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NEVADA NUCLEAR WASTE TASK FORCE, INCORPORATED

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March 17, 2003

Senator Ray Shaffer, Chairman
Senate Committee on Transportation

Thank you very much for the opportunity to accompany members of your committee on their tour of the Nevada Test Site and Yucca Mountain last month. I enjoyed meeting everyone and I hope that their trip was more informative because of my participation.

I attended the February 28, 2003 meeting of the Senate Committee on Transportation where the Department of Energy (DOE) made presentations to you. I have some comments regarding those presentations and the issue of the possible transport of high-level nuclear waste to a repository in Nevada. I do not believe that such a facility will ever be licensed or constructed but I agree with the position of your Committee that the issue must be thoroughly considered.

It is necessary for me to be in Michigan this week where I am giving interviews and presentations regarding Yucca Mountain and the possibility of a national shipping campaign of high-level nuclear waste through the middle of the country. I am very sorry that I am unable to attend your meeting and I request that this letter be placed in the record of your meeting of March 18, 2003.

The following comments are made on behalf of the Nevada Nuclear Waste Task Force:

1. Discussions regarding emergency response in regard to nuclear waste transport accidents and incidents must consider all aspects of the possible accident scenarios. Most often the "first responder" is one or more motorists or truck drivers. Transport to Yucca Mountain would involve hundreds of miles of both urban and rural highways. In the rural areas it can take long time periods for trained personnel to arrive at an accident scene and during that time, unsuspecting passers-by could experience contamination unknowingly and/or make the accident or incident more serious than situations where the danger of the cargo is easier to detect and understand.
2. Very often the DOE talks about their "intentions, policies or plans" which are **not** regulations. During the presentation to the Senate Transportation Committee, Russ Dyer talked about DOE's "preference" for rail transport of high-level waste, and their "plans and intentions" to avoid bringing current nuclear waste shipments (low-level radioactive waste from defense facilities)

through the middle of Las Vegas. There are not a regulation to this effect. There can be situations where a road is closed either due to accidents, flooding or other causes. The day of the Committee meeting in Las Vegas, Highway 160 was closed due to snow and that is an acceptable, alternative route to avoid metropolitan Las Vegas. The contracts between the DOE and shippers indicate that the shipper will make many or all of the decisions regarding routes and the contractor is paid when the delivery is made at the destination. One has to assume that they would want to take the fastest, legal route, regardless of what that is.

3. Shipments now coming to the Nevada Test Site carrying nuclear materials are done in secrecy because of security and, as DOE's Russ Dyer mentioned, the possibility of terrorism. The Nevada Nuclear Waste Task Force believes that if the DOE has determined that the special materials shipments to the Test Site pose a high risk, a huge national shipping campaign of highly radioactive waste to Yucca Mountain is simply too dangerous. We also are not convinced that secret shipments, with dangers unrecognized by Nevada drivers and passengers are more safe. We believe that the more people know, the better they will be at protecting themselves and the more assistance they can be to emergency response professionals.

4. The Task Force rejects the use of probability analysis that has been used by the DOE regarding risk particularly in the matter of transportation. Nevada has road conditions due to weather, accidents and other phenomenon that are unique because of our mountain ranges, desert and wide temperature and weather variations. We have urban areas with gridlock situations that are on a par with many large congested cities, as well as long stretches of rural roads where there can be very long times between passing vehicles. Nevada has many areas with volunteer fire and emergency crews and it is understood in rural areas that "people take care of and help each other." In order to do that, serious accident situations cannot be ruled out because federal government agencies have calculations showing that such accidents are too unlikely.

Within the last year and a half, since Sept. 11, 2001, the citizens of this country have seen many situations that would have been "screened out" by the DOE because of the low probability of occurrence. People who have been subjected to "breaking news" involving terrorist attacks, anthrax poisoning, snipers and the failure of the space shuttle know that what was previously unknown and unthinkable can happen. The same federal government who establishes and adjusts the level of national alert on the basis of world events cannot convince the citizens of Nevada that any dangerous activity is perfectly safe.

Thank you very much for inviting the Task Force to submit comments on this matter of such importance to Nevada.

Sincerely,



Judy Treichel
Executive Director