

**CLARK COUNTY
YUCCA MOUNTAIN NUCLEAR WASTE ADVISORY COMMITTEE MEETING MINUTES
December 12, 2011**

Irene Navis, chair, called the meeting to order at 10:10 a.m.

- 1. Welcome and introductions:** Irene Navis welcomed the attendees.
Members present: Brok Armantrout, Sharon Beesley, Peggy Maze Johnson, Melvin McCallum, Liane Lee, Irene Navis, Maria Rodriguez, Ned Thomas, John Willis, Councilman Withelder, and Holly Woodward. **Members excused:** Deanna Domingo, Caren Levenson, and Daryl Thomé. **Members absent:** None (**Exhibit A**).
- 2. Public Comment:** None.
- 3. Consideration of the January 24, April 19, and August 22, 2011, meeting minutes:** Unanimously approved.
- 4. Discuss comments on the Department of Energy *Draft Site-Wide Environmental Impact Statement [SWEIS]* for the Continued Operation of The Department of Energy/National Nuclear Security Site [NNSS] and Off-site Locations in the State of Nevada:**
 - Clark County focused primarily on the Department of Energy's (DOE) low- and mixed-level shipments. However, there are issues of concern associated with these shipments:
 - Nuclear Weapons would be shipped to the National Nuclear Security Site (NNSS) over Interstates-15, and -215, and state Highway 95.
 - The SWEIS did not address the Greater Than Class C and Greater Than Class C Like Waste. The Nuclear Waste Division (NWD) provided comments on the SWEIS to DOE in June. However, the DOE ignored NWD comments due to the fact, according to DOE, the test site has not been selected/approved as the final destination. But, it is one of the seven choices mentioned in the SWEIS. Out of the choices on the West Coast—Waste Isolation Pilot Plant (WIPP) and NNSS—it is reasonable to assume that the waste would possibly be shipped here. East Coast sites may not be considered due to moisture issues (high ground water level) and the fact that the NRC regulations do not allow for anything but deep geological disposal.
 - Commission Brager's letter included the fact that the DOE failed to analyze the transportation impacts to the residents, and the socioeconomic impacts.
 - The significant thing about the comments submitted by the local entities (cities and municipalities, Tribes, NDOT, Nye County, RTC, McCarran Airport), and the Citizen's Advisory Board (CAB) for the NNSS, is all the agencies are in alignment and agreement with each other.
 - The DOE failed to address local conditions, although several people who attended the workshops are locals. Examples are there were no restrictions on transportation routes or times; the amount of traffic increases as well as an increase in truck shipments.
 - There would be an impact due to the amount of increased traffic on the roads.
 - There were no provisions for special events or provisions for emergency management and preparedness. Yet Pahrump, Nye County, adjacent counties all have specific local conditions/issues. There are no provisions for emergency management preparedness, and first responders training. When there is an incident, the people who will be front and center are the first responders. Therefore, the first responders should be properly equipped and trained before there is an accident.

- Much of the first responders are from the rural, volunteer fire departments. While the DOE is contemplating changing the mission of the NNSS, they are also implementing cutting the funds that come to Nevada for first responders and emergency management. The DOE will cut funds by 40 percent this year.
- When the DOE first started the SWEIS document, about 15 years ago, it was impossible to predict the ARRA stimulus funds that would necessitate building a second disposal site in Area 5. The increase in shipments would not have been included in the '95 or '96 document. There is the possibility that the DOE is in violation of their document. Who therefore enforces the regulations and updates the document? What provisions, if any, are there for known shipments within the next 10 years? Will there be another economic stimulus within the next five years that would push the number over the amount in the existing document? At this time, there is no maximum limit. The SWEIS document is predicated on cumulative, actual impacts to the NNSS, not to the local environment. The document addresses overall greenhouse gas emissions being reduced at the NNSS. But, in actuality, there could be an increase in greenhouse gas emissions to Clark County. If an intermodal facility is built here, there will be idling trains, etc. So with an increased number of shipments, is there actually an increase in the activity at the site? There is nothing that documents how the checks and balances will be handled.
- The Las Vegas valley agencies are united in their comments on the SWEIS, and they have similar themes. Even though the official time to respond to the SWEIS has passed, we should collect all comments, and submit them with a cover letter from the Advisory Committee, identifying the group key points that were made. The agencies were requested to send them to Barbara in PDF format, by Friday.
- A motion was made and seconded to accept Clark County's comments as the formal response. Further, a cover letter forwarding Advisory Committee comments that includes those from each agency, already submitted, will be sent to DOE.
- The Advisory Committee letter requested that the DOE provide an equal amount of time to provide comments when a preferred alternative is selected, which is expected to occur sometime in the fall of 2012.

5. Member updates:

- The City of Las Vegas invited Chair Irene Navis to speak at their City Council Meeting next week. Bob Halstead will be speaking there for the first time for the state of Nevada, Director of Nuclear Projects Office.
- Clark County is more than happy to speak at any city council meeting.
- Clark County and the Nuclear Waste Division wrapped up comments on the SWEIS. The Clark County Lessons Learned and Best Practices Report is in final stages of preparation. We are in a strange position. We have lost staff members, are on one hand winding down our program, and on the other hand, we are sorta in limbo since the courts have not ruled on what happens next. The final report from the Blue Ribbon Commission (BRC) comes out in January 2012. The report may provide indicators as to what else may happen. We will know if there is direction as a result of the BRC report. Sometime after the first of the year, we will know if Congress gives direction to the NRC and DOE to continue with Yucca Mountain. As the appropriations bill makes its way through Congress, it may include 2012 money for the Affected Units of Local Government.
- The Nuclear Waste Division is reviewing 25 years of documents to ensure that the collection of documents left behind will be a reference for our successors. NWD intends to maintain the Website, and add information as it becomes available. Staff is checking the state's Website daily and forwarding items of interest.

- Nye County is hoping to receive its PETT (Payment Equal to Taxes) funds.
- A Nevada State Highway Plan is waiting Federal Highway Administration's approval. The plan mirrors the transportation improvement plan that the Regional Transportation Commission (RTC) proposed. The RTC plan is incorporated into the state's plan/projects. The Pahrump Board of Commissions has asked NDOT to look at State Route 160 from the northern city limits to US 95 due to the number of accidents on that stretch of the highway. There is a road safety audit planned.
- There will be construction for about 14 months for building a 150 MW solar power field near Boulder City, Nevada. Additionally, another 2200 acres are planned for development of solar power.
- Mesquite's economy is picking up slowly.
- The RTC opened a 30-day comment period for the transportation improvement program 2011-2014. The RTC received an air quality grant, and including a bike share program, and building a \$3.6 M bicycle facility. The RTC is gearing up to work on the regional transportation plan this spring.
- The City of Henderson with the Regional Planning Coalition applied for a Department of Transportation grant, looking at land use, housing, and transportation corridors, and will be receiving \$3.5 M over the next three years.

6. Discuss and define ongoing role for Advisory Committee, its funding shortfalls, NRC review/approval of request to withdraw application, and impacts to oversight:

- Peggy Maze Johnson reported that members of the NRC sent a letter about Chairman Gregory B. Jaczko to Congress. The members are trying to push him out. First of all, Chairman Jaczko knows more about what is happening than as far as the NRC, especially since he is a nuclear physicist, and is far more knowledgeable on nuclear things than some of the members who have minimum nuclear knowledge. He is under scrutiny for his long-time opposition to Yucca Mountain, and for his comments made regarding the nuclear process in Japan. Chairman Jaczko was saying of we are not careful, we will have the same kind of disaster here that Japan had with its nuclear plant, maybe not caused by a tsunami, but something that would have the same consequence. Most of the commissioners are pronuclear, and this is the reason that most of them are trying to force Chairman Jaczko out.
- After five years, the NRC held a hearing on the Braidwood Nuclear Generating Station, Illinois. It was leaking radioactive tritium into people's ponds outside of the nuclear reservation. Also, water containing radionuclides was dumped into the Kankakee River. But, that is OK because the river was dissipating all of the stuff, and it was not bad. Nine of the houses on the banks of the Kankakee River had people who died or were dying of cancer. It was OK, since it was a different type of cancer.
- Peggy asked if the committee would send a letter in support of Chairman Jaczko? It would probably need to go to the County Manager's Office or Board of County Commissioners. Clark County Commissioners have weighed in on things like this before. Perhaps the Nevada Delegation should send the letter.
- The state's Website has a number of articles and opinions by members of Congress and Senate.
- Due to the uncertainty of Yucca Mountain, this committee generally discussed where we are in terms of the ongoing role of the committee. Because of the things that are going on and still pending, this committee should have an ongoing role, and remain active. Once a year the Board of County Commissions reviews the committees and requests the chair or staff to weigh in on the viability of the committee. Hopefully, within the first quarter of 2012, the direction of the Yucca Mountain Project will be known.

7. Discuss meeting calendar: For the time being, keep the quarterly meeting schedule.

8. Next meeting date; Select agenda items:

- The next meeting is tentatively scheduled for February 21, 2012.

9. Public Comment: None

10. Adjournment: At 11:05 a.m., a motion to adjourn was unanimously approved.

Respectfully submitted,

Barbara Blumer,
Administrative Secretary
Nuclear Waste Division



YUCCA MOUNTAIN NUCLEAR WASTE ADVISORY COMMITTEE MEETING

		December 12, 2011			
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SUSAN BRAGER
Chair



Board of County Commissioners

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December 1, 2011

Linda M. Cohn, SWEIS Document Manager
SNSA Nevada Site Office
U.S. Department of Energy
P.O. Box 98518
Las Vegas, Nevada 89193-8518

Dear Ms. Cohn,

Clark County respectfully submits the following comments on the Department of Energy *DRAFT SITE-WIDE ENVIRONMENTAL IMPACT STATEMENT FOR THE CONTINUED OPERATION OF THE DEPARTMENT OF ENERGY/NATIONAL NUCLEAR SECURITY ADMINISTRATION NEVADA NATIONAL SECURITY SITE AND OFF-SITE LOCATIONS IN THE STATE OF NEVADA (JULY 2011 – DOE/EIS-0426D)*, due December 2, 2011.

Clark County has considerable concern with this Site-Wide Environmental Impact Statement (SWEIS) document in the following areas:

- The proposal of an unconstrained transportation throughout Clark County and potential impacts to its residents, visitors, environmental and socio-economic, etc., has not been fully studied or analyzed.
- The cumulative impacts on increasing shipments to the Nevada National Security Site (NNSS) from today's volume to the expanded alternative of 81,000 shipments, including the construction and operation of potential intermodal transfer sites in Clark County have not been fully vetted on impacts to air quality, emergency management, radiological exposures to nearby facilities and residents/workers.

- The lack of description in the transportation component makes it extremely difficult to provide comments on a worst case scenario event when the DOE fails to assess the cumulative impacts from other site activities that are not adequately addressed in this SWEIS.
- The absence of a preferred alternative makes it impossible for Clark County and others to properly evaluate DOE intentions when it comes to activities at the National Nuclear Security Site and impacts that will occur in Clark County.

I thank you for providing Clark County with the opportunity to provide extensive comments on the SWEIS, and we look forward to providing similar comments when the preferred alternative and Final Environmental Impact Statement is released to the public.

Sincerely,



Susan Brager, Chair
Clark County Commissioners

Attachments

CLARK COUNTY COMMENTS FOR THE DEPARTMENT OF ENERGY DRAFT SITE-WIDE ENVIRONMENTAL IMPACT STATEMENT FOR THE CONTINUED OPERATION OF THE DEPARTMENT OF ENERGY/NATIONAL NUCLEAR SECURITY ADMINISTRATION NEVADA NATIONAL SECURITY SITE AND OFF-SITE LOCATIONS IN THE STATE OF NEVADA (JULY 2011 – DOE/EIS-0426D)

The following comments are respectfully submitted on behalf of the citizens of Clark County, Nevada, to the Department of Energy (DOE) National Security Administration Nevada with regard to the Site-Wide Environmental Impact Statement (SWEIS) and Off-Site locations. Clark County departments and agencies have reviewed the SWEIS and intend to focus comments on the generality of the SWEIS, and concerns about impacts to transportation, emergency management and public safety, socioeconomic issues, as well as radiation exposure risk, and impacts to air and water quality. Clark County notes the lack of a preferred alternative provided within the SWEIS, as required under NEPA. In addition, Clark County identified other significant gaps in analysis, including a consideration of cumulative impacts, and a full disclosure of all possible waste streams which could potentially be included in future Nevada National Security Site (NNSS) operations. Clark County suggests that once the final environmental impact statement is issued, the DOE should provide a second public comment period to allow time to review comments, changes, and to analyze the required preferred alternative in detail.

In general, the SWEIS fails to provide an in-depth analyses of the proposed activities and their potential impacts to Clark County. Clark County, at a population of nearly 2 million people, is the largest urban area in Nevada through which shipments would traverse. Major transportation corridors for both rail and truck shipments run through Clark County's nearly 8,000 square miles. The transportation information provided in the SWEIS is so vague that it is currently impossible to conduct an accurate and in depth analysis based on the various proposed transportation scenarios, including a comprehensive analysis of the impacts on emergency management and first responders' needs, and potential social-economic concerns such as employment, tourism and property values. The DOE failed to analyze the impacts of proposed changes to many aspects of these elements such as frequency of shipments, shipment loads, inter-modal transfer sites, route selection, actual types of shipments, security, traffic control and coordination, and emergency preparedness for first responders. In addition, no cost/benefit analysis had been used to actually evaluate any of the proposals such as the intermodal transfers, highway improvement needs, additional equipment and manpower needs for first responders, liability limits to accidents and impact on lost tourism revenue as well as other locally specific losses.

The existing transportation agreement between the Governor of the State of Nevada and the DOE for shipments of Low-Level Radioactive Waste (LLRW) and Mixed Low-Level Radioactive Waste (MLLRW) has been accepted into the waste confidence program and is supported by Clark County. This agreement was recently supported by Nevada's newest governor, Brian Sandoval in a letter dated September 16, 2011, whereby no shipments through southern Nevada to the NNSS were to occur outside of the designated and agreed upon transportation

routes established years prior and currently identified in the DOE's waste acceptance criteria (see Attachment 1).

Clark County does not support the DOE 's proposal for an unconstrained case of shipping radioactive shipments through high density and population corridors such as the I-15 north of Blue Diamond (NV SR 160), both the US 95/93 highways throughout Clark County, and the Clark County 215 beltway. In the DOE unconstrained transportation case, the DOE proposes to include all of these highway systems for shipments to the NNSS. The continuous construction along the major arteries in the Las Vegas valley will continue for decades. Subsequently, the congestion and 'bottle-necks' created, particularly around major commuting periods and accidents, could possibly increase significant delays in shipments and continue to expose citizens to further unnecessary radiological exposures as well as other at risk activities. Recently, severe transportation restrictions have been put in place through the city of Boulder City and immediate surrounding's due to increase truck traffic causing major delays between 8 a.m.-5 p.m. Monday through Saturday. The Regional Transportation Commission (RTC) of Southern Nevada has stated they have major highway improvement projects projected past 10 years on all of these highways. To not understand the impacts associated with on-going highway improvements would adversely impact commuters, residents and the shipments themselves. It would be a huge error and violation of the National Environmental Policy Act (NEPA) for the SWEIS to not address to any extent the impacts or provide solutions.

Nevada SR 160 has been under construction as a result of a population explosion in the area for over eight years. The highway, known locally as the Pahrump Highway, is notorious for extended traffic delays due to accidents, heavy traffic congestion and construction. In addition, there are many problems as a result of weather delays, animals, and accidents in the pass between Pahrump and Blue Diamond. This road narrows and becomes a single lane, speed reduced area creating circumstances of higher risk to travelers and residents in the area. With DOE failing to analyze alternatives, including possible new routes to the NNSS or improvements to existing permitted alternate routes such as CA 127, Clark County would have a very difficult time accepting the increased risk if this route remained the primary transportation route for the NNSS. Until further analysis of the current conditions and land use conflicts along SR 160 are assessed and potential impacts are identified, Clark County requests that the DOE consider increased shipments along CA 127 for LLRW and MLLRW to the NNSS.

No analysis of the population impacts surrounding the one kilometer radius of any of these highways has been conducted by DOE. However, the Clark County Department of Comprehensive Planning recently completed such an analysis (see Attachments 2 and 3). Attachment 2 depicts the potential impact to the population who live along these unconstrained routes. In general, over 550,000 Clark County residents are located within the 1 kilometer radius of each of these highways combined. This does not take into account the thousands of transient workers and up to 250,000 visitors who stay on the world famous Las Vegas Strip and downtown Las Vegas each day. The unevaluated and unidentified impact on this region in the SWEIS document is a major deficiency under NEPA, and further highlights the failure of the

SWEIS to analyze major impacts to specific local conditions, including population density, land use conflicts, and existing conditions and maintenance of transportation and utility corridors.

The proposed intermodal transfer sites for both the areas known locally, and as described in the SWEIS as Arden and Apex, pose significant impacts that the DOE failed to analyze. Similar arguments are made in the unconstrained case. There is no identification of shipment frequencies, impacts to traffic congestion (locally sensitive), size of shipments, types, or restricted travel times due to commuting citizens. Given the significant increase in the number of potential shipments that are projected in the expanded alternative (upwards of 81,000 as stated in the SWEIS), common sense would prevail and show that an evaluation study is certainly needed prior to permitting this significant impact to occur. This study would need to include and not be specifically limited to socioeconomic study, traffic control issues, first responders' needs, security risks, air quality impacts, etc. In any event, the SWEIS mentions a reduction in truck shipments but if the transfers occur in Clark County, then the number of shipments will not be reduced. Subsequently, this is a false statement for local conditions.

The impacts to air quality will not be reduced in Clark County and in particular the Las Vegas valley hydrographic basin known as 212 or a reduction in the carbon footprint of the region because these shipments are no longer considered a through shipment. In fact, it could be anticipated, although not modeled by the DOE or DOD in the SWEIS that an increase in green house gas emissions and subsequent carbon footprint will occur in the Las Vegas valley if an intermodal facility was to be constructed in the hydrographic basin 212. The Clean Air Act is the overriding law designating limitations to various criteria pollutants and the local regulatory agency, the Department of Air Quality and Environmental Management, could be more restrictive in limitations as needed.

The number of trucks and trains that will be idling on a constant basis without any prescribed restrictions provided a significant risk to the citizens of Clark County through degradation in air quality and subsequent breathing disorders. Clark County air quality regulations and National Environmental Protection Standards such as the National Ambient Air Quality Standards and specific criteria pollutants, will be at significant risk for degradation in an area that is under a State Implementation Plans (SIPs) for carbon monoxide management, particulate 10 microns reduction, and ozone. Diesel emissions will also affect particulate matter less than 2.5 microns. Thusly, the SWEIS has failed to analyze the unique air quality impacts on Clark County goals for reduction in green house gas emissions and their various SIPs in Clark County and in particular hydrographic basin 212.

The SWEIS does not provide any direction on the volume of shipments that the NNSS would receive nor does it outline any restrictions that it would not be able to accommodate. Clark County has concern with oversize shipments, packaging requirements, security risks, emergency plans for re-routing needs or halting shipments en-route. The oversize shipments are not defined as to weight or physical shipment size thereby putting highway infrastructure at risk for damaging heavy or oversize loads. Given railway shipments can accept heavier and larger loads than highway, the DOE has not eliminated the possibility of transfer risk at any

intermodal site, including the two proposed within the geographic area of Clark County. Type A packaging has not been evaluated or studied since the early 1970's and could pose a significant risk to transporting materials for disposal. Most, if not all crash studies on these packages have occurred with over highway shipments. The train crash situation is a significant scenario with increase risk to hotter temperatures and longer burning fires, crushing forces from collisions or derailment and other impacts.

Currently, the DOE provides the State of Nevada a number of affected counties with federal Emergency Management Planning Grant funds at a rate of 50 cents per cubic meter of volume of materials shipped. It is unknown what current volumes will be, as the DOE acknowledges funding will be reduced over the next several years. The DOE does not acknowledge this in the SWEIS, and does not address how an increase in shipment volume would be funded. It would be worthwhile for DOE to evaluate this grant funding scheme to ensure that first responder and emergency management agencies in Nevada can adequately prepare for and respond to radiological emergencies.

Significant security risks will exist to an intermodal facility within Clark County. On August 30, 2007, a loaded 30,000 gallon chlorine gas tanker car accidentally 'escaped' out of the Arden yard and travelled over 18 miles through the downtown core of the City of Las Vegas and along the world famous Las Vegas Strip at speeds in excess of 75 mph until it was stopped 21 minutes later in North Las Vegas. Fortunately for the citizens of Clark County, this tanker car did not derail or rupture and no citizens were injured. However, it did expose many critical commodity flow risks while supporting the risks as analyzed by Clark County in the past. As a result of this incident, Clark County cannot support additional activities in the rail yard that will pose additional health risks to residents and visitors with respect to the transfer of hazardous commodities.

Both the groundwater and storm water impacts in Clark County have not been analyzed for local conditions for a worse case scenario. Most storm water in the Las Vegas valley transports tens of miles west to east impacting thousands of residents in many jurisdictions and ultimately primarily flowing into the Las Vegas Wash and finally into Lake Mead—the source of the majority of the drinking water needs for Las Vegas residents and tourists. If an accident were to occur during a severe weather event and radiation were to be dispersed into the storm water, it would practically be impossible to control the discharge and subsequently possibly impacting the drinking water supply. In addition, even if the discharge was controlled, the radiation may penetrate groundwater and thus pose a significant risk to contamination of wells and drinking supply for rural areas or those not connected to local water supply sources. Many areas, including I-15, US 93/95, and NV SR 160 pass through areas subjected to flash flooding posing a significant and real risk to contamination to water.

The DOE is not clear as to what changes in activities actually impact the overall SWEIS and how, if any, does each facet interact with the overall alternative proposed. For example, if the NNS were to receive an increased disposal of LLRW and MLLRW but reduce carbon footprint by changing their source of energy, will this be a net increase/decrease or zero? Are the proposed alternatives independent or dependent on the interaction in the overall SWEIS in

order to determine which alternative is selected? If the decommissioning of buildings in Mercury were to occur, is this an increase in activity or decrease in activity? The DOE has failed to provide the readers of the SWEIS an understanding as to how the alternative will be selected and to what basis is this determination to be founded.

Currently the DOE is attempting to withdraw their application to construct and operate a permanent high-level waste (HLW) and spent nuclear fuel (SNF) repository in an area of the NNSS known as Yucca Mountain. Recently, the Nuclear Regulatory Commission Commissioners affirmed the previous decision of the Construction Authorization Board (CAB), the DOE does not have the authority to withdraw this application and thus it remains. The SWEIS has erroneously stated the Yucca Mountain project is not a part of the NNSS activities because the facility is not being sought after for the nation's permanent repository. Many additional issues arise from this judgment and are listed below.

- 1) Construction of a repository or additional activities in pre-construction is not included in the alternatives provided in the SWEIS.
- 2) The increase of truck shipments to the NNSS is not included in the calculation of alternative impacts (disposal of 70,000 metric tons of HLRW and SNF).
- 3) Supporting activities such as the EIS for the Caliente Railroad has never been withdrawn and remains before the Surface Transportation Board (STB) (STB Finance Docket No. 35106). It would seem logical the applicant DOE, could still utilize this existing filing in support of additional activities supporting the NNSS objectives.
- 4) Additional impacts are ignored such as emergency management and first responder, needs that would also be cumulative in nature.
- 5) Socioeconomic conditions in the alternative scenarios have been neglected and do not consider impacts from other supporting NNSS activities.

Likewise arguments can be made in the recent DOE EIS for Greater-Than-Class-C Radioactive Waste (GTCC) and GTCC-Like Waste that was released in February 2011. The SWEIS fails to evaluate cumulative impacts to the NNSS EIS as well as risks and other impacts to Clark County. SWEIS does not include the additional radiological exposure or risk to those along transportation routes. Their alternatives propose a total of 12,600 truck shipments or about 5,000 rail shipments with the majority disposed of in the first 16 years commencing in 2019. It is inappropriate not to analyze these cumulative impacts along with the alternatives proposed in the SWEIS because there is a chance the GTCC and GTCC-Like waste based on a worst case scenario, the NNSS is to be selected as the only disposal site for this waste as well. The DOE has the responsibility under the NEPA to evaluate and determine worst case scenarios. The SWEIS does not take into consideration five other Environmental Impact Statements which have been completed by the same agency in the same general vicinity.

- 1) DEIS Disposal of Spent Nuclear Fuel and High-Level Radioactive Waste at Yucca Mountain, Nye County, Nevada, (DOE/EIS-0250F-S1D);
- 2) DEIS for a geologic repository for the Disposal of Spent Nuclear Fuel and High-Level radioactive Waste at Yucca Mountain, Nye County, Nevada – Nevada Rail Transportation Corridor (DOE/EIS-0250F-S2D);
- 3) DEIS for a Rail Alignment for the Construction and Operation of a Railroad in Nevada to a geologic repository at yucca Mountain, Nye County, Nevada (DOE/EIS-0369D)
- 4) DEIS for the Disposal of Greater-Than-Class C (GTCC) Low-Level radioactive Waste and GTCC-Like Waste (DOE/EIS-0375-D).
- 5) Global Nuclear Energy Program Programmatic EIS (2008/2009).

Clark County residents have major concerns with all the cumulative activities the DOE has been proposing since 2008 and documented via the submittal of their EIS respectfully. At no time in the SWEIS does the DOE address any of the impacts that may be associated to the issuance of appropriate permits for any of these actions. It is incumbent on the applicant to study and address these cumulative impacts as required under NEPA and other laws.

The DOE has not provided a preferred alternative to the SWEIS and instead has chosen to provide one at some unknown time in the future. Given all of the above mentioned problems with addressing the lack of information within the SWEIS and failure to evaluate multiple cumulative impacts, this provides a severe disadvantage to those who are to provide comments in a timely fashion. It is impossible to provide comments or even make suggestions as to what a preferred alternative should be without knowing:

- 1) The current impacts within each proposed alternative within the SWEIS document.
- 2) What are the impacts and interaction between different activities within the SWEIS, and how will this be used to create an overall change to an alternative, and
- 3) Not including the cumulative impacts on previously submitted proposed activities by DOE as mentioned above in the other environmental impact statements.

The DOE cannot continue to compartmentalize its own activities, stovepipe its decision making, and fail to reveal any preferred alternative. The public cannot be expected to trust that the DOE is taking into consideration all possible alternatives, scenarios, risks, impacts, and benefits to the state, local, and tribal entities affected by its actions. Clark County looks forward to a Final SWEIS which incorporates all of these elements and takes seriously the concerns of the public before moving forward with changes to the current activity level at the NNSS.

- Attachment 1 – Governor Sandoval's letter**
- Attachment 2 – County Demographics map**
- Attachment 3 – City Demographics map**

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SEP 20 2011

Office of the Governor

September 16, 2011

Agency for Nuclear Projects

Hon. Steven Chu, Ph.D
Secretary of Energy
U.S. Department of Energy
1000 Independence Avenue, SW
Washington, DC 20585

Re: Transportation of Low-Level, Mixed Hazardous and Radioactive Waste

Dear Secretary Chu:

In 1999, Nevada Governor Kenny Guinn and Energy Secretary Bill Richardson agreed that shipments of low-level radioactive waste (LLW) and mixed hazardous and radioactive waste (MLLW) being imported to the Nevada Test Site (now known as the Nevada National Security Site -NNSS) for disposal from other U.S. Department of Energy (DOE) facilities would use highway routes that avoid the heavily populated metropolitan Las Vegas area, including the interchange known as the 'Spaghetti Bowl' where Interstate 15 and US 95 meet. (At the time, DOE also agreed to keep LLW and MLLW shipments off Hoover Dam, but that has since become moot because of Homeland Security restrictions that were instituted following 9/11.) This arrangement was part of a larger, albeit informal, agreement whereby Governor Guinn agreed not to challenge the Record of Decision for DOE's Waste Management Programmatic Environmental Impact Statement designating NNSS/NTS as a regional disposal site for LLW and MLLW resulting from clean-up activities at other DOE locations. In exchange, Secretary Richardson agreed to certain "equity considerations" on the part of DOE, a key one of which was the highway routing concession.

To implement the agreement, DOE instituted certain extra-regulatory mechanisms to assure that waste shipments would stay out of metro-Las Vegas and off of Hoover Dam. DOE amended its waste acceptance criteria for NNSS to specifically require that waste slated for disposal at the site must be transported there using only the agreed-upon routes. In addition, DOE increased the fee charged to waste generators for disposing material at NNSS by fifty cents per cubic foot, with the additional monies dedicated a special fund for rural local governments located along shipping routes. Those funds are used by these local governments to create and enhance their emergency preparedness and response capabilities.

Hon. Steven Chu, Ph.D
Secretary of Energy
U.S. Department of Energy
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For over 12 years this arrangement has worked to the mutual benefit of DOE and the state of Nevada. Now, however, it appears that DOE/NNSS, through the vehicle of the site-wide environmental impact statement (EIS) for the test site, is considering abandoning its long-standing agreement. The draft of the EIS that was released for public comment on July 29th contains an "unconstrained" transportation scenario that assumes renewed shipments of waste along through the Las Vegas metro area along I-15, the Las Vegas beltway, the Spaghetti Bowl and the new Hoover Dam bypass bridge.

The rationale for this proposed action appears to be financial. The draft EIS postulates the use of intermodal shipments of waste to NNSS, with the material being transported from DOE's generator sites by rail and then off-loaded onto trucks at locations proximate to Interstate 15 for the last leg of the trip to NNSS. The draft EIS asserts that using I-15 and the Las Vegas beltway through metro Las Vegas is now acceptable because of improvements to the area's highway system that were not in place when the original agreement was made. This is emphatically not the case. Since 1999, the population of the Las Vegas metro area has increased exponentially. While I-15 and the beltway have undergone almost constant reconstruction over the past decade in an effort to mitigate ever-increasing traffic, congestion and gridlock continue to be major problems.

I am deeply concerned that DOE/NNSS appears to be setting the stage for abandoning the extremely successful agreement that has served the interests of both DOE and the State of Nevada exceedingly well for over twelve years. I am asking that you reaffirm DOE's commitment to the routing arrangement for LLW and MLLW shipments originally agreed to by Governor Guinn and Secretary Richardson in 1999. I very much appreciate your attention to this matter.

Sincere regards,



BRIAN SANDOVAL
Governor

Comprehensive Planning
Clark County, Nevada
Population Impact Areas

-  Population Impact Areas
-  Freeways
-  Major Streets
-  Railroads

Total Population Clark County:
2,036,358

One Mile Population Impact:
897,771

Population Data Source: GILIS10 - June 30, 2010

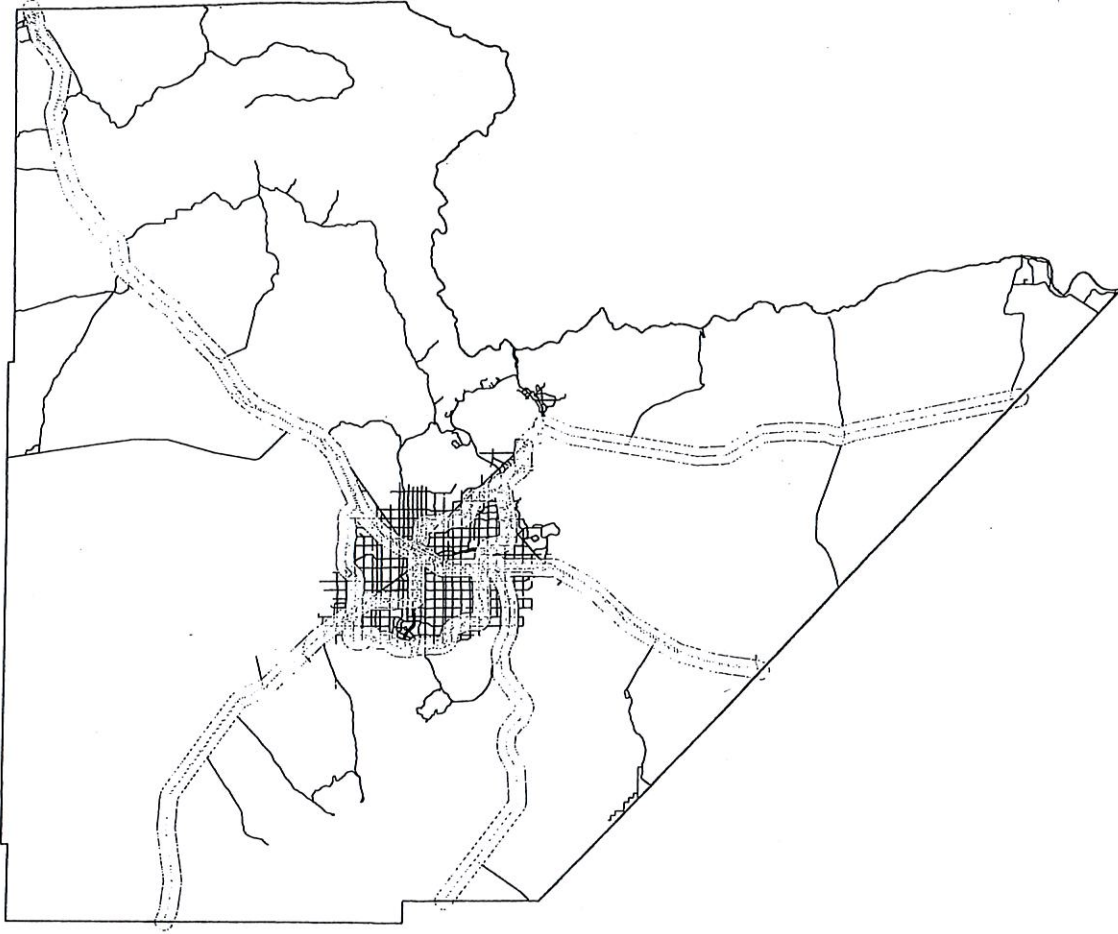


Map created on : November 08, 2011

*This information is for display purposes only.
 No liability is assumed as to the accuracy of the data delineated herein.*








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Comprehensive Planning

**Clark County, Nevada
Population Impact Areas**

-  Population Impact Areas - One Kilometer Radius
-  Population Impact Areas - One Mile Radius
-  Freeways
-  Major Streets
-  Railroads

Total Population*
Clark County, NV: 2,036,358

One Kilometer
Population* Impact: 554,573

One Mile
Population* Impact: 897,771

*Population Data Source: GILIS10 - June 30, 2010

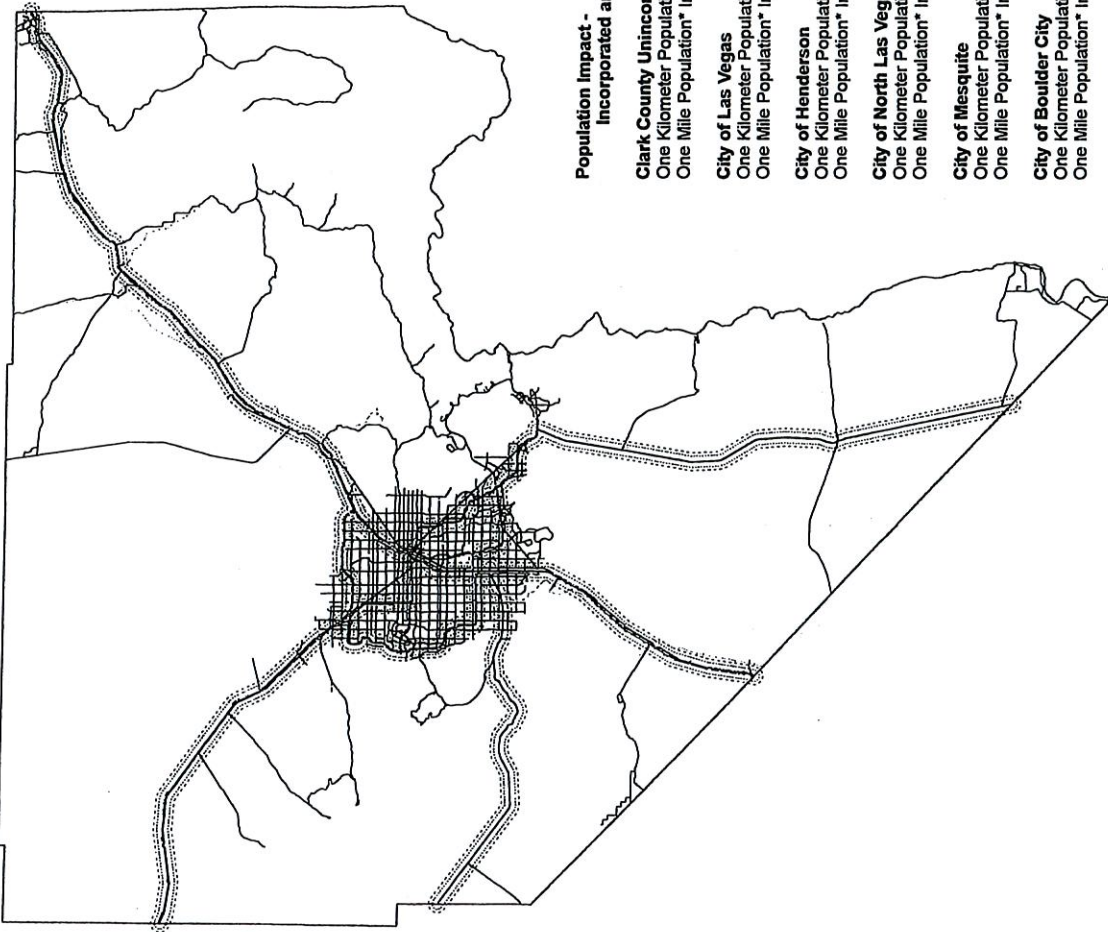


Map created on : November 16, 2011

*This information is for display purposes only.
No liability is assumed as to the accuracy of the data delineated herein.*



Source: \gisdata\mxd\pop_impact\pop_impact_1111\mapseries_1\mapseries_1.aprx



Population Impact - Incorporated and Unincorporated Areas	
Clark County Unincorporated	
One Kilometer Population* Impact:	196,308
One Mile Population* Impact:	348,762
City of Las Vegas	
One Kilometer Population* Impact:	232,642
One Mile Population* Impact:	344,656
City of Henderson	
One Kilometer Population* Impact:	68,210
One Mile Population* Impact:	108,265
City of North Las Vegas	
One Kilometer Population* Impact:	43,498
One Mile Population* Impact:	77,219
City of Mesquite	
One Kilometer Population* Impact:	13,914
One Mile Population* Impact:	18,866
City of Boulder City	
One Kilometer Population* Impact:	None
One Mile Population* Impact:	None

Figure 3