

**APPENDIX L:  
PUBLIC COMMENT LETTERS AND TRANSCRIPTS**



00002

Leah R. Karpen  
400 Charlotte St #603  
Asheville NC 28601

Leah R. Karpen  
400 Charlotte St #603  
Asheville NC 28601

Leah R. Karpen

Phone: 828-254-5889  
FAX: 828-254-9085  
email:

*Aff - Tim Harms*

Friday, March 14, 2003

Mr. Michael T. Lesar, Chief  
Rules and Directives Branch  
Division of Administrative Services  
Office of Administration; Mail Stop T-6D59  
U. S. Nuclear Regulatory Commission  
Washington, DC 20555

Dear Mr. Lesar:  
**Proposed MOX Nuclear Facility**

As I am not able to attend the public hearing in Charlotte, NC, on March 27, I take this means to advise you of my opinion.

I understand that Duke Cogema Stone & Webster, a contractor of the Department of Energy, is proposing to build a Mixed Oxide (MOX) Fuel facility at the Savannah River site near Aiken, South Carolina. Surplus weapons-grade plutonium would be converted into fuel for use in commercial nuclear power reactors.

First of all, trucking the plutonium from nuclear weapons depots and trucking the MOX fuel to commercial reactors in the Southeast is an open invitation to terrorists and risks the danger of accidents which may not be foreseeable.

Use of MOX in nuclear reactors is not safe and could result in serious accidents. While some plutonium is split by fusion, new plutonium is being made in the reactor as a waste product. Thus, use of MOX fuel fails as a means of getting rid of plutonium.

MOX fuel could attack commercial nuclear reactors where they are weakest, as many reactors are aging prematurely and developing cracks. A nuclear accident involving MOX fuel could cause a serious meltdown.

Alternatives to this project must be considered: specifically, immobilization of surplus plutonium, or making off-specification MOX fuel unsuitable for reactors, which would have to go into spent fuel storage facilities.

I ask that the Nuclear Regulatory Commission not approve this project or the draft Environmental Impact Statement.

Sincerely yours,  
*Leah R. Karpen*  
(Mrs.) Leah R. Karpen

Sent by FAX

00001

*2/28/03*

*68 FEB 27 2003*

*(1)*

From: Mark Hogue <mark.hogue@srs.gov>  
To: <nrcprep@nrc.gov>  
Date: Thu, Feb 27, 2003 2:25 PM  
Subject: Response from "Comment on NRC Documents"

Below is the result of your feedback form. It was submitted by

Mark Hogue (mark.hogue@srs.gov) on Thursday, February 27, 2003 at 14:23:34

Document Title: NUREG-1767, Environmental Impact Statement on the Construction and Operation of a Mixed Oxide Fuel Fabrication Facility at the Savannah River Site, South Carolina

Comments: The EIS estimates latent cancer fatalities (LCFs) from radiation exposure in deterministic fashion without regard to any uncertainty in the estimate. Indeed, the estimate for the result of low doses should at least include the possibility of zero effect.

The estimate of LCFs in the draft EIS has already been the subject of media reports and public concern. This is an important issue that must be resolved.

The LCFs currently calculated should be listed as the UPPER LIMIT of protected LCFs. This should be clearly flagged as applying to the hypothetical situation that doses from high dose and high dose rate radiation exposure can legitimately be used as a predictor of effects of low doses of radiation. The number of LCFs should be expressed as a range that includes zero effect.

This opinion is supported by the Health Physics Society position paper, RADIATION RISK IN PERSPECTIVE of January 1996, reaffirmed March 2001. The Society of Nuclear Medicine and the American College of Nuclear Medicine voted unanimously to support that position.

The potential for positive health benefits from radiation exposure should be included at least as a note to the LCF discussion. There are ample references for the basis of this point.

organization:

address 1: 350 Sunderland Rd.

address 2:

city: Aiken

state: SC

zip: 29803

country: USA

phone: (803)208-7153

1-1

RECEIVED  
FEB 23 AM 9:22  
Rules and Directives  
Branch  
NRC  
*F-2155 = ADM-D3*  
*Call = T. Harms (TEH)*  
*A. Webster (W214)*

*Templeton = ADM - 013*

00003

3/25/03

RECEIVED

Pamela J. O'Brien  
P.O. Box 1667, Apt. -1 Ft. 4: 22  
Tybee Island, GA 31328  
(912) 786-9319

March 23, 2003

Mr. Michael T. Lesar  
Chief, Rules & Directives Branch Division of Admin. Svcs.  
Office of Administration, Mail Stop T-6D59  
US Nuclear Regulatory Commission  
Washington, DC 20555

2/28/03  
68 PG 9/28  
(3)

Dear Mr. Lesar,

I am writing in opposition to the plan to convert nuclear weapons into fuel at the Savannah River Site and the associated environmental impact statement. I live down river from the site on beautiful Tybee Island, just outside the City of Savannah, and I have serious concerns about this project.

I am concerned about the lack of a long-term funding commitment and the potential for unstable plutonium to be stored indefinitely at SRS. There are safer and cheaper ways to produce energy. Why experiment with something so hazardous when there are proven, safer alternatives? Delays because of a new, untested process could ultimately cost lives.

I am also concerned about the potential for a serious accident. As a former member of the Tybee Island City Council, I am concerned not only for my own welfare, but the welfare of those of us living in communities that neighbor the site.

Please be a good neighbor and do not support this plan. It would be wiser, safer and cheaper to utilize existing approaches for the production of energy.

Sincerely yours,

*Pamela J. O'Brien*  
Pamela J. O'Brien  
Tybee Island, Georgia

*Pamela J. O'Brien = ADM-013*

*F-EDS = ADM-03  
Cred = F. Harris (THE)*

00004

618 McLaws Street  
Savannah, GA 31405  
September 26, 2002

Mr. Mike Lesar, Chief  
U.S. Nuclear Regulatory Commission  
Rules & Directives Branch  
Division of Administrative Services  
Office of Administration  
Mail Stop T-6D59  
Washington, DC 20555

Sir:

Please accept the following as a supplement to the oral comments I gave at the September 18 public meeting in Savannah, GA regarding the proposed MOX fuel fabrication facility at the Department of Energy's Savannah River Site (SRS). Thank you.

I am opposed to the plan to build a MOX fuel fabrication facility at the Savannah River Site. SRS is overburdened with nuclear waste from over fifty years of operation stored in tanks that leak into the ground and water. I particularly recall the tritium leak of December 1991, which shut down Savannah's industrial water supply for about two weeks. It makes no sense to generate new waste laced with plutonium when the existing waste has yet to be cleaned up. Instead, the waste should be made into glass logs and used to immobilize the plutonium so no one will be able to get at it. Despite the Energy Department's decision to cancel the immobilization program, I believe it must remain an option whether you consider it a "no action" alternative or not. In light of the federal budget deficit it makes fiscal sense to spend our tax dollars on the cheaper and less risky immobilization process instead of the more expensive MOX fuel program. I would rather there not be any plutonium at SRS but as long as the Energy Department insists on shipping it to the site I would prefer it be immobilized and not made into MOX fuel.

I understand that the licensees for the MOX fuel facility plan to use Cogema's MOX fabrication process used in France as the basis for the process they plan to use at SRS. Cogema has had problems both with making and using MOX fuel in France and they should not be using what they know is a flawed process. To do so puts all of us in Savannah, Chatham County and the surrounding area unnecessarily at risk. It also demonstrates a reckless disregard to human life. Therefore you should carefully review their safety record when arriving at your final decision.

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Mr. Mike Lesar  
Page 2  
September 26, 2002

618 McLaws Street  
Savannah, GA 31405  
March 25, 2003

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The proposed MOX fuel facility also represents a terrorist risk to Savannah. Although the Energy Department is using secret truck shipments to bring plutonium to SRS, an operational MOX plant may require some to be brought in by ship through the Georgia Ports Authority terminals, our gateway to the world and one of our mail economic engines. This puts a terrorist target right at our front door. In case of an attack on such shipments or the fabrication plant where and how would we evacuate? During the Hurricane Floyd evacuation it took me five hours to go from Savannah to Pembroke, a distance of about thirty miles. We also had between 24-36 hours advance warning before the storm threatened. There has been no mention of evacuation plans for nuclear emergencies in Savannah news media since the September 11, 2001 terrorist attacks. When I called the Chatham County Emergency Management Agency they could not provide any information about nuclear emergencies. Having a tested and certified evacuation plan must be a prerequisite to going forward with the licensing process and it is the responsibility of the licensees and the Energy Department to come up with this plan. The plan also must include areas downwind and downstream of the proposed facility, such as the metropolitan Savannah area. If the licensees and the Energy Department do not come up with such a plan you should summarily deny their license application.

We in Savannah have had to put up with contamination from SRS for over fifty years. The site should be cleaned up immediately. To not do so AND generate waste that is even more radioactive and toxic on top of that is completely unacceptable. I therefore strongly urge you to deny the application for the proposed MOX fuel fabrication facility.

Respectfully submitted,

*Jody Lanier*

Jody Lanier

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4-5

Mr. Michael T. Lesar, Chief  
U.S. Nuclear Regulatory Commission  
Rules & Directives Branch  
Division of Administrative Services  
Office of Administration  
Mail Stop T-6D59  
Washington, DC 20555-0001

Re: Comments on Report NUREG 1767, draft

Sir:

I would like to thank the NRC for having this meeting here tonight. At the September 26, 2002 meeting I spoke about my concerns regarding this project, mainly the inclusion of immobilization as a no-action alternative and evacuation plans for Savannah and Chatham County in case of an accident or terrorist attack at the MOX fabrication facility or any shipments of plutonium that may come into the Port of Savannah to support the facility. The report states that if the surplus plutonium were disposed of only by immobilization, Russia would not dispose of its surplus because they believe that we would eventually recover the plutonium and use it to make atomic bombs. To allay their fears we could use the famous Russian proverb: Trust but verify. At the end of the Cold War, monitors from the United States and Russia went to each others' countries to verify that nuclear missiles and other strategic weapons and delivery systems were destroyed. Now, this process could be repeated and supplemented with spy satellites and other surveillance technology to make sure immobilized plutonium is not made into nuclear weapons. With this in mind, I believe that immobilization should still be a viable option for a no-action alternative.

When I read over the draft FIS I felt like only a nuclear scientist, brain surgeon or an attorney could fully understand it. However, it became clear that one did not need any of those people to see that there was no mention of Savannah at all in the report, except for a few citations noting previous meetings here. This leads me to believe that the Commission does not really care about the opinions of the more than 200,000 people living in Savannah and Chatham County, or for that matter those Georgians and South Carolinians living anywhere downwind and downstream of SRS. If that is the case, why is this meeting taking place? The general message seems to be that we, the Commission, are holding this meeting to tell you what we are going to do next but there is nothing you can do about it. Tough luck! It also seems to say that DCS does not care about needlessly putting us at risk by proceeding with this project. That really doesn't come as a surprise since they apparently have no qualms about putting the people of their hometown, Charlotte, North Carolina, and the greater Metroline region at risk with their plan to use the MOX fuel at Duke's Catawba and McGuire nuclear power plants.

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Mr. Michael T. Lesar  
Page 3  
March 25, 2003

I am also concerned that communities downstream of SRS will face this same risk if the reactors at the Southern Company's Plant Vogtle are chosen as the fifth and sixth reactors to use MOX, which would put all of us in double jeopardy.

The section on environmental justice mentions the effects on fishing near SRS. Since waste that is released or leaked into the waterways eventually reaches Savannah and because fish can't tell the difference between bait from a fisherman in Blackville, S.C. and that from one in Chatham County, the effects the MOX facility would have on fishing in our area need to be studied. We already have radiation monitors in place that could be used for this purpose. The EIS also bases its definition of environmental justice on the impacts to areas with predominantly racial minority and/or low-income populations. I believe that the failure of this report to take into account the impacts to downstream communities beyond a fifty-mile radius, regardless of their racial or income demographics, constitutes environmental injustice. The definition of environmental justice must be expanded to include these impacts. Therefore, the final EIS for this project, and for that matter, similar reports about future activities at SRS, need to include these impacts as well.

The most disturbing part of the report to me is the mention of the Commission's ruling in December 2002 that it is not obligated to consider risks associated with terrorism in any environmental impact statement. In light of the tragedy of September 11, 2001, concluding that the risk of a terrorist attack is 'speculative' is absolutely absurd, irresponsible and unconscionable! With this ruling, the NRC has not only set a dangerous precedent, it has also stuck its head in the sand like an ostrich! What a shame! If the Commission will not consider these risks, who will? Who will protect us? The EIS further states that the wind at SRS mainly blows to the west-northwest and north and that the probability of a substantial leak is very low. I remember the infamous tritium leak of December 1991 that shut down Savannah's industrial water supply for almost two weeks. I would hate to think what would have happened if that had been plutonium-laced waste instead. Besides duct tape and plastic sheeting, does our only defense against an accident or terrorist attack at the MOX facility consist of praying that the wind continues to blow away from us and that SRS will dramatically improve its more than fifty year track record of leaks? If that is the case, we would be in the same predicament as Wile E. Coyote when he opened a miniature umbrella to protect himself from a falling boulder. Also, in light of recent congressional hearings and news reports pertaining to the Indian Point nuclear power plant in New York, if SRS security is anything like that at a commercial nuclear power plant, we would feel as confident as Bill Dana's famous character Jose Jimenez was before he was launched into space.

3/25/03

Mr. Michael T. Lesar  
Page 3  
March 25, 2003

The greater metropolitan areas of Augusta and Aiken can have expanded economic opportunities without jeopardizing downstream communities like Savannah. Making a firm commitment to clean up SRS once and for all can accomplish this. That way, Augusta and Aiken get the benefits of more jobs related to SRS and an expanded tax base. At the same time, downstream communities will not have to worry about more toxic and nuclear waste being generated, resulting in a win-win situation for all.

Since I believe that my concerns have not been adequately addressed in this draft EIS, I am submitting as an attachment a supplement to my oral comments from the previous meeting that was sent in before the prior comment period ended. I still believe that this project will flush our valuable tax dollars down the toilet, especially when one realizes that Duke will essentially be getting free MOX at taxpayer expense. Further, it will not reduce the amount of plutonium stored at the site, especially if the Department of Energy decides to build and operate its Modern Pit Facility at SRS. As I said back in September, this project is an attempt by the DOE and DCS to shove a giant Pu Pu Platter down our throat, and that when I want a Pu Pu Platter I want it from an honorable Chinese restaurant, not a disonorable MOX plant. I call on our congressman from Georgia's Twelfth Congressional District, Max Burns, whose home in Screven County is only one county downstream of SRS, as well as Congressman James Clyburn of South Carolina, a member of the Energy and Water Development Subcommittee of the House Appropriations Committee, to intervene and stop this project from proceeding forward. In the meantime, it's time for the NRC to get its head out of the sand and start thinking outside the box. Say NO to MOX. Choose the no-action alternative.

Respectfully submitted,

*Jody Lanier*  
Jody Lanier

Attachment

CC: U.S. Representative Max Burns  
U.S. Representative James Clyburn  
U.S. Representative Jack Kingston  
U.S. Senator Saxby Chambliss  
U.S. Senator Zell Miller  
Georgia Governor Sonny Perdue  
Georgia State Senator Eric Johnson  
Georgia State Senator Regina Thomas  
Georgia State Representative Tom Bordeaux

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U.S. NUCLEAR REGULATORY COMMISSION

**NRC PUBLIC MEETING FEEDBACK**

Category  
3

NRC FORM 659 (8-2002)

Meeting Date: 03/25/2003 Meeting Title: NRC Public Meeting on MOX Environmental Review  
Coastal Georgia Center

In order to better serve the public, we need to hear from the meeting participants. Please take a few minutes to fill out this feedback form and return it to NRC.

1. How did you hear about this meeting?

NRC Web Page  NRC Mailing List  Newspaper  
 Radio/TV  Other

2. Were you able to find supporting information prior to the meeting?  Yes  No (Please explain below)

3. Did the meeting achieve its stated purpose?  Yes  No

4. Has this meeting helped you with your understanding of the topic?  Yes  No

5. Were the meeting standing time, duration, and location reasonably convenient?  Yes  No

6. Were you given sufficient opportunity to ask questions or express your views?  Yes  No

7. Are you satisfied overall with the NRC staff who participated in the meeting?  Yes  No

**COMMENTS OR SUGGESTIONS:**

Thank you for answering these questions.

*Please review my information so what happens  
I've my employees from suppose again.  
Safety and the health of employees; the  
Federal quality and my dogs he should  
be #1 priority at SRS.*

**OPTIONAL**

Name: *W.D. Hooker* Organization: *Gr. Bowhunter's/Sports Club*  
Telephone No. *706-855-0371* E-Mail: *W.D.Hooker@ATMmi.com*

OMB No. 3150-0187  
Public reporting burden for this collection of information is estimated to average 15 minutes per response, including reviewing instructions, gathering existing data, reviewing collected information, reviewing instructions, and a person is not required to respond to the information collection if it does not display a currently valid OMB control number. The NRC may not conduct or sponsor, and a person is not required to respond to, the information collection if it does not display a currently valid OMB control number. Expires: 06/30/2003

**Please fold on the dotted lines with Business Reply side out, tape the bottom, and mail back to the NRC.**

6-1

6

USNRC  
Attention Mike Lesser  
Mail Stop 16D59  
Washington, DC  
20555

Re: NUREG-1767 Draft Report for Comment Date 3/25/03 Meeting Public Meeting on MOX Environmental Review

Comments and Suggestions are:

- 1.) Food must be checked example the Hair Analysis of employees of my company clearly show that just being these streams such as Four Mile Creek which had at least 9 different places to enter this stream at no time were the men that worked this stream use protection, sign permits to dig or wade in this stream until 2-22-99.
  - 2.) Congressional Investigation 13033 is at Charlie Norwood's Office 10<sup>th</sup> District Office
  - 3.) 48.4 tons depleted uranium is located in Steed Pond another area that we worked above and below and in this stream that holds the material. We also broke the 6 beaver pond dams that held this material back. I had to do two-bio assay for Uranium in 1993 and 1994 I was also working for Westinghouse on loan from BSRI in a clean area at that time. Only place I could get the up take was Steed Pond.
- Sampling Data at Site # 25 -HP-52 No chemical data identified this was stated by Westinghouse Manager Steve Johns please read the information I submitted to NRC on 3-25-03. EPA shows it as waste site and Becitel has it listed as High Risk. Westinghouse committed fraud during the 3 day presentation to NIOSH on 3-20-2000. I did not know about the MOU signed between DHHS and DOE not allowing NIOSH do their jobs per the CFR this MOU was sign in 1996 and good for 5 years.

I would like someone to contact me concerning the fraud that has been committed to me and my employees that work in these high, medium and low risk sites at SRS without knowing it, and working without personal protection.

Thank You,

*William D. Hooker Sr.*  
William D. Hooker Sr.

COMMENTS OR SUGGESTIONS: (Continued)

*Watch DOE and its Contractors and hold them to CFR, State Laws, FEDERAL Law and Administrative Orders.*

*spreading toxic chemicals spreads cancer*

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U.S. NUCLEAR REGULATORY



NRC PUBLIC MEETING FEEDBACK

Category 3

Meeting Date: 09/25/2003  
 Title: NRC Public Meeting on MOX Environmental Review  
 Coastal Georgia Center

In order to better serve the public, we need to hear from the meeting participants. Please take a few minutes to fill out this feedback form and return it to NRC.

- How did you hear about this meeting?  
 NRC Web Page  
 Radio/TV  
 NRC Mailing List  
 Other *and re environment*
- Were you able to find supporting information prior to the meeting?  
 Yes  No  (Please explain below)
- Did the meeting achieve its stated purpose?  
 Yes  No
- Has this meeting helped you with your understanding of the topic?  
 Yes  No
- Were the meeting starting time, duration, and location reasonably convenient?  
 Yes  No
- Were you given sufficient opportunity to ask questions or express your views?  
 Yes  No
- Are you satisfied overall with the NRC staff who participated in the meeting?  
 Yes  No

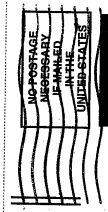
COMMENTS OR SUGGESTIONS: Thank you for answering these questions.

*3. There were too few public representatives. (Elected)*  
*5. The public was not informed. The News/No one of my questions was answered.*  
*6. One of my questions was unanswered. → How will you include the impact of nuclear bombs on the environment?*  
*7. They acted more like a private board to share holden*

OPTIONAL

Name: *Whitney Lamb* Organization: *SCAP*  
 Telephone No: *333-8855* E-Mail: *whlamb@aol.com*  
 OMB NO. 3150-0187  
 If a measure used to impose an information collection does not display a currently valid OMB control number, the NRC may not conduct or sponsor, and a person is not required to respond to, the collection of information unless it displays the OMB control number. Expires: 09/30/2003

Please fold on the dotted lines with Business Reply side out, tape the bottom, and mail back to the NRC.



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MELISSA JENKINS  
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 U S NUCLEAR REGULATORY COMMISSION  
 WASHINGTON DC 20277-2904





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NRC FORM 659 (5-2009) U.S. NUCLEAR REGULATORY COMMISSION



NRC PUBLIC MEETING FEEDBACK

Meeting Date: 09/25/2003 Meeting Title: NRC Public Meeting on MOX Environmental Review Coastal Georgia Center Category: 3

In order to better serve the public, we need to hear from the meeting participants. Please take a few minutes to fill out this feedback form and return it to NRC.

1. How did you hear about this meeting? NRC Web Page, Radio/TV, NRC Mailing List, Newspaper, Other (Email)

2. Were you able to find supporting information prior to the meeting? Yes, No

3. Did the meeting achieve its stated purpose? Yes, No

4. Has this meeting helped you with your understanding of the topic? Yes, No

5. Were the meeting starting time, duration, and location reasonably convenient? Yes, No

6. Were you given sufficient opportunity to ask questions or express your views? Yes, No

7. Are you satisfied overall with the NRC staff who participated in the meeting? Yes, No

COMMENTS OR SUGGESTIONS: Thank you for answering these questions.

Dealing with Plutonium is a scary issue and I wish the stuff was never extracted and manufactured. The whole Nuclear idea is absolutely disgusting but it is definitely something that needs to be dealt with. I oppose any activity dealing with manufacturing, processing, and transporting radioactive material + whatever else has to do with the nuclear issue. I Live on Earth as a member of the global community and Continue Comments on the reverse.

OPTIONAL Name: Andre Esterwan Organization: E-Mail: enterthearea@hotmail.com Telephone No. DMR NO. 31804107 Public Feedback Notification: If a notice used to impose an information collection does not display a currently valid OMB control number, the NRC may not conduct or sponsor, and a person is not required to respond to, the information collection. Please fold on the dotted lines with Business Reply side out, tape the bottom, and mail back to the NRC.

COMMENTS OR SUGGESTIONS: (Continued) How would you feel if you lived by the plant? What happens when the facility is useless or not functional? How will you make up for the damage? Risks outweigh Action/Inaction. Must notify all people potentially affected by a RISKY ACCIDENT Groundwater will be depleted! RISKY = possible! AFFILIARITIES IMPORTANT Did not consider impact of product.

UNITED STATES NUCLEAR REGULATORY COMMISSION WASHINGTON DC 20555-0001 OFFICIAL BUSINESS PENALTY FOR PRIVATE USE \$300 BUSINESS REPLY MAIL PERMIT NO. 12804 WASHINGTON DC POSTAGE WILL BE PAID BY U.S. NUCLEAR REGULATORY COMMISSION MELISSA JENKINS MAIL STOP T-7J8 OFFICE OF NUCLEAR MATERIAL SAFETY AND SAFEGUARDS U.S. NUCLEAR REGULATORY COMMISSION WASHINGTON DC 20277-2904

00009

NRC FORM 659  
U.S. NUCLEAR REGULATORY COMMISSION  
U.S. NUCLEAR REGULATORY

**NRC PUBLIC MEETING FEEDBACK**  
Category 3

Meeting Title: NRC Public Meeting on MOX Environmental Review  
Date: 03/25/2003  
Location: Coastal Georgia Center

In order to better serve the public, we need to hear from the meeting participants. Please take a few minutes to fill out this feedback form and return it to NRC.

- How did you hear about this meeting?  
 NRC Web Page  
 Radio/TV  
 NRC Mailing List  
 Newspaper  
 Other
- Were you able to find supporting information prior to the meeting?  
 Yes  
 No (Please explain below)
- Did the meeting achieve its stated purpose?  
 Yes  
 No
- Has this meeting helped you with your understanding of the topic?  
 Yes  
 No
- Were the meeting starting time, duration, and location reasonably convenient?  
 Yes  
 No
- Were you given sufficient opportunity to ask questions or express your views?  
 Yes  
 No
- Are you satisfied overall with the NRC staff who participated in the meeting?  
 Yes  
 No

COMMENTS OR SUGGESTIONS: Thank you for answering these questions.

1. The mitigation measures section related to environmental justice must be more detailed.  
 2. Duke Cogema must be mandated to meet and work with Environmental Justice stakeholders  
 3. Stronger emergency response measures implemented in collaboration w/ Environmental Justice communities  
 4. Independent research must be done to validate risk assessment associated w/ latent cancer fatalities

OPTIONAL  
 Name \_\_\_\_\_ Organization \_\_\_\_\_  
 Telephone No. \_\_\_\_\_ E-Mail \_\_\_\_\_  
 OMB NO. 3150-0197  
 Public Protection Notification: If a measure used to impose an information collection does not display a currently valid OMB control number, the NRC may not conduct or sponsor, and a person is not required to respond to, the information collection.  
 Please fold on the dotted lines with Business Reply side out, tape the bottom, and mail back to the NRC.

9-1  
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COMMENTS OR SUGGESTIONS: (Continued)

8-2 I have a sincere, compassionate feeling towards the environment and posterity. In the EIS, I was frustrated by the abundance of the words significant + insignificant. This is obviously a way to get around the actual explanation. It's so sad we're even considering dealing with this horrible stuff. At this point, the feeling I have is the decision has already been made. This is all part of the struggle of truth. I hope MONEY will be put aside and the obvious reality of ~~catastrophe~~ catastrophe will be realized.

8-3 I noticed during the presentation that there was mention about SRS exceeding the air quality limits by 2.5. By running this MOX facility you will raise the already illegal regulations by .01%? NO.

8-4 The fact that the majority of the stored "stuff" is in Texas and Colorado should wave a flag of relocation of consideration. There would be minimal transport if the site was ~~located~~ located near storage.

8-5 If it had to go some where, of course not in the president's state? please explain why not? Also, the fact that Duke will be receiving the power + selling it to NC + SC is even more absurd. Lets hope the wind doesn't blow our way. The human beings are desperately asking for this nuclear ~~the~~ talk to end!

UNITED STATES NUCLEAR REGULATORY COMMISSION WASHINGTON DC 20555-0001  
 OFFICIAL BUSINESS PENALTY FOR PRIVATE USE \$300

**BUSINESS REPLY MAIL**  
 PERMIT NO. 12894 WASHINGTON DC  
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 WASHINGTON DC 20277-2904

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 IF MAILED  
 IN THE  
 UNITED STATES

SAVANNAH GA 31403  
 PM  
 COMMERCIAL

00010

3/25/03

COMMENTS OR SUGGESTIONS: (Continued)

5. Resources be allocated to Environmental Justice communities to analyze the complex EIS that states that they would be disproportionately impacted under the accident analysis

9-5



PUBLIC COMMENTS REGARDING THE DRAFT ENVIRONMENTAL IMPACT STATEMENT FOR THE MIXED OXIDE FUEL FABRICATION FACILITY FOR THE MARCH 25, 2003 SCOPING MEETING IN SAVANNAH, GA

My name is Sara Barczak and I am the Safe Energy Director for Southern Alliance for Clean Energy, formerly, Georgians for Clean Energy, in our Savannah field office. We are a regional non-profit conservation and energy consumer organization. We have members throughout Georgia and the Southeast and have focused on energy policy, including nuclear concerns, for over 20 years.

From the outset, we would like to state that the current draft Environmental Impact Statement (EIS) now before us leaves much to be desired and we are likely going to resubmit and restate all of our past concerns again. In a sense, it appears that many of the important objections to the plutonium bomb fuel, or "MOX," program have been entirely dismissed by the U.S. Nuclear Regulatory Commission (NRC).

For example, at the scoping meeting here in Savannah last September, many people were concerned about terrorism and wanted to know how terrorism would be addressed in the draft report. On P. I-29 the section on "Impacts from Terrorism" dedicates two sentences to this issue, stating, "Many commenters raised a number of different issues concerning terrorism. The draft EIS will not address terrorism, because these impacts are not considered to be reasonably foreseeable as a result of the proposed action."

That is not acceptable given the repeated concerns that we, along with NRC staff, heard voiced back in September. It is hard to believe that transporting tens of tons of weapons plutonium across the country to one single location, the Department of Energy's massive Savannah River Site nuclear facility that is about 90 miles upstream from Savannah, does not constitute an action that terrorists might want to take advantage of. Isn't plutonium a highly toxic substance with a hazardous radioactive life of 240,000 years and is a key component to modern nuclear weapons—and that one only needs several pounds of it to make a bomb? Though in numerous federal agency meetings on various nuclear-related topics, the issue of terrorism is supposedly going to be addressed in separate guidelines and under "top-to-bottom" agency reviews, it is extremely pertinent and vital to address terrorism concerns and security measures in this EIS.

Plutonium Disposition Program General Concerns

Southern Alliance for Clean Energy would like to make it clear from the outset that we strongly oppose the production of any type of plutonium bomb fuel for a variety of reasons: it is an experimental program that has never been pursued at this scale; poses a risk to workers and the surrounding communities at both the production and reactor sites; will increase the volumes of hazardous,

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radioactive waste streams at a location already plagued by enormous quantities of dangerous waste and previous contamination; raises complex consumer and rate-payer concerns over government subsidies unfairly favoring a destructive type of energy production over environmentally friendly and safe alternatives; increases the negative health impacts to communities in cases of severe accidents at reactor locations; and blurs the division established between military and civilian nuclear programs.

We believe that the NRC has only one option that would truly protect the public health: deny the license application request for the MOX fuel fabrication facility (or plutonium fuel factory). We urge that the pursuit of developing a plutonium fuel economy be ceased in all sectors of government and private enterprise, as it will allow plutonium, a dangerous material, to enter civilian commerce and the international marketplace.

We thoroughly disagree with the NRC staff's preliminary decision in this report that the "overall benefits of the proposed MOX facility outweigh its disadvantages and costs." The NRC states on P. 2-37 four main points of consideration that brought them to this flawed decision:

- The national policy decision between Russia and the US to reduce surplus weapons plutonium;
- The minimal radiological impacts of and risk to human health posed by the construction, operating, and decommissioning of the plutonium fuel factory;
- The minimal environmental impacts the plutonium fuel project would pose; and
- The economic benefit to the local community.

On that same page, the NRC states that the most significant potential impact is if there were a large accident at the proposed fuel factory, but narrowly concludes that though the consequences of an accident "would be significant, the likelihood of such an accident occurring would be very low (highly unlikely)." We believe that the "No Action Alternative" the NRC was mandated to study is a better choice overall.

We will touch upon errors we have found with the four points and will follow up with more detailed written comments prior to the May 14<sup>th</sup> deadline. Which leads us to formally request an additional extension of the public comment period, beyond the recently adjusted May deadline. This program is a federal action, and given the state of our nation, and the degree to which Congress and the general public is distracted by events unfolding in the world, we find this request reasonable. Additionally, errors in NRC calculations allowed for the initial extension, and since they are not yet clearly understood, and one cannot be sure of what else may be incorrect, it seems to follow that the public should have more time to research and respond.

Significant Changes in Plutonium Disposition Program

We will first comment on the policy decision to reduce plutonium stockpiles in the US and Russia.

Plutonium Bomb Fuel (MOX) and Nuclear Bomb Factory Overlap

Even though our nation is supposedly engaged in a program being performed under the guise of "disposition" of surplus weapons plutonium in a supposed parallel venture with Russia to reduce our nuclear weapons stockpiles, the Department of Energy's National Nuclear Security Administration issued a press release on May 31, 2002 announcing that it would begin design work for a facility to manufacture plutonium pits, also known as "triggers" for nuclear weapons, a critical component. Rocky Flats—the site in Colorado that is now shipping its plutonium to SRS, had carried out this function up

until 1989 and is now closing. SRS is believed to be the preferred site for this plutonium trigger plant that will cost billions of dollars.

Southern Alliance for Clean Energy is concerned about the overlap or parallels that may occur between the plutonium mixed oxide fuel program (MOX) and the Modern Pit Facility program. At the October 2002 public meeting, DOE staff said that "synergies" would be evaluated in their draft EIS. We believe that the NRC should also give a very close look to the possible use of the same buildings by both programs, the exact amounts and types of waste generated by each and how those wastes will be "dealt with," the thorough tracking of plutonium into and out of both facilities, the possible overlap of contracting partners, etc. All of this information should be made available to the public and should be reviewed prior to issuing a final decision on the MOX plant.

The NRC should deny the plutonium fuel factory license application request based on the obvious conflict within the national policy on surplus weapons plutonium—what really is our national policy? Is it to bring weapons plutonium to SRS to secure it or to bring it here to help us build new nuclear weapons? There is enough public information available to show there is a major discrepancy. Since many of the decisions in this draft EIS are based on not wanting to conflict with foreign policy agreements, such as the unfortunate cancellation of the cheaper and possibly safer immobilization option, it appears that that in itself is a flawed argument since there is no cohesive policy on what we, the US, intends to do with our plutonium stockpiles.

We are very concerned about the number of significant changes that have occurred in the plutonium disposition program, such as the cancellation of immobilization and the implementation of long-term plutonium storage at SRS. We again urge the NRC to request that the Department of Energy conduct a Supplemental Environmental Impact Statement immediately, especially before the NRC issues its own final EIS on the plutonium fuel factory.

Additionally, the DOE's February 2002 Report to Congress: *Disposition of Surplus Defense Plutonium at Savannah River Site*, essentially recommends the need to add at least two additional, unnamed nuclear reactors for plutonium bomb fuel (MOX) use. Our nearby Southern Nuclear Plant Vogtle expressed interest in the plutonium fuel program back in 1996 and we are concerned about the implications of the need for more nuclear reactors. How will the NRC address this need for more nuclear power plants? How will additional reactors be selected? Will the public be involved in this process?

Radiological Risk

The NRC concluded that there are minimal risks to human health if plutonium fuel is produced at SRS. We will comment on this in more detail in our written comments but wanted to point out that from our perspective this project represents a real and unacceptable risk, especially to workers. The report states that "credible" accidents will be studied in either the EIS or the Safety Evaluation Report. What is the NRC's definition of a "credible" accident? Are there no risks of harm to human health if a "non-credible" accident occurs?

Why does the NRC choose to use the less-protective health standard of 1 in 10,000 "accepted deaths" rather than the EPA's 1 in 1 million? Has anyone here accepted their death already from events occurring up at SRS?

10-18  
cont.

for existing and future drinking water needs. It later states that contamination is present beneath the entire site. Which is it? And regardless, isn't placing any additional burden on this resource considered more than just a minimal impact?

Economic Benefit

The NRC stated that the positive economic benefit to the local community was part of their preliminary decision to recommend the plutonium fuel plant. We are gravely concerned that this perceived economic benefit is being unfairly promoted to the expense of others. This is an extremely expensive program that is estimated to cost nearly \$4 billion, nearly doubling original estimates. And this is only for the program in the U.S. and does not include ALL the costs. The costs for developing this infrastructure within Russia is also staggering. The U.S. taxpayer is footing this bill. Is it fair for a local community like Aiken, SC to prosper at the expense of others...and that that advantage be used as a reason to recommend the project by the agency mandated to evaluate the merits of the license application?

How is Duke Cogema Stone & Webster going to benefit economically from this endeavor? Why is this not part of the review process? Are they deemed a local benefactor, or correctly as an international consortium?

How does a city like Savannah benefit from plutonium fuel? How are our lives improved if there is a severe accident or a leak to the surrounding environment?

Additional Concerns for DEIS

Due in large part to the errors in the calculation of latent cancer fatalities if there were an explosion at the MOX facility, we alert the NRC to sincere concerns on credibility in all of their calculations.

We also request that full scoping comments be provided instead of just a summary of scoping comments, as was done for this draft in Appendix I. This allows for the reader to see whether their original question was answered and also whether others asked the same item and received a similar or differing response.

We also suggest that if questions or comments are raised that will be addressed in the Safety Evaluation Report, that those comments be transferred over to the proper contacts within the NRC and that the commenter be placed into the pool of interested participants in the SER process. The division between the EIS and SER is very confusing and needs to be simplified in some way.

We again ask that the environmental and safety records of the individual contractors involved in the international consortium, Duke Cogema Stone & Webster (DCS), be studied thoroughly by the NRC. At a time when the French are not currently America's favorite partner, it is suspect that our government is not concerned with Cogema's (a French government owned company) previous track record in handling commercial plutonium and nuclear waste—we are after all giving them proposing to allow them to handle a highly dangerous material and one sought by numerous rogue nations and terrorists. DCS did not exist before this proposed plutonium fuel project came to light—how do we know they will do it right?

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Many of the mitigation procedures that are identified in the draft EIS seem lacking in their ability to protect workers and surrounding communities. For instance, the report states that, "issues related to general emergency preparedness of communities are outside the scope of this EIS." That was one of the main concerns raised by Savannah residents in last September's meeting. The report also mentions that, "consequences on human health would be mitigated by following SRS emergency procedures." We formally request a copy of the SRS emergency procedures. Will citizens in Savannah and other communities throughout the Savannah River corridor also receive a copy? Why don't we know what this is? How do we know whether we are going to be protected?

The entire environmental justice section needs to be reviewed again due in part to NRC-acknowledged incorrect accident consequences. Additionally, there seem to be numerous contradictions within the report of what will and what will not be studied in terms of environmental justice. For instance, environmental justice impacts apparently will not be studied along MOX transportation routes but elsewhere in the document it states that transportation will be studied in terms of environmental justice.

We are concerned about the health of SRS workers at the proposed plutonium fuel factory. We recommended that both sand and HEPA filters be used. In the report, it mentions that only HEPA filters will be used. We again hope that a combination of both can be recommended by the NRC to enhance worker protection.

Environmental Concerns

The NRC concluded that there are minimal environmental impacts if plutonium fuel is produced at SRS. We disagree and will highlight just two concerns tonight.

Nuclear Waste Concerns

SRS has a severe nuclear waste problem and the plutonium bomb fuel is only going to make it worse. The site currently has the 2<sup>nd</sup> largest volume of high-level liquid nuclear waste (more than 30 million gallons) and wins the gold medal for having the most amount of radioactivity at any DOE site in the nation. The future is less than encouraging as the DOE projects that 95% of future high-level radioactive waste generation will occur at SRS. The plutonium fuel program is slated to bring more dangerous nuclear waste to this site—in some instances, waste streams that the site currently has no experience with. As the NRC may remember from the September meetings in Savannah, nuclear waste issues are of grave environmental concern locally. The draft report does not do a good job describing and tracking the various waste streams that will be created by the MOX process. We request that a process flow diagram be developed to clearly show what wastes are being generated where and where those resulting wastes will be eventually stored or treated.

Water Concerns

Water resources are limited and debates on how this precious resource should be protected is under heated debate currently in Georgia and elsewhere. Currently, SRS requires enormous amounts of surface and ground water, in the tens of billions of gallons, just to support currently established operations. It was difficult to discern what additional water use will be required and what additional water contamination will be generated by the plutonium fuel factory, over its entire operating life, versus the proposed "no action alternatives," including immobilization? In the report, it does state that groundwater beneath the site is listed as a Class II drinking source by the EPA, meaning it has potential

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Southern Alliance for Clean Energy DEIS MOX FFF Public Meeting Comments Continued

Summary

From what has already occurred, it appears that the Department of Energy has decided that SRS will be the centralized, long-term plutonium storage dump, using the plutonium "disposition" plan as justification to bring the plutonium here and that the NRC is doing its part to allow that to unfortunately happen. We should remember that the storage of plutonium at SRS could create one potential source of feed for any new pit plant.

Southern Alliance for Clean Energy believes that the NRC must address the full impacts of the plutonium bomb fuel program—how this scheme is likely contributing to the eventual production of nuclear weapons components at SRS and the use of the site for permanent nuclear waste burial. A full accounting of what and how much plutonium is coming from where and being used for what project when it arrives should be done and made public.

We suggest that after the NRC has reviewed all of the comments on the draft and does more research, they should deny the license request or at least recommend that the "no action alternative" is more advantageous to health and safety than the MOX program.

Southern Alliance for Clean Energy believes this controversial nuclear energy program threatens national security. Support of the plutonium fuel program could lead to the development of a plutonium economy that would threaten nuclear non-proliferation goals and would increase already excessive volumes of deadly, highly radioactive nuclear waste at SRS.

Instead, other programs that appear to be more environmentally sound, safer to workers, less expensive, and could prevent the circulation of nuclear weapons materials, such as immobilization of surplus plutonium, should be funded and supported through further research and development. Though not a perfect technology, it is far cheaper than other options and appears to have less risks overall than the currently encouraged technologies.

Thank you to the staff for holding this meeting in Savannah.

Thank you.

Sara Barczak  
Safe Energy Director, Southern Alliance for Clean Energy  
3025 Bull Street, Suite 101  
Savannah, GA 31405  
www.cleaneenergy.org  
(912) 201-0354

3/26/03

00011



March 26, 2003

Rules and Review and Directives Branch  
U.S. Nuclear Regulatory Commission  
Mail Stop 16-D59  
Washington, DC 20555-0001

Dear Sirs,

The Augusta Metro Chamber of Commerce, with member businesses from across our two-state community supports the MOX project. The Chamber has followed the progress of the project since the beginning and with the release of the Nuclear Regulatory Commission's draft environmental impact statement stating minimal environmental impacts, we believe NRC should issue a license for construction and eventually for operation of the MOX facility. Aside from being the right thing to do for the safety of our planet, support of this international effort will have the side effect of great economic benefit for our community.

We believe any concerns of safety have been answered. The safety of the process and the facility itself has been evaluated for years by many different groups. Every conclusion is the same—the MOX facility can be constructed and operated safely with minimal impacts. The technology has been safely used in Europe for over 35 years.

With the question of safety satisfied, we hope our citizens can now recognize the economic boost the MOX project will have in the regional economy. When focusing on some numbers listed in the Draft EIS for the construction and operation of the MOX facility and its associated facilities, the Pit Disassembly and Storage Facility and the Waste Solidification Building it is easy to see the positive impact on the community.

- In the peak year of construction, 1,820 workers will be required for the proposed action.
- On average, 1,000 jobs will be created for the proposed facilities.
- During operations, 1,260 employees will be required each year.
- Income for workers during construction will be \$350 million.
- Income during operations will be \$610 million.
- The proposed facilities will produce approximately \$110 million in tax revenues from state income and sales tax.
- The proposed facilities will produce \$1,850 million for the gross regional product.

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3/24/03

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From: Justice Richard <wildlifejustice@yahoo.com>  
To: <ah@nrc.gov>  
Date: 4/16/03 2:55PM  
Subject: opposition to the utilization of MOX fuel

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

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

Yours truly,



Edwin S. Presnell  
President

I Scott Justice of 400 Exley Rd S. do oppose the transportation and utilization of MOX fuel in the united states. It is now time for our country to realize that the nuclear experiment did not fully work. There are three obvious reasons why MOX fuel is a bad idea. First, the risk of proliferation increases if we begin shipping plutonium rods across country or across the world. Secondly, it will have a hefty price tag for the people of the U.S.. This program looks to me to be an attempt to get the federal govt. and the energy customers to subsidize a facelift for the major energy companies. We have given them enough money. Thirdly, There is a smaller margin for error when it is used in ageing reactors like the ones we have in the U.S. Frozen core reactors like McGuire in Charlotte,NC have thinner walls. The scientist are not in agreement as to how safe this process is. For these reasons I urge the NRC to deny authority for the use of MOX fuel in the U.S.

Respectfully, Scott Justice

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3/26/03

GLENN CARROLL

Comments on the Nuclear Regulatory Commission (NRC) Draft Environmental Impact Statement (DEIS) for the MOX Application

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Fred E. Himes Director

Statement for the Record Draft Environmental Impact Statement Construction and Operation of a Mixed Oxide Fuel Fabrication Facility at the Savannah River Site, South Carolina March 26, 2003

Thank you for the opportunity to provide comments on the draft Environmental Impact Statement on the Construction and Operation of a Mixed Oxide Fuel Fabrication Facility at the Savannah River Site, South Carolina. My name is Ernest S. Chaput and I am the manager of special projects for the Economic Development Partnership of Aiken and Edgefield Counties, South Carolina.

Construction and operation of the Mixed Oxide Fuel Fabrication facility is an important part of our nation's international nuclear non-proliferation program. It is important that we do all possible to make surplus United States and Russian nuclear materials unusable for future use in nuclear weapons. We believe that the United States should continue to demonstrate moral leadership by expeditiously preparing to make these materials unsuitable for use in modern nuclear weapons.

We are pleased with the preliminary conclusion of the NRC staff that the overall benefits of the MOX facility outweigh its disadvantages and costs, and that unless safety issues mandate otherwise the action called for is the issuance of the proposed license. We agree that the proposed facility can be operated safely, and urge the NRC to issue the Construction Authorization Request in a timely manner.

We have reviewed the draft Environmental Impact Statement (DEIS) and offer three comments which result in additional support for your preliminary conclusion.

- 1. The safety and environmental risks associated with the No Action alternative have been significantly understated. The no action alternative assumes that DOE's surplus plutonium would remain in storage at seven DOE sites. The DEIS does not state the period of storage, and it appears that impacts are near-term and based on maintaining the status quo. We believe current methods of storage are only valid for a limited and finite timeframe; storage without subsequent actions is not realistic for timeframes of 100 years plus. At some time in the future actions will be required to either repackaging or disposition stored materials. The no action alternative should assess the incremental added risk resulting from (1) actions to periodically process and repackaging materials in long-term storage and (2) actions to eventually remove the materials from storage and preparation for disposition.

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1. The primary flaw of the NRC's DEIS process is that it splits the MOX application into two parts — construction and operation — but the operations data is not subject to review. Environmental aspects of both must be considered. Most alarmingly, the NRC plans to sign off on its environmental review before operational plans are developed to safeguard 34 tons of plutonium during MOX processing. To separate construction and operation, and to not review critical aspects to contain the highly dangerous plutonium, is irresponsible and blatantly wrong (and is being legally challenged by GANE).

2. The DEIS was published containing large computer errors miscalculating how high death counts in low-income, minority communities would be from a severe MOX accident. Although the NRC is preparing new environmental justice data, its public meetings will take place before the public is in possession of accurate data on which to comment. It should be mandatory for the NRC to hold additional meetings subsequent to releasing the correct data ... especially in North Augusta which is in the most highly affected area from the proposed MOX activity at SRS.

3. The DEIS fails to address the reasonable alternative to MOX — plutonium immobilization. Immobilization would effectively achieve the MOX program's stated goal to safeguard weapons-grade plutonium. Continued storage, which the NRC analyzed instead of immobilization, is, conversely, an acknowledged security risk. The immobilization alternative compares favorably with MOX in other ways: large number of jobs provided; effective management for existing waste stocks at SRS; negligible waste stream as compared to MOX; cheaper than MOX. The public demands to see the in-depth comparison between MOX and immobilization which is required to satisfy NEPA.

4. The DEIS fails to analyze weaknesses in Catawba and McGuire's ice condenser-type reactors, currently proposed to use the MOX fuel. The ice condenser design has a thin containment which is more likely to rupture in the case of a severe accident. Additionally, severe accidents are more likely with MOX fuel use. The DEIS must address these reactor-related MOX risks in its analysis.

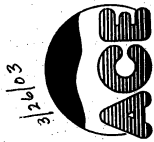
5. The DEIS fails to acknowledge the possibility of insufficient reactors in the MOX program to keep pace with the proposed MOX production rate. Two or three additional reactors would be required to process the proposed volume of MOX fuel. The DEIS must state the environmental risks from failure to process plutonium to MOX, or conversely, excessive inventory of fresh MOX fuel containing weapons-grade plutonium, an extra security risk.

6. The DEIS evaluates a proposal by Duke Cogema Stone & Webster (DCS, the applicant) for the Department of Energy (DOE) to build a special waste building to handle the significant volume of highly radioactive liquid MOX wastes. DOE has not yet generated any records or budget requests indicating acceptance of the MOX waste plan. The DEIS must discuss the environmental risks and consequences of DOE failure to implement MOX waste management.

7. Sabotage and terrorism have become increasingly common in recent years. The DEIS must analyze environmental risks from sabotage, malevolent acts, or terrorist attacks to: the MOX facility; reactors using MOX; transports of fresh fuel to reactors; or transports of plutonium to SRS. MOX, by involving weapons-grade plutonium, is an intrinsic security risk, and must be considered to have a strong attraction to terrorists. Absence of analysis of this environmental risk hampers efforts of public health authorities to respond to emergencies posed by potential security breaches.

GANE - Georgians Against Nuclear Energy • P.O. BOX 8574 • ATLANTA, GA 31106 • 404-378-4263 • g.a.n.e.@minuteping.com





00015

# Action For a Clean Environment

**Adele Kushner**, Executive Director  
**Joanne Steele**, Director, Oconee Nuclear Project

14-3

TESTIMONY ON THE MOX DRAFT EIS FOR SAVANNAH RIVER SITE  
 AUGUSTA, GA, 3/26/03

BY ACTION FOR A CLEAN ENVIRONMENT, ALTO GA

People in this country expect to trust their government. After all, it is a democracy. Under other forms of government, people know not to trust official government statements – those governments could be telling lies.

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

This reminds me of another campaign, also concerning radioactive materials. Years ago the NRC told us that a little bit of radioactivity in our cooking pots, our bicycles, our paper clips, our appliances would not hurt us one bit. The level of radioactivity would be so low it would be “Below Regulatory Concern.”

We found out there is no way you could tell how much radioactivity people would be exposed to once they were surrounded by such little bits if the little bits were scattered around randomly.

I once adopted a cat that the owner said was just a little tiny bit pregnant. That cat produced four good sized kittens right on schedule.

It is hard to believe that the Savannah River Site, already the most radioactively polluted Dept. of Energy site, would even be considered for a process that can only produce more radioactive pollution -- especially when there is an alternative.

Would you rather live and work near ancient tanks already leaking radioactive nitric acid, attractive only to saboteurs and terrorists, OR near glass logs in which nuclear waste is immobilized, out of reach for any re-use, providing safe jobs, leaving no mess behind? How about a real comparison of the pros and cons, NRC? Before a decision is made on this DEIS?

Think about the perils of transporting plutonium across the country, then taking the MOX fuel to reactors, all of which is subject to accidents and the possibility of spreading

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 adelek@alltel.net • <http://www.alltel.net/~adelek>



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2. The risk to offsite population in the hypothetical accident analysis is significantly overstated. In analyzing the impact to off-site population from a hypothetical tritium release from the Pit Disassembly and Conversion Facility, the DEIS assumes and calculates a dose by ingestion during the one-year post-accident period. This scenario is simply not possible. An assumption that the South Carolina Department of Health and Environmental Control and the Georgia Environmental Protection Division would ignore contamination of agricultural products for one year is incredulous and an insult to their training, demonstrated performance and professional status. This impossible assumption must be eliminated and the analysis revised.

3. The DEIS places unwarranted emphasis on impacts associated solely with the Pit Disassembly and Conversion Facility (PDCF). The PDCF facility is not solely required to support the MOX facility. PDCF has a broad capability to support a range of storage and disposition options for surplus nuclear weapon pits. For example, the PDCF prepared the plutonium that was included in the cancelled Plutonium Immobilization Project. There has also been discussion that PDCF may convert surplus weapon components currently being stored as pits to oxide for long-term storage. By coupling the MOX and PDCF facilities in the draft EIS, NRC implies that impacts from the PDCF will not occur if the MOX construction authorization is denied. That is not the case. PDCF and MOX are two separate actions, and the draft EIS should only analyze those combined impacts which result from the unique actions required solely to fabricate MOX fuel. DOE has previously prepared an Environmental Impact Statement for the PDCF facility with a finding that the facility provides adequate protection to the public and environment. NRC should not subject the PDCF facility to NEPA “double jeopardy”.

Thank you for the opportunity to comment on this important document.

3/21/03

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cont.

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

Adele Kushner, Executive Director  
Action for a Clean Environment  
Alto GA



**From the Office of Congressman Gresham Barrett**  
*Representing the 3rd District of South Carolina*

For Immediate Release  
March 26, 2003  
Contact: Colleen K. Mangone, Press Secretary  
Congressman Gresham Barrett  
202-225-5301  
Colleen.Mangone@mail.house.gov

*Washington, DC*— Congressman Barrett understands the Savannah River Site is not only important to the 3rd district, but the nation. SRS is an integral part of our nation's national security, as well as the United State's non-proliferation efforts, and for those reasons among others Congressman Barrett continues the tradition established by his predecessor of supporting SRS.

Congressman Barrett has secured language in House Report 108-37, which accompanies the House Budget Resolution. The language is as follows:

- Mr. Barrett raised the issue of Mixed Oxide Facilities. To be clear on this matter, the budget resolution assumes full funding of the President's \$415 million request for the construction of the Department of Energy's [DOE] Mixed Oxide [MOX] Fuel Facility and Pit Disassembly and Conversion Facility [PDCF] for fiscal year 2004. This funding would be used to initiate construction of the MOX Fuel Facility and complete the design of the PDCF at the Savannah River Site.

Congressman Barrett is currently supporting the following language concerning the funding level for the Department of Energy's Defense Environmental Management Program submitted by Congressman Hastings of Washington State.

- Mr. Hastings raised the issue of the Defense Environmental Management. To be clear on this matter, the budget resolution assumes full funding of the President's \$7.2 billion request for the Department of Energy's [DOE] Environmental Management Program for Fiscal Year 2004. The funding level provided in the resolution will allow for accelerating the completion of cleanup by decades and save billions of dollars in spending.

In addition, Congressman Barrett has held several meetings with members of the Department of Energy, the Washington Group, and employees of the Savannah River Site these issues. The one message Congressman Barrett continues to hear from each of these groups is just how important it is for SRS to acquire new missions. It is not only an integral part of the districts economy, but more importantly the security of our nation. Congressman Barrett knows that with these new missions SRS can be afforded a great opportunity to help secure our homeland.

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3/26/03

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**SRS Retiree Association Presentation at the March 26, 2003 NRC Public Meeting to Discuss Draft Environmental Impact Statement on Proposed MOX Nuclear Facility**

Presentation by: C. David Cowfer  
Chairman, Savannah River Site Retiree Association  
110 Boxwood Road  
Aiken, SC 29803

Hello, my name is Dave Cowfer, and I am the Chairman of the SRS Retiree Association Board of Directors

I have 40 years collective experience in Federal Government and commercial nuclear industries and today, I would like to say that I, as well as the SRS Retiree Association that I represent, strongly support the construction and operation of the MOX facility. I hold a fellow grade membership in the American Society of Mechanical Engineers (ASME), an award I achieved by 30 years participation in non-government Boiler Codes & Standards developing committees. I have interacted with Nuclear Regulatory Commission (NRC) personnel for 30 years as Codes and Standards, and Federal Regulations Owner/User. I continue to interact with NRC personnel on standards developing national committees in my retirement. I am, you would say, very familiar with the NRC regulatory function.

I believe that the MOX facility can be constructed and operated safely, not-with-standing some concerns about NRC's worst case scenario in the subject EIS.

My understanding from having reviewed the EIS and spoken with some folks whom I believe to be independent from this process is that the evaluation that the NRC performed is not only very conservative, but actually makes assumptions that I believe to be incredible.

I am concerned about the perception that this kind of evaluation generates in the public eye with respect to the perceived dangers of such a facility. For the NRC to publish a scenario that breaches 1) at least 2 levels or more of containment, 2) site boundary monitors and 3) goes undetected for one year is preposterous. This scenario also disregards MOX Facility equipment engineered safety features and operating procedures mandated by Federal Regulations, enforced by several levels of regulators. I have worked at SRS and I can tell you the redundancy in facility safety basis and operations does not stop with Regulatory minimum requirements.

- We've seen over the years opponents of nuclear technology overstate the risks associated with this technology.
- The NRC is neither an opponent nor a proponent, but an objective regulator; I would expect the NRC to be even-handed and not overly dramatic in its assessments.
- Even if the NRC acknowledges that the assumptions they have used are conservative, and even if they acknowledge that their evaluation does not give credit for protection that we know will be in place, those kinds of statements can easily get lost in

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**SRS Retiree Comments on NRC MOX Facility EIS - 3/26/03 Public Meeting - Continued**

the cloudiness that gets generated over the numbers that fall out of the conservative evaluations.

- I hope that the NRC heeds this concern, and ensures that their final analysis portrays the risks associated with this program in the proper context.

Sincerely,  
  
C. David Cowfer  
Chairman, SRS Retiree Board of Directors

17-2  
CONT.

3/26/03

March 26, 2003 00018

Comments on the Draft Environmental Statement, NUREG-1767  
From: Donald A. Orth, March 24, 2003

The Environmental Impact Statement on the Construction and Operation of a Mixed Oxide Fuel Fabrication Facility at the Savannah River Site, NUREG-1767, Draft Report for Comment, lacks sufficient information on design bases to judge the operability of the facilities, general safety, and validity of projected off-site effects of proposed facilities against guidances for radiological facilities, painstakingly established over a period of years, some 25 to 35 years ago. These include design criteria, technical specifications, and ANSI Standards as discussed later. It is true that the proposed facilities are not fuel processing plants and not all parts are to be licensed, but many of the operations are the same as in such plants and should meet the same licensing requirements. Also, the DEIS does not make apparent if there has been a detailed technical review of the designs themselves, rather than just presentation of information from the consortium to be responsible for construction and operation.

To satisfy these points, the Statement should provide evidence that the proposed projects have received an adequate technical review to support stated conditions of routine performance, possible accidents, and their off-site effects. As examples of past reviews of facilities that were to be licensed by NRC, special Subcommittees of the Advisory Committee on Reactor Safeguards were established, with knowledgeable consultants, for the GE Midwest Fuel Reprocessing Plant, the Allied General Barnwell Plant, and the extensive hearings on the Generic Environmental Statement for Mixed Oxide, (GESMO). To aid in the reviews, the ACRS had subcommittees develop both General Design Criteria and Contents of Technical Specifications to provide bases for review of fuel processing plant proposals during the late 1960's and early 1970's. Also, by 1971 the American national Standards Institute had a proposed standard for nuclear fuel reprocessing facilities, N101.5.5-1971, and more detailed guides were developed in following years. Evaluation of the Mixed Oxide Facility and associated operations against the ACRS and ANSI standards would increase confidence that a comprehensive review has been made.

A specific example of need for technical details is the analysis of criticality in the operations, which is treated only with the statement that a generic accident is being considered, with no description of what "generic" means. Actual criticalities have varied substantially. Note that information from past incidents involving both plutonium and uranium are pertinent. The majority of incidents have involved solutions and have resulted in both short duration reactions and continuing reactions that finally were extinguished by loss of moderator. Pertinent descriptions of the "generic" incident should include the bounds and bases for the assumed number of total fissions, peak pulse, and duration of the incident. A discussion of the observed differences between solution and solid incidents also should be given. In essence, it should be shown that the design provides criticality controls against all foreseen

accidents but also will mitigate consequences in case of the kinds of incidents that have occurred.

The Barnwell licensing action and the GESMO work <sup>was</sup> terminated by order of President Carter, but still shows the kind of attention that seems warranted for these new facilities. Note that the former Environmental and Waste Management Subcommittee of the ACRS was split off to become the Advisory Committee on Nuclear Waste, again to provide a technical review of proposed waste operations, including Yucca Mountain. If there is concern that facility details should be held confidential under current world conditions, then appropriate committees still could be established, possibly again under the ACRS, with cleared consultants from the complex or retired community, as before, with still final unclassified reports.

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cont.

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Mary T. Kelly, Ph.D.  
 Assoc. Director, League of Women Voters of SC  
 4018 Sandwood Drive, Columbia, SC 29206  
 803-782-8410

**Statement for Nuclear Regulatory Commission Public Meeting  
 Re the DEIS for the proposed MOX Fabricating Facility at SRS  
 N. Augusta, SC, March 26, 2003**

My name is Mary T. Kelly, representing the League of Women Voters of South Carolina. We appreciate the opportunity to comment on the current Draft EIS for the building of the MOX manufacturing facility.

Our comments and concerns can be summed up as follows:

*Failure to hold meetings in a variety of places in South Carolina*, but especially, in the state capitol, Columbia. This meeting is being held to fulfill requirements of the National Environmental Policy Act, a law that is aimed at including the average citizen stakeholder in the process through which major decisions are made. You are proposing to build a factory that is essentially a heavy chemical manufacturing plant with potential for contaminating the air and water with a wide variety of substances only some of which are radioactive. Areas far beyond a fifty or sixty mile radius could be affected. We know that tritium spills have affected communities far down stream and ground water contamination is flowing towards Georgia.

Meetings in the N. Augusta/Aiken area tend to be dominated by those who see any and every proposal for the Savannah River Site in economic terms alone, a situation that at some other meetings has prevented valid information and concerns from being presented. Yet the experience of Chernobyl proves how far reaching the effects of a major accident can be. Not only are we all in danger but as tax payers, we all have a stake.

*The failure of this DEIS to deal with possible terrorist acts or a criticality accident.* The failure of this DEIS to confront such issues is in line with the failure of the Home Land Security administration to acquaint the public with the dangers of such accidents for SRS and for nuclear power plants in this state. There is danger in ignorance. People need to know what they can do to protect themselves, and what to do if they have to evacuate. We are much better prepared for hurricanes.

*Under NEPA a range of other options including no action should be presented.* This DEIS offers only the preferred option versus no option. The same should be true for the choice of the F area.

*The wisdom of concentrating so much plutonium at one site.* SRS has to be one of the world's most inviting terrorist targets, even without the added plutonium. As the old

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 cont. saying goes, "Never put all your eggs in one basket." Having so much plutonium in one place also increases the prospect of a criticality accident.

19-5 *Should we be transporting plutonium and uranium around the country in a time of war and international hostility to the US?* Some of that plutonium will be in the form of plutonium oxide powder, a highly reactive and flammable substance. Depleted uranium in the form of gaseous uranium hexafluoride, a nasty substance, will be transported to a processing plant in Wilmington, NC, solidified as uranium dioxide, and then transported to SRS.

19-6 *This DEIS estimated 400 deaths in the minority community based on computer modeling and is now coming back to revise that to 50.* Although modeling is a valid technique for estimating the unknown, it must be based on realistic choices of variables and not too many of them. The assumptions need to be justified. A lot more information is needed about how you got your numbers.

19-7 *It is distressing that a truly valid study of the impact of SRS operations on public health has never been completed.* The Dose Reconstruction Project was dropped by the CDC and DOE for lack of funding, just as it was beginning to interpret the results of all the data collection. Since DOE proposes further operations at this site, you owe it to the people of South Carolina who have and will be placed at risk to complete this study.

19-8 *The weather discussion in this DEIS is inadequate and doesn't cover enough years and doesn't take into account some special South Carolina background.* Hurricane Hugo showed how hurricanes and the accompanying tornadoes follow river courses. Charlotte, NC was heavily impacted by Hugo, a surprise to people, including me, who had taken refuge there. It came in just north of Charleston and followed the rivers through Sumter and up the Wateree to Charlotte.

19-9 *There should be more discussion about the backgrounds of the entities composing DCSW,* from the standpoints of their financial status and history and their environmental and safety records. It is extremely troubling that one party to this consortium is COGEMA - a French company, owner and operator of sites like La Hague that have had environmental and safety records. It may not be possible to get adequate information about COGEMA since France is far less open than the US about its nuclear operations.

19-10 *If the Russian MOX program does not proceed according to plan - it is reliably reported that it will not - how will the US program be affected?* It could well mean that the MOX program will be delayed or aborted and that the surplus plutonium will be stored at SRS with no place to go.

I appreciate the opportunity to present these views and trust that all the views expressed by the participants at these meetings will be given careful consideration.

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From: Susan Giusto <susangusto@knology.net>  
To: <TEH@nrc.gov>  
Date: 3/28/03 6:32AM  
Subject: MOX project

Mr. Harris:

I would like to add my name to the list of citizens highly opposed to the MOX project being introduced at SRS. Our mission should be CLEAN-UP, not the increased production of potential nuclear waste to add to the already abundant and dangerous cache we have amassed world wide.

We don't need this.

Sincerely,  
Susan Cain Giusto  
Augusta, GA

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Nuclear Directives  
4/8/03  
68 FR 9728  
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From: Roy G. Huml <mehlur@yahoo.com>  
To: <nrcprep@nrc.gov>  
Date: Sat, Mar 29, 2003 5:31 PM  
Subject: Response from "Comment on NRC Documents"

Below is the result of your feedback form. It was submitted by

Roy G. Huml (mehlur@yahoo.com) on Saturday, March 29, 2003 at 17:32:06

Document Title: Environmental Impact Statement on the Construction and Operation of a Mixed Oxide Fuel Fabrication Facility at the Savannah River Site, South Carolina (NUREG-1767) - Draft Report

Comments: Dear NRC,

Thank you for finally approaching the MOX issue and providing an excellent environmental statement for the Savannah River Site in South Carolina. This issue affects every one of us who live in the United States, as nuclear power is vitally important for our future, and developing MOX technology at the Savannah River Site is an important first step toward closing our nuclear fuel cycle. Burning MOX fuel in our reactors will produce much needed power so that my children and grand-children might hope to have at least as high of a standard of living as I have had, and it also removes plutonium from our weapons stock piles to make our world a little safer. It is unfortunate that so many people do not realize the benefits of this clean, safe source of energy. Respectfully,

organization: Private Citizen  
address1: 2112 Newton Road  
address2:  
city: Hampton  
state: VA  
zip: 23663-1023  
country: USA  
phone: 757 851-2668

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Templeton - ADM - 013  
FIDS - ADM - 03  
Cable - J. Harris (TEH)  
P. Lester (HALL)

00022

From: "Linda" <lco@carolina.rr.com>  
To: "Tim Harris" <TEH@nrc.gov>  
Date: 3/29/03 5:39PM  
Subject: Mox project meeting, Charlotte, N.C. March 27, 2003

Tim,

I know you are all good Americans just trying to do a good job. I also know you can not allow yourself to get personal with the people whose lives will be affected by your decision. It would be hard not to think about our safety once in a while and harder yet if an accident occurred.

The Gentleman with DOE told me they have no intentions of using fuel from Plutonium as an "alternate fuel." He said it was just a way to get rid of the Plutonium and it cost less money than storage. Another point he made to me was the French have been doing it for years. While it is true, that some of the French Scientist have been Brilliant, and most of them opposed the MOX fuel project in their country. However, the French Government has not proven to have made wise decisions in the past where their citizens are concerned.

The DOE's explanations are not good enough answers for me. As an American and the daughter of a disabled WW 11 Vet and the fiancé of a man ambushed in Viet Nam and now the mother of a 22 year old son, who may have to die for our country, I always trusted my country to protect us. Why do you think that is? Even a monkey learns not to take food from the hand that bites them! After all, my family is part of "The Ethnic Low Income Population" that is deemed expendable.

The NRC's Environmental Impact Statement publication should have used the facts from real radioactive accidents instead of hypothetical accidents. You would have been surprised to see that these accidents affected generations of Americans not just the generation living when the accident occurred. Of course, The Savannah River Plant says they can't find the records or someone didn't keep them. You know and I know that is a lie!

In 1973 Radioactive Iodine was accidentally released (430,000 units) from the Savannah River Plant in South Carolina. This was just one of the elements released in that accident. I believe this is what has caused my sister to develop thyroid cancer as a young mother pregnant with her 5th child. There is less than 1% of thyroid cancer in this country but in the SRS area it is 100% higher than the nation. That tells me a lot, does it you?

Her daughter, who is a graduate of Cornell and Boston University, was featured in U. S. World News and Report while she was at Cornell; she was also an "All American" and was honored by the Governor of her State for the

selflessness she showed in helping others. My niece had a baby girl born with a defective heart that the doctors all agreed was caused by "chemicals in her environment" that my niece was exposed to. I am happy to say my beautiful little Great Niece, who was named after a warrior because she is such a little fighter and she is only 1, survived her grueling open heart surgery performed immediately at birth and only God knows what is in store for her down the road. I spent a lot of time crying, praying and begging God to save her. I know you can not imagine the torture her parents went through before the birth and during surgery.

My younger sister has not 1 but 3 forms or rare cancers not related to each other, she was only in her thirties. I want to go on and on but I will spare you, even though my family has not been spared. You see the accident in 1973, as well as the other accidents, I believe, so far, has affected FOUR (4) generations of my family not just One.

Of course, we will never know the extent of the damage done to our nation by nuclear power plants and there is no reason or excuse to ever risk the lives of more people. You see 1% is way too high of a risk for me to accept it is late for my family but not to late for others that will be affected.

I resent the NRC and the DOE referring to our population as the "Ethnic Poor". Is money the measure of a successful and productive life? I have two uncles who attended Harvard a cousin who attended Oxford and is now learning Japanese at McGill University. Too many of my family attended Ivey League Colleges and are very successful in life to mention here. The point I am making is even though we are considered the "Ethnic Poor" we are not all stupid.

As far as North Carolina's "ethnic low income group" is concerned - Did you look at the area around Lake Norman? Loni Anderson has a house there, as well as many other heads of fortune 500 companies. Do you really want to nuke them?

The way I see it is my Government has - is and wants to slowly poison part of its citizens and that makes the NRC and DOE no different than Hitler or Saddam to me. Excuse me, there is a difference - the people they killed knew they were being hunted down. Americans have a hard time believing our organizations only see "dollar signs", not the suffering of our population.

Isn't it ironic that if One Iraqis gets killed in war our government calls it "Tragedy"?

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 Rules and Directives  
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 03/27/03



**House of Representatives**  
 State of South Carolina

James E. Smith, Jr.  
 District No. 72 - Richland County  
 P.O. Box 50333  
 Columbia, SC 29250

**Committee:** Judiciary  
 March 27, 2003  
 Minority Leader

335-C Blatt Building  
 Columbia, SC 29211  
 Tel. (803) 734-2997  
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 Fax. (803) 933-9801  
 Res. (803) 246-3382  
 Email RepSmith@JamesSmith.org  
 Web Page www.JamesSmith.org

*Via First Class U.S. Mail and Facsimile*

Michael T. Lesar, Chief  
 Rules and Directives Branch  
 Division of Administrative Services  
 Office of Administration  
 Mail Stop T-6D59  
 United States Nuclear Regulatory Commission  
 Washington, D.C. 20555

RE: Public Meetings on the proposed new MOX plutonium fuel factory at the Savannah River Site

Dear Mr. Lesar:

I write you today in regards to the Nuclear Regulatory Commission's *Draft Environmental Impact Statement (EIS)* on the impact of building a new MOX plutonium fuel factory at the Savannah River Site. I understand that the NRC has held public meetings to have public input as a part of the official record. I respectfully request the Nuclear Regulatory Commission hold a public meeting in Columbia, South Carolina prior to the end of the comment period at May 14, 2003.

Additionally, I respectfully request that my name and address be placed on all mailing lists for any further meetings and other public forums regarding a new MOX plutonium fuel factory at the Savannah River Site. Thank you for your valuable time and consideration.

When we die, Do you think God is going to ask how much money we made - NO! I do believe, He will ask how many people died and suffered because of the decisions we made in our lives! Please do not put anymore American lives at risk for pain and suffering and even early Death!

May God grant you and the other officials making this decision the Wisdom of Solomon.

Thank you for your time. Please include this as my comment to the MOX Project Meeting.

Linda Odum  
 1561 Bennington Dr.  
 Concord, N.C. 28027 704-188-9458

CC: <leo@carolina.rr.com>, "Beverly Evancic" <iking@ida.net>, <MackrShansmom@ctc.net>, "Jill Shelhut" <bnutshet1@hotmail.com>, "Josie Hernandez" <josie\_hernandez@hotmail.com>, <SKittrell@aol.com>, <coffeyc@lamere.net>, "Susan Morgan" <mustiangsue64@hotmail.com>, "TOM COFFEY" <imc56@hotmail.com>, <Tealady@attbi.com>, <nris@mindspring.com>, <eric.williamson@augustachronicle.com>, <localnews@charlottecbsenior.com>, <Abdrewtb@reccc.cc.nc.us>



00024

From: Lewis Patric <patric@nc.gov>  
To: <TEH@nc.gov>  
Date: 4/3/03 4:25PM  
Subject: Regarding DEIS on Proposed MOX Facility

From: Lewis E. Patric, M.D.  
WESTERN N.C. PHYSICIANS FOR SOCIAL RESPONSIBILITY  
99 Eastmoor Drive  
Asheville, N.C. 28805  
March 17, 2003

To: Michael T. Lesser, Chief, Rules and Directives  
Mail Stop 76D59  
U.S. Nuclear Regulatory Commission,  
Washington, DC 20555.

From the perspective of Physicians for Social Responsibility, I wish to cite the dangers and massive costs of the the entire plutonium bomb fuel experiment, the lesser costs and dangers of the option of plutonium immobilization, how such a venture could affect us in North Carolina and an apparent hidden agenda.

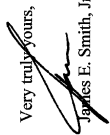
Dangers stem from this entire plutonium fuel experiment. The U.S. portion of the proposal involves shipment of plutonium from dismantled nuclear weapons sites in western states, some likely via Interstates 40 and 26 en route to South Carolina. The greatest transportation risk would be an accident in which plutonium metal, which rapidly oxidizes when it comes into contact with air, would vaporize or burn and disperse its deadly particles contaminating the air our citizens inhale, the water upon which we depend and the soil upon which we grow crops and upon which animals feed. Inasmuch as your staff have already introduced the subject of terrorism into tonight's discussion, it is appropriate to cite the increased risks that terrorism add to all other concerns about the proposed production and use of plutonium bomb fuel.

Creating the proposed Mixed Oxides Fuel Fabrication Factory would be counterproductive. Such a facility at Savannah River Site would place workers' health at greater risk from unnecessarily increasing their plutonium exposure. It would greatly increase the radioactive wastes generated at that already highly contaminated bomb building plant. It places populations in nearby areas at increased risks of exposure to plutonium and other byproducts of such a facility as stated above.

Over the decades that SRS has been in operation, there has been ample time to conduct long-term, well-controlled, epidemiologic studies of workers and other potentially exposed populations carried out by impartial, qualified scientists. Such studies should have been conducted on populations which might have been exposed through air, water and food ingestion. Such studies should not be prejudiced by prior assumptions, such as extrapolating data derived from the flawed studies of Hiroshima and Nagasaki, which were limited to the survivors of those acute massive exposures. It is difficult to justify the absence of such studies and further how a DEIS can be adequately carried out in the absence of such data. The DEIS would have more validity if risk factors were based more upon such information. Effects of chronic low dose radiation have been reported by scientists such as Drs. Alice Stewart and Dr. Steve Wing (UNC Chapel Hill). Absent the use

Should you have any questions or concerns, please do not hesitate to contact me.  
With kind regards, I remain,

Very truly yours,

  
James E. Smith, Jr. *JES*

JES:smc

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of such epidemiologic data, skepticism is warranted regarding the estimated health risks presented in the DEIS.

Inseparable from the proposed MFFF is the fact that once manufactured, plutonium bomb fuel is destined for first use at Duke Energy's McGuire and Catawba nuclear reactors within 20 miles of Charlotte. Plutonium fuel is experimental, in that fuel derived from weapons grade plutonium has never before been used in commercial reactors. These plants are poor choices for an experimental program, because their cooling systems depend on a constant supply of ice; in the event of failure for even a few hours, a serious accident would result. The plants are encased in plate metal rather than the preferred four feet of concrete. Plutonium bomb fuel is inherently more dangerous than currently used uranium fuel, in that it bombards structures within the reactor chamber with more damaging radioactivity and would be more difficult to control, increasing the likelihood of a Chernobyl type disaster. Compared with currently used uranium, should a nuclear catastrophe occur involving a MOX fueled reactor, up to twice the number of cancer deaths would result due to the nature of radioactivity produced. The possibility of terrorism should not be ignored, either to the reactor vessel itself or to the "spent fuel rods" that are stored on site. A worst case scenario could result in the entire Charlotte area becoming a nuclear wasteland for decades to come, with national repercussions and most of the population becoming refugees.

One more danger comes from vastly increased radioactivity produced through MOX. Promoters deceptively claim its use would rid the world of plutonium, making it unavailable for future nuclear weapons use. As you well know, plutonium will be produced while MOX fuel generates electricity. The proposed parallel tract whereby plutonium is presumably converted into fuel in both the U.S. and Russian reactors would markedly increase the availability of plutonium on a global scale. It would be contrary to our national interests; it would favor further nuclear weapons proliferation.

Furthermore, MOX would vastly increase amounts of radioactive waste for which no satisfactory solution has yet been discovered. The railway or highway transportation of increased quantities of radioactive wastes to the proposed Yucca storage facility in Nevada would create new and extensive dangers which further increase the risks to large segments of our population because of the risks of accident or terrorism. Finally, when the Yucca facility would be filled to capacity, there will remain at the Catawba and McGuire sites at least as much high level nuclear wastes as at present. In addition, these sites will continue to be attractive targets to terrorists, due to their proximity to a large population and financial center.

Immobilization is the safest and least expensive alternative to converting plutonium into fuel. Originally immobilization was to have been developed along with the MOX program. It would consist of vitrifying plutonium into ceramic pucks, surrounding them with highly radioactive wastes and sealing them in corrosion resistant containers, making plutonium extremely difficult and dangerous to extract, but capable of long term storage. It would substantially reduce the risks of accident and terrorist procurement of this deadliest of all elements. Although it is the best choice for a problem like plutonium, all funds for this alternative have been deleted from the budget and the concept for such an alternative appears to have been placed on an indefinite hold. Failure to consider this option has to be considered abysmal decision.

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cont.

There appears to be a hidden agenda connected with the decision to continue with the MFFF despite the risks and uncertainties of proceeding with plans for this facility. The production of quantities of tritium in three of TVA's nuclear reactors which will be processed at Savannah River Site has to have significance. Such quantities of tritium can be used only in the production of nuclear weapons. An MFFF could make plutonium available in sufficient quantity for the production of nuclear weapons. What other explanation could there be than that another objective of the MFFF is connected with the production of large numbers of new nuclear weapons? If valid, this should be acknowledged as part of this DEIS and should be made apparent to the U.S. citizenry upon whose taxes this project would depend. Without a satisfactory explanation of this, the DEIS is incomplete.

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If these premises are correct and we are on the verge of constructing a new massive buildup of nuclear weapons, it will further signal the rest of the world that we have abandoned our prior commitment of moving toward eventually ridding the world of weapons of mass destruction and in fact are encouraging a new worldwide arms race.

For the reasons I have stated, the proposed MFFF should not be approved for construction.

Lewis E. Patrie, M.D.

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Augusta Tomorrow, Inc.

Supports

MOX Fuel Fabrication Facility

March 25, 2003

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Rules and Directives

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Bill Mottel  
80 Glenmoor Place  
Hilton Head Island, SC 29926  
Phone: 689-2787

Comments For NRC on MOX  
Draft EIS, 3/24/03

My name is Bill Mottel. I have lived for the past 10 years on Hilton Head Island, which is just a few miles north of Savannah, GA, and the Savannah River. I am now on the Hilton Head Island Town Council and the Lower SC Council of Governments. I had many years of experience on nuclear assignments, first in the U.S. Armed Forces nuclear weapons program and later with DuPont at the Savannah River Plant, where I was the Plant Manager. After retiring as DuPont's Director of Safety and Occupational Health, I served as Chairman of the National Safety Council.

I am mailing this statement to you because a conflict prevents me from attending the public meeting in Savannah on March 24.

I have great confidence that Duke Cogema Stone & Webster, DCS, working Westinghouse and with the Nuclear Regulatory Commission are very well qualified to fulfill this mission, and will do it safely and efficiently. Cogema has a long and distinguished record of manufacturing mixed oxide, MOX, fuel for the more than 30 commercial power plants in Europe that use MOX fuel. And, both Duke Power and Stone & Webster have long histories of excellence in the design, construction, and operation of nuclear facilities. Savannah River Site's record of safety is legendary, and both DOE and SRS will work with DCS to maintain that outstanding safety performance.

The recent Draft Environmental Impact Statement, which included both the MOX plant and the Pit Disassembly and Conversion Facility, did not contain sufficient detail to allow an independent assessment of their analyses. However, its worse-case incident, which occurred in PDCT, not the MOX plant, seems grossly exaggerated. A fire in a modern plutonium cabinet or glove box would be unlikely to generate either the heat or the releases of plutonium and tritium that was assumed. Any plutonium in such a fire, if it occurred, would not dissipate to the public. Also, I cannot imagine why the assumption was made that the government would not collect the contaminated food to keep it from being eaten. Surely this hypothetical incident scenario is supposed to be at least remotely possible. I do not think that this one is.

This draft EIS needs significant revision.

*Bill Mottel*  
W.D. Mottel  
Date 3/25/03

E-IDS = ADM-03  
Call = T. Harris (EIS)  
A. Lester (H&E)

Sample - ADM-013

Good evening. My name is Camille Price and I am the Chief Administrative Officer of Augusta Tomorrow, Inc. Since 1982, Augusta Tomorrow, Inc. has worked tirelessly to assist the City of Augusta and private investors in the revitalization of downtown

Augusta. Augusta Tomorrow's membership is made up of representatives from private business, banks, local utility companies, the City of Augusta, the City of North Augusta and not-for-profit institutions. We are not developers. We work behind-the-scenes to support projects we see as vital to the redevelopment of a thriving Metropolitan Augusta. In fact our mission is "to serve the community at large by planning, promoting and implementing the revitalization and development of Augusta with particular emphasis in the city center."

The Savannah River Site has been a tremendous asset to the economic development of the City of Augusta and the CSRA region. The economic impact of Savannah River Site is over \$3 billion dollars a year. This impact comes not only from the jobs generated, but

also from families who purchase homes and commodities that positively impact the entire region's vitality. This economic impact dovetails with Augusta Tomorrow's mission.

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Augusta Tomorrow has been concerned about Savannah River Site's job losses as the cleanup missions are completed. Losing jobs negatively affects Augusta's economy. We enthusiastically support the Pit Disassembly and Conversion Facility and the Mixed Oxide (MOX) Fuel Fabrication Facility. Not only are these programs designed to reduce the potential for proliferation of nuclear weapons, they will bring jobs to the Savannah River Site and continued economic development to Augusta.

In closing I want to say that because of the Savannah River Site's 50 years of unmatched safety record, we have complete confidence that the new projects will be handled safely and without incidence. Augusta Tomorrow completely supports the MOX Fuel Fabrication Facility.

Thank you.

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ER 03/202

April 14, 2003

Michael Lesar  
Nuclear Regulatory Commission  
MS-16 D59  
Office of Nuclear Materials Safety and Safeguards  
Washington, DC 20555-001

RE: Draft Environmental Impact Statement (DEIS) on the Construction and Operation of a Mixed Oxide Fuel Fabrication Facility at Savannah River Site, Columbia, and Richmond Counties, Georgia; Aiken, and Barnwell Counties, South Carolina

Dear Mr. Lesar:

The Department of the Interior has reviewed the subject document. We provide the following comments for your consideration..

**GENERAL COMMENTS:**

The document is well organized and written. We appreciate the obvious effort that has gone into it. However, our ability to assess groundwater impacts and to develop a sense of possible contaminant plume migration pathways is hindered by the lack of explicit and detailed geo-hydrologic information in some instances. We encourage expansion and enhancement of the relevant data and discussions in the text.

**SPECIFIC COMMENTS:**

Page 2-16, Section 2 Alternatives, Including the Proposed Action, Subsection 2.2.4.2.3 PDCF Liquid Stream:

No information is provided about monitoring buried and exposed pipes for leaks that could result in discharge of liquid waste to ground water. We suggest that monitoring/detection, response, and enforcement protocols related to pipe integrity and leaks be included in the DEIS.

Page 3-9, Section 3 Affected Environment, Subsection 3.3 Hydrology, Subsection 3.3.1 Surface Water, paragraph 3, line 24:

Fourmile Branch appears to flow southwesterly in figures 3.2 and 3.3, not southeasterly as described in the text. This apparent discrepancy should be checked and corrected if warranted.

27-1

27-2

<p>27-7 CONT.</p>	<p>The discussions in this section indicate that the Upper Three Runs Creek Aquifer is divided into two zones by the Tan Clay Confining Unit of the Dry Branch Formation. The two zones and the Tan Clay Confining Unit, however, are not depicted in figure 3.4, "Underground Aquifers at the SRS" (p. 3-10). Without this information, it is not possible to visualize and understand the ground-water-flow system that underlies the proposed MOX facility. Specifically, it is not clear how the two aquifer zones and the Tan Clay Confining Unit within the Upper Three Runs Aquifer relate to the land-surface topography (outcrop areas), the Gordon Confining Unit, the Gordon Aquifer, and the Steed Pond Aquifer. Figure 3.4 should be redrawn or modified to reflect the text.</p> <p>Additionally, the discussion regarding the occurrence of a water table in the lower aquifer zone beneath the Tan Clay Confining Unit is confusing. It raises the questions "Is there a water table in the upper aquifer zone? If not, why?" Subsection 3.3.2 should be rewritten to eliminate the vague and incomplete description of the ground-water system underlying the proposed MOX facility in F-Area.</p>
<p>27-3</p>	<p>The text appears to refer to the Upper Three Runs Creek Aquifer and the Upper Three Runs Aquifer interchangeably. This is confusing and should be clarified. If the two names refer to a single geologic unit, then only one term should be used throughout the DEIS for consistency.</p>
<p>27-4</p>	<p>Page 3-13, Subsection 3.3.2 Groundwater, lines 8-20:</p>
<p>27-5</p>	<p>This section indicates that ground water in the Upper Three Runs Aquifer beneath the proposed MOX facility is contaminated with various heavy industrial and nuclear contaminants. Moreover, recent sampling indicates that ground-water contamination is absent above the Tan Clay Confining Unit but is present in the lower aquifer zone beneath the confining unit. The discussion and analysis, as currently written, are inadequate for an assessment of the potential for additional contamination at the site relative to the contamination that already exists there, the spatial distribution of contaminated zones in the underlying aquifer, and the potential direction of ground-water movement and contribution to base flow in tributaries to the Savannah River near the F-Area.</p>
<p>27-6</p>	<p>We recommend improving the discussion to support this assessment. An adequate discussion should (1) explain why the upper aquifer zone is not contaminated, (2) identify the locations of the wells recently sampled for ground-water contamination at the MOX site, (3) identify the locations of sources that may have contaminated the lower aquifer zone, and (4) explain how the topography and surficial geology of the MOX site relates to the outcrops of the upper and lower aquifer zones.</p>
<p>27-9</p>	<p>Page 3-45, Subsection 3.10.1.1 Pathways for Human Exposure to Radiation and Radioactivity, second paragraph, lines 12-21:</p> <p>An additional pathway not identified in this paragraph is atmospheric particulate matter that has settled on the ground and that can be introduced into ground water by recharging precipitation in a recharge area, or if the deposits are washed into surface water by overland runoff in areas where the surface water is in hydraulic connection with the ground water. We suggest that the</p>
<p>Page 3-9, Subsection 3.3.1 Surface Water, paragraph 4, lines 39-40:</p> <p>Discharge information, including permitted and streamflow discharges, should be described with the same units of measure as those for stream discharge. The use of standard units of measure reduces confusion and facilitates comparison of values. For example, using the same unit of measure to describe the magnitude of the Savannah River Site (SRS) contribution to total streamflow in the two paragraphs above lines 39 and 40 would facilitate comparison. A standard unit of measure format should be used throughout the document, such as describing discharge in millions of gallons per day (MGD), cubic feet per second (cfs), or cubic meters per day (m3/s). Options include either following the standard unit of measure with equivalent measures in alternate units in parentheses in the text, or adding an appendix with conversion tables, comparative table, or equations to facilitate reader comparison between and among units of measure. The standard unit of measure format should be consistently applied for linear distances, area, volume, and discharges.</p>	<p>27-3</p>
<p>Page 3-10, Section 3 Affected Environment, Subsection 3.3.2 Ground Water, first sentence, line 8:</p> <p>The sentence reads "Several underground aquifers occur..." The word "underground" is redundant and should be deleted; all aquifers are below ground.</p>	<p>27-4</p>
<p>Page 3-10, Subsection 3.3.2 Groundwater, first paragraph, lines 8-23:</p> <p>The description of aquifers should be expanded to include aquifer properties, such as lithology, horizontal and vertical transmissivity, and storage. This information would allow estimating the extent and timing of potential ground-water contamination that could travel and impact nearby rural or municipal ground-water users.</p>	<p>27-5</p>
<p>Page 3-11, Subsection 3.3.2 Groundwater, first and third paragraphs, lines 1-11 and 23-28, respectively:</p> <p>The description of ground-water flow in F-Area is incomplete. As written, the description is inadequate for estimating the likelihood of potential contamination of underlying aquifers from the surface. Ground water flows from areas of recharge to areas of discharge; the report describes lateral flow direction and identifies discharge areas but does not mention recharge areas or recharge rates. If the F-Area is located on a ground-water divide and the top of the aquifer begins as close as 3 feet below land surface as described elsewhere in this section, it is probable that the proposed Mixed Oxide Fuel (MOX) facility, the Pit Disassembly and Conversion Facility (PDCF), and the Waste Solidification Building (WSB) are located in a recharge area.</p> <p>Surface contamination or spills occurring in a recharge area can easily be introduced into a shallow aquifer, as indicated by the existence of contaminated ground water from past operations in F-Area (pp. 3-11 through 3-13). This section should be expanded to provide information about recharge rates and location of recharge areas in F-Area.</p>	<p>27-6</p>
<p>Page 3-11, Subsection 3.2.2 Groundwater, lines 30-34:</p>	<p>27-9</p>

potential for ground-water contamination from atmospheric particulate matter deposited on the land surface at the MOX or F-Area sites be addressed in the DEIS.

Page 4-46, Section 4 Environmental Consequences, Subsection 4.3 Impacts of Proposed Action, Subsection 4.3.5.4 Hydrology, line 1:

Without further information about ground-water recharge and flow paths, there is insufficient information to determine whether all or any contaminants in a hypothetical spill would be captured by base flow contributed to the Upper Three Runs Creek, or whether some could pass in ground water that flows under the creek and continues down-gradient. The DEIS should provide sufficient information to distinguish between these possibilities. The DEIS should also provide information on the ultimate fate of a hypothetical spill that is wholly or partly intercepted by the creek. We suggest that the DEIS provide information on processes that affect the transport and fate of these potential contaminants in the environment, for example, some forms of plutonium would be likely to sorb onto clay particles in subsurface materials or streambed sediments rather than travel with the water.

If you should have any questions concerning these comments please contact Ms Brenda Johnson, U.S. Geological Survey, 703-648-6832.

Sincerely,

Gregory Hogue  
Regional Environmental Officer

cc:  
FWS, R4  
USGS, Reston  
OEPC, WASO

27-9  
cont.

27-10

**From:** "Tom Clements" <tom.clements@wdc.greenpeace.org-  
<leh@inc.gov>  
**Date:** 3/16/03 12:11PM  
**Subject:** for official DEIS record

I hereby submit the following news article from the Augusta Chronicle to be included as part of the official comments on MOX draft EIS.

Tom Clements  
Greenpeace International

Augusta Chronicle (Augusta, Georgia)  
Sunday, March 16, 2003

MOX plant worries residents

Local minister brings experts to area

By Eric Williamson  
Staff Writer

AIKEN - Predominant winds from Savannah River Site are to the north, according to a recent government report, and that's what worries the Rev. Brendoyn Jenkins.

It means relatively poor towns such as New Ellenton would be the most affected over time if there were an airborne radioactive release at a mixed-oxide, or MOX, fuel plant proposed at the site.

But, depending on meteorology and other factors, all the communities within 50 miles of SRS, an area populated primarily by minorities and the poor, could be at risk from a plant accident.

The Rev. Jenkins calls such issues "the new civil rights."

SRS already handles tritium, a radioactive form of hydrogen used in nuclear warheads. If the proposed plant is built, it would take surplus plutonium, some of it from decommissioned warheads that will be disassembled, and blend it into the MOX fuel. The fuel would be shipped to nuclear power plants to be burned for commercial power.

SRS already has plutonium, and the volume it's storing is growing in anticipation of the MOX plant.

A recent report from the Nuclear Regulatory Commission delves into some of the environmental problems that could occur from plant construction and operation. The most dramatic scenario involves human exposure over a year's time to a hypothetical tritium release.

The draft version of the report, called an environmental impact statement, said at least 400 people would eventually die of cancer

28-1

28-2

from the exposure.

While that number is expected to be revised downward in the final version of the report, minorities and the poor would still be affected the most.

Early exposures might come from inhalation, but long-term exposures would be mostly through ingestion of tainted crops, the report said.

New Ellenton Mayor Jim Sutherland works at SRS, but he said last week he had not received a copy of the environmental report. He also said he was not aware of any disaster plans that address a tritium release, but he said Aiken County's emergency planning officials are prepared for any number of disasters.

The Rev. Jenkins said she initially spoke in favor of the MOX plant at public meetings and still favors the jobs the plant would bring. But she said the new understanding that some classes could be affected more than others needs to be addressed.

"Though they say it's highly unlikely, we live in the land of 'What if?'" she said. "I would like to see the guarantees, if there could be any, and how they would address and eradicate that problem."

The Rev. Jenkins has been making the rounds, inviting community members to attend a meeting to be held Thursday at her church, Second Baptist in Aiken.

Speakers from Westinghouse Savannah River Co., the Energy Department and the Environmental Protection Agency will be present to answer questions from environmental and social justice groups and from the general public, she said.

The government will hold a meeting March 26 at the North Augusta Community Center to take public comments on the environmental impact statement. The Rev. Jenkins says she'll be there.

"I don't think we have the ability to stop this project," she said, "but as Christians we're called to be good stewards of the Earth."

Reach Eric Williamson at (803) 279-6895 or eric.williamson@augustachronicle.com.  
[http://augustachronicle.com/stories/031603/met\\_237-6513.000.shtml](http://augustachronicle.com/stories/031603/met_237-6513.000.shtml)

--From the Sunday, March 16, 2003 printed edition of the Augusta Chronicle

00029

From: Marvin I Lewis <marvlewis@juno.com>  
To: <telh@nrc.gov>  
Date: 3/25/03 8:40AM  
Subject: Please forward these comments.

Mr. Timothy Harris  
United States NRC  
Dear Mr. Harris,

Please forward these comments to the proper docket.  
Re: Draft Environmental Impact Statement on the planned new Mixed Oxide Fuel Fabrication Factory that the USDOE wants to build at SRS, Savannah River Nuclear Site.

I have been looking at the DEIS, which is very long, and comments which are being prepared by other commenters. Nothing that I state herein should be construed as contradiction to other commenters, pro or contra, but evaluated for actual value to the public: e. i. . . Do my comments increase the safety of the public if implemented?

There are many considerations which should be addressed in comments and the DEIS: economics, safety to the public, environmental justice, endangered species, etc. . . . I shall limit my comments to safety to the public. I do not have time and energy to comment comprehensively.

I have been commenting on NRC regulations since Director Minnoque accepted my comments on the transportation of spent fuel, and amended a proposed rule to reflect the dangers that failed zircaloy coating might present in an accident or leak of a transport cask for spent fuel. That is over three decades ago.

This thrust for MOX fuel presents some of the very same problems. Although the DEIS is long, the DEIS does not look at some of the most tendentious problems. The first problem is one that is in the news daily: 'dirty bombs.'

Since the news media asked the question about mixing conventional explosives with high level radioactive wastes into a 'dirty bomb', the NRC seems to have used every maneuver to avoid addressing that concern. The problem of dirty bombs, spent fuel dispersed by conventional explosives, has a thousand and one tentacles. The dirty bomb is low technology. The dirty bomb is cheap, cost-wise. The dirty uses materials that are local to any area with a nuclear reactor or other radioactive source. Transportation of a dirty bomb presents little problems to a terrorist. This litany of dirty bomb weaponizations presents a serious reason that the NRC and the nuclear industry would like to avoid any discussion of dirty bombs.

Since the use of spent fuel and MOX in the nuclear fuel cycle presents a massive increase in the accessibility of dirty bomb-making materials, the time to ignore the dangers of increased accessibility to spent fuel and MOX for dirty bomb making use has passed. The time to face this problem is here.

An actual MOX fabricating factory will need to transport spent fuel and unused bomb pits for all over this Nation and probably other nations. This presents a prize that terrorists will strive to obtain. Many locals do have sufficient law enforcement and National Guard to meet these challenges. Many do not.

I shall not discuss economics, but protecting radwaste and bomb pit transport to a MOX fabrication facility may be a 'unfunded federal

00030

**Pentecost, Edwin D.**

**From:** wildlifejustice@yahoo.com  
**Sent:** Tuesday, April 15, 2003 12:24 PM  
**To:** opa2@nrc.gov  
**Subject:** MOX Fuel Usage and transport in U.S.

Below is the result of your feedback form. It was submitted by Richard Justice (wildlifejustice@yahoo.com) on Tuesday, April 15, 2003 at 13:24:11

30-1

comments: To whom it may concern, I Scott Justice of 400 Exley Rd. S., Rincon Ga 31326, do oppose any effort for the interests, (private or public) of the United States, to utilize purchase or transport MOX nuclear materials. We must be willing to realize the cost does not out way the good. First, in the age of terrorism, piracy of these goods is a real threat to their transport. Secondly, the margin for error inside a energy producing facility is greatly reduced, especially in frozen core reactors such as McGuire Nuclear Station in Charlotte, NC. Science is not in agreement about what effect this fuel may have on such a reactor. Thirdly, Utilization of these MOX materials would waste money in the necessary retrofit of our nuclear facilities. This may just be a convenient excuse to funnel taxpayers money into the nuclear industry. The time has come for our country to accept that nuclear is not the future and begin investing in what we know makes sense and stop listening to po! we l r companies and their representatives when they talk about sticking more money into their already wet beaks. I wish to be put on record as opposing any effort to utilize MOX fuel and urge those of authority to act with common sense and not political expediency. Reference.  
Richard Justice

30-2

organization:  
address1: 400 exley rd s.  
address2:  
city: rincon  
state: GA  
zip: 31326  
country:  
phone: 912-754-1656

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29-1  
CONT.

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mandate which is disallowed under present US Congressional budget rules. The NRC should address this uninded federal mandate in the DEIS. I shall not discuss herein how and why the transport of spent fuel and bomb pits may be attractive terrorist targets as I do not like my comments to serve as a 'cook book' for terrorist activities. There are too many sites on the internet that do those activities too well.

Although transportation casks have been looked at in regulation and testing for many years, the form of the spent fuel and the bomb pits have taken a back seat. The spent fuel has often failed in use and presents a peculiar problem in transportation and decanting. The design of the transportation casks often do not address the failures and the type of failures of the spent fuel. Any assumption that the fuel will be in a form which does not complicate accidents and handling may be flawed and needs to be addressed. This was the kernel of my comments decades ago on spent fuel casks and is still valid

I do not wish to discuss economics, but its greedy head emerges in the discussion of the nuclear fuel cycle. The US economy is reeling for many causes. Can we be sure that there will be financial arrangements sufficient to decontaminate the 4 Duke reactors in the event of a financial collapse? Will these Duke reactors provide enough spent fuel to make MOX fabrication economical if the demand for electricity decreases? I expect that the NRC will address this financial collapse and electricity demand problem in relation to money for decontamination requirements.

I really believe that a Programmatic DEIS is more appropriate to the MOX problem than several DEIS's which do their best to avoid a overall problem.

Respectfully submitted,  
Marvin Lewis  
<marvlewis@uno.com>  
3133 Fairfield St.  
Phila., PA 19136  
215 676 1291

CC: <nirs.se@mindspring.com>



Mr

Ernest S. Chaput  
108 Cherry Hills Drive  
Aiken, SC 29803

Attachment:

Wind Sector	Wind Probability (%)	Total Population	Predominately Minority or Low-Income Sector (Yes-No)	Impacted E-J Population	Impacted Other Population
S	0.095	20,996	Yes	735	
SSW	0.085	17,515	Yes	1,138	
SW	0.085	18,010	Yes	1,711	
WSW	0.070	25,049	Yes	1,753	
W	0.065	55,221	no		3,037
WNW	0.060	309,928	50-50	7,748	7,748
NW	0.060	186,214	no		9,311
NNW	0.060	71,488	no		4,290
N	0.070	84,204	no		5,894
NNE	0.070	42,704	no		2,989
NE	0.080	35,409	no		2,833
ENE	0.080	75,949	no	6,835	
E	0.080	44,386	Yes	3,551	
ESE	0.085	13,978	no	1,178	909
SE	0.085	33,652	Yes		
SSE	0.090	7,770	Yes	233	
Total	1.000	1,042,483		24,883	37,011

Wind Probability – Estimated from Figure 3.5

Total Population by Sector – From Table E-8

Predominately Minority or Low-Income Sector – By examination of Figures 4.1 and 4.2  
The WNW sector includes the city of Augusta and Columbia County, GA. This large sector has diverse demographics, but is estimated to be about 1/2 minority and/or low income and about 1/2 all other.

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4/21/2003

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Mr

Pentecost, Edwin D.

From: Ernest S. Chaput [esandc@prodigy.net]  
Sent: Sunday, April 20, 2003 10:50 PM  
To: TEH@NRC.gov  
Subject: Draft MOX facility EIS - Environmental Justice Analysis

April 10, 2003

Mr. Tim Harris  
Division of Waste Management  
U. S. Nuclear Regulatory Commission  
Washington, DC 20555

SUBJECT: Draft Report for Comment – Environmental Impact Statement on the Construction and Operation of a Mixed Oxide Fuel Fabrication Facility at the Savannah River Site, South Carolina

Dear Mr. Harris:

During NRC's March 26 public meeting on the subject document we had a brief opportunity to discuss the environmental justice section in the Draft EIS. The purpose of this letter is to summarize my questions and solicit your assistance in understanding the material included in the draft EIS.

Section 4.3.7.3.3 (page 4-57) of the draft EIS states "In the unlikely event of a tritium release at the PDCF or an explosion at the MOX facility, the communities most likely affected would be minority or low income, given the demographics within 80 km (50 mi) of the proposed MOX facility." The data contained in the draft EIS does not support that conclusion. To the contrary, I have used your data to perform a summary analysis which finds that minority and low income populations are less likely than other populations to be affected by an accident in the MOX or PDCF facility. I am not stating that an environmental justice concern does or does not exist, rather I contend that the data in the draft EIS does not support your conclusion.

In performing my analysis I considered wind direction and probability (Figure 3.5), population by sector (Table E.8) and areas with disproportionate minority or low income population concentrations (Figures 4.1 and 4.2). I used a probabilistic approach to determine the number of persons in each sector downwind of an SRS accident (wind direction and total sector population). I sorted the sectors as minority-low income or other, and totaled the number of people in each category. My analysis resulted in:

- 24,900 persons in predominately minority and/or low income sectors downwind of SRS and
  - 37,000 persons in sectors which are not predominately minority and/or low income downwind of SRS
- If offsite health impacts result from windborne contamination, then there is no disproportionate impact on minority-low income populations. A complete copy of my analysis is attached.

While my analysis is simplistic, it is sufficient to identify the need for a more complete analysis and discussion of this important issue in the EIS. Specifically an analysis of the population in each census block would be helpful, including the effects of distance (dispersion, decay and dilution) from SRS. If your preliminary conclusion is supported, it should be carefully considered in NRC's decision-making. If the preliminary conclusion is not supported, then the discussion should be removed from the final EIS.

Thank you for the opportunity to raise this question and I look forward to your response. Please contact me if you have any questions or comments (telephone 803-648-5402, email esandc@prodigy.net, fax 803-649-5774).

Sincerely

4/21/2003

Official Transcript of Proceedings

NUCLEAR REGULATORY COMMISSION

Title: Public Meeting on Proposed MOX Facility Draft Environmental Impact Statement

Docket Number: (not applicable)

Location: Savannah, Georgia

Date: Tuesday, March 25, 2003

Work Order No.: NRC-800 Pages 1-137

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1 UNITED STATES OF AMERICA

2 NUCLEAR REGULATORY COMMISSION

3 + + + + +

4 PUBLIC MEETING ON PROPOSED MOX FACILITY

5 DRAFT ENVIRONMENTAL IMPACT STATEMENT

6 + + + + +

7 TUESDAY,

8 MARCH 25, 2003

9 + + + + +

10 SAVANNAH, GEORGIA

11 + + + + +

12 The Public Meeting was held in the

13 Conference Room of the Georgia Coastal Center at 7:05

14 p.m., Francis "Chip" Cameron, Facilitator, presiding.

15

16 PRESENT:

17 FRANCIS (Chip) CAMERON

18 LAWRENCE KOKAJKO

19 TIM HARRIS

20

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4

1 P-R-O-C-E-E-D-I-N-G-S  
2 MR. CAMERON: Okay, good evening,  
3 everyone.  
4 (Certain people respond.)  
5 MR. CAMERON: I'd like to welcome you to  
6 the Nuclear Regulatory Commission's public meeting  
7 tonight. My name is Chip Cameron. I'm the Special  
8 Counsel for Public Liaison at the Nuclear Regulatory  
9 Commission. And we're going to try not to use a whole  
10 lot of acronyms tonight.  
11 UNIDENTIFIED: Thank you.  
12 MR. CAMERON: And if we do, we'll explain  
13 them. Everybody's in support of no acronyms.  
14 UNIDENTIFIED: No acronyms.  
15 MR. CAMERON: But one we will use is -- is  
16 NRC for Nuclear Regulatory Commission.  
17 And the subject of tonight's meeting is  
18 the draft environmental impact statement that the NRC  
19 has prepared to help the NRC in its decision-making on  
20 the application that we received from -- from DCS to  
21 construct a mixed oxide fuel fabrication facility.  
22 And it is my pleasure to serve as your facilitator for  
23 tonight's meeting. And in that role, I'm going to try  
24 to help all of you have a productive meeting tonight.  
25 And I just wanted to cover three items of

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1 meeting process before we get -- get on with the  
2 substantive discussions. And the first thing I'd like  
3 to talk about is the purpose of the meeting, why is  
4 the NRC here tonight. And we have several purposes.  
5 One is to clearly explain to all of you what the NRC's  
6 process is for evaluating this application that we  
7 have for the mixed oxide fuel facility, and also to  
8 explain what the findings are in this draft  
9 environmental impact statement that we've prepared.  
10 Second purpose is to hear your  
11 recommendations, your concerns on this process and the  
12 draft environmental impact statement. And a related  
13 purpose is to try to give you information tonight so  
14 that if you want to submit a written comment to the  
15 NRC on this draft environmental impact statement,  
16 you'll have more information, be better equipped to do  
17 that. And the NRC staff will be explaining how to  
18 submit written comments. But just let me emphasize  
19 that anything we hear from you tonight will carry the  
20 same weight as a -- as a written comment. And, of  
21 course, you can speak tonight and also submit a  
22 written comment.  
23 And the ultimate goal here is to have your  
24 comments tonight, the comments that we get at other  
25 public meetings that we're doing, the written

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7

questions that you have. And then we'll go back to the -- to the formal comments.

The third item that I wanted to talk about are ground rules for the meeting. And they're very, very simple. If you have a question, please signal me and I'll bring you this microphone. And please ask us your question or make a comment and tell us who you are and what your affiliation is, if appropriate. And we have a sign-up sheet for people who want to make a comment, make a statement tonight, and that's out in front. And I think everybody's been -- been signing up and indicating whether they want to -- to speak tonight.

I would ask you, in your -- your formal comments, to try to keep it to -- to five minutes. That's a guideline. I think that that is plenty of time. But we do want to make sure that everyone has a chance to speak tonight who wants to talk. So if you keep it to five minutes, then that will allow everybody else in the room to have their -- their opportunity. And we realize that there are a lot of other things, important events going on tonight in the city. And if -- if you need to go early and you do want to talk, can you just indicate -- you'll have some time when the NRC first starts to talk. Could

6

comments, to have those comments help us to make our decision on finalizing this draft environmental impact statement, and also in making a decision on the application that we have for -- to construct the mixed oxide fuel facility.

In terms of the format for the meeting, the second item I want to cover, we're going to have some brief NRC presentations, just to give you some -- some background, and then go out to you for questions that you might have, to make sure that you understand the process. And we'll try to answer those clearly. We're also asking for -- for formal comment tonight. Anybody who wants to say any -- anything on the draft EIS, we're going to give you an opportunity to do that. And as I mentioned, we are taking a transcript, so your comments will be -- will be recorded.

We thought that it might be useful -- usually what we do is we have the NRC presentations, and then we have question and answers, and then we just have people comment. And we thought what we'd do is have some comments -- we'd do the question and answer, have some comments, and then go back and have another question and answer session. There may be some things that the NRC hears in the comments that they'll want to clarify for you, there may be

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1 you just indicate on the sheet that you signed in that  
2 you want to -- to speak early. And I would just ask  
3 for everybody's indulgence to let those people who  
4 have to leave early -- I'm going to put them on first,  
5 and we'll hear their comments, and then they can --  
6 they can get on with whatever else they need to do.  
7 And I would also ask that only one person  
8 at a time speak. That will allow us to -- Melanie is  
9 our stenographer. She's taking the transcript. That  
10 will allow us to get a -- a clean transcript so that  
11 you can recognize who's talking. But more  
12 importantly, it will allow us to give our full  
13 attention to whomever has the floor at the moment.  
14 And I just want to thank all of you for --  
15 for being here. The NRC has an important decision to  
16 make, and this is going to be helpful to us. And  
17 we'll try to keep the meeting as informal as possible.  
18 We need to do the microphones because we're taking a  
19 transcript and -- so that we'll have a record of what  
20 was -- what was said. But if you have something to  
21 say, if you have questions, please -- please just say  
22 that and what's on your mind, and relax, and we'll  
23 just try to have a -- a nice, informal discussion and  
24 give you some information and get some information  
25 from you.

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1 The agenda is pretty -- pretty simple.  
2 We're going to have two presentations. One is going  
3 to be an overview of NRC responsibilities. And we  
4 have Lawrence -- Mr. Lawrence Kokajko, right over  
5 here, to do that. And then we're going to go to Mr.  
6 Tim Harris, who's right here, who's going to talk  
7 about the findings in the draft environmental impact  
8 statement.  
9 By way of introduction, Mr. Kokajko is the  
10 acting Branch Chief of the Environmental and  
11 Performance Assessment Branch in the Division of Waste  
12 Management in the NRC's Office of Nuclear Materials,  
13 Safeguards, and -- and Safety. He, before that, was  
14 the Section Chief of a Risk Task Force that looked at  
15 how you factor in risk into NRC decision-making. He's  
16 been with the NRC for about 13 years. And he has a  
17 Bachelor's in psychology from Memphis State, a  
18 Bachelor's in applied science and technology, and also  
19 a Master's in education from King State College. And  
20 he'll be coming up in a minute.  
21 And Tim Harris, who I think a lot of you  
22 already know, is the Project Manager for the  
23 environmental review on the construction application.  
24 And he has a Bachelor's in civil engineering from the  
25 University of Maryland.

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1 we do look forward to hearing from you this evening.

2 This meeting is one of a series of

3 meetings planned to inform the public about the

4 environmental impact statement for the proposed

5 facility, and to solicit public comment. There are

6 three handouts that you may have seen at the door.

7 The first is a set of slides; the second is the

8 agenda, with a facts sheet and a comparison of

9 alternatives; and the third one is a feedback form.

10 And we're very interested in getting feedback on how

11 this meeting went this evening. We would appreciate

12 you answering the questions on the feedback form and

13 either handing it back to an NRC staff person, or you

14 can staple the two together and drop it in the mail.

15 And the postage is prepaid. In fact, I'd like all the

16 NRC people, could you raise your hand one more time so

17 that everyone knows who to give it to.

18 (Certain NRC staff members respond.)

19 MR. KOKAJKO: And Adrienne is at the front

20 desk, too.

21 If you would like a copy of the draft

22 environmental impact statement, we have a limited

23 number here, and you may take one with you. If we run

24 out, we will mail you a copy. Next slide, please.

25 The presenters tonight will be myself, as

10

1 We also have other NRC staff here from our

2 regional office, our Office of General Counsel. David

3 Brown is the Project Manager for the safety aspect of

4 the construction authorization application. And I

5 think that if we need to clarify how all that comes

6 together, we -- we will for you. But environmental

7 review, Tim Harris; safety review, Dave Brown.

8 And with that, I'll just ask Lawrence to

9 -- to lead off for us. Lawrence is going to do his

10 piece, and then Tim will do his. And we'll try to

11 keep it brief. And then we'll go out to you for --

12 for questions, then.

13 Lawrence?

14 MR. KOKAJKO: Thank you, Chip.

15 Can everyone hear me? Thank you.

16 Good evening. My name is Lawrence

17 Kokajko, and I am the acting Branch Chief of the

18 Environmental Performance Assessment Branch in the

19 Division of Waste Management. And I'm very pleased to

20 be here this evening, and I'd welcome all of you to --

21 at this meeting.

22 We are meeting on the NRC's draft

23 environmental impact statement for the proposed mixed

24 oxide or MOX fuel fabrication facility. And I'd like

25 to thank you for taking the time to participate. And

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1 well as Tim Harris. Tim is a member of my staff. And  
 2 we've included our phone numbers and Email addresses.  
 3 You may contact us if you have any questions after the  
 4 meeting. Next slide.

5 The purpose of tonight's meeting is to get  
 6 your comments on the draft environmental impact  
 7 statement. Before we hear your comments, we'll  
 8 provide some information on the NRC's role in the  
 9 proposed MOX project, and describe the *National*  
 10 *Environmental Policy Act* and the EIS process, and how  
 11 the EIS fits into NRC's decision-making. Tim will  
 12 give an overview of the draft EIS, and then there will  
 13 be time to answer questions. Next.

14 The proposed MOX facility would take  
 15 surplus weapons plutonium and depleted uranium and  
 16 make nuclear reactor fuel. Congress, in the *Defense*  
 17 *Authorization Act of 1999*, gave NRC a role in the  
 18 proposed MOX project. Specifically, NRC has licensing  
 19 authority over the MOX facility, so our role is to  
 20 make a licensing decision regarding the safe operation  
 21 of that facility. NRC is an independent government  
 22 agency, and our mission is to protect the public  
 23 health and safety, and the environment, in the  
 24 commercial use of radioactive material. Our role is  
 25 different than the Department of Energy's.

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1 The Department of Energy's role in this  
 2 project relates to implementing United States nuclear  
 3 non-proliferation policy, including the disposition of  
 4 surplus weapons plutonium. The Department of Energy  
 5 also has responsibility to design, build and operate  
 6 two facilities that support the proposed MOX facility.  
 7 These two facilities are the pit disassembly and  
 8 conversion facility, and the waste solidification  
 9 building.

10 While the pit disassembly and conversion  
 11 facility and the waste solidification building are  
 12 considered in NRC's environmental review, it is  
 13 important to note that NRC does not have the licensing  
 14 authority over these two support facilities. That  
 15 responsibility rests with the Department of Energy.  
 16 NRC only has authority over the proposed MOX facility.  
 17 Next slide, please.

18 I'd like to briefly describe the  
 19 environmental impact statement process. The *National*  
 20 *Environmental Policy Act* requires government agency to  
 21 prepare an environmental impact statement for major  
 22 federal actions such as the potential licensing of the  
 23 proposed MOX project. An environmental impact  
 24 statement presents environmental impacts of a proposed  
 25 action, along with reasonable alternatives to that

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<p>1 proposed action.</p> <p>2 Note that the bolded areas are</p> <p>3 opportunities for public involvement in the process,</p> <p>4 and we consider this a very important -- very</p> <p>5 important part of the environmental impact statement</p> <p>6 process review. NRC's involvement with the MOX</p> <p>7 project started when DCS, the applicant, submitted an</p> <p>8 environmental report and request to construct the MOX</p> <p>9 facility. We published the notice of intent to</p> <p>10 prepare an EIS in the <i>Federal Register</i> in March of</p> <p>11 2001.</p> <p>12 During the scoping process, the public</p> <p>13 helped determine what issues would be addressed in the</p> <p>14 environmental impact statement, and now we have</p> <p>15 completed the draft environmental impact statement,</p> <p>16 and we have sent copies to approximately 550 people</p> <p>17 throughout the nation. We are currently in the</p> <p>18 comment period for the draft environmental impact</p> <p>19 statement. This meeting is being transcribed, and</p> <p>20 comments made here tonight will be included in the</p> <p>21 official comment record. The last slide shows that --</p> <p>22 shows several ways that you can submit comments to us.</p> <p>23 We will review and consider the public comments, and</p> <p>24 then finalize the environmental impact statement later</p> <p>25 this year. Next slide.</p>	<p>1 As I mentioned earlier, NRC's role is to</p> <p>2 make a licensing decision regarding the proposed MOX</p> <p>3 facility. I'd like to take some time to describe the</p> <p>4 licensing process, and how the EIS we're discussing</p> <p>5 tonight fits into NRC's decision-making.</p> <p>6 There are two decisions that NRC will have</p> <p>7 to make for the proposed MOX facility. The first is</p> <p>8 whether to authorize construction of the facility.</p> <p>9 The second is to -- is to whether to authorize</p> <p>10 operation of the facility. These decisions are shown</p> <p>11 in the middle of the slide.</p> <p>12 NRC's environmental review is shown at the</p> <p>13 top portion of the slide, and consists of preparing</p> <p>14 the final environmental impact statement. The final</p> <p>15 environmental impact statement will be used by NRC to</p> <p>16 decide whether to authorize construction, and later</p> <p>17 whether to issue the license to operate the MOX</p> <p>18 facility.</p> <p>19 NRC's safety review is shown at the bottom</p> <p>20 portion of the slide. The safety evaluation report</p> <p>21 for the construction authorization request focuses on</p> <p>22 safety assessment of the proposed design bases to</p> <p>23 determine if it meets NRC requirements. NRC's final</p> <p>24 environmental impact statement and safety evaluation</p> <p>25 report for construction authorization request will be</p>

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1 the basis for making a decision on whether to  
2 construct the proposed MOX facility. We anticipate  
3 that that decision could be made in the fall of 2003.  
4 DCS plans to submit a license application  
5 to operate the proposed MOX facility in October of  
6 2003. The safety evaluation report on the operating  
7 application and the FEIS will be the basis for making  
8 a decision on whether to allow DCS to operate the  
9 proposed MOX facility.

10 There will be two opportunities for  
11 hearing. John Hull, with our Office of General  
12 Counsel, is here and can answer questions related to  
13 the hearing process.

14 John?

15 (Mr. Hull raises his hand.)

16 MR. KOKAJKO: To summarize, a single  
17 environmental impact statement will be used to support  
18 the decision to construct and later operate the  
19 proposed MOX facility.

20 Now I would like to turn the presentation  
21 over to Mr. Tim Harris of my staff. Tim is the lead  
22 -- the lead for the environmental review for the  
23 proposed project at the NRC.

24 Tim?

25 MR. HARRIS: Thanks, Lawrence.

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MS. BARCZAK: Question.

MR. CAMERON: Sara?

MS. BARCZAK: Mr. Harris, do we need --  
are we able to ask the -- each presenter, or do you  
want to wait until...

MR. CAMERON: Let's -- let's wait.

MS. BARCZAK: Okay.

MR. CAMERON: If you can just sort of keep  
track of your questions.

MS. BARCZAK: That's fine.

MR. CAMERON: Okay, good.

MR. HARRIS: As Lawrence said, my name's  
Tim Harris, and I'm the environmental review lead for  
the MOX project. And I guess we've been doing this  
for almost two years, and I think it's the third trip  
down here. And it's a pleasure to see so many  
friendly faces. Thanks for coming back again, and we  
look forward to your comments.

What I'll do tonight is provide an  
overview of the draft environmental impact statement.  
You saw copies outside. It's a relatively thick  
document. I'm going to try to hit the highlights. If  
there's things that -- that we don't cover here,  
they're certainly covered in the document. And if  
there's something you want to know about, please feel

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1 free to ask a question. First off I'll describe the  
 2 alternatives that were considered, and then also  
 3 alternatives that were considered but not analyzed in  
 4 detail. Next slide, Dave.

5 To understand how we made that distinction  
 6 between alternatives we considered and alternatives  
 7 that we analyzed in detail, it's helpful to understand  
 8 the purpose and need related to the draft  
 9 environmental impact statement. As we stated in our  
 10 notice of intent, the purpose and need of the MOX  
 11 facility that's addressed in this draft environmental  
 12 impact statement is essentially the same as used by  
 13 the Department of Energy in its programmatic  
 14 environmental impact statements.

15 Specifically, the purpose and needs  
 16 relates to agreements between the United States and  
 17 Russia to reduce the threat of nuclear weapons by  
 18 assuring that those materials are converted into a  
 19 proliferation resistant form. And also to reduce the  
 20 risk of plutonium from falling into the hands of  
 21 terrorists or rogue states.

22 The draft environmental impact statement  
 23 evaluates two alternatives in detail. These are the  
 24 no-action alternative, and the proposed action. The  
 25 no-action alternative would be continued storage of

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1 surplus weapons plutonium at various DOE sites  
 2 throughout the nation. The no-action alternative is  
 3 used in the environmental impact statement as a  
 4 baseline for decision, as a comparison of different  
 5 alternatives.

6 The proposed action includes impacts from  
 7 the construction, operation, and decommissioning of  
 8 the proposed MOX facility. And it also includes  
 9 impacts from connected actions, such as the  
 10 transportation of surplus weapons plutonium, depleted  
 11 uranium, and MOX fuel. As Lawrence mentioned, our EIS  
 12 also includes impacts of two DOE facilities. I think  
 13 he made the point there that as far as EIS goes, we  
 14 included the evaluation of those DOE facilities to --  
 15 to get the full picture, but it's important to realize  
 16 that those facilities aren't part of our -- our  
 17 licensing review.

18 And again, those facilities are the pit  
 19 disassembly and conversion facility, which would take  
 20 plutonium metal and convert it into a powder or oxide  
 21 form. Waste solidification building would take waste  
 22 from the pit disassembly and conversion facility, and  
 23 also the proposed MOX facility.

24 We also included impacts associated with  
 25 the potential use of the MOX fuel in the environmental

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1 impact statement. For the proposed action, we also  
 2 evaluated the differences in using a sand filter, as  
 3 was suggested during scoping, with the use of HEPA  
 4 filters, as we proposed by -- by the applicant, DCS.

5 As I said before, the purpose and need is  
 6 used to determine which alternatives we evaluated in  
 7 detail and those that were not. In addition to siting  
 8 and technology options that were evaluated by Duke  
 9 Cogema Stone & Webster in its environmental report,  
 10 several other alternatives were raise during scoping,  
 11 and also during meetings here last fall.  
 12 Immobilization was initially considered to be a  
 13 reasonable alternative; however, following the  
 14 Department of Energy's admitted rod that we -- we  
 15 talked about last September, DOE believed that an  
 16 immobilization only approach would not meet the U.S.-  
 17 Russia agreements; and therefore that alternative did  
 18 not meet the purpose and need.

19 Another alternative that was discussed at  
 20 our meetings last fall was deliberately making off-  
 21 specification MOX fuel. This alternative involves not  
 22 removing the impurities that generates a lot of waste.  
 23 Basically, you leave the impurities in the powder form  
 24 and make the fuel without removing them. The reason  
 25 you remove the impurities is that it improves the

21

neutronics or basically makes the fuel more efficient.  
 But again, you're not removing the impurities in this  
 alternative, and you also wouldn't use the MOX fuel.  
 Instead, the off-specification MOX fuel would be  
 stored at spent fuel pools at existing reactor sites  
 prior to geologic deposit -- prior to disposal at a  
 geologic repository.

The impacts of this alternative are  
 addressed qualitatively in the draft environmental  
 impact statement. To summarize, the monetary costs of  
 this alternative would be about the same as the  
 proposed action. And, as I mentioned, this  
 alternative would generate less waste. However, the  
 benefits would be lower than the proposed action  
 because electricity would not be produced. Therefore,  
 the alternative of producing off-specification MOX  
 fuel was not obviously superior to the proposed  
 action. In addition, this alternative was viewed as  
 not meeting the U.S.-Russia agreements.

For the proposed action and no-action  
 alternative alternatives---next slide, Dave---the  
 impacts associated with the following comprehensive  
 list of technical areas were evaluated. The technical  
 areas on the right are considered to have more  
 significant impact or were issues that were raised

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The impacts to the public and workers from this no-action alternative---that is, continued storage---were considered to be low. There were no significant air quality or water quality impacts associated with this impact. As you can imagine, if you're just storing the material, you don't get a lot of air-water emissions. Also there was no significant waste management issues or environmental justice issues. Next slide, please.

UNIDENTIFIED: It's currently stored as a metal; right? Or if it's in different forms...

MR. HARRIS: Chip's going to tell you to -- to wait and ask questions. But the answer is it's in various forms.

MR. CAMERON: Yeah. I know there's a lot of detail here, but if you could just try to keep track and then we'll -- we'll get it all out, and that may be more efficient for us. But thank you.

MR. HARRIS: The next series of slides summarize the impacts of the proposed action. The proposed action includes impacts from three facilities, and those are: the proposed MOX facility; the pit disassembly and conversion facility; and the waste solidification building. I've presented the impacts in terms of increase or decrease relative to

during the public meetings. These are discussed in the body of the environmental impact statement in Chapter 4. To allow more time for public comment, as I said, I'll try to focus on the issues on the right. I'm sorry, your left. The issues on the right are discussed in appendices. Excuse me for getting...

Again, the things I'm going to talk about tonight are human health, air quality, hydrology, waste management, environmental justice. In addition, I'll summarize the impacts associated with transportation and potential MOX fuel use, and also summarize the cost-benefit analysis. Next slide.

First I'd like to summarize the impacts associated with the no-action alternative. The impacts for this alternative were previously evaluated by the Department of Energy. And the impacts included in our draft environmental impact statement are essentially a summary of those provided in earlier DOE environmental impact statement. The packet of information that we provided with you has a comparison of comparison tables which shows the no-action alternative and the proposed action. So if you want to look at numerical differences, we provided that in your handout. I won't get into specific numbers here, but you have that information.

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Accidents have the greatest consequences of the impacts that we evaluated in our environmental impact statement. Two conservative scenarios were evaluated for a number of potential accidents. The short-term scenario assumes that people are exposed by inhaling contaminant material in a plume. We also evaluated a long-term scenario, which includes the impacts of the -- of the short-term scenario, but also includes exposures from eating crops that could become contaminated. And this exposure period was assumed to be one year following an accident.

The potential accidents are evaluated in terms of risk. The classical definition of risk, just to, I guess, give a little risk education, is: The risk is the probability of the event, times the consequences, equals risk.

In keeping with NRC's mission to protect public health and safety, we want to insure that the overall risk to the public is maintained to be very small. Therefore, events that have significant consequences, like -- like the ones that are presented in the environmental impact statement, are required to be made highly unlikely through design safety features. These design safety features are the topic of our safety evaluation report. Remember, Lawrence

24

current conditions at the Savannah River Site. And, again, numerical values are provided in the table that you have as part of your handouts.

There would be no adverse chemical or radiological impacts during construction. From operation of the three facilities, the annual public collective dose would increase by about 11%. And, while that may seem significant, the next slide I'll show you will help put that in perspective. There would also be no significant impacts from chemical exposures during normal operation.

This slide shows the radiation dose from several sources, and also the NRC public dose limit. The average annual natural background, the top line, includes radiation from the earth, and that that comes from space, and is about 360 millirem. And a millirem is just a unit of radiation exposure or dose. The annual NRC public dose limit, the second line, is 100 millirem. To put it in a perspective, if you -- if you got a chest X-ray you'd get about six millirem. So the bottom line is the annual dose to the public from the three facilities, and that's less than one millirem. So even though it's 11% of -- of what's the public (sic) is currently receiving from living next to the Savannah River Site, it's a very small number.

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1 had the two slides; one was the environmental piece,  
2 one was the safety piece. And those -- those types of  
3 safety issues, to make sure that the accidents are  
4 highly unlikely, are discussed in that -- that  
5 document.

6 In March we notified a number of  
7 stakeholders that we had identified an error in the  
8 accident consequences due to a computer code bug. And  
9 we felt that it was important to inform stakeholders  
10 early in the process. I think actually I found out  
11 about it on a Monday afternoon, and we issued a letter  
12 on Thursdays. So we felt it was very important to --  
13 to get the information out to you in a timely manner.

14 During subsequent review we also found an  
15 additional error in wind data that DCS had provided in  
16 its environmental report. Essentially a problem  
17 related to units. They had reported meters per second  
18 and the data was actually miles per hour. These  
19 errors don't change our conclusions or preliminary  
20 recommendations. The numbers presented on the slides  
21 and in the comparison tables are updated, and we are  
22 in the process of issuing errata sheets. Hopefully  
23 those will go out next week. So by attending this  
24 meeting you'll -- you'll receive errata sheets. And  
25 we're also post that (sic) on the Web and -- and try

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1 to get it out to people. Another thing we did was  
2 extend the comment period by 30 days, so comments are  
3 due now by May 14<sup>th</sup>. So we tried to be very proactive  
4 in engaging the public in this.

5 The hypothetical events that caused the  
6 highest consequences are a MOX explosion from a  
7 hypothetical explosion. And we estimated that this  
8 would result in less than 50 latent cancer fatalities  
9 for the short-term scenario, and less than 200 latent  
10 cancer fatalities for the one-year scenario. The  
11 hypothetical tritium fire at the pit disassembly and  
12 conversion facility, that number was previously 400.  
13 As is stated in the environmental impact statement,  
14 the short-term impacts would be less than one latent  
15 cancer fatality, but for the one-year scenario we're  
16 estimating 100 latent cancer fatalities could be  
17 produced if that accident did happen.

18 These estimates do not credit any  
19 intervention actions. That is, it's assumed that the  
20 crops become contaminated and the people eat them.  
21 Obviously, that may not happen, but we try to be very  
22 conservative in our analysis.

23 The probability of these hypothetical  
24 events occurring is still considered to be highly  
25 unlikely. And again, through the use of preventative

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1 and mitigative features that are part of the safety  
 2 evaluation that NRC is currently doing. The  
 3 consequences of these events are significant.  
 4 However, the overall risk to the public is still  
 5 considered to be very small because we're considering  
 6 those to be highly unlikely events. Next slide.  
 7 Air quality relates to compliance with the  
 8 *National Ambient Air Quality Standards for Emissions*  
 9 *of Chemicals*. Air quality at the Savannah River Site  
 10 already exceeds the particulate matter 2.5 or PM 2.5  
 11 standard. The proposed action would result in an  
 12 increase of about .1% during construction, and that's  
 13 largely due from earth moving activities, and .01%  
 14 increase during operation.  
 15 However, EPA has delayed implementing the  
 16 PM 2.5 standard. And if and when attainment plans are  
 17 developed by the State of Georgia and South Carolina,  
 18 SRS could be required to develop some plans to meet  
 19 those standards. It's not unlike areas that are non-  
 20 attainment areas. Say Atlanta is a non-attainment  
 21 for, say, ozone. And during the winter they burn  
 22 reformulated gasoline as a mitigated measure. Those  
 23 type of things could be implemented. Next slide,  
 24 Dave.  
 25 Surface water would not be significantly

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1 affected during construction through the use of  
 2 sedimentation control features. And there would be no  
 3 direct operational discharges to surface water. Waste  
 4 from the MOX facility would be managed by the Savannah  
 5 River Site, and discharges from existing Savannah  
 6 River Site waste management facilities are not  
 7 expected to change significantly as a result of  
 8 processing the additional MOX waste.  
 9 Groundwater would be used during  
 10 construction and operation. Approximately 37% more  
 11 groundwater would be used in the "F" area from the  
 12 proposed action. And there is existing well capacity  
 13 there, and we don't feel that using this water will  
 14 create a significant impact either on groundwater  
 15 quality or its availability.  
 16 There would be no significant impact on  
 17 the current SRS waste management capability from  
 18 processing waste from the proposed action. Operation  
 19 of the three facilities would generate about 300% more  
 20 TRU waste than is currently being generated at SRS.  
 21 The TRU waste is planned to go to the waste isolation  
 22 pilot plant in New Mexico for disposal. The volume of  
 23 TRU waste at the waste isolation pilot plant would be  
 24 about 3% of the capacity of that facility.  
 25 Operation of the three facilities would

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1 increase low level waste by about 32% above what is  
 2 currently being produced at the Savannah River Site.  
 3 And non-hazardous solid waste would be about 60%.  
 4 But, again, the SRS has capacity to handle this waste,  
 5 and actually the increase is -- is a small percentage  
 6 of what they can manage. So we don't think that the  
 7 waste management impacts are significant. Next slide,  
 8 Dave.

9 An environmental order -- sorry. Excuse  
 10 me. An executive order issued by President Clinton in  
 11 1994 directed federal agencies to address any  
 12 disproportionate -- excuse me, disproportionately high  
 13 or adverse human health impacts to low income and  
 14 minority populations. Impacts from constructing and  
 15 operating the three facilities are not high or  
 16 adverse. Therefore, there would be no environmental  
 17 justice concern associated with either constructing or  
 18 operating the proposed MOX facility.

19 However, due to the prevailing wind  
 20 directions, there is a potential impact to low income  
 21 and minority populations in the highly unlikely event  
 22 that a significant accident would occur. And we've  
 23 put together mitigation measures to help reduce those  
 24 impacts to those populations. Again, we think the  
 25 risk associated with these potential accidents is

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small to -- to any population.

17 Transportation of material was identified  
 18 during scoping as a significant concern to many  
 19 stakeholders. I see Kirk is nodding his head over a  
 20 conversation before the meeting. Transportation  
 21 analysis includes shipping plutonium from various DOE  
 22 sites to the Savannah River Site. It also includes  
 23 shipping depleted uranium from an enrichment (sic)  
 24 facility to a -- another conversion facility, where it  
 25 would be processed into an oxide form, and then that  
 26 depleted uranium oxide would go to the Savannah River  
 27 Site. Our analysis also includes shipping fresh MOX  
 28 fuel from the Savannah River Site to a generic Midwest  
 29 reactor. And the transportation of -- of spent MOX  
 30 fuel---that is, MOX fuel that has been in the reactor--  
 31 --is also discussed generically.

32 To summarize, there's not a -- we found  
 33 that the impacts associated with all this  
 34 transportation are not significant. There would be  
 35 less than one latent cancer fatality from routine  
 36 transport to the public along transportation routes,  
 37 and also to transportation crews. Hypothetical  
 38 accidents result -- during transportation would result  
 39 in insignificant impacts.

The potential impacts associated with

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1 using MOX fuel are also discussed generically in the  
 2 draft environmental impact statement. The collective  
 3 dose to members of the public from normal operations  
 4 would be essentially the same, whether the reactor  
 5 used conventional, low enriched uranium fuel, or a  
 6 mixture of low enriched uranium fuel and MOX fuel.

7 We also looked at design-base accidents  
 8 and the risks associated with developing a latent  
 9 cancer fatality between the two types of fuels; that  
 10 is, low enriched uranium fuel or a mixture of MOX  
 11 fuel. The risk varied from 6% lower to about 3%  
 12 greater, depending on the event that was analyzed.

13 We also looked at various beyond-design  
 14 basis accidents. And the risk there would vary from  
 15 about 7% lower to about 14% greater.

16 We have received an application from Duke  
 17 Power to place lead test assemblies in either their  
 18 Catawba or McGuire reactor, and we will do additional  
 19 site-specific evaluations before any lead test  
 20 assemblies are placed in a reactor, or before MOX fuel  
 21 is used in any reactor.

22 The draft environmental impact statement  
 23 -- and I'm almost gone, so bear with me. The draft  
 24 environmental impact statement includes a cost benefit  
 25 analysis of the proposed action. And we've looked at

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1 it both on a national scale and a regional scale. The  
 2 cost benefit analysis is used by the NRC in  
 3 determining its preliminary recommendation.

4 The national cost, the information on the  
 5 left, would be about \$3.85 billion. The national  
 6 benefits would include the safe use of excess  
 7 plutonium, and also employment and income. On a  
 8 regional scale---and, again, the region we looked at  
 9 is -- is essentially a 15-county area surrounding the  
 10 Savannah River Site---the proportion national cost  
 11 within that region would be about \$8 million. The  
 12 regional environmental costs are considered, and the  
 13 environmental impacts that are presented in the draft  
 14 environmental impact statement are not considered to  
 15 be significant. The regional benefits would be about  
 16 \$350 million in income during construction, and \$640  
 17 million during operation. Next slide, Dave.

18 In conclusion, the impacts of the proposed  
 19 action are generally not significant. Accident  
 20 impacts from the pit disassembly and conversion  
 21 facility and the MOX facility are significant.  
 22 However, the probability of these accidents is  
 23 considered to be highly unlikely. And, again, our  
 24 regulations and our mission, as far as protecting the  
 25 public health and safety, requires those accidents to

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1 be highly unlikely.  
 2  
 3 Therefore, the overall risk to the public  
 4 is considered to be very small. There is a potential  
 5 environmental justice concern, should an accident  
 6 occur. And part of the reason we're out here is to  
 7 hopefully get comments on whether the mitigation  
 8 measures that we proposed are on target, or whether we  
 9 should consider other things.

10 Staff's preliminary recommendation is the  
 11 proposed MOX facility with appropriate mitigation  
 12 measures to reduce the potential impacts. Before  
 13 making any decision, the NRC will consider comments on  
 14 the draft environmental impact statement. We'll  
 15 prepare a comment summary document so that you can see  
 16 how your comment was addressed, and then we'll revise  
 17 the environmental impact statement as appropriate.

18 NRC will finalize the EIS and complete its  
 19 safety evaluation report, and decide whether or not to  
 20 authorize construction of the MOX facility. When DCS  
 21 submits an operating license application, NRC will  
 22 review that application and prepare a second safety  
 23 evaluation report. NRC will only grant authority to  
 24 operate the MOX facility if it can be shown to be  
 25 safe.

The next slide shows ways that you can

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1 submit comments. Again, as I mentioned, we've  
 2 extended the comment period to May 14<sup>th</sup>. You can mail  
 3 comments to Mike Lesser; you can send me an Email; you  
 4 can also submit comments on the Web; and then you can  
 5 fax comments to me. And again, all the comments we  
 6 hear tonight will be part of the official comment  
 7 record. And I thank you and look forward to hearing  
 8 your comments.

9 MR. CAMERON: Okay, thank you, Tim. And  
 10 thank you all for your patience in sitting through  
 11 what is a lot of detail, but...

12 MR. HARRIS: I tried to hit the high  
 13 points.

14 MR. CAMERON: ...but I was just going to  
 15 say Tim tried to hit the high points on it. But --  
 16 and if we need to go back to a particular slide for  
 17 your question, we'll -- we'll do that.

18 One important issue that I wanted to make  
 19 sure that people understand, though, is that in  
 20 addition to the NRC's evaluation -- the environmental  
 21 evaluation and consideration of public comments in  
 22 that, before we make a decision on whether to grant or  
 23 to deny the construction authorization, there's the  
 24 safety evaluation that has to be completed and  
 25 combined with the environmental evaluation; is that

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1 proactive in getting information out to the public.  
 2 I'll try to talk louder. Can you hear me,  
 3 Chip?  
 4 UNIDENTIFIED: We can hear you.  
 5 MR. HARRIS: Okay.  
 6 MR. CAMERON: Is it -- is it coming  
 7 through, Melanie, onto the...  
 8 COURT REPORTER: Is Tim coming through?  
 9 Is that what you're asking me?  
 10 MR. CAMERON: Yeah.  
 11 COURT REPORTER: Go ahead and speak.  
 12 MR. HARRIS: Yeah, it sounded -- I guess  
 13 it's back now.  
 14 MR. CAMERON: All right.  
 15 MR. HARRIS: Your other comment related to  
 16 public input during the safety evaluation report. And  
 17 typically we don't solicit comment on the draft safety  
 18 evaluation report. But we do have public meetings,  
 19 trying to keep the public informed. And we're always  
 20 receptive to comments. But there's no formal process  
 21 as part of that review.  
 22 MS. BARCZAK: Not like this?  
 23 MR. HARRIS: Not like this. But again, we  
 24 do have meetings on the safety evaluation report where  
 25 the public can attend and ask questions and express

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1 correct?  
 2 MR. HARRIS: Right.  
 3 MR. CAMERON: Okay.  
 4 MR. HARRIS: And that's -- I think that's  
 5 an important -- important point.  
 6 MR. CAMERON: Okay. Good.  
 7 Sara, you had -- probably have a lot of  
 8 questions. I know you had -- had one.  
 9 MS. BARCZAK: I'll only ask one to start  
 10 with. A clarification, I think, from Lawrence.  
 11 What are the remaining chances for us to  
 12 have public input in this process? I only -- I saw  
 13 two public comment boxes. But I was hoping he could  
 14 elaborate on that.  
 15 And then secondly---and Dave might answer  
 16 this---is there any input in the safety evaluation  
 17 review? So...  
 18 MR. HARRIS: I'll try to answer those, and  
 19 if either -- either gentleman want to...  
 20 MS. BARCZAK: Okay.  
 21 MR. HARRIS: ...add more, they can.  
 22 Essentially, the process that we talked  
 23 about, the last public involvement is what we're doing  
 24 right now. So we're out here trying to solicit  
 25 comments, you know. We've tried to have been very

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1	views.	1	be held...
2	MR. CAMERON: And can you -- can you just	2	MR. HARRIS: They're noticed on the NRC
3	tell people a little bit more about that? And I don't	3	Web page which I'm sure Sara is very familiar with, at
4	know if John wanted to talk to that or not, but...	4	the meeting -- meeting notice section.
5	MR. HULL: I just wanted to add something	5	MS. BARCZAK: So if we write to you, then
6	in clarification.	6	that will be included in the official public comment
7	MR. CAMERON: ...unfortunately we need to	7	period only tonight?
8	get you on the microphone.	8	MR. CAMERON: Let me get you -- I'm sorry,
9	MR. HULL: On the safety review that's now	9	we couldn't hear you, plus we need to get it on the
10	ongoing, there is a hearing that's also underway, a	10	transcript. It's a nuisance, but...
11	legal hearing before the Atomic Safety and Licensing	11	MS. BARCZAK: So if we write to you after
12	Board. And there are two intervenor groups which are	12	this meeting, that will be included in the official
13	-- do have several contentions that have been admitted	13	public commentary, or it won't be?
14	by the board on safety issues. So that's a form of	14	MR. HARRIS: Yes, it will. Up through May
15	public input, although limited.	15	14 <sup>th</sup> . You can write to me; you can send me an Email.
16	MR. CAMERON: Okay. And I guess just to	16	If you go to the Web, there's a space there for you to
17	finish that up, when the staff meets with the	17	submit comments or you can fax them to me. So there's
18	applicant on the safety evaluation issues, as you	18	lots of ways to hopefully -- for you to send comments.
19	said, those meetings are open, but they're usually --	19	MR. CAMERON: Let's -- let's go to Mr.
20	are they usually in -- in NRC headquarters or...	20	Dunham and then we'll come over. Okay.
21	MR. HARRIS: Well, we have them in	21	COURT REPORTER: Be sure and give your
22	different places. And we have meetings in -- in North	22	name when you start speaking, please.
23	Augusta; also at headquarters.	23	MR. CAMERON: Oh, yes, please -- please do
24	MR. CAMERON: And if Sara or anybody else	24	that. In fact, let me get yours.
25	wanted to find out when those meetings were going to	25	MS. PEARSON: Kelli Pearson.

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1 should have had all of our elected officials. This --  
 2 we shouldn't have had room in this little building  
 3 right here to hold the people. The seriousness of it,  
 4 they all should know about what's going on. And  
 5 that's the question I wanted to ask, so far as what we  
 6 did so far as getting the communication out, you know,  
 7 for them to be here speaking, you know, one way or the  
 8 other.

9 MR. CAMERON: Okay. Thank you, Mr.  
 10 Dunham.

11 Tim?

12 MR. HARRIS: To -- people like yourself,  
 13 Mr. Dunham, that attended previous meetings, we mailed  
 14 you a copy of the environmental impact statement. We  
 15 also mailed you an invitation to these meetings. We  
 16 also have an electronic newsletter that's broadcast to  
 17 hundreds of people. I don't know what the exact  
 18 number is. But a large number of people get that. We  
 19 also advertise in the paper. So we -- we tried to do  
 20 everything we could to get people out.

21 MR. COBB: It was in the paper last  
 22 Friday. Unfortunately it told us the wrong day, but  
 23 it was in the paper. It was in...  
 24 MR. CAMERON: We probably should get...  
 25 MR. COBB: It says Monday.

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1 MR. CAMERON: Okay. Thanks, Kelli.  
 2 Mr. Dunham?

3 MR. DUNHAM: Chester Dunham.  
 4 You did say this is the last meeting of  
 5 its kind? The type of meeting that we're having  
 6 tonight, you said something...

7 MR. HARRIS: For the draft environmental  
 8 impact statement we're -- we're holding two additional  
 9 meetings later this week. But I don't believe that  
 10 we're going -- planning to...

11 MR. CAMERON: Maybe we can get you up  
 12 there. Because otherwise people are going to have to  
 13 speak into the microphone so we get it on the  
 14 transcript.

15 MR. DUNHAM: The only thing I want to ask  
 16 at the present time is that, you know, this is real --  
 17 this is some serious stuff.

18 MR. HARRIS: Uh-huh.

19 MR. DUNHAM: And what I'm saying, when I  
 20 look around I want to see what you all did so far as  
 21 getting the information out to the public. You know,  
 22 I don't see no -- I see one elected official, I think.  
 23 Alderman Pete McKacus (phonetic), I saw him earlier.  
 24 Right. He's over there. And I think that's all.  
 25 You know, this -- serious as this is, we

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notice in the newspaper. And if someone showed up yesterday, then they could have come today. It's better that it wasn't yesterday, it was going to be tonight, you know.

MR. HARRIS: You know, and we also try to outreach, you know, to Sara, who's -- who's very connected to community, to have her help disseminate the word, as well, and solicit, you know, to Sara how -- how can we let people know better.

MR. CAMERON: But let's -- let's go back to Mr. Dunham's point, and maybe there's something we can do about this. I think his concern was to make sure that the elected officials here knew about this meeting. And the meeting is less important than -- than knowing that there is this process going on, that there is a draft environmental impact statement out for review.

Can we talk through various means, talking to Sara, Mr. Dunham, can we get a -- and Councilman, can we get a list of the elected officials in the City of Savannah, and make sure that we send them the fact that this is out for comment, if we haven't done that already?

MR. HARRIS: Well, if they attended meetings, any previous meetings, we mailed it to them.

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MR. CAMERON: We probably should get that on the transcript. I don't know what's the matter with this microphone. I don't know whether we're going to be able to...

COURT REPORTER: I think if -- if they'll stand up and just speak standing, without the...

MR. CAMERON: Without the mic, you'll be able to get...

COURT REPORTER: ...without the stick, that I'll be able to get them; yes.

MR. COBB: Okay. I'll make a comment...

COURT REPORTER: But I do need your -- I do need your name, though.

MR. COBB: Yes. Kirk Cobb. And the comment I have is the -- the notification for this meeting was in Friday's Savannah Morning News. And -- but it said 7:00 to 10:00 on Monday, and of course that was wrong, it was Tuesday.

MR. HARRIS: Yeah, we advertise in the paper, but that wasn't our advertisement. That was -- that was an article that was done by the paper.

MR. COBB: Right.

MR. HARRIS: And I don't -- I don't believe it was reviewed by us.

MR. COBB: Right. There was a public

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1 MR. CAMERON: But I don't think they have.

2 MR. HARRIS: But if they -- if they  
3 haven't, then yeah, if Sara or -- or Chester wants to  
4 put...

5 MR. COBB: If they get the list, we'll  
6 make it available.

7 MR. HARRIS: Yeah, we'll make it available  
8 to them.

9 MR. CAMERON: Okay. So we'll work with  
10 you, we'll get it to the local officials so that they  
11 have time to look at it and still meet the comment  
12 deadline.

13 UNIDENTIFIED: The public virtually has no  
14 idea about this.

15 UNIDENTIFIED: The people that were  
16 impacted have no idea about this.

17 UNIDENTIFIED: Right. No one knows about  
18 this going on now.

19 MR. CAMERON: Okay.

20 UNIDENTIFIED: And I luckily got an Email.

21 MR. CAMERON: All right. Thank you. I  
22 think...

23 UNIDENTIFIED: Next time I'll know. I  
24 mean, I'm in the loop now.

25 MR. CAMERON: Well taken. All right.

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Yes, sir. And let's...

MR. MERESKI: Okay, try it without. My  
name is Victor Mereski, M-E-R-E-S-K-I.

I think part of the reason for the lack of  
participation here is the general feeling that  
decisions have already been made and this is just a  
show for public benefit. And I hope that isn't true,  
which is one reason I've come to make some comments.  
But deep-down I believe the decision has been made and  
my statements will make no difference.

MR. CAMERON: Can we -- I think it's  
important to...

[Applause.]

MR. CAMERON: ...for the NRC to address  
that concern.

MR. HARRIS: Yeah. I mean, I think that's  
why we took the effort to come down here tonight and  
have the meeting, is to get your comment. If -- if  
your comments weren't going to make any difference, I  
could have stayed at home and had dinner with my wife  
and kids. It's important for us to come down here to  
spend the time to get the comments. And to answer  
your first point, no, no decision has been made. This  
is just one step in the process. Again, the safety  
evaluation report is still ongoing, and there's a

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number of significant items that are in discussion between NRC staff and the applicant. So no, the decision has not been made.

MR. CAMERON: And all the record for this, the how we consider the comments on the EIS,...

MR. HARRIS: We'd like...

MR. CAMERON: ...what is being considered in the safety evaluation is there for people to -- to see. In other words, it's a visible process.

MR. HARRIS: Right. If you -- if you submit a comment that relates to an issue that's in the safety evaluation report, staff will get that.

MR. CAMERON: Okay, let's -- let's go right here.

MS. PAUL: I don't want to use that; all right?

MR. CAMERON: Okay.

MS. PAUL: My name is Bobbie Paul. And I would like to address how our comments are received. And I did attend the other meeting. And as people make comments, what is the procedure that you all use to evaluate them? I understand there are lots of scientific, you know, equations and different things you use.

How many people are looking over these

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comments? I have a lot of people who want to write literally hundreds of letters, and they ask me a similar question: How will my comments be received? And I don't know what to tell them.

MR. HARRIS: Yeah. We take each comment and, you know, depending on how many specific issues are in that comment letter, it may be one comment, "I'm opposed to the facility," we take that. You know, one comment, "I'm for the facility." We take that. More importantly, the comments relate to, "I don't think you adequately addressed this issue because..." So we take that comment and combine it with other comments and look at the totality of comments within that area and say, "Should we change this? Should we do another analysis?"

MS. PAUL: So the more technical actually -- more technical, the more specific tends to rise to the top?

MR. HARRIS: Yeah. I mean, I have a hard time with -- with what to do with, "I'm opposed to the facility." "I'm for the facility."

MS. PAUL: Right. I understand.

MR. HARRIS: You know, a specific comment on a specific issue, and you may make many of those, you know. "I don't want the facility because I don't

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1 think these impacts were adequately addressed."  
 2 All those get compiled, and we produce a  
 3 common response document. So you can go and -- and  
 4 look at say, "Okay, this was an issue. My comment is  
 5 reflected in that comment. This is what the NRC did  
 6 with the comment." So it's a very transparent  
 7 process.  
 8 MS. PAUL: So if we're looking at say the  
 9 immobilization, for example, ...  
 10 MR. HARRIS: Right.  
 11 MS. PAUL: ...and as I recall during your  
 12 presentation you said if -- mainly you backed up to  
 13 the U.S.-Russia...  
 14 MR. HARRIS: Right. Didn't meet the  
 15 purpose and need of the...  
 16 MS. PAUL: Right. Can you just succinctly  
 17 say what -- why?  
 18 MR. HARRIS: Why? Because it didn't meet  
 19 the U.S.-Russia agreements. That the -- the  
 20 Department of Energy felt that -- an immobilization  
 21 only approach wouldn't be accepted by the Russians.  
 22 So because...  
 23 MS. PAUL: Because they wouldn't accept  
 24 them or we couldn't...  
 25 MR. HARRIS: Wouldn't accept that

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1 alternative. Because the purpose and need relates to  
 2 those U.S.-Russia agreements, as well as other things.  
 3 MS. PAUL: And that wasn't just a  
 4 convenient thing so that we didn't need to look at it.  
 5 Once we hit that portal, it was off the table; is that  
 6 right?  
 7 MR. HARRIS: That was their decision. I  
 8 mean, people may comment otherwise, and we certainly  
 9 welcome those comments.  
 10 MS. PAUL: And about how many people  
 11 decide on our comments, look at our comments?  
 12 MR. HARRIS: Around 20.  
 13 MS. PAUL: Okay. Thank you.  
 14 MR. HARRIS: At various levels.  
 15 MR. CAMERON: One thing that I think it  
 16 might be important for people to understand, the issue  
 17 that was raised just there, is that -- and I'm going  
 18 to ask Tim or Lawrence or -- or John to perhaps  
 19 address this, is that the NRC is given -- has been  
 20 given a specific responsibility by Congress in our  
 21 legislation to evaluate the safety and environmental  
 22 impacts of an action. And that's why when someone  
 23 writes in and they say, "We support it," period, or,  
 24 "We're against it," period, without anything more, we  
 25 don't have the authority -- in other words, our

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to that young lady. Go ahead.  
And let -- Melanie, let me know if you can't hear and we'll try the microphone.

And please give us your name.  
MS. GASINK: My name is Kellie Gasink.

I actually had a number of comments, though not lengthy. But I really don't have a question, any more than I feel that -- that you're coming to us with a question. In fact, what I just got through hearing is every last person in Savannah could be opposed to this and that wouldn't impact on you at all. And I think that that's an important thing right there.

There's a very big difference between democracy and pretend democracy. And what we have here is a pretend democracy. And so what that looks like is that we're not able to determine social policy. But, in fact, social policy is what perhaps being decided (sic) by people who don't have to live next to -- to this facility.

Democracy would mean that if we don't want our children--I have three of them, age 4, 4, and 6-- -living next to a dangerous nuclear material, I can't choose to not have that be. I can't choose that, and none of you can choose that. So that -- that's a

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mission is not to count how many people were for or how many people are against. That's why, as in your phrase, the technical, and include environmental in there, rise to the top; because they go to our statutory authority and our -- our mission.

MR. HARRIS: And we look at -- look at the comment and look at what we had written and said, "Should we revise this? Should we do something else? Should we modify from the -- from the draft to the final?" So that's how your comments are used.

MS. PAUL: So if there were -- if there were, say, 200,000 people outside that just said they didn't want this, versus a technical thing that...

MR. CAMERON: The 200,000 people who don't want it, the NRC can't do anything about that because we're a creation of the Congress. The 200,000 people who don't want it need to talk to the -- to the legislature.

MS. PAUL: Legislature. Right.

MR. CAMERON: Okay, that's how that -- that works. We only have a specific...

MR. HARRIS: Yeah. Again, our mission is to protect public health and safety.

MR. CAMERON: Okay, we're going to -- we're going to go right here, and then we'll go over

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1 tremendous problem. And if we don't want to have  
2 nuclear bombs and weapons near our children for moral,  
3 ethical, and other reasons, that's also a choice we  
4 can't make.

5 So I want to start by saying that this is  
6 not a democratic procedure. And we're going to have  
7 to go from there. But unfortunately the answers don't  
8 lie with the people trying to offer us pretend  
9 democracy.

10 And then I wanted to express my  
11 disappointment at this environmental impact statement.  
12 And I don't think it addresses the environmental  
13 impact on us at all. And if I asked the people in  
14 this room, I don't think that they would think that  
15 what you've said addresses the environmental impact on  
16 this community on having this facility here.

17 And I want to say that we don't agree with  
18 the increased nuclear contamination or with nuclear  
19 waste, and that we vote no, for what it's worth, and  
20 that you should tell your superiors that. We don't go  
21 with this mess. And -- and so I want to just say that  
22 I am with the Green Party of Chatham County, and as  
23 such, we're concerned very much with the environment.  
24 We're concerned with three aspects of the environment,  
25 actually. We're concerned with the physical

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1 environment, we're concerned with the social  
2 environment, and we're also concerned with the  
3 political environment. And I have concerns in regards  
4 for all three.

5 As far as with the physical environment,  
6 there is no way to eliminate -- there's risks.  
7 There's no way to make the risk of nuclear accidents--  
8 -I love this---highly unlikely without getting rid of  
9 the facility. There's no way to make the risk of  
10 these accidents highly unlikely, other than to not put  
11 them next to a city of 135,000 people, which they  
12 could do. Most of the place -- places in this country  
13 are areas that are more than 90 miles from a large  
14 city. And this is what they're not doing.

15 They won't address why they won't put this  
16 in the desert. Why not? Okay. That's what they  
17 should be answering. Not having pretend democracy.  
18 We don't need pretend democracy.

19 Also we're concerned with the social  
20 environment. This plan will increase racism in this  
21 county. And that's a problem. That's a social  
22 problem.

23 Also there is the issue of the political  
24 environment, and this plan will take away political  
25 power from us. Because of having nuclear weapons and

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1 nuclear materials in our neighborhood, we're actually  
2 have less (sic) ability to control anything that goes  
3 in our neighborhood. We're able to have less control  
4 over our local elected officials because of the  
5 interference of the federal government.

6 So we object to the impact on the  
7 environment on the physical, social, and political  
8 levels.

9 MR. CAMERON: Okay. Thank you, Kellie.  
10 And I -- I just would encourage all of you, and not  
11 just Kellie, but when you do have reasons why you  
12 disagree with what is in this draft---and I'd  
13 emphasize that---please -- you know, please let us  
14 know in writing and please go into detail.

15 MR. HARRIS: Yeah, the more -- the more  
16 specifics you can provide, the better.

17 MR. CAMERON: Okay. Yes. Do you want to  
18 try it without?

19 MS. LAMB: Yes.

20 MR. CAMERON: Okay, go ahead. And please  
21 give us your name.

22 MS. LAMB: My name is Whitney Erin Lamb.  
23 First of all, I want to second everything that she  
24 said. And I want to know why the damage from the  
25 product that this place is going to create isn't

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1 included in the risk and with the overall damage of  
2 the area?

3 MR. HARRIS: Can she be more specific,  
4 Chip, as far as...

5 MR. CAMERON: Well, it sounds to me...

6 MS. LAMB: Bombs make a mess. Why isn't  
7 that...

8 MR. CAMERON: ...sounds to me that...

9 MS. LAMB: ...going in with the mess of  
10 the whole plant. The products.

11 MR. CAMERON: Is that more specific?

12 MR. HARRIS: Well, the product of the --  
13 the proposed MOX facility is reactor fuel.

14 MS. LAMB: Some of the product that goes  
15 to creating more damage and...

16 MR. HARRIS: I think the piece -- the  
17 piece that we're looking at is -- only relates to the  
18 surplus weapons plutonium being converted to reactor  
19 fuel.

20 MS. LAMB: Right. Let me clarify.

21 MR. HARRIS: Okay, please.

22 MS. LAMB: I don't think that everything  
23 has been included in a broad enough scale, as far as  
24 the people in the area and the environment that is  
25 impacted by this one site. I think it branches out

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1 more than we are talking about.

2 MR. CAMERON: So you think that like the

3 scope of impacts looked at has to be...

4 MS. LAMB: Right.

5 MR. CAMERON: ...broader, and that other

6 types of -- of cost, besides the costs that you saw in

7 those slide -- that slide, additional costs have to be

8 looked at.

9 MS. LAMB: And what happens when the

10 facility is useless? How will you clean it up?

11 MR. HARRIS: Yeah, well, we included the

12 environmental impacts associated with cleanup.

13 MS. LAMB: Can you summarize it?

14 UNIDENTIFIED: It's insignificant; right?

15 MR. HARRIS: I -- I don't know if I can

16 get into that -- it's been months since I read that

17 section, but...

18 MR. CAMERON: But first of all, though...

19 MR. HARRIS: ...I can try to get you some

20 answer. It was -- it was costly...

21 MR. CAMERON: Decommissioning impact has

22 been looked at?

23 MR. HARRIS: Yeah.

24 MR. CAMERON: Okay.

25 MR. HARRIS: It shows how much low level

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1 waste would be generated, what the cost would be, what

2 the doses to the public would be, what the doses to

3 the workers would be.

4 MS. LAMB: And how long it was out there?

5 MR. HARRIS: How -- yeah, right.

6 MR. CAMERON: Okay, let's -- we're going

7 to go for some questions back here, and then maybe

8 we'll shift gears. And Kellie sort of started us off

9 with a comment. Maybe we'll get some more comments

10 and then come back for questions. But I know there's

11 a number of people who have questions, so let's give

12 it a whirl.

13 Do you want to try, Kirk, without this?

14 MR. COBB: I think I can speak loud enough

15 that you can all understand me, and I don't need the

16 microphone; okay? And I'm Kirk Cobb. And I'm a

17 chemical engineer. Lived here in the Savannah area

18 for 24 years. Work in private industry. And I -- I

19 did get a -- I received a copy of your draft. And I

20 didn't read through it all, but I picked out a few

21 interesting points.

22 And first of all, unlike some of you, the

23 concern I have is that there are 38 metric tons of

24 plutonium in the United States located in these --

25 they're stored -- this plutonium is stored in the

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1 plutonium's going to go in the fuel rods? And the  
 2 answer was: Oh, about 4 or 5%. So you're like, all  
 3 right, 94, 95% uranium fuel with 5% plutonium.  
 4 Terrific. So let's do this program. And I -- I went  
 5 through some numbers with Dave earlier today. You're  
 6 going to use about a ton of this stuff in one reactor  
 7 every 18 months. So you can work out some numbers.  
 8 I thought it was very interesting. In about 12 years  
 9 it'll be used up. It'll be tied up in waste fuel,  
 10 which then can go to a geological deposit. This is  
 11 good.

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cont.

12 My feeling -- my thought, though, is since  
 13 the majority of the stuff is in the panhandle of Texas  
 14 and in Colorado, why not build the MOX facility up --  
 15 either in Texas, for example, where most of the stuff  
 16 is located. Twenty-one (21) metric tons is at the  
 17 Pantex site, which is the panhandle of Texas. Take  
 18 everything there, do the process there, and there are  
 19 enough nuclear power plants in Texas. As Dave said,  
 20 you're probably planning to use these fuel rods in  
 21 only four reactors. There's -- there are four  
 22 reactors in Texas. Use -- do the whole thing in  
 23 Texas, and be done with it.

MR. CAMERON: Okay.

MR. COBB: Okay?

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1 places that are shown here. They're Department of  
 2 Energy facilities; right?

MR. HARRIS: Right.

3  
 4 MR. COBB: Okay. They're all over the  
 5 country. Most of them -- now, if you look, there's a  
 6 table on Page 1-9 that shows us how many tons are in  
 7 what location. There -- in the Pantex site and the  
 8 Rocky Mountain Flats site, which are in the panhandle  
 9 of Texas and in what -- and east of Colorado, of the  
 10 38 metric tons of plutonium, 33 metric tons, and  
 11 that's a significant total or significant amount of  
 12 the total, are in the panhandle of Texas and in  
 13 Colorado.

MR. HARRIS: Right.

14  
 15 MR. COBB: Why not build -- no. And I do  
 16 want this other statement. Because some of you will  
 17 disagree with me. I think it's a very good idea to  
 18 utilize this -- to tie up this plutonium as -- as fuel,  
 19 rods and use it, dilute it, make it so that it's not  
 20 an enriched plutonium, so that it's not susceptible to  
 21 being stolen or -- by -- or hijacked or whatever by  
 22 terrorists or something. Let's get this stuff out of  
 23 circulation. And I think it's a good plan to...

24 And the last time we were here, the  
 25 plutonium -- I asked the question: How much

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1 MR. CAMERON: Kirk,...

2 MR. COBB: Those are my thoughts.

3 MR. CAMERON: Great. And we're supposedly

4 in a question period now, and obviously we're...

5 UNIDENTIFIED: We're supposed to have

6 already been in the comment period.

7 MR. COBB: But I thought you were asking

8 for comments.

9 MR. CAMERON: We're hearing -- we're

10 hearing comments; okay? And we're going to treat --

11 when we hear a comment, even though it might be

12 phrased like a question, we're going to take that.

13 MR. COBB: I'm not offering a question.

14 MR. CAMERON: Okay.

15 MR. COBB: I'm not asking a question. I'm

16 offering a comment.

17 MR. CAMERON: Right. And I think that

18 what we need to do is, let's see if there's just

19 straight informational questions that we can clear up,

20 and then let's go to comment period. And I think,

21 Cheryl, we'll put you on first.

22 MS. JAY: Well, my -- my question is why

23 aren't we following our agenda? We've already --

24 we're supposed to be in public comments at 8:00, and

25 we're already -- it's already 8:00.

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1 MR. CAMERON: Well, I think that obviously

2 there's a lot of questions; okay?

3 MS. JAY: Well, that's my question.

4 MR. CAMERON: And we're trying to be

5 flexible to deal with those questions. Unfortunately,

6 it's far from running a train here, or maybe it is

7 like running a train; we're late. Let's see what

8 informational questions we have, and then we'll go

9 right into comment; okay?

10 Questions. Now, these are questions.

11 Yes, sir, go ahead.

12 MR. KYLER: Yeah. I'm Dave Kyler of the

13 Center for a Sustainable Coast.

14 Two questions. One is: How often have

15 either a construction authorization or operation

16 licensing been denied or revoked by NRC?

17 MR. HARRIS: It has occurred. More --

18 more likely what happens is that the applicant and the

19 NRC can't agree to close issues, and the thing just

20 basically dies on the vine. That's what happens more

21 often than not, rather than NRC...

22 MR. KYLER: Can you say how often that is?

23 Do you have any ballpark...

24 MR. HARRIS: The NRC has tons of licenses,

25 and I can't speak to how many have been -- how many

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1 applications have not been -- I just don't have that  
2 knowledge.

3 MR. CAMERON: If you are interested in  
4 specifics, we probably can -- can get you that. But  
5 there have been a number of large projects, reactor  
6 projects, that have been cancelled because the NRC  
7 regulations could not be met.

8 MR. HARRIS: You know, a recent example is  
9 the LES enrichment facility that the applicant  
10 withdrew their application.

11 MR. CAMERON: Second question?

12 MR. KYLER: Yeah. Accident impacts at MOX  
13 facilities are significant, but, according to your  
14 assessment, risk is small, you know, with a low  
15 probability of occurring. How is that probability  
16 determined?

17 MR. HARRIS: I'm going to let Dave answer  
18 that question.

19 MR. CAMERON: Lawrence, did you have  
20 something else that you wanted to say, too? I'm not  
21 preempting Dave, but I forgot you had your hand up.  
22 You wanted to clarify something.

23 MR. KOKAJKO: Well, I just wanted to say,  
24 you asked about what the NRC has done. The Atomic  
25 Safety and Licensing Board just recently made a

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1 partial decision on a private fuel storage initiative  
2 in Utah denying their request to build a large  
3 centralized interim storage facility. That just came  
4 out this month. As a data point, the -- the -- I  
5 could not tell you, you know, where we have ceased --  
6 told them to stop operations. I mean, there's a lot  
7 of examples. I worked on two projects, two reactor  
8 projects, and we maintained them shut down for  
9 extended periods of time until they got their safety  
10 program back up to where we thought it should be.

11 MR. CAMERON: Okay. Thank you, Lawrence.  
12 Dave, how is probability -- the  
13 probability part of the risk equation determined?

14 MR. BROWN: Well, the -- the applicant  
15 needs to make a case that -- that they're going to  
16 show that this accident is highly unlikely, and that  
17 they've applied the right kind of equipment and  
18 strategies to make that case to the NRC. And then  
19 that's what we're reviewing right now.

20 We've mentioned in our safety evaluation  
21 that's ongoing we've got about 66 open items that have  
22 been -- many of them have now been closed by getting  
23 additional information from the applicant about things  
24 like how are they going to reduce the probability of  
25 that accident.

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1 MR. CAMERON: Okay. Thank you.  
2 We have a question here, and then we're  
3 going to go down here. Yes?

4 MR. KOKAJKO: Could I make one more  
5 comment on that, please.  
6 The facility is required to submit an  
7 integrated safety assessment in addition to their  
8 safety analysis on how they come -- they think the  
9 facility is safe. This is a tool that is used to  
10 determine the probabilities of these accident  
11 sequences and what they could do to help prevent and  
12 mitigate them at the facility. This is required under  
13 the Title X Code of Federal Regulations, Part 70. And  
14 the DCS will have to submit this ISA as part of their  
15 application process.

16 MR. CAMERON: Thank you.  
17 Yes, ma'am?

18 MS. HARRIS: My name is Maxine Harris.  
19 My question is: If the Savannah River  
20 Site is funded by the federal government, what happens  
21 if all of this weapons grade plutonium is gathered  
22 together at this site and the government, as we know,  
23 is headed into deep deficits already, and with the war  
24 it's continuing. What happens if the government is no  
25 longer able to fund the ongoing process, and this

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1 accumulation of plutonium or MOX are sitting in old,  
2 antiquated, leaky tanks? And I understand that there  
3 has been an incident of a leak already that caused  
4 some problems. What is to prevent -- prevent this  
5 situation from happening?

6 MR. HARRIS: I think we're going to let  
7 the -- the gentleman from the Department of Energy --  
8 but I think it's important to note that, you know, the  
9 Department of Energy operates the Savannah River Site.  
10 The NRC is an independent government agency, and our  
11 only role at the Savannah River Site relates to  
12 evaluating the safety of the proposed MOX facility.  
13 As far as other -- other Savannah River Site  
14 activities, we don't have any interaction at all.

15 I'll let my colleague from the Department  
16 of Energy...

17 MR. CAMERON: I think maybe this is  
18 working back here. Let's give it a try.

19 MR. BROMBERG: My name is Ken Bromberg  
20 from the Department of Energy. And I would -- I would  
21 make several points in regard to the question.

22 First of all, with the exception of the  
23 Rocky Flats material, all of the plutonium will stay  
24 at the respective DOE sites until just in time, when  
25 it's ready to be made into MOX fuel. Then it will be

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1 brought to South Carolina to be made into MOX fuel,  
2 other than Rocky Flats.

3 Point two, there's legislation that was  
4 passed, introduced by now Senator Lindsay Graham that  
5 requires that if the material is not made into MOX  
6 fuel by 2012, and in each year after that by an amount  
7 stipulated in the legislation, the federal government  
8 is fined a million dollars a day, up to \$100 million  
9 a year, for each and every year that that plutonium  
10 stays there.

11 Third of all, none of the plutonium that  
12 is going to be made into MOX fuel is in the form of  
13 liquid waste. It's all in the form of -- two-thirds  
14 of it is in the form of metal and pit form, which is  
15 currently stored at the Pantex plant in Texas, and the  
16 rest is stabilized and stored as -- in a powdered form  
17 in a sealed 3013 container. So none of it is in a  
18 liquid form that's going to spill from a high level  
19 waste tank.

20 MR. CAMERON: Thank you very much, Ken.  
21 Let's go down here. This seems to be  
22 functioning, but -- it isn't?

23 UNIDENTIFIED: No, it's not functioning.

24 MR. CUTTER: Vernell Cutter.  
25 Earlier it was stated that this is not a

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1 give me, that this is still open. Two weeks ago we  
2 had the bi-state conference by the Savannah State  
3 College, where we were glad that over 135 citizens  
4 from around this area participated. But it was stated  
5 at that meeting that there is a MOX facility building  
6 on location at the Savannah River Site. Is that true?

7 MR. HARRIS: No, I don't believe that is  
8 true. We did send invitations to try to publicly  
9 advertise the series of meetings that were had at that  
10 conference that you talked about. We talked to Dr.  
11 McLean, and also to Renaul, and I can never pronounce  
12 her last name, who was gracious enough to, I  
13 understand, set those out. And I was happy to hear  
14 from Dr. McLean that the conference was a success.  
15 But I should clarify that there is no MOX facility at  
16 the Savannah River Site. That's still under review.

17 MR. CUTTER: It was also alluded to  
18 earlier -- it was actually stated that our country is  
19 now at war and there seems to be some problems with  
20 France. Isn't Cogema a French-owned company?

21 MR. HARRIS: That is correct.

22 MR. CUTTER: Just wanted to be sure.

23 If we're talking about MOX fuel, what is  
24 the utilization of that fuel? Is it for electricity?

25 MR. HARRIS: Yes. The reactor fuel would

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1 be -- the current plan is to have the mixed oxide fuel  
 2 used in a reactor, and that reactor would produce  
 3 electricity.  
 4 MR. CUTTER: Produce electricity for whom?  
 5 MR. HARRIS: I assume for Duke -- Duke  
 6 Power customers.  
 7 MR. CUTTER: Duke Power customers,  
 8 meaning, then, for folk in the Augusta/Aiken, South  
 9 Carolina area, that would not cheapen their electric  
 10 bill or their power bill?  
 11 MR. HARRIS: Yeah. I don't -- I don't  
 12 think I can comment on that.  
 13 MR. CUTTER: I'm just saying, so you're  
 14 saying, then, that our government will spend money to  
 15 do this, build the facility, but then Duke would take  
 16 the benefit for producing power and charging a  
 17 customer?  
 18 UNIDENTIFIED: Yes.  
 19 UNIDENTIFIED: That's right.  
 20 MR. HARRIS: Is that correct, Peter?  
 21 Todd?  
 22 MR. KAISH: My name is Todd Kaish. I work  
 23 for...  
 24 UNIDENTIFIED: Speak up.  
 25 MR. KAISH: My name is Todd Kaish. I work

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1 with Duke Cogema Stone & Webster. The mission  
 2 reactors, the Duke reactors are not supplying power to  
 3 the Aiken and Augusta area. The area -- the area in  
 4 their service area is North and South Carolina.  
 5 UNIDENTIFIED: Not even in Savannah? Not  
 6 even in Georgia?  
 7 MR. CUTTER: So, again, I want to be sure  
 8 that my question is answered here. You're saying,  
 9 then, that the residents, citizens of Georgia, South  
 10 Carolina, will bear the main environmental impact  
 11 statement effect, but then the utilization of the  
 12 power will be benefit (sic) by the citizens of North  
 13 Carolina and South Carolina?  
 14 MR. CAMERON: And I guess that these fuel  
 15 rods from the MOX facility could go to any number of  
 16 reactors. But I think your point is coming across,  
 17 Mr. Cutter. But I think that people, as Tim had  
 18 indicated in his presentation, would say that the  
 19 benefits of this program, or the supposed benefits,  
 20 depending on what you think about it, is to -- to deal  
 21 with the weapons material. So there's a number of  
 22 benefits.  
 23 But let me go to my colleagues. Let's go  
 24 to Lawrence to see what his response is. And we  
 25 really need to -- I'm going to just have a -- go for

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assemblies are being done up there. So it's not a matter that they're all of a sudden receiving the benefit from it, to -- to take this fuel up there and use. It's -- it's more of -- it's done under a section in 10 CFR 5059, I think. They have to evaluate it and we have to evaluate it, too.

MR. CUTTER: If I'm hearing you correctly, then, Lawrence...

MR. CAMERON: Thank you.

MR. CUTTER: ...what you're saying, that actually this is a test for a nuclear power plant? You're saying?

MR. KOKAJKO: No, sir. No, MOX facility is not a test.

MR. CUTTER: No, I'm saying the process.

MR. KOKAJKO: To use that fuel -- to use that fuel, in order to insure that it is operating as it's designed, they've agreed to allow those lead test assemblies to be placed in there if they can find out that it's safe to do so, and if we agree with that. And right now we have not agreed with that.

MR. CUTTER: I just want to personally thank you all, because for 13 years I've been coming to these meetings and listening. And I want to thank you all personally, also, because I see now that you

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a couple more questions, and then we're going to start the formal comment, and we'll come back to you for questions. But I think we need to get on.

Lawrence?

MR. KOKAJKO: First, what the Duke plants have -- or will be doing -- first, what the Duke plants will be doing will be putting the fuel in as lead test assemblies. When you put in a new fuel type or a new enrichment of fuel type into a reactor, you just can't, I guess, go buy it and go put it in there. You have to evaluate it because it changes the parameters of the reactor operations design. It may change the accident consequences, as pointed out by Tim in one of his slides.

So what they've agreed to do thus far-- and it's by no means certain--is they would like to be able to put this fuel in the -- certain facilities, and then they'll evaluate its performance. So conceivably, the fuel -- let's say if it -- if it worked out, they would then try to be used (sic) in other reactors throughout the nation. So it's not just the -- the North Carolina plants. It could be plants in Iowa, Vermont, Arizona, California, or wherever. It could be anywhere. But the idea is that it's got to be tested first. And so these lead test

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1 all no longer just sit in groups. You do disburse  
2 yourself among us, and that you have taken a concerted  
3 effort to be genuine in your visitation. So I want to  
4 thank you all again. And I'll stop my questions  
5 there.

6 MR. HARRIS: Thank you.

7 Can I just add one point, Chip?

8 MR. CAMERON: Yeah, go ahead.

9 MR. HARRIS: You talked about the -- the  
10 local environmental cost. As I talked about in my  
11 slide, in the regional -- there is regional economic  
12 benefit, also. So it's -- so it's -- you don't get  
13 the benefit from, say, the electricity, but there's --  
14 there's dollars that go into the local community,  
15 jobs.

16 MR. CAMERON: But as -- yeah. I think Mr.  
17 Cutter's point is there might be a mismatch between  
18 impact and -- and cost.

19 MR. HARRIS: Right.

20 MR. CAMERON: We're going to go for two  
21 more questions, and then we're going to ask Cheryl to  
22 lead off the public comment for us.

23 Can you just tell us your name again,  
24 please.

25 MS. PEARSON: My name is Kelli Pearson.

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1 And at the risk of sounding like a nimbi,  
2 I just want to follow up with Mr. Cobb's question, and  
3 wondering if you could give a short explanation of the  
4 primary reason we're not considering that area of  
5 Texas or Oklahoma or....

6 MR. HARRIS: Yeah, sure. The Department  
7 of Energy, as I alluded to, has done two environmental  
8 impact statements on the -- the whole program of what  
9 to do with surplus weapons plutonium. And in that,  
10 they looked at a number of alternatives, which  
11 included locating the MOX facility, the pit  
12 disassembly and conversion facilities at other  
13 locations. Their decision, what they concluded was  
14 that the Savannah River Site was the best location for  
15 those facilities. So going into our -- our EIS, we  
16 took that as a given.

17 MS. PEARSON: Okay.

18 MR. HARRIS: And stated that in the very  
19 beginning in the notice of intent, that -- that we  
20 weren't going to look at locating this facility  
21 somewhere else in the country.

22 MS. PEARSON: Seems like that transport is  
23 one of the riskiest parts of the whole process. Is  
24 that true?

25 MR. HARRIS: Well, certainly depending on

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cont.

1 MR. LANIER: This one? Okay.

2 MR. HARRIS: Yeah. So, as Sara talked

3 about in her comments, unless -- unless events say

4 otherwise, this will be the last...

5 MR. LANIER: Okay.

6 MR. HARRIS: ...public outreach.

7 MR. LANIER: In the future, about

8 notifying the local media, when I got a copy of the

9 notice that you sent me about this meeting I went by

10 the one locally owned radio station in town, WRHK,

11 105.3, and asked one of the managers there if he could

12 read this on the air sometime. And whether he has or

13 not, I don't know. But for any future meetings here

14 I think that the NRC should notify all of the local

15 stations, radio stations and the TV stations or the

16 companies that own them. Because the only public

17 notification I've seen about this meeting was what the

18 gentleman referred to in the newspaper.

19 MR. HARRIS: Well, actually we -- we do do

20 that. We issue press releases to notify the press.

21 We -- we actually had an ad---you may not have seen---

22 but we did have an ad. We paid for an ad in the local

23 paper to do that.

24 One of the suggestions that Sara had,

25 which we followed up on, was to advertise on the local

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1 where the facilities are located, the transport would

2 be more or less.

3 MR. CAMERON: And these comments like

4 Kirk's and his comment are going to be considered as

5 -- as comments. Even though the NRC has said this is

6 what the scope is, they will be at least considered...

7 MR. HARRIS: Right.

8 MR. CAMERON: ...and evaluated.

9 And let's have one more question right

10 here, and then let's go to some comments.

11 MR. LANIER: I'm going to try it without

12 the mic.

13 MR. CAMERON: Okay.

14 MR. LANIER: My name is Jody Lanier, and

15 I have three questions.

16 First, referring back to your slide #6,

17 looks like there will be a -- there's a second comment

18 period when the final EIS is released. Does that mean

19 there'll be another meeting like this here after that?

20 MR. HARRIS: No, I think what those two

21 boxes were meant to show, Jody, the first box was the

22 meetings that we were having last September that you

23 attended here.

24 MR. LANIER: Right.

25 MR. HARRIS: The second box is tonight.

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1 atom.

2 MR. LANIER: Whereas with immobilization

3 that would not happen?

4 MR. HARRIS: Right.

5 MR. LANIER: Okay. Thank you.

6 MR. CAMERON: Okay. Thank you, Jody. And

7 thank you all for questions. And we'll go back for --

8 for more questions. But as Cheryl pointed out, we're

9 not on time, and we're going to -- Cheryl, would you

10 like to lead off with a comment for us?

11 MS. JAY: So you're going to put me on the

12 spot?

13 MR. CAMERON: That's right.

14 MS. JAY: Okay, my name is Cheryl Jay. I

15 have lived in Savannah all of my life in the shadow of

16 the bomb factory, as we used to call it. I am a

17 clinical medical laboratory scientist, and I'm also a

18 science teacher.

19 As a clinical medical laboratory

20 scientist, I would like to comment on the obfuscation

21 that you use in your dose analysis. When you compare

22 human dosage that we receive from natural sources,

23 such as radiation from the cosmic universe, from

24 medical exams, from chest X-rays, those are either

25 things that we cannot avoid or things that we choose

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1 cable channel, apparently Channel 8 maybe.

2 MS. BARCZAK: The government channel.

3 MR. HARRIS: On the government channel.

4 We contacted them and arranged to have the meeting

5 noticed there. So we're trying -- trying to let

6 people know. But if you've got some more suggestions,

7 we're happy to hear them.

8 MR. CAMERON: And a final question?

9 MR. LANIER: Yes, a final question. On

10 Page 223 of the report I see here it mentions about

11 why you do not consider immobilization in the

12 statement. Says that, "since immobilization fails to

13 degrade isotopic composition of plutonium, Russia

14 fears that immobilization would leave open the

15 possibility that it could be used in weapons."

16 And just for the benefit of those of us

17 here who aren't nuclear scientists, could you explain

18 how using this plutonium in MOX fuel is going to make

19 it so that it can't be used as -- as a weapon, say in

20 case somebody tried to get a hold of it?

21 MR. KOKAJKO: It essentially changes into

22 different isotopes that cannot be used as weapons.

23 MR. HARRIS: Yeah, essentially, when you

24 put it in a reactor, there's a lot of neutrons. The

25 neutrons hit the atom and change it into a different

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1 to benefit our health.

2 We do not choose to increase our dosage of

3 harmful radioactive isotopes to ourselves and our

4 families by the military, industrial, and nuclear

5 complex that is going on at the Savannah River Site.

6 I see this MOX facility as just a continuation of

7 nuclear weapons production at the Savannah River Site.

8 It is a justification for the jobs, for the continuing

9 usage of this material. I resent the fact that you

10 have brought in the aspect of terrorism into this

11 situation. I submit to you that immobilization will

12 do exactly the same thing, and it will also decrease

13 the -- some aspects of terrorism because we will not

14 have as much transportation. In immobilization, the

15 -- this material is still at DOE facilities. All this

16 material is now at DOE facilities. If DOE facilities

17 are not safe, then MOX is not safe, either. So that

18 -- I think that is a total just obfuscation also,

19 trying to cloud the issue and -- behind the flag and

20 the issues that are going on worldwide.

21 Also, I -- I submit to you that saying --

22 also hiding behind this Russian treaty, quote-unquote,

23 that we have is a very misleading statement because we

24 do not follow international nuclear treaties. At the

25 moment our government has pulled us out of serval

37-1  
cont.

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1 international nuclear treaties, and so saying that,

2 you know, we'll let those poor "Ruskies" down if we do

3 this is -- is just erroneous. And it is -- it is just

4 justification for -- as several people have alluded

5 to, taking the U.S. tax dollars and putting it into --

6 into something that has not been tried here, that we

7 don't need. We do not need MOX fuel. We do need to

8 get rid of plutonium. I -- I agree with that. But we

9 can do it cheaper, more safely, and with less waste by

10 immobilizing it.

11 Thank you.

12 MR. CAMERON: Okay, thank you.

13 [Applause.]

14 MR. CAMERON: Let me ask Carol. Carol

15 Cain. Do you want -- why don't I bring you this

16 microphone. Okay, yeah, because it seems like it's

17 doing better.

18 MS. CAIN: I'm Carol Cain, C-A-I-N.

19 Part of my problem with all this is the

20 financial aspects of it. There's so many questions,

21 as far as the nuclear processes. But I'm just

22 wondering about the -- the financial part of it. It's

23 like she said before, we're already at a deficit and

24 they want to build another new building down there at

25 Savannah River Site. And what's going to happen if,

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37-3  
cont.

37-4

38-1

38-1  
cont.

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1 in the middle of it all, we run out of money? And  
 2 then it gets back to the other thing about -- it's  
 3 kind of like we're building this facility for Duke and  
 4 everybody to turn around and make electricity for then  
 5 the ratepayers to pay. And it just -- it's like --  
 6 it's something like *Alice in Wonderland*, is what I  
 7 think of all this. It's just -- it just really gets  
 8 out of hand, when you start talking about it.  
 9 And there are many issues to go into, but  
 10 this is all I'm just going to say right now. And I'll  
 11 write letters.

MR. CAMERON: Thank you, Carol.

12 And, Bobbie, did you want to -- did you  
 13 want to talk now or do you want to...

14 MS. PAUL: I'll make my comment, because  
 15 we need to go. Carol just...

MR. CAMERON: Okay. Good. Thank you.

MS. PAUL: Thanks.

17 I'm Bobbie Paul, and Sara asked me to read  
 18 an Email that she got today from someone who couldn't  
 19 come named Ellen O'Leary from Tybee Island, Georgia,  
 20 because she had to go to the hospital for another test  
 21 pursuant to her kidney operation.

22 "I'm a 49-year-old woman born and bred in  
 23 Savannah. Two weeks ago I had my left kidney removed

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1 for a renal cell carcinoma. I have led an extremely  
 2 health-conscious life. Unfortunately, environmental  
 3 pollutants cause most cancers. I don't want to move  
 4 from my home and family, but I suspect the DOE  
 5 Savannah River Site in my case.

6 "SRS has the most radioactivity of any DOE  
 7 site nationally. There are millions of gallons of  
 8 high level radioactive waste in faulty storage there.  
 9 We should not add the potentially dangerous MOX  
 10 project to this overburdened site.

11 "Shipping plutonium, as well as the new  
 12 MOX fuel, would present further concerns in safety and  
 13 security. The MOX project has already doubled in  
 14 price in the last few years. Who knows what it would  
 15 cost us to support the sister program in Russia under  
 16 questionable safety and security precautions.

17 "And finally, the low income community of  
 18 color surrounding the SRS site is being unjustly  
 19 burdened with yet another deadly, dangerous project.  
 20 As a tax-paying citizen, I demand freedom from another  
 21 unnecessary danger to my life.

22 "Signed," or Emailed, "Ellen O'Leary,  
 23 Tybee Island, Georgia."

24 I don't live in Savannah, I live in  
 25 Atlanta. And I went to the MOX hearing in Augusta.

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1 And he looked at me, he said, "Are you  
 2 kidding? Do you -- do you know how much money we've  
 3 spent on that plutonium?" And it's haunted me. And  
 4 I don't know when we're going to say enough is enough,  
 5 and we just take this stuff out of our universe. We  
 6 can't put it back in the ground. Like the Native  
 7 Americans once told us, "Never take it out of the  
 8 ground." But we have. And I think we've got to put  
 9 profit aside and -- and do things for future  
 10 generations.

11 Thank you.

12 [Applause.]

13 MR. CAMERON: Thank you, Bobbie.

14 We're going to go to Victor Mereski, and  
 15 then Mr. Dunham, and then Mr. Cutter.

16 MR. MERESKI: Thank you.

17 My name is Victor Mereski, M-E-R-E-S-K-I.

18 I'm a resident of Savannah for about 35 years (sic).

19 I'd like to tie into the last comment that  
 20 was made about the concern of future generations. I  
 21 really feel that the whole nuclear energy program has  
 22 lost track of how long this pollution lasts. I  
 23 believe that all of recorded human history is  
 24 something like 10,000 years. But this pollution is  
 25 going to last and be a danger to people, I understand

40-1

1 And, you know, after my questions tonight, reading  
 2 something so highly emotional in such a highly  
 3 charged, emotional time for all of us, I, too, wanted  
 4 to take some time to study the three copies I got in  
 5 the mail---same address---and write my comments down.  
 6 I head up a women's peace organization  
 7 called WAND, Women's Action for New Direction. And  
 8 it's national. And we have about 16 chapters and I  
 9 don't -- I don't know how many members. About 500 or  
 10 600 just in our Atlanta area.

11 I just wanted to share a little comment at  
 12 the end of the last meeting I had with a gentleman in  
 13 the parking lot. And I was so overwhelmed with all of  
 14 the technical talk and what was really going on. And  
 15 I said to the fellow, who was somehow related to the  
 16 industry, "So what was really going on here tonight?"

17 And he -- he said, "What do you mean?"

18 I said, "Well, it just perplexes me. If  
 19 this stuff is so -- if there's so many steps to go  
 20 through all of this, and there's so many  
 21 technicalities, and it's going to cost so much, and so  
 22 many people are confused, why are we doing it? Why  
 23 don't we just immobilize it until we can have a better  
 24 science past a couple of hundred years, at least. Or  
 25 100 years."

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1 from Sara, about 240,000 years.

2 And you think of all the disasters that  
3 have occurred in the world during the 10,000 year  
4 period that we know of, and here we're talking about  
5 a period that's 24 times that. And yet they say  
6 there's a low accident probability. Why don't I  
7 believe the government?

8 [Laughter.]

9 MR. MERESKI: Well, in reading over  
10 material about the release of nuclear pollution into  
11 the air, water, so forth, I remember reading that they  
12 were conducting tests of new mothers, testing their  
13 milk. I forget the specific component that they were  
14 checking for. But they were recording this, I think,  
15 in various places in the country.

16 But in South Carolina the readings kept  
17 going up; okay? And when this was pointed out, that,  
18 you know, this is a concern, what do they do about it?  
19 They stopped the test. You know, this is really  
20 taking into consideration finding out what's going on.  
21 Stop the test. We have no more rising pollution in  
22 mothers' milk because we can't see it anymore. Why  
23 aren't those tests being restarted?

24 I haven't heard anything about the taking  
25 into consideration the risk of a terrorist attack

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1 while this material is being transported. And I  
2 wonder what protection there is during the transport  
3 of this material, you know, from preplanted land  
4 mines, radio controlled stuff like that, that seems to  
5 go on all over the world. Why can't it happen here?  
6 I think it can.

7 I feel that too much of the material that  
8 is presented to us is in a fashion of, well, you can  
9 only comment on this specific thing. If it's outside  
10 of that, well, it just goes into the wastepaper  
11 basket. But the whole nuclear program is ill-  
12 considered. I would really like an answer to why they  
13 are not testing the mothers' milk in South Carolina,  
14 and why they don't start again and see how it compares  
15 with their previous tests.

16 Thank you.

17 MR. CAMERON: Thank you, Mr. Mereski.

18 [Applause.]

19 MR. CAMERON: Let's -- let's go to Mr.  
20 Dunham, and then we'll go to Mr. Cutter.

21 MR. DUNHAM: I guess I wear many hats.  
22 But my name is Chester Dunham. I works with the (sic)  
23 International Longshoreman's Association, the shipping  
24 industry. I'm a longshoreman. I'm also the Safety  
25 Director for our union with the International

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41-1  
cont.

1 Longshoreman's Union right here in Savannah, Georgia.  
2 Also the President of the A. Philip Randolph  
3 Institute, which is a non-partisan organization to  
4 deal with problems and other type of things. It's a  
5 national organization, etcetera.

6 But what I want to talk about tonight is  
7 that the representative here from NRC, in your own  
8 mission, you -- you did a real good job in doing the  
9 presentation to us about the -- the program. I  
10 listened carefully and I jotted things down along the  
11 line in your slides. When you're talking about the  
12 environmental reviews, safety review, the situation  
13 about the -- the proposal about the United States and  
14 Russia, the storage spaces, impact area, proposed  
15 action, impact human health, potential risks via  
16 quality waste management, environmental justice,  
17 transportation, all of those things. And you did a  
18 very good job. But even with everything that you did,  
19 and talking about a minimum risk here and there and  
20 all of that, the risk factor is still there.

21 You know, it's a situation with these  
22 ships that I work on. Sometime a ship may come up the  
23 Savannah River that may have one container, and  
24 they're dealing with some type of liquid explosive.  
25 And what they will do is, they will stop the traffic

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1 in Savannah River. They would -- they would close the  
2 traffic down to one vessel. No other movement within  
3 that port until that ship reaches destiny and dock,  
4 and whatever is on there comes off.

5 Sometimes some of the ship may come up,  
6 and you look at the invoice, and they might -- Coast  
7 Guard gets involved, and they say, well, we have a  
8 particular container, or one or two containers or  
9 something on that ship maybe discharging or -- and  
10 what that tells you then, that the Coast Guard will  
11 come in, and then they will have labor on those  
12 facility (sic), on those boxes or what-have-you, with  
13 liquid in it. And what they would tell you, that  
14 certain areas, you have to move out of that area  
15 because of the danger, explosive, that something  
16 happen. In other words, it's another thing that  
17 sometime in safety -- going through safety things that  
18 they tell you, a situation is -- well, I tell you  
19 what. Said if a situation happens where a box or  
20 something is on board of a ship, and don't stop and  
21 ask questions. That if you see any type of little  
22 smoke or any type of thing that's unusual, get off the  
23 ship and leave from that area. We'll talk and explain  
24 later.

25 And when you look at that situation, and

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then think about what's up here, and the danger there, is what puzzle me and what -- you know, and that's my concern. That the situation that we talking about, Iraq, and we're talking about their weapons of mass destruction and all of those things over there. But some of that same stuff is in our -- in our back door.

And the thing that I'm saying, in listening to the expert -- listen, I'm not a scientist or nuclear person or expert or that type -- but listening to them and listening to you all, that it's a danger factor there. And it's the risk is there. And no matter what, the risk is still there. And I'm seeing that what these gentlemen (sic) here, the job that they did tonight, but the bottom line is still -- listen, you all -- and this building should have been packed, as I said. But the bottom line is still dealing with the federal government. It is dealing with politics. It's dealing with elected official. They're going to do a report, a study. But if we don't like what's going on, then it's up to us to speak up. It's up to us to write letters, starting -- I don't care if it local, state, and federal.

Because federal is the last stop. Federal is the key. And if that's what we have to do, we're not satisfied and we think it's a risk, then that's

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what we're going to have to do, get together and write locally, but make sure that we deal with the senators and congressmen, federal people, and do something about the situation.

Thank you very much.

[Applause.]

MR. CAMERON: Thank you, Mr. Dunham. And let's go to Mr. Cutter now.

MR. CUTTER: Again, good evening to all I haven't had the opportunity of speaking to. Again, thanking our Creator for this opportunity to be able to speak this evening.

As I stand here this evening, I stand here again, Vernel Cutter, with Citizens for Environmental Justice. Have served as convener since that organization was formed.

I was sitting there and I was thinking about how and why our organization formed, when we looked at the Sierra Club and we looked at Green Peace. And folk were talking about save the spotted owl and save the humpbacked whale. But no one was speaking about saving the people of color. Our organization formed because, when we look historically at the disproportionate health risk to people of color, the facilities are built primarily in our

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1 areas.

2 And I listened. And I listened to your

3 cost analysis. But I don't see the cost that you can

4 place on a life. I don't see that. You talk about

5 jobs and how that would be a benefit. But then, when

6 I say how people of color are the ones that primarily

7 work with the exposure, and how then they must make a

8 choice between feeding their families and going to a

9 highly contaminated place, I don't see it as being

10 fair. I don't see it as being equitable. I don't see

11 it as being democratic.

12 I stand here tonight as an advocate for

13 the health of our people. Health of all people. I

14 listen, and I see how our country now -- our

15 President's asking for 75 billion for the rebuilding

16 of Iraq. How much money is being asked to put a

17 health center there in the Augusta-Aiken, South

18 Carolina area, so as that people who then suspect that

19 they are adversely affected can go and receive medical

20 treatment. I don't see that in your cost analysis.

21 I stand here tonight as a spokesperson for

22 the disenfranchised, for the folk who do not read or

23 receive Emails, for the folk who just don't understand

24 how to read the newspaper to know if the meeting was

25 yesterday or today. Speak for those who have been

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1 speaking for years and years, and have not been

2 listened to, have not been heard, and who have died

3 and gone on.

4 I've attended meetings all around this

5 world, and I've listened to the various stories of

6 folk, and I -- and I see how the meetings have changed

7 where it used to be government against people, people

8 against government, and we would chant, "I'm sick of

9 being tired. I'm tired of being sick."

10 And government would sit there and they

11 would shiver and they would wonder, 'Oh, are they

12 really going to attack us tonight?' And I can see

13 then, you know.

14 Now we converse about, "How are your

15 families doing? Good to see you. Haven't seen you in

16 two years. Yes, you remember our last meeting." But,

17 you know what, you can have all the scoping meetings

18 you want. But until you get serious and say this is

19 a true EIS, environmental impact statement, and allow

20 people to talk about each section and to be honest

21 about it, then it is not a true democracy. It is

22 simply folk doing a job, and learning how to use the

23 psychology of presenting it better so folk then

24 swallow it better.

25 I speak, then, for the ancestors who have

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died trying to tell folk to realize that at the end you ask yourself: What have I done for humanity? How have I contributed? It doesn't matter how much money you make. Can't take any of it with you. So, then, again, only what we do for one another will last.

I can go on with comments such as that. But I would like to say some specific recommendations that we would present for you all. First of all, that the mitigation measures section related to the EJ community---environmental justice community---must be more detailed. You can't just give a little portion and say that's going to suffice, but it must be very specific.

Secondly, that Duke-Cogema must be mandated to meet and work with the environmental justice community. You can't have them then just send the little people there and say, "Okay, we pay you this. You work with the environmental justice community." But if they're going to reap the benefits, they must have a working relationship with the environmental justice community.

Thirdly, that a stronger emergency response measure be implemented in collaboration with the environmental justice community. You cannot say then, "This is what we'll do," but then these same

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folks who do not receive Emails, these same folk who do not read the newspaper, know exactly what they must do. We're saying it depends on how the wind blows. Well, who knows how the wind blows?

Fourthly, that independent researchers must be allowed to validate risk assessment associated with latent cancer fatalities. True enough, it's good for you to tell us, but they always tell you if something happens to you, seek a second opinion. And I'm saying that's the same thing that should be allowed to the environmental justice community.

And lastly, that resources be allocated to the environmental justice community to analyze the complete environmental impact statement, that states that there would be disproportionately (sic) impacted under the accident analysis. You say that. Anyone in their right mind, to look at the semantics of that, will say, "What does that mean?" You're saying there's going to be a disproportionately affect (sic)? Well, then, allow the environmental justice community the opportunity to research that and say what that would be. If you've spent so much money so far, then allow it to spend a portion of that, small portion, to let it really be known of the people that it's going to really affect. Thank you.

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[Applause.]

MR. CAMERON: Okay, thank you, Mr. Cutter.  
And David Kyler.

MR. KYLER: Those are two very tough acts to follow, so I hope I don't put anybody to sleep. Due to the late hour and my needing to drive back to St. Simons. I'm just going to read a portion of my prepared statement, and *ad lib* on a few things that have come up tonight.

First, going to talk about some recommendations that I jotted down after arriving that I don't have in my prepared statement. Some of these track some other comments that have been made.

By the way, I'm Dave Kyler with the Center for a Sustainable Coast. We're a six-year-old non-profit organization supported by memberships and foundations, whose mission is to protect the public interest in issues related to coastal Georgia's growth, economy, and environment.

Further analysis of water use and contamination, and the options and alternatives, needs to be added to this draft impact statement. After looking at this thing -- and, by the way, I have an engineering degree so this should be a lot easier than it is trying to analyze this ponderous statement. On

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Page 4-6 is an "Annual Water Usage and Waste Water Discharge" for the various sites. If you'll look at the SRS line on that chart, water requirements in millions of liters per year. Millions of liters. 127,000 million liters from surface water; 13,247 million liters from groundwater are used. How much is discharged? 700,000 million liters. A little bit of retention of water appears to be taking place there.

That was not at all clear from what I read in the statement, nor from what I heard tonight. Which, by the way, looking at the hydrology slide we saw tonight: Surface water, no significant discharges during construction. Operational discharges through existing SRS facilities. No significant change for permitted discharges. Well, folks, there's should be (sic) a very strong concern in this region about water use, not just the quality of the water being discharged. Both are very important.

Something like 40,000 jobs in this region, 10,000 jobs in Chatham County, alone, depend upon nature-based businesses, and those depend upon the function of that river. And whether it's in the form of contamination or in the form of diversion and retention of water, that either way or both ways, that could have drastic effect not only on public health,

Something like 40,000 jobs in this region, 10,000 jobs in Chatham County, alone, depend upon nature-based businesses, and those depend upon the function of that river. And whether it's in the form of contamination or in the form of diversion and retention of water, that either way or both ways, that could have drastic effect not only on public health,

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1 but also on the economy of the region. That needs to  
2 be much more thoroughly analyzed. And the  
3 significance of that chart I referred to in terms of  
4 water use needs to be thoroughly tracked and  
5 alternatives need to be evaluated.

6 As Mr. Cutter said, evaluation of  
7 emergency response capacity needs to be looked at.  
8 It's been brought to my attention, from other reading,  
9 that many times far more people attempt to evacuate  
10 than are necessary to be evacuated. And because of  
11 that, evacuation routes are overloaded, and the  
12 facilities available that would be adequate if people  
13 were properly notified, and only those needing to be  
14 evacuated were. But instead, they get all tied up,  
15 and the facilities are not sufficient. So both the  
16 education of an at-risk population, and the capacity  
17 of the facilities needed to evacuate need to be much  
18 more thoroughly analyzed.

19 I think we also need to test the  
20 assumptions, as they always say in cost benefits  
21 analysis, of the time -- time line effects of costs  
22 and benefits. Typical cost benefit analysis places  
23 future -- reduces the impact of future costs in  
24 proportion to their distance away from the present  
25 time. Well, at the rate we're going it seems to me

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1 that environmental resources are going to be worth  
2 more in the future, not less. And if they're brought  
3 back to the present with a discount method, they're  
4 going to be very much reduced in value compared to  
5 what they are likely to actually be worth in that  
6 future time. So alternative methods for evaluating  
7 costs and benefits need to be factored in.

8 The groundwater geology in this area is  
9 susceptible to variable conditions that are site-  
10 specific and cannot be accurately predicted. And the  
11 consequences for those factors need to be taken into  
12 account in evaluating risk.

13 And last in the way of general  
14 recommendations, we need to develop a process which  
15 the Corps of Engineers is even considering, I guess  
16 under pressure from Congress---and if they can do it,  
17 certainly NRC can do it---called independent external  
18 review. Essentially, what this is saying is that the  
19 agencies that are responsible for administering these  
20 projects, whether it's the Corps of Engineers or NRC,  
21 are so compromised in their function that they become  
22 advocates for the projects, rather than being capable  
23 of objectively evaluating these projects. And that  
24 job needs to be given to a -- for a second opinion, as  
25 Mr. Cutter said, to another party that's more capable

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watch, because you all know that I can talk too much.  
 Before everybody leaves, I just want everybody to know  
 that there are numerous articles on the colorful tri-  
 fold display back there that highlight some of the  
 things that I'm going to touch on here. And I think  
 you all will be interested in them.

We're a regional non-profit. We were  
 formerly Georgians for Clean Energy last time you saw  
 me here in September. We have members throughout the  
 region, and primarily have focused on energy policy  
 for the last 20 years. We'd like to state that the  
 current draft environmental impact statement now  
 before us leaves much to be desired, and that we are  
 likely going to resubmit and restate all of our past  
 concerns again. In a sense, it appears that many of  
 the important objections to the plutonium bomb fuel or  
 MOX program have been entirely dismissed by the U.S.  
 Nuclear Regulatory Commission.

For example, at the scoping meeting here  
 in Savannah, which many of you were at last September,  
 many people were concerned about terrorism---and that  
 came up again tonight---and wanted to know how  
 terrorism would be addressed in the draft report. On  
 Page I-29, in the section on impacts from terrorism,  
 dedicates a whopping two sentences to this issue,

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cont.

of being both objective and external, and has no  
 entanglements with the project.

A lot of other things I could say. I have  
 some other things in my draft statement. But that's  
 -- that's good enough for now. In essence, we need to  
 know a lot more than we know now before a responsible  
 decision can be made in public interest.

[Applause.]

MR. CAMERON: Thanks, Mr. Kyler, for those  
 very specific remarks.

MR. HARRIS: Did you want to let him know  
 he can hand in his public written comments to the...

MR. CAMERON: Sure, if it's -- if it's  
 ready. Yeah.

Mr. Kyler, if your -- if your -- if you  
 have a prepared statement -- if anybody has a prepared  
 statement that you would like us to attach to the  
 transcript, as well, we can do that.

Let's go to -- to Sara. Sara Barczak.

MS. BARCZAK: My name is Sara Barczak.  
 I'm the Safe Energy Director of Southern Alliance for  
 Clean Energy here in our Savannah field office. And,  
 not to brag, but I've actually gone through my draft,  
 and I have ran out of tabs, actually, because there's  
 so much to highlight in here. So let me start my

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1 stating, quote, "Many commentators raised a number of  
 2 different issues concerning terrorism. The draft EIS  
 3 will not address terrorism, because these impacts are  
 4 not considered to be reasonably foreseeable as a  
 5 result of the proposed action," end quote.  
 6 That is not acceptable, given the repeated  
 7 concerns that we, along with NRC staff, heard voiced  
 8 back in September. It is hard to believe that  
 9 transporting tons and tons of weapons plutonium across  
 10 the country to one single location, the Department of  
 11 Energy's massive Savannah River Site that's only about  
 12 90 miles upstream from us, does not constitute an  
 13 action that terrorists might want to take advantage  
 14 of.  
 15 Isn't plutonium a highly toxic substance  
 16 with a hazardous radioactive life of 240,000 years,  
 17 and is a key component to modern nuclear weapons, and  
 18 that one only needs several pounds of it to make a  
 19 bomb? Though in numerous federal agency meetings---  
 20 and I've been to them; Department of Energy, Nuclear  
 21 Regulatory Commission, EPA, etcetera---on various  
 22 nuclear-related topics the -- the issue of terrorism  
 23 is supposedly going to be addressed in separate  
 24 guidelines and under "top-to-bottom," quote, agency  
 25 reviews. It is extremely pertinent and vital to

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1 address terrorism concerns and security measures in  
 2 this DEIS, in this draft.  
 3 We have general concerns about the  
 4 plutonium disposition program which we've all  
 5 overheard today. We'd like to make it clear from the  
 6 outset that we oppose the production of any type of  
 7 plutonium bomb fuel program, and we oppose it for a  
 8 variety of reasons. It's an experimental program that  
 9 has never been pursued at this scale. It poses a risk  
 10 to workers and surrounding communities at both the  
 11 production and reactor sites. It will increase the  
 12 volumes of hazardous radioactive waste streams at a  
 13 location that is already plagued by enormous  
 14 quantities of waste and previous contamination.  
 15 It raises -- and this is where our  
 16 expertise sort of in the -- the energy policy, it  
 17 raises complex consumer and ratepayer concerns over  
 18 government subsidies unfairly favoring a destructive  
 19 type of energy production over a more environmentally  
 20 friendly and safe alternatives that do exist. It  
 21 increases the negative health impacts to communities  
 22 in cases of severe accidents at reactor locations, and  
 23 it blurs the division established between military and  
 24 civilian nuclear programs.  
 25 We believe that the NRC has only one

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1 option that will protect the public health, and that's  
 2 to deny the application request for this facility. We  
 3 urge that the pursuit of developing a plutonium fuel  
 4 economy be ceased in all sectors of government and  
 5 private enterprise, as it will allow plutonium, which  
 6 we know is a dangerous material, to enter civilian  
 7 commerce and the international marketplace.

8 We thoroughly disagree with the NRC  
 9 staff's preliminary decision in this report that,  
 10 quote, "the overall benefits of the proposed MOX  
 11 facility outweigh its disadvantages and costs," end  
 12 quote. The NRC states, on Page 2-37---and I would  
 13 suggest everybody look this up when they leave here---  
 14 the four main points of consideration that brought  
 15 them to this---in our opinion---flawed decision.

- 16 1. The national policy decision between
- 17 Russia and the U.S. to reduce surplus
- 18 weapons plutonium;
- 19 2. The minimal radiological
- 20 impacts of and risk to human health posed
- 21 by the construction, operation, and
- 22 decommissioning of the plutonium fuel
- 23 factory;
- 24 3. The minimal environmental
- 25 impacts the plutonium fuel project would

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pose, and last;

2 The economic benefit to the  
 3 local community.

4 On that same page the NRC states---and we  
 5 heard it again tonight---that the most significant  
 6 potential impact is if there were a large accident at  
 7 the proposed fuel factory. But narrowly concludes  
 8 that though those occurrences -- though the  
 9 consequences of an accident would be significant---and  
 10 this is their quote---"the likelihood of such an  
 11 accident occurring would be very low or," in  
 12 parentheses, "highly unlikely."

13 We believe fundamentally that the no-  
 14 action alternative the NRC was mandated to study is a  
 15 better choice overall. We'll touch upon errors we  
 16 have found with these four points in our detailed  
 17 comments that we'll -- we'll get in before the May  
 18 14<sup>th</sup> deadline.

19 But that does bring me to formally request  
 20 an additional extension of the public comment period  
 21 beyond the recently adjusted May deadline. This  
 22 program is a federal action, and given the state of  
 23 our nation and the degree to which Congress and the  
 24 general public is distracted by events unfolding in  
 25 the world, we find this request reasonable. And,

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1 additionally, errors in the NRC calculations allowed  
 2 for the initial extension. And since they are not yet  
 3 clearly understood, then one cannot be sure of what  
 4 else may be incorrect. It seems to follow that the  
 5 public should have more time to respond.

6 All right, I've already gone over and I  
 7 apologize. I'll summarize as fast as I can.  
 8 For those people here, I think one of the  
 9 biggest keys to this whole program is we keep hearing  
 10 this Russian policy agreement, blah, blah, blah, blah,  
 11 blah. And that, by the way, came under the Clinton  
 12 Administration because of Al Gore. So it's not like  
 13 they were helping us out, either. And it's been now  
 14 supported by the Bush Administration.

15 Even though -- and I'm going to get  
 16 through this. Even though our nation is supposedly  
 17 engaged in a program being performed under the guise  
 18 of disposition of surplus weapons plutonium in a  
 19 supposed parallel venture with Russia to reduce our  
 20 nuclear weapon stockpiles, the Department of Energy's  
 21 National Nuclear Security Administration issued a  
 22 press release on May 31<sup>st</sup> of 2002 announcing that it  
 23 would begin design work for a facility to manufacture  
 24 plutonium pits, also known as triggers, for nuclear  
 25 weapons, a critical component. Rocky Flats, which

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1 you've heard about tonight, which is the site in  
 2 Colorado that is now shipping its plutonium to SRS,  
 3 had carried out this function up until 1989, and is  
 4 now closing. SRS is believed to be the preferred site  
 5 for this plutonium trigger plant that will cost  
 6 billions of dollars. That press release is back there  
 7 by that tri-fold display. And it's not my press  
 8 release, it's the Department of Energy's press  
 9 release.

10 We are very concerned about the overlap or  
 11 parallels that may occur between the plutonium mixed  
 12 oxide fuel program and the modern pit facility  
 13 program. At the October 2002 public meeting that  
 14 Department of Energy had up in North Augusta on the  
 15 plutonium pit meeting -- or facility, that I went to,  
 16 DOE's staff said that, quote-unquote, "synergies would  
 17 be evaluated in their draft EIS." We believe that the  
 18 NRC should also give a very close look to the possible  
 19 use of the same -- to the possible use of the same  
 20 buildings, like the MOX plant, the pit disassembly  
 21 plant, by both programs, and that the exact amounts  
 22 and types of waste generated by each, and how those  
 23 wastes will be dealt with, the thorough tracking of  
 24 plutonium in and out of the facilities, and the  
 25 possible overlap of contracting partners. All this

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1 information should be made available to the public and  
 2 should be reviewed prior to the issuance of this final  
 3 MOX proposal.

4 We think that the NRC should deny the  
 5 plutonium fuel factory license application request  
 6 based on the obvious conflict with the national policy  
 7 on surplus weapons plutonium. What really is our  
 8 national policy? Is it to bring weapons plutonium to  
 9 SRS to secure it, or to bring it there to help us  
 10 build new nuclear weapons? There is enough public  
 11 information available to show there is a major  
 12 discrepancy. Since many of the decisions in this  
 13 draft EIS are based on not wanting to conflict with  
 14 foreign policy agreements, such as the unfortunate  
 15 cancellation of the cheaper and possibly safer  
 16 immobilization option, it appears that, in itself --  
 17 in -- that it, in itself, is a flawed argument since  
 18 there is no cohesive policy on what we, the U.S.,  
 19 intends to do with our surplus plutonium stockpiles.

20 We're also very concerned about all the  
 21 changes which, of course, the NRC didn't make; the  
 22 Department of Energy made. And we -- we fully feel  
 23 that the Department of Energy has to go back to the  
 24 drawing board and do a supplemental environmental  
 25 impact statement to what we were told, like Mr. Cobb

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1 when he said why can't it be done in Colorado.  
 2 Changes have been made to this program---cancelling of  
 3 immobilization, making SRS an immediate plutonium  
 4 storage facility---that why can't the NRC say, "Look,  
 5 we can't grant you your operating license because you  
 6 need to do some of the regulatory things that all  
 7 these people are asking about. Like, get them off our  
 8 back and do your job, Department of Energy."  
 9 And then I'm -- finishing up here, I've  
 10 mentioned this at the September meeting, but I want to  
 11 let everybody here know that in February -- February  
 12 -- well, February 2002, report to Congress by the  
 13 Department of Energy called "Disposition of Surplus  
 14 Defense Plutonium at Savannah River Site," that in it  
 15 they recommend that we need at least two more  
 16 additional unnamed nuclear reactors to get this  
 17 plutonium bomb fuel program going. And our nearby  
 18 Southern nuclear plant, Vogtle, expressed interest in  
 19 the plutonium fuel program back in 1996, and we're  
 20 concerned about the implication for the need for more  
 21 reactors, and how will the NRC address this need. I  
 22 didn't see it in this draft impact statement. And I,  
 23 for one, don't want MOX fuel, period. I don't want it  
 24 at Plant Vogtle, and I don't want it up at Catawba or  
 25 McGuire, period. I don't want it.

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1 I have -- that was blowing that first  
2 bullet point, in my opinion, out of the water, on  
3 we're doing this because of our agreement with Russia.

4 I have four more pages, and I'm not -- I  
5 can't get to them, on the environmental concerns, on  
6 the nuclear waste concerns, on the water concerns, on  
7 the economic benefit, and additional concerns. I'm  
8 glad somebody already mentioned Cogema, which is a  
9 French government owned company, and the concerns we  
10 have in there. And I'm just going to state this  
11 again. Their track record needs to be investigated.  
12 DCS does not have any environmental track record  
13 because they didn't exist prior to this program coming  
14 into place. So why is it that unfeasible to look at  
15 their -- each company separately that made this  
16 international consortium, and see are they doing a  
17 good job. Because they're not doing a good job in  
18 France. And right now we supposedly don't like  
19 France. And we're about to give them all our  
20 plutonium.

21 So, anyway, I will potentially at this  
22 point have this on our website so everybody else can  
23 read it, because I think it's interesting reading. I  
24 do want to thank the NRC staff...

UNIDENTIFIED: Yes.

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1 MS. BARCZAK: ...for being here in  
2 Savannah.

[Applause.]

3 MS. BARCZAK: The Department of Energy  
4 doesn't come here, and that's why you get a lot of the  
5 questions that you get. And, you know, you have a  
6 hard job, but you can still make the right decisions.  
7 And the thought in that slide that said this -- this  
8 final decision could be issued by this fall of 2003.  
9 No way---excuse my language because I'm recorded---in  
10 hell should that be allowed. No way. Please allow  
11 for an extension, and please go back to the drawing  
12 board and really, really look through this. And I  
13 will provide the full comments to the recorder that I  
14 didn't get to read. Thank you.

[Applause.]

15 MR. CAMERON: Could we have the  
16 representative from the -- the Green Party. Is it --  
17 who is the representative from the Green Party?  
18 Kellie?

MS. GASINK: Yes.

MR. CAMERON: All right.

19 MS. GASINK: My name is Kellie Gasink. I  
20 actually wasn't intending to -- to come here to speak  
21 on behalf of the Green Party, but I'm happy to do so.

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1 I'm -- I wanted to say that one of the  
 2 most appalling things I think that I noticed is that  
 3 the people have discussed it, but that the only  
 4 newspaper -- only daily newspaper in town has  
 5 announced this meeting location at the wrong time, the  
 6 wrong day. And that despite the fact that I'm also  
 7 grateful that -- that this meeting is happening and is  
 8 here, I think that we should -- that that shouldn't be  
 9 a favor to the community. That, in fact, that's the  
 10 minimum that we should ask. I mean, that's a part of  
 11 democracy.

12  
 13 And I think that there's a frustration  
 14 here because the process is not democratic. It's  
 15 simply not. It's not democratic when we can't make  
 16 any of these decisions as a community. And when the  
 17 process is so narrow that we're locked out of it, it's  
 18 not going to reduce people's frustration about the  
 19 democracy, that people can simply complain about it.  
 20 And I'd like to think that we could do more than --  
 21 than complain about what's happening.

22 And as I sit here, you know, tonight, I've  
 23 learned a great deal more than I knew before I came  
 24 into the room, and I'm grateful for that. But I would  
 25 have liked to have known a lot of this stuff long

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1 before, and I wasn't aware of it. And it isn't  
 2 covered in the -- on television, it isn't covered in  
 3 the newspaper, it is not information that's made  
 4 available to us. So I just wanted to say that at the  
 5 outset.

6 But we are opposed to the shipping of --  
 7 of surplus plutonium to this area. We're opposed to  
 8 the shipping of depleted uranium. We don't agree that  
 9 this community should have to suffer increased nuclear  
 10 contamination or nuclear waste. And also, that when  
 11 evaluating risk, risk is never something that's in  
 12 isolation. And the fact that we're forced to discuss  
 13 it as though it were is silly.

14 The question is not whether this plant or  
 15 this idea or this plan would be safe; it's actually  
 16 would it be safer to do something else. That is the  
 17 only question. Nothing is safe. Apparently going  
 18 outside isn't safe because the sun rays aren't exactly  
 19 safe. But everything is relative. It's also the case  
 20 that going out in the sun -- you know, the sunlight  
 21 and having my children play is a good deal safer than  
 22 having to worry about whether there's going to be a  
 23 nuclear disaster. So it's -- so these things are  
 24 relative. So the fact that we're not able to know why  
 25 other options other than the Savannah River Site are

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1 being eliminated and are not being discussed here.  
 2 We're supposed to be discussing, in isolation, how we  
 3 feel about the fact that it's coming here, knowing  
 4 that we don't have the control over that decision. So  
 5 that's -- that's not a situation that creates either  
 6 democracy or safety. Because we all know that when  
 7 people get together they can, by discussing things  
 8 together, come up with the safest proposals. But  
 9 that's when you're in a democratic situation, when the  
 10 people discussing it can make the decisions about what  
 11 to do to make things safer. And it just seems to us  
 12 that we can stay here and talk about things that are  
 13 really, really important, and we're not the ones  
 14 making this decision.

15 And so I'm -- so I basically -- that was,  
 16 you know, what I wanted to -- to express. And I  
 17 didn't have any, you know, prepared statements for --  
 18 for you all. But the one other and last thing---I'm  
 19 sorry---that I wanted to say was that also that using  
 20 this -- creating this -- this fuel that is going to be  
 21 -- the benefit of which was going to be used by  
 22 corporations and not the general public is -- is  
 23 completely repulsive and racist. That -- that one  
 24 company now in one stage, and there may be other  
 25 companies in other stages, are going to be getting

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1 something free and selling it to us, when the benefit  
 2 should be directly to the public. If this fuel is  
 3 given to them free, then they should be giving it to  
 4 us free. The fact that a few people would be  
 5 benefitting from this, and also, by the way, people  
 6 who don't even live in this community and have to deal  
 7 with any of the issues created by the facility, are  
 8 just astoundingly unacceptable. And, again, that's  
 9 out of the scope of what the public is able to discuss  
 10 or impact on.

MR. CAMERON: Okay, thank you.

[Applause.]

MR. CAMERON: Jody, would you care to give  
 us your comments and recommendations, please.

MR. LANIER: Good evening. My name is  
 Jody Lanier. I'm here as a private citizen. I'm a  
 lifelong Savannah resident. I have a two-and-a-half  
 page prepared statement I'd like to read. But before  
 I get started, I'd like to say at the last meeting  
 that I really didn't appreciate being cut off too soon  
 in my comments, especially when I was near the end.  
 I timed myself at home saying this. This should be  
 between five and ten minutes. So I know the hour's  
 late, so please bear with me. I hope I don't put you  
 to sleep.

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1 MR. CAMERON: So you're telling me you  
2 don't want me to cut you off?

3 [Laughter.]

4 MR. LANIER: Well, that would be nice.  
5 Okay. I'd like to thank the NRC for  
6 having this meeting here tonight. At the September  
7 26, 2002 meeting, I spoke about my concerns regarding  
8 this project. Mainly, the inclusion of immobilization  
9 as a no-action alternative, and evacuation plans for  
10 Savannah and Chatham County in case of an accident or  
11 terrorist attack at the MOX fabrication facility, or  
12 any shipments of plutonium that may come into the Port  
13 of Savannah to support the facility.

14 The report states that if the surplus  
15 plutonium were disposed of only by immobilization,  
16 Russia would not dispose of its surplus because they  
17 believe that we would eventually recover the plutonium  
18 and use it to make atomic bombs. To allay their  
19 fears, we could use a famous Russian proverb, "Trust,  
20 but verify."

21 At the end of the Cold War, monitors from  
22 the United States and Russia went to each other's  
23 countries to verify that nuclear missiles and other  
24 strategic weapons and delivery systems were destroyed.  
25 Now this processes could be repeated and supplemented

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1 with spy satellites and other surveillance technology  
2 to make sure immobilization plutonium is not made into  
3 nuclear weapons. With this in mind, I believe that  
4 immobilization should still be a viable option for a  
5 no-action alternative.

6 When I read over the draft EIS, I felt  
7 like only a nuclear scientist, brain surgeon, or  
8 attorney could fully understand it. However, it  
9 became clear that one did not need any of these --  
10 those people to see that there was no mention of  
11 Savannah at all in the report except for a few  
12 citations noting previous meetings here. This leads  
13 me to believe that the Commission does not really care  
14 about the opinions of the more than 200,000 people  
15 living in Savannah and Chatham County; or, for that  
16 matter, those Georgians and South Carolinians living  
17 anywhere downwind and downstream of SRS. If that's  
18 the case, why is this meeting taking place? The  
19 general message seems to be that we, the Commission,  
20 are holding this meeting to tell you what we're going  
21 to do next, but there's nothing you can do about it.  
22 Tough luck.

23 It also seems to say that DCS does not  
24 care about needlessly putting us at risk by proceeding  
25 with this project. That really doesn't come as a

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surprise, since they apparently have no qualms about putting the people of their hometown, Charlotte, North Carolina, and the greater Metrolina region at risk with their plan to use the MOX fuel at Duke's Catawba and McGuire Nuclear Power Plants.

I'm also concerned that communities downstream of SRS will face the same risk if the reactors at the Southern Company's Plant Vogtle are chosen as the fifth and sixth reactors to use MOX, which would put all of us in double jeopardy.

The section on environmental justice mentions the effects on fishing near SRS. Since waste that is released or leaked into the waterways eventually reaches Savannah, and because fish can't tell the difference between bait from a fisherman in Blackville, South Carolina, and that from one in Chatham County, the effects the MOX facility would have on fishing in our area need to be studied. We already have radiation monitors in place that could be used for this purpose.

The EIS also bases its definition of environmental justice on the impacts to areas with predominantly racial minority and/or low income populations. I believe that failure of this report to take into account the impacts to downstream

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communities beyond a 50-mile radius, regardless of their racial or income demographics, constitutes environmental injustice. The definition of environmental justice must be expanded to include these impacts. Therefore, the final EIS for this project and, for that matter, similar reports about future activities at SRS, need to include these impacts, as well.

The most disturbing part of the report to me is the mention of the Commission's ruling in December 2002 that it is not obligated to consider risks associated with terrorism in any environmental impact statement. In light of the tragedy of September 11, 2001, concluding that the risk of a terrorist attack is speculative is absolutely absurd, irresponsible, and unconscionable. With this ruling, the NRC has not only set a dangerous precedent, it has also stuck its head in the sand like an ostrich. What a shame. If the Commission will not consider these risks, who will? Who will protect us?

The EIS further states that the wind at SRS mainly blows to the west-northwest and north, and that the probability of a substantial leak is very low. I remember the infamous tritium leak of December 1991 that shut down Savannah's industrial water supply

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<p>1 for almost two weeks. I would hate to think what  2 would have happened if that had been plutonium-laced  3 waste, instead. Besides duct tape and plastic  4 sheeting, is our only defense against an accident or  5 terrorist attack at the MOX facility consist of  6 praying that the wind continues to blow away from us,  7 and that SRS will dramatically improve its more than  8 50 year track record of leaks? If that is the case,  9 we would be in the same predicament as Wile E. Coyote  10 when he opened a miniature umbrella to protect himself  11 from a falling boulder. Also, in light of recent  12 congressional hearings and news reports containing to  13 the Indian Point Nuclear Power Plant in New York, if  14 SRS security is anything like that at a commercial  15 nuclear power plant, we would feel as confident as  16 Bill Dana's famous character, Jose Jimenez, was before  17 he was launched into space.</p> <p>18 The greater metropolitan areas of Augusta  19 and Aiken can have expanded economic opportunities  20 without jeopardizing downstream communities like  21 Savannah. Making a firm commitment to clean up SRS  22 once and for all can accomplish this. That way  23 Augusta and Aiken get the benefits of more jobs  24 related to SRS, and an expanded tax base. At the same  25 time, downstream communities will not have to worry</p>	<p>1 about more toxic and nuclear waste being generated,  2 resulting in a win-win situation for all.</p> <p>3 Since I believe that my concerns have not  4 been adequately addressed in this draft EIS, I am  5 submitting, as an attachment, a supplement to my oral  6 comments from the previous meeting that was sent in  7 before the prior comment period ended. I still  8 believe that this project will flush our valuable tax  9 dollars down the toilet. Especially when one realizes  10 that Duke will essentially be getting free MOX at  11 taxpayer expense. Further, it will not reduce the  12 amount of plutonium stored at the site, especially if  13 the Department of Energy decides to build and operate  14 its modern pit facility at SRS.</p> <p>15 As I said back in September, this project  16 is an attempt by the DOE and DCS to shove a giant Pu  17 Pu platter down our throat. And that when I want a Pu  18 Pu platter, I want it from an honorable Chinese  19 restaurant, not a dishonorable MOX plant. I call on  20 our congressman from Georgia's 12<sup>th</sup> Congressional  21 District, Max Burns, whose home in Screven County is  22 only one county downstream of SRS, as well as  23 Congressman James Clyburn of South Carolina, a member  24 of the Energy and Water Development Subcommittee of  25 the House Appropriations Committee, to intervene and</p>

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1 stop this project from proceeding forward. In the  
2 meantime, it's time for the NRC to get its head out of  
3 the sand and start thinking outside the box. Say no  
4 to MOX. Choose a no-action alternative.

5 [Applause.]

6 MR. CAMERON: Thank you, Jody.

7 And I just wanted to alert the audience to  
8 something that -- that Jody mentioned, that you may  
9 not know of. He referred to a December 2002  
10 Commission decision that essentially, if I have it  
11 right, ruled that terrorist concerns did not have to  
12 be considered in the environmental impact statement.  
13 And I just wanted to tell people that if you're -- if  
14 you're interested in seeing that decision, that we  
15 could probably get copies of -- of it for you, if you  
16 want to see that. But that's what you were referring  
17 to; right, Jody?

18 MR. LANIER: Right.

19 MR. CAMERON: All right.

20 Nadia? Nadia Baker?

21 Okay, how about Andre. Andre Entermann?

22 MR. ENTERMANN: Right here.

23 MR. CAMERON: Go ahead, Andre.

24 MR. ENTERMANN: Hi. My name is Andre  
25 Entermann. I just had a couple of comments. I didn't

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do much planning or research before I came here, so  
I'm pretty ignorant for most of these things. But I  
think it's very, very, very extremely obvious that  
this is just the most, you know, repulsive, disgusting  
idea ever. Just the word "nuclear" is just so  
horrible. Like I can't believe we're actually  
considering this and getting so technical with it.  
It's such a simple answer.

And, let's see. Yeah, like I think -- I  
think this whole discussion is just a waste of time,  
as far as just going through this environmental impact  
statement. It's just -- it's, again, so obvious. And  
the overabundance of the word "significant" and  
"insignificant," it's just like what does that mean,  
you know. What's the definition of "significant"? I  
mean, it doesn't mean anything to me. You know, we  
use it so freely here and there. And it just -- I'm  
very, very, very concerned for the environment, and I  
think we're just raping Mother Earth, you know, day-in  
and day-out. And there's got to be some private  
advantage in mind in this whole scenario in, you know,  
the U.S. with this whole space command and putting  
nuclear weapons in space and trying to dominate the  
world. And, you know, it's just -- it's crazy, you  
know.

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-- and the federal government have -- they don't benefit from this really at all, like -- like as far as making sure that the EIS gets out and doesn't prove anything bad?

MR. HARRIS: We have a disclosure. I -- whether the impact is good or bad, we want to disclose it, not -- I mean, our job isn't to only sugar-coat it and set it out there. We...

MR. ENTERMANN: Right, right, right.

MR. HARRIS: ...tried to say this is what we honestly think. You know, we did independent analyses. We didn't just accept what DCS did. We did our own analyses.

MR. ENTERMANN: Yeah. It just seems like so me information, I don't think really anyone can really get through. I mean, the book, in itself, is an environmental impact, you know, all the paper. It's just ridiculous, you know.

[Applause.]

MR. ENTERMANN: It's such a simple thing, it'd be done on one piece of paper, you know. It's just like, God, nuclear. It's nuclear. It's like why would you ever want to risk it. Oh, I -- I just don't understand.

But, let's see if I have anything else.

And I -- and real quick, can I get a vote. Is anyone in here for this site? Like does anyone want to go through with this, like actually get this thing running and make fuel in here? Anybody? You guys?

MR. HARRIS: We're neither for or against.

MR. ENTERMANN: Neutral. Okay.

MR. HARRIS: Our job is just to make sure that -- evaluate the proposal and determine whether it's safe or not.

MR. ENTERMANN: Right.

MR. HARRIS: We're not a proponent or against it.

MR. ENTERMANN: I had a question real quick. Like on the MOX facility, like what's the -- the corporation or like the business that benefits from it, like the -- who's like the business that's running it, kind of?

MR. HARRIS: It's a consortium called Duke Cogema Stone & Webster.

MR. ENTERMANN: So it is Duke. Okay.

MR. HARRIS: DCS. Yeah.

MR. ENTERMANN: Okay.

MR. HARRIS: Sorry. Sorry, Chip.

MR. ENTERMANN: So you -- so the NRC and

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1 And that -- yes, so making the MOX fuel, there is  
2 waste involved; right?

3 MR. HARRIS: Oh, yeah.

4 MR. ENTERMANN: So what happens to the  
5 waste? It just gets...

6 MR. HARRIS: It's going to be transferred  
7 to the Savannah River Site where they'll manage it.  
8 And depending on what type of waste it is, it goes  
9 different places.

10 MR. ENTERMANN: Goes different places and  
11 is swept under the rug, basically? I mean, is that  
12 worse off from where it was in the beginning?

13 MR. HARRIS: No, I mean, it goes to -- to  
14 licensed safe disposal facilities.

15 MR. CAMERON: Andre, you're going to have  
16 to, first of all, get closer to the mic for people to  
17 -- to hear you. And I guess we're going to have some  
18 time for more questions like this after we're done  
19 with the -- the speakers. I don't know if we have  
20 anybody else.

21 But do you have any -- do you have any  
22 more in the comments?

23 MR. ENTERMANN: Yeah, one more question.  
24 Just a question. I don't have -- so many things on my  
25 mind right now, I just don't even know where to start.

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1 But how is this going to benefit mankind in regards to  
2 peace and environmental cleanup? Like this whole  
3 idea?

4 MR. HARRIS: Do you want us to respond to  
5 that, Chip?

6 MR. CAMERON: Well, I think that maybe you  
7 could just say what you said at the beginning of -- or  
8 maybe Lawrence said is what -- what we know of the  
9 purpose of this program is.

10 MR. HARRIS: Yeah. If you look at the  
11 purpose, purpose and need is to reduce the threat from  
12 weapons -- nuclear weapons. So the whole project is  
13 to convert it into a proliferation-resistant form.  
14 That is, so people couldn't take it and do -- do bad  
15 things with it. So you convert it into a form where  
16 that can't happen.

17 MR. ENTERMANN: All right, I'll have to  
18 think about what you said and do research, because I  
19 can't really comment on that.

20 MR. CAMERON: Okay.

21 MR. HARRIS: It's discussed in the purpose  
22 and need, if...

23 MR. ENTERMANN: Okay.

24 MR. HARRIS: Probably a couple of pages.  
25 Shouldn't be too bad.

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1 MR. ENTERMANN: Yeah. Right, right.

2 I recently sent out a letter like opposing

3 the plutonium launches in Cape Canaveral, I think, May

4 2<sup>nd</sup>, coming up. And I received the same letter back.

5 It's just the environmental impact. It says, "No

6 significant impact." I mean, it's just -- that's what

7 they always tell us. It's just -- it's just a way to

8 get around it, I guess.

9 MR. CAMERON: Well, I think what -- I

10 think what -- what you need to do is you need to -- to

11 look -- I don't think -- the NRC didn't start with the

12 answer, "No significant environmental impact," and

13 then cook up a rationale to match that. You have to

14 read the -- read the statement. You may disagree with

15 the analysis that's done in the statement. But, by

16 and large, there's an analysis there to look at, an

17 evaluation that led them to that particular

18 conclusion.

19 And you may disagree with it. And if you

20 do, we want you to tell us about that, because we

21 could be wrong. We could benefit from some things

22 that you tell us about where we didn't consider this,

23 where we had to put more weight on. But...

24 MR. ENTERMANN: Yeah. It just seems so

25 simple. Such a simple -- I just -- don't mess with

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1 nuclear anything.

2 MR. CAMERON: All right. Okay, I think...

3 MR. ENTERMANN: But...

4 MR. CAMERON: ...let's -- thank you,

5 Andre.

6 MR. ENTERMANN: ...all right.

7 [Applause.]

8 MR. COBB: I made my statement earlier.

9 You don't need me to get back up and say it again; do

10 you?

11 MR. CAMERON: No, we don't.

12 MR. COBB: I think I can help this young

13 fellow understand. Outside of this meeting I'll offer

14 a few comments to you.

15 MR. CAMERON: That would -- thank you.

16 That would be very helpful.

17 And is there -- we have time for more --

18 for questions. But did I miss anybody in terms of

19 wanting to -- to make a comment? And I was being

20 facetious. I know that you made your comment.

21 MR. COBB: One real short, quick question.

22 MR. CAMERON: Right.

23 MR. COBB: When plutonium is transported,

24 how many tons can be transported on a truck during one

25 shipment? Do you know? Because I'm sure it's enclosed

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1 and all these stuff. Can you -- I mean, typical  
2 truck, can it handle 20 tons? You know, I mean, this  
3 is almost like two shipments. Then, of course, it's  
4 in lots of...

5 MR. HARRIS: The number's in the  
6 transportation section, Kirk. But...

7 MR. COBB: Yeah.

8 MR. HARRIS: ...it's not one that's up  
9 here. I'm sorry.

10 MR. COBB: Okay.

11 MS. BARCZAK: But it's a lot of shipments.  
12 It's not one shipment.

13 MR. COBB: Right. It's probably hundreds  
14 of shipments.

15 MS. BARCZAK: Yes.

16 MR. COBB: Right?

17 MR. HARRIS: If you look back in the  
18 appendix in the transportation section...

19 MR. COBB: Okay.

20 MR. HARRIS: ...it tells you how many  
21 shipments.

22 MR. COBB: That was my question.

23 MR. HARRIS: I mean, after the meeting  
24 I'll -- I'll find the number for you.

25 MR. CAMERON: And I would -- you know, I

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1 would call attention to -- again, to Sara's  
2 organizations and her handouts. But also DCS has some  
3 information back there. And one of them is  
4 transporting mixed oxide...

5 MR. COBB: Okay.

6 MR. CAMERON: ...fuel. So there is --  
7 there is information on this.  
8 Sir?

9 MR. DUNHAM: How many different ways do  
10 they transport -- transport it?

11 MR. CAMERON: You mean truck, rail, barge?

12 MR. DUNHAM: Truck, rail, and ships,  
13 barges?

14 MR. CAMERON: Can we get a -- can we get  
15 a clarification for Mr. Dunham on that, Tim?

16 MR. HARRIS: And actually that's a --  
17 that's an answer I -- I hope I know the -- question I  
18 know the answer to. I think we only considered truck  
19 transport.

20 MR. CAMERON: And as far as -- as anybody  
21 who is with DCS or -- or Department of Energy, is any  
22 other mode of transport being considered besides truck  
23 at this point? I see a...

24 MR. BROMBERG: No, not in -- not in this  
25 country.

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1 MR. CAMERON: ...negative. Okay.

2 MR. BROMBERG: But it's shipped by what's

3 called safe, secure transport, which is a heavily-

4 armed convoy under satellite location at all times.

5 It's what's been used to transport nuclear weapons,

6 nuclear components, or special nuclear material for

7 probably close to 50 years. They've logged an excess

8 of 1.6 million miles without any radiation release.

9 It would be the same thing that would be used to

10 transport both plutonium as well as MOX fuel.

11 MR. HULL: Chip, I just wanted to add that

12 we had initially, in our -- the scoping summary report

13 we did, which came out, I believe, in August of 2001,

14 we -- we said we were also going to evaluate rail

15 shipments. But because of what the gentleman from DOE

16 just said, we decided that we only needed to evaluate

17 the truck transport, because it does have a proven

18 track record.

19 MR. CAMERON: All right, thank you. Thank

20 you, John.

21 Sara?

22 MS. BARCZAK: Sara Barczak.

23 I just wanted to make the statement that

24 one thing I thought about the user friendliness of the

25 draft environmental impact statement was that in the

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1 Appendix I, which summarized basically almost like all

2 the oral and written comments you guys asked for from

3 the fall 2002 time frame, is that I -- and maybe it's

4 just me, but I would prefer to see the comments.

5 I mean, I know that like the Department of

6 Energy, when they did their plutonium disposition that

7 got us to this point, it was enormous, but you could

8 actually read through everybody's comments instead of

9 seeing a summary. And perhaps that might touch on

10 some of what Bobbie Paul and others had mentioned.

11 And I have received phone calls on this.

12 'Well, how do I know they actually read my comments?'

13 And I'll say, 'Well, look in Appendix I and look under

14 the terrorism and you'll see that, you know, they

15 mentioned commentators, and you were one of those. But

16 I think people like to do a cross-reference to see if

17 they're all getting sort of the same answer. And I

18 would just highly recommend -- I like the summary

19 because it helps give a quick answer right there. But

20 I think for the final, I mean, it's going to make it

21 huge, but I think it's got to be in there so people

22 can see it, all the comments.

23 MR. CAMERON: Let me clarify, ask you

24 something to make sure we understand your

25 recommendation. Are you saying -- I don't think

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1 anything?  
 2 The one thing that I think Mr. Cutter  
 3 brought up is that Tim's slide on -- on the  
 4 environmental justice talked about accident impact and  
 5 mitigating measures. I don't know whether it would be  
 6 helpful to -- to say a little bit about what those  
 7 mitigating measures are. I -- you know, I didn't know  
 8 if it was clear to everybody what -- what was going  
 9 on. And I think Mr. Cutter may have implied or  
 10 explicitly said that.

11 Do you want to say a little more about  
 12 that?

13 MR. HARRIS: Sure, Chip.

14 Chapter 5 of the EIS talks about  
 15 mitigation measures for all the impacted areas. And  
 16 it also notes who proposed the mitigation. So you'll  
 17 see DCS, where DCS said, "We're going to mitigate  
 18 these impacts by..." say like surface water impacts  
 19 from construction. They proposed to do sedimentation  
 20 control. Well, they're required by law to do  
 21 sedimentation control. But those measures will reduce  
 22 the impacts. The environmental justice impacts were  
 23 proposed by NRC, and that's one area that we're very  
 24 interested. And I appreciate Mr. Cutter's comments on  
 25 the specificity, and then taking that farther and

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1 you're saying that there should be a separate response  
 2 to each comment letter. You're saying that the  
 3 comment letters, themselves, should all be contained  
 4 in an appendix...

5 MS. BARCZAK: Uh-huh.

6 MR. CAMERON: ...to the -- to the EIS.  
 7 Now, all those comment letters are publicly available.  
 8 But we just don't package them. We'll -- we'll put  
 9 that up as a recommendation. And we had a number of  
 10 process recommendations, I mean, things that we were  
 11 going to do or try to do. And one was -- came from  
 12 Mr. Dunham, which is at least send this notice that  
 13 this was going on to the elected officials here.  
 14 Extend the comment period. There was a comment about  
 15 the independent, external review that falls in a  
 16 different category than -- than these two. But I  
 17 think the -- the fourth one we're hearing now is to  
 18 include -- either include the comment letters in the  
 19 draft, or to somehow make that available to people,  
 20 the verbatim comment letters. All right, I'll put --  
 21 I'll put that down.

22 Was -- let me ask the NRC folks whether  
 23 there was anything that they heard people say in their  
 24 comments that we -- we should clarify, in terms of  
 25 giving them additional information? Is there

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1 saying these detailed things should be included. And  
2 as you read through the document and engage the  
3 community more, if there's other things that come to  
4 mind, please -- please submit them.

5 So, basically, the mitigation measures  
6 that NRC proposed for environmental justice would read  
7 that: focused information campaigns to provide  
8 technical and environmental health information should  
9 be directed towards low income and minority groups, or  
10 to local agencies and representatives of those groups  
11 that could help disseminate the information;  
12 additional programs directed at local communities  
13 providing emergency response services and other  
14 emergency facilities to incorporate additional  
15 measures to protect low income and minority  
16 populations. And I think Mr. Cutter helped clarify  
17 that with saying, you know, we'd like to see a clinic  
18 there that -- if people are concerned. That's a great  
19 comment. Thank you.

20 But those were the two big mitigation  
21 measures that the NRC proposed, and through the help  
22 of -- of your comments, hopefully we'll refine those  
23 to -- to make them a better and...

24 MR. CAMERON: Okay, thank you for  
25 providing that additional.

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1 And we'll go to -- to Sara. But is there  
2 any -- Dave, Lawrence, anything that you want to add  
3 to what you heard Tim...

4 MR. HARRIS: I don't think there was  
5 anything that anybody said that we felt required  
6 clarification on our part.

7 MR. CAMERON: All right.

8 MS. BARCZAK: Is the NRC -- if this  
9 operating license -- or construction license is  
10 granted, is the -- like let's say you were just  
11 talking about the mitigation procedures that you have  
12 recommended on the environmental justice section. Is  
13 the NRC going to be the regulatory body that goes  
14 through and says, "DCS, you know, you weren't  
15 distributing fliers and you weren't doing this and you  
16 weren't doing that, and you're in violation," or where  
17 do you -- are you the overseeing regulatory body to  
18 make sure, even if you give the license the okay, do  
19 you then oversee it?

20 MR. HARRIS: Yeah, typically, the way a  
21 lot of these -- these things happen are through -- we  
22 issue a license with conditions. You know, it says,  
23 "You can do these things." And then it says, "You  
24 shall do these things." And it's possible that those  
25 mitigation measures could be under a license

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1 condition. Certainly we don't feel that there's an  
2 environmental justice concern with construction or  
3 operation. So it would be doubtful that, if we issued  
4 a construction authorization request, that EJ would be  
5 directly considered, you know, mitigation, because it  
6 wouldn't be timely. But there -- there are probably  
7 going to be other mitigation measures relative to  
8 construction that would be incorporated in any kind of  
9 action the NRC took.

10 MR. CAMERON: But is the question also if  
11 we license this facility, we're also going to...

12 MR. HARRIS: Right.

13 MR. CAMERON: ...regulate the facility?

14 MR. HARRIS: I'm sorry, I -- right.

15 MR. HULL: We've got an inspection and  
16 enforcement program that applies to any licensee.

17 MR. HARRIS: Right. So our job is to make  
18 sure that DCS complies with the conditions of the  
19 license that we issue them.

20 MR. CAMERON: Is there -- there anybody  
21 else who hasn't had an opportunity to say anything  
22 tonight, that would -- that would like to say anything  
23 or ask a question, or are there other -- other  
24 questions out there?

25 (No audible response)

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1 MR. CAMERON: Okay. Well, it always is  
2 nice to -- to do a meeting in Savannah, because we  
3 always get a lot of really challenging things to think  
4 about in trying to do our job. So we just thank you  
5 for -- for being here. And the staff will be here.  
6 There are people here from the Department of Energy,  
7 from Duke Cogema Stone & Webster. I mean, if you have  
8 questions, you want to talk, I know we'll be here for  
9 a while.

10 And thank you. Thank you all.

11 (Whereupon, the hearing was concluded at

12 10:05 p.m.)

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