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UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

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TO: Mr. B. Joe Youngblood

FROM: Paul T. Prestholt, Sr. On-Site Licensing Representative

DATE: January 22, 1988

SUBJECT: Newspaper Articles

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Please find enclosed more information that appeared in our local newspaper that is of interest.

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Friday, January 22, 1988



Clouding the dump issue

I just read Mary Manning's "Dondero: Fight dump with numbers" (SUN, Jan. 17.) I find it distressing that a Clark County commissioner and a trained reporter are both so ill-informed on a subject they are willing to have boldly printed in a newspaper.

In the article, Dondero is seeking support from the hotel industry to fight the dump, as she believes its location in Nevada will somehow prevent tourists from coming to Las Vegas. The article moves quickly to describe a situation in South America where two men in search of junk metal found a stainless steel cylinder containing cesium-137. I'm not certain why the reporter tried to tie this situation to the location of a radioactive repository in Nevada unless it was to foster the perception that one could dig around in the dump and find all kinds of radioactive material to carry home.

I suggest that the commissioner and the reporter could benefit the public they serve if they first avail themselves of factual data about the emplacement of radioactive material in a repository and then spend their time and energies educating the public as to those facts. The public deserves to be well informed and permitted to make intelligent decisions based on fact, not hysteria-motivated articles and speeches by a commissioner who hasn't taken the time to learn about the subject about which she purports to be so knowledgeable.

DALE HEDGES

LAS VEGAS**REVIEW-JOURNAL****Report critical of
dump site unveiled**

By Laura Wingard
Review-Journal

A U.S. Department of Energy scientist believes geologic problems at Yucca Mountain make it unsuitable for a high-level nuclear waste dump and the department should abandon plans to study it as a dump site.

A 1½-inch thick report prepared by department scientist Jerry Szymanski on his theory was released Thursday by Gov. Richard Bryan.

Bryan called it an "indictable offense" that the Energy Department had the report in November and failed to make it public before Congress voted in December to make Yucca Mountain, 110 miles northwest of Las Vegas, the only site studied for the dump.

Furthermore, he contended, the department knew as early as 1984, but chose not to make public, Szymanski's belief that earthquake and volcanic activity at Yucca Mountain could cause potentially corrosive ground water to rise to the surface, causing damage to casks filled with nuclear waste.

"If his (Szymanski's) theory is correct, this site cannot be used and cannot be fixed," Bryan said.

The Energy Department's decision not to release the report before the congressional vote was "an act of public irresponsibility of the highest order," he said.

"It's a CYA (cover your ass) program," Bryan said.

Carl Gertz, head of the department's nuclear waste management program in Las Vegas, disputed the remarks Bryan made at a news conference in Las Vegas.

The department always intended to release Szymanski's report but not until it had undergone a thorough review by other scientists, he said.

"We are reviewing this theory," Gertz said. "It's always been in the scientific forum."

Gertz said his predecessor, Donald Vieth, asked Szymanski in 1986 to compile his theory in a



Rene Germanier/Review-Journal

REPORT RELEASED - Gov. Richard Bryan discusses a report released Thursday that is critical of Yucca Mountain as a site for a high-level nuclear waste dump.

report. When Gertz replaced Vieth last year, Gertz said, he also encouraged the scientist to complete his work.

"If it's not the right site, we don't want to build it there," he said.

Gertz said that although the report is dated November 1987, he did not receive it until Dec. 22.

Robert Loux, head of the state's Nuclear Projects Agency, said his office received a copy of the report from Szymanski on Dec. 24. A "cursory review" of it by his staff indicated Szymanski had a valid theory, Loux said.

Bryan portrayed Szymanski as a "whistle blower" who took consid-
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From 1A

erable risk in giving a copy of the report to state officials, who have contended that Yucca Mountain is unsafe as a nuclear waste dump.

The governor also called him a longtime government employee with a doctorate in geology. Several times, Bryan referred to Szymanski as "doctor."

Szymanski, however, said he does not have a doctorate. He has a master's degree from the University of Warsaw (Poland) in engineering, geology and geohydrology. He has done work toward his doctorate but never completed it, Szymanski said.

His first job with the federal

government was in 1983 when he went to work with the Energy Department's office in Columbus, Ohio. He was assigned to the department's Las Vegas office in February 1984.

Szymanski said he was told this week that Bryan, who is a possible candidate for the U.S. Senate this year, intended to release the document.

"I couldn't stop them. I told them I didn't believe politics should be involved," he said.

Szymanski said he mailed a copy of his report to a friend of his who works in Loux's office. "He wanted

to see it first."

close the name of his friend.

"What I was hoping for was that this would receive the proper technical review," he said.

"Whether my theory is incorrect is another story. The picture is not as rosy as some paint it. There are risks (at Yucca Mountain) and they are considerable."

He said he wanted the federal government to halt its \$1.5 billion study into Yucca Mountain's suitability for the dump until his theory could be investigated further.

But, Szymanski said, he never thought the Energy Department would try to conceal his concerns.

Scientist rejects accolades by Democratic politicians

The U.S. Department of Energy scientist who wrote a report critical of Yucca Mountain as a site for a high-level nuclear waste dump was hailed Thursday by Democratic politicians as a "whistle blower" and "hero."

But the scientist, Jerry Szymanski, rejected those accolades. "I feel very uncomfortable," he said.

The 1 1/4-inch thick report, released Thursday by Gov. Richard Bryan, "was not intended for this kind of public debate," Szymanski said.

Bryan praised Szymanski as "highly principled and conscientious" for writing a report that supports the state's theory that Yucca Mountain, 110 miles northwest of Las Vegas, should not be used to bury high-level nuclear waste.

"We all know what happens to whistle blowers in society," Bryan said.

The governor also expressed concern that the scientist might be fired by the Energy Department. "We'll want to hear what happens to poor Dr. Szymanski," Bryan said.

Sen. Harry Reid, D-Nev., said, "In the eyes of Nevada, Jerry Szy-

manski is a hero. It's pathetic that a man has to jeopardize his career to let everyone know the truth — something that should have come from Energy Secretary John Herrington in the first place."

Szymanski, who has a master's degree but not a doctorate, said he is not worried that he will be fired or disciplined by the department.

"I'm not getting pressure and I wouldn't give a damn," he said. "I have to divorce my thinking from my employment."

Carl Gertz, Szymanski's superior, said, "We have no intention of firing him. He's part of the (nuclear waste management) team. I believe he released it (the report) in an aura of scientific investigation."

Reid doubted that Szymanski's report will change the decision made by Congress to study only Yucca Mountain as a site for the dump.

But, he said, "I'm certain there are other documents like this lurking in the DOE's files, and the sad thing is that we probably will never know about all of them."

Bryan, a likely Democratic candidate in the race this year to unseat Sen. Chic Hecht, R-Nev., said he does not know if the report

would have changed the way Congress voted last year on the dump.

Bryan said, however, "Had I been a congressman, I think my position would have taken a great deal of thought and consideration (if he had the report)."

Rep. James Bilbray, D-Nev., also criticized the Energy Department. "I want to know why the DOE kept this report under wraps," Bilbray said. "I want to know what plans the DOE has for looking at alternative sites and I want to know what other reports are lurking in desk drawers that have not yet seen the light of day."

Hecht said Szymanski's report is further support for my contention that there are severe safety problems associated with deep geologic disposal of high-level nuclear waste, especially at Yucca Mountain."

Hecht believes no dump will be built and that the United States will eventually decide to reprocess nuclear waste.

A spokesman for Rep. Barbara Vucanovich, R-Nev., said the congresswoman would have no comment on the report until she received and read it.

—Laura Wingard

Nevada congressional delegation not surprised

By Mary Manning
SUN Staff Writer

Nevada's senators and representatives in Washington reacted without surprise Thursday to a government report saying Yucca Mountain is unsuitable for a nuclear dump, but with resolve to start a fresh battle to keep nuclear waste out of Yucca's volcanic tuff.

Sen. Harry Reid, D-Nev., said the release of a DOE scientist's document showing Yucca Mountain unsuitable as the nation's nuclear dump proves the department's disregard for the law and for Nevada.

"This is another example of how the DOE has dumped on Nevada," Reid said of the study that was

released at news conferences in Las Vegas and Reno. "We in Nevada have known about these kinds of problems since Day One."

Rep. James Bilbray, D-Nev., called upon DOE "to move onto another site," and criticized the agency for not releasing the study when Congress was debating the issue in December.

"DOE's own scientist has confirmed our worst suspicions," Bilbray said. "I want to hear why DOE kept this report under wraps. I want to know what plans DOE has for alternative sites, and I want to know what other reports are lurking in desk drawers that haven't seen the light of day yet."

Bilbray added, "A sin of omission is still a sin." Sen. Chic Hecht, R-Nev., said the new study lends

support to his call for alternative methods of handling spent nuclear fuel.

"This new information is further support for my contention that there are severe safety problems associated with deep geological disposal of high-level nuclear waste, especially at Yucca Mountain," Hecht said.

"That is why I have been urging Congress to consider safer, more effective alternatives, such as reprocessing the waste and burning it as energy," he added.

Reid said he plans to ask Ed Kay, director of DOE's Civilian Radioactive Waste Management program, on Jan. 26 why the DOE disregarded its scientific finding and continued to support Yucca

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Bryan: DOE hid truth

Study calling Nevada nuke dump site unsuitable suppressed

By Mary Manning
SUN Staff Writer

Gov. Richard Bryan charged Thursday the Department of Energy intentionally suppressed a study by a government scientist that raises serious questions about the suitability of Yucca Mountain as the site for the nation's first high-level nuclear waste repository.

Bryan noted that the 1½-inch-thick study by DOE scientist Jerry S. Szymanski was given the Energy Department in November, a month before Congress chose Yucca Mountain, about 60 miles northwest of Las Vegas, as the national nuke dump.

Szymanski, the governor added, expressed concerns to DOE superiors as early as 1984.

What makes this DOE-generated report so incriminating — apart from the fact that it supports state conclusions that the site is unsuitable — is the fact that DOE apparently failed to make Congress aware of its contents and implications during last fall's



Staff photo by LEE ZACHUCK

Gov. Richard Bryan, left, and former Gov. Grant Sawyer at news conference Thursday.

See BRYAN, Page 8A

Bryan charges DOE quashed Nevada study

Continued from Page 1A
debate over the merits of singling out the Yucca Mountain site as the only one to be evaluated as a repository location," Bryan said. Texas and Washington sites were eliminated by Congress.

"This is bureaucratic arrogance of the highest order and has enormous implications when viewed in concert with other DOE misdirections and convenient omissions with regard to the Nevada site," he added.

Szymanski said in his report that underground pressure from ongoing volcanic and seismic activity may force corrosive water within the mountain through cracks and fissures, eventually leading to the repository where nuclear containers could be corroded, although DOE regulations say they must last 10,000 years.

"To me, the indictable public offense is that while Congress was narrowing the focus to one site, DOE by their silence has committed an act of public irresponsibility," Bryan said. "They've put all their nuclear eggs in one basket in Nevada."

The DOE tells a different story. Nuclear Waste Project Manager Carl Gertz said the Energy Department asked Szymanski to prepare the report in November. "I received the report with his cover letter on Dec. 22," Gertz said.

However, the draft report the governor handed out at the press conference in Las Vegas was dated November 1987.

Szymanski said he turned the report over to DOE in late December. It was typed in November, then revised in December, when he added equations, he said.

"If the governor thinks we are trying to suppress the report, Jerry understands the review process," Gertz said.

"I think it's a good report. I don't think he intended it to be released in this form," he said. "It's the only one that comes to this kind of conclusion. We have thousands of reports on aspects of Yucca Mountain."

The governor pointed out that DOE has historically disregarded the same concerns expressed by Szymanski, when state and Nuclear Regulatory Commission representatives raised issues of groundwater flow, earthquakes and volcanic activity at Yucca Mountain.

Nuclear Waste Project Office Director Robert Loux said state scientists saw evidence of water passing through such cracks at Yucca Mountain in 1984 on a field trip with the Nuclear Regulatory Commission, DOE and Szymanski.

When phoned at his office, the scientist said he has not had any pressure from DOE officials. "There is nothing of that sort," he said.

The study is under review by DOE scientists, Szymanski said.

Asked why the report was not made known to Congress as it deliberated on choosing a single dump site, Szymanski replied, "I think it is the usual way of dealing with scientific matters. Other scientists look at it. This is the proper way to deal with scientific matters."

The Nuclear Waste Project Committee plans to meet immediately and decide actions, possibly a criminal lawsuit, to recommend to the governor and the Legislature, said Chairman Grant Sawyer.

Sawyer noted that the 1982 Nuclear Waste Policy Act, amended in 1987, requires that DOE cooperate with states and Indian tribes. In this case, DOE did not notify the state, although Nevada officials raised the same concerns, he added.

Asked if the state should call DOE with the report, Sawyer replied, "I don't believe we had any responsibility to notify DOE of its own work."

Las Vegas Sun

Friday / Jan. 22, 1988

WHERE I STAND



By Brian Greenspun

I is my sworn duty, as a bureaucrat, to lie to the American public when it suits my department.

This is not a direct quote, I hope, because any government employee worth his salt will lie before he'll admit the statement

is true. Rather, it is based on many years of watching and listening to government employees who, no longer are able to justify their actions to the taxpayer, take the more circuitous route of obfuscation, confusion and downright lying.

So why is Gov. Dick Bryan so hot and bothered because he discovered that the Department of Energy withheld a vital piece of evidence from the U.S. Congress during its recent rush to judge Nevada the nuclear waste dump of the world? The governor knows the DOE has a reputation for lying, especially to Nevadans to whom it has failed to tell the truth for at least four decades.

Well, he should be mad. We all should be. But that doesn't get us anywhere because the deed has been done and Congress is happy to be through with this political hot potato.

I know what you are thinking. Isn't there one honest man in the United States Congress who will question the integrity of an agency of the government which would withhold vital information from this country's lawmakers? The tired answer, and one that continues to destroy people's faith in the democratic process, seems to be that there is no such thing as honesty among politicians with a problem.

But the DOE is not supposed to be a political animal. It is supposed to be acting in the best interests of the citizens of this country which still include those of us who live in Nevada. So why the subterfuge?

There is an old story whose punchline says "It is his nature." The DOE has been withholding information and misleading the public ever since we came of

See WHERE I STAND, Page 2A

Continued from Pa. 1A

nuclear age. At first, I'm sure it was unintentional but as time went by and the hole grew larger, the powers that be were forced to cover up the mistakes of the past and the ongoing present. The result is a bureaucracy which has as its very nature the propensity to distort, confuse and lie whenever necessary.

It is no secret that locating the nation's radioactive waste dump is one of those political problems seemingly without a solution. Congress finally decided to ram it down our throats in Nevada after some deft maneuvering by a few politicians whose backyards seemed most suitable for housing the 10,000-year death threat. The only citizens to scream, of course, are Nevadans because the rest of the country is thankful to have escaped this nuclear-tipped bullet.

Now comes the news that a DOE scientist — one employed by the government — submitted a report that suggests quite strongly that Yucca Mountain may not be a suitable site to house the dump. This fellow is not some guy hired by a citizens group that is already opposed to the dump in Nevada, he is one of them. And he says the government may be asking for trouble in trying to locate the dump in Nevada.

Naturally, the DOE, which is comprised of Americans good and true and sworn to uphold the principles under which we all stand, rushes to the Congress which is deliberating on this very issue and tells them the news. Right?

Wrong.

They bury the report or lose it on one of a thousand desks until after the Congress handles the politically hot issue. The DOE allowed Congress to make a decision that could cost the taxpayers multi-billions of dollars and years of effort by failing to alert them to the potential problems.

And how does DOE explain its negligent behavior, or worse? It claims this report is but one of many and the only one to suggest site flaws. That could mean that this is the only guy being paid by the government to look his gift horse in the mouth. Or it could mean that the others have not finished their reports. Or it could mean that this guy somehow slipped through the cracks which were designed to eliminate any report that suggested Yucca Mountain was not suitable. Or it could mean he was the only one to study the volcanic flaws in the area. Or it could mean virtually anything.

DOE spokesmen, however, then come up with the ultimate bureaucratic smokescreen to cover up their lying ways. DOE Project Manager Carl Gertz claims the reason Congress and the American people were kept in the dark was because the report was not really a report because it had not undergone a "peer" review.

A two-inch thick report paid for by the United States government did not exist because the author's peers had not reviewed it. I guess if Nevadans can swallow the world's radioactive waste they can swallow that, too!

It sounds to me that a peer review is one of those nifty bureaucratic inventions which assures that only one point of view will ever surface through the DOE. Those who have the courage to dissent based on scientific evidence will be silenced by their peers and, if they refuse to maintain a stiff and closed upper lip, will no longer be hired by the agency they offended.

It is deceitful, malicious, un-American and downright traitorous to our way of life. It is also nice and neat and very workable. In short, it is the perfect political coverup in a world where lies and deceit are a way of life.

In Russia, a country whose democratic traditions have not yet been embraced as a blueprint for our own way of life, they have their own DOEs. But there, instead of burying offensive reports, they bury the report-writer. You'd be surprised what a few years in Siberia or the clean-up detail at Chernobyl will do to keep the truth well-hidden.

Nevadans are not anti-government. We believe in America and resist with all our might the ways of the Soviets. As a group, we have probably given more of ourselves toward the defense of this country than any of our sister states.

But we are also an independent people who know a lie when we hear it. We heard it Wednesday — one of a long list of untruths from the DOE.

I guess that's why Dick Bryan got so mad. He is one of those few politicians like George Washington, Thomas Jefferson and Abe Lincoln who believe the government should tell the truth to the people. Good for him.

I wonder if there are any other politicians who still believe in truth? Or maybe they believe in peer reviews.

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