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Draft Environmental Impact Statement

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UNITED STATES OF AMERICA

NUCLEAR REGULATORY COMMISSION

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PUBLIC MEETING ON PROPOSED MOX FACILITY

DRAFT ENVIRONMENTAL IMPACT STATEMENT

+ + + + +

WEDNESDAY,

MARCH 26, 2003

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AUGUSTA, SOUTH CAROLINA

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The Public Meeting was held in the North
Augusta Community Center, 495 Brookside Avenue
North Augusta, South Carolina, at 7:05 p.m., Francis
"Chip" Cameron, Facilitator, presiding.

PRESENT:

FRANCIS (Chip) CAMERON

LAWRENCE KOKAJKO

TIM HARRIS

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

1
2 MR CAMERON: Good evening everyone. My
3 name is Chip Cameron. I'm the Special Counsel for
4 Public Liaison at the Nuclear Regulatory Commission.
5 I just wanted to welcome all of you to the Nuclear
6 Regulatory Commission, the NRC's public meeting
7 tonight. And I have to say it's nice to be -- nice
8 for all of us at the NRC to be with all of you in
9 North Augusta. We've had several good meetings here
10 in the past, and we look forward to having a good
11 meeting tonight.

12 Our subject is the NRC's draft
13 environmental impact statement that the NRC has
14 prepared to help its -- help it make its decision on
15 the evaluation of the application for the construction
16 of the mixed oxide fuel facility. That application is
17 from the consortium of Duke, Cogema, Stone & Webster.
18 And you may be hearing that referred to tonight by its
19 acronym, DCS. We'll try to keep the acronyms down,
20 and explain what they are if we -- we use them. But
21 that's -- that's one you might hear tonight.

22 And I'm going to help out by serving as
23 the facilitator for tonight's meeting, to try to help
24 all of you have a -- a productive meeting tonight.
25 And I just wanted to go over a few things about the

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1 meeting process before we get into -- to our
2 discussions. One is the purpose, why the NRC is here
3 tonight. We're here, first of all, to clearly explain
4 what the NRC's process is for evaluating this
5 application that we received, and to specifically talk
6 about the findings that are in the draft environmental
7 impact statement that's been prepared.

8 And most importantly, we want to hear from
9 you, any concerns you have, any recommendations you
10 have about the draft environmental impact statement,
11 the NRC process for evaluating this application. And
12 the ultimate goal is to use the comments that we hear
13 tonight, the written comments that we receive, and
14 comments from some of the other meetings that we're
15 doing, that's going to help us to -- to make our
16 decision on the application and to prepare the final
17 environmental impact statement.

18 And what you hear tonight from -- from the
19 NRC and from -- from other people in the community may
20 help you to prepare your written comments, if you want
21 to -- to submit any written comments to us. But let
22 me just emphasize that whatever is said tonight, those
23 comments will carry the same weight as written
24 comments. And we are taking a transcript tonight.
25 Melanie is our stenographer. And we will have a

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1 written record of what is said tonight. And that will
2 also be available to anyone in the public who wants to
3 see that transcript.

4 In terms of the format for the meeting,
5 we're going to try to keep it real simple. We have a
6 couple of brief -- two brief NRC presentations to give
7 you some background information, and then we're going
8 to go out for a question-answer period with you, make
9 sure that -- that everybody understands what we're
10 doing. And then we're going to go to you for a -- a
11 comment session. And I don't want to say formal
12 comment, although it is in a sense. We want to try to
13 be as informal as possible tonight and -- and just
14 have some good discussions. But when we get to the
15 comment portion of the meeting, you can either come up
16 to this podium and make your comment, or I'll bring
17 you this -- this talking stick, this cordless mic, and
18 you can -- you can use this to make your comments.

19 And sometimes it's -- we all know it's --
20 it's difficult to perhaps separate a question from a
21 comment, or a question might lead into a comment. And
22 so, when we're into question-answer period, it's fine
23 if you sort of segue into a comment, but we really do
24 want to save that question-answer period for -- for
25 informational questions for the -- for the NRC.

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1 And in terms of ground rules, when we're
2 in the question-answer period, if you have a question
3 just signal me and I'll -- I'll bring you the
4 microphone. And please tell us your name and
5 affiliation, if appropriate, so that we'll have that
6 on the transcript. And I would just ask you to try to
7 be concise as possible. I know that's difficult
8 because this is a complex issue. But if you try to do
9 that, then we can make sure that everybody who's here
10 tonight who wants to talk can have an opportunity to
11 speak.

12 And when we get to the formal comments, we
13 do have a lot of people signed up to talk tonight. So
14 I'd like to keep the individual comments at five
15 minutes; so that if you could try to keep it to five
16 minutes, everybody will benefit from that. And I'll
17 remind you when you're -- when you're getting there,
18 although most people don't take that -- that five
19 minutes. And I would just ask that only one person
20 speak at a time, for obvious reasons, so that we can
21 get a clean transcript, and also so that we can give
22 our full attention to whomever has the floor at that
23 time.

24 In terms of agenda, we're first going to
25 go to Lawrence Kokajko, who is right here. And

1 Lawrence is the acting Branch Chief of the
2 Environmental and Performance Assessment Branch at the
3 NRC. It's in our Office of Nuclear Materials, Safety,
4 and Safeguards. And Lawrence's staff had a
5 responsibility for doing the evaluation, the
6 environmental evaluation on this DCS application to
7 construct this facility, and also for doing
8 environmental evaluations on other -- other
9 facilities. And Lawrence has been with the Agency for
10 about 14 years. And before he became the acting
11 Branch Chief, he was chief of a -- a Special Risk Task
12 Group that the Agency had formed to take a look at how
13 to make our processes more -- more risk-informed. And
14 he's been involved in reactors and spent fuel
15 activities at the NRC, also. And Lawrence is just
16 going to give you an overview of what the NRC is, how
17 this environmental evaluation fits into our
18 responsibilities.

19 And then we're going to go to Mr. Tim
20 Harris, who's right here. And Tim is going to tell us
21 about the findings in the draft environmental impact
22 statement, what the schedule is for completing the
23 environmental impact statement, how you submit
24 comments, important information. And he's the Project
25 Manager on the environmental review on this

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1 application. And he's been with the -- the Agency for
2 about nine years now, and has a civil engineering
3 degree from the University of Maryland. And he's one
4 of Lawrence's staff.

5 And I should -- before I stop, just to
6 make sure everybody knows, we have Dave Brown here
7 with us. And Dave is the Assistant Project Manager on
8 the safety evaluation on the DCS application. And
9 introducing him allows me to make an important point.
10 The NRC's decision on this application has two major
11 components to it. One is the environmental evaluation
12 that we're here to talk about tonight; and the other
13 is the safety evaluation of the proposed facility.
14 And both of those come together to help the NRC make
15 a decision. So we do have Dave here tonight in case
16 there are questions on any of the safety issues, and
17 perhaps we can explain the difference between those a
18 little bit more in -- in the discussion.

19 And with that, I just would thank you for
20 -- for being here tonight. And we're going to go to
21 Lawrence Kokajko.

22 Lawrence?

23 MR. KOKAJKO: Thank you, Chip.

24 Can everyone hear me? Can everyone hear
25 me? Let's try the cordless. Does it work now? No?

1 Okay. It's working; right?

2 MR. CAMERON: It's working. I think it
3 just isn't quite level.

4 MR. KOKAJKO: How about now? Excellent.

5 Good evening. My name is Lawrence
6 Kokajko, and as Chip said, I am the acting Branch
7 Chief for the Environmental and Performance Assessment
8 Branch at the Division of Waste Management in the
9 Office of Nuclear Materials, Safety, and Safeguards at
10 the Nuclear Regulatory Commission. And I'd like to
11 welcome you to this meeting on the NRC's draft
12 environmental impact statement for the proposed mixed
13 oxide or MOX fuel fabrication facility.

14 I'd like to thank you for taking your time
15 out of your busy schedule to be here this evening.
16 And we do appreciate it. And we do value your input.
17 And we look forward to hearing from you this evening.

18 This meeting is one of a series of
19 meetings planned to inform the public about the
20 environmental impact statement, or the EIS, for the
21 proposed MOX project, and to solicit public comments.
22 Last night we met in Savannah, and tomorrow night we
23 meet in Charlotte.

24 There are three handouts that you should
25 have received on the way in. You should have received

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1 a set of slides; an agenda, facts sheet, and
2 comparison of alternatives; and then feedback forms.
3 We would appreciate hearing you responding to the
4 questions on the feedback forms, and either handing it
5 back to an NRC staff person, or you can staple the
6 form together and drop it in the mail. If the NRC
7 people could raise their hand one more time so you
8 could give it to one of us. I think John Hull there,
9 as well. You can drop it in the mail, as well. The
10 form is self -- is addressed, and postage has already
11 been paid.

12 If you would like a copy of the draft
13 environmental impact statement, we have a limited
14 number here. And if we run out, we will mail you a
15 copy. Next slide. Next slide.

16 As Chip mentioned, the presenters tonight
17 will be myself, as well as Mr. Tim Harris of my staff.
18 We've included our phone numbers and Email addresses.
19 And please feel to contact us (sic) if you have any
20 questions after this meeting. And we will be hanging
21 around a little bit in case you have some other
22 comments you'd like to talk to us about.

23 The purpose of tonight's meeting is to get
24 your comments on the draft environmental impact
25 statement. Before we hear your comments, we'll

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1 provide some information on the NRC's role on the
2 proposed MOX project, and describe the *National*
3 *Environmental Policy Act* and the EIS process, and how
4 the EIS fits into the NRC's decision-making process.
5 Tim will give an overview of the draft environmental
6 impact statement, and then there will be time to
7 answer questions. Next.

8 The proposed MOX facility would take
9 surplus weapons plutonium and depleted uranium and
10 make nuclear reactor fuel. Congress, in the *Defense*
11 *Authorization Act of 1999*, gave NRC a role in the
12 proposed MOX project. Specifically, NRC has licensing
13 authority over the MOX facility, so our role is to
14 make a licensing decision regarding the safe operation
15 of that facility.

16 The NRC is an independent government
17 agency, and our mission is to protect the public
18 health and safety, and the environment, in the
19 commercial uses of radioactive material. Our role is
20 different from the Department of Energy's. The
21 Department of Energy's role in this project relates to
22 implementing the United States nuclear non-
23 proliferation policy, including the disposition of
24 surplus weapons plutonium.

25 The Department of Energy also has a

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1 responsibility to design, build, and operate two
2 facilities that support the proposed MOX facility.
3 These two facilities are the pit disassembly and
4 conversion facility, or the PDCF, and the waste
5 solidification building, or the WSB. While the pit
6 disassembly and conversion facility and the waste
7 solidification building are considered in the NRC's
8 environmental review, it is important to note that the
9 NRC does not have licensing authority over these
10 support facilities. That responsibility rests with
11 the Department of Energy. The NRC only has authority
12 over the proposed MOX project.

13 I'd like to briefly describe the EIS
14 process. The *National Environmental Policy Act*
15 requires government agencies to prepare an
16 environmental impact statement for major federal
17 actions such as the potential licensing for the
18 proposed MOX project. An environmental impact
19 statement presents an environmental impacts (sic) of
20 a proposed action, along with reasonable alternatives
21 to that proposed action. Note that the bolded areas
22 are opportunities for public involvement in the
23 process, and we consider this a very important part of
24 the EIS process.

25 The NRC's involvement in the MOX project

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1 started when Duke Cogema Stone & Webster, the
2 applicant, submitted an environmental report and
3 requested to construct the MOX facility. We published
4 a notice of intent to prepare an environmental impact
5 statement in the *Federal Register* in March of 2001.
6 During the scoping process, the public helped
7 determine what issues would be addressed in the
8 environmental impact statement. We have now completed
9 the draft environmental impact statement in February
10 of this year, and we sent copies to approximately 550
11 people in that month.

12 We are currently in the public comment
13 period for the draft environmental impact statement.
14 This meeting is being transcribed, and comments made
15 here tonight will be included in the official comment
16 record. The last slide will show ways you can comment
17 additional -- submit comments additionally. We will
18 review and consider the public comments and finalize
19 the EIS later this year. Next slide.

20 As I mentioned earlier, NRC's role is to
21 make a licensing decision regarding the proposed MOX
22 facility. I'd like to take a few minutes to describe
23 the licensing process, and how the environmental
24 impact statement we're discussing tonight fits into
25 NRC's decision-making process. There are two

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1 decisions that the NRC will make for the proposed
2 facility. The first is whether to authorize
3 construction of the facility, and the second is
4 whether to authorize operation of the facility. These
5 decisions are shown in the middle of the slide. The
6 NRC's environmental review is shown at the top portion
7 of the slide, and consists of preparing the final
8 environmental impact statement. The final
9 environmental impact statement will be used by NRC to
10 decide whether to authorize construction, and later
11 whether to issue a license to operate the MOX
12 facility.

13 The NRC's safety review is shown at the
14 bottom portion of the slide. The safety evaluation
15 report for the construction authorization request
16 focuses on a safety assessment of the proposed design
17 bases to determine if it meets NRC's requirements.
18 NRC's final environmental impact statement and safety
19 evaluation report for the construction authorization
20 request will be the basis for making a decision on
21 whether to construct the proposed MOX facility. We
22 anticipate making that decision later this year.

23 Duke Cogema Stone & Webster plans to
24 submit a license application to operate the proposed
25 facility in October of 2003. The safety evaluation

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1 report on the operating application and the FEIS will
2 be the basis for making a decision on whether to allow
3 them to operate the proposed MOX facility. There will
4 also be two opportunities for hearings. John Hull,
5 with our Office of General Counsel, is here, and he
6 can answer questions related to the hearing process.
7 To summarize, a single environmental impact statement
8 will be used to support a decision to construct and
9 later operate the proposed mixed oxide fuel
10 fabrication facility.

11 Now I would like to turn this over --
12 presentation over to Mr. Tim Harris, of my staff. Mr.
13 Harris is the Project Manager and the Lead for the
14 Environmental Review for the MOX project at the NRC.
15 Tim?

16 MR. CAMERON: And if I could just
17 interject one thing. Tim has a lot of material for
18 you, and he's boiled it down to a minimum. And you're
19 going to have a lot of questions, I know, as he goes
20 through that. But what we'd like to do is to let him
21 get through his presentation, and if you could just
22 note your questions on the view graphs, then we'll --
23 we'll go back out to you and get those -- those
24 questions.

25 MR. HARRIS: Thank you, Chip.

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1 Can everybody hear me?

2 What I'd like to do is discuss the
3 alternatives that we considered in detail in the
4 environmental impact statement; and also those
5 alternatives that we considered, but did not analyze
6 in detail. Then I'll provide a summary of the impacts
7 in they DEIS.

8 To understand better how we decided which
9 alternatives to consider in detail, and those that we
10 did not, that relates to the purpose and need of the
11 environmental impact statement. As we stated in our
12 notice of intent that Lawrence mentioned, the purpose
13 and need of the MOX facility that's presented in this
14 draft environmental impact statement is essentially
15 the same as used by the Department of Energy in its
16 programmatic EIS's for the surplus plutonium
17 disposition program. Those are: The purpose and
18 needs relate to agreements between Russia and the
19 United States to reduce the threat of nuclear weapons
20 by insuring that those materials are converted into a
21 proliferation-resistant form. It also relates to
22 reducing the risk of plutonium falling into the hands
23 of terrorists or rogue states.

24 The draft environmental impact statement
25 evaluates two alternatives in detail. These are the

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1 no-action alternative and the proposed action. And
2 I'll describe those. The no-action alternative would
3 be continued storage of this surplus plutonium at
4 existing DOE sites. The no-action alternative is used
5 as a baseline to compare alternatives in an
6 environmental impact statement.

7 The proposed action includes impacts from
8 constructing, operating, and later decommissioning the
9 proposed MOX facility. It also includes impacts
10 associated with other connected actions, such as
11 transporting radioactive materials. As Lawrence
12 mentioned, DEIS also includes impacts associated with
13 the two DOE support facilities that he mentioned, the
14 pit disassembly and conversion facility, and the waste
15 solidification building. DEIS also includes impacts
16 associated with the potential use of MOX fuel. For
17 the proposed action, we also evaluated differences in
18 using a sand filter, which was a topic I think was
19 raised here during scoping, with using a HEPA filter
20 system that was proposed by DCS.

21 As I said before, the purpose and need
22 determined which alternatives we analyzed in detail,
23 and those that we considered, in discussing the
24 environmental impact statement, but did not analyze in
25 detail. In addition to siting and technology options

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1 evaluated by DCS in its environmental report, several
2 alternatives were raised during scoping, and also at
3 our meetings here last fall.

4 Immobilization was initially considered as
5 a reasonable alternative. However, following the
6 Department of Energy's amended record of decision for
7 the surplus plutonium disposition program, DOE
8 believed that an immobilization-only approach would
9 not meet the U.S.-Russia agreements. Therefore, it
10 did not meet the purpose and need, and that
11 alternative was not analyzed in detail in the EIS.

12 Another alternative that was raised at the
13 Charlotte meeting that we had last fall was
14 deliberately making off-specification MOX fuel. And
15 I'll describe what that is. Essentially, the surplus
16 plutonium has impurities in it that, in order to use
17 it in a reactor, need to be removed. This off-
18 specification MOX fuel alternative consists of not
19 removing those impurities. It would also include not
20 burning the fuel or using the fuel in a reactor.
21 Instead, you'd make the MOX fuel off-specification,
22 which had the impurities, and then you would store it
23 at spent fuel pools at existing reactor sites prior to
24 disposal in a geologic repository. Again, we felt
25 that this alternative did not insure that it was going

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1 to be proliferation-resistant, and did not meet the
2 purpose and need.

3 The proposed action and no-action
4 alternative impacts were evaluated for the following
5 comprehensive list of technical areas. The technical
6 areas on the right are considered to be less
7 significant, and those are discussed in appendices.
8 The technical areas on the left are discussed in the
9 body of the report, and these are because these are
10 issues that we felt had more significant impacts or
11 were raised during scoping, and these were issues that
12 were more important to the public. So we provided
13 detailed discussion in the body of the report.

14 To allow more time for public comment, I'm
15 only going to focus on the impacts on the left. These
16 are human health risk, air quality, hydrology, waste
17 management, and environmental justice. In addition,
18 I'll summarize the impacts associated with
19 transporting radioactive materials related to this
20 project, and also the potential use of MOX fuel. And
21 I'll also provide a summary of the cost benefit
22 analyses.

23 First, I'd like to summarize the impacts
24 associated with the no-action alternative. The
25 impacts of this alternative were previously evaluated

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1 by the Department of Energy. And the impacts that are
2 presented in their draft environmental impact
3 statement are essentially the same as those in -- in
4 their previous -- DOE's previous environmental impact
5 statements.

6 We've included in the packet of
7 information that Lawrence mentioned comparison tables,
8 so that if you want to look at numerical differences
9 for any particular resource area, what was the person
10 rem for the no-action alternative compared to the
11 proposed action, you have the numbers in your hands.
12 When I talk about them tonight, I'm just going to
13 summarize them relative to current SRS conditions.

14 The impacts associated with the no-action
15 alternative to the public and workers are considered
16 to be low, and there would be no significant air
17 quality or water quality impacts associated with this
18 alternative. As you can imagine, storing material in
19 a building doesn't generate a lot of water concerns or
20 air concerns. There was also no significant waste
21 management concerns or environmental justice concerns.

22 Now I'd like to walk through the technical
23 areas for the proposed action. And again, the
24 proposed action includes the impacts associated with
25 three facilities: the proposed MOX facility; the pit

1 disassembly and conversion facility; and the waste
2 solidification building. There would be no adverse
3 chemical or radiological impacts during construction
4 from operating the three facilities. The annual
5 public collective dose would increase by about 11%
6 above what is currently received at the Savannah River
7 Site. And the following slide will help put that in
8 perspective. While 11% seems like it may be of
9 concern, the numbers are actually quite small. Next
10 slide, Dave.

11 This slide shows radiation doses from
12 several sources, and also NRC's annual public dose
13 limit. The average annual dose from natural radiation
14 -- natural background includes radiation from the
15 earth, and also from space, and is about 360 millirem.
16 And a millirem is just a measure of radiation dose.
17 The annual public dose limit -- NRC's annual public
18 dose limit is 100 millirem. You would receive about
19 six millirem if you had a chest X-ray. The annual
20 dose to the public from normal operations of the
21 proposed MOX facility, PDCF, and waste solidification
22 building is less than one millirem.

23 Accidents have the greatest potential
24 consequences of the impacts that we evaluated in the
25 draft environmental impact statement. Two

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1 conservative scenarios were evaluated for a number of
2 potential accidents. These scenarios are the short-
3 term scenario, which assumed that people were exposed
4 by inhaling contaminated material from a plume that
5 would be generated following an accident. We also
6 evaluated a long-term scenario, which includes the
7 impacts of the short-term scenario, as well as impacts
8 associated with eating crops that could become
9 contaminated.

10 Potential accident impacts are evaluated
11 in terms of risk. The classical definition of "risk"
12 is the probability of an event times the consequences
13 of the event equals the risk. In keeping with NRC's
14 mission to protect public health and safety, we want
15 to insure that the overall risk to the public is very
16 small. Therefore, events that result in significant
17 impacts are required to be made highly unlikely
18 through the use of design safety features. And these
19 design safety features are currently being evaluated
20 as part of the safety evaluation process that Lawrence
21 talked about.

22 In March we notified a number of
23 stakeholders that we had identified an error in the
24 accident consequences due to a computer code bug. We
25 felt that it was important to inform stakeholders in

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1 a timely manner. And, in fact, I think I found out
2 about the -- the error on a Monday after, and by
3 Thursday afternoon we'd issued a letter to about 500
4 people. So we felt it was very important to provide
5 the public with accurate information.

6 During our subsequent review, we found an
7 additional error in wind data that was provided by
8 Duke Cogema Stone & Webster. This error essentially
9 doubles the impacts associated with normal operations
10 and potential accidents. These errors, however, do
11 not change NRC's conclusion or preliminary
12 recommendations. The numbers presented on the slide
13 and the numbers in the comparison table which you
14 have, have been updated. We also plan to issue errata
15 sheets to people that were mailed copies of the EIS.
16 By you attending this meeting, you'll get a copy of
17 the errata sheets, and also we'll post those on the
18 web.

19 Hypothetical events that caused the
20 highest consequences were an explosion event at the
21 proposed MOX facility. This hypothetical accident
22 would be estimated to result in less than 50 latent
23 cancer fatalities for the short-term exposure, and
24 less than 200 latent cancer fatalities for the one-
25 year exposure scenario. The other event was a tritium

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1 fire at the pit disassembly and conversion facility.
2 This event was estimated to result in less than one
3 latent cancer fatality in the short-term, and less
4 than 100 latent cancer fatalities for the one-year
5 exposure scenario. These estimates are conservatively
6 derived, and do not include credit for intervention
7 actions that would be taken to reduce long-term
8 exposure resulting from eating contaminated crops. We
9 didn't -- these numbers assumed that those events
10 wouldn't happen. So -- so we think that these are
11 bounding numbers.

12 The probability of these hypothetical
13 events occurring is considered to be highly unlikely,
14 as I mentioned before. Part of the safety review is
15 to make sure that the safety processes and features
16 are into the plant to make sure that the accidents are
17 highly unlikely. These consequences of these highly
18 unlikely events are significant. However, we believe
19 that the overall risk to public health and safety is
20 very small.

21 Air quality relates to compliance with the
22 *National Ambient Air Quality Standards for Emission of*
23 *Chemical Pollutants*. Air quality at the Savannah
24 River Site already exceeds the particulate matter 2.5
25 micron or PM 2.5 standard. The proposed action would

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1 result in a 0.1% increase during construction, mainly
2 due from earth-moving activities; and a 0.01 increase
3 during operations. However, the Environmental
4 Protection Agency has delayed implementation of this
5 standard. If and when attainment plans are developed
6 by states such as Georgia and South Carolina, the
7 Savannah River Site could be required to reduce PM 2.5
8 emissions, and this could have some future impact to
9 the MOX facility.

10 Next I'd like to talk about surface water.
11 Surface water would not be significantly affected
12 during construction through the use of sedimentation
13 control measures. And there would be no direct
14 operational discharges to surface water. Waste from
15 the proposed MOX facility would be managed by the
16 Savannah River Site. Discharges from existing
17 Savannah River Site waste management facilities are
18 not anticipated to change significantly as a result of
19 processing this waste.

20 Groundwater would be used during
21 construction and operation. Approximately 37% more
22 groundwater would be used in the "F" area in the
23 proposed action. Their existing groundwater wells and
24 existing capacity is present to allow this water to be
25 used, and we don't believe that the use of this water

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1 will create a significant impact on the aquifer or
2 water quality.

3 There would be no significant impacts on
4 the Savannah River Site waste management capability
5 from processing the proposed waste of the proposed
6 action. Operation of three facilities would generate
7 about 300% more transuranic waste than is currently
8 being generated at the Savannah River Site. This
9 transuranic waste is planned to go to the waste
10 isolation pilot plant in New Mexico for disposal, and
11 the volume of the TRU waste that would be generated
12 would be about 3% of the waste isolation pilot plant
13 disposal capacity. Operation of the three facilities
14 would increase low level waste by about 32%, and non-
15 hazardous waste by about 60%. But again, the current
16 Savannah River Site waste management system can
17 accommodate these waste volumes.

18 An executive order issued by President
19 Clinton directed federal agencies to address any
20 disproportionally high or adverse human health or
21 environmental effects on low income and minority
22 populations. This is commonly referred to as
23 environmental justice. The impacts from construction
24 and operation of these facilities are not high or
25 adverse. Therefore, there would be no environmental

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1 justice concern associated with construction or
2 operation. However, due to the prevailing wind
3 directions, there is a potential impact on low income
4 and minority populations from these highly unlikely
5 events.

6 The risk associated with these accidents
7 is considered to be small to all populations.
8 However, the NRC felt it was important to include
9 mitigation measures to reduce these potential impacts
10 to low income and minority populations.

11 Transportation of materials was identified
12 during scoping as an important concern to many
13 stakeholders. The transportation analysis includes
14 the shipment of surplus plutonium from various DOE
15 sites to the Savannah River Site, and also depleted
16 uranium from an existing enrichment facility to a
17 conversion facility where it would be converted to a
18 powder form, and then to the Savannah River Site.

19 We also provided an analysis of shipping
20 fresh MOX fuel from the Savannah River Site to a
21 generic Midwest reactor. The impacts associated with
22 this transportation would be less than one latent
23 cancer fatality from routine transport to the public
24 along transportation routes, and also to
25 transportation crews. Hypothetical accidents result

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1 in insignificant impacts.

2 The potential impacts associated with
3 using MOX fuel are discussed in the environmental
4 impact statement on a generic basis. The collective
5 dose to members of the public from normal operations
6 would be essentially the same, whether a reactor used
7 low enriched uranium fuel, or a mixture of the MOX
8 fuel and low enriched uranium fuel.

9 We also looked at various design-based
10 accidents, and found that the risk associated with
11 developing a latent cancer fatality between low
12 enriched uranium fuel and a mixture of MOX fuel varied
13 from about 6% lower to 3% greater. We also looked at
14 beyond design-basis accidents. The risk there would
15 vary from about 7% lower to about 14% greater.

16 We have recently received an application
17 from Duke Energy to place lead test assemblies in
18 either the Catawba or McGuire reactor. We will do
19 additional site-specific evaluations before these lead
20 test assemblies are placed in those reactors, and
21 before MOX fuel would be placed in any reactor. That
22 is, the NRC would determine whether it's safe to do
23 that before it's allowed to happen.

24 The draft environmental impact statement
25 includes a cost benefit analysis on both a national

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1 scale and a regional scale. The cost benefit analysis
2 is used by the NRC to determine its preliminary
3 recommendation. On a national scale, the project
4 would cost about \$3.85 billion. The national benefits
5 would include safe use of excess weapons plutonium,
6 and also employment and income.

7 On a regional scale, which includes 15
8 counties surrounding the Savannah River Site, which
9 would be of interest to you all, the proportion
10 national cost within that region would be about \$8
11 million. The regional environmental costs are
12 considered, and the impacts presented in the draft
13 environmental impact statement conclude that the
14 impacts are not significant. The regional benefits
15 would include \$350 million of income during
16 construction, and about \$640 million during operation.

17 In conclusion, the impacts of the proposed
18 action are generally not significant. Accident
19 impacts from the pit disassembly and conversion
20 facility and the MOX facility are significant.
21 However, the probability of such an accident is
22 considered to be highly unlikely. Therefore, the
23 overall risk to the public is considered to be very
24 small. There is a potential environmental justice
25 concern should an accident occur. And, again, NRC has

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1 proposed mitigation measures to reduce those potential
2 impacts.

3 Staff's preliminary recommendation is the
4 proposed action with appropriate mitigation measures
5 to reduce potential impacts in all areas. Before
6 making any decision, NRC will consider comments here
7 tonight, and decide whether changes need to be made in
8 the environmental report -- I'm sorry, environmental
9 impact statement, and then we'll finalize the
10 environmental impact statement, as Lawrence mentioned.
11 He also mentioned that we're doing a safety evaluation
12 report, and that -- those findings would be completed
13 before NRC makes any decision whether or not to
14 authorize Duke Cogema Stone & Webster to construct the
15 MOX facility.

16 When DCS submits an operating license
17 application, NRC will review that application, and
18 prepare a second safety evaluation report. NRC will
19 only grant authority to operate the MOX facility if it
20 can be shown to be safe.

21 The next slide shows ways that you can
22 submit comments. You can either submit them in
23 writing, you can Email them to me. There's also a
24 place on the Web where you can type in comments, or
25 you can fax them to me. Comments are due by May 14th.

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1 And I would ask that when you provide your comments,
2 if you can provide detail that helps us in determining
3 how to -- how to address your comment. You know, a
4 comment that says, "I'm for the proposed MOX
5 facility," "I'm against the MOX facility," are nice.
6 But if you say, "I'm against the MOX facility because
7 I don't like XYZ," that's a much -- much more useful
8 comment to us. Or if you say, "I'm for the proposed
9 MOX facility because it would create jobs in the
10 area."

11 But that concludes my remarks, Chip, if
12 you...

13 MR. CAMERON: Oh, great.

14 MR. HARRIS: Be happy to answer questions.

15 MR. CAMERON: Great. And thank all of you
16 for your patience. That was a lot of material. And
17 let's go out to people for -- for questions now.

18 Yes, sir? And if you could just give us
19 your name, please.

20 MR. MARESKA: Bill Mareska, Augusta,
21 Georgia. To Tim or Lawrence, is the DOE or the NRC
22 prepared to terminate any further action and abandon
23 creating the MOX facility if the Russian and American
24 political agreement on MOX construction falls through?
25 This was the principal reason for choosing MOX over

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1 immobilization. And if those agreements fail, is the
2 NRC or the DOE prepared to terminate the MOX facility
3 construction and revisit immobilization?

4 Thanks.

5 MR. HARRIS: That's a good question which
6 maybe will help identify the differences in roles
7 between the Department of Energy and the Nuclear
8 Regulatory Commission.

9 The Department of Energy, as Lawrence
10 mentioned, has the overall mission to -- for the
11 surplus weapons plutonium. And they talk to Russia
12 and are involved in the agreements. So if something
13 happens between Russia and the U.S. relative to the
14 agreements, those decisions would be made by DOE. NRC
15 is only involved in determining whether or not the
16 proposed MOX facility can be built and operated
17 safely.

18 MR. CAMERON: And I think that -- that
19 answers...

20 MR. HARRIS: Does that answer your
21 question?

22 MR. CAMERON: And if there -- I imagine if
23 there was some type of a change that caused the
24 Department of Energy to reevaluate, then they might
25 withdraw the application or something like that.

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1 MR. HARRIS: Right. But those -- those
2 decisions would be made by others.

3 MR. CAMERON: Okay. Yes, let's go back
4 here.

5 Yes, ma'am. And please give us your name.

6 MS. ROCHE: My name is Peggy Roche. I'm
7 with Carolina Peace Resource Center. And I had
8 several questions.

9 One thing, I think the man's question
10 needs to be addressed by somebody, because it's my
11 understanding that the Russians have halted their MOX
12 facility plans at the moment, so that we are currently
13 in violation of that agreement.

14 Now, another thing is that you mentioned
15 terrorist attacks. What better "come and get me" is
16 there than having 100% of the plutonium in the United
17 States in one single place, instead of spread out
18 throughout the United States? In one single place.
19 And the reason it's not spread out is because every
20 place that you've gone to start a plant, public outcry
21 has kept a license from being issued in the Northeast,
22 the Southwest, the Northwest, the West, and now you're
23 here in the Southeast.

24 My other comment is you said that the
25 workers at the facility would not be -- their health

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1 would not be adversely affected. I direct you to
2 Section 5, Page 11 of your DEIS that admits workers
3 who are building the site could have their health
4 adversely affected by, quote, "Exposure to soil or
5 groundwater previously contaminated by radioactivity
6 or chemicals."

7 Are you admitting the Savannah River Site
8 is currently unsafe before you start stirring up dirt
9 with construction? Could I have an answer to any of
10 my questions, please?

11 MR. CAMERON: Let -- let's start with the
12 -- the last question about the draft environmental
13 impact statement and worker health. Tim, did you --
14 did you understand the...

15 MR. HARRIS: Yeah, I did.

16 MR. CAMERON: ...trail to that?

17 MR. HARRIS: Can you still hear me?

18 The -- the answer is, is that there --
19 there was a potential concern that since soil that's
20 currently at the MOX site was moved, that there could
21 be some residual contamination. We don't think that's
22 likely. The applicant has done some testing. But we
23 felt that it was important, to insure worker safety,
24 that we had measures in there for testing during
25 construction to make sure that that didn't happen.

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1 And I think the answer to your question of
2 whether or not we think it's unsafe now is: No, we
3 don't think it's unsafe.

4 MS. ROCHE: (Inaudible)

5 MR. CAMERON: We need to get you on the --
6 the microphone; okay? So we'll go back to you right
7 now to see if you have a follow-up.

8 MR. HARRIS: Chip?

9 MR. CAMERON: Yeah, go ahead, Tim.

10 MR. HARRIS: Did we want to have the
11 Department of Energy address...

12 MR. CAMERON: Let's work -- let's work
13 through these questions. There were three issues that
14 were raised. And one was the one that you answered.
15 And did you have a follow-up on that one?

16 Before we go to -- I'm going to ask
17 Lawrence Kokajko to tell us a little bit, because we
18 know it is a concern to all of us. Where are
19 potential terrorist issues? Where -- where are those
20 issues considered in the NRC's evaluation of the
21 application, and what is the Commission doing
22 generally in terms of the events after September 11th?

23 Well, fine. Peggy, when you -- is it
24 Peggy?

25 Peggy, when you get up, and I know you're

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1 going to make a comment, we want to hear about
2 anything like that. But what we want to do now is
3 want to try to answer any questions that people have;
4 okay?

5 Okay, go ahead, Lawrence.

6 MR. KOKAJKO: Okay. First of all, the
7 purpose of the program, as we describe in the purpose
8 and need, is to eliminate surplus weapons plutonium
9 and to get it into a form that is not subject to being
10 diverted to subversive or terrorist needs. And I
11 mentioned that in my opening remarks.

12 The -- also I'd like to point out, as far
13 as the location in one site, I'm not questioning the
14 policy of the Department of Energy in this case. We
15 were mandated by law to evaluate the fact that they're
16 going to do the proposed MOX facility. I have no
17 authority to question why they do that. I'm now
18 trying to implement that and make sure that it was
19 done safely and in accordance with the law.

20 In terms of the -- the general question
21 about what the NRC may be doing in response to
22 terrorist...

23 UNIDENTIFIED: Use the microphone, please.

24 UNIDENTIFIED: Use the other microphone.

25 That one's not working.

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1 MR. KOKAJKO: It's not working?

2 MR. CAMERON: Yeah, we're not hearing it
3 out here.

4 MR. KOKAJKO: Is this one -- is this one
5 working?

6 MR. CAMERON: Better.

7 MR. KOKAJKO: In terms of the general --
8 what is the NRC doing in terms of terrorist
9 activities, the NRC is -- throughout the -- for a lot
10 of commercial uses of radioactive material, are doing
11 vulnerability assessments to insure that the -- we
12 have assessed potential vulnerabilities of diversion
13 and use of whether it's radioactive disbursement devices
14 of dirty bombs or other diversion type activities. We
15 have issued interim compensatory measures to the
16 licensees and applicants as to what they need to be
17 doing. And we have taken an increased security
18 awareness for all commercial licensees and applicants.
19 Beyond that, I cannot go into a lot more detail. But
20 we are aware of the terrorist threat, and we are
21 sensitive to it.

22 MR. CAMERON: The bottom line is, is that
23 potential terrorist threats are considered in the
24 NRC's evaluation of the application?

25 MR. KOKAJKO: In the safety evaluation;

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1 yes, sir.

2 MR. CAMERON: Okay, good. Good.

3 And Peggy, when -- you'll -- you'll have
4 your -- your chance to speak. But just let me give
5 you -- is there any other question you have?

6 Okay, go ahead.

7 MS. ROCHE: Did the Department of Energy
8 tell you to license just one facility in the United
9 States?

10 MR. HARRIS: It's important to understand
11 that the Department of Energy has the overall lead.
12 But the applicant that we're reviewing is Duke Cogema
13 Stone & Webster. We're responding to one application
14 from them. We don't deal directly with the Department
15 of Energy. Our point of contact is the applicant, who
16 is Duke Cogema Stone & Webster.

17 MR. CAMERON: So, in other words, we have
18 an application for this facility, and that's why we're
19 reviewing it. And if the program that we're not
20 responsible for develops the need for another
21 application, that would come in to us and we would
22 review that. But we can only review what is in front
23 of us; is that...

24 MR. HARRIS: That's correct. We don't
25 make the decisions where to put it or who applies.

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1 MR. CAMERON: Okay. Question, Mr. Hooker?

2 Okay. Question?

3 MR. HOOKER: Did the NRC consider the
4 environmental risk taken with the ratings on these
5 streams that have got a high rate, medium rate, low
6 risk? I mean, did you all get together with the EPA
7 and look at where they match these things?

8 I'm going to give you a copy of it so you
9 all can look at them. But...

10 MR. HARRIS: Yeah. What we evaluated...

11 MR. HOOKER: ...somebody needs to
12 (inaudible).

13 MR. CAMERON: Okay. And that's why we're
14 here, to find out what we should look at harder. And
15 I think that your concern is -- is some of the
16 streams.

17 MR. HOOKER: This had input with what you
18 (inaudible).

19 MR. HARRIS: Okay, we looked at it. In
20 Chapter 3 it evaluates what the current conditions are
21 at the Savannah River Site. And -- but -- but as far
22 as evaluating the impacts from the proposed action, we
23 looked at those areas that would be connected to the
24 proposed action. So -- so if there was a stream that
25 was, you know, on the back 40 that was nowhere near

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1 the MOX facility, wasn't associated with any...

2 MR. HOOKER: We're talking about Four Mile
3 Creek. That's the one we're talking about.

4 COURT REPORTER: I'm sorry, we're -- I'm
5 just not getting you.

6 MR. CAMERON: Yeah, we need to -- we need
7 to get all this on the transcript.

8 Do you have one more question?

9 MR. HOOKER: The particular stream I'm
10 talking about is Four Mile Creek.

11 MR. HARRIS: Yeah, we -- we did look at --
12 did the water quality associated with Four Mile Creek.

13 MR. HOOKER: And what did you come up
14 with?

15 MR. HARRIS: We concluded that the
16 proposed MOX facility would not significantly change
17 the water quality in Four Mile Creek.

18 MR. CAMERON: And if you have information
19 -- Mr. Hooker, if you have information that would --
20 that would cause us to -- to reevaluate that, please
21 submit it to us.

22 Okay, great.

23 MR. HARRIS: Thank you.

24 MR. CAMERON: We have some questions out
25 here, and one back there. And I don't know, does

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1 anybody in the upper peninsula out there have a
2 question?

3 UNIDENTIFIED: (Indiscernible)

4 MR. CAMERON: All right. Okay. Let's --
5 let's go for some questions, and then at some point
6 we're going to have to go to comment. Because we have
7 -- luckily, we have a whole lot of people who -- who
8 want to comment.

9 So let me start over here, and we'll go
10 back there and over. And -- and please try to keep
11 this to -- to mainly questions.

12 Don?

13 MR. MONIAK: I have a question concerning
14 existing impact.

15 MR. CAMERON: Don Moniak.

16 MR. MONIAK: My name is Don Moniak, M-O-N-
17 I-A-K.

18 Did you evaluate the impact that SRS would
19 have if they were to -- say in their emissions if they
20 were to release as much air pollution as they're
21 permitted to, or did you evaluate what they are
22 releasing? And the same with waste water discharge.
23 Because their permit levels, what they're permitted to
24 release is very different than what they do on an
25 average. And some of the permit levels are very high.

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1 Then I had one other question regarding
2 the NRC role.

3 MR. CAMERON: Why don't you -- why don't
4 you put that before us now.

5 MR. MONIAK: Okay, the other question is,
6 is the Nuclear Regulatory Commission responsible for
7 making sure that the *Atomic Energy Act* is followed?
8 And I'm referring to the provision on foreign
9 ownership, control, and influence of a U.S. nuclear
10 facility. And is the current determination on foreign
11 ownership, control, and influence valid, considering
12 Framatone bought out Duke Engineering a year ago?

13 Thanks.

14 MR. HARRIS: The answer to the last
15 question is: Yes, we do enforce the *Atomic Energy*
16 *Act*. Those issues, ownership issues, are discussed in
17 the safety evaluation report. And Dave could provide
18 some information. But that's -- they're not really
19 germane to the environmental impact statement.

20 MR. CAMERON: Okay. If we need to get
21 more on that, we'll go to Dave. Can you answer
22 Don's...

23 MR. HARRIS: Yeah, let me -- let me work
24 -- let me work backwards.

25 The waste water issues I think we looked

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1 at because the waste from the proposed MOX facility
2 would go to existing SRS facilities. We looked to see
3 if -- if processing that waste would violate permits.

4 For the air quality, to be honest, Don,
5 I'm not sure whether we looked at existing emissions.
6 I want to say we did, but -- I see Ed nodding. I
7 think that's the case. We looked at what they are
8 currently emitting, not what they're permitted to
9 emit. But, again, we looked at that in terms of would
10 the MOX facility cause them to be out of compliance
11 with any of their air permits, and we thought the
12 answer was no.

13 MR. CAMERON: Okay. Great.

14 We're going to let Dave Brown tell us a
15 little bit. But the reference to Ed is Ed Pentecost,
16 who's back here. Ed, identify yourself. He is one of
17 our expert consultants that is helping with the
18 preparation of the environmental impact statement.

19 Dave, on the question of Don's on foreign
20 ownership.

21 MR. BROWN: Well, you know, just to give
22 you some context, we anticipate issuing our draft
23 safety evaluation report next month, in April. And in
24 there I can tell you our draft determination is we've
25 looked at the foreign influence and control

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1 information and we have advised and find there's no --
2 no issue there.

3 MR. CAMERON: All right, thank you.

4 Let's go to this gentleman right here.
5 Please give us your name.

6 MR. SUTHERLAND: I'm Jim Sutherland. I've
7 got a question. I noticed in the book
8 (indiscernible). Did you all send the EIS to anybody
9 that's on this list? I mean, like sitting
10 (indiscernible) first time I've seen the document, and
11 some of the data in here is not correct
12 (indiscernible).

13 MR. HARRIS: I'll take that as a comment
14 and hope that you'll provide some -- a written comment
15 showing where the datas are inaccurate and what the
16 datas should be.

17 MR. SUTHERLAND: My question is...

18 MR. HARRIS: Whether we contacted...

19 MR. CAMERON: Yeah, can -- can we -- do we
20 know if we sent a copy of the environmental impact
21 statement to local government officials?

22 MR. HARRIS: Yeah, we sent it -- we sent
23 it to about 500 people, and I don't remember whether
24 New Ellington was on the -- on that list.

25 MR. CAMERON: Okay. Let's make sure is

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1 there -- are any local government units that did not
2 get a copy, that people know about, or don't think you
3 got a copy, please give us that address and we'll send
4 them a copy.

5 MR. HARRIS: Actually, if you let Adrienne
6 know in the back table, she can make that happen and
7 we'll...

8 MR. CAMERON: And, Adrienne, just wave to
9 us.

10 All right, that's Adrienne back there. If
11 we can...

12 MR. HARRIS: But we'll take as an action
13 item, Chip, to make sure that New Ellington gets a
14 copy.

15 MR. CAMERON: Great. Okay. We'll put
16 that up on the board.

17 Let's go to Glenn Carroll.

18 MS. CARROLL: I actually thought he was
19 talking about something else. He didn't get his copy,
20 but do you have corrected data that you'll be getting
21 to us?

22 MR. HARRIS: Correct.

23 MS. CARROLL: You put some figures up
24 there tonight which were, you know, not very detailed.
25 But are those final figures?

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1 MR. HARRIS: Yes.

2 MS. CARROLL: So you do have the final
3 data?

4 MR. HARRIS: Yeah. Actually, the -- the
5 information that's in your handouts that talks -- the
6 numbers there are corrected numbers. But -- but
7 not...

8 MS. CARROLL: Are they just not attached
9 to the agenda?

10 MR. HARRIS: It's attached to the agenda;
11 correct. But not all the numbers that are in the EIS
12 are in there. That's why we're going to issue errata
13 sheets with -- you know, there are several huge tables
14 and other references. So we'll issue errata sheets
15 hopefully next week, so that you'll have those.

16 MS. CARROLL: Do you plan to hold public
17 meetings following the issuance of the correct data?

18 MR. HARRIS: I don't think that's
19 currently in the plan. But if you're making a
20 request, we would consider it, as always.

21 MS. CARROLL: I'm making a request.

22 MR. HARRIS: Well, thank you.

23 MR. CAMERON: And I would imagine that the
24 -- that issue might turn on whether the corrected data
25 would lead to or could lead to a different conclusion.

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1 MR. HARRIS: Well, again, as I stated in
2 my remarks, the corrected data does not change the
3 NRC's conclusion, you know. If the impacts associated
4 with operation, even though they're twice as much, are
5 still less than one millirem. The accident
6 consequences changed, but they're still large numbers.
7 So -- so the -- you know, whether the number was 20 or
8 400, it doesn't change the fact that they're
9 significant. So -- so even though the numbers
10 changed, it doesn't change our -- our conclusions.

11 MR. CAMERON: Okay. Thank you.

12 And let's go to this gentleman, and then
13 after that, down here, and we're working our way.

14 MR. CLEMENTS: My name is Tom Clements.

15 Just two -- couple issue of questions. As
16 we all know, four reactors have been chosen to do this
17 mission, which are mentioned in the draft EIS. But
18 four reactors are not enough to carry out the
19 irradiation of 34 tons. Where are the other two
20 reactors? Where does that stand? At least two more
21 are needed.

22 MR. HARRIS: The other two reactors would
23 be selected by either DCS or DOE. What we did in our
24 draft environmental impact statement was evaluated
25 impacts to reactors generically. So that would apply

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1 to whether the reactors near Charlotte ultimately
2 would become part of the program, or whether another
3 reactor in the nation would become. So we looked at
4 it generically so it's not a specific evaluation. And
5 also keep in mind that if and when a reactor requests
6 to use the MOX fuel, that requires an additional site-
7 specific review by the Nuclear Regulatory Commission
8 to determine whether it's safe to use that fuel at
9 that reactor.

10 MR. CLEMENTS: Also, because you -- you
11 mentioned the -- eliminating the immobilization
12 alternative because of the position of Russia. Has --
13 and this is -- may be more of a DOE thing. But has
14 the agreement with Russia been changed to dictate to
15 the United States what disposition options we choose?
16 I have a copy of it here and...

17 MR. HARRIS: I'm not aware that the
18 agreement has changed since...

19 MR. CLEMENTS: Well, let me just...

20 MR. HARRIS: ...2001.

21 MR. CLEMENTS: ...clarify this, and I will
22 make a comment. Because a mythology has been created
23 that we -- Russia is dictating to us that we do MOX.
24 And that is not true. The Article 3 of the agreement
25 says, "Disposition shall be by one of the following

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1 methods: irradiation, immobilization, or any other
2 method agreed to by the parties in writing. So we
3 appreciate it if you'd correct the document to reflect
4 what is actually in the agreement. It allows
5 immobilization, and the Russians can't dictate to us
6 what we do with the material.

7 MR. CAMERON: Let's get some -- let's get
8 some clarification on that for you from the Department
9 of Energy. And, Ken, if you'd just introduce yourself
10 and...

11 MR. BROMBERG: My name is Ken Bromberg
12 from the Department of Energy. You are correct, the
13 2000 agreement with Russia, plutonium (indiscernible)
14 disposition agreement does not dictate. It allows
15 either party to use immobilization and/or MOX.

16 However, Russia has made it known in
17 negotiations with the U.S. over several years that
18 they would not proceed to dispose of their surplus
19 weapon grade plutonium if the U.S. used MOX -- rather,
20 used immobilization only. The Russians feel that
21 immobilization, to use their words, is another form of
22 storage, because immobilization does not degrade the
23 weapon grade plutonium so it can't be reused in
24 weapons. As a result, the Russians have refused to go
25 ahead and dispose of their plutonium. For that

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1 reason, the U.S. is proceeding, of course, as it is
2 currently.

3 The other thing is that there have been a
4 number of technical problems with immobilization in
5 terms of the high level waste barrier, with the in-
6 tank precipitation problem, and there are currently
7 additional technical studies that have called into
8 question the can and canister immobilization approach
9 that we have been working on for many years. That's
10 not to say it couldn't be fixed or corrected in the
11 long-term, but right now there are a number of
12 technical problems that MOX does not have.

13 MR. CAMERON: Thank you very much, Ken.

14 We've got a couple here, and then we're
15 going to come back here, and then we'll work over that
16 way.

17 Yes, sir? Please give us your name.

18 MR. TEESE: Greg Teese from Aiken, South
19 Carolina.

20 Tim, you stated that the numbers that were
21 in the handout are the correct numbers?

22 MR. HARRIS: Yes, sir.

23 MR. TEESE: The numbers in the handout for
24 the radiological accidents for continued storage, the
25 no-action alternative, the dose that it has on the

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1 handout is 6.6 person rem; the dose that's in the
2 draft environmental impact statement is 6.6 person
3 sieverts. There's a difference of a factor of 100.
4 Which is the correct number?

5 MR. HARRIS: Without looking at the
6 document, I believe the information -- those numbers
7 didn't change. So whatever's in the draft
8 environmental impact statement is correct. And if --
9 if, in fact, the handout used the wrong units, I
10 apologize.

11 MR. TEESE: If the handout used the wrong
12 units for that, on the same line as the proposed
13 action, the explosion event, it's showing 91,000.
14 What is the correct units for 91,000?

15 MR. HARRIS: I believe that person rem.

16 MR. TEESE: Not person sievert?

17 MR. HARRIS: Not person sievert. We -- we
18 had both units, and we decided to convert them to rem
19 since that's what most people understand in -- in the
20 United States.

21 MR. TEESE: Okay, thank you.

22 MR. CAMERON: And I guess that the implied
23 comment there is that we should really check these
24 carefully to make sure that it's correct.

25 MR. HARRIS: Comment received.

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1 MR. HARMON: My name is Harry Harmon.

2 On your waste management slide you
3 mentioned that the operation of the MOX plant would
4 generate certain percentages, in addition to waste.
5 My question is: Are those numbers for the total site
6 or for "F" area?

7 MR. HARRIS: I believe those numbers are
8 for the total site. Those are percentages above what
9 are currently being generated by the Savannah River
10 Site.

11 MR. HARMON: Is that on an annual basis
12 or...

13 MR. HARRIS: Correct, annual basis.

14 MR. HARMON: Annual basis. All right.

15 MR. CAMERON: Thank you very much.

16 I think we have two questions right here;
17 or one.

18 Yes, sir?

19 MR. WALKER: My name is David Walker. I'm
20 from Aiken.

21 Tim, you keep mentioning mitigating
22 consequences regarding environmental justice. What
23 exactly are those mitigating consequences?

24 And the second question is: Will the
25 corrected EIS statement from your department be

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1 available prior to the May 14 deadline for submitting
2 comments?

3 MR. HARRIS: Yeah, we hope to get that
4 information out to you next week. Obviously the mail
5 will take a little bit of time to get it to you. But
6 we're also going to post that on the -- on our
7 website. So if you want it quickly, you can access it
8 that way. And yes, it will be available before the
9 May 14 comment period.

10 Your question was: What are the
11 mitigation measures that are proposed? Is that...

12 MR. WALKER: Yes.

13 MR. HARRIS: The Nuclear Regulatory
14 Commission -- there's a number of mitigation measures
15 discussed in the EIS, some of which were proposed by
16 the applicant, DCS, and some of which were proposed by
17 NRC.

18 These were proposed by the NRC, and they
19 include focused public information campaigns to
20 provide technical and environmental health information
21 directly to low income and minority populations, or to
22 local agencies and representatives for those groups.

23 Also, additional programs directed at
24 local communities providing emergency response
25 services or other emergency facilities to incorporate

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1 additional measures to protect low income and minority
2 populations. So it's to EDC and also to provide some
3 additional focus on environmental -- I'm sorry,
4 emergency responses.

5 We received some comments last night from
6 a Mr. Cutter on -- on some specifics, and that's
7 really some of the things that will be helpful to us,
8 is -- is as you review these mitigation measures, if
9 you can provide some more details or additional ways
10 that you think mitigation could happen, we're very
11 receptive to that.

12 MR. CAMERON: Okay. Follow-up?

13 MR. WALKER: Follow-up. Will these
14 measures take effect before an accident or after?

15 MR. HARRIS: They would -- they would
16 happen before the accident. Certainly -- certainly
17 the information can...

18 MR. CAMERON: You may want to rephrase
19 that.

20 [Laughter.]

21 MR. HARRIS: Am I still beating my wife?
22 I don't know.

23 [Laughter.]

24 MR. HARRIS: The information campaigns
25 would happen if and when a license was granted, before

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1 any hypothetical event happened. So that -- you know,
2 we're not going to wait for an accident to decide, oh,
3 we better go to mitigate it. That mitigation needs to
4 happen before an unlikely event happens.

5 MR. CAMERON: Okay. Thanks, Tim.

6 MR. HARRIS: Is that better, Chip?

7 MR. CAMERON: Sounds better.

8 MR. HARRIS: And call my wife to see --
9 see if I'm still beating her.

10 MR. CAMERON: Okay. Brendolyn, do you
11 have a question?

12 MS. JENKINS: Good evening. My name is
13 Brendolyn Jenkins and I'm from Aiken, South Carolina.

14 I want to piggyback for a second on the
15 question that Reverend Walker asked. If it's done
16 before, you said that you would give technical
17 information in a public information campaign. Would
18 those campaigns be held specifically in the impacted
19 community?

20 MR. HARRIS: I think the answer would be
21 yes. But if -- but if you think that they should be
22 in other areas, you know, we're receptive to that.

23 MS. JENKINS: Heretofore, until last
24 Thursday, it was the first meeting we've had in our
25 community. So that's pointedly why I asked.

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1 My question is, with the waste management,
2 300% more TRU waste; 32% more low level; 60% more
3 solid waste. Will new or existing facilities be used
4 to handle that waste? And if it's coming from around
5 the site and not this facility, how, then, does these
6 numbers specifically address MOX?

7 MR. HARRIS: Those numbers represent the
8 percentage increase that the MOX facility would have
9 relative to what's currently being produced at the
10 Savannah River Site. That is, if you look at the
11 number of cubic meters or volume of waste, say TRU
12 waste that the MOX facility will create annually, and
13 divide that by what the Savannah River Site already
14 does, you get 300%, about. So those numbers relate to
15 that.

16 Your question also related to whether new
17 facilities would be built. Most of the waste would be
18 processed by existing Savannah River Site facilities.
19 And, as I mentioned, those facilities have the
20 capacity and are permitted to manage that waste. I --
21 we also talked about the waste solidification
22 building. And that will be a new facility that will
23 process waste from the proposed MOX facility and also
24 the pit disassembly and conversion facility. So that
25 would be new construction.

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1 MS. JENKINS: And did you look at the
2 additional impacts, environmental impacts, on these
3 waste streams?

4 MR. HARRIS: Yes, ma'am, we did. And as
5 I stated in my presentation, we concluded that the
6 effort of processing the waste from the proposed
7 action would not change significantly the permitted
8 effluents from those waste process facilities at the
9 Savannah River Site.

10 MS. JENKINS: One last question. On the
11 readjusted or recalculated figures shown, I understand
12 how you made the readjustments and came up with the
13 new conclusions. But what does DOE, NRC, and DCS
14 consider an acceptable death or disease number?

15 MR. HARRIS: I don't know that we have an
16 -- a definition for that. Certain numbers of latent
17 cancer fatalities that are very small are generally
18 acceptable, but I don't think there's a hard-and-fast
19 number on that.

20 MR. CAMERON: And I think that Tim used
21 the word "we." You said DOE, DCS, NRC. And I think
22 Tim is just speaking for -- for the NRC at this point.
23 But it's a very pertinent question for the regulatory
24 agency.

25 Lawrence?

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1 MR. KOKAJKO: We don't consider any death
2 acceptable, first of all. Let -- first, we're talking
3 about latent cancer fatalities, and it's not an actual
4 death. Although we have...

5 [Laughter.]

6 MR. KOKAJKO: ...although we have come up
7 with...

8 [Laughter.]

9 MR. KOKAJKO: Sir, please.

10 Although we have come up -- we have done
11 a bounding analysis to see what possible could happen
12 in terms of these hypothetical accidents. The other
13 part of that -- our job is to insure -- assure that
14 they don't happen. That's what the safety review is
15 for. We want to make those things highly unlikely.
16 But the NEPA process asks us to take a look at the
17 broad bounding case, and so we have done that. But we
18 do not -- we don't find any death acceptable. We
19 never have, and we never will.

20 MR. CAMERON: Okay, thank you.

21 We're going to go to this side, questions,
22 and then we're going to get started with public
23 comments. And, Jen, I see your hand. We'll go to you
24 before we get public comments.

25 Gerald?

1 MR. RUDOLPH: I'm Gerald Rudolph from
2 Columbia. I have a few questions.

3 One is about memorandum of understandings.
4 Do you -- where can we get a copy of the memorandum of
5 understanding between the Department of Energy and NRC
6 about the security for materials, about the transfer
7 of materials between the -- within the complex
8 commercial process for MOX. And where are we going to
9 find the memorandum of understanding for who is or is
10 not a MOX factory worker, for purposes of this
11 accident analysis? That's the first question.

12 And you want me to go through all the
13 questions first?

14 MR. HARRIS: No, please.

15 I'm going to ask Dave to talk about the
16 MOU. I think as far as -- I didn't quite understand
17 your last question about what was a MOX facility
18 worker. Certainly...

19 MR. RUDOLPH: Who is -- who is a MOX --
20 for the benefit of accident analysis, who is or is not
21 a MOX factory worker or a MOX facility worker.

22 MR. HARRIS: Well, those would be workers
23 that -- that operate within the footprint of the
24 proposed MOX facility.

25 MR. RUDOLPH: I mean, but some of them may

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1 be working on the DOE when they -- when the material
2 is in the hands of DOE, and when it's transferred to
3 the NRC license facility, are you only considering the
4 -- so there's no memorandum of understanding for
5 identifying...

6 MR. HARRIS: Well, I think MOX workers
7 would be employed by Duke Cogema Stone & Webster, and
8 other workers at the Savannah River Site are employed
9 by -- by other various DOE contractors.

10 MR. RUDOLPH: So there's no -- there's no
11 memorandum of understanding for that?

12 MR. HARRIS: Not that I'm aware of. But
13 I'll let Dave talk about the memorandum of
14 understanding for security of material, if you can.

15 MR. BROWN: Let me just try to address
16 your question with regard to who's a worker. For
17 Savannah River Site employees who -- who would not be
18 working at the MOX plant, DCS has committed to meeting
19 a certain section of our regulation that says we're
20 going to train those people about the risks at the MOX
21 plant, and we're going to provide both posting --
22 postings and notices. And if they do that, then our
23 regulations allow that they be treated as workers for
24 the purposes of the safety evaluation. That's their
25 proposal, and that's what we're evaluating as part of

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1 the safety review.

2 MR. RUDOLPH: So that allows you to
3 exclude them from the submission of off-site impact?
4 If they -- other -- if they -- more people -- how does
5 that work? How do you define who's on-site and off-
6 site from the MOX facility?

7 MR. BROWN: It does -- there is a little
8 bit of a complication. For the purposes of a safety
9 review, when we're looking at potential accidents,
10 we're considering those Savannah River Site employees
11 who are within the site boundary to be workers. When
12 we're looking at normal operation, if the facility is
13 constructed and operating, the question of who's a
14 member of the public and who's a worker really is
15 determined by what does that person do for a living.
16 Are they already working at the Savannah River Site in
17 an occupation where they're exposed to radiation? If
18 they are, then they're workers. If they're not, then
19 they're members of the public. And the NRC's position
20 is: Yes, there can be members of the public on the
21 Savannah River Site, even employees of the plant. And
22 the radiation dose limits for those individuals would
23 be NRC's limits for members of the public.

24 Is that answer your question (sic)?

25 MR. RUDOLPH: Perhaps. Not

1 satisfactorily, though. Let me go to the next
2 question.

3 MR. BROWN: Okay.

4 MR. RUDOLPH: You have -- from what I
5 understand, the NRC says that the throughput rate at
6 the factory could -- could (indiscernible) about 10
7 years or 20 years. What is that -- what is that
8 discussion about? And you showed us a 20-year license
9 period for the operations, but -- but then you used 10
10 years of operations for the analysis. What -- can you
11 explain?

12 MR. HARRIS: Yeah. Basically we assumed
13 that the license would be a 20-year period. And that
14 would include they would have to have a license for
15 initial startup and then processing. But the actually
16 throughput we estimated it would take about ten years.

17 So we looked at things on a annual basis,
18 and the maximum throughput I think was 3.5 metric
19 tons, number comes to mind, on an annual basis. So we
20 look at the impacts annually. So if they didn't
21 produce, if the period of operation was longer than
22 that, the throughput would be less. There's only so
23 much plutonium that's going to be put through the
24 facility.

25 MR. RUDOLPH: So you're assuming the

1 impact is the same?

2 A. We assume that the impacts are bounded by
3 -- assuming a ten-year operation period, with a
4 maximum throughput of 3.5 metric tons.

5 MR. RUDOLPH: One more question. You say
6 that the -- that the -- the impacts of the -- of 40%
7 MOX or a 100% flow of enriched uranium would be the
8 same; is that -- how do you support that?

9 MR. HARRIS: There's details in the
10 environmental impact statement. But essentially, the
11 conclusion that was drawn was on a generic basis. The
12 emissions would be about the same from normal
13 operations, whether it used -- the reactor used a
14 mixture of MOX fuel or 100% low enriched uranium.

15 MR. RUDOLPH: Does it consider the
16 temperature difference between...

17 MR. HARRIS: That segment's based on
18 effluents that would come out of the plant; not
19 internal safety operations, which would, as I
20 mentioned, would be evaluated on a site-specific
21 basis.

22 MR. RUDOLPH: So you're assuming that --
23 that the hotter MOX fuel would have the same
24 parameters or have the same impact, the same...

25 MR. HARRIS: No, not the same -- not the

1 same parameters, but the emissions from the reactor
2 would be the same.

3 MR. RUDOLPH: And is there a study for
4 that, or did you just assume that?

5 MR. HARRIS: We looked at some information
6 that the Department of Energy had, and the references
7 are provided in the environmental report -- I mean,
8 environmental impact statement, excuse me.

9 MR. CAMERON: Thank you, Gerald.

10 Did you have a question, sir?

11 MR. WATSON: My name's Darrell Watson.
12 I'm from Columbia. Got a couple of questions for you.

13 First, has a safe, efficient, and
14 successful use of MOX fuel been -- fuel made with
15 weapons grade plutonium ever been accomplished?

16 MR. HARRIS: Do you want to answer that,
17 Dave?

18 MR. BROWN: Could you repeat the question,
19 please.

20 MR. WATSON: Has the safe, efficient, and
21 successful commercial use of MOX fuel made with
22 weapons grade plutonium ever been accomplished?

23 MR. BROWN: No, there -- there is no
24 history in the United States of using weapons grade
25 MOX fuel in a commercial nuclear power reactor.

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1 MR. WATSON: Is there any record of that
2 being done anywhere in the world?

3 MR. BROWN: Not except on a test or
4 experimental basis. No, not that I'm aware of.

5 MR. WATSON: So South Carolina's going to
6 be the first test, so to speak, for the MOX program in
7 the world?

8 MR. BROWN: The -- the...

9 MR. WATSON: In this -- in this regards of
10 it being made with weapons grade plutonium.

11 MR. BROWN: With respect to weapons grade
12 plutonium. And the distinction you're making is
13 important. Because certainly there are countries in
14 the world that do reprocess nuclear fuel, recover the
15 plutonium, and put that back through a mixed oxide
16 fuel plant to put back into reactors. France, of
17 course, being the notable example, and the fact that
18 Cogema is a partner in the consortium that's the
19 applicant for this plant, reflects their experience in
20 this.

21 MR. WATSON: Okay, that leads to my second
22 question about Cogema. Given that Cogema's part of
23 the consortium to handle the MOX process in the United
24 States and South Carolina, given its bad safety and
25 environmental record, especially in La Hague at the

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1 processing plant in France, why would DOE even bring
2 a licensing consideration with Cogema involved?

3 MR. HARRIS: We have looked at some of the
4 information that the applicant has provided us, that
5 includes their experience in France, especially with
6 regard to environmental effluents or emissions, if you
7 will.

8 MR. WATSON: What's the status of Russia's
9 MOX program currently, and does it use weapons grade
10 plutonium like ours?

11 MR. BROWN: The Russian program, what
12 we're working to here is -- what DOE's plan is, is to
13 maintain parity between the U.S. and the Russian
14 programs. Of course, their program is also about
15 surplus weapons grade plutonium.

16 MR. WATSON: Okay, I'm -- correct me if
17 I'm wrong, but I thought their program was currently
18 at a stall. They're not processing MOX currently, as
19 we speak.

20 MR. BROWN: Oh, no, they -- they were --
21 there is no Russian MOX facility constructed or
22 operating at this time; that's true.

23 MR. CAMERON: Right. We really need to
24 get going to hear all of your -- your comments. We'll
25 take one question here; we'll go over to Jen; and then

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1 we're going to start public commenting.

2 Yes, sir?

3 MR. GUILD: My name is Bob, and I have a
4 couple of questions. I think maybe an appropriate
5 observation in response to the environmental justice
6 question, that consequences are high for having
7 significant facilities, whether it be 20 or 2000. But
8 that consequence has to be taken into account of risk
9 of that consequence, which is a probability
10 (indiscernible). How likely is the fact -- assume the
11 accident would happen that would lead to those cancer
12 deaths.

13 Yet, I find the EIS completely devoid of
14 any effort at putting a number on that probability
15 function, which is a key to your conclusion which is
16 that the risk is acceptable. So you use a very
17 precise number for the number of deaths, and then
18 acknowledge an error and correct that error and create
19 the impression that you know what the consequence
20 would be. Yet I don't see any serious effort at
21 trying to project what the actual probability of that
22 accident in that occurring. And can you enlighten us
23 on why you didn't do that; and if you did do that,
24 didn't express in the EIS what that -- what that
25 chance of a serious accident is at the facility.

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1 MR. HARRIS: Do you want to answer that,
2 Dave? Dave's involved with the safety review, and
3 these really relate to -- because the measures to make
4 those accidents highly unlikely are in the safety
5 report review. So I'll let Dave discuss what they're
6 doing there.

7 MR. BROWN: In the handout and one of
8 Tim's slides we showed like a fine line of the safety
9 review and the environmental review. One thing you
10 see right away is the safety review extends for a
11 couple of years from now. And so one of the things
12 we're going to be doing, as we go through that
13 licensing review, is trying to get a much better
14 understanding of what the applicant thinks the
15 likelihood of those accidents are. And more
16 importantly, what's the reliability of the equipment
17 that's going to be -- be used to prevent those
18 accidents.

19 MR. GUILD: I'm sorry to interrupt. But
20 you're going to make the decision now as to whether or
21 not the *National Environmental Policy Act* requirements
22 are met, whether you should authorize going forward
23 with this as a matter of cost benefit. You're telling
24 us you don't know the answer as to the likelihood of
25 that accident occurring?

1 MR. BROWN: We're -- right now we're going
2 to issue a draft report next month that's our
3 consideration of the likelihoods for a construction
4 authorization. My point is we're going to continue to
5 look at those likelihoods as we continue through
6 looking at their application to possess and use this
7 plutonium in the plant.

8 MR. CAMERON: Could we get -- could we let
9 Lawrence speak here, because you're raising an
10 important point as to where is the supporting data for
11 the conclusion you've requested.

12 Lawrence?

13 MR. KOKAJKO: Yeah, part of it, as -- as
14 I mentioned earlier, the -- is the NEPA process,
15 itself. It said to take a look at...

16 UNIDENTIFIED: Can't hear you.

17 MR. KOKAJKO: Some of the -- the problem
18 I know is with the NEPA process, itself. It told us
19 to take a look at the bounding conditions and the
20 parameters of what these consequences are. Our
21 regulations say these accidents will be made highly
22 unlikely. And the DCS has to submit an integrated
23 safety assessment which takes a look at the
24 probabilities of these accidents occurring. And, as
25 Dave pointed out, reliability of equipment,

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1 preventative and mitigating measures that may be used
2 to prevent and preclude these things from occurring,
3 so that we don't ever get into an accident situation
4 where there could be latent cancer fatalities, or even
5 actual deaths.

6 And, by the way, it includes more than
7 just radiation. It includes anything like chemicals,
8 chemical exposures, and those -- those, as well. As
9 well as physical -- you know, normal physical things
10 like, you know, falling off ladders and stuff like
11 that.

12 MR. GUILD: I mean, just an observation,
13 not to belabor the point, but good government
14 decision-making, the NEPA requires -- requires you to
15 be explicit now about those very issues. Because I
16 want to know what the risk is of me walking across the
17 street and not getting hit by a car, but I want you to
18 know what the risk is of a serious accident happening
19 at the MOX facility before you decide that you should
20 go forward with licensing this plant.

21 MR. KOKAJKO: Before we go forward with
22 licensing, we will do that. But for the environmental
23 purpose for this evening, the assessment of the draft
24 environmental impact statement, we've given you what
25 we think are the -- could be the potential

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1 consequences. And we know that the regulations are
2 going to require that those accidents be made highly
3 unlikely.

4 MR. GUILD: All right. The last question.
5 I heard some -- a useful question earlier about
6 license term and the projected expected throughput
7 term, if you will, for the processing of the surplus
8 plutonium. You know, I have a very strong concern
9 that we're going to end up with a MOX fabrication
10 facility that's -- that processed its surplus weapons
11 plutonium, and then is going to be available for
12 commercial mixed oxide fuel production for, you know,
13 the wonderful, long-promised, never realized closed
14 commercial nuclear fuel cycle in this country. And
15 that, like those facilities you mentioned in Europe,
16 we're going to suddenly have commercial mixed oxide
17 fuel promoted with weapons non-proliferation as the
18 foot-in-the-door.

19 So can you tell us what would be required
20 in order to convert this facility, at the end of its
21 license life, into a facility that does those things
22 that I'm concerned about, and that is becomes a
23 commercial fuel production facility.

24 MR. CAMERON: And you may -- you may not
25 know, in terms of physical adaptation, what needs to

1 happen. But I think that the question would be: What
2 would the NRC require in terms of new licenses,
3 etcetera, etcetera, if that ever did happen. And we
4 don't know if that's even feasible.

5 But, Lawrence, can you shed some light on
6 that? I don't know if you can or not.

7 MR. KOKAJKO: I'm not sure I can proved a
8 full response to your -- your question. Anything that
9 would be involved in fuel fabrication would be
10 licensed under 10 CFR -- excuse me, Title X, *Code of*
11 *Federal Regulations, Part 70*. And those regulations
12 do allow that any facility that fabricates and
13 enriches fuel for use in commercial nuclear power
14 plants, that it meet certain safety and environmental
15 standards.

16 MR. CAMERON: The license would be very
17 specific about what the facility could do.

18 MR. KOKAJKO: Correct.

19 MR. CAMERON: And if there was going to be
20 any major change to that, it would be a new license.

21 But let me see if we can get the
22 Department of Energy to shed some light on this. Ken?

23 MR. BROMBERG: Very simply -- this is Ken
24 Bromberg again. That facility that's being designed
25 and planted and built at the Savannah River cannot be

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1 used as a commercial facility. The entire facility,
2 the shielding in it, is designed for the low radiation
3 for weapon grade plutonium. It's entirely impossible
4 to use for reactor fuel grade plutonium.

5 UNIDENTIFIED: Impossible?

6 MR. BROMBERG: Yes. Without just
7 completely basically tearing out all the piping in the
8 entire facility, and redesigning and rebuilding it.
9 The facility just can't be used for that purpose.

10 Furthermore, the facility will be shut
11 down at the end of the approximately ten-year
12 plutonium disposition mission.

13 MR. CAMERON: Great. Thank you very much,
14 Ken.

15 Okay, we're going to go to one last
16 question over here, and then we're going to go to hear
17 some more from all of you a bit more formally.

18 Jen?

19 MS. KATO: I'm Jen Cooch Kato. I'm with
20 the Sierra Club in Georgia. I have actually three
21 questions that will be answered very quickly.

22 The first one is an extension of this
23 gentleman's question, and it's very direct and has a
24 very simple answer. And the question is: Was the
25 probability of one used in assessing the human health

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1 impacts of any accident scenario?

2 MR. BROWN: When you're looking at the
3 consequences of the accident that's summarized, yes,
4 it's a probability of one. In other words, the event
5 was assumed to have occurred. Those are the
6 consequences we've estimated.

7 MS. KATO: When I -- when I look at the
8 doses and the -- and the (indiscernible), for example,
9 for an explosion, which would undoubtedly involve
10 plutonium, these figures are so miniscule that it
11 seems like what you have done is actually risk-
12 informed calculations. And risk-informed calculations
13 do not assume a probability of one when you actually
14 go out as far as latent cancer fatalities. They have
15 been diluted by the probability of the accident
16 occurring, and then further diluted by the probability
17 of it occurring in a given day.

18 MR. BROWN: I understand your comment.
19 That is not what we did.

20 MS. KATO: Okay, thank you.

21 Second, why not a 20-year windrows instead
22 of a five year, since we're dealing with a possibly
23 20-year mission?

24 MR. BROWN: The five-year windrows, I
25 think, reflects a good estimate of the wind conditions

1 at the Savannah River Site. But if you have
2 information about, you know, updated data or something
3 you'd like us to know about, we'd be happy to hear
4 about that.

5 MS. KATO: Well, the dose reconstruction
6 is looking at a 20-year window, so it's available.
7 I know DOE has it.

8 And my last question is: What is the
9 current NRC plan? This doesn't really have to do with
10 this DEIS, but I'm really curious about it. What's
11 the current NRC plan for continued supervision of the
12 MFFF? And I'd like to feel like the guys in the white
13 hats are out there on a daily basis or a very frequent
14 basis.

15 MR. CAMERON: And could you just enlighten
16 all of us on that acronym.

17 MS. KATO: MOX fuel fabrication facility.

18 MR. HARRIS: Fabrication facility.

19 Was your -- was your question, Jen, what
20 are we going to do...

21 MS. KATO: On the provision of ongoing
22 oversight.

23 MR. HARRIS: Yeah. I think -- I think, if
24 I understand your question---and I know you'll correct
25 me if I didn't get it right---is what are we going to

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1 do in the future. You know, are we going to issue
2 this license and walk away.

3 MS. KATO: I just want to know what your
4 plan...

5 MR. HARRIS: The plan would be that, you
6 know, again, we're going to look at the construction
7 decision. We talked about the EIS. We're going to
8 look at the operation. In the event that we do issue
9 a license, we do inspections at the facilities, the
10 current plan is to have an onsite resident there who
11 is there on a daily basis to look at the operation of
12 the facility. So, yeah, we will be there.

13 MR. CAMERON: If the NRC licenses it,
14 we're going to regulate it; right?

15 MR. HARRIS: I think if we license it, we
16 are regulating it; right?

17 MR. CAMERON: And -- you know what I mean.

18 MR. HARRIS: I know what you mean.

19 MR. CAMERON: All right. Okay, thank you
20 for those questions.

21 We're going to go to -- to speakers. We
22 have about 25 people. So I really need to ask you to
23 try to be concise and -- and don't go any longer than
24 five minutes. Of course, we want to stay and hear
25 what everybody has to say. But it would help us all

1 if -- if you could try to keep it in that window.

2 And the first four speakers, so that you
3 have an idea of when you're coming up here, we're
4 going to go to -- to Bill Robinson, then Camille
5 Price, Mal McKibben, and Thomas Williams.

6 So, is Mr. Robinson here? Oh, Mr.
7 Robinson. There he is. All right.

8 MR. ROBINSON: I'm Bill Robinson from
9 Allendale County, Vice Chairman of the county council.

10 I'm certainly proud to be here to express
11 our support for the MOX fuel facility at SRS. As we
12 went back and looked at our history, Allendale County
13 has always supported our nation's effort to keep us
14 strong and secure. Now, if you go back 50 years ago--
15 --and I think we all can remember---now, this country
16 was called upon to develop one of the most devastating
17 weapon known to mankind. And we did it basically, not
18 because we wanted to be the world powerhouse, so to
19 speak; we did it simply because -- to protect this
20 country. And we did it, also, to discourage the
21 misuse of that most powerful weapon by other nations.

22 Now, as we look today, to me the scenario
23 is the same. We have different players. In fact, we
24 have more players. The technology for weapons of mass
25 destruction is available to any nation. And what's

1 scary, weapon grade plutonium, the supply is
2 plentiful. I think Russia looked at it, extended a
3 hand to us to come and help. Again, I think we see
4 our nation's security at risk.

5 We support the MOX initiative, simply
6 because we feel what we face today is as great as what
7 we faced 50 years ago. I thank you.

8 MR. CAMERON: Thank you very much, Mr.
9 Robinson.

10 And we're next going to go to Camille.
11 Camille Price.

12 Is Camille still here?

13 (No audible response)

14 MR. CAMERON: Okay. Mr. McKibben. Mal
15 McKibben.

16 MR. MCKIBBEN: Thank you very much.

17 My name is Mal McKibben, and I'm a native
18 of North Augusta and have an office over in Aiken as
19 Executive Director of Citizens for Nuclear Technology
20 awareness, CNTA.

21 We are the nation's largest citizen-based
22 pro-nuclear education group with about 2,400 members.
23 We strongly support the pit disassembly and conversion
24 facility and the MOX facility, and we have been
25 encouraging that for a long time.

1 However, when we look at the -- the draft
2 environmental impact statement, we do find quite a
3 number of inadequacies and quite a number of flaws.
4 I'm only going to talk about one of those tonight, but
5 in the written statement I'll address some of the
6 others, which have to do mainly with the lack of
7 sufficient data so that you could analyze it.

8 The guidance that is given to NRC -- by
9 NRC and DOE to the people who write environmental
10 impact statement and who are required to evaluate
11 accidents says that those accidents should be
12 reasonably foreseeable. Unfortunately, it doesn't
13 tell you what that is. Is that -- is that a once-in-
14 a-million-year frequency for that accident; or is that
15 a once-in-a-billion-year frequency for that accident;
16 or is that once in a trillion? You know, the earth's
17 only a few billion years old, so I'm not quite sure
18 how silly we want to get with that.

19 But the hypothetical accident in the draft
20 EIS is a fire that takes place in a plutonium glove
21 box in the pit disassembly and conversion facility.
22 There is also one in the MOX plant that I just saw
23 tonight, I guess, for the first time. But it assumes
24 that the fire in that plutonium cabinet or glove box
25 gets out of control; it releases tritium and plutonium

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1 from its glove box confinement. The tritium and
2 plutonium are soon to be expelled out of the
3 ventilation stack of the building. And some fraction
4 of that, then, gets disbursed and deposited on
5 farmers' products that are intended to be eaten by
6 people and not animals.

7 And then it further assumes that those
8 products are eaten 100% by people with 100% of that
9 radioactivity still on it. And it goes out for 50
10 miles. And it contains both a tritium component and
11 a plutonium component, but unfortunately the EIS
12 doesn't give you enough data to figure out how much of
13 each one.

14 The scenario contains a lot of
15 uncertainty. And it is CNTA's opinion, based on what
16 we've looked at so far, that this pathway through the
17 food chain simply is an accident scenario that does
18 not meet the reasonably foreseeable criteria. And I
19 want to talk a little bit about why we think that is
20 so. And also we don't believe that the fluid pathway
21 should be considered or put into the final
22 environmental impact statement for that reason. It is
23 not a viable or reasonably foreseeable incident.

24 The scenario, as I said, has a lot of
25 unreality. Let me go through some of that reality,

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1 just quickly. First of all, the fire -- for the fire
2 to occur is a very unlikely event, for just a little
3 fire to start. During -- just a little history might
4 be of value here. In the 1950s and 1960s, when we
5 were starting up plutonium processing facilities here
6 and in other places around the country, there were, in
7 fact, some fires in plutonium processing facilities.
8 They were small. And they taught us a lesson. They
9 taught us why they happened, and we made changes to
10 the design as well as to the administrative controls,
11 to keep those from ever happening again. And -- and,
12 by golly, it worked. We haven't had anymore since
13 then.

14 But one other thing that happened that --
15 that is more important and more relevant to the -- to
16 the DEIS that we're talking about, in 1957, and again
17 in 1969, serious fires occurred in plutonium glove
18 boxes in Rocky Flats in Colorado. Now, these were
19 glove boxes that were connected in a train, one glove
20 box connected to another. And these glove boxes
21 contained a number of combustible materials, including
22 they were made -- some components of them were of
23 wood. And the glove boxes today are designed quite
24 differently. They're made of stainless steel. And
25 the amount of plutonium and the amount of combustibles

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1 in a glove box is strictly limited by procedure and
2 requirement.

3 At Rocky Flats there was no fire
4 suppression system and there were no fire barriers
5 between the glove boxes. Today there are fire
6 barriers and there are fire suppression systems. The
7 Rocky Flats glove box ventilation system pulled air
8 from one end of the train all the way down through,
9 and exhausted on the other end. It spread the fire
10 very quickly from one glove box to another. Today we
11 have each box ventilated separately, and barriers
12 between them.

13 But not only that, these glove boxes in
14 question, both in the PDCF facility and in the MOX
15 facility, are inerted. There is no air there for
16 combustion to take place.

17 MR. CAMERON: Mr. McKibben, can you sort
18 of summarize for us.

19 MR. MCKIBBEN: Okay.

20 MR. CAMERON: We really appreciate your --
21 your comments, but if you could -- could finish it.

22 MR. MCKIBBEN: All right, I'll rush
23 through it real quick.

24 MR. CAMERON: All right.

25 MR. MCKIBBEN: Those fires, which were far

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1 worse than any fire that we could have today, had an
2 interesting result that is relevant to this draft
3 environmental impact statement. In one of those fires
4 no plutonium left the facility, left the building. In
5 the other one, there was a breach by the fire of the
6 -- of a filter, and there was a small amount that got
7 outside the building, but none of it could be detected
8 more than two miles away. My point there is that
9 because plutonium is not a volatile component, it is
10 very dense, heavier than lead oxide, it does not
11 migrate easily. So it stays put. So, assuming that
12 plutonium is going to be scattered for 50 miles and
13 land on farm products is not reasonably foreseeable.

14 Let me just quickly summarize, then, and
15 close this out. The tritium in this accident would,
16 indeed, go up the stack. It would, indeed, be
17 deposited. But I think the amount that is assumed to
18 have -- to be there and the amount that is assumed to
19 deposit is grossly in excess of what it would be in
20 reality.

21 But there are a lot of -- several other
22 assumptions here in this that don't come close to
23 reality. One of them is that the -- this only occurs
24 -- or this will occur when the food is ripe and ready
25 to pick. Now, that's interesting. But the tritium,

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1 if it landed any other time, would dissipate and not
2 be in the food. It exchanges with the water vapor in
3 the atmosphere and it evaporates as water. It assumes
4 there's no rain before it's picked, because that would
5 wash it away. It assumes that -- that food, once
6 picked, is not washed by the packing house, by the
7 wholesaler, by the retailer, by the housewife. At
8 least in my house, that probability is zero. It also
9 assumes that the food is eaten immediately, because if
10 you sit it -- leave it sitting around in your
11 refrigerator for a while it will evaporate and go away
12 and there won't be any of it there.

13 Finally, and most importantly, it assumes
14 that the government would not collect that
15 contaminated food so that people couldn't eat it.
16 Now, what do you think the probability of that is?
17 Bottom line is, this is a hypothetical accident that
18 was not occur, cannot occur, and it shouldn't be
19 included in the draft EIS.

20 Thank you.

21 MR. CAMERON: Thank you very much, Mr.
22 McKibben. And we'll look forward to your -- your
23 written comments on this.

24 Is Mr. Williams -- Thomas Williams...

25 Hi, Mr. Williams.

1 MR. WILLIAMS: My name is Thomas Williams,
2 and I'm from Barnwell, South Carolina, Chairman of the
3 Barnwell County Council.

4 The Barnwell County Council has passed a
5 resolution in support of the new MOX facility being
6 built at the Savannah River Site. Some of us have
7 reviewed the Nuclear Regulatory Commission's draft
8 environmental impact statement on the MOX facility,
9 and believe NRC's preliminary conclusion that the
10 facility should be constructed is the right
11 conclusion. We feel strongly that the MOX facility
12 can be constructed and operated safely and efficient.
13 The companies involved are known expert in the nuclear
14 arena (sic) and has many years of experience. In
15 addition, the facility will be regulated by NRC.

16 NRC has federal responsibility to insure
17 the nuclear facility is designed and operated safely,
18 with no current or future danger to the public or the
19 environmental. This independent regulatory oversight
20 should give the public confidence.

21 After almost a year of study and
22 evaluation of the MOX facility, NRC says the benefit
23 of MOX facility outweighs the disadvantage. The
24 biggest benefit is to the world to get surplus weapons
25 grade plutonium out of harm's way, out of circulation.

1 This facility should be built. There is no major
2 impact to the public or the environment from normal,
3 routine operations. We think moving forward with this
4 program would help insure a safe environment for years
5 to come, and we feel that the construction and
6 operation of this facility at Savannah River Site will
7 truly be a benefit.

8 Thank you.

9 MR. CAMERON: Okay. Thank you very much,
10 Mr. Williams.

11 I'm going to -- to assume -- Mr. Mareska?
12 There was someone who signed in to speak, and there
13 was just Sierra Club with that. Was that -- was that
14 you?

15 MR. MARESKA: That -- that wasn't me.

16 MR. CAMERON: Was it Mr. Hooker? All
17 right.

18 We're going to go to -- to Mr. Hooker.
19 And amazing coincidence, Don Moniak is right after Mr.
20 Hooker. And then Richard -- is it Richard Canty?
21 Okay, we'll figure that out.

22 Mr. Hooker?

23 MR. HOOKER: Okay. Thank you for letting
24 me speak tonight. Appreciate the opportunity.

25 First I'd like to have this put on record.

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1 MR. CAMERON: Great. Thank you.

2 (Mr. Hooker hands certain material to the
3 court reporter.)

4 MR. HOOKER: I'm William Hooker, Chair of
5 the Savannah River Group of the Sierra Club,
6 representing over 500 citizens of this area. We
7 oppose the MOX fuel fabrication facility, and support
8 immobilizing of plutonium as an alternative. Many
9 aspects of the MFFF make it mostly risky, least cost
10 beneficial option of plutonium management or disposal.

11 MR. CAMERON: Mr. Hooker, can you just
12 speak up a little bit.

13 MR. HOOKER: This thing -- I can't see
14 with my bifocals.

15 MR. CAMERON: Oh, that's one of -- yeah,
16 I know about that.

17 MR. HOOKER: Due to the high alert level,
18 all shipments to and from SRS have been halted. That
19 the threat of terrorism inspires this action is
20 commended. The highlights -- this highlights the DEIS
21 deficiency is not addressing a terrorist or sabotage
22 set of action scenarios. Dose and risk cost benefit
23 analysis must be evaluated for PDCF, MFFF, WSB,
24 plutonium transport to and from the site, and offsite
25 fuel transport for terrorism sabotage accident

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1 scenarios.

2 Absence of offsite emergency plan by DCS
3 for any accident scenario -- scenario a severe
4 oversight. Either compounding the effect of the lack
5 of an emergency must be evaluated by the EIS or the
6 emergency plans must be present.

7 The environmental impacts and human --
8 human health risks waste management of the PDCF and
9 MFFF must be specifically evaluated. Latent cancer
10 facilities associated with the proposed WSB and all
11 substantial handling and transport are significantly
12 portions of the real cost of this mission are
13 minimized in the DEIS. This must be corrected.

14 With operation data from the PDCF and the
15 MFF not currently subject for review, the range
16 considered for operational life of 10 to 20 years is
17 huge. The arbitrary use of the ten-year figure is RC
18 analysis of a default low-end assumption that doesn't
19 offer conservative estimates necessary to protect
20 human health. A 20-year figure for operating life
21 must be used in estimating dose and risk cost benefit
22 analysis.

23 DOE has a very poor history of caring for
24 those American citizens it has exposed outside
25 possible military, and that's questionable. And

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1 that's from -- from me. The NRC has the opportunity
2 now to require that -- that proper care be taken to
3 prevent or mitigate any harm or expenses to the
4 stakeholders.

5 I'm going to give a couple of examples --
6 examples of fraud committed and covered up of exposure
7 to subcontractors and employees to heavy metals,
8 tritium, by DOE-Savannah River and its contracts to
9 the Savannah River Site is clearly shown in both my
10 congressional investigation I have, and the following
11 information submitted tonight with -- which will show
12 that they are still -- Savannah River Site is still
13 covering up and committing fraud. The information
14 submitted tonight is -- was sent to Dr. J. J. Stucker,
15 who is over the governor's Nuclear Advisory Council in
16 Columbia, South Carolina, certified receipt #7002 0510
17 0000 0205 2433, which includes an Email concerning
18 USCA reading room material being removed, Freedom of
19 Information Case #VFA-0749, a final replay from DOE
20 letter dated July 30th, 202 (sic), concerning my
21 freedom of information from DOE-Savannah River. Work
22 clearance permit signed on 2/22/1999, at 12:00, by
23 Westinghouse manager not identifying any hazardous
24 material in Four Mile Creek, from -- a reply from GSDL
25 hair analysis from three employees of Georgia

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1 Bowhunters Supply Company, information from ATSDR
2 concerning toxins: antimony 125 and 145, nickel,
3 arsenic, and mercury. The last item is a claim of
4 lien filed under miscellaneous Volume 1107, Page 281,
5 on 1/9/02 in the RMC office, County of Aiken, South
6 Carolina.

7 The draft report NUREG-1767 clearly shows
8 additional exposure path examples. We trusted
9 Westinghouse and the Department of Energy at the
10 Savannah River Site to tell us what we had been
11 exposed to from 2/10/1992 through 12/31/1999 while
12 working in high, medium, and low risk sites at the
13 Savannah River Site unprotected, and they -- all they
14 could do was laugh and make jokes out of what we had
15 been in while we were working for the U.S. Forestry
16 Service, slash, Savannah River Institute on 3/20, 21,
17 22, and 2000 -- of the year 2000, during a NIOSH
18 investigation. Lie and coverup is the name of the
19 game at Savannah River Site, and safety and health of
20 the employees or the general public is not the
21 interest. How can we trust the prime contractor and
22 its partners, let alone the U.S. Department of Energy
23 now with anything such as a MOX facility at the
24 Savannah River Site?

25 I included those three samples from -- for

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1 the analysis from the three individuals. And I'd also
2 like to say that I've -- I have eight dogs. Five of
3 them's been on the Savannah River Site; three of
4 them's not. The three that I have at the house,
5 alive; the five that worked on the Savannah River
6 plant is dead. I have -- I have these dogs that used
7 at the Savannah River Site, all these dogs are also
8 dead. And I believe it was from the exposure they
9 received from hunting them in these active waste sites
10 listed on the EPA Drawing GCO-1999, rev. no. Five area
11 Savannah River Site approved 4/6/1999 by Ed Campbell.
12 BSRI environmental -- this is the same units as EPA
13 drawing, except BSRI environmental management has
14 ranked the units -- numbers and units name risk
15 factors as low, medium, and high. These records also
16 show the Unit 29, Hp-52 pond as high risk, and per
17 Westinghouse presentation to NIOSH that was printed by
18 -- was presented by Sandy Human and Steven Johns, both
19 Westinghouse managers, that also committed fraud on
20 3/20/2000 to NIOSH.

21 MR. CAMERON: Mr. Hooker, you may want to
22 give us those numbers in -- in writing and just...

23 MR. HOOKER: They right there.

24 MR. CAMERON: ...give us your substantive
25 point. But could you try to wrap up for us now?

1 MR. HOOKER: Right.

2 MR. CAMERON: Thank you.

3 MR. HOOKER: I'd like to read the Email,
4 the portion of it, and then I'll -- on top of Notebook
5 Z105 is a sticky notepad that said, "William Hooker."
6 This note was being hauled off as a potential
7 sensitive, along with other 50 boxes. It contained
8 records of spills from 1990 to 19-1 (sic) time frame.
9 The person that wrote me this Email asked me do I have
10 a freedom of information in for such information.

11 I went back for my freedom of information
12 request that I -- and I got a reply on July 30th,
13 2002, from DOE. I asked for environment report for
14 2002, what caused the failures from 1988 -- 1999
15 exceedance of SCDHEC issued NPDES permit liquid
16 discharge limited as referenced. I asked for August
17 4th outfall G-10, Four Mile Branch failure, chronic
18 toxicity (sic), what causes failure. August 28th, acute
19 toxic, it was unable to determine what causes failure.
20 Seven exceeds as shown on Page 138 of 1991; ten
21 exceeds of '92; ten exceeds of '93; 9 exceeds of '94;
22 19 exceeds of '95; 14 exceeds of '96; 7 exceedances
23 1997. And this is their reply.

24 "The Savannah River Site performed a
25 search for exceedance and full-size map

1 portion of your request and found no
2 responsive documents to your remaining
3 request numbers 2 through 12. Also,
4 regarding these non-existing records, the
5 freedom of information does not require
6 compenation (sic) or creation of record
7 for purpose of satisfying a request for
8 records. Therefore, SRS does not -- did
9 not locate any responsive documents to
10 your request or what caused the
11 failures."

12 MR. CAMERON: And, Mr. Hooker, are you...

13 MR. HOOKER: I'm through.

14 MR. CAMERON: That's it?

15 MR. HOOKER: Yeah.

16 MR. CAMERON: All right.

17 MR. HOOKER: Yeah, I -- I submitted...

18 MR. CAMERON: And you've got this for the
19 record? Great. Thank you very much, Mr. Hooker.

20 [Applause.]

21 MR. CAMERON: And we're going to -- we're
22 going to go to Don Moniak now, and then we're going to
23 hear from Ed Presnell.

24 MS. CARROLL: Are you going to explain
25 your crack about the "by coincidence thing"?

1 MR. MONIAK: Yeah, that was a crack.

2 MS. CARROLL: What does that mean?

3 MR. CAMERON: It wasn't a crack. It was
4 just that the next name on the list was Don Moniak.

5 MS. CARROLL: And you were standing right
6 next to him?

7 MR. MONIAK: By coincidence.

8 MR. CAMERON: Yeah. I mean, it's on the
9 list. I mean, you can look at it.

10 Don, go ahead.

11 MR. MONIAK: I'll let you go. Just a
12 second.

13 My name is Don Moniak, and I'm here
14 representing the Blue Ridge Environmental Defense
15 League on behalf of Janet and Lou Zeller, who couldn't
16 make it tonight. Janet had replacement hip surgery
17 this week.

18 Want to talk first about risk. It's
19 probability times consequences. Consequences are
20 economic and cultural. The stigma attached -- the
21 stigma attached to the consequences of a radiological
22 accident are difficult to measure, but they have to be
23 addressed. This was raised repeatedly in Texas during
24 the surplus plutonium disposition EIS by people who
25 farm for a living. Accidents that may have no

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1 measurable human impact can put a farmer out of
2 business because nobody wants his product -- their
3 product. That's fact. There are other consequences
4 that have to be considered.

5 The only consequence that's considered in
6 here is latent cancer fatalities. If that is the only
7 health consequence that is going to be addressed, at
8 least say why other consequences are not being
9 addressed, what you know and what you don't know about
10 the impacts of ionizing radiation.

11 There's not much in here about what is the
12 hazard of radiation. We're presenting this chart all
13 the time about what the average natural background is
14 in this country. And Tim was wrong, in that the
15 natural background averages about 290 millirems per
16 year, and it was presented as 360. The 360's
17 including X-rays and things. Not everybody gets X-
18 rays. A Christian Scientist does not get X-rays.
19 Certainly not to my -- I don't get many X-rays. I
20 don't let me dentist X-ray me every time I go in.
21 That is not part of natural background. You need to
22 say what is natural background around here, not what
23 it is at a national level, because around here, at
24 lower elevation, radon levels are low, there's very
25 few basements around here because there are such sandy

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1 areas. What is it around here? That needs to be
2 addressed in this. And what harm does natural
3 background radiation cause? We know what the benefits
4 are. Without solar radiation we'd be nowhere. Solar
5 radiation, the sun, solar energy is still our number
6 one power source. It just isn't on the grid. It
7 still provides us with almost all of our energy needs,
8 and always has and always will. And when it doesn't,
9 we won't be sitting around here talking about
10 plutonium.

11 What is not in this document is what the
12 radiological impact is. They tell us what the
13 potential radiological dose is, but not what the
14 impact is in terms of concrete measurements, curies or
15 becquerels. Whereas with the chemical hazard we're
16 told concrete numbers. We're told this many tons a
17 year of nitrous oxide or this many tons a year of this
18 or that will be released. But there's no equivalent
19 numbers for radiation impact. So that needs to be put
20 in this.

21 The NRC reported annual air pollutants for
22 select non-rad chemicals and elements at Savannah
23 River Site. And for the affected area they chose this
24 very arbitrary figure of one ton per year being
25 released of a chemical. Well, that doesn't have much

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1 to do with what the hazard of that chemical is,
2 because at SRS they release quite a bit of mercury
3 into the environment, but they don't get up to one ton
4 very often. More like anywhere from 100 to 600 pounds
5 in the last ten years, which is a lot of mercury.

6 So what you need to do is, in the affected
7 environment part, is say what kind of impacts are
8 there, not which chemicals are being released at a
9 rate of more than one ton per year. There's an
10 absence of discussion on americium in here, because
11 americium is the radioisotope that has to be separated
12 from plutonium in order to make plutonium MOX fuel.
13 And this poses a risk that's disproportional to
14 plutonium, in general; and there will be a large waste
15 stream of americium contaminated material. I asked:
16 Why not just put all that americium into some smoke
17 detectors and use it like a product, like we're trying
18 to use plutonium to recycle. Tell us why that
19 couldn't be done. What are the hazards of americium?

20 The units in this document are not
21 consistent. You go from cubic meters to gallons, back
22 and forth. I think the liquid radioactive waste
23 stream should be reported in liters and gallons, like
24 it has been all along.

25 Sort of like to get along to the changes

1 that have occurred since January 2000, three years
2 ago, to this facility when the design cost was \$56
3 million. Today the design cost is \$171 million. And
4 I'll bet you that it rises higher than that. The size
5 of the facility has increased from 120,000 square feet
6 of hardened space to 366,000 square feet of hardened
7 space. Essentially, they're building a new canyon out
8 there that will replace the capabilities of the
9 existing canyons. That is a huge change from the
10 Department of Energy's analysis. The amount of liquid
11 radioactive waste has increased to about 500 gallons
12 a year, to more than 400,000 gallons per year. And
13 the decision was based to go forward with MOX instead
14 of immobilization on this faulty analysis that
15 occurred. The latent cancer fatalities that DOE said
16 in a worst case accident, which would be an
17 earthquake, it was much less risk of an explosion at
18 a MOX fuel facility back then because it was all dry
19 processing. They said we wouldn't need to do liquid
20 processing. Now it's 200. There's a lot of other
21 changes that have occurred, too. And the Department
22 of Energy was very dishonest in their analysis.

23 355,000 gallons a year liquid radioactive
24 waste. Yeah, that's not much compared to what
25 Savannah River Site goes through every year. If it

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1 was at a Greenfield facility people would be up in
2 arms. It's still a waste stream that is unnecessary
3 if immobilization was implemented. And it's not a low
4 impact. That's a lot of waste that has to be treated
5 at the effluent treatment facility, and what is left
6 from that is going to end up in the streams of the
7 state and the rivers of the country.

8 The tritium accident, they don't list the
9 number of curries that are postulated to be released
10 in an accident, and don't say what the routine
11 releases will be at the pit disassembly and conversion
12 facility. Three years ago it was about 1000 curies
13 per year tritium being released. That's a drop in the
14 bucket for SRS, because they have released so much
15 tritium over time that an average day at SRS would be
16 an accident at any other sites. Like Lawrence
17 Berkeley, they actually do occurrence reports if they
18 release, like, a millicurie. Here a millicurie is
19 just nothing.

20 The non-rad toxins, as I addressed before,
21 SRS currently is permitted to release 253 toxic air
22 pollutants. Approximately 180 of these are permitted
23 only at the consolidated incinerator facility.
24 There's mention of the consolidated incinerator
25 facility in here, but it's not operating right now.

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1 If it was to operate, the air emissions out there
2 would be much, much higher than as what's been
3 reported. And until the decision is made on that, you
4 need to address that, because then the current impacts
5 at SRS are higher than what is being said.

6 Why MOX? This is a political issue. This
7 is a political decision here. The sole justification
8 for this project is the U.S.-Russian agreement. The
9 NRC did fail to address the status of the agreement.
10 And as we know, as we speak, George Bush is
11 antagonizing Russia by accusing them of providing
12 military aid to Iraq, and Russia is accusing us of
13 many other things. Vladimir Putin is a tyrant. He's
14 just another communist, tyrant, authoritarian, bad
15 person who cannot be trusted. Things are going
16 downhill. And to move forward on this project without
17 -- while pretending that things are just steady and
18 we're getting along with Russia is crazy. Russia's
19 Minatom is described as the last -- as the stronghold
20 of the last regime, the most conservative elements
21 within Russian society. Russian people despise
22 Minatom. 80% of them generally vote against new
23 nuclear projects. Minatom is an autonomous rogue
24 agency that hopes to export plutonium fuel if they get
25 an infrastructure to build it. And their trading

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1 partners are Iran, Pakistan, generally the ones that
2 are on our export control list.

3 MR. CAMERON: Don, could you sum up for
4 us?

5 MR. MONIAK: Yes.

6 The final issue is that I asked about the
7 foreign ownership and control and influence. And this
8 is a French project. This project primarily benefits
9 the French government at this point. Now, whether
10 that's right or wrong is irrelevant. The French -- if
11 anybody is to do the MOX, the best person for it's --
12 best company for it is Cogema, because we certainly
13 don't want BNFL to do it with their falsified quality
14 assurance data and an inability to get an plant
15 license there.

16 However, France is now on our enemy list,
17 essentially. We're boycotting French kissing, French
18 fries, everything but French nuclear fuel. And this
19 is controlled by them. I don't know how they arrived
20 at the conclusion that this was not a French-run
21 operation. Chairman Richard Meserve of the Nuclear
22 Regulatory Commission, a year-and-a-half ago, was
23 lobbying Dick Cheney and the Congress to remove
24 foreign ownership and control rules, weaken them and
25 lessen them. This is in a letter he wrote. This is

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1 before the world started to change.

2 The Atoms for Peace is the biggest
3 casualty of this war in terms of political situation.
4 If the UN is irrelevant, then the IAEA is irrelevant,
5 then the NRC is irrelevant when it comes to this
6 project. Because this project is an international
7 verification and inspection project. It's not all
8 about making power. And if you don't address the non-
9 proliferation impacts and say to the Congress, as an
10 independent agency, things have changed. DOE's
11 analysis might have been okay. Then you're not doing
12 your job. You have a responsibility just as a
13 government employee to do this.

14 Thank you.

15 MR. CAMERON: All right. Thank you.

16 [Applause.]

17 MR. CAMERON: Ed Presnell.

18 MR. PRESNELL: Thank you.

19 My name is Ed Presnell, and I'm the
20 President of the Augusta Metro Chamber of Commerce.

21 The Augusta Metro Chamber of Commerce,
22 with member businesses from across our two-state
23 community, supports the MOX project. Our chamber has
24 followed the progress of the project since the
25 beginning. And with the release of the Nuclear

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1 Regulatory Commission's draft environmental impact
2 statement stating minimal environmental impacts, we
3 believe NRC should issue a license for construction,
4 and eventually for operation of the MOX facility.
5 Aside from being the right thing to do for the safety
6 of our planet, support of this international effort
7 will have the side effect of great economic benefit
8 for our community.

9 We believe any concerns of safety have
10 been answered. The safety of the process and the
11 facility, itself, has been evaluated for years by many
12 different groups. Every conclusion is the same. The
13 MOX facility can be constructed and operated safely
14 with minimal impacts.

15 With the question of safety satisfied, we
16 now hope that our citizens can now recognize the
17 economic boost the MOX project will have in the
18 regional economy. When focusing on some of the
19 numbers listed in the draft EIS for the construction
20 and operation of the MOX facility and its associated
21 facilities, the pit disassembly and storage facility
22 and the waste solidification building, it's easy to
23 see the positive impact.

24 For example, in the peak year of
25 construction, 1,820 workers will be required for the

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1 proposed action. On average, 1,000 jobs will be
2 created for the proposed facility. During operations,
3 1,260 employees will be required each year. Income
4 for workers during construction will be \$350 million.
5 Income during operations will be over \$600 million.
6 The proposed facilities will produce approximately
7 \$110 million in tax revenues from state income and
8 sales tax. And finally, the proposed facilities will
9 produce \$1,850 million for gross regional product.

10 The Central Savannah River Area will be
11 proud to be home for the mission to reduce weapons
12 plutonium. This project is one of great importance to
13 the security of the world. That reason alone should
14 be enough to see this MOX succeed. But it is also
15 positively impacts (sic) the CSRA in more ways than
16 expected. It shows that by doing the right thing and
17 supporting our country, our citizens will receive
18 benefits they never expected.

19 The Augusto Metro Chamber supports the
20 licensure of the MOX facility, and looks forward to
21 both the global safety and local prosperity that it
22 will create. Working together, the Central Savannah
23 River Area and the Department of Energy are making the
24 world a better place.

25 Thank you very much.

1 MR. CAMERON: And thank you, Mr. Presnell.
2 Is Richard -- is there a Richard Canty?
3 All right, Reverend Walker. And after
4 Reverend Walker, Mary Kelly.

5 MR. WALKER: Good evening. My name is
6 David Walker. I am President of the Aiken Branch of
7 the NAACP, and I'm the Regional Coordinator for Region
8 2 of the NAACP which include the branch in North
9 Augusta, Wagener, Salley, Edgefield, and Saluda.

10 I am here tonight to state that the NAACP
11 still fully support the MOX facility at Savannah River
12 Site. After seeing the draft environmental impact
13 statement released by NRC, I've noted a few things.
14 One is that in their report the NRC has stated that
15 they would most likely issue a construction license to
16 DCS. I think that NRC feels that they are doing this
17 because they have some degree of confidence in DCS.

18 While we continue to support the MOX
19 facility, we are awaiting the corrected EIS statement
20 from NRC to compare that statement with the statement
21 from DOE and from DCS. We feel that our support is
22 necessary because one of the economic impact that it
23 will have in this area. While there are some concerns
24 regarding the environmental justice portion of the EIS
25 statement, we will review all three EIS statements and

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1 submit a written report prior to the deadline.

2 But we come tonight to say that we
3 unequivocally -- the Aiken Branch NAACP supports the
4 MOX facility. The MOX plant should come to SRS and
5 DOE, and we are expecting DOE, SRS, and DCS to keep
6 its citizen (sic) updated on the plant. Before I take
7 my seat, I am making one request on behalf of the
8 Aiken Branch NAACP. In the past all of these meetings
9 have been held outside of the communities that will be
10 mostly affected should an accident occur. I am
11 requesting at this meeting that NRC, DOE, and DCS make
12 a considered effort to hold a meeting in the African
13 American community, the community that will most
14 likely be affected. But at this time we still
15 strongly support the MOX facility.

16 MR. CAMERON: Okay, thank you, Reverend
17 Walker.

18 We're going to go next to Mary Kelly. And
19 is there a -- is it Charlie Kleiss?

20 Okay, Mary Kelly, and then Charlie.

21 Let's see if we can make sure that this
22 microphone works for you, Mary.

23 MS. KELLY: Thank you. Short people.

24 MR. CAMERON: Yeah. See if -- see how
25 that is. Let's see if we can hear you.

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1 MS. KELLY: Okay. My name is Mary Kelly,
2 and I'm representing the League of Women Voters of
3 South Carolina. Some of what I was going to say is
4 repetitious, but I'm going to repeat anyway because I
5 think it's just so extremely important.

6 We question the wisdom of concentrating so
7 much plutonium on one site. SRS has to be the world's
8 most inviting terrorist target, even without the added
9 plutonium. And as the old saying goes, "Never put all
10 your eggs in one basket." Having such -- so much
11 plutonium in one place also increases the prospects of
12 a criticality accident.

13 We find it difficult to understand how you
14 can justify not including considerations about
15 terrorist acts or criticality accidents in this
16 document. The whole issue of homeland security hasn't
17 been well handled, I -- I think most of us would
18 agree. The public needs to know about the
19 possibilities of such accidents, and be given
20 information that will empower them to do something to
21 help themselves in such an event. There's a great
22 deal of danger in ignorance.

23 In addition, should you be transporting
24 plutonium and uranium around the country in a time of
25 war and international hostility to the United States?

1 Some of that plutonium will be in the form of
2 plutonium oxide powder, a highly reactive and
3 flammable substance. Depleted uranium in the form of
4 gaseous uranium hexafluoride, a nasty substance, will
5 be transported probably from Ohio to a processing
6 plant in Wilmington, North Carolina, where it will be
7 solidified as uranium dioxide and then transported
8 back to SRS.

9 There should be more discussion about the
10 backgrounds of the entities composing DCSW, Duke
11 Cogema Stone & Webster, from the standpoint of their
12 financial stability and history, and their
13 environmental and safety records. It is extremely
14 troubling that one party to this consortium is Cogema,
15 a French company, owner and operator of sites like La
16 Hague that have bad environmental and safety records.
17 It may not be possible to get adequate information
18 about Cogema, since France is far less open than the
19 United States about its nuclear operations.

20 Another point on the subject of health
21 effects. It's really distressing that the study that
22 was underway about the -- the Dosimetry construction
23 project proceeded to a certain point. They had
24 collected a lot of data, organized it and so forth,
25 and then the money was not forthcoming to analyze that

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1 data. That project should be completed and the
2 information made available to all the people in this
3 community and throughout South Carolina. It is most
4 important.

5 The other -- another problem that I see in
6 this DEIS is the weather discussion. You only discuss
7 five years. It doesn't take into account some special
8 South Carolina background. On a totally different
9 kind of project in Columbia, we've been fighting
10 against a big developer who wanted to put a
11 development in a flood plane. Well, his information
12 simply didn't go back far enough on the flooding that
13 had taken place in the Columbia area. It took
14 university people and interested people in the
15 community who could remember or who had fathers and
16 grandfathers who could remember the fact that there
17 had been tremendous flooding in the Columbia area
18 along the Congaree River.

19 The same thing is true with the
20 possibility of the effects of hurricanes. Now, that
21 all has by dismissed. But those of us who lived
22 through Hurricane Hugo know that what happened there
23 was that the hurricane came in just north of
24 Charleston and followed the water courses up to
25 Columbia; then went up the river, the Wateree River,

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1 to Charlotte. Charlotte was heavily impacted by
2 Hurricane Hugo. You really need to have a more
3 expansive idea of what weather patterns have occurred
4 in this area and in South Carolina.

5 You also seem to only be concerned about
6 the impact on the health of citizens within a 50 to 60
7 mile radius. Well, if you have a major accident here,
8 it will cover a far, far greater area than 60 miles.
9 When Chernobyl -- the accident at Chernobyl occurred,
10 people in Norway were affected. It just isn't true
11 that you can consider such a limited area.

12 Another point has been brought out, and
13 it's been about the Russian MOX program, which is not
14 proceeding according to plan. Another factor
15 involved, according to the *Global Security Newswire*
16 that comes out from the -- well, it's the NTI, and I
17 can't remember what that stands for. But,
18 nevertheless, they're talking about the difficulties
19 of adequately monitoring weapons of mass destruction,
20 including nuclear, in Russia. It just doesn't seem
21 that this program should be going ahead justified by
22 what the Russians are going to do, until the world
23 settles down a little more.

24 And I appreciate being able to make these
25 comments, and I hope that will receive -- get to a

1 satisfactory resolution of this whole issue. But
2 there are just these -- some of these very pertinent
3 facts that are like elephants in the garden. They
4 just aren't going to go away, and you really need to
5 pay attention to them.

6 Thank you.

7 MR. CAMERON: Okay. Thank you, Mary.

8 Next we're going to hear from Mr. Charles
9 Weiss, and then we're going to go to Tom Clements.

10 MR. WEISS: Thank you very much. Good
11 evening. My name is Charlie Weiss, and I am President
12 of the Greater Aiken Chamber of Commerce in Aiken,
13 South Carolina. We represent approximately 730
14 businesses in the region. It equates also to roughly
15 30,000 employees who really depend on a sound and
16 stable economy.

17 I am pleased to see that the NRC has taken
18 into account the substantial economic benefits that
19 the MOX project provide, and the plutonium disposition
20 program in general will offer to our area. I'm also
21 proud to be in a community that has the opportunity to
22 contribute to such an important national mission. SRS
23 and the local community have a long history of such
24 contributions.

25 I am here this evening to convey that the

1 Greater Aiken Chamber supports -- support for the MOX
2 project, for what it can do for our country, and what
3 it will offer to our entire region.

4 In the draft EIS, the NRC says it does not
5 see any significant health or environmental impacts,
6 and that the risk to public health is, indeed, very
7 small. With tighter, more stringent federal and state
8 regulatory controls, environmental safety should not
9 really even be considered a factor in deciding the
10 location for the MOX project. It is vital we all
11 remember that the economic boom of the '90s cannot be
12 counted on to sustain the quality of life that each
13 one of us have come to enjoy. MOX, ladies and
14 gentlemen, is not a four-letter word. On the
15 contrary, it equates to improved education, parks and
16 recreation, health care, and other very important
17 attributes that contribute to a well-balanced
18 community.

19 I believe that NRC should make it their
20 final decision to locate the MOX facility at the SRS,
21 and that we, the citizens of the CSRA, should support
22 this program of immense important for the continued
23 safe of continued quality of life (sic) and economic
24 growth.

25 Thank you for allowing me to speak to you

1 this evening. Very much appreciate it. Thank you.

2 MR. CAMERON: Thank you, Mr. Weiss.

3 Let's go to Mr. Tom Clements, now, and
4 then we're going to go to Caroline Rivard.

5 MR. CLEMENTS: My name is Tom Clements,
6 and I work for Green Peace International based in
7 Washington, D.C., and I represent over two million of
8 our members with offices in about 35 countries
9 worldwide. And I'm a native to this area.

10 I just want to make some comments on the
11 process. I'm going to submit some written comments
12 about some accident scenarios and other issues, but I
13 just want to hold my comments to a couple more of
14 process and political points.

15 I found this draft EIS very confusing
16 because it attempts to also present environmental data
17 on two other facilities, in addition to the MOX plant;
18 those being the pit disassembly and conversion
19 facility, and the waste solidification building,
20 which, to my knowledge, DOE has never stated or
21 written publicly that that facility must be built.
22 I've been trying to get answers from DOE about the
23 facility, but so far there has been no response.

24 I'm also trying to find out if this
25 document is also the environmental impact statement

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1 for those other two facilities, and I have not heard
2 the question answered here tonight if this document is
3 going to serve as the EIS for two other major
4 facilities that are going to cost a lot of money and
5 could have substantial environmental impact. One of
6 the facilities is covered in this document to a very
7 minor degree. It was also covered in a 1999 EIS on
8 the plutonium disposition program. But the waste
9 solidification building, to my knowledge, DOE has
10 never done any NEPA analysis on its own. I think
11 there are going to be some legal questions raised
12 under NEPA if this document is substantial enough to
13 stand in for two other full environmental impact
14 statements which must be prepared.

15 Also, I can't determine now that there's
16 any legal basis for disposing of 34 metric tons in the
17 MOX program, and that's what this document basically
18 addresses. The department has never shifted the
19 plutonium that's being shipped from Rocky Flats from
20 long-term storage into the MOX program. We've been
21 waiting many, many months for a supplement analysis to
22 come out on that. We feel it should be -- that they
23 should prepare a supplemental EIS. So the program
24 right now only has about 27 metric tons in it. With
25 a wave of the pen, they could transfer the plutonium

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1 into this MOX program. But we want to know how much
2 plutonium is coming from Rocky Flats, what the
3 impurities are in that plutonium, how some of it's
4 going to be disposed of if it's not going to be
5 disposed of as MOX. Rocky Flats has -- has clarified
6 that some of this is going to go to Whip. But we
7 don't know exactly what's going to happen to the
8 plutonium that's being shipped from Rocky Flats.

9 Just a couple more things, one related to
10 cost. The cost information presented in the document
11 is very confused and vague. They -- it gives a -- an
12 overall cost to the MOX program of \$3.8 billion, I
13 believe. But it doesn't break down this cost into
14 research and development, construction cost, operation
15 cost. There's a little discussion on the
16 decommissioning cost which gives a range. But the
17 people who wrote the document need to go back and
18 present very clearly what these costs are,
19 particularly given the budget crisis in this country
20 right now and the poor economy, and that \$75 billion
21 was just requested as a down payment on the war in
22 Iraq. The fact the DOE is trying to get \$415 million
23 in fiscal year 2004 is going to draw some attention.
24 The budget is going to be very tight. The \$650
25 million requested for the overall program is going to

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1 get some scrutiny.

2 We also believe that because of the
3 problems in the budget and the problems that have --
4 some of which have been pointed out with Russia, that
5 this money that's going to building the MOX plant in
6 the United States and Russia could be more efficiently
7 spent in protecting and securing nuclear materials in
8 Russia. There's a dirth of funds going into the
9 program to make sure that all the nuclear materials in
10 Russia are secured, and there's no need to rush into
11 building a MOX plant now---which we're opposed to---in
12 Russia unless the nuclear materials have been secured.
13 And I think that that's going to be something that
14 Congress is going to be watching very closely.

15 I'll submit the rest of my comments in
16 writing. Thank you.

17 MR. CAMERON: Okay, thank you very much,
18 Tom.

19 Caroline Betsy Rivard, and then we're
20 going to go to Brendolyn Jenkins, and then Dave
21 Cowfer.

22 MS. RIVARD: Good evening. Two weeks ago
23 tonight I was actually in Hiroshima and I visited the
24 peace museum for the first time. And I was startled
25 to see that on a tableau that's there, part of the

1 museum is a list, half of it's in Japanese and half of
2 it's in English, listing accidents that have happened
3 since the dropping of the bombs on Hiroshima and
4 Nagasaki. And there's only like 21 items listed, and
5 one of the items mentioned SRS, which I was surprised
6 about. And it says that in 28 years -- they have a
7 date on it, 1988. September 30th, 1988. In 28 years,
8 30 major accidents at the Savannah River nuclear
9 weapons plant in the United States. I'm not sure
10 where they -- what -- you know, what information it
11 says, but it certainly sent a chill up my spine.

12 I disagree with the DEIS, because the
13 possibility of accidents was not adequately addressed.
14 One of the related documents mentioned in the DEIS is
15 the -- this final EIS from the Yucca Mountain -- the
16 geological repository. And in here they managed to
17 actually consider this terrorist possibility, and in
18 -- it says, "In response to public comments, and to
19 provide further information about accident risk, DOE
20 analyzed an accident scenario in which a large
21 commercial jet aircraft would crash into the
22 repository facilities.

23 Now, you know, kind of raised the question
24 in my mind, reading the DEIS, what -- you know, what
25 probability would they have considered a plane

1 crashing into the Twin Towers, or two plane crashes
2 into the Twin Towers. Is that like highly unlikely?
3 Not predictable? Not considered? But, anyway, it did
4 happen. So just wanted to consider that. It says,
5 "If the accident occurred, the estimated consequences
6 would include a dose of 4.5 rem to the maximally
7 exposed offsite individual and a corresponding
8 likelihood of .0023 that this individual would incur
9 a fatal cancer.

10 Anyway, my point is that they were able to
11 consider that, and I don't understand why -- their
12 quote is that -- how is it? Will not address -- the
13 EIS will not address impacts of terrorism because
14 these impacts are not considered to be reasonably
15 foreseeable as a result of proposed action -- of the
16 proposed action of delivering 34 metric tons of
17 weapons grade plutonium to the SRS plant and
18 processing it. I -- I think that there's bad
19 reasoning here. Is not the transportation, storage,
20 and processing of 34 metric tons of plutonium
21 reasonably foreseeable -- a reasonably foreseeable
22 target for terrorism?

23 And I also disagree with the DEIS because
24 it does not consider the immobilization alternative.
25 And if the -- if the object is the disposition of

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1 weapons grade plutonium, immobilization needs to be
2 considered. Russia's concerns don't really seem to be
3 an adequate reason to not do it. And I also think
4 that adverse economic effects -- I know that everybody
5 is talking about the wonderful economic effects of
6 building and having this MOX plant. I think we need
7 to consider the adverse economic effects of a
8 significant accident on the community.

9 Thank you very much.

10 MR. CAMERON: And thank you, Betsy.

11 Brendolyn, and then David -- Dave Cowfer.

12 MS. JENKINS: Good evening. And I thank
13 you for this opportunity to speak regarding the draft
14 EIS.

15 In an -- in an economy that can be
16 described in my community at best as being depressed,
17 I stand to support the growth and development of the
18 economy of the community. This project can represent
19 future jobs, professions, and careers for the youth of
20 my community. This project can represent economic
21 stability to the CSRA. This project can also
22 represent the continuation of missions at the SRS.

23 But, comma, however, although I am in
24 favor of all of these positive aspects, I have grave
25 concern over the environmental impact portion of the

1 draft EIS. Although it's been stated that NRC
2 miscalculated their figures, and that an event is
3 highly unlikely and improbable, there may have been a
4 number of inadequacies found that causes even more
5 concern to me about the concreteness of the data, and
6 if it is likely to change again.

7 I'm also deeply concerned because we as a
8 community, a nation, and now an entire world live now
9 in the land of "what if." We never thought that a
10 space shuttle would explode on liftoff, and we
11 certainly never thought that one would disintegrate
12 upon reentry. I never thought, after having lived in
13 New York a number of years, that the magnificent Twin
14 Towers would be felled, or that the icon of national
15 security and defense would be attacked, or even that,
16 on the other Monday evening, we would have an
17 earthquake in Aiken. But we live now in the land of
18 "what if." And although we can talk all day long
19 about wind patterns and wind shifts, we still remain
20 when it settles, it settles, wherever it settles, in
21 a community of disenfranchised, poor, and minority.

22 One of the youth at a meeting the other
23 evening pointed out to me, when it was talked about
24 the wind shifts and wind patterns, that we also live
25 on a spinning ball called earth. We are called to

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1 think critically about putting projects over people,
2 and jobs over lives. I'm deeply disturbed that so
3 much of the time and effort that my organization has
4 spent was challenging the DOE and Westinghouse
5 Savannah River Company about this issue, when both the
6 NRC and Duke-Cogema should have been more forthcoming
7 in their roles that were to be played.

8 I, as well as many of my members of my
9 community and the four or five members of the SRS
10 Alliance that was present at a meeting for the first
11 time ever in a disenfranchised community in Aiken,
12 we're very appreciative for Tim Harris attending the
13 meeting last week with members of that impacted
14 community that is spoken about in that draft EIS. We
15 are also, however, quite disenchanted, and perhaps
16 even insulted, that Duke-Cogema refused to meet with
17 members of the SRS Alliance or, instead -- or even
18 attend that meeting. But, instead, to go hundreds of
19 miles last evening and be present---although not
20 vocal---in Savannah, and present this evening, when
21 the community that is spoken about in the
22 environmental justice portion is not even the
23 community in the faces of those of you that are
24 present this evening.

25 So I don't want to be seem as -- seeming

1 as unpatriotic for the questions that I raise that
2 call us to be critical prophets in a time of "what
3 if." I support the efforts of -- of the community, of
4 this project, and of the SRS. You've been very good
5 corporate neighbors that have empowered and impacted
6 the communities around my community and the families
7 of which I serve. But I also am called to critically
8 think and critically look at any issue and any impact
9 that would adversely affect the people that I serve.

10 Thank you.

11 MR. CAMERON: Thank you very much,
12 Brendolyn.

13 Dave? And the next three speakers are
14 going to be Glenn Carroll, Ed Arnold, and Ernie
15 Chaput.

16 And this is Mr. Cowfer.

17 MR. COWFER: Yes, Dave Cowfer. I chair
18 the Savannah River Site Retiree Association. I would
19 like to say, first of all, that I and the association
20 I represent strongly support the MOX facility.

21 My background, my 40 years in industry,
22 I've been retired three years now. I have worked
23 three-fourths of that under the jurisdiction or
24 actually the regulation of the NRC, and I'm very
25 confident the NRC will do a job -- a good job, an

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1 excellent job on this project, both in the
2 authorization of the construction and operation, and
3 the regulation of the facility once it goes into
4 operation.

5 I believe that the MOX facility can be
6 constructed and operated safely. But I've got a
7 concern about the EIS I'd like to -- some concerns I'd
8 like to mention. Having reviewed the EIS and talked
9 to some independent -- folks independent of the EIS
10 development, I would like to say or make the concern,
11 certainly, that the EIS is very conservative, and it
12 makes some assumptions that I think are incredible.
13 Particularly, and most particularly, on the worst case
14 scenario.

15 I'm concerned that a perception of this
16 kind of evaluation generates in the public eye -- that
17 this kind of evaluation generates in the public eye
18 with respect to perceive dangers at the facility are
19 inflated. I think the NRC's postulating an accident
20 that would breach at least two levels or more of
21 containment, site boundary monitors, and go undetected
22 for a year is just not -- not plausible. The scenario
23 disregards the facility engineering safety features
24 and operating procedures mandated by federal
25 regulations that would prevent this sort of scenario

1 from even occurring. I've worked at SRS, and I can
2 tell you the redundancy and certainly the safety basis
3 for this facility, like others out there, would --
4 would bear out the fact that this is not a -- a
5 credible scenario.

6 Over the years we've seen opponents of
7 nuclear technology overstate the risks associated with
8 the technology, and certainly we know that the NRC is
9 neither a proponent or a proponent, but they're an
10 objective regulator. I would expect the NRC to be
11 even-handed and not overly -- be overly dramatic in
12 the assessments of that facility. Even if they
13 acknowledge that the assumptions they used are
14 conservative, and if they acknowledge that the --
15 their evaluation does not give credit for protection
16 that we know will be in place to prevent this accident
17 scenario from happening, the statements gets lost in
18 the cloudiness of what's generated in numbers---we've
19 heard a lot of that discussion tonight---that fall out
20 of these conservative evaluations. So I would hope
21 the NRC heeds this concern and would insure that their
22 final analysis portrays the risks associated with this
23 program in a proper context.

24 Thank you.

25 MR. CAMERON: Thank you very much, Mr.

1 Cowfer.

2 Glenn Carroll, and then Ed Arnold and
3 Ernie Chaput.

4 MS. CARROLL: Hello. My name is Glenn
5 Carroll. I represent Georgians Against Nuclear
6 Energy. We are intervening in opposition to
7 construction authorization for the MOX facility, so
8 we've been studying it pretty hard.

9 I'm carrying this image tonight because
10 it's a Native American thunderbird, but it sure looks
11 like a nuclear waste symbol; doesn't it? And I just
12 think -- I put this out here and share it because I
13 really believe that we can finish this business we
14 started. That we can finish with the nuclear genie
15 which we've let out of the bottle.

16 Oh, could I ask you to put Slide 6 up.
17 Thank you.

18 One of the things I want to say is we have
19 something in common. This is our plutonium. If you
20 have ever paid federal taxes, you bought this
21 plutonium. You bought this facility, Savannah River
22 Site, and you're buying whatever we do with this
23 plutonium.

24 I want to celebrate that we are arguing
25 about what to do with weapons grade plutonium. Now,

1 this is a really good place to be. It's progress.

2 I request an additional meeting. I didn't
3 quite follow what happened with the revised data you
4 furnished us tonight, but it sounds like we just
5 really could use something -- what you put out next
6 week, and we could really use to review it, and we
7 could really use a public forum to discuss it, because
8 this document is vast, and I really wonder what
9 individual knows everything that's in here. And it's
10 really important. And so I think we really benefit
11 from having a public meeting to hear from each other
12 about it. And I think the minimum is to come to this
13 community, which is going to be the most affected.

14 Okay, I'm sorry, this gets tiresome. I
15 say this every time we come out. There's a basic
16 problem with what we're doing with this EIS process.
17 Can I have your walk-around-with-it mic so that I can
18 use the slides?

19 MR. CAMERON: Are you going to give it
20 back?

21 MS. CARROLL: Did you hear about that?
22 You weren't here. I was beating up DOE that night.

23 Okay. What we have here -- where do we
24 have it? Well, it was kind of an interesting layout.
25 Okay, we're not even discussing a license. Let's be

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1 clear on that. We're discussing construction
2 authorization. This isn't even defined in NRC
3 regulations, so we're pretty much making it up as we
4 go, which sort of leaves it open to challenge. We'll
5 have to see what happens with that.

6 So what you've got here, what we're
7 talking about here is a construction authorization
8 request. We want to consider whether to construct
9 this facility. Now, usually when you consider whether
10 you're going to construct a facility that's up to
11 something like -- Don Moniak said 360,000 square feet,
12 that's going to process is it 27 tons or is it 34
13 tons? I mean, that's another interesting point.
14 There isn't even officially a mandate to consider that
15 kind of plutonium. It hasn't been put in the MOX
16 program yet; right? Okay, so that's interesting.

17 And I heard a man from DOE say something
18 interesting tonight which is, well, you know, the
19 public out here, the people that are litigating this
20 have a record we have to refer to. We have to cite
21 it, you know, and we're beating each other up with our
22 citations out there. But you're saying, "Oh, well, we
23 kind of got the impression, talking to the Russians,
24 that they really don't like immobilization." I mean,
25 put it on paper. We're the public.

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1 And I want to tell you something else.
2 This is our document. This is for us. Now, I love
3 Dave, I love Tim, I love Chip, I like John Hull -- I
4 love John Hull, I like that man over there, Peter.
5 But this is kind of hard to read. Sorry. And I have
6 a basic problem. I mean, one of the main issues GANE
7 is interested in here is the waste issue. And it has
8 been characterized differently in every single one of
9 these really hard to use -- and I want to say this
10 compares very favorably with the SBB EIS, which is
11 like...

12 MR. HARRIS: Do you like it more or less,
13 Glenn?

14 MS. CARROLL: I like it more. But, yes,
15 please convert your waste to gallons. It would be
16 helpful if you'd just use the same table that DCS used
17 unless, you know, you need to differ from it. It
18 would just make it a whole lot easier, because it
19 almost looks like maybe something's being hidden on
20 this waste issue, the way the language keeps changing
21 that we're talking about. Okay.

22 Trying to figure this out. So we got a
23 construction request. This is what we're talking
24 about. And this EIS is going along with this
25 construction request. Now, you notice this arrow

1 here, this is when this starts. Maybe the layout
2 would be clearer if this box was over here. Okay,
3 now, it says in the EIS that they might give a
4 license, they expect to give a license, unless
5 compelling safety issues would suggest otherwise.

6 But look at this. We're done. We are
7 done. This starts. And this is the main event. I'm
8 here to tell you. This is where the plutonium is. We
9 are not talking about plutonium in this construction
10 thing. We're planning to add the plutonium to the
11 game here. But we're finalizing this EIS.

12 Now, there's some promise, but it doesn't
13 look binding enough. That's what bothers us. I mean,
14 you have acknowledged this and you have said, "We'll
15 capture it." But you're not bound to. That bugs us.
16 We have a law. We had a hard time getting this law.
17 You know, this little public law, this *National*
18 *Environmental Policy Act* that generates a document
19 like this for us.

20 So here you are, you're finishing the
21 safety analysis. And let me tell you, I think it's
22 pretty good. I actually thought the SER finished
23 here, and it was news to me. Here I am litigating
24 plutonium for four years, and I just figured out that
25 there's going to be an operation SER. I think that's

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1 really great. But, I'm sorry, your only real solution
2 here, you can either do another EIS or you can extend
3 the EIS. But you cannot construct this facility until
4 you've got this -- until you've got this review and
5 you've done the EIS on it. That's how we're reading
6 NEPA. And so I've clued you in.

7 MR. CAMERON: I wish I could be as
8 dramatic as you are with this thing. And, Glenn, I
9 got to -- you know, if you can just...

10 MS. CARROLL: Hurry up?

11 MR. CAMERON: Yeah, because we -- we have
12 a lot of people who want to -- want to speak, too.

13 MS. CARROLL: Okay, the next thing we'd
14 like to talk about, then, and I'll touch on two
15 topics: immobilization and waste.

16 Your reason for not reviewing
17 immobilization was not accurate. And I actually think
18 you might have been given a bum steer from the DOE in
19 some conversations I had tonight. But Russia declined
20 to immobilization itself, but accepts the United
21 States immobilizing. NEPA requires an affirmative
22 alternative to be analyzed if there's a reasonable one
23 available. And immobilization is reasonable because,
24 unlike storage, it would address the proliferation
25 concerns. And it's positive because, unlike storage,

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1 it provides jobs. And, unlike storage, and certainly
2 unlike MOX, would not generate waste, and would
3 actually employ waste.

4 And I hear what you say about the
5 vitrification problems. That vitrification facility,
6 that's DOE's best success story. And I just really
7 believe we can solve that problem with solvent
8 extraction and ion exchange. That's what we'd like.
9 So we really are going to make a case that
10 immobilization should be analyzed, that NEPA requires
11 it.

12 On the waste, we got a problem with the
13 fact that we haven't heard anything from DOE yet on
14 this waste solidification building. There's no
15 budgets. And so we really think the analysis needs to
16 reflect any possible -- you know, a possible outcome
17 that a MOX facility is up and operating and the waste
18 solidification building -- what...

19 MR. CAMERON: Okay, Glenn, is that -- is
20 that it?

21 MS. CARROLL: Does it for me.

22 MR. CAMERON: Thank you very much.

23 MS. CARROLL: Thank you. Thank you.

24 MR. CAMERON: Ed Arnold?

25 MS. CARROLL: We look forward to seeing

1 you again when you come back.

2 MR. HARRIS: Okay, thank you, Glenn.

3 MR. CAMERON: Ed Arnold and Ernie Chaput.
4 And I apologize for obviously running late. And we'll
5 stay and hear everybody. But I apologize for -- for
6 going over.

7 Ed?

8 MR. ARNOLD: Thank you for the opportunity
9 to address our understanding, which I have to say is
10 -- is limited and confused.

11 My name is Ed Arnold, and I'm the Director
12 of the local group of Physicians for Social
13 Responsibility. We have over 500 physician and health
14 care professional members and supporters in Georgia
15 and Alabama. I come here from Atlanta, but we have
16 members in the Augusta area, and downstream we have
17 members in Savannah, as well.

18 This reiterates something I've said in the
19 past at these meetings. I would hope that -- I was
20 pleased to hear that you considered this a public
21 health document. And I would encourage you to think
22 about your visit to your physician. One thing that we
23 always like to do is have enough time with our
24 physician. And we're being told tonight that we don't
25 really have enough time to discuss this fully. So I

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1 would urge the NRC to arrange for appropriate public
2 discussion that won't rush us.

3 Full disclosure is something that you
4 want. Your physician wants it from you; you want it
5 from your physician. This is really confusing. I
6 don't feel as though I have full disclosure from this
7 document. This is -- we're trying to understand the
8 risks, and frankly I don't -- I -- I won't say it
9 again.

10 Let me read something directly from the
11 document that was alluded to a couple of times earlier
12 this evening, just this one example. I'm going to
13 submit more comments in writing, but it's one example.

14 "The EIS will not address the impacts of
15 terrorism because these impacts are not
16 considered to be reasonably foreseeable
17 as a result of the proposed action."

18 Well, how about a range of what might be
19 foreseeable. How about a worst case scenario, which
20 I think most public work is -- is required to provide
21 on a statement like that. Now, for me it doesn't cut
22 it. We were told tonight something more about some
23 kind of a safety evaluation that will be provided next
24 month. Well, what's the public procedure connected
25 with that? And is it part of this? Is it separate

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1 from this? Will there be public participation once
2 that's released? Will we have an opportunity to
3 discuss it with you all? I -- these are -- this is a
4 big mystery to me.

5 So as someone who works regularly -- I'm
6 not a physician myself, but I work regularly with
7 public health officials and physicians, this document
8 doesn't look like any medical report I've ever read.
9 And I encourage that you make an attempt to step up
10 the standard.

11 MR. CAMERON: Thank you very much, Ed.

12 Mr. Chaput? And then we have two more
13 flights of three, I think. Robert Guild, Peggy Roche,
14 and Darrel Watson, next trio.

15 MR. CHAPUT: Good evening, and thank you
16 for the opportunity to provide comments on the draft
17 EIS work, the mixed oxide fuel fabrication facility.
18 I'm Earnest Chaput, and I am the Manager of Special
19 Projects for the Economic Development Partnership of
20 Aiken and Edgefield Counties in South Carolina.

21 Construction and operation of the mixed
22 oxide fuel fabrication facility is an important part
23 of our nation's international non-proliferation
24 programs. It is important we do all possible to make
25 surplus United States and Russia nuclear materials

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1 unusual for future use in nuclear weapons. We believe
2 the United States should continue to demonstrate moral
3 leadership by expeditiously preparing to make these
4 materials unsuitable for use in modern nuclear
5 weapons. We are pleased that the preliminary
6 conclusion of the NRC staff that the overall benefits
7 of the MOX facility outweighs disadvantages. Unless
8 safety issues mandate otherwise, the action called for
9 is issuance of the proposed license. We agree the
10 proposed facility can be operated safely, and urge the
11 NRC to issue the construction authorization request in
12 a timely manner.

13 We've reviewed the draft EIS, and offer
14 three comments which result in additional support for
15 your primary conclusion. First, the safety and
16 environmental risks associated with the no-action
17 alternative have been significantly understated.
18 These are comments that we have previously provided to
19 DOE in their -- in their EIS statements on the surplus
20 plutonium disposition. The no-action alternative
21 assumes that DOE's surplus plutonium would remain in
22 storage at seven DOE sites. The DEIS does not state
23 the period of storage, and it appears the impacts that
24 are included therein are near-term and based on
25 maintaining the status quo. We believe current

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1 methods of storage are only valid for limited and
2 finite lifetimes. Storage without subsequent actions
3 is not realistic for time frames of 100 years plus.
4 At some time in the future, action will be required to
5 either repackage or to disposition the stored
6 materials. The no-action alternative should assess
7 the incremental added risk resulting from actions to
8 periodically reprocess and repackage materials in
9 long-term storage; and secondly, actions to eventually
10 remove the materials from storage and prepare them for
11 disposition. You can't babysit this stuff forever.
12 Something's going to have to be done with it sooner or
13 later.

14 Second comment. The risk to offsite
15 population in the hypothetical accident is
16 significantly overstated. Again, I don't have the
17 benefit of the revised analysis, but my sense, from
18 looking at the numbers, has not significantly changed
19 as far as the -- the assumptions made.

20 In analyzing the impact to offsite
21 population from a hypothetical tritium release from
22 the PDCF, the draft EIS assumes and calculates a dose
23 by ingestion during a one-year post-accident period.
24 The scenario is simply not possible. An assumption
25 that the South Carolina Department of Health and

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1 Environmental Control and that the Georgia
2 Environmental Protection Division would ignore
3 contamination -- ignore contamination of agricultural
4 products for one year is incredulous, and it's an
5 insult to their training, demonstrated performance,
6 and professional status. The impossible assumption
7 must be eliminated and the analysis revised.

8 Third, the DEIS places unwarranted
9 emphasis on impacts associated solely with the PDCF
10 facility. And it's also sometimes called connected
11 actions. I think that's what you called it in your --
12 in your presentations. The PDCF is not necessarily
13 solely required to support the MOX facility. The PDCF
14 has a broad capability support of a variety of storage
15 and disposition options for surplus nuclear weapons
16 pits. For example, the PDCF was to have prepared the
17 plutonium. That was included in the cancelled
18 plutonium immobilization project. There has also been
19 discussion that PDCF may convert surplus weapon
20 plutonium components currently being stored as pits to
21 oxide for long-term storage. By coupling MOX and PDCF
22 facilities in a draft EIS, NRC creates the implication
23 that impacts from PDCF will not occur if the MOX
24 construction authorization is denied. That is not the
25 case. PDCF and MOX are two separate actions. And the

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1 draft EIS should only analyze -- draft EIS for MOX
2 should only analyze and include the combined accidents
3 which result from the unique requirements associated
4 to fabricate MOX fuel. Disassembly of the pit is not
5 required solely to fabricate MOX fuel, and that's the
6 primary impact that comes out of PDCF.

7 DOE has previously prepared an
8 environmental impact statement for the PDCF---that was
9 a question that was asked earlier---with a finding
10 that the facility provides adequate protection to the
11 public and the environment. NRC should not subject
12 the PDCF facility to NEPA -- to NEPA double jeopardy.

13 Thank you for the opportunity to provide
14 comments.

15 MR. CAMERON: Thank you very much, Ernie.

16 And our next speaker is Mr. Robert Guild.

17 And then we'll go to Peggy Roche and Darrell Watson.

18 Mr. Guild?

19 MR. GUILD: Good evening. My name is
20 Robert Guild. I'm from Columbia, South Carolina. I'm
21 an environmental lawyer by training, but I appear as
22 a member of the Executive Committee of the South
23 Carolina Chapter of the Sierra Club to speak in
24 opposition to the proposed licensing of the MOX fuel
25 fabrication facility and allied facilities included in

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1 this draft environmental impact statement.

2 The South Carolina Sierra Club has over
3 5,000 members in South Carolina. As you know, we're
4 a national conservation organization with over 100
5 years of history of advocating for the protection of
6 our environment. Our governing body, the executive
7 committee, passed by unanimous resolution last year a
8 statement opposing the mixed oxide fuel fabrication
9 facility as an element in the management of our
10 surplus weapons plutonium, and alternatively supported
11 the pursuit of the now apparently abandoned
12 immobilization program as the prudent and preferable
13 alternative to more safely and appropriately manage
14 this surplus weapons material.

15 We are supportive of the objective of
16 managing this weapons material and converting it into
17 a non-weapons accessible form, but believe the
18 environmentally preferable as well as the security
19 preferable alternative of immobilization is
20 inappropriately not properly assessed in this draft
21 environmental impact statement.

22 My view, NEPA does not -- simply does not
23 permit the Nuclear Regulatory Commission to assume the
24 unavailability of immobilization as is apparently done
25 in order to avoid assessing the cost of the

1 immobilization alternative. I won't repeat the I
2 think eloquent observations, quoting from the actual
3 language of the Russian-United States plutonium
4 disposition agreement, which obviously is contrary to
5 the representations made by the authors of this DEIS
6 with respect to the binding character of the -- of the
7 MOX alternative. But, suffice it to say, that
8 regardless, NEPA requires you to assess the costs of
9 that alternative.

10 DOE, even if they are the decision-maker,
11 deserves, and the American public demands a full
12 assessment by the Nuclear Regulatory Commission of the
13 environmental costs and benefits of this action, as
14 well as available alternatives. It's fine for you to
15 say that an alternative has been rejected by your
16 sister agency. It's simply not adequate for you to
17 fail to assess that alternative so that the public
18 will understand that it is environmentally preferable.
19 And we urge you to do that.

20 Several other comments. We like to echo,
21 without repeating, the written comments submitted by
22 the Nuclear Information Resource Service which
23 submitted some useful comments on procedural issues,
24 particularly with respect to the what appear to be
25 segmentation problems with regard to the way the NRC

1 has chosen to evaluate this particular action; that
2 is, failing to evaluate the necessary connected action
3 such as the effects of accident sequences at the
4 McGuire and Catawba reactors which will be using the
5 MOX fuel.

6 It simply seems incredible to say that you
7 used a generic reactor and assumed the consequences of
8 accidents in generic reactors, when I reviewed studies
9 that indicate that because of the proximity of the
10 high population concentration of Charlotte, North
11 Carolina, to the reactors, out of all in the country
12 that we've chosen to use as the MOX fuel facilities.
13 Early cancer fatalities from -- from -- early
14 fatalities and latent cancer fatalities from beyond
15 design-based accidents at those very reactors exceeded
16 virtually every other reactor site in the country
17 because of the population concentration at Charlotte.
18 And why you haven't acknowledged that in this -- in
19 this review is beyond me.

20 Let me touch briefly on a couple of
21 points. We believe fundamentally at the Sierra Club
22 that the Savannah River Site should be required to
23 honor its commitment to the people of South Carolina
24 to focus principally on its environmental restoration
25 mission. In conducting the 50-year mission of weapons

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1 production at the Savannah River Site, we had turned
2 the Savannah River Site into literally a national
3 sacrifice area. The number of -- of Super Fund sites,
4 the number of high level and low level rad waste
5 contamination sites are legion at the facility. The
6 most optimistic version of DOE's views say it'll be
7 until the year 2025 before we clean up the ground
8 water contamination at a number of these sites. And
9 yet this action contemplates a renewed waste
10 production mission at this facility before we have
11 completed a satisfactory plan for environmental
12 restoration of the damage we've already done. That is
13 simply unacceptable.

14 With respect to environmental justice, the
15 NRC has appropriately complied with the executive
16 order by at least analyzing the disproportionate
17 impacts that the credible accident scenarios at this
18 proposed facility will have on communities of color
19 and of low income. That really reflects the dynamic
20 that really has been at work at the Savannah River
21 Site from its inception; and that is that the people
22 in this area of South Carolina represent the path of
23 least resistance with respect to doing what no one
24 else in the country finds environmentally acceptable.
25 Is it a surprise that Rocky Flats and its neighbors no

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1 longer will tolerate being responsible for managing
2 weapons plutonium, and instead are sending it to the
3 Savannah River Site in South Carolina?

4 So you've acknowledged the fact that if
5 there is an accident, disproportionate numbers of
6 African Americans and poor people will die. But
7 you've been glib in characterizing the numbers which
8 you claim to be precise about in other regards. And
9 I would strongly urge you, in your DEIS at Section
10 4.3.7.3.3, to not simply give us a map at in grainy
11 terms shows where those concentrations of
12 predominantly African American, low income populations
13 are. But to give us an actual table, as you do in
14 some of the other places when the data supports your
15 action, and tell us how many black people and poor
16 people will die in that accident scenario that you
17 assume. Tell us where they live. Tell us which
18 census blocks they live in, because you know that
19 data. That's the data source that generated the maps.
20 Let's give us the numbers so that the public can
21 transparently see what cost they're being asked to
22 bear.

23 And finally, as I tried to suggest in a
24 question, it's simply unacceptable for you to tell us
25 in this document, which purports to assess the costs

1 and benefits of a proposed major federal action, and
2 assures us that risks are small and acceptable, that
3 you refuse to put a number on the probability of the
4 accident scenarios that you say will not happen. You
5 just refuse to tell us what that number is.

6 Now, I know EPA, when it says we're going
7 to release dioxin into the environment from an
8 incinerator, will tell you that the chances of a death
9 from cancer are, you know, 1 in 100,000 or 1 in
10 1,000,000. And they'll make an explicit judgement
11 that it's acceptable to expose the population to that
12 level of risk. We should expect no less of the
13 Nuclear Regulatory Commission when they tell us that
14 the risk of an accident at this facility is
15 acceptable, without giving us a value that represents
16 that acceptable risk.

17 And the last point I'd like to make with
18 regard to environmental justice impacts is you
19 acknowledge that more black people and poor people are
20 going to be down wind, essentially, from that plume,
21 from that accident location in the plume exposure
22 pathway. And yet you fail to acknowledge what seems
23 obvious to me, and that is poor people are largely
24 going to be far more dependent on subsistence
25 agriculture and dairy product consumption, the

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1 dominant ingestion pathways that you assume in your
2 cancer risk scenarios, without telling us that in the
3 EIS. I mean, the fact of the matter is it's very
4 likely that poor people will be the ones who will
5 continue to consume the vegetables that they're
6 growing in their garden or the dairy products that
7 come from the cow that eats the grass that's exposed
8 to the deposition of contaminants in the accident.
9 And you should be explicit about what those enhanced
10 risks are exposed -- that are -- that those -- that
11 those populations, communities of color and low
12 income, are -- are exposed to. One moment, I'll wrap
13 up.

14 That's all. Thank you very much.

15 MR. CAMERON: Thank you. Thank you very
16 much.

17 Our next speaker is -- is Peggy still --
18 Peggy? There's Peggy. And is it -- is it...

19 MS. ROCHE: Peggy Roche.

20 MR. CAMERON: ...Roche? All right.

21 MS. ROCHE: Thank you for allowing me to
22 speak tonight. I'm down to just a few remarks. So
23 one thing I'd like to address is the hearing process,
24 itself. We ask for more hearings to be held so we
25 wouldn't run this late. We'd ask for them to be -- I

1 mean, this is a lovely area with friendly people, but
2 it's not the most centrally located area in the state.
3 We'd ask for them to be held in Columbia and
4 Charleston and other places around the state. And I
5 think that it would be very advantageous. You would
6 get a lot more input from the public. And that is
7 supposedly what you're wanting.

8 One point that I want to make, and one of
9 the charts in your EIS, it's on the East Coast, the
10 air flows in a northeasterly direction. But on one of
11 the charts---and I'm sorry, I don't have the page
12 number but it is in there---all the air quality
13 monitoring systems are located in the northwestern
14 section of the Savannah River Site. So you would be
15 gathering data from air not affected by the MOX
16 facility.

17 Then I also made some -- on a couple of
18 your charts I did your calculations with your formula
19 for the latent cancer fatalities, and I won't -- in
20 the interest of time, and I know other people are
21 wanting to speak. I won't go by them line-by-line.
22 But the numbers were mathematically astronomical in
23 the difference between short-term and the one-year-
24 later.

25 And I want to make mention of the fact

1 that a MOX fuel processing facility is actually a
2 plutonium breeding facility. That when you -- when
3 you are -- you're actually increasing the amount of
4 plutonium you eventually end up with. Because as
5 uranium that it's mixed with is irradiated by the
6 plutonium, the irradiation of the mixture converts the
7 uranium into plutonium; therefore giving you plutonium
8 that you -- more plutonium than you started out with.

9 Recently there was a tremendous public and
10 official outcry about moving six tons of plutonium
11 into the State of South Carolina. Now you're talking
12 about move 34 metric tons into the state, which is
13 approximately 75,000 pounds of plutonium. Put some
14 perspective on that, the bomb that was dropped on
15 Nagasaki had approximately 20 pounds of plutonium.
16 With today's refinery numbers, it would take less than
17 20 pounds to get more bomb for the buck. And we're
18 talking about 75,000 pounds of plutonium being located
19 in one site here in South Carolina, when it took less
20 than 20 pounds to drop that bomb on Nagasaki.

21 I think more attention needs to be
22 addressed to if there was an accident, how would you
23 deal with it. Talked about a remote way. I don't
24 understand how that would work if you had an explosion
25 or you had a fire. Whatever remote facility was in --

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1 you know, remote control, whatever, was in the
2 facility, it's going to be fried when they had the --
3 and with plutonium being, you know, much hotter than
4 uranium, it would be much worse than the Chernobyl
5 incident. And the people that went in to shut down
6 that reactor at Chernobyl knew that they would be
7 incinerating themselves when they went in to do it.
8 And so it would be -- it would not be possible to go
9 into a MOX facility physically and do it. You'd be
10 incinerated before you could get to it to shut down
11 the reactor.

12 And any equipment that you had in there at
13 the reactor, the reactor would be so hot that it would
14 be -- we don't have anything that's capable of
15 shutting it down. It would be incinerated. If
16 there's an explosion or fire, then the reactor got so
17 hot that it needed to be shut down, any equipment that
18 we could put in there would be so hot that it wouldn't
19 work. So I would like, you know, to have that issue
20 addressed.

21 And the other thing is -- my last point is
22 the language, the way the language is worded in this
23 really bothers me. "Workers would be monitored as
24 appropriate..." As appropriate to whom? "...to
25 insure the radioactive doses are maintained at levels

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1 as low as reasonably achievable. What is "reasonably
2 achievable"? You know, a scientists idea of what is
3 reasonably achievable? To me that leaves a lot of
4 human beings as collateral damage.

5 Thank you.

6 MR. CAMERON: Thank you, Peggy.

7 And I know it's -- it's late. And perhaps
8 we can answer some questions after we're done.

9 Did you want to say something quickly in
10 summary, Mr. Robinson?

11 MR. ROBINSON: No, no, no, no.

12 MR. CAMERON: Okay. All right. Thank you
13 very much.

14 Darrell Watson?

15 MR. WATSON: I just have a few quick
16 comments. A lot of what I'm going to talk about has
17 already been said, so I'm going to keep it short.

18 I've got four main issues with this.
19 Number one is the transportation of the plutonium.
20 According to your diagram here, 95% -- this is -- this
21 is going to be Section 1-8, Figure 1.3. 95% of the
22 surplus weapons grade plutonium in this country is
23 located west of the Mississippi River. Now, to bring
24 in 95% of the plutonium in this country all the way
25 pretty much across the country to South Carolina I

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1 think is a very, very bad idea, exposing that much
2 plutonium to possible interception by exactly the
3 entities you want to protect this plutonium from
4 apparently in your MOX program, and that's terrorists
5 and rogue states. I think that really needs to be
6 considered. That's 34 metric tons of plutonium.
7 That's almost 75,000 pounds to move across the country
8 to our backyard, as it is.

9 Number two, I think terrorism really needs
10 to be addressed in the draft EIA (sic). I think
11 nowadays that's definitely to be something that you --
12 you'd be completely irresponsible not to include.
13 That's a facet of our everyday life now, and that
14 needs to be addressed. It's no excuse for not -- that
15 not being addressed.

16 Third topic is, this is an experimental
17 process. This has been done nowhere in the world.
18 South Carolina is the test bed for this project. This
19 has not been done in Russia, this has not been done in
20 France. This has been done nowhere except in labs and
21 experimental settings and controlled settings. So
22 we're going to find out firsthand the consequences of
23 possible side effects of this.

24 Also the very last comment I have is I'm
25 fully opposed to Cogema being involved in this

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1 project, given their track record in France. Let's
2 see. Matter of fact, they have just a bad track
3 record, especially at La Hague or La Hague
4 (pronouncing), I guess is how you pronounce it, in
5 France. To me it proves that they are an
6 irresponsible company and they should not be involved
7 in this project in any shape or form if this project
8 does go forward. I think that needs to be addressed.
9 There needs to be more transparency in the histories
10 of the countries that are involved in this project.

11 And that's -- that's all I have. Thank
12 you.

13 MR. CAMERON: Okay, thank you, Darrell.

14 We have four speakers, and if I -- I think
15 I've gotten everybody. But if there's someone who I
16 don't have on my list, please tell me. We're going to
17 start with Jen Kato, then we have Tom Howell, Adele
18 Kushner, and Joanne Steele. And I'm sorry if I
19 mispronounced any names.

20 Jen Kato?

21 MS. KATO: I hope I didn't write my notes
22 in the same invisible ink that I wrote my name on that
23 list with.

24 MR. CAMERON: I hope not, either.

25 MS. KATO: Anyway, I'm Jen Kato, and I'm

1 a local. I'm with the Georgia Chapter Sierra Club.
2 I represent the Executive Committee of the Georgia
3 Chapter of the Sierra Club. And we represent 14,000
4 people in the State of Georgia; 45% Republican, 55%
5 Democrat. And we have grave concerns about the MOX
6 fuel fabrication facility. We would like to see this
7 entire process canned, and would be more likely to
8 support the immobilization alternative, although we'd
9 just have to see what the figures were that would come
10 out of that.

11 The cost benefit analysis does not include
12 the cost of any accident scenarios for victim health
13 recovery or clean up to public property. This must be
14 corrected. The estimated public collective offsite
15 health impacts for accidentally scenarios are only
16 considered for one year after an accident, and only
17 for the standard man. Any accident would not likely
18 create a uniform offsite dispersion among the
19 population limited to a 160 pound man with effects
20 stopping at one year. The very use -- well, the use
21 of FRG-13 does not consider gender, race, or age
22 differences in response to radiation exposure, and the
23 radiation involved is hazardous for 240,000 years
24 plus, and their effects are cumulative. The DEIS must
25 be corrected to reflect these concerns. Further, an

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1 actual accident may cascade into several of the
2 scenarios illustrated in the EIS, compounding health
3 effects. And this must also be considered in the EIS.

4 And some sections in the back, human
5 health risk states statistically no fatalities during
6 normal operations will occur. Yet, according to your
7 own figures, 50 people -- and these figures I -- I
8 contest, but I don't have all of the -- I don't have
9 all the information to corroborate them. But yet you
10 say 50 people will die by latent cancer fatalities.
11 And they -- these will only be standard men, of
12 course, during the 20-year operating period.

13 Also any impact -- you state any impacts
14 associated with the transportation of fresh MOX fuel,
15 including impacts on property values, will be minimal.
16 Did someone even do an Internet search on this topic?
17 It doesn't seem like it was very seriously addressed
18 at all in the EIS, whatsoever, as a cost. And it will
19 be a cost.

20 This, as well as transport of plutonium,
21 will affect populations throughout Georgia, including
22 property values. This must be just seriously looked
23 at and evaluated in the EIS. The DEIS has -- has
24 insufficient detail regarding how these calculations
25 were arrived at. This has been brought up by several

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1 people. And I think Tim has done a great job trying
2 to help me arrive at one portion of the calculation at
3 the region of influence. This prevents corroboration
4 of human health impacts figures which are important to
5 a lot of people. For this reason, and because of the
6 inclusion of the WSB and the PDCF, it makes a document
7 very, very deficient and suspect, and we need to have
8 additional and corrected data to evaluate this EIS and
9 offer comments on it. The distribution of this
10 additional data must be followed by a lengthened
11 public comment period and public meetings. Let me
12 see. Not -- not going to invisible ink.

13 Well, right now Savannah River Site is
14 actually courting TRU waste from other sites which it
15 hopes to process -- characterize, process, and
16 package. The TRU waste generated by your mission will
17 just accumulate there behind all that other, waiting
18 to go to Whip. And right now there's a WIR (phonetic)
19 lawsuit against -- that's halting tank closer at
20 Savannah River Site. And when you're looking at
21 133,000 gallons of high level aqueous waste and what
22 it -- actually 355,000 gallons of low level waste per
23 year. If something like WIR persists, this -- this
24 waste will also accumulate. And in general, the human
25 health facts, the human health impacts have not been

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1 evaluated with regard to waste in the EIS. And
2 especially not in consideration of the variability of
3 the handling of the waste at Savannah River Site.

4 I have sought to give comments that were
5 not given by other people before, but I do want to
6 stress that I am in -- we are -- the Sierra Club is in
7 complete accord with very large concerns about
8 terrorist activities and that they have not been
9 evaluated at all with regard to any accident
10 scenarios, latent cancer fatalities, costs in the EIS.
11 This is a tremendous oversight. We need another EIS,
12 we need another -- we need to lengthen comment period,
13 and we need more meetings.

14 Thank you very much.

15 MR. CAMERON: Thank you, Jen.

16 Mr. Howell?

17 MR. HOWELL: My name is Tom Howell. I'm
18 from Columbia.

19 I'm concerned about several issues. There
20 are already millions of gallons of radioactive nuclear
21 waste stored in this country. I understand that
22 radioactive liquid waste is highly corrosive, and
23 there have been problems with such wastes degrading
24 their containment vessels. Liquid waste is projected
25 to be produced when plutonium is polished in the MOX

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1 process. Do we know how much liquid waste is
2 anticipated? Do we know how long it will be necessary
3 to store this waste? Do we know what the long-term
4 costs will be for storing this waste?

5 I understand that U.S. reactors are not
6 designed to handle MOX. I'm concerned about how U.S.
7 reactors will be modified to handle MOX, and how those
8 reactors will be monitored. Will there be independent
9 auditing of such a monitoring system? If there might
10 be problems with the reactors that use MOX, does it
11 make sense to build a MOX processing facility?
12 Shouldn't problems with the reactors be solved before
13 a MOX processing facility is approved?

14 I am also concerned about how the MOX will
15 be safeguarded to prevent theft or loss at all points
16 in its processing, use, and storage. Radioactive
17 material has gone astray in the past. Is there an
18 inventory system capable of tracking all the plutonium
19 involved? If so, is this inventory system capable of
20 tracking the other radioactive materials involved,
21 including all waste? Will there be independent
22 auditing of such an inventory system?

23 Thank you.

24 MR. CAMERON: Thank you, Mr. Howell.

25 We have Adele Kushner.

1 MS. KUSHNER: Thank you. My name is Adele
2 Kushner. I represent Action for a Clean Environment,
3 which is based in Northeast Georgia. We have a few
4 representatives here. And this is very short, and
5 you've all been very patient.

6 People in this country expect to trust
7 their government. After all, it is a democracy.
8 Under other forms of government people know not to
9 trust official government statements. Those
10 governments could be telling lies.

11 In this case, the Nuclear Regulatory
12 Commission is telling us that there is very little
13 danger from exposing people to accidentally emissions
14 produced by a MOX plant. Then it turns out that the
15 draft EIS contains large computer errors, and that
16 there would be far fewer than the estimated 400 deaths
17 in a population living within 50 miles of the plant.
18 And, anyhow, this was a minority, low-income
19 community. And furthermore, the new data will not be
20 available until after the public meetings. But trust
21 us. We are your democratic government. Would we lie
22 to you?

23 This reminds me of another campaign also
24 concerning radioactive materials. Years ago the NRC
25 told us that a little bit of radioactivity in our

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1 cooking pots, our bicycles, our paperclips, our
2 appliances would not hurt us one bit. The level of
3 radioactivity would be so low, it would be, quote,
4 "below regulatory concern," end quote. We found out
5 there is no way you could tell how much radioactivity
6 people would be exposed to once they were surrounded
7 by such little bits, if the little bits were scattered
8 around randomly. I once adopted a cat that the owner
9 said was just a little tiny bit pregnant. That cat
10 produced four good-sized kittens right on schedule.

11 It is hard to believe that the Savannah
12 River Site, already the most radioactively polluted
13 Department of Energy site, would even be considered
14 for a process that can only produce more radioactive
15 pollution. Especially when there is an alternative.
16 Would you rather live and work near ancient tanks
17 already leaking radioactive nitric acid attractive
18 only to saboteurs and terrorists, or near glass logs
19 in which nuclear waste is immobilized, out of reach
20 for any reuse, providing safe jobs, leaving no mess
21 behind? How about a real comparison of the pros and
22 cons, NRC, before a decision is made on this DEIS.

23 Think about the perils of transporting
24 plutonium across the country, then taking the MOX fuel
25 to reactors, all of which subject to accidents and the

1 possibility of spreading radioactive stuff in city
2 centers and people's backyards. Think of a weapons
3 grade plutonium out there waiting to be grabbed. A
4 conscientious examination of the facts might produce
5 a decision that would restore some of our trust in our
6 government. That is a conclusion devoutly to be
7 wished.

8 Thank you for your patient.

9 MR. CAMERON: Thank you for those
10 comments, Adele.

11 And is it Joanne -- is it Steed?

12 MS. STEELE: Steele.

13 MR. CAMERON: Steele. Sorry. I can't
14 read writing.

15 MS. STEELE: I probably didn't write it
16 well.

17 I'm also a member of Action for a Clean
18 Environment in Northeast Georgia -- in Northeast
19 Georgia. And I work on looking after some of the
20 activities going on at the Oconee Nuclear Power plant
21 which is also a Duke Energy facility. And what -- the
22 phenomenon that is going on is that so many old plants
23 that were only designed to go for 30 years of
24 licensing, or 40 years, are now being relicensed for
25 another 20 years. And they weren't -- really weren't

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1 designed to go that long. And there've been problems,
2 and there's been repairs of this part and that part of
3 these plants.

4 So they've got old vessels starting to get
5 new tops on them. And -- and the ways of monitoring
6 these -- these facilities weren't -- weren't designed
7 to look at 60 years of use, and surely weren't
8 designed to look at MOX fuel being used in them. And
9 so the whole MOX program is -- is dangerous to me. It
10 just doesn't make sense. And when you consider that
11 nuclear energy only provides 20% of the energy that we
12 have in our country, and we're going to all of these
13 risks of the unknown with this dangerous fuel, MOX
14 fuel, and the whole development of MOX fuel is
15 questionable, it just doesn't make any sense to me.

16 I'm a mother and I'm a grandmother, and
17 I'm ashamed that our generation is -- and the
18 generation before me is looking at this type of
19 electricity production and the dangers of -- that it
20 -- inherent dangers that it has, that it's leaving to
21 my children and my grandchildren and to their
22 children. And I'm just totally opposed to this. I
23 think we have -- immobilization seems like the best of
24 the worst situations that we've got with nuclear
25 energy and messing with this stuff to begin with. And

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1 so I'm opposed to the MOX fuel facility. I'm in
2 better support of the immobilization plan. But I just
3 think this is very irresponsible behavior for the past
4 50 years, and it's time for it to stop.

5 MR. CAMERON: Thank you, Joanne.

6 And real quickly, we have Mr. Charles
7 Utley who is just going to share a brief moment with
8 us.

9 MR. UTLEY: Good evening. I'm Charles
10 Utley, and I'm from the (indiscernible) Improvement
11 Committee. Also I work with (indiscernible) and with
12 Reverend Jenkins out of Aiken.

13 I just -- I wanted to just say briefly
14 that let us not forget those communities that are
15 impacted, and that is those communities in -- and
16 we've talked about them being socially, economically
17 deprived. But -- and we talk about wind shifts. And
18 -- and all of us know how the wind blows because that
19 even the Bible tells you that, so if you're a good
20 Bible student you would know which way it's going to
21 blow.

22 However, I want to remind you that,
23 irregardless of race, creed, or color, there's -- if
24 there's a fallout, it doesn't care about any of the
25 above. But what I do want you to -- not as an NRC or

1 regulatory commission, I don't want you to take what
2 President Bush has said about affirmative action and
3 apply it to these neighborhoods. And no matter -- I
4 know Georgia and South Carolina are at the bottom of
5 our scholastic aptitude tests. But these are human
6 beings that we're talking about.

7 Thank you very much.

8 MR. CAMERON: Thank you, Mr. Utley.

9 There's at least one thing I think --
10 thank you all for your patience and your comments. I
11 think the NRC got some great, very thoughtful,
12 specific comments tonight.

13 One thing that we probably should just
14 emphasize again, and I'm going to ask Lawrence to do
15 that for us, is -- is that, even though terrorism
16 isn't part of the EIS, can you tell us how that is
17 factored in in our evaluation, and just close the
18 meeting out for us, Lawrence?

19 MR. KOKAJKO: Okay. I'd like to -- to
20 make several comments before I get to that, Chip.

21 First of all, we are not going to forget
22 environmental justice. We are not going to forget it,
23 and we will look into that.

24 A couple of comments. Fuel is accounted
25 for, by the way, under a materials control and

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1 accountability program. And there is monitoring at
2 the facilities. And that's also part of our
3 regulations.

4 MR. CAMERON: If you could just make sure
5 you get that on the mic. I think it's -- it may be
6 hard to hear you.

7 MR. KOKAJKO: Also the use of MOX fuel is
8 generally considered acceptable. However, before they
9 can even put a lead test assembly in, it has to be
10 evaluated by both the licensee, who wants to do it, as
11 well as us. And unless found to be acceptable by them
12 and they submit that application to us for our
13 approval, it does not happen.

14 Finally, there was two more items. One is
15 the draft environmental impact statement for the -- is
16 for MOX only. It is not for the PDCF or the WSB.
17 That would have to be done separately. That would be
18 another EIS. DOE would have to do another
19 environmental report for that, and that would not --
20 since that is not regulated by the NRC, that would be
21 under their authority.

22 And finally, the security concerns. I'd
23 like to point out that security concerns are going to
24 be considered in the safety review of the proposed
25 facility. The safety review will consider all aspects

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1 of safeguards, security, terrorist threats,
2 vulnerability assessments. And that will be a
3 determination made by the fuel cycle -- Fuel Cycle
4 Safety and Safeguards Division at the NRC. And I
5 think that's about it, Chip.

6 I would like to point out that Adrienne
7 Lester, is she -- Adrienne. This meeting, by the way,
8 would not have happened if it wasn't for the work of
9 Adrienne Lester. She put on a dynamite effort to get
10 everything and all the meeting rooms and the space
11 here, and I'd like to -- to make a public
12 acknowledgment for her help for the last month or so.

13 [Applause.]

14 MR. KOKAJKO: With that in mind, I have no
15 further comments, Chip.

16 MR. CAMERON: I think we're -- we're
17 adjourned, and thank you.

18 (Whereupon, the hearing was concluded at
19 10:50 p.m.)

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