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## NEVADA NUCLEAR WASTE TASK FORCE, INCORPORATED

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November 24, 2007

Dr. Jane Summerson, EIS Document Manager  
Regulatory Authority Office  
Office of Civilian Radioactive Waste Management  
U.S. Department of Energy  
1551 Hillshire Drive, M/S 010  
Las Vegas, NV 89134

**Re: Supplement to the Final Environmental Impact Statement for a Geologic Repository for the Disposal of Spent Nuclear Fuel and High-Level Radioactive Waste at Yucca Mountain, Nye County, NV**

The Department of Energy (DOE) has made the scoping process for the preparation of this draft more difficult than necessary. The lack of detail on all aspects of the proposal requires the commenter to speculate about a universe of possibilities in order to cover what **might** be vital priorities and/or important items of concern. Rather than being direct comments to a known plan, we are left with mostly questions. Therefore, our initial comments are the following:

- What are the specific materials that will be used for all parts of the repository and associated products – all parts of the TADs, surface facilities, and underground?
- What specific welding materials and procedures will be used?
- What construction techniques will be used?
- What regulations will be put in place at reactors or current waste storage locations to enforce requirements at Yucca Mountain? Who will monitor all repository related operations at those sites and bear responsibility?
- How will you be assured of the availability and affordability of specified materials?
- What testing will be done on all components of the new design?
- How will the ability to retrieve emplaced waste be assured?
- What is the exact capacity of the Yucca Mountain repository and the aging pads?
- What are the considerations that are necessitated by having the repository under construction and accepting waste for both storage and emplacement at the same time?

The DOE and other agencies of the Federal Government are currently considering other activities that could impact or conflict with a Yucca Mountain repository. With both the redesign of the repository system as well as the NNSA Complex 2030 program currently in the scoping process, GNEP being debated and considered, as well as perhaps other related activities, how do we consider everything at once? All risks associated with each activity must be considered cumulatively because each dramatically increases the risks of the others.

In addition to the unacceptable lack of detail in this and the other Yucca Mountain scoping document, there is one aspect of the process that we can see with certainty: The timing.

We have been given 60 days to comment on the scoping phase of two Yucca Mountain NEPA documents. The drafts of these two proposals are to be issued in December, 2007. According to the current Yucca Mountain Repository Schedule, DOE will submit Licensing Support Network (LSN) certification at the same time. That starts the clock for those most involved in this process to have to also certify data bases and submit contentions for a licensing hearing. Then the repository schedule shows the final rail alignment EIS to be issued in June, 2008, at the same time as the submission of the Yucca Mountain license application.

The Nevada Nuclear Waste Task Force is primarily a public advocacy organization. We urge citizens to be involved in the repository program and the most important and influential way that they can do that is by preparing testimony and comments at significant decision points. That is why the NEPA laws require the allotment of time for receipt and consideration of comments from the public.

The time schedule that you have set for the consideration of this supplemental EIS, when considered with the repository schedule, is simply a disingenuous attempt to check off required public participation boxes.

The internal deadline has now passed for project managers to accept new information for documents, and the primary task at the Yucca Mountain project is preparing final documents for the LSN and the license application. With the compressed time constraints that the project has placed on itself, how can you consider information that would require changes? How can we, or the people who take their personal time to participate, possibly believe that you will seriously consider scoping comments on these very significant revisions?

In December 2007 you plan to have all final documents into the LSN and you will be waiting for, or interacting with, the NRC regarding the certification of the document collection. Other involved parties will be certifying that they have placed all of their documents, to be relied on in a licensing proceeding, in the LSN and they will be submitting contentions. How do we submit contentions when very important parts of the project and repository system are being considered and possibly revised? How do you thoroughly consider our comments while; 1) convincing the NRC that all of your documents are final and submitted, and 2) while you are in the final stages of presenting a complete, high quality license application with a detailed design? We do not believe that you can and we want it noted that we oppose this process.

Submitted by:

Judy Treichel  
Executive Director