Congress of the United States
House of Representatives
Washington, DC 20515

December 6, 1999

The Hon. Bill Richardson
Secretary of Energy
U.S. Department of Energy
1000 Independence Ave SW
Washington, D.C. 20585

Dear Secretary Richardson:

As you know, the National Environmental Policy Act (NEPA) created the primary path for the public to participate in a federal decision-making process that will significantly affect the environment. The NEPA process is intended to insure that all environmental, health and safety information is available to public officials and citizens before decisions are made and before actions are taken.

We believe that the NEPA process is most effective when all the necessary information is available to the public. In order for people to participate in the NEPA process, they must be afforded the opportunity to know that a major federal action has the potential to impact them and their communities. Your proposal to ship nuclear waste across our nation will impact hundreds of local communities. Therefore, the DEIS should provide all the significant information available on this issue.

However, the DEIS fails to adequately inform the public because it fails to include the projected rail and highway routes frequently referenced in the document. Specifically, the DEIS does not identify rail and highway routes for cross country shipments of commercial high-level radioactive waste. The DEIS also fails to inform people of the locations of likely shipping routes and the attendant risks and impacts of such transportation within their communities. This information is critical for an American to understand the impact upon them from nuclear waste transport though their community. It is for this reason that we raise strong objections to the recently released *Draft Environmental Impact Statement for a Geologic Repository at Yucca Mountain, Nevada* (DEIS).

Throughout the DEIS, references to this data are found, thus there is no question that the data exists. Please review pages 6-20, J5, J6, J23, J-32, J33, J-34, Tables J-11 and J-12. On these pages you will see multiple references to "routes selected" and "identified routes." The routes are of sufficient detail to determine the number of miles from each reactor to Yucca Mountain and the number of miles on each route that rural, suburban, and urban populations exist. If any doubt remains about the existence of this data, please follow a reference found within the DEIS, (TRW, *Environmental Baseline File for National Transportation, with Data Files* (June, 1999), Chapter 4). In Chapter 4 of this report, Table 4-6 appears to be a list of computer files that are the actual

maps for the transport routes in question. How does a list of unavailable computer files, within an obscure report referenced in the DEIS, inform the public?

We understand that the routes are preliminary and could slightly change. We also understand your intention to publish the routes four years prior to actual transportation. However, the purpose of a DEIS is to highlight preliminary information and examine all the alternatives available, not withhold information that proponents of a project feel might change slightly. We do not believe that the U.S. interstate highway system or the railroad mainlines will significantly change in the next ten years.

We are concerned that this omission would fail to adequately provide all necessary information to the public. This failure by the Department of Energy must be corrected. We ask that you immediately release all the maps, individual route specific data, and all impacted community specific data. We ask that you release a supplemental DEIS with all the above requested data in 30 days. We also ask that you extend the comment period for 180 days after you release the supplemental DEIS. We believe another round of hearing will also be necessary as the first hearings did not receive the benefit of complete information being available.

Sincerely,

Dennis Kucinich
Member of Congress

David M. McIntosh
Member of Congress

Edward J. Markey
Member of Congress

Jim Gibbons
Member of Congress

Shelley Berkley
Member of Congress

Merrill Cook
Member of Congress

Karen McCarthy
Member of Congress