

Lander County Yucca Mountain Oversight Office
315 South Humboldt Street,
Battle Mountain, NV 89820
(775) 635-2860



Derailment renews concerns over Yucca

Floodwaters damaged railroad tracks in Lincoln County, and Nevada officials promptly renewed their objections to the Energy Department's plan to ship nuclear waste by rail through the county to Yucca Mountain.

Union Pacific found "numerous" areas of damaged tracks between Moapa in Clark County and Caliente in Lincoln County, spokesman John Bromley said. The approach embankments to a rail bridge roughly 30 miles south of Caliente had been scoured away, Bromley said.

Near Moapa, a train derailed.

"These are record storms," Bromley said. "But flash floods in the West are famous for



Derailment near Moapa, Nevada

catching us by surprise." Nevada officials said bad weather could one day threaten thousands of highly radioactive nuclear waste shipments if

the planned national repository at Yucca Mountain is constructed.

The Energy Department last year announced it planned to use a "mostly rail" option to ship waste from sites nationwide to Yucca Mountain. In Nevada, the department aims to construct a new 319-mile rail line on mostly federal land through Lincoln and Nye counties.

The new rail line could ultimately carry 3,300 shipments of waste to Yucca in a 24-year period.

Under the right cir-

(Continued on page 2)

Senate confirms energy secretary

Samuel Bodman, a Boston businessman and top-level federal manager, won confirmation on to head the Department of Energy.

He was confirmed without debate and by

a unanimous agreement. Bodman, 66, takes over a department with a \$24 billion budget and 114,300 federal and contract employees, including roughly 5,000 in Nevada who work

on the Yucca Mountain Project and the Nevada Test Site.

The department also sponsors research into renewable energy technologies including

(Continued on page 2)

Inside this issue:

Funding & deadlines toughest challenge for Yucca rail line	3
DOE unveils details of above-ground storage plan	4
Energy Secretary see end of 2005 date for Yucca license	5

Special points of interest:

- Nevada officials scoff at the notion that the proposed Nevada rail spur from Caliente to Yucca would be easy to construct. (page 3)
- The Energy Department estimates 3,300 rail shipments over 24 years from 127 sites to Nevada. (page 4)

Website

landercountynwop.com

Derailment renews concerns over Yucca (Continued)

(Continued from page 1)

cumstances, washed out tracks could cause derailments of waste shipments and, potentially, releases of radioactive material, said Bob Loux, director of the Nevada Nuclear Waste Projects Office.

Rail ties were dislodged from the track in several places in Lincoln County, said Bryan Elkins, director of community development for Caliente. At least a 15-mile section of track needs to be "seriously inspected," Elkins said.

Floodwaters from snowmelt and three weeks of rain gushed into the Clover Creek Wash, which runs along -- and in some places under -- the Union Pacific tracks, Elkins said. Two trains were directed to Caliente to avoid damaged tracks and were held until it was safe to send them on.

Significant track damage from weather happens only every 30 years or so around Caliente, Elkins said. But it is always a danger when fast-moving water flows from surrounding canyons into the wash, he said. "This washout phenomena has been part of the rail's history since the 1890s," Elkins said.

The Meadow Valley Wash where the derailment occurred was con-

sidered a "worst case scenario" by the state when it objected to DOE's planned use of Caliente as a switching station for spent-fuel shipments, chief state transportation consultant Bob Halstead said.

That rail route could bear from 6 percent of nuclear waste shipments by Union Pacific up to 85 percent of loads traveling from California, Arizona, Texas and Louisiana if Burlington Northern gets the contract, Halstead said.

State officials and consultants have been frustrated by a lack of data about the area where the flooding occurred, said Fred Dilger, a transportation consultant to the state.

But department officials said it was highly unlikely that a nuclear shipment would come across washed out tracks. Waste shipments would be more closely monitored than typical freight trains, department spokesman Allen Benson said. The tracks would be subject to much closer inspection, he added. And trains would be in constant communication with an operations center, Benson said. "I don't think we're going to be too surprised by anything," he said.

Also, nuclear industry officials

have long said that high-tech metal shipping containers used to haul waste on trains could easily survive a derailment, even in a subsequent fire.

"We're very, very confident that those casks would maintain their integrity," said Mitch Singer, spokesman for the Nuclear Energy Institute, the top industry lobby group.

Even typical freight trains are monitored to the tenth of a mile at Union Pacific's headquarters in Omaha, Neb., where officials also closely monitor weather services and coordinate with inspectors in the field, railroad officials said.

But Nevada officials aren't convinced that rail shipments of nuclear waste would be safe. There are no guarantees waste containers would survive a train accident, Rep. Shelley Berkley, D-Nev., said.

"The nuclear industry cannot, by any stretch of the imagination, foresee where the railroad tracks would be washed out, how strong the currents would be, and where the water could take the waste," Berkley said. "I didn't know they were clairvoyant." *Source: Las Vegas Sun*

Senate confirms energy secretary (Continued)

(Continued from page 1)

geothermal, wind and solar sources that firms are interested in developing in Nevada.

At his Jan. 19 Senate confirmation hearing, Bodman said he would continue pursuing development of a nuclear waste repository at Yucca Mountain, an effort opposed by most of the

state's elected leaders.

Sen. Harry Reid, D-Nev., said he expects Bodman to follow Bush administration policy in favor of Yucca Mountain, but said the new secretary promised in a telephone conversation in December to "take a fresh look at alternatives" to spent nu-



New energy secretary,
Samuel Bodman

clear fuel burial in Nevada.

The secretary has broad responsibility to safeguard the nation's nuclear weapons, balance energy supply and demand and encourage energy efficiency.

(Continued on page 3)

Funding and deadlines toughest challenges for Yucca rail line

The toughest challenge for department officials who are scrambling to assemble a Yucca waste-transportation plan is securing money from Congress and struggling to meet an ambitious deadline, said Gary Lanthrum, the department's director of the Yucca national transportation office.

In general, the Energy Department is focused on completing a Yucca license application, and transportation issues are not currently "in the driver's seat" in the overall Yucca program, said Lanthrum. He spoke after a presentation at a nuclear waste issues conference in Washington, where government and nuclear industry officials discussed the massive proposed Yucca waste-shipping campaign.

Lanthrum said his work has been slowed dramatically by budget setbacks. Last year he requested \$187 million but got only about \$25 million.

Insiders quietly lamented that there is an overwhelming amount of transportation plan-

ning to be done before trains and trucks begin hauling waste to the proposed national high-level nuclear waste repository.

This year Lanthrum's office is still working on an environmental impact statement for the Nevada rail route; beginning



Gary Lanthrum, radioactive waste transportation chief for the Department of Energy, speaks to members of the House Subcommittee on Railroads meeting in Las Vegas.
Source: Review Journal

conceptual design work for rail cars that would haul 120-ton waste containers; and working with states on rail route selection.

Still left on the department's long to-do list for the rail route: aerial and ground surveys, design work, water arrangements,

earthwork preparation, structure construction, track laying, signal installations, and tests.

The proposed \$1 billion, 319-mile Nevada rail route, which would snake northwest from Caliente and then curve south toward Yucca, is key to the Energy Department's waste-shipping plan. The department aims to use mostly trains, and some trucks, to ship the waste from nuclear plants scattered nationwide to the underground repository roughly 90 miles northwest of Las Vegas.

Nevada officials scoff at the notion that the proposed Nevada rail spur would be easy to construct.

Critics say the department underestimates the difficulty of laying track on the ragged desert landscape, which they say is vulnerable to possible flooding, rockfalls and even earthquakes.

At least 20 bridges over 200 feet would be needed along the route, said Bob Halstead, a transportation consultant for Nevada.

"It's going to be a hellacious task to build that rail route," he said.

(Continued on page 4)

Energy Secretary (Continued)

Among recent initiatives, the Bush administration has sought to rebuild readiness programs at the test site in the event that new nuclear testing might be required. U.S. nuclear weapons testing was placed under a moratorium following the last test in September 1992.

In written responses to questions posed by Sen. Dianne Feinstein, D-Calif., Bodman said that to deter other nations, it was important for the United States to maintain the ability to develop nuclear weapons even though the Bush administration has no plan to build new bombs.

"We must be assured that the nuclear weapons complex has the tools to meet present and future challenges to our national security," Bodman wrote.

Source: Associated Press

Funding & deadlines are toughest challenges (continued)

(Continued from page 3)

The Energy Department also will have to deal with upset residents like rancher Joe Fellini, who has cattle grazing rights on the proposed rail route, and has mulled a lawsuit.

"They're shoving this down Nevada's throat," he said in a phone interview from his home. "It makes me mad as hell."

But government and waste shipping industry officials at the conference said the whole Yucca transportation campaign is "achievable" with enough money.

But even Yucca advocates are skeptical that Yucca could open for waste shipments by 2010, a department goal. That "window" of time is rapidly closing, said David Blee, executive director of the U.S. Transportation Council, a waste shipping industry coalition.

Blee also said that Nevada officials seem to have muted their criticism. The industry has proven

that it can and will ship waste safely, Blee said.

"By all accounts the transportation track record has been vindicated," Blee said. "It was the wrong issue for the state of Nevada to use."

It's wishful thinking to suggest the national debate about waste shipping is over, Nevada officials said.

"He's dreaming," Nevada Nuclear Projects Agency director Bob Loux said.

He predicted the public at large would increasingly pay attention -- and object -- to the proposed shipping campaign, which would be unprecedented in size in this country. The Energy Department estimates 3,300 rail shipments over 24 years from 127 sites to Nevada.

But another industry official aimed to refute arguments routinely made by Nevada critics.

Robert Quinn, an executive with waste shipper BNFL Fuel Solutions, dismissed critics who say local emergency responders are not trained or equipped to handle a nuclear waste accident. Nuclear materials experts would be called in to handle the situation by the local officials, he said.

Quinn acknowledged that dramatically increasing the number of shipments increases the likelihood of an accident.

But Quinn noted that while there have been U.S. accidents involving waste shipments, there has not been a radioactive leak.

"Once we get to the point where we're shipping (waste) every day, where it's routine, people will come to accept it," Quinn said. "We're not going to change everyone's mind, but if we involve them in the process we give them some ownership." *Source: Las Vegas Sun*

DOE unveils details of above-ground storage plan

In January 2005, the Nevada officials scoff at the notion that the proposed Nevada rail spur would be easy to construct.

The department has long planned to collect waste at a surface holding facility at Yucca, where waste could be sorted and stored, in some cases for years. Some of the waste could be relatively fresh from nuclear plant reactors and more radioactive, or "hotter," than waste that would have been cooling for far longer in pools at the plants.

The department had considered an aging pad with storage for up to 40,000 metric tons of waste -- over half the planned 70,000-metric-ton capacity of Yucca's repository tunnels, Energy Department repository systems engineer Paul Harrington said at a nuclear waste issues conference. But that plan was scaled back, he said.

Design plans now call for a pad with capacity for 21,000 metric tons of waste. Waste would be stored in roughly 2,000 above-ground casks, Harrington said.

It's hard to know how long a typical waste package would sit there, but it could be five, 10, even 15 years, he said. The pad likely would be used for about 50 years -- about the amount of time it would take to fill Yucca.

The aging pad would allow the department to accept waste at the Yucca site before construction of the repository is complete, Harrington said. Energy Department officials aim to begin accepting waste at Yucca by 2010, although critics say that target is unlikely to be met.

DOE unveils details of above-ground storage plan (continued)

Nevada lawmakers have battled back proposals in Congress to construct a "temporary," or interim, waste site at the Nevada Test Site until Yucca is complete.

Harrington said the aging pad is not defined as a temporary storage facility because the waste would not be stored temporarily -- it would be held awaiting placement in the permanent repository.

"Interim storage doesn't have a disposal component," Harrington said.

Yucca critics have said that is a matter of semantics. They note that federal law prohibits interim waste sites in Nevada if the state is to be home to a national permanent waste repository.

Such a large pad would enable the department to ship hotter waste earlier than planned, said Kevin Kamps, a nuclear waste specialist with Nuclear Information and Resource Service.

"That really increases transportation risks," Kamps said.

Nevada officials plan to challenge

the Energy Department's attempt to construct such a large aging pad. They say that a pad that size should be licensed separately by the Nuclear Regulatory Commission.

"We think that a facility that holds that quantity of waste is an independent fuel storage facility," said Bob Loux, executive director of the Nevada Nuclear Projects Agency.

Yucca critics also have been criti-



cal of plans to store so much waste above ground because it would be vulnerable to aircraft accidents or even terrorist attacks.

"If you have waste sitting there for 10 or 15 years -- that's a long time," said Michele Boyd, an analyst for Public Citizen who tracks Yucca issues. "That's one of the most dan-

gerous aspects of Yucca Mountain."

Nevada officials are keeping a close eye on the NRC, which has raised questions about the security of "temporary" waste sites. The NRC has delayed licensing a temporary above-ground waste site in Utah in large part due to concerns about aircraft crashes. That case may have implications for the aging pad at Yucca, critics said.

The Yucca pad could be surrounded by a 300-foot barrier that would offer protection from, among other things, aircraft "skid-ins," Energy Department officials say. But Harrington said that for security reasons, officials could not offer details about security measures that would be taken at the site.

"There would be security, certainly," he said. *Source: Sun Washington Bureau*

Energy secretary sees end of 2005 Date for Yucca license

The Energy Department intends to submit a license application by the end of 2005 to open a national nuclear waste dump in Nevada, according to Samuel Bodman, new energy secretary.

Samuel Bodman's comments on a Yucca Mountain timetable came in response to questions from members of the Senate Energy and Natural Resources Committee during confirmation proceedings in Washington, D.C.

The Energy Department missed a self-imposed December 2004 date to submit a Yucca license application to the Nuclear Regulatory Commission. The department has yet to complete a requirement that millions of pages of supporting documents be accessible at an NRC online database, the Licensing Support Network.

The Energy Department wants to open the Yucca Mountain repository by 2010.

Pete Domenici, R-N.M., chairman of the energy committee, noted the department also needs time to respond to a July federal court ruling that threw out a crucial Environmental Protection Agency radiation health safety standard.

For the Yucca project to go forward, the EPA must set a new standard or Congress could consider a law creating a less strict radiation standard than one recommended by the National Academy of Sciences.

End of 2005 date for Yucca license (Continued)

(Continued from page 5)

Senate Democratic Leader Harry Reid of Nevada would block such a law, Domenici said.

Energy Department officials have said they plan to announce a new Yucca Mountain project timeline next month.

"It is the department's responsibility to make sure that the repository will comply with whatever standard emerges from the EPA's ongoing process," Bodman said in written response to questions from the committee. "My first priority will be the protection of the health and safety of the citizens of Nevada and the rest of the country." *Source: Associated Press*

Lander County Oversight Program

This newsletter is a publication of the Lander County Repository Planning and Oversight Program. Lander County is one of ten affected units of local government involved in the proposed Yucca Mountain Repository. Funding provided to Lander County is paid by users of electricity generated by nuclear power plants. Under a general contract with nuclear generating utilities, the federal government collects a fee of one mill (one-tenth of a cent) per kilowatt-hour from utility companies for nuclear generated electricity. The money goes into the Nuclear Waste Fund which is used to fund all program related activities.

For more information on Lander County's program contact Deborah Teske at the Community Development Department (775) 635-2860 or Joy Brandt at (775) 964-2447 in Austin, Nevada. Additional information on the repository program can be obtained from the U.S. Department of Energy. Yucca Mountain, Site Characterization Project Office at (702) 794-1444 or contact them at www.ymp.gov, or the Nevada Agency for Nuclear Project, Nuclear Waste Project Office, Capital Complex, Carson City, Nevada 89570, (775) 687-3744 or visit them at their web site at www.state.nv.us/nucwaste, or visit our website at landercountnwop.com.

Lander County Oversight Office,
825 N. Second St.
Battle Mountain, NV 89820

Bulk Rate 255
US Postage Paid
Battle Mountain NV

Current Resident

Battle Mountain, NV 89820