

**PUBLIC COMMENT BEFORE THE  
HANFORD ADVISORY BOARD (HAB) —  
5 Pages that includes an Addendum**

**Location: Red Lion Motor Inn; Richland, Washington  
September 7, 2006**

**REGARDING: Jurisdiction, Justification, and Funding  
By: Gaidine Oglesbee, Independent National Advocate**

**The HAB membership is a small group of diverse contributors who are assigned by the members of Congress to advise the U.S. Department of Energy (USDOE) on Hanford issues. Taxpayer funding is allotted for this purpose each fiscal year. Consequently, public comment is part of the HAB's routine. I am definitely an American citizen, a passionate stakeholder, and a member of the public.**

**For the past 21 years, I agree to gather and disseminate relevant information for the purpose of representing my family, my friends, and my neighbors. I admit that I am a very passionate stakeholder for many reasons. There is no valid reason for anyone on this board to debate that issue with me.**

**Who among you are still willing to support the Hanford "Energy Employees' Occupational Illness Program" claimants? WE need any interested parties support. I am not sure if the HAB'S charter would still include this particular Hanford worker focus because by October 2004, it was the will of the Congress to "oust" the USDOE from the EEOICP process. The USDOE and their Navy contractor, Science and Engineering Associates (S.E.A.), were cited for inappropriate use of government funding and other transgressions.**

**This board does assume an advisory position regarding the safety and health of the Hanford workers and the community.**

**Yesterday, USDOE Richland location manager Keith Kline designated that nothing can be accomplished at Hanford without the "nuclear waste cleanup workers." That is a true statement. However, because of my knowledge and experience, I know that the unique Hanford workers' safety and health is not the USDOE agents' priority. For**

decades, profits and gains has been the USDOE contractors' priority which is recognized by many members of Congress. According to a "special agreement" with the Washington State, an old 1951 regulation, RCW 51.04.130, empowers the USDOE and the U.S. Secretary of Defense to control the industrial insurance coverage for Hanford workers in the interests of national security. And, the abuse of workers' benefit entitlements continues.

Yesterday, I was not aware of the time of day when I decided to provide public comment. So, accept my apology for re-focusing on the "Waste Treatment Plant" topic. Originally, it was promulgated that the resource would only process about 10 percent of the Hanford waste. Now, I believe 50 to 60 percent is advertised.

1. It is my observation and experience to know that the Officials are definitely not impressed by passive word engineered analysis. The Officials would not be impressed by any advisory board member's fears, especially in regard to funding. Any member who merely focuses on their fear of the loss of funding, or on the appeasement of the Officials for this reason, should not be on this board in my opinion.
2. The first paragraph of the topic "Waste Treatment Plant" draft paper should be accepted and promoted as a truthful statement that has already been introduced by the pro-active public at large; certain members of Congress; the media; and independent expert reviewers.

**EXCERPT:** "The pro-active public at large, et.al. are greatly concerned that Hanford's waste treatment plant is in significant jeopardy. There is no clear, credible plan in-place for retrieving, treating and disposing of all Hanford high-level nuclear waste in a timely manner. Compliance with the 'timely manner' mandate has elapsed. Members of the U.S. Congress, the media, independent expert reviewers, and the public have lost confidence in the U.S. Department of Energy."

3. Yucca Mountain may never open.

- 4. And, what about the 1,920 cesium and strontium capsules that are still stored in the Waste Encapsulation Storage Facility pool cells. The capsules are stored in the north end of the defunct B Plant facility that was closed in 1998? B Plant was originally slated as the site for the vitrification project. While inspecting these capsules, workers were harassed by their management which is recorded. The public at large has not forgotten that hydrogen buildup is of concern at this facility. I doubt that reasonable man would ever forget that the capsules represent a national security threat if "domestic or foreign terrorists" should choose to implement a ways and means to confiscate this lethal dose budget inventory. Nuclear facility security continues to be criticized by the government oversight agents.**
  
- 5. The truth is that the unique and capable tank farm workers are responsible for the eventual retrieval of the hazardous wastes. The exact identity of the toxic poisons that are stored in those tanks is unknown. Perhaps certain HAB members do not realize that many of the qualified workers are already diagnosed with diminished breathing with only 30 to 50 percent breathing capacity left. Usually, no special work restrictions are imposed. Either the workers perform their jobs as directed by their management, or they are threatened with repercussions including termination of their employment. The HAB's "expert witness" should be the workers and not the USDOE agents. The caretakers routinely recite their "no harm done to humans or the environment" phrase.**
  
- 6. The truth is, the unique and qualified Hanford workforce is dwindling. The surveys indicate that the new generation of workers and engineers are not interested in pursuing a nuclear industry career.**

**For your information, the following is a public statement made and recorded by the EEOICP assisting administrators:**

**"We expect at some point these regulations may face legal challenges, based on procedural and substantive grounds. Legal challenges are unlikely to occur before DOL renders final decisions denying cancer claims for which dose reconstructions were conducted." — Reference . . . NIOSH International Conference on U.S. "Energy Employees**

**occupational Illness Compensation Program . . . topic:  
"Adjudication of Radiation-related Cancer Claims Utilizing  
Dose Reconstruction and Probability of Causation  
Procedures" . . . Geneva, Switzerland August 26 - 30, 2002**

**A dismal reality. The USDOL's program stats are manipulated depending on who inquires. As of August 14, 2006, the National Subtitle B program stats indicate that of 53,130 worker cases filed, only 13,670 claimants of 600,500 have been compensated; and 24,777 claims have been denied since October 30, 2000.**

**As of August 14, 2006, the USDOL's Hanford Subtitle B program stats indicate that of 3,514 worker cases filed, only 448 claimants have been compensated and 1,889 claims have been denied. Subtitle E program stats indicate that of 3,316 Hanford worker cases filed, only 174 claimants are compensated; and 293 claims are denied since October 2004.**

**Remember to vote for those congressional representatives who support the Federal law and the provisions of the Constitution. Like many other Congressional representatives, why haven't our Washington State representatives declared that qualified Hanford workers are "Special Exposure Cohort" claimants?**

**Of interest. I attached an Addendum item which demonstrates the way the public at large effectively worked with the agencies to prevent the storage of high-level nuclear waste on the Skull Valley Goshute Reservation. Quote: "Today's combined actions effectively kill the PFS proposal." A court action may be filed.**



**Gai Oglesbee, National Independent Advocate  
nnvj\_goglesbee@charter.net  
EEOICP Claimant | Downwinder  
Richland, Washington  
National Nuclear Victims for Justice Domain Manager  
<http://www.nnvj-goglesbee-eeoicp-abuse.com>**

**Submitted this 7<sup>th</sup> day of September in the year 2006.**

## ADDENDUM

**Date:** Thursday, September 7, 2006 6:55 PM  
**From:** John Urgo <john@healutah.org>  
**To:** healutah-alerts@mailman.xmission.com  
**Subject:** [HEALUtah] Incredible news: PFS proposal likely dead

**This afternoon the Bureau of Land Management (BLM) and the Bureau of Indian Affairs (BIA) announced final decisions that effectively prevent Private Fuel Storage's (PFS) plan to store high-level nuclear waste on the Skull Valley Goshute Reservation!**

**The BLM today issued its decision to deny PFS a right-of-way to transfer and transport nuclear waste to the Skull Valley Goshute reservation. At the same time, the BIA issued their decision to "disapprove the proposed lease." (It appears the BLM listened to the 5,000 Utahns who submitted letters this past May, including over 1,000 from HEAL Utah members, supporters, and volunteers).**

**Although the Nuclear Regulatory Commission (NRC) issued a license to PFS in February, construction of the facility was contingent on approval from the BLM and the BIA. Today's combined actions effectively kill the PFS proposal.**

**Many thanks to all of you who contributed your time, energy, and resources (over the past 9 years!) to prevent this proposal from going through. It appears a campaign that to some extent served as the genesis for HEAL Utah may finally be put to rest. This is a clear example of politicians taking their lead from citizens and public input impacting the decisions of federal agencies.**

**It's now simply a matter of seeing whether PFS is willing to make a graceful exit and admit defeat, or whether they will prolong the process by dragging it out in the courts.**

**But most importantly, many thanks should be given to those members of the Skull Valley Band of Goshutes – including Margene Bullcreek and Sammy Blackbear – who are a lesson to us all. Despite living in very difficult economic conditions, those members of the tribe fighting the PFS proposal have had the moral fortitude, courage, and passion to fight for the integrity of their land and the health of their people, rather than selling it to the highest bidder.**

**Their example should be a lesson to Utah's policy makers as they decide whether our West Desert will continue to be used as the rug under which the nation's nuclear and toxic wastes are swept, or whether we will instead work to create clean, healthy communities in which to raise our families.**

**Victory party to follow!**

**Vanessa Pierce and John Urgo, Heal Utah**