



PO Box 420 Tecopa CA 92389 760-852-4151
Heal@h-o-m-e.org <http://www.h-o-m-e.org>

Thank you very much for traveling so far to listen to our concerns in this vitally important matter. According to the DOE, our homeland will eventually become uninhabitable if the Yucca Mountain Repository is built and used. The only question is how many generations of grandchildren we may have before then, and what defects and diseases will signify the end. All water and most wind from the portion of the Nevada Test Site that includes Yucca Mt. flows to the south, to California. We have already been exposed to bomb fallout since 1951. See attached map (A).

Areas of Critical Concern re: NRC Review of DOE Yucca Mt. License Application

- 1. Credibility of Basic Health and Radiation Data:** I found it shocking that NRC's public materials are grossly misleading about things as simple as basic sun exposure and skin cancers. See attached Fact Sheet (B), Biological Effects of Radiation, presented to Tecopa residents by NRC staff Janet Schlueter and others, which describes cosmic and other sources for a level of 300 millirem of average 'natural' daily exposure. It goes on to say that "no adverse health effects have been discerned..." This is preposterous. Any school child knows the dangers of solar exposure and resulting skin burns and skin cancers from even short periods of exposure.
- 2. Environmental Justice in Review Process:** The highly complex process and electronic format of the NRC licensing review system precludes most rural and largely low-income affected persons from involvement, including Shoshone and Paiute communities. We also strongly urge the NRC to review the impacts on Californians, only 17 miles away, and directly down gradient of the proposed repository. DOE research has ignored impacts beyond Nevada's borders, even after California's Inyo County successfully sued to be made an affected unit of government.
- 3. Other Credibility Issues:** While we greatly appreciated the NRC meeting in Tecopa last year to hear local concerns, when we heard that no record was being taken of the meeting and issues raised, many lost trust that the visit was anything more than a public relations exercise. It will be very important in achieving public credibility for the NRC to be very scrupulous and completely transparent in every aspect of interacting with the DOE and the licensing review process. The DOE has done a really poor job, in our opinion, of working with the public, keeping deadlines, upholding statements and agreements, and making information available in

timeframes required by law. Recent efforts to skate under the ticking clock with their Yucca Vista website for public review of licensing documents is a perfect example. We ask that the NRC hold the DOE accountable to the full extent of the law, and take precautions that such shoddy behavior does not rub off on the NRC's role in licensing.

4. **Key Technical Issues and Phased Licensing:** We believe that to be compliant with NEPA, all technical issues should be resolved prior to application submission, and that phased licensing is an enormous waste of taxpayer dollars as well. The DOE should prove that this repository plan can work prior to being licensed to construct it. An example is the highly controversial drip shields, which are integral to repository function. See attached news article (C).
5. **Title to the affected 260 square mile land parcel:** The United States government is still unable, despite requests from international courts, to establish that it holds title to the land in question. Recent federal efforts to force payment for treaty lands will undoubtedly lead to renewed conflict and years in the courts, as the Shoshone are clear in their decision to refuse payment. The NRC must definitively address this issue of land title. See attached map of Western Shoshone treaty lands (D).
6. **Exposure to radiation through drinking water:** EPA guidelines for safe drinking water are based on a consumption level of 2 liters a day, and a lifetime exposure of 30 years. In our region, at least twice that amount is required of the most sedentary individual. Anyone working outside, as most do, ranching dates, pistachios, cattle, alfalfa or mining, maintaining roads and park lands, drink up to three times that amount, or 6 times the EPA limit each day. Timbisha Shoshone, Paiute and most other families are multi-generational, leading to long cumulative lifetime exposures, which will also be passed on genetically. Therefore, a person living in the area for 70 years and working a typical outdoor job would receive a lifetime exposure of about 300 Rem. See attached calculations (E).
7. **The Amargosa River and Radionuclide Transport:** Water runoff from both sides of Yucca Mt. drains into the Amargosa River, third largest in the western US. It crosses back and forth under Route 127 thirteen times between Nevada and Baker, CA. Many non-desert dwellers do not understand that while we may only get 4 inches of rain a year, we can get it all in an hour. USGS studies of floods in the Test Site and Yucca Mt. area in 1995 and 1998 document piles of debris from the nuclear bomb range along Highway 95. These waters could rapidly move entire trucks, let alone radioactive particles. Numerous trucks arriving at WIPP in the first years of operation have had exterior contamination from the site of origin. NRC should be sure that this safety issue is addressed. See attached news article (F).
8. **Flash Flooding:** As this river flows primarily underground until flash floods occur, the danger of sudden road washouts and cave-ins is very great. Flowing through sedimentary sand and gravel, this river changes channels often, and rapidly. I have fallen into caverns like subway tunnels in the Amargosa Canyon area. In the last 25

years, flash floods have led to at least one vehicle rollover and drowning, road closures for up to two weeks, requiring air deliveries of dry ice and food, and canoe and boat races between the towns of Shoshone and Tecopa,



The flooded Amargosa and Route 127, August 20, 1984. Note the tiny car on the right side, just below the mountains.

usually ten dry miles apart. I have documented severe incidents in 1943, 1978, 1982, 1983, 1984 when the bridge behind the Tecopa Post Office washed away, and 1993. The 1984 incident is still referred to as the Third Annual Hundred Year Flood. Last year, storm damage caused \$700,000 in damage and weeks of closure between Tecopa and Las Vegas. NRC should be sure that DOE studies adequately address the impacts of flooding on nuclear waste transportation and on-site handling, as well as on isolated rural communities with limited emergency response resources. A full range of photos from all years named above can be viewed on our website, www.h-o-m-e.org, in the California Impacts section.

- 9. Package Performance Testing:** We strongly believe that unless NRC undertakes full scale testing to failure of any shipping casks that will be put into use, the public health and safety is being treated in a severely dismissive manner. In addition, choosing to test a rail cask when rail shipment is still highly questionable does not seem like a responsible or appropriate use of taxpayer funds.

There are many other areas of critical concern which can be better addressed by expert organizations such as the Nevada Nuclear Waste Task Force and the Western Shoshone Defense Project. We strongly endorse any suggestions they make in regards to the licensing application review process.

Sincerely,

Jennifer Olaranna Viereck, Director