

STATEMENT OF MAYOR KEVIN PHILLIPS
City of Caliente

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Nuclear Regulatory Commission
Public Meeting
Caliente, Nevada
June 17, 1999

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My name is Kevin Phillips and I am Mayor of the City of Caliente. I am also chairman of the Joint City/County Impact Alleviation Committee which was established pursuant to a memorandum of understanding between the Board of Lincoln County Commissioners and the Caliente City Council. On behalf of Lincoln County and the City of Caliente I would like to thank the staff of the Nuclear Regulatory Commission for travelling to Caliente to help inform our residents about the important role of the Nuclear Regulatory Commission in protecting public health and safety. We also appreciate the opportunity to share our views regarding the NRC proposal to revise the repository licensing guidelines found in 10 CFR Part 60.

At the outset, let me note that since 1984 the Board of Lincoln County Commissioners and the Caliente City Council, through the dedicated efforts of the Joint City/County Impact Alleviation Committee, have sought to understand and minimize the public health risks associated with radioactive waste management activities as they might occur in Nevada. We have also sought to understand and maximize the potential economic and fiscal benefits associated with radioactive waste management activities in Nevada. Since 1984, the Committee has met over 80 times and its volunteer members have contributed in excess of 1,000 hours to understanding the implications of the radioactive waste management system on the residents and visitors to Lincoln County and the City of Caliente. The Committee has overseen the

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completion of over 45 research studies addressing issues ranging from transportation risk assessment to local ethnography. All of this work is now being drawn upon by the County and City as they prepare to become actively involved in the Yucca Mountain site recommendation and licensing process.

Given that Lincoln County and the City of Caliente are crossed by the Union Pacific mainline railroad and given that the Department of Energy has, since the early 1980's, identified the Union Pacific mainline railroad as a likely mode and route for shipment of various forms of radioactive waste into Nevada, Lincoln County, the City of Caliente and their Joint City/County Impact Alleviation Committee have been particularly interested in transportation aspects of the waste management system. Let me observe that Lincoln County and the City of Caliente are concerned that both the Department of Energy (DOE) and the Nuclear Regulatory Commission (NRC) appear to have de-emphasized transportation as an issue in site characterization activities to date. Because transportation may pose the greatest source of exposure risk during the emplacement phase of the waste management system, NRC is **encouraged to further amend its licensing regulations to require that transportation issues such as modal and route choice, cask testing, and enhancement of local emergency first responders and emergency medical services be addressed by the Department of Energy in its application for a license to construct a repository at Yucca Mountain.**

With regard to the proposed revisions to 10 CFR Part 60, Lincoln County and the City of

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Caliente encourage NRC to consider an additional critical group whose exposure is based on atmospheric pathways. Historically, radiation exposure from activities at the Nevada Test Site have resulted from atmospheric pathways. The DOE will not be able to eliminate entirely the possibility that radiation may migrate from the repository through rock fractures. Low-probability tectonic events, human intrusion, or nuclear criticality are all scenarios which are being evaluated by the DOE. Although the likelihood of any of these events is quite low and the potential for measurable release of radiation from these occurrences is very small, the possibility remains and the consequences could be significant.

Lincoln County and the City of Caliente are concerned that the NRC may not seek public input into the formulation of Commission comments to the Draft Environmental Impact Statement (DEIS) for the Yucca Mountain Repository. As a regulatory body, vested with the responsibility for protecting public health and safety, it is imperative that the Commission seek the views of the public they are charged with protecting in formulating any official response to the DEIS. **Lincoln County and the City of Caliente request that the NRC seek public input to assist in formulation of Commission comments on the Draft Environmental Impact Statement for Yucca Mountain.**

Effective risk minimization, one of the cornerstones of the City/County joint repository oversight program, will require mitigation of conditions which may contribute to risk. One of

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these conditions is the extent to which local emergency first responders and emergency medical service providers are prepared to deal with radiation. Lincoln County and the City of Caliente must be assured that local emergency first response and emergency medical services will be enhanced in a manner making the management of exposure risk to radiation fully achievable. The County and City believe that such assurance of mitigation may only be possible as a condition of the licenses the Department of Energy receives to construct and eventually operate a repository at Yucca Mountain. **Lincoln County and the City of Caliente request that NRC include the enhancement of local emergency first response and emergency medical services as a condition of licenses issued to DOE to construct and to operate a repository at Yucca Mountain.**

In closing, let me thank the staff of the Nuclear Regulatory Commission again for travelling to Caliente to meet with us. Our confidence in the Commission's ability to issue licenses to the Department of Energy to construct and operate a repository at Yucca Mountain in a manner which protects public health and safety is largely dependent upon our understanding of the role and functioning of the Commission and its staff. Your presence in Caliente today has been very helpful in establishing our confidence that radioactive wastes can be safely managed.

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