

1 made your remarks, sir?
 2 MR. GEORGE WOOD: No.
 3 MR. THOMAS WICHMANN: Thank you.
 4 THE FACILITATOR: Thank you for your
 5 comments, Mr. Wood.
 6 I would like to remind you that you
 7 could file written comments -- submit written
 8 comments through a variety of ways. And all
 9 comments are reviewed and considered and analyzed
 10 by the Department of Energy and the State of
 11 Idaho in preparing the Final Environmental Impact
 12 Statement.
 13 So, is anyone else in the room who has
 14 not had an opportunity that would like to comment
 15 formally this evening?
 16 We'll let the record reflect that no one
 17 has so indicated.
 18 We will stand at ease, subject to call
 19 of the hearing officer in the event that others
 20 come who would like to comment. So, right now,
 21 we'll be off the record.
 22 (A recess was taken.)
 23 THE FACILITATOR: We'll be back on the
 24 record.
 25 This is a continuation of the public

HLW & FD

Page

EIS PROJECT ARPF

Control # DC-38

1 U.S. DEPARTMENT OF ENERGY
 2 IDAHO OPERATIONS OFFICES
 3
 4 IDAHO HIGH-LEVEL WASTE AND
 5 FACILITIES DISPOSITION
 6
 7 Tuesday, February 22, 2000
 8
 9 Portland, Oregon
 10
 11 Doubletree Lloyd Center
 12
 13 5:00 p.m. to 8:30 p.m.

ORIGINAL

1 If the court reporter is having
 2 trouble following you or keeping up, she may
 3 interrupt to ask you to either slow down or
 4 speak directly into the microphone.

5 I will begin now the formal comment
 6 portion of tonight's hearing. I want to stress
 7 this is a formal hearing and a recorded
 8 proceeding with a full transcript being
 9 prepared.

10 And finally, I would like to thank you
 11 all for attending and for your cooperation in
 12 observing the rules I set forth.

13 The first speaker this evening is Ken
 14 Niles. Please step up to the microphone at the
 15 podium.

16 KEN NILES: Good evening. I'm Ken
 17 Niles. I'm the Deputy Administrator of the
 18 Oregon Office of Energy's Nuclear Safety
 19 Division. I'm here on behalf of the State of
 20 Oregon.

21 I do have some written comments, and I
 22 will provide those upon completion of my oral
 23 comments. And I'll read these. I would just
 24 like to sum them up.

25 First off though, I would like to

1 deviate a bit from my prepared comments in my
 2 script to make a comment about the meeting
 3 format that we're having here tonight.

38-1
IX.C(3) 4 [I would like to take issue with the
 5 rigidity of this format and say that I don't
 6 believe that it's fully serving the public's
 7 interests. The woman who spoke in the question
 8 and answer had a comment to make, had to leave,
 9 was not able to stay for this, and the fact that
 10 the comments that she made were not on the
 11 record, were not allowed to be on the record, I
 12 think that was a disservice to her, and I
 13 believe in keeping this type of rigid format, we
 14 don't fully serve the public, which is what we
 15 should be doing.]

16 In terms of my comments, they will
 17 focus solely on the one aspect of the EIS. The
 18 draft EIS focuses on the proposals to bring
 19 high-level waste from Idaho to Hanford for
 20 vitrification.

21 We are certainly, from the State of
 22 Oregon's perspective, directly impacted by
 23 activities that occur at Hanford. This is an
 24 issue that certainly draws our interest.

38-2
II.E(5) 25 [It is Oregon's position that it is

D-87

DOE/EIS-0287

- New Information -

Idaho HLW & FD EIS

1 premature to consider bringing Idaho waste to
2 Hanford at this point for two reasons. First
3 that Hanford does not yet have vitrification
4 facilities, and second that once we do gain
5 those facilities, there is a pressing need to
6 treat Hanford's waste as soon as possible.

7 The discussions that we're having now
8 in terms of considering the ultimate state of
9 Idaho's waste and whether it should come to
10 Hanford are ones we have should have perhaps 45
11 years from now. It is, again, too premature.]

38-3
11.E(4)

12 [We recognize the financial constraints
13 that drives this issue, and it is certainly the
14 reason that Hanford is being looked at for
15 Idaho's waste. And given that we believe that
16 it may make sense down the road, in the future,
17 to discuss bringing waste from Idaho to Hanford
18 for treatment.] However, [even then in the

38-4
11.E(5)

19 distant future, the State of Oregon would not
20 consider treatment of Idaho high-level waste at
21 Hanford unless the following conditions were
22 met: First, Idaho waste would not be treated at
23 Hanford until all of Hanford's high-level waste
24 is treated; second, Idaho waste would not come
25 to Hanford until it is time for treatment;

38-6
11.E(6)

1 third, upon vitrification of Idaho's waste, it
2 must then be returned to Idaho or to a national
3 repository, if one is available. The treated
4 waste must not remain at Hanford; four, the
5 transportation of this waste both to and from
6 Idaho must adhere to enhanced transportation
7 safety protocols. And we would offer up those
8 as by developed by Western States for
9 transportation of transuranic waste as a model;
10 and fifth, Oregon must be allowed to participate
11 fully in Hanford decision making meetings in
12 order to assure these conditions are met.]

13 There isn't time to go into great
14 detail on each of these conditions that we
15 offer. Let me just highlight a couple of
16 issues. One is that Idaho waste not come to
17 Hanford early. The draft EIS suggests, at least
18 as we found, two possible time frames to bring
19 Idaho waste to Hanford. One beginning in 2028
20 or sometime thereafter, which presumably would
21 be after Hanford's waste has been vitrified.
22 The other talks about a window between 2012 and
23 2025 and building new storage facilities at
24 Hanford.

25
38-5
11.E(1)

[As we have heard, the calcine waste at

1 Idaho is in bin sets which have a design life of
2 500 years. There is no rush to get that out of
3 there. We believe it would be financially
4 irresponsible to squander many millions of
5 dollars on temporary storage facilities at
6 Hanford when the waste is safely stored in
7 Idaho.]

8 With that, I think I'll conclude my
9 comments, and again submit a written -- these
10 are preliminary comments. We will follow-up
11 with additional written comments that deal with
12 more with some of the technical aspects of the
13 EIS.

14 PETER RICHARDSON: Thank you for your
15 comments Mr. Niles.

16 I would like to take this opportunity
17 to note that I'll mark as Exhibit Number 1 to
18 this proceeding a multi-paged document
19 previously submitted to me by Mr. Wichmann
20 entitled "Tom's Talking Points - Portland Idaho
21 High-level Waste and Facilities Disposition
22 Draft and Environmental Impact Statement."

23 That will be marked as Exhibit number
24 1. Exhibit number 2 of this evening's
25 proceeding is a three-page document entitled

1 "Preliminary Comments of the State of Oregon on
2 the Idaho High-level Waste and Facilities
3 Disposition Draft Environmental Impact
4 Statement" dated February 22, 2000. That, we'll
5 mark as Exhibit number 2.

6 Our next scheduled commentator is Page
7 Knight.

8 PAGE KNIGHT: I don't have an
9 exhibit.

10 Yeah. I represent Hanford Watch here
11 in Portland -- the Portland area. And we --
12 this is sort of a new issue for us. It
13 certainly hasn't been on the top of our radar
14 screen because of the tremendous problems that
15 we're dealing with at Hanford right now and the
16 fact that we can't even, you know, get the U.S.
17 Department of Energy to agree to sign milestones
18 for a possible vitrification plant. And Lynn
19 Semmes who was here earlier mentioned that we
20 are very worried right now that BNFL may crash
21 in the United States with all the problems they
22 are having in England, and we may not have a
23 vitrification plant, and once again, be back to
24 ground zero.

25 So, I'm going to make some just

D-89

DOE/EIS-0287

- New Information -

Idaho HLW & FD EIS

1 general comments that some of my group and I
2 talked about over the weekend, and these aren't
3 definitive. We just don't know enough. I think
4 that they may help your decision making process
5 a little, hopefully.

3801-1
II.D.1(4)

6 First and foremost, [we think this is a
7 very premature EIS. Like Lynn said, we are
8 putting the cart before the horse.] I also want
9 to say -- and I feel like I can speak for a
10 great deal of the Northwest region, a great
11 number of people here. I know that Woody has
12 heard this on the Hanford Advisory Board that I
13 sit on and, you know, we certainly hear it in
14 our own circles. [But none of us have any belief
15 that there will be a final repository in our
16 lifetimes.

3801-2
III.E(1)

17 Yucca Mountain is ten years behind
18 schedule. It's millions of -- probably billions
19 by now dollars overrun in cost. It's based on
20 poor science is what we see more and more of the
21 reports saying. So, we don't have any belief in
22 the final repository.]

23 And for any EIS to be driven by that
24 makes the whole thing even more premature in my
25 mind. One of the things that struck me when one

1 of you were speaking about the -- it was Tom --
2 was speaking about the values or the themes that
3 you heard from the people in your scoping
4 hearings. They remind me very much of some of
5 the values at the Hanford Advisory Board, which
6 is the Regional Citizens Advisory Board have and
7 one of them was protect the aquifers. [Our prime
8 value is to protect the Columbia River.

3801-3
XI(7)

9 If Hanford's wastes are not vitrified,
10 some documents indicate that within the next 100
11 years, the Columbia River will be dead. That
12 means no economy, no healthy environment, no
13 fishing, nothing. I mean, that's dead.]

14 So, that is of utmost value to us, and
15 it sounds like it is the same kind of value to
16 the people in your region. [We have also the
17 value of get on with it. And therefore, I can
18 say I understand the planning of this EIS that
19 you need to look at things ahead of time. And
20 somehow this EIS, in terms of looking at all of
21 the options far ahead of time makes sense on
22 that particular level.]

3801-4
VI(1)

23 It also says, you know, [one of the
24 values was minimize the times of handling
25 waste. What that translates into for a lot of

3801-5
II.E(8)

1 us in this region is that you minimize the
2 transportation or the moving of any waste unless
3 there is a dire danger. We have so many dire
4 dangers.

3801-6
11.E(5)

5 [The two biggest dangers in the country
6 are the 177 leaking tanks that, some of which
7 are leaking up at Hanford. That is a dire
8 danger.

9 We also have a decay basins which hold
10 2,300 fuel rods, most of which are corroding
11 that sit 400 yards from the Columbia, and those
12 pools that they sit in have leaked also. Those
13 are dire dangers, and those need handling
14 first.

15 So, this almost seems like, you know,
16 talking about marbles or something inane when we
17 have a lot of other things to worry about. So,
18 with those things said, I would like to say that
19 we have to handle -- one of our comments is we
20 have to handle the most dangerous things first,
21 and we -- this doesn't seem to be touching
22 that.

23 The last thing I would like to
24 say, -- and I hope you will let me go over by a
25 minute since we have such a small crowd here --

1 is that one of the things that intrigues me
2 about this whole thing -- and this is not that I
3 am bought off on it, by any means because I
4 don't have that right with my organization at
5 this particular time, but I am really intrigued
6 with the idea of a Northwest solution. I think
7 that we can't afford to have states pitted
8 against one another for cleanup dollars.

3801-7
11.E(4)

9 I think that we do have to work
10 together, and we have got to get creative
11 because Congress has not had the bill up to now
12 to fund cleanup at any site the way it should be
13 funded, and Hanford is the most contaminated
14 site in the western hemisphere, and I think we
15 all have to remember that.

16 And one of the things that I do
17 appreciate from the Idaho people here is that
18 you all seem to appreciate deeply and know that
19 this is the most contaminated site. You have
20 got nothing to compare to ours, and yet you
21 still have dangers that are imminent to your
22 livelihood, and health, and well-being.

3801-8
11.D.1(4)

23 So I'm intrigued with this, but I have
24 to go back to saying that this is awfully
25 premature. I would say that whatever actions

D-91

DOE/EIS-0287

- New Information -

Idaho HLW & FD EIS

Page 49

1 you do decide to take, move slowly. Do things a
2 step at a time. Don't try to make all the
3 decisions now because they are not going to hold
4 up.]

5 The fact is, all of us -- I would say
6 most of us here by the time the tanks -- the
7 tank waste at Hanford is vitrified are going to
8 be dead. I'm going to be 100 in 47 years, and
9 that's when this -- our date is for finishing
10 the tank waste. Now, that's sort of
11 interesting.

12 The same -- in two years, the
13 political situation will change. So, we are
14 going to have a whole new politics. So what you
15 promise today isn't necessarily going to be
16 given to us tomorrow. [What we are looking at is
17 a government who has made promises and promises
18 to Hanford to clean it up, and we don't get it.
19 And I would imagine you could say the same thing
20 for yourselves.]

21 So, I would just end with those
22 cautionary remarks and wish you luck on this,
23 and I also think it's really, really important
24 for all of us to work together. And I really
25 appreciate you coming here, and I'm sorry that

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30D1-9
IX.D(t)

Page 50

1 we don't have a bigger turnout.

2 PETER RICHARDSON: Thank you for your
3 comments.

4 Bill Bires?

5 I remind you, you have until April 19
6 to submit your written comments, and that's a
7 postmark date.

8 PAGE KNIGHT: These go on the record
9 though, don't they?

10 PETER RICHARDSON: Absolutely. This
11 is all on the record.

12 Good evening, Mr. Bires

13 BILL BIRES: Good evening. My name is
14 Bill Bires.

15 I look around, and I'm probably the
16 oldest person in this room. And I'm going to be
17 dead a long time before any of these goals are
18 met. And the decisions that you are going to
19 make are going to involve future generations
20 years to come -- years and years to come, and it
21 behooves us, I believe, to make those kind of
22 decisions especially when we don't know where we
23 are going or what we are going to do.

24 I had the experience of having been
25 under an atomic bomb via -- by virtue of my

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1 Army service in 1951 at the atomic test site.
2 And at that time, I knew we can destroy
3 ourselves, and I think that we're well on our
4 way.

5 I'm afraid that unless we take this
6 process out of the hands of people that are in
7 it for profit and put it in the hands of people
8 who are given the task of applying themselves as
9 best they can to this cleanup process.

10 When the bomb was built, I was around,
11 and the United States gathered the best
12 scientists from all over the world and put them
13 to work on this job, and they produced the
14 bomb. And then they went on and on -- the
15 scientists went on and on and on creating huge
16 amounts of lethal waste without any pre --
17 what's the word I'm searching for -- without any
18 idea of how they are going to get rid of it, how
19 it's going to be disposed of, if it can be
20 disposed of safely. They go on with this
21 half-baked idea down at Yucca Mountain.

22 [I am sickened by the comments that are
23 made: "We don't have enough money." We have
24 enough money, and if we don't have enough money,
25 we're all liable to die.] That's just what it

1 boils down to.

3802-2
VIII.A(5)

2 [The priorities of the government must
3 be changed. The public should be made or must
4 be made aware of the threat that is posed by
5 installations like Hanford and INEEL.]

6 I remember when it was INEL, and they
7 threw in an environment. What's going on? Are
8 they playing games with us? Who are they
9 talking to, environment? INEL and environment.
10 Look what Lockheed did for them up there trying
11 to clean up that space, and how they over -- the
12 cost overrun was so great.

3802-3
VI(1)

13 [It's beyond me why the Federal
14 Government is not putting all of its available
15 resources in the hands of people who can and
16 will do the job and taking it out of the hands
17 of people who are in it for profit only.]

18 As was mentioned earlier, BNFL is a
19 British government-owned company. They are
20 trying to raise money in the United States.
21 Then they want the Department of Energy to
22 assure them that if they raise money -- and lose
23 money that the taxpayers of the United States is
24 going to repay them. These shenanigans that go
25 on are just, you know, just -- okay -- are

D-93

DOE/EIS-0287

- New Information -

Idaho HLW & FD EIS

Page 53

1 really -- [I find abhorrent because the public is
2 being treated as if they don't have a stake in
3 this and as if they don't have any interest in
4 it.

3802-4
IX.D(2)

5 The public does have a stake in it,
6 and they do have an interest in it if they were
7 informed -- properly informed. [And I have said
8 earlier that if the DOE really wants to get some
9 money out of the Federal Government, they can
10 take a full page ad out in the Oregonian or the
11 New York Times or the Los Angeles Times or the
12 Wall Street Journal and tell the people how many
13 curies of radiation is sitting up there in that
14 mess at Hanford and ready to go into the river,
15 and how much of that waste is at INEEL is--
16 poses a threat to the public.]

3802.5
X(15)

17 It's high time that the public be made
18 aware. And the fact that nuclear industry has
19 been on the public dole for so many years and
20 that the power of the nuclear industry and the
21 relationship between the military nuclear
22 program and the civilian nuclear program must be
23 recognized and dealt with effectively because
24 there are economic forces involved that are
25 going on in the world right now that may affect

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Page 54

1 what is going to take place in this country
2 vis-a-vis the future of nuclear power.
3 And I would like to thank you people
4 for coming. And I hope that my children's
5 children's children's children are not posed
6 with -- don't have the same problems posed to
7 them that we have posed to us. I hope that it
8 can be dealt with effectively and that they have
9 a clean world in which to grow and be happy.

Thank you.

10
11 PETER RICHARDSON: Thank you,
12 Mr. Bires.

13 Does is there anyone in the audience
14 who has not had a chance yet this evening to
15 speak formally on the record who hasn't had a
16 chance to sign up. Raise your hand, and we will
17 come up and get your comments on the record. I
18 remind you that you have until April 19 in which
19 to submit written comments. That's the postmark
20 date.

21 Yes, sir. Just go ahead and step up
22 to the microphone. We will give you three
23 minutes to get all of your concerns on the
24 record. If you would preface your remarks with
25 a statement of your name. And if you would like

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1 a copy of the final Environmental Impact
2 Statement, your mailing address.
3 ED MARTISZUS: Hi. My name is Ed
4 Martiszus. I'm a Registered Nurse,
5 environmentalist in the State of Oregon here
6 going on 23 years. And my address 53215 Timber
7 Road, Vernonia, Oregon 97064. My phone number
8 is 1 (503) 429-3136.

9 PETER RICHARDSON: Thank you. Proceed
10 with your comments.

11 ED MARTISZUS: Yeah. I don't talk in
12 terms of radiation getting into the
13 environment. It's already here. In my practice
14 as a nurse in this area twenty some years, I've
15 seen the effects of it. So it's a matter of
16 degrees to me. It's a matter of casualties
17 mounting up as more and more isotopes get into
18 the environment and get into the food chain, and
19 things like that.

3803-1
III.A(i)

20 [My understanding is that the
21 groundwater or the water going into the Snake
22 River at the INEEL is also radioactive. So,
23 already, you're transporting nuclear waste by
24 Hanford already.] So, it's coming to the area
25 here as fast as we want it right now.

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1 And Page is right, on the triage
2 level, you know, as a nurse, we have to deal
3 with the most immediate health threat first, and
4 that is the tanks and the springs and the
5 tritium plumes, and 2,300 fuel rods and decay
6 basin, and things like that.

3803-2
IX.C(b)

7 [I would like to see more of a list of
8 isotopes and toxic chemicals in these handouts
9 other than plutonium and uranium so, I know, you
10 know, as a nurse environmentalist, I can figure
11 out the toxicology of it and biological effects
12 that people that are exposed and also like the
13 amount of curies that will be lost in shipment
14 from INEEL to Hanford, and as far as getting
15 into the environment, and the proposed, you
16 know, or projected lists of different diseases
17 from this process as this stuff moves its way
18 from INEEL towards Hanford, and the cost of what
19 it's going to cost the community to pay for this
20 as far as the medical treatment and the families
21 going to visits to the hospital and all those
22 things.]

3803-3
VII.A(b)

23 [So, that would be more wholistic for
24 me to get a better view, as a nurse, to know
25 what the real cost is to the community and the

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D-95

DOE/EIS-0287

- New Information -

Idaho HLW & FD EIS

1 real threat is so we can inform the community so
 2 they can make an informed consent under the U.N.
 3 Declaration on Human Rights because to be
 4 unnecessarily exposed would -- under our
 5 Constitution supremacy vote violate the
 6 Declaration on Human Rights, that right to life
 7 and having it arbitrarily taken away and also
 8 the rights under due process of the
 9 Constitution. They would -- Fourth and Fifth
 10 Amendment Rights, they would not arbitrarily be
 11 deprived of their life and property -- be
 12 dispossessed of that without any kind of due
 13 process of the law such as an arrest and
 14 invitement to trial and a conviction, which is
 15 usually the grounds in our society for taking
 16 away things from people, you know, under our
 17 Constitution, our rule of law.]
 18 So, that's basically all I have to
 19 say.
 20 PETER RICHARDSON: Thank you.
 21 ED MARTISZUS: Thanks a lot.
 22 PETER RICHARDSON: Thank you, sir.
 23 I'll ask the question again. If
 24 anyone in the audience who has not yet had an
 25 opportunity to comment would like to do so,

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HANFORD ADVISORY BOARD

A Site Specific Advisory Board, Chartered under the Federal Advisory Committee Act

HLW & FD

EIS PROJECT - **AR** PF

Control # **DC-39**



March 7, 2000

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Subject: INEEL High-Level Waste Draft EIS

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Dear Mr. Wichmann:

Some members of the Hanford Advisory Board (HAB) attended the February 3 presentation conducted by staff of the U.S. Department of Energy on the Idaho High-Level Waste and Facilities Disposition Draft Environmental Impact Statement (EIS). On behalf of the HAB, we are submitting the following statement to be considered by DOE.

The HAB is not prepared at this time to provide specific comments on the EIS. The Hanford vitrification plant has not been constructed and thus will not be available for several years. In addition, when it becomes operational, it will take many years to vitrify Hanford tank wastes. Thus, it would be premature at this time for us to comment on the EIS alternative that would send INEEL high-level wastes to Hanford for vitrification.

However, three consistent positions of our Board relate to the issue.

- 39-1
11.E(6) 39-5 11.E(2)
In Advice #13 and subsequent pieces of advice, we have stated that if another site sends waste to Hanford for treatment, it should not be sent until a treatment facility is built and operating. Once treated, the waste must be returned to the sending site.
- 39-2
11.E(5)
We cannot support Idaho's waste coming to Hanford until all of Hanford's high-level waste has been treated. We emphasized in our recent statement on tank wastes that the Hanford tanks are one of the most urgent environmental threats to the country. We have three types of tanks: those that have leaked, those that will leak, and those that will leak again. The single-shell tanks are already beyond their design life and the double-shell tanks will reach that point before the vitrification process is completed. Vitrification of these wastes must proceed expeditiously and be completed before a major accident occurs with the aging tanks.
- 39-3
11.E(4) 39-6 11.E(3)
We have indicated in several pieces of advice that if any wastes come to Hanford for treatment or disposition "the sending site should cover all costs." The Hanford budget is not adequate to cover even the costs of our own cleanup efforts in

20000-004
 Page 1
 March 6, 2000

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