BEFORE THE DEPARTMENT OF ENERGY

Hearing on the
Draft Environmental Impact Statement
for a Proposed Repository
at Yucca Mountain, Nevada

Crescent Valley Town Hall
Crescent Valley, Nevada

Thursday, December 9, 1999
7:30 p.m.

Reported by: ERIC V. NELSON, CCR #57

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CRESCENT VALLEY, NEVADA, THURSDAY, DECEMBER 9, 1999

7:30 P.M.

MR. LAWSON: I have to read a few things into the record to make it official like. It will only take a minute or so, and then we'll get started.

My name is Barry Lawson, and I am pleased to serve as facilitator for this public meeting in Crescent Valley, Nevada, on the Draft Environmental Impact Statement for a geologic repository for the disposal of spent nuclear fuel and high level radioactive waste at Yucca Mountain.

I am a neutral facilitator who is neither an employee of nor an advocate for the Department of Energy, the State of Nevada, or any other interested party.

It is my intent to insure that the public has an adequate opportunity to provide comments to the Department of Energy either through oral or written presentation. I ask for your cooperation in achieving this goal.

The court reporter for this session is Eric Nelson, who is seated here in the front of the room. I have asked him to notify me at any time if he needs to have any of your comments clarified. It will be important
that only one person speak at a time, and it is my
responsibility to make sure that everyone who wishes to
make public comments has an opportunity to do so.

The Department of Energy will not be
responding to questions raised at this time as the purpose
of the session is to receive your formal comments which
will be addressed in the Final Environmental Impact
Statement.

I'll call each person in the order that's
been given to me by the registration staff. As I call
each person, I will announce the following two speakers so
that you can be more adequately prepared.

It is not my intent to limit anyone's
comments, and as you can see, we have a number of people
here who would like to speak. Therefore, initially each
person will have five minutes for his or her presentation.
If you have additional oral comments, I invite you to
return after everyone else has had his or her initial five
minutes. I will tell you when you have approximately 30
seconds remaining on those five minutes and would ask you
to conclude your initial comments as quickly and as
gracefully as possible.

If you do have written copies of your
comments, or you have additional comments beyond those
that you are speaking on, please drop them in the comment
box, which I believe is in the back of the room. At least it was earlier today. Is that right? Right over in that corner. Thank you.

Now if you have supplemental material that you wish to have included in the official record, please give them to me so that I can have them recorded as exhibits to this meeting.

I must insist on there being quiet in this room during the formal comment period so that the court reporter can make an accurate record of all comments and the officials in the audience can also understand your comments. Please hold any conversations that you find necessary not only in the outer hall but perhaps outside or down the road -- not down the road -- or down the road, or outside, so as to not interfere with anybody being able to hear and understand what is being said.

Ken Skipper will be the gentleman from DOE who will be officially listening to your comments, but as you can tell, there are several people from the Department of Energy that are scattered around the room that will also be taking notes during your presentation.

Finally, it's in my discretion to call recesses as appropriate. I do that primarily to give the court reporter a break. At a certain time in the meeting and hopefully -- I think we have 18 or 19 people who have
signed up. Somewhere about half way through, we'll call a
10-minute break and let everybody stretch a little bit.

I thank you for your cooperation in making
this meeting a respectful one. Are there any questions
before we begin?

Okay. Now when I call you to speak, please
come to this area right over here, this table, tell the
court reporter your name and then begin. Please speak
toward the court reporter as it makes it much easier for
him to be able to decipher just what you are saying and
make an accurate record of it. And final reminder, anyone
who would like to speak who has not registered, please see
Ethan at the door so we can make sure that you are added
to the list.

Okay. We're ready to go. And the first
person that I have on my list to speak is Bob Halstead,
and he would be followed by Pete, and help me, Pete,
Goicoechea. Not bad?

MR. GOICOEHECA: Not bad.

MR. LAWSON: And then Ron Rankin.

Mr. Halstead.

PUBLIC STATEMENT OF BOB HALSTEADE

MR. HALSTEADE: I'm Bob Halstead,

Transportation Adviser for the State of Nevada Agency for
Nuclear Projects. Copies of my statements are at the back of the room, and I have asked the court reporter to enter the first two paragraphs of my statement in the record as if written because I think we're going to need all the time we have tonight to take citizen comments.

(The following two paragraphs were copied into the record as follows:)

"Transportation of spent nuclear fuel and high-level radioactive waste is inherently risky business. At previous hearings, our preliminary transportation comments have addressed specific deficiencies in DOE's Draft Environmental Impact Statement regarding the radiological hazards of the SNF and HLW that DOE proposes to ship to Yucca Mountain, the shipment modes and routes, the risks associated with legal weight truck transport, the vulnerability of shipments to human-initiated events including terrorism and sabotage, DOE's failure to identify a preferred rail access corridor to Yucca Mountain, and DOE's failure to demonstrate the feasibility of heavy haul truck transportation from an intermodal transfer station to the proposed repository. These statements are available on the web at www.state.nv.us/nucwaste. At
upcoming hearings we will address radiological health effects of routine transportation, radiological consequences of severe accidents, and social and economic impacts of public perception of transportation risks.

"Today our focus is on the impacts of rail access construction, and the risks and impacts of rail transportation of SNF and HLW in Nevada. The Yucca Mountain site has no access to the national rail system. The nearest railroad is in Las Vegas, almost one hundred miles away. The DEIS identifies and describes four potential corridors, one-quarter mile in width, which DOE could use to construct a rail line connecting Yucca Mountain to the Union Pacific mainline in southern Nevada: Valley Modified (98 miles), Jean (112 miles), Caliente-Chalk Mountain (214 miles), and Caliente (319 miles). (The DEIS designates the Caliente-Chalk Mountain corridor as a 'non-preferred alternative.') A fifth potential corridor, Carlin (323 miles) would connect Yucca Mountain with the Union Pacific mainline in north central Nevada."

The Draft EIS underestimates the difficulty of constructing a new rail line to Yucca Mountain. The
Carlin, Caliente, or Caliente-Chalk Mountain routes would constitute the longest new rail construction project in the United States since the World War I era. Construction of the Jean or Valley Modified routes would be the second longest U.S. rail construction in the past 70 years.

The DOE's assertion that rail line construction along any of the routes would take an estimated 2.5 years is unjustifiably optimistic considering the difficult terrain, environmental sensitivity, and high probability that previously unidentified Native American religions and cultural resources will be discovered only after construction activities begin. The construction period could be five to seven years for the longer routes.

The DEIS further underestimates the difficulty of rail access preconstruction activities, especially environmental reviews and approvals, acquisition of rights-of-way across both public and private lands, and unresolved Native American rights issues regarding ceded treaty lands. Legal challenges could easily delay construction for five to ten years.

The maximum cost estimate of $800 million for the Nevada rail transportation portion based on the estimate for the Caliente route is completely unrealistic unless DOE plans to sacrifice safety by constructing a
rail line which barely meets the minimum Federal Railroad Administration requirements. Nevada is particularly concerned that DOE contractor studies have recommended operating this line without a state of the art computerized train control system.

DOE's cost saving measures include shipping rail casks loaded with highly radioactive spent fuel in general trains, which will require switching cars at the connection point. DOE's proposal to routinely park loaded rail cask cars on a side track for up to 14 -- for up to 48 hours is unprecedented and will result in a separate legal challenge.

The DEIS provides insufficient information about rail access spur system specifications, construction, and operations to allow the complete assessment of impacts and risks required under the National Environmental Policy Act, NEPA. The DEIS provides insufficient information on cut and fill requirements; ballast, rail weight, and tie materials; platform, ditch and bench dimensions; grade crossing separations (DOE contractors have recommended rail over road when crossing highways) crossing signals and road crossings; administration and maintenance facilities, including remote water supplies and sanitation; seismic and flood hazard standards; and train control signal
systems. The DEIS should have assumed that fencing would be required for the entire length of the rail spur and assessed the environmental and socioeconomic impacts of fencing.

The DEIS provides incomplete and contradictory information on rail operating assumptions, particularly regarding maximum operating speeds, crew change and waystation requirements, and potential shared use of the rail line. In particular, the DEIS fails to address the safety and environmental implications of potential shared use of the rail line for shipments of commercial explosives, military weapons and munitions, petroleum products, and other hazardous materials.

These DEIS deficiencies combined with DOE's failure to designate a preferred rail route result in a legally insufficient assessment of rail transportation risks and impacts.

MR. LAWSON: Thank you very much.

MR. SKIPPER: Thank you.

MR. LAWSON: I'm going to try it again. Pete Goicoechea, to be followed by Ron Rankin and Jamie Gruening.

PUBLIC STATEMENT OF PETE GOICOECHEA

MR. GOICOECHEA: Pete Goicoechea, chairman of
the Board of County Commissioners, Eureka, Nevada. I
don't read quite as fast as Bob, so this might be a little
slower.

I'm here on behalf of the Board of County
Commissioners to make some preliminary comments on the
Draft EIS. First of all, we'd like to thank you, the DOE,
for bringing this hearing to Crescent Valley. We
appreciate your willingness to bring it to the vicinity of
the impacts in our county, and we hope you continue to do
that across the state.

Most of my comments will be somewhat basic,
mostly related to transportation issues, and we will
submit written comments by February 9th of 2000.

Eureka County is one of the 10 affected units
of local government under Section 116 of the Nuclear Waste
Policy Act as amended. While the Eureka County Commission
hasn't taken a formal position on the Yucca Mountain
project, we are still very concerned about the impacts of
a rail line through our county will cause. We're
especially concerned that this EIS, the documents that is
supposed to identify these impacts, truly doesn't.

The EIS makes clear that the DOE intends to
make a decision on the mode and the routes for
transportation based only on the information in the EIS.
Therefore, we believe that the EIS ought to have adequate
information for all routes so that an informed decision could be made. The very basics are lacking in this Draft EIS.

The EIS states that the DOE intends to make the decision on which mode, whether it will be truck, rail, or heavy haul, and the route based on this information. Based on the limited information presented in this document, such a decision could not, would not and could not be an informed one because there is so little information about the routes, the communities they travel through, or even the DOE's concept of operating this rail line.

What's missing in the EIS? Almost everything practical that we need to know about the proposed rail line. Who owns it? Who will operate it? Who will own the track? Who will make the repairs to it?

Will it be fenced? Who will maintain the fencing? We already know what happens up the country here. It's not very well maintained.

How many grade crossings are contemplated? Will there be underpasses, overpasses? How about ranches? We're going to bisect a tremendous number of allotments. How are they going to cross the railroad?

And will there be an access road? And again, thanks to Joe, I see it will be and incorporated in the
quarter mile right of way.

59 percent of all the assessed parcels in Eureka County are within this 10 mile proposed route. The proposed route is within five miles of the second largest population center in Eureka County. It might be just Crescent Valley, but it is the second largest in Eureka County, and we're proud of it.

The EIS makes little mention of the impacts on these people. It does not adequately address the impacts of the building and the operating of a rail line so near private property. And that does not address the possible stigma effects on property values.

Flood plain issues. We're very concerned about the flood plain. We live here. The flood plain information is not complete and does not acknowledge the severe flooding that we have in this vicinity and also along your proposed rail route. The assurances on 6-47 that the operation of the branch line would be stopped during flood conditions and a flooding of the track and would not resume until the DOE has made necessary repairs. What are we going to do with that train load of nuclear waste? Park it? How long and will the flash flood be detected in time to stop a shipment if it was in route?

We could very well have it down here at John Filippini's at Carico Lake.
The EIS does not have adequate information about the impacts on grazing. The EIS states that fencing decision rests with the Bureau of Land Management and US Fish and Wildlife. The information on fencing is not definitive and excludes local government, the local community, and most of all, those livestock permittees that will be impacted. They need input.

Emergency management and response. The Draft EIS is inadequate in its analysis of local government demands related to public and health and safety. The county will be submitting detailed comments in this area as well, and I understand that's been the policy all along that we're going to wait until we're five years from shipment before we're going to start equipping and training these people. That is completely inadequate.

There does not appear to be an analysis or discussion for the potential activities and cost needed during all the phases of emergency management and the response including preparedness response and recovery times.

The EIS is also insufficient because it does not consider the possibility of roads other than interstates when we're talking highway mode, truck mode of transportation to Yucca Mountain. The study done by the Nevada Department of Transportation several years ago
indicated that likely routes could be the A and B routes, both of which run south from Wendover to Ely on the way to Yucca Mountain. If either one of these were ultimately designated into highway transportation, Eureka County could be the host for an alternate routing, either I-80 or Highway 50 across the southern part of the county.

The EIS does not address alternate routing in the event of an accident, construction or weather, and it should.

We see the need for baseline health data. In November of 1995, Eureka County submitted scoping comments to the Department of Energy suggesting issues that should be covered in the EIS. One of our themes was the need for baseline health data, along with the method of compensation which would insure that the victims are compensated in a timely manner for their exposure. This was not adequately addressed in the EIS, and again, this was a request we had four years ago.

The Humboldt River. The EIS provides very little analysis of the impacts of a release -- for the release of radioactivity into the Humboldt River, which is crossed many times by the existing rail, and also by the interstate if we are talking truck transport. The EIS does not analyze the impacts of nuclear waste transportation over decades on the existing rail and
highway infrastructure within Nevada, and we all know what
I-80 looks like and the construction we go through there.

Military air space impacts. Also absent from
the EIS was the adequate analysis of the cumulative
impacts and the potential conflicts between the military
air space practice areas, the ranges to the south, and the
rail route. And we just went through that battle with
Fallon NAS.

In conclusion, Eureka County believes that
the DOE's environmental impact statement is inadequate and
incomplete. We believe that the information in the
current document is not adequate and should not be used by
itself as a decision or a tool for the selection of a mode
or route for transportation. The lack of mitigation in
the document indicates that DOE does not truly understand
the magnitude of the impacts in this area with this major
project. The cumulative impact analysis lacks the depth
we would like from such a large government project. This
is going to span generations.

We expect that the DOE will revise this Draft
EIS significantly and address the deficiency and to
provide a level of detail needed for us to make an
informed decision.

As a County Commissioner, we're charged with
protection of our citizens, their health, safety and
welfare. Until we have a basis to make a logical decision on these transportation issues and the impacts, I feel you have a very appealable document. Thank you.

MR. LAWSON: Thank you.

MR. SKIPPER: Thank you for your comments.

MR. LAWSON: I appreciate your running through that as quickly as you did.

MR. GOICOECHEA: I was a little long.

MR. LAWSON: You were a little long, but that's okay. The people representing government units, I bend a little bit there because I know that you have put a lot of time into it and you have a lot of things that you want to say. Thank you.

Our next speaker is Ron Rankin, and he will be followed by Jamie Gruening and Heidi Blackeye.

PUBLIC STATEMENT OF RON RANKIN

MR. RANKIN: Good evening. My name is Ronald Rankin, Chairman of the Eureka County Planning Commission. Chairman Goicoechea hit most of the highlights. I will hit on points that the Planning Commission has a concern here.

Over the years Eureka County has granted or approved numerous parcel maps through this particular rail corridor, some of the most heavily parceled areas in the
county. Almost virtually all these parcels are sold to either people that are living on them or people that plan to retire here. This thing, should this Beowawe to Yucca Mountain route be selected, it would devastate these people.

Also with this rail line crossing through the valley, the numerous access roads that are here now, obviously, it wouldn't be financially able to -- you wouldn't be able to financially build all the crossings, nor would they be safe to have that many crossings. So many of these lands would be locked out, unavailable for access, it would be considered to be almost a takings.

Also with the stigma of this rail line going through here hauling what it's hauling, the county has expended millions of dollars for infrastructure in the Crescent Valley area. If the people that are living here now or the people that speculate to live here felt the stigma, they may move out and leave the county holding all these millions of dollars of infrastructure with nobody to use them.

And another thing with this being the second populace area of the county, since it is such a rural and isolated area, the response time for an emergency team to come in, should there be an accident, a great deal -- a fire department wants to be there in just a few minutes.
This stuff is much more dangerous than a fire. And where are they going to come from?

And that pretty well closes out the Planning Commission's views here. Our Chairman Goicoechea covered most of the other hot topics. Thank you.

MR. LAWSON: Thank you, Mr. Rankin.

MR. SKIPPER: Thank you, Ronald.

MR. LAWSON: Our next speaker is Jamie Gruening, and following her is Heidi Blackeye and then John McGraw.

FROM THE FLOOR: Neither of them are here.

MR. LAWSON: Thank you. Then after Miss Gruening would be Lance Paul and Ken Washburn. Thank you.

PUBLIC STATEMENT OF JAMIE GRUENING

MS. GRUENING: My name is Jamie Gruening, J-a-m-e, G-r-u-e-n-i-n-g. I live in Crescent Valley.

The Draft EIS acknowledges low level radiological exposure to the general public in nonaccident conditions during routine transportation of nuclear waste to Yucca Mountain. I and my family live in section 33 of township 29 north, range 48 east, County of Eureka. My home is approximately 3,000 to three and-a-half thousand feet east of the primary alignment rail corridor.
I do have a map that is an EIS privileged map that indicates the primary alignment and a secondary choice. Little pink dot indicates where I live.

At the nearest point, my home -- at the nearest point to my home the east side of the corridor is comparatively very narrow, which would place the track very near to my home. In the alternate rail route, also through Crescent Valley of the Carlin route, if that would be used, the track itself would be some 500 to 700 feet from my home, and again, that's according to the map.

If the alternate route would be used, being so near to my home, would my land and my home be inside or outside the corridor? Exactly how, how much and when would I be compensated?

If the primary alignment rail corridor through Crescent Valley would be used, would I be compensated at all for my uncomfortable and disturbing proximity to it?

According to figure J-11 on page J-86, volume 2 of the DEIS, approximately 12,227 shipments of nuclear waste will come over the Carlin route under the mostly rail scenario. Now according to Ms. Booth today, that number of shipments could be as few as only 9,924.

If either Carlin route is used, rail routes, I can expect, according to the DEIS, approximately 12,227,
personal, low level, radiological exposures over 24 years. As I approach retirement, I expect to be at my home by choice most of the time. That's quite a lot of exposure.

Who will monitor, manage, evaluate, and pay for the immediate and latent health consequences of this repeated and long-term exposure? How will I and my family or our heirs be compensated for the effects on our health and well being?

It was stated just here this evening by one of the DOE individuals that DOE follows the NEPA guidelines. The NEPA, National Environmental Policy Act, is intended, I have read, in its documentation to help public officials make decisions that among other things act to protect, restore and enhance the environment, including the human environment. If the Draft EIS and the whole EIS process and the ultimate recommendations and decisions are obligated by NEPA to function in such a manner, I have the following questions.

One: How, in what specific ways would the storage of nuclear waste protect, restore, or enhance the site at the Yucca Mountain repository?

Two: How, again in what specific ways, would the transporting of nuclear waste enhance the environment, including the natural environment and the human environment along the transportation routes themselves?
Especially along those routes that at this time have no rail lines whatsoever, such as the proposed Carlin route through Crescent Valley.

And my third question on that line: How and in what specific ways would the construction of a rail line, the location of that rail line, and the transporting of nuclear waste on this track enhance the natural environment and the human environment of Crescent Valley and more specifically of my home, which is as little as one-tenth and as much as possibly seven-tenths of a mile from the track depending on which route is chosen?

And I have a few short questions as well. What exactly is an adequate buffer corridor during construction of the rail line in terms of health and safety of residents immediately adjacent? What is an adequate buffer corridor after completion of construction? Where exactly will wells be drilled along the Carlin route? Where exactly will man camps be located of the construction crews?

Which of the five proposed rail routes is the most cost effective? What are the projected costs for each of these five proposed rail routes through Nevada?

Will there be an overpass or an underpass for county access roads to private property? Who will maintain these changes that would be made to county access
roads?

And finally, who is liable for the impact on property values?

Thank you.

MR. LAWSON: Thank you. I appreciate it.

MR. SKIPPER: Thank you, Jamie, for your comments.

MR. LAWSON: Lance Paul. And following Lance would be Ken Washburn and Carie Dann.

PUBLIC STATEMENT OF LANCE PAUL

MR. PAUL: Hello. My name is Lance Paul. And I don't have a formal presentation to make. But I do have some comments.

I don't understand why Congress has allowed this process to go through without addressing the need for this repository and the other -- the availability for use and the alternatives to geological disposal. I feel like it's a sham.

This is a beautiful valley, and we all love it and live in it, and this railroad will destroy it, in my view. This is a horrendous act of arrogance to think that we can safely store high level nuclear waste for 10,000 years. How long have we even been a country? 250 years? 10,000 years is outrageous.
We have got to come up with a better solution than this. That's the end of my comment.

MR. LAWSON: Thank you.

MR. SKIPPER: Thank you.

MR. LAWSON: Ken Washburn.

MR. WASHBURN: I'll pass.

MR. LAWSON: Carie Dann. And after she speaks will be Pat Leppala, and then Jennifer Viereck.

PUBLIC STATEMENT OF CARIE DANN

MS. DANN: My name is Carie Dan. I'm a native of this valley. The Western Shoshone people, especially my family, has lived in this valley for tens of thousands of years, from time immemorial.

I have seen this valley, the areas through here, being destroyed in the name of economy, progress, you name it. We had the geysers down here destroyed by a geothermal power plant. First real obvious destruction to my culture, to my beliefs.

Then the mining came in. They, too, destroyed my culture, and my beliefs.

Then we also have proposed for this valley a Falcon Condor power line which will lay in this valley. We also have this nuclear rail train that is being proposed to come through this valley.
What are you going to do next to destroy me?

What are you going to do next to destroy my culture, to
destroy my beliefs?

To put a waste site -- a waste dump, nuclear
waste dump down at Yucca Mountain, I can't see that. Man
created that waste. Why is man returning that waste to
our mother earth? Why don't you take care of it is? It's
your creation.

Neutralize it somehow some way. You are
sending men up to the moon, Mars. Where are you going
next? Can't we stay here? Can't you stay here and
neutralize the nuclear waste so that it would be free that
we wouldn't have to be afraid, our children wouldn't have
to go through mutations or whatever, all these nuclear
things cause?

We all know, especially -- I know some
ranchers have seen it as much as I have, but I have seen
deformity in calves. Bad sometimes. It depends on the
year. However, since the nuclear test ban, it's not as
obvious as it used to be.

We also hear mutations can happen. You guys
don't tell us that.

I do expect some kind of changes in the
atmosphere. I have seen it. In my lifetime, living here,
in this valley, I have seen the temperature rise from 36
below zero to what did we have last year? Nothing. Not even below zero. Four above zero.

All these years there's changes that is happening. We don't have to be a nuclear scientist to see these things.

I would like to see for this valley, or any other valley, or any of these rail systems they propose, that you people, DOE, spend all the money that they are spending down at Yucca Mountain to neutralize all of that thing that you want to bury down there. You're giving nothing to our future generations, that is to the humans, to the animals, all life.

I think life is so precious to all of us. Why do we have to contaminate it? There is so much contamination in this world already, and we're still doing more.

As indigenous person, I do not look at the economy, the progress, the way you people do. I look at the earth as a giver of life.

We see this thing being destroyed. We see it being destroyed down at the test site, and Yucca Mountain is going to be no different.

I see the water as a giver of life. I'm sure this is being destroyed down at the test site, and I'm sure it's going to happen in Yucca Mountain.
I see our air is being contaminated. As Corbin said earlier, from the test site where you are putting all this low level nuclear waste, the wind comes along, picks it up, who knows where it's deposited at?

I think that if we cannot control the things that we have created, then those things should not be created at all. If we value this earth upon which we live as important, then we shouldn't create these things that's going to destroy it.

I don't only look at humans as a form of life; we have birds, we have eagles, we have falcons, we have sagehens. All of these things enjoy this earth. The deer, everything. They have a right to enjoy this as we have.

Just because they cannot come out here and talk to you, they're nothing, unless if you can go shoot them for sports maybe, then they become something.

Life today is based on how much money and where we can make that money. And I am sure that the State of Nevada is not going to get its share of the money to study all of this stuff that's going on.

But my recommendation to DOE, even, too, I was going to say - and I don't know if it would be bad to say it, so maybe I better not say it - but I do look at congressional people sometimes as spineless, because you
have to stand on principles. If you don't have
principles, then you have nothing.

Western Shoshone people do have a treaty with
United States. I don't know if that means anything. But
I do remember reading somewhere in the United States
Constitution that it is the supreme law of the land.

I see today, we as indigenous people, we're
overlooked, we're stepped on. Then they tell us, well,
you know, here is your culture things, you know. You
shouldn't pick them. It's against the law to pick them.

Why shouldn't it be against the law? Why
shouldn't the law somehow say that as indigenous people,
our rights are just as important as your rights?

I see in one of these volumes that you have
over here that it talks about U.S. v. Dann. I guess I'm
that Dann that they talk about in there.

But the fact remains, no court in the United
States has ever addressed Western Shoshone land issues.
All they say is that we took it from you and we're going
to give you 15 cents an acre. That's what we get. Is
this democracy? What is it?

Maybe we go back to the time Columbus first
landed over here, he says, oh, we have landed in paradise.
But the minute he found out that we were not Christian
people, he called us heathens. Is that the way the court
structure still looks at us today?

If anybody refers to U.S. v. Dann, I would like for that person, that entity, that government, or DOE, whoever it is, to show me where Western Shoshone land title was ever argued before any court system. And I say any court system of the United States.

As a Western Shoshone person, I do not want this here. I don't want it here, I don't want it the next valley, I don't want it down at the test site. I don't want it any place.

Like I say, DOE and the government has to find a way to neutralize all this contamination, the poisoning of our bodies, not only of our bodies but the poisoning of all life on this earth as we know it today.

I'd like to say also one more thing is that I can probably say I have been jailed by the DOE personnel down at the Test Site a number of times. I have a jail record.

My little fingerprints were done, every one of them. They left my toes out, though.

But real seriously, if you don't like something that's going on, stand up. Stand up and do something.

Even though quietly there's people around you who can do your work for you. And I can say one thing. I
admire all of these people that's come here today. We have one goal. Keep that nuclear waste out of our valleys. Not only this valley, but all the other valleys. Uncle Sam can spend all of that money it spends down at Yucca Mountain to do something better to neutralize all that, I got a good word for it but I guess I shouldn't say it.

MR. LAWSON: Thank you.

MS. DANN: And I want to thank you guys for listening to an old lady. A derelict.

(Applause.)

MR. SKIPPER: Thank you for your comments.

MR. LAWSON: Yes. Thank you. Our next speaker will be Pat Leppala. And she will be followed by Jennifer Viereck and then Nancy Louden. That is a tough act to follow.

PUBLIC STATEMENT OF PAT LEPPALA

MS. LEPPALA: I can't follow that act.

My name is Patti Leppala. I live in Crescent Valley.

When John Glenn was going up in the space capsule, people asked him, how did you feel? He said, every component of the space capsule was let to the lowest bidder.
You know, we’re all in that space capsule this evening because it seems like on the railway tracks, this nuclear waste is going to be let out to the lowest bidder. I can only assume that, but it’s going to a private contractor that will be taking it down the track.

Now, on the wall is a map, and in the DEIS statement is a map, and the two maps are different as far as the corridor. I want this registered. It’s 6-59, and on page 6-61, it tells where the railway is going through, but there are two towns that aren’t really towns that are inhabited any more, and that’s Gold Acres and Tenaboo, and we would like you to look at that because this is also inaccurate.

I feel that all of the nuclear waste should be stored on site as it is. I would like to see it monitored. I would like to see a reasonable no action alternative presented. And I’m very concerned about the lowest bidder hauling our nuclear waste. Thank you.

MR. LAWSON: Thank you.

MR. SKIPPER: Thank you.

MR. LAWSON: Jennifer Viereck. And then she will be followed by Nancy Louden and Christopher Sewall.

PUBLIC STATEMENT OF JENNIFER VIERECK

MS. VIERECK: Hello. My name is Jennifer
Viereck, V-i-e-r-e-c-k.

I'm going to repeat my first four points from this morning for the benefit of the community, and then I'd like to talk about some other rail concerns that I have.

I think there's a number of inadequacies in this document. It's obvious that a lot of work went into it, but there are some real serious concerns, and the first one that I have is the language that is used, spent fuel. Spent fuel implies that the radioactivity is no longer present, that it's been used up in some manner, and I think that's highly misleading, and I think the DOE could do better with language. Irradiated fuel might be good.

As the fuel comes out of the nuclear reactor it is one million times more radioactive than when it goes in. So this does not indicate spent to me.

I have some legal concerns, legal conflicts that I think are very inadequately addressed and could be serious in the future of such a project. The first is the Treaty of Ruby Valley.

The Treaty of Ruby Valley was acknowledged by the U.S. Government as giving sovereignty over this land to the Western Shoshone people, and I would hope that my government would keep its word. There is a proposal to
withdraw 230 square miles for this project. Why that's so large, I do not know.

In addition to this quarter mile rail right-of-way that we're talking about. Every inch of this mileage line is within Western Shoshone territory. So I would hope that the final EIS addresses that a lot more seriously than the draft document does.

I'm also concerned about legal conflicts with the State of Nevada, the issue of transporting high level waste into a state that has outlawed that, and I'm really concerned about the issue of water pollution, which is a felony in the State of Nevada.

I have some legal concerns about the use of the National Environmental Policy Act in this instance. I want to really make it clear that as I read this, it is not to be used to try to railroad, and I'm not trying to make a pun, a political decision or an existing decision through by using this law, but this project needs to be really carefully evaluated with this law and not just pushed on through. The project appears to me and to many that I'm listening to tonight to be based on some pretty bad science, and I'm really concerned about that.

The original mission of the Yucca Mountain repository was to contain and isolate high level nuclear waste from the environment, and it's very clear from this
draft document that the DOE no longer feels able to do
that. So why are we proceeding in this manner?

This is a very serious concern to me. It is
pretty clear that given the overall lifespan of the
nuclear materials in question, the project would barely
slow down the spread of radionuclides.

As far as general railroad transportation is
concerned, not just spur that we're talking about which of
the five it would be, but general railroad transportation
around the United States, I have some real concerns there.
I have done some very preliminary research, but I was
pretty alarmed by what I found.

As this material travels on general
railroads, whether it's attached to a commercial train or
whether it's on a dedicated train, it's still going to be
going through a whole lot of track and through 43
different states. I found that 80 percent of rail
crossings in the United States do not have signals. I
found that you are 30 times more likely to be hit by a
train than another automobile. That's the rate of
accidents in this country. And they are rising.

That there is a rail accident somewhere in
the United States every 90 minutes, and this figure has
continued to increase over the last several years. And
that there is a toxic spill every two weeks.
I have really serious concerns about these statistics continuing to be in place with casks of nuclear materials attached to each of these accidents and problems.

And I am extremely concerned about the delay that these things could cause to nuclear casks that would be attached to such trains, that they would sit in areas where they would continue to emit radiation. I don't find any of these items addressed in the document, and so that's why I'm concerned about inadequacies.

I would hope that the final document would have a great deal more information about rail transportation in the U.S. or that an additional EIS or at the very least a supplement would be put forward, because I don't see how anybody can make educated decisions without this kind of information.

As far as this specific spur, whether it is here or any of the other four routes, I'm really concerned by the lack of information and how one could possibly make a decision about either method of transportation or route given what's there.

There is, as other people have mentioned, a real inadequate amount of information on the issue of fencing and how that would affect farms, ranchers, migration patterns, grazing and other local access on
hundreds of small county roads that go through the area that this rail would continue to pass through.

There seems to be inadequate information about materials and construction methods and specifications.

There's very little information about signaling and how that would be used.

There is very little information about accidents along the tracks, and I mean things like floods, animals on the tracks, these kinds of things, how that would be addressed in terms of delaying rail cars indefinitely, perhaps next to Jamie's house.

And there seems to be inadequate information about the issue of ownership and maintenance.

I personally live near the test site, and I live near Yucca Mountain. So while you are concerned about how many trains are going to go past your house, I live where they are all going to arrive and remain for the end of time.

So I'm very concerned, and I'm very concerned about DOE's past record for accidents, cleanup, maintenance and that kind of thing, because where I live during the winter months -- during the summer months I understand they mainly come down through Ely and that area. When Ely starts to snow up, the nuke low level
waste that is going into the nuclear test site comes
within two and-a-half miles of my home up from the south
from Baker, between five and 15 trucks a week. These
trucks are all to clean up other DOE sites where those
people were told that there wouldn't be a problem.

So you can understand that I have a certain
amount of concern in listening to these statistics.

My final point is that I would really like to
see a much more reasonable approach in the document for
the no action alternative. I think both proposals that
are in this are fairly ridiculous, and they are quite
misleading when one tries to compare the rest of the
project to the no action alternatives.

I have spoken to a number of people privately
who work at the Yucca Mountain site in a variety of
capacities. At this time most of the people that I have
spoken with feel strongly that it's a bad idea.

And I just want to share with all of you that
they— are being able to go home with their paycheck and
feel reasonably good about that because they are counting
on us to stop this project so it doesn't go through.

Thank you very much.

MR. LAWSON: Thank you.

MR. SKIPPER: Thank you.

MR. LAWSON: We'll take the two people that I
called earlier. We'll take them, and then we'll take a short break. Nancy Louden. And then following her will be Christopher Sewall.

MS. LOUDEN: Now?

MR. LAWSON: Yes.

PUBLIC STATEMENT OF NANCY LOUDEN

MS. LOUDEN: My name is Nancy Louden, L-o-u-d-e-n. And before the meeting this elderly woman came to my house that I know, and she's pretty frail. So she couldn't come to the meeting. And she gave me this paper, and I'd like to read that for her.

MR. LAWSON: Please.

MS. LOUDEN: Her name is Jean Plummer. Do you want me to spell that?

THE REPORTER: Please.

MS. LOUDEN: P-l-u-m-m-e-r. Beowawe and Crescent Valley, Nevada, might be considered townships with small populations, even if all the surrounding areas were included. Our land, though, has much natural beauty, good fishing, hunting, colorful spring flowers, canyons in the mountains, willows and cottonwood trees and streams winding through. Our children have a great school and a small community to grow up in.

The Yucca Mountain project will destroy all
of this within 25 years if not sooner. There will be very
little left as radioactivity flows into the air and seeps
into the water supply for both the flora and fauna. This
part of Eureka County, Nevada, has historical sites, too,
graveyards that are 150 years old, a long time for the
West. There are many mines and ranches equally as old.

The Yucca Mountain project makes me think
that the government feels we and our land are expendable.
I urge you to stop this nuclear waste. Put more money
into researching how to accomplish this instead of
spending millions of tax dollars on railways and research
to carry this waste which will destroy our small part of
the United States.

The Yucca Mountain waste site project is not
going to solve the problem. It will only destroy more
land, more communities.

In 50 years our government will be looking
for another waste site, more of our great country will be
destroyed. Stop this Yucca Mountain project for our
generation and future generations.

Okay. Now this is mine. I am Nancy Louden,
and I am feeling desperate and angry. The proposed
facility at Yucca Mountain and the transportation of
nuclear waste to it is also desperate. This waste cannot
be contained for two generations, much less two million
years, without leaking into the environment.

It isn't the first time in history that people have been led by mankind in the wrong direction. If this rail line goes through Crescent Valley, it will put the people here in a no-win situation. If we stay, we get nuked; if we leave, we lose our property.

Let's get real. If none of us here want a nuclear train in our yard, who is going to want to buy it from us for what it was worth before the nuke train threat? Either way we lose. Stay, we lose; go, we lose. Are you going to compensate us for ruining our lives and how?

We own a hot springs, pool and house, one-half mile from the proposed rail line and a trailer one-and-a-half miles on the other side. At our hot springs, there is a lot of different kind of birds that come there. We have a wetlands, and there's been about 50 different species of birds that land there and rest up before they go on to other places, and we have a lot of animals there, and if they build a railroad, all that noise is going to scare them away, and plus the train will scare them away when it comes through here.

And to go back, we own the hot springs and a house a half mile from the proposed rail line and a trailer a half mile on the other side. Because we don't
have electricity at the spa, we live between the two places. It's kind of a different kind of lifestyle, but we like it. We really love it.

And we go back and forth all the time. We will be crossing the tracks about six or eight times a day. This is going to greatly impact our lives because we will have to schedule our lives around the train schedule. If it's even available to us. Will it be?

We don't want to be stopped at the crossing waiting for the train to go by because our radiation exposure will go up. We will lose spontaneity in our lives and the freedom to make our decisions for our movement in the valley we live in.

We use our hot springs to improve our health, and it is hardly compatible with train cars full of deadly waste sitting in Beowawe and going by in full view from our hot water therapy bath.

This will definitely devalue our property and ruin us financially. Even if DOE did compensate us, would it be enough to relocate at another hot springs? Hot springs are not replaceable. We would be lucky to ever find another one to buy.

Basically you're taking something from us that you can't replace. I think that's called stealing. Isn't it?
Thank you.

MR. LAWSON: Thank you.

MR. SKIPPER: Thank you.

MR. LAWSON: And the last speaker in this segment, Christopher Sewall.

**PUBLIC STATEMENT OF CHRISTOPHER SEWALL**

MR. SEWALL: Hello. My name is Christopher Sewall, that is S-e-w-a-l-l.

For the past nearly seven years I have been a staff person at the Western Shoshone defense project. Western Shoshone directed a nonprofit organization based here in Crescent Valley.

The first point I want to make to the DOE - and these would be our preliminary comments; we will be submitting written comments by the deadline - the first point I want to make is that Indian country does not stop at the reservation boundary. And that Western Shoshone communities are not limited to the reservations.

As you have already heard, there is a Western Shoshone community located here in Crescent Valley within eight miles of the proposed route, even closer to the alternate route, this rail route through this valley.

And again, I will reaffirm and remind the DOE of the Treaty of Ruby Valley and that treaties are indeed
recognized in the Constitution as the supreme law of the
land. The only thing we see so far in the EIS regarding
the treaty is some references to the Supreme Court case
and to an Indian Claims Commission decision. And we would
like to reaffirm our position that title has never been
litigated to Western Shoshone land.

And in fact, a Federal District Court here in
Nevada made a ruling which in fact said that the Treaty of
Ruby Valley is in full force and effect.

Now we currently right now, the U.S.
Government is under investigation by an international
human rights commission, the interAmerican Commission on
Human Rights which was established by the Organization of
American States to protect and promote human rights by the
member states of the Organization of American States,
which is essentially a United Nations of the western
hemisphere, of which the U.S. Government is part of. And
right now this commission is investigating the status of
U.S.—treatment of Western Shoshone people and the process
by which the U.S. has claimed to deprive them of title to
their land, and we feel that the DOE should be aware of
this process and the fact that the DOE proceeding with
these plans for Yucca Mountain and this rail route
prejudices this investigation.

Another thing -- a question that I want on
the record. Two questions that I want on the record.
First of all, is it the DOE's position that Western
Shoshone land title was litigated by the Indian Claims
Commission?

Second question I want on the record. Is it
the DOE's position that the Indian Claims Commission
proceedings and the Supreme Court has the legal authority
to nullify the Treaty of Ruby Valley?

Another just point I'd like to add to that.
The government is always bringing up the U.S. v. Dann
case, the Supreme Court case, as their silver bullet to
dismiss Western Shoshone land claims and issues. I would
just like to remind people that the Supreme Court doesn't
necessarily make morally correct decisions. In our past
the Supreme Court has in fact ruled it is legal to own
another person. I think we would all agree, and even
people at that time would agree, that was a morally
reprehensible position and people resisted it, and it is
the same attitude that we have concerning the Supreme
Court's decision regarding the Dann and Western Shoshone
land title. It is simply an immoral and frankly illegal
taking of those lands.

The other points that I wanted to bring up
concerns the nature of NEPA, the National Environmental
Policy Act. Now it is my understanding that this act was
created to help the U.S. Government with the input of U.S.
citizens to make informed decisions about projects that
affect the environment and to look at the environmental
and different impacts associated with these decisions.
Now one of the key parts of the NEPA process is defining a
need, a need for the project, why are we going ahead with
this project in the first place. Right now we're not
convinced that the DOE has adequately justified the need
for this project.

Perhaps more importantly is the lack of
alternatives in this document. The very heart or essence
of the NEPA process is the evaluation of alternatives to
the project at hand. That's the very heart of the NEPA
process. The whole substance of the NEPA process is
evaluating the different possibilities, different
alternatives for the project at hand.

And instead, instead we get two alternatives.
We get we can build the dump or the no action alternative.
And I'd like to point out that the no action alternative
should be a reasonable alternative, and right now the no
action alternative that we have been presented in this
document is completely unreasonable, and in fact, I don't
know of anybody advocating for the scenario that you have
put in the no action alternative. Nobody is saying leave
the waste at the site for a thousand years, 10,000 years
unmonitored. Nobody is saying that. Nobody in the antinuclear movement, nobody is saying that.

So why are you evaluating in there? It is a straw man. You knock it down. So we have an alternative that we couldn't possibly choose or the dump. That's ridiculous.

The other thing that really concerns me, especially after hearing the presentations, is how many times I heard the word assume. Is that so many parts of the details of this project, the devil is in the details. We assume this, we assume that, we don't know yet. It's a concept. We assume.

I think we all know the joke about assuming. And I think it's very true in this case.

I'm particularly concerned about the details of the rail design and operation. All these details are left out. We don't even know if it's going -- the DOE hasn't made a determination if this is going to be a single use railroad.

How can you possibly evaluate the risks of rail lines without knowing what you are going to be putting on those rail lines? You can't do it.

The last point that I want to make as a representative of the defense project is the fact, and this has been mentioned before as well, is the fact around
World War II the Atomic Energy Commission and the Department of Defense seized hundreds of thousands of acres of Western Shoshone land, the creation of the Nellis Air Force Range and the Nevada Test Site. This was done without the consent of Western Shoshone people, and access is now denied to those areas. Burial sites have been disturbed, cultural sites have been disturbed, plants, animals and water have all been contaminated to these things.

And now what we see is the federal government doing exactly the same thing and trying to force a project down the throat of people that don't want it. The Western Shoshone people have made clear opposition to this project at every step. There are tribal resolutions. The Western Shoshone National Council has declared Western Shoshone territory as a nuclear free zone.

But still we proceed forward with this. I want a government that acts with dignity and honor. And this is not the way the federal government is behaving in regards to this project. And I'm ashamed, and you should be ashamed as well.

The last thing, our position is that we feel from the information we have now that this project as proposed and the transportation will have a profoundly negative impact on the political, economic, cultural,
social, spiritual survival of the Western Shoshone nation.

And then I'd just like to add just one more
comment perhaps, not as a representative of the defense
project, but my family is from Maine, and they still live
there, and we live about 12 miles from Maine Yankee.
Nuclear Power Plant. When that power plant was built,
family land was condemned to build that power plant. Some
of my family land was condemned.

And I don't like my family living next to
that stuff over there. But I sure as hell don't support
putting it on a truck and sending it out here because you
are just making a bad problem even worse. So I just want
to say that.

And one last comment I want to make, too.
And I brought this up in the questions. I just
remembered, but I want to have it on the record. Is that
I see it really as hypocritical that the federal
government would require such a level of detail of
information from private industry in regards to the mining
industry for all their projects on federal lands, and then
would exempt itself from the same level of detail in
evaluating this project, this Yucca Mountain project. So
that's all I have to say.

MR. LAWSON: Thank you.

MR. SKIPPER: Thank you.
(Applause.)

MR. LAWSON: Well, thank you all for your comments. The average is about five minutes, and that is satisfactory for me.

Let's take a break and come back why don't we say 10 minutes of nine. I still have six people on the list, and I'll say who the first couple of people are here in a minute.

I hope that you will stay around. If you don't, I appreciate, we all appreciate your taking the time to come and to make your comments. But you are certainly welcome to stay to hear the remaining people.

We'll come back at 10 minutes to nine according to that clock. And the first three speakers will be Lois Whitney, Bernice Lalo and Evangeline Holley. We'll take a recess until 10 minutes of nine. Thank you.

(Recess taken at 8:37 p.m.)
CRESCENT VALLEY, NEVADA, THURSDAY, DECEMBER 9, 1999

8:50 P.M.

MR. LAWSON: I just discovered that two of the people who were scheduled to speak have declined to speak. So I now have four on my list.

The first person to speak will be Lois Whitney. She will be followed by Bernice Lalo and then Bill Leppala. Lois Whitney, please.

By the way, as Miss Whitney is coming to the podium here, I'd like to just acknowledge that Jozette Booth is now going to be officially listening to the comments for the Department of Energy. Hello again.

PUBLIC STATEMENT OF LOIS WHITNEY

MS. WHITNEY: Good evening. Again I want to welcome you to Western Shoshone territory. I spoke earlier today, and I would like to just recap a little bit of the things I talked about.

I'm glad to see so many people staying from the first to the second. This is an issue of very importance to all of us.

My name is Lois Whitney, and I am a descendent of the Western Shoshone who lived at Beowawe.
I'm a descendent of many of the people throughout Western Shoshone territory.

Radiation in Western Shoshone territory and worldwide is not necessary or welcome. Did you hear me? Radiation in Western Shoshone territory and worldwide is not necessary or welcome.

I speak out for those beings in life that are without voice but have been impacted by colonization of our territory and by radiation. True, radiation is present in many natural energy sources and over time has contributed to natural catastrophes for millions of years and has inevitably affected all life. But man-engineered catastrophes come full circle to Western Shoshone territory.

Beginning in the 1940's, the testing of the atom bomb for nuclear warfare impacted all life in Western Shoshone territory and its neighbors, native and non, speaking and unspeaking.

And let us not forget to mention the thousands of people of Nagasaki and Hiroshima who suffered mutation and death. That's something we should have on our conscience as native people and native people to this land because we allowed it to happen. Now comes the end with transportation, too, and storage in Western Shoshone territory, radiation inevitably to complete the numerous
cycle of genocide.

Stop all forms of genocide against man in all life. Did you hear me? Stop all forms of genocide against man in all life.

We, you and I, are significant to the survival of all. Stop the warfare against the Western Shoshone rain forest. We will be disadvantaged to fight what our senses cannot detect. Remember, there are no assurances of the health and safety and/or compensation on ourselves and our future generations. Should we allow this to exist?

There will be diseases attributed from the radiation that will not discriminate by race or economics. Together we determine our environment. Let's give it careful consideration. To all that we affect, to all that it does.

Stop in the name of progress nuclear waste. Did you hear me? Stop in the name of progress nuclear waste.

I'd like to read something also. It can be part of the record if you would like it or not. It is your choice.

Today is December the 9th. And a group of native people put together a book which they called "Meditation with Native Elders" for all the seasons that
exist. I believe this applies to this situation.

"December the 9th. The natural law will prevail regardless of man-made laws, tribunals and governments. This comes from the traditional circle of elders from the Navaho Hopi joint use area. The great spirit made laws by which man needs to live. These laws are just and are about living in harmony. Man has passed many laws that say it is okay to do things. Many of these man-made laws are out of harmony with the laws of the great spirit. These are man-made laws that will cause trouble for the human being if they are out of harmony with the laws of the great spirit. Teach us the proper laws."

And this is our responsibility. Thank you.

MR. LAWSON: Thank you very much.

MS. BOOTH: Thank you.

MR. LAWSON: Bernice Lalo and to be followed by Bill Leppala and Joseph Carruthers.

PUBLIC STATEMENT OF BERNICE LALO

MS. LALO: (Spoke in native language). I am Western Shoshone. My name is Bernice. I come here to talk to you. Are you going to understand me?

Because the things that you say in the EIS
are just as foreign to you as something I said to you just a minute ago.

(Spoke in native language.) Are you going to hear me? Because that EIS that you have on your table there is just as foreign to some of us in here as the Western Shoshone language is to many except the Western Shoshone.

I wanted to start with that because I think there's a difference here. The difference is the language. The language that DOE speaks is not the language of the Western Shoshone, nor is it the language of many of the people that are in here. You turn to page 202 over there, do you think everyone in this room will understand that? I don't think so. I think that you will find many people that do not understand a word on that page.

And when Carrie was talking about time immemorial, she was talking about time that no one can remember, and that's how long we have been here. When we fought against Rock Creek, they told us that. They said, Well, you Shoshones, you have only been here for 2,000 years, and we said, And how long has Lander County been here?

So we'd like to ask that same question. How long has Nevada been here? How long has DOE been in
existence?

We have been here longer than DOE, or Eureka County, or Lander County, or the State of Nevada. And we have been here as long-risk participants in every thing that the U.S. has prepared for us. We have been participants in land theft, we have been participants in language loss, we have been participants in the loss of cultural pride, we have been participants in genocide.

This is not new to us here, people. This is something we have lived with for hundreds of years, millions of years.

And we are telling you that we are now participants of a long-risk program here. Not just the Western Shoshone here. We here in this room are participants of a long-risk death program here.

And Carie was talking about the animals. You know those animals that come from near Yucca Mountain, near the Nevada Test Site, those are animals we eat. I mean, they might sound repugnant to you, but we eat squirrels and deer and gophers, and way back when we might have eaten snakes and whatever. But those are animals that do not know the boundaries of the little easement that you are going to put alongside the railroad. Those are animals that we're going to consume.

And no one has put a study together to tell
us about the long risk that we are going to have to take when we consume those animals. Those animals are part of our heritage. They are part of the program that we give to that little guy right there.

You know last year he went to the Western Shoshone defense project, Shoshone gathering. He didn't know anything, but we were eating yaha (phonetic), which is our favorite food, and you guys probably go yick, but we roasted it and we took the hair off and it was singed and it was black, and he didn't know any better. So he just took the tails that they were throwing away.

But you know, he's learning, and he was four last -- four, three, three and-a-half, somewhere like that. And those are traditional foods. And no one has bothered to study what is happening to us because of our traditional foods. No one can tell him that, you know, he can't go eat that. Because that is part of who we are.

And you know, even as far as the terms that people use here, we're talking about, you know, people say earth mother, earth mother, da, da, da, da, but the language that we use to describe it is called solvia (phonetic). It means mother and it means earth.

I mean, there is no difference. When you go to pick something up, there's no scientific term for it. That's just what it says. Exactly.
And so in this concept, in this cultural concept, when you're taking this down to Yucca Mountain, the transportation, we are talking about genocide. And we have long been participants in this. So I wanted you to know that.

And the radiation that comes from this transportation, we will be the long-term participants in that, and the people that live here will be also. But the animals that live there will bring it back to us, and we'll have double jeopardy because that's part of our traditional foods.

So we have had a long-term participation with radiation, low level, high level, bombs, you name it, we have been there. We have people that are now in this part suffering the cancers that come from the radiation that they never have studied, the native exposure, the native pathways.

But I think now we're talking about this, and we're talking about not just like 10,000 years down the road. You know, I bet if I surveyed 50 people in here, 50 percent of the people in here, they would come from Iowa, New Mexico, New York, I don't know where. But anyway, but the Shoshones are born here. This is their territory.

I mean, it doesn't matter if you have a piece of paper that is a quitclaim deed that says that we deeded
it to the United States. We didn't. We have not. And until something happens where the political circle rides against us, we will always claim this as Western Shoshone land.

As a matter of fact, we have got some of the people in government circles almost trained, almost. We go on a tour and they ask us for comments, and we say, Well, you know what it is going to be? And this archeologist from Battle Mountain, BLM, she says -- well, I say, What is it? What is our first comment? She says, It's Western Shoshone country. And we say, You got it. We're finally teaching you something.

But anyway, that's where we're coming from.

And as far as nature goes, we know about the amount of accidents that happen in this country. You can go outside and look at my truck, it's got bashes on both sides. That was that winter, that was that winter, that was that winter, you know.

And I'll tell you what. When I went to Albuquerque about six years ago, I passed these semis on the road, and I saw them tipped over in the median between the two highways. And I know those are the routes they are going to be taking. And I know the risks that those truck drivers take. I know when my windshield has no space in it to see, and I know when I see them laying down
on their side.

So you cannot tell me that the transportation is safe. You cannot tell me that. Because we live here, we know what it is like. We know you have to go two miles versus 200. We know that.

Those are weather conditions that are natural to this area. They are not going to stop just because DOE is going to come here. They are not going to stop just because you are going to put on a railroad. They are icy conditions here, and we are all going to be impacted by that. We're going to talk about something else.

Now when you are talking about how fast or how slow that water is going to go and that you are going to be able to trail it, and that you are going to be able to trail it for 10,000 years, I don't think so. Because you don't have science that is that accurate.

And then we already are buying water from the store. We're already buying 36 cent containers, we're already buying 69 cent containers, and I bet even in your purse there you probably got a dollar ninety worth of water. And that is what we're going to be looking at.

Your science is not accurate enough to predict 10,000 years. I don't know what I look like, but I ain't no fool. I mean, I don't think these people are either.
And that's just the bare fact. It is not science. It is just something that you are asking us to believe, and I think there's more intelligence in this room than whatever.

But anyway, we're not asking for this to come here. And I'll tell you what. You know they taught my little boy how to say the Pledge of Allegiance, but in the end it says justice for all.

I don't think so. It's not justice for all. It's just us maybe for DOE. Just us.

MR. LAWSON: Thank you.
MS. BOOTH: Thank you.
MR. LAWSON: Our next speaker is Bill Leppala. He will be followed by Joseph Carruthers.

PUBLIC STATEMENT OF BILL LEPPALA

MR. LEPPALA: Hi. My name is Bill Leppala. I'm a member of the Crescent Valley Town Advisory Board. I volunteered, by the way. But I'm not here in that capacity. I'm here as an individual.

I want to take a serious look at our EIS book. I don't pretend to be an expert in it. I looked at enough areas to make me question it, and we all know everyone in this room has had experience with small children. Fibs are generally caused by omissions.
And I found some omissions in there, things that may be addressed in the EIS but not to my satisfaction, and if not to mine, then probably not to a lot of the people in this room.

The first issue is the health and safety portion of it. We're looking at leakage rates, one of which there's been some articles in the news lately about if you don't like it, you readjust it, or if you don't like the dosage rates, you readjust a quarter or you readjust the parameters.

I understand there is a serious deficiency here between the thinking on the DOE and the environmental people, Environmental Protection Agency. That's one issue.

The other issue is I just found out tonight, by the way, that this corridor is to be a quarter of a mile wide. Interesting.

Now, has there been any assessment made, have there been any modeling done on what the radiation contamination is long term outside of this quarter mile corridor? Is a quarter mile corridor to be a restricted access area? And if it is, people that live by it, what is the dosage rate for the present people, and for the future people, and the long-term effect on the things that don't know any better, the animals, the livestock, the
waterways, the wetlands, things like this. I didn't find those in there either.

Another thing I didn't find, I didn't find any assessments. I wasn't here this morning, by the way. I had to work today. Maybe there were some assumptions made this morning at the meeting.

I don't know how many are familiar with what's called an accident plume, and what it basically is, you start from the beginning when it's bad, and work out to the point where it is tolerable. And these things are generally generated with accidents of radiation.

I see nothing in there on accident plumes or contaminated areas that were specific to this area with which I'm concerned, due to our prevailing winds and our weather conditions.

The next thing in health and safety, I guess it's been rehashed, but I would like to say it anyway, monitoring. Whose responsibility is it to monitor these things? The air quality, the ground quality, the water quality, this sort of thing. Who is to participate in this? Is it to be the federal government, the regulatory agencies, county, and where does the money come from?

You don't believe the county is tight, ask Pete. And he won't spend any money, I guarantee that.

Then again, who is going to train these
people? And to what level of training will they receive? Will they receive training to handle all aspects, all types of emergencies, and/or spills and/or exposures? And then will they, too, be monitored?

The second item is environmental and access.

The other thing I didn't see in that EIS book, I didn't see an environmental assessment unique to our area. I didn't see wetlands discussed, of which the Humboldt River surely qualifies. And certain periods of the years the playas certainly do.

I didn't see ground water levels. I didn't see permeability tables. I didn't see migration tables for waters. These things are not addressed in there. So by omission, it's a fib.

I didn't see anything in there also on the flood plains that we have. I didn't see anything mentioning the migratory birds that come through our area. I didn't see any of this in there that was peculiar to our own area, which is important to us, all of us in this room.

The third area is near and dear to my heart and probably a few others in here, it is called property, taking of. The corridor as marked on the map, every other mile will probably pass through a portion of private property. Now, will this just be condemned? Will the
people be compensated? Will it be assessed at market value? Will it be assessed at the BLM value? Of the neighboring properties? Those questions weren't answered to my satisfaction.

Recreation and ranching, land use. We have a tremendous amount of trails, access roads, Jeep trails, some you can even barely walk on, some horses break their legs on, but they are all trails and usable all the time. We put this quarter mile corridor through here, are these trails going to be blocked off and have limited access? I didn't find that addressed either. And if they are blocked off and limited access, then you have just taken a lot larger portion of the property away from the citizens of the area than the quarter mile corridor.

And that also holds true for the ranchers for their historical or their -- not historical, I guess. They haven't been here long enough to be history. But their normal ways of moving their livestock and animals and moving from place to place on their rangeland, grazing land, grazing permits, et cetera.

The other one was the corridors, it doesn't address that either, whether the corridors will be fenced, and whether these corridors, if they are fenced, who is going to police them. The fence is just a novelty if you don't have somebody back there to kick you out of it.
The other one, just something I would like to have addressed, and addressed to me if you don't want to do it to everybody else, because of the large percentage of this spent nuclear waste coming out, or being stored, how much of it is coming from private industry and are they going to pay their fair share? Knowing full well that 30, 40, 50 years ago we entered into an agreement where they gave into a government insurance policy. With our present rate of inflation and the way we use our money, that money is probably gone.

So are they going to be required to up the ante, so to speak, to cover the additional costs of this storage and transportation of spent fuel? I didn't find that in there either.

The fair share, by the way, is how much of that is private, and then we also know that we're all going to pay through taxes, DOD, Department of Defense shares, and we're also going to pay for some of the spent fuels that are going to come back here from Korea and Japan and God knows where that we agreed to take back when it was spent.

Geez, after living in a house with women, I'm almost out of words. That's it. I'm done.

MS. BOOTH: Thank you.

MR. LAWSON: Thank you very much. Joseph
Carruthers, and to be followed by Bob Halstead.

PUBLIC STATEMENT OF JOSEPH CARRUTHERS

MR. CARRUTHERS: Hello. My name is Joseph Carruthers. I'm the chairman of the Beowawe Crescent Valley Nuclear Waste Awareness Committee. That committee was formed at the request of the residents of our community and this valley and members of this county, and when I first took this approach, I took it in a very kind of approach that you could say yes or no. I wanted to know how the people felt around here about this issue. I didn't want to make their mind up for them. That seemed like the fairest way in a democratic society, to me.

And overwhelmingly the people of this community, as you can see in this room tonight, support the issue of not bringing nuclear waste to Nevada.

I'm going to go through a few things here first that I want to get on the record that I feel are inadequate, some issues that have not been addressed in the EIS properly. And these are to deal with the fact of socioeconomics for this part of the world. We rely on mining and ranching at this point in this part of the country for survival. This project that you are proposing threatens our way of life forever.

One of them is, will mining claims be divided
and access restricted? There are many claim holders out here, people who are looking for additional mineral deposits. We feel that it is inadequately addressed in the EIS.

Will the Cortez Mine be given its own railroad overpass to continue its daily operations? As one can see on the map on the wall, the corridor goes right through their operations. They have a mill on each side of the valley, and these things are inadequate. They have not been addressed in the EIS, the Draft EIS.

And also for the ranchers, and there are many people here in Nevada who are into ranching and that is their way of life and their only way of life, and we are all very concerned on this. Will the grazing allotments be cut up? How will the ranchers be compensated for the lost rangeland?

I want to expand on that a little bit. I am very concerned about the issue of water rights and the loss of land in our state.

The way I see it, if I was to come to any of your homes and threaten to throw you out or tell you this is what we're proposing to do and make you move away, how would you feel in your hearts? Would you say, oh, God that is okay, go ahead? I don't think so. I really don't.
And how would you feel if we were to bury it in your backyard? Obviously, it's your problem. Nevada is not a nuclear-powered state. The eastern states are.

I used to live back in the Midwest. I lived near the Byron Power Plant, and I saw what industry and various other things of this nature has done to the waterways and to the environment.

Fortunately, that is improving because science is finding out we're making a lot of mistakes in our environment. Unfortunately, the nuclear industry, I guess like any industry, wants to go on and be productive in their viewpoint. But you're continuing to poison our environment, and you're not coming up with a solution to phase it out and get rid of it.

You haven't come to us to say, look, you know, we got this much waste to get rid of, we're going to try to find a way to get away from this. You want to make more, and from the hearsay that I'm getting, that you want to intensify it and make sure it doesn't die. I hope that's not true.

What I have to say is that we, we the people of Nevada, and that goes for our governor, our senators, over 75 percent of the population of the state, and obviously, the Native American people who do hold ownership to the land, do not want nuclear waste in this
state. When you go back to Washington, we ask you, in a
nice way this time, to relay that message. We are not
going to give up, we are not going to back down. And this
is just the beginning.

We hope you hear what we're telling you. It
is your problem. You have allowed the nuclear industry to
continue to do what it is doing and continue to do it to
this day. We do not want your problem. You make the
problem, you bury it in your backyard, not ours. Thank
you.

(Appause.)

MR. LAWSON: Mr. Halstead, please.

MS. BOOTH: Thank you for your comments.

FURTHER PUBLIC STATEMENT OF BOB HALSTEAD

MR. HALSTEAD: For the record, I'm Bob
Halstead, Transportation Adviser to the State of Nevada
Agency for Nuclear Projects.

That is another hard speech to follow.

Let me briefly tell you about three important
safety issues. First, the Nuclear Regulatory Commission,
which for better or worse we all have to depend on to try
and protect us from the dangers of this highly radioactive
material, is now reexamining the report called the Modal
Study. Without getting into all the details, this is the
big report that the Department of Energy's Draft EIS relies upon primarily for its assessment that transportation is safe.

Why is the NRC reconsidering its basic report? First, it's because there are new cask designs being submitted.

Secondly, there are improvements in the computer models.

But third, it's because the NRC recognizes that the future shipments are going to be radically different from shipments in the past, and they have to reexamine all their basic assumptions.

They understand there will be 35 times more spent fuel shipped per year in the future than over the past two decades, eight to 24 times more shipments, 500 percent increase in the average shipment distance for rail, 200 percent increase in the average shipment distance for truck, and in the past, 70 percent of all the shipments have been in the East. Now you are going to have shipments coming into the West where you have mountainous terrain, more severe winter weather, and different operating conditions, particularly higher speeds and longer emergency response times.

Sadly, the NRC will not complete their reassessment of safety until the year 2003, after the
Department of Energy completes its Environmental Impact Statement.

Second issue, dedicated trains, what are they? Dedicated trains are trains that haul one cargo only as opposed to big general freight trains that can be a hundred cars long. Everybody in the railroad world, they don't agree on much, they agree that spent nuclear fuel is so dangerous it should only be moved in dedicated trains.

That was a big point of discussion at both of the Modal Study meetings I went to three weeks ago in Bethesda, Maryland, and yesterday in Henderson, Nevada. It is the official position of the Association of American Railroads.

In fact, the only people who operate against this are the old Southern Pacific, now part of the UP, which has a long-standing agreement with the Navy that for national security reasons, they won't impose dedicated train requirements. But the Navy fuel is much less dangerous in the sense that it's armor because it is designed for combat situations, and it's designed in different casks. And the Southern Pacific and now the UP requires it to be shipped at speeds never higher than 35 miles per hour.

So everybody in the railroad world disagrees
with what DOE is proposing to do. And they believe the
dedicated trains should be mandatory.

Third issue: How fast should this fuel move?
The official position of the Association of American
Railroads is maximum speed of 35 miles per hour, and
that's when it is in a dedicated train.

There is only one deviation from this policy.
The Union Pacific has certain tracks where the general
freight is moving so fast, often at 75 miles per hour,
that the dedicated trains traveling certain segments will
have to be moved at 55 miles an hour to get them out of
the way of the other faster moving trains.

Nobody in the railroad world would argue that
you should move this fuel as fast as DOE is proposing.
They say up to 50 miles per hour on their spur, which
won't be a top notch railroad. It won't have 135 pound
per yard rail or concrete ties or top notch signaling
systems unless somehow we can force DOE to do that.

Again, I would say from the State of Nevada's
standpoint, we're not sure there's any safe speed to move
this cargo at. But we're certainly against any proposal
to move it at a speed faster than 35 miles per hour. And
on most stretches of track on a spur, there simply won't
be any reason to move it faster. So why would you move it
faster than you need to, only I think if you put cost
ahead of safety.

Thank you very much for the opportunity to be here. I so appreciate seeing this many people at a meeting. This is a wonderful turnout compared to the meetings in bigger cities. If people had had meeting turnouts like this, it would have been a very refreshing situation. And I appreciate all the comments tonight.

Thank you.

MR. LAWSON: Thank you.

(Applause.)

MR. LAWSON: That was really quite excellent. I appreciated all those comments. Is there somebody else who would like to speak?

MR. HARPER: Yes, I would.

MR. LAWSON: We have several people. Okay.

And if you would give your name and perhaps spell it also for the reporter, that would be great.

PUBLIC STATEMENT OF CHARLES HARPER


Back about 1960, I was a fireman down in California. And all of a sudden my wife and I were driving home, went out to dinner, and news broadcast was on the radio that said that my squadron had been called back to active duty. My wife didn't realize that until I
had to explain to her how that was going to happen.

And subsequently, they took my squadron and melted it with two other squadrons from Texas and sent us the out to Barbara's Point, Hawaii. From there we went to Christmas Island, 1300 miles south.

We were in the middle of the Cuban Crisis, the Wall, all those things that were going on at that time, and our President thought it best to show a bit of strength to the world. We set off 17 atomic bombs out there, and our squadron patrolled the area around it to make sure that shipping and other life was away from the island when the bombs were exploded.

I personally saw these 17 bombs within 30 miles of us go off. Then they sent me out to Johnson Island, and through infinite wisdom of our government they shot a rocket into space to perform the first atomic explosion into space. I was part of it. I had to do it. It was my job.

I have seen a beautiful sight. It is just like watching this rangeland fire out here this last summer. It was beautiful, but it was so destructive, so terribly destructive.

Our show of force isn't even mentioned down in Albuquerque at the Atomic Museum. I had a chance to be down there this summer and went through there and looked
on the walls with all these different things that
happened. It is kind of a neat museum. No mention of
Christmas Island, none whatsoever.

They took me out of my private job, put me
back in the Navy, took a year and-a-half out of my life,
to show a show of force that wasn't even recognized. Now
we have got a chance to recognize some of this force now.

This state does not need any nuclear
depository here. It's proven there's fault lines in Yucca
Mountain. I was on a tour down at Yucca Mountain. I was
amazed.

I was going to go through the book and say a
lot of things about different things I saw down there.
But I was amazed at the amount of money spent, the amount
of people working there, to try to prove that this would
work, and they are the ones that are saying to me in the
background that, no, it ain't going to work, but the
government wants to pay me, I'll take the money.

— Well, folks, I hope this is one thing that we
can kill them on. This is the National Environmental
Policy Act of 1969. If you read it really close there is
a couple of good paragraphs in here that will put Yucca
Mountain back to Yucca Mountain and not a Yucca Mountain
repository. Thank you.

MR. LAWSON: Thank you, sir.
MS. BOOTH: Thank you.

MR. LAWSON: This gentleman, please. And then you'd like to speak again? Maybe.

FROM THE FLOOR: I just want to say one thing.

PUBLIC STATEMENT OF CHARLIE VOOS

MR. VOOS: My name is Charlie Voos. I'm Elko County Community Development Director and not authorized to speak for my commission at this time. But they will be apprised of the situation after tonight.

But I can certainly speak as a resident of Elko County. And although everybody here in Crescent Valley has addressed this because of the spur, first fire alarm that goes off in my head and heart is that existing rail line that is going to feed that spur goes through all four major cities in my county. Ninety percent of our population is based on that cargo, that is Wendover, Wells, Elko and Carlin. So right there and then I know that is something that we have to be concerned about.

Second point is that the main stopover for our area for crew changes, if that is the case that these trains would require crew changes, is in Elko. That is where all the major trains stop and all the crews stay.

If they are allowed to have 48-hour stopover
there, that means that our -- these trains with hot loads
will be sitting right there in the heart of the downtown
area. I can empathize with people having homes up close
to these rail lines. But I have an entire 35,000 people
right there. And that's a very big concern to us.

Lastly, the point is that I realize we know
because of these range fires that we have had, we have had
a lot of right-of-way fences destroyed. Now our
commission has begged three different letters to the
railroads to please replace your right-of-way fencing.
They haven't responded to us once.

So I can imagine what would happen later on
here if we had something like this and some right-of-way
fencing was destroyed. It would take us forever to get
this fencing back up, and God knows what would happen at
that point.

We have had people killed on our rail lines
here in Elko County. And I know there is many many
unprotected crossings we have. It goes through some very
stiff terrain, goes over the Pequots and so on. High
elevations, cold weather.

And if something happens, whether it is flash
flooding, or snow or something, and these trains are
backed up, where do they back up? Are they just going to
stop at each one of our main cities and then we're going
to have one of these trains sitting at each one of our
towns? That is my concern.

Like I say, I will address our county
commissioners at the next commissioners’ meeting, and
we'll have further input from them. But at this point as
a citizen that's where I'm coming from. Thank you.

MR. LAWSON: Thank you.

MS. BOOTH: Thank you.

MR. LAWSON: Is there anyone else who would
like to speak? Did you have a final comment?

FURTHER PUBLIC STATEMENT OF NANCY LOUDEN

MS. LOUDEN: I was just concerned about the
range fires. They are really awesome.

MR. LAWSON: For the record, could you give
your name again? Just to make sure we get it down
correctly.

MS. LOUDEN: Nancy Louden.

I was just concerned about the range fires
because they are really bad here sometimes. And I think
maybe that might be a danger if there was a train out
there and it couldn't get through, it would have to stop,
or a lightning strikes and all of a sudden there is a
fire. If there is wind, like we have really bad winds, I
don't know if that's going to be a danger or not. But
that might be something that you should think about.

MR. LAWSON: Okay. Very good.

MS. BOOTH: Thank you.

MR. LAWSON: Thank you all. Is there anybody else that would like to make a comment? Yes, sir, please.

PUBLIC STATEMENT OF BRUCE DENNING

MR. DENNING: My name is Bruce Denning. I live about four miles north of town here. I'm one of Charlie's neighbors.

This is the Crescent Valley Public Water Supply Water Quality Report I turn in for evidence. The water is very clean here. We don't have to chlorinate it. That is the way we want to keep it.

I got this in the mail today from Cattlemens Title Company, who hold most of the paper, mortgages and so forth for the property owners in the valley. You are all practically all clients of Cattlemens Title. Little information that they sent along about the progress of the valley for the benefit of their title holders.

And working with the meeting and so forth, my main concern was with the fire rescue, emergency service, medical. Regarding to this incident with the railroad, I was talking to a Nevada Highway Patrolman, and I asked him, I says, do you people carry monitors for checking
these low level waste trucks that are on the highways? And he told me, Well, we used to but they took them away from us because they couldn't keep them calibrated. So they took them away from us.

That's not too cool. That's what I was wondering, if and when we would be able to have monitoring devices, because we're on site and we're here where it's going to take Hazmat, FEMA, or any other agency a long time to get to us. We need to take a radiation check immediately to know whether it is a clear area. I was interested in knowing would they take and provide the devices, the training for the people, then back us up when we need to use that equipment.

And lastly, common sense knows that the only way to handle this radioactive waste is the most dangerous part of it is in movement of it. So don't move it. I'm hoping that they will keep it on site for the first hundred years, giving themselves time to take and develop new and better ways of handling the radioactivity problem, and basically find a way of disposing it. At least it will be a little bit safer to handle. And they could take the money that they are wasting on Yucca Mountain and improve the on-site storage facilities, enlarging them as necessary. Hopefully that's what they will do.

That's all I have.
MR. LAWSON: Thank you very much.

MS. BOOTH: Thank you.

MR. LAWSON: Did I see another hand going up over here? Miss Johnson.

PUBLIC STATEMENT OF ABBY JOHNSON

MS. JOHNSON: My name is Abby Johnson, J-o-h-n-s-o-n.

I have a couple of comments to make as nuclear waste adviser to Eureka County and a couple of comments to make as Abby Johnson, citizen of Nevada.

I think I'll start out with the citizen comments. I have been involved in the nuclear waste issue since 1983, and on and off in the intervening years I have been involved because it's an issue that's challenging, complex, and so important to the future of the country and the future of Nevada.

I remember, and I don't remember what year it was, but in the mid '80s, I think at the time DOE did a series of environmental assessments going from the nine sites to five to three to one, I remember testifying in the Jot Travis Student Union in Reno, and the thing I remember from my testimony was saying that a chain is only as strong as its weakest link. At the time I was saying that transportation was the weakest link.
I don't think that's really changed. Here we are in 1999, and we don't know that much more about transportation than we did in 1986 or '85. I think that's a real problem.

But I think in addition to that, there are some other links that are pretty darn weak, too. Back in 1985, it looked like Yucca Mountain was a great place if we could only get it there. And it was more important to have the great place than it was getting it there.

And now, it's still hard to get it there, and it still is very risky, and then you get it there, and it doesn't look so good either. It looks like there is a lot of risk being taken there, too.

The other personal comment is the need to pit rural people and urban people against each other, and to say we have to avoid Las Vegas, so the rural people need to take the impact. I think that it's an unfair, inequitable and unsafe proposition to do the roll of the dice, the risk analysis that says that the rural areas have to take the risk because it's too unsafe for urban areas. We're all citizens here. We're all in the same boat.

And this EIS with its bounding analysis says let's look at what we can do to the urban area, and that's the worst thing we could do. The rural areas are the backup position. And that's not right. It's wrong. And it
shouldn't happen.

Now I have two comments as nuclear waste advisor. And this is a comment not on the DOE, it is to DOE, but it is not on the DEIS. It's a message that I hope by now you have heard clearly from this community and from this county. And that is that we have a lot of people that are very interested in this issue. They are hungry for information.

And they come to me to get that information. I need to feed them information. And so the message that I would like you to take back is that, yes, at least in Eureka County, in Crescent Valley, there are people who are really concerned, who really care, who really want to know what's going on. And so as I tell all federal agencies, when you are scheduling meetings, it would be great if you could, federal government, talk to each other so that we do not have meeting conflicts.

Unfortunately, it was the Nuclear Regulatory Commission who yesterday scheduled a meeting on the modal study, already knowing that this meeting was being scheduled for today and that the Austin meeting was scheduled for Tuesday. We were not able to be represented at the Nuclear Regulatory Commission's modal study meeting because we had to be here. And Department of Energy was on the calendar first.
There are other times when Department of Energy is on the calendar second, and I'm just saying, there's got to be enough days in the year so we can get to all of these meetings.

The other comment I'd like to make I guess both as a person and as a nuclear waste advisor is that it has just been incredible to advise and help this group of people to be able to express themselves in these meetings, and I am so impressed with the quality of the comments, the depth of the comments, and the heart of the comments. So I just want to tell you what a privilege it's been to be involved in this process, which is of course not ending but is ongoing. Thank you.

MR. LAWSON: Thank you.

(Applause.)

MS. BOOTH: Thank you, Abby.

MR. LAWSON: Is there anyone else who would like to speak? Please.

PUBLIC STATEMENT OF KEVIN JACKSON

MR. JACKSON: My name is Kevin Jackson, and while I was sitting back here listening to all these comments, I felt that I should get on the record and reiterate what I said earlier in a question format regarding the support services for the emergency
responders who may be called to the incident of a train accident, whether it be a derailment or whether it be a train, person, or vehicle.

I volunteer for the Crescent Valley Fire Department because I care about everyone in this community. Even more importantly, I care about my brothers and sisters on the Fire Department and the EMS service.

And because of that concern, I am even more concerned about their welfare, if they should become involved in a nuclear accident, or exposure. And I wonder what provisions are going to be provided for that family and the loss of income while that member is going through treatment and possibly even long-term treatment that may end his career. These are very important issues to my people.

And I don't believe the answer that I got tonight was a sufficient answer to respond to that. My initial feeling on that was it was a typical government nonresponsive answer. Thank you.

MS. BOOTH: Thank you.

MR. LAWSON: How are we doing? Anyone else?

Okay. Well, we will be here for another 15 minutes in case somebody changes his or her mind.

I would like to echo what Miss Johnson said.
I was very impressed, and before we go, somebody of us
visitors has to tell you how much we appreciate you as
hosts and hostesses in your community today. Certainly
what a fine facility we have been able to use. We really
appreciate that.

As a facilitator, I want to tell you how much
I appreciate the respect with which you have dealt with
this issue. I know that it's an emotional one for many
people, and for you to follow the suggested guidelines and
allow everybody to speak and with respect is very much
appreciated by everybody, and certainly by me.

I'd like to thank all of you once again for
your participation, thank the DOE, and certainly Eric
Nelson as the court reporter.

I'm going to take a recess now, and we will
reconvene if somebody else would like to speak, or we will
adjourn finally at 10:00 o'clock. Thank you very much for
your participation. It was a pleasure to meet and good
luck to you. Thank you.

(Recess taken at 9:44 p.m.)
CRESCENT VALLEY, THURSDAY, DECEMBER 9, 1999

9:57 P.M.

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MR. LAWSON: It's now about three minutes to ten, and there has been nobody else who has stepped forward to speak. I'd like to close this meeting but once again thank everybody for hosting and participating in the meeting, and especially for the court reporter who has done a really outstanding job.

Thank you very much. This meeting is now adjourned.

(Meeting adjourned at 9:57 p.m.)
STATE OF NEVADA, )
COUNTY OF WASHOE. ) ss.

I, ERIC V. NELSON, Certified Court Reporter and a notary public in and for the County of Washoe, State of Nevada, do hereby certify:

That I was present at the hearing of the Department of Energy on the Draft Environmental Impact Statement on Thursday, December 9, 1999, and thereafter took stenotype notes of the proceedings, and thereafter transcribed the same into typewriting as herein appears;

That the foregoing transcript is a full, true and correct transcription of my stenotype notes of said proceedings.

Dated at Reno, Nevada, this 14th day of December, 1999.

ERIC V. NELSON, CCR #57