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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

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PACKAGE PERFORMANCE STUDY

PUBLIC MEETING

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TUESDAY,

MARCH 11, 2003

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LAS VEGAS, NEVADA

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The Public Meeting was called to order at

1:46 p.m.

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C-O-N-T-E-N-T-S

Welcome, Kalynda Tilges, Executive Director,

 Shundahai Network 3

Judy Treichel, Nevada Nuclear Waste

 Task Force 7

John Wells, Southern Representative to the

 Western Shoshone National Council 8

Lisa Gue, Public Citizen, Washington, D.C. 9

Bob Halstead, Transportation Expert and

 Consultant, Agency for Nuclear Projects . 13

Open Discussion 21

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P-R-O-C-E-E-D-I-N-G-S

1:46 p.m.

MS. TILGES: I guess we're ready to start. I'd like to thank you all for coming out to this task workshop. The reason -- my name is Kalynda Tilges. I'm the Executive Director of Shundahai Network. And we are putting on this workshop in conjunction with Public Citizen out of Washington, D.C. and the Nevada Nuclear Waste Task Force here in Las Vegas.

The reason we're doing this workshop tonight is that the Nuclear Regulatory Commission is considering doing some changes to the way they test the casks, the transportation casks for high level waste.

They're not really committed to this and I think that's proven in the way that they've done this. They will have an all-day workshop tomorrow from 10:00 a.m. to 5:00 p.m. when most of the public is at work or at school.

And then expect people to make comments on a report that most people probably doesn't even know is out. And, of course, after all of this, they say that they're not -- they don't even necessarily have to take anything that we say into consideration.

However, this is an incredibly important

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1 issue. The fact that they would even capitulate this
2 much to talk about possibly changing some of the
3 testing protocols of the casks is something that we
4 can't afford to let go away.

5 We've been telling the public in Nevada
6 and the rest of the world that the Yucca Mountain
7 Project is not a done deal. However, we understand
8 that to most of the public, it looks like it's a done
9 deal.

10 Now, the Department of Energy comment
11 period is over. We're moving on toward licensing now.
12 So this is when we have to give comments to the
13 Nuclear Regulatory Commission. They're the agency
14 that is in charge of the next part of this whole
15 scheme.

16 We feel that it's very important for them
17 to conduct full-scale testing of the casks. At this
18 point, all they do to -- in order for a cask to be
19 licensed, they get the design, they make a scale model
20 of it, they do a few tests on it. And then they
21 extrapolate by computer modeling as to whether that
22 cask would work well in real life. We don't think
23 that's good enough.

24 To tell us that there is not enough money
25 to test the safety of a real cask loaded with deadly

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1 radioactive waste on a nation's rails and roads is
2 simply not good enough. We're a public that pays high
3 amounts of taxes, that are very dedicated to our
4 country. And we demand more.

5 So we're going to go ahead and get started
6 here pretty soon. I would like to make mention of
7 some of the people that are in audience that I'd like
8 to thank for coming.

9 We have Christie Goodrey from Senator
10 Ensign's office. And she will be presenting a joint
11 statement from Senator Ensign and Senator Reid's
12 office with Dawn Wilson from Senator Harry Reid's
13 office. And we also have Brook Vensost from Jon
14 Porter's office.

15 So we'd like -- and we have various
16 members of the community out here. We have Judy Buoy
17 with Clark County's Public Outreach Program. We have
18 different representatives -- we have Cindy Marsh from
19 the Shoshone Tribe. We have Dr. John Thornback here
20 from the Yuma Tribe. Paul Brown from PLAN. And
21 everyone else who is here, we'd like to thank you for
22 coming.

23 What I'd like to do now -- the way this
24 program is going to run is that first of all we're
25 going to do the presenters. We have three presenters

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1 tonight. Judy Treichel from Nevada Nuclear Waste Task
2 Force will facilitate.

3 When the presenters are done, there will
4 be time for questions and answers. Then what we're
5 going to do is take comments. Tomorrow night after
6 the workshop that the NRC is doing, they are taking
7 public comments. But unless you know what they're
8 presenting and what the issue is, it's going to be
9 hard to make comments on that.

10 We encourage you to go to that meeting
11 tomorrow night. We don't want them to think that we
12 don't care because we do.

13 However, if you can't make it tonight or
14 don't feel like commenting at that event, we have --
15 we're going to be doing a comment period here tonight
16 at the end of the program. And we will be taping it,
17 videotaping it. And the videotape will be presented
18 to the NRC tomorrow night.

19 If you can't stay for the whole
20 presentation or you prefer not to make a comment on
21 videotape, there are comment cards that -- I have a
22 couple of volunteers in the back who have -- if you
23 need to go ahead and write that out.

24 Also, as the program gets started, we're
25 going to pass around a sign-up sheet. If you would

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1 like to make comments on record at the end of the
2 evening, if you would sign up on that list, then we
3 will call you in order. All right? Thank you very
4 much. Judy?

5 MS. TREICHEL: I'm Judy Treichel from the
6 Nevada Nuclear Waste Task Force. I want to again
7 thank all of you for being here. I know that we're in
8 competition with the meetings at the various schools
9 for the slash and burn that is going on in the
10 schools. And so it's hard to compete. And I support
11 both things. I was at a school board meeting last
12 night.

13 But this is a very important issue as
14 well. And we want to make this to serve you so we're
15 having three relatively brief -- right? --
16 presentations and they will hopefully get the kinds of
17 questions either put in your minds or answered for
18 you.

19 So be listening to what you hear and think
20 about what it is that you're wondering about,
21 particularly with nuclear waste transportation.

22 And then we will be happy to have a
23 question and answer session and just discussion. And
24 as Kalynda said, we urge you to sign those yellow
25 cards and put your comments on them or to make the

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1 comment here on the video.

2 So our first presenter tonight is John
3 Wells who is representing the Western Shoshone Nation.

4 MR. WELLS: Good evening. Thank you all
5 for coming. I am John Wells. I'm the Southern
6 Representative to the Western Shoshone National
7 Council. And that is the traditional government of
8 the Western Shoshone Nation.

9 Our major emphasis, beyond the safety
10 issues involved in storing nuclear waste, is that in
11 1863, the United States of America entered into a
12 treaty with the Western Shoshone Nation. It was
13 entirely a treaty of peace and friendship.

14 Nowhere in this treaty did the Western
15 Shoshone Nation cede its land. So our firm stand is
16 that the United States has no right to store nuclear
17 waste at Yucca Mountain, which is well within our
18 territory, nor the right to cross our borders trucking
19 this trash.

20 We have always stood open to negotiate
21 with the United States which has resisted. But making
22 this brief, I will end with what Chief Raymond Yowell
23 has always said, "Show us what United States law the
24 United States used to acquire the Western Shoshone
25 Nation." Thank you.

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1 MS. TREICHEL: Thank you very much. And
2 John will be here to answer any other questions that
3 you've got about the treaty or about the Native
4 America rights on this. The next speaker is Lisa Gue
5 from the organization Public Citizen in Washington,
6 D.C.

7 MS. GUE: Public Citizen is a national
8 public interest organization with members across the
9 country, including in Nevada. And, of course, the
10 nuclear waste transportation issue and the Yucca
11 Mountain problem as a whole are a very important
12 policy issue to us.

13 It's always good -- I always enjoy coming
14 to Nevada where I find such a relatively high level of
15 awareness about the problems of the proposed Yucca
16 Mountain Repository and the problems about nuclear
17 waste transportation.

18 Of course, if this program goes forward,
19 every single Yucca Mountain shipment will pass through
20 Nevada. We're talking about tens of thousands of
21 shipments.

22 The Department of Energy has not yet told
23 us whether they would prefer truck shipments or train
24 shipments. But either way, that is a lot of deadly
25 high level radioactive waste.

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1 In fact, though, Nevada is not alone in
2 having to scrutinize this problem. Yucca Mountain
3 shipments would pass through 44 states on route to
4 Nevada.

5 And across the country, we are working
6 with concerned citizens groups who are raising
7 objections to this ridiculous plan to put public
8 health and safety at risk to further the interests of
9 the nuclear industry.

10 So one of the reasons I wanted to be here
11 today is to thank you all for your work and your
12 vigilance in following the Yucca Mountain issue and in
13 working to stop it. And let you know that you have
14 the support of many national environmental and public
15 interests groups as well as concerned people along
16 transportation routes all across the country.

17 And, of course, I should point out also
18 that Yucca Mountain is not the only proposal on the
19 table for large-scale nuclear waste transportation.

20 Right next door in Utah, an industry
21 consortium known as Private Fuel Storage is attempting
22 to get a license from the same Nuclear Regulatory
23 Commission to transport 44,000 tons of high level
24 waste to Utah. The nuclear industry says that Private
25 Fuel Storage is a bridge to Yucca Mountain. So these

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1 projects are very closely connected.

2 Just yesterday, there was at least a small
3 victory in the Private Fuel Storage case when the
4 Nuclear Regulatory Commission's Licensing Board ruled
5 that there was a credible risk that airplanes,
6 military airplanes flying near the proposed facility
7 could crash onto the nuclear waste casks that are
8 proposed to be stored there.

9 And so that license application is
10 temporarily on hold. That has all kinds of
11 implications for Yucca Mountain. First of all, of
12 course, the Yucca Mountain facility is also very close
13 to a military Air Force Base, Nellis AFB.

14 And these risks have to be considered for
15 the facility itself. Also, the kind of casks that
16 would be used to store nuclear waste above ground in
17 Utah are not dissimilar to the kinds of casks that
18 would be transporting waste through Nevada and through
19 the whole country on route to Yucca Mountain.

20 So I think what the moral of the story of
21 this small victory that happened yesterday is the need
22 to keep the pressure on the federal agencies that are
23 responsible for this project. It was a contention
24 brought by the State of Utah. And the hard work of
25 people like you in Utah to support the Governor's

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1 efforts in that regard that resulted in this ruling
2 yesterday.

3 And that, I guess, is what we're here
4 about today. This is one of the first times that the
5 Nuclear Regulatory Commission has requested comment on
6 anything to do with Yucca Mountain. And we need to
7 loudly and strongly tell them that we need more than
8 just a public relations exercise. That we need real
9 testing of nuclear waste casks.

10 I think that Bob Halstead here is going to
11 speak in a bit more detail about the specific flaws in
12 the current regulations around nuclear waste cask
13 testing. But let me just say at the outset that the
14 Nuclear Regulatory Commission currently does not
15 require physical testing of these casks.

16 The Department of Transportation requires
17 real life crash testing of every passenger vehicle
18 that is allowed to be sold in this country. But the
19 Nuclear Regulatory Commission relies on computer
20 models only for the containers that are carrying one
21 of the most deadly substances known to humankind.

22 So it is also a victory that now the
23 Nuclear Regulatory Commission has acknowledged our
24 concerns with nuclear waste transportation, has
25 acknowledged the need for physical testing of these

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1 casks. But as Bob I think is going to point to you
2 next, the plan that they have put forward has a long
3 way to go before it addresses our concerns.

4 And we hope that you will join us in
5 making comments to the NRC, urging them to strengthen
6 this plan for nuclear waste cask testing.

7 Of course, the best way to protect against
8 the dangers of nuclear waste transportation is to
9 limit the number of shipments that are out there. And
10 we certainly can't lose sight of that.

11 As much as we need to demand stronger
12 regulation around nuclear waste shipping, at the end
13 of the day, that this activity will always entail some
14 risks. And the best way to guard against those risks
15 is to not to make the shipments unless they are
16 absolutely necessary.

17 And I think I'll leave it at that. And
18 I'll be happy to answer your questions later.

19 MS. TREICHEL: Okay, thank you, Lisa. And
20 our final speaker is Bob Halstead who works as a
21 transportation expert and consultant to the Agency for
22 Nuclear Projects here in Nevada.

23 MR. HALSTEAD: Thanks, Judy. Ben, back in
24 the AV Group, could we put the overhead on please?

25 Okay. Could we just center in on the

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1 picture? Okay, the cask really is important here. I
2 just want you to have some visual image of what the
3 shipment casks look like and would look like.

4 The top picture here is a picture of a
5 proposed cask and design for a cask. This design has
6 been approved by the Nuclear Regulatory Commission but
7 it hasn't been built.

8 And that's issue No. 1 in that when you
9 hear DoD and the NRC and the industry talking about
10 these casks, remember that none of the casks that
11 would be used for Yucca Mountain have been built or
12 tested yet. One of the casks that might be used for
13 shipments to Utah has been made, once copy of it.

14 But a lot of this debate that's going on
15 about how the casks are is theoretical because none of
16 them have been constructed yet. The picture at the
17 bottom shows the cask that is in operation. This is
18 the cask that was used to haul the core debris from
19 the Three Mile Island reactor after the reactor melt
20 down incident.

21 This shows an appropriate picture in many
22 ways. And the thing to notice here is that on the
23 ends of the casks, there are these things that look
24 like big dumb bells and those are impact limiters.
25 And that's one of the issues that the NRC has to

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1 decide in planning this test program, whether they
2 will test the casks with or without those impact
3 limiters.

4 Now, I'm going to try to make something
5 that is frankly very technical and very boring short
6 and sweet tonight. And then we'll answer questions
7 about it.

8 For the last ten years, the State of
9 Nevada has had an official position in favor of full-
10 scale testing of each of the casks designs that could
11 be used for Yucca Mountain shipments. And ideally, we
12 would want those tests to be done before the cask gets
13 its license from the NRC.

14 A second way to require that testing,
15 because there were some complications with using a
16 regulatory process in this way, would be to say, okay,
17 you can't get that into regulations. Then we put a
18 restriction on DoE that when they go out and procure
19 these casks with contracts, they make the people who
20 supply the casks demonstrate to them that a full-scale
21 cask will actually meet the standards.

22 Now, the standards -- and this is the
23 slide that was usually used in industry presentations
24 but it actually suits our purposes as well.

25 The standards in the regulations say that

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1 a shipping cask has to survive a nine meter or 30-foot
2 drop on an unyielding surface. That's about a 30 mile
3 per hour impact. But it's a very rigid surface so it
4 is equivalent to about a 50 to 60 mile per hour impact
5 with a bridge support column or a lot of blacktop or
6 something that the trucks or trains really run into in
7 the real world.

8 Then after that test, the cask has to be
9 dropped 40 inches onto a 6-inch wide, 8-inch spike to
10 simulate what would happen in a puncture say like with
11 a piece of broken rail in a rail accident.

12 Then the cask is supposed to be subjected
13 to an engulfing fire which means the fire surrounds
14 the cask. And it's a pretty hot fire, about 1,500
15 degrees Fahrenheit or 800 degrees C for half an hour.

16 And then finally the cask is supposed to
17 be put under a meter of water to see if it leaks or
18 not.

19 Then there's another test that they don't
20 usually talk about that requires the package be put
21 under 200 meters of water or the equivalent pressure.

22 Now what's wrong with these tests? Well,
23 what's right with these tests is that they don't
24 simulate a worst case accident but they do represent
25 a pretty dang severe accident. What's wrong with

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1 these standards is none of the casks that are
2 currently in use have actually been tested to see if
3 they meet these standards.

4 In fact, it may surprise you that none of
5 the casks currently in use have even been tested in a
6 half-scale model to see if they meet these tests. One
7 has been done at half-scale and of the 16 casks that
8 are currently licensed, only two others have been
9 tested with quarter and third scales.

10 So for starters, we've got a disconnect
11 where the system allows the people that want to sell
12 these casks, and they are pretty expensive items,
13 about three million dollars for a truck cask and about
14 three to five million dollars for a rail cask, without
15 actually demonstrating even with scale model tests,
16 that the casks could survive these accident
17 conditions.

18 Issue No. 1, State of Nevada believes all
19 the casks should actually be subjected to these tests.
20 That means the people that want to sell these casks
21 have to build one full scale and show that it passes
22 these tests.

23 Now the second thing we would want to find
24 out is whether these standards are rigorous enough.
25 In particular, we're concerned that that fire standard

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1 is not hot enough and not long enough. We know that
2 there are a number of petroleum fuels and solvents
3 that travel in tankers. They can burn at much higher
4 temperatures, maybe temperatures 50 percent greater
5 than what are represented in the tests.

6 Now we know that these fires can run a lot
7 longer. One example is the Baltimore Rail Tunnel fire
8 in July of 2001 which burned about 20 percent hotter
9 than the regulatory fire. And there is a big debate
10 going on over exactly how long it burned.

11 But we know that it burned at least three
12 hours, probably seven hours and maybe for twelve hours
13 at these high temperatures. So the second thing that
14 the state wants is tests that will actually find out
15 where the failure thresholds of these casks are so we
16 can come back and look at these standards and see if
17 the standards are good.

18 Now in a word, what is the NRC proposing?
19 The NRC is not proposing to subject any casks to the
20 tests that their regulations say represent real-world
21 accidents. They're talking about demonstration
22 testing, picking one truck cask and one rail cask and
23 cooking up some combination of an impact test to
24 replicate a high-speed accident of some speed. And
25 they're talking about speeds ranging in the 60 to 90

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1 mile per hour range.

2 But they want to do the tests with those
3 big impact limiters on there, which, of course, are
4 not required in the regulations to do the tests.

5 The secondly, they're talking about doing
6 some fire tests, probably an hour instead of 30
7 minutes but looking at the same temperature. The
8 bottom line is that the NRC's tests are designed not
9 to find out where the failure thresholds are but to
10 avoid reaching the failure thresholds, in my opinion,
11 so they can continue the illusion that these casks are
12 invincible.

13 Now I will say this for the NRC, they have
14 a document describing these tests and then they have
15 said repeatedly that they are not bound by the
16 restrictions in that document.

17 That they are willing to listen to the
18 public. They're willing to listen to the State of
19 Nevada. They're willing to listen to the State of
20 Utah, to the representatives of Indian Nations, and
21 anybody that comes to the meeting and gives them a
22 coherent reason to change their plan.

23 That's what we're asking you to consider
24 doing. Either giving a deposition tonight on tape
25 that says, "Here's what we think the tests should be

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1 like." Or coming to the meeting tomorrow or coming to
2 the meeting on Thursday night at Pahrump. Or sending
3 in written comments by May 30th.

4 I'm here to ask you to support the
5 position that the state has taken. But that is not
6 the only position that is worth propounding if you
7 have strong feelings about it.

8 So I'd like to conclude by saying that
9 this is an opportunity to help straighten out the NRC
10 before they waste 15 to 30 million dollars. That's
11 our estimate of the cost of the tests without
12 demonstrating that the casks are safe and without
13 demonstrating that they know the failure thresholds.

14 The State of Nevada has a proposal that is
15 more expensive. I believe it would cost 60 to 70
16 million dollars to do a really good comprehensive cask
17 testing program.

18 But let me leave you with this thought.
19 As expensive as that sounds, and I know we're talking
20 about a time of budget cuts for everything that we all
21 consider dear and essential.

22 The money to pay for these tests comes
23 from the people who use nuclear electricity. It's
24 like paying to put scrubber on a coal-fired power
25 plant. It's the cost of doing this in the most

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1 environmentally acceptable way.

2 And we think that the total cost of
3 transportation -- the whole project we know is going
4 to cost over 60 billion dollars. It looks like the
5 transportation part of that program will cost about
6 nine billion dollars.

7 So we're talking about spending less than
8 one percent of the transportation program budget to
9 make sure that these casks are safe.

10 Secondly, even DoE admits that it could
11 cost ten billion dollars to clean up after a worst-
12 case accident. So we think spending somewhere in the
13 neighborhood of 60 to 70 million dollars to avoid
14 having to do that clean up is a really good example of
15 how an ounce of prevention is worth a lot of cure.

16 Thank you very much.

17 MS. TREICHEL: Thank you. As you can see,
18 this issue is a broad one. One of the things that
19 we've fought with the Department of Energy and Nuclear
20 Regulatory Commission for years about is they set the
21 scope. They tell you what narrow bounds you can think
22 about a particular issue in.

23 And we've always taken exception to that.
24 We don't believe that people should be pushed into
25 having to only have a particular discussion. Just

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1 from the speakers here, you've seen how wide the whole
2 area is.

3 When John was talking about the issues as
4 they are seen by the Western Shoshone Nation, they
5 don't want the stuff coming through here at all
6 regardless of tests. And I think that's a point that
7 needs to be made.

8 And I think it's very, very important when
9 Bob was talking about things that need to happen with
10 those tests, there are nuclear power plants and there
11 are going to be times when that waste has to be moved
12 for safety for the people who live around it. So you
13 probably do have to have a way of moving this stuff in
14 a way that's not going to make a bad problem even
15 worse.

16 But we would like to be able to consider
17 this entire thing. When you make comments, we're
18 going to take all those comments in whether they fit
19 within this tiny scope or not. There will be a time
20 when they're going to fit and when they're going to be
21 exactly what's being discussed. But we think that
22 they should keep coming up over and over.

23 So while you're getting ready to come up
24 with some questions, I wanted to start off by just
25 asking John one. You didn't talk about exactly where

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1 the Shoshone area is. And are you familiar with the
2 common route -- the route where the rail would come --
3 possibly the northern rail route?

4 MR. WELLS: One of the routes posed comes
5 through Monitor Valley. It's a campground. Just to
6 feel like we're being singled out, you know, Monitor
7 Valley is where we have our Fall Gathering. Our
8 Spring Gathering is on the west side of Yucca
9 Mountain.

10 But for those of you who have ever been
11 there or have the opportunity, I think a ride through
12 Marta Valley would be a pleasure. It is as unspoiled
13 an area as you can find in this part of the world.
14 There is one road, a dirt road that goes straight up
15 to it. And two ranches. And the rest of it is just
16 a beautiful place to be. To run a railroad through
17 Marta Valley would be a travesty.

18 MS. TREICHEL: Okay. Have we got any
19 questions out here? Yes?

20 AUDIENCE MEMBER: I have a question.

21 MS. TREICHEL: Yes? If you can project
22 it.

23 AUDIENCE MEMBER: I can project. These
24 casks that they are doing, are they reusable casks?
25 Are they going to unload the cask when they get to the

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1 mountain and then reuse them again? I mean we just
2 had a space shuttle that was supposed to be reusable
3 and it blew up on us.

4 MR. HALSTEAD: That's a really good
5 question that the Department of Energy can't answer
6 because they've left all the major decisions about
7 their transportation system open. I think lately so
8 that they don't have to answer questions about it.

9 But in the past, they've specified that
10 there are a number of different types of casks that
11 they might use. So they are actually talking about
12 using several different types of casks, some of what
13 are called transportation only casks.

14 And those are loaded up at a reactor and
15 taken to some receiving facility. And then because
16 the fuel is highly radioactive, they either have to be
17 put underwater in a deep, water-filled basin. Then
18 they have to be taken into a hot cell and unloaded by
19 robotic controls because the intense radiation would
20 kill any workers who were in direct contact.

21 So a transport only cask that would go and
22 pick up a load of this stuff, take it somewhere,
23 unload it, decontaminate it, go back and get another
24 load is one way that the system might work.

25 A second type of cask that's been talked

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1 about is called a multi-purpose canister where the
2 fuel of the reactor is sealed basically in a big
3 sealed can.

4 And then that can is, of course, still
5 radioactive because it doesn't have shielding on it.
6 So that can is put inside the cask. And then the cask
7 would be taken somewhere, again like a hot cell or a
8 pool and unloaded.

9 It's still highly radioactive but that
10 inner layer of protection is something that makes that
11 cask inherently safely. It's one of the reasons the
12 State of Nevada actually approached that -- we
13 endorsed that approach about five years ago.

14 And then ironically, one of the industry
15 lobbyists went to Congress and said that there
16 shouldn't be a system like that that would compete
17 with the casks his company was making. So they
18 actually prohibited DoE from developing that.

19 That's the only good idea DoE had about
20 transportation in ten years. And someone in the
21 industry went to Congress and took it away from us.
22 So that's called the multiple canister approach.

23 Now some private companies are trying to
24 develop that design. That could work.

25 Then another approach, again, that the

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1 State of Nevada has endorsed and some other people are
2 developing is called a dual purpose or transportable
3 storage cask where the fuel could be loaded at a
4 reactor and then it could be stored safely on site.

5 Now, of course, we have some additional
6 concerns about terrorist attacks so there are some
7 reasons that you have to strengthen those at reactor
8 storage facilities. Then when it's time to ship it
9 off site, that cask could be used for transportation.

10 And then if you took it to a repository or
11 a storage facility, it could be safely, again, put
12 behind some cement walls or inside a larger building
13 to protect it from attack by intruders. And that's a
14 good approach called the dual purpose cask.

15 Either of those last two, dual purpose or
16 multiple canister make a lot of sense. And they are
17 concepts that Nevada has endorsed. But the Department
18 of Energy has really not made any final decisions.

19 And one of the sad things that has
20 happened then is people in the industry have started
21 coming up with what may end up in the end being as
22 many as 10 or 15 different designs.

23 So then you've got all this confusion out
24 there on the part of the first responders responding
25 to an accident what exactly kind of cask is this we're

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1 responding to? So the basic decision hasn't been
2 made. And any of those three different types could be
3 used.

4 And it's a sad thing to stand here and
5 have to tell you that the Department of Energy has
6 really not done their job of putting a sensible plan
7 -- now we would be attacking their plan. Okay?

8 But I would be the first person to tell
9 you I'd rather be here having honest debate with DoE
10 about a plan that made sense than having to sit here
11 and tell you we don't know what they're proposing.

12 So I can't answer a very simple,
13 straightforward question in a way that I would like
14 to.

15 MS. TREICHEL: Let me add, when Bob says
16 the state has endorsed something, it doesn't mean that
17 includes Yucca Mountain with it. It means this may be
18 something that makes sense if you ever have to
19 transport this.

20 MR. HALSTEAD: Ten seconds, yes. But the
21 state is absolutely opposed to Yucca Mountain. But
22 because there's some chance, and frankly I think it's
23 less than a 50-50 chance because of the litigation
24 issue. But suppose we got stuck with Yucca Mountain.
25 If we let these people design a system that could

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1 injure us, you can be sure they'll find a way to
2 injure us.

3 We have participated in every possible
4 forum to force them to protect us. And frankly, to
5 protect the 100 million people who will live in the
6 600 to 700 counties along the shipping routes and the
7 6 to 12 million people who will live within one-half
8 mile of a shipping route. Someone better speak for
9 their safety.

10 And strangely, many of their
11 representatives in Congress didn't stand up for their
12 own people in their own districts when they were wooed
13 by the nuclear industry that said, "This stuff is
14 dangerous. Better get it out of your state and send
15 it to Nevada."

16 And a lot of the transportation safety
17 questions -- so we're against Yucca Mountain but we're
18 in favor of transportation safety.

19 MS. GUE: One of the other things your
20 question raised to me and actually really related to
21 what Bob was just saying is the fact that the Nuclear
22 Regulatory Commission is single-mindedly focused on
23 risk. And to the NRC, risk is a factor or is a
24 function of probability times consequence.

25 So I think we can all imagine that the

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1 consequences of a very severe transportation accident
2 or, God forbid, an attack on one of these shipments,
3 could be catastrophic. But the Department of Energy
4 and the Nuclear Regulatory Commission have convinced
5 themselves and they want to convince us, too, that the
6 probability of that kind of accident is so low that
7 you don't have to worry about it.

8 In fact, one of the factors that played
9 into the Congressional debate around Yucca Mountain
10 last year was, you know, essentially what amounted to
11 a lie that the nuclear industry and the Department of
12 Energy pushed saying this vote is only about Yucca
13 Mountain in Nevada. It has nothing to do with
14 transportation.

15 And the reason that this new comment
16 period at the NRC is so important is that this is
17 really the first time that transportation has been on
18 the table.

19 And so that's why it is so important for
20 all of us to get on the record and make sure that the
21 Nuclear Regulatory Commission knows that we see the
22 obvious connections between the Yucca Mountain issue
23 and transportation. And that the very severe
24 consequences of a potential accident still make it
25 dangerous even though you hope that accident is

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1 unlikely.

2 And the reason I started thinking about
3 this in response to your question is that you brought
4 up the Columbia space shuttle accident. That space
5 shuttle had made several successful flights before
6 hand.

7 And so according to the kind of risk
8 analysis that the Nuclear Regulatory Commission
9 employs, that was a very safe flight and yet would
10 have no reason to expect an accident. And, of course,
11 as everybody knows, and as that very sad disaster
12 makes clear, unexpected accidents do happen.

13 And that's why it's important to force the
14 Nuclear Regulatory Commission to take a count of the
15 risks that transportation poses. And that will
16 ultimately strengthen the case against Yucca Mountain
17 as well as providing for a better plan for nuclear
18 waste transportation to the extent that it has to
19 happen.

20 MS. TREICHEL: Yes?

21 AUDIENCE MEMBER: On the sheet that you
22 had on the overhead, it lists the weight of these
23 vehicles. Do you have any rough estimates of
24 dimension?

25 MR. HALSTEAD: Oh, golly.

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1 AUDIENCE MEMBER: And I'm thinking about,
2 you know, like I-15 and how wide highways are.

3 MR. HALSTEAD: For what are called the
4 legal weight casks, the dimensions are not that big a
5 safety issue because they are smaller than tractor
6 trailer rigs.

7 A truly bizarre aspect of DoE's plan, that
8 isn't a plan now that they say that they don't have a
9 plan out there, but we thought they had a plan when
10 they filed an environmental impact statement, they
11 actually proposed putting these large rail casks on
12 big truck rigs. And they haven't completely abandoned
13 this yet because I know I talked to some of the people
14 about it two weeks ago.

15 Essentially, you have to put 16 axles
16 under a 130- to 150-ton load hauled on public
17 highways. And that means you have to have a diesel
18 tractor in back pushing and one for pulling. And the
19 whole rig is 70 meters or about 210 feet long. So
20 it's like two-thirds of a football field long.

21 And they've actually proposed putting
22 these rigs not only on rural highways where they don't
23 fit, but they've actually proposed using them on the
24 Las Vegas beltway. So there is a concern about size
25 and dimensions with some of the more bizarre proposals

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1 that they have.

2 I think we probably can prevent that from
3 ever happening. But I find it strange that they would
4 even propose something that is so patently absurd.
5 But if you look at their -- you know, the other
6 document, the other thing that is absurd about this is
7 the possibility of shipping by barge.

8 You know, there are 24 reactor sites that
9 can't ship by rail. And they've proposed barge
10 shipments on the Hudson River, over the Lincoln
11 Tunnel, barge shipments on Lake Michigan, barge
12 shipments on the Mississippi River. So there are many
13 strange things that they have proposed.

14 MS. TREICHEL: Well, at least they never
15 proposed putting in a barge to Yucca Mountain.

16 MR. HALSTEAD: Well, we've got a canal.

17 MS. TREICHEL: Yes?

18 MS. TILGES: I'd just like to say
19 something really quick. The papers that you were
20 handed out are talking points that we put together
21 about the whole NRC thing.

22 But I was just pointed out where it says
23 the WIPP Experience, for people who don't know, that's
24 the Waste Isolation Pilot Plant in New Mexico where
25 the transuranic waste, long-lived plutonium waste

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1 that's on gloves, booties, different kinds of
2 equipment that's used in weapons building, that's
3 where that waste goes.

4 These people live with radioactive
5 plutonium shipments every day. And they sent this to
6 us specifically to let you all know how the NRC does
7 not act in good faith.

8 MS. TREICHEL: Yes?

9 AUDIENCE MEMBER: I'd like to say given
10 the NRC's track record and DoE's track record, how can
11 we realistically expect them to give any weight at all
12 to our opinion's tonight, number one. And number two,
13 since they probably won't, will there be avenues of
14 litigation open in terms of the transportation issue
15 as well?

16 MS. TREICHEL: Well, right now, there are
17 suits filed by the State of Nevada and filed against
18 the entire project. And I think the suit that
19 probably fits this most is the one that's filed
20 against the Environmental Impact Statement that was
21 filed. It's incomplete and it's inaccurate.

22 And that Environmental Impact Statement
23 should have done a complete job of evaluating the
24 risks to people and the environment from the place
25 where the waste is generated all the way to Yucca

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1 Mountain.

2 But they just put in possibilities.
3 There's a possibility these roads could be used. It's
4 possible it could come this way. It's possible it
5 would be on this mode of transportation. And so
6 that's one of the reason for the lawsuits. I'm not
7 sure if there are others.

8 MR.. HALSTEAD: It's important to build a
9 record. The NRC is showing some willingness to
10 respond to public pressure. My first involvement with
11 full-scale testing was on St. Patrick's Day in 1978
12 with I passed on an invitation to drink green beer
13 because my boss had said, "Would you review this
14 document about transportation safety?"

15 It's taken now 25 years to hold a public
16 meeting where they ask people to come and talk about
17 full-scale testing. And I think that's because the
18 furor over Yucca Mountain came up nationally last
19 year.

20 However, that doesn't mean they'll listen
21 to it. But the Congressional delegation, all of them
22 are paying close attention to this. We know they've
23 shown some interest in this specific proceeding. And
24 we've been told that they'll be interested in possibly
25 following up with legislation to require cask testing

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1 if the NRC doesn't properly amend its proposal.

2 But the important thing is to build a
3 record so if the NRC doesn't do this, we can take it
4 to Congress or we can take it to court showing these
5 issues. If just five people come to that meeting
6 tomorrow and make a statement, that's very powerful.

7 If just five people come to the meeting in
8 Pahrump and make a statement on the record for full-
9 scale testing. Or in staying tonight, that would be
10 really good because then it's on videotape already if
11 for some reason you can't make it tomorrow or Thursday
12 night.

13 But I'm no Pollyanna, I don't think the
14 NRC has, you know, changed over night. But this is
15 all we can do to put pressure on them.

16 MS. GUE: Yes, and I think, I mean your
17 question is well -- your point is well taken as well.
18 The NRC actually has a dismal record when it comes to
19 regulating in the public interest. With Yucca
20 Mountain, we're right now more familiar with the
21 Department of Energy's dismal record. But sadly, the
22 NRC is not much of an improvement.

23 There was a recent survey that their
24 Office of Inspector General had done that found that,
25 you know, only a bit more than half of NRC's own staff

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1 feels that the Agency is regulating in the public
2 interest. That's concerning.

3 And time and time again, you see trade
4 offs that have prioritized nuclear industry profits
5 over public health and safety.

6 But Bob and I were at a meeting on this
7 same package performance study in Washington last week
8 and this is one of the big issues that was asked.
9 When the NRC says it's open to comments, how open is
10 it really to comment? And I would encourage all of
11 you to ask that same question into the microphone
12 later on. And get that concern on tape.

13 And I think we owe you actually a bit more
14 of a word about the process here. Because what has
15 happened is that the Department of Energy -- oh, sorry
16 -- the Nuclear Regulatory Commission has put forward
17 a draft plan for testing. And they're now inviting
18 public comment on that draft.

19 So like Bob said, it's really important
20 that we overwhelm them with comments really. Yes,
21 there are copies of the draft out at the table. The
22 proof of the pudding will be when we see back their
23 final protocol.

24 And we'll know at that point how much our
25 -- what they've done with our comments. But certainly

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1 if we don't make the comments, they won't do anything.

2 And in my personal opinion, a little bit
3 of what is going on here is, you know, the NRC is
4 putting this issue out there. And, you know, they
5 want to see how much they can get away with. And so
6 we definitely need to push back on that. And let them
7 know.

8 MS. TREICHEL: Yes?

9 AUDIENCE MEMBER: Yes, I'd like to -- the
10 thing that bothers me is this dependence on computer
11 modeling. This, to me, is absolutely disastrous for
12 the safety for all citizens in the United States
13 because we just had computer modeling tell NASA that
14 there would be no accident if that foam hit that
15 leading edge. We know better now.

16 Computer modeling is only as good as the
17 parameters you put into it. And if you don't get the
18 right parameters in there, you are dead in the water.

19 Now, I don't know whether they had
20 computer modeling in Hanford, Washington when they
21 prepared those casks to bury them there, which has
22 consistently leaked over the many years to become a
23 terrible hazardous waste problem.

24 Or in Fernault, in Ohio, where they leaked
25 and a whole mobile home park became very ill and had

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1 cancer. If that's the kind of computer modeling that
2 they're going to do here, we don't want it. We can't
3 have it.

4 And this design problem that Bob has said
5 worries me that no one has set up specs and said,
6 "You've got to do it this way." And Bob, you didn't
7 speak to the radioactive casks themselves on the
8 highway. Are those casks going to be radioactive as
9 they travel down the road? Or is there adequate
10 shielding of lead especially on those casks? And how
11 thick does that shielding have to be?

12 MR. HALSTEAD: Well, your first point
13 about computer modeling is very good. Computer
14 modeling is very useful A, if the models themselves
15 are really rigorous, and B, if you actually test the
16 results of the models to see whether they accurately
17 predict the real world.

18 Now to their credit, one of the things
19 that the NRC wants to do in this program is to
20 increase the models.

21 If I had time to explain to you. After 25
22 years of refusing to do full-scale testing, they are
23 now proposing some test protocols that are so
24 complicated that I am frankly not sure they can be
25 done.

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1 I mean for example, they want to see if
2 they can predict what happens in a combination of a
3 high speed impact and a fire. So they want to install
4 thermocouples that will measure the temperature inside
5 the cask in the fire before they slam the cask into an
6 unyielding surface.

7 I said, "Wait. You need to think about
8 the fact that there are wires that have to be attached
9 to the thermocouples that have to perform."

10 And one of the issues we'll raise tomorrow
11 is whether their very complicated tests will even
12 provide data that they need to go back to their
13 computer models.

14 Your concern about the radiation is a very
15 important one. Even after spent fuel has been cooled
16 for 50 years, it's still very dangerous. As a rule of
17 thumb, the very best thing to do would be to cool the
18 waste at the power plants a minimum of 40 to 50 years.

19 And that lets about 95 percent of the
20 fission problems with the worst bad actors that
21 produce gamma radiation, in particular, have gone
22 through their half-life in the K cycle.

23 On the other hand, the casks are designed
24 to allow some routine radiation because if you had a
25 zero emission rate on the cask, you couldn't

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1 economically move the waste. So if I'm about this far
2 from the wall of the cask, the regulation allows a 10
3 mg. per hour dose at 2 liters. And that's equivalent
4 to a whole body x-ray. It's equivalent to some other
5 types of exposures.

6 It's about one-thirtieth of what you
7 receive, you know, from natural radiation in a whole
8 course of a year. In general, it shouldn't be a big
9 deal because you shouldn't be near that cask.

10 AUDIENCE MEMBER: What about to drive?

11 MR. HALSTEAD: However, there will be some
12 situations where the casks go on the road where if you
13 drove next to the cask for an hour, you would receive
14 a non-trivial, that is to say we don't know for sure
15 that it would cause an adverse health affect but we
16 can't say with certainty that it won't cause some
17 adverse health effects.

18 So one of the things they have to do is
19 prevent exposure when the casks are moving. Then
20 suppose you have a gridlock wall facing you.

21 Well, you know, it's conceivable that
22 shipments could go through the Spaghetti Bowl but it's
23 also conceivable even if they use the Beltway, that by
24 the time they do that, we'll have traffic jams on the
25 Beltway that are equivalent to what we've got now

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1 because that's the way highways work. You know, you
2 build them large scale.

3 So if you're stuck in traffic next to one
4 of these things for three or four hours, which is
5 conceivable, or for one or two hours, then you get
6 that dose.

7 There are also some places along routes in
8 Nevada that might be used for hundreds of thousands of
9 shipments. For example, the new track in Goldfield on
10 U.S. 95, now there are people who live within 20 feet
11 of the roadside. And any place where that cask stops,
12 you have a radiation dose.

13 Now, the DoE guys calculate this and say,
14 "Well, the casks will never stop so the dose won't be
15 significant." If the cask only stops for 30 to 90
16 seconds each trip through, like where there is a
17 crosswalk in the school crossing zone in Goldfield or
18 you've got the situation in Beatty, then all of a
19 sudden, you have exposures that are equal to ten
20 percent of what you receive naturally from that plan.

21 And particularly, if you are a pregnant
22 woman or if you are a person who is sensitive, your
23 doctor would never want you to have any additional
24 radiation, but certainly not measurable amounts.

25 Now I don't want to overestimate this. I

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1 personally think the routine radiation exposures are
2 a much bigger deal for the workers, the people who
3 drive the trucks, the people who load and unload, and
4 our state safety inspectors who have to go out and do
5 a mechanical safety inspection at a port of entry to
6 make sure that the leaf springs on a truck are okay.

7 And the radiation there is such an extreme
8 problem that even the DoE admits that they have to put
9 an administrative control, probably a radiation badge
10 plus a time calculation to make sure that none of the
11 workers receive more than two rem per year. That's
12 about six times what you get naturally.

13 So I don't mean to diminish your concern
14 about the general public. There are some
15 circumstances where the routine radiation is a
16 concern.

17 But ironically, it's our fellow citizens
18 who would work in transportation, in safety
19 inspections, in handling who will receive quite
20 substantial radiation doses. And DoE admits that the
21 only way to control that is to let them burn
22 themselves out.

23 So, for example, a truck driver will get
24 doses from being in the cab and refueling the truck
25 that are such that they probably can only drive these

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1 trucks about 700 to 1,000 hours a year whereas a full-
2 time work week would be somewhere in excess of 2,000
3 to 2,400 hours. So it is an issue.

4 AUDIENCE MEMBER: We just did the four-
5 hour standstill on I-15 on Sunday night.

6 MR. HALSTEAD: Oh.

7 AUDIENCE MEMBER: There was 25 miles worth
8 of traffic backed up standing still.

9 MS. TREICHEL: Yes?

10 AUDIENCE MEMBER: I'm wondering. We're
11 not the only country in the world that has atomic
12 power, is that correct?

13 MS. TREICHEL: Correct.

14 AUDIENCE MEMBER: And what is France and
15 these other countries doing with their surplus of
16 waste? Are they transporting it all over France and
17 Germany? Are they doing that?

18 MS. TREICHEL: There's waste that comes
19 and goes from France and from Great Britain. But --
20 and many countries are looking at a repository for
21 high level nuclear waste. But nobody seems to be in
22 the kind of hurry that the United States is.

23 Nobody has got a schedule that they're
24 pushing and pushing and going for. And it's almost
25 like the Olympics, you know, the U.S. acts like they

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1 want to bring home the gold on this one. They want to
2 be first and win the race.

3 And I think it's crazy because in many
4 countries, they have dropped back. They have found
5 that they were on the wrong track or -- this is the
6 only country that is actually forcing a site as well.

7 In Germany and Sweden and France and in
8 several places -- Canada and Great Britain, their high
9 level waste programs completely ended and crashed
10 because they couldn't get a volunteer site. And they
11 were having too many problems with public opposition.

12 So that's a lesson for all of us, too.
13 They had to step back. And they are all now looking
14 for volunteers. In some cases, you could call it a
15 bribe because they're offering money and so forth.
16 But that's up to people to weigh those options.

17 AUDIENCE MEMBER: It sounds like about the
18 best thing we can do it tell nuclear industry good
19 bye.

20 AUDIENCE MEMBER: Good answer.

21 MS. TREICHEL: Yes?

22 MS. GUE: A full -- a complete answer to
23 your question in terms of what is going on with
24 nuclear waste management in other countries could be
25 the subject of a whole separate session. But just to

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1 say a couple of things really briefly, first of all,
2 transportation concerns have been a big issue in other
3 countries.

4 In fact, in Germany involving shipments
5 between France and Germany a few years ago, there was
6 a huge scandal with contaminated -- with shipments,
7 sorry, casks that were being reused and were found to
8 have surface contamination levels that far exceeded
9 regulatory standards.

10 And that resulted in a halt. The Germany
11 government completely stopped shipments into Germany
12 for a few years after that. Now, limited shipments
13 have resumed in Germany.

14 But they are met with such huge
15 opposition, thousands of protestors literally lying
16 down in front of trains that the cost, in terms of
17 just the political capital of moving the shipments
18 means that the German government can only move one of
19 those shipments every year.

20 Whereas, of course, the Department of
21 Energy is proposing, you know, hundreds of -- perhaps
22 even thousands of shipments a year if the Yucca
23 Mountain proposal goes forward. So there definitely
24 are some lessons to be learned from other countries.

25 And an important one, I think, is what you

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1 raised at the end, that many countries, in fact, have
2 decided, have taken policy positions to phase out
3 nuclear power.

4 Certainly France continues to be the big
5 exception to that rule in Europe. But many countries,
6 including Germany and Belgium that formerly have been
7 very dependent upon nuclear power have decided that
8 the waste issues and others make this not a direction
9 to pursue.

10 The British government also just recently
11 released an energy white paper that rejected the
12 proposals of the nuclear industry to construct new
13 nuclear power plants.

14 Yet in this country, it is the intention
15 of the Bush administration to build 15 new nuclear
16 power plants by 2020. And, you know, the recently-
17 passed appropriations bill in Congress included about
18 35 million dollars towards that goal.

19 So I think, you know, again, this could be
20 the subject of a much longer conversation. But you
21 are very right, I think, to look wide on this issue
22 and figure out what the source of the problem is.

23 MR. WELLS: To expand a little on what
24 Judy said, the urgency to move this waste is the fact
25 that these plants are continuing to produce it. And,

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1 you know, they want to build 15 plants by 2020 so
2 we're looking at a situation that in another 40 years,
3 we're going to do this all over again.

4 MR. HALSTEAD: Can I just add one? I
5 wanted to add one ironic comment on the international
6 scene. You know there are countries in Europe that
7 don't have fossil fuels that are more dependent on
8 nuclear.

9 And now we're getting into the whole
10 debate over, you know, how they want to proceed with
11 their energy needs, but all of the countries in Europe
12 generally have supported the very strict regulation of
13 doses that have been calculated by the International
14 Commission on Radiation Protection.

15 And strangely, in this country, there is
16 now a large group of people in the nuclear business
17 and in the nuclear waste business who are trying to
18 provoke this absurd notion that radiation is good for
19 you.

20 (Laughter.)

21 MR. HALSTEAD: And the regulations that
22 are designed to protect us need to be amended so that
23 larger radiation doses can be acceptable. Now, you
24 think I'm making this up. But I just came back from
25 this International Conference in Tucson last year

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1 where among the things being handed out is a flyer,
2 Low Dose Radiation Is For Everyone.

3 (Laughter.)

4 MR. HALSTEAD: And the writer, who is a
5 respected Ph.D. in radiation, says, "As I stated in my
6 article last year, 'I predict that future meetings
7 will see papers addressing methodology for assessing
8 radiation deficiencies in various sectors of the
9 population and the means for bringing deprived
10 individuals up to exposure levels needed to realize
11 optimum benefits from radiation.

12 I still look forward to such a paper. I
13 mean there are some truly remarkable debates going on
14 in the business. And the interesting thing is this is
15 causing a great deal of concern for a lot of honest
16 dedicated professionals who believe that there's a
17 green case for nuclear power.

18 And now they're going to these meetings
19 and realizing that their biggest problem is having any
20 credibility when there are large numbers of pro-
21 nuclear people coming and asking for an abandonment of
22 the radiation protection standards. It's a truly
23 bizarre turn of events.

24 AUDIENCE MEMBER: Well, just like you are
25 standing there, this is a republic of the people

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1 by the people for the people. And the way these
2 agencies are working, they like to use the words, you
3 know, like a lot of these politicians, "We're a
4 democracy," which is the people are elected, and then
5 they are dictators.

6 And that's exactly what you've got going
7 on here. The Congress of the United States is not
8 standing up to their responsibility and their oath of
9 ethics that they have sworn to, I swear allegiance to,
10 and all that, because they're not getting any money.

11 This whole thing is turning into a M-O-N-
12 E-Y deal for everybody. The American citizen is going
13 to have to stand up and say, "We are the people. We
14 are the government. And we do not want this. Period.

15 "Now, if you millionaires want your money,
16 go to Russia, go to China, go to wherever you want to
17 go. But get the heck out of here."

18 AUDIENCE MEMBER: Several times I've heard
19 that there was a proposal to incorporate certain
20 amounts of radioactive waste, I presume, in the
21 household appliances, even pots and pans. Have you
22 heard about that? That they could mix it into metals?

23 MS. TREICHEL: They would like to have a
24 limit on radiation or a level of radiation that is in
25 metals --

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1 AUDIENCE MEMBER: Yes.

2 MS. TREICHEL: -- in other materials that
3 could be used for other products that they can term as
4 below regulatory concern.

5 AUDIENCE MEMBER: Right.

6 MS. TREICHEL: That it's not above
7 whatever fictitious or just --

8 AUDIENCE MEMBER: And that would be the --

9 MS. TREICHEL: -- level that somebody
10 decides, yes. And we have the organization that Lisa
11 is with, some others including the task force have
12 fought that. And we do not believe that that stuff
13 should be recycled.

14 AUDIENCE MEMBER: Is it being done?

15 MS. TREICHEL: I don't believe -- is it?

16 MS. GUE: It's allowed on a case by case --
17 right now it's allowed on a case by case basis. And
18 the Nuclear Regulatory Commission is just beginning a
19 separate rulemaking actually that would allow it to be
20 set at a general level that wouldn't have to be
21 evaluated case by case. Just as a standard below a
22 certain level of radiation material could be released.

23 And yes, potentially released into the
24 consumer recycling streams and made into a whole
25 variety of products. I do want to emphasize that this

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1 is not the same waste that would be headed for Yucca
2 Mountain.

3 It's what gets termed low level waste.
4 There are much lower levels of contamination. But
5 certainly adding to the overall picture in terms of
6 increased radiation exposures.

7 AUDIENCE MEMBER: I do want to ask my main
8 question, though, about the Los Alamos. I found on
9 the Internet responsible information a few days ago
10 that there is such a loss of integrity in Los Alamos,
11 that the University of California has been forced to
12 appoint a new manager for Los Alamos. Is anybody
13 aware of that?

14 And my question is are they connected with
15 the bridge of bureaucracy at the DoE?

16 MS. TREICHEL: Well, I think there have
17 been problems throughout the weapons complex, Los
18 Alamos and other places, primarily because you have
19 secrecy. You have a tremendous amount of radiation
20 contamination because their mission from the time they
21 started in the 40s was to get the biggest bang for the
22 buck.

23 And it was a fear of being discovered. It
24 was a fear of directions. It was a fear of a lot
25 things that led to people just throwing the waste away

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1 in order to spend the dollars to create the weapons.
2 Yes? Right here.

3 AUDIENCE MEMBER: The casks and the
4 pellets, they are cylindrical or round. Why don't
5 they make them square so they don't roll?

6 MS. TREICHEL: This is definitely a
7 problem for us.

8 MR. HALSTEAD: Well, that's an interesting
9 question. I think the main reason that they're round
10 is so that they can fit in these long cylindrical
11 tubes that are hooked together with fuel assemblies.
12 And because you have a round surface, you remember
13 that water is flushed through those assemblies so that
14 the heat can be extracted.

15 And then that water is kept separate in a
16 heat exchanger from the water that is turned to steam.
17 It's a very good question. I would bet it was because
18 somebody did a calculation on the heat transfer
19 efficiency and what shape would work.

20 But if you leave me your address, I will
21 research it and get back to you.

22 MS. TREICHEL: It's a good idea for the.
23 If a cask falls off the truck or the train, it's real
24 good if it doesn't roll away. It's probably easier
25 for the crane to pick it back up.

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1 Yes, in the back?

2 AUDIENCE MEMBER: On the full package
3 performance book that I got in the back here, on the
4 bottom of the executive summary, it says the
5 improbable extreme maximums might cause radioactive
6 materials and that's what their study is about, right.
7 Even though it's a limited study if you indicate there
8 is only two items.

9 But the next sentence sort of negates it.
10 However, the PPS is not intended to involve the
11 development of new standards for transportation of
12 casks. Now somebody explain to me, I'm not real
13 smart, but somebody explain to me how that doesn't
14 sort of negate the test itself.

15 In other words, I've listened to you. But
16 it doesn't mean anything.

17 MR. HALSTEAD: Yes, that exact issue came
18 up over that exact phrase at the meeting in Washington
19 last week. And the NRC staff person was forced to go
20 with, well, of course, if they found out that they had
21 a problem, they would have to deal with it primarily
22 because of the proceeding. If they found out
23 something, they wouldn't be able to hide it most
24 likely.

25 I think this is there way of, you know,

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1 bureaucratic tail covering to say that they think
2 their regulations are okay. I think it is one of the
3 reasons why they haven't designed the tests to find
4 out where the failure threshold is found because that
5 would increase the likelihood that they may have to go
6 back and reexamine whether their standards are
7 adequate. You raise a very good point.

8 AUDIENCE MEMBER: Thanks.

9 MS. TREICHEL: We're going to continue
10 doing this for about five more minutes. And then
11 we're going to get into making comments. And you can
12 use the video for that and all of us will be here to
13 talk and chat. And you just come and go in front of
14 the video camera. So -- yes?

15 AUDIENCE MEMBER: We're planning on having
16 all these casks ship here. This is not to say that
17 it's already happened. But we're planning on having
18 them ship.

19 Has there been a limit of time casks to
20 exposed weather so that say there isn't -- they have
21 a tunnel problem, they can't get the casks in there?
22 But people keep shipping these casks here. So now we
23 have acres of land with all these casks sitting out
24 there. And they are not in the mountain.

25 Or say the rail train breaks and we've got

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1 one rail car sitting there waiting to get through the
2 thing and now we have more casks still coming. How
3 are we going to turn these things around? Where are
4 we going to put them once they leave their spot? Do
5 they get to go back?

6 MS. TREICHEL: Well, the Department of
7 Energy is just barely making the beginning stages of
8 going out to the contractors.

9 AUDIENCE MEMBER: Yes, but out here, we
10 have some of the coldest nights and the hottest days.

11 MS. TREICHEL: Right.

12 AUDIENCE MEMBER: And we have winds that
13 go what? 45 miles an hour to kick up dust so you can't
14 see. I mean we can't have these casks just sitting
15 out in an open field. Or sitting on a rail train
16 going one mile an hour so they don't arrive at Yucca
17 Mountain too early.

18 I mean now they are in route for four
19 days. Is there a limit of time a cask can be exposed
20 to --

21 MR. HALSTEAD: I don't know that there is
22 a regulation that particularly deals with weather
23 exposure. There are regulations that apply to how
24 long they can stop, which is partly to, you know,
25 protect them from attacking them.

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1 Let me turn your question around this way
2 and say if the Department of Energy had a carefully
3 thought out systems engineered plan, it would address
4 all the issues that you've raised and I would be able
5 to sit here and tell you about it.

6 At various times in the past, I had
7 discussions with them about every one of the issues
8 that you are raising. How they will plan the
9 shipments, dealing with the fact that things never run
10 the way you expect them to and so you have to have
11 contingency plans.

12 The reality is that because they don't
13 have a real transportation plan, I can't tell you with
14 assurance that they've handled that.

15 But I will tell you that the overriding
16 thing that bothers me most is that they don't seem to
17 have learned to respect what the social scientists who
18 have studied accidents in these fields call the Exxon-
19 Valdez Syndrome, which is you do things safely for a
20 while and you convince yourself that you've got all
21 the bugs worked out of the system.

22 And you convince yourself, well we don't
23 need to spend the money on that extra safety, this,
24 that, and the other, and you make 8,000 safe
25 shipments. And then all of a sudden, you have a

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1 catastrophe that 20 years later, you're still trying
2 to clean up.

3 So the two principles here are systems
4 engineering and paying attention to Murphy's Law. And
5 right now, I can't tell you that the Department of
6 Energy is doing either of those things. I tell you
7 from what I know about the business, it's possible to
8 answer those things.

9 I have no confidence in the organization
10 that is proposing this transportation because they
11 haven't told me how they're going to address those
12 problems. If you could come to one of the meetings
13 that the DoE people come to, it would be great to have
14 you ask that same question of their transportation.

15 MS. TREICHEL: Yes?

16 AUDIENCE MEMBER: What are their plans in
17 the event -- if all these things are arriving at Yucca
18 Mountain at the same time, and then putting them out
19 in the field. What are their plans for training
20 people not to place these so that a chain reaction
21 could happen?

22 I remember very serious discussions back
23 in the 50s about how you put this barrel here and you
24 put that barrel there so that there is no chain
25 reaction. How radioactive are these casks really?

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1 That they could, if set side by side and a number of
2 them, could there be a chain reaction?

3 That's the question the nobody seems to
4 even think about. Are they that radioactive?

5 MS. TREICHEL: In the casks?

6 AUDIENCE MEMBER: In the casks.

7 MS. TREICHEL: I don't -- you may be able
8 to chain reaction. You may be able to have a
9 criticality within a cask, not between a couple of
10 casks. Because the casks that are sitting there and
11 stored have shielding. And they are actually checked
12 by human beings.

13 Now down inside a repository, you don't
14 have that kind of shielding and criticality is a
15 problem. And it something that the Department of
16 Energy is going to have to deal with and is going to
17 have to settle.

18 It's one of the issues that those -- you
19 remember hearing that the NRC had 200 and some issues
20 that DoE had not dealt with and had not sufficiently
21 answered. That's one of them. And so that's being
22 gone over.

23 MS. TREICHEL: Yes, we'll take one more
24 back here. And then we're going to move into making
25 these statements here in the tape. Yes?

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1 AUDIENCE MEMBER: I live in the northwest
2 side of the valley and you've got me interested. And
3 I'm an old retired military man.

4 What got me sort of interested in this is
5 when I computed out the number of truckloads that
6 would be going through and have to go someplace. And
7 I found out the preferred routes or intersections,
8 We're challenged to enter the northwest side of town.
9 All the trucks on route.

10 Now, I was a transportation guy in the
11 military. And that is not a good scenario especially
12 when you consider and add the numbers up, if anybody
13 wants to add them. And all you do is you take out the
14 44 to 46 years, take 100,000 trucks and divide it.
15 You now have one truck every three hours, 24/7 for 46
16 years. How's that for an intersection? Okay?

17 I mean, I'm a simple guy --

18 MR. HALSTEAD: That's the correct number
19 for the mostly truck scenario, that's right.

20 MS. TREICHEL: To move us into the next
21 section, somebody sent me an e-mail today because one
22 of the sentences that was in a Solvay paper article
23 about the denial of the license, or at least partial
24 denial of the license for the PFS facility that Lisa
25 was talking about, during the briefing last year on

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1 the prospect of locating a nuclear waste facility next
2 to a test bombing range, Defense Secretary Donald
3 Rumsfeld reportedly said, "Who would be stupid enough
4 to do that?"

5 (Laughter.)

6 MS. TREICHEL: It's probably the first
7 time I have ever agreed with Donald Rumsfeld. Okay.
8 We are -- John?

9 MR. HADDEN: We don't even need this
10 microphone. My name is John Hadden. I'm on the Board
11 of Directors of this Shundahai Network. And I'm here
12 to facilitate the comment period. Fortunately, we
13 have some people from our delegation in Congress. And
14 I believe Don Wilson and Christie Zgudry, is that
15 right?

16 MS. GUIDRY: Yes, Zgudry.

17 MR. HADDEN: Sorry.

18 MS. GUIDRY: That's okay.

19 MR. HADDEN: Are going to make a
20 statement. So if we could come up here -- the video
21 camera is here. So if you want to be on camera and
22 here's a mic for it. It appears that this microphone
23 has a limited range. We also have Piper Overstreet,
24 Piper and Brook -- I can't say the last name.

25 MS. METSUS: Metsus.

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1 MR. HADDEN: Metsus, thank you,
2 representing the Representative's office.

3 AUDIENCE MEMBER: We didn't know if we
4 were going to -- at least I didn't know, I can't speak
5 for anyone else -- I'd like to read the letter the
6 Senators wrote sometime this afternoon. And first of
7 all, I want to thank the sponsors for giving us the
8 opportunity to be here.

9 There's one point I'd like to make and
10 I've been on the sidelines and in the wheel of action
11 on this stuff for a long, long time. And I think Ms.
12 Treichel had brown hair the last time I personally saw
13 her. And so did I.

14 But one thing I would like to emphasize.
15 I wasn't born here but I've lived here 52 years. And
16 almost everybody that lives here now came from
17 someplace else. And there's no doubt about it, nobody
18 tries any harder than our Congressional delegation to
19 stop this. But I know you all know not in my
20 backyard. And that's the problem.

21 We have 98 Senators and 432 Congress
22 people that they aren't necessarily for it but they
23 just don't want it going on in their backyards. So
24 get a hold of your friends and your relatives from the
25 states -- those of you who came from other places, if

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1 you have friends in other places, and lean on them to
2 help you do this because they're going to stick it
3 down our throat if they can.

4 And the only way we can stop them is to
5 fight back. And be sure your Congressional delegation
6 is going to do just that. Senator Reid and Senator
7 Ensign sent a letter today to the Chairman of the U.S.
8 Nuclear Regulatory Commission, Mr. Richard Meserve.
9 And I'd like to read it to you if you'll indulge me
10 for a few minutes.

11 "Dear Chairman Meserve,

12 "We are writing to express our concern
13 regarding the draft test protocols, the Nuclear
14 Regulation 1768, recently reached by the Nuclear
15 Regulatory Commission with respect to testing of spent
16 fuel casks. Given the extremely hazardous nature of
17 spent nuclear fuel, the NRC should thoroughly
18 understand the risk of nuclear waste transportation
19 and the potential consequences of a serious accident
20 or attack.

21 "The release of radioactive materials from
22 a spent fuel cask could have disastrous consequences
23 for communities along potential shipping routes in
24 Nevada and throughout the country. Each transport
25 shipping cask, especially the new high-capacity

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1 designs for post-repository shipments, would contain
2 an enormous inventory of dangerous radionuclides."

3 I hope I said that right.

4 "The NRC must therefore be especially
5 diligent to ensure that the public is not imperiled by
6 spent nuclear fuel as the result of accident,
7 terrorist attack, or other events during
8 transportation. The NRC must be able to demonstrate
9 that any cask that might be used for shipment of spent
10 nuclear fuel to Yucca Mountain will maintain their
11 integrity under a wide range of conditions.

12 "In a previous letter dated March 12,
13 2002, the NRC was asked to provide information
14 regarding how it determines the safety of the
15 containers used for shipping spent nuclear waste by
16 road and rail.

17 "Your response dated April 2, 2002
18 admitted that none of the 16 casks currently certified
19 by the NRC had been tested on a full-scale basis.
20 Your response documented that only two casks had been
21 partially tested with half-scale models and four
22 others partially tested with one-quarter or one-third
23 scale models.

24 "You also indicated that the NRC would
25 conduct a series of full-scale tests on casks. The

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1 recently proposed draft test protocols involved
2 demonstration tests of only two shipping casks
3 considered to be representative as part of the package
4 performance study to be conducted at Sandia National
5 Laboratories.

6 "The planned PPS tests may provide
7 significant information for risk assessment and risk
8 management but as proposed in your draft test
9 protocols, they cannot be considered as a substitute
10 for full-scale testing of each new casks design prior
11 to certification.

12 "We are dismayed at the NRC's reliance on
13 scale model tests and computer analysis to predict how
14 the structural integrity of the cask materials might
15 be effected by a severe impact. Material scientists
16 and mechanical engineers note that even small
17 variations in the atomic structure of materials under
18 stress can cause those materials to behave
19 unpredictably.

20 "Computer modeling is no substitute for
21 physical testing, especially regarding the ability of
22 shipping casks to survive long duration, high
23 temperature fires such as those involved in the
24 Baltimore Rail Tunnel fire in July 2001. To ensure
25 that we fully understand the risks involved, the cask

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1 design must be tested to failure.

2 "The PPS draft test protocol released by
3 the NRC are deficient in this regard. Additionally,
4 there are no provisions for testing the resistance of
5 fuel casks to explosive attacks or to immersion in
6 water.

7 "Spent fuel casks represent a target of
8 opportunity for terrorists seeking to create a high-
9 level dirty bomb and our interstate highway and
10 railroad transportation system traverse numerous
11 lakes, streams, rivers, and wetlands. It is
12 imperative that explosive and immersion tests be
13 included in any testing program.

14 "Finally, the PPS draft test protocols do
15 not contain a clear provision for involvement of the
16 public in the final selection of cask testing
17 facilities. Casks could be tested in test scenarios.
18 This is particularly important for the citizens of
19 Nevada. The proposed testing program must insure
20 public confidence not just contribute to it.

21 "In order to demonstrate the reliability
22 of new cask designs and fully involve the citizens of
23 Nevada, we request the NRC insure that full-scale test
24 are undertaken by research facilities in the State of
25 Nevada. Hearing the importance of the NRC's test

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1 program could help the safety of all Americans.

2 "We thank you and ask for your prompt
3 attention to our requests.

4 "Sincerely,

5 "Harry Reid, United States Senator,

6 "John Ensign, United States Senator."

7 Thank you.

8 MR. HADDEN: Very good.

9 (Applause.)

10 AUDIENCE MEMBER: Good evening. As he
11 stated, my name is Piper Overstreet. And I'm here on
12 behalf of Congresswoman Berkley. And as Don stated
13 earlier, the Congressional Delegation stands united on
14 this issue. And I want to thank the sponsors of this
15 event. And I want to thank you for being here.

16 There should be standing room only in this
17 room because this is an issue that effects us all in
18 this community.

19 And I do have a letter here that the
20 Congresswoman wrote to Chairman Meserve also. I won't
21 read it in its entirety because she makes many of the
22 same points that the Senators made. But I do want to
23 read some highlights to you.

24 "I write this letter in order to express
25 my support for steps to move beyond computer

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1 simulation and scale model testing to include safety
2 tests on full-scale casks. Despite the effort to move
3 toward better testing, several improvements remain
4 necessary.

5 "It is imperative that the testing
6 includes terrorist scenarios. And to that end,
7 include explosive testing and fire testing. Full
8 scale tests should include immersion tests and
9 puncture tests in addition to drop and fire tests.

10 "Tests should also measure the impacts on
11 fuel amounts only on the casks. All designs should be
12 tested so as to provide a basis for comparison and
13 effective evaluation of the best cask design."

14 "Finally, full scale tests should test the
15 casks to destruction instead of just limited criteria.
16 I note the concern is that these tests are made
17 representing performatory tests intended to instill
18 public confidence. Because the goal is specifically
19 to reach out to the public, the scope of the test is
20 likely to be much more lenient.

21 "Instead these full scale tests represent
22 an opportunity to assess the destruction threshold of
23 the casks. This simple testing is an intrinsic part
24 of insuring that the casks destined to transport high
25 level nuclear waste not only through Nevada

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1 communities but also through communities in as many as
2 43 states will arrive safe."

3 Thank you for your time.

4 MR. HADDEN: Thank you.

5 (Applause.)

6 AUDIENCE MEMBER: Hi, my name is Brook
7 VanZeus. And on behalf of Congressman Jon Porter,
8 thank you all for being here tonight. The Congressman
9 would have liked to have been here himself. But he
10 has prepared some brief remarks I'd like to present to
11 you.

12 "I've been fighting against Yucca Mountain
13 for two decades, long before some folks even paid
14 attention along those lines. Within the last 20
15 years, my resolve has only grown deeper to keep
16 nuclear waste out of Nevada.

17 "When it comes to storing nuclear waste in
18 Nevada, there is no right way to do the wrong thing.
19 I welcome the opportunity today to address the serious
20 concerns I have regarding the Nuclear Regulatory
21 Commission's draft test protocols on transporting
22 nuclear waste to Yucca Mountain.

23 "While I respect the NRC's decision to
24 conduct physical tests of the nuclear waste
25 transportation casks, I'm afraid the full-scale tests

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1 will not go far enough. If the Department of Energy
2 gets their way, 100,000 truckloads of nuclear waste
3 will be hauled across 43 states, straight into Nevada.

4 "Right behind us here at the Clark County
5 Government Center on I-15, everyday cars, trucks,
6 SUVs, and school buses roll through the spaghetti
7 bowl. And on any given day, there are incidents and
8 accidents. Think of what you are doing while you are
9 driving down I-15: talking on your cell phone,
10 changing a radio station, or glancing in your rear
11 view mirror to check on the kids.

12 "You know imagine these distractions while
13 driving next to a 200-foot long truck carrying tons of
14 nuclear waste from Colorado, Kentucky, or even
15 California. One wrong move and it's a disaster with
16 immeasurable consequences."

17 "Yes, there are accidents. But worse than
18 that, there are those with ill intentions. Last week,
19 President Bush held a press conference and he said the
20 United States is a battle field in his War on
21 Terrorism. Do we really want to further the efforts
22 of terrorists by providing them with mobile weapons?

23 "Terrorists are known for a small degree
24 of intelligence and cunning with a prime motivation to
25 destroy. Imagine what their sinister plots would

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1 produce. You don't have to think too hard. Look what
2 they did with two planes to the Twin Towers of New
3 York."

4 Thank you.

5 (Applause.)

6 MR. HADDEN: Thank you so much. We are so
7 grateful to know our delegation is fully behind us in
8 our outcry. It's wonderful. We have some other
9 people who want to give us some comments. Paul?

10 AUDIENCE MEMBER: Yes. I think Nevada is
11 just stepping up for the nuclear era. We started off
12 by inventing the nuclear bomb, giving up plenty of our
13 land which now is uninhabitable. So that we could go
14 into the nuclear era.

15 And now our children are dying from things
16 that Nellis dumped on the ground. For the states, we
17 don't even own the nuclear power plant in Nevada. We
18 refuse to have it. And now all the states want us to
19 take their waste. What a thing to do to a patriotic
20 state that has helped out this country so much.

21 MR. HADDEN: Very good.

22 (Applause.)

23 AUDIENCE MEMBER: Good evening. My name
24 is Judy Buoy and I'm the Chairman of the Public
25 Outreach Committee for Yucca Mountain. In November of

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1 2002, we were established so that we're able to go out
2 to the public, to the citizens, to community
3 organizations to begin putting out factual information
4 on the effect that Yucca Mountain would have on our
5 citizens.

6 Over the years, the Department of Energy
7 for whatever reason they may have has been putting out
8 information which is not factual. And it's not being
9 actually explained to the citizens and the American
10 people that are paying for the Yucca Mountain project.

11 It seems amazing to me that the toys for
12 our children are tested and tested for safety and yet
13 the casks which will be holding terrible, terrible,
14 deadly material doesn't have to be tested.

15 I would urge that the NRC take into
16 account the effect it's going to have on the whole
17 world, not only the United States. The terrorism
18 that's going on now is not going to cease. It's going
19 to be increased in the years to come. Maybe as early
20 as March 17th of this year.

21 My concern as a citizen is that the
22 taxpayers, the people that are electing the people
23 that represent us in Washington, D.C. are not being
24 given the truth, the opportunity to make comments on
25 these kinds of issues that effect our lives, our

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1 children's lives, and our grandchildren's lives.

2 I want to be very clear on the issue that
3 citizens together can stop anything. And we plan to
4 do that. Thank you.

5 (Applause.)

6 MR. HADDEN: Thank you, Judy. Let's see.
7 Denise Kelly? Paul Hobert? Oh, I'm sorry. Here you
8 go.

9 AUDIENCE MEMBER: Well, I've lived a long
10 time. You can see by my gray hair. I also work at
11 the Atomic Energy Commission in Ohio at the Fernald
12 Feed Materials Plant, which later contaminated a major
13 area in southern Ohio and people died from the
14 contamination.

15 I worked there and I saw this -- at that
16 time, the Atomic Energy Commission had many, many
17 regulations. The contractors who were supposed to
18 enforce those regulations had all kinds of neat ways
19 to get around them. And this is still true. I mean
20 this is the kind of thinking that goes on with any
21 industry -- a way to beat the system. And they manage
22 to do it rather regularly.

23 I don't trust nuclear industry at all.
24 For many years, we were trying to build a nuclear
25 power plant at Shiloh along the Ohio River in Clermont

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1 County just outside of Cincinnati. And I went to
2 every one of those public meetings, protesting this
3 because I lived in Clermont County and my children
4 went to school in Clermont County.

5 And I knew that if that thing ever went
6 crazy, we were dead meat. And that thing bothered me
7 so that I never stopped fighting. And neither did a
8 lot of other people. And we won. That was going on
9 and on. There were 400 million dollars spent on that
10 plant to go nuclear and we stopped it.

11 Now we can still -- people, people power
12 is the greatest power in the world. We've got it here
13 in Nevada. This whole state does not want Yucca
14 Mountain. We can't fight the site at Yucca Mountain,
15 but we sure can fight this transportation to stop it.

16 And we need -- I think the lady said she
17 didn't think these casks sitting side by side could
18 create a chain reaction. I don't remember my physics
19 too well. But I do know that if you put a barrel of
20 radioactive ore there and you put another one right
21 next to it, bingo, you've got a chain reaction.

22 These are two casks -- and we've heard
23 here that they are going to leak -- what was it he
24 said? Two rems a year for people who are driving the
25 trucks. Okay. They're side by side. They have to

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1 stop. They go out there to Yucca Mountain. They're
2 parked in a field side by side. Do you think that any
3 of those people out there are going to think about a
4 chain reaction? I don't think so. But it can happen.

5 Now I believe we also have to think about
6 that, too. But the cask testing is vital for all of
7 us to get it right. And computer modeling ain't going
8 to happen -- make it happen. Thank you.

9 (Applause.)

10 AUDIENCE MEMBER: Paul Coverts from Las
11 Las Vegas, Nevada. I'm trained as a civil engineer.
12 In fact, I'm licensed as a professional engineer in
13 the State of North Carolina, though inactive.

14 My engineering experience has shown me
15 that models are extremely deceptive. Modeling is very
16 deceptive in its outcome. You always need to test the
17 parameters. You always estimating what the parameters
18 are. There are always errors which are multiplicative
19 in value.

20 So you may come up with a nice model but
21 it may only be 50 percent accurate. So modeling is
22 not the way to go. It needs full-scale testing to
23 test out the model. So you're back to square one
24 again.

25 Engineers are required to safeguard the

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1 public health. In private practice, engineers
2 designing water plants, sewage plants, other
3 activities, bridges, have to test for worst case
4 scenarios.

5 Get into government work and either you
6 don't need to be licensed as an engineer or you have
7 the shield of the government protecting you from any
8 liability. And people lose sight of protecting and
9 safeguarding the public health of everyone.

10 Designing for worst case scenarios in
11 water and sewage treatment plants should be just as
12 important for designing these casks and/or
13 transportation. One approach for testing would be to
14 take it to failure, test things until they fail. That
15 doesn't always work when you've got a situation like
16 a cask that's very complex. So what fails this time
17 may not fail next time.

18 Barring that, they need to be realistic
19 tests under real conditions, on railroads versus --
20 you might have a different design condition that for
21 transporting via highway. But they also need to have
22 multiple effects. It's not to test one cask for
23 impact and then test another one for dropping. And
24 test another one for submersion.

25 These are realistic scenarios that when

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1 you have a crash on the bridge that falls 50 feet and
2 then is submerged to 200 feet, it needs to examine the
3 realistic situation there.

4 My suspicion is that once proper testing
5 is done for these casks, that these casks are designed
6 for transportation but they were also designed to
7 protect nuclear materials within Yucca Mountain, which
8 is supposed to protect it from the people. All of a
9 sudden, we're finding that we're looking for design
10 solutions rather than natural barriers.

11 And I suspect that if we have a proper
12 design, we don't need to transport it to begin with.
13 We will have a solution that we can leave it in site
14 where the waste is generated to begin with. Thank
15 you.

16 (Applause.)

17 MR. HADDEN: Thank you, Paul. Let's see,
18 I have Karen, I believe? Levinson?

19 AUDIENCE MEMBER: For the record, my name
20 is Karen Levinson. I'm the former legislative chair
21 for Danberg Elementary School PTA, the only school
22 that has sent over 400 letter to the Department of
23 Energy in opposition of Yucca Mountain and the
24 transportation of nuclear waste.

25 (Applause.)

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1 AUDIENCE MEMBER: I'm currently the Sunset
2 Council Area PTA's legislative chair. And as a
3 parent, I feel that there is no expense too great to
4 ensure that not only my children but the children of
5 the United States can grow up to be healthy and safe.

6 In 1988, the Nevada State PTA adopted a
7 resolution which, in part, states: "High level
8 nuclear waste materials may cause extreme hazards to
9 the citizens of Nevada, including the transportation
10 of such materials on the highways and railways across
11 our state."

12 As a member of the Nevada State PTA, I
13 demand full-scale cask testing of all designs
14 encompassing all scenarios to failure. Thank you.

15 (Applause.)

16 MR. HADDEN: Thanks, Karen. And the last
17 person we have signed up here is Eugene -- I'm not
18 sure how to pronounce the last name.

19 AUDIENCE MEMBER: Eugenie.

20 MR. HADDEN: Eugenie, I'm sorry.

21 AUDIENCE MEMBER: That's all right.

22 MR. HADDEN: Well, you can tell us how to
23 pronounce it. And is there anybody else who wants to
24 give an oral comment at this time? Okay, we have
25 someone in the back also.

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1 AUDIENCE MEMBER: Eugenie Brockmorton. I
2 have lived here since 1965. I'm going to repeat here
3 something that I said in this building shortly after
4 it was built. I've been here many times. I've been
5 to meetings such as this even before this. I once
6 vowed I would never come back. People, it must be
7 important to me because I keep coming back.

8 What I said once before was that a number
9 of people who work with you, philosophers,
10 statisticians pretty much mostly will agree that there
11 is no such thing as 100 percent of anything. So it's
12 most likely you are not going to have a 100 percent
13 free transportation system for nuclear waste.

14 I suggest or I propose that you interview
15 some gamblers here in town and have them picture Las
16 Vegas as a bull's-eye of a large target, the target
17 being -- or the United States with a bull's-eye on it
18 in Las Vegas. And as these transportation conveyances
19 of all kinds approach the bull's-eye, the probability
20 of an accident increases.

21 Ask them where they would place their bets
22 as far as an accident goes. And where they think the
23 probability is. And if it's possible, where it's 100
24 percent free. So I just think about the problem
25 always. Thank you.

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1 (Applause.)

2 AUDIENCE MEMBER: I didn't sign up but
3 then I got to look at this document. And this huge
4 accident. And I pulled the scores. I work for
5 Public Citizen, a consumer advocate organization that
6 Lisa works for. And I worked on nuclear issues for a
7 while up until seven or eight months ago. However,
8 now I work on water issues.

9 And I'm not speaking so much as an
10 employee of Public Citizen but as a person who lives
11 in Henderson, Nevada. And is raising a family out
12 there.

13 I want to extend my sincere compliments to
14 the author of the Executive Summary of new reg 1768
15 because everything you need to know is pretty much
16 encapsulated right here on roman numeral page ix.

17 First the NRC states that it believes that
18 its regulations and programs result in a high degree
19 of safety. It then goes on to say that the agency has
20 certified casks using a combination of analysis and
21 testing of scale models or cask components. But, of
22 course, not the full scale testing itself.

23 And then at the bottom of the page, it
24 says, however, this document is not intended to
25 involve the development of new standards for

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1 transportation tasks. The Nuclear Regulatory
2 Commission should be embracing the opportunity to
3 develop new standards for transportation casks.

4 They should be embracing the opportunity
5 to demonstrate that, in fact, these casks are capable
6 of withstanding any accidents that may possible occur
7 instead of relying on these ridiculous scale models
8 and computer analysis.

9 Then the NRC might actually have something
10 akin to proof that they could ship this stuff safely
11 rather than relying on what they so eloquently
12 describe as their belief in the first sentence of this
13 document. Yet, again, the NRC shows that its top
14 priority is not to protect public health and the
15 environment. But to protect the nuclear power issue.

16 (Applause.)

17 MR. HADDEN: Thanks a lot. Is there
18 anyone else? Oh, yes?

19 AUDIENCE MEMBER: Thank you everyone.
20 Thank you everyone for coming here. I'm not that
21 educated on the nuclear and all this really. But I
22 just want to say that I think that this school with
23 400 children in, that is a big deal because the
24 politicians will listen to the children.

25 So we needs these networks like Dashunda

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1 High -- what can we do to organize the children? Or
2 what can we do in communities like North Las Vegas or
3 Sunderling where we can get people together and we can
4 write petitions and we can start to organize more
5 people?

6 Besides going to these places where people
7 are sending out flyers, we need to set up some
8 organization where we can start to pan the schools, we
9 can start to bring the some of the communities
10 together and focus on what is immediate at the time,
11 rather than everyone just trying to gather at an
12 appointed place.

13 We all here support this. But what about
14 the people that don't know that this is going on? So
15 I think the schools and the children is a great place
16 to begin. So that's my comment. I think it begins
17 with the children. Let's educate them and start
18 there. Thank you.

19 (Applause.)

20 MR. HADDEN: Anyone else who has a last
21 minute comment? Paul? I had the feeling you couldn't
22 sit quiet.

23 AUDIENCE MEMBER: Almost. My name is Paul
24 Brown. I'm the Southern Nevada Director of the
25 Progressive Leadership Alliance of Nevada. We're a

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1 statewide coalition of 45 organizations, including
2 environmental groups, labor unions, low-income groups,
3 women's organizations.

4 We fully support our Congressional
5 delegation's stance on full scale testing of these
6 casks. We thank Shundahai Network, Public Citizen,
7 and any other alliances that are here tonight. It is
8 imperative that we have full-scale testing for these
9 casks. NRC owes that to the people along the
10 transportation routes. They owe it to the citizens of
11 Nevada.

12 If we do not have full-scale testing of
13 these casks, we're going to end up with the increase
14 of shipments of caskets to this state. Thank you.

15 (Applause.)

16 MR. HADDEN: Anyone else now with any last
17 comments for the night? Remember that tomorrow the
18 Nuclear Regulatory Commission is doing an all-day
19 workshop meeting. Probably most of us won't be able
20 to make it at a time like that. But there is a
21 comment period. I believe at the tail end of that.
22 Is that right? Five to seven o'clock? Yes. So you
23 could show up then to give some comments directly to
24 the NRC.

25 This video will also be available to them

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1 as well. So if you commented tonight, then they'll
2 get this as well.

3 And the location -- I think I'll hand it
4 over to Kalynda to give you the details as it's local.
5 But thanks again everyone for coming on behalf of the
6 Shundahai Network.

7 (Applause.)

8 MS. TILGES: I apologize for the short
9 notice of this meeting but it was kind of sprung us.
10 And Public Citizen called us and gave us the idea to
11 do this. The Nevada Nuclear Waste Task Force,
12 Shundahai Network thought it was a wonderful idea.
13 And I think this event has turned out to be very
14 successful considering the short time span that we
15 had, the other precedents, the other events that are
16 of so much importance to Nevadans here. So we're
17 competing against a lot. And we have really quite a
18 few people here tonight.

19 But I want people to understand that this
20 document is out on the table. I wasn't able to get
21 very many of them from the Nuclear Regulatory
22 Commission. This is the document that we're talking
23 about. This is the document that's being commented
24 on.

25 There will be more available at the

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1 Nuclear Regulatory Commission Workshop tomorrow. That
2 starts at 10:00 a.m. and goes until 5:00 p.m. It's at
3 the Clark County Building Department, is that correct
4 Eric?

5 PARTICIPANT: On Russell Road.

6 MS. TILGES: On Russell Road at Cameron?
7 West Russell Road.

8 Now the workshop period goes from 10:00
9 a.m. until 5:00 p.m. Their comment period is from
10 5:00 to 7:00. So if you can't make it for the
11 workshop and can only come in the evening, please do
12 and make your comments. That's why we passed out the
13 talking points to you and the thing about the WIPP
14 Experience.

15 And if you can pick up a copy of this
16 tonight and kind of glance through it, that would be
17 helpful. I think you don't really need to worry so
18 much about all the technical speak because they're
19 very overly technical. But I think through the
20 executive summary, you can get a good idea what's
21 going on.

22 I would encourage people who cannot make
23 it tomorrow night to please come up and make comments.
24 We still have time before we go. If you're not
25 comfortable making comments on camera, that's fine.

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1 If you don't know what you want to say yet, we have
2 until -- the deadline for comments, written comments
3 on this document, on this issue, this particular phase
4 of this issue is May 30th of this year.

5 Also, what you can do on your way out,
6 these are both kind of the same. One has information
7 and one doesn't. These are four comment cards. If on
8 your way out you don't want to make a comment before
9 you leave in front of the camera, if you would take
10 one of these and fill it out and turn it in.

11 Or you can make written comments to the
12 NRC, you can fill these out and bring these tomorrow
13 night to the NRC meeting. Any way you want to do it.
14 It's just important that you do it. Even if you just
15 stand up and say, "I don't understand this. We need
16 more hearings. We need more information. I don't
17 like it." Whatever you want to say is perfectly
18 valid.

19 The important thing is to stand up, be
20 counted, and let them know that you care. Yes?

21 AUDIENCE MEMBER: One more time with the
22 address again? The meeting starts at what time? What
23 time you figure the public comments start?

24 MS. TILGES: The public workshop tomorrow
25 starts at 10:00 a.m. and goes until 5:00 p.m. That's

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1 at the Clark County Building Department. I don't know
2 the number but it is on West Russell --

3 AUDIENCE MEMBER: 4701.

4 MS. TILGES: 4701 West Russell Road at
5 Cameron. And it's west. It's on the west side of I-
6 15. I'll tell you that now so you don't spend the
7 extra hour I did the first time I went there.

8 AUDIENCE MEMBER: East of Mecailah.

9 MS. TILGES: Yes Paul?

10 AUDIENCE MEMBER: I heard this afternoon
11 that they're cutting out the public comment period
12 after it from 5:00 to 7:00 so --

13 MS. TILGES: Really? They're cutting it
14 out?

15 AUDIENCE MEMBER: I don't know if that's
16 true or not but that's what I heard.

17 MS. TILGES: Okay. We haven't heard
18 anything like that so I would suggest that you show
19 up. If you want to come to the public comment period,
20 come anyway. And if they're not giving it, raise a
21 stink.

22 I'd like to say thank you to everyone who
23 came. I really appreciate your caring about this and
24 your continued support of this issue. And I just
25 thank you very much.

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1 MS. TREICHEL: Okay. And you can also if
2 you use computers go to nrc.gov and you can probably
3 put a comment in through e-mail and get kids to do
4 that. We want to get children going on that kind of
5 thing, to do that. And the Shundahai Network as well
6 as the Nevada Nuclear Waste Task Force and Public
7 Citizen all have -- and the State of Nevada, all have
8 web sites that have to do with this issue.

9 So ask one of us for a piece of material
10 that's got that on there. Or our business cards or
11 whatever. You need to stay involved. Thanks very
12 much.

13 (Applause.)

14 (Whereupon, the above-entitled meeting was
15 concluded at 3:36 p.m.)

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