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December 4, 2008

Comments to the Federal Surface Transportation Board, in Las Vegas NV

Hello, Chairman Nottingham, and thank you for extending the time for my unscheduled comments today. My name is Jennifer Olaranna Viereck, and I am the Executive Director of a grassroots stake holder group, HOME: Healing Ourselves & Mother Earth. We have offices in California and Nevada. We are opposed to the proposed railroad, as you will hear.

I live in California, perhaps closer to Yucca Mountain than anyone we've heard today, 50 miles directly south, and in the watershed of both the proposed repository and the western portion of the proposed railroad. I work only 50 feet from the existing nuclear waste route, CA 127, basically a paved wagon trail, and the primary southern truck route to Yucca Mountain.

HOME has conducted independent studies on baseline water radio-chemistry when we felt existing research was inadequate, and a study for the local Emergency Services District on existing haz-mat transportation on CA 127, which already includes two kinds of nuclear waste at this time. We have also developed extensive evidence on the impacts of flash floods on nuclear waste routes in our area. As you heard earlier, we may only get a few inches of rain in a year, but it is likely to come within 25 minutes. The most recent casualty was when our one and only cop car washed off the road a few months ago.

In 1951, the Atomic Energy Commission referred to stakeholders in our area as a "low-use segment of society." Today, the Dept. of Energy (DOE) refers to us as "potential human-dose receptors" and "maximally exposed individuals". From our point of view, not much has changed.

HOME upholds the Treaty of Ruby Valley as discussed earlier, and we respect the United Nations' Committee to End Racial Discrimination's decision that the U.S. should cease and desist all activities pertaining to Yucca Mountain, as they are direct human rights violations.

Many excellent comments have already been made today, and I do not wish to repeat

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them, nor do I have the time. In particular, we strongly support the comments of Congresswoman Shelly Berkley, those of the state representatives for Nevada and California [Robert Halstead, for Nevada Agency for Nuclear Projects; Marta Adams, Nevada Chief Deputy Attorney General; Susan Durbin, California Deputy Attorney General], and the Native American speakers [Ian Zabarte, Western Shoshone National Council; Phil Swain, Moapa Paiute Tribal Chairman; Margene Bullcreek, Native Community Action Council], and we incorporate them into our own by reference. We also strongly support the young man representing Mayor Goodman, whose name I did not catch, particularly those comments relating to the "Magic Casks", and to "the magnitudes of stupidity" inherent in this transportation proposal. I believe that he illustrated very well why this application to your board to construct a rail route is premature.

We also believe that this meeting itself is premature. Many NEPA issues affecting the repository and transportation are not yet resolved. HOME has commented extensively on these issues, and until we know how the DOE intends to address these concerns, how can we know in what context to discuss with you the issues before us today? [Oral presentation cut off at this point.]

There are many existing dangers that should be mentioned concerning the proposed rail route, even just skimming the surface:

- In the last year alone, over 250 thefts of nuclear materials have taken place according to the IAEA, and untold terrorist incidents have occurred world wide. In this extremely remote area, adequate security seems impossible.
- As Bob Halstead pointed out, there are numerous dangers and radioactive exposures present even when the entire system is working perfectly.
- At best, the rail route will create a huge stone wall across much of the state, impacting ranching, migration routes and access to water, and stirring up potentially radioactive dust for years to come.
- Casks and alloys to make them have not been adequately tested. Casks falling off trains in back country Nevada will hit a lot more than a six inch spike.
- The only purpose in moving forward with rail construction at this point is to lend credibility to the Yucca Mountain proposal while the NRC examines the doomed license application. The next president is opposed to the repository, and this is a poor time to waste additional tax payer dollars.

We share the Nevada Attorney General's position that the best option at this time is well-engineered on-site storage, while irradiated fuel cools and the U.S. develops a better, well-planned long-term facility.

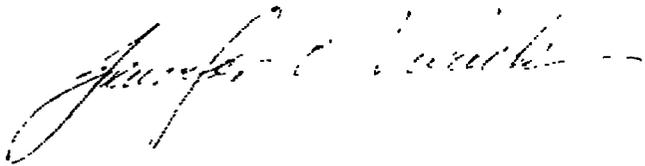
In response to particular questions your board has asked presenters today, and received inadequate answers, if any, I offer these additional comments:

- The Nevada Test Site will not be available for housing construction for 52,000 generations. Consider that bombs were only exploded there for three. The Nevada Test Site has yet to fully characterize a single radioactive contamination plume in the groundwater, from the 1,020 nuclear weapons that were detonated.
- Radioactive emissions from the proposed Yucca Mountain repository will not even peak for 323,000 years, given the long decomposition periods for various uraniums and the additional byproducts created from them.
- Medical waste is not involved in this proposed repository. The industry's efforts to dispose of medical waste in this area, at Ward Valley outside of Needles, California, were foiled about ten years ago when Barbara Boxer helped publicize past fraud and poor waste handling practices of the

contractor U.S. Ecology, at their facility basically right across the road from Yucca Mountain. This facility has a documented Plutonium plume off-site, and Cesium and other problems on-site. The waste disposal technique proposed for Ward Valley was shallow unlined trenches in the desert, referred to as "kitty-litter technology" by project opponents.

- Regarding your inquiries on radioactive facilities in France and Japan, (the real) Greenpeace has documented radioactive water contamination in France this year, and several accidents have taken place in Japan.
- Vitrification of nuclear waste is also having problems as a technique, since it has been found that the zirconium in the glass logs is becoming unstable much earlier than anticipated.
- Regarding the relative safety of the public living near existing nuclear reactors, I would refer you to disturbing studies done on increased infant mortality statistics and disease within proximities of a number of reactors. Also, comparisons between reactors and irradiated fuel transportation are not reasonable, as the fuel within a reactor is not traveling down the nation's freeways at 60 miles an hour.
- For a comprehensive independent look at developing safe sane energy possibilities in our country, I refer you to the publication "Carbon Free and Nuclear Free" by the Institute for Energy and Environmental Research, available for free download on the Internet at www.ieer.org.

Thank you for your time and attention today.

A handwritten signature in cursive script, appearing to read "Joseph C. Scoville".