

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

UNITED STATES DEPARTMENT OF ENERGY

+ + + + +

PUBLIC SCOPING MEETING  
FOR THE GREATER-THAN-CLASS C  
LOW-LEVEL RADIOACTIVE WASTE  
ENVIRONMENTAL IMPACT STATEMENT

CARLSBAD, NEW MEXICO

Monday, August 13, 2007

Pecos River Village Conference Center

711 Muscatel Avenue

Carlsbad, New Mexico

The above-entitled meeting was conducted at

6:40 p.m.

BEFORE:

HOLMES BROWN, Facilitator

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

ALSO PRESENT:

CHRISTINE GELLES, Director  
Office of Disposal Operations (EM-12)  
Department of Energy

JAMIE JOYCE, GTCC EIS Document Manager  
Department of Energy

GEORGE DIXON, Senior Technical Advisor  
GTCC EIS  
Department of Energy

I N D E X

<u>SPEAKER</u>	<u>PAGE</u>
Rep. John Heaton	30
Jim Conca	34
Jeff Neal	34
Roger Nelson	38
Jerri McTaggart	40
Frank McKinnon	41
Norbert Rempe	44
Tim Burns	49
Cliff Stroud	51
Shrayas Jatkar	57
Bob Forrest	59
Russ Patterson	66

P R O C E E D I N G S

1  
2 MR. BROWN: I think we'll get started. We were  
3 scheduled to begin around 7:00, but this time was  
4 allocated for folks to take a look at the posters and talk  
5 to people, and it looks like people have finished that.  
6 This is a smaller crowd than when I was here I guess last  
7 March.

8 So I wanted to welcome you. The meeting in  
9 March started when it was dark outside, so I didn't have a  
10 chance to see the river view. So I really appreciate  
11 that. It's great to be here.

12 The other thing I noticed is that there may  
13 have been a few kids' birthday parties here since then. I  
14 don't know if you've noticed the balloons up in the -- so  
15 I guess this place gets a good community workout. It's  
16 certainly a lovely facility.

17 Well, good evening. And welcome to this public  
18 scoping meeting on the proposed environmental impact  
19 statement on the disposal of greater-than-class C low-  
20 level radioactive waste. The development of the  
21 environmental impact statement for this project, under the  
22 Department of Energy's Office of Environmental Management,  
23 is required by the National Environmental Policy Act.

24 My name is Holmes Brown. I will serve as the  
25 facilitator -- pardon me -- for this event. My role is to

1 ensure that the meeting runs on schedule, and that  
2 everybody has an opportunity to speak. I'm not employed  
3 with the Department of Energy, nor an advocate for any  
4 party or position.

5 At the registration table, you should have  
6 received a participant's packet. If not, please raise  
7 your hand so staff can bring one to you.

8 Okay. We've got one over there. Anybody else  
9 who needs a packet? It contains important information on  
10 the presentation, and is a convenient place to take notes  
11 during the briefing that will follow in a few minutes.

12 There are three purposes for tonight's meeting.  
13 First, to provide information on the content of the  
14 proposed environmental impact statement, PEIS, and on the  
15 National Environmental Policy Act, NEPA, that governs the  
16 process; second, to answer any of your questions on the  
17 proposed EIS and NEPA; and third, to receive and record  
18 your formal comments on the scope of PEIS.

19 The agenda for tonight's meeting reflects these  
20 purposes. We will begin with a presentation by Ms.  
21 Christine Gelles regarding the proposed environmental  
22 impact statement for the disposal of greater-than-class C  
23 waste. Ms. Gelles is the director of the Office of  
24 Disposal Operations, which is the DOE office charged with  
25 preparing the EIS.

1           To answer your questions, project staff will be  
2 available throughout the evening at the posters. They can  
3 discuss the proposed EIS and NEPA process, the contents of  
4 the printed materials on display, and the contents of the  
5 slide show.

6           Following Ms. Gelles' presentation, we will  
7 recess so that the public may pursue further questions  
8 that may arise as a result of the presentation with  
9 available project staff.

10           Once we've reconvened, the court reporter will  
11 be available to receive your comments and suggestions  
12 regarding the scope of the proposed EIS for greater-than-  
13 class C waste. All of your comments will be transcribed,  
14 and made part of the permanent record.

15           We'll begin with the slide presentation by Ms.  
16 Christine Gelles. She will discuss the background of the  
17 project, the purpose, and basic elements of the proposed  
18 EIS.

19           MS. GELLES: Good evening ladies and gentlemen.  
20 Can everybody hear me okay? Great.

21           Welcome to the first public scoping meeting on  
22 the greater-than-class C low-level radioactive waste  
23 environmental impact statement, which I will refer to  
24 throughout my presentation as the GTCC EIS. And hopefully  
25 I'll get that right every time. It's a mouthful.

1           My name is Christine Gelles, and I'm the  
2 Director of the Office of Disposal Operations, and that is  
3 in the Office of Environmental Management at the  
4 Department of Energy headquarters in Washington, D.C. My  
5 office is the office charged with the responsibility of  
6 preparing this greater-than-class C EIS.

7           We've been charged by Congress to develop this  
8 EIS that will ultimately identify a disposal capability  
9 for greater-than-class C, referred to, again, as  
10 greater -- as GTCC, low-level radioactive waste, and to  
11 take actions related to the preparation of the  
12 environmental impact statement.

13           I'm very pleased to be here, and I'm delighted  
14 to see as many of you as has joined us here for this first  
15 public scoping meeting.

16           I'd also like to recognize Representative Gray,  
17 Representative Heaton, and Mayor Forrest. Thank you very  
18 much for coming out tonight, and for bringing as many of  
19 your constituents as possible. This meeting is this  
20 community's opportunity to present your comments,  
21 concerns, issues and suggestions regarding the scope of  
22 the GTCC EIS.

23           This presentation was developed by our project  
24 team to provide you additional information complimenting  
25 the poster boards that are around the room to really

1 describe to you, in as much detail as possible, the scope  
2 of the environmental impact statement as we currently have  
3 it proposed.

4 All the comments received through this scoping  
5 process will be very carefully considered as we work  
6 through the process of analyzing and developing a disposal  
7 capability for greater-than-class C low-level waste.

8 The National Environmental Policy Act, referred  
9 to as NEPA, requires that an environmental impact  
10 statement be prepared for any major federal action that  
11 could impact the quality of the environment. The  
12 Department has determined that development of greater-  
13 than-class C disposal capability constitutes a major  
14 federal action, thus the EIS.

15 We're just in the very beginning stages of the  
16 NEPA process, with the primary focus at this time being  
17 the identification of the scope of the EIS, including  
18 proposed disposal alternatives, such as disposal  
19 locations, and methods of disposal.

20 The comments we receive here tonight and  
21 throughout the public scoping process will be considered  
22 in preparing a draft EIS. That draft EIS will then be  
23 made available for public comment, and those comments will  
24 be considered in preparing the final EIS and a record of  
25 decision.

1           As I will discuss later in my presentation,  
2 before making a decision on the disposal alternative, or  
3 alternatives, to be implemented, DOE must first submit a  
4 report to Congress describing the alternatives evaluated,  
5 and await Congress's action.

6           So you can see, we are just at the start of the  
7 process, and we have several years ahead of us, several  
8 years of work ahead of us, before we can implement any  
9 action, and we'll require the help of Congress.

10           We do hope that you will continue to be  
11 involved throughout this process as we all work toward a  
12 sound decision on how to best and safely dispose of  
13 greater-than-class C low-level waste.

14           Before I get started with my slide  
15 presentation, I thought it would be useful to give just a  
16 brief introductory description of greater-than-class C  
17 low-level waste.

18           Greater-than-class C low-level waste is  
19 generated from commercial activities, such as the  
20 production of electricity from nuclear reactors, and  
21 discarded radioactive sealed sources, which are used in  
22 the diagnosis and treatment of cancer. I'm sure many  
23 people in the audience have -- know, or have loved ones  
24 who have benefitted from such purposes.

25           The volume of greater-than-class C low-level

1 waste is small when compared to the other classes of  
2 commercial low-level waste that are generated and  
3 regulated by the Nuclear Regulatory Commission. Those  
4 classes are referred to as class A, B and C.

5 Greater-than-class C is, by definition, wastes  
6 having concentrations of radioactivity that exceed those  
7 defined for class C waste, and therefore, special disposal  
8 considerations are required per the NRC, the Nuclear  
9 Regulatory Commission, regulations.

10 A copy of my presentation was available at the  
11 registration table, and will also be posted on the GTCC  
12 EIS website, which will appear in the last couple of pages  
13 of the presentation. So if you need a copy, please do  
14 raise your hand, and we'll make sure somebody brings it  
15 around to you. Otherwise, I encourage you to follow  
16 along.

17 The Notice of Intent was published in the  
18 *Federal Register* on July 23, 2007, and a correction was  
19 published a week, a little over a week later -- I'm sorry,  
20 a week later, July 31, to correct a printing error that  
21 occurred in the inventory table that was included within  
22 the Notice of Intent.

23 The -- a copy of the NOI is in your folder.  
24 And I do encourage you to refer to it, as well as the  
25 correction.

1           The NOI serves several purposes for the  
2 Department of Energy. It announced our intent to prepare  
3 an EIS, it initiated the EIS process, it requests public  
4 comment on the proposed scope, it provides information on  
5 the inventory, it identifies the purpose and need for the  
6 action that we're undertaking, that is, again, a  
7 significant federal action, and thereby appropriate for an  
8 EIS.

9           It identifies proposed disposal alternatives.  
10 It also responds to public comments that we received on  
11 the advance Notice of Intent, which was first published  
12 May 11, 2005. The Notice of Intent also identifies that  
13 the Environmental Protection Agency will participate as a  
14 cooperating agency in development of this EIS, and the  
15 Nuclear Regulatory Commission will serve as a commenting  
16 agency.

17           A little bit on the purpose and need. The NRC,  
18 and agreement state licensees have generated, and will  
19 continue to generate, commercial greater-than-class C low-  
20 level waste for which there is no permitted disposal  
21 facility. We, the Department of Energy, have a statutory  
22 responsibility for developing the disposal capability.

23           We, however, also own and generate certain low-  
24 level waste streams, and transuranic waste streams, that  
25 have characteristics similar to the commercial greater-

1 than-class C low-level waste, and which also may not have  
2 a disposal path currently. We refer to this category of  
3 DOE waste, or this set of DOE waste streams, as DOE  
4 greater-than-class C-like waste.

5 I realize that that may -- that terminology may  
6 be a little bit confusing in the materials we provided for  
7 you, and if you have any questions, please do not hesitate  
8 to ask. I will discuss the waste inventories, and our  
9 statutory responsibilities in a little bit more detail  
10 later in this presentation.

11 There are three primary legislative drivers for  
12 developing a disposal capability for greater-than-class C  
13 low-level waste. They are the Low-Level Waste Policy Act  
14 Amendments of 1985. It is that law that assigned the  
15 federal government, specifically the Department of Energy,  
16 with the responsibility of developing this capability.

17 The National Environmental Policy Act, again,  
18 referred to a NEPA, which establishes the framework for  
19 evaluating the environmental impacts of proposed actions,  
20 and it is establishes the framework for public input and  
21 continued participation as we go through these  
22 evaluations.

23 And then Section 631 of the Energy Policy Act  
24 of 2005 gave us very specific direction to first produce a  
25 report on the cost and schedule to develop this EIS. We

1 submitted that report in July of 2006, and it is available  
2 on our greater-than-class C website.

3 It also requires us to submit to Congress a  
4 report on all of the alternatives evaluated through the  
5 course of this EIS, including a number of specific  
6 information deliverables that mirror, or parallel, and  
7 update a report provided in 1987 that was required by the  
8 original Low-Level Waste Policy Act Amendments of '85.

9 And then we must await Congress's action before  
10 issuing a record of decision. What this means is we will  
11 be unable to take action as a result of this EIS without  
12 Congress's support.

13 So what is low-level radioactive waste?

14 AUDIENCE: You said if we have a question to  
15 ask it. What was that about the policy?

16 MS. GELLES: I'll go over that again. Section  
17 631 of the Energy Policy Act of 2005 made two specific  
18 report requirements for the Department of Energy. The  
19 first was that we provide a report on the cost and  
20 schedule of developing the EIS, and the second was that we  
21 report to them, provide a comprehensive report on all of  
22 the alternatives evaluated as a course of this EIS, and  
23 await their action before implementing a record of  
24 decision.

25 AUDIENCE: [inaudible]

1 MS. GELLES: I'm sorry?

2 AUDIENCE: [inaudible]

3 MS. GELLES: Congress needs to be involved in  
4 the review of all the alternatives evaluated, and they  
5 will take some action before we can implement the record  
6 of decision.

7 MR. BROWN: And if we can -- we're going to  
8 have a break for questions after the presentation. So,  
9 okay. Thanks.

10 MS. GELLES: Okay. So this is to provide a  
11 little bit more detail on what is low-level radioactive  
12 waste. It includes items that have become contaminated  
13 with radioactive material, or have become radioactive  
14 through exposure to radiation.

15 It exists in many forms, and I won't read all  
16 of these words to you because, again, you have them in  
17 front of you. But it's generated from a variety of  
18 commercial and government activities, such as the  
19 production of electricity, luminous watches, exit signs,  
20 smoke detectors, as well as medical research and medical  
21 treatment.

22 The statutory and regulatory definition is  
23 rather complicated, and it defines low-level waste by what  
24 it is not. It is not high-level waste, it is not spent  
25 nuclear fuel that is irradiated in a reactor, it is not

1 byproduct material that results from uranium mining, or  
2 uranium milling. It is a byproduct, in fact, of many  
3 socially beneficial uses, as many of those that we already  
4 talked about.

5           The NRC, in 10 C.F.R. Part 61 defines --  
6 classifies low-level waste into four classes: class A, B,  
7 C and, again, greater-than-class C. And those classes are  
8 defined based on the concentration of specific short-lived  
9 and long-lived radionuclides, with greater-than-class C  
10 having the highest radionuclide concentrations.

11           Class A, B, and C low-level waste can be safely  
12 disposed of in near surface disposal facilities which  
13 exist commercially today. However, the NRC requires that  
14 greater-than-class C low-level waste to be disposed of in  
15 geologic disposal, unless -- I'm sorry, a geologic  
16 repository, unless we are able to determine that  
17 alternative methods are safe and protective, and that they  
18 be licensed by the NRC.

19           The NRC is responsible for regulating low-level  
20 waste generated by commercial licensees. And DOE is  
21 responsible for disposing of low-level waste generated by  
22 our activities. And, again, we have the added  
23 responsibility of providing a disposal capability for  
24 commercial greater-than-class C low-level waste.

25           Greater-than-class C low-level waste exceeds

1 the concentration limits for radionuclides that are  
2 established for class C waste. It's generated, again, by  
3 NRC and agreement state licensees.

4 It can be generally grouped into three major  
5 waste forms, or waste types: activated metals, sealed  
6 sources, and other waste. And I'm going to talk you  
7 through each one of those in a little bit more detail.

8 Activated metals are primarily generated by  
9 nuclear reactors during facility decommissioning. They  
10 consist of components, such as thermo-shields and reactor  
11 components, that have become radioactive through neutron  
12 absorption during operations.

13 Currently, there are 104 reactors in commercial  
14 operation, and 18 that have been decommissioned. And a  
15 number of those decommissioned reactors are currently  
16 safely storing greater-than-class C waste that was  
17 generated through those decommissioning activities. Some  
18 of the activated metals may be so radioactive that they  
19 require remote handling.

20 Sealed sources, typically very small. This  
21 picture here is just a few inches of a diameter. This is  
22 a radiography source used in commercial industry. They're  
23 used for sterilizing medical products, assisting in the  
24 diagnosis and treatment of illnesses, and a number of  
25 other industrial purposes.

1           Sealed sources are used in very common  
2 applications, and are widely found throughout the United  
3 States. Not all sealed sources are greater-than-class C.  
4 Many are class A, B, or C, and can safely be disposed of  
5 today in existing commercial facilities.

6           One of the concerns that Congress had, and I  
7 think one of the reasons why Section 631 of the Energy  
8 Policy Act was included in the Policy Act of 2005, is  
9 there is concerns that sealed sources, once dis-used,  
10 could become available for the construction of dirty bombs  
11 and pose a proliferation risk. And for that reason,  
12 Congress encouraged us to move forward with the  
13 development of this EIS, and the selection of a disposal  
14 solution for sealed sources.

15           The third type of greater-than-class C waste is  
16 really a catch-all. It's the other waste category. It  
17 includes any greater-than-class C low-level waste that is  
18 not activated metal, and is not a sealed source, and  
19 consists of contaminated equipment, debris, trash, scrap,  
20 and any decommissioning waste generated through industrial  
21 activities, such as laboratory research.

22           These are glove boxes, a picture of glove boxes  
23 prior to the decommissioning. Glove boxes once removed  
24 from a research facility or a production facility could  
25 fall into this category of other greater-than-class C

1 waste.

2 This is a little bit of information about  
3 what that secret term, DOE greater-than-class C-like  
4 waste, really means. DOE low-level waste and transuranic,  
5 or TRU waste, which I'm sure this community is very  
6 familiar with, are waste streams that have characteristics  
7 similar to commercial greater-than-class C low-level  
8 waste, and which may not have an identified disposal path  
9 today.

10 DOE greater-than-class C-like waste is owned by  
11 DOE and generated by DOE activities, even if those  
12 activities occur at a commercial facility. The waste  
13 forms of this waste category are similar to the greater-  
14 than-class C low-level waste forms. We'll have activated  
15 metals, sealed sources, and other waste, as well.

16 A majority of the projected inventory, and  
17 current inventory for that matter, is transuranic waste  
18 that does not, or may not, qualify for disposal at the  
19 Waste Isolation Pilot Plant today under current  
20 legislation. The use of this term, greater-than-class C-  
21 like, does not have the intent of establishing a new waste  
22 classification for DOE's radioactive waste.

23 Summary of our waste inventories. Combined,  
24 the commercial greater-than-class C and DOE greater-than-  
25 class C-like waste that exists today, and is projected to

1 be generated through 2062, totals approximately 5600 cubic  
2 meters, and it contains approximately, or would contain,  
3 approximately 140 million curies if, in fact, all of this  
4 5600 cubic meter were, in fact, generated. Some of it is  
5 to be generated in the future.

6 This is significant, and to put this in  
7 context, this is less than one tenth of a percent of the  
8 total estimated volumes of class A, B and C commercial  
9 low-level waste that will be generated in that same time  
10 frame. To put it in perspective with what has been  
11 shipped this year to WIPP, 5600 cubic meters through 2062  
12 is less than the transuranic waste that's been disposed of  
13 at WIPP this year alone.

14 We developed these estimates through data  
15 calls, interviews, and other sources of information, such  
16 as available databases and reports. And additional  
17 information on these waste inventories and projections can  
18 be found in the Notice of Intent in the table that was  
19 reprinted in the correction page, as well as a document,  
20 titled "Greater-than-class C Low-Level Radioactive Waste  
21 and DOE Greater-than-class C-Like Inventory Estimates",  
22 which is posted on the GTCC website.

23 Our proposed action is to construct and operate  
24 a new facility, or facilities, or to use an existing  
25 facility for disposal of both greater-than-class C low-

1 level waste, and DOE greater-than-class C-like waste.

2 Now that I've provided you on the background of  
3 these waste types, I do want to talk with you a little bit  
4 more about the actual scope of the EIS as we have  
5 currently proposed it. I just want to remind you that our  
6 proposed action stems from a legislative mandate that DOE  
7 develop a disposal capability for commercial greater-than-  
8 class C waste.

9 And we've decided to include DOE greater-than-  
10 class C-like waste because we have that responsibility, as  
11 well, and we consider it to be a cost effective solution  
12 to evaluate a disposal solution that addresses both waste  
13 inventories.

14 The proposed disposal alternatives, again, they  
15 are delineated in the Notice of Intent, range from no  
16 action, where current and future generated commercial low-  
17 level waste and DOE greater-than-class C-like waste would  
18 be stored at the existing designated locations consistent  
19 with ongoing practices; disposal on a geologic repository  
20 at WIPP; disposal at a geologic repository at Yucca  
21 Mountain; disposal at a near enhanced -- or near  
22 surface -- a new enhanced near surface burial facility at  
23 one of the eight sites that we have identified in our  
24 Notice of Intent; or disposal at a new intermediate depth  
25 bore hole disposal facility at one of those same sites.

1           We are very interested in what you have to say  
2 tonight about these alternatives, and whether there are  
3 other alternatives that should be included within the  
4 scope of this EIS.

5           As I will mention again in a few moments,  
6 different combinations of disposal alternatives may be  
7 appropriate based on the different waste types and other  
8 considerations, such as the rate at which that waste is  
9 generated.

10           We recognize that some alternatives could  
11 require legislative changes, or changes to existing  
12 regulations. However, this alone is not a reason for  
13 eliminating an alternative from the EIS analysis at this  
14 point. NEPA guidance requires DOE to evaluate a range of  
15 all reasonable alternatives, notwithstanding statutory and  
16 regulatory constraints.

17           And in the EIS analysis, we will describe any  
18 statutory or regulatory changes that might be required, or  
19 limitations that apply to the waste streams and the  
20 disposal alternatives. As I previously mentioned, and as  
21 we had a question here, DOE must await Congress's action  
22 before making any decision as a result of this EIS.

23           There are three disposal methods that will be  
24 analyzed in this EIS: deep geologic, intermediate depth  
25 bore hole, and enhanced near surface, and I will describe

1 each of these in a little bit more detail, like I did with  
2 each of the major waste forms.

3 Deep geologic repository is a configuration  
4 which many of you are familiar with, and is the placement  
5 of waste in mined cavities deep beneath the earth's  
6 surface. This is the method currently used for disposal  
7 of defense transuranic waste at the Waste Isolation Pilot  
8 Plant here in New Mexico.

9 It is the proposed disposal method for spent  
10 nuclear fuel and high level waste for the repository plant  
11 in Yucca Mountain in Vegas, or near Las Vegas in Nevada.

12 This picture here is of contact handled TRU  
13 waste disposal here at WIPP.

14 Enhanced near surface, this would be placement  
15 of waste in engineered trenches, or similar structures,  
16 within the upper 30 meters of the earth's surface. And  
17 containment characteristics can involve enhanced barriers,  
18 deeper disposal, or enhanced waste packaging.

19 This photo is a picture of a concrete vault  
20 that is used for disposal of higher activity low-level  
21 waste streams at one of our Department of Energy sites.  
22 It's represented here, and in the poster boards, just to  
23 give you a generic idea, a general idea of what this  
24 disposal configuration might entail.

25 A detailed -- the actual conceptual design of

1 this disposal configuration will be developed through the  
2 development of the EIS. But we are interested in any  
3 comments you might have on associated features, or this  
4 design, that you might have here tonight.

5 Intermediate depth bore hole disposal is  
6 placement of waste in an augered bore hole deeper than 30  
7 meters beneath the earth's surface. Additional barriers  
8 would also be involved in this disposal configuration to  
9 provide from -- to provide increased protection against  
10 inadvertent intrusion in future generations. This method  
11 has successfully been demonstrated at a DOE site here  
12 within the U.S., as well as in other countries.

13 The poster here shows installation of a bore  
14 hole at a DOE site. We have a poster board in the back  
15 that shows you a few more details on other features that  
16 could be incorporated into a bore hole design.

17 But, again, the conceptual design for this sort  
18 of disposal method will be developed through development  
19 of the EIS. We invite your comments on this design  
20 method, as well -- or this disposal method, as well.

21 These are the proposed locations for the  
22 disposal -- I'm sorry, these are the proposed locations  
23 for disposal facilities for greater-than-class C and DOE  
24 greater-than-class C-like waste that we intend to analyze  
25 in the EIS, and we do invite your comment on this list of

1 potential sites.

2           The inclusion of the identified DOE sites was  
3 based on mission compatibility. These sites currently  
4 have ongoing waste disposal operations as part of their  
5 current mission, and the physical characteristics of the  
6 site. WIPP vicinity would be either within the WIPP land  
7 withdrawal perimeter that is under the jurisdiction of  
8 DOE, or on government property within the general vicinity  
9 of the WIPP facility.

10           Generic locations for potential commercial  
11 facilities have also been identified, one arid and one  
12 humid. These are being evaluated because no commercial  
13 vendors today have provided specific information, and yet  
14 we know that the commercial industry may have interest in  
15 participating in this disposal solution in the future.

16           And so inclusion of a generic commercial  
17 facility provides us -- allows us to make a programmatic  
18 determination through this EIS, and additional NEPA  
19 analysis would probably be required for a site specific  
20 selection that would tier from this EIS.

21           This EIS will describe the statutory and  
22 regulatory requirements for each alternative, and whether  
23 legislative or regulatory modifications will be needed to  
24 implement an alternative under consideration.

25           We do intend to evaluate each of the waste

1 types individually and in combination with the other waste  
2 types for each of the disposal alternatives, taking into  
3 consideration the waste characteristics, the volumes, and  
4 the generation rates for each of the waste streams. It is  
5 conceivable that the recommendations could entail  
6 combinations of facilities based on these complicated  
7 considerations.

8 For example, greater-than-class C low-level  
9 waste containing transuranic radionuclides with longer  
10 half lives may require greater isolation and other special  
11 measures to protect against potential inadvertent human  
12 intrusion, whereas a waste stream with fewer radionuclides  
13 with such long half lives may be more appropriate for some  
14 enhanced near surface burial. Just as an example, there  
15 could be that kind of hybrid solution evaluated through  
16 this EIS.

17 This EIS provides you an overview of the NEPA  
18 process. We did publish that advance Notice of Intent in  
19 May of 2005, the Notice of Intent in July of 2007, and we  
20 are here today in the public scoping process. The next  
21 step will be the development of the draft EIS, followed by  
22 public comment, development of the final EIS, and then the  
23 report to Congress on the disposal alternatives, and we  
24 will await their action before implementing a record of  
25 decision.

1           The July 2006 report to Congress, that was the  
2 first report requirement of the Energy Policy Act, again,  
3 is available on the greater-than-class C EIS website, and  
4 did include an estimated schedule for the development of  
5 this EIS and record of decision. We plan to update that  
6 schedule after this public scoping process completes in  
7 September of -- or September 21 -- I believe I have that  
8 date right -- September 21. And we expect that we will  
9 make that updated schedule available on the DOE website  
10 later in this calendar year.

11           The NEPA process fortunately provides  
12 opportunities, multiple opportunities, for public  
13 participation. You can participate by providing oral or  
14 written comments here tonight on the scope of this EIS,  
15 including proposed alternatives, the disposal locations,  
16 and any environmental issues that you wish to identify.

17           Written comments may also be provided at the  
18 scoping meetings, by mail, via the GTCC EIS website, or by  
19 fax, through September 21. You can stay informed by  
20 visiting the GTCC website. I apologize, there is a typo  
21 there, it's [www.gtcceis.anl.gov](http://www.gtcceis.anl.gov).

22           Just confirming, Jamie, that's correct. Right?  
23 Okay.

24           VOICE: That's correct.

25           MS. GELLES: Okay. Thank you.

1 I do want to encourage you to visit this  
2 website. We've put a good amount of effort into  
3 developing the website and providing as much historical  
4 information as is available to us. The inventory report  
5 is there, and it provides a very detailed explanation of  
6 the methodology used to estimate future volumes of  
7 greater-than-class C and DOE greater-than-class C-like  
8 waste streams.

9 You have a written comment form included in  
10 your handout materials tonight if you wish to submit a  
11 written comment. The form also provides the information  
12 on how to provide a written comment after tonight, via  
13 fax, the mail address number and others.

14 These are our contact information. My  
15 information there at the top, as well as that of my staff,  
16 and two of whom are here tonight.

17 James Joyce, if you could raise your hand. He  
18 is your primary point of contact.

19 And George Dixon. Raise your hand, George.  
20 Thank you very much.

21 Argonne National Lab is assisting DOE in the  
22 preparation of this environmental impact statement, and  
23 Sandia National Laboratory is assisting in the preparation  
24 of technical documents that are used to support the EIS  
25 analysis.

1           And that concludes my presentation. Thank you  
2 very much for your time.

3           MR. BROWN: Thank you. At this time we'd like  
4 to take a short recess for --

5           (Applause.)

6           MR. BROWN: -- and the court reporter will  
7 note -- I appreciate the applause --

8           We're going to take a very short recess. If  
9 people have any questions that arise as a result of the  
10 slide presentation that they would like to pose, and also  
11 if it would help clarify any comments that you'd like to  
12 make, we'll take just a brief recess to do that.

13           I will make an announcement when we're about to  
14 resume the formal portion of the meeting and begin taking  
15 oral comments. If you would like to provide an oral  
16 comment, and have not yet signed up on the speakers list  
17 outside, please do so.

18           And we'll be starting again probably in about  
19 five minutes. We'll get things set up. So thanks again.

20           (Whereupon, a short recess was taken.)

21           MR. BROWN: It's now time to receive your  
22 formal comments on the scope of the proposed EIS. This is  
23 your opportunity to let DOE know what you would like to  
24 see addressed in the draft document. The court reporter  
25 will transcribe your statements.

1           Let me review a few ground rules for the formal  
2 comments. Please step up to the microphone over there,  
3 introduce yourself, provide any organizational affiliation  
4 where appropriate. If you have a written version of your  
5 statement, please provide a copy to the court reporter  
6 after you have completed your remarks.

7           Also, please give the reporter any additional  
8 documents that you may like to have included as part of  
9 the formal record. Each will be labeled and submitted for  
10 inclusion.

11           I will call two names at a time. The first is  
12 the speaker, and the second refers to the follower. In  
13 view of the number of people who have indicated an  
14 interest in speaking this evening, we will be able to  
15 allow five minutes for each speaker, although I'm sure the  
16 audience would appreciate it if you're able to comment in  
17 less than five minutes. I will let you know when you have  
18 a minute left so you can gracefully conclude your remarks.

19           Ms. Gelles will be serving as the hearing  
20 officer for the Department of Energy during the formal  
21 comment period, but she will not be responding to any  
22 questions or comments during this session.

23           So with that by way of introduction, I would  
24 first like to call Representative John Heaton to make a  
25 few comments. And I understand he's already submitted a

1 longer formal written comment. Representative Heaton.

2 REPRESENTATIVE HEATON: First of all, let me  
3 thank you for allowing me to go first. I need to get on  
4 the road.

5 Holmes, we're going to have to make an honorary  
6 citizen out of you. You're here more frequently than I  
7 am.

8 So, Christine, that was a wonderful  
9 presentation. Thank you.

10 Let me begin by introducing myself. I'm John  
11 Heaton, and I am the State Representative representing  
12 District 55. WIPP is in my district. I also serve as the  
13 chairman for the Radioactive and Hazardous Materials  
14 Committee for the State of New Mexico.

15 And I also chair the Hazardous -- or the High-  
16 Level Waste Committee for the National -- for the  
17 Conference -- or the National Conference of State  
18 Legislators, which includes legislators around the  
19 country.

20 We have been struggling desperately in both of  
21 these committees as to what and how to deal with high-  
22 level waste, and greater-than-class C waste. It has been  
23 a struggle for all of us.

24 First of all, the definition of the waste is  
25 not what it's composed of. The definition of the waste is

1 more likely to be where it originates than what it's  
2 really -- what's really in it. And so we've been  
3 struggling with it.

4 The budget for Yucca Mountain continues to be  
5 an enormous problem, and it appears that it will continue  
6 to be. Gramm-Rudman -- stop -- Yucca Mountain has a  
7 budget number of \$750 million a year that's coming in.  
8 That's the maximum amount that can be spent under Gramm-  
9 Rudman provisions.

10 And as a consequence, the construction of that  
11 facility, when you get to 2011, if you look at the budget,  
12 jumps up to \$2.1 billion annually for three or four years.  
13 So it is a very difficult site. They're looking at 2017  
14 as the earliest possible date.

15 It's really impossible. We're probably looking  
16 at 2025 or 2030, something that distant in the future, to  
17 even have a chance of getting that open, aside from the  
18 fact that the people there in Nevada don't seem to want  
19 it, as you all are very well aware.

20 As you've just heard, the Nuclear Regulatory  
21 Commission regulates low-level waste disposal, makes a  
22 distinction between wastes that are less radioactive than  
23 classes 1 -- or A through C, and those wastes that are  
24 more radioactive than class C.

25 Greater-than-class C waste must be permanently

1 disposed of in a geologic repository, while waste less  
2 than class C, as you've just heard, may be disposed of in  
3 suitably engineered shallow subsurface disposal  
4 facilities. Thus, disposal of greater-than-class C waste  
5 in WIPP inherently meets the NRC requirements.

6 Congress asked DOE, as you just heard, to  
7 recommend a path forward, and develop an EIS and a public  
8 scoping process. DOE should consider NRC regulations for  
9 permanent disposal in a geologic repository for greater-  
10 than-class C radioactive waste.

11 The only alternatives offered by DOE in its EIS  
12 Notice of Intent to meet this requirement are WIPP and the  
13 Yucca Mountain project. The other disposal alternatives,  
14 shallow bore holes, confinement and others, do not meet  
15 the intent behind the NRC regulations.

16 It is important to note that the greater-than-  
17 class C limits are divided into two radioactive waste  
18 types: fission products and transuranic elements. The  
19 GTCC limits for transuranic waste are identically the same  
20 as the transuranic waste limits for WIPP authorized by the  
21 Land Withdrawal Act, that is 100 nanocuries per gram.

22 This means the GTCC transuranic waste would be  
23 disposed of in WIPP anyway, if it weren't for the  
24 requirement of the Defense pedigree for WIPP waste. It  
25 matches all the criteria if it weren't for that single

1 restriction now.

2 In the case of GTCC fission product waste,  
3 these materials emit virtually the same radioactivity as  
4 remote handled waste that WIPP is currently safely  
5 emplacing.

6 In summary, the new waste streams proposed for  
7 disposal in WIPP, the GTCC, in the GTCC EIS, are  
8 essentially the same waste types as waste is in placing  
9 today. The volume of the added material is insignificant  
10 with respect to WIPP's legislated capacity.

11 DOE should find that permanent disposal in WIPP  
12 of the GTCC waste is the most protective and cost  
13 efficient of all the alternatives studied. It should then  
14 recommend to Congress that the Land Withdrawal Act be  
15 amended to allow disposal of commercial transuranic waste.

16 WIPP has operated safely for more than eight  
17 years, and has clearly demonstrated its ability to  
18 transport and dispose of GTCC-like waste. In my district,  
19 it's clear that the PIP project, when we had hearings  
20 related to it, we had a tremendous turn out, tremendous  
21 support for that project.

22 When we had GNEP hearings, it was the same. We  
23 had tremendous support for that project, as well, and now  
24 the enrichment program that's in place in Eunice, we have  
25 also had tremendous support for that project.

1 Ladies and gentlemen, I think that the citizens  
2 in my district overwhelmingly would support this  
3 incremental expansion of WIPP and WIPP service to the  
4 nation. Thank you very much.

5 MR. BROWN: Thank you.

6 Jim Conca will be next, to be followed by Jeff  
7 Neal.

8 MR. CONCA: Thank you. My name is Jim Conca,  
9 I'm director of the New Mexico State University Carlsbad  
10 Environmental Monitoring Research Center here in Carlsbad.

11 We've been monitoring WIPP operations from  
12 before they began accepting waste, and after they accepted  
13 waste to the present, and we look at air, water, soil and  
14 people within a 100 mile radius of the site. And after 10  
15 years, we have no found no radiological impact of WIPP  
16 operations in any of those media, and we don't anticipate  
17 any impact if greater-than-class C waste were to be  
18 disposed at WIPP. Thank you.

19 MR. BROWN: Thank you.

20 Okay. Jeff Neal, to be followed by Roger  
21 Nelson.

22 MR. NEAL: I would like to welcome the staff of  
23 Environmental Management, Mr. Brown, the facilitator,  
24 city, county, state officials, and the citizens of  
25 Carlsbad, and out of town guests. Welcome.

1 I'm Jeff Neal. I'm a resident of Carlsbad. I  
2 was born and raised here. I'm a native. Went to school at  
3 New Mexico State University.

4 I've been involved with the WIPP project off  
5 and on for over 20 years. Back then the Mayor had hair,  
6 and I was working with the -- nobody laughed at that; I  
7 thought it was funny.

8 I was working with the Carlsbad Chamber of  
9 Commerce at that time, and I was at the ground breaking  
10 for the WIPP project where the gold coaters and the  
11 investors were there, throwing the first shovel of dirt  
12 for the WIPP project.

13 I've been involved with Advance Sciences,  
14 Incorporated, the WIPP technical assistant contractor, and  
15 with stakeholders' interactions. We held public meetings,  
16 and we were involved with speaker bureaus.

17 I was with Portage Environmental, the Carlsbad  
18 technical assistant contractor. We were with business  
19 development then, and the regulatory compliance. I was  
20 with the Carlsbad Department of Development with the  
21 promotion of the pit project in GNEP.

22 And now I'm with a company called Source One  
23 Management. We are with the WIPP record archives. We  
24 store the WIPP records from across the nation, and bring  
25 them here to Carlsbad.

1 I was involved with the WIPP draft and final  
2 environmental impact statement, and I can honestly say  
3 that there is probably no other place on earth that's been  
4 evaluated more than southeastern New Mexico. We know our  
5 geology, we know what's underground, we know that it is  
6 suitable for this type of site for low-level radioactive  
7 waste. With the stability of a two-million-year salt  
8 dome, this is the key that makes WIPP successful.

9 Carlsbad and WIPP understands the solution to  
10 problems. We stepped up to the plate for our nation, for  
11 the Department of Energy, to solve the problem of defense  
12 related waste, with the nation's first licensed nuclear  
13 waste repository in the world, right here in Carlsbad.  
14 And we can solve the issue that confronts us now with the  
15 non-defense generated low-level waste. We can handle that  
16 here at WIPP.

17 Expand the mission of WIPP. Nuclear energy is  
18 here to stay. It's a big -- change is coming; they are  
19 building many, many more nuclear power plants.  
20 Southeastern New Mexico is in the heart of the nuclear  
21 renaissance that is taking place in our nation. LES, the  
22 national enrichment facility, is the birthplace of nuclear  
23 fuel, and WIPP is the final resting place.

24 The concept of cradle to grave is a reality.  
25 Not only does WIPP have the ideal geology environment for

1 this site, being 2,000 feet below ground, WIPP has the  
2 proven record of safety, a proven record of  
3 transportation, a secure environment where terrorists  
4 can't get to it.

5 It has the community support, city, county,  
6 state government supports it, we have a Congressional  
7 delegation in Congressman Pearce, Senator Domenici and  
8 Bingaman.

9 Our scientific community is above all, with  
10 Sandia and Los Alamos National Labs, Jim Conca and the  
11 Environmental Monitoring Research Center, the Center of  
12 Excellence, and the strength and stability of the  
13 operation and maintenance contractor, Washington TRU  
14 Solution, we have the tools necessary to make this mission  
15 work.

16 In closing, I ask you to expand the mission of  
17 WIPP. All the other proposed sites are now shipping their  
18 defense related waste to WIPP, why not help other  
19 government agencies, and ship their non-defense generated  
20 waste to Carlsbad. We have the land, and we have many  
21 other land around the WIPP site.

22 We understand the technology of nuclear  
23 industry. We can solve this future problem associated  
24 with power plants. We have the solution here in Carlsbad.  
25 We have the geology, we have the site, we have the safety

1 record, the transportation record, community support, the  
2 knowledge and experience. The solution is here in  
3 Carlsbad and WIPP. I urge you to go forward with this  
4 environmental impact statement. Thank you.

5 MR. BROWN: Thank you.

6 Roger Nelson is next, and Merrill Smith will  
7 follow him.

8 MR. NELSON: I'm Roger Nelson. I'm employed by  
9 the Department of Energy, but I'm speaking and providing  
10 these comments here tonight as a private citizen of  
11 Carlsbad.

12 GTCC waste is indistinguishable from TRU waste  
13 in the way it is managed, handled, and the way it should  
14 be disposed of permanently in a geologic repository.  
15 Those that say the WIPP was never designed for GTCC waste  
16 are incorrect. I submit that many of them are also being  
17 deceptive in that -- to their listeners.

18 WIPP was designed for TRU waste, and high-level  
19 waste disposal. TRU and high-level waste. TRU waste is  
20 identical, as GTCC waste for the transuranic elements in  
21 the waste, and high-level waste is much, much greater in  
22 its radioactivity than the GTCC waste. Therefore, WIPP is  
23 clearly more than adequate to safely and permanently  
24 dispose of GTCC waste.

25 WIPP was opened on the logic that permanent

1 disposal was better than managing by guarding and safely  
2 securing storage systems vulnerable to the forces of  
3 nature and time. And the GTCC waste is out there in that  
4 same category as the TRU waste was decades ago, vulnerable  
5 to storage.

6 The NEPA process within the -- the NEPA process  
7 that DOE has been forced to process this decision, or make  
8 its recommendations to Congress, is flawed. NEPA opens  
9 the door to a tiny, zealous minority that intentionally  
10 deceives the public in order to hurt everything associated  
11 with the nuclear industry.

12 The NEPA process is also way too lengthy.  
13 Maybe we should speed it up and get on with what should be  
14 a clear conclusion. Any delay just allows the anti-  
15 nuclear zealots more opportunity for deception.

16 In summary, WIPP has the capacity, the GTCC  
17 radioactive waste has the same activity as the TRU waste,  
18 all other alternatives require new construction and  
19 resolution of new anti-nuclear protests at those sites,  
20 WIPP is the low cost, low impact, and low political risk  
21 choice.

22 Make the recommendation to Congress and make it  
23 quickly. Do not agonize over this choice. Thank you.

24 MR. BROWN: Thank you.

25 Merrill Smith --

1 MS. SMITH: I don't know how I got on that  
2 list, because I'm not --

3 MR. BROWN: Okay. Well, we have two sign up  
4 lists, and anyway, we appreciate the brevity of your  
5 remarks.

6 So Jerri McTaggart. So Jerri will be followed  
7 by Frank McKinnon.

8 MS. McTAGGART: Good afternoon. My name is  
9 Jerri McTaggart. I work for Los Alamos. However, I will  
10 be speaking as a personal citizen. I also am a business  
11 owner in town, of Simply Enchanted Events and Rentals, so  
12 this is important to me both in my permanent job, and then  
13 my part-time job.

14 Thank you for the opportunity to speak tonight.  
15 I have worked in the nuclear industry for 25 years. Over  
16 the past six years, I've worked to identify TRU waste that  
17 was defense related so that it could come to WIPP after  
18 characterization.

19 Each waste stream requires the establishment of  
20 a defense link in order to be eligible for disposal at  
21 WIPP. The Land Withdrawal Act requires that all waste  
22 disposed of at WIPP have a defense link. On several  
23 occasions commercial sites have called and have identified  
24 waste just like what we send to WIPP that needs to be  
25 disposed of.

1           We spend great lengths of time trying to  
2 identify whether it has a defense link at all. It takes a  
3 great deal of time, and effort, and manpower. I'm excited  
4 tonight to find out that GTCC might be coming to WIPP,  
5 because that would eliminate some of the time and effort  
6 we have to spend for waste that's identical, if not very  
7 close to identical.

8           Several sites did work for DOE and created  
9 waste that was GTCC, or greater than 100 nanocuries per  
10 gram. In the commercial world, this waste would be  
11 greater-than-class C. The only difference is that  
12 greater-than-class C does not have a defense link.  
13 Therefore, the waste cannot come to WIPP.

14           WIPP is the best place to bring GTCC waste,  
15 because the WIPP organization is already set up to receive  
16 the defense related TRU waste. WIPP is equipped to handle  
17 the waste that is GTCC. Since WIPP is set up for defense  
18 TRU waste, it only makes sense to use a facility that is  
19 already established and willing to accept the waste.

20           MR. BROWN: Thank you.

21           Frank McKinnon, and Frank will be followed by  
22 Norbert Rempe.

23           MR. MCKINNON: My name is Frank McKinnon, and I  
24 live in Roswell. Southeastern New Mexico is my home. I  
25 spent the last five years dealing with a chemical company

1 that poisoned a summer camp that I inherited, and I  
2 learned a whole bunch about how government works in  
3 dealing with greed, and with big corporations who care  
4 very little about the people they affect.

5 I spend the past four months studying GNEP,  
6 that has proposed a site up in Chaves County. And on --  
7 and in the process of serving a petition for emergency  
8 order of protection or injunction, they'd involved some of  
9 the folks in the Department of Energy Nuclear Office, and  
10 three corporations.

11 My thoughts on increasing the ability to bring  
12 new kinds of waste to WIPP is a mistake, because cleaning  
13 up what's already here, once it's all been said and done,  
14 in what I hope is the very near future, when handcuffs get  
15 put on a few corrupt officials that approved it, then I  
16 think it will be able to clean it up, and take away the  
17 threat that it poses on everyone here in southeastern New  
18 Mexico.

19 I don't mean to offend anyone here, and I would  
20 like, though, for the record, to show the great community  
21 interest in this. If you would, and you don't have to,  
22 but could I see a show of hands of anyone who is involved  
23 in the nuclear industry, or the Department of Energy? I  
24 guess everyone's taken the 5th Amendment.

25 I'll try it again. If you are with the DOE, or

1 involved with WIPP, or any other part of the nuclear  
2 industry, raise your hand. We're looking for honesty  
3 here. Okay. So we're close to half. And those are the  
4 people honest enough to raise their hand.

5 I can assure you that the people that would  
6 benefit from us having nuclear waste at WIPP, of any kind,  
7 care very little about any of you, particularly those that  
8 live here.

9 Now, it is unfortunate that real nice people  
10 that I've met, that I've talked to tonight, are working  
11 for such a sinister situation, and I hope that they are  
12 able to stay above the potential for becoming unethical,  
13 and misrepresenting the truth. I have seen, oftentimes,  
14 dealing with GNEP, where the truth has been  
15 misrepresented.

16 I have only had a little time to deal with  
17 WIPP. I grew up in Roswell where, while I was in high  
18 school, grown-ups were talking about how dangerous WIPP  
19 was going to be, and how having nuclear waste driving  
20 through town, or even around the town, would be a horrible  
21 thing. And then I went off to school for about 12 years,  
22 and got back home just in time to watch the first truck  
23 load come through town. Not happy. Not happy one bit.

24 And it's very important that everyone here that  
25 has the common sense to care about where your

1 grandchildren live, and making it possible for them to  
2 swim out there in the river there and go boating 20, 30  
3 years from now, that you make some noise.

4 I'm going to leave you with this. I have a  
5 website, and I am in the process of putting together as  
6 much organization as I can of people who actually care  
7 about southeastern New Mexico. On my website, the hardest  
8 part to spell is McKinnon, M-C-K-I-N-N-O-N. And if you're  
9 interested in going to the website, the entire website is  
10 frankmckinnon.com with no capital letters, and no space in  
11 between. I'll leave you with that.

12 MR. BROWN: Thanks very much.

13 Okay. Norbert Rempe, and Tim Burns will follow  
14 Norbert.

15 MR. REMPE: Good evening. On November 4 and 5,  
16 1999, I attended a National Academy of Sciences workshop  
17 on high-level waste, and what to do with it in the United  
18 States. This workshop was held in Irvine, California. I  
19 went there on my own money, and on my own time.

20 One of the keynote addresses during that  
21 workshop was given by Dr. Frank Parker. He's professor  
22 emeritus of civil engineering, and an international expert  
23 on radioactive waste management.

24 He is a professor emeritus at Vanderbilt  
25 University, and I tend to give great credence to any

1 statements by professors who are emeritus, because that  
2 means they're essentially disinterested, they don't have  
3 an axe to grind anymore.

4           Anyway, he said the following on what we can do  
5 with high-level waste in the United States. He said,  
6 Either we can put it into Yucca Mountain, or into WIPP.  
7 There was no rebuttal from anyone of the over 200  
8 attendees, and they were high-level attendees, pardon the  
9 pun, except for me, of course.

10           If this eminent expert who was, by the way,  
11 also a member of the NAS panel that looked over WIPP's  
12 shoulder over many years, if he thinks that WIPP is good  
13 enough for high-level waste, it's certainly good enough  
14 for greater-than-class C waste.

15           I agree, putting greater-than-class C waste  
16 into WIPP, or actually into an inactive potash mine, is  
17 neither brain surgery nor rocket science, because WIPP is  
18 robust. As a previous speaker mentioned, it was actually  
19 designed for high-level waste, for defense high-level  
20 waste, which was later stricken from the mission, but it  
21 was designed for that.

22           It takes currently remote handled waste, which  
23 is very similar in characteristics to a lot of greater-  
24 than-class C waste. We also have a worst case engineered  
25 analog nearby, the Gnome site, where in 1961 an

1 underground nuclear explosion was set off which did not  
2 harm the environment, and one could argue very easily  
3 that, if an underground nuclear detonation did not harm  
4 the environment, then putting either TRU waste or greater-  
5 than-class C waste underground, why should anyone worry  
6 about that?

7           So I agree, and -- I agree that WIPP would be  
8 perfect for greater-than-class C waste. But my agreement  
9 is a little bit conditional, and before I go into those  
10 conditions, let me tell you what makes me feel justified  
11 to say something about such a condition.

12           My professional qualifications include  
13 experience in potash mining, in oil and gas, and in WIPP.  
14 And I've also taught -- and actually, I saw my first  
15 operating underground waste repository in 1973. That was  
16 before even Sandia was even dreaming of WIPP.

17           Okay. And that was actually a place in Germany  
18 where they were putting away waste underground into old  
19 salt and potash mines. This is chemically toxic waste  
20 that has infinite half life, so one could argue it's worse  
21 than radioactive waste.

22           I have been personally engaged for WIPP by  
23 working there. I've invested my own personal time and  
24 treasure into it, and to me, WIPP and deep geologic  
25 isolation are not merely a professional concern, but they

1 are deeply personal.

2 So let's get back to the somewhat conditional  
3 approval. For that, to explain that, let's go back to the  
4 1999 workshop that I mentioned at the beginning. One of  
5 the sessions of that workshop was entitled, "What Factors  
6 Have Helped or Hindered National Programs."

7 That session was actually sort of lackluster.  
8 The only people who really brought anything substantial to  
9 the table were the Scandinavians. They had done some  
10 really good outreach work, and they were very successful  
11 in putting underground repositories into practice. And I  
12 think let's put that question, or that title of their  
13 workshop into a little sharper focus.

14 Let's look at the WIPP experience. WIPP has  
15 been operating now for over eight years. That's quite a  
16 while. I think what we could learn from WIPP is -- should  
17 be based on these questions, what would we do again the  
18 same as we have done it at WIPP, what would we avoid.  
19 There are things that we would do over again if we started  
20 from scratch, there are things we would not do again. And  
21 then, sort of related, what would we change or improve.

22 And I think, before we put greater-than-class C  
23 waste in here, we should think hard about these questions,  
24 and find some answers to these questions, because  
25 otherwise we're going to go down the same trail as WIPP,

1 and WIPP took too long, WIPP is too regulated, and WIPP is  
2 too expensive.

3 WIPP took too long. I find myself in splendid  
4 agreement there with Congressman Joe Skeen, when the first  
5 waste rolled through the gate, he said, "God almighty, why  
6 did it take so long?" Some of us remember.

7 World War II took six years to fight, and  
8 Churchill wrote a history of it in six volumes. Let's  
9 look at all the stuff that has been published about WIPP.  
10 It's ridiculous.

11 WIPP is too regulated. The risk from the  
12 hazardous constituents at WIPP is, according to EEG  
13 reports, published reports that have been repeatedly cited  
14 in all kinds of literature, is -- the risk from the  
15 hazardous constituents is one ten thousandths of that of  
16 the radiological constituents.

17 Nevertheless, the cost of complying with being  
18 regulated by the state, by the NMED, and the length of  
19 getting those permits is much longer and higher than  
20 dealing with the regulatory constituents. This is  
21 ridiculous, as well.

22 So in the past, we have considered these  
23 aspects of WIPP, too long, too expensive, and too  
24 regulated, as somewhat justifiable because of its pilot  
25 status. But they're becoming less defensible as we

1 accumulate opportunities to learn from that experience, to  
2 apply the lessons learned, to follow on projects -- on  
3 follow-on projects, and expansions.

4 The Current-Argus had an editorial on Saturday  
5 saying the WIPP mission could evolve; no, WIPP must  
6 evolve. And I think, if we want to put greater-than-class  
7 C waste in here, we should apply the lessons that we have  
8 learned, and make WIPP cheaper, get it out from under  
9 silly, superfluous regulations, especially the NMED  
10 regulation that doesn't add any value whatsoever.

11 The NMED -- the current -- or the recent  
12 mandate by the NMED on the errant drum retrieval increases  
13 the risk. Yes, we'll do it as safely as we can, but there  
14 is no doubt that it's a triumph of compliance over safety.  
15 This is silly. We should not follow that example with  
16 greater-than-class C waste.

17 And if we do not follow that, and if we learn  
18 from our experience, apply those positive lessons, as well  
19 as avoid the negative ones, then we have the ingredients  
20 of actually making Carlsbad the waste isolation capital of  
21 the world, for which it is eminently suitable.

22 MR. BROWN: Thank you.

23 Tim Burns, and Cliff Stroud will follow Tim.

24 MR. BURNS: I'd like to thank you for the  
25 opportunity to participate in this public process, and to

1 register my support for the deep geologic disposal option,  
2 as well as the WIPP and -- or WIPP vicinity options that  
3 are being considered in the EIS.

4 My name is Tim Burns. I've been a local  
5 resident of Carlsbad for over seven years. My family  
6 lives in Carlsbad. I intentionally moved in here because  
7 I felt like the environment is safe. I have a Ph.D. in  
8 chemistry, and I have worked in the radioactive waste  
9 management field for over 20 years.

10 In considering the proposed scope of the EIS, I  
11 have a few comments. Number one, the EIS should give  
12 increased weight to open proven repositories. WIPP has a  
13 proven track record to show that TRU waste can be safely  
14 disposed.

15 WIPP has the infrastructure, the procedures,  
16 the trained personnel, extensive site characterization,  
17 well developed methodology for conducting performance  
18 assessment in the salt environment, and so it has the key  
19 ingredients already established. There are very little  
20 doubt about the success of disposing of greater-than-class  
21 C and greater-than-class C-like waste in the WIPP  
22 environment.

23 Number two, permanent disposal by entombing in  
24 salt is better than shallow or intermediate depth options.  
25 And my observation there is that it would inconsistent to

1 dispose of defense transuranic waste in WIPP, and use less  
2 rigorous means for GTCC-like waste containing TRU isotopes  
3 in a less robust manner.

4 And finally, the community acceptance of a  
5 disposal facility's mission can make or break the ability  
6 to successfully carry out that mission. And Carlsbad and  
7 the southeastern New Mexico vicinity have shown that they  
8 will embrace a nuclear mission when it has proven that it  
9 can be done safely, and we have those ingredients in place  
10 at WIPP. Thank you.

11 MR. BROWN: Thank you.

12 Cliff Stroud, and Steve Casey will be next.

13 MR. STROUD: Good evening. My name is Cliff  
14 Stroud. I am a native New Mexican, and a resident of  
15 Carlsbad. I also have children and grandchildren who are  
16 residents of Carlsbad. And I'd like to thank Christine  
17 for her salient introductory remarks, and the DOE for  
18 holding these hearings.

19 I've been a student of WIPP for approximately  
20 30 years. In the beginning, I was ignorant of WIPP. I  
21 thought that it was better to leave dangerous chemicals  
22 and other hazardous materials, as well as radioactive  
23 materials, on the surface as opposed to placing them in a  
24 permanent geological repository for all time.  
25 Fortunately, I no longer suffer from that ignorance.

1 I'm going to speed this up a little bit, and  
2 hopefully in Christine's manner, so that I can get this in  
3 the record. I don't think that in a matter this important  
4 that brevity is necessarily desirable.

5 So I'd like to say that WIPP is the first, the  
6 world's first licensed and successfully operating deep  
7 geological repository for the disposal of radioactive  
8 waste. Today, societal agreement is broad, and it's to  
9 operate with, in a limited capacity, to only a specific  
10 category of waste, and that is transuranic, or TRU,  
11 created as a result of defense-related activities.

12 However, as you've heard, and may hear again,  
13 WIPP was originally conceived for the safe permanent  
14 disposal of many other radioactive materials, including  
15 high-level waste from processing irradiated fuel from  
16 nuclear reactors.

17 During the early days of testing, WIPP was  
18 demonstrated to isolate these more highly radioactive  
19 materials just as effectively as the defense TRU waste  
20 that it's currently licensed to dispose.

21 WIPP has demonstrated that safe, permanent  
22 disposal can be achieved, even shipping from sites across  
23 the country. The projected contact handled, or CH TRU  
24 waste that will be emplaced in WIPP totals approximately  
25 150,000 cubic meters. This should be compared to the

1 maximum limit imposed by the WIPP Land Withdrawal Act, or  
2 the LWA, of about 168,000 cubic meters.

3 With a projected disposal inventory so close to  
4 the legislative capacity limit, consideration should be  
5 given to increasing WIPP disposal capacity. As America,  
6 and especially New Mexico, realize just how safe and  
7 effective waste disposal in WIPP can be, it is time to ask  
8 what other way should be safely and permanently isolated  
9 in WIPP.

10 Not all radioactive or hazardous materials  
11 require such robust disposal to protect present and future  
12 human health and the environment. Long-lived and highly  
13 radioactive waste clearly need geological isolation.

14 DOE, many other federal agencies, and even  
15 commercial entities, have responsibility to manage and  
16 properly disposition GTCC waste. However, there are no  
17 disposal options currently available for this material,  
18 and it's considered to be orphaned. Disposal in WIPP  
19 should be considered as a safe, cost effective solution.

20 I'd like to remind the folks here tonight in  
21 the record, DOE sites of Hanford, Los Alamos, Oak Ridge,  
22 and Savannah River, at those sites, radioactive materials  
23 that would otherwise be considered defense-related TRU  
24 waste were emplaced, prior to the 1970s, by the Atomic  
25 Energy Agency, DOE's predecessor, in near-surface disposal

1 units, typically referred to as pre-1970 buried waste.

2 Recent Congressional interest, and an  
3 associated inspector or IG audit of the efficacy of this  
4 proposal, are ongoing. It may be that the court's,  
5 federal court's decision that "all" means "all" can be  
6 extrapolated to other DOE sites with pre-1970 buried  
7 waste. And this was Idaho where the court stated that.

8 There are also other waste streams that  
9 appropriately should be emplaced in WIPP. National  
10 security gains would be realized by opening WIPP for  
11 disposal of the imprudent and unattractive fissile  
12 material still under safeguards in domestic and foreign  
13 inventories.

14 Current projections of the TRU legacy, TRU  
15 waste, as I've stated, yet to be emplaced in WIPP, will  
16 just about fill the repository. That capacity was based  
17 on the simplistic inventory from about 1980. Almost 30  
18 years later, much more is known about the inventory of the  
19 waste destined for WIPP.

20 The current land withdrawal limit of 168  
21 thousand cubic meters represents only a small fraction of  
22 the repository footprint. The boundary could accommodate  
23 much more waste, and this would be at the same horizon.

24 Finally, the limit placed on remote handled TRU  
25 waste is arbitrary. There is no scientific basis for

1 limiting the amount of RH waste to less than 250,000 cubic  
2 feet.

3 As the nation finally realizes that nuclear  
4 power must play an important role in the overall energy in  
5 defense of the country, WIPP could provide a key nuclear  
6 waste disposal solution. The scientifically defensible  
7 disposal capacity in that ancient salt formation  
8 underlying the 16 square mile WIPP Land Withdrawal area is  
9 enormous.

10 At the dawn of the nuclear age, with a World  
11 War raging, there was little thought of what to do with  
12 the radioactive materials left over from the nuclear  
13 processes. However, by the mid-1950s, the U.S. Government  
14 had commissioned the National Academy of Sciences  
15 Committee to study and make recommendations on the best  
16 way to deal with radioactive waste from both the nuclear  
17 weapons program, and the generation of electricity from  
18 nuclear power plants.

19 While many options were evaluated, the  
20 Committee settled on a consensus recommendation in 1957  
21 that disposal in ancient salt deposits was the most  
22 permanent and cost effective method to isolate waste from  
23 the environment, literally forever.

24 Therefore, the Land Withdrawal Act should be  
25 amended to eliminate the volume disposal limit to allow

1 disposal of any volume that may be shown, by scientific  
2 and technical analysis, to meet the performance  
3 requirements of 40 C.F.R. Part 191.

4 Two, eliminate the arbitrary volume limit on RH  
5 TRU waste to include any combination of RH and CH TRU  
6 waste that meets the performance requirements of 40 C.F.R.  
7 Part 191. This could also require reconsideration of the  
8 stipulated amendments to the consultation and cooperation  
9 agreement between the DOE and the state.

10 Three, specifically authorize disposal of GTCC  
11 waste, and eliminate the restriction that only waste  
12 resulting from defense activities may be emplaced in WIPP.

13 Four, authorize the federal government to  
14 actively seek foreign fissile materials that could be a  
15 threat to national security and dispose of them in WIPP.

16 And finally, five, allow high-level waste and  
17 spent fuel unsuitable for reprocessing to be isolated  
18 forever in WIPP.

19 If we wait the amount of time that it has taken  
20 to open WIPP to do this, it may be too late for the  
21 environment, and also national security needs. So I  
22 encourage the Department of Energy to move forward  
23 rapidly, and the community, and the rational folks who  
24 would like to permanently isolate geologically radioactive  
25 and hazardous materials to continue charging forward.

1 Thank you.

2 MR. BROWN: Thank you.

3 Our next speaker has lovely handwriting, and I  
4 can't quite interpret. So let me try the last name, maybe  
5 they'll recognize it. It's Mr. -- I think, Jaftal. Is  
6 there somebody who's last name starts with a J?

7 Okay. If you don't mind spelling your name for  
8 the court reporter, and I'm sorry I'm not a better  
9 cryptologist. But anyway, welcome.

10 MR. JATKAR: Well, thanks for the comments on  
11 my penmanship.

12 MR. BROWN: Sure.

13 MR. JATKAR: Hopefully my comments are -- will  
14 get some credit too. I don't know.

15 Well, my name is Shrayas, it's spelled S-H-R-A-  
16 Y-A-S, and the last name is Jatkar, J-A-T-K-A-R.

17 MR. BROWN: Okay.

18 MR. JATKAR: I'm not from Carlsbad. I came  
19 down from Albuquerque, and, like Frank, I've been working  
20 on GNEP for a long time. And some of the things that --  
21 well, you know, I'll be honest, I don't know too much  
22 about WIPP, but what I've learned from looking at all the  
23 other nuclear facilities, it seems like some things should  
24 really be taken into account that aren't being addressed.

25 One of those I think is cumulative impacts, and

1 what I mean by that is the increasing number of facilities  
2 that are coming up in southeastern New Mexico. And by  
3 that, I mean the uranium enrichment facility, more and  
4 more waste coming to WIPP, a possible reprocessing and an  
5 advance burner reactor, either outside of Roswell, or  
6 between Carlsbad and Hobbs.

7           It seems to me that, instead of looking at each  
8 one of these projects in isolation, we should be  
9 understanding the cumulative impacts, and nobody seems to  
10 be addressing those. So I would like the DOE to at least  
11 start making some remarks and showing some concern for  
12 that, or at least addressing the reason why they haven't  
13 been doing so.

14           And the other thing, as folks have noted, there  
15 may be a lot of popular support here in Carlsbad for an  
16 expanded WIPP, I'm not -- I know for a fact that that is  
17 not true in other parts of southeastern New Mexico, and  
18 other parts of New Mexico and the United States. And a  
19 lot of this waste has to travel on highways and rail cars  
20 I'm sure, too, from other parts of the country.

21           And therefore, I ask you to start considering  
22 what their opinions may be, especially since some folks in  
23 the Roswell area, who's not too far away, you know, have  
24 some serious concerns. And so before people go ahead and  
25 think that there's just a whole lot of overwhelming

1 support, I think it should go on the record that there are  
2 communities that feel that they are impacted, that they're  
3 being impacted, and they'll be seriously jeopardized by  
4 increasing the amount of WIPP -- the amount of waste  
5 coming to WIPP or other facilities in this region.

6 And I think I'll just end there. Thank you.

7 MR. BROWN: Okay. Thanks very much.

8 Okay. Bob Forrest is next, and Russ Patterson  
9 will follow Bob.

10 MAYOR FORREST: When you didn't recognize the  
11 name, I thought you were talking about me.

12 But I just want to thank you for having these  
13 hearings --

14 MR. BROWN: Well, your handwriting's not all  
15 that great.

16 MAYOR FORREST: And I want to thank all the  
17 audience from here. You know, we've had great turn outs  
18 for the PIP project, and for GNEP, and, you know, I'm glad  
19 that we have the people at WIPP here tonight, because if  
20 anybody has to be concerned about the safety, it certainly  
21 has to be the employees out there.

22 And, you know, I've been with WIPP for 30  
23 years, and I can remember when they first came to town,  
24 and it was the Atomic Energy Commission, and they made a  
25 deal with Walter Jerrells, and Lewis Whitlock was part of

1 the deal, that they would come in for five years and do a  
2 study in Carlsbad, and if there was a chance that we  
3 didn't want this project, that they would leave and do  
4 something else.

5 But when we started back in the late '70s and  
6 early '80s, probably 35 percent of the people approved of  
7 this project. A lot of us didn't understand transuranic  
8 waste, and we went through the education process, and I  
9 kind of disagree with one gentleman that we rush it too  
10 quick, but we live in a fish bowl. Everybody's watching  
11 Carlsbad, everybody's watching this project.

12 And at one time when WIPP was trying to get  
13 open, I think we had over 26 oversight groups that we have  
14 to address, and how would you like to run your business  
15 like that. But it's made WIPP safer. Bill Richardson's  
16 made WIPP safer, Don Hancock's made WIPP safer.

17 And, gosh, I can remember sitting in those  
18 restaurants up at Santa Fe in the early -- late '80s and  
19 the early '90s, everybody in Santa Fe had a card in their  
20 window, Another Business Against WIPP. And I can remember  
21 sitting down with some of the anti's in Santa Fe and  
22 having coffee, and almost looking up the hill, and seeing  
23 Los Alamos, and seeing those drum of waste sitting there  
24 on asphalt pads and saying, you know, why not Carlsbad,  
25 why not 2100 feet underground?

1           And I can remember Don Hancock saying, you  
2 know, that is all right, and that's probably the best  
3 thing to do with it. But if WIPP ever gets opened and  
4 WIPP becomes successful, it's just going to enlarge. And  
5 that certainly is what has happened.

6           But I can't tell you how much I enjoy working  
7 on this project knowing how safe it is, and the progress  
8 we've made. And I was at Rocky Flats 10, 15 years ago,  
9 and I saw what it was. And you go up there today, and it  
10 makes you proud to know that we've been able to clean that  
11 facility up, we cleaned up five or six other sites.

12           But I think the sky's the limit with what we  
13 can do, but we have to have these hearings, we have to  
14 have this public input, and we welcome the gentlemen from  
15 Albuquerque and Roswell, and that waste doesn't come  
16 through Roswell anymore, it goes around Roswell, because  
17 we gave them a bypass to help get that waste.

18           But we want to work with everybody, and when  
19 you talk about global warming, and you talk about the  
20 problems facing the world, someone's got to step up to the  
21 plate. And when we were doing WIPP, we didn't have any  
22 competition. We were the only town, the only place that  
23 even would talk about this.

24           Today we go through the pit project, there were  
25 seven cities that stepped up to the plate. There's 11

1 sites that are looking to GNEP site, and all this I give  
2 credit to the WIPP project, and the success that we've had  
3 here, and LES, and all the people that have come to the  
4 area.

5           What a great success story it is, and I think  
6 it'll grow even more. But probably one thing that we  
7 don't get credit for, or we don't take the time to give  
8 credit for, is I can remember being in Sweeney Hall in the  
9 late '80s and the early '90s, and the people threw rocks  
10 at our bus.

11           And transportation was the big issue. We're  
12 going to lay down in front of those trucks, and I told my  
13 wife when I came home, I says, you know, we may never get  
14 that thing open. Transportation is going to be the big  
15 issue.

16           We sat down with Bob Neal, EEG, they redesigned  
17 the TRU pack from a square box back to the cylinder. We  
18 built those containers here in Carlsbad with city labor  
19 and people working here. We went up to Albuquerque, to  
20 Sandia, and watched it test. And today it's a license.  
21 What a great success story the transportation is. It runs  
22 through these cities today, and hardly anyone says a word.

23           It's the only 18-wheeler that's going 55 miles  
24 an hour, and two drivers, seven million miles of accident  
25 free. But it just shows what can be done when we work

1 together and we have these problems, and they're out there  
2 facing this great country, and I'm just glad that Carlsbad  
3 can be a part of this.

4 I just got back from a convention in Seattle,  
5 and I'm sitting up there with the people from Japan,  
6 Korea, and Great Britain, and France, and Europe and  
7 everywhere, and no one has a facility opened and licensed.  
8 And it makes you proud to say, Hey, we're the only  
9 facility in the world that's got a facility that's  
10 licensed.

11 And I think when the DOE and everybody analyzes  
12 what we're talking about with the greater-than-class C  
13 waste, that we'll win this hands down, and we'll move  
14 forward to the next step and everything. But when you  
15 take the WIPP site and you take the salt beds out there,  
16 and it's the size of a ping pong table, and you set a cup  
17 of coffee on the top of that ping pong table, that's the  
18 footprint that we're using presently today.

19 And why doesn't it make sense to expand WIPP,  
20 do other things, when you've got -- DOE's got the greatest  
21 success story of all their facilities right here in  
22 Carlsbad. But it didn't happen overnight. It took a lot  
23 of work, and it took a team of the community, the  
24 contractor, and DOE, and that's what it's going to take to  
25 continue.

1           And I feel very comfortable. I have  
2 grandchildren here, I have my own children here, and I  
3 wouldn't do anything to harm the environment of this city,  
4 but having these salt beds here that are 250 million years  
5 old make it a great opportunity. And we stepped up to the  
6 plate, and we don't have DOE to blame for this project, we  
7 don't have the Washington TRU Solutions to blame for this  
8 project. It was the citizens of Carlsbad that decided we  
9 want this project.

10           And looking back, and a lot of things you would  
11 change in 30 years, you couldn't have written a better  
12 script than what we did with WIPP, and the success we've  
13 had. And it was the best thing that every happened to  
14 Carlsbad.

15           And I just want to thank all of you again for  
16 coming out and your support, and thank DOE, I know DOE  
17 catches hell from time to time, but it's been a great  
18 ride, and I think when DOE built this facility, they came  
19 in here with the idea that they needed a success story,  
20 and they were going to make this thing work.

21           And I've often said, as mayor, if they give me  
22 a blank check and let me go out to that site and change  
23 anything I could to make a safer facility, there's nothing  
24 left. I mean, they have done everything, they've lived up  
25 to their end of the bargain, and I think that's one

1 reason, or one of the biggest reasons for our success.

2 And our future is unlimited, as long as we  
3 keep dotting our Is and keep crossing our Ts, and it  
4 certainly doesn't hurt to have two national labs here.  
5 But when you talk about per capita income of Artesia,  
6 Roswell, Hobbs, El Paso, all of southern New Mexico,  
7 Carlsbad is second to Los Alamos.

8 We have more Ph.D.s per capita than any other  
9 city, other than Los Alamos, and it has changed the face  
10 of the city. And people like good paying jobs, they're  
11 good safe jobs, and I think that's the reason we're seeing  
12 LES, WCS, there's a facility -- and our friends from  
13 Andrews, Texas.

14 And we were talking earlier, and I can remember  
15 25 years ago that people from the Midland-Odessa area were  
16 as bad as the people from Santa Fe. But it's a learning  
17 process, they've seen what's happened here at WIPP, Hobbs  
18 people. During our campaign for the mayors race I got  
19 criticized because we lost the LES facility. That's how  
20 tough the competition is today. But we've never had an  
21 elected official in Carlsbad in the last 25 years that  
22 opposed WIPP get elected to office.

23 But I think it's something we can all be proud  
24 of, and I think we've done a great service for this great  
25 country. But we couldn't have done it without everybody

1 working together, and I think that's where our future is,  
2 to continue to work, keep an open mind, make it safe, and  
3 have no secrets out there, and our future's going to be  
4 tremendous.

5 Thank you very much.

6 MR. BROWN: Thank you.

7 (Applause.)

8 MR. BROWN: Okay. Russ Patterson.

9 MR. PATTERSON: Thank you. My name is Russ  
10 Patterson. I work for the Department of Energy, but I'm  
11 here speaking as a private citizen. I feel like maybe  
12 Dean Martin following Jerry Lewis, or somebody, when I  
13 follow the Mayor.

14 I'm also going to probably pare a little bit of  
15 what Representative Heaton said, and I'm not even running  
16 for office. So I don't know why -- I do know you're going  
17 to hear some of the same things.

18 As a private citizen and a taxpayer, I believe  
19 WIPP is the most cost effective, safe place to put this  
20 waste. It's not a large impact --

21 MR. BROWN: You know what, that mike seems to  
22 be fading in and out, so let me trade mikes with you --

23 MR. PATTERSON: Sure.

24 MR. BROWN: -- because this seems to be  
25 working.

1 MR. PATTERSON: Yes, there's something going on  
2 with that one.

3 MR. BROWN: Yes, Bob talked too long.

4 MR. PATTERSON: That's one of the hazards of  
5 following Bob.

6 MR. BROWN: That's right.

7 MR. PATTERSON: Yes. Okay. As I was saying, I  
8 believe that WIPP is one of the safest and most cost  
9 effective places to put the GTCC waste. As we've heard,  
10 it's very similar to transuranic waste, and having been  
11 involved in both this project and the Yucca Mountain  
12 project, as I've worked at DOE, I have to say that I  
13 believe this a much safer place for all nuclear waste that  
14 is in the United States.

15 And basically, I support the idea of doing the  
16 EIS, and the putting of GTCC waste at the WIPP facility.  
17 And that's all I have to say.

18 MR. BROWN: Okay. Great. Thanks.

19 (Pause.)

20 MR. BROWN: That concludes the folks who signed  
21 up to speak. So let me ask at this point if there's  
22 anybody in the audience who would like to add any  
23 comments, you're certainly free to come forward. Anybody  
24 interested?

25 (No response.)

1 MR. BROWN: Okay. We are scheduled to stay in  
2 session until 9:00 to receive public comments. So what we  
3 customarily do in this circumstance is we will recess. If  
4 anybody decides that they would like to add any comments  
5 during the next 45 minutes or so, please see me and we  
6 will reconvene; the court reporter will be available to  
7 take your comments.

8 So, again, let me thank you all for coming out  
9 and all of your comments. And we will recess. Thank you.

10 (Whereupon, a short recess was taken.)

11 MR. BROWN: I'm reconvening the scoping meeting  
12 on the greater-than-class C environmental impact statement  
13 and asking if any other member of the public wishes to  
14 make a statement at this time.

15 (No response.)

16 MR. BROWN: Noting that no member of the public  
17 has indicated their interest, we will formally adjourn  
18 this meeting. Thanks very much.

19 (Whereupon, at 8:46 p.m., the hearing was  
20 concluded.)

21

22

23

24

25