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Greater-Than-Class-C Environmental Impact Statement

Project - Public Meetings

April 27, 2011

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A P P E A R A N C E S

- Holmes Brown
- J.R. Stroble
- Don Hancock
- Yemane Asmerom
- Joseph Wexler
- Chris Timm
- Rodney Peterson
- Niyol Tsinhnahjinnie
- Peter Schilke

1 P R O C E E D I N G S

2 MR. BROWN: It is now time -- are you all set?

3 UNIDENTIFIED MAN: Yeah.

4 MR. BROWN: Okay. It's now time to receive
5 your comments on the Draft EIS. This is your
6 opportunity to provide DOE with oral comments on the
7 Draft EIS, including what you would like to see as a
8 preferred alternative or what factors DOE should
9 consider when developing a preferred alternative for
10 inclusion in the final EIS.

11 Your comments will be transcribed for the
12 administrative record. Recording your comments for
13 tonight is Gary Goldbloom (ph) over in that corner.
14 Please step up to that microphone when your name is
15 called, introduce yourself providing an organizational
16 affiliation where appropriate. If you have a written
17 version of your statement, please provide a copy to
18 Gary after you've completed your remarks.

19 Also, please leave any additional attachments
20 that you would like to see included in the permanent
21 record, they will be labeled and submitted. I will
22 call two names at a time. The first is the speaker and

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1 the second of the person to follow. In view of the
2 number of people who've already signed up to speak,
3 please confine your public presentation to five
4 minutes. This is necessary in order to allow all
5 speakers the opportunity to provide comments.

6 Please observe this time limit as a courtesy
7 to the other attendees. If your prepared comments
8 exceed the time allotted tonight, please summarize the
9 key points for the audience and the hearing officer.
10 There are a variety of ways of submitting additional
11 comments prior to the closing date of June 27. All
12 comments, whether verbal, as presented tonight, or in a
13 written or electronic form, count equally in the
14 preparation of the final EIS.

15 I will keep track of each presentation and
16 will let you know when you have a minute left by
17 holding up this sign. Arnie Edelman will be serving as
18 the hearing officer for the Department of Energy during
19 the formal comment period. He will not be responding
20 to any questions or comments during the formal session.

21 I might add that if everybody observes their
22 time limit, if some people have a few additional

1 comments to add after their initial five minutes, we
2 may have some time near the end in order to allow
3 people to add a few final comments. So, with that by
4 way of introduction, let me call on our first speaker,
5 who is Don Hancock, and he will be followed by Yemane
6 Asmerom.

7 MR. HANCOCK: Good evening. Welcome to
8 Albuquerque for the Department of Energy and other
9 people who are here. I'm Don Hancock from Southwest
10 Research and Information Center in Albuquerque, a 40-
11 year-old organization that has worked on a variety of
12 nuclear issues, including nuclear waste issues during
13 most of that time. We provided scoping comments on
14 this document and so, I'm disappointed in looking at
15 the document that our conclusion must be that this
16 Draft EIS is fatally flawed as a matter of law, as a
17 matter of policy, and as a technical matter.

18 From a legal standpoint, the Draft EIS is the
19 wrong document. It does not consider all the
20 reasonable alternatives, as required by the law, and it
21 cannot be used to consider -- continue on to an
22 adequate final EIS. First, it's the wrong document.

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1 Why is it the wrong document? Because, as we stated in
2 our scoping comments, the Department of Energy first
3 must do a programmatic environmental impact statement
4 to address a variety of issues, some of which are not
5 even considered in this draft document.

6 For example, PEIS, a programmatic
7 environmental impact statement should address questions
8 like, "Should a Department of Energy facility be used
9 for commercial waste?" "Should Greater-Than-Class-C
10 waste be disposed of alternatively in a high-level
11 waste or spent nuclear fuel repository?" "What about
12 the options for on-site storage at existing reactor
13 sites for several decades or more?" "What about
14 consolidating GTCC storage at a few locations?" "What
15 about the range of disposal options even more than are
16 considered in the document?" "What about changes in
17 the Nuclear Regulatory Commission regulations that
18 would be required for various disposal options,
19 especially for the existing sites?" And, you were
20 shown those existing Department of Energy sites, none
21 of which have an NRC licensed disposal facility.

22 Regarding the other kinds of waste that they

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1 want to include, the misnamed GTC-like waste, in 1997,
2 the Department of Energy issued its Waste Management
3 Programmatic Environmental Impact Statement. That's
4 almost 15-years-old. It's time to update that
5 programmatic environmental impact statement to decide
6 what about the Department of Energy waste unrelated to
7 the commercial Greater-Than-Class-C waste. So, that
8 document has to be supplemented to look at the
9 Department of Energy waste before there should be any
10 consideration of consolidating DOE and commercial
11 waste.

12 There's no clear statement of what the need
13 is. You heard Mr. Edelman's presentation saying the
14 need is there's no current -- there is currently no
15 disposal capacity for Greater-Than-Class-C low-level
16 radioactive waste. The same thing, in fact, could be
17 said about there's no disposal -- current disposal
18 capability for spent nuclear fuel. That -- the
19 statement that there isn't current disposal capability
20 is not an adequate statement of need.

21 Again, the National Environmental Policy Act
22 requires that the need, the purpose, be clearly defined

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1 and stated so the decision makers and the public can
2 understand what the alternatives really are. Again,
3 this is another reason that we should be having a
4 programmatic environmental impact statement not this
5 one.

6 Secondly, the -- according to the federal
7 regulations, the heart of any legally adequate
8 environmental impact statement is consideration of all
9 reasonable alternatives. This document doesn't do
10 that. The Nuclear Waste Policy Act, for example,
11 federal law, says that there is a legal requirement for
12 the Department of Energy to develop a geologic
13 repository for spent nuclear fuel and high-level waste
14 other than WIPP.

15 In any of the presentation, did you hear
16 anything about that legally required facility even
17 being mentioned in this document? No. It's not. It
18 has to be for all reasonable alternatives to be
19 considered.

20 MR. BROWN: Don, you've got about a minute
21 left on this part of your presentation. Thanks.

22 MR. HANCOCK: The only alternatives, as you

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1 heard, that are really being seriously considered are
2 Department of Energy sites. What about commercial
3 sites for commercial waste? In fact, DOE didn't even
4 follow its own advance notice of intent, which said,
5 "They would consider disposal in new or existing DOE or
6 commercial facilities." They certainly didn't do that.
7 The generic facilities they talk about are not
8 adequate.

9 They didn't consider the need for long
10 Hardened On-site Storage on site. Shockingly, from a
11 policy standpoint, this document says that for the next
12 70 years, the term that it purports to cover, the only
13 geologic repository in the United States will be WIPP.
14 That is wrong policy and wrong law. So, the conclusion
15 that they can't go forward, they've got to stop, go
16 back and start over with a programmatic environmental
17 impact statement and supplementing the waste management
18 PEIS is what they need to do.

19 The PEIS process, the one that they're doing
20 now that we've just heard about should end after our
21 comments. They shouldn't proceed to a final EIS.
22 Instead, DOE needs to start over. And, they should

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1 conclude and determine that neither New Mexico nor
2 other Department of Energy sites should be used for
3 disposal of commercial Greater-Than-Class-C waste.

4 MR. BROWN: Okay.

5 MR. HANCOCK: Thank you.

6 MR. BROWN: Thank you.

7 (Applause)

8 MR. BROWN: Okay. Our next speaker is Yemane
9 Asmerom, and he will be followed by Joseph Wexler.

10 MR. ASMEROM: Thank you so much. I'm afraid
11 I'm not going to be as coherent as the preceding
12 speaker. I'm here to speak as a citizen, even though
13 my training is in (inaudible) chemistry. I work with
14 radioactive materials. I'm not anti-nuclear and I
15 believe the waste in question, at least the commercial
16 stuff, is essential. Sooner or later, most of us are
17 going to help reduce that and I do agree, I think,
18 consolidation is going to be very important, both for
19 national security reasons and other inventory
20 considerations.

21 The profound concern I have though, is the
22 way, at least from my reading, the sites were selected.

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1 If you look at all the sites: Hanford, Savannah River,
2 the Nevada test site, Los Alamos, the WIPP project --
3 have nothing in common as it relates to suitability of
4 waste. Each of them came about either because of
5 personal historical accident. Los Alamos happened to
6 be the persons -- the first -- you know, the site in
7 which people spent summers there.

8 The Savannah River came about because there
9 was a need for energy for fuel production, same thing
10 for Hanford. Arguably, the WIPP project is probably
11 the only one that one could say there was exhaustive
12 and extensive study for some aspect of geological with
13 repository purposes. And, so, I think fundamentally,
14 just simply selecting these sites because they were
15 accidentally sort of chosen for other reasons is kind of
16 like being drafted into the old Saris Russian Army,
17 once you're drafted, you're drafted for everything and
18 any contingency, and as long as you live.

19 (Laughter)

20 MR. ASMEROM: And, I think there is a very,
21 very important issue of, I think, stewardship and issue
22 of justice here. You can walk or drive a few miles

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1 west of here or north of here, and what you'll find is
2 negligence and lack of stewardship in the service of
3 the country when it was needed.

4 We located most of our mining activities
5 second to -- you know, in the second -- in the country
6 and now we're left with (inaudible) of abandoned mine
7 and waste (inaudible). The people of Southern New
8 Mexico graciously -- not all of them, but at least --
9 accepted the WIPP project, and that's the only one, in
10 fact, in the country that (inaudible). Unlike, for
11 example the (inaudible) Mountain Project in which there
12 was over 30 years of study just because the House --
13 the Senate majority didn't want it, that's essentially
14 over.

15 So, in a sense, as a New Mexican, I feel, we
16 are yet being asked to then again simply be the dumping
17 ground for essential waste, I have to say. And, I
18 don't think it's just and simply doesn't make sense to
19 me. Specifically, about Los Alamos, I feel very, very
20 insecure. To locate a site in which it's going to be
21 built in freshly erupted tough (ph), a few thousand
22 years old, in a tectonically active area, in a

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1 watershed that feeds into the essential drinking water
2 system for all the urban centers of New Mexico, and
3 that's affected by periodic catastrophic fire. I
4 cannot for the life of me think that there is no other
5 more suitable place in the country.

6 So, I really, with all due respect, ask the
7 Department of Energy to go back and look at all
8 potential suitable sites across this country. This is
9 a national issue. This is a national activity and I
10 think in Mexico, we've done our due burden and it's
11 about time others also share. As I said, I am not
12 anti-nuclear in any shape, or form, especially when it
13 comes to nuclear medicine. Thank you so much, and you
14 know, I appreciate that you're giving us this chance to
15 talk to you.

16 MR. BROWN: Okay. Thanks a lot.

17 (Applause)

18 MR. BROWN: Okay. Joseph Wexler is next and
19 he will be followed by Chris Timm.

20 MR. WEXLER: Well, I hadn't read any of this
21 information until I got here tonight. By the way, my
22 name's Joe Wexler. I'm a civil engineer, long-term

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1 work in New Mexico, since 1964. And, I'm getting more
2 and more interested in this nuclear business and
3 radioactivity.

4 First of all, I just want to say I don't see
5 many young people out here. I saw a young fellow --
6 yeah, in the back -- I told him he reminded me of
7 Isaiah. He had a staff --

8 (Laughter)

9 -- he looked like he just emerged from the desert.
10 Good for you. I guess you've got something to tell us.
11 This is also the time of Easter and Passover just
12 passed on for the year, and that too, is a desert.
13 And, also, we're rapidly destroying the Ann Valencia
14 (ph).

15 The reason I live here is because New Mexico -
16 - when I first came here in '64, I realized there's
17 something going on here. Not just nuclear activity,
18 but here's the last remnant of Ann Valencia of the 12th
19 and 13th Centuries. Christians, Jews, Muslims living
20 in peace in a beautiful creative culture, okay. And,
21 all nuclear waste is going to do is destroy it. That's
22 one item.

1 Also, in this time, we've gotten Chernobyl.
2 It's the anniversary of Chernobyl. Russians are pretty
3 good engineers. Now, we've got Fukushima -- Kashima
4 (ph). The Japanese are pretty good engineers too, and
5 everybody takes great pride over there. Hell, the
6 Russians can build anything and the Japanese can build
7 anything. Yeah, until it comes to making money or
8 showing your power or going home and getting laid or
9 what the hell you're doing.

10 And, we're human beings. It's over our heads,
11 from beginning to end, and we're going to destroy not
12 only New Mexico, but the entire planet with this
13 behavior. I'm an engineer, I've seen guys on
14 construction. I've seen contractors. If they can make
15 a few bucks, they're going to cut corners. Even if
16 it's radioactive.

17 Now, getting back to this report, that is --
18 which I just saw tonight in any detail. I notice
19 there's a lot of stuff in here about medical -- medical
20 supplies. My wife was helped. She was helped greatly
21 by radiation and so forth with cancer, so it is
22 helpful. We must take care of these materials.

1 And, why is this lumped together with nuclear
2 bomb waste or nuclear fuel waste and so forth? That's
3 the trick here. And, it threw me off balance, to talk
4 about hospital wastes, radioactive materials. Hey,
5 that's good stuff, but why put it together with what
6 these characters are doing with nuclear power?

7 For GE and Westinghouse and I don't know who
8 all else, making massive sums of money and not doing
9 the job right -- doing the job -- okay, oh, he'll do,
10 let's get home for the night. We won't put the
11 additional concrete in and we won't put the additional
12 reinforcing in. We won't put the water pumps up on top
13 that we need, we'll put them right down on the ocean
14 and let the sea wall collapse on them. And, now
15 they're still -- and now the dead -- the dead are going
16 to build up.

17 At Chernobyl, the estimate of dead up to this
18 point is 1 million. And, in addition to that, there
19 are many youngsters who are sick, their thyroid glands
20 are screwed up. We just can't handle nuclear energy.
21 I know you've got to get rid of this stuff somehow, but
22 we can't afford building any more plants until we

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1 become super human, like the guys in the movies.

2 I don't know, the robots, the guys -- is it --

3 MR. BROWN: You've got one minute left.

4 MR. WEXLER: Okay.

5 MR. BROWN: Thanks.

6 MR. WEXLER: Has Hollywood convinced us that
7 we can really do anything with a few electronic pieces
8 of equipment? That a guy from Texas who hates -- who
9 hates the world around him, who can't stand a black guy
10 or Hispanic guy, is going to come out and build a
11 beautiful nuclear plant that will care for the world?
12 That will take care of all of us? It can't happen.

13 If you're a racist and you hate people, you're
14 going to do a lousy job. Look, I've been around this
15 country, we all have. I've lived in Mississippi and I
16 know what happens to people's minds.

17 MR. BROWN: If you make just one more point,
18 please.

19 MR. WEXLER: Okay.

20 MR. BROWN: Time's up.

21 MR. WEXLER: Okay. That's about it, thank
22 you.

1 MR. BROWN: Okay. Thank you.

2 (Applause)

3 MR. BROWN: Okay. Chris Timm and Rod Peterson
4 will follow Chris.

5 MR. TIMM: Thank you ladies and gentlemen.
6 I'm pleased to see the turnout. I'm always pleased to
7 see people interested in trying to solve a problem.
8 I'm Chris Timm, I'm also a civil engineer.

9 I've had about 20 plus years, closer to 30
10 years in the environmental compliance, environmental
11 cleanup, waste management business. I'm with Pecos
12 Management Services, and most recently, we finished a
13 five-year stint of being the independent oversight
14 contractor for WIPP. Before that, I worked at Rocky
15 Flat, I worked at Hanford's, I worked at Los Alamos, on
16 a variety of cleanups. I'm very familiar with what
17 these issues are, and I'll speak to it from a
18 perspective of this is a problem that has to be solved
19 and looking at the alternatives.

20 The citizens of this country have received
21 many benefits from their lives from the use of
22 radioactive elements that have resulted in Greater-

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1 Than-Class-C waste. You've heard mention about the
2 treatment of cancer and of other diseases by the
3 medical -- by medical processes that result in this
4 waste. And, I think there's a lot of people, probably
5 many in the audience that would agree this has been
6 beneficial, it's something that we'll want to continue
7 (inaudible).

8 But, therefore, I think it's time that we
9 agree on a permanent disposal path to protect us and
10 our offspring from the side effects, if you wish, of
11 having the waste. If it sits elsewhere, it's going to
12 continue to cause problems. If it's put in a safe
13 disposal, out of touch of all of us, then it's
14 certainly a much safer situation.

15 Of the alternatives presented, the one with
16 the demonstrated safety for permanent disposal of this
17 type of waste is WIPP. Greater-Than-Class-C waste is
18 essentially no more radioactive than the transuranic
19 waste now being disposed of in WIPP. In fact, much of
20 it is less hazardous than the waste being disposed in
21 WIPP now. WIPP also has an established transportation
22 system designed to minimize potential exposure to the

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1 public, etc. Again, they've got the safety record.

2 WIPP is also well regulated by EPA and the New
3 Mexico Environment Department, which will continue to
4 assure the citizens of Mexico that they would be safe.
5 Finally, using WIPP is the quickest and most cost-
6 effective solution as well as being safe. In this era
7 of concern about federal spending, yet still wanting to
8 protect our health, safety, and environment, all tracts
9 -- all factors make it the preferred alternative.

10 Thank you.

11 MR. BROWN: Thank you.

12 (Applause)

13 MR. BROWN: Rod Peterson -- and he will be
14 followed by Niyol Tsinhanhjinnie.

15 MR. PETERSON: My name is Rod Peters and I've
16 been a resident here in the Albuquerque area since
17 1950. My background is in engineering and geology. I
18 attended school in -- geology at New Mexico School of
19 Mines, the Colorado of Mines, the University of
20 Wisconsin. I worked at a WIPP site. I've worked all
21 over the Nevada test site under various contracts for
22 the AEC. The consulting engineering firm I was with

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1 had the contracts and I was the project engineer in the
2 field.

3 And, I'm here tonight to -- kind of wondering
4 what -- why we spent all this additional money looking
5 at new sites when since -- in 19 -- in 2002, Congress
6 designated the Yucca Mountain site as the permanent
7 storage site for highly radioactive nuclear power plant
8 waste. And, in the past two decades, more than \$13
9 billion was spent on -- on the Yucca Mountain project.

10 And, since 1983, that's 28 years more or less,
11 portions of most of our electric bills have gone into a
12 fund to build and operate a permanent storage site for
13 the nuclear power plant waste, which could include all
14 this other waste we're talking about tonight. And, in
15 March 2009, it leaked out at a Senate Energy Commission
16 hearing, I believe, that no more funds would be spent
17 on the Yucca Mountain site. And, what's wrong with the
18 Yucca Mountain site, Mr. Chu -- Senator John McCain
19 asked -- asked the Energy Secretary. Chu's answer was,
20 "We have nothing concrete in mind, just a new
21 comprehensive study, some kind of new strategy." Well,
22 that's what's being presented here tonight I believe.

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1 I pulled up on the Internet about 21
2 publications by the U.S. Geological Survey relating to
3 the Yucca Mountain radioactive waste storage project.
4 Reports covering the span from 1968 through 2008, and
5 they'd probably fill half this room. And, most of the
6 geologists that worked over that long span of years, on
7 the Yucca Mountain project, were in favor of that being
8 a permanent storage site for high radioactive nuclear
9 fuels.

10 And -- I'm going through my notes here.
11 Giving up the Yucca Mountain site is a threat to public
12 health and the environment. Nearly 60,000 tons of used
13 radioactive fuel will allow -- continue to be stored in
14 pools of water at reactor sites all over the country.
15 And, I have an editorial here that appeared in the
16 Albuquerque Journal on March 7, 2009, regarding storage
17 of nuclear waste, and I'll give that to the person
18 here.

19 And, I've heard reference to nuclear power --
20 building nuclear power plants and using nuclear power
21 is going to kill everybody on earth. We've had nuclear
22 power plants on submarines in our Navy for 60 years and

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1 there's never been a single fatality on these nuclear
2 submarines that have been roaming the planet's oceans
3 in that long period of time.

4 Los Alamos is currently working on small
5 nuclear power plants, small units that can be used by
6 our military in remote areas and could be sited
7 anywhere in the country or anywhere in the world for
8 energy, electrical energy for small communities. And,
9 I just believe that we've got to continue developing
10 our nuclear power. Wind and solar are not going to --
11 are not going to do the job. And, that's about all I
12 have to say. I'm glad to have been here.

13 MR. BROWN: Thanks very much.

14 (Applause)

15 MR. BROWN: Okay. Our next speaker is Niyol
16 Tsinhnahjinnie. Are you here? Okay. Please come
17 forward then. Okay. And, our -- our next speaker
18 would be Peter Schilke. Hi.

19 MR. TSINHNAHJINNIE: Hello, my name's Niyol.
20 I'm here to represent the earth and sky. And, yeah, I
21 was pretty much -- first, I'd like to say I definitely
22 think it shouldn't come to New Mexico, but I mean, I

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1 think there should be definitely some sort of
2 alternative. I mean, I wouldn't -- I personally
3 wouldn't know the best alternative. Maybe like --
4 maybe even like possibly send it out to space or
5 something, to like a star or something, you know, like.
6 I mean like it would cost a lot of money, but I think
7 the earth deserves it. You know, because I mean like
8 the earth is what made us all this money, and I mean
9 like, I just pretty much -- I pretty much just hope --
10 hope that this waste finds its home in like a
11 harmonious -- harmonious like neutral place where it
12 doesn't hurt anything including the earth or any
13 organisms. But, yeah, I say good luck and loving you
14 all.

15 MR. BROWN: Okay. Thank you.

16 (Applause)

17 MR. BROWN: Peter Schilke and then Rosemart
18 Evens.

19 MR. SCHILKE: Good evening. My name is Peter
20 Schilke. I've lived in various parts of the country.
21 I've been in New Mexico for 16 years. My background is
22 in the fields of engineering. I've worked for various

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1 countries that were part of the military industrial and
2 nuclear complex.

3 And, I'm here to say that there's no
4 credibility in these industries. If all of the
5 projections of -- and statistics that they put forth
6 were valid, we wouldn't have had the many, many space
7 accidents that we have had, the launch vehicles burning
8 up on the launch pads. The shuttles -- one blowing up
9 on launch or partly through the launch, another one
10 coming back in and being destroyed, and I go back to
11 the time when the mercury project had many problems
12 happen in one of the capsules and the computers failed
13 and the astronaut, fortunately, was able to manually
14 bring it back in.

15 I mention this aspect even though it doesn't
16 seem like it's part of the nuclear program because all
17 of these programs had people pushing numbers and
18 statistics about the reliability. Reliability? I
19 don't think so. So many of these numbers that have
20 been put forward to you this evening are purely picked
21 out of the air. I just don't believe any of the things
22 that officially get put forth anymore and my history

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1 goes back to the 50's when I first got my first
2 security clearance.

3 So, I've been through the industry. I see the
4 lies that go on, the cover-ups, pushing the facts under
5 the rug. We've had this with Los Alamos. We've had it
6 at Kirtland Air Force Base. It just permeates the
7 whole economy, the whole society, to make all of these
8 outrageous claims about the safety to me, is totally,
9 bogus.

10 If the things were as safe as they were, the
11 nuclear industry, we would not need the Price-Anderson
12 Act. We would not need to be giving loan guarantees to
13 the nuclear industry. Wall Street would gladly step up
14 to the plate. So, what we are dealing with is a lot of
15 smoke and mirrors and lies, I believe. And, if they're
16 looking for a good place to bury nuclear waste, they
17 might bury it under Washington, D.C., and under Wall
18 Street.

19 (Applause)

20 MR. BROWN: Okay, Rosamund Evans and Floy
21 Barrett will follow.

22 MS. EVANS: I'm Rosamund Evans. I've lived in

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1 New Mexico for 37 years. I'm a citizen. There will be
2 comments submitted after I work with a couple
3 organizations to develop those. You know, when we come
4 -- and I really appreciate the opportunity to have
5 public comments. We have very few venues where we can
6 be heard, and so some of the statements I guess are for
7 ourselves and to bolster our activity, than it is,
8 because we don't feel that we're heard. I definitely
9 oppose the plans to bring the nuclear -- the GTCC to
10 New Mexico, and certainly not to WIPP. The -- I oppose
11 -- I'm just going to state the very simple things that
12 I can say at this time.

13 I oppose the transportation that will have to
14 occur to bring that waste to New Mexico, across New
15 Mexico to WIPP, and of course, the possibility of
16 accidents and contamination then exists in many parts
17 of the country that might not be contaminated, but I'm
18 not sure where that would be at this point. The
19 available current proposed solution might be the
20 hardened on-site waste. And as Don Hancock pointed
21 out, that has not even been considered. But I believe
22 that that is being used in some places at this time.

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1 I myself think that this plan has been
2 designed to test out bringing the high-level rods, that
3 waste, to New Mexico, because it could be the trial run
4 and the working out of the details of bringing all of
5 it to New Mexico. And I definitely agree with one of
6 the other speakers, who said that New Mexico's had
7 enough. We really have. There is currently ongoing a
8 mapping of contaminated sites, water, land, around New
9 Mexico. When that is finished, I think it'll be very
10 interesting for all of us, because we can't really know
11 of all of the contamination that has happened because
12 of the nuclear activity and the militarization in New
13 Mexico. And we have accepted, and I think accepted in
14 much too passive a way, what has happened to our land,
15 our resources, our air.

16 There's a lot of cancer, and it may be treated
17 with radiation, but that cancer, much of it has come
18 from the radiation, and unfortunately, my grandchildren
19 and their children are certainly going to experience
20 that after what has happened in Japan, and we're still
21 suffering from Chernobyl. We are definitely lied to.
22 When you change the background -- I don't know the

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1 technical term, but you simply lift the bar on
2 acceptable radiation, which was done after Chernobyl
3 and now is being done in Japan. That's not solving a
4 problem; that's just saying, more radiation is
5 acceptable as part of the standard of safety. We've
6 seen that in other situations; chemicals, for example,
7 that are declared safer than they earlier were rated.

8 MR. BROWN: About one minute left.

9 MS. EVANS: Thank you. I want to say that we
10 must object, and we must use the words that recognize
11 this as insanity, because that's what it is. The
12 nuclear power and the nuclear weapons, we are
13 experiencing crisis. We cannot continue to just go
14 along; we must call it what it is, and it's insanity,
15 and thank you, Joe, for helping us to understand that,
16 too. Thank you.

17 (Applause.)

18 MR. BROWN: Okay, I guess our next speaker is
19 Floyd Barrett, and William Radford will follow Floyd.

20 MS. BARRETT: I've been in New Mexico since
21 1969, and I've been a teacher of young children for all
22 of those years. And I'm really concerned about our

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1 children, because they can't absorb the kinds of
2 radioactive pollution that adults can, and is this
3 going to affect them for a long time?

4 So I'd like to speak in their behalf, and
5 because of the current -- I'm going to speak about this
6 particular DEIS, and the current regulations say that
7 the GTCC waste should be disposed in a geologic
8 repository. Since WIPP is the only geological
9 repository in New Mexico and it is only certified to
10 hold transatlantic waste, New Mexico cannot accept GTCC
11 waste. The Nuclear Regulatory Commission has
12 determined that spent nuclear fuel can be stored at
13 commercial reactors for up to 100 years, so the GTCC
14 waste could also remain at the site of production and
15 at least for that time period, 100 years.

16 The best solution at present would be to stop
17 generating any more of that waste, close down --
18 (applause) -- close down all the current old nuclear
19 power plants and build no more. They are too hazardous
20 and dangerous for all living things. Chernobyl is
21 still releasing radioactive waste 25 years after its
22 first disaster, and they are still 600 million Euros

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1 short of funds needed to finish a containment structure
2 for the Chernobyl reactor today. So how can it ever be
3 safe? It can't.

4 So I would like to submit that for the time
5 being, that all of this GTCC waste be kept at exactly
6 where it was produced at those commercial plants and
7 leave it there for 100 years, and in that space of
8 time, maybe we'll come to some realization of a better
9 place to start. And I would also like to say that I
10 don't think any of it should be transported across the
11 state. Thank you.

12 MR. BROWN: Thank you. William Radford will
13 be speaking next, and then Astrid Webster.

14 MR. RADFORD: First of all, I'd like to lodge
15 a complaint that I wasn't sent a copy of the draft
16 Environmental Impact Statement. I have been on the
17 DOE's list since 1976, and I keep getting dropped from
18 the list. I don't know what it takes to get on there
19 permanently, but please put me on permanently. So the
20 remarks I'm going to give this evening are based on my
21 review of the panels in the back and a brief review of
22 the documents in the front there.

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1 I think that this proposal amounts to a
2 cynical breach of the public trust, primarily because
3 the WIPP project that seems to be your not quite yet
4 preferred alternative, seems to ignore the fact that
5 the citizens of New Mexico who have under some duress,
6 I would say, accepted this project, was with the
7 understanding that it would be for defense-related
8 waste only, and now we find that we're being told that
9 it will include some commercial waste as well. I
10 consider that a breach of trust. There was a great
11 deal of negotiation, and discussion through Congress
12 and other means to come up with a decision which was
13 made, which was that it was not to include any
14 commercial waste.

15 The next point I would like to raise is that
16 the WIPP site should be precluded from consideration as
17 an alternative for the same reason that it should have
18 been precluded in the site selection process for the
19 transatlantic disposal. That is to say, the
20 government's own criteria, site selection criteria,
21 called to avoid any site that had attractive natural
22 resources. In the case of WIPP, we're dealing of

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1 course, with potash and oil and gas. If you look at
2 the claims and the drills around the WIPP project,
3 you'll see it's just dotted. Everywhere around the
4 land withdrawal site, there are oil and gas sites. It
5 cannot be denied that it's a very attractive site for
6 natural resources.

7 So it should be excluded for the same reason
8 that it should have been excluded for what it was. I
9 didn't -- I asked whatever the DOE represents is
10 outside, whether or not there was any criteria for
11 avoidance of natural resources; he said he didn't know
12 or that the list that was on the panels there did not
13 include all of the criteria. I'm suggesting that if
14 there isn't a criteria for exclusion due to natural
15 resource competition or attractiveness, that that
16 should be there, and that the WIPP site should be
17 precluded for that reason.

18 The next point I would like to raise also
19 relates to the WIPP project, and it has to do with your
20 definition of the word "deep." Now, your criteria call
21 for deep geologic disposal. I contend that "deep" in a
22 geologic sense should mean some amount greater than

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1 less than a half mile. I think most of the audiences -
2 - I think that if the general public understood that
3 when they think of the waste -- at the waste isolation
4 pilot plant as being deep, deep, deep underground, if
5 they really thought about how far less than a half mile
6 it is, they would be far less complacent about it.
7 That's only about four throws of a good rock, if a good
8 arm, or younger arm perhaps.

9 So I would think that if we're going to be
10 talking about deep geologic disposal, it should be
11 considerably more than the depth at which the waste
12 isolation pilot plant sits; i.e., way deeper than a
13 half mile. Those are my comments.

14 MR. BROWN: Thanks very much. Astrid Webster
15 and Erich Kuerschner will be next.

16 MS. WEBSTER: Hi. My name is Astrid. I've
17 been in New Mexico since I was an 18-year-old freshman
18 at the University of New Mexico, and my affiliation is
19 for life. And I'd like to speak to the man in the red
20 jacket who thinks that solar power and wind power can't
21 meet our needs. I have solar panels on my roof, and
22 they're more than meeting our needs, by a bunch. And

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1 if more people had the courage and the faith in the
2 future, they would do the same.

3 Every time we make anything nuclear,
4 every time we utter the word, "nuclear," the next word
5 should be waste; whether it's spoken or not, it's a
6 waste. From the time that uranium comes from the
7 ground, it wastes money, water, lungs and life. The
8 damage to the environment finds its way across the
9 pads, our pads, beginning among the state's poorest,
10 and finding its way to impoverish all of our lives.
11 Nuclear waste begins its life providing power for
12 homes, industry, and most of all, war. It ends its
13 first incarnation in cooling ponds that use a million
14 gallons a minute to keep them from causing another
15 Fukushima. What a waste that's turning into! That's
16 touching all our lives.

17 Some waste finds its way to places like
18 Los Alamos, where it has turned into even greater
19 waste. That means not by accident, but intentionally,
20 we can take thousands, even millions of lives. A
21 criminal waste, according to the World Court, and
22 according to the NPT Treaty, that it's the law of the

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1 land. That's as old as my 33-year old daughter, and
2 that we have been weakening by degrees by the stories
3 that are told. A gentleman who I'm sure is well
4 educated, mechanical engineer, spoke a few minutes ago,
5 and he said, this is over my head.

6 It's not over your head. It's not over
7 anybody's head. It's ridiculous. (Applause.) And the
8 reason some of us used to think it was over our heads,
9 because somebody told us with a big fat degree and much
10 less compassion than a very narrow, thoughtless
11 education, and this stuff is still being foisted on us,
12 and it's still a waste.

13 If any of you listened to Helen Caldicott
14 talk, she said, this stuff bioaccumulates. It goes
15 from the lowest of the food chain, and it's filling the
16 fish that are farmed and in the oceans around Japan.
17 It's going to be shipped around the world, and after it
18 kills the first body, it will be pushing up daisies and
19 it will kill the second body, and it will skill the
20 third and the fourth. And I was not surprised but
21 still angered to find that a child 500 years from now
22 wandering into a field, can die, from this stuff that's

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1 being safely carried across the state? No, not for a
2 second. It's not safe anywhere, and we're not safe
3 anywhere until we all stand up and so no, no more.
4 Erich's going to talk in just a minute. He's got a
5 book by John Gofman, who studied this for a long, long
6 time, longer than I've been alive, and he said, it is
7 not safe, not one shred, not one scrap. And so when
8 they say they're going to bury it near Carlsbad, where
9 they say it's a tourist site and I went there as a kid,
10 you know what? That's wrong. These people who have no
11 sense but to continue making this stuff should carry it
12 home in their lunchboxes. Thank you.

13 MR. BROWN: Okay, Erich Kuerschner, and he
14 will be followed by Elaine, who has very lovely
15 handwriting, and I can't read your last name. So
16 Elaine, you know who you are --

17 MS. CIMINO: Cimino.

18 MR. BROWN: Cimino, okay, and she'll be up
19 next, thank you.

20 MR. KUERSCHNER: First off, thank you for the
21 opportunist to speak and thank you for all the folks
22 that came out. My name is Erich Kuerschner. I first

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1 lived in New Mexico from 1952 to 1957 in Alamogordo,
2 and returned again in '86, and I've lived in the Taos
3 area ever since. My training is as an economist. I'm
4 a member of Economists for Peace and Security, and I
5 worked on my first EIS statement. I think it was one
6 of the very first. It was with the Skidmore, Owings
7 and Merrill environmental study group that did the
8 Baltimore Beltway and then were asked to do the Mt.
9 Hood Freeway I-80N that was to move traffic from
10 eastern Portland through to the I-5 across the
11 Willamette River.

12 The reason I mention this is because it
13 was so early, we had a great deal of discussions about
14 what the NEPA process was and what it did. And I have
15 to kind of iterate. I wish I could speak as eloquently
16 as Don Hancock did, but most of what I have to say
17 really is right along the lines of what he says.

18 I found the NEPA process to be really
19 corrupted, and it's no longer the type of process that
20 we had in 1972. The NEPA process clearly states, the
21 purpose has to be understandable by anyone; the
22 alternatives have to be stated clearly. In fact, when

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1 the Department of Environmental Quality issued its
2 implementing regulations, they, in the very first
3 sentence if I recall, said, this is to be an aid in
4 decision-making and not to be something to be used to
5 kind of justify an existing condition.

6 So let me just go through what I mean by
7 this. Number one, in alternatives, when you have an
8 imbalance, the first thing you learn in economics,
9 there's a supply and demand. We have an imbalance.
10 Like, in Portland they said the imbalance was too much
11 traffic congestion, so Highway Department said there's
12 only one alternative: more lands, more asphalt, bigger
13 bridge crossing and so on and so forth. We said,
14 nonsense; there's many ways to solve problems. That's
15 only one way. We want to look at the demand side as
16 well. We want to look at land use changes, we want to
17 look at relocating people closer to work, we want to
18 look at light rail. And they said, no, you can't do
19 any of those things. Well, we convinced them, and they
20 allowed us. That freeway was never built, that massive
21 eight-lane bridge crossing -- actually, it was more
22 than that. I think it was a twelve-lane bridge

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1 crossing that was required; didn't happen. You look at
2 Portland now, it doesn't have those twelve lane things.
3 We solved the problem on the demand side.

4 This is what's missing here. All they're
5 talking about is we need -- the amount of waste that's
6 being produced is a given, and we're not going to look
7 at that. We're going to take half of the problem and
8 half of the solutions and ignore them. The only things
9 we're going to look at is supply, is on the supply
10 side.

11 Secondly, Don said it much better than I
12 did, is like I -- in Germany, they stopped after what
13 happened in Fukushima. They've stopped the issuance of
14 new permits, and as far as I know, all their waste is
15 in a hardened dry storage alternative, which isn't even
16 being considered here. It makes absolutely no sense.
17 And secondly, if I remember right, and again, I hadn't
18 planned to speak; I just came here because of another
19 hearing this morning, having to be out in Albuquerque,
20 and I thought, well, at least I can share my
21 information with the public so that you'll know and
22 understand how this process has deteriorated.

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1 If I remember correctly, the NEPA law
2 specifies that one of the solutions even has to be out
3 of the control of the specifying agency. In this case,
4 it's DOE. When I look at those sites, every one of
5 those -- like I say, I'm not that familiar with them,
6 but it looks to me like all seven of those sites are
7 DOE sites. Thank you very much.

8 And so secondly, three of the seven are
9 New Mexico; only one's a geological site. It seems to
10 me that this is a back-door effort to try to justify
11 using WIPP. And in terms of dosage, the last thing
12 that I wanted to say, is this whole nuclear issue
13 smells to me like the cigarette case, where we can
14 remember the CEOs of the tobacco companies saying, no
15 problem, no deaths. Well, there's a huge discrepancy
16 in what Gofman and long-term nuclear physicians say. I
17 mean, in Chernobyl, they're saying there's a million
18 deaths. DOE official position is 2,000 deaths. Well,
19 that was the way it was in cigarettes, if you remember.
20 So we've got a real issue that needs addressing. And
21 just to close it, I just want to leave you with Stuart
22 Udall's statement, when he was Secretary of the

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1 Interior, he said, there's never been a case in the
2 United States of so much deceit and so many lies
3 becoming official U.S. policy as was the case when the
4 U.S. tried to cover up for the nuclear weapons
5 industry. Thank you.

6 MS. CIMINO: Good evening. My name is Elaine
7 Cimino, and I didn't come here tonight to actually
8 speak; I was on a listening tour. But after I heard
9 the introduction of this situation and the PowerPoint
10 presentation, I realized that there were a lot of
11 inconsistencies in what was being said and what was in
12 the PowerPoint presentation, especially on the fourth
13 slide. It has just bulleted points, but the numbers
14 that were being told to us, like we're going to
15 remember all those numbers, are not on that slide. And
16 I think that -- I noticed this throughout the
17 presentation, that some of the facts that the man was
18 reporting wasn't reflected in the slides that were
19 being presented. And I find that a little
20 disconcerting, at best.

21 I will submit my comments in writing, and
22 I agree with most of what has been said here this

1 evening, that we must stop this insanity. We must at
2 this point stop our shift from -- of nuclear power, of
3 nuclear energy and nuclear. These things have to be
4 stored at the site that they were created, and I truly
5 believe that. I don't believe that New Mexico is a
6 place that we should be bringing all of this nuclear
7 waste to. New Mexico is disproportionately impacted in
8 this. You could see that with the three places now in
9 New Mexico. And I believe that we should stop this --
10 stop it. There were some other things here, but I
11 think like I said, I wasn't prepared to speak, but I
12 will submit my comments in writing. Thank you very
13 much.

14 MR. BROWN: Okay, thank you. Susan will be
15 followed by Judith Kidd.

16 MS. RODRIQUEZ: Good evening, my name is Susan
17 Rodriguez. I've lived in Albuquerque for 22 years. I
18 agree with, from what I understand, what Don Hancock
19 said. I usually do agree with him. And I agree with
20 Astrid and with Elaine.

21 And I've been here -- for the 22 years
22 I've been here, it's been a real learning of what New

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1 Mexico is really into and how uninformed we are and how
2 ignorant we are and how some of us are paying the price
3 for the nuclear industry, and how when we do ask
4 questions, we're told by people who have their Ph.D.s
5 who work at Sandia that, oh, don't worry; it's just --
6 it'll hold all -- whatever's coming down from Los
7 Alamos will fall into that dam and all the heavy metals
8 will fall to the bottom, and you won't be drinking any
9 of it. And when we get our water bill, the study of
10 the water, we take a look at it, and they're not even
11 testing for the nuclides.

12 Nuclides are very small, and they are
13 cumulative, which means-- that word means it adds up,
14 and if we get it in the air, we get it in our food,
15 we're now getting it more substantially in our water.
16 I think close to 80 percent of the water that we now
17 drink is coming from the Rio Grande. And they're not
18 testing for the nuclides. I find this very
19 disconcerting.

20 The Japanese, of all people, are learning
21 the hard way how an industry can sell them something
22 that they don't need, they shouldn't have had, and

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1 they're really sorry. And I did here one of the --
2 probably the only report that I heard from a Japanese
3 citizen questioned by U.S. media, how did this happen?
4 You guys, you had the bomb, you had two bombs, and you
5 know what could happen when you're affected by this.
6 And they said, well, the industry came here and they
7 convinced us, and that's what happened.

8 Here in New Mexico, the industry goes
9 around and the city helps, and the school system gets -
10 - has special schools to educate our brightest and gets
11 them into Sandia and pays them really good money and
12 also up to Los Alamos. My daughter is in her last year
13 in chemistry at the University. She didn't have such a
14 great education at APS, but she got into some courses
15 that interested here, I'm glad, in medicine, not in
16 working at Sandia. And my husband also has a Ph.D. and
17 he was never interested in that. But she says she gets
18 all these forms, or these advertisements, to get these
19 young kids to work in the industry, without being
20 really aware. I don't think there's enough information
21 about it.

22 If you support it and you understand what

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1 you're doing, then that's one thing, but most of the
2 people, that's why there's such a poor turnout here, I
3 think. It's very poorly advertised on what you're
4 doing, and when we come here we don't get the full
5 truth. I didn't really understand what kind of waste
6 was coming here. I don't see why we taxpayers should
7 pay for private industry to be storing waste. What is
8 that all about? I mean, we're paying for everything.
9 The bottom line is we're paying with our lives, that's
10 what I feel, and it is very dangerous.

11 So I'm very upset about that, and I know
12 what EIS Studies are, and Don Hancock said that there's
13 an EIS Study that goes back to 1999. I mean, they
14 tried -- they did that here in Albuquerque, used an old
15 EIS in order to build the road through the petroglyph,
16 and they needed to update that, and they never did. So
17 you have to update EISs. That is totally -- see, I
18 think it's illegal.

19 What you try to do is what they do over
20 in Sandia. They decompartmentalize what everything,
21 what people are doing. So they don't work in war,
22 because this guy doesn't know what this guy is doing.

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1 You put it all together, they certainly are, and that's
2 their greatest mission, is to work in the war industry.
3 When we look at Chernobyl or we look at Three Mile
4 Island, and you say, oh, that's different. It's not
5 different; it's all nuclear energy, and it's nuclides
6 that do add up to a very dangerous situation for human
7 health.

8 If we want to have certain types of
9 energy, the last resort should be something like coal
10 or nuclear energy. We really should go the way of
11 Denmark, which is green. They also -- do they produce
12 any oil? I'm not aware of the oil, but there was a
13 wonderful program on NPR showing what that country has
14 done to a great extent, of making that country green.
15 And we should try much harder to do that. It's
16 cleaner, it's safer, and certainly the people in the
17 industries will not be making big money, but tough crap
18 for them. Thank you.

19 MR. BROWN: Judith Kidd? And Dory Bunting
20 will be after Judith.

21 MS. KIDD: Hi. I've been in Albuquerque for
22 about 30 years, and mostly my professional life has

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1 been as a teacher. So I'm not a scientist. I don't
2 know a lot about the technology, but it's so obvious at
3 an instinctual level, that what we're doing with this
4 continued increasing creation of nuclear waste is
5 damaging for our future generations, and that concerns
6 me a great deal. We're all going to be dead, and we're
7 not going to feel a lot of the effects of what we're
8 planning to do these days, this industry's doing, but
9 it will be our grandchildren's children who will be the
10 most fragile.

11 And I think we really, really need to
12 think through what we're doing here. We really need to
13 say no, no more waste to New Mexico. We were promised.
14 WIPP would not include anything higher than sea level
15 waste, would not include commercial waste, so let's
16 keep to that promise, and then let's find safe storage
17 for the commercial waste near where it's created and
18 then let's scale down and create a world that works for
19 the future. It's a very fragile planet we live on, an
20 d it's becoming more obvious all the time -- very
21 fragile. And our future generations are very fragile,
22 so let us think in those terms.

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1 And I really, really agree with all the
2 things that have been said tonight against bringing
3 waste here and against the proliferation of the nuclear
4 industry, so I say, let's stop it now. Thank you.

5 MR. BROWN: Thank you. Dory Bunting is
6 passing, so the next speaker will be William Beems, if
7 you're ready? And he will be followed by Chelsea
8 Collonge.

9 MR. BEEMS: Thank you, Mr. Admin, for
10 administering this hearing and allowing the people of
11 New Mexico to express -- one of the rare opportunities
12 to express the dismay with regard to the actions taken
13 previously and those to come by the DOA regarding the
14 WIPP site outside Carlsbad.

15 My name is William Beems. I've been in New
16 Mexico 30 years. Most of that time I've worked as an
17 early childhood education instructor. And there's been
18 some mention made of youth, and I look out on a whole
19 lot of white hair, and I'm not quite there. But I was
20 recently at a men's group where we deemed ourselves
21 White Men with White Beards. I've been here before,
22 and I've talked when it just used to be the WIPP

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1 hearings, and I'm glad to be here to continue to let
2 you know how wrong, how wrong your thoughts are taking
3 you. I'm sorry. I am sorry.

4 The children I work with are five, six
5 years old. They're filled with innocence, filled with
6 innocence. They don't have a tiny, tiny clue as to
7 what actions the people here in this room are okaying,
8 saying that's going to be an okay thing -- don't worry.
9 Don't nobody worry; it's okay. But you know, I work
10 with the children who are a lot closer to the children
11 there, like they talk about seventh generation. And
12 I'm sorry; I hope you can reconsider. I hope you can
13 understand the wayward manner that you proceed, because
14 it's killing our children, and I cannot reiterate
15 enough how much there just needs to be no more
16 additional GTCC waste sent into this state to travel
17 across the byways that the general public share, nor
18 deposited here. Thank you.

19 MR. BROWN: Thank you. Chelsea's next, and
20 Ken Homan will be after you.

21 MS. COLLONGE: Hi, my name's Chelsea Collonge.
22 I live here in Albuquerque. And going off of what

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1 William was saying, it seems like a lot of the people,
2 the majority of people who are speaking out against
3 this proposal, have worked with young kids in their
4 life. And I think there's a reason for that. Young
5 kids have a lot more common sense than we do, and I
6 think we have a lot to learn from kids who have
7 probably put all of these scientists on a timeout to be
8 able to think about the wrong that they've done, and
9 learn how not to lie. (Applause.)

10 And you know, if I sound angry, it's
11 because I am angry. I made a choice not to have
12 children. My husband and I have made that choice,
13 because the water that we drink here in Albuquerque is
14 so contaminated with pharmaceuticals and radioactive
15 materials, and it's not even being tested up to
16 standards that are protective of the health of young
17 people, women, the unborn. So I can't really trust
18 what anyone is saying about new nuclear projects and
19 how safe they'll be. I'm from Trinity House Catholic
20 Worker. We're a small Catholic community, a homeless
21 shelter. Through the generosity of this community, we
22 have an eight-bedroom shelter that we run on 15,000

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1 dollars a year. Folks in our neighborhood who sleep in
2 ditches and in burned-down houses come to our house
3 four days a week to take a shower, to do their laundry,
4 to eat a meal, which is often their only meal of the
5 day.

6 New Mexico's really poor. We're like
7 48th, 49th in this country. Stop dumping on us. We
8 don't have the healthcare. We don't have the money to
9 deal with these risks. I have three friends who
10 couldn't be here tonight and who asked me to speak for
11 them. They're all really sick. One of them has kidney
12 failure that causes extreme pain in all of his
13 appendages, and he's a veteran. Another one is a
14 single mother, younger than I am. She has three kids.
15 She has pancreatic failure, meaning she can't digest
16 her food. She's in severe abdominal pain almost all
17 the time. Another friend of mine had a seizure today.
18 She works full-time on this nuclear issue, but she grew
19 up in a neighborhood that's right downwind from Sandia
20 National Laboratory. Her dad just died. Her mother
21 died when she was 11 from leukemia. Her grandmother,
22 who was a worker at Sandia, died of brain tumors.

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1 So I would like for the DOE to keep its
2 promise, that WIPP would remain a site only for weapons
3 waste, that its mission would not be expanded, because
4 we can't handle additional waste here. The standard of
5 reference man, the model that our government uses to
6 calculate how much radiation is safe, that model is a
7 20-something year old five foot seven Caucasian male.
8 That's a sexist and a racist model, and we know that
9 every single dose of radiation cumulatively contributes
10 to risk of cancer.

11 Me and my friend, who couldn't be here
12 because she had that seizure, we talk to high school
13 students about radiation all over Albuquerque. They
14 understand that, and the fact that like no one else is
15 telling them the truth, it just shows who gets cared
16 about in this society. It's the people on the East
17 Coast who have money, who are living near nuclear power
18 plants who are making gazillions of dollars off of
19 radioactive industries, they're the ones that the
20 Department of Energy cares about. So you guys might
21 think that the world's forgot about Chernobyl, that
22 we'll forget about Japan, that our country is just

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1 going to forget about New Mexico, but we're not going
2 to let that happen. Thanks.

3 MR. BROWN: Okay, Ken Homan and Marvin
4 Gladstone will follow.

5 MR. HOMAN: I would like to point out, you
6 left the NSJ off the end of my name. That is
7 important. I am a member of the Society of Jesus. I'm
8 a first-year novice, becoming a Roman Catholic priest.
9 And I believe it is a sin to use nuclear power, because
10 nuclear power is always related to nuclear war. What
11 will we do with this waste? Turn it into bullets.
12 That's all we do with it, is turn it into bullets that
13 kill people, and if it doesn't, well, it causes to
14 cancer. To the man in the red jacket, Nuclear subs
15 haven't killed anybody? Since when has a nuclear sub
16 not killed someone? That's their job.

17 I would like to point out a few things
18 about this, that this whole thing sets a precedent for
19 further nuclear activity that just create the
20 environment to keep building nuclear, to keep
21 destroying human life. There's too high a chance of
22 human and environmental degradation. We are risking

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1 too much of our future, too many of our children, to
2 any of the people that I hope one day to minister to,
3 that I hope to off the Eucharist to, but I will
4 probably have to visit in hospitals, because they have
5 been contaminated by nuclear waste. I would like to
6 point out the horrendous example of private industry in
7 this sector already. Let's look at mountaintop
8 removal. Let's look at the fact that they want the
9 government to clean up; the fact they've blown off
10 entire mountains. Why should we continue picking up
11 after private industry?

12 There's too many long-term impacts,
13 there's too many previous debacles. Quite frankly, I
14 just don't trust the Four Prophets, and I don't trust
15 what they want to do with our country, because it is
16 the price of a penny versus the price of a human life.
17 As a Catholic priest, I reiterate -- or Catholic priest
18 to be -- that it is a sin to continue on this mission
19 of destruction. Thank you.

20 MR. BROWN: Thank you. Marvin Gladstone?

21 MARVIN GLADSTONE: He passes.

22 MR. BROWN: All right. Janet Greenwald?

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1 Hello, glad to see you again.

2 MS. GREENWALD: Glad to see you.

3 MR. BROWN: And Mary Alice Trujillo will
4 follow Janet.

5 MS. GREENWALD: Hi, I'm Janet Greenwald, and
6 I'm a coordinator of Citizens for Alternatives to
7 Radioactive Dumping, a 33-year-old organization, state-
8 wide organization that is mostly volunteers. Our
9 mission is to protect the land and people of New Mexico
10 from radioactive contamination, which I'll state right
11 away, is impossible.

12 In my job, I see a lot of people who are ill
13 and some people who are dying, and I also work with the
14 children of families that have been devastated by
15 radioactive contamination. I'm talking about uranium
16 miners, I'm talking about production workers. I am
17 grateful that Carlsbad does have a culture of safety
18 and that no major issues of gross contamination have
19 happened there.

20 I want to illustrate to you how dangerous
21 these wastes are. Several years ago, a janitor who
22 worked at WIPP went up to the mezzanine where he should

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1 not have been, and with his friends, they smoked some
2 cigarettes. In order to cover up the smoke, that smell
3 of smoke, they opened a small trap door in a pipe where
4 radioactive gases that have built up in the
5 transportation of the WIPP karsts were being vacuumed
6 out to a HEPA filter. He was dead within six months
7 from bleeding lungs from a few minutes of exposure.
8 Radioactive wastes are mixed with chemicals, they
9 produce gases, they're very active, and they're
10 dangerous, they're very dangerous.

11 WIPP is in one of the largest karstlands
12 in the world, where water runs underground rather than
13 above ground. DOE claims that WIPP is on an island in
14 a sea of karst, but no independent scientist has ever
15 supported that position, and some of DOE's own
16 contractors and scientists have disagreed with it.
17 They disagree with sitting a nuclear facility in
18 southeastern New Mexico. NRC forbids nuclear
19 facilities to be sited in CARD. It's too unstable. If
20 you want to learn more about that, you can turn to
21 CARD's Website, cardnm.org, or you can turn to EPA
22 docket and see the current controversy over why the

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1 wellheads at WIPP are inexplicably rising and falling.

2 Over the last couple of days, I've been
3 traveling over the southern north-south WIPP route and
4 talking about people along that route. I have been
5 listening to them and listening to their concerns and
6 their approvals also. They've mentioned several times
7 that they were grateful, or several people mentioned
8 that they were grateful that the Department of Energy
9 kept their promise to make the highway between I-40 and
10 the WIPP site a four-lane road. They're very
11 appreciative of that kept promise. They're very
12 unappreciative of the fact that the WIPP trucks park
13 everywhere. They park next to their stores, next to
14 their restaurants, and they know that there has been no
15 study on the effect of the radiation that these trucks
16 give off to pregnant women, women in general, the
17 fetus, the young child. Because all radiation
18 standards are based, as Chelsea told us, on reference
19 man. Everyone else, and especially the fetus, is much
20 more susceptible to radiation, contamination and
21 resulting illnesses than reference men.

22 MR. BROWN: One minute left.

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1 MS. GREENWALD: Okay.

2 MR. BROWN: Okay, thanks.

3 MS. GREENWALD: When I talked to these people
4 along the route, they said that they were going to
5 fight commercial waste going to WIPP, and they said,
6 there is many reasons for that, but the main reason is
7 that the Department of Energy came to them and told
8 them that if transatlantic military waste went through
9 their communities, if they went along with this, that
10 there would never be commercial waste disposal at WIPP.
11 And they said to me, where we come from, a man's words
12 still mean something, and that we feel deeply resentful
13 that the Department of Energy lied to us. Thank you
14 for your time.

15 MR. BROWN: Okay, again, is it Mary Alice
16 Trujillo?

17 MS. TRUJILLO: Yes.

18 MR. BROWN: And she'll be followed by Michael
19 Trujillo.

20 MS. TRUJILLO: Good evening. My name is Mary
21 Alice Trujillo. I'm from a little town called
22 Antonito, Colorado, which is about six miles north of

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1 the New Mexican border. About a year and a half ago,
2 we were told that there were train cars that were
3 going, gondolas, they were called, going on a little
4 rail that goes from Antonito all the way to Walsenburg
5 and on up to Chicago. And we were going to be the
6 facilitators of transporting nuclear waste out of Los
7 Alamos.

8 Well, anytime anyone tells me about
9 nuclear waste, after having taught for 30 years in the
10 fields of chemistry, biology, and math, my ears go up
11 and the hairs on my arm stand up, because nuclear
12 waste, according to the Academy of Science, the only
13 safe exposure to radiation is no exposure. And so I'm
14 thinking, here we go, all those wonderful geniuses up
15 at Los Alamos, they haven't figured out how to do what
16 they need to do; and that is, dispose of whatever it is
17 that they generate on site. Well, no, they're not
18 going to do that. Why? Because there's a lot of money
19 to be made in transporting this all over the country,
20 through little towns like Antonito, Colorado, which
21 they practiced environmental injustice. It's a little
22 town made up of more than 90 percent Latinos, which are

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1 what I call American Mexicans, a lot of Indian
2 influence. Been there for generations, five
3 generations. Ignorant? Well, yeah, most of us are
4 ranchers. We're not ignorant about all things.
5 Uneducated, but the majority of us might be. Average
6 income per family in Conejose County, 24,000 dollars.
7 Well, that's all we need. We have our own. We're
8 self-sustainable. We don't need all that.

9 But as they looked at the environment, they
10 felt it was okay to take five gondolas full of nuclear
11 waste dirt, transport it by truck and then transfer it
12 on to rail. Well, thank goodness that our town mayor
13 and our county commissioners were alert, and they put a
14 stop to that because no one had ever applied for a
15 special land use permit. No one had ever asked
16 permission. We were those kinds of people you don't
17 ask permission of. We're dispensable, and guess what?
18 Our culture, our people, are very much like the people
19 in New Mexico. We're of indigenous background, half of
20 us. We're Hispanic and we're poor, and we're ignorant,
21 and that's what they think.

22 And so when you have this elitist mentality

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1 that your Ph.D., shit piled high and deep, exempts you
2 from practicing ethics, then we're in trouble. We're
3 in trouble because therein sits the good old boy's
4 club, making all the decisions for our country. I
5 believe in nuclear energy. It's based in the sun, and
6 we can capture it by using all the right technology.
7 And you know how I think we can curb this behavior?
8 When I was at one last meeting in Los Alamos and they
9 were presenting the budget for their new metallurgical
10 building, whatever, and they had line items that said,
11 to be determined. Excuse me? I wish that my income
12 tax said that: tax to be determined. You know? But
13 no, they're taking all the pennies away from everybody,
14 so six billion dollar structures can be built in Los
15 Alamos.

16 Well, I had a thought. When my daughter and
17 her son and her husband ran the Race for the Cure and
18 each of them raised X amount of dollars, and for the
19 whole thing it was a 40 thousand dollar benefit, why
20 don't we get our scientists at all these various
21 places, and have them run to raise money so that they
22 can keep their science projects going? And so from

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1 Colorado I tell you, the nation is aware in little bits
2 and pieces, and we have prevailed. There will be no
3 shipping unless a NEPA study and I question that, too,
4 will be done; when they put their little shipping
5 facility -- ready -- 75 yards from our river source,
6 over a railway, a bridge that is over 100 years old,
7 and then another bridge down about two miles. And what
8 Michael will be talking about is just how dilapidated
9 that rail line was. DOE isn't watching at the bottom;
10 they just make the decisions at the top, and any
11 subcontractor can do whatever they want, at the bottom.
12 Thank you.

13 MR. TRUJILLO: Good evening, my name's Mike
14 Trujillo. Thanks for having me here. I'm a property
15 owner here at Rio Rancho, and a lot of my life was
16 spent in Colorado. I've had something like nine career
17 changes in my life. I'm a disabled United States
18 Marine veteran, Vietnam. One of the things I learned
19 when I was 18 is how the government tried to convince
20 the masses that Agent Orange is a beautiful chemical.
21 By listening to the big corporations, the enticed the
22 U.S. government to invest in Agent Orange. It was a

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1 beautiful chemical to destroy forests and other plants
2 and animals, thereby giving us the opportunity to see
3 the enemy. It's no different now.

4 DOE, I hate to say it, but I must have
5 met in the last year and a half, approximately 19, 20
6 officials of DOE and their associates, contractors, and
7 the railroad. And sad to say, I never met one with any
8 substance. A pack of lies is all I heard from day one.
9 I haven't heard the word here used tonight, propaganda.
10 Propaganda's a term that we all kind of shy away from,
11 but it's a very effective tool that's used by DOE and
12 anybody associated with something that they want to
13 pass onto to you to make a few bucks, because that's
14 what it's all about. It's about money.

15 A railroad pre-existed in town. DOE came
16 into town. A contractor came into town, and they said,
17 this is where we're going to have a transloading
18 station. Approximately fourteen people got together
19 after finding out what was going on, and they said, no,
20 no, you're not; you're not going to have any
21 transloading station. And they said, well, we're just
22 shipping dirt from Los Alamos. Well, if it's just

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1 dirt, just leave it in Los Alamos. We don't want Los
2 Alamos' dirt. Lo and behold, I already knew from day
3 one that that was a pack of lies, because that's the
4 way they operate.

5 I was a former building inspector ten
6 years for the City of Alamosa, Colorado. I was called
7 upon to do a structural analysis of the fiscal plant,
8 the railroad -- the ties, the railroad, the railroad
9 bed, the bridges, the culverts -- you name it. And I
10 presented 120 photos through a PowerPoint presentation,
11 and I presented this at a hearing. And I asked
12 officials of the DOEs, is this what you want to
13 transport your waste in? Well, of course. Did they
14 care? I doubt it. The facility to this day, is
15 deficient, decrepit. It should be demolished and
16 cleared, by analysis, be it structural engineer or
17 building a specter, you name it.

18 I'm not going to take a whole lot more of
19 your time, except to say this. When aggrieved by a
20 bully, there's only one action to take, and that's to
21 take the bully by the horns. And it's very easy to say
22 it, but we took three bullies by the horn, and we said,

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1 you're not going to have a transloading site here.
2 You're not going to ship anything from Los Alamos here.
3 And we formed a corporation, and this corporation got
4 services from lawyers, professionals in the community
5 to help us out, and we never actually went to
6 litigation. As a matter of fact, we went to a
7 settlement. But I don't trust these guys to this day.
8 They'll slip through the back door when they have a
9 chance. They'll slip at the onset of sunset, and
10 they'll try to sneak their stuff into my town. And my
11 advice to you, don't let them do it. You organize; you
12 form. You'd be surprised what a few people can do with
13 bullies. Thank you.

14 MR. BROWN: Our next speaker is Henry
15 Misserville.

16 MR. MISSERVILLE: I'd like to Dave McCoy to go
17 along.

18 MR. BROWN: Okay, and then I guess, Dave --

19 MR. MISSERVILLE: That's all right.

20 MR. BROWN: Right, and then Dave McCoy's next.

21 MR. MISSERVILLE: Hi, my name is Henry
22 Misserville. I'm a citizen of Planet Earth, and I am

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1 an environmentalist, and a part-time resident of New
2 Mexico as well. The speakers who spoke against nuclear
3 waste, against the transportation, I agree totally with
4 them. I feel empowered by what I have heard. The
5 first speaker spoke about the lack of an impact
6 statement. There needs to be one.

7 Another speaker spoke about negligence
8 and lack of stewardship. And from what I can tell,
9 there's a total lack of negligence and lack of
10 stewardship on the part of the DOE, on the part of
11 NMED, on the part of the regulatory agencies that
12 aren't regulating. They're in bed with the nuclear
13 industry, the arms and proliferation industry, Sandia
14 Labs, with its radioactive and hazardous waste, its
15 nuclear reactor that is totally unsafe, Kirtland Air
16 Force Base with its jet fuel spill, 8 million gallons
17 of jet fuel that is contaminating the water. New
18 Mexico, I've heard it referred to as a toxic wasteland,
19 and the DOE wants to contribute to that.

20 These regulatory agencies have no
21 credibility. Their claims of safety are bogus.
22 They're in collusion with the nuclear arms industry,

1 from what I can tell. And people are not being heard.
2 They don't have regular public meetings where the
3 public can comment. In fact, NMED in the past, has
4 prevented public comment, and they have declared some
5 of their minutes of their meeting executive privilege
6 so that we cannot get access to their discussions with
7 Sandia, with Los Alamos, with Kirtland Air Force Base.

8 The fact that they want to bring in mid-
9 level radioactive waste, one of the speakers said, is a
10 trial run. It is a trial run. It's a trial run for
11 high-level radioactive waste. Just a matter of time.
12 Our president, President Obama, has been bought by the
13 nuclear power industry, unfortunately. They're the
14 ones that contributed to his campaign, put him into
15 office. We have defense and non-commercial waste
16 supposedly that are going to go to WIPP. Another
17 speaker mentioned that you can't have nuclear energy
18 without a consideration of nuclear waste. That's the
19 other part of the equation, and there is no permanent
20 solution to nuclear waste.

21 You know, from what I can tell, the state
22 of New Mexico is the dumping ground for nuclear waste.

1 I heard it stated in one of the public comment periods
2 at another venue, that this is environmental racism.
3 They take the poorest state, the least educated state,
4 and they have these glossy scientists try to convince
5 people that this is the right thing to do.

6 MR. BROWN: Okay, you've got one minute.

7 MR. MISSERVILLE: Okay. There was an accident
8 in July of 2001, Baltimore rail tunnel fire --
9 railroad. It was a fire that went on for six days, a
10 chemical fire. And the temperatures of that fire in
11 that tunnel were 1,500 degrees. These casks can
12 withstand temperatures of 1,475 degrees for 30 minutes.
13 If they had been transformed to nuclear waste, it would
14 have been a Chernobyl in the making. The feds cannot
15 force high-level nuclear waste dumping on a state that
16 doesn't want it. Nevada stopped the Yucca Mountain
17 dumping. We can stop that, too. And it seems like the
18 people here want to stop that. And we can pass
19 ordinances to prevent the transfer of radioactive
20 waste. You can't move spent fuel without irradiating
21 people along the routes. You just can't do it. There
22 will be radiation, we will be impacted, and there is no

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1 safe amount. Thank you.

2 MR. BROWN: Thank you. Dave McCoy is next,
3 and Leona Morgan will follow Dave.

4 MR. MCCOY: Good evening. I'm Dave McCoy,
5 Executive Director for Citizen Action New Mexico.
6 We've been fighting nuclear waste disposal at the mixed
7 waste landfill, other sites. Nobody has really spoken
8 -- I'm not going to speak so much as the director as I
9 want to put on my cap as an attorney. I am a licensed
10 attorney in the state of California. And I want to
11 look at this draft EIS from a legal perspective, and I
12 won't have the kind of heartfelt comments that I'm so
13 grateful for so many of you making.

14 The selection of WIPP as the alternative
15 site provides numerous opportunities for lengthy
16 litigation. A brief legal history of the Waste
17 Isolation Pilot Plant is that an agreement was reached
18 in 1981 that limited WIPP to the disposal of only
19 defense-related transatlantic waste. A subsequent
20 lawsuit in 1991 by the state of New Mexico sought to
21 stop shipments to WIPP. Nevertheless, Congress made
22 the determination to proceed with WIPP via the Land

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1 Withdrawal Act of 1992. Unless GTCC low-level waste is
2 contaminated with transatlantic isotopes of defense
3 origin; that is, non-commercial nuclear waste
4 operations, the Waste Isolation Plant cannot accept the
5 waste.

6 Using WIPP for a commercial radioactive
7 waste storage would require amendment of the Land
8 Withdrawal Act of 1992. DOE would also be in for a
9 battle as to whether the EPA standards put in place for
10 Yucca Mountain disposal, and those radiological
11 releases to the public should prevail over the
12 standards of another section of law. The EPA standards
13 for WIPP require that the annual cumulative dose rate
14 for many releases be less than .15 millisievert per
15 year for 10,000 years after closing. Yucca Mountain
16 standards have several added requirements regarding
17 those exposures. The DOE proposal to further
18 radioactively contaminate an impoverished minority
19 public will bring additional litigation for
20 environmental justice considerations. A modification
21 of the Resource Conservation and Recovery Act disposal
22 permit for WIPP from the New Mexico Environment

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1 Department would receive further litigation. The
2 Council on Environmental Quality regulations and DOE
3 implementing regulations provide clear direction for
4 tiering broad program decisions. These regulations
5 encourage DOE officials to tier from broader
6 programmatic EIS documents to those with a narrower
7 scope in order to focus on the issues ready for
8 decisions. DOE has not met those SEQ requirements.

9 No programmatic environmental impact
10 statement exists for nuclear waste disposal in the U.S.
11 That would include the DOE/GTCC-like waste or the
12 commercial GTCC LLW. The treatment, storage and
13 disposal of commercially generated GTCC waste, along
14 with other DOE waste types that have similar hazard
15 characteristics, must be made subject of a programmatic
16 analysis under the National Environmental Policy Act.
17 The plan to use WIPP as a disposal site is
18 inconsistent, with a DOE final waste management PEIS,
19 which Mr. Hancock mentioned, from 1997.

20 MR. BROWN: You got about a minute left.

21 Thanks.

22 MR. MCCOY: The PEIS states, quote, "The only

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1 alternative being considered for the WIPP is a possible
2 treatment of all contact handled TRU waste under the
3 TRU Waste centralized alternative; thus, the impacts
4 for treatment of true waste at WIPP were not
5 appropriately considered for the inclusion of this
6 waste."

7 I could go on with a whole lot more violations
8 and failure to comply with the NEPA that are going to
9 confront the DOE. And the first people it will be
10 turned to in this battle against this GTCC waste coming
11 here, will be the attorneys. So you might as well look
12 at some of these legal problems that you're going to be
13 facing, and stop wasting your time as presenting the
14 WIPP as some kind of a location where this is going to
15 be stored. Legally speaking, it just ain't (sic) gonna
16 happen, and you're wasting our time and money even
17 coming out with this proposition. Thank you.

18 MR. BROWN: Leona Morgan, and Shannon Mason
19 will be next.

20 MS. MORGAN: Good evening. My name is Leona
21 Morgan, and I am a resident of New Mexico. I am also
22 from the Navajo Nation, where my ancestors and my

1 family has lived since time and memorial.

2 And first of all, I'd like to say that I
3 am opposed to the proposal for GTCC and GTCC-like waste
4 to come to the WIPP site; also for the proposal to
5 build more sites in the WIPP vicinity. As a young
6 person, I'm going to speak for the generations who are
7 not present here today. I am not so young, but I do
8 remember growing up in Gallup, New Mexico. I went to
9 high school there, and I never heard of uranium mining
10 issues while I was growing up, and so I'm going to
11 speak for the generations who have not grown up aware
12 of the dangers of radioactive contamination and who
13 have not lived during the time of the nuclear bomb
14 drills when some of you might recall hiding under your
15 desk or the issues with the Cold War.

16 A lot of my generation and the younger
17 generations' have no idea about the dangers of nuclear
18 power and nuclear weapons, and so for that reason I
19 have spent the last four years talking in public at
20 gatherings, either doing presentations. I have spoken
21 with hundreds of residents and a lot of young people
22 younger than myself. I have spoken one-on-one,

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1 explaining the nuclear fuel chain and talking about the
2 history of uranium mining, especially how it has
3 affected my people, the Dine. And for myself, I
4 learned and I educated myself with the help from people
5 like Don Hancock and Strick and a lot of people here
6 today who have helped to educate me on the issues and
7 therefore I see it as an oversight of the DOE to not be
8 using modern forms of media to get this information
9 out.

10 So that's one of the issues I'd like to
11 address, is that the Department of Energy really needs
12 to find new ways to give this information out,
13 especially to young people. I do not see any here
14 today, and I believe that is by design. So first of
15 all, I'd like to just talk about the root of the
16 problem of nuclear waste. Right now, if we allow
17 nuclear power plant waste to come to the WIPP site, we
18 are just opening the door to more nuclear power plants
19 in the United States, something the Obama
20 Administration favors, and that means opening the door
21 to more uranium mining.

22 In my community -- my family is from

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1 Crown Point, New Mexico, and today I was actually in
2 Crown Point, New Mexico, attending a funeral. My aunt
3 had died. I think she was 56. I believe a lot of her
4 problems were the result of -- she had Parkinson's,
5 which is not related, but she also had severe
6 depression from the loss of her daughter, who died at
7 30 because of kidney failure, which was compromised by
8 other issues. But in the community of Crown Point,
9 what I learned today is that there is a rise in
10 leukemia among young people. My grandmother, who also
11 died in 2005, she died of lung cancer, and she never
12 smoked. She was a traditional grandmother. She --
13 Crown Point is not heavily polluted by automobiles or
14 that type of air pollution, and so I believe it is from
15 the naturally occurring radon gas and the abandoned
16 uranium mines in the area.

17 And so that is the big issue. On Navajo
18 Nation there have been identified over a thousand
19 abandoned uranium mines. And so when we talk about
20 nuclear waste coming to WIPP, I just think, well,
21 there's nuclear waste in my family's background. In
22 Crown Point, New Mexico, we're also facing ISL mining,

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1 which is being proposed -- well, we've been dealing
2 with this for a long time. HRI has a mine site which
3 is within three miles of the water storage tanks in
4 Crown Point and which is within a couple miles of the
5 elementary school, the high school. There's four
6 churches in that area where the ISL mining would occur.

7 And so these issues of uranium mining,
8 they're not just in Crown Point, they're not just in
9 Church Rock, they're also in areas like Grants and
10 Mount Taylor, which is a sacred site to all the
11 indigenous peoples of New Mexico. And so to talk about
12 expanding the WIPP site to accept nuclear power plant
13 waste, to me is like just increasing the amount of
14 environmental racism that has already occurred. The
15 reason I spend time talking to young people about these
16 issues is because during the uranium boom of the last
17 century, nobody spent the time to talk to my people
18 about the dangers of uranium mining and radioactive
19 waste, and so today, I'd just like to express my great
20 concern that the DOE is again using our people and
21 sacrificing human lives for private industry and for
22 these commercial nuclear power plants and all these

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1 companies who don't even live here, and they don't have
2 their family here. They don't understand the extent to
3 which we have already suffered.

4 And so as a Native person, as an
5 indigenous person, I'd also like to just explain to the
6 DOE and to everyone here that when we're talking about
7 losing a life, in my culture it's not just losing a
8 human; it's losing our language, it's killing our way
9 of life, and that is going to affect our future for
10 generations to come. So thank you, thank you for your
11 time today, and again I'm opposed to the expansion of
12 WIPP.

13 MR. BROWN: Thank you. Shannon Mason? Is
14 Shannon here? Jay Lee Evans? All right, and Jay Lee
15 is headed this way, and Hildegard Adams will follow Jay
16 Lee.

17 MR. EVANS: My name's Jay Lee Evans. I'm a
18 lifelong resident. My father was born in St. Joseph
19 Hospital, delivered by Dr. Loveless. He had a
20 doctorate. Something he gave me was an appreciation
21 for the amazing physics that was done at the labs
22 during the war, and I want to thank you for the

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1 opportunity to put my words on the official record
2 again.

3 I admit, I have a profound suspicions of the
4 process, but I'm grateful to once again enter into the
5 Kabuki dance that we do with the DOE or the DoD.
6 Fifteen years ago, many of us were in rooms like this,
7 testifying whether or not WIPP should be open and what
8 level waste should be permitted and whether or not the
9 TRUPACT containers were sufficient. And as a result of
10 the IIS process at that time, we came away with the
11 impression that WIPP would open but it would only be
12 licensed for lower level military waste. In all, we
13 knew deep down back then that this day was going to
14 come, but we had official reassurance that neither high
15 level nor military waste would be allowed at WIPP.

16 I'm a bureaucrat. I'm a municipal bureaucrat.
17 I understand the need for the process of appeal and
18 review and overturn policies, but here we are again. I
19 worked in the circus when I was a kid. If you've ever
20 been around camels, if you're in a tent, camel gets his
21 nose in the tent and okay, and you look around and
22 before you know it his neck is under the tent, and you

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1 say, okay. And before that, he's got his shoulders,
2 his legs, pretty soon his hump is in the tent, and
3 before you know it, you've got a camel in your tent.
4 Well, the citizens of New Mexico, the industry's
5 stinking, putrid, death-dealing camel has its nose in
6 our tent, and we are here today to suggest, to demand,
7 to plead, to be on the record, asking to turn away from
8 Pluto, the god of death, the namesake of plutonium,
9 turn towards sanity, turn towards life and the children
10 and the grandchildren that we are so fond of talking
11 about and do what?

12 I'm not all about being negative. My
13 suggestion, my proposal, my recommendation is a
14 monitored, double-walled, retrievable, surfaced storage
15 facility. I think we would be well-advised to explore
16 vitrification technology rather than weapons
17 protection. We need to refocus the lab's mission.
18 We've got these amazing brains. We've done this
19 magnificent physics here. I think we could refocus
20 away from weapons production and do some more
21 magnificent physics for humanity, for our children and
22 our grandchildren. With all due respect to the people

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1 that have spoken before, it should not surprise anyone
2 that the retired industry flacks and nuclear engineers
3 speak as apologists for the industry. I understand you
4 go through school, you've got a career, you get a
5 degree, you're looking for a good job. Your choices
6 are severely limited. And the labs are the industry,
7 are the place to pay off those debts, and where you
8 stand depends on where you sit. And this doesn't
9 change; it's always the same. We have the engineers
10 speaking about how safe it is.

11 I'm not surprised at them spinning the
12 industry's line. It was asked, why was 13 billion
13 dollars spent on Yucca Mountain and came up rejected.
14 The answer to that is, you can't put enough lipstick on
15 that pig, whether it's United States Geologic Service
16 reports or labs modeling, to disguise the fact that
17 when you're talking about geologic time, thousands of
18 tons of waste, high, low, medium level, and half lives
19 of millennia, it is the height of arrogance and human
20 folly and sheer stupidity to think that employing the
21 crudest waste disposal method imaginable, sticking it
22 in the ground, is going to be reasonable or well-

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1 advised way to provide for our children's and our
2 grandchildren's health and future.

3 A gentleman I mentioned earlier that --

4 MR. BROWN: You've got a little less than a
5 minute left.

6 MR. EVANS: I haven't got my running shoes on.
7 Permanent disposal passed to protect our children and
8 our grandchildren, I agree, and something else that we
9 can also agree on is radionuclides are both mutagenic
10 and carcinogenic. I know of no more authoritative
11 source than National Academy of Science. Google it,
12 look up B-E-I-R, Biological Effects of Ionizing
13 Radiation. It's clear. It's been mentioned here.
14 There is no safe dose of radiation, especially if it's
15 internal, ingested, or inhaled -- despite this very
16 reassuring placemat, very charming, that I'm very
17 grateful to have.

18 We hear the canard, no fatalities at Three
19 Mile Island, no fatalities in nuclear subs, and now in
20 this cascading catastrophe that's Fukushima, the media
21 tells us in unity, immediately, the two messages to
22 throw all on, it's safe, it's inevitable, even while

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1 it's continuing to melt down.

2 MR. BROWN: Okay --

3 MR. EVANS: To finish up, to finish up here.

4 I'm going to conclude the way I always conclude my
5 testimony at these events, with the statement --

6 MR. WADE: Don't let it break with tradition.

7 MR. EVANS: I will focus the question on --
8 the (inaudible). If you choose not to hear us, your
9 grandchildren will curse your name.

10 MR. BROWN: Okay, thank you. Okay, Hildegard
11 Adams? And Geraldine Amato will be after Hildegard.

12 MS. ADAMS: I don't know if I have that much
13 to say. There have been so many eloquent speakers
14 already who have spoken from their knowledge base and
15 from their hearts. I do have a question for you, and
16 that is how is this event being recorded? I'm sorry; I
17 came in late.

18 MR. BROWN: Oh, the gentleman behind you is
19 recording that, and that is being made part of the
20 permanent record, which will be reviewed in preparation
21 of the final Environmental Impact Statement.

22 MS. ADAMS: Okay. Thank you for answering

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1 that. So I'd like to go on record as being totally
2 opposed to any more radioactive waste coming to New
3 Mexico. New Mexico is already extremely contaminated,
4 and honestly, if I had known that back in 1975 when I
5 was moving here from California, really, I would not
6 have come. I had no idea, and the general public in
7 New Mexico, unfortunately, has no idea of the extent of
8 the dangers that they're in from the nuclear industry;
9 in particular, of course, that being perpetrated by the
10 U.S. government.

11 I'd like to ditto everything that
12 everybody's said about governmental lies. I'm a
13 retired teacher, and I'm going to tell you a story
14 about some students that I had a long time ago, before
15 WIPP even opened. Well, I taught gifted, and these
16 were sixth and seventh graders who had gotten wind of
17 the projected plan to open WIPP in the Carlsbad area,
18 and many of my gifted students were not slouches,
19 regardless of -- no microphone.

20 MR. BROWN: Okay.

21 MS. ADAMS: I might have to get a few more
22 minutes.

1 MR. BROWN: Try that; that should work.

2 MS. ADAMS: Okay. Let's see, testing, testing
3 -- no, not so much. Are you getting it back there?

4 MR. BROWN: Can everybody hear?

5 MS. ADAMS: Well, I'm not saying anything
6 right now. Is this on? Can you hear in the back of
7 the room?

8 ALL: Not enough.

9 MS. ADAMS: No, it doesn't sound loud to me,
10 either, so I know the clock is ticking, but I guess
11 you'll have to add time -- sort of like a basketball
12 game.

13 MR. BROWN: This is not counting against your
14 time.

15 MS. ADAMS: Okay, but are you recording
16 everything? Okay, great.

17 MR. BROWN: Okay, go ahead.

18 MS. ADAMS: Okay, let me try that again. It's
19 a little better. It's not real great, but I'll speak
20 up.

21 UNIDENTIFIED SPEAKER: Both of them are dying.

22 MS. ADAMS: Both of them are dying; I guess

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1 they think we've said enough. I don't think we've said
2 quiet enough. I may have to carry on for awhile.

3 At any rate, I had these wonderful
4 students that had read in the newspaper about WIPP
5 opening. They got extremely irate, and they wrote to
6 Westinghouse Corporation about their feelings of New
7 Mexico becoming the nation's radioactive waste dump.
8 And they had also written to DOE. And the amazing
9 thing to us was that DOE and Westinghouse took the kids
10 seriously and insisted on sending some guest speakers
11 to the school where I was teaching. And so they came
12 in and talked to the kids, and of course, gave them the
13 same line that we always get, which is, don't worry; be
14 happy. We know; you're kids. You don't know. And we
15 had some really interesting confrontations.

16 But what I fondly remember about that is
17 the Westinghouse representative and the DOE
18 representative saying, look, it's only going to be low
19 level radioactive waste. It will only be lab coats,
20 masks and booties. And that's the line that I have
21 never forgotten, especially as the level of the waste
22 coming to WIPP has escalated, and now we're looking at

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1 the coming true of another suspicions that we had,
2 which was of course, commercial radioactive waste
3 coming to New Mexico, which DoE solemnly promised would
4 never happen. So I've just got to say, ditto, ditto,
5 ditto, to everybody who said, pack of lies; don't trust
6 them, here we are again. And how endless does DoE
7 think Carlsbad is? Where is this waste going to
8 eventually end up?

9 I'm completely opposed to it. I think
10 enough is enough. It's already too much for New
11 Mexico, for land, for air, for water, and I can't
12 believe that you're thinking about brining even more
13 waste, and in particular, commercial waste. So I guess
14 my time's probably up, and thank you for putting me on
15 the record.

16 MR. BROWN: Geraldine Amato is next, and then
17 Laurie Blackwood.

18 MS. AMATO: Good evening. I have been here --
19 I wasn't here from the beginning, but I believe that
20 the comments and the information given here are a
21 worthwhile hearing, and it's unfortunate that we're
22 talking to each other here in this room, and that these

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1 proceedings are not genuine public hearings. They are
2 a sham public hearings. We have all kinds of
3 electronic gadgetry that project information, so-
4 called. We have the television, we have PBS, we have
5 radio, we have the UNN station, the APS station, and we
6 have cable government access -- Jay Evans was here. We
7 have government access on cable, et cetera, and these
8 are not televised, they are not broadcast. These are
9 minimal hearings at all for public. Most of the public
10 in this area know nothing of what's been said here
11 today and what's been rejected here today. Most of us
12 have an inkling of it, and the information given here
13 is not going far enough.

14 I personally believe that Department of
15 Energy is not the least bit interested in what the
16 public has to say. This is a ritual. How we can
17 resolve that is not a simple answer to such a question.
18 We are essentially in my estimation, on a federal
19 reservation, and the federales are in control, and our
20 opinions count for little. How we can change that
21 remains yet to be seen. I'm reminded of the
22 Declaration of Independence statement, our repeated

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1 petitions have been answered only by repeated injury,
2 and I think that's where we are politically in this
3 country today.

4 We have this glossy paper and excellently
5 very fashionable and very glitzy paperwork. I don't
6 think -- I mean, it's not impressive, but it cost
7 resources to put out this literature on this glossy
8 paper which apparently has that toxic plastic they talk
9 about every now and then, so when we handle it, we can
10 also add to the toxification of ourselves. What we can
11 -- I appreciate those people that have studied these
12 issues. I haven't been a student of it for too long,
13 and I know there's many people that have never heard of
14 this information that was given here this evening. And
15 how we can get it out to them, God only knows, because
16 we are not in charge of the mainstream press and media.

17 Newspaper announcements to the printed
18 press today are not adequate. It's only a mere minimal
19 legal requirement, because we're under a private legal
20 jurisdiction; we are not under the principles of a free
21 society. And I repeat, I don't think the Department of
22 Energy is really interested in what the public has to

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1 say or think. And we need to be doing something
2 further than talking to each other and finding our
3 comments amusing to each other. How do we get this
4 type of information out to people, enough people, to
5 have an upsurge of resistance? Otherwise, we can see
6 the Department of Energy particularly having its way.
7 Whatever it wants to do it's going to do, because we
8 gave a pyramid government. We have a top-down
9 authority. The peoples' opinion doesn't count.

10 Under the lawful republic, it's the
11 authority of the people up. We don't have that any
12 longer. We need to get mentally off the federal
13 reservation and continue to consider what it is we
14 really need to do. And we need to pray about getting
15 some direction. I believe there is one spirit of truth
16 in this Earth, that's the Holy Spirit of the Sovereign
17 God Almighty, and each of us can access the council of
18 that Holy Spirit, get our marching orders and move on
19 out. We can't play footsy with how would you say,
20 demonstrable criminals, is what we have in charge of
21 our government today. It's not our government. It's
22 an alien force, it's a central government, and it's no

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1 longer representative of the good people of this
2 nation. And God only knows if we're going to have
3 enough of resistance of what's going on in this nation.

4 Oh, and that Spaceport project -- is my
5 time almost up?

6 MR. BROWN: You've got one minute left.

7 MS. AMATO: The Spaceport project is related
8 to this. I remember listening to that Star Wars call-
9 in talk show for awhile on UNM a few years back, and
10 that one man that called in and mentioned that there
11 was such an organization as the Mars Society. And
12 those people claim that they are preparing their own
13 special spacecraft, and when the Earth is ruined --
14 they don't mention that they're the ones ruining it --
15 they are leaving the Earth and going to Mars. I mean,
16 imagine the mentality of the people we are dealing
17 with. They have the financial resources in their
18 pocket to belong to the Mars Society and to make plans
19 to terraform Mars. They say they're going to make the
20 Mars habitable --

21 MR. BROWN: Can you make one final point?
22 Your time is up.

1 MS. AMATO: Same to you.

2 MR. BROWN: All right, thanks very much.

3 Laurie Blackwood? Go ahead.

4 MS. BLACKWOOD: Thank you. My name's Laurie
5 Blackwood, and I've been following Helen Caldicott's
6 presentations over the last 30 years, 29 years maybe,
7 and just heard her recently. I hope many of you did,
8 too. And she said that there really is no difference
9 between the nuclear weapons industry and the nuclear
10 power industry.

11 UNIDENTIFIED SPEAKER: Can you speak a little
12 louder?

13 MS. BLACKWOOD: Yes, can you hear me? I'm
14 sorry. There we go, about that.

15 UNIDENTIFIED SPEAKER: That's better.

16 MS. BLACKWOOD: So she said there really is no
17 difference between nuclear power industry and nuclear
18 weapons industry and I trust her in that. She's very
19 well educated in this field, and I recommend her books
20 very highly, if folks have not read her books.

21 I don't know what to do, except try to
22 vote for politicians who will clean up the DoE,

1 politicians who do not claim to be environmentalists
2 and support nuclear industry, because you cannot be an
3 environmentalist if you support the nuclear industry.
4 They're entirely opposed to each other. And we need to
5 hold our politicians accountable and get them out of
6 office, every single one of them, I think, probably
7 from the state at the federal level, unless someone
8 corrects me on that.

9 But I think all the representatives and
10 senators and of course, the President, they are all
11 against life, as we know it, in terms of plants, trees,
12 human life, animal life. And I hope that the DoE will
13 get a total turnover as we slowly get better
14 politicians, politicians who will represent us and will
15 be public servants and will hire public servants in the
16 DoE. Thanks.

17 MR. BROWN: Thank you very much. We've got
18 about I think two minutes left. I guess the batteries
19 were timed for 9:30. I think Dan, I had promised you a
20 second chance, so I think you've got two minutes.
21 Maybe you said everything you needed to. Apparently
22 not.

1 MR. HANCOCK: I just want to say a couple of
2 things more. One is to remind everybody, this is not
3 the first time that the Department of Energy has
4 proposed to bring commercial waste to WIPP. It's
5 happened repeatedly over the last 35 years, and the
6 reason it hasn't come to WIPP is because people have
7 said no, and we have won. So thank you all for helping
8 in that effort again tonight.

9 The other thing, while there have been a
10 lot of numbers, there are two numbers I want to be sure
11 that people got from the presentations. Mr. Eddleman
12 talked about the Greater-Than-Class C Waste we're
13 talking about here is 160 million curies. Mr. Strobel
14 talked about how many curies are coming to WIPP -- 3
15 million curies. Most people would say 130 million
16 curies and 3 million curies are not the same thing, are
17 not the same level of radioactive contamination and
18 concentration, and that's the case. So don't let
19 people think that oh, this is just more of the same,
20 but it's commercial. No, it's not more of the same,
21 and it is commercial and it's much higher radioactivity
22 than what's going to WIPP. Thank you.

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1 MR. BROWN: Okay. Thank you. It's actually
2 9:30.

3 MR. PETERSON: I have one more.

4 MR. BROWN: Okay, you got one more? Okay.

5 MR. PETERSON: I would like to say that I
6 think one reason we're here tonight is that Senator
7 Harry Reid of Nevada turned thumbs down on the Yucca
8 Mountain site for any nuclear waste. They don't want
9 it in their backyard in Nevada. You're going to get it
10 here.

11 MR. BROWN: Okay, Janet? Demonstrate that you
12 sprinted to the microphone.

13 MS. GREENWALD: I just wanted to say that most
14 people in the United States do believe that we need
15 nuclear power in the mix, but there's a wonderful book
16 by a great physicist, Arjun Makhijani, Nuclear-Free,
17 Carbon-Free, which gives in detail a path of moving
18 forward without coal or nuclear power -- I highly
19 recommend it. Thank you.

20 MR. BROWN: Thanks. We have reached the
21 conclusion of 9:30. I wanted to express appreciation
22 for everybody who attended and spoke, and we are

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1 officially adjourned. Thanks again.

2 (Whereupon, the hearing

3 was concluded at 9:30 p.m.)

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