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I wish to address the issues of the 200 acre parking lot that is to be paved with asphalt, and the open pool that would be used for cooling spent nuclear waste, (2.3.2.1.) North Portal Operating Area, Figure 2-5. We failed to find a description of the latter in the Engineer's Report on the Yucca Mountain Repository. These intentions represent potential hazards that are not adequately addressed in the report and they should be considered in the planning for such a facility. I also wish to address the issue of recognizing the validity of our government's treaties with Native Peoples.

Intensive studies must be conducted on the impacts to surface water and storm run-off from the above-ground cooling ponds and waste canisters, as well as evaporative ponds. This is completely different from the impacts of deep geological storage previously studied. These potential hazards also call into serious question the wisdom and adequacy in the planning for the total project.

Flooding

A recent USGS study of storm run-off from the Test Site and the Yucca Mountain site area indicates immediate flow into our Amargosa River from moderate to heavy rains. Non-residents do not understand that although this is a very dry region, rainfall can and does cause severe flooding periodically. The DEIS and the supplement do not address the critical issue of flooding adequately. The EIS documents to date do not take sufficient cognizance of the local knowledge of floods and earthquakes in the general area. The following are verbatim accounts from some older residents.

Marta Becker, the co-owner of The Amargosa Opera House at Death Valley Junction, has told of a flood that had occurred before her purchase of the theater in the 1960's. She acquired the property, as it was, after the flood and she reported that the high water mark from the flood on the wall inside the theater was three feet above ground level. The flow from such a flood would follow the Amargosa Valley and the Amargosa River to the eventual destination in the flat in Badwater, Death Valley, traversing three counties, Nevada's Nye County, and California's Inyo and San Bernadino Counties. Have the engineers tried to obtain verification regarding such events? If not why not?

Two retired residents of the Tecopa/Shoshone area have recalled at least three occasions in the last thirty years in which a deluge forced the complete closing of all roads leading into these communities. In one instance, Shoshone was isolated for over a week because of the flood and washed-out roads. Emergency services was required to fly in dry ice in order to preserve the necessary food supplies for the community. Our next-door neighbor is a long-time resident of Shoshone and former Park Ranger and can describe such events. No one related to this project has talked to him. Why not?

A member of the board of directors of Friends of Tecopa Hot Springs formerly operated a transport by which he delivered supplies locally. He recounts that, on a number of occasions highway 127 was impassable where it crosses the Amargosa River. This floodwater originates in the Yucca Mountain area and joins with all other water collected

along the river's path. Out-of-state professional engineers should know that floods of catastrophic proportions do occur in this area and may very well have been unreported because of the remoteness and isolation of this area. The dangers to local residents and the environment from radiological contamination could be severe and long lasting.

Earthquakes

The engineers recognize the hazards of a moderate earthquake, but they fail to recognize the possibility of a quake of the magnitude of the disastrous one that occurred in the Owens Valley in 1872. Hundreds of people died there and practically all structures were destroyed, including the Inyo County courthouse. John Muir, standing on the valley floor in Yosemite, when the quake struck, said words to the effect that it was like observing Creation's beginning.

Such natural phenomena do occur in this region and the consequences can be beyond the control of mere man. They cannot be discounted merely because the Yucca Mountain Repository planners have no direct knowledge of such events. Forecasting contingencies for 10,000 years presumes knowledge and control of events beyond what we possess. It also presumes that all succeeding generations and cultures for many thousands of years will be capable of dealing with the all of the possible contingencies that we will have imposed on them if this project goes through. Before the DOE proceeds with further planning and construction we strongly recommend exploration of the local knowledge of natural phenomena and disasters that have occurred and surely will continue.

Supporters of the development of the Yucca Mountain Repository place great emphasis on the economic benefits that would accrue from it. Natural disasters or phenomena have occurred and will occur again, if not in our time, then with some future generation. Not all the money that will have flowed into this area will mitigate the consequences of a catastrophe that will be beyond our imagination.

It is our understanding that the area for the proposed Yucca Mountain Repository is on land that was granted by treaty to the Shoshone Tribe. It is also our understanding that the Native People are protesting by litigation the government's proposed use of land which has not been ceded by the lawful representatives of the Native People.

It is only in the last few decades that our historians have made public the manner in which the treaties with the Native People have been violated or ignored. With such a recognition, no longer may our government continue to ignore or abrogate such treaties. We pride ourselves as being under the rule of law and not of men. Our pieties and platitudes become scandalously hypocritical when we presume to justify such conduct by claiming that it is in the national interest. How dare we condone another violation that eventually will be added to that long list in our children's history textbooks!

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