

Official Transcript of Proceedings
NUCLEAR REGULATORY COMMISSION

Title: Draft Supplement to the Environmental Impact Statement for the Proposed Geologic Repository at Yucca Mountain, Nevada
Public Meeting

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NUCLEAR REGULATORY COMMISSION

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DRAFT SUPPLEMENT TO THE ENVIRONMENTAL IMPACT
STATEMENT FOR THE PROPOSED GEOLOGIC REPOSITORY
AT YUCCA MOUNTAIN, NEVADA

PUBLIC MEETING

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THURSDAY,

SEPTEMBER 17, 2015

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The meeting was convened at the Amargosa
Community Center, 821 E. Amargosa Farm Road, Amargosa
Valley, Nevada, at 7:00 p.m., Chip Cameron,
Facilitator, presiding.

PRESENT:

CHIP CAMERON, Facilitator

CHRISTINE PINEDA, Office of Nuclear Material Safety
and Safeguards

JAMES RUBENSTONE, Office of Nuclear Material Safety
and Safeguards

ADAM GENDELMAN, Office of General Counsel

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T-A-B-L-E O-F C-O-N-T-E-N-T-S

Meeting Opens

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

7:01 p.m.

1
2
3 MR. CAMERON: Okay. Good evening,
4 everyone. My name is Chip Cameron and I'd like to
5 welcome you to the public meeting tonight. And our
6 topic tonight is a draft Environmental Impact Statement
7 that the United States Nuclear Regulatory Commission
8 has prepared on groundwater issues related to Yucca
9 Mountain. And it's my pleasure to serve as your
10 facilitator for tonight's meeting, and in that role I'll
11 try to help all of you to have a productive meeting
12 tonight.

13 I just want to give you a rundown on some
14 meeting process items so that you know what to expect
15 tonight and I'd like to tell you about the objectives
16 of the meeting, the format for the meeting, some simple
17 ground rules that will help us to have a productive
18 meeting, and to introduce the Nuclear Regulatory
19 Commission staff that will be talking to you tonight.
20 And we're going to try not to use acronyms, but two that
21 we will use will be EIS for Environmental Impact
22 Statement and NRC for Nuclear Regulatory Commission.

23 In terms of the objectives for tonight's
24 meeting there are three objectives, and one of them is
25 to have the NRC staff clearly explain the EIS process

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1 to you and to clearly explain some of the major elements,
2 major information that's in the draft Environmental
3 Impact Statement.

4 Second objective is to hear from you, your
5 comments, your concerns on the draft Environmental
6 Impact Statement issues. And I just want to emphasize
7 that term "draft." This document will not be finalized
8 until the NRC considers and evaluates all the comments
9 that they hear from you tonight from the other public
10 meetings that have been held and from the written
11 comments that can be submitted on this draft
12 Environmental Impact Statement. And the staff will
13 tell you in a few minutes how you do that.

14 A third objective of the meeting is the
15 information that you get from the NRC tonight either in
16 this part of the meeting, or in the open house part, or
17 after the meeting the NRC staff is going to be here. You
18 can talk to them. That information you get will help
19 you to prepare a written comment, if you choose to submit
20 a written comment. And I would just tell you that
21 anything you say tonight is going to have just as much
22 weight as any written comment that is submitted.

23 In terms of format we're going to start off
24 with some brief NRC presentations. After that, second
25 part of the meeting we'll have a short period of time

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1 to go out to you for any questions, clarifying questions
2 on the EIS process. And then the third part of the
3 meeting is really the heart of the meeting -- is where
4 we're going to ask you to give us your comments.

5 And there are cards out at the table, and
6 several people have signed a card that they wish to
7 speak. And if you need to make a comment, you want to
8 make a comment and you haven't filled out a card, my
9 colleague Miriam Juckett, who's right back here, will
10 give you a card to fill out. Okay? But I think most
11 people have filled out cards. And I'll ask you to come
12 up here to talk to the NRC staff.

13 And just two notes on commenting: You
14 might have had a conversation with the NRC staff or NRC
15 staff consultant experts at the posters. If you want
16 your discussion with them, your comments to be on the
17 record, you're going to have to do that as a formal
18 comment here at the microphone.

19 And secondly, the NRC staff is not going to
20 engage in a discussion with you on your comments. We're
21 just going to roll through the comments, but they will
22 be listening carefully and they will consider your
23 comments as they prepare the final Environmental Impact
24 Statement.

25 In terms of ground rules, just very simple.

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1 I would just ask that only one person speak at a time
2 for two important reasons: One is so that we can give
3 our full attention to whomever has the microphone,
4 whomever is speaking, but secondly so that we can get
5 what I call a clean transcript. We do have a court
6 reporter here tonight. This is Jacqui Denlinger and
7 she's going to be making a transcript of the meeting.
8 And that transcript will be publicly available. That
9 will be your record of the meeting and the NRC's record
10 of the meeting. So one person at a time.

11 Secondly, be crisp so we can get to
12 everybody who wants to talk. And I would just ask you
13 to follow a five-minute guideline for your
14 presentation. And I apologize in advance if I have to
15 ask you to wrap up after that time, but fortunately you
16 will have an opportunity to expand on your comments with
17 a written comment.

18 The focus of the meeting is the draft
19 supplemental EIS. And I know that many of you have not
20 had an opportunity perhaps to look through this
21 document. I also know that there are a lot of concerns
22 about Yucca Mountain. This has been a long
23 complicated, maybe convoluted process. And the NRC
24 staff is going to try to put this draft EIS in context
25 for you. And we want to hear everything that

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1 -- anything that you have to say on this, but the types
2 of things that would be most helpful is something that
3 might be related to these groundwater issues at Yucca
4 Mountain.

5 Bathrooms, I think you all know this,
6 they're here. Men's room, ladies' room.

7 If you haven't signed in -- not signed in
8 to speak, but we would just like to know everybody who
9 came in. So if you haven't signed in, at some point sign
10 in at the back table.

11 We also have something called a feedback
12 form at the NRC, and this is to get any comments you have
13 about how the meeting was conducted, any suggestions you
14 might have that would improve how the NRC does public
15 meetings. So please fill one out, if you choose to. It
16 already has a stamp, so to speak. It's already franked.
17 You can put it in a mailbox or you can leave it here
18 tonight with the NRC staff. And it doesn't have to be
19 limited to something about how the meeting was
20 conducted. If you want to fill this out and give a
21 comment on the draft EIS, you can put that on there also.

22 Information on the meeting, the slides,
23 everything is back at the table.

24 And let me introduce the staff to you. And
25 this is Jim Rubenstone. Jim is the Acting Director of

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1 the Yucca Mountain Project Directorate at the NRC.
2 It's in the Office of Nuclear Material Safety and
3 Safeguards, called NMSS. And he's going to do a welcome
4 and give you a little context.

5 And then Christine Pineda, right here, is
6 the Senior Project Manager in the Yucca Mountain Project
7 Directorate. She's going to tell you about the EIS.
8 And we also have our learned counsel at the table. Adam
9 Gendelman is the staff counsel to Jim's directorate, and
10 he's with the Office of General Counsel at NRC. And all
11 three of our speakers are in NRC Headquarters in
12 Rockville, Maryland.

13 And with that, I'm going to turn it over to
14 Jim to address us.

15 MR. RUBENSTONE: Thank you, Chip. How's
16 the volume in the back? Can everyone hear me fine?
17 I'll try to stay close to the mic.

18 As Chip said, I'm here to welcome you to
19 this our third public meeting on the draft supplement
20 to the Department of Energy's Environmental Impact
21 Statement for a high-level waste repository at Yucca
22 Mountain, which I think you folks are reasonably
23 familiar with.

24 In addition to my fine colleagues to my left
25 and right I hope you had a chance to speak to some of

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1 our other NRC staff and support contractors who are here
2 today, and very much appreciate their efforts coming out
3 to help inform people about what we're doing, and also
4 many thanks to Chip for serving as our facilitator.

5 So as you know, as Chip told us, NRC has
6 released this draft supplement for public comment with
7 a comment period that began on August 21st. It was
8 originally for a 60-day comment period, but in response
9 to requests from the State of Nevada, Inyo County and
10 some other groups, we've extended that for an additional
11 month. So the comment period now runs to November 20th.
12 This should allow ample time for comments on this
13 relatively limited scope document, at the same time
14 fulfilling our obligations to complete the project in
15 a timely manner and within our relatively limited
16 budget.

17 We have scheduled an additional public
18 teleconference in addition to the one we have scheduled
19 for October 15th. We've added an additional public
20 teleconference on November 12th. And the handout on
21 commenting has the information on those meetings. It's
22 the same telephone call-in number and pass code for both
23 of those teleconferences.

24 Public comments are very important to the
25 NRC, and one of our purposes today is to accept your

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1 comments. We want to be sure that they are properly
2 recorded so they can be addressed. As Chip said, we are
3 transcribing and recording this meeting and we
4 appreciate you coming to the microphone to make your
5 comments.

6 And as I said, in addition to providing
7 comments at the public meetings, this meeting and the
8 two teleconferences, you can also submit written
9 comments by mail; the address is in the handout, or at
10 the regulations.gov web site. regulations.gov also
11 allows you to upload a document if you would like to
12 submit your comments by that method.

13 We have a number of handouts including the
14 how to comment, a little bit of a backgrounder, some
15 information on the Safety Evaluation Report which NRC
16 completed in January of this year. All of the handout
17 information is available on our NRC web site. If you
18 go to our home page, www.nrc.gov, and follow the
19 dropdown menu for high-level waste, it will lead you to
20 a page called key documents, which has all of this. Our
21 handouts are out there. The slides from the meeting
22 will be posted there. The posters will go up as well,
23 as well as a link to the transcript as soon as that is
24 available.

25 So that's about all I wanted to cover. I'd

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1 like to introduce now Christine Pineda who is a Senior
2 Project Manager in the Yucca Mountain Directorate. And
3 she's going to give you an overview of the supplement
4 along with some context about what NRC is doing with this
5 supplement and how it fits into the bigger picture.

6 So, Christine?

7 MS. PINEDA: Thanks, Jim. Hi, everyone.
8 As Jim said, I'll be talking about giving you an overview
9 of what the supplement covers tonight. And actually,
10 I'll give you an overview of what I'll be discussing
11 tonight now.

12 First, I will give you some background
13 about the NRC's environmental review process for the
14 Yucca Mountain Repository. And then I'll get into what
15 the supplement covers, the scope of the supplement.
16 And then we'll have a short opportunity where you can
17 ask clarifying questions. And then we'll go to the
18 comment portion of the meeting where you can provide
19 your comments.

20 So how did we get to this point in the NRC's
21 environmental review process for the repository? The
22 framework for the NRC's environmental review process is
23 defined by the National Environmental Policy Act, and
24 that act requires that federal agencies consider the
25 environmental consequences of their proposed action,

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1 major federal actions. And the NRC develops
2 environmental impact documents for its licensing
3 actions and also for its rulemakings.

4 And the Nuclear Waste Policy Act requires
5 that the Department of Energy prepare Environmental
6 Impact Statement for the proposed repository and it also
7 requires that the NRC adopt the Department of Energy's
8 EIS to the extent practicable.

9 So some of the activities, the major
10 activities that have occurred over the past several
11 years: The Department of Energy published its final
12 Environmental Impact Statement in 2002 and it submitted
13 that EIS along with its site recommendation to the
14 President in 2002. In 2008 the Department of Energy
15 published a final supplemental Environmental Impact
16 Statement which supplemented the entire 2002 EIS. And
17 in 2008 it submitted that EIS along with its original
18 EIS and its license application to the NRC for review.
19 The NRC staff reviewed the Department of Energy's EISs
20 and issued what we refer to as our Adoption
21 Determination Report, and it issued that in September
22 of 2008.

23 What did the NRC staff find in the Adoption
24 Determination Report? We determined that the EISs
25 could be adopted but that supplementation was needed.

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1 And the Adoption Determination Report describes the
2 scope of the needed analysis, and that includes further
3 characterization of how the groundwater moves through
4 the aquifer, especially beyond the post-closure
5 regulatory compliance point, and an assessment of the
6 potential impacts particularly in that location beyond
7 the regulatory compliance point. So the impacts in the
8 aquifer from contaminants that could enter the
9 groundwater from the repository and then also the
10 impacts as the groundwater reaches the ground surface
11 impacts at those locations where surface discharges
12 occur or where the groundwater is pumped, such as at
13 Amargosa Farms. And that this assessment should
14 account for both radiological and non-radiological
15 contaminants.

16 You may be wondering why the NRC staff is
17 supplementing the Department of Energy's EISs. In 2008
18 when we issued our Adoption Determination Report, at
19 that time we requested that the Department of Energy
20 produce the needed supplementation, but at that time the
21 Department of Energy deferred to the NRC.

22 In 2011 the Commission directed the NRC
23 staff and the NRC's Atomic Safety and Licensing Board
24 to cease activities related to the Yucca Mountain
25 Project because funding -- basically there were no more

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1 appropriations, so in response to a lack of funding.
2 But in 2013 there was a court decision by the Court of
3 Appeals for the District of Columbia Circuit which
4 ordered the NRC to continue work as long as it had
5 available funds, and these were funds from previous
6 years.

7 So in response to that the Commission
8 directed the staff to complete its Safety Evaluation
9 Report, and it completed that in January of this year.
10 Again we asked the Department of Energy to do the needed
11 supplementation for the Environmental Impact
12 Statement, but again the Department of Energy deferred
13 to the NRC. So after completing the Safety Evaluation
14 Report in January the NRC staff then began work on this
15 supplement.

16 The scope of the supplement, as I mentioned
17 earlier, is described in our Adoption Determination
18 Report, and the scope is limited because the staff
19 determined in that report that the EISs were otherwise
20 acceptable to be adopted by the NRC.

21 The potentially affected area that we
22 covered in the supplement is the area of the groundwater
23 flow path that could include contaminant releases from
24 the repository. And as I mentioned, it focuses on the
25 area beyond the post-closure regulatory compliance

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1 point. And from that point onward the groundwater
2 flows through the Amargosa Desert, and it flows
3 ultimately to the Furnace Creek and Middle Basin areas
4 of Death Valley. And then it, as I mentioned, it is
5 pumped in Amargosa Farms and also flows to natural
6 surface discharge locations in Death Valley.

7 This figure represents the Death Valley
8 Regional Groundwater Flow System, which is a model that
9 was developed by the United States Geological Survey,
10 and that's the model that the NRC staff used to assess
11 the groundwater flow in the area and to assess the
12 potential impacts flowing through the aquifer. And so
13 this map represents the area that's encompassed by the
14 model.

15 The resources that we determined could be
16 affected by potential contaminants from the repository
17 entering the groundwater includes the groundwater
18 itself, which we refer to in the supplement as the
19 aquifer environment. And we refer to it that way
20 because we include the groundwater itself, but also the
21 rocks that the groundwater is flowing through, whether
22 it is bedrock or sediments, because those depending on
23 the contaminants those materials can affect how quickly
24 the contaminants move through the aquifer.

25 We also looked at impacts on soils, and that

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1 would be soils at locations where the groundwater
2 discharges to the ground surface, and impacts on public
3 health if members of the public were exposed to soils
4 or groundwater that was contaminated, and impacts on
5 vegetation and wildlife, and the potential for
6 disproportionate impacts on minority or low-income
7 populations that may be located in the areas where there
8 is either groundwater pumping or natural surface
9 discharges.

10 The framework for the analysis, the key
11 elements of the analysis are that, as I mentioned, we
12 looked at radiological and non-radiological
13 contaminants, and we looked at the potential impacts
14 associated with those contaminants for a period of 1
15 million years after the repository would be closed.
16 And we looked to see at what point or general time frame
17 in that period the contaminants would reach their
18 greatest concentrations in the groundwater or at the
19 surface discharge locations. And the NRC staff's
20 analysis builds on DOE's model of repository
21 performance that the staff assesses in its Safety
22 Evaluation Report.

23 And we analyzed a few different cases so
24 that we could get a good range of potential impacts.
25 And the variables that we used are -- for groundwater

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1 pumping we assumed in one case that groundwater would
2 be pumped such as the pumping that occurs at Amargosa
3 Farms for irrigation. And for that assumption we
4 conservatively assumed that all the contaminants that
5 enter the groundwater and flow to that point would be
6 drawn up through the pumping in the groundwater.

7 We also had another case where we assume
8 that no pumping occurs. And in that case all the
9 groundwater would flow to the natural surface discharge
10 locations. And we had the same assumption for each
11 discharge location, that all the contaminants would
12 reach the ground surface at that location.

13 We also looked at two different climate
14 cases. We have a hot and dry climate, which is similar
15 to today's climate and also would encompass the
16 potential impacts that could occur in a hotter climate
17 that we might see in the near future, and a cooler and
18 wetter climate. And a cooler and wetter climate would
19 have more precipitation associated with it and
20 therefore would result in more water entering the
21 groundwater system, and that can affect the
22 concentrations of the contaminants. Also more water
23 flowing through the system would result in surface
24 discharge locations becoming active that are not active
25 now but based on evidence that they were active in the

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1 past. And so these could become active again.

2 And that takes us to the next slide, which
3 is a couple of photographs of examples of these
4 prehistoric discharge deposits. And these are at the
5 state line area. And these are over 30,000 years old.

6 The supplement concludes that the
7 potential direct and indirect impacts from contaminants
8 entering the groundwater from the repository would be
9 small, and the NRC defines small as that the
10 environmental effects would not be detectible or would
11 be so minor that they would not noticeably alter
12 important attributes of the resources that we assess the
13 impacts for.

14 Likewise, we also assume that the potential
15 cumulative impacts would be small. And these are
16 impacts when you look at the potential impacts from the
17 repository alone and you take those impacts in addition
18 to impacts that could come from other activities in the
19 region such as activities that occurred on the Nevada
20 test site and you look at them cumulatively. And our
21 impact conclusions are consistent with the NRC staff's
22 understanding of how the potential contaminants would
23 move through the aquifer.

24 So the next steps. We have our two
25 teleconferences that Jim mentioned. We have one on

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1 October 15th and one on November 12th, and the
2 information for those are both posted on our public web
3 page on the public meetings page. And the comment
4 period closes November 20th. And we will then take all
5 the public comments we received and read them and
6 provide responses. And the responses will be in an
7 appendix to the final supplement, and we'll publish that
8 in the first half of next year.

9 So here's some more information about how
10 to comment. It's the same information that's on the
11 handout on the table. And now we can go to a short
12 question -- questions about the process.

13 MR. CAMERON: Okay. Thank you. Thank
14 you, Christine. Thank you, Jim.

15 Before we go to public comment are there
16 questions on the process? We have one down here and
17 then I'll be back to you, sir.

18 MR. HALSTEAD: Chip, I have actually a
19 clarification if Christine could go back to your
20 groundwater map. For all the times I've read through
21 this -- and maybe there's an easy way to answer this,
22 but I have three short description questions here.

23 One, on your map can you show us roughly where we
24 are tonight? And then I want to relate that to the
25 regulatory compliance location, the Amargosa Farms.

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1 No, you're up north of that. I guess I'm going to say
2 we're going to send you comments. This is Bob Halstead,
3 State of Nevada. We're going to send you some comments
4 about a map that we'd like to see in the final that adds
5 the highways and some locations so that even people like
6 ourselves who are familiar with this area know where the
7 locations are.

8 But I think for people tonight it would be
9 useful to know -- I mean, my understanding is that the
10 distance from the regulatory compliance location, which
11 is up near US 95, to the Amargosa Farms area, let's
12 assume for pumping, is that that's about 11 miles. And
13 then down further your farthest point, Furnace Creek and
14 Middle Basin, is about 37 miles from the repository. I
15 mean, my understanding from being here is that the area
16 that you identify is Amargosa Farms for Valley is down
17 the road here about four miles. So can somebody on your
18 staff just verify for us where we are?

19 MR. CAMERON: If you look within the
20 supplement itself, there are specifics that describe
21 exactly where we did the analysis. And if you think
22 that's something that could use more information, we
23 suggest -- we'd appreciate that as a comment.

24 MR. HALSTEAD: Absolutely. And then one
25 more point on this, just so we're straight on what you're

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1 doing in the entire EIS supplement to come up with your
2 dose calculation and your estimation of small impact.
3 As I understand it you're adopting DOE's analysis for
4 releases to the regulatory compliance point, and
5 basically your evaluation is from the regulatory
6 compliance location down to the other two points, the
7 nearer point, Amargosa Farms, and the farther point in
8 Death Valley. Is that a fair summary of it?

9 MR. RUBENSTONE: Yes, although there are
10 some other locations. For example, we analyzed the
11 state line location in a wetter climate where that might
12 be a discharge. But, yes, we are beginning with the
13 amount of contaminants in DOE's repository performance
14 model that reach the regulatory compliance point.

15 MR. HALSTEAD: Thanks. I really
16 appreciate those clarifications. Thank you.

17 MR. CAMERON: Okay. Thank you, Bob.
18 We're going to go back to this gentleman back here.

19 MR. HOLLIS: My name is Gary Hollis. I'm
20 a citizen of Nye County and I'm a former Nye County
21 commissioner.

22 I understand that the NRC has ultimate
23 responsibility for adopting DOE's EIS, but there is
24 something that I would like you to clarify. The DOE
25 tried to withdraw the LA and was not successful. The

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1 court told the NRC to resume review of the Safety
2 Analysis Report. When asked by Congress, Secretary
3 Moniz said that he would follow the law. DOE refused
4 to answer the Nuclear Regulatory Commission's question
5 and complete the NRC's supplement EIS. And in
6 testimony to Congress on September 9th of this year the
7 NRC commissioners would not commit to requesting
8 funding to continue the Yucca Mountain project. In
9 other words, they would not commit to following the law
10 that all of us have to do except the Government. It
11 would not surprise me if Secretary Moniz also would not
12 commit to requesting funding if he were asked that
13 question.

14 So what are we doing here? Nye County and
15 eight other rural counties comprised of about 75 percent
16 of the state area have gone on the record stating that
17 they want to know if the site is safe. That can only
18 be determined by the NRC undertaking a complete hearing.
19 Can you please tell us what this EIS supplement really
20 means in regard to NRC holding hearings?

21 (Applause)

22 MR. CAMERON: Okay. I think we'll note
23 that as a comment also, but, Jim or Adam, do you
24 understand what the question is?

25 MR. RUBENSTONE: Yes, I believe I

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1 understand the question.

2 MR. CAMERON: Okay.

3 MR. RUBENSTONE: And I can't speak for
4 anyone but NRC staff, and that includes our Commission,
5 Congress, Secretary Moniz. But the way this gets into
6 the process is when NRC has hearings on a contested
7 issue, which the Yucca Mountain has requirements that
8 hearings be held, to initiate the hearings you need a
9 complete record going into that. That includes the
10 Department's license application and its Safety
11 Analysis Report, the staff's review of that, the Safety
12 Evaluation Report which we completed, and as complete
13 an environmental impact record as can be generated.

14 The Department of Energy, as Christine
15 noted, produced an Environmental Impact Statement. It
16 supplemented that in 2008. According to the process it
17 was laid out in the Nuclear Waste Policy Act. The staff
18 had to review that for adoption. We found we could
19 adopt it; however, there were areas that needed
20 additional analysis. So in order to produce a complete
21 environmental impact record going into the hearings
22 this small component needed to be completed.

23 Now, as Christine also said the Commission
24 initially requested that DOE complete that. DOE
25 deferred. But within our regulations if DOE does not

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1 do that work, the staff is able to do that and complete
2 it. So that's how the supplement fits into the bigger
3 picture.

4 Now, as we've said on several occasions in
5 addition to completion of this supplement there are two
6 other very significant steps that need to be completed
7 before the Commission can reach a decision on a
8 construction authorization for the repository. And
9 the first step, which I think is a fairly large step,
10 is to the completion of the hearings, which includes the
11 hearing out and adjudication of all the admitted
12 contentions. At this stage there's close to 300. If
13 the hearings were to resume, there would be an
14 opportunity for parties to submit additional
15 contentions.

16 And then the final step is the review by the
17 Commission itself of all the contested and uncontested
18 issues before they issue their determination on a
19 construction authorization.

20 As Mr. Hollis has pointed out very clearly, the NRC does
21 not have the funding, nor does DOE at this point have
22 the funding to conduct those hearings. So the work
23 we're doing now on this supplement, the work we did on
24 the Safety Evaluation Report is being completed with a
25 very limited amount of appropriations that remain from

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1 prior years. NRC cannot move forward on the hearings
2 until we have appropriations from Congress to support
3 that activity.

4 MR. CAMERON: Okay. Thank you. And
5 thank you for the question. Yes, sir?

6 MR. MERRITT: Hi, my name is Dave Merritt.
7 I'm a resident here. In full disclosure I'm a former
8 worker at Yucca Mountain.

9 To elaborate a little on what Gary said, and
10 assuming that by some great miracle funding does become
11 available at some point, in 2008 when the DOE
12 essentially walked away from this project, it had a very
13 big feel of incompleteness about it. A lot of the work
14 had not been done. A lot of design work had been done
15 that had not been incorporated into the EIS. Between
16 2002 and 2008 when the EISs and the supplements were
17 started there was some fairly significant redesign of
18 the conceptual repository. The spacing of the
19 canisters was increased, panels were added to the
20 northern area of Yucca Mountain, and there really was
21 not the data retrieved from those areas that would
22 support anything to the equivalence of the original data
23 collected and the original submittals.

24 So considering all that and considering
25 that we've still got a lot of work to do; there were plans

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1 underway I think of authorizing construction one panel
2 at a time and maybe deferring some of the other
3 characterization work for the new design later, is that
4 kind of conceptual change envisioned in the EIS or the
5 supplements? Are we going to have to revisit this at
6 some point? I got several other questions, but that
7 will do for now.

8 MR. CAMERON: Jim?

9 MR. RUBENSTONE: Yes, I'll try to answer
10 that. I appreciate these questions. They're a little
11 bit out of what I would consider process questions, but
12 we'll give you an answer as best we can.

13 I think the best I can say about that is the
14 NRC's regulations for how we address changes are well
15 established, and the staff can only review what is
16 submitted to them in a license application. There
17 certainly has been plenty of discussion of changes in
18 a non-formal sense. Those haven't been submitted to
19 NRC for review, so we're somewhat limited in what we
20 address. And in this supplement we're just addressing
21 those rather narrow limitations of areas that we
22 identified in the Adoption Determination Report.

23 If and when the hearing process is resumed,
24 if DOE has determined they want to make changes in the
25 design that was submitted as part of the license

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1 application, if those changes are significant and
2 there's a formal definition of that, then they would
3 submit an amended application. And there's a whole
4 process to go through that. It would be subject to
5 additional NRC review and it could trigger additional
6 supplementation of the Environmental Impact Statement.

7 So to some degree it's a bit of a moving
8 target, but the idea is that we do have the processes
9 in place to accommodate changes. And certainly on a
10 project of this scope and complexity it's not unexpected
11 that there may be changes along the way.

12 MR. CAMERON: Okay.

13 MR. RUBENSTONE: But those would be
14 subject to suitable review as we moved forward.

15 MR. CAMERON: Okay. And I think it is good
16 that you provided these clarifications to people,
17 because there is some uncertainty about that. So thank
18 you for the questions and thank you, Jim, for the
19 answers.

20 And we're going to go to -- okay. We'll
21 take one more and then we're going to go to comment.
22 Yes, ma'am?

23 MS. DIAMOND: Mine is a clarifying
24 question. Brenda Diamond. I'm an Amargosa resident.
25 I notice on the map that we're not a populated area. I'm

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1 sorry. I notice on the map that Amargosa is not
2 populated. All the areas around us show people. But
3 I think for your map you need to fix that.

4 MR. CAMERON: Okay.

5 MR. RUBENSTONE: Yes, thanks. Again, as
6 Christine noted, this map was really just designed to
7 show the limits of the modeling system. It wasn't
8 trying to show population density. But we'll take that
9 as a comment for the final. Thank you.

10 MR. CAMERON: Okay. We're going to go to
11 comment, and I'm going to call four or five names at a
12 time so that you know where you are in the queue. And
13 the first speaker that we're going to go to is Dan
14 Schinhofen from Nye County. And we're going to ask you
15 to come up here. Then we're going to go to Andrew
16 Lingenfelter from Senator Heller's office. Then
17 Gerhard Gran, Darrell Lacy and Amy Noel. And I'll call
18 these names again.

19 MR. SCHINHOFEN: Good evening. My name is
20 Dan Schinhofen. I'm a Nye County commissioner and
21 liaison to nuclear waste issues. I'd like to welcome
22 all of you to tonight's public hearing on the NRC's draft
23 supplement to the Yucca Mountain EIS. I provided
24 comments at the Las Vegas hearing on Tuesday and for sake
25 of brevity I resubmit those comments for tonight's

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1 meeting and add the following:

2 Used nuclear fuel accumulations at both
3 shutdown and operating reactors continues to grow
4 imposing significant societal burdens. Disposal of
5 defense high-level radioactive waste needs are not
6 being met. The important legal contractual
7 obligations and state agreements are not being
8 achieved. As long as the science determines a
9 repository to be safe, we support the effort and desire
10 to be part of the solution as opposed to being a problem.

11 Nye County has been actively and
12 constructively engaged in the license application
13 process since the site was designated in 2002. This EIS
14 supplement continues the effort to advance the review
15 license application. As the local jurisdiction most
16 affected by the program we and eight other Nevada
17 counties have asked that the license application
18 process be finalized. Then and only then can and
19 appropriate decision to proceed with Yucca Mountain be
20 made.

21 Let me take a little break. I ran into a
22 couple of town board members. Would you guys stand up?
23 Who's town board members here? I saw Trevor. I saw
24 John earlier. Hi, guys. They're going to be hearing
25 something in about a week or so hopefully that will go

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1 along the same lines that we've done in eight other
2 counties, which is we want all the science heard before
3 we say yes or not. How many of you here tonight would
4 like to have all the science vetted before you say yes
5 or no? How many of you still have an open mind? Thank
6 you.

7 While I have no specific comments to offer
8 tonight on the Environmental Impact Statement itself,
9 Nye County will provide limited comments based on a
10 cursory review of the document by the close of the public
11 comment period. As I said last night, without NWPA
12 Section 116 funds Nye County and other affected units
13 of local government cannot afford to hire technical
14 experts to help them critically review the document.

15 Unless and until the affected units of
16 local government receive grants sufficient to allow
17 them to participate in the finalization of the
18 supplemental Environmental Impact Statement, any
19 action of the Nuclear Regulatory Commission to finalize
20 the document makes a mockery of the intent of the
21 National Environmental Policy Act, the implementing
22 regulations of the Council on Environmental Quality and
23 the intent of Congress and the people of the United
24 States in the Nuclear Waste Policy Act for the Secretary
25 of Energy to provide funds for such reviews.

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1 That's pretty much the position of Nye
2 County and eight other counties. We want the science
3 to be heard. We would ask -- we've heard the state's
4 representatives say that they welcome the chance to be
5 heard with their 218 contentions. And it's real
6 simple: If the governor would say fund this so we can
7 decide on this and put this to bed once and for all, we
8 don't know, it would be over.

9 Briefly, if I have a minute left; I don't
10 what your time says, I know you're going to hear a lot
11 of -- there was a lot of fear and loathing in Las Vegas
12 the other night, believe me. Everything that could be
13 thought of was thrown against the wall. Almost 1,000
14 underground tests happened out there. There's trace
15 tritium in the water. That now has been tested for
16 years. It's still 50 years from Beatty and it's safe
17 to drink now. And I've had people say it's radioactive.
18 I don't want to drink it. Well, if you eat bananas,
19 Brazil nuts or potato chips, there's radioactivity in
20 there, too. That's not going to harm you. And if that
21 after 1,000 below ground tests is safe, what's wrong
22 with the canisters 1,000 feet above the water table? We
23 just want the science to be heard and we wish the
24 governor would come along with us and have an open mind.
25 Thank you.

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1 (Applause)

2 MR. CAMERON: Okay. Thank you. Thank
3 you, Dan. And I think Dan has a good idea. We're going
4 to keep the microphone facing out so people can talk to
5 all of you. The NRC will be able to hear it.

6 And we do have Andrew Lingenfelter here from
7 Senator Heller's office, and Andrew is going to talk to
8 you.

9 MR. LINGENFELTER: Thank you, Chip. And
10 thank you to the NRC folks for coming to Nevada and
11 allowing the folks of Nevada to speak directly, to you
12 to take these comments as public comments and to answer
13 the questions and the concerns which they may have.

14 As Chip said, my name is Andrew with Senator
15 Heller's office and I'm sure as many of you know the
16 senator's position on this has been very open in his
17 opposition, and this EIS does not do anything to change
18 that position. One of the things I hope that we can all
19 agree on and that you heard the commissioner mention is
20 that there ought to be more input from the counties, from
21 residents, from the state in terms of how this process
22 moves forward, and at the end to be able to consent to
23 this before the Federal Government moves forward with
24 this, which is why the senator has introduced, has
25 cosponsored the Nuclear Waste Informed Consent Act,

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1 which does just that.

2 And if any of you have questions regarding
3 that, please feel free to talk to me afterwards or reach
4 out to our office to voice your concerns on this project,
5 this EIS, or the legislation as I just described.
6 Please do so. And our phones and our doors are always
7 open, and so please feel free and don't hesitate to
8 contact us. And so thank you very much, Chip. And to
9 everybody who showed up tonight, continue to be involved
10 in this process. Make sure you submit your comments to
11 the NRC in writing, voice or whichever method you prefer
12 by November 20th. And I hope each of you have a good
13 night. Thank you.

14 MR. CAMERON: Okay. Thank you, Andrew.
15 And thank the senator for us.

16 Gerard, would you like to come up? This is
17 Gerhard Gran. And then we're going to go to Darrell
18 Lacy and Amy Noel. This is Gerard.

19 MR. GRAN: Yes, I'm Gerhard Gran.
20 Eighty-nine percent of Nye County population and I live
21 in Pahrump. And the numbers I give you may be
22 approximate and I won't give you a range to make it
23 easier for you to remember.

24 Twenty percent of the U.S. power is nuclear
25 produced in 66 stations and 99 reactors. Safety-wise

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1 nuclear is number one. Solar is the first, followed by
2 coal. The nuclear station has been paid off, so their
3 power is now sold for two cents per kilowatt hour as
4 fuel. Think about that two cents. We're paying 11 and
5 the price we pay for our fuel is 8½.

6 Now, we live in the last of five rare ice
7 age periods. In this one we had 20 -- no, I mean, 40
8 ice ages so far. The first one, the first 28 lasted
9 31,000 years. The last 12 has lasted 103,000 years
10 each. Now, the sun determines the climate. CO₂ has
11 none effect, no -- none at all. All the lies about it
12 are sheer nonsense. Movies, the global warming
13 swindle, you can find that on the Internet via Google.

14 Now, our energy choices are extremely
15 limited. We may burn all the coal and natural gas first
16 and then making it very difficult for us to produce
17 steel, metal, cement for concrete, plastic, rubber,
18 etcetera. Five years ago Department of Energy said
19 that world had coal for 108 more years from now. West
20 in the U.S. we brag ourselves for -- we brag about
21 eliminating our natural gas, wasting it to produce
22 electricity, but sooner or later we have to turn to
23 nuclear anyway. So our situation and problem won't go
24 away. So let's act to remedy them. Let's develop the
25 safest possible nuclear steam generator and stop all

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1 coal and natural gas waste with them urgently. We need
2 lots of steel for railroads because we can't keep on
3 flying without fuel.

4 Now, Yucca Mountain is unique. The
5 incoming groundwater is contaminated by 928 atomic
6 bombs. So storage spills are not expected. If one
7 should occur, the pollution would be extremely minor
8 compared to just one -- the fallout from one atomic bomb,
9 at least those that were exploded in the air, and there
10 were 100 of those. Groundwater flow speed is six
11 millimeters per day, and that makes 13.6 miles in 10,000
12 years. So water with bomb fallout, not storage debris,
13 mind you, won't hit you just quite yet. Now by adopting
14 Yucca storage plus we'll get high-level jobs.
15 Essentially additionally we avoid paying dollar 100
16 billion for another alternate site. As
17 world population peaks at 9 billion, food production
18 becomes lucrative. The next ice age makes food scare
19 as most of our corn belt vanishes. As oceans cool, CO₂
20 will drop towards 200 parts per million, half of what
21 it is now. So the wind plant and tree grows to a
22 trickle. Lack of food will kill at least two-thirds of
23 us, or I mean, will diminish the population. This is
24 why in addition to storing we should be build power
25 plants near Yucca, build membrane desalination plants

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1 at the Pacific down to half a percent salt, and then
2 further desalinate along the line --

3 MR. CAMERON: Okay. Gerhard, could I ask
4 you to wrap up?

5 MR. GRAN: Yes, yes, it's one -- it's not
6 even a line left.

7 MR. CAMERON: Okay. Sorry. Good.
8 Thank you very much.

9 MR. GRAN: -- providing water for desert
10 food production even here in Amargosa Valley.

11 (Applause)

12 MR. CAMERON: Thank you. Thank you,
13 Gerhard. Thank you. Thank you.

14 Darrell? Darrell Lacy?

15 MR. LACY: Thank you. My name is Darrell
16 Lacy. Since the majority of the people here live in Nye
17 County and Amargosa, I just wanted to introduce myself.

18 If you don't know me, one of the hats I wear
19 is Director of the Nye County Nuclear Waste Repository
20 Project Office. So I've been in charge of the Nye
21 County program to study Yucca Mountain and provide
22 oversight. When the funding was coming from Congress,
23 we had a very active independent science role trying to
24 ensure that the people of Nye County were safe. We're
25 currently not funded and have not been for the last three

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1 years, so we have not had an opportunity to do a detailed
2 analysis of this EIS or supplement. However, a lot of
3 the science work that we did back when we were producing
4 our own independent science was used in this supplement.

5 So, like I say, I assume that when this
6 moves forward that we will receive funding again. Nye
7 County's Commission has always been very dedicated to
8 ensuring the safety of Nye County residents. I wanted
9 to make sure you knew who I am. If you have any
10 questions, please don't hesitate to contact me to get
11 you any information that you need. Thank you.

12 MR. CAMERON: Thank you, Darrell.

13 Amy? Amy Noel? There she is.

14 MS. NOEL: Hello. Thank you. Thank you.
15 I'm Amy Noel. I'm a resident and a business in Tecopa
16 Hot Springs, just down the road. I own and operate a
17 Tecopa Hot Springs resort. We consider it a wilderness
18 resort area. And I'd just like to say that our economy
19 is becoming ecotourism with the decline of mining in the
20 area and between the mining era closing and about 10
21 years ago we've -- as a community have focused on the
22 ecotourism, and it's really taking off. We
23 have a lot of concerns about -- we watch the water change
24 all the time in our area from the bombing, the test
25 bombing and -- or just anecdotally there's a lot of

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1 changes, subtle changes in the groundwater flows in our
2 Hot Springs area and it bothers us, me especially, when
3 I read a small impact potential for pollution and
4 contamination when we are small communities. And I
5 think our communities along this area are really
6 important, not just for us but for the people who come
7 to visit us. They delight in our wonderful night skies.
8 More than 300 migrating species of birds have been
9 counted in our little area. it's a treasure, our night
10 skies, and we should protect it. And it seems like a
11 really bad idea -- I don't know this is about this
12 groundwater study, but to be transporting nuclear waste
13 from across the country to one of the only places that
14 doesn't produce it is bothersome.

15 So that's what I think and thank you.

16 (Applause)

17 MR. CAMERON: Thank you. Thank you, Amy.

18 And our next set of speakers are Patrick
19 Donnelly, Rod McCullum, Mary King and Ed Goedhart.

20 And, Patrick?

21 MR. DONNELLY: Hello. My name is Patrick
22 Donnelly. I'm the executive director at the Amargosa
23 Conservancy. We're a small non-profit in Shoshone,
24 California, just down the river. The Amargosa
25 Conservancy has been actively advocating for the

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1 groundwater resources of the Amargosa River for 11
2 years.

3 I will not proclaim any particular
4 expertise on radionuclide transport in complex
5 aquifers, so I won't make comment to take exception with
6 the conclusions of this report because it's well outside
7 our expertise. However, tonight I would like to offer
8 comment that the models and data utilized in developing
9 this report are incomplete and do not reflect the
10 current best knowledge and data available.

11 The Nature Conservancy and the Amargosa
12 Conservancy have funded hydrological investigations
13 into the sources of water in our area, in Shoshone and
14 Tecopa, for 10 years, and the most recent of these
15 investigations have proved rather conclusively that the
16 water coming out in our springs is from a blend of
17 sources from the Pahrump Valley and from the Amargosa
18 Desert right here where we stand. However, the
19 analysis presented in this Environmental Impact
20 Statement supplement discounts the hydrologic
21 connection between the Amargosa Desert and our area.
22 Section 2.2.2 says that transport beyond Alkali Flat is
23 unlikely, and then actually discounts our stretch of the
24 river as small intermittent springs, which I think we
25 would very strenuously object to. Our springs are

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1 gushing and they are year round.

2 The recent work I had referenced is a State
3 of the Basin Report, and this report confirms that water
4 discharging in our area, particularly at Shoshone
5 Spring on the west side of the basin, is comprised of
6 water from the Amargosa Desert. So if this document is
7 willing to entertain scenarios of million years from now
8 and complete hypotheticals, then it seems that it is
9 necessary to add to the supplement EIS an analysis of
10 impacts to the ecology and communities which are reliant
11 on groundwater discharge in Shoshone and Tecopa.

12 So ecologically the Middle Amargosa Basin
13 where we live is home to critically endangered species
14 such as the Amargosa vole, the Least Bell's Vireo and
15 several species of pupfish. Analysis needs to be
16 conducted on these species and even a remote possibility
17 of impact to these endangered species should require a
18 biological opinion from the Fish and Wildlife Service.

19 Additionally, based on these hydrological
20 connections there's a significant environmental
21 justice issue that needs to be addressed. The
22 community of Tecopa is designated as severely
23 disadvantaged by the United States Government. It's
24 economy, as was pointed out, is entirely reliant on
25 ecotourism. If the Amargosa River becomes a toxic

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1 waste dumping ground, our economy will be impacted. We
2 won't get a bunch of high-tech jobs in Shoshone and
3 Tecopa from a nuclear waste dump, but we will get the
4 stigma of being associated with that nuclear waste dump.

5 Finally, and more broadly, the 30-year
6 environmental review process for Yucca Mountain has
7 been a charade. Since 1989 in the "screw Nevada bill"
8 there has been no substantive evaluation of program
9 alternatives, which is a requirement of NEPA. Since
10 the only site being considered is Yucca Mountain, the
11 NEPA process has turned into DOE, or in this case the
12 NRC acting in DOE's stead, justifying a foregone
13 conclusion. A true NEPA analysis would do a
14 comprehensive search for a suitable solution to a
15 problem, and that best solution would likely as not end
16 up being a mountain in an active faulting zone with
17 recent volcanic history.

18 Our communities of Shoshone and Tecopa are
19 united in their opposition to Yucca Mountain. The
20 analysis presented here and in previous EISs is
21 insufficient and the Middle Amargosa Basin and the
22 communities of Shoshone and Tecopa must be analyzed in
23 this supplement. Additionally, past Environmental
24 Impact Statements need to be updated to reflect the
25 latest science and data. Thank you.

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1 (Applause)

2 MR. CAMERON: Thank you, Patrick.

3 And this is Rod McCullum who's coming up to
4 the microphone.

5 MR. McCULLUM: Thank you, Chip, and thank
6 you, members of the NRC here for holding this hearing,
7 an important opportunity for the public voice to be
8 heard.

9 It feels good for me to be out here again
10 in Nevada. I've been working for the Nuclear Energy
11 Institute. We are the trade association of the nuclear
12 industry. I represent the owners and operators of
13 those 99 nuclear reactors and the companies that work
14 on them and the companies that are building 5 more. We
15 safely and reliably produce power for millions of
16 Americans.

17 As I say, it's good to be out here again.
18 I have been working for the Nuclear Energy Institute for
19 about 17 years now. My duties have always been related
20 to the type of work that's being done at Yucca Mountain
21 on the used fuel end of the business. I came out here
22 to this very community center, to other parts of rural
23 Nevada frequently 5, 10, 15 years ago because there were
24 a lot of public meetings NRC and DOE held in this part
25 of the country to give all of you a voice. And that is

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1 really one of I think the outstanding features of our
2 American democracy is that we have processes like this.
3 There is a lot of integrity in those processes.

4 I will point out it had appeared that we
5 were getting away from that. The folks who shut down
6 the Yucca Mountain project in 2010, they did not hold
7 any public process. There was no opportunity for folks
8 to give a voice. So it's good that maybe this is a sign
9 things are changing. There was a court order. The NRC
10 has done some good work here with this supplement.

11 This supplement is narrow in scope. It is
12 just one piece of the science. I think it is an
13 important piece in that it represents another
14 independent look at the groundwater. It was based on
15 a report done by DOE to update in response to what NRC
16 requested, and then hearing had their independent
17 scientists finish the SEIS based on that. So there is
18 a tremendous wealth of science out there, and this
19 builds to that. It's a small step forward. It shows
20 radiation exposures will be a fraction of natural
21 background and occurring far off in the future, or not
22 at all.

23 Now, whether or not you believe that
24 science -- and to me protecting the groundwater here is
25 very important. It was good to see the desert again.

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1 For some Easterner who's hemmed in by buildings and
2 trees and things to see these vistas -- it's a beautiful
3 area. I visited Death Valley this afternoon. I took
4 a family vacation. We went from the beach in San Diego
5 and up through Death Valley and all the way to Grand
6 Canyon. My son's favorite thing from that whole
7 vacation was Death Valley. It truly is beautiful and
8 the groundwater is important to the ecotourism. I've
9 been an ecotourist out here.

10 So this science all needs to be examined,
11 and that's what this part of the process is. The next
12 step of course would be the licensing process, if the
13 535 politicians in Washington can get their act together
14 and fund that part of the process. I would look forward
15 to seeing that.

16 The word "consent" is often mentioned. It
17 was mentioned here earlier today. In the nuclear
18 industry we don't see consent as something to be given.
19 We don't see it as a piece of paper. We don't see it
20 as a statement by a politician. We see it as something
21 that we have to earn every day, in the way we operate
22 our facilities, our safety culture, the way we're parts
23 of our community. Here at Yucca Mountain that will
24 start with the licensing process. There is a
25 tremendous opportunity for that project to begin to earn

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1 consent in Nevada and in Nye County.

2 Darrell Lacy referred to the independent
3 scientific programs that Nye County had. Through that
4 licensing process, the state and the county, there's a
5 chance for those programs to get going again. There's
6 a chance for the state, the county, the citizens, you
7 to have a real role in assuring the safety of this
8 project and protecting your resources.
9 And as Dan said, let's let the science decide. Let's
10 challenge the science. Let's see the science.

11 So to me this is a hopeful step forward.
12 I'm glad we're taking this step. I hope to come out here
13 again sometime. I hope that the next steps of the
14 process give me an opportunity to again be part of it.
15 So I thank all of you for being part of it. This is a
16 very impressive turnout. I think Nye County should be
17 proud of itself because when given an opportunity to
18 participate, you do participate. And again, that's
19 what the licensing process is all about. So, I look
20 forward to that. Thank you.

21 (Applause)

22 MR. CAMERON: Okay. Thank you, Rod.
23 Thank you.

24 Mary? Mary King?

25 MS. KING: Please bear with me. I get very

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1 nervous in front of crowds. I'm Mary King. I live in
2 Pahrump, but I also work in Shoshone. I work with the
3 Shoshone Museum there. We have many, many people from
4 different countries, from Japan, from France, from
5 Belgium, all over Europe that come in including the
6 summer time. They love to come to Death Valley and see
7 how hot it gets.

8 The Amargosa River comes down just above
9 Beatty, follows down, comes around. It actually comes
10 near the first entrance to Death Valley on the eastern
11 side. It keeps coming down and comes down through where
12 I work, actually behind our building there, and goes
13 down and it actually comes back, makes a J and comes back
14 down and empties in the Badwater area, Furnace Creek
15 area.

16 But one thing I have seen many times is when
17 we have many rains that that whole area -- the road gets
18 flooded. If water is on the surface -- it is on the
19 surface down in the China Ranch. It comes down there
20 in the canyon. There is a waterfalls down there. And
21 that's where the groundwater is going to come -- where
22 any other water would filter through with that. And
23 that really scares me that there could be something
24 happening there with that water. We have a wonderful
25 area of bird watching. The animals that are just

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1 incredible back there, including snakes and lizards and
2 the Amargosa vole. And that area is just beautiful.
3 It should stay that way. And that's what worries me is
4 that the watershed coming through there. Thank you.

5 MR. CAMERON: Okay. Thank you. Thank
6 you, Mary.

7 (Applause)

8 MR. CAMERON: Ed? Ed Goedhart?

9 MR. GOEDHART: Thank you. For the record
10 my name is Ed Goedhart and I've been part of Amargosa
11 Valley not near as long as some of you all, but at least
12 for the last 17, 18 years. And I do have a farm that's
13 the furthest north and just probably the closest west
14 of this building here down on Farm Road and Tamarack.

15 And looking at this EIS, the supplement
16 part of it, I agree with Mrs. Diamond. There seems to
17 be an attempt to diminish what that water means to the
18 people in this valley. Just the fact that put
19 population centers in other areas, but not Amargosa
20 Valley.

21 On this EIS 2.2.3-215 and 216 it says that
22 because of the concern of the levels of the pupfish at
23 Ash Meadows that it's said that pumping will cease and
24 it cannot continue upon its current pumping levels.
25 Well, in the last 30 years; I've been here 18 years, yes,

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1 there has been some localized decline with the pumping
2 of groundwater in the Amargosa Farms area, but during
3 that time the levels have actually increased in Death
4 Valley pup hole -- Death Valley's Devil's Hole pupfish.
5 So there is not a direct correlation. There is a
6 tertiary dike and a fault line. Water on the west side
7 stays on the west side; water on the east side pretty
8 much stays on the east side. There's a lot of this stuff
9 that attempts to manipulate data and put a spin on it.
10 And that's what my concern has been about.

11 And then I also look at -- I'm not a
12 scientist, but how have people been treated in the past
13 with the DOE, NRC and all the rest? Well, I know with
14 the history of the test site we now have 1.6 trillion
15 gallons of contaminated groundwater, which is enough to
16 fill up a lake 300 miles long, a mile wide and 25 feet
17 deep. The *Los Angeles Times* had an article, "The Ocean
18 of Radioactive Contamination Underneath the Nevada Test
19 Site."

20 I sponsored a bill, Assembly Joint
21 Resolution 5, which I will submit into the record, in
22 the 2011 legislative session. It was passed
23 unanimously by 42 state assemblymen from every single
24 district and county in the state, as well as all 21 state
25 senators, signed by the governor, given to the Secretary

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1 of Energy and a whole bunch of other folks. And it was
2 not even merited with a single phone call, fax or email.
3 That tells me a little bit about the past.

4 We've got a resource that's destroyed
5 underneath the test site. As we're looking to develop
6 long-term water solutions for Nye County, the value of
7 that 1.6 trillion gallons is somewhere between 18 and
8 \$48 billion. No mitigation. They're spending \$65
9 million a year to investigate the contamination.
10 Meanwhile, Hanford, Washington with 1/1,000th the
11 amount of pollution, 1/1,000th, is getting \$1.8
12 billion. What does that tell you about this? They're
13 writing us off as a sacrifice zone. And I for one am
14 not okay with it.

15 We've already had the downwinders, we've
16 had the test site workers, we have the groundwater
17 contamination, we look at areas around the country.
18 It's supposed to be perfect. Look at WIPP and New
19 Mexico. They already have contamination problems.
20 Hanford, Savannah, Fernald, Oak Ridge, Rocky Mountain
21 Arsenal, Los Alamos, almost every single time that the
22 science says it's going to be safe, we find out later
23 on that you know what, we didn't have it all figured out.
24 Human beings are fallible individuals. And in this
25 case I believe the risk is too big to the resource that

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1 we're dependent upon, whether it's for natural or for
2 us having small organic farms.

3 And then the fact that NRC is now conducting
4 an EIS, okay, that they themselves will now have to
5 evaluate. There is a reason why DOE gave that little
6 supplement to the NRC. How can they independently
7 evaluate something they're part and parcel the process
8 of determining the science? Seems like an obvious
9 conflict of interest. Space shuttles fall out of the
10 sky. They explode. Human beings are not perfect, but
11 when this goes bad, it goes bad for a long time and it's
12 very difficult to recover. I have not heard of anyone
13 that has a plan to take care of the 1.6 trillion gallons
14 that's already contaminated underneath the test site.
15 Thank you.

16 (Applause)

17 MR. CAMERON: Okay. Thank you, Ed. And
18 sorry for the mispronunciation of your name. Ed
19 Goedhart, for the record.

20 Our next set of speakers are -- I'm going
21 to go to Ace, Ace Hoffman. And then we'll go to Sharon
22 Hoffman, and then to Gary Hollis and John Bosta.

23 And this is Ace Hoffman right here.

24 MR. HOFFMAN: Hi, everyone. I came up
25 here from Southern California where we have a nuclear

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1 waste dump. It's called San Onofre. Used to be a
2 reactor until 2012 when an illegal and unauthorized
3 experiment wrecked the steam generators.

4 Today, I spent the afternoon at the
5 National Atomic Testing Museum, and I want to mention
6 that the reason that the Nevada Test Site was put where
7 it was put was -- funding was half the reason. It was
8 cheap. And the Government already -- the military
9 already had the land. That was how they saw it. It's
10 stated right there.

11 So, what they're trying to do now is they're
12 trying to find a cheap solution to the problems of
13 storing nuclear waste. Here at San Onofre there are no
14 cheap solutions. We're right on the coast and the
15 nuclear waste is put into half-inch- thick stainless
16 steel dry casks about the size of almost a school bus.
17 And then it -- stainless steel is subject to stress
18 corrosion cracking, and the conditions for that
19 cracking appear fairly quickly.

20 So the casks -- and they're expecting to
21 keep those casks for decades at our site. So by the time
22 they get to your site they're going to be in pretty bad
23 shape. The transportation is going to be pretty risky.
24 And the reason that they're being stored the way they
25 are is funding. There's just not enough money for this

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1 industry to take care of its waste problem.

2 Recently the NRC stopped a National Academy
3 of Sciences study that was going to be supposedly
4 massive, big enough to update the 1982 study on the
5 dangers of low-level radioactive waste, or of low-level
6 radioactive poison. And the study was only going to
7 cost about 8 million. Now, 8 million is a lot of money,
8 but compared to the \$60 billion or whatever that the
9 Yucca Mountain is going to cost, it's not that much
10 money. And yet they suddenly stopped a study that
11 dozens, if not of hundreds of scientists had been
12 working on. There's no call for this being done on the
13 cheap other than that nuclear power is not a very
14 efficient way to produce electricity.

15 Another thing the Nevada Test Site reminded
16 me about, visiting that museum, a nuclear reactor
17 produces about enough plutonium for 500 bombs a year.
18 So you had almost 1,000 bombs exploded here, and 100 of
19 them were above ground. And you had a contamination
20 problem from that. Well, compared to the amount of
21 nuclear waste that is produced every year, the fission
22 products and the transuranics, it really wasn't that
23 bad. If one year's worth of San Onofre, let alone the
24 other 100 or so nuclear reactors, were to escape once
25 it got here, you'd have a terrible contamination problem

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1 on the level of a Fukushima or a Chernobyl.

2 And I'm talking about even 1,000 years from
3 now. The fission products would have decayed away by
4 then, but the plutonium's not going to decay away for
5 25,000 -- I mean, the half-life is 25,000 years. It's
6 going to be a quarter of a million years before that
7 stuff decays away. So you're taking on an incredible
8 risk, and, no, you don't have any reactors. You've got
9 hydroelectric and you've got wonderful solar out here.
10 It's wonderful. If you accept this project, we're
11 going to be very thankful out in California because all
12 we are is a waste dump and it terrifies people. So if
13 you want to be terrified, go ahead. We'll be glad to
14 get rid of it. We'll be glad to give it to you. But
15 is that really what you want to do? I don't think so.
16 Thank you very much.

17 (Applause)

18 MR. CAMERON: Okay. Thank you. Thank
19 you, Ace.

20 And this is Sharon Hoffman.

21 MS. HOFFMAN: Hello, everybody. It's a
22 pleasure to see so many people come out and speak out
23 against the irrational behavior of the nuclear
24 industry.

25 I think one of the things you're really

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1 lucky with here is, because you have no nuclear plants
2 and because it's clearly identified that Yucca Mountain
3 would be a waste repository, it helps unite people. One
4 of the things we saw at San Onofre is after the plant
5 was closed and it was clear that all that was left was
6 a waste problem, a lot of people who had been very
7 pro-San Onofre beforehand were all of a sudden not
8 pro-San Onofre, were questioning what's going to happen
9 to the waste. Well, you should not be the dumping
10 ground of the country. It's not right. It's not fair.

11 The first thing we have to do is shut down
12 all the plants and just as we come here to help you say
13 where the issues are with Yucca Mountain, I encourage
14 all of you to join with those of us who are trying to
15 shut down every plant. Until we stop creating more
16 waste this discussion is going to go on. There's enough
17 waste already to completely fill Yucca Mountain, and
18 there making more every day. So that's a very big
19 issue.

20 The other thing I want to say, I know that
21 there's been a real attempt to look at the long term and
22 all the extremes of this groundwater situation, but we
23 don't know those answers. One of the things in some of
24 these booklets that I picked up at the test museum says
25 that the models for the test site will not -- the

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1 groundwater models for the test site will not be
2 validated until 2030. So that's 15 years from now.
3 And that's only the first stage. That's saying we think
4 the models are going to work. That doesn't tell us
5 they're actually going to work. So I really question
6 how anybody can project what is going to happen with
7 Yucca Mountain. Those of you who deal with the water
8 every day know that it changes. We've heard that at
9 these hearings a lot. And I'm sure that if we have a
10 different climate in the future it's going to change in
11 ways we cannot predict.

12 So thank you all for standing up to this
13 attempt to dump the waste on Yucca Mountain, and please
14 join us in the attempt to shut down the source of the
15 waste. Thank you.

16 (Applause)

17 MR. CAMERON: Okay. Thank you, Sharon.

18 Now we have Gary Hollis.

19 MR. HOLLIS: I'm Gary Hollis. I'm a
20 citizen of Nye County, former Nye County commissioner.
21 I was a liaison to Yucca Mountain and nuclear waste for
22 eight years and when I left office, I turned it over to
23 Dan Schinhofen. We have a long history on this project.
24 Tonight I'm going to say a few things that I thought were
25 missed Tuesday in Las Vegas. I wouldn't say they were

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1 lies, but they were pretty close.

2 Here's where your groundwater goes. It
3 doesn't follow that road out there and go down to
4 Shoshone. It does go into California, but it doesn't
5 go to Shoshone Tecopa.

6 There's over 44,000 residents affected by
7 the Yucca Mountain project. Clark County is not
8 affected. None of the water goes to Clark County.
9 They love sticking their nose into Nye County's
10 business. I tell you right now I'm going to start
11 sticking my nose right back into Clark County's business
12 and I'm going to hit them right where it is, gaming. I
13 think those casinos need to start paying more of the
14 bills in the state.

15 (Applause)

16 MR. HOLLIS: So if Clark County wants to
17 stick their nose into our business, I can do the same.

18 We're protecting a nation, people. And I
19 strongly feel that we need to protect this nation. When
20 you have got spent fuel setting above ground waiting for
21 some terrorist to attack it, I have problems with that.
22 And for somebody to say to get rid of nuclear power
23 plants, where you going to get the power? Palo Verde
24 Power Plant in Arizona, 4,030 megawatts of power, it
25 takes 125 miles of solar panels just for those three

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1 reactors. We don't have enough room in the State of
2 Nevada for that. We're closing and closing and closing
3 coal plants as we speak. Something's got to bring what
4 we're giving away. We have to make that power up.
5 Nuclear energy is the only cheap way of getting this
6 done.

7 I really can't understand the State of
8 Nevada when February 26th of 1975 -- I'm going to read
9 this to you. "Atomic Energy Commission has over the
10 years demonstrated an outstanding concern for nuclear
11 safety and has completed at the Nevada Test Site an
12 equally outstanding safety record." Same resolution:
13 "The people of Southern Nevada have confidence in the
14 safety record of the Nevada Test Site and the ability
15 of the staff of the test site to maintain safety in the
16 handling of nuclear material."

17 The state was for this before they were
18 against it, and it all came down to Bullfrog County.
19 Clark County couldn't get any of the money that Nye's
20 been getting. They wanted a piece of the action, so
21 they instituted putting a county right where Yucca
22 Mountain is. Why? They wanted the money. They
23 wanted it all. Maybe that helped paid Bob's salary
24 some. But ladies and gentleman, they were for this
25 before they were against it.

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1 My friend Senator Heller, he's not wrong
2 much, but he's wrong on this issue, and he knows that
3 Gary Hollis will tell him right to his face that he's
4 wrong. He said nothing, absolutely nothing when he was
5 a congressman about Yucca Mountain until he went to the
6 Senate and him and Mr. Reid set down and had a
7 conversation.

8 Another resolution. And I think this is
9 just high-level waste they're talking about. "The
10 existing facilities and the years of experience in
11 nuclear material handling at the Nevada Test Site area
12 is a tremendous resource." The state said that, not me.
13 Clark County -- it was a resolution in the '70s. "The
14 Clark County Board of Commissioners support the Nevada
15 Test Site as the primary site for radioactive waste."
16 Ladies and gentleman, you got high-level waste coming
17 right through here now. You got uranium-233.

18 And don't let them tell you that's
19 low-level. It's not. It's going to come in the same
20 cask that you'll be shipping spent fuel from back East.
21 It's going to go into a shallow pit and just cover a
22 little dirt over it. Now you've got high-level waste
23 from Alaska and New Mexico coming here from labs and
24 they're dumping it in there. You're telling me that
25 1,000 feet below the ground and 1,000 feet before you

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1 get to the water is not a good place to put this?

2 If you want to know something about
3 groundwater, go to the NWRPO web site. All of our
4 information -- matter of fact we've asked Bob to go on
5 there and study some of this water chasing that we did.
6 I don't know, 44 wells. Millions of dollars we spent.

7 MR. CAMERON: And, Gary, could you wrap up
8 for us?

9 MR. HOLLIS: Yes.

10 MR. CAMERON: Thank you.

11 MR. HOLLIS: The only significant exposure
12 pathway which is groundwater lies exactly entirely
13 within Nye County. What I want the NRC to understand,
14 do you know the difference between the test site
15 radiation and what comes out of Yucca Mountain? That
16 needs to be addressed. We don't want the test site
17 contamination coming in and Yucca Mountain getting
18 blamed for it. So if there's two different types of
19 radiation, can you identify those?

20 MR. CAMERON: Okay. Gary, could you just
21 do one thing and -- you used an acronym of a web site.
22 Can you just tell us what that organization is?

23 MR. HOLLIS: Nuclear Waste Repository
24 Office of Nye County.

25 MR. CAMERON: Okay. Good.

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1 MR. HOLLIS: NWRPO.

2 MR. RUBENSTONE: And, Chip, if I could just
3 break in. You held up a figure at the beginning that
4 said the water goes here. If we could have that, we'll
5 get that in the record as well.

6 MR. CAMERON: Okay.

7 MR. RUBENSTONE: Great. Thank you very
8 much.

9 MR. CAMERON: Thank you, Gary.

10 (Applause)

11 MR. CAMERON: And now we have John Bosta.

12 MR. HOLLIS: Ladies and gentlemen, I'm not
13 running for office. I'm not running for anything but
14 south.

15 MR. CAMERON: Okay.

16 MR. BOSTA: My name is John Bosta,
17 B-O-S-T-A. I'm a member of the Amargosa Valley Town
18 Board. I'm speaking for myself as an individual.

19 What I'm concerned about is in the first EIS
20 is that after it was published it asked for a plan of
21 where were they going to develop the hospitals, the
22 HAZMAT emergencies, etcetera, etcetera for Yucca
23 Mountain, and the proposal by the county was we'll build
24 them in Pahrump. And the EIS Committee came back and
25 said, no, all of those projects have to be within 15

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1 miles of the opening. So therefore, they proposed a
2 site called Gate 510, which is about three or four miles
3 to the east of the gas stations. And there were
4 supposed to be 350-some-odd acres of land developed
5 where they would have police forces, they would have
6 hospitals, they would have fire departments, they would
7 have all of the things that would be available in case
8 there was an emergency disaster in Yucca Mountain. The
9 county received over \$111 million to help develop those
10 facilities. Little or none of those monies have been
11 spent in Amargosa Valley.

12 The other thing that I did is I asked DOE
13 for a copy of the original documents, and they said they
14 had loaded them into canisters and sent them back East.
15 And they didn't arrive. And when they found the
16 canisters, they would be more than glad to provide the
17 information that I requested.

18 The other thing that I think that we have
19 to take a look at is let's ask the question if Yucca
20 Mountain is funded and proceeds ahead, do they have any
21 water rights? And my understanding is the answer to
22 that is no. So where will they get the water that they
23 will need to cool some of the hot canisters and etcetera
24 in Yucca Mountain?

25 The next question I have to ask, what if the

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1 Yucca Mountain project was closed down and it was
2 decided they have to do reclamation? Well, ladies and
3 gentlemen, reclamation is they would have to fill up all
4 of the caverns they drilled. And so, basically what's
5 happened is some of the buildings that were sitting on
6 pads that was developed from the material brought out
7 of Yucca Mountain, those buildings have been removed and
8 the pads now are available to be put back in.

9 But the question is is this EIS states
10 nothing about the water rights, it states nothing about
11 the money that will be funded will be spent within 15
12 minutes of the gate, and this EIS says nothing about the
13 reclamation if this project doesn't go through. And I
14 think therefore because of those three factors the EIS
15 is insufficient. Thank you.

16 (Applause)

17 MR. CAMERON: Okay. Thank you, John.
18 Thank you very much.

19 Our next three speakers, we have Robert
20 Regan, Bruce Crater and Bob Halstead from the State of
21 Nevada who's speaking for Governor Sandoval.

22 Robert? Robert Regan?

23 MR. REGAN: Yes, good evening. I was
24 going to write something, but then I hesitated. I
25 figured I'd just go ahead and ad lib it.

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1 My name is Robert Regan and I'm a resident
2 of North Crystal. I have 20 acres of property, or 25
3 acres of property up there. I have a small vineyard and
4 I have water rights that I had to go up against the state
5 engineer in order to prove him that I was not robbing
6 water from the desert pupfish, because I'm only
7 seven-and-a-half miles from their cavern.

8 Anyway, my interest in this whole thing was
9 really that we're not impacting on that side of the basin
10 over there. They're pretty separate pretty much
11 because they're on the other side of the fault system
12 and whatnot that's over there at Ash Meadows. But the
13 one over here in Amargosa where I would like to still
14 transfer some more water rights over there, I have to
15 deal with that issue, and that's yet to come.

16 I want to tell you though that I was a career
17 geologist in the coal mining industry in the Rocky
18 Mountains for 20 years before I came here, and I drilled
19 all the major coal basins. And I drilled several
20 hundreds of holes and I always had to define the water
21 regimes that it would impact the mining of coal. And
22 I did it from Montana. I specialized in Colorado and
23 Utah. And I did some drilling down there at some of the
24 coals mines that we actually operated in New Mexico.

25 When the coal business went sour at the end

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1 of 1989, I had to switch over to hazardous waste and
2 underground storage tank retrievals and stuff like
3 that. I do groundwater characterizations around these
4 USTs which we were pulling out. And I worked from Utah
5 to Texas to a few other places around, and it was around
6 the UP Railroad and whatnot. And one was out in
7 Plackerman where we drilled into the Ogallala. And
8 I've seen a lot of water.

9 In 1993 I came here to work for Yucca
10 Mountain. I put 13 years on Yucca Mountain. I was the
11 first designer that was to build the footwork for the
12 repository, not the tunnel, but the -- because I was a
13 geologist and I did CAD work and I did cartography; I
14 got a degree in geology and a degree in geography, I was
15 to design the first footprints.

16 After about a year I managed to transfer out
17 to the site because I wanted to be out there when they
18 did the tunnel. And I worked three-and-a-half miles of
19 the tunnel, working for the AE group solving their
20 problems with dimensioning and the inverts and steel
21 sets and the rock plates.

22 I got laid off. I went to work for nine
23 months on a coal drilling project with lots of water up
24 in the Steamboat Springs area for Peabody. After that
25 I came back. I spent just under two years working as

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1 a geologist in Yucca Mountain doing the borings in the
2 tunnel and I had the privilege of sitting the two wells,
3 the ST-6 and WD-24 where on my shift I found the water
4 horizons. The first one was saturated water in the core
5 in the Paintbrush Formation. The second one was when
6 we plugged up at lunch time and they couldn't get
7 circulation, so I went underneath the rig and I swabbed
8 the casing as it came out and I found the water dripping
9 on the casing and at that point they had to determine
10 where the initial waters were. Both of these wells
11 intercepted the way 1,000 feet below the repository.

12 After that I went to work for six months for
13 Nye County Repository when they first started with some
14 of the drilling program. I didn't participate in any
15 of the drilling, but I did work on some of the support
16 for that and I did see all of the wells that were
17 associated with that drilling. They weren't really
18 adequate because they pretty much were drilled I believe
19 alongside Highway 95.

20 After that six months I went back for eight
21 years to Yucca Mountain and there I worked as a civil
22 doing as-built drawings and everything else until the
23 project just about went to a close.

24 After that I transferred -- so I pulled out
25 and I transferred to Montreal to work on a project for

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1 Bechtel that lasted about 14 months.

2 And then after that I then got hired on and
3 I'm currently working five years now at VC Summer's in
4 South Carolina. We're building two nuclear power
5 plants.

6 So and I have toured Savannah River because
7 I was interested in that because of the hazardous waste
8 that was there and everything else.

9 To make it short though, I'm hoping -- from
10 what I see from this EIS, it's a lot on paper and having
11 experience as a geologist and that I'd like to see that
12 money be well spent. If the project were to get -- got
13 started that a lot of that would entail drilling for the
14 Amargosa River area. I mean, I carried out a lot of
15 drilling programs and I've certainly spent a lot of
16 money doing that, but I don't have to worry about my area
17 over there at Crystal because we're completely
18 separate. Our only problem is the pupfish.

19 But I would like to see that if the project
20 should go forward -- I'm certainly going to come back.
21 I'm still young enough to work on it. But I'd like to
22 see that during the course of its construction that they
23 do a real thorough job on defining these water avenues
24 that are associated with 40 Mile and Amargosa, because
25 everywhere else in the country that I've seen and

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1 drilled a lot of water this is really the place that is
2 the safest and certainly has the least amount of water
3 to work with.

4 MR. CAMERON: Okay. Thank you.

5 MR. REGAN: You're welcome.

6 MR. CAMERON: Thank you, Robert.

7 (Applause)

8 MR. CAMERON: Is Bruce Crater -- Bruce,
9 come up and speak.

10 MR. CRATER: Good evening. I'm Bruce
11 Crater. I'm now a permanent resident here. I've owned
12 property here for about 11 years and lived here from time
13 to time, but I'm now a permanent resident. I originally
14 purchased property out here because I was working on a
15 project with the DOE concerning the transportation of
16 materials or of the nuclear waste from the various sites
17 around the country.

18 I'm a very practical person. I think about
19 things in a much simpler manner than many do. We've
20 done lots and lots of studies, studies on the water,
21 studies on contamination, studies on everything you can
22 think of to take care of our safety and to analyze the
23 food that we eat, the air that we breathe and so forth.
24 But sometimes we go overboard. Our studies get to be
25 too extreme. We can do a study on both sides of

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1 everything. We can do a study that says how good it is
2 or we can do a study that says how bad it is. My wife
3 is one who enjoys organic foods and healthy eating and
4 she reads all kinds of studies and it's amazing how much
5 contrast there is in the studies. Take a carrot for
6 instance. Is it good for you or is it bad for you?
7 Well, it's good for this and it's bad for that and it's
8 good for this and bad for that.

9 But anyway, concerning this particular
10 site, I've done a lot of traveling around the country
11 and when I go by these sites where the waste is
12 temporarily being stored -- temporarily, we don't know
13 how many years is temporary. But where it's
14 temporarily being stored sometimes we drive within 50
15 yards of where this material is stored in a steel
16 container in water. I would much rather have that
17 material here at Yucca Mountain 11 miles from where I
18 live, 1,000 feet underground, secure because it's on a
19 site where no one is going to go in there and bother with
20 the material that's there. They can't shoot it, they
21 can't do anything that they can do on these other sites.

22 And if I think about, well, it may
23 contaminate the water in 100 years or 1,000 years or
24 2,000 years, but gosh, when I go to the city, I drink
25 water there that's contaminated. How much

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1 contamination am I getting? Well, I don't know, but
2 probably if I were to continue to consume that
3 particular contamination, it probably would shorten my
4 life maybe a year or two years. Or I can breathe the
5 air that I get when I'm going down the freeway in the
6 city, and of course that's only going to affect my lungs,
7 but it's not going to be a radioactive material that's
8 going to give me cancer. But then again, maybe that
9 material that I'm breathing is going to give me cancer
10 of the lungs.

11 So what am I going to do? Am I going to stop
12 using electricity because I don't want nuclear power?
13 Am I going to stop driving a car because I don't want
14 to breathe the contamination from the car ahead of me
15 or I don't want to be involved in an accident that might
16 shorten my life or cause damage? Am I not going to eat
17 certain foods because I'm worried about the
18 contamination? What am I going to do? Maybe I just
19 ought to take a walk and let the coyotes have me because
20 if I'm going to worry about contamination, I need to stop
21 living.

22 Anyway, I'm favor of Yucca Mountain because
23 it puts the material in a place that is safe. And as
24 was said here with other studies and studies about the
25 water and so forth and where the water goes, my well is

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1 right on the aquifer and my well seems to be pretty good
2 even though there's contamination from the bombs that
3 have gone off over there. My water is a lot better than
4 what I get in Las Vegas.

5 So anyway, folks, thank you. And, Gary
6 Hollis, I appreciate your comments concerning this and
7 I hope that the project will go through.

8 MR. CAMERON: Okay. Thank you. Thank
9 you very much, Bruce.

10 (Applause)

11 MR. CAMERON: Now we're going to go to Bob
12 Halstead.

13 MR. HALSTEAD: Thanks, Chip. First of
14 all, thank you to everybody in this audience. It's
15 really a testament to folks here in Nye County that this
16 many people come out to a public meeting at night, and
17 I really appreciate it. And there's a lot of different
18 views on this. There are going to continue to be a lot
19 of different views.

20 Dan's already welcomed these folks from
21 Washington on behalf of Nye County. I certainly want
22 to welcome them on behalf of Governor Sandoval to this
23 their second meeting in Nevada. I'm going to say a few
24 things about how the state is going to do its review of
25 the Environmental Impact Statement supplement and then

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1 I want to read the letter that Governor Sandoval sent
2 them yesterday.

3 Nevada is going to be submitting detailed
4 written comments by November 20th, and those will
5 address the NRC staff's evaluation of groundwater and
6 health effects impacts including the computer models
7 and the data they used. And, yes, Gary and Darrell, we
8 are going to look at the Nye County data as well as some
9 state water well data and make sure that DOE and NRC
10 properly evaluated it.

11 But we're also going to be looking at the
12 NRC staff's assumptions about the repository and the
13 titanium drip shields and the waste packages that they
14 used in their evaluation of impacts. And frankly,
15 that's one of our major criticisms. They've adopted a
16 lot of DOE's analyses from the 2007-2008 period, and
17 they're out of date.

18 We're also going to evaluate the NRC
19 staff's evaluation of the environmental justice impacts
20 to determine their sufficiency under the National
21 Environmental Policy Act. And we're also going to
22 challenge the scope of the topics that they look at in
23 the document because we think it's important that they
24 failed to consider relevant new information about
25 events and developments since 2008.

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1 And I just want to quickly say a couple
2 things about how this EIS supplement fits into the
3 licensing proceeding. As the NRC speakers have said,
4 this whole thing started up again because of a court
5 decision, a federal court order in August of 2013. And
6 as it stands now we think the NRC's only going to have
7 a million or two, maybe less than a million dollars left
8 when they finish this Environmental Impact Statement
9 supplement.

10 They'll know that sometime around I think
11 March of April of next year. It doesn't look like
12 Congress is going to appropriate any new funds. But if
13 Congress should appropriate new funds, the whole
14 Commission, the NRC; there's four members now, there's
15 one vacancy, they have to vote to proceed with the whole
16 licensing proceeding. And if it goes forward, the
17 State of Nevada is certainly committed to adjudication;
18 that's one of those big fancy words, explain it in a
19 second -- adjudication of the 218 admitted challenges.
20 There's also about 81 from other people. So there's 299
21 challenges laying before the licensing board if the
22 licensing starts up full tilt. And the way that would
23 happen, the first phase would be what the lawyers call
24 discovery. You do questioning of the expert witnesses
25 to see you can narrow down what has to be argued out in

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1 trial-like hearings. Then you actually would have
2 trial-like hearings themselves. And we figure for 299
3 contentions you're talking about 700 days of hearings.
4 And that's three to five calendar years. And he last
5 time the Department of Energy figured out how much money
6 they would need just to do the licensing, they said it
7 was more than \$1.6 billion. And just recently the
8 commissioners, speaking after consultations with
9 staff, I'm sure told Congress that they would need \$330
10 million just to do the NRC's part of the proceeding.

11 So if that proceeding were to go forward,
12 that's what will be happening on the other side.
13 Obviously that's a big issue for the State of Nevada,
14 for Nye County, the other counties, the Timbisha
15 Shoshone Tribe as to what kind of funds it would take
16 for us to represent our interests.

17 But what I want to say is that the state,
18 because it is opposed to the Yucca Mountain proposal we
19 think it's an unsafe site and we think that the plan
20 that's in DOE's license application and in their
21 Environmental Impact Statement is unworkable. And I
22 think because we're running out of time I'm not going
23 to read the governor's letter, which will be in the
24 record, but I have some copies with me if anyone would
25 like it.

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1 What I do want to say is how much I
2 appreciate how people have spoken to one another in a
3 civil manner today. I know there are people who have
4 many different views. It's not just a pro and
5 anti-Yucca thing. There are lot of views in between
6 with people who think they could live with Yucca
7 Mountain if some changes were made in the repository
8 design or the transportation or so forth. And I think
9 it's just a wonderful testament to the people who live
10 in Nye County that a crowd has come out today and people
11 have spoken their hearts and spoken with great civility
12 to one another. So on behalf of the governor I
13 especially want to thank you for the way that it's gone.
14 Thank you very much.

15 (Applause)

16 MR. CAMERON: Thank you, Bob. Thank you
17 very much. And that's the last of the people who have
18 signed up to speak. I just want to check and see, is
19 there anybody else who --

20 MR. RUBENSTONE: Chip, just briefly if I
21 could get a copy for our record of the letter you
22 mentioned, Mr. Halstead.

23 MR. CAMERON: Yes, ma'am. Come on. Come
24 on up and introduce yourself to us, if you'd like.

25 MS. KIZZIA: Hi, I'm Toni Kizzia and I live

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1 in Tecopa. I moved there for the water. The gentleman
2 who was up a while ago held up a map and said that the
3 water does not flow there from here, and that's just not
4 true. The Amargosa Conservancy and the Nature
5 Conservancy have studied the hydrology of the area for
6 the last 10 years and proven in fact that it does flow
7 to Tecopa and Shoshone. And we are impacted. And we
8 are as far as a economically and a justice -- I'm sorry,
9 what was the economic justice -- environmental and
10 economic justice situation, it's hard for us to have the
11 wherewithal, the funds to fight this issue, but I know
12 that in our hearts we are and we want to. So I was
13 encouraged by what the governor's office had to say and
14 I hope that some of you were. Thanks.

15 MR. CAMERON: Okay. Thank you very much.
16 And thank all of you for your comments tonight.

17 And I'm going to turn it over to our senior
18 NRC official Jim Rubenstone to close the meeting out for
19 us.

20 Jim?

21 MR. RUBENSTONE: Thank you, Chip. And
22 once again I'd like to thank everyone for coming out.
23 It's very encouraging, as several speakers have said,
24 to come to Nye County and see a great turnout like this
25 of people who are willing to be involved, take your

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1 valuable to come to our meeting. We do very much
2 appreciate your comments. Everything you said tonight
3 in the comment period will be part of the transcript and
4 we'll be considering that as we go to finalizing this
5 document.

6 Again, I can remind you that we have two
7 more opportunities with call-in numbers. It's on the
8 screen here, on that handout we had, and also that you
9 can submit comments in writing by mail; the address is
10 in the handout, or through the regulations.gov web site.

11 I'd like to thank our facilitator Mr.
12 Cameron who did a nice job of running the meeting
13 tonight. Thank the Amargosa Valley Community Center
14 for hosting us. This is a great venue for a meeting.
15 And thank all of you once again for your great
16 participation. Good night.

17 (Whereupon, the above-entitled matter was
18 concluded at 8:56 p.m.)

19