization plans, Hanford health studies, weapons production and ground water supplies and, fundamentally more important, the right of democracy to shine its light into the dark crevices of nuclear policy decision making.

Yes, we have drawn arms before where secrecy and deceit battled right-to-know, a common theme for DOE. The Atomic Energy Act lending its cloak and dagger power to a beleaguered organization, a powerful temptation for abuse when commingling civilian and military wastes. I believe in our Constitution where the rights of the individual are not to be sacrificed for a paper tiger called national security or even the excuse of lost papers.

You plead for scientific analysis of your thesis at Yucca Mountain, yet when criticized by reputable outsiders, such as the United States Geologic

1 Service and the General Accounting Office and the State  
2 of Nevada, you whip a frenzy of bureaucratic dust into  
3 the air to fool all but the uneducated. I have seen  
4 this secrecy ploy before and a new day is dawning where  
5 your precious nuclear priesthood, held aloof from  
6 recall, is questioned even in Nevada.

7 I read the draft Hanford Site  
8 Characterization Plan from cover to cover. The real  
9 issue here is not whether Yucca is the best site, but  
10 the fact that you, DOE, will make Yucca work by  
11 sacrificing independent scientific rigors just as you  
12 did at Hanford. Public acceptance and confidence in  
13 this program was lost long ago. The Nuclear Waste  
14 Policy Act needs to be revamped at square one.

15 Even you recognize the need to isolate  
16 from our biosphere this highly lethal material. And  
17 this is the real goal, safe isolation where seconds are  
18 counted as centuries. We must be absolutely sure of  
19 the direction we take. There is no room for your own  
20 version of ill-designed O-rings.

21 In addition to my complaints of poor or  
22 hidden science, the question additionally boils down to  
23 the rights of the state and individual to question the  
24 bribery-extortion technique employed by DOE to  
25 manipulate the people of Nevada into its will. DOE has

1       tried this technique elsewhere, a carrot and stick  
2       approach if you will, with varying degrees of success.  
3       Politics and expediency has divested good science.

4               As a response to this threat in 1985, 13  
5       activists from Mississippi, Texas, California,  
6       Washington State and Washington, D. C., New Mexico,  
7       Minnesota, Utah and the host state Nevada (Citizen  
8       Alert) met near Carson City to discuss the repository  
9       issue. I was there representing eastern Washington.

10              At that time we compared notes and  
11       established common themes. From this we plotted  
12       strategies and created the Statement of Principles, a  
13       document framed by unity. From that grew the National  
14       Nuclear Waste Task Force and the National Nuclear Waste  
15       Transportation Task Force.

16              All totaled now, there are approximately  
17       65,000 people represented by their organization's  
18       participation in the Statement of Principles, and I'd  
19       like to read it into the record. However, remember  
20       that this represents the issues in 1985. Ask yourself,  
21       have we moved forward with this important task  
22       scientifically and democratically with the thought of  
23       our future generation in mind?

24              I think not. The program was flawed in  
25       '85 and it is now further adulterated. Get your necks



1 out of the noose and join us in telling Energy  
2 Secretary Watkins, and Congress, that this ramrod waste  
3 program is not working. We need good independently  
4 verifiable science working towards defining the proper  
5 host rock, then find the site. Let good science and  
6 judgment precede site identification.

7 Now the Statement of Principles: Remember  
8 this is 1985.

9 "Current Department of Energy  
10 Repository Program.

11 "The United States Department  
12 of Energy repository site selection  
13 process has been and continues to be  
14 based on political considerations and  
15 expediency rather than sound  
16 technical, socioeconomic and  
17 environmental considerations.

18 "In order to expedite the  
19 program to meet arbitrary deadlines,  
20 scientific rigor and public  
21 credibility in the site selection  
22 process have been sacrificed.

23 "DOE's undue haste has  
24 resulted in the arbitrary exclusion  
25 of potentially suitable geologic



1 media from consideration and in the  
2 premature identification of nine  
3 first-repository sites.

4 "Recommendations.

5 "1. Dates in the Nuclear  
6 Waste Policy Act should be viewed as  
7 flexible, not as hard and fast  
8 deadlines to be met at the expense of  
9 public health and a technically  
10 defensible repository site selection  
11 program.

12 "2. We oppose any move by DOE  
13 to amend its contracts with the  
14 nuclear utilities in order to  
15 obligate the federal government to  
16 meet the 1998 deadline for waste  
17 acceptance.

18 "3. In order to ensure an  
19 equitable site selection process that  
20 is politically and scientifically  
21 credible, no site selection should  
22 occur until the federal government  
23 has first undertaken a nationwide  
24 screening of all suitable geologic  
25 media. Furthermore, site screening

1 should be based on objective and  
2 technically conservative site  
3 selection guidelines. Until this  
4 occurs there is no rational basis for  
5 the identification of the best  
6 possible sites.

7 "The investigation of sites  
8 currently under consideration and the  
9 environmental assessment process as  
10 it applies to those nine sites should  
11 be suspended immediately.

12 "Category II. Waste Storage and  
13 Transportation.

14 "We oppose federal centralized  
15 storage of nuclear waste in monitored  
16 retrievable storage facilities. We  
17 support on-site dry cask storage of  
18 waste at the source of generation in  
19 order to allow adequate time for the  
20 development of safe nuclear waste  
21 disposal facilities, eliminate  
22 unnecessary shipments of waste across  
23 our nation's highways and railways  
24 and eliminate the risks posed by the  
25 siting of additional federal interim

1 storage facilities.

2 "Because of the potential for  
3 catastrophic accidents posed by waste  
4 transportation, we support federal  
5 legislation such as that introduced  
6 by Senator Hart (s.1162) which is  
7 intended to provide states with the  
8 financial and technical assistance  
9 needed to protect public health and  
10 the environment in the event of  
11 transportation accidents. We support  
12 Congressional initiatives which would  
13 force DOE to fully consider and  
14 mitigate transportation effects on  
15 corridor states.

16 "Price-Anderson Act.

17 "We oppose the limits on  
18 liability for damages caused by  
19 nuclear accidents established in  
20 Price-Anderson.

21 "We support unlimited  
22 liability coverage for the costs of  
23 damages resulting from military and  
24 civilian nuclear programs, including  
25 all aspects of nuclear waste

1 management such as site  
2 characterization, transportation,  
3 repository operation and  
4 decommissioning.

5 "If an accident is caused by  
6 contractor negligence, the federal  
7 government should compensate all  
8 losses and then seek full recovery  
9 from the contractor in order to help  
10 assure high-quality, high-integrity  
11 work.

12 "Preliminary Determination of Site  
13 Suitability.

14 "We oppose DOE's premature  
15 determination that sites are suitable  
16 for repository development. Without  
17 the benefit of detailed information  
18 about site characteristics, DOE has  
19 no adequate basis for making such a  
20 determination.

21 "In order to comply with the  
22 Nuclear Waste Policy Act and reduce  
23 the risk that technically inadequate  
24 sites will be chosen for repository  
25 development, a preliminary



1 determination of suitability should  
2 not be made until after site  
3 characterization.

4 "Health studies.

5 "We oppose DOE control of  
6 radiological health studies. DOE has  
7 an abysmal record both in studying  
8 the effects of radiation on human  
9 health, in handling nuclear  
10 materials, as well as an inherent  
11 conflict of interest due to its  
12 conflicting mandate to both promote  
13 nuclear development and promote -- or  
14 protect public health.

15 "We support legislative  
16 efforts which would transfer  
17 authority for radiation health  
18 studies and research from DOE to the  
19 U.S. Department of Health and Human  
20 Services."

21 Down below here, I'll skip a few sections,  
22 but I'd like to read the independent peer review.

23 "We oppose the obstruction of  
24 independent State and Indian tribe  
25 review of the nuclear waste program

1 and their ability to conduct  
2 confirmatory research as illustrated  
3 most clearly by DOE's refusal to fund  
4 Nevada's geologic testing program.

5 "And we support federal  
6 funding for independent peer review  
7 of the entire nuclear waste program  
8 open to full participation by all  
9 affected and interested parties."

10 There's quite a bit more here left in this  
11 document so I'll go ahead and have that into the  
12 record, but the problem was in '85 recognized that the  
13 program was flawed and you just need to go back to base  
14 one. You haven't started out with the identification  
15 of what we're looking for and then look for it, you've  
16 started out with either Hanford, Deaf Smith or Yucca  
17 Mountain saying "We're going to make this baby fit."  
18 That's wrong, it's bad science.

19 MR. MILLS: Thank you.

20 Ladies and gentlemen, we have been going  
21 now about an hour-and-a-half. In order to give us a  
22 break, particularly our faithfull court reporter, we  
23 will break for the next ten minutes and reconvene at  
24 approximately 3:30. Thank you.

25 (A recess was taken.)

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2 MR. MILLS: Craig Johnson.

3 Keith Burgstrom, B-u-r-g-s-t-r-o-m.

4 Is Dianna Filkins here?

5 Please come forward. And if the rest of  
6 us could take our seats we'll begin the meeting.

7 MS. FILKIN: My name is Dianna Filkin and  
8 I live in Douglas County and I appear here today simply  
9 as a concerned citizen.

10 I have been reading all of this  
11 information that the Department of Energy has been  
12 sending me. I'm appreciative that our government makes  
13 so much information part of the public domain. It's a  
14 marvelous system that we have.

15 However, like several other people I have  
16 chosen to focus on the problem of transportation as  
17 something that I see as most difficult to deal with.  
18 Probably that's because I'm not a technical person and  
19 I don't understand all of the involvements of going  
20 underground. So I'm most interested in finding out --  
21 I brought with me the document that has been sent to us  
22 regarding the General Accounting Office Nuclear Waste  
23 Fourth Annual Report, which I'm sure you have all read  
24 exhaustively, and it seems to me that we are -- have  
25 identified dry cask storage as a simpler technology to

1 use, and the Nuclear Regulatory Commission is making  
2 statements that this is a far more convenient way of  
3 storing material for a short period of time or at least  
4 the length that -- the time that the plant is in  
5 existence and possibly 30 years thereafter.

6 And consequently it seems to me, I would  
7 like to go on public record indicating that I am not in  
8 favor of transporting any nuclear, high-level nuclear  
9 waste across the United States until it has been proven  
10 that there is absolutely no other way of doing that,  
11 and I would appreciate an informal response knowing  
12 what the Department of Energy is doing to find other  
13 viable alternatives of storing the product at the site  
14 of manufacture and never having to deal with a  
15 repository and transportation to a repository, and I  
16 would like exhaustive information on what the  
17 alternatives are that are being entertained.

18 Thank you very much.

19 MR. MILLS: Thank you.

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MR. MILLS: Is Karl Beahm here?

MR. BEAHM: Afternoon folks.

I would like to open my statement by going on public record as opposing the proposed nuclear waste dump in Yucca Mountain, Nevada.

The Yucca Mountain area is unstable without the problem of the neighboring test site exacerbating the possibility of an earthquake disrupting the storage. An area with 32 faults and eight major earthquakes since 1857 seems like a foolish place to store waste lasting 10,000 years.

As a Nevadan growing up in Las Vegas I'm well aware of the bomb testing situation at the Nevada Test Site and the DOE's dubious record concerning nuclear problems and information to the public.

With blasts up to 150 kilotons registering up to 5.5 on the Richter scale less than 30 miles away, your own geologists say a valid seismic study of the future of the mountain may be invalid.

Into this area you want to mine 112 miles of tunnels in an already unstable mountain. The idea just does not make sense to me.

A typical 20 to 150 kiloton blast such as the Inga blast of a few weeks ago was cause for a

1 high-rise warning in Las Vegas 85 miles away and was  
2 responsible for considerable ground motion. Miners are  
3 also cautioned to leave their mine shafts during these  
4 blasts. There have been occurrences such as the  
5 collapse of 9,000 feet of desert floor in 1984  
6 following a nuclear blast.

7 Growing up in Las Vegas I have felt the  
8 ground motion from these blasts, and that's 85 miles  
9 away. The current testing is within 30 miles of the  
10 proposed site and I understand that future testing will  
11 take place to the northwest and western edge of the  
12 test site bringing these blasts, these man-made  
13 earthquakes even closer to Yucca Mountain.

14 It's the most important environmental  
15 decision in history and we cannot afford a mistake.

16 As David Clayton Thomas sang:

17 "And when I die

18 "And when I'm gone

19 "There'll be one child born, in this world

20 "To carry on, to carry on."

21 And it's that child and a hundred  
22 generations to follow to which we have an ultimate  
23 responsibility to not make a mistake.

24 It's my belief the nuclear waste dump at  
25 Yucca Mountain would be a tragic mistake.

1 Thank you.

2 MR. MILLS: Thank you.

3 Mr. Beahm, as we mentioned before, if you  
4 have notes or anything written, if we could have a copy  
5 of it to give it to the court reporter. If you want to  
6 keep it, we have a copy machine outside to make you a  
7 copy, but we would like that to be attached to the  
8 minutes of today's meeting, if you could bring them  
9 over to her.

10 MR. BEAHM: I'd like to make a copy first.

11 MR. MILLS: Thank you. It's right  
12 outside.

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2 MR. MILLS: Is Mr. Pete Anderson present?

3 MR. ANDERSON: Yes.

4 MR. MILLS: Thank you.

5 MR. ANDERSON: Good afternoon.

6 My name is Pete Anderson and I'm a  
7 national resource consultant and a licensed landscape  
8 contractor in the State of Nevada.

9 Having lived in Nevada for 19 years I have  
10 come to respect the many people and wealth of natural  
11 resources this state possesses. I am deeply concerned  
12 with the past events that have led us to this hearing  
13 today regarding DOE Site Characterization Plan.

14 DOE's disregard for state, federal and  
15 local land use planning laws and principles, the  
16 National Environmental Policy Act and plain old common  
17 sense continues to occur.

18 Holding only three public hearings on the  
19 Site Characterization Plan virtually eliminates the  
20 opportunity for public comment from Nevada's rural  
21 county residents. This is a travesty of our basic  
22 constitutional rights as citizens of this country.

23 Associated impacts of site  
24 characterization and the proposed repository affect the  
25 entire State of Nevada and its residents. Give



1 Nevadans a fair opportunity to be heard.

2           The usurping of the National Environmental  
3 Policy Act by Congress and to the benefit of DOE and  
4 the nuclear power industry is unforgivable. Without an  
5 adequate and comprehensive alternative site analysis,  
6 this Site Characterization Plan is totally inadequate.  
7 Every major project proposed for federal land, from  
8 mining to livestock grazing, follows the need for  
9 process as dictated by federal law. Why not DOE?

10           I have many concerns regarding the Site  
11 Characterization Plan, but I would like to address  
12 those most critical to me at this time.

13           Transportation.

14           The total avoidance of waste  
15 transportation issues and analysis within the Site  
16 Characterization Plan is not only unscientific and  
17 totally unprofessional, it borders on the ludicrous.  
18 DOE continues to maintain that waste transportation  
19 does not affect the siting of the repository or its  
20 final location.

21           How can a highly scientific trained agency  
22 make such statements? Pure common sense, not to  
23 mention the multitude of hazards associated with moving  
24 thousands of metric tons of high-level nuclear waste  
25 across the country must be considered in site

1       characterization activities.

2               To perpetuate the fallacy that waste  
3       transportation does not affect repository siting  
4       analysis is a travesty of uncomparable dimensions.  
5       Site characterization must include transportation  
6       issues and analysis.

7               Environmental impact analysis.

8               As a companion document to the Site  
9       Characterization Plan, the DOE has also released the  
10      Environmental Monitoring and Mitigation Plan for site  
11      characterization. This plan is grossly inadequate both  
12      in scope and concept. The EMMP fails to define the  
13      threshold for impact analysis regarding an initiating  
14      condition and a priority condition.

15              Specific initiating conditions listed  
16      under the broad category of terrestrial ecosystems are  
17      strictly limited in the EMMP to solely include the  
18      presence of desert tortoise or active kit fox dens.  
19      This narrow scope of the EMMP unnecessarily limits  
20      opportunities to avoid or minimize adverse impacts on  
21      other affected resources such as vegetation, wildlife  
22      habitat, soils, aesthetics, recreation, cultural  
23      resources and so forth.

24              If it is indeed DOE's goal to minimize  
25      adverse environmental impacts on affected resources

1 during site characterization as stated in the Site  
2 Characterization Plan, then there is no reason for the  
3 EMMP to be limited to only those impacts that have been  
4 identified in the EA as possibly being significant.

5 Because of this obvious major inadequacy,  
6 the EMMP and the S -- or the Site Characterization Plan  
7 need to be greatly expanded to incorporate all the  
8 resources of the Yucca Mountain site for purposes of  
9 developing a comprehensive environmental management  
10 program. Such a program must utilize a holistic  
11 approach where all resources are considered to avoid  
12 bias.

13 As an example, selection of disturbance  
14 areas just based on the perspective of site reclamation  
15 planning may very well bias the location of these  
16 disturbances into desert tortoise habitat. Without a  
17 comprehensive environmental management program, site  
18 characterization should not proceed.

19 Reclamation.

20 As directed by the Nuclear Waste Policy  
21 Act and as established in the DOE Mission Plan in 1987,  
22 the overall DOE objective for decontamination,  
23 decommissioning and mitigation activities is to return  
24 areas disturbed by site characterization activities to  
25 their original condition to the maximum extent



1 practical.

2 To meet these objectives, DOE states in  
3 the Site Characterization Plan that impacts would be  
4 minimized or avoided by the adoption of standard  
5 operating procedures and good engineering practices.  
6 The Site Characterization Plan further stipulates that  
7 a Reclamation Program Plan, a Reclamation  
8 Implementation Plan and a Reclamation Feasibility Plan  
9 would be prepared.

10 To date none of these plans have yet to be  
11 released. The brief general engineering practices  
12 referred to the -- referred to in the Site  
13 Characterization Plan that might be utilized in  
14 post-disturbance reclamation lacks sufficient  
15 information to base a determination that DOE's  
16 environmental program will meet the objectives of the  
17 Nuclear Waste Policy Act.

18 For example, both the Site  
19 Characterization Plan and the 1986 EA assume that  
20 successful reclamation can be widely implemented on  
21 disturbed lands within the project site. This  
22 assumption is a fundamental basis for DOE concluding  
23 that no significant adverse environmental impacts will  
24 result from site characterization activities.

25 The fact is that threshold parameters for



1 successful reclamation have yet to be defined. By  
2 citing the need for a Reclamation Feasibility Plan in  
3 the Site Characterization Plan, the DOE has  
4 inadvertently admitted that proven technology is not  
5 currently available to guarantee successful reclamation  
6 of disturbed lands within the Yucca Mountain site.

7 At this time no studies have been  
8 conducted to test reclamation materials or practices to  
9 the site-specific conditions found at Yucca Mountain.  
10 Without this critical data and information, site  
11 characterization activities should not be allowed to  
12 proceed.

13 Thank you.

14 MR. MILLS: Thank you.

15 Sir, could we have --

16 MR. ANDERSON: Yes, I'll run a copy for  
17 you.

18 MR. MILLS: Very good. Thank you.

19 Let me take a minute because I know some  
20 of you have come in after we started. You have ten  
21 minutes to speak if you have signed up to talk. And if  
22 anyone wishes to, the sign-up list is outside.

23 At the end of eight minutes I'll hold up  
24 the two fingers indicating that's how much time you  
25 have left. At the end of ten minutes, then I'll put up

1 the closed hand indicating that your time is up.

2 As we have asked several, if you have  
3 documents we would like to make those a copy of the  
4 record, and as we have indicated we have a copy machine  
5 outside if you want to keep your own copy for your own  
6 personal use.

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2 MR. MILLS: With that I'd ask if Judy Cook  
3 is present.

4 MS. COOK: She is.

5 MR. MILLS: Thank you.

6 MS. COOK: For the record, my name is Judy  
7 Cook and I live in Douglas County.

8 First, I'd like to thank the  
9 representatives of the Department of Energy here today  
10 for allowing me to state my concerns as they relate to  
11 the Site Characterization Plan for Yucca Mountain.

12 Like many others here today my concern is  
13 transportation. My intent is to impress upon you the  
14 need to broaden this plan to include a study of the  
15 transportation risks involved.

16 The plan as it stands now is incomplete  
17 because it doesn't include a study of transportation.  
18 By virtue of the fact that the Yucca Mountain site is  
19 several thousand miles from most of the points of  
20 origin of the waste which would be stored there, the  
21 transportation issue is a vital concern at this stage  
22 of site evaluation and not something which can be  
23 postponed.

24 There are two primary concerns regarding  
25 transportation which should be evaluated at this point

1 in time. The first and most compelling of which is the  
2 probability of accidents.

3 It's estimated that some 28,000 truck and  
4 10,000 rail shipments would transport the deadliest  
5 waste ever produced by man to this site. Most of the  
6 waste will originate in the East, traveling thousands  
7 of miles across the country.

8 Given the standard truck accident rate of  
9 four-and-a-half accidents for every million miles  
10 traveled, 50 accidents per year may occur, some of  
11 which will unquestionably be severe resulting in the  
12 release of high levels of radiation. If just one  
13 percent of the contents of one shipping container was  
14 released in such an accident, a 40 square mile area  
15 would be contaminated. If such an accident were to  
16 occur in a densely populated area, thousands of cancer  
17 deaths would result.

18 By virtue of the fact that Yucca Mountain  
19 is a tremendous distance from the waste which would be  
20 stored there, an intensive study of the probability of  
21 accidents is a necessary part of a broadend plan for  
22 site evaluation.

23 The second matter involving transportation  
24 which should be evaluated now is the logistical  
25 concerns in hauling the waste. Only five states will



1 not be affected by waste transportation if the Yucca  
2 Mountain site is selected.

3 It's inevitable that with the various  
4 federal agencies, those of 45 different states and  
5 countless local authorities being involved, a  
6 bureaucratic nightmare will take place in choosing the  
7 routes taken, determining the times of day traveled  
8 through each locality and registration and permitting  
9 of each shipment. What's of even greater concern is  
10 the likelihood of error and confusion in responding to  
11 accidents.

12 Considering the involvement of so many  
13 different agencies in transportation of this waste and  
14 the site's western location, logistical concerns are  
15 paramount and another important part of a broadend  
16 study of the site.

17 The Site Characterization Plan as it  
18 stands now completely overlooks the transportation  
19 issue. I think it's vital that the transportation  
20 risks be studied at this stage of site evaluation  
21 because the issue is intrinsic to site location. Let's  
22 face it, if the site being studied was in New Jersey a  
23 study of transportation may not be relevant at this  
24 stage of evaluation, but in this case it is. The  
25 distance involved is a part of the site itself.

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Thank you.

MR. MILLS: Thank you.

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MR. MILLS: Is Eric Davis present?

MR. DAVIS: I am.

MR. MILLS: Please come forward, sir.

MR. DAVIS: My name is Eric Davis. I have a speech impediment so I appreciate your patience on that. I don't want your patience on anything else I will say.

The Atomic Energy Commission and you people have handled the whole thing wrong. Savanna was screwed up. Oak Ridge was screwed up because I was there. I know Oak Ridge was screwed up. TVA was screwed up. Then we go to Clinton, Illinois, that was screwed up. Then Bikini where they blew the house off the (unintelligible) and the wind shifted.

Then there was always Plowshare. That was a nice one. Idaho Falls in 1960, a reactor blew up and killed three technicians and they had to bury them in lead-lined coffins. And I can argument that if you want because the AEC has always said that not a single person has ever had a fatal accident.

Then there's also Three Mile, of course, and then Quomo purchased a reactor for a dollar so he could lock it up. Now that brings us into the '80s. Then there's Rocky Flats, that's screwed up. There's

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1 Hanford, that's screwed up. There's Diablo was screwed  
2 up, Rancho Seco is screwed up and now we just find out  
3 that our fine California university, UDC, has hid  
4 information on their own screw-ups at Lawrence  
5 Livermore. We just found that out last week.

6 Now, you people are coming to us and  
7 saying "Nevermind this track record. We're going to do  
8 this one right," aren't you? And that doesn't make any  
9 sense. You didn't do any of these right and it makes  
10 me suspicious that you are -- Do you realize how  
11 dangerous nuclear energy is? Do you have any idea? I  
12 don't think so.

13 I thought last night how I was going to  
14 present this and I recall that when I was in high  
15 school and college I worked my way through school as a  
16 florist. I thought that the proper analogy, I just  
17 flashed on it, for you people is that you're handling  
18 nuclear power as if you are wholesale growers of  
19 azaleas in greenhouses. That's how you are handling  
20 it. And it's not azaleas and you think it is.  
21 Seriously.

22 So the only answer there is is to have  
23 you, I don't know, have you realize that how much  
24 plutonium can destroy human being, have you go to  
25 Hanford. Have you gone to Yucca? Any of you?



1 MR. GERTZ: Sure.

2 MR. DAVIS: You have. Have you, Mr.  
3 Mills?

4 MR. MILLS: Sir, we're not here to  
5 respond. I'm the moderator. I am not with the  
6 Department of Energy. I'm an independent attorney. My  
7 purpose is merely to conduct the proceedings.

8 MR. DAVIS: Who's paying your bill?

9 MR. MILLS: The government pays me simply  
10 to make sure that this is fair and impartial and  
11 everyone has an opportunity to speak. I have no  
12 position as to what you are stating.

13 MR. DAVIS: All right. So you are  
14 supposedly impartial.

15 So have any of you ever driven out to  
16 Austin? Either of you?

17 MR. MILLS: Sir, let me go over the format  
18 again. This -- The purpose is not for us to respond to  
19 questions as we mentioned at the first, and probably I  
20 should have mentioned that again for those who came in.

21 MR. DAVIS: All right, and I'll just close  
22 with this:

23 Everyone you have hired is incompetent,  
24 all right, and as long as the people you have hired are  
25 incompetent that means you are incompetent. And if you

1 don't understand the breadth of nuclear energy you  
2 ought to be fired and, and let me see -- I had, I had  
3 to look up in my old college psych book IQ and I call  
4 it nuclear IQ, all right. And it's profound, severe,  
5 moderate or mild.

6 And at first I thought you were severe as  
7 an IQ between 20 and 35 because you don't understand  
8 the problem. And then I went to a friend and he said,  
9 "No, they're moderate IQ," between 36 and 52 and I'll  
10 read you that definition:

11 "Capable of maintaining  
12 himself in unskilled or semiskilled  
13 occupations. Needs supervision or  
14 guidance when under mild, social or  
15 economic stress.

16 Now, that's where I think your whole  
17 agency is on nuclear energy.

18 MR. MILLS: Thank you.

19 Again for the benefit of any of you who  
20 may have come in after the initial introduction, the  
21 purpose of the panel members to my right is to glean  
22 information from you. They're not here to respond to  
23 questions, they're not here to argue with anyone.

24 The only questions that may be asked is  
25 they may ask a question of a specific speaker about a

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1 specific piece of information in order to determine the  
2 source of that to help in their evaluation of the site.

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2 MR. MILLS: With that our next speaker is  
3 Janet Gilbert.

4 MS. GILBERT: My name is Jan Gilbert and I  
5 will be very brief in my concerns about the suitability  
6 of the Yucca Mountain as a site for a high-level  
7 nuclear waste repository. I hope you will be able to  
8 put in people who just come and aren't able to sign up  
9 beforehand.

10 First, how can this site be selected when  
11 it has been proven that there are geological  
12 faults in this area? Any chance of an earthquake  
13 should be enough of a deterrent to cancel Yucca  
14 Mountain as the only site being considered. Also the  
15 below-ground tests nearby at the test site should be a  
16 major consideration of the earth's movement.

17 Another concern I have is the unnecessary  
18 transportation of nuclear waste through 45 states of  
19 our United States. The aspect of a majority of the  
20 waste being produced in the eastern part of the United  
21 States should determine a closer repository in the  
22 East. Why are we jeopardizing these 45 states?

23 Political power should not be a  
24 determining factor for where the waste is dumped. We  
25 may be a small state in population, but that does not



1 mean that our safety, health and environment should be  
2 endangered because of our lack of political clout.

3 Finally, I would like to know why this  
4 hearing is being held in a place that is difficult for  
5 people to get to, to park, away from the living center  
6 of Reno, Nevada, and I hope next time some  
7 consideration would be taken to this issue.

8 Thank you.

9 MR. MILLS: Thank you.

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MR. MILLS: Is James Mathis present?

Please come forward, sir.

MR. MATHIS: Hello, my name is James Mathis. I'm a -- I have my MS in mining engineering from the University of Nevada-Reno. I have a Ph.D. in rock mechanics from the University of Lulea, Sweden. As such I feel that I'm qualified to comment on the technical grounds for the repository.

The first thing I'd like to issue is rebuttal for the -- of the statement that the one proponent of the nuclear repository had during these talks today. He said that the Swedish government issued a statement that nuclear energy, the storage of nuclear waste in underground repositories was totally safe.

Because I have worked on some of the repositories over there. I can say this is definitely not true. The silo in the Forschmark repository, which is to contain low- and medium-level nuclear waste, has still not been approved by SKE or SKE, the Swedish -- the equivalent of the NRC in the U.S.

It appears that SKB or the equivalent of the DOE has come forward with the statement that nuclear storage -- nuclear waste storage underground is

1 safe. Most of the citizens in Sweden do not want to  
2 store nuclear waste underground.

3 Now, to go forward with the rest of my  
4 statement. One of the few -- This is one of the few,  
5 if not the only nation that I know of that is going --  
6 that is studying the storage of nuclear waste in  
7 extrusive volcanic rocks. The region in question,  
8 which is Yucca Mountain, is both seismically and  
9 volcanically active, both in a geological and relative  
10 sense.

11 Canada, which is our neighbor to the north  
12 and in my opinion is slightly more advanced in the  
13 field of rock mechanics, is studying storage in  
14 intrusive rocks in the Canadian shield. These rocks  
15 are approximately 2.6 billion years old. Yucca  
16 Mountain on the other hand is in rocks which are  
17 approximately, in my estimation, around 25 million  
18 years. That's 1/100 of the age of the Canadian shield.  
19 Why are we putting something in rocks that are so young  
20 on the geological time scale?

21 I have a couple of rhetorical questions  
22 here, apparently, since there will be nothing answered  
23 from this panel.

24 In terms of the proposed repository of  
25 Yucca Mountain, storage is to be in the unsaturated

1 zone. Now, if the unsaturated zone is a zone which is  
2 not totally saturated by water, hydrology knows very  
3 little about flow in an unsaturated zone. We cannot  
4 even make predictions about flow in a saturated zone  
5 which are valid over long time periods. How can we  
6 make flow in an unsaturated zone over a period of  
7 10,000 years?

8 Question number two: Ground water flow as  
9 far as I know is assumed to be matrix flow. This is  
10 flow through the intact rock. I, in my experience,  
11 have never seen flow through intact rock, at least not  
12 on a large scale. Even observers from down there at  
13 Yucca Mountain have seen water flowing over the  
14 surface, over the rock in sheets during a cloud burst  
15 and running down discontinuities or joints. This  
16 contradicts the study which says it is matrix flow.

17 It is most likely then through the ground  
18 flow, water flow is going to be through fractures.  
19 That takes me to number three. If flow is through  
20 naturally occurring fractures, which even if it is not  
21 in the unsaturated zone will be in the surrounding host  
22 rocks, how would you predict flow in a fractured media?

23 Because I have my Ph.D. in rock mechanics  
24 and my dissertation was based on a three-dimensional  
25 model for rock discontinuities. I can state that we do



1 not know enough about three-dimensional flow or rock  
2 networks, fracture networks in order to state what the  
3 flow will be around that repository, especially if the  
4 ground flow regime changes within the next few years or  
5 in the next 10,000 years.

6 Rock mechanics or the field of science  
7 which I am most familiar with is yet -- is in its  
8 infancy. We're dealing with a science that can't  
9 predict a simple rock burst or instantaneous explosion  
10 or disintegration of rock underground due to  
11 overstressing. Nor can we predict if a specific block  
12 of rock is going to fail, whether it be in a pit wall  
13 or underground.

14 If that rock fails, we don't know what day  
15 it's going to fail or how it will fail. How then can  
16 we predict, if we cannot predict from one day to the  
17 next, if a simple rock block will fail? How can we  
18 predict what will happen in a nuclear repository 10,000  
19 years from now? This is 47 times longer than the USA  
20 has been a country.

21 People have buried toxic waste before.  
22 Take a look at Love -- the Love Canal. They have also  
23 done a lot of stuff which is politically expedient. We  
24 only have to go to Nazi Germany to look at the  
25 Holocaust for that.

1                   The site selection in my opinion as a  
2                   scientist is a farce at Yucca Mountain.  If the  
3                   politicians and scientists and engineers desire to bury  
4                   nuclear waste, let it be in their own backyards where  
5                   it is produced.  If the process is as safe as they say,  
6                   in their own opinions, they will certainly not complain  
7                   nor should the generations that follow them.

8                   Thank you.

9                   MR. MILLS:  Thank you.

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2 MR. MILLS: Is Sheila Leslie present?

3 MS. LESLIE: Good afternoon.

4 I'm Sheila Leslie. I barely got here in  
5 time because I had to take time off work to come down  
6 here.

7 I applaud your efforts to finally hold  
8 some public hearings about this issue in our state and  
9 I'm glad you are holding them tonight. Next time I  
10 hope you get a place that has more parking and is  
11 easier for those of us with children to get here, but  
12 it's great that you are here.

13 I've lived in Nevada 12 years. My  
14 daughter is a sixth-generation Nevadan. I also happen  
15 to be the director of a children's advocacy  
16 organization here in town, but I want to make it clear  
17 I'm here today on my own behalf and my daughter's  
18 behalf and certainly -- I didn't know she was here.  
19 This is Emma -- and certainly all the other members of  
20 my family who live here in Nevada.

21 Today I want to focus mostly on the  
22 transportation issue.

23 She grew up on the campaign trail. She's  
24 used to this stuff. You can go sit down.

25 The monumental task of site

1 characterization has apparently left DOE little time to  
2 consider how to bring 70,000 metric tons of waste from  
3 eastern nuclear power plants to Nevada. The choice  
4 between rail or road transportation has not been made  
5 and estimates of the number of shipments of either mode  
6 fluctuate.

7 DOE will be unable to acquire  
8 rights-of-way let alone designate a preferred route for  
9 the rail access spur prior to the publication of the  
10 draft EIS statement scheduled for 1993. In fact, while  
11 DOE assumes it will be ready to accept waste at Yucca  
12 Mountain by 2003, acquiring rail access could take  
13 between 12 to 20 years.

14 DOE's lack of attention to the  
15 transportation issue belies the fact that it is the  
16 weakest link in the chain of events leading to waste  
17 disposal at Yucca Mountain. The half-ton fuel  
18 assemblies contain ten times the amount of long-lived  
19 radioactive materials as the Hiroshima bomb and 140,000  
20 fuel assemblies will be moved to Yucca Mountain.

21 DOE proudly points to its track record of  
22 no radioactive releases and accidents involving the  
23 transportation of high-level nuclear waste. Whether  
24 this is due to luck or careful precautions is  
25 debatable. But the fact is, there has never been



1 large-scale transportation of high-level waste. The  
2 majority of radioactive shipments that have taken place  
3 consist of materials from hospitals, universities and  
4 industrial sources.

5           During the 14-year period there were over  
6 6,000 accidents, over 60 of which released  
7 radioactivity. This corresponds to the standard rate  
8 for heavy interstate trucks or about 4.5 per million  
9 miles traveled. Assuming 70,000 metric tons of  
10 high-level waste were moved by truck, at the standard  
11 accident rate there would be 1500 accidents over a  
12 30-year period or 50 per year. The number of severe  
13 accidents or those involving fatalities and/or the  
14 release of radioactivity would be three per year.

15           Because most of the highway miles are in  
16 Nevada, most of the accidents would be in Nevada. DOE  
17 and its supporters say the cask will be virtually  
18 indestructible. Of the 11 casks in use for high-level  
19 waste transportation today, all 11 have had to be  
20 recalled for defects.

21           The Nuclear Regulatory Commission  
22 originally wanted all high-level waste shipments  
23 escorted by security vehicles predicting the threat of  
24 terrorists threatening to hijack a truck into a river  
25 or drinking water source. But that recommendation was

1 shelved in light of the excessive labor and money  
2 required for its implementation.

3           Knowing the casks were not safe hasn't  
4 stopped DOE from using them in the past. A September  
5 1988 GAO report found that DOE sent at least 13  
6 shipments of highly radioactive materials across the  
7 country using a shipping container that it had been  
8 warned might not survive an accident.

9           The definitive health effects study by the  
10 federal government state that thousands of latent  
11 cancer fatalities could result if only one percent of  
12 the contents of spent fuel casks were to be released in  
13 a respirable form in a densely populated area.

14           DOE waste project representatives have  
15 stated in public meetings in Nevada that the chances of  
16 that kind of an accident are "extremely remote just as  
17 the chances of getting hit by a meteorite are extremely  
18 remote." This kind of placating to our citizens will  
19 no longer do.

20           And aside from this prepared statement I  
21 want to say that we have to use a common-sense  
22 approach. Just like the gentleman before said, if it's  
23 so safe why aren't they keeping it back in the East.  
24 Let's get real about the political realities here and  
25 the fact that Nevada has hardly any population and is

1 politically weak should not mean that we need to bring  
2 this stuff to Nevada.

3 It's the same as the argument of sending  
4 it to Long Beach and shipping it off to the Marshall  
5 Islands. It's absurd. Anybody with some common sense  
6 can see that this is not a solution to this problem.

7 And finally, my last comment would be that  
8 the people of the state love the State. It isn't a  
9 wasteland and we want to preserve our state.

10 Thank you.

11 MR. MILLS: Thank you.

12 Ma'am? Sheila, could we have you give a  
13 copy of that prepared statement to the court reporter?

14 MS. LESLIE: I will.

15 MR. MILLS: Thank you very much.

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MR. MILLS: Is Ed Cowan present?

Thank you?

MR. COWAN: Hi. My name is Ed Cowan.

At this moment America has four nuclear wars waiting to happen. That is, the high-level nuclear waste at each of our four reprocessing plants, West Valley, New York; Savannah River, Georgia; Idaho Falls, Idaho and Hanford, Washington each is the equivalent of a decent-sized nuclear war. Listen to Amery and Hunter Lubbins on the subject "In Brittle Power."

The inventories of long-lived isotopes at several of these sites, including West Valley (upwind of most of the cities in the Northeast), are measured in billions of curies, the largest concentrations of radioactivity on earth. Dispersing a substantial fraction of such an inventory could make an area the size of Europe or the United States uninhabitable for centuries.

And this isn't hokum by one writer. "Forever More," "Too Hot to Handle," and other sources support this statement. What Lubbins is saying here, make no mistake, is the terrorists using a rented Cessna and a stolen Honest John of 20 kilotons could



1 leave most of America uninhabitable by dropping the  
2 bottom bomb while a major winter storm were passing  
3 through Hanford or Idaho Falls, Idaho, as a couple of  
4 winter storms this winter passed through the northwest  
5 quadrant and on across the rest of the U.S.

6 And my fellow Americans, to allow these  
7 nuclear cesspools to just sit there, sitting ducks for  
8 nuclear terrorists, that's extremely stupid. But now  
9 the Department of Energy wants to take those four  
10 nuclear wars waiting to happen and put them in one  
11 location in the western U.S. The Department of Energy  
12 wants to create a supernuclear war at Yucca Mountain.  
13 So the terrorists can trigger a supernuclear war to  
14 spread across our continent and the world.

15 How could they do so, you might ask?

16 Well, if they have several fission weapons they can  
17 mortar the men, and incidentally there's 50,000 around  
18 the world to steel them from, several locations around  
19 the world. They could literally dig a hole with, say,  
20 three Hiroshima-size nuclear weapons or they could  
21 steal the fusion weapon, an H-bomb, if they could, and  
22 simply drop it from an airplane and let it rip at  
23 ground zero. But that's the hard way. Why not do it  
24 the easy way?

25 Terrorists with a nuclear weapon and a

1 timer need only place the weapon in a 55-gallon drum  
2 and place it with hundreds of thousands of other such  
3 drums at various locations around America. That's the  
4 easy way because we deliver it for them as we bring all  
5 those wastes that exist at other locations to one  
6 location.

7 Okay, so much for the problem. What do I  
8 propose as an alternative? First, that we recognize  
9 that the problem belongs to all of us. And because the  
10 problem belongs to all of us, all of us should share  
11 the responsibility. So I would like to see the waste  
12 go underground, that's for sure, but in a dozen  
13 locations spread around America for two reasons: By  
14 sharing the problem regionally, we are more inclined to  
15 make it politically viable at a given location and we  
16 disperse the damage should the material ever be  
17 dispersed by whatever means.

18 So I suggest renovated mines 2,000 or more  
19 feet underground. They should be equipped and manned  
20 so as to continuously monitor the waste and always  
21 should be a retrieval. And obviously we must  
22 henceforth place a premium on safety, carefully  
23 screening all material going into such underground  
24 safes, and that's what they are of course.

25 The waste exists. I say it is time to

1 talk about safely and seriously managing nuclear wars  
2 waiting to happen.

3                   And I've got copies of the Lubbin  
4 statement, and I'm sorry to be so emotional, but it's  
5 just crazy, it's stupid to leave them where they are  
6 now, even more stupid to put them where terrorists  
7 could literally have a supernuclear war to spread  
8 around the world. That's insane, that's crazy. As she  
9 said, none of this makes any sense. It all violates  
10 common sense.

11                   MR. MILLS: All right thank you.

12                   MR. COWAN: Thank you.

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MR. MILLS: Is Peter Mastin present?

MR. MASTIN: My name is Pete Mastin. I'm a registered professional engineer in the State of Nevada. I appreciate the opportunity to speak here and express my concerns over the Site Characterization Plan.

First I'd like to say, as a Nevadan I'm going on record as opposing the repository at Yucca Mountain. I also oppose the strategy of geologic burial of commercial, high-level nuclear waste.

Before hitting the plan itself I'd like to talk about some of the topics, some of the other topics that are pertinent to the issue.

The selection of Yucca Mountain as the only site to be characterized for the repository was a political, not technical decision designed to hide the high-level waste problem by burying it in the State of Nevada, a state which does not produce commercial radioactive waste, and on land which rightfully belongs to the Western Shoshone Indians.

I'd like to talk about deep geologic disposal. I don't think it's an appropriate solution to high-level waste management. In 1984 the NRC in the waste confidence rule-making concluded that there are



1 no impediments to the use of dry storage technology at  
2 nuclear plant sites and that utilities can safely store  
3 their wastes at plant sites for 30 years after their  
4 plants are retired. This gives us plenty of time to  
5 kick back and study this issue further before we bury  
6 it underground.

7 One alternative was outlined in a report  
8 prepared for the DOE by Westinghouse Hanford Company  
9 and Batelle Pacific Northwest Laboratories. The report  
10 proposes a Clean Use of Reactor Energy (CURE) program  
11 whereby the partitioning and transmutation of  
12 commercial spent fuel provides uranium and plutonium  
13 for energy generation and a number of other elements  
14 that can be used to generate beneficial materials for  
15 commercial use.

16 I believe France and Canada have, or at  
17 least France has a process called Curex. This -- As I  
18 read the report this takes it a few steps further and  
19 gets more elements out of the waste.

20 The report also states that the current  
21 concept to spent nuclear fuel disposal in a geologic  
22 repository results in discarding a wide range of  
23 valuable national energy resources. Why bury these  
24 resources? Shouldn't the DOE be directing its  
25 resources toward developing this and other alternatives

1 rather than spending \$450 million a year to justify the  
2 feasibility of a geologic repository site which is both  
3 technically and economically unfeasible?

4 Now I'll talk about the Site  
5 Characterization Plan. It states that its purpose is  
6 to summarize the information collected about geologic  
7 conditions at the site to describe the conceptual  
8 designs for the repository and the waste package and to  
9 present the plans for obtaining the geologic  
10 information necessary to demonstrate the suitability of  
11 the site for a repository.

12 Where's the question about evaluating the  
13 data? You know, it seems to me that what you are doing  
14 is -- well, what it indicates is that the siting of the  
15 repository, at least in your mind, is a foregone  
16 conclusion, the siting of that repository at Yucca  
17 Mountain. You know, where's the validity of a  
18 characterization plan that is biased towards gathering  
19 evidence in support of a predetermined conclusion?

20 The Yucca Mountain project is a commercial  
21 high-level waste management system and as such must be  
22 characterized using a methodology which will provide a  
23 complete analysis of every component in the system and  
24 its effect on the total system concept. The plan has  
25 to be flexible enough to recognize a wide range of

1 alternative system models. And the trouble is there's  
2 a limited data base and what you have to be able to do  
3 is recognize alternative models based on this limited  
4 data base and not design the plant to support a  
5 preconceived model, a preferred model.

6 The SCP fails to meet this objective by  
7 both ignoring some of the critical system components  
8 and failing to adequately characterize others. Among  
9 the specific items of concern in this area are:

10 Transportation. Transportation has been  
11 covered pretty well here tonight. I won't go into that  
12 except to say that it should be considered as an  
13 integral factor in determining the suitability of the  
14 site.

15 Also, you know, I read as much as I could  
16 of the SCP and it's pretty impressive the tests you  
17 want to do and the studies and it's going to be  
18 conducted by a large body of scientists, but if you  
19 consider the projected lifetime, and we had an expert  
20 up here, a geologist, if you consider the lifetime of  
21 the site, it's more than likely that these studies will  
22 prove inconclusive, yet the SCP does not make clear the  
23 course of action to be taken in this event. What are  
24 you going to do with inconclusive results?

25 QA, Quality Assurance. Design of a QA



1 program to meet the needs of a 10,000-year repository  
2 is a difficult if not impossible task. The SCP QA plan  
3 is modeled after the nuclear power industries reactor  
4 facilities program. This biases the program towards a  
5 design which provides no facility for genuine research,  
6 innovation or creativity.

7 In March the NRC complained that it did  
8 not have confidence in the quality assurance program at  
9 the DOE and said it was concerned about the  
10 Department's management ability including overreliance  
11 on sloppy contractors. Earlier work done by the DOE in  
12 collecting data on Yucca Mountain was done so sloppily  
13 that it cannot be used in justifying the opening of the  
14 repository. A prime example is the core samples taken  
15 by geologists which cannot be documented as to which  
16 hole they came from or from what depth.

17 In light of these facts, how can the  
18 public be assured that any QA plan proposed by the DOE  
19 will verify the quality of design and construction of  
20 the repository?

21 The waste package hasn't been touched on  
22 yet. What I got from the SCP is their -- a description  
23 of a borosilicate package as a possibility for waste  
24 containment, but the DOE doesn't have any experience in  
25 operating a glassification plant for alkaline wastes,



1 even on a pilot basis.

2 I looked at some of the other containers  
3 that were going to be studied and they all seem to have  
4 a problem with corrosion because of the complex geology  
5 of the site, and if you consider that geology, the  
6 pressures involved, the extreme heat generated by the  
7 high-level radioactive waste, you know, how can you  
8 guarantee a waste package design which will meet EPA  
9 standards or the EPA requirement of a thousand-year  
10 containment?

11 Topographically Induced Air Flow.

12 Preliminarily studies indicate the topographically  
13 induced air circulation through Yucca Mountain may  
14 shorten the residence time of gaseous radionuclides in  
15 the unsaturated zone before being discharged into the  
16 atmosphere. How are you going to model this  
17 circulation?

18 Other concerns. It was a big document. I  
19 didn't have time to go through the whole thing, but  
20 aside from the issues I have already cited there are a  
21 lot of others that need to be addressed. These  
22 include:

23 The protection of the repository from  
24 accidents and ground movement associated with the  
25 Nevada Test Site.

1                   The effect of volcanic activity and  
2 earthquakes on the repository.

3                   The impact the repository will have on the  
4 fragile desert environment, endangered species and  
5 protected critical habitat in the area.

6                   The possibility that drilling during site  
7 characterization will provide routes for future release  
8 of radioactive materials.

9                   And a hydrologic model that can accurately  
10 determine water migration given the steep hydraulic  
11 gradient of the water table in the area.

12                   In conclusion, I would like to state that  
13 the Yucca Mountain repository is a project of such  
14 magnitude and longevity that is beyond the technical  
15 comprehension and capabilities of the DOE. Therefore,  
16 I urge that this project be abandoned and that the  
17 efforts of the DOE be channeled towards more productive  
18 efforts in commercial waste management, energy  
19 efficiency and alternative energy sources.

20                   Thank you.

21                   MR. MILLS: Thank you.

22   -oOo-

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1 -oOo-

2 MR. MILLS: Is Shaun Griffin present?

3 MR. GRIFFIN: Yes, I am.

4 MR. MILLS: Please come forward, sir.

5 MR. GRIFFIN: Hello, my name is Shaun  
6 Griffin. I'm a poet, counselor and a disability  
7 advocate. I live in Virginia City, Nevada and I'm sure  
8 you are going to be overwhelmed with scientific and  
9 environmental reasons pro and con today, so I think  
10 I -- the only way I can respond as an artist is to  
11 write about it and do some sculpture.

12 On Christmas morning my son received some  
13 paints and the two of us sat down and tried to paint  
14 what Nevada might look like in the future and it's  
15 hopeful and it's positive and I want you to see it and  
16 I'd like to read the poem. It's not very scientific.

17 He wanted me to tell you that his picture  
18 is the one down in the middle. He'd be here but he's  
19 sick and tired of sitting through three-hour meetings  
20 with me.

21 The poem is entitled "Yucca Mountain," and  
22 that's really what I do best. I'm a hack painter. I  
23 quote at the top of the poem from an article in  
24 "Harpers," October '88 by William Kitridge, and it  
25 says, "This is a case in which the public has to trust

1 the scientists." And the quote is from Tony Buono who  
2 is a USGS hydrologist at the Nevada Test Site.

3  
4 Nevada is never on the map, not now  
5 not ever.

6 If only  
7 I could finger a word  
8 for the few who live  
9 by the sun,  
10 what would it be: itinerant  
11 sparse, dragon people  
12 who fly  
13 in the sand and spin before the books  
14 that name a cactus to clothe  
15 the loins of uranium down deep

16  
17 No, it would not be harsh; rather  
18 we are here.

19 We raise family, split wood  
20 shovel snow and read of our absence.

21  
22 Nevada is never on the map  
23 not now, not ever

24 save the day  
25 a green lung percolates death



1 from two miles down below volcanic tuff --  
2 then you will recognize us  
3 as the place that kills  
4 or was killed, but for now  
5 I cannot find a way down Alternate 95 --  
6 not scholarly, not radical, not  
7 known. And still, faces cling  
8 to the towns  
9 of Beatty, Tonopah and Yerington.

10  
11 Where do I go with this desert flower?  
12 California?  
13 no, it is many things but quiet.  
14 Oregon, no, it is wet and  
15 dry there, so I remain  
16 my home  
17 with states before and aft  
18 coming like insects  
19 to the test site, coming  
20 with something to read.

21  
22 Today, I tell my son  
23 of a moon with no name. He remarks  
24 "Why?" I do not know -- Nevada  
25 is never on the map, not now

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not ever.

Thank you.

MR. MILLS: Thank you.

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1  
2 MR. MILLS: Is Gail Chud present?

3 Please come forward.

4 MS. CHUD: I'm Gail Chud representing  
5 myself as a citizen, taxpayer, a lover of the earth.

6 There's not much else to be said besides  
7 what everybody else has already said. I think most of  
8 the facts have already been presented. There is --  
9 There exists psychologically a nuclear mountain  
10 repository band wagon which politicians and citizens  
11 get on, and the reason they get on it is because of  
12 greed and because of lack of information because if  
13 those citizens and politicians were here at this  
14 meeting, I'm sure that they would be convinced that the  
15 repository and the transportation of waste to the  
16 repository is unsafe, and the liklihood of a nuclear  
17 accident, disaster or contamination of a large area is  
18 as likely as the liklihood, possibility of American  
19 teenagers having sex.

20 So I submit in summary the four points of  
21 the reasons for keeping the nuclear waste out of  
22 Nevada. This is a summary of what everybody has said,  
23 and everything that has been submitted is that it is  
24 unsafe, it is unsuitable, it is unstudied, and this  
25 means as far as DOE considering the unsuitability of

3  
1 the site as well as the suitability which they  
2 consider. And finally it is totally and absolutely  
3 unnecessary.

4 Thank you.

5 MR. MILLS: Thank you.

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1  
2 MR. MILLS: Is John Fenski present?

3 Is Eric McClary present?

4 Please come forward, sir.

5 MR. McCLARY: Hello. My name is Eric  
6 McClary and I am chairman of the board of Foresta  
7 Institute for ocean and mountain studies located in  
8 Washoe Valley, Nevada.

9 Foresta is a nonprofit organization that  
10 specializes in environmental research and education.  
11 We've been active in Nevada for over a quarter century  
12 during which time we have seen great strides in the  
13 environmental consciousness of Nevadans and of other  
14 Americans as well. Through its educational endeavors  
15 Foresta is proud to have participated in developing  
16 that awareness.

17 There was a time when Nevada willingly  
18 shouldered the tremendous burden of acting as proving  
19 ground and as trash receptacle to the atomic age.  
20 Nevadans were performing a patriotic service for their  
21 country, and there was also the promise of economic  
22 opportunity. They were largely innocent of the dangers  
23 posed by atomic radiation, partly because it was a new  
24 science, but as we now know, partly due to their being  
25 intentionally misled by U.S. government agencies. At

1 that time there was also little understanding among  
2 Nevadans of the true value and of the economic  
3 fragility of our lands.

4 Today all of this is changed, as you may  
5 have noticed. For good reason, Nevadans now cast a  
6 skeptical eye on any government proposal to utilize  
7 their public lands. We've been victimized repeatedly  
8 over the years by military and DOE abuses of their  
9 rights to land use in Nevada. Veterans and civilians  
10 exposed to high levels of radioactivity during the  
11 early days of testing will testify to the futility of  
12 obtaining redress from the government for its errors.  
13 So will Shoshone Indians whose legal land rights  
14 continue to be denied.

15 Nevadans are tired of paying the price for  
16 the U.S. government's insistence on pursuing a dirty  
17 technology. Nevadans don't trust the 6,000-page site  
18 study any farther than they can throw it. They have  
19 seen how the DOE manipulates scientific evidence to  
20 support its own surprisingly Machiavellian ends. And  
21 in fact many of us feel that assigning the development  
22 of a Site Characterization Plan to the Department of  
23 Energy is like sending the fox to guard the chicken  
24 coop.

25 Nevadans today know more about the land on

1 which they live. They know it's a hotbed of seismic  
2 activity which has yielded benefits in the form of  
3 geothermal energy. But it could also breach the  
4 integrity of buried nuclear waste deposits and create  
5 pipelines for the diffusion of radioactivity. To which  
6 end there are other witnesses who can testify better  
7 than I.

8 They know that their capricious weather  
9 patterns would quickly disperse any escaped  
10 radioactivity to distant, more populated regions.  
11 Independent researchers have compiled a body of  
12 evidence to support these concerns.

13 Nevadans have made a crucial step in  
14 entering the new age of environmental consciousness.  
15 We refuse to accept a nuclear waste dump in Nevada,  
16 period. By continuing to hide its dirty laundry and to  
17 abuse its, in the process, its own precious natural  
18 resources, our country is living on borrowed time which  
19 is quickly running out. Instead of persisting in its  
20 cynical exploitation of the Nevada populous, we urge  
21 the Department of Energy to join us in pursuing cleaner  
22 and safer forms of energy such as geothermal, solar and  
23 energy recycling.

24 Thank you.

25 MR. MILLS: Thank you, and could you leave

a copy of that, sir?

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2 MR. MILLS: Is Paul Vohl present?

3 MR. VOHL: Good afternoon. My name is  
4 Paul Vohl. I'm a private citizen of Nevada and I'd  
5 like to address a point made by several previous  
6 speakers from another angle.

7 On the order of 400 years ago a fellow  
8 named Roger Bacon enunciated what has since become  
9 known as the scientific method. Since then that  
10 principal has evolved into an almost universally  
11 accepted way of proceeding in scientific or  
12 technological investigations.

13 Today essentially the method involves  
14 starting out with an idea or a theory of what it is you  
15 are looking for. In this case it would be a model of  
16 the ideal nuclear safe repository, if there is such a  
17 thing, or any other storage methods. The model would  
18 address those questions to determine the most ideal,  
19 suitable criteria of the safe repository. Factors of  
20 geology, geo-engineering, hydrology, climate,  
21 transportation, earthquake potential would all be  
22 addressed.

23 In this case that must be done first, not  
24 last, so as to avoid becoming a self-fulfilling  
25 prophecy. When the model is derived, the next step

1 would be to seek the site or sites which in total most  
2 nearly fits the ideal safe and suitable site. That's a  
3 valid method of determining a site or sites.

4 Now next I would like to quote a sentence  
5 from the introduction to the Site Characterization Plan  
6 Overview document. "In May 1986, the DOE recommended  
7 and the President approved the Yucca Mountain site as  
8 one of three candidate sites for detailed study. In  
9 December 1987, in the Nuclear Waste Policy Amended Act,  
10 the Yucca Mountain site was designated by the -- by  
11 Congress for characterization as the single candidate  
12 site for the geologic repository."

13 So the one candidate site is to be  
14 evaluated against the so-called ideal criteria. Does  
15 it fit? Is it the best site? What is it compared to?  
16 What other option is there? Is this a valid method to  
17 determine the safest, most suitable site?

18 Finally, if I ever become contaminated  
19 with radio -- from radioactivity, I won't go to a DOE  
20 doctor because I doubt he'd ever recommend a second  
21 opinion.

22 -oOo-

1 -oOo-

2 MR. MILLS: Is Joseph Robertson present?

3 He is here? Okay.

4 MR. ROBERTSON: Mr. Mills, Mr. Gertz, Ms.  
5 Younker, I thank you for this opportunity to express an  
6 opinion.

7 My name is Joe Robertson. My Ph.D. was  
8 earned at the University of Nebraska in 1939 in plant  
9 and animal ecology. From 1925 to 1971 I was teaching  
10 and/or doing ecological research in Nebraska, Idaho,  
11 Wisconsin, Oregon, and finally the University of  
12 Nevada-Reno where I was granted emeritus status in  
13 1971.

14 I have done contract assignments in Kenya  
15 and Iran, Nevada and California in the area of applied  
16 ecology. I am a member of Planetary Citizens, World  
17 Federalists, Sierra Club, and I'm a charter member of  
18 the Society for Range Management. I have seen the last  
19 two appearances of Haley's comet, and I am not speaking  
20 for any of those organizations.

21 One of my heros is Thomas Jefferson. He  
22 said, I quote, "The care of human life and happiness,  
23 and not their destruction, is the first and only  
24 legitimate object of good government."

25 We all have our heros and villains in

1 history. The emperor Nero, who reigned in Rome from 54  
2 to 68 A.D., considered himself to be a God. He lived  
3 for the sensuous pleasure and instant gratification.  
4 Finally seized by fear and possibly by guilt, he  
5 committed suicide when the jig was up. Legend has it  
6 that he was something of a musician. I find this  
7 incredible in a person who violated all the laws of  
8 nature and who murdered his mother.

9 It seems appropriate to draw an analogy  
10 here. We are all familiar and comfortable with the  
11 expression "mother earth." Despite our research, our  
12 communication skills, our technology and our education,  
13 we are violating the integrity of our mother earth. It  
14 is not ours in the immediate sense. We are here now  
15 only temporary tenants. We are apparently torn between  
16 desire for high living on one hand and concern for our  
17 posterity on the other. Our failure to take seriously  
18 the laws of ecology is responsible for the problems we  
19 are facing. First, we must realize that everything is  
20 related to everything else.

21 Now, this means that all I have to say  
22 this afternoon is relevant to the nuclear waste  
23 repository. Take for example fear. President Franklin  
24 D. Roosevelt warned America. He told us, "The only  
25 thing we have to fear is fear itself."



1           Professor Einstein cautioned us to change  
2           our way of thinking. Fear is the engine of the chain  
3           reaction or domino effect that produced the cold war,  
4           the nuclear follies, the National Security Act of 1947,  
5           the CIA, the national debt of \$2.3 trillion, the  
6           industrial military monster and the Iran/Contra-gate  
7           affair.

8           The equal and opposite reaction has been  
9           social neglect, radioactive pollution of air, soil and  
10          water. On down that road lie the dangerous dragons of  
11          political repression, terrorism, revolution,  
12          dictatorship and war.

13          Moving on, the second law says everything  
14          has to go somewhere. Ready examples are DOE reports  
15          and DOD contracts. This is our dilemma. High-level  
16          and transuranic wastes have eventually to go somewhere  
17          once they have been produced. I contend that they  
18          should be kept where they are until no longer produced.  
19          Let's break the nuclear chain. Once all production has  
20          stopped and the reactors have mothballed, attention can  
21          be returned back to going somewhere with the many  
22          stockpiles. Research may change the picture by that  
23          time.

24          The plan to have 250 reactors on line by  
25          the end of this century is frightening, especially

1 since it is not known how to decommission or safely  
2 junk a reactor, nor the cost, nor the length of the  
3 period of surveillance.

4 It is the third law that is hardest to  
5 accept, but it expresses bluntly the route of our  
6 danger. Those zealots who have been harping on it are  
7 finally seen as sane. They say, "Nature knows best."  
8 Mankind evolved in an environment without plutonium,  
9 tritium, nickel 59, or other deadly artificial  
10 contaminants. If we are fit to fit in we will back  
11 off. About half the dangerous nuclear waste are for  
12 DOD. This can stop. More warheads and testing will  
13 only add to the fear and more irrational behavior.  
14 Resources saved could be used to help close nuclear  
15 reactors and develop safe renewable energy sources.

16 In his farewell address President George  
17 Washington warned us, and I quote:

18 "Nothing is more essential  
19 than that permanent, inveterate  
20 antipathies against particular  
21 nations and passionate attachments to  
22 others should be excluded, and that,  
23 in place of them, just and amicable  
24 feelings toward all should be  
25 cultivated. Antipathy in one nation

1                   against another disposes each more  
2                   readily to offer insult and injury,  
3                   to lay hold of slight causes of  
4                   umbrage, and to be haughty and  
5                   intractable when accidental or  
6                   trifling occasions of dispute occur.  
7                   Hence, frequent collisions;  
8                   obstinate, envenomed and bloody  
9                   contests."

10                   Our wealth of resources, our extravagant  
11                   life-style and our government have allowed us to act as  
12                   if there is a free lunch when we should know better.  
13                   The fourth law is emphatic: There is no free lunch.  
14                   Recall the tradition of sending the freeloader to the  
15                   kitchen to wash the dishes. Both guns and margarine?  
16                   No way. In plain words, we have been living too high  
17                   on the hog for the last 40 years.

18                   In a recent book titled "Beyond Our Means"  
19                   by Malabre of the Wall Street Journal exposes this  
20                   condition. We must change course. We must reconsider  
21                   priorities. Will we continue on the reckless nuclear  
22                   path or try to regain our former status in research,  
23                   technology, education, care of the elderly, care of the  
24                   handicapped, care of our war veterans, child care and  
25                   social justice on earth. These are the choices



1 Americans want. We are hocking our birthright to be  
2 number one in nuclear tests, nuclear warheads and bombs  
3 and nuclear reactors. All this is a result of fear,  
4 much of it orchestrated for profit by the military-  
5 industrial complex of which we were clearly warned by  
6 President Eisenhower.

7 We dare not continue to proliferate  
8 nuclear reactors. We cannot afford the Yucca Mountain  
9 or other repository, the MRS, and especially the long,  
10 heavy transportation costs and continued production of  
11 deadly nuclear waste. There is no free lunch. The  
12 Piper will be paid, if not by us, if not in coin, then  
13 by our children and all posterity.

14 In summary, everything is related, so let  
15 us remove fear by making friends of the Soviet Union  
16 and strengthening the United Nations. We must  
17 accelerate international cultural exchange.

18 Every poison has to go somewhere and  
19 always will unless we stop production. Opening a  
20 repository at Yucca Mountain would unplug the pipeline  
21 and betray all persons who fear the long-term continued  
22 production of plutonium and its ilk. It is wiser to  
23 keep the stopper on production until technology and  
24 social conscience catch up.

25 No free lunch. We have had our fling. It



1 is now time to halt production of unnatural poisons,  
2 begin cleaning up and paying our national debt. The  
3 alternative to this is also frightening to contemplate.

4 Thank you.

5 MR. MILLS: Thank you.

6 MR. ROBERTSON: I have given the recorder  
7 a copy.

8 MR. MILLS: Please.

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2 MR. MILLS: Is Thelma Bosowski here?

3 MR. GUNN: I think I am speaking in her  
4 place.

5 MR. MILLS: Fine. Would you come forward  
6 Mr. Gunn?

7 MR. GUNN: My name is Dennis Gunn. Thank  
8 you for my chance to address the issues.

9 I am not a scientist, but I am gratified  
10 to be able to respond to what I have learned from them  
11 and other committees that have made information  
12 available to me as a private citizen.

13 I grew up in Fallon and Reno. I went to  
14 school here, I own land here, I pay taxes here, I  
15 raised a family here, I vote in the elections for local  
16 officials and issues.

17 Nevada history is unique. It became a  
18 state during the Civil War at which time gold and  
19 silver reserves were largely used to finance the  
20 northern causes. It was much later that the State  
21 legally met the criterion set forth for territories to  
22 be granted the rights and privileges of statehood,  
23 essentially, population per square mile, but there was  
24 a war on. Most of the rest of the profits from the  
25 mines went to California. We still have the holes and

1 the digs.

2 Since 1951 over 690 announced nuclear  
3 weapons tests have been conducted in Nevada. What are  
4 the results of these tests? Who is really benefitting  
5 from these tests? Do you know? I don't know. They  
6 don't tell me. When will they get it right and not  
7 need to detonate an explosion once a month on the  
8 average? Well, they're splitting my atoms in my state  
9 on my earth. What is a recompense? Nevada, which has  
10 no nuclear energy plant within its boundaries, has done  
11 its part for defense purposes.

12 Presently the DOE intends to build a  
13 nuclear dump site on Yucca Mountain. Who is the DOE?  
14 Are they Nevadans? Will the profit from the venture be  
15 Nevada's profit? I don't know. I hesitate to believe  
16 that, especially when you consider what has happened in  
17 New Mexico when they waived their rights and allowed  
18 the military nuclear dump site. They have still to  
19 receive any money, though they were promised millions.

6  
20 The citizens of Nevada do not need the  
21 jobs this site would provide. My guess is the  
22 contractors, like the DOE, would be imported anyway.  
23 As a matter of record, the University of Nevada at Las  
24 Vegas conducted a national survey to determine the  
25 impact of a waste repository on tourism. Gross

1 revenues in Nevada from gaming and tourism in 1987 were  
2 slightly higher than \$6 billion with 70 percent of the  
3 revenue coming from Clark County. The survey response  
4 indicated over a 30 percent market chill against coming  
5 to Las Vegas was induced by a nuclear waste dump at  
6 Yucca Mountain.

7 Assume 30 percent is too high. Apply only  
8 a five percent drop in tourists coming to Las Vegas.  
9 Nevada would lose 210 million in gaming taxes alone.  
10 Unlike assemblyman Ernie Adlers' comment that "If it  
11 were safe and money was involved, it wouldn't be coming  
12 to Nevada."

13 No amount of money is worth the risk the  
14 scientists are now warning us against, the  
15 hydrologists, the geologists, who, with good reason,  
16 also fear, and I quote one of Mr. Gertz's U.S.  
17 Geological Survey Team letters, that the work on the  
18 repository may have already moved away from the  
19 objective site characterization and into site  
20 construction. The 17 scientists and engineers stated  
21 that, and I quote, "in subjugating the technical  
22 program to satisfy Department of Energy political  
23 objectives, we may succeed in making the program comply  
24 with regulations while being scientifically  
25 indefensible." This is frightening. This angers me a



1 great deal.

2           There is only one solution to the problem  
3 of nuclear waste, and we all know that. Admit, as the  
4 scientists suggest, we don't know what we are doing,  
5 clean up the mess we made in Idaho, Nevada, Bikini  
6 Islands and all the other nuclear energy plants that  
7 are falling into dangerous disrepair, recycle what is  
8 left remaining of atomic fuel until it's gone, and get  
9 about the business of saving what precious little is  
10 left to us in nature instead of selling our future to  
11 the big business of nuclear energy and their political  
12 cohorts who will not be around to atone later for their  
13 present miscalculations.

14           I don't want this dump in Nevada or any  
15 other state or island. The nuclear industry should be  
16 made now to pay for the recycling of their own waste.  
17 Stop producing new fuel, pull down their carpetbagger  
18 tents and leave my state. I believe a true statesman,  
19 and I address this to our legislators, who put the  
20 common good before personal, political or economic gain  
21 would not compromise on this issue in legislature, but  
22 take the first step, and now, relating to a complete  
23 cessation of the use of nuclear power by acknowledging  
24 clear, relevant data, public concern and safety and  
25 thereby illustrate the priority of human ethics over

1 legalization.

2 Thank you.

3 MR. MILLS: Thank you.

4 Would you make that available to the court  
5 reporter.

6 We'll take a short five-minute break.

7 (A recess was taken.)

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1 MR. MILLS: If we could start moving back  
2 in, we'd like to begin again. We'll reconvene.

3 Is Karen Tanner present? Would you come  
4 forward, please, ma'am?

5 MS. TANNER: I'm Karen Tanner and I'm  
6 speaking just as me, a citizen and school teacher and  
7 mother and all the average citizen sorts of things.

8 While I'm glad to have the opportunity to  
9 speak, I'm nervous. It's very difficult not to have  
10 something to grab onto up here, but maybe this will do.

11 I don't have much to say because I just  
12 kind of wrote this out in the last five minutes, but  
13 with the full realization that this may be the only  
14 time I'll get to say anything I thought I had better  
15 say anything.

16 There's been a lot of great scientific  
17 testimony with a lot of good information and pertinent  
18 questions, so there's nothing I can add to that.

19 Speaking as a mere generalist, the  
20 question to me is something very simple and basic, it's  
21 a matter of people taking responsibility for what they  
22 create.

23 The people who benefit from the nuclear  
24 energy, where it is created must be the ones to bear  
25 the responsibility for the waste that it creates. As

1 long as easy solutions are provided for dirty problems,  
2 the main issue will never be confronted, and that is  
3 developing other energy alternatives.

4 When you place -- excuse me -- when you  
5 raise a child, as a mother I at least know this much,  
6 if you always solve the problems for him, you're not  
7 going to develop a full, responsible child able to make  
8 mature decisions for themselves.

9 The easy way out is to sweep the nuclear  
10 dirt under the carpet of Yucca Mountain, but the harder  
11 more mature step is to say that it's time to stop.  
12 It's time to put our money and our scientific knowledge  
13 to work at developing viable alternatives, renewable  
14 energy resources. Local communities should be able to  
15 make a true choice and then accept responsibility for  
16 the ramifications of that choice.

17 Beyond all that, we need as a people, as  
18 earth people to return to a land ethic, to think  
19 globally. What we do as a people -- what do we, as a  
20 people, have to offer to the world, to the health of  
21 the planet? We have land.

22 Nevada among all the lower forty-eight  
23 states is rich in land, in public land that belongs to  
24 all of us. The land is a resource in itself, a symbol  
25 to us and even to the world of what this country is all



1 about. The strength of the U.S. is in large part in  
2 it's wildness, a wilderness that is fast disappearing.

3 It's time to say stop. We want large wild  
4 land preserves to be living remainders of our roots,  
5 our connection to the earth, our strength and our  
6 freedom. Let's keep Yucca Mountain wild for us and the  
7 Yuccas.

8 MR. MILLS: Thank you.

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1 MR. MILLS: Is Katherine Hale present?

2 MS. HALE: I'm Katherine Gardener Hale, a  
3 twenty-six year resident of Reno and a founding mother  
4 of Citizen Alert with Susan Ore in 1975, so I have  
5 followed this issue for fifteen years.

6 My first testimony was given in Salt Lake  
7 City before the then Atomic Energy Commission, December  
8 1984. At that time I was interested in the subject  
9 because as a Reno housewife I saw how clearly this  
10 issue would affect me and the people of the State of  
11 Nevada, and I am fascinated by the fact that I'm still  
12 hearing identical testimony that I have heard over the  
13 fifteen years.

14 There are very few new bits of information  
15 that have come to light. One of them that has  
16 intrigued me now for a couple of years is that in '74  
17 Nevada would have had to keep the waste for two hundred  
18 fifty thousand years. That time has now been dropped  
19 to ten thousand years and no one has ever explained to  
20 me how that decision was made, but that's all right.

21 Another change, a second change that I  
22 have noticed is that in those days there were a great  
23 many more reactors that were on order and we've dropped  
24 a great many those orders, and also we are moving much  
25 closer to the time when some of the older reactors,

1 which were originally only designed to last thirty-five  
2 years are reaching the age of decommission.

3 And my view at this point, knowing that  
4 Hanford was contaminated before -- Hanford was never  
5 really considered as a viable dump site and neither was  
6 Deaf Smith, Texas, because we had aquifers there that  
7 were too valuable to the Texas agricultural.

8 Nevada was chosen for low population and  
9 that is still a fact, that has not changed. In the  
10 fifteen years that I have been active in this  
11 particular subject, following this subject, our geology  
12 has not become more stable.

13 The East Coast geology is still the most  
14 stable, sensible place to keep the waste, particularly  
15 since you're claiming that the ability to store has  
16 reached a high-tech level that will not need a low  
17 population for it to be a safe repository for as long  
18 as we need.

19 One of the other changes that I've noticed  
20 is that in 1974 a little over eight percent of what was  
21 then the Atomic Energy Commission, the solar energy  
22 budget was -- of the overall energy research budget,  
23 was devoted to solar. Now, under the Department of  
24 Energy, it's less than that's devoted to solar.

25 I don't like to see that kind of ration

1 change. I would have hoped that in fifteen years we  
2 would have seen far less subsidation going toward the  
3 nuclear fission industry at it's various little  
4 offshoots and far more going to what I call primary  
5 energy sources.

6 I note that in most of these hearings  
7 solar is called an alternative energy source and I find  
8 that be an incorrect use of English. To me, solar is a  
9 primary energy source and things like nuclear fission  
10 are very much secondary and have been manufactured  
11 basically out of wishes and dreams, and if not for  
12 their having been fed -- being really a welfare  
13 industry, being fed by our tax dollars and not making  
14 their own profits for all these years, we wouldn't have  
15 a lot of the problems that we have now.

16 I do thank you, as always, for coming here  
17 and listening. I'm surprised that this was held in  
18 Reno during Easter for the University because of a lot  
19 of very bright people went to Ft. Lauderdale or  
20 whatever they did. You might have had more testimony.

21 The last point I would like to make is  
22 that in the years that I've been hearing testimonies  
23 and giving testimonies, all the information that I  
24 heard today, although I did get here late, is on file  
25 with you. I in fact personally am the one that took



1 the information to our local legislature in '75 telling  
2 them about the calderas that were present under the  
3 Nevada Test Site which was the indication of potential  
4 earthquake problems and that information has been there  
5 for years.

6 My recommendation to you, if you do get  
7 any time off over Easter week, is to go back through  
8 your files and read some of the profoundly moving,  
9 scientifically accurate, fascinating testimony because  
10 this business of just having it repeated while in terms  
11 of -- supposedly something has to be repeated  
12 twenty-one times for people to remember it.

13 Now, I presume that just the repetition  
14 factor alone is going to have some benefit and that  
15 each time a few more people will hear the facts, which  
16 was, of course, why I started Citizen Alert in the  
17 first place, was to get the facts to the people that  
18 they be better able to make a decision.

19 But I do find it ridiculous for it to be  
20 just the same process. When are some of these things  
21 going to begin to be addressed? There are real valid  
22 problems and we've been talking about them for fifteen  
23 years. I thank you for your time.

24 MR. MILLS: Thank you.

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1 MR. MILLS: Is Chris Salmon in the crowd?

2 MS. SALMON: Members of the Department of  
3 Energy planning the Yucca Mountain Site, my name is  
4 Chris Salmon and I am representing myself.

5 I oppose the plan to place a radioactive  
6 waste dump in Yucca Mountain, Nevada. In no sense do I  
7 feel that it is a hopeless fight to be opposed to  
8 location of a radioactive waste dump from all states of  
9 the U.S. in one single state, Nevada.

10 Rather, I believe that Congress thought  
11 that Nevadans would not stand up for themselves when  
12 they played "not in my backyard" by designating Nevada  
13 for the dump. I would feel the same if they had chosen  
14 Arkansas, Missouri or any single state for the other  
15 forty-nine states to transport radioactive waste to.

16 In the rush to designate Nevada, Senator  
17 Johnston apparently forgot to mention to other states  
18 that the nuclear waste would be passed through their  
19 states in order to get to Nevada.

20 I believe that eventually each of the  
21 fifty states will end up with it's own dump and stop  
22 tossing around the waste problem to others, except by  
23 mutual agreement between two or more nearby states,  
24 especially when the Congress hears objections from  
25 citizens of states through which the waste will be

1 transported and those citizens become aware of railroad  
2 accidents such as happened in the Dakotas.

3 I am decidedly not against nuclear power  
4 plants and peaceful uses of nuclear power. I took my  
5 degree in physical chemistry and had thermodynamics,  
6 energy transfers, atomic structure, etcetera, and  
7 graduate work in probability.

8 I want nuclear power done in as sane a  
9 fashion as possible. That is, small plants  
10 repetitively using the same blueprints and thereby  
11 costing about half what we now spend and taking about  
12 half the time to build.

13 I know our country is far behind other  
14 industrial nations in generation of nuclear power,  
15 despite the pollution benefits and the cost benefits of  
16 repetitive plans that are possible. We can and should  
17 look look at at Sweden, France and Japan, etcetera, for  
18 methods of dealing with waste and they happen to be  
19 small countries who cannot transport waste all around  
20 their countries.

21 However, I am against a single dump of  
22 radioactive waste for all fifty states in Nevada. This  
23 has been a political rather than a scientific solution  
24 by the Congress led by Senator Johnston of Louisiana in  
25 a very mistaken belief about the weak character of the



1 people of Nevada.

2 I understand that before the radioactive  
3 waste question came up, the Federal Government observed  
4 on other questions getting prior consent of the Nevada  
5 legislature and following Chapter 328 of the Nevada  
6 Revised Statutes.

7 Only on the question of locating a nuclear  
8 waste dump in Nevada has it omitted what it usually did  
9 when it desired use of land it has in Nevada, thereby  
10 acting in an unreasonable manner to the people of the  
11 state over a use they do not approve of.

12 The people of Nevada remain united behind  
13 their own state legislature and governor in opposing  
14 location of a radioactive waste dump from all fifty  
15 states in Yucca Mountain, Nevada.

16 Our main industry is tourism and it has  
17 been carefully built since 1931 when Nevada was the  
18 very poorest state in per capita income in the entire  
19 U.S.A. It rose to be first in per capita income in the  
20 U.S.A. during the 1960's. That was quite an  
21 achievement that the people were careful to protect,  
22 remembering the drastically poor times they had  
23 experienced.

24 To locate a radioactive waste dump from  
25 all fifty states within that number of miles from one



1 of our major tourist centers. is to overlook the  
2 behaviors and prejudices of the tourists who come to  
3 Nevada from all other states and countries, including  
4 Japan. If the tourist industry is destroyed, the heart  
5 of dependent commerce will also have been cut out of  
6 Nevada.

7 I thank you the Department of Energy and  
8 Carl Gertz, the project manager, and his staff for the  
9 opportunity to speak.

10 MR. MILLS: Thank you, ma'am. If you'd  
11 leave -- Ma'am, we'd like a copy of those remarks.

12 THE WITNESS: I gave one to the secretary.

13 MR. MILLS: I appreciate that. Thank you.

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1 MR. MILLS: Is Glenn Shook -- Gwen Shook  
2 present?

3 (No response.)

4 MR. MILLS: Is John Macelli present?

5 (No response.)

6 MR. MILLS: Is John Fenske present?

7 MR. FENSKE: I am John Fenske. Thank you,  
8 sir. I don't have any copies.

9 MR. MILLS: We have a machine if you'll  
10 take it out in the hall after your comments after  
11 you're through.

12 MR. FENSKE: My name is John Fenske. I'm  
13 a Master's candidate in Geological Engineering at the  
14 University of Nevada- Reno.

15 I would first like to state all of you,  
16 Mr. Gertz especially, seems like a decent man and I'm  
17 sure he sincerely believes that the Yucca Mountain Site  
18 would probably be reasonably pretty safe.

19 However, my objection is not with Mr.  
20 Gertz but rather with the whole process which chose  
21 Yucca Mountain as the sole site to be considered.

22 As you know, the original sites  
23 arbitrarily selected for study under the guide of the  
24 Nuclear Waste Policy Act of 1982 were Nevada, Texas,  
25 Washington, Louisiana, Mississippi and Utah. No

1       adequate record exists for how these sites were  
2       initially chosen or why consideration of other  
3       potentially suitable sites were abandoned.

4               These sites were narrowed to Texas,  
5       Washington and Nevada in 1986, and in 1987 the U.S.  
6       Congress bowed to political pressure and, in effect,  
7       named Yucca Mountain as the sole site for the nuclear  
8       waste repository.

9               If the objective was to find the safest  
10       site in the United States for long-term storage, why  
11       then weren't the Granitic Domes of New Hampshire and  
12       other parts of the Appalachian region -- which  
13       incidentally is much older and more geologically stable  
14       than the Great Basin region -- given and consideration?

15               Clearly, from a scientific viewpoint, the  
16       process of site selection was incomplete and  
17       inadequate, to say the least. Any logically thinking  
18       person has to conclude that the selection of Nevada as  
19       the site of the nuclear waste repository was based on  
20       the fact that ours is a state with a large land area,  
21       but little political strength in Washington.

22               In other words, the inescapable conclusion  
23       I have is the site selection process was political and  
24       not scientific.

25               Given that fact, along with the fact that

1 at least seventy-five percent of Nevadans oppose the  
2 dump, this becomes a political and constitutional  
3 issue. All Nevadans should be offended by the lack of  
4 respect given us by the Federal Government and the  
5 contempt with which the Federal Government has treated  
6 our Constitution with regard to the issue of state's  
7 rights.

8 Nevada is a sovereign state. This great  
9 country of ours was created as a union of the  
10 individual states with individual powers of  
11 self-government. Allowing Nevada to be sacrificed  
12 would only set a precedent for further abuses by  
13 centralized power. And, as we are all aware, the more  
14 centralized this power becomes, the less responsive and  
15 democratic the government becomes, indeed the greater  
16 the risk to all our freedoms.

17 Thank you.

18 MR. MILLS: Thank you.

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1 MR. MILLS: June Wisniewski?

2 MS. WISNIEWKSI: My name is June  
3 Wisniewski and I'm a marketing consultant in Nevada for  
4 the Visitor's Center. I do freelance projects.

5 Hearing some of the people speak earlier  
6 about the visitor studies, I am wrapping up a study  
7 this week and a lot of people don't know where Lake  
8 Tahoe and Reno are. They think Reno is five hundred  
9 miles away from Tahoe and Tahoe is closer to Las Vegas;  
10 therefore, the tourism rate will not only be affected  
11 in Las Vegas, it's also going to be affected at Lake  
12 Tahoe.

13 In fact, this summer we should probably  
14 add a question to our visitor survey saying, "Do you  
15 oppose a nuclear dump in Nevada," and "Would you still  
16 visit the state?"

17 I moved here from New Jersey eight and  
18 half years ago to get away from pollution, traffic and  
19 an unsafe environment. Since most of the nuclear waste  
20 is produced on the East Coast, I feel that a site there  
21 would be more feasible and also because it would be on  
22 more stable and suitable ground.

23 In 1978 I served on the Board of Directors  
24 for two environmental groups, the Friends of Earth  
25 Foundation and the Youth Environmental Society. Here

1 we supported New Jersey Sunday, which was Solar Energy  
2 Day, and they advocated solar energy and all alternate  
3 energy sources.

4 This was well received in the state of New  
5 Jersey but did not result in much long-term follow-up.  
6 Ralph Nader, Amy Levins debated energy leaders from the  
7 power company in New Jersey. Also during this time,  
8 Mr. Schlesinger from the Department of Energy sent a  
9 spy from Washington, D. C. to check out our  
10 environmental group to see what we were really up to.

11 Let's concentrate on less nuclear power  
12 and more alternative energy means. Let's keep the dump  
13 out of Nevada. Thank you.

14 MR. MILLS: Thank you.

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1 MR. MILLS: Abby Johnson?

2 MS. JOHNSON Hi, my name is Abby Johnson.  
3 I live in Carson City, Nevada. I'm president of the  
4 League of Women Voters of Nevada. The League has the  
5 following comments regarding citizen participation:

6 For the average citizen, the Site  
7 Characterization Plan is overwhelming, over sixty-three  
8 hundred pages of information about how the Yucca  
9 Mountain site will be studied.

10 The Department of Energy should be  
11 commended for extending the comment period for the  
12 public to June 1st to allow us more time to review the  
13 document. However, at the same time it is frustrating  
14 that this extension was announced only four days before  
15 the hearings began and that additional hearings were  
16 not scheduled to receive comments closer to the review  
17 deadline.

18 Hearings should be scheduled in rural  
19 Nevada to receive comments from those citizens who are  
20 as affected by this project as residents of Reno, Las  
21 Vegas and Amargosa Valley.

22 After today, according to the DOE's  
23 schedule, the public will not be allowed to make formal  
24 comments at a hearing at least until 1992 when the  
25 scoping for the Environmental Impact Statement is

5

1 scheduled.

2           The League urges the Department of Energy  
3 to upgrade the progress report meetings planned for  
4 six-month intervals to public meeting status so that  
5 members of the public can go on record regarding  
6 aspects of the project and so the Department of Energy  
7 will have a formal mechanism to record public comments  
8 as part of the site characterization process.

9           The following comments are my own rather  
10 than the League's:

11           The public has witnessed over the past  
12 decade that the search for the nation's first  
13 high-level radioactive waste repository has been  
14 grounded in pure science -- pure political science.

15           In this respect, the site characterization  
16 process is a charade. Now that site has been selected  
17 for study based on politics, we are expected to believe  
18 that the Department of Energy can prove that Yucca  
19 Mountain will be able to contain the waste safely for  
20 thousands of years.

21           Whether or not the site can be proven to  
22 be safe depends on the DOE having a quality assurance  
23 plan that is approved by the Nuclear Regulatory  
24 Commission. According to the GAO -- according to the  
25 General Accounting Office, the NRC has serious concerns



1 about the DOE's quality assurance program.

2 In order to demonstrate that they are  
3 serious about quality assurance, the DOE must must do  
4 more than have a plan on paper. They must show the  
5 Congress, the NRC, the State of Nevada and the public  
6 that they are committed to a scientific analysis of the  
7 site and the checks and balances necessary to validate  
8 the data that they collect.

9 A recent announcement in the Federal  
10 Register for February 8, 1989, brings into question the  
11 DOE's sincerity in this regard. The DOE announced that  
12 they propose to construct facilities at Yucca Mountain  
13 to support site characterization and that they will  
14 begin some of this construction in the flood plain in  
15 May of 1989.

16 They plan to reroute dry washes and  
17 install other mitigation measures to avoid the adverse  
18 effects of being in a flood plain. It is premature for  
19 DOE to start altering the fragile desert environment by  
20 diverting flood waters before the site characterization  
21 analysis is completed by NRC and before the SCP comment  
22 period has expired.

23 This is an early sign that the SCP is just  
24 a plan on paper and that the DOE intends to blunder  
25 forward without regard to regulatory agencies, the

1 State of Nevada or the public.

2 Who will believe the DOE? The ultimate  
3 question is how can we trust the Department of Energy's  
4 site characterization findings?

5 Although the NRC provides some regulatory  
6 oversight, they are not independent of the system and  
7 have made questionable safety decisions in the past  
8 about the licensing of nuclear power plants. Without  
9 a back-up plan or another site being considered, the  
10 Department of Energy lacks credibility when they say if  
11 the site isn't safe, the project won't be built.

12 Site characterization has a momentum of  
13 its own that should be discussed in this plan.

14 There must be external accountability for  
15 this project. The DOE has too much invested in Yucca  
16 Mountain and the lack of objectivity will be a  
17 detriment to the site characterization process, the  
18 quality assurance review and the final results of site  
19 characterization.

20 In order to increase the credibility of  
21 the results of this site investigation, I would  
22 recommend increasing the role of the State of Nevada in  
23 conducting independent investigations on the site  
24 accompanied by necessary funding.

25 Consideration should be given to

1 establishing strong, independent oversight of the DOE  
2 and the Yucca Mountain project. In addition, the  
3 quality assurance plan should have an independent  
4 entity as the ultimate and final review of quality  
5 assurance methods and results of investigations rather  
6 than the DOE.

7 Thank you for the opportunity to comment.

8 MR. MILLS: Thank you.

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1 MR. MILLS: Paul Regardi?

2 MR. REGARDI: My name is Paul Regardi, Jr.

3 MR. MILLS: With a "G" instead of a "Q."

4 All right.

5 MR. REGARDI: My name is Paul Regardi, Jr.  
6 I'm a Paiute Shoshone Pueblo man from Stillwater,  
7 Nevada. I work with the Head Start program in  
8 Stillwater right now, but I'm going to start working  
9 for Citizens Alert, but I don't represent them. I  
10 represent myself here today as a caretaker of the  
11 mother earth.

12 I call -- I call myself a caretaker of the  
13 mother earth because of the thousands and thousands of  
14 years of my ancestors being in this country.

15 Things that I want to talk about are some  
16 genocidal patterns that are repeating themselves. In  
17 Oklahoma they designated that be Indian territory.  
18 When they found gold in Oklahoma, they moved all the  
19 Indian people out.

20 They didn't just move them out, they  
21 marched them out. And if they stopped because they  
22 were tired or because they had to rest, they were shot.

23 In Arizona -- the people haven't bothered  
24 with Arizona until they found uranium there, and now I  
25 see the Government promoting the dissidence between the



1 Hopi and the Navajo people to buy the uranium from them  
2 and use that land for what they want to use it for.

3 And I see another pattern in Nevada now.  
4 In Nevada the land wasn't good for anything so they  
5 blow up bombs there, kill people downwind and now they  
6 want to store their waste there. I disagree with that  
7 because for thousands and thousands of years that land  
8 is not going to be any good for anything.

9 So when you do that to the mother earth,  
10 it's like -- to me it's like you're raping my mother  
11 and that doesn't feel good, and I'm opposed to that.

12 In conclusion, I don't see any kind of a  
13 buy-out or making us move any more because I don't see  
14 where we're going to go. We're tied to this land  
15 through our ancestors through thousands and thousands  
16 of years, and we're going to be here for thousands and  
17 thousands of years to come, if you don't kill us.

18 One of the things that I've heard before  
19 from the people in the past, is that if you waste in  
20 your own bed, eventually you're going to drown in that  
21 waste. So if you move that waste from your bed into my  
22 bed, that makes two wrongs and two wrongs don't make a  
23 right. Thank you.

24 MR. MILLS: Thank you.

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1 MR. MILLS: Is Ann McLaughlin here?

2 (No response.)

3 MR. MILLS: Is Bill Jayne here?

4 (No response.)

5 MR. MILLS: Is Diana Trusty here?

6 MS. McLAUGHLIN: I'm Ann McLaughlin.

7 MR. MILLS: Oh, great. Very good.

8 MS. McLAUGHLIN: So you just wanted me  
9 to --

10 MR. MILLS: Please begin.

11 MS. McLAUGHLIN: Hello, everybody. My  
12 name is Ann McLaughlin. I'm a resident of Reno, Nevada  
13 and the United States and the planet earth and I  
14 represent all of these places tonight.

15 I'm a member of the Great Basin Green  
16 Alliance and a student of the university, and I'm the  
17 daughter of an artist and of a scientist.

18 I am religiously and spiritually pursuing  
19 the path of respect, compassion and gratitude for all  
20 entities, and I am here tonight to address the  
21 employees of the DOE concerning the proposed nuclear  
22 dump on Yucca Mountain.

23 Tonight you will here a lot of statistical  
24 and emotional testimony, I'm sure, highlighting the  
25 reasons why Yucca Mountain is a poor choice to the

1 national nuclear repository. The facts and figures and  
2 emotional anguish should not be new to you. I'm sure  
3 you've heard them all before.

4 Even your own studies costing nearly \$2  
5 billion indicating that sixty-eight percent of the  
6 Nevada population is opposed to the national nuclear  
7 dump in Nevada, have more than satisfactorily answered  
8 the questions of the feasibility of the Yucca Mountain.

9 Yucca Mountain is not geologically,  
10 geographically or geo-politically sound to store our  
11 nation's nuclear waste. For that matter, no place on  
12 earth is fit for such an ominous burden.

13 So what do we do? And I think it's a very  
14 good question. What do we do? I've been thinking a  
15 lot about this.

16 Nuclear development has been defended over  
17 the past decades as being the most cost-effective  
18 option that we have for our national energy supply.  
19 nuclear accidents and the dilemma of waste disposal,  
20 which we are addressing tonight, not to mention the  
21 medical bills that have followed the nuclear industry  
22 around, have all but overturned this myth.

23 Currently, the nuclear industry is  
24 evangelizing the benefits of nuclear energy to avert  
25 the impending Greenhouse Effect. The question of

1 nuclear waste hazards has been conveniently overlooked  
2 in light of this emergency, denying the inherent  
3 dangers of nuclear energy.

4 Enough. I say this is enough.

5 America is beginning to rely on  
6 emergencies in the name of capitalism and at the cost  
7 of her people, their lives and their health. It is  
8 time for us to join together.

9 I'm not asking to be your adversary  
10 tonight, I'm asking to work with you. It's time for us  
11 to join together to find a solution to our energy woes  
12 now.

13 Mother Earth -- she who provides our  
14 environment, precious and delicate, that supports the  
15 lives of all of us -- is in danger and won't take much  
16 more abuse.

17 Employees of the DOE, I'm asking you  
18 tonight to find a new solution, to not rely on business  
19 as usual to solve the problem.

20 You have the tools and the funds.. We as  
21 grassroots organizations are very small and we don't  
22 want to die any more than you want to die in a nuclear  
23 disaster and accident and be exposed to that and have  
24 our reputations ruined and the earth come down in an  
25 ugly scene.



1           You have the tools and funds to turn this  
2 nation around. The Department of Energy has been  
3 assigned as the guardians and the developers of our  
4 nation's energy. The people -- we, the people, have  
5 entrusted you with that power.

6           We do not support you to cater to the  
7 needs of a dying industry. We will support you to  
8 supply America with her energy and environmental needs.

9           I ask you to stop supporting the nuclear  
10 industry and to work with us to find a better solution  
11 such as conservation, renewable energy sources. You  
12 have the tools and now I ask you, do have the  
13 discretion?

14           Thank you.

15           MR. MILLS: Thank you.

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1 MR. MILLS: Is Abby Johnson present?

2 What we're going to do now -- Abby  
3 Johnson, I understand, was instrumental or at least  
4 played a part in having a videotape from Ely and other  
5 rural areas and that she'll present several remarks and  
6 then there's going to be a presentation of that tape.

7 If you'll excuse me, I'm going to go pick  
8 up my wife.

9 ABBY JOHNSON: What the Nevada Nuclear  
10 Waste Task Force did was to go to rural Nevada where  
11 there is no hearings and to collect comments from  
12 citizens of rural Nevada on the project just as if they  
13 were here today. So we're going to have kind of an  
14 economy of time, I think it's twenty-one people in  
15 thirty minutes.

16 I have one comment and that is there is  
17 one person, Mr. Richard Little -- no relation to the  
18 comic -- who has had a stroke and his remarks are very  
19 hard to hear. We have a transcript for the court  
20 reporter and also for the panel so that you can  
21 understand what he's saying. It's very hard to.

22 And we also have a list of all the people  
23 who are speaking on the tape.

24 (Videotape was shown, a transcription of  
25 which is attached as Exhibit A.)

11

1 MR. GERTZ: We are still in session and  
2 there are two more individuals that have signed up to  
3 speak, Bill Jayne and Diana Trusty.

4 If Mr. Jayne is here, he was first. If  
5 not then, Diana Trusty, if you're here, we'd sure be  
6 glad to hear from you.

7 MS. TRUSTY: I'm here to add my voice to  
8 the other concerned Nevadans.

9 My husband and I are native Nevadans. We  
10 were raised believing that we had a voice in our state,  
11 as well as in our nation. I have always believed this  
12 until I went to a DOE meeting last fall.

13 There they tried to make all of us in  
14 Nevada believe we had no say so about what was about to  
15 happen in our state, that the Congress had made that  
16 decision that the nuclear waste dump was going to be  
17 put in Nevada.

18 I remember thinking as I sat in a nearby  
19 restaurant in a total state of shock, do we live in a  
20 democratic society like I was taught in school or do we  
21 really have nothing to say about this?

22 It is true Nevada has little representation  
23 in Congress. Is that why this is happening to our  
24 state?

25 Then I said to my husband, Nevada may have

1 a small voice in Congress, but I still -- we still have  
2 the people in our state as a voice. Just like we  
3 banded together to beat the MX missile project, we can  
4 once again band together to let the U.S. Congress know  
5 that they will not enter our state and push us around  
6 and tell us what they're going to do in our state. We  
7 will let them know that the next time they enter our  
8 state, they will ask if they may come.

9 But we, the people of Nevada, are one  
10 within a nation of many. We created our Congress and  
11 we, the people, have the power.

12 It took great minds within our nation to  
13 create the nuclear power that now leaves us with this  
14 nuclear waste that nobody wants. Where are those great  
15 minds now? I know they're out there.

16 Why doesn't Congress band these great  
17 minds together to find out the best way to handle this  
18 waste problem instead of going to the Department of  
19 Energy and having them guess at a solution?

20 When questions are asked at the DOE  
21 meetings, the answers that were given were terrifying  
22 because there were no answers. They were all, "Well,  
23 we're checking into that. There is still testing going  
24 on. We're looking into that."

25 You cannot get a straight answer out of



1       them and these are people we are putting our faith in  
2       to take care of the most deadly waste on the face of  
3       this earth.

4                People say put the nuclear waste dump in  
5       Nevada then it will be far away from us in the middle  
6       of the desert wasteland. Are these people of our  
7       nation truly aware of what they are saying?

8                How is this waste going to get here to  
9       Nevada? Probably right through the middle of their  
10      state.

11               Our nation needs to be aware -- if you  
12      live in Washington, Oregon, California, Utah, Kansas,  
13      Arizona, Texas, Kentucky, Oklahoma, Arkansas, Missouri,  
14      Nebraska, New York and an immense amount of states not  
15      mentioned -- that you are, too, at risk. This nuclear  
16      waste dump will also affect you.

17               This is not just a problem of Nevada's.  
18      It is the problem of our nation. Nevada has problems  
19      of it's own that it fights with every day of the year,  
20      like our problems with water that concern all Nevadans,  
21      but do we go out and build towns and then try to find  
22      water for them? No.

23               Then why did our nation go out and build  
24      nuclear power plants and then worry about what to do  
25      with the waste they created? I feel that all the

1 plants should stop creating waste until the solution is  
2 found for this problem.

3 If we can build the New York subway and  
4 the Hoover Dam, certainly we can find a way to build a  
5 site area storage area for this waste to be stored  
6 instead of shipping this waste all over the country and  
7 exposing millions of people to possible fatal death  
8 from nuclear waste accidents.

9 It was the decision of these states to put  
10 these nuclear power plants in their states, it should  
11 be these states' responsibility to take care of this  
12 nuclear waste. The State of Nevada does not push it's  
13 problems on other states and we do not expect other  
14 states to push their problems on us.

15 Nevada has a voice that needs to be heard,  
16 not just to protect our beautiful state, but to protect  
17 our nation. Our actions that our state takes will not  
18 just protect the millions who are on the transportation  
19 route, but also will protect our generations to come.

20 Thank you for this chance to speak.

21 MR. GERTZ: Thank you, Diane.

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1 MR. GERTZ: Is there anyone who was signed  
2 up for the afternoon session that has not had an  
3 opportunity to speak? If not, then this session is  
4 adjourned until approximately 7:00 p.m. tonight.

5 (A recess was taken at 6:30 p.m.)

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2 RENO, NEVADA, THURSDAY, MARCH 23, 1989, 7:00 P.M.

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5 MR. GERTZ: I believe we'll get started  
6 now. If there's anyone out there that would like to  
7 come in, we're going to get started.

8 Good evening and welcome. On behalf of  
9 the Yucca Mountain Project and on behalf of the  
10 Department of Energy, my name is Carl Gertz.

11 I'm manager of the Yucca Mountain Project  
12 office in Las Vegas, Nevada. I will be the Department  
13 of Energy's presiding official for tonight's hearing on  
14 the Yucca Mountain Site Characterization Plan, which  
15 describes the U.S. Department of Energy's plans for  
16 characterizing Yucca Mountain, Nevada, to determine  
17 it's suitability for a nuclear waste repository.

18 For the record, this hearing is convened  
19 at approximately 7:00 p.m. on March 23rd, 1989, at the  
20 Reno Hilton in the City of Reno, Nevada.

21 This hearing was noticed in the Federal  
22 Register on Friday, December 30th, as well as being  
23 advertised widely in local newspapers. In addition,  
24 notices were sent to public mailing lists and the news  
25 media were notified.



1           We are here today to receive your comments  
2 on the Site Characterization Plan. The Department of  
3 Energy has prepared this document as a plan to guide  
4 the detailed scientific studies which will be conducted  
5 at Yucca Mountain during the next five to seven years.

6           The SCP, the Site Characterization Plan,  
7 is a living document. It will be updated and modified  
8 as more is learned about the geologic, hydrologic and  
9 climatologic conditions at the site.

10           These changes will be complied into SCP  
11 progress reports which will be issued semiannually to  
12 the Nuclear Regulatory Commission, NRC, the State of  
13 Nevada and to the public. The first SCP progress  
14 report is due to be published this summer.

15           In addition to the comments that you make  
16 this evening, written comments on the DOE site  
17 characterization plans may be made at any time during  
18 the site characterization process, which is expected to  
19 last five to seven years.

20           These comments may be sent to the Yucca  
21 Mountain Project Office, Department of Energy, Post  
22 Office 98518, Las Vegas, Nevada 89193-98518. Both  
23 oral and written comments will receive the same  
24 consideration.

25           At about at the same time the SCP progress

1 reports are issued, DOE will issue comment response  
2 packages. These will contain responses to the comments  
3 on the SCP that you make this afternoon and that will  
4 be made tonight and any written SCP comments that are  
5 submitted. This includes comments made by the public,  
6 State of Nevada, the Nuclear Regulatory Commission and  
7 other interested parties.

8 Originally, April 15th was the deadline  
9 set for the close of the initial SCP comment period.  
10 At the request of Governor Miller, that deadline has  
11 now has been extended to June 1st. Let me emphasize,  
12 however, that comments on DOE site characterization  
13 studies or activities received after June 1st will be  
14 considered by DOE and will receive responses at a later  
15 date.

16 Last month DOE held a series of project  
17 update meetings. These meetings were designed to  
18 provide to the public information about the project  
19 that the public told us, the DOE, what they wanted to  
20 hear.

21 These meetings were intended to furnish  
22 you with information. Tonight we're looking for  
23 information from you.

24 Notice of both the project update meetings  
25 and the SCP meetings was widely advertised in local

1 newspapers and printed in the Federal Register. In  
2 addition, public mailing lists were used, as well as  
3 extensive notification of the media.

4 In a few moments I will introduce the  
5 moderator of tonight's hearing. The moderator is an  
6 individual experienced in public meetings. He's not a  
7 DOE employee. He will conduct the hearing, calling on  
8 speakers and closely following presentations. He also  
9 will certify the record of this hearing.

10 Also here tonight is a technical expert  
11 who will also listen to the presentations and who,  
12 along with myself, may ask clarifying questions in  
13 order to make sure that the record fully reflects your  
14 comments.

15 All comments made here tonight are being  
16 recorded by a professional court reporter and will be  
17 transcribed. The transcript from these hearings will  
18 be made available as soon as possible in local  
19 libraries. A list of these libraries is available at  
20 the door.

21 Anyone wishing to purchase a copy of the  
22 transcript can make arrangements with the hearing  
23 reporter during breaks or after the hearing.

24 Now, I would like to introduce the  
25 technical representative on the panel tonight. On my

1 right is Jean Younker, a Yucca Mountain project  
2 geologist who had a major role in development of the  
3 Site Characterization Plan.

4 She worked with about three hundred  
5 scientists and engineers to develop the plans to obtain  
6 data, to assess the suitability of Yucca Mountain for a  
7 high-level waste repository. She is a former  
8 university professor and has a Doctorate Degree in  
9 Geology.

10 At this point, I would like to introduce  
11 tonight's moderator. Lamond Mills is a former U.S.  
12 Attorney in Southern Nevada who is now in private  
13 practice in Las Vegas.

14 He has experience in conducting public  
15 proceedings. As I said earlier, he is here to conduct  
16 the meeting, call on speakers and follow the  
17 presentation.

18 I will now turn the hearing over to him.

19 MR. MILLS: Thank you, Carl.

20 Let me just take a moment and explain the  
21 procedures that we're going to follow tonight.

22 Each one of you that is signed up already  
23 has been given ten minutes in which to speak. At the  
24 end of eight minutes, I'll hold up my hand indicating  
25 that you have two minutes left and when your time is up



1 I'll hold up a closed hand indicating that you are  
2 through.

3 We would ask that you come forward and  
4 state your name clearly for the record. As you can  
5 tell, a court reporter is taking down all your  
6 comments.

7 I'm going to apologize beforehand to some  
8 of you because I know that I know I'll mispronounce  
9 your names. It's important that you pronounce them for  
10 us when you come up.

11 Come up one at time because we want to  
12 make sure that we have an accurate record during this  
13 proceeding. We're going to take you in the order in  
14 which you called in or made an appointment.

15 In addition, some of you have walked in  
16 and it's my experience that not everyone takes their  
17 full ten minutes so I'll be sandwiching in what was the  
18 call-ins as we get ahead of our time schedule so that  
19 those who believe they are going to speak at 8:00  
20 o'clock will have that opportunity at the time the they  
21 have designated.

22 Finally, this is not a place for argument.  
23 This panel to my right is here to hear you. Please  
24 don't ask them any questions because it's not part of  
25 the forum for them to respond to questions.

1           The only questions that may be asked, as  
2 they indicated -- as Carl indicated, will be simply to  
3 clarify a position or a source of information that you  
4 may give so they can accurately as possible can respond  
5 at the time that response is due,

6           We feel honored tonight to have our  
7 Governor with us, and our first speaker will be the  
8 Governor of the State of Nevada, Governor Bob Miller.

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1                   GOVERNOR MILLER: Thank you for allowing  
2 me to be here and for providing these hearings for the  
3 people of the State of Nevada.

4                   This month's issue of Discover magazine  
5 includes an article on the proposed high-level  
6 radioactive nuclear waste repository at Yucca Mountain.  
7 The article is entitled: "A Nuclear Dump: The  
8 Experiment Begins."

9                   One of the nation's leading scientific  
10 magazines, even at this late date, still refers to the  
11 Yucca Mountain plan as an experiment.

12                   You would think that by now, after  
13 Congress has unjustly isolated Nevada and is attempting  
14 to force this state into accepting something it doesn't  
15 want, that the project would be more than an  
16 experiment.

17                   Discover points out that seventeen  
18 scientists and engineers involved in the effort refer  
19 to the Yucca Mountain Project as a, quote, "mess," end  
20 quote.

21                   In a letter, the scientists said that,  
22 quote, "In subjugating the technical program to satisfy  
23 Department of Energy political objectives, we may  
24 succeed in making the program comply with regulations,  
25 while being scientifically indefensible," end quote.

1                   There are simply too many uncertainties  
2 with the site at Yucca Mountain, too many potential  
3 hazards.

4                   Yucca Mountain does not stand up to  
5 scientific tests. There have been eight major  
6 earthquakes within two hundred fifty miles of this site  
7 since the region was settled in the mid-1800's.  
8 That fact alone is enough to shake the credibility of  
9 the convictions of credible scientists.

10                  According to Discover magazine, a  
11 University of New Mexico geologist said that his  
12 research for the DOE reveals that the Lathrop Wells  
13 Volcano, only twelve miles from Yucca Mountain, is  
14 fewer than twenty thousand years old, not three hundred  
15 thousand as previously believed, increasing the  
16 likelihood of another eruption.

17                  Even Mr. Gertz, yourself, you are quoted  
18 as the Director of the Yucca Mountain study as  
19 conceding that an earthquake could be, quote,  
20 "devastating," end quote, to the aboveground facilities  
21 where the waste would be delivered and prepared for  
22 burial.

23                  Any leakage at the Yucca Mountain site --  
24 which volcanic activity could cause -- threatens to  
25 contaminate the ground water. Water is a precious



1 commodity in the desert. Sadly, one hundred  
2 twenty-four of the one hundred twenty-seven DOE  
3 facilities that handle waste have leaked radioactive  
4 material into the ground water.

5 The same article highlights the danger  
6 associated with ground water contamination. Jerry  
7 Szymanski, a DOE physical scientist, has concluded that  
8 the region around Yucca Mountain is experiencing  
9 geologic activity that causes volcanic rock to contract  
10 and expand.

11 Szymanski says that this activity may  
12 cause a larger shift in the depth of the region's  
13 aquifer and push the water table up to one thousand  
14 feet. If true, the Discover story says a Yucca  
15 Mountain repository could be flooded some day.

16 Only three DOE waste facilities out of one  
17 hundred twenty-seven have worked so far. The remainder  
18 have leaked. Are all of those sites experiments, also?

19 That kind of track record -- where in  
20 excess of ninety percent of the facilities don't  
21 work -- won't cut it here in the State of Nevada.

22 The transporting of nuclear waste presents  
23 another major concern. According to plans, ten truck  
24 loads a day, every day for thirty years will traverse  
25 our state and other states for more than one hundred

1 power plants across the country. These trucks will  
2 pass through the major metropolitan areas on highways  
3 not built to handle the size of their cargo. Remember,  
4 ninety percent of the waste targeted for Yucca Mountain  
5 comes from east of the Mississippi River.

6 Without question, the potential for a  
7 major accident is very real. And as far as I'm  
8 concerned, the health and safety of Nevadans is too  
9 important to be treated as an experiment.

10 For at least ten years, the DOE has been  
11 warned not to move too quickly with dumping high-level  
12 radioactive waste in the Great Basin.

13 The Chairman of the National Academy of  
14 Sciences Board on Radioactive Waste Management wrote to  
15 the DOE nearly ten years ago to the day with the  
16 conclusion, and I quote, "that the explorations and  
17 investigations be conducted in a logical sequence so as  
18 to assure that certain fundamental questions are  
19 addressed first before major resources are committed."

20 The fact is there have been no logical  
21 sequence to the DOE's explorations. Billions of  
22 taxpayer dollars have been spent so far and before it's  
23 all over, the cost could exceed \$30 billion.

24 A week before the National Academy letter,  
25 still in 1979, General Mahlon E. Gates, Manager of the

1 Nevada Test Site, wrote another letter to the DOE. The  
2 General said that Nevada officials should be included  
3 in any plan to build a facility outside of Nevada Test  
4 Site boundaries.

5 The General wrote, and I quote, "No  
6 decision to proceed can be made before there is a  
7 complete understanding and a basic agreement on the  
8 work to be done."

9 Ten years later, as the DOE explores the  
10 possibility of placing a repository off test site  
11 grounds, there still is no understanding and no basic  
12 agreement between state officials and the DOE.

13 In fact, the Nevada Assembly recently  
14 passed two resolutions that send strong, unified and  
15 unequivocal messages to Washington D. C., that Nevadans  
16 don't want the dump.

17 Nevada citizens have also been outspoken.  
18 Seventy-four percent of the people living in this state  
19 believe that Nevada should be kept free, at all costs,  
20 of nuclear waste.

21 The DOE's inability to follow Federal  
22 Government dictates from a decade ago are further  
23 evidence, at least to Nevadans, that an effort to find  
24 a burial ground for this country's nuclear waste is  
25 being rushed.



1 Nevada has been chosen and the project is  
2 moving too quickly because of political, not  
3 scientific, considerations. The fear in Nevada is that  
4 health and safety are being overlooked.

5 Nevada's faith in the DOE is eroding. The  
6 truth is, we in this state are very skeptical when the  
7 DOE says it will objectivity conduct scientific tests  
8 to evaluate whether Yucca Mountain has the potential to  
9 store safely more than seventy thousand metric tons of  
10 radioactive nuclear waste for ten thousand years.

11 The full burden of proof is clearly upon  
12 the DOE. It is up to us here in Nevada to vigorously  
13 exercise our duty in overseeing the DOE's programs and  
14 plans.

15 Congress has knowingly circumvented the  
16 process of public involvement in major federal decision  
17 making. No opportunity was provided for formal public  
18 comment in the decision that resulted in the DOE's  
19 study of Yucca Mountain as the nation's only candidate  
20 for a dump.

21 The DOE must commit now to provide the  
22 public the greatest possible opportunity to comment, on  
23 the record, regarding all investigations of the  
24 suitability of this site.

25 Nevadans will accept nothing less than the



1 Federal Government's best and most objective efforts in  
2 its evaluations. We accept nothing less than full and  
3 open access to the planning and activities of the DOE  
4 throughout its nuclear waste program in this state.  
5 Nevadans will not consent to accepting an unwanted  
6 risk.

7 I believe that an honest and objective  
8 evaluation will only confirm our position that several  
9 strong scientific reasons exist to halt consideration  
10 of Yucca Mountain as a nuclear waste dumping ground.

11 Many people in this state are also  
12 concerned that a dump could harm Nevada's image and  
13 scare away tourists. Visitors have said in polls that  
14 they would stop coming here if Nevada ends up a nuclear  
15 waste repository. It has been estimated that our  
16 tourism economy could suffer a \$200 to \$400 million  
17 loss if that holds true.

18 But the orverriding factor for opposition  
19 is the potential hazard to our health and safety. I  
20 for one do not want to jeopardize the well-being of the  
21 future generations of Nevadans on a federal experiment.

22 If the National Academy of Sciences'  
23 wisdom had been heeded in 1979, none of us would be  
24 here today reminding the DOE that persistence in  
25 forcing a repository on Nevada is unwise and not in the

1 best interests of the citizens of this state.

2 Any pretense of a fair site selection  
3 process has been aborted. The issue has become too  
4 politicized. DOE should start over and include other,  
5 more scientifically suitable, sites for consideration.  
6 The Nuclear Waste Act has been disregarded because  
7 Congress, prodded by the DOE, was in a hurry to get rid  
8 of a controversial issue.

9 It's clear that the site selection process  
10 is a mess. It's unworkable.

11 I strongly suggest that the DOE stand back  
12 and carefully evaluate this country's policy regarding  
13 nuclear waste. Until that happens, states like ours  
14 will be subjected to political maneuvering. That's not  
15 good for the State of Nevada and, in the long run, it's  
16 not good for our country.

17 Thank you for affording myself and fellow  
18 Nevadans the opportunity to appear in front of you in  
19 these forums.

20 MR. MILLS: Thank you, Governor.

21 You will notice that the Governor, at his  
22 conclusion, gave his remarks to the court reporter. We  
23 would encourage all of you that have written remarks  
24 that you read from or refer to, to do the same.

25 If you want to keep a copy of that, we

1 have a copy machine outside and if you take it out to  
2 the desk, they'll make a copy so that you can keep your  
3 own copy, but for our record we want it as complete and  
4 as accurate as possible.

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1 MR. MILLS: Our next speaker will be  
2 Blaine Ross.

3 MS. ROSE: I'm here tonight to represent  
4 United States Senator Harry Reid.

5 Senator Reid's opposition to the nuclear  
6 dump and to the entire process with regard to the  
7 siting, I think, is known to most of you. So I'm not  
8 going to go through the chronology of his opposition  
9 nor the unhappy history of this project.

10 What I am going to do is read you a  
11 statement from Senator Reid.

12 "I am eager to take this  
13 opportunity to re-state my  
14 unequivocal opposition to the nuclear  
15 waste dump.

16 "Our fight to keep the nuclear  
17 waste dump out of Nevada is far from  
18 over. As Nevadans, we must speak  
19 with one voice. That means working  
20 together, at the local level and in  
21 Washington, from our homes to our  
22 places of work. Nobody from outside  
23 of Nevada must ever get the idea that  
24 we want the nuclear dump at Yucca  
25 Mountain or anywhere in Nevada.



1 "The out-of-state people who  
2 want to put a nuclear waste dump in  
3 our state are going to spend a lot of  
4 time and effort trying to make the  
5 idea look attractive to us. Nevada's  
6 unique history has taught us that  
7 scientific double talk will never  
8 replace common sense. Common sense  
9 says a nuclear waste dump in Nevada  
10 is a bad idea.

11 "The people of Nevada are not  
12 interested in making a quick buck  
13 from a long-term disaster. There are  
14 other solutions to this problem. The  
15 Department of Energy must explore  
16 other options and alternatives.

17 "We live in the most  
18 scientifically advanced nation in the  
19 history of the world. Fifty years  
20 ago the doubters and skeptics said  
21 that the atom could never be split.

22 "Now, people who do not live  
23 or work in Nevada are saying that  
24 there is not other way to dispose of  
25 nuclear waste other than to dump it

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here.

"They were wrong fifty years ago, they're wrong now."

Thank you.

MR. MILLS: Thank you.

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1 MR. MILLS: Is Bob Fulkerson here?

2 MR. FULKERSON: Good evening. My name is  
3 Bob Fulkerson.

4 Before I start my remarks to the panel,  
5 I'd like to address the audience here tonight and to  
6 say that these here (indicating), "Nevada is not a  
7 wasteland" with a flag reminds us of our patriotic duty  
8 to be anti-nuclear activists and to protect this  
9 country from nuclear contamination.

10 And that there's groups -- there's the  
11 Nevadans Against the Nuclear Dump that are represented  
12 out here and there's Citizen Alert, and I encourage you  
13 to get on their mailing lists to become members to  
14 contribute because the only way we're going to protect  
15 this state and this planet is by getting together and  
16 by acting on concern, but you guys have shown that by  
17 coming out and I really commend you all for doing that.

18 Citizen Alert was started in 1975 by two  
19 local women who were opposed to the Retrievable Surface  
20 Storage Facility, which was one of the long line of  
21 euphemisms that the Atomic Energy Commission and the  
22 Energy Research and Development Administration and now  
23 the Department of Energy have come up with for a  
24 high-level nuclear waste dump, and before I start  
25 commenting directly on the Site Characterization Plan,

1 I want to talk a little bit about Nevada and the  
2 nation's nuclear waste program.

3 In the 1950's, Nevadans and U.S. military  
4 personnel were assured by government experts that  
5 aboveground nuclear testing caused no threat to public  
6 health and safety but if there were damage, that  
7 compensation would be made.

8 People believed this at first but  
9 gradually became painfully aware that radioactive fallout  
10 from the aboveground testing was harmful. Despite  
11 Atomic Energy Commission protests, citizen concerns and  
12 action drove nuclear testing underground in 1963, but  
13 not before downwind victims who later developed cancer,  
14 birth defects and premature mortalities were exposed to  
15 radiation previously pronounced safe by the government  
16 experts.

17 Nevada has also seen a proliferation of  
18 supersonic operations areas, ultra-hazardous,  
19 experimental military combat training. So the  
20 high-level nuclear waste dump here in Nevada will not  
21 be the first time that Nevadans will have been used as  
22 guinea pigs in the so-called national interest.

23 We're here to say tonight that enough is  
24 enough.

25 It should come as no surprise that this



1 process that has been flawed and politicized all the  
2 way along has yielded a flawed site. The decision of  
3 May 28th, 1986, to draw politically powerful states in  
4 the East in consideration was followed by a Congress-  
5 ional decision that was equally political. That was  
6 the so-called Screw Nevada Bill in 1987.

7 It's obvious that these decisions are made  
8 on political expedience and not on public safety. So  
9 what we've got to do is stop them, and one way we can  
10 stop them is through the Congressional appropriations  
11 process.

12 We are hopeful that people in other states  
13 that are Congressional delegations will go to Congress  
14 and will see that funding is cut for the site  
15 characterization.

16 Now, it may seem kind of contradictory  
17 that now I'm going to talk about the Site Character-  
18 ization Plan that we hope to stop, but in the event  
19 that it does go on, here's some comments on that Site  
20 Characterization Plan.

21 The only other site characterization plan  
22 that has ever been done for a nuclear waste dump is the  
23 Waste Isolation Pilot Plan SCP, and what has been true  
24 regarding the WIPP Site Characterization Plan, the dump  
25 that was -- the military needs to dump their high-level

1 waste or their transuranic waste in New Mexico came up  
2 with a plan, and this plan and the Yucca Mountain plan  
3 are the only things that we have, and what's true for  
4 the WIPP plan could be true for the Yucca Mountain  
5 plan.

6 One of those things is that problems will  
7 arise during site characterization that were not  
8 predicted or even dreamt of in the Site  
9 Characterization Plan.

10 For example, the Waste Isolation Pilot  
11 Plan Site Characterization Plan presumed that the site  
12 was dry. Well, now after site characterization happen  
13 at WIPP, there is gallon and a half of water a minute  
14 leaking into that site.

15 What plans has the Department of Energy  
16 made in the event that what they predict in their SCP  
17 does not pan out during site characterization, for  
18 instance, what happens about water flows and if you see  
19 a lot of water showing you when you sink those shafts?  
20 We'll talk about that in a minute.

21 During the process of site  
22 characterization, in order to assure the readability of  
23 the data there has to be a good quality assurance  
24 program. The General Accounting Office report  
25 entitled, quote, "Nuclear Waste Repository Work Should

1 Not Proceed Until Quality Assurance is Adequate," end  
2 quote -- I think that's a great title. It should be  
3 the name of a book.

4 Any way, it recommends that no further  
5 work proceed at Yucca Mountain until DOE's quality  
6 assurance program meets the Nuclear Regulatory  
7 Commission standards. The Site Characterization Plan  
8 should explicitly describe the Department's plan for  
9 compliance with quality assurance standards.

10 Another issue is independent technical  
11 review, that DOE has yet to provide adequate funding  
12 for independent studies during site characterization  
13 and other technical studies at Yucca Mountain.

14 Your credibility is poor and the Nuclear  
15 Regulatory Commission's oversight of the Department is  
16 tainted by its historically cozy relationship with the  
17 nuclear industry.

18 The Nuclear Waste Policy Act attempted to  
19 solve this dilemma by mandating that states be funded  
20 to do independent oversight. It is the one thing, in  
21 fact, that stopped Kansas -- the Lyons, Kansas, site  
22 from going in.

23 In fact, if it had been left up to this  
24 prestigious National Academy of Sciences and the Atomic  
25 Energy Commission, both of whom gave the Lyons, Kansas,



1 Nuclear Waste Dump site a green light and to go ahead  
2 and start dumping high-level nuclear waste there in  
3 1971, were stopped by the Kansas State Geological  
4 Survey with independent funding.

5 Despite this, the Department of Energy has  
6 proclaimed that independent technical studies by the  
7 state in certain areas of Yucca Mountain are  
8 duplicative.

9 The guidelines state that a site should be  
10 disqualified if fault movement or other ground motion  
11 would result in a loss waste isolation. The Department  
12 of Energy has determined, though, that it's not  
13 disqualified on this premise because ground motion is  
14 not likely to occur that would disrupt the site.

15 However, your own geologist, Jerry  
16 Szymanski, has concluded in a report that was finally  
17 released in December, months after it was written, that  
18 concluded that serious considerations should be given  
19 to abandoning the Yucca Mountain site to the purposes  
20 of high-level radioactive waste disposal.

21 In his report he also noted that the DOE's  
22 preconceived notion about the suitability of Yucca  
23 Mountain is grossly optimistic and distorted.

24 We feel that the Site Characterization  
25 Plan will not refute or verify Szymanski's hypothesis



1 of the relationship between the earthquake problems and  
2 a rise of the ground water that could flood the  
3 repository because it tries to deals with each of these  
4 technical issues independent of one another.

5 So what the SCP needs to do is take a more  
6 holistic approach to the study of Yucca Mountain as a  
7 complex and integrated system.

8 A study by the Center of Volcanic and  
9 Tectonic Studies, the Department of Geoscience at the  
10 University of Nevada-Las Vegas, provides important  
11 conclusions relating to volcanism at Yucca Mountain.  
12 These are that there are no easily recognized  
13 geochemical characteristics that signify the  
14 termination of volcanism and that volcanism at  
15 individual -- at balsaltic centers may last five  
16 hundred thousand years.

17 So, you know, the idea that you don't have  
18 to worry about volcanism during the Site  
19 Characterization Plan work is not right.

20 I will dispense with these pages on some  
21 of the technical issues and get down to what some of  
22 our alternatives are to Yucca Mountain.

23 The bottom line is that nuclear waste  
24 production has to stop. It makes no sense to go on  
25 producing the world's most lethal garbage in the

1 absence of any known safe, long-term method for  
2 isolating the waste from the environment. So first the  
3 waste generation has to stop.

4 Second, the Department of Energy must be  
5 removed from managing the nation's nuclear waste  
6 disposal program because of its conflict of interest  
7 and lack of credibility with the public.

8 The conflict of interest is rooted in your  
9 simultaneous -- I mean you've got so many jobs to do.  
10 You've got to promote nuclear power, you've got to  
11 produce nuclear weapons, you've got to test the nuclear  
12 weapons, you've got to clean up these DOE contaminated  
13 facilities that people have finally lifted the rug up  
14 over now in the last few years to see that there are  
15 hundreds of billions dollars of damage that has been  
16 done in the past.

17 On top of that, you've got this little  
18 repository at Yucca Mountain you're trying to build.  
19 It's just too darn much for one agency, especially an  
20 agency whose credibility is suffering.

21 We further recommend that Congress devote  
22 necessary funding to enable nuclear utilities to  
23 develop dry-cast storage facilities, and while they're  
24 storing this waste on-site in these dry-cast storage  
25 facilities, that the Congress appropriate enough

1 funding such that we can have a Manhattan II Project.

2 I mean, this nation had a vision when it  
3 created the Manhattan Project, that we would have the  
4 bomb and that we would be the best with that bomb.  
5 Well, now it's time to figure out how we're going to  
6 put all that junk back together and how we're going to  
7 contain it.

8 And the same vision and the same  
9 excellence that we strived for back then, not  
10 necessarily for a greater good, can now be used to  
11 contain the atom and to contain this waste, but nothing  
12 less is going to do.

13 In closing, I'd like to thank you for this  
14 opportunity to speak. We'd like to see hearings in the  
15 rural areas and we would like to see hearings --  
16 further hearings in Reno and in Las Vegas in the future  
17 as this process goes along that are public hearings,  
18 for the record, and not up-date sessions.

19 Thank you.

20 MR. MILLS: Thank you.

21 \* \* \*

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25



1 MR. MILLS: Is Barbara Scott present?

2 Excuse me, first, Mr. Fulkerson, would you  
3 give us a copy of that? Did you? Okay. Thank you.

4 MS. SCOTT: My name is Barbara Scott and I  
5 want to acknowledge you for having hearings tonight. I  
6 appreciate having the opportunity to speak, the  
7 opportunity as a citizen to work with government. I  
8 want to acknowledge you on extending the comment period  
9 to June 1st.

10 I also want to stress the need to allow  
11 citizens in other places around our state to have the  
12 opportunity to speak. I really appreciate the fact  
13 that I'm close enough to be here tonight, but if I  
14 lived in Fallon or Carson City or Minden or Elko or Ely  
15 or Winnemucca, etcetera, I'd want to have the same  
16 opportunity to talk to you and I'd really encourage you  
17 to have hearings in those cities.

18 Don't count on the Federal Register to let  
19 people know about it. Go ahead and use the newspapers  
20 like you did, posters, whatever. Get the word out. I  
21 think citizens really want to talk to you.

22 I oppose any transportation or underground  
23 storage in Yucca Mountain or anywhere at any time. I  
24 urge a complete halt to any further scientific studies  
25 of Yucca Mountain or any other underground site.



1                   My reasons: I opposed transportation  
2 because the risk of spills is great, consequences are  
3 unthinkable and totally unacceptable.

4                   I opposed underground storage because of  
5 the threat to underground water anywhere. It's just  
6 unacceptable.

7                   I'm a nutritionist and when I talk to  
8 people about nutrition, the thing that we always forget  
9 is that water is the most important thing. We think  
10 about lots of other things, but we don't realize that  
11 without water we will die more quickly than any other  
12 nutrient.

13                   I realize that water is the thing that  
14 drives life on this planet. Having nuclear waste  
15 anywhere close to water is just unacceptable.

16                   Furthermore, putting nuclear waste  
17 products underground reinforces the concept of nuclear  
18 waste as a concept. To me it's unacceptable.

19                   Waste is an inevitable phenomenon. By  
20 putting it underground it creates the concept of  
21 putting it out of mind, out of sight.

22                   As I was thinking about what I would say  
23 tonight, I realized that every Friday morning I drag my  
24 trash cans to the end of my driveway, and if I have  
25 other trash that doesn't fit, I just drag it out too,

1 and it disappears.

2 I come Friday night after work and it's  
3 gone. I don't think about it. It's great. I really  
4 appreciate those people that come pick up my trash, and  
5 I realized that if I had to keep it in my backyard, if  
6 I had to put my trash in my backyard, I'd think totally  
7 different about it than I do now.

8 I'd think real seriously about the trash I  
9 generate, the trash I buy and I'd be out there digging  
10 through it to see what I could do with it. I'd figure  
11 out something useful to do with it if I had to keep it  
12 in my backyard. That's what I oppose.

13 What I support is keeping the waste where  
14 it's generated and above ground to serve as a constant  
15 reminder that what is needed is not disposal or the  
16 generation of waste. It is imperative to either find a  
17 useful, peaceful purpose for nuclear by-products -- and  
18 I'll choose to call them by-products instead of  
19 waste -- or not to generate it at all.

20 In other words, to explore alternative,  
21 safe energy sources and work to continue to decrease  
22 energy usage and increase conservation measures.

23 I also support the diversion of resources  
24 away from the development of the Site Characterization  
25 Plan, away from the eventual construction of an

1 underground site anywhere and eventual transport and  
2 storage costs that will be incurred, and to direct  
3 those resources toward immediate research for ways to  
4 defuse or recycle nuclear by-products for peaceful  
5 purposes and safe alternative energy sources.

6 If the DOE decides to have a nuclear  
7 lottery, I would support you and I promise that I would  
8 buy a ticket every week. I don't buy a ticket for any  
9 other lottery but if you have a lottery to raise money  
10 to figure out what to do with this stuff, I'll buy a  
11 ticket.

12 The bottom line for me is that if the  
13 waste cannot be safely used, it should not be produced.  
14 The idea of safe storage for ten thousand years is not  
15 only humanocentric -- I don't know if that's a real  
16 word, but I made that up -- but it's absurd when you  
17 think about how long life has been on this planet.

18 What is important to me tonight is not  
19 what's good for me, not what's good for the people in  
20 Nevada, not even what's good for the United States but  
21 what's good for the planet, not for ten thousand years  
22 but forever.

23 Further, my last statement is I've been in  
24 contact with my state assemblyperson Gary Sharon and he  
25 regrets that he cannot be here tonight, but he asked me

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to convey to you his adamant opposition to any nuclear  
waste repository in Nevada.

Thank you.

MR. MILLS: Thank you.

\* \* \*



1 MR. MILLS: Odessa Ramirez?

2 MS. RAMIREZ: Thank you for inviting us to  
3 speak here tonight. I appreciate the opportunity to do  
4 this.

5 I am extremely opposed to the high-level  
6 nuclear waste dump situated in Nevada or anywhere in  
7 the world. No matter where it goes, it's a dangerous  
8 thing and it shouldn't be anywhere in the world, and I  
9 think that nuclear waste should not even be produced,  
10 either.

11 Besides all the things that everybody else  
12 has mentioned in their opposition to the dump, all the  
13 technical reasons and the reasons that the land is just  
14 not suited for it, there's also the Western Shoshone  
15 Nation to be considered and their treaty with the  
16 United States Government made in 1863, the Ruby Valley  
17 Treaty.

18 By doing what you're doing there without  
19 considering those people and that that land is those  
20 people's land, you are violating a treaty and violating  
21 international law. And I think you should consider  
22 seriously what you're doing about that.

23 I'd like to read a couple of quotes. This  
24 is a quote which reads:

25 "The white people never cared

1 for land or deer or bear. "When we  
2 Indians kill meat, we eat it all up.  
3 When we dig roots, we make little  
4 holes. When we build houses, we make  
5 little holes. When we burn grass for  
6 grasshoppers, we don't ruin things.  
7 We shake down acorns and pinenuts.  
8 We don't chop down trees. We only  
9 use dead wood.

10 "But the white people plow up  
11 the ground, pull down the trees, kill  
12 everything. The tree says, 'Don't.  
13 I am sore. Don't hurt me.' But they  
14 chop it and cut it up.

15 "The spirit of the land hates  
16 them. They blast out trees and stir  
17 it up to the depths. They saw up the  
18 trees. That hurts them. The Indians  
19 never hurt anything, but the white  
20 people destroy all.

21 "They blast rocks and scatter  
22 them on the ground. The rocks says,  
23 'Don't. You are hurting me.' But  
24 the white people pay no attention.  
25 When the Indians use rock, they take

1 little round ones for their cooking.

2 "How can the spirit of the  
3 earth like the white man? Everywhere  
4 the white man has touched it, it is  
5 sore."

6 I have one more quote I would like to read:

7 "Friends and relatives, we  
8 have reason to glory in the  
9 achievements of our ancestors.

10 "I behold with sadness the  
11 present declining state of our noble  
12 race. Once the war-like yell and the  
13 painted men were the terror of the  
14 white man. Then our fathers were  
15 strong and their power was felt and  
16 acknowledged far and wide over the  
17 American continent.

18 "But we have been reduced and  
19 broken by the cunning and rapacity of  
20 the white skinned race. We are now  
21 compelled to crave as a blessing that  
22 we may be allowed to live upon our  
23 own lands, to cultivate our fields,  
24 to drink from our own springs and to  
25 mingle our bones with those of our

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fathers.

"Many winters ago, our wise ancestors predicted that a great monster with white eyes would come from the east and as he advanced would consume the land. This monster is the white race and the prediction is near its fulfillment."

In closing, I would like just like to say that the history of the Department of Energy has -- it's been proven that you have no credibility whatsoever and if there's anyone that trusts you or believes you or respects you, they're either a fool or ignorant.

Thank you.

MR. MILLS: Thank you.

\* \* \*



1 MR. MILLS: Is Amy Glover present? Thank  
2 you.

3 MS. GLOVER: The decision concerning  
4 whether or not to place a nuclear waste repository in  
5 the Yucca Mountain area, whether it is widely  
6 acknowledged or not, is perhaps the most crucial  
7 decision which faces our generation.

8 Some claim that this whole project has  
9 been needlessly clouded by political hysteria. I  
10 hardly think that a decision which could adversely  
11 affect the next five hundred generations is a matter to  
12 be taken lightly.

13 All of the input, concerns and questions  
14 should be welcomed. They can only benefit by adding to  
15 our store of knowledge and if they slow down our  
16 progress in finding a place for our nuclear wastes, it  
17 seems a small sacrifice to pay for prudent caution.

18 Others seem to feel that the concerns of  
19 the next five hundred generations of Americans are  
20 trite in comparison to the short-term economic benefits  
21 Nevada may experience, as a result of turning it into a  
22 shelter for the country's nuclear waste. If this is  
23 the answer to diversifying Nevada's economy, I say let  
24 someone else grab ahold of this remarkable capitalistic  
25 opportunity.

1                   When I read in the newspapers that  
2 scientists have been voicing concerns that the Yucca  
3 Mountain area is not suitable for such a project, I  
4 begin to worry. There isn't just one glitch, buy many.

5                   The Yucca Mountain region is criss-crossed  
6 by faults which could feasibly be a source of potential  
7 earthquakes. There are volcano cones which erupted  
8 perhaps only as few as six thousand years ago, which  
9 brings up the question of whether or not they may again  
10 become active in the future.

11                   This may only be of concern in two  
12 thousand years or so, but it is our responsibility to  
13 have this much foresight. After all, the wastes will  
14 be hazardous for the next ten thousand years.

15                   Isn't it amazing to fathom that we have  
16 crated a probelm in just the last forty years that will  
17 concern us for the next ten thousand years?

18                   Our country was only founded two hundred  
19 years ago and only about five hundred years ago was the  
20 New World discovered. Not even two thousand years ago  
21 did Jesus Christ visit our world and a mere two  
22 thousand four hundred years ago Socrates was teaching  
23 his philosophy in the flourishing culture of Athens,  
24 Greece.

25                   The Egyptian pyramids were constructed

1 some five thousand odd years ago, but the site which is  
2 chosen to house the most dangerous and concentrated  
3 nuclear by-products must be safe for the next ten  
4 thousand years.

5 Some of the materials, by the way, remain  
6 radioactive for millions of years afterwards. This  
7 isn't just a little government project but an  
8 undertaking which concerns us all. If it is handled  
9 foolishly, it could be a nightmare.

10 If the dangers posed for future  
11 generations don't impress you, for our area there are  
12 dangers which loom in a not so distant future.

13 An estimated seventy thousand metric tons  
14 of radioactive waste would be trucked thorough Nevada to  
15 the Yucca Mountain site. This is a formula for  
16 disaster.

17 In keeping with accident statistics, over  
18 a thirty-year period one thousand five hundred  
19 accidents would occur or approximately fifty accidents  
20 per year. Three of these would be severe, involving  
21 injury or death. Some of the more harrowing, but not  
22 completely unlikely, mishaps could make Sparks, Nevada,  
23 a household word just like Chernobyl.

24 Perhaps the most disturbing snag in the  
25 plan is the question of water. Will enough water



1 penetrate the basalt under which the iron containers  
2 will be stored? No one seems to know for sure at this  
3 point.

4 What concerns me is that the scientists  
5 aren't being allowed to pursue their hunches and to  
6 recommend the most expedient agenda for finding out the  
7 answer.

8 I agree with a statement that a Department  
9 of Energy scientist made in the Los Angeles Times this  
10 week. Mr. Syzmanski said, quite frankly, "If this is a  
11 lemon, I say let's find out now and get the hell out of  
12 there."

13 I wonder why such advice hasn't been  
14 heeded? But like many others, I've begun to consider  
15 and I hope I'm wrong, that the Department of Energy is  
16 setting up their own plan of research because they know  
17 the results they want to find.

18 After all, Nevada got screwed when a bunch  
19 of Congressmen in D. C. decided it was better to place  
20 the dump in a sparsely populated area where there would  
21 be fewer dissenting voices than to have it in their own  
22 backyard. Why not just stuff the junk there and deal  
23 with the catastrophes as they arise?

24 Perhaps this sounds overly negative, but I  
25 hope you'll excuse me when I say that the past record



1 of the Department of Energy does little to inspire my  
2 confidence in their abilities.

3 A summary of the gaffs which have already  
4 occurred need not be recounted here since most are all  
5 too familiar with them. Suffice it to say, that  
6 although they are having trouble dealing with it, I'm  
7 extremely glad that the Department of Energy has been  
8 working on this project under public scrutiny.

19  
9 I'm also -- I'm against having the Yucca  
10 Mountain area turned into a wasteland. The nation's  
11 commercial plants are getting antsy to find a simple  
12 solution but concerns over safety take precedence.

13 A project of this magnitude shouldn't be  
14 thrown together. This undertaking is so monumental  
15 that it is hard to grasp the full implications of the  
16 long-term dangers it entails.

17 We have a responsibility not only to  
18 fellow Nevadans and Americans, but one to all of the  
19 human beings and creatures which inhabit this earth.  
20 This planet is not ours to destroy.

21 Although one sometimes gets the feeling  
22 that the nuclear pandora's box has been opened and is  
23 reeking havoc on our planet, we must do our best to  
24 contain its harmful influences, no matter what the cost  
25 or inconvenience.

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Thank you.

MR. MILLS: Thank you.

Miss Glover, would you give a copy to the court reporter? If you want to keep it, we have a copy machine out there that will do it for you, otherwise just give it to her. Thank you.

\* \* \*

1 MR. MILLS: Is Nancy Scott present?

2 MS. SCOTT: I'm Nancy Scott from Carson  
3 City. Thank you to allowing us all to come.

4 The Department of Energy has heard from  
5 many Nevadans about our mistrust of government  
6 agencies.

7 We are mistrustful because of the problems  
8 of environmental contamination in your defense  
9 facilities.

10 We are worried about your push in New  
11 Mexico's Pilot Plan for opening without completion of  
12 important scientific investigations.

13 It bothers us that if you say it is so  
14 safe, why aren't they looking for a site in the East  
15 where the waste is produced thereby avoiding the  
16 nightmares of transportation?

17 We want the site characterization here to  
18 be done carefully, scientifically and thoroughly.

19 At one of your question-and-answer  
20 meetings in Carson City, we were told not to worry  
21 about radiation and we were treated as though we were  
22 unintelligent, that our concerns were unfounded and we  
23 felt that the experts present were impatient with our  
24 questions. We asked a few questions and received very  
25 few answers before we gave up.

1                   Incidentally, we were referred to the  
2 stack of volumes of scientific evidence for further  
3 reading.

4                   The DOE's parent agency told Nevadans not  
5 to worry in the 50's when they were conducting  
6 aboveground tests in the Nevada desert. My husband,  
7 growing up near Tonopah in the 50's remembers looking  
8 forward to the announced tests. His family would drive  
9 up the nearby mountain tops at night to see if there  
10 was enough light to read by and to see if they could  
11 see the mushroom cloud.

12                   Now people in Nevada and Southern Utah  
13 have higher rates of cancer than other states. We  
14 worry when you say not to worry.

15                   Our Nuclear Waste Project Office has a  
16 team of one hundred fifty independent scientists and  
17 specialists paralleling some of your studies. Their  
18 findings, the findings of the Nuclear Regulatory  
19 Commission and the U.S. Geological Survey all have  
20 serious disagreements and contradictions with what you  
21 are saying. Yet, you seem satisfied enough with your  
22 investigations to go ahead with this project.

23                   This repository has to be safe for future  
24 generations of the world. The number ten thousand  
25 years seems to be the estimate most often used. Put



1 that large number in perspective.

2 Ten thousand years ago, early Stone Age  
3 man was crossing the Bering land bridge at the end of  
4 the last Ice Age and hunting woolly mammoths and  
5 sabre-toothed cats.

6 That's an incredibly long time to be  
7 concerned with and not to spend time now in the most  
8 careful, scientific way that you possibly can. The  
9 site has to be as safe as our present technology can  
10 make it.

11 Consider this recent scientific surprise:  
12 Ten years ago families were hiking on a lovely mountain  
13 called St. Helens.

14 This decision cannot be based on politics.  
15 It cannot be based on population. It cannot be based  
16 on economics. No short-term economic gain is worth the  
17 possible long-term effects.

18 I would like to see four steps taken while  
19 these careful, scientific measures are being conducted  
20 in the site characterization.

21 First, I would like to see Congress vote  
22 the money for study or more than one site, as promised  
23 before. More than one will be needed in the long-run  
24 anyway.

25 I would like to see the Department of

1 Energy spend money on alternate energy research and  
2 research in the technolgy for new ideas on high-level  
3 waste neutralization for the future.

4 I would like to see a ban on the  
5 production of more waste until the disposal problem is  
6 carefully solved.

7 Finally, I am asking if the DOE will  
8 sponsor a science mediation process to help the public  
9 and Congress understand point-by-point the scientific  
10 differences that the various agencies and task forces  
11 have expressed.

12 How can you all possibly disagree on  
13 faulting, ground water, volcanism and climate? We need  
14 more information as badly as you do.

15 This is an experiment that has to work  
16 right the first time. This is not an experiment that  
17 can have the old adage applied, "If at first you don't  
18 succeed, try, try again."

19 MR. MILLS: Thank you.

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1 MR. MILLS: Is Alyce Williams present?

2 MS. WILLIAMS: I will tell you right now  
3 that I did get permission from the National Geographic  
4 to read certain items, certain quotes. Only to read  
5 them, not to make copies.

6 So I must insist that I be allowed to read  
7 certain portions as they gave me permission to do over  
8 the telephone. I will give you the issue and then  
9 someone -- National Geographics are available in most  
10 libraries -- and then possibly you can get your own  
11 copies.

12 Now, this particular article comes from  
13 August 1985. It's Volume 168, No. 2 of the National  
14 Geographic. In this article, which is called "Our  
15 Restless Planet Earth," was mainly about the tectonic  
16 plates, and this portion of it refers to our area here.  
17 It says:

18 "Fifteen million years ago Salt  
19 Lake City and Reno were two to three  
20 hundred miles closer together," says  
21 Utah's Bob Smith.

22 The two cities are pulling  
23 apart because the Great Basin is  
24 being heated from below. The crust  
25 is thinning and stretching. Just

1                   what causes that heating is  
2                   controversial.

3                    "It may be the melting of the  
4                   old subducted Farallon plate below.  
5                   Whatever the cause, as the crust  
6                   stretches, large blocks of land  
7                   subside. Where they drop, they  
8                   create valleys next to mountain  
9                   ranges.

10                    "The entire region from the  
11                   Wasatch Range that overlooks the  
12                   Great Salt Lake to Death Valley and  
13                   Sierra escarpment is a series of  
14                   deepening basins interspersed about  
15                   every twenty-five kilometers or so  
16                   with mountains. The valleys of this  
17                   so-called Basin and Range region do  
18                   not subside gently.

19                    This is a story about a couple who witnessed  
20                   this.

21                    "Just after dawn on October  
22                   28, 1983, Lawana Knox of Challis,  
23                   Idaho, was hunting with her husband,  
24                   Bill, not far from Borah Peak, the  
25                   highest mountain in Idaho. She had



1 won the right to hunt elk there that  
2 season in a special drawing. 'It was  
3 a once-in-a-lifetime opportunity,'  
4 she recalls.

5 "Actually the opportunity was  
6 once in a hundred lifetimes. For at  
7 8:06 a.m., before Lawana Knox's eyes,  
8 the mountain across from her cracked  
9 along a fault, as it does about every  
10 ten thousand years, and dropped  
11 nearly three meters, ten feet.

12 "'I heard a noise like a sonic  
13 boom,' she says. 'The earth began to  
14 sway and ripple. I didn't have time  
15 to be scared. I just grabbed a  
16 sagebrush and held on. I'm sure that  
17 bush still has five fingerprints  
18 pressed into it.'

19 "As Lawana was hugging the  
20 ground, seismometers across the West  
21 reported that a 7.3 Richter-scale  
22 earthquake has struck this sparsely  
23 populated section of the Basin and  
24 Range. Similar faults and basins  
25 underlie numerous western cities.

1                   Should the nearly identical Wasatch  
2                   Fault in Salt Lake City slip, the  
3                   result could be catastrophic.

4                   "Geologists debate whether the  
5                   Basin and Range will rift enough to  
6                   open a new ocean. If it does, the  
7                   West Coast would become a  
8                   free-floating continent.

9                   "West Coast residents have  
10                  more imminent hazards to worry about.  
11                  From the Sierra to Seattle volcanoes  
12                  long thought to be dormant are  
13                  showing signs of life.

14                  "Since 1978 California's Long  
15                  Valley caldera, which once dropped  
16                  ash on the East Coast, and Mount  
17                  Shasta have both seen swarms of  
18                  earthquakes. And, of course, in 1980  
19                  Mount St. Helens proved categorically  
20                  that the Cascade volcanoes are indeed  
21                  active.

22                  "'Mount St. Helens had been  
23                  silent for one hundred twenty-three  
24                  years,' says U.S. Geological Survey  
25                  Volcanologist Dan Miller as we drive

1 along the Cascades. 'It blew only  
2 seven days after we noted it's first  
3 earthquake. Any of these Cascade  
4 volcanoes -- Mount Rainer, Mount  
5 Shasta, Mount Hood, Crater Lake --  
6 could do the same.'

7 "We turn a bend and suddenly  
8 confront the shattered face of Mount  
9 St. Helens. No picture I have seen,  
10 no description I have read, prepared  
11 me for the devastation. Thick gray  
12 ash flows still cover all I can see.  
13 Forests of denuded trees lay neatly  
14 toppled, as if a huge comb had passed  
15 through them.

16 "'In three minutes all this  
17 happened,' says Miller. 'Some six  
18 hundred square kilometers were  
19 totally destroyed. I worked here and  
20 saw it happen. I still can't believe  
21 it.'

22 "'It may look sinister and  
23 depressing,' he continues. 'But to  
24 geologists it has its own beauty. It  
25 hold promise that we may be able to

1 understand how these things happen.'

2 "The site is oddly  
3 inspirational, for the volcano is  
4 rebuilding. A dome of oozing magma  
5 is refilling its crater. Earth is  
6 renewing itself, making new  
7 continents before my eyes. As Miller  
8 says, 'That volcano is telling us  
9 earth is alive and kicking.'"

10 It's a shame that you had to pick Yucca  
11 Mountain, which is a volcano, to decide to put your  
12 good things on. I doubt very much if it will go  
13 through, but at any rate, that's neither here nor  
14 there. You can do the best you can do because that's  
15 your job to do it.

16 I just received my new National Geographic  
17 of April 1989, Volume 175, No. 4, and in it I will have  
18 to show the people and I hope they can see it. It's a  
19 colored picture.

20 It's the craters that they've been making  
21 down in the Yucca Mountain Flats. It's a very ugly  
22 picture. One of the ugliest you can ever see in your  
23 life.

24 I will now read to you the "Nuclear  
25 Weapons States and the Fourth World Nations" by Bernard



1 Nashman and William LaBon.

2 "Nuclear Geography. All  
3 nuclear states explode their bombs on  
4 unconsenting nations. No nuclear  
5 states test bombs on its own lands  
6 and peoples.

7 "Americans don't set off  
8 nuclear weapons in Santa Barbara or  
9 Washington, they bomb the Western  
10 Shoshone Nation. Russians bomb" -- I  
11 can't even say the name" --

12 "K-a-c-a-h-k-s-t-a-m. The Chinese  
13 bomb" -- and again -- "U-y-g-u-r  
14 Territory. The French bomb  
15 T-u-a-m-o-t-u Island people. Great  
16 Britain has bombed both Australian  
17 aboriginal nations and the Western  
18 Shoshone.

19 "All nuclear states are  
20 composed of many nations but each is  
21 controlled by a single nation that  
22 has a bomb.

23 "Britain's bomb is English,  
24 not Irish. The Soviet bomb is  
25 Russian, not Ukrainian. The French

1 bomb is Persian, not Corsican. The  
2 Chinese bomb is Han, not Tibetan and  
3 the United States' bomb is white  
4 American, not Lakotan."

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6 And the Lakotan is referring to the Sioux  
7 Indian.

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9 "From England, with love. If  
10 the English were to test their  
11 nuclear bombs on or under Ulster,  
12 Northern Ireland, open warfare and  
13 worldwide condemnation would result.  
14 Instead, the English bomb distant  
15 nations to see how their nuclear  
16 weapons would work if they were used  
17 to bomb nearby nations.

18

19 "From 1952 to 1963, the  
20 English exploded nine aboveground  
21 bombs on at least eleven aboriginal  
22 nations in Australia. Permission was  
23 not sought from aboriginal peoples,  
24 nor were they warned. Radioactive  
25 contamination was widespread and  
entry into large contaminated areas  
is prohibited today.

1 "In 1980, an Adelaide  
2 newspaper interviewed" -- here I go  
3 again --  
4 "Y-a-n-k-u-n-y-t-j-a-t-j-a-r-a  
5 survivor of a 1953 English  
6 aboveground nuclear test. The  
7 witness told of hearing the  
8 exploration and then seeing the black  
9 mist sweep across their land. The  
10 people dug holes in the sand dunes  
11 for their children, then the old  
12 people covered the children with  
13 their bodies.

14 "Two days afterwards, everyone  
15 was vomiting and had diarrhea and  
16 people were laid out everywhere. The  
17 next day the people had very sore  
18 eyes, red with tears and I could open  
19 my eyes" --

20 MR. MILLS: Excuse me, ma'am. Your time  
21 is up and in consideration to the many others --

22 MS. WILLIAMS: Yes.

23 MR. MILLS: The document that you're  
24 reading, I wonder if you could give it to the court  
25 reporter and it will be made an official part of the

1 record.

2 MS. WILLIAMS: I read where if you had  
3 enough time at the end of a meeting that we might yet  
4 be able to finish our comments.

5 MR. MILLS: Yes, you can. Either your  
6 voice or --

7 MS. WILLIAMS: I would like to do that.

8 MR. MILLS: -- or my bottom will give out,  
9 but we're here to stay --

10 MS. WILLIAMS: My name is Alyce William  
11 and I want to continue on where I left off.

12 Thank you very much.

13 MR. MILLS: Thank you.

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1 MR. MILLS: Is Kathy Schwerin in the  
2 audience, S-c-h-w-e-r-i-n?

3 MS. SCHWERIN: It is Schwerin, not  
4 Sherwin.

5 MR. MILLS: Thank you.

6 MS. SCHWERIN: Thank you for inviting us  
7 here to speak this evening.

8 I'm a newcomer to Nevada. I've only lived  
9 here about a year and a half and I moved here from  
10 California where I lived for about fifteen years.

11 I used to think for a long time about  
12 Nevada, this giant state that I had to drive through to  
13 get to the places that I really wanted to go. Contrary  
14 to what I now think, I actually did believe that Nevada  
15 was a wasteland. A number of things happened to change  
16 my opinion.

17 I think the most important is the one that  
18 forms the theoretical basis for how I look at questions  
19 like should there be a nuclear dump situated at Yucca  
20 Mountain, and that is that I don't believe there's any  
21 such thing as a wasteland on this planet, and that's  
22 definitely true for Nevada as well.

23 I think that everything is connected and  
24 every place has value. I think that's a very simple  
25 but powerful principle and one that we should

1 definitely keep in mind as we think about this issue.

2           The second change came when I began  
3 opening my eyes and my heart as I drove across Nevada  
4 on my way to these other places, and I really began to  
5 see the beauty of the open space and the desert, that  
6 it's not just empty.

7           And then, thirdly, my opinion changed when  
8 I moved here and I began to know the state, explore it  
9 and really get to know the people that live here. And  
10 I discovered, like any other state, Nevada is a place  
11 of beauty and of mystery and that the people love it as  
12 much as anybody loves their home.

13           So that's why I decided that I needed to  
14 come here tonight to speak out against the nuclear dump  
15 in Yucca Mountain.

16           I'm not a scientist and I can't pretend to  
17 speak to all the scientific arguments, but it seems to  
18 me from listening to what I've heard that there are  
19 really only two reasons why this whole plan is being  
20 considered.

21           And the first is that I think that people  
22 have this feeling that we've to to do something. We've  
23 got the waste and we've get to do something with it,  
24 and there's a sense of panic about that.

25           And the idea is if we do something, we'll

1       feel like it's safe and it's okay and we can keep  
2       producing this noxious waste and so let's just go ahead  
3       and get it over with.

4                 The second is that I think a lot of people  
5       share the view that I used to have, that Nevada is a  
6       wasteland and that it somehow is not connected to the  
7       rest of this planet.

8                 So if we put it in a state where there  
9       aren't that many people to speak out against it, we can  
10      forget about it and not worry about it anymore. As you  
11      know, I think that is absolutely false thinking.

12                I want to make it clear that I don't think  
13      that there's any place that you can put this waste  
14      underground that will be safe and that is unconnected  
15      to the rest of the world, and I think that the  
16      transportation problems and the storage problems are  
17      insurmountable given our present technology.

18                Just from the little bit that I  
19      understand, it does seem safer to me to go with the  
20      aboveground on the sites where it's generated and  
21      really force people to deal with what they're producing  
22      instead of having this idea of out of sight, out of  
23      mind.

24                I think the comment about if my garbage  
25      weren't picked and carried away, you know, I wouldn't



1 have to think about it is a really apt one, and I think  
2 we should all have to deal with the garbage we generate  
3 in our homes as well as the nuclear garbage that we  
4 generate.

5 I'm going to leave it to other speakers to  
6 really go into all of the technical aspects because,  
7 like I said, I don't think that's my strong point. But  
8 I'm particularly concerned with DOE's track record.

9 I'm really concerned about the idea of all  
10 the transportation that's involved and I think it blows  
11 out of the water the argument that Nevada is far enough  
12 away from other people not to have to worry about it  
13 because we know that many states are involved.

14 I worry about the huge potential for  
15 accidents in moving this waste around. I was just  
16 involved in my first traffic accident last week and,  
17 you know, I'm a good driver. And it was amazing to me  
18 how quickly it happened and I just can't see the kind  
19 of quantity you're talking about not coming into some  
20 kind of problem.

21 Believe me -- I mean I had this tiny  
22 little accident and there was \$1500 worth of damage to  
23 my car and it was nothing. And so just it really makes  
24 me worry about that issue.

25 Then I'm worried about Yucca Mountain site



1       itself. I haven't -- and I know that's what you're out  
2       to do, is to characterize it and I just urge you to do  
3       the best job that anybody can do. Hopefully better  
4       than the Department has done in the past on other jobs.

5                   And finally, I urge you not to locate the  
6       dump at Yucca Mountain. Thank you.

7                   MR. MILLS: Thank you.

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1 MR. MILLS: Is Tracy Galloway present?

2 MR. GALLOWAY: My name is Tracy Galloway  
3 from Reno, Nevada. I'm just speaking for myself and  
4 not on behalf any group.

5 I'd like to address the issue of the  
6 possible use by terrorists of military weapons against  
7 the nuclear waste transport system proposed for Nevada.

8 In Nevada, high-level nuclear waste in  
9 cask containers would be transported by flatbed-type  
10 trucks to the Yucca Mountain dump site. These trucks  
11 would pass through Reno and Las Vegas on their way to  
12 the dump.

13 Terrorists or saboteurs using military  
14 weapons, especially man-portable armor-piercing  
15 anti-tank rockets or missiles, could threaten or  
16 actually cause the release of large amounts of lethal  
17 radiation from one or more of the cask containers at  
18 almost any point along the transport routes in or out  
19 of Nevada.

20 The combination of factors which make this  
21 type of terrorist attack plausible adds up to a virtual  
22 nuclear nightmare in Nevada.

23 The type of weapon used in this particular  
24 scenario is the hand-held recoilless gun, which is a  
25 product of the Second World War. It allows a

1 projectile the size of an artillery shell to be fired  
2 from a man's shoulder made possible by the lack of  
3 recoil and lightness of the weapon.

4           There are a number of one-man missiles and  
5 rockets on the market and most of them have a range of  
6 up to about two thousand meters. The missiles can be  
7 launched either directly off a small launcher on the  
8 ground or from the shoulder.

9           In the 1973 Middle East War -- that's the  
10 Yom Kippur War -- the Egyptians did considerable damage  
11 to the Israeli tanks by the use of a very small  
12 anti-tank missile contained in a box no larger than a  
13 suitcase.

14           Small weapons of this type and rockets are  
15 particularly suited to the guerrilla-type operations.  
16 They can be easily concealed and can do considerable  
17 damage.

18           Now, please bear in mind that we are  
19 talking about weapons whose warheads can penetrate  
20 heavy tank armor. Also remember that as tanks and  
21 other armored military vehicles around the world are  
22 designed with ever more capable armor, more effective  
23 portable weapons are designed to defeat this more  
24 capable armor. Therefore, you have an ever increasing  
25 escalation in the potential power of these weapons.

1           I submit that it would be virtually  
2 impossible to design a cask container which can  
3 effectively contain radioactive waste during all  
4 possible transportation collisions and fire accidents,  
5 let alone while being subjected to the effects of  
6 modern anti-armor weapons.

7           A shaped charge shell is used with most  
8 recoilless guns in the anti-tank role. A hollow cone of  
9 explosive with the shell is detonated at its apex when  
10 the shell strikes the target. The force of the  
11 explosion focuses into a jet of hot gas at high  
12 velocity, which melts a narrow hole through the armor  
13 plate.

14           Hot gases and molten metal are injected  
15 into the tank's interior, killing the crewmen and/or  
16 exploding their ammunition. This type of effect is  
17 produced by anti-tank rockets and missiles used by  
18 armed forces of nearly every country on earth.

19           Now, the NATO countries and France have  
20 developed eight hand-held anti-tank missiles and  
21 numbers -- I'm sorry -- and numerous types of small  
22 portable rockets. The Soviet and Eastern Bloc  
23 countries have produced a wide range of very similar  
24 weapons.

25           One such Soviet rocket, the RPG-7, is the



1 most widely used weapon of this type in the world. It  
2 is carried and fired by one man and weighs merely  
3 twenty pounds complete.

4 It can burn through up to 12.6 inches of  
5 tank armor when fired from a distance of up to five  
6 hundred twenty-five yards. It has been in service for  
7 over twenty years.

8 The Soviets supplied RPG-7's to the  
9 Communists in Vietnam and have supplied it also to the  
10 Sandonistas in Nicaragua. It has been used by Marxist  
11 guerrillas in El Salvador and is in wide use today  
12 around the world, especially by guerrilla forces and  
13 terrorist groups.

14 The current portable light anti-tank  
15 rocket used by U.S. forces is called the AT-4. It uses  
16 a disposable plastic launch tube only three feet three  
17 inches long, weighs only 13.2 pounds and can penetrate  
18 over 11.81 inches of armor at a range of up to three  
19 hundred thirty yards.

20 The West German Armbrust -- which means  
21 cross-bow -- is also lightweight and portable. One man  
22 can carry up to four of these rockets comfortably,  
23 which are fired from a portable disposable tube.

24 Armbrust can penetrate 11.8 inches of  
25 armor at a range of three hundred thirty and up to one

1 thousand six hundred forty yards. Its special design  
2 allows it to be fired from concealed positions, such as  
3 inside buildings or possibly even vehicles, since it  
4 produces no flash, smoke or back-blast when launched.

5 Other similar weapons include the  
6 American-made Dragon, the Swedish Carl Gustaf and the  
7 Soviet RPG-16, RPG-18 and RPG-22.

8 Heavier wire-guided missiles include the  
9 U.S. TOW missile and the French/West German designed  
10 Milan missile. Both of these systems use a three-man  
11 crew, one to fire, one to reload and one to spot the  
12 missiles' impact and to issue commands.

13 TOW is a heavier system than most,  
14 weighing over two hundred pounds, but it is quite  
15 accurate as all the gunner must do to insure a hit is  
16 to keep the sight cross hairs on the target as the  
17 missile is in flight.

18 The advanced TOW-3 can penetrate up to  
19 31.5 inches of armor at a range of between seventy and  
20 four thousand one hundred yards. That's over a mile in  
21 distance.

22 TOW has been built in greater numbers than  
23 any other such missile in the West. TOW has been in  
24 service since 1970 and is currently in use by more than  
25 thirty-six countries. It's not just here in the United

1 States.

2 Now, the Milan missile -- built in France,  
3 West Germany, Great Britain and India -- is probably  
4 the most capable of all portable anti-tank missiles.

5 It entered production in the mid 1970's  
6 and is in service with thirty-six countries. Milan has  
7 seen action in Chad, the Falklands and Iran and Iraq.

8 The special night-sight has been developed  
9 for use by France, Great Britain and West Germany.

10 The second generation Milan missile can  
11 defeat a whopping 41.7 inches of armor at ranges of  
12 between twenty-seven and two thousand one hundred  
13 ninety yards. The Milan system weighs just 60.9 pounds  
14 and, therefore, is quite man-portable.

15 Existing weapons tend to be given or sold  
16 to less-developed and Third World nations as they  
17 become obsolescent. Sometimes modern weapons are  
18 supplied to allies or friendly forces engaged in  
19 combat, as national priorities dictate.

20 The example would be the weapons that the  
21 U.S. supplied to the Contras, also the Stinger  
22 anti-aircraft missiles supplied by the U.S. to the  
23 Mujahedin in Afghanistan.

24 Stinger missiles supplied to the Afghans  
25 wound up in the hands of Iranian Pasadaran fighters and



1 were suspected of bringing down at least one American  
2 helicopter during the Persian Gulf Tanker War during  
3 1987 and 1988.

4 Modern anti-armor portable weapons are  
5 widely distributed in large numbers. Whether through  
6 direct supply by a weapon producing nation or by theft,  
7 blackmail, treason or purchase on the world arms black  
8 market, they can and have fallen into enemy, unfriendly  
9 or terrorist hands.

10 To summarize, the proposed transportation  
11 of high-level waste of Yucca Mountain across public  
12 highways in Nevada would create a virtual nuclear  
13 shooting gallery for terrorists armed with any of these  
14 weapons.

15 Terrorists or extortionists could attack  
16 or divert more of these -- I'm sorry -- terrorists or  
17 extortionists could attack or divert one or more of  
18 these trucks at most any point along hundreds of miles  
19 of highway. An attack of this type in Las Vegas, Reno  
20 or any other city or town -- whether in Nevada or  
21 elsewhere for that matter -- would produce a  
22 devastating release of radiation that could kill  
23 hundreds or thousands of people.

24 A cask or other type of container that  
25 could withstand an attack by one or more of these



1 weapons, as well as all other possible transportation  
2 hazards, would be all but impossible to produce,  
3 especially in the numbers required.

4 Thank you very much.

5 MR. MILLS: Thank you.

6 We'll take a five minute break for our  
7 court reporter. In fact, let's make it a ten minute  
8 break because they're going to switch court reporters.

9 (A recess was taken at 8:25 p.m.)

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1 MR. MILLS: While we're taking our seats,  
2 let me go through just a brief summary again. I  
3 noticed a lot of people have come in since we started.

4 I'm the moderator. I am not associated  
5 with the Government. I am here strictly to see that  
6 everyone has a fair and impartial opportunity to  
7 present their ideas to this Panel.

8 The Panel is on my right. You have ten  
9 minutes. At the end of eight minutes, I'll hold up two  
10 fingers. At the end of ten minutes, I'll hold up my  
11 hands, and if you don't see it as you have noticed, I  
12 will interrupt as shortly after ten minutes as  
13 possible.

14 We ask everyone to stay to that guideline  
15 because there's many people that want to speak, and we  
16 anticipate being here until late this evening, and we  
17 intend to stay until all of you who have signed up have  
18 an opportunity to be heard.

19 Please come forward one at a time. Please  
20 give your name clearly because it's being taken down by  
21 the court reporter. If I mispronounce names, I  
22 apologize. So if you will just come forward and state  
23 your name clearly, that will help us.

24 If you have notes that you are referring  
25 to or written it out, we want that as part of our

1 record, and if you'll give it to our court reporter,  
2 we'll appreciate that. Also, if you want to keep a  
3 copy of that, we have provided in the rear a copier,  
4 and our people are staffed -- staff back there will be  
5 happy to copy it for you, so you can keep your work and  
6 at the same time it can be made part of a record.

7 You're going to be speaking in the order  
8 in which you signed up, but as you notice, not every  
9 one is taking ten minutes. Because of the walk-in list  
10 and supplementing that so that we can keep people at a  
11 time, an approximate time when they were scheduled to  
12 talk to us. The only exception of that is when I get a  
13 politician here, our Governor was here earlier, and now  
14 I understand that Mayor Spoo is here. We will allow  
15 them to speak out of order because they represent so  
16 many rather than just one or a few.

17 This is not the time for argument. This  
18 Panel is not here to answer your questions. They are  
19 simply here to take the information. They may ask --  
20 they may ask, and it's a very limited question. It  
21 will be strictly about the source of the information  
22 you use, and that will help them to better understand  
23 or get that source so they can understand the  
24 information that you're giving so they can do the best  
25 possible work when it comes time to analyze the data.





1 because I doubt that there's anything I could say that  
2 hasn't been said 68 times before.

3 I do want to make a couple of points,  
4 however. As I understand the present proposal for the  
5 repository, I must be in opposition to it. So many  
6 unanswered questions remain, and the threat to Nevada,  
7 it's way of life, it's environment, even it's economy  
8 is so awesome that I must be in opposition to it.

9 The second point I would make, and of even  
10 more consequence probably to my city should a  
11 repository come to pass some day, are all of the  
12 transportation risks.

13 We are a transportation city; our economy,  
14 in fact, contrary to most cities in the State of  
15 Nevada, is based on the warehousing, transportation  
16 distribution industry being a literally a West Coast  
17 headquarters for that particular industry. Major rail,  
18 major ground transportation routes converge and proceed  
19 from the City of Sparks.

20 That is what concerns me, in addition to  
21 the overall implications of a repository, that is what  
22 concerns me very, very acutely are the transportation  
23 issues.

24 The final remark I would make is that as a  
25 public official I have learned for about six years now,

1 sometimes often at my own expense I might say, that  
2 when I hear things I don't want to hear, they're  
3 usually things that I need to hear, and I very much  
4 appreciate that even though there is such considerable  
5 opposition from the people of this state that you are  
6 hearing, and I would respectfully request that you  
7 continue to hear us. Thank you very much.

8 MR. MILLS: Thank you, Mayor.

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1 MR. MILLS: Our next speaker will be Carol  
2 Schroeder.

3 CAROL SCHROEDER: My name is Carol  
4 Schroeder, and I'd like to speak as a long-term Nevada  
5 resident. Also a parent and a nurse.

6 Nurses are very concerned with promotion  
7 health and wellness, and I'm quite concerned that  
8 safety issues with the dump site have not been  
9 addressed satisfactorily. The health issues have also  
10 not been addressed.

11 I think it's been said many times that  
12 politics chose the site, it wasn't science. I think  
13 that comes from the mentality of looking at Nevada as a  
14 wasteland. We're a sparsely populated desert site.  
15 Most of the studies on the site characterization seem  
16 to be designed, the Yucca Mountain deemed to be  
17 suitable rather than actually testing whether or not  
18 it's suitable.

19 I find it kind of incomprehensible that  
20 with a Nevada test site right nearby with the promotion  
21 of the instability with these underground tests we  
22 would consider the Yucca site for a nuclear waste  
23 repository.

24 I also understand there's something like  
25 32 faults in that area and there is potential safety

1 issues with earthquakes.

2 I have some real concerns with the  
3 economics of this issue eye. We have spent billions on  
4 building nuclear power plants, designing and testing  
5 nuclear weapons, but little money has been spent on  
6 research on the health effects of radiation. What to  
7 do with the waste that we generate. I'm quite  
8 concerned that that Iron Triangle that keeps plodding  
9 along which, of course, is the Pentagon, the weapons  
10 industry, and nuclear industry and their friends in the  
11 legislature.

12 This has parallels, I think, in the health  
13 care system. It's the same mentality which pours  
14 billions of dollars into high technology and gives very  
15 little money for looking at long-term consequences.

16 What do we do with ethics, ethical  
17 decisions, prevention, looking at resources for the  
18 people who are kept alive or looking at just basic  
19 giving health care to people who are unable to afford  
20 health care. I think this all has impact.

21 As a nurse researcher, I have seen it's  
22 very difficult to get any information on nuclear  
23 accidents in order to do research on health effects. I  
24 have been to several conferences which speak to that  
25 issue where scientists speak that it's very difficult



1 to get the information on the accidents to do research.  
2 I have concern about that.

3 The transportation issue, of course, has  
4 not been solved. The safety of the transportable  
5 containers hasn't been demonstrated, and I don't see  
6 that the money has been spent to train people in case  
7 of an accident and what to do.

8 It seems like dry storage at the site  
9 where the nuclear waste was generated is a feasible  
10 solution, the things I've read. It also seems to make  
11 more sense psychologically that if the waste is stored  
12 in the state where it's produced, the powers of that  
13 state, the legislators, would be pretty careful to make  
14 sure their constituents are safe rather than the  
15 mentality of out of sight, out of mind, and get it out  
16 of the state as quickly as possible to Nevada, and that  
17 way we keep on generating waste with little thought to  
18 the consequences.

19 I have some problems with accountability  
20 issues with the nuclear repository. I think our  
21 experience with health problems in Utah, also health  
22 problems in southern Nevada and the limited liability  
23 with the government has not been conducive to Nevada  
24 accepting the nuclear repository.

25 I don't think that we would get -- people

1 who have been hurt, if there was an accident, we would  
2 have much success in obtaining damages from the federal  
3 government. I feel that if the alternative is to shut  
4 down the nuclear plants at the Yucca site is declared  
5 unsafe, then why not do so until the long-term safety  
6 issues are addressed to our satisfaction.

7 We can't keep on generating proliferating  
8 nuclear waste without knowing what to do with it.  
9 Finally, I think that psychological damage with our  
10 children with having the nuclear test site already in  
11 Nevada, I got concerned with this issue when my  
12 children started coming home talking about fears of the  
13 bomb and the inevitability of nuclear war.

14 I find that children really feel powerless  
15 like they can't do anything about it. It's an issue  
16 they can't change. I think an attempt to impact on  
17 that powerlessness of my seven-year-old child here, I'd  
18 like to give her just a couple of minutes, relinquish a  
19 couple of minutes of my time and give you the viewpoint  
20 of a seven-year-old who -- she's been involved with me  
21 with this issue for a number of years and started  
22 talking this afternoon that she wanted to say something  
23 about it.

24 MR. MILLS: You may do that, ma'am, and if  
25 you'll pull that mike up, I think it will slip out or

1 lift her up. And if you'd state her name.

2 CAROL SCHROEDER: This is Morgan Mentzer,  
3 it's M-e-n-t-z-e-r.

4 MORGAN MENTZER: I am scared that of the  
5 nuclear waste and that might come in my neighborhood  
6 and that me or some of my friends and/or some of my  
7 brother's friends. Thank you.

8 MR. MILLS: Thank you.

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1 MR. MILLS: Our next speaker is Matthew  
2 Hamrick.

3 MATTHEW HAMRICK: My name is Matt Hamrick.  
4 I'm president of Students Opposed to a Nuclear dump in  
5 Nevada, up at University of Nevada-Reno.

6 I'd like to say a few things that the  
7 student body at UNR is in opposition to the proposed  
8 dump at Yucca Mountain and that as an organization we  
9 will fight the dump until it is no longer a problem.

10 I'd like to -- I'd like to say a few  
11 things. Talk about first, the off-site installations.  
12 The Guidelines state a site shall be disqualified if  
13 atomic energy defense activities conflict  
14 irreconcilably with repository activities.

15 There is one place in the country where we  
16 can be absolutely certain that ground motion will occur  
17 in the near term. The next logical step? Put a  
18 nuclear waste dump next to it. U.S. Geological Survey  
19 studies suggest that nuclear explosions have already  
20 induced tectonic strain on north-northeast trending  
21 faults, and that the Yucca Mountain faults may be  
22 tectonically strained to the rupture point.

23 According to DOE, whatever conflicts may  
24 arise could be handled through engineering design and  
25 coordination of testing and repository schedules.



1 DOE's track record of predicting the reaction of the  
2 geologic environment to underground nuclear weapons  
3 explosions is not good. There have been serious  
4 problems with tests conducted at Rainier Mesa. During  
5 the April 10, 1986, Mighty Oak test, heat and radiation  
6 leaked past containment barriers and destroyed about  
7 \$35 million worth of diagnostic equipment and resulted  
8 in the worst off-site radiation release since the  
9 notorious Baneberry test sent mushroom clouds 10,000  
10 feet high, carrying radiation into Canada. Another  
11 test 1100 feet below tuffaceous Rainier Mesa caused the  
12 ground to collapse three hours after detonation,  
13 injuring 14 workers, one fatally.

14 But even DOE planners tacitly admit that  
15 activity at the test site could unpredictably affect  
16 conditions at the repository, since no repository  
17 workers would be allowed to enter the underground waste  
18 facility during a nuclear test for safety reasons.  
19 Presently, it is estimated that the development of Star  
20 Wars will require hundreds of additional tests of  
21 nuclear devices in the near future. Areas closer to  
22 Yucca Mountain could be likely locations for future  
23 testing, increasing the intensity of tectonic stress on  
24 Yucca Mountain faults.

25 Now about heat and Radiation.

1 Heat and radiation impacts from the  
2 repository will be much more serious than DOE admits.  
3 The SCP optimistically assumes that the presence of  
4 zeolites will stop the migration of radioactive  
5 materials which escape from the repository, but does  
6 not state the point at which heat from the repository  
7 renders zeolites incapable of absorbing radioactive  
8 materials. A recent paper on this topic by Joseph R.  
9 Smyth of the Department of Geological Sciences,  
10 University of Colorado, points out that if  
11 heat-generating wastes are emplaced in zeolite-rich  
12 horizons, the breakdown of the zeolites in response to  
13 high temperatures could provide a pathway and driving  
14 force for the release of radionuclides to the  
15 biosphere. This contradicts DOE's past pronouncements  
16 on zeolites and deserves further attention in the SCP.

17 Now about hydrology.

18 Hydrology is about a 30-year old science;  
19 hydrology is unsaturated rock, is embryonic.

20 The Guidelines state that a site should be  
21 disqualified if the groundwater travel time from the  
22 repository to the accessible environment is less than  
23 1000 years. Even DOE admits that the unsaturated zone  
24 in tuff is poorly known, but the Environmental  
25 Assessment indicates the groundwater travel time ranges

1 from 20,000 to 50,000 years for the site. NRC staff,  
2 in comments on the Yucca Mountain Environmental  
3 Assessment, questioned DOE's confidence in this  
4 assertion. "Many assumptions, hypotheses and  
5 approaches used in the analysis did not incorporate  
6 uncertainties associated with available data," the NRC  
7 stated.

8 The independent Desert Research Institute  
9 found that the groundwater travel time could range from  
10 900 to 34,000 years. This would disqualify the site  
11 for not meeting the geohydrologic requirement.

12 The SCP is clearly not extensive enough in  
13 this area. Generic research in other unsaturated rock  
14 has never been conducted in places other than Yucca  
15 Mountain, so DOE has no baseline from which it can  
16 determine what the data collected at Yucca Mountain  
17 means. We strongly recommend that before conducting  
18 extensive hydrologic studies at Yucca Mountain, DOE do  
19 generic testing and gather baseline data in other  
20 unsaturated rock against which to compare data to be  
21 gathered at Yucca Mountain. Moreover, DOE drilling at  
22 Yucca Mountain has already disturbed its basic  
23 hydrology, calling into question the integrity of any  
24 hydrologic model for the area.

25 Although the repository would be located



1 just above the water table, geohydrologists disagree  
2 how much perched water exists around the repository  
3 zone. Experiments at the Argonne National Laboratory  
4 indicate the water pressure in the porous rock is close  
5 to atmospheric pressure. Contact between water and the  
6 defense wastes, which will have been converted from  
7 liquid to a glass or ceramic form, could cause the  
8 water to flash into steam, eroding the glass, or  
9 rapidly and transporting radionuclides to the  
10 biosphere. Although this condition by itself could  
11 disqualify the site, DOE has not addressed it, nor does  
12 the SCP contemplate doing so.

13 There is also evidence pointing to  
14 geothermal activity in the Yucca Mountain area, based  
15 on the discovery of calcite silica deposits. The hot  
16 water from geothermal springs produces brine that could  
17 disintegrate the waste canisters. The existence of  
18 geothermal activity at Yucca Mountain could make the  
19 site the worst the nation could choose and must be  
20 further examined in the SCP.

21 Now I'd like to talk about the Western  
22 Shoshone Lane Rights.

23 The land of Yucca Mountain rightfully  
24 belongs to the Western Shoshone Nation. Several court  
25 decisions, including the most recent opinion from the



1 Ninth Circuit, a \$26 million government buyout offer,  
2 and a profusion of other rationalizations have not  
3 extinguished Western Shoshone title to the land. The  
4 Treaty of Ruby Valley was ratified by Congress and  
5 signed into law by President Grant in 1869, and cedes  
6 some 43,000 square miles of territory, comprising much  
7 of Nevada, to the Shoshone.

8 The Treaty recognizes that the Western  
9 Bands claim and occupy this land. In exchange, the  
10 Shoshone allowed safe passage of pioneer travelers  
11 across these lands, allowed the building of military  
12 forts and railroads on Shoshone territory, and that  
13 mining, ranching, timber cutting and communication  
14 lines could be established on this land as required.  
15 The Treaty of Ruby Valley is International Law, and can  
16 only be extinguished by Congress. We strongly support  
17 the efforts of the Western Shoshone Nation to regain  
18 aboriginal homelands, and urge DOE to recognize the  
19 significance of and abide by the Treaty.

20 Thank you.

21 MR. MILLS: Thank you.

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1 MR. MILLS: The next speaker is Greg  
2 Krause.

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4 GREG KRAUSE: My name is Greg Krause, and  
5 for the record, I'm a seven-year resident of Reno.

6 I work for the Regional Transportation  
7 Commission here in Washoe County. I'm a transportation  
8 planner. And I'd like to open my remarks with a  
9 statement that I really appreciate the fact that the  
10 DOE has been entrusted with an incredibly difficult  
11 problem finding a solution to the storage problem for  
12 high-level nuclear waste, but what I do not appreciate  
13 is that the Yucca Mountain solution appears to be  
14 ramrodded by the DOE, and it's being justified by a  
15 so-called technically objective analysis that appears  
16 to be no more than a sham.

17 And the reason I make that statement is  
18 based upon three quotes by people and groups that are  
19 much more informed than I am and have obviously read  
20 this document. And even though it may have thousands  
21 of pages, it can still be a sham, but I want to bring  
22 up these three quotes. You may have heard them, but I  
23 think they bear repeating given the importance of this  
24 decision.

25 The first one is an August 17th, 1988,

1 memorandum that was signed by 17 U.S.G.S. hydrologists  
2 that stated that "The Department of Energy is risking  
3 disaster by refusing to allow adequate studies before  
4 putting the proposed high-level nuclear waste dump at  
5 Yucca Mountain."

6 The second quote was a September 1988  
7 general accounting office report that found that "The  
8 Department of Energy studies to determine the  
9 suitability of Yucca Mountain have been plagued by poor  
10 quality assurance and lax management."

11 And the third is a March 1988, "The  
12 Nuclear Regulatory Commission complained that the  
13 Department of Energy was planning to collect only data  
14 that would confirm suitability of the site and not data  
15 which might disqualify the site." This was reported in  
16 the New York Times January 17th, 1989.

17 I do not know if these allegations are  
18 correct, but I think that it's incumbent upon the DOE  
19 to respond to them and make it clear to the public that  
20 this, in fact, is not occurring, or if there have been  
21 problems that they have been resolved, and this is all  
22 incorporated in the study.

23 I think the key word in my opening remark  
24 was entrusted. I realize that this is a very difficult  
25 process, but trust is the key word. As public

1 servants, no matter how difficult the process, every  
2 effort has to be made that something other than the  
3 technical evaluation becomes a basis for the decision.

4 We are not here just because this is a  
5 project that's going to be put 400 miles from our city,  
6 I think a lot of us are concerned about the issues that  
7 I've just raised.

8 In closing, I'd just like to say that I  
9 appreciate the difficulty of any kind of technical  
10 analysis where you're obviously going to make certain  
11 people unhappy, but, nevertheless, I think that,  
12 especially the magnitude of this decision, it requires  
13 nothing but the utmost in terms of impartiality in  
14 doing your best, and that's -- that's true not just for  
15 Yucca Mountain, but any site that you look at.

16 Thank you.

17 MR. MILLS: Thank you.

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1 MR. MILLS: The next speaker is Martha  
2 Laird.

3 MARTHA LAIRD: My name is Martha Laird,  
4 and I'm a 58-year resident of the State of Nevada.

5 During the 1950's, my family and I lived  
6 in the path of the fallout from the above-ground  
7 nuclear testing. Our ranch was approximately 80 miles  
8 northeast of ground zero.

9 I had a seven-year-old son who died of  
10 leukemia, and I have spent the last 30 years trying to  
11 get the U.S. Government to admit to responsibility for  
12 his death and others in the area due to the testing.

13 In the process, I have had the stress of  
14 testifying before the congressional hearings and at the  
15 nuclear survivors trial in Salt Lake City.

16 The most degrading part of all of this,  
17 however, was my being called a communist by a member of  
18 congress and being told that the loss of my son was a  
19 small price to pay for the advancement of democracy.

20 Nevada was chosen as a site for the  
21 above-ground testing in the '50's because of the  
22 prevailing winds and the virtually uninhabited  
23 territory around it and in the path of the fallout.

24 One of my concerns at this point in the  
25 Yucca Mountain site test is that of the transportation

1 to the depository. Anyone traveling across Nevada or  
2 Interstate 80 sees overturned and wrecked trucks at any  
3 time.

4 If a truck or train carrying nuclear waste  
5 is involved in an accident, who is going to guarantee  
6 the prevailing winds and the lack of population from  
7 New York, New Jersey, South Carolina, Texas, or  
8 wherever? And who is going to accept the  
9 responsibility for the victims and clean-up?  
10 Experience tells me the U.S. Government will not.

11 Coming from an old mining family, I also  
12 have concerns to the mountain itself. Contrary to what  
13 the average lay person may assume, the waste is not  
14 going to be buried 1,100 feet below ground, but merely  
15 1,100 feet inside the mountain. This still leaves this  
16 waste very near to the sides of the mountain and to the  
17 valley floor around the mountain.

18 If an earthquake or other natural  
19 disasters or other nuclear tests should happen to  
20 damage the mountain, we could have a nuclear disaster  
21 worse than any Chernobyl or Three Mile Island, and  
22 again without the benefit of waiting for the prevailing  
23 winds.

24 Current nuclear testing takes place very  
25 close to this mountain, and the proposed site will

1 honeycomb a proven earthquake zone, further weakening  
2 the geological structure.

3 Nuclear tests produces earthquake-like  
4 effects. The correlation of the two is not hard to  
5 make clear. Like all land fills, it doesn't take long  
6 to fill the space. How many more mountains will Nevada  
7 have to give up for nuclear waste?

8 It is purported that the Department of  
9 Energy has plans that will guarantee safe  
10 transportation and storage of nuclear waste. What are  
11 the guarantees? If this waste is so safe, why take the  
12 chance of transporting it? Deposit it in the area  
13 where it is made and used.

14 Why not spend the 33 billion dollars that  
15 it will cost to construct the depository and find ways  
16 to recycle the waste?

17 Nevada has borne the problem of nuclear  
18 fallout and waste far too long. Let's let other states  
19 assume some of the responsibilities.

20 I do not believe the U.S. Government can  
21 guarantee anything, and I'm concerned that the  
22 Government will not be responsible if there are adverse  
23 effects to the people in the State of Nevada.

24 It is my hope that no other Nevadan will  
25 be forced to make the sacrifice I have made.

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Thank you.

MR. MILLS: Thank you.

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1 MR. MILLS: Our next speaker will be Tom  
2 Polikalas.

3 TOM POLIKALAS: Polikalas.

4 MR. MILLS: Polikalas. Thank you.

5 TOM POLIKALAS: My name is Tom Polikalas,  
6 and I'm speaking tonight on behalf of myself as a  
7 third-generation Nevadan.

8 First off, it's important for people to  
9 realize that we can win this fight. We beat the MX  
10 Missile System in 1979. We can win now.

11 We're not only possible -- it's not only  
12 within our capability of beating this, we are winning  
13 now. With AGR-4 and AGR-6 with the State Human  
14 Resources Committee. We've got the Nuclear Power  
15 Industry financing the poll, et cetera, if this thing  
16 was inevitable, they wouldn't have been in there  
17 trying, in a last-ditch attempt, trying to prevent  
18 those bills from passing.

19 Please call Senator Raggio, 885-3933, the  
20 rest of the senators. We passed those resolutions, we  
21 passed AB222; we can stop this thing within a year.

22 I thank Our Heavenly Father that I live in  
23 a country where I can express my political views  
24 freely. I thank God I can critique a powerful agency  
25 of the federal government without fear of physical

1 retribution.

2 I love freedom and I love liberty. The  
3 church of which I'm a member teaches that freedom and  
4 freedom of choice are part of God's will and that the  
5 U.S. Constitution which enshrines liberty is an  
6 inspired document.

7 Carl, I'd like to predicate my comments on  
8 the Site Characterization Plan by stating that I  
9 personally like you, that's sincere. Honest. And I  
10 also like many of the Department of Energy's personnel  
11 who I've had the chance to meet over the last 9 or 10  
12 months. When I hear the rare pro-repository types say  
13 that they too like you and enjoy fishing with you, I  
14 think to myself, I'd probably also like to spend some  
15 social time with you. I don't do too much fishing, but  
16 if we could use your boat to go waterskiing on Lake  
17 Mead or up here at Tahoe this summer, please give me a  
18 call. I'll bring lunch.

19 Nevertheless, despite the fact I like you  
20 as a person, primarily because I find you to be polite  
21 and cordial, even though I admit that you -- though not  
22 your bosses in Washington -- might be sincere in your  
23 efforts at Yucca Mountain, that isn't enough to  
24 convince me not to oppose what the DOE is doing with  
25 every legal, political means I have available to me.

1                   The Captain of the Titanic was probably  
2 also a very nice and sincere man, yet many of those who  
3 trusted him joined him in an early grave. Captain  
4 Gertz, you are head of a Titanic-sized bureaucracy  
5 which could be steering Nevada towards disaster. The  
6 original Titanic's captain told his passengers that its  
7 compartments were watertight; you are telling us  
8 Nevadans that the spent-fuel shipping containers are  
9 leakproof.

10                   And, again, I'm not impugning your  
11 personal integrity. I believe you probably believe  
12 what you are doing is the right thing to do.  
13 Nevertheless, you are threatening the constitutional  
14 rights, the property, and even the lives of Nevadans,  
15 and that is wrong. That might not be your intent, but  
16 it's a consequence of working for the bureaucratic  
17 beast employing you.

18                   I am submitting for the written record a  
19 paper titled "Organizations and Systematic Distortion  
20 of Information" found in the Journal of Professional  
21 Issues in Engineering, authored by Professor David  
22 Bella of The Department of Civil Engineering of Oregon  
23 State University.

24                   Professor Bella's thesis statement is:

25                                   "Modern organizational

1 systems, by their very nature,  
2 distort information to meet  
3 organizational needs. Moreover, such  
4 systematic distortions do not require  
5 unethical behavior on the part of  
6 individual persons. The distortion  
7 of information is not merely the  
8 outcome of individual or group  
9 intent. Distortion of information is  
10 often a systematic property of  
11 organizational processes sustained by  
12 basically good people. Yet the  
13 technological consequences of such  
14 distortions can be disasterous."

7  
15 Nuclear Regulatory Commission calculations  
16 show that a relatively small radioactive release in a  
17 major city could cause \$4 billion in damages.  
18 Physicist Marvin Resnikoff describes even that  
19 frightening estimate as being unrealistically low.  
20 Both sources describe the possibility of hundreds, even  
21 thousands of cancer fatalities.

22 I know that the DOE says the nuclear waste  
23 shipping casks will be safe as babies in strollers  
24 being pushed by their loving mothers. I don't believe  
25 it. The Council on Economic Priorities says that the



1 chance of no accident occurring is virtually zero.

2           Although DOE admits 173 accidents during  
3 the shipping of nuclear materials between weapons  
4 production facilities over the last 12 years, DOE  
5 argues there has never been a release of radioactive  
6 material in these accidents. I suppose, therefore,  
7 that if someone were playing Russian Roulette, pulled  
8 the trigger, and the person's brains weren't splattered  
9 on the wall, the DOE would argue it would be safe to  
10 keep on playing the game. You see, it's very easy for  
11 you to say that the risks of transportation are minimal  
12 because you're only holding the gun; the barrel's at  
13 Nevada's head.

14           Carl, you were quoted in Scientific  
15 American as saying you were 95% sure that the Yucca  
16 Mountain site would be safe. I can promise you that if  
17 you put one bullet in a six-shot revolver, put it to  
18 your head and pulled the trigger, you'll have an 83.3%  
19 chance of clicking on an empty chamber. The difference  
20 in risk, therefore, between your degree of confidence  
21 in Yucca Mountain's safety and the statistical  
22 probability of your not blowing your brains out by  
23 playing Russian Roulette is less than 12%. That  
24 doesn't give me a lot of confidence in what you're  
25 doing.

1                   What the Department of Energy is doing  
2 through this site characterization process is  
3 attempting to force Nevadans to bear a risk that we did  
4 not create. The problem of spent nuclear fuel was  
5 generated by profit-making commercial interests  
6 primarily east of the Mississippi, who now desire to  
7 force Nevadans to shoulder the risks they created.

8                   Professor Shrader-Frechette of the  
9 University of Louisville argues in her book Nuclear  
10 Power and Public Policy;

11                   "The public is accepting the  
12 debts both of the nuclear industry  
13 and of the subset of persons who  
14 receive fission-generated power.  
15 Hence, this practice is not only  
16 inconsistent with the ethical  
17 policies prescribed by the U.S.  
18 Government, but also contrary to  
19 principles of equity. If the public  
20 as a whole bears the costs of waste  
21 storage, but only a subset of society  
22 receives the benefits of atomic  
23 power, then the costs and benefits of  
24 the nuclear generation of electricity  
25 are not borne equitably.

1                   Allowing such a situation to  
2                   continue means that the policy  
3                   regarding nuclear waste storage is  
4                   implicitly founded on the  
5                   presupposition that equity need not  
6                   be served. That is a particularly  
7                   dangerous presupposition since U.S.  
8                   Constitutional rights guarantee equal  
9                   justice under the law."

8  
10                   This site characterization process is the  
11                   epitome of what Professor Schrader-Frechette described.  
12                   Nevada has been chosen as the state to sacrifice to  
13                   powerful special interests. The Fifth and Fourteenth  
14                   Amendments say in part, that no person shall be  
15                   deprived "of life, liberty or property, without due  
16                   process of law."

17                   A nuclear waste repository at Yucca  
18                   Mountain and the shipment of tens of thousands of  
19                   truckloads of nuclear waste through our cities could  
20                   indeed deprive Nevadans of life, liberty and  
21                   property -- all against the state of Nevada's will, at  
22                   the bequest of a state-subsidized and powerful nuclear  
23                   power industry.

24                   James Madison, the father of the U.S.  
25                   Constitution and shepherd of our bill of rights wrote:

1                    "That is not a just  
2                    government, nor is property secure  
3                    under it, where the property which a  
4                    man has in his personal safety and  
5                    personal liberty, is violated by  
6                    arbitrary seizures of one class of  
7                    citizens for the service of the  
8                    rest."

9                    I've objected to the site characterization  
10                   process because it violates the civil liberties and  
11                   constitutional rights of Nevadans. I also object on  
12                   the grounds that it violates our economic liberty and  
13                   DOE policies are antithetical to the principles of free  
14                   and competitive enterprise.

15                   Conservative economic theory maintains  
16                   that industries which generate wastes should pay for  
17                   their disposal. In this way products will be priced at  
18                   their marginal costs and total national production will  
19                   be maximized. But because of the Department of  
20                   Energy's egregiously flawed fee appraisal, it is  
21                   federal taxpayers rather than the nuclear utilities and  
22                   their customers who will end up paying for billions  
23                   upon billions of dollars for nuclear waste disposal.

24                   That the current fee on nuclear utilities  
25                   will not pay for all disposal costs is corroborated by



1 University of Rhode Island economics professor Richard  
2 Hellman. The Critical Mass Energy Project, citing  
3 gross errors in the Department of Energy's financial  
4 assumptions, states that the current fee may only  
5 generate one-fifth to one-tenth of total nuclear waste  
6 disposal costs. The Government Accounting Office  
7 highlights another of DOE's questionable assumptions,  
8 i.e., that the rate of inflation in the United States  
9 over the next 25 years will only be two percent.

10 Private economic forecasting firms such as  
11 Wharton Econometrics and Data Resources, Inc., predict  
12 a range of inflation rates more than double what the  
13 DOE rosily predicts. GAO says that an inflation rate  
14 of only four percent will plunge the DOE waste disposal  
15 program into a \$21-76 billion deficit in 1986, dollars  
16 over the program's life. Where will this shortfall be  
17 made up? In the pockets of federal taxpayers.  
18 Nevadans will not only bear the risk they did not  
19 create, but we will be taxed in order to do so. Thus,  
20 the DOE is assuming the role of the Sheriff of  
21 Nottingham, taxing the poor to provide benefits for the  
22 rich.

23 I also ponder why the federal government  
24 should even be involved in the disposal of  
25 commercially-generated spent fuel in the first place.

1 As one of my economics professors at BYU once said,  
2 "The federal government should not invest where greedy  
3 capitalists fear to tread." Market oriented solutions  
4 to the waste disposal program -- problem, excuse me,  
5 has been suggested, but are ignored by the DOE.

6 The state-subsidized, centralized,  
7 bureaucratized nuclear waste program represents a very  
8 dangerous trend in the American economy.

9 Carl Gertz and associates, you are very  
10 nice, sincere people. However, as Milton Friedman, the  
11 conservative economist of the University of Chicago  
12 wrote in his book Capitalism and Freedom, "Concentrated  
13 power is not rendered harmless by the good intentions  
14 of those who create it."

15 Friedman also wrote:

16 "The preservation and  
17 expansion of freedom are today  
18 threatened from two directions. The  
19 one threat is obvious and clear. It  
20 is the external threat coming from  
21 the evil men in the Kremlin who  
22 promise to bury us. The other threat  
23 is far more subtle. It is the  
24 internal threat coming from men of  
25 good intentions and good will."

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I'll make copies and submit my testimony  
to you.

MR. MILLS: Thank you.

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1 MR. MILLS: Our next speaker is Elizabeth  
2 Anness.

3 ELIZABETH ANNESS: Hello, my name is  
4 Elizabeth G. Anness, and I reside at 949 Bell Street,  
5 Reno, Nevada 89503.

6 Reno has been good to me, and I'd like to  
7 return the favor.

8 Nevada is not a wasteland, and I do not  
9 approve of DOE's attempt to try and make this state a  
10 wasteland. Nevada has done its part, and I feel that  
11 on this particular issue it is time to stand up and say  
12 no.

13 There are too many inconsistencies, and  
14 there is too much risk to even consider this outrageous  
15 plan.

16 Some of my concerns: What about the  
17 seismic activity? What about the volcanic activity?  
18 What about the water table situation? What about the  
19 very serious concerns of transportation of this deadly  
20 cargo throughout the nation? What about the blatant  
21 disregards of the Western Shoshone Sovereign Nation?  
22 What about the profound effects this proposal will have  
23 on this state economically? What about DOE's track  
24 record? What about the testing being done in close  
25 proximity to the proposed repository? What about the



1 environment?

2 I urge you to realize the absurdity of  
3 continuing this sham any longer. It's time to  
4 learn from our mistakes, i.e., the Wipp project  
5 in New Mexico. It's time to incorporate sensible, long  
6 term, wholesome thinking on the part of the  
7 decision-making bodies of this country. I urge you to  
8 start thinking of alternative energy sources. I urge  
9 you to understand the importance of leaving this deadly  
10 cargo where it is produced. I urge you to quit  
11 infringing on our rights to lead a healthy, happy life.  
12 I urge you to realize there are too many questions and  
13 not enough answers. I urge you to protect our future  
14 for our children, so I urge you to get out of Nevada.

15 Respectfully, I would like to read a  
16 testimony from a Dr. Jeffrey Millman, 2345 East Prater  
17 Way, Suite 215, Sparks, Nevada 89431.

18 "To Whom It May Concern:

19 I strongly oppose placing the  
20 national nuclear dump site in  
21 southern Nevada.

22 I have done extensive reading  
23 on the numerous adverse health  
24 effects of exposure to nuclear  
25 radiation on the health of human

1                   beings. The significant increase in  
2                   the incidence of cancer, especially  
3                   leukemias, lymphomas, thyroid  
4                   malignancies, and skin cancers, is of  
5                   concern to me. I am also concerned  
6                   about the genetic ramifications of  
7                   subtle exposure to nonlethal doses of  
8                   radiation on future generations. My  
9                   concern is that microscopic amounts  
10                  of nuclear radiation will get into  
11                  the ground water, food sources, and  
12                  air of the area around the nuclear  
13                  dump site and downwind from the  
14                  nuclear dump site.

15                         I furthermore have concern  
16                         about the transportation of the  
17                         nuclear radioactive material from the  
18                         east coast through the many  
19                         communities necessary to traverse in  
20                         the journey to southern Nevada and  
21                         the risk of exposure to those  
22                         communities by nuclear radiation  
23                         should there be an accident. I am  
24                         not at all convinced that human error  
25                         might not result in an accident

1 during transportation of this  
2 material and the seriousness of the  
3 risk persists for approximately ten  
4 thousand years due to prolonged  
5 halflife of nuclear material.

6 In today's world of terrorism,  
7 the possibility of sabotage is too  
8 great if a perverted group or nation  
9 decides to undermine this country.

10 In general, I have strong  
11 objections to nuclear power and would  
12 prefer to see the Department of  
13 Energy cease the use of nuclear  
14 power plants for energy and begin  
15 alternative power source research  
16 including solar energy. I prefer to  
17 see nuclear waste be disposed of in  
18 regional area throughout the country  
19 and not transported to one specific  
20 dump site here in my state.

21 In conclusion, I strongly  
22 object to the nuclear dump site being  
23 placed in our state. The seismic  
24 activity in the west coast is too  
25 volatile and unpredictable to

1 convince me that a break in the  
2 storage containers could not occur  
3 with a severe earthquake that is  
4 being predicted within the next ten  
5 years here on the west coast. This  
6 entire project is a fiasco, and I  
7 object to using Nevada as a way of  
8 dealing with our poor judgment in  
9 relying on nuclear power to begin  
10 with. Thank you for considering my  
11 viewpoint in this matter.

12 Jeffrey D. Millman."

13 I also have a few other testimonies I  
14 would like to submit. I have a list of 54 names here  
15 of people who did not get a chance to speak but who are  
16 opposed to this proposed dump that I would like to  
17 submit, but I need copies. And if I had more, I could  
18 read more if you'd like.

19 MR. MILLS: If you want to have a copy  
20 made out there at our copy machine and then give the  
21 original there to the court reporter, I would  
22 appreciate it.

23 ELIZABETH ANNESS: Thanks. I would just  
24 like also to say that these need to be done out in the  
25 rural community because these people are being trounced



1 upon constantly, and this concerns them greatly, and we  
2 need to get out there and let those people have a  
3 chance to speak. Thank you.

4 MR. MILLS: Thank you.

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1 MR. MILLS: Our next speaker is Steven  
2 Bloomfield.

3 STEVEN BLOOMFIELD: I'm Dr. Steve  
4 Bloomfield. I live at 10505 Thomas Creek, Reno, Nevada  
5 89511.

6 I feel kind of like Yogi Bear with his  
7 deja vu happening again, and I feel like we've all been  
8 here a hundred times before. They just send new faces  
9 out from the government, and we come back again and  
10 talk about this again one more time.

11 First off we don't have colonels. The  
12 last time you guys came we had colonels, so this is  
13 better.

14 I guess my major concern is that you have  
15 characterized this as the Site Characterization Plan,  
16 and it gives it some sense that there's some kind of  
17 scientific endeavor occurring here, and it seems more,  
18 as we have previously gone through, that this is  
19 another attempt at government pseudoscience. You guys  
20 have made your decision, and now what you will do is  
21 scurry around and spend millions of our dollars to  
22 collect facts that will support your decision and spend  
23 equal millions of dollars covering up facts that won't  
24 support your decision.

25 We've clearly been through this a lot of

1 times before. Okay. Several good examples are the  
2 nuclear test site. You convinced us, and I lived in  
3 Illinois at that time, how safe nuclear testing was,  
4 how wonderful above-ground testing was, that there were  
5 absolutely no problems above-ground testing whatsoever,  
6 there would be no problems whatsoever, nobody should  
7 worry. Interestingly enough, some doctors and dentists  
8 in the '60's started to collect the teeth of small  
9 children and discovered that for some reason there was  
10 strongeninty in these kids' teeth and that  
11 above-ground nuclear testing wasn't so safe after all.  
12 Immediately you guys changed your mind. You guys  
13 didn't do the research, people outside the government  
14 did the research to find out if this was true.

15 You also will spend a lot of money to  
16 suppress the data that you actually didn't even know  
17 which way the winds were blowing in Nevada at the time.  
18 Okay? And that there are a lot of people exposed to  
19 radiation when you were spending millions of dollars  
20 again telling us that this was not a problem.

21 Not so long ago you came to us with the MX  
22 Missile. You told us what a boom this would be to us.  
23 How this would be of no environmental impact  
24 whatsoever. It would have no effect on the water, it  
25 would have no effect on the tax situation in Nevada;

1       how it would have no effect on the land situation in  
2       Nevada.

3                       It took us a long time because, again, you  
4       spent a lot of money suppressing the information, but  
5       it was real clear that none of that was true and you  
6       knew none of that was true at the time.

7                       We've gotten to the position where we are  
8       now with this nuclear dump because you did the same  
9       thing in the '50's. You spent a lot of money  
10      convincing us all that nuclear power was the cleanest,  
11      cheapest, safest, best way to go perform.

12                      Again, I remember listening to those ads,  
13      readings those ads. I was enthralled by those ads as a  
14      kid. Okay? There was nothing in those ads that ever  
15      talked about nuclear waste, contaminated sites,  
16      unuseable areas. Somehow, government pseudoscience was  
17      able to tell us those things that would make the  
18      product that they wanted to sell look great and yet not  
19      share with us any of that.

20                      Now we're at a place where we're stuck  
21      with another one of your bad decisions, and maybe they  
22      weren't bad decisions; I think frequently you guys just  
23      don't know. Unfortunately, you're almost never willing  
24      to admit that you don't know until several, you know,  
25      presidencies later when you're no longer around and



1 then somebody else has to pick up the ball.

2 But I think we're at a place now where  
3 you're asking us to pick up the ball on bad decisions  
4 that you-all made 30, 40, 50 years ago. And we're  
5 supposed to do something about that. Okay? And  
6 telling us again that trust us. We know what we're  
7 doing.

8 I mean, we would have to be nuts to trust  
9 you guys. Okay? I mean there's nothing that you have  
10 done that would imply trust. I mean, your agencies  
11 themselves are involved in some of the worst clean-up  
12 situations in the world right now, and even you don't  
13 know what to do about them.

14 Interestinly enough, you guys didn't  
15 expose those either. Other people had to go around and  
16 do that. You're asking us to accept a dump site and  
17 telling us through this process of quote, unquote,  
18 "site characterization" that you're going to  
19 scientifically prove to us that the most geologically  
20 unstable part of the country is suddenly a wonderful  
21 place to put things.

22 As far as I know, and I'm not a world's  
23 great geologist, but I would think that the East Coast  
24 is obviously fairly a lot more geologically stable, but  
25 even though this stuff is terribly safe and having all

1 those people up in the northeast isn't a consideration.  
2 Nobody believes that.

3           Again, I don't think anything is going to  
4 come out of this site plan except we're going to be a  
5 lot poorer for it. You already know where you're going  
6 to put the nuclear dump site. Okay? What you're going  
7 to do again is spend lots of our money to scurry around  
8 and prove to us that you were right, and then when you  
9 find out you were wrong, you'll find out some other  
10 reason where you'll have to fix that up.

11           You have repeatedly reassured us that you  
12 know what's going on. It would seem that you would all  
13 stop for awhile and say, "Jesus, our track record  
14 stinks. We have repeatedly been wrong. How do we go  
15 out and sell to these people something that we haven't  
16 got any way to prove? We haven't done any of the basic  
17 testing."

18           You have never had a major nuclear spill  
19 and tried to clean it up. You've never had any of the  
20 kind of testing that any science would require. What  
21 you do is you draw a series of conclusions and then  
22 back them up with facts that you can find, none that  
23 you can go in and experiment on.

24           I don't think we want to be experimented  
25 on. We live here because we like this state. We have

1 children. We have lives. We have a state that we  
2 think is absolutely gorgeous. You're willing to come  
3 here and drop nuclear waste on us because it's not a  
4 problem for you-all.

5 What you have spent is a lot of time and  
6 money convincing -- first you've tried to convince  
7 Nevadans and thank God we finally realized we didn't  
8 have to do this anymore, okay, but you've spent a lot  
9 of money convincing the rest of the United States,  
10 okay, that somehow Nevada is the appropriate place for  
11 this site and that Nevadans want it.

12 Well, I think what we're trying to do is  
13 send you a clear message that we don't want it. This  
14 is not the appropriate site, and it's going to be  
15 another disastrous blunder, and we're not going to be  
16 participants in your disastrous blunder. Thank you.

17 MR. MILLS: Thank you. Dr. Bloomfield,  
18 could we have a copy of that statement? Thank you.

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1 MR. MILLS: Is Lorraine Highsmith present?

2 LORRAINE HIGHSMITH: I don't have anything  
3 to say. I have nothing prepared. Somebody did this to  
4 me behind my back. No, I do want to say something. I  
5 want to say what everybody else is saying. We are  
6 human beings. There is no excuse for being stupid  
7 about something that affects the lives of ourselves,  
8 our children, our grandchildren, our great  
9 grandchildren. There's nothing for me to say that  
10 hasn't been said.

11 I just wish that the reality of this  
12 situation and the whole nuclear industry would sink in,  
13 to you and to you, so that you can go back and tell  
14 those other people. "This is time to quit this baloney  
15 and get down to reality. Let's get our feet back on  
16 the ground."

17 That's what I'd like to say. Thank you.

18 MR. MILLS: Thank you.

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1 MR. MILLS: Is John Richmond present?

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4 JOHN RICHMOND: First of all, I appreciate  
5 being given this opportunity to express my views on the  
6 proposal to place the nuclear waste dump in Nevada.  
7 Aside from the fact that I'm tired of my state being  
8 bombed and strafed by the Air Force and Navy and nuked  
9 at the test site, and aside from the fact that  
10 transporting the nuclear waste from all over the  
11 country to Nevada is extremely hazardous, the idea of  
12 giving our country a place to store radioactive waste  
13 is only encouraging further development of nuclear  
14 power which, as I'm sure you know, is not the answer to  
15 our country's energy needs.

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We also realize that the continued burning  
of fossil fuels is creating the Greenhouse effect which  
may already be having a devastating impact on the  
earth's environment and will escalate dramatically in  
the near future, so obviously we have to find an  
alternative to gas and oil consumption; however,  
nuclear power is not that alternative.

There was an article in the paper recently  
by Gerald K. O'Neill, professor of physics at  
Princeton, stating that in 50 years, if nuclear power  
were to provide all of the earth's energy needs, 63,000

1 reactors would be required. The examples of Three Mile  
2 Island and Chernobyl, to say nothing of the huge amount  
3 of radioactive waste generated, makes this alternative  
4 unacceptable and impractical.

5 To me, the answers are obvious -- more  
6 efficient energy use must be stressed and conservation  
7 must be encouraged, but the realistic alternative lie  
8 in wind and solar power.

9 The conversion of solar energy to electric  
10 power and high orbit where sunlight is intense and  
11 continuous would add little to the earth's heat load,  
12 burn no fossil fuels and avoid nuclear fission.

13 Professor O'Neill also states that 20  
14 years of study and experiments confirm that power in  
15 high orbit can be sent efficiently to earth as low  
16 density radio waves. Antennas in fenced-off regions  
17 can transform the radio waves to ordinary electricity.  
18 Since more than 90% of the radio wave energy is  
19 converted to electricity, almost no waste heat need be  
20 released into the environment. No fuels are required,  
21 fossil or nuclear.

22 A decade of study and experimentation by  
23 government agencies and private foundations confirms  
24 that satellite solar power is environmentally benign.

25 The Soviet Union and Japan are

1 aggressively working toward satellite solar power. A  
2 multination program modeled on the consortia providing  
3 satellite communications could satisfy today's needs  
4 for new generators as well as generating huge revenues.  
5 It seems to me that we as a nation cannot afford to be  
6 left out of a commercial program with so huge an export  
7 market.

8 In years to come, selling solar power may  
9 be a necessary answer to our trade and federal deficits  
10 because if we have to continue depending on other  
11 nations for power sources, it could be devastating to  
12 the United States.

13 As I, and many others see it, solar power  
14 is the only intelligent answer. The waste problem is  
15 only compounded by nuclear power. I realize I may have  
16 oversimplified things, but is the Department of Energy  
17 considering solar power?

18 I've got a couple of other rhetorical  
19 questions. Shouldn't contractors be encouraged to  
20 build passive solar homes and use solar power in larger  
21 buildings? Shouldn't the tax deduction for solar  
22 development of homes be restored, or is there pressure  
23 from the nuclear and oil industries not to do this?

24 The technology is there. Let's start  
25 using obvious clean energy sources instead of further

1 polluting the earth with fossil fuels and nuclear  
2 waste.

3           Ironically, after preparing long and hard  
4 on this talk on the virtues of solar energy, I heard on  
5 the news today that two scientists, one from England  
6 and one from the United States, have discovered a means  
7 of carrying on nuclear fusion in a test tube and rather  
8 easily they say. This was on the news tonight. Pretty  
9 exciting.

10           This means that atoms can be joined  
11 together to create energy instead of splitting them  
12 apart and apparently without creating the radioactive  
13 waste generated by nuclear fission. The news tonight  
14 also said that the Department of Energy has even agreed  
15 to finance further experimentation. That's what they  
16 said. This seems really exciting to me. Maybe we  
17 shouldn't spend millions of dollars and all kinds of  
18 time and energy building something that may not even be  
19 necessary.

20           In closing, I want to say - no nuke dump  
21 in Nevada. We don't want it. No other state wants it,  
22 so please develop alternative sources of power.

23           Thank you.

24           MR. MILLS: Thank you.

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1 MR. MILLS: Is Kai, K-a-i, White?

2 KAI WHITE: Kai.

3 MR. MILLS: Thank you.

4 KAI WHITE: I'm Kai White, and I'm a  
5 student at Wooster High School, and I strongly disagree  
6 with the DOE's proposal of using Yucca Mountain for a  
7 high-level nuclear waste dump.

8 Because this is the first high-level  
9 nuclear waste dump, I think more research should be  
10 going into discovering if Yucca Mountain is a safe  
11 place.

12 With Yucca Mountain only 80 miles from any  
13 high population, there is no way to know the exact  
14 effect if something were to disturb the waste.

15 I wish the public could be more readily  
16 and truthfully informed by the DOE of how the project  
17 is going and in which direction it's moving.

18 The issue of transportation is a big  
19 concern for many as it would affect most of the county.  
20 If the waste were to be transported on the highway, as  
21 toxic waste is, I'd like to share with you some  
22 statistics of highway accidents in America. To begin  
23 with, there are roughly 10 million accidents in America  
24 every year, that figures out to about one accident  
25 every ten seconds.

1           One out of every four people will be  
2 involved in an accident. How does the DOE plan to beat  
3 these statistics? No matter how careful you are, there  
4 are other people on that highway who may not be paying  
5 attention and who certainly won't be watching out for a  
6 nuclear waste dump on wheels.

7           Is it wise for the DOE to place hazardous  
8 waste in an already proven dangerous environment as our  
9 nation's highways are? Accidents in a situation such  
10 as this would reach far beyond the highway affecting  
11 and harming many others besides those involved in the  
12 immediate accident.

13           I also don't like this arrangement because  
14 Nevada created almost none of the nuclear waste that  
15 would be dumped here. This state has managed to get  
16 away with using very little of the dangerous nuclear  
17 power, and yet now the DOE is turning around and giving  
18 Nevada the burden of caring for the nuclear waste, and  
19 I say caring, because in a way for the people of Nevada  
20 it would be like a never ending babysitting job. The  
21 waste must be constantly watched, checked on, and  
22 worried about. Nevadans will have to do this for  
23 something their state didn't even create.

24           I urge the DOE to postpone this decision  
25 until the many uncertainties in this situation are

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resolved. Thank you.

MR. MILLS: Thank you.

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1 MR. MILLS: Is Rebecca Carlino here? (No  
2 answer.)

3 Is Kathleen Dickinson present?

4 KATHLEEN DICKINSON: Good evening, my name  
5 is Kathleen Dickinson, and I'm the executive director  
6 of the the Nevada Conservation League. The Nevada  
7 Conservation League is a coalition whose combined  
8 membership is over 10,000 Nevada constituents.

9 The Nevada Conservation League is clearly  
10 opposed to the nuclear waste repository being placed in  
11 Yucca Mountain, Nevada. We believe it is now  
12 imperative that we send a strong and dynamic message to  
13 congress, the nuclear industry and other world  
14 leaders - changing the direction of the nuclear waste  
15 issue. The time for fooling around with nuclear  
16 poisons is over.

17 Nevada became a state on Halloween in  
18 1864. The United States Government has been playing  
19 trick or treat with Nevada ever since. We have to look  
20 at efficient and renewable sources of energy such as  
21 solar and geothermal.

22 Scientists have pointed out that Yucca  
23 Mountain is not a safe repository site. Yet millions  
24 of dollars continue to be wasted by the DOE in an  
25 attempt to convince everyone these scientists are wrong



1 and that it is safe. This money would be better spent  
2 researching a "safe" means for disposing of nuclear  
3 waste. In the meantime, the decision should be made  
4 that we stop generating nuclear waste. The existing  
5 waste should be kept on site in dry cask storage.

6 A recent news article on Yucca Mountain  
7 mentioned an internal agency report by DOE senior  
8 scientist Jerry Syzmanski. The report pieced together  
9 the region's known earthquake potential and unexplained  
10 geologic and hydrologic phenomena. As mentioned in  
11 previous testimony, there are 32 faults cut through  
12 Yucca Mountain. The work suggested that tectonic  
13 activity could cause a rapid rise in groundwater, which  
14 could flood the repository or open new pathways for  
15 radionuclides to escape.

16 Syzmanski concluded that because the site  
17 is complex and poorly understood and because it is  
18 impossible to predict when earthquakes, faulting or  
19 other geological disasters might occur, "Serious  
20 consideration should be given to abandoning the Yucca  
21 Mountain site and declaring it unsuitable for the  
22 purposes of permanent disposal of high-level nuclear  
23 wastes."

24 A New York Times article earlier this year  
25 quoted Mr. Gertz as saying " . . . in my view, it's

1 impossible for us to build it wrong." In my view, Mr.  
2 Gertz, if it is built at all, it is wrong.

3 Aside from the repository itself is the  
4 issue of transportation. I cannot believe that any  
5 citizen of the United States wants to risk a nuclear  
6 waste transportation accident on any of the nation's  
7 highways. What is the point of having something in the  
8 state of Nevada that will undoubtedly have accidents  
9 associated with it? Those accidents will cost money  
10 and lives. There is no guarantee that any amount of  
11 money will repair the damage caused by those accidents.

12 If logic prevails, there will be no Yucca  
13 Mountain Repository. The Nevada Conservation League  
14 urges the United States Government to be logical and  
15 look to renewable energy sources. Stop playing with  
16 lethal nuclear material and stop trying to send it to  
17 Nevada.

18 Thank you.

19 MR. MILLS: Thank you.

20 KATHLEEN DICKINSON: I have another piece  
21 of testimony to read from Miss Agnes Howell.

22 MR. MILLS: Okay.

23 KATHLEEN DICKINSON:

24 "I am opposed to putting the  
25 nuclear dump site on Yucca Mountain

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for several reasons, among them:

1. I respect the right of the Shoshone people to their land and I do not feel that the United States Government has any right whatsoever to have any say regarding Shoshone land.

2. It is a well-known fact that there are faults in the site area. No one knows the results and/or effects of the nearby nuclear tests on Yucca Mountain or on those faults, or for that matter on the presently dormant volcano.

3. How does anyone know how long the containers for nuclear waste hold up or what changes can occur that would contaminate the ground water?

4. There cannot be any guarantee that a truck or train won't have an accident crossing the country. One accident is enough to endanger many people's lives and make the area around the accident useless

1 for eons.

2 I firmly believe that any  
3 system that produces nuclear waste  
4 should be immediately closed down in  
5 order to prevent the production of  
6 more nuclear waste until such a time  
7 that it can be made safe in the  
8 environment and around people.  
9 Research must be continued and  
10 accelerated to this end.

11 Furthermore, the nuclear waste  
12 we presently have should be contained  
13 in the areas it is produced in until  
14 such a time a method can be found to  
15 render it harmless.

16 Thank you. Anges D. Howell,  
17 Carson City, Nevada."

18 MR. MILLS: Thank you.

19 KATHLEEN DICKINSON: Thank you.

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1 MR. MILLS: Is Grace Bukowski here?

2 GRACE BUKOWSKI: Hi, my name is Grace  
3 Bukowski, and I'm here on behalf of myself tonight,  
4 and I'd like to begin by going back to hearings that  
5 were held here in Nevada a year ago.

6 At that time, there were many unanswered  
7 questions, and I was guaranteed at that time that I  
8 would receive a listing of those questions and answers  
9 to those questions. To date I have not received that  
10 information. Okay.

11 I was also told that, at those hearings,  
12 that an evacuation plan for Reno and Las Vegas was in  
13 the works. I would like to see those plans made public  
14 and indeed perhaps the Department of Energy could hold  
15 a press release to notify the citizens of Reno and Las  
16 Vegas just exactly how the Department of Energy plans  
17 to evacuate us in case of a transportation accident.

18 I'm also very concerned about the  
19 transportation of nuclear waste. While the nuclear  
20 industry likes to keep separate the fact that nuclear  
21 fuel rods can be reprocessed and indeed can be used to  
22 make nuclear weapons, that fact is real and the danger  
23 that I think that nuclear transportation from sabotage  
24 and indeed of theft of spent nuclear fuel rods on our  
25 highways is a risk to all of us.

14

1           The also question -- I really question  
2 transportation is what happens to the waste when the  
3 highway's closed because there's a snowstorm on Donner  
4 Pass. Are the trucks going to be sitting out at  
5 Boomtown? Are they going to be out in Sparks at Sierra  
6 Sids? You know. What's going to happen? Is there a  
7 plan for the trucks in case of bad weather? That's one  
8 of my things.

9           I also have another concern is that I live  
10 next to the spaghetti bowl in Reno. We all know where  
11 the spaghetti bowl is, right, guys? If there's an  
12 accident in Reno, it's probably going to happen near my  
13 home, okay, which means that my family, my friends, my  
14 possessions, and my health is going to be at risk.

15           As we've heard before, to get money from  
16 the Department of Energy or from the federal government  
17 for any losses or health damages is like pulling, you  
18 know, it's crazy. It's never going to happen, and if  
19 it does happen, it's going to be such a long process  
20 that people could be dead by the time they get their  
21 money.

22           The other thing I'd like to bring up is,  
23 and I would like this submitted as part of the record,  
24 this study entitled by the General Accounting Office,  
25 "Nuclear Health and Safety, Dealing with Problems in

1 the Nuclear Defense Complex Expected to Cost Over \$100  
2 Billion."

3 We, the tax payers, will have to pay for  
4 the clean-up of DOE facilities. We're talking Savannah  
5 River, Fernol, Rocky Flats, Hanford, INEL, the list  
6 goes on and on and on. I would like to submit it.  
7 This document says exactly what it will cost, water  
8 contamination, not only radioactive contamination of  
9 the water systems, but contaminants from solvents and  
10 other things at DOE facilities, and that's -- that's  
11 something that I think clearly demonstrates that the  
12 Department of Energy is not capable of siting and  
13 managing high-level nuclear waste dump in Nevada. The  
14 record has shown it. It's here, part of the government  
15 thing.

16 And, I mean, we could go on with examples  
17 of the DOE incompetence in dealing with nuclear waste  
18 for hours, but I guess that I don't need to go into  
19 that, and that's about all I had to say.

20 Oh, I have one more comment. I'm very  
21 concerned about nuclear waste going over Hoover Dam.  
22 If a truck were to go off the rails at Hoover Dam, and  
23 anyone drives over Hoover Dam can very easily see the  
24 skid marks on the side where there's been an accident.  
25 What's going to happen? Are the generators going to be

1 shutdown? How are you going to deal with a truck going  
2 over Hoover Dam and going into the water there? That's  
3 another concern I had mainly because that's a major  
4 recreation area for the State of Nevada and has serious  
5 impacts on our finances. Thank you.

6 MR. MILLS: Thank you.

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1 MR. MILLS: Is Glen Wasson present?

2 GLEN WASSON: Glen Wasson, Western  
3 Shoshone.

4 DOE Panel, we did not inherit this earth  
5 from our forefather's. We are merely holding it in  
6 trust for our children.

7 Years ago when the Indians first heard of  
8 the white people coming into this land, they were  
9 camped between Golconda and Battle Mountain, and they  
10 were asking each other, "What are these white people  
11 like?"

12 And one fellow got up, he says, I know  
13 these white people pretty good. I've seen them."

14 And everybody was real curious.

15 Said yeah, "What's he like?"

16 And to describe it, he says, "They're like  
17 a bunch of children. They want this. They want that.  
18 They want this. They want that. They want this."

19 That description still holds true. Well,  
20 now that you've got everything, what are you going to  
21 do with it?

22 The problem that you have created is no  
23 longer local, it's not just to the State of Nevada or  
24 to Yucca Mountain, the problem is global.

25 The citizens sitting here are faced with

1 your -- the decision that you make. Your decisions  
2 will affect the entire world. And to make matters  
3 worse, we have got to look at this entire project  
4 objectively.

5 Mr. Gertz, several years ago we were at  
6 the Pine Room in the University of Nevada. We were  
7 assured by you and your entourage that the civilian and  
8 military waste would not be mixed, yet, Bonzo, about  
9 six months afterwards, said military civilian waste  
10 will be mixed, and then thanks to a Senator from  
11 Louisiana, much to the relief of 49 states, put a rider  
12 in one of the bills going through Congress that made  
13 Yucca Mountain the only suitable site for nuclear  
14 waste.

15 And now we have to look at things very  
16 objectively. Number one, we know that our country is  
17 faced with a very moral dilemma. We're rotten at the  
18 top. If the president of the United States lies to the  
19 people as he did with civilian waste not being mixed  
20 with military waste, we have a colonel in a Marine  
21 Corps who deliberately disobeyed Congress and broke his  
22 vows to defend the Constitution of the United States.

23 The people who you represent are  
24 absolutely rotten, and these solid tax paying citizens  
25 are paying for it. You listen to them, but, in

1 essence, we are paying -- we're footing the bill.

2 And I know that we got gypped at the top,  
3 and we're not going to get gypped down here at the  
4 bottom. Everything that's been proposed has been  
5 flawed. The old AEC, their basic plans were flawed.  
6 The NRC, their plans are flawed. The DOE total,  
7 absolute. When it comes to the Site Characterization  
8 Plans, they're flawed. When you come to your  
9 transportation issues, they're so badly flawed that  
10 they're almost nonexistent. You have a rail system in  
11 the United States that's in total disrepair. You have  
12 a highway system that's getting that way real fast.  
13 Recent surveys showed that, what percentages of our  
14 bridges are totally unsafe. Our airplanes have finally  
15 decided to become convertibles.

16 But the real problem here that we face as  
17 people of this country is based on the Constitution of  
18 the United States. Is it real? Or is it flawed? Our  
19 leaders are lying to us. We've had geologists,  
20 volcanologists, we've had all sort sorts of people  
21 representing Department of Energy stand here and lie to  
22 us telling us that there would be no earthquakes there  
23 in 10,000 years, telling us that there would be no  
24 volcanoes in 10,000 years. We have containers that  
25 will last 10,000 years. Where do we start? Either if

1 the Constitution is not flawed, then it means we are  
2 still a government of the people, by the people and for  
3 the people. And these are the people.

4 But you're not listening to us. If the  
5 Constitution is as it's written and you, and this is a  
6 government of the people, by the people and for the  
7 people, DOE Panel, you are negligent. You're also  
8 guilty of criminal actions. You are depriving us, the  
9 people of the United States, especially of this area,  
10 much mental disquiet, depriving us of our civil  
11 liberties. Lord knows how many miles you've put on our  
12 cars, the expense involved coming to these meetings.

13 And you're only touching a few of the  
14 people. You're not touching all of the people whose  
15 cities are going to be endangered by this  
16 transportation or when you make the airport down there  
17 with that 43,000 acres you're getting from the BLM to  
18 make that airport. How many -- how many places will be  
19 affected by, Lord knows what will happen.

20 The other thing in that Constitution of  
21 the United States is a treaty. The Treaty of Ruby  
22 Valley of 1863. If the DOE overrides everything else  
23 and violates that Treaty of 1863, the United States  
24 Government has abrogated its part of the Treaty,  
25 meaning that everything reverts back to 1863. It would



1 be a blessing for this state if that happened, because  
2 that way we know that there would be no dump. That's a  
3 guarantee.

4 It has been brought up by several  
5 speakers; number one is that on-site storage has got to  
6 be mandated. We know that every nuclear plant in the  
7 United States has had to have an EIR or EIS, meaning it  
8 will withstand earthquakes and all that other stuff.

9 It has met the full spectrum of  
10 qualifications for a Site Characterization Plan. It  
11 would be absolutely legal with no further  
12 qualifications to bury or store the waste at those  
13 sites because they have already passed the  
14 environmental plans and reports and there would be, you  
15 wouldn't have to endanger the public by transporting  
16 it.

17 And like Corbon Harney said, we are all  
18 children of this Mother Earth. If we don't respect our  
19 Mother, we have no respect for ourselves. If we, the  
20 people, can't give our children and those not born yet  
21 a decent place to live where they can enjoy clean air,  
22 clean water, clean ground, clean thoughts, then we have  
23 failed as a people totally.

24 As you sit here and look at the people, do  
25 you know that they haven't failed? Ask yourself, where

16

1 have you guys gone wrong? We know it is rotten at the  
2 top. We're beginning to suspect it's rotten in the  
3 middle, too.

4 MR. GERTZ: Mr. Wasson? Mr. Wasson?

5 I do have just one clarifying statement.  
6 I was not at UNR in the Pine Room two years ago.  
7 Although that statement I was. I was not there. Thank  
8 you.

9 MR. MILLS: We will now take a ten minute  
10 recess to give our faithful court reporter a chance for  
11 a rest and the rest of us to take a break.

12 (A recess was taken.)

13  
14 MR. MILLS: Ladies and gentlemen, while we  
15 have approached the time that was set for these  
16 hearings, we have a dozen or so people who still wish  
17 to testify. It is our intention to accommodate them  
18 and any of you who have signed up, we will give you the  
19 opportunity to come forward.

20 Let me very briefly go over the rules  
21 again and the procedures that we're following for those  
22 of you who have come in after the last time that was  
23 given. You have ten minutes. After eight minutes I  
24 will indicate that you have two minutes left. Please  
25 state your name clearly as you come forward because

1 sometimes I mispronounce it and it's important for the  
2 record, as you can tell the court reporter is taking  
3 down what you say, it's important for the record that  
4 we have your name and your testimony.

5 If you read from a document or have any  
6 documents, we would appreciate it if you would give a  
7 copy of that or the original to the court reporter, and  
8 if you desire to keep a copy, we have a copy machine  
9 outside and we'll make a copy so that you can retain  
10 it.

11 Finally, this Panel to my right is here to  
12 gain information, they're not here to argue, they're  
13 not here to answer questions, occasionally they may ask  
14 a question or make a clarifying point, but that's all  
15 that they're going to do, they're simply here to hear  
16 from you. I'm the moderator. I am not associated with  
17 the government and I am strictly here for the purpose  
18 of making sure that all of you have a fair opportunity  
19 to be heard.

20 With that, our next speaker will be Kathy  
21 Rusco, R-u-s-c-o. (No answer.)

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1 MR. MILLS: Is Helen Barnet here?

2 HELEN BARNET: I certainly am.

3 MR. MILLS: Please come forward.

4 HELEN BARNET: Thank you. I am Helen  
5 Barnet. I've lived in this beautiful state for 19  
6 years and I love it.

7 I'm not an extemporaneous speaker, so if  
8 you will forgive me, I'm going to read.

9 I came late, Ladies and Gentlemen, and so  
10 I'll start with an apology. I've arrived late and  
11 there is a chance that I'll be repeating some of what  
12 you may have already heard earlier this evening.

13 The first observation I'd like to make is  
14 that for many people of the Christian faith, this is a  
15 very special week in the church year. The week before  
16 Easter is commonly called "Holy Week," and sometimes  
17 "Passion Week." Thursday is a very special day during  
18 this special week. A lot of my friends aren't here  
19 because it is a special day.

20 Many of us observe commemorative services in  
21 our houses of worship. AND what I find disconcerting  
22 is that a government agency has again scheduled a  
23 meeting open to the public, when some of the public who  
24 wish to participate in person have clearly conflicting  
25 interests between which they are forced to make a



1 choice. That's why I came late.

2 Having just recently been made to choose  
3 between a Department of Energy open hearing and a  
4 public hearing on the military use of air space in  
5 Neda on the same evening, I do not believe it is  
6 unfair to wonder if such scheduling is a deliberate  
7 attempt to trim public participation. If it was  
8 deliberate, it was wrong; if it's not deliberate,  
9 whoever does the scheduling is not earning the money  
10 that we taxpayers are putting out. You should be aware  
11 of what's going on.

12 The words "holy" and "passion" are highly  
13 charged with feeling. They are words that can readily  
14 be used to describe the earth upon which we depend for  
15 our have sustenance. The earth is indeed deemed sacred  
16 by the native peoples and many others. Much to our  
17 dismay, sorrow and anger, our earth has been subjected  
18 to rape, a great variety of abuses and to tremeneous  
19 violence. The earth has been made to suffer an ongoing  
20 passion, if you will. For approximately four decades  
21 our government has been the major perpetrator of this  
22 agony in our country.

23 I come here as a mother and a grandmother  
24 and a lover of the earth and all that lives upon it.  
25 I come to speak for myself and seven members of my

1 immediate family.

2 A serious problem surfaces whenever we  
3 consider the proposal of a nuclear dump site in Nevada  
4 or anywhere else for that matter. The problem can be  
5 expressed in two words: credibility gap.

6 In attending two of the DOE's  
7 presentations in Reno, and in reviewing the materials  
8 sent to me at my request, for which I thank you by the  
9 way, I have neither heard nor read of the numerous  
10 problems that the DOE has encountered in its projects  
11 throughout the United States. Obviously it's not  
12 advantageous nor good public relations for the DOE to  
13 have its problems and failures openly discussed and  
14 analyzed. Most of us do not deliberately reveal our  
15 dark sides to the public eye unless circumstances  
16 pressure us to do so. I do feel, however, that the  
17 government has a moral obligation to be up front with  
18 its citizens. Our livelihoods and our very lives are,  
19 after all, at stake.

20 In December of 1988, the Department of  
21 Energy was required to release a report detailing the  
22 environmental pollution at the nation's weapon's plants  
23 and laboratories. In the course of producing weapons  
24 over the past 40 years, these plants have contaminated  
25 water supplies, soil and air of large areas with toxic

1 chemicals and cancer-causing heavy metals. It is  
2 estimated that the cleanup will take decades and that  
3 the bill will be more than \$10 billion, making this the  
4 most expensive environmental disaster in history.

5 This has been called to our attention in  
6 the latest quarterly report of the Union of Concerned  
7 Scientists. These scientists go on to point out that  
8 the nuclear industry has learned little from its past  
9 mistakes. Some of the claims for the new reactor  
10 designs, for example, are reminiscent of the overblown  
11 claims of the 1950's, when the nuclear power was  
12 expected to be almost perfectly safe and quote, "too  
13 cheap to meter," unquote. Then, as now, the reactor  
14 designs were unproven. Moreover, the nuclear industry  
15 and the Nuclear Regulatory Commission, stung by  
16 criticism, appear to be closing ranks to avoid debate  
17 on the safety of nuclear power.

18 Why do I bring up these issues when what  
19 we are here to discuss is the feasibility of a nuclear  
20 dump site in Nevada? Because it gives us an ugly  
21 insight into the modus operandi of the government  
22 agencies we will have to deal with. It is crucial for  
23 us to be aware of the track record of these agencies.  
24 Their actions speak loudly and clearly of  
25 mismanagement, miscalculations, mistakes and failures



1 which have impacted the lives of thousands and  
2 thousands of individuals.

3 Another concerned group, the Physicans for  
4 Social Responsibility, have come to the conclusion that  
5 since World War II, the federal government has  
6 consistently put secrecy and production schedules ahead  
7 of the health and safety of its own workers and  
8 neighboring communities. In just five months of  
9 investigating, the revelations they have uncovered  
10 about the DOE facilities have been absolutely  
11 astonishing:

12 Intentional releases of radionuclides and  
13 other harmful substances into the air, water and soil.

14 Production plants run without adequate  
15 worker protection or safety precautions.

16 Toxic and radioactive wastes accumulating  
17 in thousands of dump sites.

18 Hazardous materials transported through  
19 major American cities."

20 The ratification of all these points are  
21 just too horrendous to even contemplate.

22 The physicians tell us that we really  
23 don't know how serious the problem is. Secrecy and  
24 willful neglect have left citizens with little or no  
25 independent analysis of exposure levels and possible



1 effects. In a partial list of 17 different DOE  
2 facilities ranging across our fair land, and put  
3 together with data gathered by the Radioactive Waste  
4 Campaign, the DOE and the PSR physicians, we are  
5 provided with examples of known problems that the DOE  
6 facilities and area residents have experienced to date.  
7 Time constraints prohibit the inclusion of these  
8 examples at this point. But I do have, for anybody  
9 interested in the audience, a number of copies of the  
10 facilities I'm pointing out and what's happened at  
11 them. And you are welcome to get a copy if you like.  
12 And I will submit one to your secretary here. I must  
13 comment that the examples listed here are absolutely  
14 appalling.

15 With the now known dismal track record,  
16 why should the government expect us to accept the DOE's  
17 proposed nuclear Site Characterization Plan as  
18 comprehensive, safe and truthful. DOE's actions have  
19 already spoken much louder than their words. Our own  
20 government must not put us and our future generations  
21 at risk without our consent.

18  
22 You do not have my consent nor my  
23 family's. Thank you for allowing me to speak.

24 MR. MILLS: Thank you.

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1 MR. MILLS: Is C. W. Fulkerson present?

2 C. W. FULKERSON: Good evening. I'm C. W.  
3 Fulkerson, and I've been a resident of Nevada for 35  
4 years.

5 I wish to go on record in opposition to  
6 the proposed high-level nuclear waste dump at Yucca  
7 Mountain. Technical issues of site suitability and  
8 safety issues such as transportation, have been  
9 sacrificed to political expediency. The path of least  
10 resistance leads to Yucca Mountain, and that's why it  
11 was selected.

12 High-level nuclear waste is not political,  
13 but remains lethal for hundreds of thousands of years.  
14 Any mistakes in predicting how Yucca Mountain will  
15 safely contain the waste, and what little water there  
16 now in southern Nevada could be rendered unusable  
17 because of radioactive contamination. Transportation  
18 of hundreds of thousands of fuel rods through Nevada  
19 must be made foolproof.

20 I'm not convinced the DOE can do this job  
21 in such a way as to protect the health of fellow  
22 Nevadans, my family, and the future families of my  
23 three granddaughters.

24 The project must be terminated. Waste can  
25 be stored on-site in dry containers until science, not

1 politics, can serve as the basis for determining the  
2 safest, long-term, disposable method.

3 Thank you for allowing me to speak.

4 MR. MILLS: Thank you.

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1 MR. MILLS: Is Celia Santowski present?

2 (No answer.)

3 Is Roger Swanson present?

4 ROGER SWANSON: May I read this, please?

5 MR. MILLS: Certainly, sir.

6 ROGER SWANSON: I am Roger Swanson, a  
7 geologist now retired. I was a member of the U.S.  
8 geological survey for nearly 40 years, and I have done  
9 much of my work in the western United States.

10 I do not speak for the United States  
11 Geological Survey, but solely for myself and those who  
12 feel as I do that Yucca Mountain, indeed all of Nevada  
13 and much of the western part of the United States,  
14 constitutes a poor choice for a high-level nuclear  
15 waste depository.

16 As a scientist, I must look at the problem  
17 from a scientific approach, not a political or economic  
18 one as provides a basis for deciding most of our  
19 national problems.

20 The geology of this region is very  
21 complex, and nearly all of it has occurred in the last  
22 20 percent of geologic time. In fact, much of it in  
23 the last two percent.

24 In the older parts of the continent such  
25 as the Canadian shield, the earth's crust is about 35



1 miles thick and rigid, but in this western area, it may  
2 be only half that thickness and correspondingly weaker  
3 and more prone to break under stress. The extensive  
4 volcanic activity, invasion by granite and faulting  
5 that have occurred in the last two percent of geologic  
6 time reflect this thin crust.

7 As the continent was growing westward by  
8 accretion of offshore volcanic islands and by uplift of  
9 thick sequences of sedimentary rocks, the crustal  
10 stresses were dominantly compressive, resulting in  
11 folding of the rocks and extensive overthrust faulting.

12 In more recent time, the stresses have  
13 been tensional, with a rock masses tending to pull  
14 apart. Imagine a large balloon on which was spread a  
15 layer of plaster of Paris to form a rigid crust, then  
16 add some more gas to that balloon so it expands. The  
17 crust will crack and the segments pull apart.

18 That is what has been taking place in the  
19 last 10 million years over a broad area from the  
20 Wasatch to the Sierras and Mexico to near the Canadian  
21 border. The crust of the earth here has been rising  
22 and expanding. The result is a lot of north trending  
23 blocks that have been differentially uplifted and  
24 tilted, with faults on the east and/or west sides as  
25 well as within the blocks.

1           The thin crust means that hot rocks lie at  
2 a relatively shallow depth, which means that ground  
3 waters get heated and rise along faults to emerge as  
4 hot springs. Geothermal energy is available over a  
5 broad area, especially in Nevada.

6           Look at almost any geologic map of an area  
7 within this broad area and you will see many faults  
8 depicted for the crust is virtually shattered. As a  
9 matter of fact, look at figure two-five or five-two on  
10 page 21 of the Yucca Mountain area and it shows many  
11 faults on that figure, but I guarantee you from  
12 personal experience not there, but from much mapping I  
13 have done in the field, only a small part of the faults  
14 have been shown. Most faults at this scale would be  
15 unmapable, but they're faults nonetheless. The earth  
16 is much more shattered than would be, than any idea  
17 you'd get from looking at this map, and yet this map  
18 shows lots of faults.

19           Look at boulders, cobbles and even pebbles  
20 that have suitable bedding to recognize the feature and  
21 you will find the same kinds of breaks. I picked up a  
22 pebble last Monday that had thin beds cut by tiny  
23 faults with only one or two millimeters displacement,  
24 but these tiny breaks are indicative of the larger  
25 picture.

1                   Some of the large faults have been  
2                   inactive for thousands to even millions of years, not  
3                   very long geologically, but many others are fairly  
4                   recent, and fault scarps can be seen over a wide area  
5                   reflecting the recentness of faulting, for scarps don't  
6                   remain obvious very long. Some of the older faults  
7                   have been healed by later cementation, but most remain  
8                   as weak zones subject to renewed movement should the  
9                   right stresses be applied. And in this seismically  
10                  active region, it is very hard to predict where the  
11                  next break will occur, let alone breaks within the next  
12                  10,000 years.

13                  Ideally, the requisites of a waste  
14                  disposal site should be rigorously defined first. Then  
15                  sites that meet those requisites should be searched and  
16                  tested. We have proceeded in the reverse, and so we  
17                  find attention directed to an unsuitable site, chiefly  
18                  because of sparse population resulting from the desert  
19                  climate. From a geological standpoint, we could not  
20                  have picked a much less suitable area in which to  
21                  locate a waste disposal site for nuclear byproducts and  
22                  contaminated materials.

23                  Probably not five members of congress,  
24                  including those from Nevada, would choose to live near  
25                  such a site, nor would many citizens of this country,

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especially those knowledgeable about dangers associated with the nuclear industry.

Others have addressed the transportation and ground water risks, so I will not repeat, but I do emphasize they are great.

Thank you.

MR. MILLS: Thank you.

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1 MR. MILLS: Is Kathy Larson present?

2 KATHY LARSON: Hi, my name is Kathy  
3 Larson. I'm a college student who knows a little bit  
4 about geology and has lived in Nevada for about 15  
5 years. I feel I know what is going on here in Nevada.

6 Gaming is our chief business, and if  
7 Nevada gets the Yucca Mountain dump site, tourism will  
8 drop and the economy will suffer.

9 Gaming and mining are the two chief  
10 industries in Nevada and the proposed dump site could  
11 jeopardize them. Since Las Vegas is only about a  
12 hundred miles from Yucca Mountain and it is our biggest  
13 city, and growing fast like all of Nevada, what would  
14 happen if the toxic chemicals from Yucca leaks into the  
15 water supplies. Because of the massive gold rush, we  
16 are going into the little towns we have like Beatty  
17 which is only 15 miles away from Yucca will have a  
18 sudden population boom like Elko has now.

19 Transportation of the nuclear waste  
20 involves a thousand shipments a year from the east. It  
21 is too dangerous to all the nation because it goes  
22 through about 45 states and must go as much as 2,500  
23 miles to get to Nevada. The Yucca area does have  
24 earthquakes which could change the underground water  
25 level that flows into Beatty, Indian Springs, Lathrop,

1 Wells, and the Shoshone Park. Where are the people and  
2 wildlife supposed to get their water supplies? Since  
3 Nevada is a desert anywhere we can get water can, at  
4 times, be a life-threatening problem.

5 Nevada's wild areas are important because  
6 they enhance the beauty and is a part of the  
7 traditional lifestyle of Nevada which is not to be  
8 overcrowded.

9 The nuclear test site is right next to  
10 Yucca which causes earthquakes effects. Since 90  
11 percent of nuclear plants are in the East and 10  
12 percent are in the West out of 95 plants in the U.S.  
13 which none are in Nevada, so why should we have the  
14 dump site since Nevada already has so many military  
15 projects, such as air force, army, navy bases, navy,  
16 air force, air space, nuclear testing and storage,  
17 laser testing, stealth bombers and secret testing  
18 projects. Nevadans feel that we have done enough for  
19 our government. So find somewhere else.

20 Thank you. That's it.

21 MR. MILLS: Thank you.

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1 MR. MILLS: Is Dan Denny present?

2 DAN DEVENY: My name is Dan Deveny. I  
3 live in Gerlach.

4 I recently moved to the Bay Area and I had  
5 a dinner with some friends, and during the time of the  
6 dinner they said, "Well, Dan, what's happening in  
7 Nevada?"

8 And I said, "Well, the federal government  
9 wants to place this nation's nuclear waste at Yucca  
10 Mountain, and they've got the Department of Energy to  
11 do the task of making it a suitable site. So for the  
12 next five to seven years, they will be hiring the  
13 pertinent people to run up the logic that is required  
14 to demonstrate that the site is indeed suitable."

15 And then I also told them that there is a  
16 considerable opposition to the plan for various  
17 organizations and citizens within the state for all  
18 sorts of different reasons, and that it is very  
19 frustrating to me because reason has lost its place.  
20 Where do the oppositions receive an appropriate hearing  
21 in a place in this world? There is none.

22 And I ran through some of the problems  
23 that the opposition presented which was here today, and  
24 so one fellow who was there said, "Well, what we really  
25 need to do is deal with this problem from a philosophic

1 point of view."

2 And I said, "Boy, it would be great if we  
3 could have Socrates here, the last time that reason was  
4 in the world."

5 Well, low and behold, all of these people  
6 gathered around the table, they dimmed the lights, they  
7 put a big crystal in the middle of it, we held hands,  
8 and we started to hum, and instead of getting Socrates,  
9 we got Sigmund Freud, and knowing that Dave Clorts  
10 couldn't satisfy the question of what is reasonable, I  
11 was still concerned about what he might have to say  
12 about this Yucca Mountain proposal. And Sigmond Freud  
13 was very excited. He wanted to respond, and he said,  
14 "Your government leaders are locked into the anal stage  
15 of development."

16 And I says, "Well, how do you mean this,  
17 Sigmund?"

18 And he said, "Well," he said, "it's very  
19 obvious, of all of the proposals to deal with this  
20 hazardous material, what do they decide to do? They  
21 decide to dig a big anus into the earth and put all of  
22 their excreta into it so they can play with it for  
23 10,000 years."

24 MR. MILLS: Thank you.

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1 MR. MILLS: Is Mary McKee --

2 MARY McKEE: I'd like to state that I am  
3 in agreement with all those who have testified here  
4 tonight.

5 And there are many of us who are strongly  
6 opposed to the dumping of nuclear waste in Nevada. And  
7 although we don't think we need to repeat what you've  
8 already heard here tonight, we want you to hear our  
9 names and we want our names and our statements of  
10 opposition on the record.

11 Therefore, I will read the names of people  
12 who are opposed to the dump but have chosen not to  
13 speak. The reporter has been given this list with the  
14 addresses and the names.

15 James Tucker, Mark and Wendy Archer, Glen  
16 Parvin, Mary Mean, Herman Fooshy, Andrew Barbano, Lee  
17 Lombard, Elizabeth Polay, Tom Hambey, Tracy Hambey,  
18 William Puckert, Rhonda Howell, John Howell, Mike  
19 Marcum, Lisa Hill, Terry Barker, Marlene Hilliard, Sam  
20 Lumpy, Bridgette Bennett, Patricia Miltinberger, Linda  
21 Nelson, Al Kilpatrick, Deedee Foremaster, Lorraine  
22 Highsmith, Claudia Richards, Shannon Ward, David Ward,  
23 Elizabeth Beoclancy, Autumn Wolf, Cindy Aner, Heidi  
24 Pierce, Sydney Concer, Dan Devaney, Susan Debor,  
25 William Patrene, John Lannon, William Lannon, Leslie

1 Wood, David Polar, Vicki Femish, John Black, Merrylee  
2 Fulkerson, Brenda Milligan, Mike Markess, Alan Mandell,  
3 Mercedes Parker, Jason Anness, Alta Fulton, Alan Moss,  
4 Summer Hill, Shirley White, Daniel Henklin.

5 I hope I came close to pronouncing most of  
6 those correctly.

7 All of us urge you that when you think of  
8 Nevada, don't think of us as a faceless wasteland, a  
9 vast desert to be used and abused by the federal  
10 government. Think of us as a state of many faces, the  
11 faces of the people you've heard here today. The faces  
12 of the people that you heard in Las Vegas and Amargosa  
13 Valley, the faces of the people whose names that I just  
14 read from the list.

15 The faces of our parents, our friends, our  
16 neighbors, our children, our grandchildren.

17 Think of us, of our safety now and in the  
18 future when you consider all of the issues and the  
19 concerns that have been expressed to you here tonight.  
20 Thank you.

21 MR. MILLS: Thank you.

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1 MR. MILLS: Is Rich Wood present?

2 RICHARD WOOD: Hello. My name is Rich  
3 Wood. I teach sociology in Seattle, Washington, and I  
4 have had occasion to testify at DOE hearings about this  
5 same process in Washington state.

6 I think an aroused public is probably the  
7 greatest threat to a political elite and bad policy  
8 that exists, and this is an aroused public.

9 I haven't heard one positive word for this  
10 plan or this dump in this whole evening, yet, I have a  
11 sneaking suspicion that the plan will go forward  
12 anyway. I have that suspicion because of my own  
13 experience in Washington state and what I saw and what  
14 I heard there. And what is now for historians to write  
15 about.

16 I give my testimony as an as if  
17 proposition, as if you will pay attention to me, as if  
18 you will listen to me, as if democracy exists in this  
19 hall, as if my comments matter to you or to the DOE or  
20 to the federal government.

21 I think the real issue here is human  
22 beings and living organisms in the environment,  
23 horrible diseases, pain, suffering. I think the  
24 seven-year-old-girl, Morgan, and I think her name was  
25 Martha Bailey really expressed this more eloquently

1 than anyone else because of the fear that they  
2 experience and the pain and the suffering. That's what  
3 we're really talking about.

4 And someone's responsible for those  
5 diseases, for that leukemia, someone's responsible for  
6 the million curies of radiation that were purposefully  
7 released in Washington state from the Hanford  
8 reservation. Someone's responsible. Someone will be  
9 held accountable, and the time is coming soon.

10 The entire process orchestrated by the  
11 Department of Energy to use pseudoscientific  
12 justification for its politically motivated selection  
13 of repository sites has been thoroughly exposed and  
14 publicly condemned by the citizens of Washington state  
15 and many states throughout this nation.

16 It is still astonishing that the DOE  
17 continues this blatant manipulation of the public that  
18 it is paid to serve.

19 I join the vast majority of the citizens  
20 of Nevada in dismissing the credibility of the Site  
21 Characterization Plan and rejecting the use of Yucca  
22 Mountain as a storage site for nuclear waste and  
23 rejecting the whole concept of a national nuclear waste  
24 repository, and, finally and demanding an end to the  
25 production of nuclear waste in a comprehensive national



1 commitment of nuclear disarmament.

2 I have had numerous meetings with  
3 officials of the DOE discussing with them the  
4 operations of the Hanford Nuclear Reservation and the  
5 process of the selection of Handford as a site for the  
6 national nuclear waste repository. Subsequent to these  
7 discussions, press reports proposed their comments to  
8 me and others as blatant lies.

9 As an example, despite internal scientific  
10 data within the DOE which rated Handford as the 12th  
11 desirable site for repository out of a list of 12, the  
12 Handford site was included as one of the three  
13 preferred sites. The Site Characterization Plan for  
14 Handford was riddled with gross errors, oversights and  
15 purposeful distortion of data in the interest of  
16 securing the area for the repository.

17 When this information was made available  
18 to the public through the testimony of scientists who  
19 analyzed and refuted the conclusions of the DOE's plan,  
20 and by information linked to the press by DOE  
21 employees, the citizens and elected officials of  
22 Washington state made the selection of Handford  
23 impossible.

24 Since that time, the mismanagement of the  
25 interreactor at Hanford by the DOE and its contractors

1 and the inherent dangers of plutonium production have  
2 led to the shutdown of that facility and a further  
3 decline in the reputation of the DOE.

4           Meanwhile, the storage of nuclear waste at  
5 Handford continued to pose a life-threatening danger to  
6 the environment and all life in that region. Such  
7 risks are the only thing the DOE can guarantee to  
8 Nevadans in the event of a nuclear waste repository at  
9 Yucca Mountain.

10           It is clear to me that it is impossible to  
11 safely store nuclear waste anywhere as long as that  
12 storage is under the management of the DOE. It must be  
13 managed. It will be a temple of doom that we pay  
14 homage to for the rest of time.

15           And it must be managed and it must be  
16 stored safely. I just don't think you can do it. I  
17 know you can't do it. It's obvious you can't do it.

18           The DOE has consistently demonstrated  
19 their commitment to political expediency and to the  
20 profits of their corporate contractors. I strongly  
21 urge the DOE to give up this transparent attempt to buy  
22 the State of Nevada and use pseudoscience as propaganda  
23 to justify it.

24           I am confident and very happy that the  
25 citizens of Nevada understand this and they are united

1 in their determination to stop the DOE and the nuclear  
2 industry.

3 And in closing, I would like to formalize  
4 a proposal that many people here have expressed  
5 tonight, and that is an alternative Site  
6 Characterization Plan.

7 The stewardship of the land by the Western  
8 Shoshone People has been proven. They know how to take  
9 care of the land. The land is theirs. I suggest that  
10 you dump this plan and give the land back to the  
11 Western Shoshone. Thank you.

12 MR. MILLS: Thank you.

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1 MR. MILLS: Is Ken Taylor present?

2 KEN TAYLOR: I'm Dr. Ken Taylor. I'm  
3 speaking tonight as a private citizen.

4 I'd like to really thank you guys for  
5 extending the meeting longer than it was supposed to,  
6 and I really admire you for your stamina and endurance.  
7 It's not an easy thing you're doing.

8 I make my living as a research  
9 hydrologist. For the last five years my research has  
10 been directed as characterizing heterogeneous aquifers,  
11 similar to what we have at Yucca Mountain, and I find  
12 it interesting, found an interesting comment in your  
13 Characterization Plan, and I'd like to read that  
14 comment.

15 It says here that you're going to develop  
16 conceptual numerical models that can be used success  
17 the combined effects of heat and water and gas flow  
18 under present conditions, and the conditions that are  
19 expected over the next 10,000 years. This is -- this  
20 is really a commendable goal, and I'm really glad you  
21 guys are going to do this.

22 And for the last several years I've been  
23 discussing this idea with several of my -- with a lot  
24 of my colleagues, people who work with contaminant  
25 transport of radionuclides. People who have been doing



1 this work in France, Germany, Canada, the U.S. And do  
2 you know what they say when I tell them this? They  
3 laugh. Everybody laughs at this. Because they know we  
4 can't do this. You guys have picked unsaturated,  
5 heterogeneous, fractured tuffs, it's like the most  
6 complicated problem you can come up with. And yet  
7 that's the one you've chosen. It doesn't make any  
8 sense.

9 I know of no one with experience in this  
10 field who really believes that they can model this  
11 stuff. You've got, you know, several major power  
12 problems: You have to -- six of them, in particular:  
13 One, you have to characterize the fractures. We don't  
14 have methods to actually characterize the fractures in  
15 a numerical sense. And then even once you've  
16 characterized the fractures, even if you have a  
17 description of the fractures, you have to be able to  
18 model the transport of radionuclides in the fractures.  
19 That's number two.

20 We really don't understand how  
21 radionuclides are transported in fractures, even if we  
22 know what a fracture looks like.

23 Number three, you've got to characterize  
24 the saturation, and in the unsaturated zone. We  
25 really don't have methods that we can go in there and

1 say what's saturated and what isn't saturated,  
2 particularly when we have to do it like we do there.  
3 You know, we don't really have these methods.

4 The fourth problem we have is coupled  
5 effects. A lot of interactions between heat, gases and  
6 then also water with liquid and vapor phases. All  
7 those interact in very complicated ways. We have some  
8 ideas about that, but, you know, it's not fully  
9 understood.

10 The fifth problem is calibrating the  
11 model. Even if you do generate a model, you have to  
12 calibrate it. Traditionally, you want to calibrate it  
13 with a data set that is about somewhere within the same  
14 order of magnitude of the time spans you're trying to  
15 model over, so if you're trying to model over 10,000 of  
16 your time span, you need a thousand year data set just  
17 to calibrate the models that you can make predictions  
18 for 10,000 years. And we don't have that. We're not  
19 going to get it.

20 And, finally, we have to be able to  
21 predict the inputs to the model in 10,000 years.  
22 Climate? Who knows what the climate's going to be in  
23 10,000 years? We can make guesses at it, but, come on,  
24 we really don't know.

25 Okay. So in the science community, it's

1 well-known that we can't predict radionuclides, to  
2 transport radionuclides on small scales. The Nevada  
3 test site there's been work done there and even on the  
4 scale like a thousand meters in one year worth of  
5 transport. The transport models have failed miserably.  
6 It's really embarrassing to be a scientist and say, "I  
7 don't know," but that's really what it is.

8 And so then you guys are coming up here  
9 with your characterization plans and you're saying,  
10 "The science community will predict a transport for a  
11 10,000 year period," and it's a lie. It's a blatant  
12 lie. I don't understand why DOE has more faith in the  
13 scientists than the scientists have in themselves.

14 So what are you going to say? What are  
15 you going to do? Are you going to get to the end of  
16 this process and you're going to say, "Well, gee, we  
17 don't really know the answer, but, well, we did the  
18 best we could, so that's good enough for government  
19 work." I don't know. I don't know.

20 You had a little flow chart in there I  
21 saw, and like if the answer was that it wasn't good  
22 enough, you were going to go back and try again, and in  
23 computers you have a thing called the endless loop and  
24 the problem is the endless loop is spending our  
25 taxpayer's money and it's not really solving any

1 problems.

2 I really, as far as the Characterization  
3 Plan goes, I really feel it's inadequate. You really,  
4 you know, you're going to do all these things, and,  
5 yes, these are the best things we can do;  
6 scientifically you are doing the best things we can do,  
7 but I really question whether it's good enough.

8 And I urge you to look at that question up  
9 front instead of going through everything and then  
10 coming to the conclusions it's not good enough. If you  
11 can decide now it's not good enough, maybe you can save  
12 a lot of expense.

13 An option you might consider, of course,  
14 would be the idea of a retrievable storage, hang on to  
15 it in some place for a few more decades. We've been  
16 doing it for decades, why don't we do it for a few more  
17 and then maybe we can address these problems in a  
18 realistic way, so that we're using real science instead  
19 of the illusion of real science. A lot of people  
20 talked about that.

21 As a scientist, I'm obligated to tell the  
22 truth; as a public official, it is your duty to be  
23 honest with the public. And I'd really like to know  
24 when you guys are going to stop sort of feeding us all  
25 these lies and really start tellin us and playing



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honest with us. Thank you.

MR. MILLS: Thank you.

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1 MR. MILLS: Is Richard Womeldorf here?

2 RICHARD WOMELDORF: Close. Womeldorf.

3 MR. MILLS: Okay. Thank you.

4 RICHARD WOMELDORF: I wish to thank you  
5 for your patience and for coming. I tell you, that's  
6 probably the last thing I'm going to thank you for.

7 One of the things that I'm pretty good at  
8 doing is being a bureaucrat. I spent most of my adult  
9 life in large organizations helping make decisions, and  
10 two things have become profoundly clear: One is that  
11 we lie, often without knowing, but we lie because we  
12 never have the whole picture.

13 I do not challenge the integrity of those  
14 that sit in front of us. I believe that you are doing  
15 what you honestly see is best, but yet you must at some  
16 point understand that the mechanism of a bureaucracy is  
17 one to come up with an expedient answer, and we have  
18 talked about expediency time and again in this process,  
19 and in effect of bureaucracy is always going to move to  
20 the path of least resistance.

21 We are here to tell you clearly, loudly  
22 and often that Nevada is not the path of least  
23 resistance. We are here to tell you -- we are here to  
24 tell you that the organization that is responsible for  
25 nuclear weapons manufacture in this country, to have

1 that same organization responsible for the repository  
2 is the worst possible example of the fox in the chicken  
3 house.

4 We are here to tell you that you cannot  
5 characterize for us what the future will bring, that we  
6 understand that history is a unique combination, and  
7 yet, most importantly, we're here to tell you that by  
8 creating a facade of a safe way to dispose of nuclear  
9 waste, all we are doing is increasing weapons  
10 production; all we are doing is increasing the lie that  
11 nuclear energy is efficient and safe; all we are doing  
12 is saying we are going to do it more. We have not been  
13 able to efficiently, safely or honestly handle nuclear  
14 power since its inception.

15 Many of the early creators died of  
16 radiation poisoning. What's still going on today at  
17 the test site in terms of radiation levels found around  
18 that area are still highly questionable. Whose  
19 interpretation?

20 When one looks at our whole system of law  
21 and our whole system of attribution, one comes up with  
22 a very basic tenet, that is those that most directly  
23 benefit must also be held responsible for the damages.

24 We are not those that most directly  
25 benefit. They are those on the east coast that send it

1 to us. If you forced those sites to provide local  
2 storage, you would never have another site for a  
3 nuclear reactor on the east coast. I assure you.

4 I have been asked to read into the record  
5 a letter from our friends in the Marhsall Islands. Our  
6 most respected representative Barbara Vucanovich took a  
7 short trip there to woo them with the prospects of  
8 long-term storage of our nuclear waste. I think they  
9 were a little smarter than she thought.

10 If I may, this was addressed to her and  
11 representative Ron Dalugo. I probably did as bad a job  
12 with his last name as you did with mine.

13 "We understand that the United  
14 States Congress has passed the bill  
15 which designates a disposal site for  
16 the U.S. high-level nuclear waste in  
17 the State of Nevada and the bill was  
18 signed by former President Reagan in  
19 late December 1987.

20 We also understand that if  
21 Nevada rejects this proposal, the  
22 Marshall Islands is being considered  
23 as an alternate disposal site.

24 Recently, representative  
25 Barbara Vucanovich of Nevada has been



1 an active promoter of the Marshall  
2 Islands option. The U.S. has  
3 conducted 66 atomic and hydrogen bomb  
4 tests destroying and contaminating  
5 the Marshall Islands.

6 The inhabitants of those  
7 islands were driven from their homes  
8 and continue to suffer as atomic  
9 radiation victims. To force the same  
10 people into accepting the U.S.  
11 high-level nuclear reactor waste is  
12 unjust. It is the moral  
13 responsibility that any nation  
14 producing such waste dispose of it  
15 within its own territory. The  
16 Pacific Ocean is not an American  
17 lake, nor does it belong to any other  
18 powerful nation. It is the ocean for  
19 all human communities.

20 We implore you to show respect  
21 for this specific community and  
22 completely abandon this plan."

23 We are not the expedient choice. We will  
24 not have the dump in Nevada. We will fight you at  
25 every step and every turn.

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The dump will not come home here.

MR. MILLS: Thank you.

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1 MR. MILLS: Is Bob Edgemont on here?

2 BOB EDGINGTON: My name is Bob Edgington.  
3 I'm a native Nevadan. I've lived in Nevada for 41  
4 years. This is the whole time I've been around.

5 I was just kind of wishy-washy about this  
6 whole process until about two years ago when I happened  
7 to be in Italy, and I was in Venice and I had my two  
8 daughters and we noticed that the people in Italy were  
9 not drinking tap water. And we asked one of the  
10 natives why, and he replied, "Because of Chernobyl."

11 And when he said that to me I felt real  
12 powerfully this pain those people were feeling. And as  
13 I came back to the United States with my daughters and  
14 talked to them about that, it became imperative that I  
15 take a stand for this.

16 I love this state very much. I love to  
17 walk in the valleys and on the mountain sides. I think  
18 it's a very special place to me. It calms my soul.  
19 But more than this state, I love children. My job is  
20 as a counselor in elementary schools in Washoe County,  
21 and I have lots of access to kids. And I can  
22 understand and I get the feelings of what's going on  
23 with the children. And children are scared about  
24 environmental issues.

25 Last week I was in one of my schools, and

1 I was in a cafeteria and some kids were sitting around  
2 a table having lunch, and one of the children pulled  
3 out of his sack an apple and started to eat it, and the  
4 other kids at the table said, "Hey, you're eating an  
5 apple. You're going to die."

6 Another kid said, "That's cancer."

7 And I was terrified. And I thought, geez,  
8 this is crazy that this would happen. The child  
9 quickly stuffed his apple back in his lunch and grabbed  
10 a sandwich. Those kids were second-graders. It was  
11 frightening for me.

12 I felt myself a big sense of injustice  
13 that our children have to experience such fears that  
14 kids ought to be filled with such ideas like what game  
15 do I play at recess, or does Johnny like me best or  
16 does Sally like me best. That's what kids need to be  
17 thinking of, not worrying about the environment. Our  
18 kids have a right to live in a healthy environment with  
19 clean air and clean water and not to worry about  
20 nuclear waste. Why must we place our children and our  
21 children's children in fear for generations?

22 For our children to be healthy and to grow  
23 up healthy mentally, they must feel safe. When  
24 children are very young, they believe that their  
25 parents are all-knowing and all-powerful, and they feel



1 safe. That safe feeling is essential for the growth  
2 and development of happy, confident children. Children  
3 who maybe are born into an abusive or chemically  
4 dependent family learn quickly that their world is not  
5 safe. And these children are often incapable of  
6 developing positive self images. They have low  
7 self-esteem, and this leads to underdeveloped potential  
8 and to poor decision making.

9           Should we raise our children in an  
10 environment that feels unsafe to them? Should we  
11 permit those fears to color their childhood and affect  
12 their crucial life choices? I speak for myself and  
13 maybe for all those children that have allowed me to  
14 share their worries and fears, and we all say no. We  
15 all say no to the nuclear dump.

16           MR. MILLS: Thank you.

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1 MR. MILLS: Is Patrick Winans here?

2 PATRICK WINANS: Good evening. My name is  
3 Patrick Winans, and I'm vice president of the Students  
4 Opposed to Nuclear Dump in Nevada on the campus of  
5 University of Nevada here in Reno.

6 I believe our president spoke earlier,  
7 Matt Hamrick, and gave you his views and also stated  
8 our group's opposition to the dump being placed here in  
9 Nevada.

10 There's a growing student population that  
11 is opposed to this. And I did want to let you know  
12 that the leadership, we will be the leadership of this  
13 country, and we're worried about being forced into  
14 having to face this problem later on if this indeed is  
15 a mistake, and I believe it is.

16 My major concern is the transportation  
17 issue, and I drove down to listen to the other people  
18 speak on Tuesday in Las Vegas, and it was a long drive  
19 but it was pretty informative for me. I got to look at  
20 a lot of things, the low-level dump in Beatty which is  
21 called the U.S. Ecology worried me a little bit. And  
22 all of the trucks that were passing me on the other  
23 side going about 90, flying by and shaking the car, all  
24 had flammable signs on the side.

25 I've seen a lot of accidents occur in my

1 own freeways here around Reno, and in Las Vegas a few  
2 of the residents I spoke to there have seen similar  
3 accidents, and the potential for an accident on the  
4 roadways with three truckloads coming into Nevada a day  
5 and up to one train shipment per day, that worries me.  
6 And I think there's a high potential for a really  
7 dangerous accident to occur.

8 Also, the waste being just dumped in  
9 Nevada, if it were a repository where it could be  
10 looked into later and checked up on and taken care of,  
11 that might be a little better, but if it's just buried  
12 and left there, it's my understanding that these casks  
13 will eventually deteriorate because of the radiation,  
14 and when this happens, this will be left to the earth,  
15 and I'm not sure what will happen in the earth.

16 I'm no geologist, and, but it is my  
17 understanding that this stuff will remain radioactive  
18 for up to 10,000 years, that's long after I'm dead and  
19 gone, and will remain lethal. And I don't want my  
20 death or the death of my family hastened by an accident  
21 on our highways.

22 Thank you very much for letting me speak  
23 today.

24 MR. MILLS: Thank you.

25 -oOo-

1 MR. MILLS: Is there anyone present who  
2 signed up to speak today whose name I have not called  
3 who has not had an opportunity to address this  
4 audience?

5 Come forward, sir, and what is your name?

6 RON SMITH: My name is Ron Smith.

7 MR. MILLS: Okay, Mr. Smith?

8 RON SMITH: Thank you.

9 There's almost nothing I could say that  
10 hasn't been said tonight, but I'll say what I was going  
11 to say anyway.

12 I appreciate the research done by those  
13 persons who have spoken about the technical matters  
14 tonight, and I acknowledge the validity of those  
15 issues. Technical issues aside, however, it must be  
16 noted that the issue of nuclear repository is a  
17 political one.

18 As Richard stated earlier, expediency in  
19 the bureaucracy is often the facilitating factor for  
20 any given decision to be made, and as he said also,  
21 we're not going to make it easy for you guys.

22 The people in Nevada, as well as our  
23 elected officials, some of whom we've heard from  
24 tonight, are overwhelmingly against the repository..  
25 Eminent domain notwithstanding it comes down to the



1 issue of state's rights. The constitutionality of  
2 ramming the repository down our throats must be  
3 questioned. Thank you.

4 MR. MILLS: Thank you.

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1 MR. MILLS: Is there anyone else?

2 ALYCE WILLIAMS: Yes.

3 MR. MILLS: Yes, but first before we call  
4 on you, I'm going to see if there's anyone else who has  
5 submitted their name to speak who was not called and  
6 not had an opportunity to speak.

7 Sir, please come forward.

8 FIELDING MCGEE: My name is Fielding  
9 McGee. I work with Citizen Alert, and I've worked with  
10 other organizations in the past that have dealt with  
11 the Department of Energy.

12 Everyone who's worked on Department of  
13 Energy policies outside the Department of Energy  
14 recognizes that many of its decisions have been  
15 political. On this particular issue, from the  
16 decisions to designate first and second round sites to  
17 the December 1987 decision to essentially choose Yucca  
18 Mountain as the only site, these decisions have been  
19 political.

20 In furtherance of this policy, the  
21 Department of Energy has belittled, ignored or  
22 suppressed scientific evidence that shows that Yucca  
23 Mountain is not suitable.

24 And, in the end, the Department of Energy  
25 may be successful. There may be a report bumping

6  
1 around somewhere in the files which, if it came out,  
2 would kill Yucca Mountain as the site.

3 The Department of Energy and its friends  
4 in the pro-nuclear lobby can manipulate figures, they  
5 can manipulate words with pro-dump surveys. The  
6 Department of Energy can change its mind about what the  
7 margin of safety is after new scientific evidence shows  
8 that previous assumptions were wrong. Politics can  
9 repeal the laws that man makes. None of us can repeal  
10 the laws of physics.

11 The Department of Energy may end up  
12 fooling everybody in this country, but in the words of  
13 an ad that was popular a few years ago, "You won't fool  
14 Mother Nature." Thank you.

15 MR. MILLS: Thank you.

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1 MR. MILLS: Your name, sir?

2 TRACY MOORE: My name is Tracy Moore.

3 MR. MILLS: Tracy?

4 TRACY MOORE: I'm a native Nevadan. I'm  
5 here speaking on behalf of my conscience basically and  
6 one, with respect to this planet and future generations  
7 of its beings. I find it unfortunate to continue to  
8 rely on and develop waste-creating nuclear power and  
9 weaponry.

10 If we were to develop cleaner and safer  
11 alternative energy sources with the same zeal and  
12 financial commitment we now devote to nuclear and  
13 fossil fuel development, we would soon have an  
14 efficient, self-reliant and cleaner country to pass  
15 along to our children.

16 I find it unreasonable to create long-term  
17 radiation and contamination dangers just for the sake  
18 of postponing that inevitable switch to safer and  
19 cleaner alternatives. Thanks.

20 MR. MILLS: Thank you.

21

22 -oOo-

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25



1 MR. MILLS: Is there anyone else who has  
2 not had an opportunity to address this Panel before I  
3 give those who have spoken before another opportunity?  
4 Miss Williams?

5 ALYCE WILLIAMS: This is a marathon. I  
6 almost didn't make it.

7 Okay. Now, I was reading about the  
8 nuclear weapon's state in fourth world nations by  
9 Bernard Neishman and William Naban.

10 "In 1980, an Adelaide newspaper  
11 interviewed a -- I went through that already because I  
12 couldn't pronounce that word. Anyway, let me continue  
13 here.

14 "During the late 1950's and  
15 early 1960's, Great Britain used  
16 Christmas Island as a test site,  
17 today a part of independent  
18 K-i-r-i-b-a-t-i, and borrowed U.S.  
19 annexed Anowetak Islands, Marshall  
20 Islands further tests.

21 The 1963 Limited Test Ban  
22 Treaty prohibited further atmospheric  
23 and underwater nuclear explosions.

24 Great Britain and the United  
25 States concluded that underground

1 testing on the annexed Coral Islands  
2 was too dangerous. They subsequently  
3 moved their nuclear weapons  
4 facilities from Pacific nation's to  
5 the Western Shoshone Nation.

6 Curiously, as Great Britain  
7 and the United States were shifting  
8 from annexed Coral Island nations to  
9 an annexed desert nation, the 1962  
10 Algerian Revolution forest the French  
11 from their annexed desert nation to  
12 an annexed Coral Island nation,  
13 T-u-a-m-o-t-u, in the Pacific.

14 The most bombed nation in the  
15 world: The United States dropped two  
16 nuclear bombs on Japan in 1945.  
17 Since 1963, the United States has  
18 exploded 651 nuclear weapons and  
19 devices on Newe Sogobia. "Bia" is  
20 our mother, "Sogo" is our land,  
21 "Newe" is Indian.

22 The Western Shoshone Nation.  
23 Great Britain has set off 19 in the  
24 same region, Newe Sogobia could also  
25 be bombed by the USSR if Washington

1 and Moscow agree to set off nuclear  
2 explosions at each other's test site  
3 in order to calibrate test ban  
4 detection equipment.

5 Additionally, Washington plans  
6 hundreds more nuclear explosions as  
7 part of this strategic defense  
8 initiative, Star Wars.

9 Because they destroy, the 670  
10 nuclear explosions in Newe Sogobia  
11 have been classified by the Western  
12 Shoshone National Council as bombs  
13 rather than tests. The purpose of a  
14 bomb is to destroy. If the tests  
15 were not destructive, they would be  
16 performed in the American's  
17 territory.

18 A part of a nation's of Newe  
19 Sogobia has been destroyed by the  
20 nuclear bombs from two nuclear  
21 powers.

22 No treaty, accord, agreement,  
23 vote or sale exists that gives the  
24 United States permission to explode  
25 nuclear bombs or devices on or under

1 the Western Shoshone Nation.

2 The bombs constitute an attack  
3 against the Shoshone Nation because  
4 they destroy part of it. The United  
5 States nuclear test sites is located  
6 in another nation that does not  
7 consent to United States occupation  
8 and the explosion of the United  
9 States nuclear weapons. The United  
10 States cannot show ownership of the  
11 test site, the Western Shoshone can.

12 In 1863, representatives of  
13 the United States on the Western  
14 Shoshones signed the Treaty of Ruby  
15 Valley. The United States proposed  
16 the treaty in order to end Shoshone  
17 armed events of Sogobia, acquired  
18 gold from the territory, and  
19 established protected communication  
20 and transportation routes to  
21 California.

22 President Lincoln needed gold  
23 from California and Sogobia to  
24 finance the north's forces in Civil  
25 War. The Shoshone resistance blocked



1 the strategic east-west corridor.  
2 The treaty ended hostilities, averted  
3 further massacres of unarmed Shoshones  
4 and gave the United States rights for  
5 stagecoach, railway and telegraph  
6 routes, military posts and lands for  
7 mining, agriculture and ranching.

8 The treaty recognized Shoshone  
9 territorial sovereignty. No  
10 ownership rights were transferred.

11 The United States Senate  
12 ratified the treaty in 1866 and  
13 President Grant confirmed it in 1869.  
14 The treaty is still in effect.

15 The nation of Newe Sogobia has  
16 an area of some 43,000 square miles,  
17 about the size of Honduras founded by  
18 western Nevada, southern Idaho,  
19 eastern Utah, and the Mojave Desert  
20 in southeastern California.

21 To invade and occupy this  
22 large nation, the United States has  
23 employed a range of land grabbing  
24 strategies not covered or permitted  
25 by the treaty.

1                   The United States has served  
2 almost 90 percent of Shoshone lands  
3 and resources and placed them under  
4 the control of the Department of the  
5 Interior, Bureau of Land Management,  
6 Forest Service, Park Service, Fish  
7 and Wildlife, et cetera, to  
8 Department of Energy, Atomic Energy  
9 Commission, Department of Defense,  
10 Department of Transportation and many  
11 other agencies used as part of  
12 occupation, but Western Shoshone  
13 people assert their nation cannot be  
14 taken, sold or bought by people of  
15 another nation regardless of how much  
16 Indian land is needed for national  
17 defense or for conservation,  
18 recreation and profit for  
19 non-Shoshones.

20                   Shoshone have title to the  
21 proposed Great Basin site and have  
22 been demonstrating against nuclear  
23 testing within Newe Sogobia. The  
24 United States has offered 26 million,  
25 about 15 cents per acre, to

1 extinguish Western Shoshone title to  
2 territory covered by the treaty.

3 Rather than sell their nation  
4 for 26 million, the Shoshones should  
5 receive approximately 670 million  
6 dollars in back rent for land used  
7 for several U.S. military bases and  
8 installations in Newe Sogobia.

9 This rough estimate is based  
10 on the area of the military bases and  
11 the amount of money the United States  
12 gives to Spain, Turkey, on the  
13 Philippines in exchange for military  
14 bases in those countries."

15 MR. MILLS: Two minutes.

16 ALYCE WILLIAMS: Okay.  
17 "Radiation on the hoop, the reindeers  
18 herd of Sweden and Norway were  
19 showered radioactive rain for days  
20 after the Chernobyl accident. Today  
21 the lechions they eat and the  
22 reindeer themselves still show high  
23 levels of sesium 137. To protect  
24 consumers, both countries monitor  
25 reindeer sold commercially.

1                   A Norwegian inspector checks  
2 reindeer in the field. The herd at  
3 top was judged too radioactive for  
4 for human consumption --" its  
5 albino's consumption rather." Its  
6 albinos are natural mutants."  
7 The Reed report. United States Harry  
8 Reed.

9                   "The earth can be an abundant  
10 mother if we learn to use her with  
11 skill and wisdom, to tend her wounds,  
12 replenish her vitality and utilize  
13 her potentialities."

14  
15                   President John F. Kennedy:  
16 "The Population Institute. A child  
17 born today. We live in a world with  
18 more than five billion people which  
19 grew last year by unprecedented 90  
20 million.

21                   Three billion young people  
22 will enter their reproductive years  
23 within this generation; consequently,  
24 a child born today can expect by the  
25 year 2000 a world in which almost



1 one-half of the world's forests will  
2 be gone, one-fifth of the world's  
3 plant and animal species will be  
4 extinct, deserts will claim an area  
5 one-and-one-half times the size of  
6 the United States, the air we breathe  
7 will contain one more third,  
8 one-third more carbon dioxide than it  
9 now does.

10 Acid rain will have destroyed  
11 many more lakes and fish. Regional  
12 fresh water shortages will be up 35  
13 percent. Available agricultural land  
14 will be further depleted forcing even  
15 more people to move into already  
16 overcrowded cities. And that -- "  
17 MR. MILLS: Ma'am, you have 20 seconds.

18 ALYCE WILLIAMS: "The unleashed power  
19 of the atom has changed everything  
20 save our motive thinking and thus we  
21 drift toward unparalleled  
22 catastrophe." Albert Einstein.

23 MR. MILLS: Thank you. Your time is up.

24 ALYCE WILLIAMS: Thank you very much for  
25 listening.

1 MR. MILLS: This hearing is officially  
2 closed.

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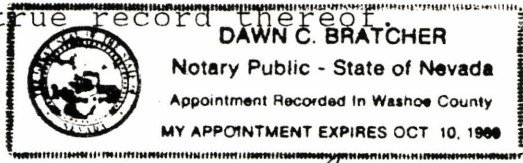
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STATE OF NEVADA )  
 ) SS.  
COUNTY OF WASHOE )

We, DAWN C. BRATCHER, ERIN T. LUSCHAR and NANCY J. REIGLE, notaries public in and for the County of Washoe, State of Nevada, do hereby certify:

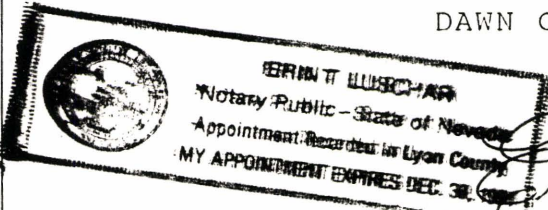
That we were personally present for the purpose of acting as notaries public and Certified Shorthand Reporters in the matter entitled herein;

That said transcript which appears hereinbefore was taken in verbatim stenotype notes by us and thereafter transcribed into typewriting as herein appears to the best of our knowledge, skill and ability and is a true record thereof.



*Dawn C. Bratcher*

DAWN C. BRATCHER, CSR #253

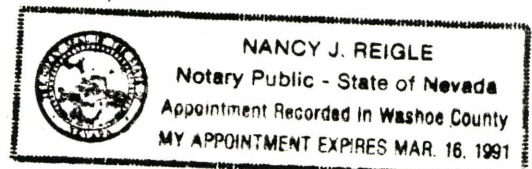


*Erin T. Luschar*

ERIN T. LUSCHAR, CSR #281

*Nancy J. Reigle*

NANCY J. REIGLE, CSR #266



1 BEFORE THE U.S. DEPARTMENT OF ENERGY

2 -oOo-

3 PUBLIC HEARING ON YUCCA MOUNTAIN :  
4 SITE CHARACTERIZATION PLAN :

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6  
7 MEMBERS OF THE U.S. DEPARTMENT OF ENERGY PANEL:

8 LAMOND R. MILLS, ESQ.  
9 Hearing Moderator

10 CARL P. GERTZ  
11 Hearing Official  
12 U.S. Department of Energy  
13 Project Manager for Yucca Mountain Project

14 JEAN YOUNKER  
15 Technical Representative  
16 Senior Staff Geologist  
17 Science Applications International Corp.

18 EXHIBIT "A"

19 TRANSCRIPT OF VIDEOTAPE

20 March 23, 1989

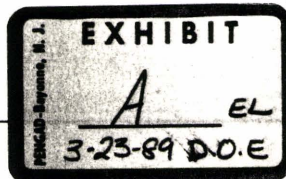
21 Reno Hilton  
22 Reno, Nevada

23 Reported by: ERIN T. LUSCHAR, CSR #281

24 Transcription: ^-----^ Computer ^-----^

25 ^.^ BONANZA REPORTING, 1111 FOREST, RENO, NEVADA ^.^

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I N D E X

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## Exhibit "A"

TRANSCRIPT OF VIDEOTAPE

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7 MS. WILLIS: My name is Vena Willis and I  
8 live at 110 South Street in Winnemucca.

9 I don't like the idea of the State of  
10 Nevada being used as a trash barrel for the whole  
11 nation. I worry about the storage. I don't think we  
12 know enough about the length of time, if it's going to  
13 get into the water. There must be better ways and I  
14 understand that Europe has some.

15 I'm concerned about the transportation of  
16 all these nuclear wastes across the State, whether by  
17 truck or railroad. I'm concerned about what's going to  
18 happen, not for me because I don't have too much  
19 lifetime left, but for other generations.

20 \* \* \*

21  
22 MS. HAMMOND: My name is Dorothy Hammond.  
23 I live on the Hot Springs Ranch, Golconda, Nevada. I'm  
24 a fourth-generation cattle rancher and I am thankful  
25 for the opportunity to appear at this hearing.

1 I'm very concerned about Nevada being  
2 picked for the nuclear waste dump at Yucca Mountain.  
3 I'm concerned with the underground storage of nuclear  
4 waste.

5 If a leak developed, our whole water  
6 system throughout the State of Nevada and into  
7 California could be damaged, as things of this  
8 magnitude would spread easily in our state.

9 In my experience with water in our  
10 irrigation projects on the ranch and in our area, many  
11 of the chemicals from the mines have run down for  
12 thirty-five and forty miles and contaminated streams,  
13 and a project of this magnitude could very well damage  
14 a bigger water system than that.

15 Nevada has worked very hard to promote  
16 tourism. I believe anything of this magnitude that has  
17 nuclear waste traveling our highways would have a great  
18 effect on the tourism -- on the tourism that's coming  
19 into Nevada at this time.

20 Our cattle and our wildlife population, we  
21 work very hard on both of these industries to make it a  
22 haven for wildlife and to make it a well-managed state  
23 to raise cattle in.

24 I oppose this project very strongly and  
25 urge you to contact Colonel Khaddafi and have this

1 plant put in his country. He could learn very much  
2 from a project of this magnitude.

3 \* \* \*

4  
5 MR. ARRIEN: I would just like to say that  
6 my name is Kent Arrien. I'm a resident here in  
7 Winnemucca, Nevada. I was born and raised here.

8 Right now I'm an electrical contractor  
9 here in town. I'm involved in the community in  
10 different things. I belong to the Tri-County  
11 Development. I'm also a member of the Humboldt County  
12 Advisory Board for managing wildlife up here.

13 I'd like to say that I really don't feel  
14 like I have a lot of information about what's going on  
15 down in Beatty. Up here in Humboldt County I feel like  
16 we've been left out.

17 I've just recently got some of the  
18 information. It's quite alarming to me. I think the  
19 rest of the Humboldt County residents would be  
20 interested in what I've been reading lately. I don't  
21 think it's gotten out to them.

22 The Department of Energy, I feel, has some  
23 problems in their site selections. I don't think the  
24 time has been spent or the money. I feel that there's  
25 been other projects where more money and time was



1 spent, and number one, I would say something like the  
2 supercollider.

3 I know that Humboldt County alone spent  
4 approximately \$250,000 in trying to appropriate more  
5 funds to get this collider to come in into this area,  
6 but this area wasn't good enough for the collider.

7 It had faults. Obviously, there are  
8 earthquake problems and volcano problems in the area.  
9 It wasn't good enough.

10 All of a sudden to me it seems like this  
11 area is good enough for a repository for nuclear waste.  
12 That shouldn't be the case. More time, more money  
13 should be spent. I think other areas should be looked  
14 at.

15 I realize that nuclear waste is a problem  
16 for the United States and for other countries. I just  
17 don't think that something should be rushed into and  
18 the State of Nevada ought to be looked at as the prime  
19 site.

20 Being a member of the Tri-County  
21 Development -- that is Humboldt County, Lander County  
22 and Pershing County -- we try to encourage businesses  
23 to come in into the area. I feel that once Nevada is  
24 marked as the nuclear repository for the nation, I  
25 think it's going to be tough. I think it's going to be

1 tough to sell business into Nevada any way.

2 I think it will hurt out tourism. Sitting  
3 on the Humboldt County advisory board on managing  
4 wildlife here, I have some real concerns for the  
5 wildlife in the State of Nevada.

6 I think there's a lot of questions to be  
7 answered. I don't believe that anybody on the state  
8 level in the Department of Wildlife has gotten ahold of  
9 anybody and explained the situation, what effects could  
10 happen in this area and what effects could happen down  
11 in the Beatty area.

12 Let's see -- You'll probably have to cut a  
13 lot of this out.

14 UNIDENTIFIED SPEAKER: You've covered a  
15 lot of it. Is there anything else you want to say?

16 MR. ARRIEN: I'd like to mention one other  
17 thing, if I can think off the top of my head.

18 The Winnemucca area and the Humboldt  
19 County area, we have two major railroads that come  
20 through and we also have an interstate highway, and I'm  
21 sure that some of the transportation for this nuclear  
22 waste are going to be on our interstate or these major  
23 railroads.

24 Now, these railroads actually run right  
25 through town in Humboldt County -- or right here in

1 Winnemucca. Nobody has brought up any suggestions of  
2 what happens if there's an accident here and some of  
3 the nuclear waste is spilled.

4 I just don't think that people are really  
5 aware of everything that could happen, and I would like  
6 to see more information put out and I know that the  
7 State of Nevada is trying to do this, get information  
8 out of the people, but I think more effort could be put  
9 into it.

10 And I'd really like the Department of  
11 Energy to take this into consideration and spend a  
12 little money and make the people aware of what's going  
13 on out here. Thank you.

14 \* \* \*

15

16 MS. LAMB: (Judy Lamb) On the test site --  
17 I think that all of these things that they're making  
18 they should be stored on-site where they're being  
19 produced.

20 I think the transportation of them, the  
21 very thought that there could be a disastrous spill of  
22 any kind is just too scary to think about. I don't  
23 think we should take the chance.

24 The American people have for so long have  
25 been sold a bill of goods, so to speak, as far as I'm

1 concerned, by the Government on different levels of  
2 nuclear things, and I think it's time that the  
3 politicians and everybody else steps out of and they  
4 worry about the health and safety of the American  
5 public.

6 Nevada is a really nice state. I don't  
7 see why everybody has to use it as a garbage dump.  
8 They consider there's nothing here. There's a lot  
9 here. There are a lot of people who have lived here  
10 all their lives and who really love the State of  
11 Nevada. We just feel we don't want it here. Stop.

12 \* \* \*

13

14 MR. LITTLE: My name is Richard Little I'm  
15 affiliated with the Winnemucca Volunteer Fire  
16 Department for the last forty years.

17 My concern is that if the DOE is going to  
18 start transporting this hazardous material through this  
19 area, we should be at least made aware and probably  
20 have some information on what the hazardous material is  
21 that we'd expect to encounter.

22 And this stuff could be traveling on the  
23 highway and on two railroads, and now we encounter all  
24 types of different types of hazardous materials and we  
25 have no idea of what we're getting into until we get to



1 it.

2 And I would like to see a little  
3 information and a little education sent forth by the  
4 Department of Energy or whoever is going to transport  
5 this hazardous material. Thank you.

6 \* \* \*

7

8 MS. SWEETWATER: My name is Sarah  
9 Sweetwater and I reside at 1375 Oak Street in Elko,  
10 Nevada.

11 I'd like to address the issue of nuclear  
12 waste being stored in Nevada. I think about an analogy  
13 when I'm asked how I feel about the waste being  
14 deposited in my backyard, virtually.

15 I think the analogy of two men being in a  
16 hospital and they're both very, very ill in need of a  
17 blood transfusion, and the doctor comes in and he says,  
18 "Well, I have good news and bad news. I have blood  
19 transfusions for both of you."

20 And he says to man number A in hospital  
21 bed A, "I have this really good blood transfusion and  
22 it's going to be just what you need."

23 And he says to man B in bed B, "I also  
24 have a blood tranfusion for you, but it's contaminated  
25 but that's all right because I'm going to pay enough

1 money that we're going to give you the transfusion that  
2 you need. We're going to pay and, incidentally, the  
3 blood is contaminated with AIDS."

4 How would you feel about that? I feel  
5 like I'm the man in bed and someone is coming in and  
6 saying, "Sorry, we have to give you this little  
7 transfusion and don't mind that it's contaminated, but  
8 we're going to give a million and a half or two  
9 million."

10 I feel very strongly about the issue. I  
11 don't want nuclear waste being buried in Nevada. I  
12 feel that there's a lot more studying to be done about  
13 whether it is to be buried at all and in what kind of  
14 containers.

15 I don't feel that the DOE has made the  
16 kinds of guarantees that the containers that are  
17 developed so far are going to be able to withstand  
18 earthquakes or other actions of the earth that might  
19 jar those containers.

20 That's how I stand on the issue.

21 \* \* \*

22

23 MS. MARTIN: I am Bonnie Martin from Elko,  
24 Nevada, and as a concerned citizen of Nevada I am  
25 opposed to a nuclear disposal dump in Nevada.

1                   The Federal Government tends to put  
2                   undesirable things in Nevada that other states don't  
3                   want. Nuclear bombs are tested in Yucca Flat and now  
4                   Uncle Sam wants this, the nuclear dump. I hope many  
5                   citizens will stand up and heard.

6                                   \* \* \*

7  
8                   MS. ALDAYA: I am Edith Aldaya of Elko,  
9                   Nevada, and I am opposed to this nuclear dump in  
10                   Nevada.

11                   I think we still don't know enough about  
12                   the safety of this site. There has been trouble --  
13                   several problems with the safety and I don't think we  
14                   need to be the nation's nuclear garbage dump.

15                                   \* \* \*

16  
17                   MR. COLES: My name is George Coles.  
18                   I am a metallurgical technician with a mining company  
19                   and my educational background is in geology.

20                   From what I've heard of Yucca Mountain and  
21                   what I've read, I don't believe that it really, really  
22                   is safe. From what I've learned it's really hard to  
23                   predict more than fifty years whether or not we're  
24                   going to have an earthquake, let alone ten thousand  
25                   years.

1 I think the solution is not to move it to  
2 the State of Nevada and bury it under a mountain, but  
3 rather to keep it where it is, do research, utilize the  
4 money that we're utilizing right now to try and move it  
5 and utilize that money for research instead.

6 I think there has to be a creative idea or  
7 creative method for burying that or for getting rid of  
8 that waste.

9 \* \* \*

10

11 MR. HENDERSHOT: My name is Jerry  
12 Hendershot and I live in Elko, Nevada. I've lived here  
13 for sixteen years and I'm eighteen years old and I work  
14 at the local newspaper as paste boy. I'm up-to-date on  
15 what the controversial issues are.

16 And lately I've thinking about nuclear  
17 waste, and a lot of people might not take what I say  
18 seriously because I'm a kid, but I think since I'm  
19 going to be around when all of this is coming down, you  
20 know, I think I should have a say.

21 I think moving it to Nevada because  
22 everybody, you know, thinks it's a stereotype desert  
23 with the cactus, you know, no running water, I think  
24 Nevada has got it's own beauty. It's not the Rocky  
25 Mountains but it's beautiful in its own way.



1 I think it deserves to be preserved just  
2 as much as any other place and they ought to spend more  
3 money on research and how to get it out of the planet  
4 or how to neutralize it instead of trying to push it  
5 off to somebody else because in the long run it's just  
6 going to end up poisoning the rest of us.

7 Once we're radioactive, it will spread.  
8 so I think it's kind of idiotic to think that Nevada is  
9 a desert, it will just die there and we can forget  
10 about it. That's how I feel about it.

11 \* \* \*

12

13 MR. NEFF: I'm David Neff. I live in Ruby  
14 Valley, Nevada. I'm a third-generation rancher. I've  
15 lived in Nevada and Ruby Valley all my life so I feel  
16 as high a stake as anyone in the state.

17 I'm tired of Nevada being used as the  
18 garbage dump of the nation. Anything that is  
19 undesirable or dirty they want to get rid of, they send  
20 to Nevada and that's been historical throughout the  
21 years.

22 I think that Nevada has more than its  
23 share of gutless and conniving politicians that have  
24 encouraged this. They're always seeking the federal  
25 dollar, federal buck, federal bribes. That's one of

1 the major problems, I think, is the political scene in  
2 Nevada. Not particularly this part of Nevada, but in  
3 the south and western part.

4 Shove it off on your neighbor, you know,  
5 that's been the theory of this nuclear waste disposal  
6 program down through the years, and I agree some of the  
7 preceding speakers that nuclear waste ought to reside  
8 where it originated.

9 If New York City or New York state  
10 generates the waste, it ought to stay in New York  
11 state. If Illinois generates the waste, that's where  
12 it ought to stay. Don't push it off on your neighbors  
13 because Nevada is through being the nation's garbage  
14 dump.

15 Thanks.

16 \* \* \*

17  
18 MS. LIPPERELLI: I'm Wilcome Lipperelli.  
19 I've lived in Nevada almost thirty-seven years. I'm  
20 the mother of seven children and have sixteen  
21 grandchildren, and I'm certainly concerned with what  
22 they're hauling on our highways, what's going through  
23 on our trains.

24 I'm concerned -- When you see one of these  
25 big trucks along the road that has wrecked, you don't

1 know what it's carrying, you don't know whether you  
2 should hurry on past or stop to help someone, whether  
3 you're going to be contaminated.

4 What has always worried me is the trains  
5 going through here because I know they're carrying  
6 stuff through. I don't know what it is and I'm sure  
7 there isn't anything -- they're not taking nuclear  
8 waste through now, but still there are things that  
9 could contaminate us here if they should wreck, and we  
10 have had a lot of wrecks around Elko.

11 So, but anyway, I'm very much concerned  
12 and very much against it.

13 \* \* \*

14  
3  
15 MS. DEAN: I'm Phyllis Jo Dean, 556 East  
16 Charleswood Court, Elko, Nevada, and I'd like to say  
17 that I, at this point, am against the nuclear  
18 repository and not because it's just in Nevada. I  
19 would be against a repository in any state in the  
20 United States, unless I was absolutely assured that the  
21 scientific community was making the best possible  
22 decision to put the waste.

23 The politicians are -- shouldn't -- I  
24 don't think they should be involved in this decision.  
25 I know that that's an idealistic point of view to think

1 they can't be.

2 Our technology is not -- we're not  
3 sophisticated enough to keep up with our own technology  
4 and it's causing us problems with the nuclear industry  
5 and every other form of technology that we're working  
6 with now.

7 I think we have to be aware, as a society,  
8 of the dangers of allowing politicians to make these  
9 incredible decisions that are going to affect -- may  
10 even have global effect for many, many thousands and  
11 thousands of years, and as far as the state boundaries  
12 are concerned, a boundary is absolutely meaningless in  
13 this situation.

14 Ten thousand years from now people aren't  
15 going to remember a State of Nevada, they probably  
16 won't even know what Nevada is. The United States  
17 might just be a footnote in history.

18 What they will remember is how did we deal  
19 with our nuclear waste and did we do it in the most  
20 intelligent manner available to us at the time.

21 So basically right now I am against the  
22 nuclear waste dump until we can figure out the absolute  
23 best way of getting rid of it.

24 \* \* \*

25



1 MR. ALLWORTH: My name is Jim Allworth. I  
2 live here in Ely, Nevada. I'm a member of the Ely  
3 Volunteer Fire Department.

4 One of the major concerns is if we have to  
5 roll on a truck accident we don't if it's one of the  
6 radioactive trucks carrying waste, when they're coming  
7 through town we're not notified. If one were to crash  
8 in a major intersection in town here, it would take out  
9 this poor little town here.

10 There's forty-five volunteers who are  
11 willing to risk our lives to help the truck driver but  
12 is it really worth the chance of hauling radioactive  
13 waste through a small community like this here?

14 That's all I have.

15 \* \* \*

16  
17 MR. WELTON: I'm Ron Welton. I'm with the  
18 Ely Volunteer Fire Department, and I've been interested  
19 in this for quite sometime.

20 The way I feel, my own personal feeling if  
21 they made this stuff on the East Coast, they can keep  
22 it out on the East Coast. We don't need it out here.

23 \* \* \*

24  
25 MR. RICCI: I am Jerry Ricci. I'm from

1 the Ely Volunteer Fire Department. I'm also a general  
2 contractor in the area.

3 My concern is we get called -- we're  
4 basically on-call twenty-four hours a day. We get  
5 called for anything, any type of accident or fire there  
6 is.

7 On our calls we have no idea what we're  
8 responding to on our calls. We see these trucks going  
9 through town twenty-four hours a day. We're never  
10 warned in the future -- we have no idea what's  
11 crossings through our town, they're going through our  
12 school zones, through public places, senior citizen  
13 zones, everything.

14 We have no idea what is going on in our  
15 city. The highway patrol don't warn us, nobody warns  
16 us but we're expected to respond to these calls and we  
17 would like more response. If they expect us to respond  
18 to their calls, we would like more training on it and  
19 more information on their ideas of how to respond to  
20 these calls to help us out because we're basically  
21 putting our lives on the line and the public's lives on  
22 the line when we respond to these calls.

23 \* \* \*

24

25 MR. OXBURROW: I'm Roy Oxburrow. I'm a

1 member of the Ely Volunteer Fire Department.

2 Personally, I don't think we're equipped  
3 to handle, number one. We're not equipped to handle  
4 any accidents that might arise from trucking this stuff  
5 through the town.

6 From what I understand, they're going to  
7 be bringing most of this stuff right through our back  
8 door on our highways, and we're not equipped to handle  
9 it. We don't have the equipment or manpower or the  
10 training to do it.

11 \* \* \*

12  
13 MR. HENRIED: I'm Wayne Henried. I'm the  
14 newest member of Ely Volunteer Fire Department, and I  
15 got in here and I went to the first nuclear waste test  
16 hearings that they had here and they were supposed to  
17 be -- from the first thing they were supposed to notify  
18 the Ely Volunteer Fire Department or the police  
19 officers in this town before any nuclear waste was  
20 supposed to be here.

21 One day I went down Main Street, there's  
22 two trucks loaded, nobody knows about them. I come up  
23 and I ask the fire chief, he knows nothing about them.  
24 The man on duty knows nothing about them.

25 And then our hospital here is in a deficit

1 already and I'm sure they have no way of handling any  
2 type of thing out here because their stuff is outdated  
3 and everything else, and plus understaffed.

4 Dr. Rocher, you're on-call.

5 \* \* \*

6  
7 MR. RICCI: I'm Gerald Ricci. I've been a  
8 volunteer fireman for quite a few years and I really  
9 think this is quite a detriment to our county because  
10 we're really not going to be prepared for any truck  
11 that comes along and has a wreck and spills that  
12 radioactive stuff.

13 We've had lots of trainings. Everybody  
14 says that there's no way that those containers can  
15 break loose, but there's no way that -- but the thing  
16 is, not just for myself, I'm going to have some  
17 grandkids, kids coming up here pretty soon, and I think  
18 the younger people ought to have a little protection  
19 before something really bad happens to them.

20 \* \* \*

21  
22 MR. BEAGER: Bill Beager, SR 1 Box 192,  
23 Ely, Nevada.

24 As far as nuclear waste, I think nuclear  
25 power is here to stay, all right? If it's contained



1 the way it should be, we as a people have got to live  
2 with it, all right?

3 Out here in Nevada we have a lot of area,  
4 all right? Now, if we can capitalize on this, then I  
5 think we should.

6 As far as the volunteer fire department,  
7 we should be trained on anything being transported  
8 through our area, all right? As far as to-date, we  
9 have not been trained, you know, to the extent to where  
10 we could contain a tip over, a tank that contained  
11 this, you know, laid this stuff on the ground, okay?  
12 Fine.

13 We can't take that. We can't take care of  
14 that. We would have to go to a higher authority which  
15 would take time, all right? We don't have that time.  
16 These people live here don't have that time. This  
17 stuff is something that takes its effect immediately,  
18 all right?

19 So what I'm saying is if we have the area  
20 that this stuff is going to be transported to, fine.  
21 Let's take it. Let's get the initiative. Let's take  
22 the area and do it appropriately. Let's capitalize on  
23 the whole thing as far as nuclear waste.

24 These people back East are generating  
25 nuclear waste, fine. They are gaining as far as

1 whatever their power is generated by, whatever, okay.

2 So it comes out here and we have to  
3 dispose of it. That's great. Let's dispose of it, but  
4 let's make a dollar on it. If we have the area to do  
5 it, let's do it. But let's protect these people right  
6 here. We have to watch this stuff as it comes through,  
7 down south, here, wherever.

4  
8 So I'm not totally against nuclear power.  
9 I agree with it, we're going to have to do something.  
10 We're running out of coal. We're running out of oil.  
11 So let's go ahead and generate this nuclear power and  
12 generate this waste, but let's do it accordingly and  
13 protect the people that you have to protect as this  
14 waste comes through.

15 If we have to have it, let's live with it  
16 accordingly and protect the people.

17 \* \* \*

18  
19 MR. MANGUM: I'm Pete Mangum from Ely,  
20 Nevada and from the volunteer fire department. I also  
21 work with 4-H youth in our county.

22 I think, in my opinion, our greatest  
23 natural resource is the youth of today. Our youth are  
24 going to be our leaders in the future. We've got to  
25 give them guidance and direction most of the time so

1 they can be and provide that leadership for our future.

2 As far as the nuclear waste dump, I am  
3 opposed and for at the same time. I believe we got to  
4 put it somewhere. I think that we should be able to  
5 capitalize on it, however, they've got to truck it  
6 through it.

7 If they could just bring it overhead and  
8 put in the ground, that's fine with me but they got to  
9 truck it through it here and God help us if there's an  
10 accident because it's going to wipeout a lot of people.

11 We are not capable of handling an accident  
12 like that and it's going to wipe out a lot of our  
13 future leaders. Thanks.

14 \* \* \*

15

16 MR. POWELL: I'm Doug Powell from the Ely  
17 Volunteer Fire Department. I've got a few opinions.  
18 I'd like to make a little speech here.

19 On behalf of the concerned citizens of the  
20 great State of Nevada, I'd like to respond to this  
21 issue. Number one, I didn't make this shit. Number  
22 two, I shouldn't have to store it.

23 We have a lot of great land in this state  
24 that's been used by cattlemen and sheepmen and the  
25 great mining industry for many years, not to mention

1 the sports of hunting, fishing, boating and any  
2 recreation, etcetera. To downgrade our state to such  
3 degradation for profit, I as one individual, as a  
4 resident of almost forty years, I disagree.

5 I grew up here, I have a child here and  
6 for our future, no matter a volcano or earthquake or a  
7 Russian bomb, don't ruin my home. Thank you.

8 \* \* \*

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