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DOCKET NUMBER
PETITION RULE PRM 73-10
(64FR49410)

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DATE

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*Heartland Operation to Protect
the Environment* An Educational & Informational
Resource Service

January 28, 2000

Secretary of the Commission
United States Nuclear Regulatory Commission
Washington, D.C. 20555

Re: State of Nevada Rulemaking Petition, Docket #PRM-73-10

Dear Sir:

Following are comments with regard to the Rulemaking Petition filed by the State of Nevada and docketed as PRM-73-10.

Heartland Operation to Protect the Environment [HOPE] fully supports the State of Nevada's effort to establish more specific and comprehensive requirements for the assessment of terrorism/sabotage and radiological hazards of nuclear waste transportation.

HOPE endorses the comment submitted by the State of Nevada in its Petition and all subsequent filings. There should be great concern on the part of the NRC, all government agencies for that matter, about the potential for terrorism and sabotage with regard to the shipment of high-level nuclear waste and irradiated fuel rods from commercial power plants. Citizens of the United States have, unfortunately, in recent years learned just how dangerous terrorism can be – the World Trade Center bombing, the Oklahoma City bombing. The subject nuclear waste shipments would be attractive targets for terrorism/sabotage for any one or all of the following reasons: shipments will be highly visible; shipments will be daily for period of more than 20 years; shipments will travel necessarily predictable routes to a specific, singular destination; and shipments will average well over 1,000 miles and take several days.

HOPE's staff has reviewed the DEIS prepared by the Department of Energy for the proposed Yucca Mountain project and found it wholly inadequate in several manners and form. Specifically, the DEIS fails to address in a meaningful manner the potential socioeconomic impacts of the proposed action in that there is no sociocultural assessment to be found in the entirety of the DEIS documents. As well, the issue of environmental justice receives mere mention in very short paragraphs that dismiss the potential for disproportionate impacts to minority and low-income person without providing any documented assessment of the issue.

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The DEIS documents contain no assessment of potential socioeconomic [i.e., costs of clean-up, losses to businesses, stigma to the geographic area] impacts of routine accidents or severe accidents. The computer model [RADTRAN] used by the DOE to assess the radiological health impacts of transportation generally, as well as the accident scenarios, is capable of assessing such socioeconomic impacts but the DOE has failed and refused to this point to do such a comprehensive analysis.

It is of note that in response to a question at the DEIS hearing in Lincoln, Nebraska, on January 24, 2000, DOE officials responded that no socioeconomic assessment was done in part because the economic data in the computer model is outdated. That any information in a computer modeled used in preparation of the DEIS is outdated, the validity of all data in such computer model utilized by the DOE is subject to question.

As noted above, the DEIS documents contain not assessment of the potential sociocultural impacts. The Nuclear Regulatory Commission in NUREG 0902 [April 1982] and NRC Regulatory Guide 4.18 [June 1983] addressed the need for sociocultural analysis with respect to low-level radioactive waste [LLRW] disposal. Those documents states:

A sociocultural analysis may also be appropriate. In such cases, attitudinal surveys should be performed during site characterization. Sociocultural dimensions to be surveyed may include community cohesion, family stability, local attitudes and lifestyles, and prevailing community standards. As in the socioeconomic analysis, the project characteristics should be superimposed on the sociocultural dimensions to identify project-related impacts such as changes in community composition, marital and family stability, cultural values, and other quality of life indicators. [NUREG 0902, pg. 26]

HOPE would suggest that the requirement and expectations for the Yucca Mountain project should be at least as comprehensive of those for LLRW disposal.

If the Yucca Mountain project is to have a chance at public acceptance it is incumbent on the federal agencies involve in the characterization and regulation of said project to assure there is a comprehensive assessment of ALL potential impacts of the project.

Thank you for your consideration and attention.

Yours very truly,

Diane A. Burton,
Managing Director