

**From:** Susan L Alzner <snapping-turtle@juno.com>  
**To:** TWFN\_DO.twf4\_po(CAG)  
**Date:** Tue, Jun 29, 1999 11:42 PM  
**Subject:** Proposed Rule: Disposal of High-Level Radioactive Wastes at Yucca Mountain, NV

DOCKETED  
06-30

1999 JUN 30 11:28

OFFICE OF  
REGULATORY  
ADJUSTMENT

RE: Proposed Rule:  
Disposal of High-Level Radioactive Wastes in a Proposed Geologic Repository at Yucca Mountain, Nevada

Greetings from Susan Alzner and Leigh Lytle. We are the directors of the non-profit organization Earth Challenge. Through endurance events such as long distance bike rides, Earth Challenge generates financial support, raises awareness, and inspires action to serve communities presently working to protect the environment.

We understand that the NRC has recently proposed a Repository Licensing Rule for Yucca Mountain which would weaken radiation protection standards for the public and the environment. We are very aware of the current severe safety shortcomings of the Yucca Mountain Repository, and feel very strongly that the standards for the facility need to be raised, not lowered. Therefore, the NRC's proposed rule should be withdrawn until EPA promulgates standards, at which time NRC can then modify its repository licensing rule to meet the EPA standards, as required by law.

We find the NRC's proposed rule to be unacceptable in view of the following environmental, public health, and legal perspectives:

- \* As according to the Energy Policy Act of 1992, the NRC has no legal authority to usurp EPA's legally mandated jurisdiction to set radiation release, public health, and environmental protection standards for the proposed Yucca Mountain repository.
- \* Water quality must be protected to the fullest extent of the law, which this proposed NRC rule fails to do. Yucca Mountain should have the most stringent of standards, for leakage will only increase over time. Such stringent standards would guard against an unsafe location being licensed for the repository.
- \* Nevadans living near the proposed Yucca Mountain repository need to be more protected from radioactive contamination of their water supply than, say, New Mexicans living near WIPP because, for one reason, Nevadans are also be exposed to radioactivity from two other sources: the Nevada Test Site, and the Beatty "low level" radioactive waste dump. The NRC rule proposes a lesser standard of protection for Yucca Mountain releases than for those of WIPP, and this fact is entirely unacceptable.
- \* This NRC proposed rule does not assure adequate protection for future generations of people who would be exposed to radionuclide releases from the proposed Yucca Mountain repository.
- \* The proposed rule does not limit the thermal energy output of high-level radioactive waste per unit area of the repository emplacement area, which is a critical design and safety shortcoming.

Acknowledged by card

JUN - 9 1999

Template = SECY-067

SECY-02

Yucca Mountain's rock may not be capable of containing such high levels of thermal heat and radioactivity.

- \* A great amount of geologic and climactic change can occur over 10,000 years. Due to the tremendous uncertainty associated with the proposed Yucca Mountain repository, radiation protection standards for the public health and the environment should be more stringent, rather than the less stringent standards NRC puts forth in this proposed rule.

- \* This NRC proposed rule seriously underestimates the potential dangers associated with future, unpredictable human intrusions over the next several centuries or millennia which could breach the proposed repository at Yucca Mountain.

- \* Despite the complexity and decades-long process involved with the Yucca Mountain repository proposal, this NRC rule would weaken or undo the requirement that DOE systematically record its decisions that significantly concern safety, how those decisions were made, and what factors influenced them. Given the grave consequences of radiation leakage from a repository, systematic accountability on scientific and engineering decisions related to safety must be upheld.

With these considerations in mind, we reiterate our strong opinion that the NRC's proposed rule should be withdrawn until EPA promulgates standards, at which time NRC can then modify its repository licensing rule to meet the EPA standards, as required by law.

By withdrawing its proposed rule, the NRC can demonstrate its commitment to the health of our communities.

Thank you for your consideration.

Sincerely,

Susan Alzner and Leigh Lytle  
Directors, Earth Challenge