To the Editor:

The following letter was reviewed and approved by the Nevada Site Specific Advisory Board at their full meeting on February 16, 2011. I am submitting this letter in rebuttal to the article written by Mr. Steve Kanigher and published in the LV Sun on Sunday February 13, 2011.

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In the Sunday, February 13 issue of the Las Vegas Sun there was a long article about the disposal of Low Level Radioactive Waste (LLW) at the Nevada National Security Site (NNSS), formerly known as the Nevada Test Site. This article contains some useful and relevant information about the disposal of LLW at the NNSS, but it also contains a number of inaccurate and inflammatory statements. The article mentions a citizen's advisory panel that reviews safety issues at the NNSS. I am writing this letter as the Chairman of that advisory board officially designated as the Nevada Site Specific Advisory Board (NSSAB) in order to correct misinformation presented in the article.

In the subtitle to the article the statement is made that "Millions of tons of low-level material are buried at the NNSS". This statement is simply not accurate – there may be millions of cubic feet of materials buried, but certainly not millions of tons. It is also worth noting that the volume of waste buried is determined by the size of the containers. The actual volume of LLW buried is significantly less than the cited numbers.

The statement by Marylia Kelley (Tri-Valley CARES) that low level does not mean low risk is patently false. LLW is in fact very low risk under all possible scenarios of transport and disposal. (I make this statement based on my education- PhD in Environmental Health; experience - 40 years managing Environmental, Health and Safety programs including radioactive materials; and my Certification as a Health Physicist.)

The statement by Marvin Resnikoff (a long time anti-nuclear proponent) that: "The more shipments that come to Nevada, the more likelihood of accidents" is gratuitous and irrelevant. This statement is akin to saying, "The more miles that you drive your car, the more likely you are to have an accident". In the past 10 years there have been only seven transportation incidents out of 15,500 shipments to the site (.045% - a very small number). Incidentally, the reporter was given this information, but chose not to use it.

In the context used, the statement that LLW can contain the same radioactive substances as High Level Waste is patently false. Part of the definition of LLW is, in fact, that it may contain negligible amounts of long lived radioactive isotopes such as Plutonium, Neptunium, various rare earths, etc., as specified by Rule. Further, this same paragraph states that LLW "contains Cesium 137, a product of nuclear fission that could kill someone standing three feet away in 20 minutes". Cesium 137 is a product of nuclear fission and there may be some present in some of the wastes, but there are no quantities of any radioactive material in LLW that could cause a lethal dose to humans under ANY circumstances. (That is another reason that such waste is designated low-level.)

The new disposal cell for mixed low level waste, that is low level radioactive waste mixed with chemically hazardous waste, was not constructed to meet a new state law covering hazardous waste disposal. It was constructed to meet the requirements of the Federal "Resource Conservation and Recovery Act" (RCRA) which has been the law since 1976.

The issue of radioactive contamination reaching groundwater is presented in a way that ignores scientific fact, but relies on statements from various anti-nuclear groups who may or may not have any scientific expertise. In fact, the annual rainfall at the site is so low (5 inches) and the climate so arid that the precipitation that falls on the ground evaporates into the atmosphere long before it can reach the groundwater (700 to 1700 feet below the surface). Further, there is no mention that the radioactivity in the waste steadily decays over time and hence presents a steadily decreasing risk.

The state attorney general's office wants the Energy Department to "Calculate where contaminated groundwater is likely to flow beyond the NNSS and over what period of time". In fact, the DOE has an ongoing program that is more than 20 years old to drill many characterization wells to obtain the data to do exactly what the Attorney General is requesting. The NSSAB (Citizens Advisory Board) has been actively involved with this program and has made significant recommendations to the DOE that have been accepted and acted upon.

Finally, I want to point out that DOE places a surcharge of $0.50 per cubic foot on the cost of disposal of LLW and this surcharge has generated more than $10 million dollars in the past 10 years. This money is distributed to the rural counties around the site and also to Clark County.

In summary, this article by Mr. Steve Kanigher appears to have been crafted to instill fear in the reader and many of the inaccuracies that I have mentioned above were apparently included to increase the level of fear generated in the reader. He cites several anti-nuclear groups, including the Sierra Club, but does not cite any group that supports the waste disposal and environmental management activities of the DOE Nevada such as the NSSAB, a citizen group which analyzes environmental issues at the NNSS and makes independent recommendations to the Environmental Management Division of DOE/NV. Further, all of the waste disposal activities at the site are regulated by the Nevada Division of Environmental Protection (NDEP) and must meet all of the regulations of that Division. The continued disposal of LLW at the NNSS is a critical part of the DOE's program to clean up the contaminated sites that resulted from the U.S. nuclear weapons program over the past 50 years. The production of nuclear weapons was designed to provide protection for the entire country and Nevada should be willing to take some responsibility for helping to clean up the legacy of the nuclear weapons program.

As Chair of the NSSAB, I would like to invite anyone interested to attend one of our meetings; we always have a public comment period. The meeting dates and locations are posted on our website at: NV.DOE.GOV/NSSAB, I urge you to look at this website to find out more about our citizens advisory board.

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