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PUBLIC HEARING
DRAFT ENVIRONMENTAL IMPACT
STATE FOR THE DISPOSAL OF
GREATER-THAN-CLASS-C (GTCC)
LOW-LEVEL RADIOACTIVE WASTE AND
GTCC-LIKE-WASTE
OFFICE OF DISPOSAL OPERATIONS
OFFICE OF ENVIRONMENTAL MANAGEMENT
APRIL 26, 2011

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P R O C E E D I N G S

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13 MR. BROWN: This is now the time to receive your
14 comments on the draft EIS. This is your opportunity to
15 provide us with oral comments on the draft EIS, including
16 what you would like to see as a preferred alternative
17 and/or what factors DOE should consider when developing a
18 preferred alternative for inclusion in the final EIS.

19 MR. BROWN: The reporter will transcribe your comments
20 before the administrative record. Our reporter tonight is
21 Michele Nelson.

22 DOE has stated how critical your input is to the
23 development of the EIS. This evening's format is designed
24 to ensure that all interested parties have an equal
25 opportunity to provide input.

1 In order to do this, let me review a few ground
2 rules for this part of the agenda. Please step up to that
3 microphone when your name is called. Introduce yourself,
4 providing an organizational affiliation where
5 appropriate.

6 If you have a written version of your statement,
7 please provide a copy to the court reporter after you have
8 concluded your comments. Also please give the reporter
9 any additional attachments to your statements you would
10 like to see included in the transcript. Each will be
11 labeled and submitted for inclusion in the formal record.

12 I will call two names at a time; the first one
13 the speaker; and the second is the person to follow. In
14 view of the number of people who signed up to provide oral
15 comments, please confine your public statement to five
16 minutes. This is necessary in order to allow all speakers
17 the opportunity to provide comments. Please observe the
18 time requirement as a courtesy to those who have signed up
19 after.

20 If your prepared remarks exceed the time
21 allotted, please summarize the key points for the audience
22 and the hearing officer. There are a variety of ways of
23 submitting additional comments prior to the closing date
24 of June 27. All comments, whether verbal or written or in
25 electronic form, count equally in the preparation of the

1 final EIS.

2 I will keep track of each presentation. I will
3 let you know when you have a minute left by holding up
4 this highly legible sign.

5 Arnie Edelman will be serving as the hearing
6 officer for the Department of Energy during the formal
7 comment period. He will not be responding to questions or
8 comments during this formal session.

9 So with that, by way of introduction, I would
10 first like to call on Roxanne Lara to make our initial
11 presentation, and she will be followed by Jack Volpato.

12 MS. LARA: Thank you. Good evening. My name is
13 Roxanne Lara, and I stand here wearing a couple of
14 different hats; one as an elected official from the
15 community I serve as an Eddy County commissioner; and
16 number two, as a business owner from living and working in
17 my hometown of Carlsbad.

18 I want to welcome you to Carlsbad, since I get to
19 speak first, and let you know that the local government,
20 specifically the County of Eddy, is in support of this
21 location being a future site to receive GTCC waste. I am
22 very excited that you're here either doing the EIS and
23 looking at WIPP or WIPP-adjacent properties for that
24 waste.

25 The local government supports it, but so does the

1 community and so do the businesses in this community. And
2 I'm excited to share that because I'm out there on a
3 day-to-day basis, and I hear these comments from people.

4 The reason that the community is so supportive is
5 because of the impressive track record that WIPP has had
6 in our community over the past 12 years of receiving
7 waste. And most of the people here know those numbers,
8 and from the presentation we just heard, so I wanted to
9 express that. Thank you.

10 MR. BROWN: Thanks very much.

11 Jack Volpato is next, and he will be followed by
12 John Heaton.

13 MR. VOLPATO: Good evening. I'm Jack Volpato,
14 Eddy County Commissioner, a long-time resident of Eddy
15 County, also a local business owner.

16 To think about any other place to store
17 Greater-Than-Class C, I think is a problem because we
18 already have everything you need here to store it. We
19 have land, we have existing infrastructure, we have a
20 highly technical workforce already in place. We also
21 have -- that would also decrease cost if it is stored
22 here.

23 Community willingness and understanding of WIPP.
24 You won't find a better community that understands nuclear
25 waste disposal and is accepting of it. You won't get a

1 lot of disgruntled people protesting this. This is a
2 community that truly understands the risks and understands
3 the benefits of locating this here.

4 Basically, the WIPP -- the waste stream,
5 everybody understands it. It's no different than what is
6 being stored here -- similar radioactivity. We already
7 have a deep geologic repository that is being used. And
8 we are starting to run out of a waste stream for the TRU
9 Waste. It makes logical sense and reasonable sense to
10 just continue the mission at WIPP with using
11 Greater-Than-Class C to augment the mission at WIPP.

12 We have an unparalleled safety record, as George
13 mentioned. We've never had an accident in
14 transportation. We have an emergency response system
15 parallel to none. We wrote the book on these things, and
16 there's no sense in trying to locate this anywhere else
17 than right here. There's no reason to reinvent the wheel,
18 so to speak.

19 You know, the alternatives, just looking on the
20 slides, it was very simple to me that we're the safest
21 alternative listed there as far as public exposure and
22 exposure to humankind. A deep geologic repository is the
23 way to go.

24 That's all. Thank you.

25 MR. BROWN: Thanks very much. Okay. John

1 Heaton, and Dave Sepich will follow John.

2 MR. HEATON: Holmes, we're gong to have to put in
3 permanent residency, being here so often.

4 I'm John Heaton, and I'm a former state
5 representative, and I'm presently working with the mayor
6 and the Department of Development as well.

7 As you know, WIPP has been open now 12 years, and
8 you just heard, without significant incident. In fact, as
9 Congress debates the high-level waste issues, WIPP rarely
10 comes up for discussion because it works so well that it
11 flies under the radar screen of controversy.

12 WIPP is a very remote area 30 miles from any
13 population, 2,100 feet below the surface, in a
14 250-million-year-old salt bed, which is isolated from
15 drinking water aquifers, which are embedded hundreds of
16 feet above the disposal area.

17 We have been transporting remote-handled TRU
18 Waste, and TRU Waste contact-handled from around the
19 country, also without significant incident. WIPP drivers
20 and trucks are the safest on the roads, and their record
21 is the envy of everyone.

22 Routes are well-determined, and we would foresee
23 nothing different in the transportation impacts. The
24 Greater-Than-Class-C Waste meets the WIPP waste acceptance
25 criteria, and characterization loading, unloading,

1 disposal at WIPP, without creating any additional
2 challenges or impacts on the repository or employees.

3 Remote-handled TRU Waste has very similar
4 characteristics to GTCC, and our experience should cause
5 no additional concern for worker issues. WIPP is very
6 carefully monitored by our environmental monitoring
7 center. That continues to be an important respected
8 source of monitoring information.

9 As far as cultural impacts, WIPP has 16 square
10 miles of already withdrawn land that is the most studied
11 piece of real estate in the world. Every square inch has
12 been studied and restudied. All of the art studies are in
13 place, and those sites are carefully protected already.
14 There would be no impact.

15 WIPP is 30 miles from any population center, and
16 therefore has no environmental justice issues. The only
17 issues that exist are for those where the waste is
18 presently stored now. Therefore, moving waste to WIPP
19 ameliorates those issues.

20 As I understand GTCC waste, it is, indeed, waste
21 with no redeeming value, no need to be retrieved after
22 having been disposed of. There are no health and
23 environmental impacts associated with groundwater and
24 surface water. The waste is, again, hundreds of feet
25 below the potable aquifers, and inaccessible to

1 groundwater.

2 WIPP is deep underground and not subject to
3 erosion, and it exists in a well-studied below seismic
4 area. And salt has the ability to heal itself unlike any
5 other medium should a seismic event crack the formation.
6 WIPP's remote location and its access down in the shaft
7 gives it unique protection from terrorists and intentional
8 destructive acts.

9 In summary, WIPP is the ideal location for this
10 waste. Keeping sealed sources in a building in Los Alamos
11 is extremely dangerous, and as a New Mexican, it should be
12 isolated geologically at WIPP.

13 The regulatory WIPP excess volume of over 30,000
14 cubic meters can easily accommodate the additional waste.
15 The community understands that this waste is very similar
16 to the RH waste we are now presently taking.

17 I believe the community strongly supports its
18 disposal at WIPP, and it would be inconsistent for the
19 state not to support it in view of the fact that sealed
20 sources are already being stored at Los Alamos and have
21 already been brought into the state.

22 WIPP is the most safe, secure and expedient
23 answer to GTCC, as well as the most cost-effective
24 approach since it is already built and is operating. WIPP
25 is the decision that should be made by Congress along with

1 the accommodating Land Withdrawal Act changes.

2 Thank you very much.

3 MR. BROWN: Thank you.

4 Dave is next.

5 Is Dave here?

6 Betty Richards? Betty will be followed by Joe
7 Epstein.

8 MS. RICHARDS: My name is Betty Richards, and I'm
9 a totally independent citizen of Carlsbad. I'd like to
10 comment on the integrity of the WIPP site.

11 I was here at the very, very beginning of the
12 WIPP project. I was here when they drilled the test
13 holes. I was here when a company, I think, was called
14 Abalonia drilled into the brine pocket that underlies
15 WIPP.

16 The pressurized water erupted several hundred
17 feet into the air, blowing out the casings and scattering
18 them like pick-up sticks. The eruption never stopped.
19 One week later, one whole week later, they made the
20 decision to cap that well with cement.

21 I was here when Dr. Larry Barrows said that there
22 was karst at WIPP. He was told that if he said the word
23 "karst" one more time, he would be fired. I was here when
24 they gerrymandered WIPP 33 from the Land Withdrawal permit
25 because it was a sinkhole. I was here when they totally

1 dissolved EEG, who was standing up to the public because
2 their numbers were not acceptable to the DOE's numbers.

3 So I believe that the WIPP site hydrogeologically
4 is not stable, nor is it the end-all answer for disposal
5 of nuclear waste.

6 Thank you for listening.

7 MR. BROWN: Thanks, Betty.

8 Joe Epstein, and he will be followed by Doyle
9 Smith.

10 MR. EPSTEIN: Good evening, and thank you for
11 being here. I'm Joe Epstein, resident of Carlsbad. I
12 retired here. I spent my entire career in the nuclear
13 business, making nuclear submarines, commercial and DOE
14 waste management at Hanford and here at WIPP.

15 As such, I, as well as the very large majority of
16 folks in southeast New Mexico, have every confidence that
17 DOE and WIPP could do the job of incarcerating
18 Greater-Than-Class-C and do it superbly, better than any
19 other site, and that this action would be much better than
20 a no-action option.

21 Before WIPP opened, there was an argument that no
22 action was the appropriate action, leaving all the waste
23 where it was to be guarded with ongoing cost, and with the
24 waste relatively vulnerable to surface turmoil.

25 The transportation itself was a major visible

1 threatening issue. WIPP opened and has steadily with each
2 shipment reduced the threat to the public. Who would
3 prefer Rocky Flats than what it was and what it is now?
4 And this cleanup is being repeated across the nation, and
5 the transportation has proven the opposite of the dangers
6 expressed.

7 The same story applies to GTCC and
8 Greater-Than-Class-C-like material. Transportation is the
9 largest EIS area of concern for WIPP. With WIPP, DOE has
10 the safest and most successful transportation system for
11 radioactive material transport in the country.

12 Activated metal is the greatest radioactive
13 content of GTCC and Greater-Than-Class-C-like material.
14 With the relatively short half-lives of activated metals,
15 even with the common longest-lived isotope in the metal
16 products, within 1,000 years, it's all background. WIPP
17 has a 250 million start on protecting against any
18 activated metals threat to the environment.

19 Use of WIPP requires Land Withdrawal Act, a
20 permit, and a State of New Mexico DOE agreement for
21 consultation and cooperation to be addressed.

22 DOE'S solid relationship with the State of New
23 Mexico and Environmental Department and Congress and the
24 public makes this very doable. WIPP's attributes:
25 Geologic repository and a national treasure. By far the

1 lowest long-term health effect to humans of any other
2 site. Trench, borehole are all designed, to address
3 national security concerns on disposal sources. Marker
4 system protecting against intrusion. Very little
5 environmental impact. The low cost and readily proven
6 solution, skilled workforce with a proven record of
7 safe-waste handling, highest safety and quality commitment
8 and established performance. Los Alamos and Sandia
9 National Labs, New Mexico State and Carlsbad, commitment
10 for any additional workforce training requirement.

11 The Carlsbad Environmental and Monitoring
12 Research Center, assurance to population of no release to
13 the environment. Remoteness, both geographically in the
14 nation and a half mile down of the biosphere, and very
15 importantly, the greatest public support in the nation.

16 WIPP is recommended for Greater-Than-Class-C, and
17 I and many of my colleagues will provide any support we
18 can do to DOE to accomplish this.

19 Thank you.

20 MR. BROWN: That's very much.

21 Doyle Smith is next, to be followed by Dale
22 Janway.

23 MR. SMITH: I'm Doyle Smith, and I'm a long-time
24 resident, lifetime resident of Carlsbad. I've been here a
25 long time. I've left and followed construction all over

1 New Mexico. I was here when I was a young man, whenever
2 they set that bomb off out here, the Gnome Project, so was
3 Mr. Bob Forrest. Some of the rest of us is here.

4 I disagree with what's -- you know, I want every
5 -- it's a lot of people working at the WIPP site, good
6 people that need jobs. And I understand what's -- but my
7 concern is you all were talking about transportation. The
8 transportation of the highways, and I live out at the
9 north end of town up by Bob Forrest, out there on Canal
10 Street, and I've got a little bit of pasture out there
11 that I graze a few cows on once in awhile and put some
12 heifers on, weaning heifers. And I can't even get the
13 state to go out there and fix the cattle guards alongside
14 the highway that they're hauling the nuclear waste on.

15 If you came in the evening like the wind's been
16 blowing, and it's so dry, and the wind is so bad here --
17 two weeks ago, my wife and I were coming back from
18 Lubbock, and we were on the Loop Road that they haul the
19 nuclear waste on right out here north of Carlsbad. I had
20 to slow down to 20 miles an hour. It's a 55-mile-an-hour
21 highway. And if you pull the trailer down it, or a horse
22 trailer or anything, it's so rough, you can't even hardly
23 drive down right now.

24 And as we turned the corner of the curb there,
25 the wind was blowing. They've got a -- what you call it

1 -- the injection wells -- the oil fields. I'm so nervous,
2 I can't hardly talk. But they inject the bypass of the
3 byproduct with what they drill the water, the oil wells
4 back to into the ground, and they call it an injection
5 well. There's some out here on the Hobbs Highway between
6 here and Hobbs.

7 And those injection wells, I think they haul a
8 lot of trucks on it. And they stir up the dust so bad out
9 there on the Loop Road that I had slow down to about 20
10 miles an hour and keep flashing my lights because the
11 truck's pulling off of the highway out there. It's an
12 accident looking to happen. And I went to the county
13 commission meeting about it and talked to some of the
14 county commissioners, and Jack Volpato -- he's here
15 tonight. He just got through talking. And he knows what
16 I was talking about. And it's a crying shame that our
17 government has let that road right here north of our town
18 get in such shape that you -- it's -- it's bad. And
19 that's all I have to say. Thank you.

20 MR. BROWN: Thanks very much. I want to
21 compliment you, and that's the sort of local information
22 that DOE is looking for in these hearings, so we
23 appreciate your comment.

24 Our next speaker is Dale Janway, who will be
25 followed by Janell Whitlock.

1 MR. JANWAY: Good evening. I'm Dale Janway. I'm
2 mayor of the city of Carlsbad. Thank you for the
3 opportunity to offer your views on this extremely
4 important matter.

5 The federal government is responsible to find a
6 disposal facility for GTCC waste, a type of low-level
7 waste generated through medical isotope production,
8 environmental clean-up, deep space exploration, and other
9 programs.

10 Given our current national financial crisis,
11 using an existing facility rather than constructing and
12 operating a new one is clearly the smartest move. I urge
13 you to consider WIPP as the preferred alternative for
14 disposal of Greater-Than-Class-C waste.

15 GTCC waste is similar to what's already at WIPP.
16 WIPP provides a ready-to-go solution for most of the WIPPs
17 being discussed, which emits low levels of radiation
18 comparable to what is now being disposed of at WIPP.

19 Greater-Than-Class-C waste can safely be disposed
20 of at WIPP using procedures that have been in place for
21 the last 12 years. WIPP has a proven record of the
22 disposal options being considered. WIPP already has an
23 established record of safe operations. WIPP has a
24 transportation system in place responsible for more than
25 11 million loaded miles without a serious accident or

1 release of radioactive material. WIPP also has a
2 highly-skilled workforce in place to safely dispose of
3 GTCC waste.

4 Having a supportive community is also important,
5 and members of the Carlsbad community and residents of
6 southeastern New Mexico are very much in favor of using
7 WIPP's unique repository to better assist the nation.
8 It's the safest option for the nation.

9 The other options being considered by the DOE do
10 not isolate GTCC waste to the same degree. WIPP's depth,
11 nearly half a mile underground, and its geologic stability
12 make it an ideal option for disposal of such waste.

13 Remote isolation of salt is a permanent way to
14 reduce risk to human health and the environment. Thank
15 you.

16 MR. BROWN: Thank you. Janell Whitlock, and she
17 will be followed by Dick Doss.

18 MS. WHITLOCK: Good evening, and thank you for
19 giving me the opportunity to speak. My name is Janell
20 Whitlock. I serve on the Carlsbad City Council, and I've
21 been a member of this wonderful community for many years.
22 I want to thank you for giving me this opportunity to
23 express my opinion as to what I believe is the best
24 alternative for the safe disposal of Greater-Than-Class-C
25 waste.

1 My husband, the late Senator Louis Whitlock, and
2 many members of this community are strong proponents for
3 the WIPP project. I am certain in the early days they
4 were really interested in the number of jobs they would
5 bring to southeast New Mexico, but ultimately they were
6 concerned about the safety, the safety of the land, the
7 safety of the water, and the safety of the citizens of
8 this area.

9 The Department of Energy, its contractors and the
10 WIPP facility have performed beyond our expectations for
11 more than three decades. Today, WIPP is one of the safest
12 DOE facilities in the nation. Because of WIPP, 17 TRU
13 Waste sites around the country have been cleaned up, and
14 that creates a safer, cleaner environment for millions of
15 Americans who live near those facilities.

16 In my opinion, there is no scientific need to
17 look any further for a disposal for the
18 Greater-Than-Class-C waste. The WIPP site is one of the
19 most studied repositories in the world, and the WIPP
20 workforce has demonstrated that radioactive waste can be
21 transported, can be managed and disposed of safely.

22 I ask you to consider WIPP as the alternative of
23 choice for the Greater-Than-Class-C waste. And again,
24 thank you for giving me the opportunity to speak.

25 MR. BROWN: The next speaker is Dick Doss, who

1 will be followed by Russell Hardy.

2 MR. DOSS: Good evening. My name is Dick Doss.
3 I'm a lifetime resident of Carlsbad. I'm a retired
4 banker -- don't shoot me. I'm a member of the Carlsbad
5 City Council -- don't shoot me again -- and a concerned
6 citizen, who has enjoyed living in Carlsbad and raising a
7 family here.

8 I couldn't support this project unless it was
9 safe, and safety is the prime concern not only of the
10 repository here, but of where we put the waste,
11 Greater-Than-Class-C, that's out in the general area of
12 the United States.

13 The second problem with where you are going to
14 put it is the cost. And the study has been done here, the
15 place has been shown to be safe and viable, and the cost
16 has already mainly been absorbed by the TRU Waste that has
17 been put into the ground and the Greater-Than-Class-C can
18 go in at a much better price.

19 This facility has provided many local jobs, which
20 are high-paying jobs, and has developed many, many young
21 people in this country, who have the knowledge now of
22 nuclear waste in scientific areas that are not available
23 to be learned in other areas.

24 And local support for this project has been
25 strong since it was first proposed by Senator Gant and Mud

1 Reynolds from over in Lovington. I would just like to add
2 my support to the use of the WIPP site for the storage of
3 the Greater-Than-Class-C waste.

4 MR. BROWN: Thank you.

5 Russell Hardy is next, and then Norbert Rempe.

6 MR. HARDY: Good evening. I'm Russell Hardy,
7 President of the New Mexico State University in Carlsbad.
8 It is a two-year campus of the New Mexico State University
9 system.

10 Many people have spoken of the safety and the
11 science of storing Greater-Than-Class-C waste at the waste
12 isolation site. What I want to talk about tonight is the
13 trained workforce that resulted and who helped safely
14 store that waste, and a large part of that goes to New
15 Mexico State University of Carlsbad, who has been serving
16 the residents of southeast New Mexico since 1950. We were
17 one of the first community colleges in the state.

18 Our program helped train the initial waste
19 handlers who worked at WIPP in the late '80's, early
20 '90's, and helped lead to the stellar safety record that
21 we see here today. In fact, many of the hazardous waste
22 handlers I work with today got their training at UNMS
23 Carlsbad, and have since gone across the nation and
24 trained other waste handlers in the safe disposal of
25 nuclear waste.

1 The University of Carlsbad is currently poised
2 and ready to train the future workforce as it deals with
3 Greater-Than-Class-C waste. In fact, most recently I've
4 been working with officials from the Department of Energy,
5 Carlsbad field office with URS, with Los Alamos National
6 Labs, and with Sandia to revamp our waste handling and
7 health physics associates degree programs.

8 We are poised and ready to offer those courses at
9 the end of the fall 2011, so we will have a curriculum in
10 place to train any new workers that are needed to handle
11 this waste.

12 As a life-long resident of southeast New Mexico,
13 I fully support the WIPP site as a long-term disposal site
14 for Greater-Than-Class-C waste. Also, in my current role
15 as chairman of the board of the Carlsbad Chamber of
16 Commerce, I speak on behalf of the board when I say that
17 we fully understand the role that WIPP plays in our local
18 community, and we fully support any change in the
19 permitting process that promotes sustainability,
20 continuation or expansion of the WIPP mission.

21 In my opinion, WIPP is the only alternative for
22 the safe disposal of Greater-Than-Class-C waste. Thank
23 you.

24 MR. BROWN: Thanks.

25 Okay. Our next speaker is Norbert -- and do I

1 remember -- is it Rempe?

2 MR. REMPE: Rempe.

3 MR. BROWN: I thought I remembered from the last
4 time. Thanks. Janet Greenwald will be following you.
5 Thank you.

6 MR. REMPE: Good evening. I have a few comments
7 that I actually referenced from the summary. One on page
8 S26, it says, "WIPP is a DOE facility," true. "It's the
9 first underground deep geologic repository." Not true.

10 The Czechs built the first underground
11 repository. The Russians were there before WIPP. The
12 Germans, the Swedes and the Finns, so please don't repeat
13 nonsense like that.

14 As far as sealed sources is concerned, I believe
15 you, gentlemen, just like so many government bureaucrats,
16 are in a deep conceptual rut that is defined by the
17 regulatory regime. Of course, we have several disposal
18 facilities for Greater-Than-Class-C waste in Eddy County
19 and in southeastern New Mexico already.

20 One is, of course, known, I guarantee you there
21 is Greater-Than-Class-C waste in there as well. The
22 others are radioactive sources that are being used in the
23 oil patch, and when a logging company uses a radioactive
24 source after days to weeks of trying to fish it out,
25 they're unsuccessful. They get usually an NRC license to

1 actually cement it in place.

2 So I can pretty much guarantee you there are
3 probably at least dozens of those places. And by the way,
4 these borehole disposals, they are much deeper than the
5 intermediate borehole disposal that you mentioned in your
6 report. They're thousands of feet deep, several thousands
7 of feet deep. So let's talk facts, not regulatory
8 figures. Try to think outside the box when you write
9 these kind of things.

10 Without saying or without -- it goes without
11 saying that disposal of Greater-Than-Class-C at WIPP is
12 not rocket surgery (sic). Okay? No problem whatsoever.
13 I need to make that point, you know, while I express some
14 criticism of other things.

15 On page S37, you're stating that, "The
16 Administration has determined that developing a permanent
17 repository for high-level waste and spent nuclear fluid at
18 Yucca Mountain, Nevada, is not a workable option and that
19 the project should be terminated."

20 I should think that the term "determined" assumes
21 that there was some intellectual thought process that
22 formed the basis for this determination. I should suggest
23 the next time you write this, you write "decreed" or
24 "declared," because it is nothing but a declarative
25 statement without any kind of intellectual foundation.

1 On page S59, you have -- in Table S5, you compare
2 the costs of the different waste disposal alternatives.
3 WIPP there comes out to be the most expensive of all the
4 options by actually a factor of more than three over all
5 the other options, which seems really rather out of whack,
6 and actually there's very little explanation for that.

7 I believe the assumption for -- I believe you
8 need to explain the assumptions for that gigantic
9 difference in cost much more explicitly.

10 And finally, just to put a little bit of an order
11 of magnitude on what this total radioactive inventory of
12 Greater-Than-Class-C waste is out there that needs to be
13 disposed, if we compare those 160 megacuries to some
14 national entity, that would be about the equivalent of the
15 granite mass in the Matterhorn in Switzerland times ten.
16 So you would bury about the equivalent of the granite in
17 the Matterhorn that sticks out over the surrounding
18 mountains at about 10 to 15 of those. That would be the
19 same radioactive inventory that you're planning to dispose
20 of with Greater-Than-Class-C waste.

21 I would suggest that even if you don't like that
22 analogy, that in the final draft Environmental Impact
23 Statement you draw some analogies, you make some
24 comparisons to how much of this stuff is compared to some
25 quantities of naturally radioactive materials that we are

1 all familiar with. Because 160 megacuries otherwise
2 doesn't really mean anything to the average citizen.
3 Thank you for your time.

4 MR. BROWN: Thank you.

5 Janet Greenwald, and Noel Marquez will be next.

6 MS. GREENWALD: Hi, I'm Janet Greenwald, and I'm
7 co-coordinator of Citizens for Alternatives to Radioactive
8 Dumping. It's a mostly volunteer group, a statewide
9 group. It was founded by people in southeastern New
10 Mexico who are concerned about the ramifications of
11 nuclear projects for their lives. CARD concentrates on
12 safe environments and healthy citizens.

13 I know that one of the reasons that WIPP is being
14 considered for Greater-Than-Class-C waste is a good safety
15 record here at WIPP and the good safety culture here in
16 Carlsbad. Unfortunately, human intention cannot change
17 the hydrology and geology of this area. Southeastern New
18 Mexico is one of the largest karst lands in the world.

19 In the 30 years that the stability of the WIPP
20 site has been debated, there has never been an independent
21 scientist who has said that they think this is good place,
22 southeastern New Mexico, for siting nuclear facilities.

23 The NRC forbids siting nuclear facilities in
24 karst. The Department of Energy's claim is that the WIPP
25 side is an island in a sea of karst, and as I say though,

1 independent scientists have not supported that idea, and
2 even some DOE scientists have not supported that idea.

3 You can look into this long historical debate by
4 going to CARD's website at card.nm.org. If you want to
5 see the more recent aspects of the debate, you could go
6 to epa.gov on the last recertification of WIPP.

7 So CARD's position is that there should be no
8 more nuclear facilities sited in this area. We know that
9 there are many benefits to the people here who have done
10 such a fine job at WIPP, but we are frightened about
11 the -- not the near future, but the far future, as far as
12 a situation with water goes.

13 Karst is where water runs underground. It runs,
14 we believe, above the WIPP site, according to our
15 consultants and some of DOE's consultants, and eventually
16 the Pecos River and other water sources would be
17 polluted. Maybe not in our lifetime, maybe not in our
18 children's lifetime, but we believe by our grandchildren's
19 lifetime that that will be so. And this pollution will go
20 on to Texas and the communities along the Mexican border
21 where the Rio Grande and the Pecos mix together, so that
22 one can't drink it, and one can't use it for agriculture.

23 We are hoping that the Department of Energy and
24 negotiations will be blessed with far-sightedness and
25 wisdom when siting this repository. We're sorry we can't

1 offer answers for the disposal of this waste. We hate to
2 say, "Anywhere but here."

3 I guess that's one of the things that we are
4 saying. I want to thank you once again for this
5 opportunity to speak, and good evening to everyone.

6 MR. BROWN: Thanks very much.

7 Noel Marquez, and Tom Martin will be next.

8 UNIDENTIFIED MALE: Tom Martin had to leave.

9 MR. BROWN: Oh, did he? Okay. Bob Forrest will
10 be after Noel.

11 MR. MARQUEZ: My name is Noel Marquez, and I live
12 in Artesia. I am a practicing artist, and I live on a
13 small 10-acre farm. And I'm just concerned about the
14 future of storing and dumping nuclear waste in the ground,
15 and how there's very few people that will actually make
16 time to go and voice their opinion and their fears. And I
17 just sometimes feel like there's a cheerleading group that
18 comes aboard, and it seems like they're very enthusiastic
19 about the economic outlook of bringing nuclear waste to
20 this area.

21 And something also should be weighed in, in that
22 with this we bring in also dumping waste in the earth.
23 And just being the person that I am, I have to be a
24 witness, and at the same time voice my opinion that I
25 don't -- I'm against storing nuclear waste. And I don't

1 think you have to be a nuclear scientist or somebody that
2 is a scientist, because what it is, it's just basic common
3 sense that we're storing something that's risky in the
4 ground.

5 And we can have a good debate and have respect,
6 which I think we always have about how we each feel. And
7 I wish there was more people that had time. There's so
8 many people at work, and they have families and they just
9 do not have time to come out and basically speak. So I
10 speak for my community and for the people that are quiet
11 and not voicing their opinion.

12 There's something that has to be done about
13 nuclear waste, but storing it near my home, near my area,
14 near my land, is not something that I feel comfortable
15 about. And I just want to make sure I will continue to
16 say something and in that regard.

17 MR. BROWN: Thanks very much.

18 I wanted to remind folks of something that Arnie
19 mentioned in his presentation. There's a comment --
20 available until June 27th, and so if there are folks who
21 couldn't make the meeting tonight who wish to submit
22 comments, they can do so by mail, by e-mail, electronics.
23 There's a number of ways of submitting comments through
24 that date, and those will count equally with the verbal
25 comments that are offered tonight. Thanks very much.

1 Our next speaker is Bob Forrest.

2 MR. FORREST: Yeah, thank you very much. My name
3 is Bob Forrest. I've been the mayor of Carlsbad for the
4 last 16 years and a City Councilor for five years,
5 involved for 25 years, but lived in Carlsbad for the last
6 65 years. Probably the best part of Carlsbad is to see
7 people come out like tonight and talk from their heart.
8 We try give them brief notes to read off of. They just
9 get away from it and just speak from the heart. It's just
10 unbelievable, our success. I kind of wish sometimes I
11 would have written a book to see how this happened, and
12 we've been doing it for 30 years. This is why we've been
13 holding over 200 hearings, and the first ones were pretty
14 tough up in Santa Fe.

15 Everybody likes a success story, and when we
16 started with WIPP, I guess in 1975, '76, probably 35
17 percent of the people approved of the project, and today
18 it's close to 95 percent, and that just doesn't happen.
19 When you look at Carlsbad and when you look at WIPP and
20 the success story, then you look at Yucca Mountain and see
21 all the failures, and you say, "What happened?"

22 Well, it was one thing. It's called the
23 community, and they never had that community support that
24 we have here in Carlsbad, and it's stronger all the time.
25 And people ask me all the time, they say, "What one thing

1 makes WIPP successful?"

2 And I just have to say, "It's those salt beds out
3 there. They're 250 million years old."

4 I'm a salesman. To be a good salesman, you've
5 got to have a product to sell. And when you're selling
6 projects like this, safety is the number one issue. And
7 if you can sell it to the public and convince them, you're
8 going to get a lot of support, and that's what's
9 happened.

10 I can remember being in Santa Fe in 1990 when the
11 halls were packed with people in Sweeney Hall. Had five
12 hearings going on at one time. And I come home and I told
13 my wife, "These people are going to lay down in front of
14 the trucks." I said, "We'll never get WIPP open."

15 We overcame that. I can remember all the signs
16 in Santa Fe that set another business against WIPP.
17 They're all gone today. I can remember standing in Santa
18 Fe and almost looking up and seeing Los Alamos and seeing
19 those trucks of transuranic waste sitting on asphalt
20 pads. And today they're down near 2,100 feet
21 underground. I remember when Rocky Flats was on fire,
22 literally on fire 10 miles from downtown Denver. Today
23 it's a wild refuge. You couldn't ask for a cleaner area.

24 I remember when Cecil Andrus, the governor of
25 Idaho closed the border, said, "No more waste."

1 All that waste is now at WIPP. And then you see
2 the RH permit, that happened seven years after it took 30
3 years to get WIPP open. We had the hearing officer. We
4 had our hearings, and I never will forget what the hearing
5 officer said. He said, "The one thing that impresses me
6 most about Carlsbad is the knowledge of the citizens of
7 the workforce."

8 And you got a dose of Norbert tonight. He
9 corrects everybody. Having people like that in our
10 community, we probably have more Ph.Ds per capita other
11 than Los Alamos. We've got some of the highest capital
12 income. It's just changed the lifestyle of Carlsbad. But
13 still, it's a safe project. We got the RH permit passed,
14 and now this is the next step, and I think the
15 Greater-Than-Class-C waste will fit the WIPP site. We'll
16 treat it like we have the rest of it. We'll dot all the
17 I's, cross all the T's, and we take this very serious.

18 The Japan accident, what happened over there, you
19 know, I thought there'd be an uproar, maybe a little
20 backlash in Carlsbad, "See, I told you what would happen."

21 But today, we look at that, and we look at their
22 mistakes and what happened, and the two things that come
23 out of that accident are, you better watch where you put
24 it. If it's close to earthquakes or tsunamis, well, hell,
25 you couldn't get further from it than southeastern New

1 Mexico.

2 And infrared is going to be part of our future.

3 When I first became mayor in '86, Ben Johnson, the most
4 powerful senator in Congress, the senate came to Carlsbad,
5 and he was at Yucca Mountainside. And he looked at West
6 Texas, and he looked at Yucca Mountain, and he looked at
7 Hanford. He came to the WIPP site and he saw that, and he
8 said, "This is the place to put it."

9 We got Governor Carruthers down here. This was
10 '86 or '87, and he went back to Washington, Pete Domenici,
11 and Senator Bingaman had a stroke, got back to Carlsbad
12 and said, "Hey, let's take it one step at a time. Let's
13 get WIPP open, then we can go for the RH."

14 And I think the third step is this
15 Greater-Than-Class-C, but to me, to put this waste in Los
16 Alamos when we're trying to clean Los Alamos up doesn't
17 make much sense. Next to WIPP -- you know, it has to be
18 out of the questions. We have the infrastructure. We
19 have the knowledge, we have the expertise and the
20 workforce, and we have everything going for us right here
21 in Carlsbad, so I think it's a no-brainer. But I do
22 appreciate you having the hearing and giving us a chance
23 to show you Carlsbad and see what we're doing. But thank
24 you very much for coming.

25 MR. BROWN: Thanks.

1 Okay. Our next speaker is Robert Defer, and he
2 will be followed by John Waters.

3 MR. DEFER: Good evening. I am Robert Defer, the
4 CEO of the Carlsbad Chamber of Commerce. I want to thank
5 you for the opportunity to share some information with you
6 tonight.

7 You know, during my visit to WIPP, I learned that
8 the area's big salt beds are ideal for the permanent
9 disposal because of the salt's tendency to creep, to
10 encapture it, to move in on it, to surround it as a
11 cocoon, and it's perfect for doing this type of waste.

12 And the other reason is it's relatively easy to
13 mind. But what impressed me the most was the
14 professionalism that's going on out at WIPP. Also within
15 that is the safety procedures and all the safety records
16 that they have had during their inception. It's just
17 fabulous what they're able to do and what has been done by
18 WIPP.

19 It is evident that the salt is doing exactly what
20 the scientists said it would do: Permanently isolating
21 the radioactive waste from the environment. As a
22 community, we have the opportunity to continue our
23 partnership with the DOE and its contractors to remedy the
24 nation's, not our problem, not just our problem, but the
25 nation's nuclear waste by extending WIPP's scope to

1 include Greater-Than-Class-C waste.

2 As the Carlsbad Chamber of Commerce director, I
3 realize the positive impact that the operations has had on
4 the economy of Carlsbad also, and that's wonderful.

5 I want you to know that not only I, but the
6 Carlsbad Chamber of Commerce completely endorses the WIPP
7 project and change its scope so that it can receive
8 Greater-Than-Class-C waste. Thank you very much.

9 MR. BROWN: Thank you.

10 John Waters.

11 MR. WATERS: Hi, my name is John Waters. I am
12 the executive director for the Carlsbad Department of
13 Development. I also am a father of four, and was a very
14 busy man today, taking around the governor's secretary of
15 the economic development department, and I attended the
16 City Council meeting, but this is important enough for me
17 and my family to be here. I believe we will find that
18 amongst everybody here. I think that there is wide
19 support in Carlsbad for the WIPP project, not only for the
20 project as it exists now, but for an expansion of the
21 operations at the Waste Isolation Pilot Plant.

22 Greater-Than-Class-C waste is something that's
23 been accumulating around the nation, not only at DOE sites
24 but commercial sites across the country. It's out there.
25 It's a problem. Carlsbad, we pride ourselves on solving

1 problems. We are not a community that likes to sit by and
2 say, "This is somebody else's problem. Take it somewhere
3 else."

4 Carlsbad is a community of people that solve
5 problems, and we're proud of it. We're proud we're
6 solving the transuranic waste problem around the country.
7 That, to us, is a source of pride. We're proud that we've
8 proven skeptics and critics wrong by safely transporting
9 this waste from across the country, millions of miles
10 traveled to bring it here and handling it safely and
11 safely interring it into the salt beds that are 250
12 million years old. We're proud of that, and we're going
13 to continue to show people across the nation how proud we
14 are of that.

15 It's my understanding that this waste or some of
16 this waste comes from materials that they've been sealed
17 in small metal containers. They're activated metals that
18 were maybe components of nuclear reactors either from DOE
19 or commercial facilities. And that this low-level waste,
20 the low-level waste involved with this needs to be
21 isolated. They need to be isolated for somewhere around
22 500 years to possibly 1,000 years depending on what you're
23 looking at.

24 Well, the WIPP site, which is only 26 miles from
25 Carlsbad, it has an EPA certification for 10,000 years, to

1 store radioactive waste for at least 10,000 years. You
2 talk to scientists, many scientists, geologists around
3 here, they'll add zeros under that figure, and I mean
4 zeros with s's on it.

5 It's an impressive facility. We're fortunate to
6 have the geology that we have here. The salt is a very
7 stable formation. I believe, and I would like to offer
8 this, my opinion, as a solution for the disposal of
9 Greater-Than-Class-C waste, is the WIPP site. I agree, we
10 shouldn't be putting it in Los Alamos. That's just
11 ridiculous. We're trying to clean that place up. To put
12 more up to there is counter-productive, it's
13 counter-intuitive. You shouldn't be going out to mine a
14 completely different site outside of the WIPP facility.
15 We've got it there. We've got the hole in the ground.
16 We're taking waste that are quite similar to that.

17 We believe that that is the place for it.
18 Listen, our nation is going through tough financial times.
19 We hear about it every day. Congress fighting the
20 deficit. We see it even in our local and regional
21 economies and in other areas. I think it only makes sense
22 to go with this existing successful repository. It makes
23 fiscal sense. It's there. You don't have to go through
24 the process of resisting in an area. You don't have to
25 redrill a hole. You don't have to go through and do all

1 of the things we've been doing here at WIPP the last 12
2 years. It is there. It's ready to go.

3 And I believe that this is, you know, after 12
4 years of safe efficient operations, I'm confident as a
5 dad, as a community leader, as somebody who grew up here
6 in Carlsbad. I'm confident that the people that work at
7 the facility that are contractors, that are DOE, are on
8 the right track. I believe that this is the place to put
9 it. I believe that it will help solve the problem, and
10 that's what we're about here in Carlsbad, is solving
11 problems.

12 Thank you very much.

13 MR. BROWN: Thank you. That concludes the list
14 of folks that had signed up ahead of time to speak. Is
15 there anyone in the audience who hasn't made a public
16 comment yet who you would like to speak at this time?

17 If so, raise your hand, come up to the
18 microphone. Anyone else?

19 MR. BROWN: Yes?

20 MR. REMPE: Can I make a second comment?

21 MR. BROWN: Yes.

22 MR. REMPE: Norbert Rempe again. It is time to
23 correct two previous speakers. The red herring of karst
24 is being brought up by certain folks all the time. The
25 issue revolves around features in the neighborhood of WIPP

1 that would allow water to dissolve the salt. This issue
2 was laid to rest by both the environmental evaluation
3 group in one specific report and by an independent report
4 by a gentleman named John Lawrence, who is an
5 internationally-recognized authority. He was, among other
6 things, the president of the American Association of
7 Petroleum Geologists, a very honorable professional
8 organization of which I myself also am a member.

9 And that was published in the form of a Sandia
10 report. So these reports are available. Let's lay the
11 issue of karst to rest before it festers some more in this
12 community. There has been no karst documented at WIPP
13 anywhere on the land disposal area, the 16 square miles
14 that are reserved for WIPP. There is karst outside of
15 WIPP.

16 I'm a geologist. I know what karst is. I'm not
17 a karst expert, but I know enough about it to make a few
18 statements, and that is even if there were karst right at
19 the WIPP site, it would still not bother me in the least.
20 It wouldn't cost me sleepless nights because karst, the
21 solution features associated and sort of summed up under
22 the term "karst," they are surface and near-surface
23 features. They have no impact whatsoever on something
24 that is half a mile underground.

25 So even if there were karst at WIPP, and there's

1 no evidence there is, it would not be a problem. So I
2 just want to lay that issue to rest once and for all.
3 Hopefully, it won't pop again like a vampire.

4 MR. BROWN: Thank you.

5 Is there anyone else who hasn't spoken yet who
6 would like to add comments? We are scheduled to remain
7 available for speakers who may be late, or you may reflect
8 on your comments you've heard so far and want to add
9 comments. So we will recess at this point, but if at any
10 time any one of you or if someone else shows up that would
11 like to add comments, we will be available to reconvene.
12 Again, thank you very much for our attendance and your
13 comments.

14 (A recess was taken from 8:05 p.m. to 8:25 p.m.,
15 and the hearing continued as follows:

16 MR. BROWN: We actually have another person
17 interested in making comments for the hearing, so we are
18 reconvened. And our speaker is Mark Schinnerer, and
19 welcome.

20 MR. SCHINNERER: Good job. Thank you. I do
21 apologize for coming late and holding you over for a
22 little bit, but thank you for staying and thank you for
23 being here.

24 My name is Mark Schinnerer, and I'm the CEO of an
25 organization called CARC, Incorporated, and we serve

1 individuals with developmental disabilities. And one of
2 the, I guess, premier programs that we have in our
3 organization falls under the scope of what's called
4 "supported employment." And supported employment is a
5 program to find employment for our individuals who have
6 disabilities in the community and to have a competitive
7 job, to have a job that they can learn skills and find
8 value and meaning in their life and be a productive member
9 in the community like you and I are.

10 One of those jobs -- actually there's, I think,
11 12 individuals working as a sub -- I'll call it a
12 "sub-subcontractor" with the WIPP program. And they are
13 working in the records, scanning, verifying, retention
14 process. They take records that are produced by that
15 whole facility and help scan those documents, verify that
16 it's accurately scanned, and for that organization then to
17 file them so they can be retrieved later.

18 We have had this contract since 1991 in this
19 program, and it's been a very successful arrangement with
20 us and that contractor to provide jobs to our
21 individuals. And they're learning valuable skills, and
22 these are good quality jobs. And what we're here to talk
23 about is the continuation of a project and continuation of
24 a program that would allow them to continue to have their
25 jobs.

1 If we see this WIPP site and this project start
2 to decline because the very small original purpose that it
3 was set up for is completed, that's a good thing in itself
4 because we have chosen as a community to step up and say,
5 "We have a problem in this country. You have a problem in
6 your state and in your community, but we have the
7 solution, and we want to solve that for you," which we
8 have done successfully, very safely. And we know how to
9 do what we do well.

10 With the expansion of this project to the
11 Greater-Than-Class-C, it allows us to continue to do what
12 we do well knowing what we know works, and in my case
13 allows my individuals to continue to have jobs, you know,
14 for a longer term in the future.

15 My fear is that as projects under the current
16 structure, if it starts to, I guess, close because it's
17 become very successful, that they may not be able to
18 continue their jobs because so many records may not be
19 being produced down the road, and all of those support
20 services would just have to be scaled back.

21 So what happens to my individuals who have other
22 challenges in their life to get a job now, as a community
23 member? It seems to me, as I said, we know how to do this
24 storage and solving a problem issue so well that people
25 from all around the world come to see what we do. We have

1 a reputation of records to do it safely, to do it
2 effectively and efficiently, and I think as we look to
3 expanding the scope and allowing Greater-Than-Class-C and
4 potentially other levels of waste, nuclear waste, to come
5 to this facility or one similar to it in the salt beds
6 that we know so well, I think it's prudent to continue
7 that so that we can continue to clean up the problems
8 around the country.

9 We understand the problems. We understand the
10 nature of the materials. We're not afraid of it. We
11 accept it. Everybody else says, "Not in my backyard."

12 We say, "Please, in our backyard. We have a
13 great backyard, and it's a very safe backyard, and we have
14 the knowledge and expertise to do it safely."

15 I have another concern. Our nation is struggling
16 with debt and finances and funding of our national budget,
17 and we're all afraid of what that entails in the future.
18 And for us to go out and look at other sites across the
19 country that we might put this material in, that maybe
20 doesn't even exist in a form that can be readily usable,
21 you're now going to spend more money to build another
22 building, and more money to maybe dig a hole, and all of
23 to infrastructure that would need to be put in place to
24 have another facility, when we have one sitting right here
25 on our doorstep that's open and that's operating and can

1 very effectively do what you or we need to have done with
2 this material.

3 And I think it would be prudent for us, as I look
4 at my business, how can I capitalize on the assets that I
5 have to continue to grow my business? We, as a nation,
6 should look at how can we capitalize on the assets that we
7 have surrounding an issue or a problem to solve that
8 problem or to grow that business or to increase
9 production, I guess you could say.

10 So I guess those are my concerns from individuals
11 who successfully have been employed for many, many years
12 in this wonderful project, to the pragmatic view as an
13 individual and citizen of this community and a taxpayer in
14 this country, to do it reasonably.

15 Why do we need to waste our time, waste our
16 money? And I think the information has been, you've
17 looked at sites that aren't even viable, and we're
18 wasting time and money. So I guess the old country boy in
19 me says, "Come on, guys. Let's get on with it. We know
20 how to do it here. We do it well, and the infrastructure
21 is in place. Why not use what we got?"

22 And I think that's all.

23 MR. BROWN: Thanks a lot. I'm sorry you didn't
24 have a larger audience, but your words have been recorded
25 for immortality, and we will hope people read them. So

1 thanks very much.

2 MR. SCHINNERER: Thanks for the opportunity.

3 MR. BROWN: Anyone else?

4 So I guess we will take a recess. We will recess
5 and hope that we have another speaker of such high
6 caliber.

7 (a Recess was taken from 8:30 p.m. to 9:15, and
8 the hearing continued as follows:)

9 MR. BROWN: I'm going to reconvene this meeting
10 and ask if there's any other member of the public who
11 wishes to make a public statement.

12 Noting that there is no one else interested in
13 further comment, this meeting is officially adjourned.

14 (The hearing was adjourned at 9:30 p.m.)

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1 STATE OF NEW MEXICO)
)
2 COUNTY OF BERNALILLO)

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4 I, MICHELE NELSON, New Mexico Provisional
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