

TO: Rulemakings and Adjudications Staff, Attn: **Andrea Byrd**  
FROM: Lynn Miles  
DATE: 30 June 1999  
RE: **Proposed Rule : Disposal of High-Level Radioactive Wastes in  
a Proposed Geologic Repository at Yucca Mountain, Nevada**

Secretary  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555-0001  
attn. Rulemakings and Adjudications Staff **Andrea Byrd**

DOCKET NUMBER  
PROPOSED RULE **PR 2,19,20 et al.**  
**(64FR8640)**


When it comes to the "permanent" disposal of nuclear waste, we must proceed very cautiously, so that containment is not breached years down the line, long after we have ceased to be around to care for it. This is the legacy that we are leaving our descendants.

I understand that, despite the fact that under the 1992 Energy Policy Act the EPA has legally mandated jurisdiction to set the standards for the proposed Yucca Mountain repository. The NRC proposed ruling would violate this mandate, and would therefore be illegal.

Even without that, there are higher legal hurdles that the NRC/DOE has yet to overcome, before rushing through with this procedure. Yucca Mountain is not even in United States territory! By the Treaty of Ruby Valley of 1863, passed by two-thirds of the Congress and having constitutional force ever since then, United States citizens were permitted the right to pass through the territory of the Shoshone Nation, but nowhere in the treaty have the Shoshones ceded land. The desecration of their sacred mountain must stop forthwith.

Thank you.

Shundahai,

  
Lynn Miles  
8825 East Arcadia Avenue  
San Gabriel, CA 91775  
(626) 287-9737  
lynnmiles@earthlink.net

cc: Kevin Kamps, NIRS  
LA Times  
Las Vegas Journal-Review  
Shundahai Network

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