



# **NRC NEWS**

**U.S. NUCLEAR REGULATORY COMMISSION**

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## **NRC COMMENTS ON DOE'S DRAFT ENVIRONMENTAL STATEMENT FOR POSSIBLE WASTE REPOSITORY IN NEVADA**

The Nuclear Regulatory Commission staff has submitted formal comments to the Department of Energy on its draft environmental impact statement (EIS) for a possible future high-level radioactive waste repository at Yucca Mountain, Nevada.

DOE is the lead agency for considering the environmental impacts for the repository. Under the Nuclear Waste Policy Act of 1982, the NRC will adopt DOE's EIS "to the extent practicable" as part of NRC's licensing consideration for the repository.

The NRC staff's comments are organized into three categories. The first consists of four comments that the NRC believes should be addressed by DOE in the final EIS to make it complete. The second category consists of four additional comments on issues related to the completeness of the environmental statement, but the NRC considers these comments to be less significant than the first four. The third category consists of five comments offered for DOE's consideration.

In addition, the NRC requests that DOE, in preparing the final EIS, consider relevant technical comments previously submitted by the NRC in reports on specific technical issues, and in comments on DOE's June 1999 Viability Assessment for the repository.

The four NRC staff comments in the first, most significant category point to:

(1) Lack of an integrated and clearly defined proposed action – The draft EIS does not describe and discuss the environmental impacts of a clearly defined proposed action. Instead, it discusses five components and various options within each component, drawing separate conclusions on the environmental impacts for each of these components and options. As a result, it is not clear that DOE has "bounded," or fully identified, all the combined potential environmental impacts that could result from the repository.

The NRC requests that, as DOE prepares the final environmental statement, it prepare an in-depth, integrated analysis of a clearly defined proposed action or, at the least, provide sufficient

information and analysis of the various options to demonstrate that the potential environmental impacts of the repository have been fully considered.

(2) Failure to address fully the cumulative impacts -- The draft EIS does not fully address the environmental impacts of the repository when added to other past, present and reasonably foreseeable future actions relating to groundwater use, land use, and cultural and biological resources. For example, it does not consider the cumulative effect on groundwater of the repository when combined with future growth of local cities and counties and possible creation of a Timbisha Shoshone Tribal Homeland with agricultural water rights; the cumulative effect of the repository on land use when combined with possible land withdrawals by DOE and possible Department of Interior limitations on land use in Ash Meadows; and the cumulative effect of the repository on biological resources, such as the desert tortoise, when combined with activities at the Nevada Test Site and Nellis Air Force Range and growth of local counties.

NRC recommends that DOE augment its analysis of cumulative impacts for resources, ecosystems and human communities in the final EIS.

(3) Not clear whether non-radiological impacts of transportation within Nevada have been fully considered – Because DOE’s draft EIS provides a general discussion of transportation impacts, it is not apparent that non-radiological impacts of transportation within Nevada have been fully identified.

NRC recommends that the final EIS should contain either a complete assessment of a proposed transportation action, or sufficient information and analyses of the various options to show that the impacts have been bounded.

(4) Measures to mitigate impacts not thoroughly discussed – The draft EIS discusses dust suppression measures and strategies to mitigate the impacts of the repository on desert tortoise and occupational health and safety. The NRC recommends that the final EIS also evaluate the need for mitigative strategies for water use, economic, social, cultural, biological, and public health and safety impacts. Moreover, the final EIS should discuss the use of environmental monitoring to assess the effectiveness of mitigative measures.

A copy of the complete NRC comments on DOE’s draft statement will be available from the NRC Public Document Room, 2120 L Street, N.W., Washington, DC 20555, telephone: 202/634-3273. An electronic copy will be available on the NRC web site at <http://www.nrc.gov/NMSS/DWM/eiscomments.htm>.

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