

# Official Transcript of Proceedings

## NUCLEAR REGULATORY COMMISSION

Title: Mixed-Oxide Fuel Scoping Meeting  
Public Hearing

Docket Number: (not applicable)

Location: Savannah, Georgia

Date: Wednesday, April 18, 2001

Work Order No.: NRC-158

Pages 1-127

**NEAL R. GROSS AND CO., INC.**  
**Court Reporters and Transcribers**  
**1323 Rhode Island Avenue, N.W.**  
**Washington, D.C. 20005**  
**(202) 234-4433**

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

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

+ + + + +

PUBLIC HEARING

+ + + + +MIXED OXIDE FUEL

SCOPING MEETING

+ + + + +

WEDNESDAY

APRIL 18, 2001

+ + + + +

SAVANNAH, GEORGIA

+ + + + +

The Public Meeting convened at the Coastal Georgia Center, 305 Martin Luther King Blvd., Savannah, Georgia, at 7:00 p.m., Chip Cameron, NRC Facilitator, presiding.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

I-N-D-E-X

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

<u>TOPIC</u>	<u>PAGE</u>
I. Opening Remarks	3
II. Presentations	
NRC Responsibilities -- Generally and as	13
They Relate to the Mixed Oxide Fuel	
Fabrication Facility, Tom Essig	
NRC EIS Process, Tim Harris	20
III. Question and Answer Period	30
IV. Public Comments	50
V. Closing	126

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

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

(7:02 p.m.)

1  
2  
3 MR. CAMERON: Let's get started with  
4 tonight's meeting. And I would encourage people to  
5 come down here. There's plenty of seats, rather than  
6 sitting in the back, but feel free to sit wherever you  
7 feel comfortable. But come down here if you would  
8 like.

9 Good evening, everybody. Welcome to the  
10 Nuclear Regulatory Commission's public meeting on the  
11 development of the Environmental Impact Statement on  
12 the request to construct a mixed oxide fuel facility.  
13 My name is Chip Cameron. I'm the Special Counsel for  
14 public liaison at the Nuclear Regulatory Commission.  
15 And it's my pleasure to serve as your facilitator for  
16 tonight's meeting.

17 Before we get into the substantive  
18 discussion tonight, I wanted to go over three process  
19 items for you briefly. One, I wanted to talk about  
20 the objectives of tonight's meeting. Secondly, I'd  
21 like to go over the format and the ground rules for  
22 the meeting. And third, I'd like to just give you a  
23 brief overview of the agenda so you know what to  
24 expect tonight.

25 In terms of objectives that the NRC would

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 like to achieve is to provide all of you with  
2 information on the NRC's responsibilities in regard to  
3 making a licensing decision on the construction  
4 authorization request for this facility. And  
5 specifically, the NRC would like to tell you -- will  
6 tell you about what our responsibilities are in regard  
7 to evaluating any potential environmental impacts that  
8 might result from a decision on this particular  
9 facility.

10 A second objective, and the most important  
11 one, is for the NRC to listen to all of you in terms  
12 of your views, your recommendations, your advice in  
13 regard to potential environmental impacts of the mixed  
14 oxide facility.

15 The meeting tonight is called a scoping  
16 meeting, and scoping is a term that's used in  
17 connection with the preparation of a federal -- of an  
18 Environmental Impact Statement under the National  
19 Environmental Policy Act, which is known as NEPA.  
20 We're going to keep the acronyms down tonight. And if  
21 acronyms are used, we'll explain what they are.

22 But I think that one acronym you will here  
23 is EIS for Environmental Impact Statement. And of  
24 course, the National Environmental Policy Act is  
25 usually referred to as NEPA. The Environmental Impact

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 Statement is supposed to help the NRC make a decision.  
2 That's its intent, to provide information to the NRC  
3 on whether to approve the construction authorization  
4 request for this facility.

5 And scoping is the beginning of the  
6 Environmental Impact Statement process. And  
7 basically, it's for the NRC to try to get information  
8 from the public on what the scope of the Environmental  
9 Impact Statement should be. What information should  
10 be looked at? What types of impacts should be looked  
11 at in the Environmental Impact Statement? And what  
12 alternatives should be looked at?

13 The ultimate goal of this process and this  
14 scoping meeting tonight is to get information from all  
15 of you to aid the NRC in determining what the scope of  
16 the Environmental Impact Statement should be. And in  
17 a few minutes, we're going to hear from NRC staff on  
18 what that process is all about.

19 In terms of ground rules and format for  
20 the meeting tonight, we're going to have two segments,  
21 basically, in the meeting tonight. The first segment  
22 is going to be some brief NRC presentations. NRC  
23 staff will make some presentations to give you some  
24 background information on NRC responsibilities.

25 And we're also going to have a question

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 and answer session to make sure that everything about  
2 our responsibilities has been explained clearly to  
3 you. So we'll go to all of you for clarifying  
4 questions after the two NRC presentations.

5 The second segment of the meeting is to  
6 allow people who want to make a comment to get the NRC  
7 information, we'll do that during the second segment  
8 of tonight's meeting. In terms of ground rules, if  
9 you have a question or if you want to make a comment,  
10 please state your name and affiliation, if  
11 appropriate.

12 We're keeping a transcript of tonight's  
13 meeting, and that will be available on the NRC web  
14 site at a minimum. And I would ask that only one  
15 person speak at a time. This will allow us to get a  
16 clear transcript of the meeting, but more importantly,  
17 it will allow us to give our full attention to whoever  
18 has the floor at the time.

19 There is a microphone right back there  
20 that you can use or I can bring you this talking  
21 stick. When we get to the second part of the meeting  
22 and people are going to give comments to us, you can  
23 again use that microphone or you can come up to the  
24 podium here.

25 I want to make sure that everybody has a

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 chance to talk tonight, anybody who wants to make a  
2 statement. And in order to make sure that we can do  
3 that, that means we have to have some limitations,  
4 some guidelines on how much time people can take in  
5 their comments.

6 And after last night's meeting in North  
7 Augusta, I figure probably an hour time limit for  
8 individual speakers would probably be prudent. That's  
9 a joke, Mary. But seriously, I think we have about  
10 eight or nine people who want to talk tonight. So I'm  
11 going to set a guideline of ten minutes, okay?

12 People can take less than that, obviously.  
13 But when ten minutes is up, I'm going to give you a  
14 signal and give you a minute or so to wrap up your  
15 comment. We don't have the luxury of staying over the  
16 time period for the meeting that we sometimes do. We  
17 have to be out of this facility by 10:00. They're  
18 going to start closing up then.

19 So we really need to watch our time, but  
20 I think we'll have plenty of time. There is a sign-in  
21 sheet. If you want to talk, put your name on the  
22 list. It's not mandatory that you do that, but it  
23 does give us an idea of how much time we're going to  
24 need to hear the comments from people tonight.

25 I just would remind everybody that the

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701



1 focus of the meeting is NRC responsibilities in regard  
2 to making a decision, a licensing decision on this  
3 facility and particularly, the environmental impact  
4 evaluation process. There's lots of interest in  
5 regard to this particular facility, and the NRC is  
6 always willing to listen to public comments and to try  
7 to answer questions on it.

8 But we really do need to focus on  
9 environmental impacts and the NRC responsibilities.  
10 In terms of the agenda, we should be done with the NRC  
11 presentations and the question and answer session at  
12 approximately 8:00 or 8:15, and then we'll move to  
13 hearing from all of you out there who want to make a  
14 statement.

15 I'd like to introduce the NRC speakers  
16 tonight. First we're going to have Tom Essig, who is  
17 going to give us an overview on NRC responsibilities.  
18 And Tom is right here. And Tom's been with the  
19 Nuclear Regulatory Commission for 22 years in  
20 radiation protection and the environmental protection  
21 area.

22 He is the Branch Chief of the  
23 Environmental and Performance Assessment branch within  
24 the NRC's Office of Nuclear Material, Safety and  
25 Safeguard. Tom's branch is responsible for preparing

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 the Environmental Impact Statement on this particular  
2 construction authorization request. Tom has a  
3 Master's degree in Environmental Engineering, and he's  
4 also certified in Health Physics by the American Board  
5 of Health Physics.

6 Our second speaker is Tim Harris, who is  
7 right over here. And Tim works for Tom. He's a  
8 Project Manager in Tom's branch. He's going to  
9 provide more detail on the Environmental Impact  
10 Statement process for all of you. He's been with the  
11 NRC for eight years. He, before that, he was a GEO  
12 Environmental Consultant.

13 I'm not sure what that is, but -- for  
14 approximately ten years. And he has a Bachelor's in  
15 Civil Engineering from the University of Maryland, and  
16 he's currently pursuing a Master's in Environmental  
17 Engineering from Georgia Tech.

18 So they're going to be up in a minute. We  
19 also have other NRC technical staff, legal staff,  
20 staff from our Regional Office in Atlanta here to make  
21 sure that we can answer any questions that might come  
22 up from all of you.

23 We also have representatives from other  
24 federal agencies and state and local government. Tom  
25 and Tim, I think, are going to tell you about the fact

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 that you can submit written comments on these scoping  
2 issues to the NRC. And I think May 21st is the date  
3 that those have to be in.

4 We're here to talk with you in person  
5 tonight. Your comments will be heard by other people  
6 in the community, and also you may hear things here  
7 tonight that will help you prepare any written  
8 comments should you decide to submit them. But be  
9 assured that what you say tonight is going to be  
10 treated with the same way as the written comments.

11 So you don't have to submit written  
12 comments but they are also welcome. I would thank you  
13 all for being here tonight. My role is to try to help  
14 you have an effective meeting tonight. And in that  
15 capacity, I'll try to make sure that the NRC answers  
16 any questions that you might have, clearly provides  
17 information to you.

18 I want to make sure that everybody gets a  
19 chance to talk if they want to. I'll try to help us  
20 keep organized and keep track of any action items that  
21 come up. There are going to be lots of suggestions  
22 tonight on scoping issues. But there may be short  
23 term or process types of issues that come up,  
24 questions that we might have to get back to people on.

25 I'll keep track of those up here on this

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 flip chart just to make sure that they're clearly  
2 identified so that we don't lose track of that. And  
3 we're ready to go to the presentations. I see someone  
4 who has their hand up. Do you have a quick question,  
5 Jen? And please state your name.

6 MS. KATO: Jen Kato, I have a process  
7 question. I noticed last night in north Augusta that  
8 when someone had their own statement and a statement  
9 to read from, say a representative or something, that  
10 they were given double time. Is that going to be  
11 observed tonight?

12 MR. CAMERON: I don't know if anybody has  
13 a statement to read from someone else besides their  
14 own. And if you do, if you could try to just  
15 summarize that. We'll let you put that in the record.  
16 We're going to try to keep to the ten minute time  
17 limit for everybody. But we should be able to do  
18 that. Sara?

19 MS. BARCZAK: Sara Barczak. Just to make  
20 a note that the comments to be read are from the state  
21 representative.

22 MR. CAMERON: All right. That's you,  
23 okay. Yes, ma'am? Could you just tell us your name,  
24 too? Helen Long?

25 MS. LONG: I was interested to know how

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 many people that are here are with organizations, so  
2 they could stand so we have an idea.

3 MR. CAMERON: Okay, well let me summarize.  
4 You'd like to know how many people are here from  
5 various different organizations, how many are here  
6 from the public, generally.

7 MS. LONG: Mostly, I'd like to know how  
8 many people are from the SRS. And well, anybody  
9 associated with the SRS or NRC. You know, not -- the  
10 entourage that would have come here to present.

11 MR. CAMERON: Well, I'll tell you what.  
12 We're going to just do this real quickly for you.  
13 Could we just have all the NRC staff just raise their  
14 hands, don't stand up. Okay. And could we just have  
15 people connected with SRS just raise your hand in  
16 affirmation.

17 Okay. We're going to get rolling tonight  
18 with the DCS -- the licensed representative is a  
19 licensee. They're not a licensee yet. That's right.  
20 And they be not be because the decision is whether to  
21 approve or not approve, okay? Just always want to  
22 make that clear.

23 All right. I guess we could go through  
24 lots of other categories, but I think you get an idea  
25 of who's here from the respective regulatory agency,

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 potential licensee, whatever. So let's get rolling  
2 with Tom Essig. And Tom, are you going to use mike?

3 MR. ESSIG: Yes.

4 MR CAMERON: Okay. And Tim is going to  
5 talk after Tom, and then we're going to go out to you  
6 for questions. Okay? All right.

7 MR. ESSIG: Thank you, Chip. As Chip  
8 said, I'm Tom Essig. I'm Chief of the Environmental  
9 Performance Assessment branch at the NRC. In addition  
10 to what Chip has already mentioned that we're going to  
11 be covering tonight, I want to give you an idea.

12 For those of you that may not be as  
13 familiar with the Nuclear Regulatory Commission a  
14 little bit more of an idea of what -- who we are, what  
15 we do, what our role in the proposed mixed oxide fuel  
16 fabrication project is. And we'd certainly like to  
17 thank those of you who were able to attend our open  
18 house -- I think that probably helps the slides maybe  
19 -- attend the open house just prior to this meeting.

20 Hopefully you found that useful to visit  
21 the various displays that were in the back of the room  
22 and engage the people representing those displays and  
23 have any questions that you had answered. And one  
24 thing we'd like you to do, hopefully that you picked  
25 up a feedback form that we had on the table. And

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 please provide us with any comments that you may have  
2 on the -- you'll note that there are various  
3 categories of information that we're asking for there.

4 And if you found the open house portion of  
5 the meeting particularly useful, you can note that on  
6 the comment form as well because we're sort of  
7 experimenting with the open house format to see if it  
8 was well received. And if you feel that way, please  
9 so indicate on your comment card.

10 And if I could have the next -- tonight  
11 we'll be conducting a scoping meeting. And as Chip  
12 mentioned, that is an important part of the process  
13 that we go through under the National Environmental  
14 Policy Act. And it's really the first step, or one of  
15 the first steps I should say, in the preparation of an  
16 Environmental Impact Statement.

17 Tonight's meeting is a follow on to  
18 meetings that were held in July of last year. And  
19 those were informational meetings. They were ahead of  
20 the time when this application actually had been  
21 received. And following our presentation, we'll  
22 listen to your concerns this evening. That's one of  
23 the chief reasons that we're here.

24 And we'd like your help in identifying any  
25 alternatives and any significant issues that you feel

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 that we need to consider in the Environmental Impact  
2 Statement when we do prepare it. Because we know many  
3 of you, as local residents, have some unique  
4 perspectives.

5 You may be aware of some environmental  
6 conditions or maybe certain things that happen in the  
7 environment that you seem to be aware of, maybe some  
8 particular foodstuff which is consumed that we may not  
9 be aware of, that you may wish to share with us. And  
10 we would find that very helpful. So generally, the  
11 insights of that type we found quite valuable.

12 The mission of the NRC is we are an  
13 independent government agency. We report to the  
14 Congress. It is our job to regulate the commercial  
15 use of radioactive materials, ranging from nuclear  
16 power plants to fuel fabrication facilities to nuclear  
17 medicine programs at hospitals, a broad spectrum of  
18 activities that we regulate.

19 DOE, on the other hand, is an executive  
20 agency, meaning that they report to the President.  
21 And some of you may recall at one point in time, we  
22 used to be part of the same agency prior to 1975. We  
23 were part of the Atomic Energy Commission.

24 And we had a -- we were on the regulatory  
25 side and then there was a part of the AEC that

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701



1 ultimately became DOE. But now we're clearly separate  
2 and distinct agencies. We report to the Congress and  
3 DOE reports to the President.

4 The mission of our agency of the Nuclear  
5 Regulatory Commission is to protect the public health  
6 and safety and the environment. And we do that by  
7 issuing regulations and guidance. We conduct  
8 licensing reviews, and we -- once a facility receives  
9 its license, we perform inspections of that facility.  
10 And if the operations are not being conducted in a  
11 manner which is consistent with the license, if  
12 appropriate, we take enforcement action.

13 And as part of our licensing activities,  
14 we perform Environmental Impact Statements, or perform  
15 environmental reviews, actually, which result in  
16 Environmental Impact Statement in many cases. You'll  
17 be hearing more on that from Tim Harris. Following my  
18 presentation, Tim will go into some details of how --  
19 the steps that we go through to prepare an  
20 Environmental Impact Statement.

21 Just a brief history now on the mixed  
22 oxide program. Some of you recognize, having been  
23 present last night, have followed this issue more  
24 closely than others. And so I'll -- for the benefit  
25 of those that haven't followed it as closely, I'll

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1       just mention a few basic points.

2               Following the Cold War with the former  
3 Soviet Union, the issues regarding the fate of excess  
4 weapons plutonium were raised. And the mixed oxide  
5 fuel project traces its beginnings to that nuclear --  
6 to a nuclear non-proliferation agreement that was  
7 signed between Russia and the U.S.

8               And Congress conditioned the agreement to  
9 require that the proposed mixed oxide fuel fabrication  
10 facility be licensed by the NRC to ensure protection  
11 of public health and safety in the environment.  
12 Ordinarily, we would not have involved in a licensing  
13 action for a facility of this sort because it would  
14 have been done totally within the DOE complex.

15              But Congress wanted the additional  
16 assurance of the public health and safety, and so that  
17 required us to issue, review and determine whether or  
18 not a license could be issued for the operation  
19 facility. DOE's role is that they are responsible for  
20 implementing this nuclear non-proliferation policy and  
21 determining the disposition of the surplus, excuse me,  
22 weapons plutonium.

23              And DOE has prepared an Environmental  
24 Impact Statement which looked at several approaches to  
25 reduce the amount of nuclear material, and looked at

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 several DOE sites where the activities could be  
2 performed, the various places in the U.S.

3 And DOE ended up adopting a hybrid  
4 approach, which involved immobilizing. In some cases,  
5 immobilizing plutonium, and then converting some of it  
6 to an oxide form which could be blended with uranium  
7 oxide. Hence the name mixed oxide, which could be  
8 used as a reactor fuel.

9 The process flow chart is basically the  
10 DOE weapons plutonium powder comes in from the left,  
11 it's blended with DOE's depleted uranium. The square  
12 out lined in blue is the part that the NRC is  
13 regulating. And then off to the right is the mixed  
14 oxide reactor fuel.

15 That DOE's record of decision identified  
16 the Savannah River Site as the preferred location for  
17 this mixed oxide fuel fabrication facility. And it's  
18 beyond NRC's purview to revisit that decision that is  
19 given to us, and we will use that as a starting point  
20 for the preparation of our Environmental Impact  
21 Statement.

22 The role, which we have as I mentioned,  
23 was that which was given to us by the Congress. And  
24 we will perform the review of the license application.  
25 And if we determine that it can be licensed, then we

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 will issue the license. If we determine that it  
2 cannot be licensed, then a license will not be issued.

3 A little bit about the licensing process  
4 and a couple of milestones there, we have the  
5 applicant that was mentioned which is Duke COGEMA  
6 Stone & Webster. They've submitted an environmental  
7 report to us in December of 2000, a construction  
8 authorization request in February of this year. And  
9 in both instances, we followed our standard practice  
10 of performing an acceptance review of the documents.

11 Now what an acceptance review entails are  
12 examining the two documents, determining if they're  
13 sufficiently complete to begin the -- to begin the  
14 formal review of them. And this is something that we  
15 do with most, at least, particular large applications  
16 that come in to us.

17 And so we follow that procedure, determine  
18 that they were sufficiently complete to be docketed.  
19 So that docketing is our formally accepting them for  
20 review, and they are currently under review. In July  
21 of 2002, then, it's our understanding that DCS plans  
22 to submit an application to operate the proposed fuel  
23 fabrication facility.

24 Next then, I would go to the NRC actions  
25 that we follow in the licensing process and the

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 environmental review process. We are currently  
2 reviewing the environmental report and the  
3 construction authorization report as I mentioned. We  
4 have published a federal register notice accepting the  
5 construction authorization request and an opportunity  
6 for a hearing.

7 In fact, there's a notice on the table  
8 that the opportunity for hearing was published in the  
9 federal register today. So we're really talking about  
10 something that's really very current. We will prepare  
11 safety evaluations for the construction and operation  
12 of the proposed facility, and then, as I mentioned, an  
13 Environmental Impact Statement.

14 And these documents, then, collectively  
15 will serve as the basis for our determining whether or  
16 not we can issue a license. That is, our licensing  
17 decision based on the review of these documents. As  
18 part of the safety evaluation for operation, there  
19 will be another opportunity for a hearing, which will  
20 be posted.

21 Next, I'd like to have Tim Harris go into  
22 a little more detail on the environmental review.

23 MR. HARRIS: Thank you, Tom. As Chip and  
24 Tom have said, my name is Tim Harris. I'm the NRC  
25 lead for the scoping process. Jennifer Davis, who's

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 running the projector, is the NRC lead for the  
2 environmental review.

3 What I'd like to talk to you tonight is  
4 briefly explain why we do Environmental Impact  
5 Statements, discuss the process, and also present the  
6 list of topics which we typically consider in  
7 Environmental Impact Statements or could consider for  
8 the proposed MOX facility, EIS. And I'll try to put  
9 these in context of the MOX facility, to provide you  
10 a little information about the facility in some brief  
11 detail.

12 The National Environmental Policy Act  
13 requires the federal agencies to prepare Environmental  
14 Impact Statements for major federal actions. We  
15 consider the licensing of the MOX facility -- excuse  
16 me -- to be major federal action. And are therefore,  
17 preparing an Environmental Impact Statement.

18 Environmental Impact Statements are  
19 planning and decision-making tools. They consider a  
20 full range of impact from construction through  
21 decommissioning. Next slide, please.

22 Impacts can be characterized into three  
23 different components. And Environmental Impact  
24 Statements that the NRC prepares, we consider, both  
25 radiological and non-radiological impacts. And these

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 impacts can be both positive or negative.

2 impacts, as I said, can be characterized  
3 as direct impacts from the proposed facility, indirect  
4 impacts, or cumulative impacts. An example of a  
5 direct impact would be air emissions from the facility  
6 degrading air quality.

7 An example of an indirect impact would be  
8 economic growth resulting from a proposed project.  
9 Cumulative impacts consider the incremental impacts  
10 from the proposed action with other past, present and  
11 reasonably foreseeable future actions.

12 For the proposed MOX facility, it will be  
13 located in this area of the Savannah River. And as  
14 DOE has nuclear facilities in that area, resources are  
15 being impacted to some extent from other actions  
16 beyond the proposed MOX facility. So in preparing the  
17 EIS, we would look at both cumulative impacts from the  
18 proposed facility with other impacts that are  
19 currently occurring. Next slide, please.

20 The National Environmental Policy Act  
21 requires that we evaluate impacts from the proposed  
22 action. In this case, that would be the license of  
23 the proposed MOX facility. It also requires that we  
24 evaluate impacts from alternatives to the proposed  
25 action.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1                   Currently, the NRC is considering two  
2 actions. One would be the no action alternative,  
3 which would be not to license a facility. And the  
4 other would be the proposed action. I think we heard  
5 a lot of good comments last night on alternatives and  
6 other things that we should consider.

7                   And as we go through this scoping process,  
8 we'll be refining those, and hopefully we'll hear some  
9 other alternatives here tonight that will aid us in  
10 scoping the EIS. And this is really what the scoping  
11 process is about. It is to hear your views on  
12 alternatives that should be considered and also what  
13 impacts or significant issues we should consider in  
14 preparing the Environmental Impact Statement.

15                   The MOX project is a little different than  
16 typical projects we prepare Environmental Impact  
17 Statements for in that DOE has already decided the  
18 need and location for the facility. These decisions  
19 may limit the number of alternatives that we would  
20 normally consider in preparing Environmental Impact  
21 Statements. Next slide, please.

22                   This is just a brief schematic of the  
23 Environmental Impact Statement process. As Tom  
24 mentioned, we've received an application, in this  
25 case, the construction authorization request, and have

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701



1 also received an environmental report. We published  
2 in the federal register a notice of intent to prepare  
3 an Environmental Impact Statement and we published  
4 that in the federal register on March 7th.

5 We're currently in the scoping process.  
6 And as I said, this is an important process whereby  
7 we're by seeking public input and comment. Another  
8 opportunity for public comment is the following the  
9 preparation of the draft Environmental Impact  
10 Statement.

11 And that follows after we go through  
12 scoping and identify the alternatives that we're going  
13 to evaluate, we then get into the detailed  
14 environmental review. This review would be documented  
15 in the draft Environmental Impact Statement, which we  
16 plan to publish in February of 2002.

17 And as Tom mentioned, following that,  
18 we'll be seeking additional comments and also there  
19 will be an opportunity for a hearing. We'll consider  
20 your comments of our evaluation at that time, and then  
21 prepare a final Environmental Impact Statement which  
22 is currently scheduled to be published in September  
23 2002. Next slide, please.

24 This is a map of the Savannah River Site.  
25 The proposed MOX facility would be located in the F

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 Area, which is on the north side of Savannah River.  
2 The Savannah River Site encompasses approximately 310  
3 square miles, and has a restricted area which limits  
4 public access. The F Area is approximately six miles  
5 inside that restricted area boundary. Next slide,  
6 please.

7 This is a detailed map of the F Area. The  
8 proposed MOX facility would be located on the north  
9 end of the F Area on approximately 41 acres. Other --  
10 I guess the purplish colors are other DOE buildings --  
11 existing buildings in the F Area. The F Area is used  
12 for the F canyon, which is used for chemical  
13 separation. And also there are some high level waste  
14 tanks located within the F Area. Next slide, please.

15 This is an artist rendering of what the  
16 proposed MOX facility would look like. The inputs to  
17 the facility would be, as Tom mentioned, plutonium  
18 powder from the weapons plutonium. And also depleted  
19 uranium, which would come from one of DOE's stockpiles  
20 at one of its enrichment facilities.

21 The proposed MOX facility would purify the  
22 weapons plutonium powder and mix it with the depleted  
23 uranium in order to make MOX reactor fuel assemblies.  
24 These reactor fuel assemblies would be transported to  
25 reactors for use to produce electricity.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1           Currently, the McGuire and Catawba  
2 reactors are proposed. Following irradiation in a  
3 reactor, the spent MOX fuel would be stored at the  
4 reactor site pending disposal in a national geologic  
5 repository. Next slide.

6           These next two slides are intended to  
7 hopefully provoke some thought on areas that are  
8 typically considered environmental impacts, and  
9 hopefully that you would comment on these or other  
10 issues that you feel are important. This list is not  
11 complete, but these are things that we typically  
12 consider.

13           Impacts such as air quality and noise may  
14 be fairly self-evident. The proposed MOX facility  
15 will have a stack which will emit small quantities of  
16 material into the air, and noise would be generated  
17 from construction and operation. The cultural impacts  
18 may be a little less clear.

19           These would include archeological and  
20 historic resources, which are protected under the  
21 National Historic Preservation Act. In evaluating  
22 these impacts, we would consult with the state  
23 historic preservation officer. The environmental  
24 report prepared by DCS did indicate that there was  
25 some archeological areas which could be impacted.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 Terrestrial and aquatic ecology deal with  
2 things like plant species, animal species,  
3 biodiversity and habitat loss. These resources are  
4 protected under the Endangered Species Act. And in  
5 evaluating the resources and impacts, we would consult  
6 with the Fish and Wildlife Service.

7 Land use deals with the current and  
8 proposed use of the land, and this is closely tied  
9 with socioeconomic impacts. And that's another area  
10 that may be a little less clear. Let me give you some  
11 examples. Socioeconomic impacts would include things  
12 like population growth, changes in employment or  
13 taxes, housing characteristics, traffic impact, and  
14 also quality of services, such as fire protection,  
15 police protection or education.

16 Aesthetics is another impact or resource  
17 that we look at in Environmental Impact Statements.  
18 And that is, would the construction of the proposed  
19 MOX facility degrade the visual quality of the F Area  
20 or the Savannah River Site? Next slide, please.

21 Surface and ground waters could be  
22 impacted from effluent or discharges. Currently,  
23 there are a number of streams which border the F Area,  
24 which drain into the Savannah River which flows  
25 through Savannah, Georgia into the Atlantic Ocean.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 There are a number of ground water aquifers beneath  
2 the F Area, and I see this as one area which we'd like  
3 some comment on. I think that's one reason we're here  
4 tonight is to hear your views on the river water  
5 quality and things like that.

6 Human health impacts, as I stated,  
7 consider both radiological and non-radiological  
8 impacts. These are closely tied with air quality,  
9 water quality and ecology because these form pathways  
10 whereby humans can be exposed or impacted. We would  
11 also consider environmental justice. This deals with  
12 disproportionate impacts to low income or minority  
13 populations. And if you have any input on that, we'd  
14 be interested in hearing that.

15 Waste management is typically considered  
16 in Environmental Impact Statements. The proposed MOX  
17 facility would generate low level waste, mixed waste  
18 and also a high alpha waste stream and the impacts of  
19 disposal in handling these wastes would be considered.

20 Decommissioning is another area that we  
21 typically consider. Currently, I think the DCS  
22 environmental report proposes deactivation and I think  
23 we'd be interested in hearing your views on how we  
24 should handle decommissioning impacts. Use of MOX  
25 fuel in a reactor with respect to the proposed MOX

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 facilities is considered an indirect impact.

2 And we could consider unique impacts from  
3 using MOX fuel in a reactor. This would also include  
4 things like spent fuel storage, other proposed MOX  
5 fuel and also disposal concerns. In addition to  
6 traffic, which is covered under socioeconomic impacts,  
7 we could also look at the impact of transporting  
8 radioactive material.

9 In this case, it would be the depleted  
10 uranium or the fresh MOX fuel. Transportation  
11 analysis considered both incident-free. That is, in  
12 no accident scenarios and also accident scenarios.  
13 Next slide, please.

14 Just to summarize some of the next steps,  
15 as I stated, we're now in scoping. And we want to  
16 hear your views here tonight. We've also got the  
17 feedback forms. We'll be accepting comments via  
18 email, fax. And we'll be accepting written comments  
19 through May 21st as Chip mentioned. Comments received  
20 after that time would be considered to the extent  
21 practicable.

22 The address to submit written comments is  
23 contained on the fax sheet, which Betty had out on the  
24 table. It's also in the Notice of Intent that was  
25 published in the Federal Register, and it's also under

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 MOX web page. We will hear your views, consider both  
2 the comments here tonight, and these scoping meetings  
3 and the written comments, and prepare a scoping  
4 summary report which will delineate the alternatives  
5 that we will consider.

6 That report is hoped to be produced in  
7 July of 2001. Other dates are the draft Environmental  
8 Impact Statement, which would document our review.  
9 And that would be in February of 2002. Again, there  
10 would be another opportunity for public input and for  
11 you to influence the process. And we would consider  
12 those views and prepare a final Environmental Impact  
13 Statement which is scheduled in September of 2002.  
14 And that concludes my presentation.

15 MR. CAMERON: Okay. Thanks, Tim. We have  
16 some time for some questions before we get to the part  
17 of the program tonight where we hear from you. We  
18 want to make sure that you understood all this. Yes,  
19 sir. If you could just give us your name, please.

20 MR. NADELMAN: My name is Fred Nadelman,  
21 and I'm with the Citizens for Clean Air and Water. I  
22 would like to know exactly what you mean by plutonium  
23 purification? How can you purify something that lasts  
24 thousands of years? What process is this? Where does  
25 the residue go? I'd like some great details on this.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 MR. HARRIS: Chip, I'm going to let Tim  
2 Johnson, who is the Licensing Project Manager, answer  
3 those.

4 MR. CAMERON: Thank you, Fred. And there  
5 may be further detail that people want on their  
6 questions, and because of the time constraints that  
7 we're under, we'll figure out a way to get you more  
8 detail on that. But go ahead, Tim.

9 MR. JOHNSON: The plutonium that is going  
10 to be used for -- or is proposed for use in the MOX  
11 facility contains some impurities, such as gallium and  
12 americium. And the process that's proposed is to  
13 dissolve plutonium oxide that DOE gives to Duke COGEMA  
14 Stone & Webster, and process that to remove the  
15 americium and gallium impurities so that they have  
16 those removed for the manufacture of fuel. There will  
17 be waste that will be generated in that process.  
18 Those wastes are identified in the environmental  
19 report, and what is being proposed at this point is  
20 the primary waste treatment would be done by the  
21 Department of Energy in their facilities in the F  
22 Area.

23 MR. CAMERON: Okay. Thank you, Tim. I  
24 know it's awkward up there, but if you can just clip  
25 that lovelier to your tie or something, it won't make

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701



1 that noise. We're going to go up here for another  
2 question. Could you just tell us your name?

3 MS. JENNINGS: Judy Jennings. In doing  
4 the Environmental Impact Statement, I realized that  
5 one of the alternatives you'll evaluate is the "no  
6 action" alternative. If you could help me understand  
7 exactly what that would be. Would no action be NRC  
8 would not grant a license to this applicant or would  
9 it be we don't reprocess plutonium? So what would  
10 that "no action" alternative actually be?

11 MR. CAMERON: Thank you, Judy.

12 MR. HARRIS: I think that's one that's  
13 maybe up for debate. We heard a lot of comments last  
14 night on what people thought the "no action"  
15 alternative would be. It could be simply not to grant  
16 the license. It could be other things, such as I  
17 think Mary Olsen suggested the "no action" alternative  
18 could be evaluating the impact from immobilization  
19 only. So that's one of the reasons we're here tonight  
20 is to hear your views on alternatives that you think  
21 we should consider.

22 MS. JENNINGS: Is it within the purview of  
23 NRC to make that decision that you not reprocess  
24 plutonium?

25 MR. CAMERON: I think that goes to the

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 heart of the question.

2 MR. HARRIS: Yes, I think --

3 MS. JENNINGS: I don't know if you can  
4 make that decision or not.

5 MR. HARRIS: -- the NRC decision is  
6 whether to license a facility or not license a  
7 facility, and that will be based on a safety  
8 evaluation and also impacts to the environment.

9 MR. CAMERON: So the direct answer, I  
10 guess, is that, no, the NRC -- the NRC can take action  
11 on this particular request, but it can't make a policy  
12 decision on whether there should be reprocessing.  
13 Mike, do you want to add anything on that? Okay.  
14 Good. Yes, sir, and please state your name for us.

15 MR. COTTER: I'm David Cotter with the  
16 Center for Sustainable Coast. I noticed on the  
17 background information you say here the objective is  
18 to take care of the disposition of up to 50 metric  
19 tons of surplus weapons usable plutonium and convert  
20 that into forms that are unsuitable for future use in  
21 nuclear weapons. In the following paragraph, you say  
22 based on the record of decision only one-third of  
23 material will be immobilized in the form of ceramic;  
24 two-thirds into this mixed oxide fuel. What led to  
25 that decision? Why is that rather than all of it

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 being destabilized -- or stabilized through a form of  
2 ceramic?

3 MR. CAMERON: Now that, I guess, is  
4 something that was addressed by the Department of  
5 Energy in their Environmental Impact Statement.

6 MR. HARRIS: That's correct.

7 MR. CAMERON: And I guess that's where  
8 that information is.

9 MR. HARRIS: DOE prepared an Environmental  
10 Impact Statement for the plutonium disposition, as Tom  
11 mentioned, that evaluated several sites and other  
12 alternatives. And the preferred alternative from that  
13 Environmental Impact Statement was a hybrid approach  
14 to use part of the plutonium for MOX fuel, part of the  
15 plutonium for immobilization.

16 MR. CAMERON: Quick follow-up?

17 MR. COTTER: Yes, follow-up question:  
18 Does that then imply that that finding was based upon  
19 there being greater environmental impacts from mining  
20 or otherwise, deriving fuel from a different source  
21 rather from using this source and producing mixed  
22 oxide?

23 MR. HARRIS: That may be a question we  
24 want to defer to DOE, Chip.

25 MR. CAMERON: Well, I think that -- I

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 don't know if that's something that could be answered  
2 fairly quickly, and Jennifer may, if she can, give us  
3 a quick answer for that.

4 MS. DAVIS: I'll take a crack at it. The  
5 hybrid approach was chosen in part because it's to  
6 encourage Russia to proceed with their part of the  
7 agreement as well. And they would really prefer us --  
8 or prefer the United States to manufacture MOX from  
9 all of the plutonium. They don't care for the  
10 immobilization alternative. However, some of the  
11 plutonium that we have is not as well suited to  
12 fabricating into MOX, and so that's largely why the  
13 proportions were chosen for what would be immobilized  
14 and what would be made into mixed oxide fuel.

15 MR. CAMERON: Okay. Thanks, Jennifer.  
16 And there are DOE representatives here. Perhaps after  
17 the meeting, they can provide more information to you  
18 on that. Yes, sir?

19 DR. BELIN: My name is Dr. Charles Belin.  
20 I've written 89 EISs and EAs over my federal career,  
21 and I've got a point of caution for both of you. If  
22 you don't know what the alternatives are before you  
23 start the process, I wouldn't bother writing an  
24 Environmental Impact Statement. You need to be  
25 extremely careful in knowing exactly what the

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 alternatives are and where you're going with this  
2 document or the whole thing isn't going to stand up,  
3 and it will fall flat on its face.

4 MR. HARRIS: You're absolutely right. And  
5 that's part of what the scoping process is --

6 AUDIENCE MEMBER: Pull the microphone  
7 closer to you, please.

8 MR. CAMERON: Okay. Well, thank you for  
9 that advice.

10 MR. HARRIS: I just wanted to add that  
11 that's really what scoping is intended. And once we  
12 -- the scoping summary report will identify exactly  
13 precisely what alternatives we will consider in the  
14 Environmental Impact Statement, and then the  
15 evaluation starts from that point forward.

16 MR. CAMERON: Okay. Other questions  
17 before we get to comments. Sara? Just tell us who  
18 you are.

19 MS. BARCZAK: Sure. Sara Barczak,  
20 Georgians for Clean Energy, and I live here in  
21 Savannah. The area that you mentioned where the  
22 plutonium fuel facility is going to go is in the F  
23 Area, and it's already massively contaminated. And  
24 I'd like to know what is being done to categorize that  
25 contamination in the area as baseline? What is the

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 baseline, and where are we getting those numbers to  
2 see what are the impacts of this facility on that  
3 area?

4 MR. HARRIS: As a starting point, that  
5 information was provided by DCS in the environmental  
6 report, which looked at impacts from the Savannah  
7 River Site, the F Area, and also what the potential  
8 impacts would be from the proposed MOX facility.

9 MS. BARCZAK: Well, and this -- maybe this  
10 is a DCS question, but what is the baseline that they  
11 used prior to the entire SRS facility being put into  
12 place or the status of where it is right now prior to  
13 the facility being built?

14 MR. HARRIS: Yes. I don't have the answer  
15 to that. Maybe Jennifer does.

16 MR. CAMERON: Jennifer, do you understand  
17 the question Sara's asking, and could you provide us  
18 with an answer to that, please, if you can? Thank  
19 you.

20 MS. DAVIS: I would ask DCS to correct me  
21 if I'm wrong, but I believe the baseline they're using  
22 is the current status of the F Area, before the  
23 facility is going to be built. So it's not from the  
24 greenfield fuel.

25 MR. CAMERON: Okay. Thank you very much.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 We have another question right back here, Don Moniak,  
2 I believe. And, Don, I'll hold this for you; you have  
3 your hands full. Go ahead.

4 MR. MONIAK: My name is Don Moniak. I  
5 work for the Blue Ridge Environmental Defense League.  
6 I live in Aiken, South Carolina. I'd like to know --  
7 this is a yes, no question -- is it a greenfield site  
8 that you're talking about or is it a developed site  
9 already that you're going to build upon?

10 MR. HARRIS: I think -- and Jennifer will  
11 correct me if I'm wrong -- I think it currently would  
12 be considered a brownfield site. Industrial.

13 MR. MONIAK: What is a brownfield site,  
14 the same people want to know?

15 MR. HARRIS: Industrial facility,  
16 industrial site.

17 MR. MONIAK: What is the role of Argonne  
18 National -- who's preparing this Environmental Impact  
19 Statement? The NRC. But I learned last night that  
20 Argonne National Laboratory is the contractor?

21 MR. HARRIS: That's correct. Argonne  
22 National Labs is assisting the NRC in preparing the  
23 Environmental Impact Statement.

24 MR. MONIAK: Given that Argonne National  
25 Laboratory did receive funding to study the plutonium

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 fuel option years and years ago, is there any kind of  
2 evaluation or conflict of interest here? They're a  
3 Department of Energy laboratory that has a major  
4 commitment to nuclear power and the plutonium fuel  
5 program.

6 MR. HARRIS: I think Jennifer will correct  
7 me if I'm wrong, but I think we did look at conflict  
8 of interest in awarding the contract.

9 MR. CAMERON: Okay. I'm going to put an  
10 action item up here. The conflict of interest review  
11 that has to be done on any NRC contract, I think, is  
12 public information; is that correct?

13 MR. MONIAK: So there was one done?

14 AUDIENCE MEMBER: I think so. I'm not --

15 MR. CAMERON: Okay. I'm going to put an  
16 action item up there. We got a question right back  
17 here, and, Fred, I'll get back to you. But we got to  
18 keep track of the time also. Okay. These are  
19 clarifying questions.

20 MR. BERGEN: My name is Clete Bergen, a  
21 local citizen here in Savannah, Citizens for Clean Air  
22 and Water. It's my understanding that the Duke group  
23 estimates that there's going to be some 81,000 gallons  
24 of high-level alpha activity waste generated annually  
25 by this MOX process. And I'm not exactly sure what

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701



1 plans have been made to treat it. We are down river  
2 on the Savannah River, and I would like to know --  
3 have some clarification about that and how the NRC can  
4 oversee that.

5 MR. CAMERON: Okay. Pretty  
6 straightforward question, in the NRC's realm. Tim  
7 Johnson, you can answer that for us, please.

8 MR. JOHNSON: The plan is to transfer  
9 those wastes to the Department of Energy, and those  
10 wastes would be processed in DOE waste treatment  
11 facilities in the F Area.

12 MR. CAMERON: And one follow-up to that,  
13 Tim, that I think was implied in the question is that  
14 those waste disposal aspects will be evaluated by the  
15 NRC in making a decision on the construction  
16 authorization. Will it?

17 MR. JOHNSON: No. These are DOE  
18 activities that are not under our jurisdiction. So  
19 the actual waste treatment process that DOE uses would  
20 not be reviewed.

21 MR. CAMERON: Okay. Thank you. We're  
22 going to go for a couple more here, and we really need  
23 to get started on the comments. Fred?

24 MR. NADELMAN: What studies have you done  
25 in relation to the aging -- the facility that will be

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 used, the Savannah River Site, which dates back to  
2 1951. It's aging quite a lot. What studies have been  
3 done in relation to the impact of processing nuclear  
4 grade -- that is weapons grade plutonium in a plant  
5 that's this old with reported cracks in the concrete?  
6 What studies have been done in relation to the  
7 proposal for using nuclear grades -- that is weapons  
8 grade plutonium, which is much more dangerous than  
9 plutonium processed otherwise, in relation to the  
10 plant processing it?

11 MR. CAMERON: Okay. Tim? Or one of the  
12 Tim's.

13 MR. JOHNSON: I'll try to answer that. I  
14 don't know all of the DOE studies that have been done  
15 over the course of time with respect to their waste  
16 treatment processes. But there were environmental  
17 impacts discussed in the Department of Energy  
18 Environmental Impact Statement that supported the  
19 Plutonium Disposition project.

20 MR. CAMERON: Okay. Couple quick ones  
21 from Don.

22 MR. MONIAK: I have a follow-up question  
23 on the waste question. Eighty thousand gallons a year  
24 of high-alpha activity waste. The proposal is to  
25 build a pipe that would go from the facility they're

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 proposing to license over across the fence to the  
2 facility within the same facility, SRS, but where it's  
3 outside Nuclear Regulatory Commission jurisdiction.  
4 My question is at what point on that pipe do you -- do  
5 you have jurisdiction on that pipe and what's in it  
6 until it hits the fence, and then after that it's  
7 Department of Energy?

8 MR. JOHNSON: I don't think the details of  
9 that have been confirmed as yet, but at some point  
10 there would be a definitive point where DOE would take  
11 possession of that material.

12 MR. JOHNSON: Any follow-up from Tim  
13 Harris on that?

14 MR. HARRIS: Just a clarifying point: I  
15 think part of scoping and what I mentioned in my slide  
16 is you could consider waste management and the impacts  
17 from waste management in the Environmental Impact  
18 Statement. Tim Johnson is more involved with the  
19 licensing and the safety evaluation, and clearly  
20 there's a demarkation line. That line is a little  
21 fuzzier or flexible for environmental impacts.

22 MR. CAMERON: Okay. So there's more  
23 leeway in considering the waste process in the  
24 Environmental Impact Statement than there is in the  
25 actual safety review under the NRC safety regulations.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 MR. HARRIS: Right. Yes. The scope of  
2 the two evaluations are a little different.

3 MR. CAMERON: All right. Mary?

4 MR. HARRIS: The EIS is a little broader.

5 MS. OLSEN: Mary Olsen, Nuclear  
6 Information and Resource Service. This is sort of a  
7 question about NRC's qualification to regulate, I  
8 guess. But we heard about the safety evaluation  
9 report, and it's my understanding that licenses are  
10 contingent upon meeting this safety evaluation.  
11 There's 103 operating reactors in the United States  
12 today. How many of those are in compliance with their  
13 safety evaluation reports today?

14 MR. CAMERON: Tom Essig is going to handle  
15 this one. And, Tom, do you understand the question?

16 MR. ESSIG: Yes, I believe I do.

17 MR. CAMERON: Okay.

18 MR. ESSIG: The facility doesn't really  
19 have to comply with its safety evaluation report. It  
20 has to comply with the license that's issued following  
21 the preparation of the safety evaluation report. A  
22 facility must comply with its license. We have  
23 resident inspectors; we issue notice of enforcement  
24 action. So that's really where the compliance comes  
25 in is with the license and the conditions that are

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 associated with it, a rather voluminous document that  
2 we call the technical specifications, which go into  
3 great detail on operating plant parameters that must  
4 be adhered to.

5 MR. CAMERON: Quick follow-up?

6 MS. OLSEN: So in other words, compliance  
7 is a moving target.

8 MR. ESSIG: No. I don't know that I said  
9 that. I said that compliance must be demonstrated  
10 with the technical specifications, which are on paper;  
11 they're black and white; they're issued to the  
12 licensee; they're reviewed by resident inspectors,  
13 region-based inspectors that basically -- resident  
14 inspectors are looking at the adherence to these on a  
15 continuing basis.

16 MR. CAMERON: Okay. Thank you. We're  
17 going to take a couple more, and then we're going to  
18 move into the comments. And just give us your name.

19 MS. LEFFIK: Sure. Terry Leffik, with  
20 Strategies for Environmental and Economic Concerns.  
21 Two real quick process questions. First of all, is it  
22 typically standard for a construction authorization  
23 app form to be filed before the EIS is completed?  
24 That's typically standard. Because you said that the  
25 form would be filed, I think it was, later this year?

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 MR. HARRIS: Right. That's more standard  
2 for reactor licensees, which typically go through a  
3 two-phase approach. Most material licensees and  
4 things that the Office of Nuclear Material Safety and  
5 Safeguards deals with typically go through a one-step  
6 licensing process. So it's a little unique for fuel  
7 fabrication facilities but not unique for other NRC  
8 regulated programs like reactors.

9 MS. LEFFIK: Okay. And a second question:  
10 Will there be any economic analysis included in the  
11 EIS, such as the traditional cost/benefit analysis?

12 MR. HARRIS: Yes. Those would be  
13 considered under the socio-economic impacts. That's  
14 a pretty broad range in cost are considered.

15 MS. LEFFIK: So project economics will be  
16 included then.

17 MR. HARRIS: Yes, both positive and  
18 beneficial impacts and negative impacts as well.

19 MS. LEFFIK: Okay.

20 MR. CAMERON: Thank you. Sara?

21 MS. BARCZAK: Chip, I wanted to ask the  
22 process for when the question and answer period is  
23 done. When we get to our own comments, if we have  
24 questions that we weren't able to ask in this section,  
25 are we able to ask them then?

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 MR. CAMERON: As long as --

2 MS. BARCZAK: Depending on how --

3 MR. CAMERON: -- we are within the time  
4 deadline.

5 MS. BARCZAK: Okay. Question on --  
6 there's a section in the environmental report on  
7 underground injection, and I wanted to know what will  
8 be injected underground, because I couldn't decipher  
9 it.

10 MR. CAMERON: And, Tim?

11 MR. HARRIS: I'm not familiar with that.  
12 I think we could have maybe DCS look at that. That's  
13 not an answer I know.

14 MR. CAMERON: So this was in the --

15 MR. HARRIS: Yes. I guess the point to  
16 make is that we haven't started our detailed review of  
17 the environmental report, so some of the questions we  
18 don't have answers to.

19 AUDIENCE MEMBER: But you've had that for  
20 five months.

21 MR. CAMERON: Okay. Let's try to get an  
22 answer here. And if we need to put it up on the  
23 action item, we will. Jennifer?

24 MS. DAVIS: Things like that that we find  
25 unclear in the environmental report, we are planning

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 to issue a request for additional information to Duke  
2 COGEMA Stone & Webster probably this summer. And so  
3 that kind of thing we would plan to follow up on.

4 MR. CAMERON: And could I -- just for the  
5 public's information, when the NRC issues a request  
6 for additional information, are those requests and the  
7 answers that come back to those requests, are they  
8 public? They're public information. Okay. Unless  
9 they include proprietary information.

10 MS. BARCZAK: Please add that to the  
11 action item, because if you have any kind of report on  
12 your web site, I'd like that included.

13 MR. CAMERON: Okay. Good. We'll do that.  
14 We're going to take -- basically, we're going to have  
15 to go to the comments, but we'll take two more  
16 questions. Yes, sir?

17 MR. LIAKAKIS: My name is Pete Liakakis.  
18 I'm Vice Chairman of Savannah City Council. And, of  
19 course, being a public official and going to meetings  
20 and especially the environmental groups and all, what  
21 is the -- and I think that's important that it comes  
22 out at a meeting like this -- what is the worst-case  
23 scenario of processing the plutonium and also the  
24 hazards of the base products? What are they, because  
25 the public needs to know. And also what are the

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701



1 safety factors in protecting the public from those  
2 particular accidents?

3 MR. CAMERON: Okay. Tim Johnson, do you  
4 want to tell us how -- if we don't know that yet, can  
5 you tell us how the NRC considers that in our process?

6 MR. JOHNSON: In the Environmental Impact  
7 Statement, one of the key components of it is to  
8 evaluate accident impacts as well as impacts from  
9 waste generation. So these would all be considered as  
10 part of the preparation of the Environmental Impact  
11 Statement, and they would be defined in there in terms  
12 of what are the dose effects from those kinds of  
13 events or processes.

14 MR. LIAKAKIS: Well, are you going to have  
15 another meeting, you know, so that the public will  
16 know that, and you can inform the public? Because  
17 that's really important. These particular things are  
18 most important, because we want to know what is the  
19 hazard to the public and especially Savannah being  
20 downstream and the people that are closer. And what  
21 is going to be done to protect the public?

22 MR. JOHNSON: Right. That is a key  
23 consideration, and when the evaluation gets prepared,  
24 it will be in the form of a draft Environmental Impact  
25 Statement. And there will be additional opportunities

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 for public comment on the draft Environmental Impact  
2 Statement. And we will also have some additional  
3 public meetings.

4 MR. CAMERON: The answers to the type of  
5 questions that Pete has posed that the public is  
6 interested in, the answers to those questions will be  
7 in the Environmental Impact Statement?

8 MR. JOHNSON: The draft Environmental  
9 Impact Statement, yes.

10 MR. CAMERON: All right. Okay. We're  
11 going to do people who haven't had a question. Peter?

12 MR. ATHERTON: Peter James Atherton. I  
13 serve as a nuclear safety consultant. I'd like to add  
14 on the action list concerning the conflict of interest  
15 issue. I've been speaking with Mr. Hall, who is from  
16 the Office of General Counsel, an attorney with the  
17 Nuclear Regulatory Commission, whether or not it's a  
18 conflict of interest, legally speaking, not  
19 legislatively speaking, for NRC to review a DOE  
20 application. That would be one.

21 MR. CAMERON: Tim Johnson, do you want to  
22 address that? We'll put the question up here, but I  
23 think that we probably can shed some light on that.

24 MR. JOHNSON: The question, as I  
25 understand it, is can NRC review a DOE application?

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 For this particular case, Congress has assigned us the  
2 role of reviewing the MOX fuel fabrication facility  
3 and issuing a license if it meets our safety  
4 standards. So, yes, by Congress giving us that role  
5 and jurisdiction, it is legal for us to evaluate this.  
6 But also, technically, this really isn't a DOE -- this  
7 is a DOE-funded project, but the applicant and  
8 operator will be a private entity.

9 MR. CAMERON: What you're saying is, is  
10 that the NRC is required to review this particular  
11 construction authorization request.

12 AUDIENCE MEMBER: Tim, you might also  
13 mention Yucca Mountain as an example of where DOE --

14 MR. CAMERON: Yes. There are certain  
15 types of DOE facilities, such as the Yucca Mountain  
16 Repository where the Congress has given NRC the  
17 authority to review the DOE actions.

18 We're going to go to comment period now.  
19 And the reason we need to do that is because we do  
20 need to be out of here by ten o'clock. We have a  
21 number of speakers. We're just going to probably  
22 squeak through. I would ask you to try to keep your  
23 remarks to under ten minutes, but it's got to be ten  
24 minutes at the most. And for fairness, I'm going to  
25 start with people who were not at last night's

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 meeting, people we haven't heard from before, with one  
2 exception, which is going to be Jen Kato, who's  
3 carrying some information from a state legislator.

4 So what we're going to do is, Pete, as  
5 City Council Member here in Savannah, we're going to  
6 go to you first to make a statement for us. You did  
7 want to say something, didn't you?

8 MR. LIAKAKIS: Well, actually, my  
9 statement is this: There are a number of questions  
10 that have not been answered this evening, and this is  
11 very important to the people. And I think that DOE  
12 and the NRC it's incumbent upon them to have all of  
13 this information for the public, and that it's  
14 disseminated so that you get the public comments after  
15 these questions have been answered and have given. So  
16 make sure that that is first and foremost in your  
17 future presentations.

18 Because, for example, we've had some  
19 tritium that came downstream from the SRS Site, and in  
20 fact in the past, we didn't have any prewarning on  
21 that. And what the City of Savannah has done is they  
22 have put some monitoring stations further upstream so  
23 that we'll know to give us time to close down and to  
24 advise and do whatever's necessary to protect the  
25 public. But because of this process and all, just

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 listening to people comment in many of the community  
2 meetings, we want to make sure that we have all the  
3 information so that we're not at a loss.

4 MR. CAMERON: Thank you very much, Pete.  
5 We're going to go to Pat Clark, and then Sara Barczak  
6 and then Jen Kato. Pat, do you want to -- where are  
7 you going to be most comfortable? Do you want to come  
8 up here to the podium?

9 MS. CLARK: That's probably easiest.

10 MR. CAMERON: All right. Then we're going  
11 to put this microphone in here for you, hopefully.

12 MS. CLARK: Thank you.

13 MR. CAMERON: You're welcome.

14 MS. CLARK: Can you hear me? Doesn't  
15 sound like it.

16 MR. CAMERON: Can you hear her out there?

17 AUDIENCE MEMBER: A little bit, yes. A  
18 little bit. It's a little weak back here.

19 MS. CLARK: Now can you hear me?

20 AUDIENCE MEMBER: Yes.

21 MS. CLARK: I don't think I can stand it.

22 (Laughter.)

23 MR. CAMERON: This will make sure we get  
24 our ten-minute limit, because that's an uncomfortable  
25 position to be in.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 MS. CLARK: Can I just hold it?

2 MR. CAMERON: Oh, absolutely.

3 MS. CLARK: Maybe I should have stayed  
4 where I was. My name is Pat Clark, and I'm reading a  
5 prepared statement from Senator Regina Thomas, so  
6 these are her thoughts.

7 "For 50 years, Georgia has paid a heavy  
8 price for its proximity to one of the nation's biggest  
9 military nuclear facilities, the Savannah River Site,  
10 in Aiken, South Carolina, on our eastern border. Many  
11 Georgians are unaware that SRS exists. Those that do  
12 know it is in clean-up mode -- those that do know,  
13 assume it is in clean-up mode -- pardon me.

14 Whether aware of SRS or not, all Georgians  
15 should understand that the Site is about to plunge us  
16 into a new era of nuclear dangers. With the assumed  
17 support of Georgians, SRS is on course to become the  
18 nation's top plutonium processing site, including  
19 helping to produce new nuclear weapons. As a neighbor  
20 to SRS, Georgia has been the doormat over which many  
21 thousands of toxic and radioactive shipments have  
22 crossed since the early 1950's and the unwitting  
23 beneficiary of downwind and downstream contamination.  
24 Our River and its fish are contaminated with plutonium  
25 and other radionuclides. Radioactive tritium is in

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 the groundwater in Burke County, and some of the most  
2 dangerous radioactives particles on the planet lurk in  
3 river sediment near Savannah.

4 But the Department of Energy, which  
5 operates SRS, assures us this is a new era marked by  
6 commitment to clean up and environmental stewardship.  
7 Despite the 35 million gallons of highly radioactive  
8 liquid waste lingering at SRS and the contaminated  
9 groundwater still beneath the Site, we had hoped that  
10 bad old days were over.

11 But it appears they are coming back. In  
12 the first place, SRS has been quietly planning on new,  
13 dangerous program for the Site that would convert  
14 plutonium from nuclear weapons into fuel for  
15 commercial power plants never designed for such use.  
16 The fuel is called MOX or plutonium fuel. It would  
17 mean thousands of plutonium shipments across Georgia  
18 and other states, new plutonium processing facilities,  
19 and millions of gallons of new nuclear waste.

20 With the plutonium fuel project moving  
21 forward, members of Congress are eyeing MOX as a way  
22 to deal with our country's commercial nuclear waste  
23 too; meaning, SRS could wind up in the dirty business  
24 of waste processing, fuel manufacturing, and long-term  
25 plutonium production storage, all of which mean

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 increased radioactive releases off-site, just like the  
2 bad old days.

3 The planned MOX plant will produce waste  
4 in far greater amounts than we were informed about in  
5 official public documents about the project. In late  
6 March, the DOE canceled plans to build an additional  
7 facility for disposing of un-MOXable weapons plutonium  
8 that many peace and environmental groups supported.  
9 This, quote, 'immobilization plant,' unquote, would  
10 have cost less, caused less worker exposure, and  
11 created fewer nuclear proliferation concerns than MOX.  
12 The DOE claimed lack of funds, but funding for MOX,  
13 which includes much more plutonium processing, was  
14 increased.

15 To add insult to injury, the plutonium  
16 slated for immobilization, deemed to impure for MOX,  
17 may now be processed through the Site's massive waste-  
18 intensive plutonium production facilities to make it  
19 pure enough for MOX after all. Those facilities are  
20 the source of some of the worst contamination on the  
21 Site and cause some of the greatest off-site releases  
22 of radioactivity when they were in full operation.

23 Last month, SRS officials acknowledged  
24 they are lobbying for plutonium pit production  
25 facility on the site. Plutonium pits are the triggers

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701



1 of nuclear weapons. The facility in Colorado where  
2 they had previously been produced was so severely  
3 contaminated and posed such serious safety risks it  
4 was forced to close.

5 While the public continues to believe SRS  
6 rhetoric about clean-up, DOE is pursuing a nuclear  
7 weapons revival that has SRS written all over it.  
8 This year's proposed budget adds \$231 million to  
9 weapons research, while cutting over \$400 million from  
10 environmental programs. A hundred fifty million of  
11 clean-up cuts are from SRS alone. Meanwhile, MOX gets  
12 a \$37 billion boost.

13 Activities at SRS do not occur in a  
14 vacuum. They have a profound influence on decisions  
15 by other countries to develop, build or deploy nuclear  
16 weapons. As citizens of the most powerful nuclear  
17 nation in the world and neighbors of the workforce of  
18 the nuclear weapons complex, Georgians have a unique  
19 opportunity and an obligation to speak out. The  
20 Department of Energy would much prefer our ignorance  
21 and assumed acceptance, all the more reason to stay  
22 informed and get involved.

23 Tonight we have such an opportunity in  
24 which the Nuclear Regulatory Commission is holding  
25 this public meeting about the proposed MOX plant.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 Those who didn't attend can still provide their  
2 written comments. And, of course, there is a web site  
3 at which you can get additional information.

4 The contamination of Georgia's environment  
5 from SRS binds us to its legacy of weapons production,  
6 but we need not be a silent accomplice anymore. Let  
7 us fight to restore what has been harmed, reject a  
8 revival of nuclear weapons, and shape a new legacy for  
9 our beautiful state."

10 (Applause.)

11 MR. CAMERON: Thank you very much. Pat.  
12 Next we're going to go to Sara Barczak. And then  
13 we'll go to Jen Kato. Sara?

14 MS. BARCZAK: Would it be okay if David  
15 Kyler went before?

16 MR. CAMERON: Sure. David?

17 MR. KYLER: Thanks.

18 MR. CAMERON: You can put it in the stand  
19 or hold it, whatever you feel like.

20 MR. KYLER: I feel like a game show host  
21 here.

22 AUDIENCE MEMBER: What are we giving away  
23 here?

24 MR. KYLER: That remains to be seen.  
25 That's why we're here.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 I'm with the Center for a Sustainable  
2 Coast. As the name would imply, we are preoccupied  
3 with doing what we can to bring better information to  
4 the decisionmaking affecting the resources of the  
5 region, particularly those resources that have lasting  
6 economic value. And one of our objectives is to make  
7 sure they do in fact last.

8 People who are familiar with the  
9 organization and our message are probably going to  
10 hear some repeats here, but I want to go beyond that  
11 commenting on this proposal. And a lot of what I have  
12 to say will comment on the socio-economic impacts that  
13 are to be reviewed, hopefully, impartially in the EIS.  
14 I also want to part with a question, and I hope I  
15 remember to ask that.

16 This region, of all regions of the state,  
17 is far more dependent upon natural resources for its  
18 economic base than any other. By a very conservative  
19 methodology, we reckon that roughly one out of five  
20 jobs here derives directly or indirectly from the  
21 natural resources. That's primarily commercial and  
22 recreational fishing, nature-based tourism, and  
23 seafood processing. That's supporting a lot of  
24 families and a lot of communities, all of which are  
25 within the watershed or the airshed of this facility.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 Exact numbers I can't quote, but the order of  
2 magnitude is great. This converts to about a billion  
3 dollars a year in business. So figuring a factor of  
4 only, say, one percent is still \$10 million a year.

5 Any contamination from a radioactive  
6 source would have a lasting adverse effect and  
7 possibly cumulative adverse effect on these resources,  
8 which would not simply go away after a clean-up such  
9 as might be the case with a conventional source of  
10 contamination. So if we're going to pass on some of  
11 the same resources and economic opportunities, not to  
12 mention further prospects for compatible nature-based  
13 business in the future to generations that follow us,  
14 we need to make sure that a decision such as this one  
15 are made carefully and with a great deal of gravity.

16 Georgia also contains about one-third of  
17 the remaining -- I emphasize remaining -- title  
18 wetlands on the Atlantic shore of the United States.  
19 And these are among the most prolific ecosystems in  
20 the world, and they support something like 80 percent  
21 of all -- directly or indirectly through the food web  
22 -- roughly 80 percent of marine species, which have  
23 economic value beyond what I have just calculated for  
24 the region, which includes, by and large, near shore  
25 waters only. So there's a major potential impact on

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 the economics of fisheries and other natural marine  
2 resources of a national interest that go far beyond  
3 that -- \$1 billion a year and 40,000 jobs just in this  
4 region.

5 The water quality in the Savannah River,  
6 and in Georgia overall, is already highly compromised.  
7 Roughly ten percent of the waters are even sampled in  
8 this state, and of those that are sampled, some 60  
9 percent fail to meet federal standards for fishing and  
10 swimming. And the Savannah River is certainly no  
11 model even with that dismal record. According to the  
12 toxic release inventory of the Environmental  
13 Protection Agency, Savannah River is among the ten  
14 most contaminated rivers in the country, as it is.  
15 That means that any further contamination, no matter  
16 how seemingly marginal, could push the ecosystems of  
17 that River over the edge and cause some serious long-  
18 term consequences for both human health and the  
19 economy that depends upon these resources.

20 Another factor here is environmental  
21 justice. What might not seem so obvious when you talk  
22 about the economic value of these resources are the  
23 what might be considered non-economic values to people  
24 of modest income who depend more than proportional for  
25 their nutrition on fisheries that come from this

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 River. That means any contamination of these sources  
2 would put them at greater than average risk, as  
3 consumers of those resources. We already have 45 fish  
4 consumption values on Georgia's coast; that's over  
5 half of those in the state. And the kind of  
6 contaminants we're talking about here with this  
7 facility would greatly increase those numbers and  
8 cause long-term health effects, which have such  
9 monumental human suffering and economic consequences  
10 that they would put that \$1 billion a year of the  
11 economic value in perspective by greatly overshadowing  
12 that measure.

13 Finally, as a parting question, which I  
14 was going to ask had we had more time, is given the  
15 requirement under the National Environmental Policy  
16 Act for the Environmental Impact Statement, I'm  
17 curious to know if any such EIS ever conducted by the  
18 Nuclear Regulatory Commission has ever led to a  
19 finding of no significant impact, and how many have  
20 led to findings of no action?

21 MR. CAMERON: Okay. Thank you, David. I  
22 don't know if anybody wants to, from NRC, offer an  
23 opinion on that. And I think that within the range of  
24 David's question is also the many mitigating license  
25 conditions that have been added to licenses that have

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1       been granted because of the Environmental Impact  
2       Statement. I don't know if we have any information on  
3       this right off the bat, but we can put it on as an  
4       action item. Tim?

5               MR. JOHNSON: I don't really have a  
6       complete list of the history of NRC Environmental  
7       Impact Statements, but as I recall, in some of the  
8       early reactor evaluations, there were sites that were  
9       deemed inappropriate for environmental reasons as part  
10      of the Environmental Impact Statement. Unfortunately,  
11      I can't say exactly what they are. I'm just referring  
12      to some knowledge from some of the past NRC history.

13             MR. CAMERON: Okay. I think that what  
14      we're going to do now, as we have that up there as an  
15      action item, we're going to go to Sara Barczak.  
16      Whatever's easiest to do.

17             MS. BARCZAK: Sure. I'll try this and see  
18      how it works.

19             MR. CAMERON: Okay.

20             MS. BARCZAK: My name is Sara Barczak. I  
21      am the Safe Energy Director of Georgians for Clean  
22      Energy. I live here in Savannah. We have a field  
23      office here in Savannah, and also our main office in  
24      Atlanta. We are a non-profit statewide membership  
25      organization that strives to protect air and water

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 resources by changing energy is produced and consumed  
2 within the state. Hence our interest in this  
3 plutonium fuel issue.

4 I have my comments written out, and I will  
5 submit these after, so I will summarize -- and,  
6 actually, let me start my watch. First of all, let me  
7 start out by saying that our organization is deeply  
8 disappointed that the NRC today accepted the  
9 construction authorization request from Duke COGEMA  
10 Stone & Webster, as we believe many important issues  
11 have not been addressed, and significant information  
12 has been wrongfully withheld from the public and  
13 deemed as proprietary.

14 We ask the NRC to consider the impacts of  
15 plutonium fuel on individual commercial reactors.  
16 Until this is done, and it needs to be done at the  
17 beginning and the up-front stages of this  
18 Environmental Impact Statement, the ES will not be  
19 considered complete.

20 Nuclear Plant Vogtle, which most of us who  
21 live here know is about 90 miles upstream on the other  
22 side of the River from Savannah River Site, was listed  
23 back in '96 as interested in this plutonium fuel  
24 program, and it is unacceptable to evaluate reactors

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701



1 generically, as they all have different performance  
2 records, operating histories, construction, et cetera.

3           And most of us here know, but I want to  
4 make sure that it's very clear, that none of the  
5 reactors in the country, including within the  
6 Southeast region, were designed to use plutonium fuel  
7 from weapons. The generation of electricity with  
8 plutonium fuel is an untried experiment, and nowhere  
9 in the world has weapons plutonium fuel been used. In  
10 Europe, which is what we hear MOX is used there, it is  
11 plutonium generated from the nuclear reactors during  
12 their operation cycle, not from bombs.

13           Weapons plutonium, as we know, increases  
14 the wear and tear on a reactor. This needs to be  
15 addressed as it relates to decommissioning plans,  
16 decommissioning costs, and the public safety. Earlier  
17 in the presentation, we talked about the term  
18 "deactivation," and we, as an organization, are  
19 specifically asking to look into the decommissioning  
20 of this facility, the cost, and public safety, as I  
21 just said.

22           We also understand that utilities, or  
23 utility consortiums, are looking to receive a, quote,  
24 unquote, "free" plutonium subsidy from the federal  
25 government for this weapons plutonium fuel. Issues

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 such as whose money is this and will utilities be paid  
2 twice for the same kilowatt hour, once by ratepayers  
3 and once by the government or taxpayers, needs to be  
4 addressed.

5 At a previous public meeting more than a  
6 year ago, in Augusta, where we were present, the  
7 Department of Energy response to the subsidy question  
8 was that utilities will not pass any costs of using  
9 plutonium fuel on to ratepayers. With all due  
10 respect, we have heard that kind of statement before.  
11 And for those of us familiar with it, the lack of  
12 sound cost estimates associated with the construction  
13 of Nuclear Plant Vogtle near the Savannah River Site  
14 resulted in the worst and the most serious rate hike  
15 Georgians have ever experienced. Original estimates  
16 for a four-reactor plant ballooned from almost \$500  
17 million to more than \$8 billion for a two-reactor  
18 plant.

19 Additionally, given our work especially,  
20 we're concerned about how a plutonium fuel subsidy  
21 unfairly advantages certain companies in a competitive  
22 utility market. This proposal to unfairly advantage  
23 nuclear energy suppliers through a subsidy is in sharp  
24 contradiction to the significant ongoing efforts  
25 nationwide to create a, quote, unquote, "level playing

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 field" for power suppliers in an increasingly  
2 competitive utility market.

3 Additionally, as nuclear power is not a  
4 truly clean or sustainable technology, this subsidy  
5 unfairly disadvantages clean, safe, innovative energy  
6 technologies, such as solar and fuel cells, which  
7 could actually benefit Georgia's environment and the  
8 health of its citizens.

9 The issue of who's going to buy  
10 electricity generated from plutonium bomb fuel must  
11 also be addressed. Polls around the country show  
12 consistently that when given a preference, the  
13 majority of people want to invest in clean innovative  
14 technologies and energy efficiency and conservation  
15 programs, not fossil fuels and, more clearly, not  
16 nuclear power.

17 So if a commercial nuclear reactor were to  
18 use the proposed plutonium fuel, consumers, as I'm  
19 aware, essentially have to buy that fuel by the fact  
20 that their utilities would receive electricity from  
21 the same electric grid. What about those of us who do  
22 not want to purchase this fuel -- this electricity  
23 generated from this fuel?

24 As an organization representing the  
25 members that live downstream and downwind of SRS --

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 and I'm going to stress this as personally I am a  
2 resident of Savannah. I have a home here, I'm  
3 intending to live here a long time. The cold winters  
4 of Wisconsin I don't miss. So I would love to see  
5 this area improve and not be degraded further. I call  
6 attention to the fact -- and I mentioned it in an  
7 earlier question -- that this Site is already heavily  
8 contaminated from over 50 years of weapons processing  
9 and related activities.

10 The cumulative impacts on the Savannah  
11 River corridor communities from past, current, and now  
12 future operations needs to be evaluated within that  
13 context. It can't just be what is this facility going  
14 to do to Sara Barczak living downstream in Savannah?  
15 It has to take into account that I am dealing with  
16 tritium extraction facilities; I am dealing with the  
17 fact that when I go out to Tivey and I'm swimming  
18 around, and let me tell you, I think about it, that  
19 there's sediment out there that has contamination in  
20 it. And it's not contamination from any other place  
21 but the Savannah River Site. So what I am being  
22 impacted by cumulatively from all these processes? I  
23 don't think they can be separated out.

24 In a City of Savannah proclamation,  
25 adopted and approved on April 2, 1992, the then Mayor

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 and Alderman of the City of Savannah specifically  
2 requested that, quote, "The restart of the K-reactor  
3 cease and a full scale clean-up operation of the  
4 Savannah River Site begin immediately," end quote. We  
5 do not believe this proclamation has been upheld by  
6 the Department of Energy and do believe that if the  
7 NRC licenses this plutonium fuel factory, which will  
8 generate new waste streams and increase amounts of  
9 current waste streams, add to already overwhelming  
10 volumes and radioactivity levels at the Site, and  
11 increase the threat of accidents and the severity of  
12 those and surrounding communities, the NRC will be in  
13 violation of this proclamation as well. This  
14 proclamation is still in effect. It doesn't have an  
15 expiration date. So we're almost actually just  
16 slightly over nine years old.

17 Also, according to a May 23, 2000  
18 Department of Energy fiscal year 2000 environmental  
19 corporate database, future high-level waste generation  
20 volumes within all DOE sites across the nation shows  
21 95 percent of the generation from the year 2000 to  
22 2070 to be from SRS. What percentage of that will be  
23 from the plutonium fuel production mission? And I  
24 mean that not just this facility but the entire  
25 mission. What percentage will be from the plutonium

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 factor itself? The NRC needs to look at the larger  
2 picture even though they are not required to license  
3 every facility involved in this process. It's one  
4 piece of the pie. It's a very crucial piece of the  
5 pie, but it's together with a lot more pie, and we  
6 need to look at it all.

7 Also, cost estimates for the plutonium  
8 fuel factory have skyrocketed due to the addition of  
9 the plutonium, quote, unquote, "polishing," you could  
10 read it reprocessing, facility to the plutonium fuel  
11 plant to remove gallium and americium. How will these  
12 projected cost overruns impact this facility? Any  
13 cost increases here will likely impact the U.S. funds  
14 available for Russia and perhaps has implications for  
15 big cost increases in Russia as well. Environmental  
16 management program budget cuts at SRS, which were  
17 mentioned earlier by other people, are occurring.  
18 Immobilization is gone at this point. We urge that  
19 the NRC not support the channeling of funds into a  
20 program that will create more waste and more  
21 contamination in our community.

22 Now, because I have a minute and a half  
23 left, I'm going to ask some of the questions that I  
24 didn't have a chance to ask. In a section in the  
25 environmental report, 295 milirems per year was listed

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 as background radiation. And there's mention later on  
2 of the 360 milirems per year dose that the public will  
3 receive. The question I had is, is the 295 milirems  
4 in addition to this or including this figure? And I'm  
5 just going to read through these, because I know  
6 they're going on the record, and I'm not submitting  
7 these.

8 There's also a mention of deep bore holes  
9 in the environmental report, and I can't figure out  
10 what that's referring to either. Perhaps it's linked  
11 to the underground injection; I'm not sure.

12 I also want to know if the Duke reactors  
13 are so full-proof, and we're referring to McGuire and  
14 Catawba, then why did they have a reactor trip on  
15 February 16 of this year due to incomplete  
16 troubleshooting analysis? Perhaps some should read  
17 the docket and look up their violations and LERs on  
18 McGuire and Catawba over their entire operating  
19 history.

20 Also, as I mentioned earlier, I would like  
21 to know how massively contaminated is this place in  
22 comparison to the baseline 50 years ago.

23 I also would like to know about the waste  
24 stream issue. Are sand filters being used to address  
25 particulates? If not, why not?

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1           What about chemicals involved with the  
2 moving of materials to existing waste tanks? I  
3 believe didn't one of them have a leak the other  
4 month? And it's had it numerous months -- tank number  
5 6, most notably.

6           And this is significant, too, as a  
7 question, and this hopefully will get on the action  
8 item list or correct me later on if I'm wrong. But  
9 why has the analysis around the event of earthquake or  
10 tornado been dismissed? Why was the Charleston  
11 earthquake dismissed as unlikely and not credible?  
12 After all, this facility is being proposed on top of  
13 the most significant water recharge area in the  
14 Southeast. And if the waste tank rupture,  
15 consequences will be felt far and wide through  
16 groundwater, airborne and creek emissions, and stream  
17 releases that lead to the North Atlantic.

18           And a process question about asking for an  
19 additional meeting: Why isn't the NRC holding a  
20 hearing in Wilmington, North Carolina? U.S.  
21 Enrichment Corp. is bringing in cylinders of uranium  
22 hexafluoride gas to turn into uranium dioxide to be  
23 used in the MOX fuel fabrication at SRS. Surely,  
24 Wilmington would be concerned about the shipment of  
25 the gas to Wilmington. And there are people here from

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701



1 Atlanta, but I also put on there Atlanta is going to  
2 have all this stuff being shipped through it. I would  
3 request a meeting to be held there as well. We're  
4 downstream. Fortunately, we don't have the trains and  
5 the cars and the trucks coming down here, but they  
6 have it there.

7 And I'm sorry I went over by a minute and  
8 30 seconds.

9 MR. CAMERON: We'll forgive you.

10 MS. BARCZAK: All right.

11 MR. CAMERON: I did put the additional  
12 meetings up on the action list. The earthquake  
13 question is an important question that needs to be  
14 answered with all the other technical questions that  
15 we've received tonight. If we do have any time later  
16 on, perhaps we can get some more information on that.  
17 But thank you, Sara.

18 We're going to go to Jen Kato now, who has  
19 a statement that she's going to read.

20 MS. KATO: I'll go ahead and do my  
21 comments as well.

22 MR. CAMERON: Okay.

23 MS. KATO: My name is Jen Kato, and I was  
24 born in the Augusta area. I completed college in the  
25 Augusta area. And my family, my aging parents, who I

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 travel to see frequently and will practically wind up  
2 living with in the near future, I'm caring for in this  
3 area. I'm very, very much rooted in this area.

4 I'm also with an organization, Women's  
5 Action for New Directions, that has members in this  
6 area, numerous members in Atlanta, some in Savannah.  
7 So in addition to my own personal deep concerns, I'm  
8 also expressing the concerns of these women.

9 I want to say, first of all, we do support  
10 disarmament, but we want everyone to consider  
11 disarming without harm -- disarm without harm. I want  
12 to state, first of all, that we support the "no  
13 action" option when it comes to the MOX fuel  
14 fabrication facility. And we see that as pointing to  
15 the alternative, which is immobilization.

16 Now, because I am here representing  
17 Georgia, I just want to clearly state that every  
18 single kind of evaluation that can be done with the  
19 EIS needs to be done with Georgia in mind -- air  
20 quality, cultural, ecology, socio-economic, surface  
21 and groundwater, health, waste management,  
22 decommissioning, and transportation -- all with  
23 Georgia in mind. This Site is being constructed in  
24 South Carolina. I just wanted to make sure we weren't  
25 overlooked.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1           There are some specific concerns that I  
2           have -- let me check my watch. Socio-economic. It is  
3           widely known that land values tend to go south -- tend  
4           to take a big plunge along high-level waste transport  
5           routes, and I think the EIS must include consideration  
6           of the economic impact on all landholders along all  
7           transportation routes, for the plutonium and for the  
8           waste. Another socio-economic impact -- and this is  
9           very large -- I was reading the DCS ER, that is the  
10          environmental report, and in there they have numerous  
11          calculations of LCF -- and for those of you who don't  
12          know that terms, means latent cancer fatalities.  
13          They're calculating the number of people that will die  
14          because of the construction of this facility.

15                 Now, in some cases, they're saying one in  
16          100 people will die in transportation issues; in other  
17          cases, they're saying one in 100,000 looking at  
18          different angles. Now, I know that if somebody walked  
19          into a crowd of 1,000 people and took a gun and  
20          randomly shot ten of those 1,000 people, they would be  
21          killing one in 100 people. And they would go up the  
22          River for who knows how long a time.

23                 And in America, because so many business  
24          that began prior to deaths being realized due to their  
25          affluence, their emissions, this had to be looked at

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 in hindsight for already established businesses. Here  
2 we are looking at a new venture, and to look at this  
3 new venture and to say, "Oh, well, we know people will  
4 die," is really significant to say. "It's okay as  
5 long as it's not me," but we all know that there are  
6 a lot of people who it will impact and who will  
7 actually die from this.

8 So the EIS, in my opinion, must evaluate  
9 the social impact of assuming that people we know will  
10 die because this plant is constructed. That's a heavy  
11 social impact. And this whole corporate America scene  
12 now, where people are allowed to die in the interest  
13 of economic ventures, needs to be looked at. I think  
14 this EIS should address that.

15 Another socio-economic consideration, it  
16 must include economic answers and evaluations, full  
17 disclosure of figures, and full statements of  
18 disclosure for who is responsible financially  
19 responsible, bottom line responsible for a worst-case  
20 accident in the MOX fuel fabrication facility,  
21 transporting the stuff or in the target reactors. We  
22 want to see who is responsible if there are worst-case  
23 accidents here, how much they'll have to pay, and,  
24 frankly, if they are capable of paying that. Who's

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 going to be left holding the bag? Will it be Georgia?  
2 Will it be South Carolina? Will it be nobody?

3 Now, there's an aquifer plume in Georgia  
4 that contains tritium, and because of the proposal  
5 that existing waste tanks in the Savannah River Site  
6 will be the dumping grounds for this new plutonium  
7 waste, we are very concerned that it will contain  
8 plutonium and other transuranics. We think that this  
9 needs to be fully considered in the EIS.

10 The EIS also needs to extensively consider  
11 ongoing radiological monitoring on- and off-site of  
12 this facility of air/water vegetation, groundwater,  
13 animals that are livestock. And the EIS must include  
14 a full analysis, including costs of fully equipping  
15 all emergency management services and first responders  
16 on all transport routes. This is big. If it's done  
17 right, it could cost a whole lot of money.

18 Thank you. That is my personal time, that  
19 is my organization's time. I'd like to move on to say  
20 that Nan Orrock supports you, Mr. Pete Liakakis, and  
21 your concerns, Nan Orrock does. She has a statement  
22 here that she'd like me to read, dated April 18.

23 She says, "I appreciate the opportunity to  
24 comment on the scope of the Environmental Impact  
25 Statement for the proposed MOX fabrication facility at

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 the Savannah River Site, across our border in Aiken,  
2 South Carolina. As a state legislator with a deep,  
3 long-standing concern for the health of the people and  
4 the environment of Georgia, I have kept close tabs on  
5 the activities of the Savannah River Site. Its past  
6 operations have resulted in radioactive water in the  
7 groundwater in Burke County and the downstream  
8 contamination from the Plant is still well-known to  
9 the people in this community.

10 We have been reassured over and over that  
11 SRS is cleaning up its mess from 50 years of weapons  
12 production. But proposals such as the MOX fabrication  
13 plant fly in the face of those assurances. We are  
14 asked to comment today on the scope of the MOX plant  
15 EIS, and yet it is folly to pretend that this plant  
16 will exist in isolation from past operations, past  
17 radioactive releases, ongoing contamination, and plans  
18 for new plutonium processing missions.

19 Just last week, Energy Secretary Spencer  
20 Abraham submitted a budget to Congress that would cut  
21 over \$150 million in clean-up funds for SRS, while  
22 adding nearly \$40 million to MOX. We already know MOX  
23 will produce millions of gallons of new nuclear waste.  
24 So before the first 100 days of the Bush

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 Administration have elapsed, the promises to Georgians  
2 and South Carolinians have been broken.

3 The so-called dedication to clean-up  
4 vanishes in an instant when new plutonium processing  
5 missions and the MOX stallers to make them happy  
6 appear on the horizon. It's a slap in the face to  
7 those who have already endured contamination spewed  
8 out by the plant. MOX has been sold to us with the  
9 promise that it will jeopardize clean-up at the site.

10 Immobilization. The clean-up technology  
11 that could have handled plutonium in a less harmful  
12 way has been canceled, and now SRS takes the largest  
13 cut in clean-up dollars in the entire weapons  
14 complexes. Thirty-four million gallons of waste  
15 remain on the Site, and groundwater contaminated with  
16 tritium continually seeps into our River. How many  
17 more babies in the womb will be exposed to that  
18 tritium and be irreparably damaging? How many will  
19 not be born for the contamination they receive in the  
20 womb? How many more inexplicable cancers will this  
21 community endure before we say, "Enough is enough"?

22 In some ways, the scope of the  
23 environmental impact of that MOX plant is impossible  
24 to measure. Tens of tons of plutonium shipments, some  
25 in flammable, dispersable powder form will be passing

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 through Atlanta -- my home. And I'm here to tell you  
2 that that woman lives within a quarter mile of the  
3 tracks and within a half mile of the highways that  
4 she's talking about.

5 In any case, tons of plutonium shipments,  
6 some in flammable, dispersable powder form, will be  
7 passing through Atlanta, my home and the home to  
8 millions more. Half of Georgia citizens live in the  
9 Atlanta Metropolitan area, and yet where are the  
10 scoping meetings there? Thank you, Sara, for  
11 mentioning that. Where are the scoping meetings in  
12 every town between here and the source of the  
13 plutonium? In Texas? In Colorado? In Washington?  
14 In California?

15 Virtually the entire stretch of the  
16 southern United States will be affected by MOX in some  
17 way. MOX fuel will be shipped on highways through  
18 Columbia, and Rock Hill, South Carolina. Weapons  
19 parts from SRS will be shipped from South Carolina to  
20 Tennessee. Use MOX fuel would be shipped from North  
21 Carolina back to the West. MOX test shipments have  
22 already crossed great plains on their way from New  
23 Mexico through Michigan and on into Canada.

24 And the scope is international as well.  
25 The MOX program signals a major policy shift in this

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701



1 country. It tells the world that the U.S. favors the  
2 commercial use of plutonium, a message that many have  
3 been eager to hear from us, many other countries. A  
4 message that is the green light for plutonium fuel,  
5 and thus plutonium fabrication and processing in every  
6 country with nuclear power capability.

7 Of course, NRC will not encompass all of  
8 this in its EIS. It has even admitted that it will  
9 use as much of the material from the existing EISs as  
10 it can, even though earlier studies are already  
11 obsolete since the MOX plant has been redesigned since  
12 they were issued. And the estimates of how much waste  
13 it will produce have increased. We are told -- it is  
14 to be expected that things will change from the  
15 documents provided to the public.

16 The point is that we meet here today to  
17 offer comments on just aspect of this ill-considered  
18 plutonium policy. As we weigh in on the specifics of  
19 the impacts of just one more plutonium facility at  
20 SRS, we are completely blind to the global scope of  
21 the issue itself.

22 What should the EIS consider? If it were  
23 to be a truly useful document, if it were to truly  
24 serve the public, it would question the wisdom of this  
25 entire project, a luxury we have not been afforded.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 We are handed the crumbs around the edges after the  
2 decisions have been made and the paper is signed and  
3 the ink dried on the multi-million dollars checks to  
4 the MOX contractors.

5 As a representative of the public in this  
6 state, I will continue to raise these issues, whether  
7 the NRC, the Department of Energy or the Savannah  
8 River Site contractors provide the forum or not. At  
9 the minimum, the NRC can begin to serve the public who  
10 will be most impacted by its decisions by drafting a  
11 truly, comprehensive EIS. One that considers the  
12 operating safety and environmental records of the U.S.  
13 and foreign corporations that will carry out this  
14 work. In their hands lies our health, the health of  
15 our children and even the health of generations to  
16 come. It is in your hands that the power to intervene  
17 on behalf of the public health and safety lies. We  
18 will be watching to ensure you do exactly that."

19 That's Representative Nan Orrock.

20 (Applause.)

21 MR. CAMERON: Thank you, Jen. We're going  
22 to go to Terry, Terry Leffik.

23 MS. LEFFIK: As he mentioned, my name is  
24 Terry Leffik. And I just kind of want to go back to  
25 the environmental -- or the economic question again.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 I have not been involved with NRC environmental impact  
2 analysis; however, I have been involved with some EISs  
3 that the Corps of Engineers has done. And I know,  
4 typically, part of that is looking at the NED, the  
5 National Economic Development, also doing a  
6 cost/benefit ratio. And I think it is a bit -- I  
7 think it pays short shrift to the economics question  
8 to say we're just going look at the socio-economics of  
9 this issue.

10 We're dealing with public dollars here.  
11 I think we need to really look at the issue from a  
12 national perspective and looking at what are all the  
13 costs, what are all the benefits? As a citizen who's  
14 looking at the investment of my taxpayer dollars, I  
15 want to make sure that if I'm looking at an EIS, that  
16 is to properly and intellectually informed manner to  
17 comment on it, I need to have on the table all of the  
18 cost associated with it and all of the benefits,  
19 whether that's benefits to the public. And I'd like  
20 to see those numbers. Some people have asked for  
21 those numbers, I guess, in various fashions, but I'm  
22 looking at, again, more on a broad basis. I know that  
23 a little bit of research I've done close to \$100  
24 billion has been spent worldwide on MOX or associated  
25 activities, and a lot of that's been put in to breeder

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 reactors which have not returned as well on their  
2 investment, as I guess they had hoped to.

3 Some of those concerns or some of those  
4 numbers may be more international in scope, but again  
5 we're talking about U.S. taxpayer dollars, and I would  
6 like to see if there any benefits what are those  
7 benefits to me economically? And, again, what are  
8 those costs that are associated? I would really hope  
9 that the NRC would look at trying to do something more  
10 broad in scope and really including that. Because I  
11 think that would be a major shortcoming to just look  
12 at that socio-economic factors on that.

13 MR. CAMERON: Thank you, Terry. Judy?  
14 Judy Jennings, do you want to use the podium?

15 MS. JENNINGS: No.

16 MR. CAMERON: All right. Here you are.

17 MS. JENNINGS: Thanks. You're in  
18 Savannah, so I think it would be remiss not to  
19 emphasize that we have strong concerns about water  
20 quality in the Savannah River and any subsurface  
21 waters. And I know you'll be hearing that over and  
22 over again.

23 But I appreciate your earlier  
24 presentation, because it helped me clarify exactly  
25 what decision you're making when you compile this

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 Environmental Impact Statement. And you did mention  
2 that you have the option of "no action" alternative.  
3 And as you explained to me, that that no action means  
4 that you don't grant this applicant their license. So  
5 I just want to tell you tonight I will be a strong  
6 advocate that you feel that you have, that the NRC  
7 feels that they have, the political power to make that  
8 decision. And I realize this is a new conundrum when  
9 you, as a regulatory agency, are trying to evaluate  
10 the impacts of basically a mandate from Congress,  
11 because they determined that reprocessing can happen  
12 at SRS.

13 I just strongly want to emphasize that I  
14 expect that in the Environmental Impact Statement  
15 process, that the "no action" alternative will be a  
16 valid option for you. One of the concerns I have is  
17 that it could be surmised that if you come to that  
18 conclusion, that -- or are you saying Duke COGEMA  
19 Stone & Webster can't do this? They haven't answered  
20 the environmental questions to our satisfaction. Or  
21 is it tacit way of saying we can't reprocess plutonium  
22 in an environmentally safe way.

23 Because I've watched at least one  
24 Environmental -- several Environmental Impact  
25 Statements in great detail. And I know that you when

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 you go back and forth with an applicant enough times,  
2 that there are a million -- I mean you could go around  
3 500 times and end back up at the same spot. You can't  
4 get there from here -- almost always. If you turn  
5 around enough ways to avoid minimize, and mitigate,  
6 you can get there from here, but is it in the public's  
7 best interest. So I will be a strong advocate that  
8 you are able to consider the "no action" alternative  
9 is a very valid, viable, and politically doable option  
10 for you.

11 (Applause.)

12 MR. CAMERON: Thank you. Thank you, Judy.  
13 We're going to go to Fred Nadelman and then Clete  
14 Bergen. Here you are, Fred.

15 MR. NADELMAN: First of all, I'm here  
16 representing the Citizens for Clean Air, but I respect  
17 the fact that everybody has diverse views, and I'm  
18 probably speaking for myself when I say that what I  
19 see here tonight and what I hear has more to do with  
20 the promotion of a particular type of industry than it  
21 does with the public health -- I'll be brutally  
22 honest. I don't see a real concern for the effect  
23 that everyone in this room could get cancer once the  
24 Savannah River Site is in full operation again,  
25 producing MOX. That is a very dangerous fuel. We're

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 using weapons grade plutonium that is not used by any  
2 other -- that will not be produced by any other  
3 country until we get it started right here in the U.S.  
4 We will be the first to use weapons grade plutonium,  
5 and we will set a precedent for power that will be  
6 used all over the world and power that has the  
7 potential for annihilating the human race.

8 I'm a Savannahian, but my concern goes  
9 beyond Savannah. My concern is for the haste with  
10 which it is fairly obvious to me that this type of  
11 energy is being pushed, it's being foisted onto the  
12 public, and all we can do is say, no, here tonight to  
13 it. But I see a lot of pressure, a lot of pressure  
14 being placed on us to accept this very energy that is  
15 extremely dangerous. I'm a strong proponent of solar  
16 energy. I wish we would develop it. I am sorry that  
17 people who hold the patents to solar energy are  
18 withholding it from the public. I wish they could be  
19 forced by law to release these patents so that we  
20 could all benefit from it.

21 We need to do more than just examine this  
22 policy, this proposal to adopt MOX fuel. To me, it's  
23 a given that it's dangerous, but this is something we  
24 should be working against right now. It's a given  
25 that it's dangerous to me and to a great many other

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 people, many people who know what they're talking  
2 about, like nuclear physicists and also the medical  
3 community as well, who know the hazards of cancer.

4 Cancer is a reality of life. We may all  
5 very well get it one day. But why increase the  
6 probability? We increase the probability manifold in  
7 this very room we will influence public opinion enough  
8 that the danger may not be stoppable anymore. I'd  
9 like to think that it can. But just because something  
10 is new, just because something is an alternative to  
11 petroleum fuel, it's an alternative that will make us  
12 energy independent in relation to the Middle East. We  
13 won't need Middle Eastern oil, true, but at what a  
14 price we are paying.

15 President Bush comes from the oil  
16 industry. He probably says that he's sacrificing  
17 something too by saying, "Let's switch to nuclear  
18 energy." Well, I'm not about to say that he's being  
19 so generous. He wants nuclear energy. I say we pay  
20 a big price for it. Let's say to no to nuclear energy  
21 right now, if we're going to include MOX fuel. MOX is  
22 dangerous, the Savannah River Site is an old plant,  
23 it's creaking at the seams, it's leaking, and now we  
24 want to make MOX fuel there. That's the process of  
25 which is much more dangerous. Why? Because it is

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701



1 weapons grade plutonium that will be used to make MOX  
2 fuel. And this is an untried method. Why are we  
3 promoting it? Let's not do that. Thank you.

4 (Applause.)

5 MR. CAMERON: Thank you, Fred. We're  
6 going to have Clete Bergen. All right, Clete.

7 MR. BERGEN: Thank you.

8 MR. CAMERON: Here you are.

9 MR. BERGEN: Once again, I'm Clete Bergen  
10 with Citizens for Clean Air and Water, and I'm a  
11 private Savannahian citizen, and I am very concerned  
12 about this issue. As a citizen with a liberal arts  
13 background, I have a hard time understanding exactly  
14 what plutonium is. I just know it's not a good health  
15 substance. It's very unstable; it doesn't appear very  
16 naturally in the environment; and we've somehow  
17 learned how to fabricate it and make bombs out of it,  
18 and it's contained up at the SRS Site, and it's  
19 contained in big concrete barriers. So I'm concerned  
20 about it.

21 Sara Barczak mentioned that the SRS Site  
22 is right over the charging area of our Floridian  
23 aquifer, one of the biggest and most beautiful  
24 aquifers in the nation, one that we very much depend  
25 upon. I can't imagine what might happen if that stuff

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 gets out into the Savannah River and into the aquifer.  
2 So I am concerned about that.

3 Now, we're here to give public comment  
4 about some sort of construction authorization request  
5 to the NRC by Duke COGEMA Stone & Webster to make this  
6 stuff. I do have concerns, because I'm informed that  
7 the Duke Group -- and I'll call it that -- estimates  
8 that there will be some 81,300 gallons of liquid high  
9 alpha activity waste -- I'm not exactly sure what that  
10 is -- produced annually. And I don't know exactly how  
11 those gallons are going to be contained or what their  
12 ultimate disposition plans for that liquid is. It  
13 hasn't been answered tonight, and I'm not sure that --  
14 well, I've been informed that the NRC really doesn't  
15 have anything to do with that, that the DOE is going  
16 to handle it, and the DOE is not here to answer that.  
17 I don't understand; I want to know that.

18 I'm also concerned because, as I  
19 understand it, there are questions about the air  
20 filters that are currently in the design project.  
21 They are planning to use an air filter called a HEPA,  
22 H-E-P-A, and I'm not exactly sure what that is, but I  
23 do know that they are currently using sand air filters  
24 at the SRS Site, and those are apparently a lot better  
25 air filters. I'm with Citizens for Clean Air and

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 Water. I'm concerned about what kind of air filters  
2 they're using. Why is it that the Duke Group is not  
3 using the best, safest technology in this area? So  
4 I'm concerned about their application for that reason.

5 I'm also concerned about issues that Pete  
6 Liakakis raised. I'm not exactly sure what a worst-  
7 case scenario is up there, but I do understand or have  
8 been informed that this particular group doesn't have  
9 an environmental and safety compliance record of its  
10 own, apparently. They may have individual ones for  
11 Duke and one for COGEMA and maybe one for Stone &  
12 Webster, but there's no conglomerate that's coming  
13 together to make this MOX. Apparently, it doesn't  
14 have one or at least they haven't identified one to  
15 the NRC.

16 And the one that they have used, as I  
17 understand, is from the Westinghouse contract site.  
18 And I don't think the Westinghouse contract site has  
19 anything to do with the MOX at this point. I don't  
20 understand that. I'd like to know why they don't have  
21 an environmental safety compliance record or one has  
22 not been identified in the current application.

23 Also, as I understand it, the current  
24 construction authorization request does not have an  
25 emergency management plan. Now, again, that goes back

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 to the worst-case scenario situation, but they don't  
2 have one, and I'd like to know why. These are my  
3 concerns as a private citizen, and I have a lot of  
4 questions at this point, and I'm not sure I have the  
5 answers that I'd like to have. Thank you.

6 (Applause.)

7 MR. CAMERON: Okay. Thank you, Clete.  
8 We're going to go to Ed Lyman, and then we're going to  
9 go to Ernie Chaput. Ed?

10 MR. LYMAN: Thanks. How's that? Hello?  
11 Okay. My name is Ed Lyman. I'm the Scientific  
12 Director of the Nuclear Control Institute, which is a  
13 Washington, D.C. non profit. I've been following the  
14 issues associated with plutonium disposition and MOX  
15 fuel for the last eight years, and I'd like to share  
16 some of my concerns with you over the proposed MOX  
17 project, which we're considering today.

18 I just came from North Augusta where I  
19 attended the hearing and spoke last night, so I don't  
20 want to abuse the privilege and repeat all of those  
21 things. I just would like to say, though, that having  
22 been there and coming here, it's kind of refreshing to  
23 see what seems to be 100 percent -- comments running  
24 100 percent against the proposal. And I think of it  
25 as a clear trend that the further away from SRS you

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 go, the more sense you have. I'm glad to see the  
2 response here.

3 A point that's been brought up before that  
4 I really would like to emphasize is that the  
5 alternative to MOX that was considered and has now  
6 been disposed of by the President's budget request, is  
7 immobilization. And the fact is that when the  
8 Department of Energy originally chose what was called  
9 the hybrid approach, which was most of the weapons  
10 grade plutonium coming out of warheads would be made  
11 into mixed oxide fuel, the rest would be immobilized,  
12 a small fraction, or roughly one-third, would be  
13 immobilized, they never actually did what I consider  
14 an adequate life cycle comparison of the two options.  
15 And for that reason, I think it's now in NRC's court  
16 to do that analysis.

17 And so I would strongly urge that they do  
18 consider the full impacts of the immobilization  
19 process as compared to the MOX process and identify in  
20 a genuine way all the accident impacts associated with  
21 each process and do a fair comparison, because that  
22 kind of information really is needed for  
23 decisionmaking.

24 I'd just like to address briefly what some  
25 people have asked about: What are the potential

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 impacts of the MOX fuel fabrication facility on the  
2 surrounding area? And one thing that I'm very  
3 concerned about is the way the project is evolving.  
4 The proposed design has certain features which I'm  
5 very concerned about. And I'd just like to give one  
6 example here -- I gave others last night. This plan  
7 is essentially a French design, which is supposed to  
8 be Americanized, because French and U.S. environmental  
9 regulations are quite different, but it's not clear  
10 how much Americanization has actually taken place.  
11 I'd like to give one example.

12 The furnace where the MOX fuel, after it's  
13 pressed into pellets, is actually baked until it's a  
14 centered ceramic form. This furnace is probably one  
15 of the areas of the plant where the risk of an  
16 accident is greatest, because you're heating the  
17 plutonium in an inert atmosphere that contains some  
18 hydrogen in it to a high temperature. And this type  
19 of operation does present the risk of if certain  
20 controls are violated, a hydrogen burn or even an  
21 explosion.

22 So I think it's actually the baking  
23 process where some of the greatest accident risk is  
24 associated. However, in the French Melox Plant and in

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 the U.S. proposed design, as far as I know, this still  
2 stands as the design. But do correct me if I'm wrong.

3 The furnace is not confined. It does not  
4 contain the kind of confinement that protects the  
5 environment from plutonium release. If you go to SRS  
6 and you see how plutonium work is done, it's done in  
7 what's called glove boxes, which provide additional  
8 confinement in case there's an accident to prevent  
9 alpha particles, like in plutonium, from being  
10 emitted. However, this furnace is not, in the current  
11 design, as far as I know, contained in a glove box.

12 And this is one issue which I think really  
13 raises questions about the overall French philosophy  
14 as compared to the American philosophy. And I look  
15 forward to reading the NRC safety evaluation report  
16 and see how they deal with these issues and hope that  
17 they've really used a fine-tooth comb to parse out  
18 these things.

19 The other significant impact, which is a  
20 little bit removed from Savannah area but is still  
21 highly significant is the impact on reactor operation  
22 associated with MOX fuel. And it's something I think  
23 everyone should be concerned about. The fact is that  
24 when MOX fuel is irradiated in a nuclear reactor, it  
25 generates higher concentrations of various isotopes,

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 including a whole range of plutonium isotopes and more  
2 massive isotopes, all of which are particularly  
3 hazardous if inhaled.

4 And for that reason, if there is a severe  
5 accident at a nuclear plant that uses MOX fuel, I've  
6 calculated, and it's documented in the study which has  
7 just been published, a severe accident, if it's being  
8 operated according to the Duke COGEMA Stone & Webster  
9 plan, would result in about 25 percent more cancer  
10 fatalities to the people who are exposed to the plume  
11 as it's emitted from the plant. That translates into  
12 hundreds to thousands of additional cancer deaths  
13 associated with the atmospheric conditions at the time  
14 of the accident. This, I think, is not an  
15 insignificant impact, and I look forward -- I hope  
16 that it is going to be treated with the seriousness I  
17 think it deserves as the environmental impacts of the  
18 MOX program are evaluated.

19 One last comment. In the statement that  
20 we heard at the very beginning from Regina Thomas I  
21 thought made some very good points, including the fact  
22 that there are certain variations in the program now  
23 that are not in the design basis, yet might have an  
24 impact on SRS operations. One thing which is of great  
25 concern is a facility called the Plutonium Disassembly

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701



1 and Conversion Facility, which is supposed to convert  
2 plutonium pits coming out of nuclear weapons into an  
3 oxide, which then goes into MOX fabrication.

4 This plant is an expensive plant, and it  
5 now appears that Savannah River Site is conducting a  
6 study to see if they do not have to build that plant  
7 but instead do the same work at the F Canyon at  
8 Savanna River Site. Now, the F Canyon, as we've  
9 heard, is an old, leaky facility, only recently high-  
10 level acid solution leaked through a gasket into an  
11 uncontrolled area, and people were tracking it on  
12 their shoes and out the door. It's a facility that's  
13 really way past its prime and needs to be shut down.  
14 However, if this study comes out against building this  
15 other facility and moving that work to F Canyon, that  
16 could postpone its eventual shutdown by 20 to 25  
17 years. And I think that's something that is really  
18 the community of Savannah has to worry about. And  
19 I'll stop there. Thank you.

20 (Applause.)

21 MR. CAMERON: Thank you, Ed. Ernie?

22 MR. CHAPUT: Just to make sure it's not  
23 100 percent against. My name is Ernie Chaput. I am  
24 a most-time resident of Aiken, South Carolina, a part-  
25 time resident of Cusaw Island, just outside of

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 Beaufort, South Carolina. So I'm familiar with both  
2 camps. I dearly love the low country and the rich  
3 heritage and wetlands that it contains. I am  
4 representing tonight the Economic Development  
5 Partnership of Aiken and Edgefield County, South  
6 Carolina. However, these views are strongly shared by  
7 me personally.

8 For over four years, the Economic  
9 Development Partnership and myself have been attending  
10 DOE hearings and now NRC hearings on surplus plutonium  
11 disposition. This public process has been going on  
12 for over four years. I remember the first meeting I  
13 went to was in Texas in 1997. We have long supported  
14 the Department of Energy's plans and the need to  
15 effectively deal with surplus plutonium that comes out  
16 of nuclear weapons to assure that those materials  
17 cannot be used as a weapon of mass destruction in the  
18 future.

19 The Aiken community has been proud of the  
20 role it had in Savannah River in helping to win the  
21 Cold War, but we realize also that the job is only  
22 half done. Now that we no longer need the large  
23 numbers of nuclear weapons to assure the peace, it is  
24 equally important that excess fissile materials be

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 rendered unusable for weapons of mass destruction to  
2 the maximum extent possible.

3 Using excess plutonium as fissile fuel in  
4 a nuclear reactor is the only practical way to  
5 significantly reducing plutonium's effectiveness in a  
6 nuclear explosive device. Compared to other forms of  
7 disposition, such as immobilization, recovery or  
8 residual plutonium is significantly more difficult  
9 when it is in the form of spent nuclear fuel -- more  
10 difficult to recover from spent fuel than from an  
11 immobilized form.

12 Secondly, plutonium that is recovered from  
13 spent fuel is much more difficult to fabricate into a  
14 crude nuclear device than plutonium that has not been  
15 irradiated. In other words, when you irradiate it, if  
16 you can recover it, it's much more difficult to work  
17 with than if you pulled it out of immobilized form  
18 where it has not been irradiated.

19 Thirdly, plutonium that is recovered from  
20 spent fuel is significantly less effective in  
21 producing a nuclear explosion than plutonium that has  
22 not been irradiated.

23 So it's more difficult to get, harder to  
24 work with, and less effective. Those are three very  
25 good reasons why irradiating excess plutonium and MOX

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 fuel is a better choice for rendering this material  
2 unusable for weapons of mass destruction than just  
3 locking it up in an immobilized form. It represents  
4 the best path for denying the fissile materials for  
5 malvolent uses. Single-pass, mixed oxide fuel cycle  
6 provides the greatest opportunity for assuring that  
7 excess plutonium will not reappear as a headline  
8 announcing an act of nuclear terrorism or nuclear  
9 blackmail. We have that responsibility to make that  
10 happen for us and our future generations.

11 Basically, the Savannah River Site has a  
12 modern nuclear infrastructure. We've heard a lot of  
13 old facilities. It has a modern infrastructure, and  
14 it's going to be built in new facilities. It has a  
15 very modern and complete security force that's  
16 necessary for the protection of these sensitive  
17 materials. Locating the MOX facility on SRS closely  
18 couples the recovery of plutonium from the dismantled  
19 weapons. The storage of excess plutonium couples that  
20 to the fuel fabrication process, further enhancing  
21 safety and security.

22 My comments to NRC: As they prepare the  
23 scope for this EIS, we recommend the following: The  
24 benefits of a MOX fabrication facility are of  
25 worldwide importance. A "no action" alternative we

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 believe is unacceptable, but we understand it needs be  
2 considered. As you consider the "no action"  
3 alternative, we recommend that it include the  
4 environmental and the health impacts resulting from an  
5 act of nuclear terrorism, because we have not taken  
6 these materials out of the hands of potential  
7 adversaries. Without MOX, there will be no effective  
8 U.S./Russian programs to dispose of excess weapons-  
9 capable materials. You've got to assume that those  
10 materials are out there and potentially in free  
11 traffic.

12 Secondly, maximum credit should be given  
13 to DOE's process for reviewing and obtaining a world-  
14 class industrial team for building and operating the  
15 project. And third, appropriate consideration be  
16 given to the extensive and modern nuclear  
17 infrastructure within which the MOX facility will be  
18 placed.

19 I would also -- do I have a couple minutes  
20 left?

21 MR. CAMERON: Yes.

22 MR. CHAPUT: I would also just like to --  
23 I was asked to read a statement for the record from an  
24 individual that couldn't make it tonight. I'd like to  
25 just paragraph -- summarize one paragraph that he

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 made. It's from the Citizens from Nuclear Technology  
2 Awareness, which is a pro-nuclear grassroots group  
3 that is headquartered in Aiken and has over 2,000  
4 members.

5 I'll skip the preliminaries. The  
6 important part is, "In the U.S., tons of MOX fuel were  
7 manufactured with weapons grade plutonium, irradiated  
8 in test reactors, and then examined. This is a  
9 program that has been done in the U.S. in the past.  
10 In Europe, at this time, over 30 reactors are  
11 operating with MOX fuel. Based on all that successful  
12 experience and the combined experience and expertise  
13 of the DCS Consortium Companies and the decades of  
14 safe handling of plutonium at SRS, we believe that the  
15 facility should have an outstanding safety and  
16 environmental record. And the final assurance of that  
17 is in our confidence that NRC will conduct a thorough  
18 and rigorous investigation during the licensing  
19 process."

20 Those are my comments, and I'll give you  
21 copies for the record. Thank you.

22 (Applause.)

23 MR. CAMERON: Okay. Thank you, Ernie.  
24 We're next going to go to Mary Olsen and then Peter

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 Sipp. Mary? Do you want to hold this or you want me  
2 to leave --

3 MS. OLSEN: I'll hold it.

4 MR. CAMERON: All right.

5 MS. OLSEN: Thanks. My name is Mary  
6 Olsen. In a moment, I'm going to give comments for  
7 the organization I represent. But I'm about to cross  
8 taboo lines, and I don't think my organization wants  
9 to be represented with this comment, but I feel  
10 compelled to make it. Tim has left the room I think.  
11 But someone who's paying attention to environmental  
12 justice this is a personal comment.

13 I grew up in the Midwest, academic parents  
14 -- set my timer -- with little or no awareness until  
15 I moved the Augusta, Georgia area in 1999 about the  
16 civil war. Just was not part of my cultural reference  
17 points at all. I was astonished by the degree to  
18 which that history is alive here. And immediately,  
19 intuitively, identified the fact that the scientists  
20 and decisionmakers and who cited the Savannah River  
21 Site were not southern decisionmakers.

22 I view the Savannah River Site as a  
23 military occupation by the North in the South and  
24 started working on the MOX issue in 1996. There's  
25 people laughing at this comment. I started working on

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 the MOX issue in 1996 and supported the efforts of  
2 activists and concerned citizens like those in this  
3 room tonight, in Idaho, in Washington State, in  
4 Amarillo, Texas of all places, a group called Serious  
5 Texans Against Nuclear Dumping.

6 This is 1996 that these folks were active,  
7 aware of this issue, and fighting hard. And guess  
8 what? They all fought the MOX proposal out. And  
9 guess what? It came to South Carolina, to Georgia, to  
10 North Carolina. There's no accident in this. Okay?  
11 So I think that an environmental justice analysis of  
12 this project has to include the process of  
13 decisionmaking by elimination which put this whole  
14 implementation into an area of the country that is  
15 left holding the atomic bag, literally. Pork barrel  
16 in other parts of the country means agriculture or  
17 Silicon Valley. All Strom Thurmond can come up with  
18 for this area is more radiation. Think about it. So  
19 that's the Mary Olsen comment.

20 Cutting to Nuclear Information and  
21 Resource Service, World Information Service on Energy,  
22 I wanted to briefly underscore a couple things I said  
23 last night to add emphasis. This Environmental Impact  
24 Statement must be specific in ever aspect. It must be  
25 specific to the 50 tons of plutonium that was declared

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701



1 surplus in the United States and the ramifications to  
2 Russia. It must be specific to the contract holders.  
3 It must be specific to the applicants and their track  
4 record specifically, not Savannah River Site, to the  
5 four reactors that have been named, not every reactor  
6 in the United States. And especially specific to the  
7 50 tons of plutonium. Otherwise we are talking about  
8 a generic program.

9 And we heard tonight that NRC may not have  
10 the policy ability to oppose reprocessing, but NRC  
11 sure as hell has the ability to facilitate its  
12 adaptation and adoption into a generic broad-scale  
13 program, as embodied by legislation on Capitol Hill  
14 right now. And yet this Environmental Impact  
15 Statement was triggered by the Department of Energy's  
16 decision to pursue a dual track.

17 And I want to clarify that my statements  
18 last night, that the "no action" alternative should be  
19 the 100 percent immobilization of plutonium is not an  
20 advocacy position. My organization does not actually  
21 advocate immobilization. I am echoing what the  
22 Department of Energy said in justification for  
23 choosing a dual track. The justification is that if  
24 one track fails, you have the other track for  
25 disposition. And the program for immobilization has

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 not been canceled. We just have a new President who  
2 didn't fund it this year. That program has not  
3 actually been canceled by any action of Congress or  
4 the President or the Secretary, for that matter.

5 All of that said, I want to move on to a  
6 different point, which is the myth that plutonium  
7 stays put. We've heard that it will take 10,000 years  
8 for plutonium to move through the environment, and yet  
9 at both Nevada Test Site and at West Valley in New  
10 York we have migration of plutonium distances that  
11 were never viewed to be possible in even 10,000 years  
12 -- over a mile in both of those locations. How is  
13 this possible? Well, it turns out that plutonium can  
14 attach itself to little platelets or colloids like  
15 clay. It doesn't have to be soluble.

16 Plus there are new published studies  
17 showing that in fact there are chelation interactions  
18 that plutonium can go through that does in fact lead  
19 to higher oxidation states. What does this mean? It  
20 can actually dissolve in water.

21 So either way you go, I think Savannah  
22 restaurants ought to start thinking about the socio-  
23 economic impacts of -- that's five minutes; try and go  
24 for eight. Savannah restaurants ought to consider the  
25 socio-economic impacts of oysters pluto, because

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 tritium moves fast. Guess what? Plutonium doesn't  
2 move that slow.

3 Okay. So we're talking about eating  
4 plutonium there, and we all know that it's much bigger  
5 impact when inhaled. And yet before I leave eating,  
6 I want to commend to NRC a study out of Columbia that  
7 DOE paid for that shows that there are subsistence  
8 fish -- communities that rely on the consumption of  
9 fish that they catch, and I can supply the reference  
10 for that if it's -- I will supply the reference for  
11 that.

12 But turning to this issue of radiation and  
13 radiation in the environment. NRC standards are  
14 completely blind to whole categories of exposure and  
15 health impact. But an Environmental Impact Statement  
16 is not a question of regulatory compliance. It is a  
17 question of environmental impact. And so it is time  
18 to look at those who are most vulnerable. It is time  
19 to look at the impacts on not only the child but the  
20 unborn child. It is time to abandon the standard man  
21 as the only unit that is considered. It's time to  
22 talk about the non-fatal cancers as well as the fatal  
23 cancers. It's time to look at things that even go as  
24 far as reproductive barriers as well as genetic  
25 impacts, birth defects, and the whole gamut.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1           There are ways in which NRC standards do  
2 this. We talk about dref when we calculate those.  
3 Well, drop dref from MOX, okay? Then we talk about  
4 risk modification of dose. When you do that  
5 earthquake analysis, which you damn well better do,  
6 don't you dare modify the projected doses by the  
7 probability that the earthquake will happen, like  
8 you're planning to do about the volcano at Yucca  
9 Mountain. Don't do it. We're not going to buy it.  
10 It's not going to be fraction of a milligram in  
11 Savannah if there's an earthquake that hits Savannah  
12 River Site. Forget it. Okay? So look at the reality  
13 of radiation impacts and do so honestly and report it,  
14 because it is an environmental impact.

15           I'd even like you to look at plutonium as  
16 it impacts primary germ cells. I'm an evolutionary  
17 biologist. I want to know the long-term here. And  
18 while I'm at it, let's also have you report on the  
19 true track records of each of the corporations that  
20 make up DCS. My friends at Greenpeace International  
21 had to create a new unit of radiation to talk about  
22 the releases of radioactivity that come out of  
23 COGEMA's reprocessing facilities. COGEMA is measured  
24 in the Chernobyl per year, and there are some years,  
25 multiple Chernobyls per year.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1           There is a study that shows that children  
2 who play on the Burgundy beaches more than once a  
3 month have a 400 percent increased chance of leukemia.  
4 Again, we can provide the citation. That's the kind  
5 of record that needs to be reported in this picture.

6           Because why are we worried about a return  
7 to reprocessing at Savannah River Site? Because we  
8 have nearing 50,000 metric tons of high-level waste in  
9 the United States sitting at reactor sites and  
10 leadership on Capitol Hill who would like nothing  
11 better than to send all of that high-level waste to  
12 South Carolina, chop it up, dissolve it in the acid  
13 that you mentioned earlier, pull that plutonium out,  
14 and keep that factory that's only going to be  
15 deactivated after 20 years going for as long as it  
16 will go.

17           So that is why the scope of this  
18 Environmental Impact Statement has to be defined  
19 precisely. And it should, as our friend earlier  
20 suggested, be done now. Thank you.

21           (Applause.)

22           MS. OLSEN: And one last little thing:  
23 I'm going to give this picture to NRC. It does show  
24 that even though you can't see plutonium, you can see  
25 the damage it causes in lung tissue.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 MR. CAMERON: Thanks, Mary. Next we're  
2 going to go to Peter Sipp, and we're going to go  
3 Lessie Price, Teach Kulin, and Charlie Belin. And  
4 finish up, hopefully we'll have time for Don Moniak,  
5 Peter Atherton. Peter?

6 MR. SIPP: Thank you very much. I lived  
7 in Georgia for 21 years. I now live in North  
8 Carolina, and I am really appalled by you, Ernie, for  
9 your appalling attitude. You don't consider in your  
10 economic thing, whatever it is you call yourself,  
11 without clean water, without a clean drink, we don't  
12 have anything to sell to anybody.

13 MR. CHAPUT: That's uncalled for.

14 MR. SIPP: So --

15 MR. CHAPUT: I could come back and say I  
16 don't want to see another --

17 MR. CAMERON: Let's not get into this,  
18 okay? Let's --

19 MR. MONIAK: You allowed it last night.  
20 You were all --

21 MR. CAMERON: No. Look, please don't.  
22 Would you sit down, and Peter, could you finish? Go  
23 ahead. Sit down, Don, please, okay?

24 MR. SIPP: Okay. I apologize to you,  
25 Ernie, personally. I apologize. I'm sorry about

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 that. But I'm not going to talk for long. But we  
2 just have got to really pay attention and do what we  
3 can to keep our planet clean. That's number one.  
4 Thank you.

5 (Applause.)

6 MR. CAMERON: Thank you, Peter. Let's go  
7 to Lessie Price. Do you want to come up? And if we  
8 could try to -- everybody try to be as brief as  
9 possible, I think we can get everybody in.

10 MR. MONIAK: Can I ask a question before  
11 you start speaking? Are you down here on Savannah  
12 River Site business or on personal business?

13 MS. PRICE: Will you allow me to introduce  
14 myself first?

15 MR. MONIAK: Yes. I just want to know  
16 that.

17 MR. CAMERON: Wait a minute. Hey, Don,  
18 she can say whatever she wants. She doesn't have to  
19 answer this question. Just go ahead with what your  
20 statement was going to be, please.

21 MS. PRICE: Please allow me to introduce  
22 myself. My name is Lessie Price. I am speaking as  
23 Mayor Pro-Tem of Aiken, South Carolina. I want to  
24 thank you for allowing me to make some comments.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 I had not planned to make any comments  
2 this evening but felt compelled to after hearing some  
3 comments from individuals here this evening. And I  
4 want to say that I have an appreciation for everything  
5 that was said, and I'm thankful that we live in a  
6 country where we can voice opinions on issues whether  
7 it's pro or con and still be respected for what we  
8 have to say. I think it's good to have balanced  
9 comments coming from both sides.

10 I've heard many comments this evening,  
11 many of them expressing fear of the current conditions  
12 at SRS and health and safety issues on licensing of  
13 MOX. I lived in Aiken for more than 40 years.  
14 Thirty-five of those years have been with SRS, and I  
15 recall many years ago when I was looking for a job --  
16 I grew up on a farm in Blackville, South Carolina,  
17 very poor, and we farmed right there next to the Plant  
18 almost.

19 And I remember looking for a better job.  
20 My father moved to Aiken for a better way of life, and  
21 wanting a job, wanted to apply at SRS; applied. And  
22 folks said, "You don't want to work out there. All  
23 that stuff is going on." But I applied; they hired  
24 me. Thirty-five years later, 36 years of marriage,  
25 five children later, five sons, all healthy, drank the

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701



1 water every day out there. What does that mean to  
2 you? Probably nothing. I just know my personal  
3 experience with the Site.

4 We have many stories like that at Savannah  
5 River Site. I have a son working out there right now  
6 in the hot stuff. I wouldn't want my son, I wouldn't  
7 place him in that kind of jeopardy if I felt it was  
8 dangerous. But, again, you don't have to believe me;  
9 just these are facts that I'm sharing with you.

10 We've had many employees that have made  
11 many sacrifices during the Cold War, giving their time  
12 and their talent and their energy. I've seen a lot of  
13 materials in the 30-some odd years I've been out there  
14 being produced out there. I am aware of the health  
15 and safety issues and concerns that was expressed by  
16 many of you. And if you're not out there, you don't  
17 know what's going on, if you've not ridden and just  
18 lived and breathed it every day.

19 Making use of the excess plutonium by  
20 fabricating it into fuel I personally believe is the  
21 right thing to do. You may not. I'm going on the  
22 facts that I've learned and my exposure. I have full  
23 confidence in the NRC in this whole process. Maybe  
24 I'm blind. That's my opinion, and this is America,  
25 and those are the facts that I know.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 I know of terrorist concerns, and what I  
2 worry about is getting into the hands -- this stuff  
3 into the hands of people that can impose much more  
4 danger to us and threat to us and getting into rogue  
5 nations. That's a concern that I have.

6 I'm fully aware of the environmental  
7 justice issues. I live and breathe environmental  
8 justice, Executive Order 898. I'm exposed to that and  
9 know what that order prescribes.

10 What I urge this process to be like is for  
11 you to consider all the facts. But my opinion is that  
12 we should move forward with the licensing of this  
13 whole process, and I thank you for making -- allowing  
14 me to make these comments today.

15 (Applause.)

16 MR. CAMERON: Thank you. Teach Guman,  
17 couple minutes, and then Charlie Belin, then Don.

18 MR. GUMAN: Hi. Teach Guman, engineering  
19 graduate, mechanical, and my work career has been  
20 involved in the energy business. Spent some years at  
21 Plant Hatch and Baxley, Georgia. And the rest of it  
22 has been in construction, Gulf War veteran, Kuwait  
23 reconstruction.

24 I just wanted to say something, because I  
25 just found out about this meeting from the paper

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 today, in support of the concept. Because it's easy  
2 -- me having the engineering background and the  
3 technical exposure, it's easier for me to understand  
4 and feel comfortable with it. So with all the  
5 different groups that I've heard today and the  
6 readings that I do -- I subscribe to a few technical  
7 journals; that's how I try to keep up with everything  
8 that's happening technologically and current events  
9 and issues across the nation and worldwide -- that the  
10 groups that always are sort of saying, "Don't do this,  
11 and don't do this, don't do this," what I have found  
12 in talking with them that they don't hear the other  
13 side enough to -- meaning me, for one example -- to  
14 understand the technical side of things and how it is.  
15 It's just as important as it is keep safe and prevent  
16 disasters, accidents that you still have to keep  
17 abreast of it.

18 And my colleagues, people that I grew up  
19 with and went to school with, and we're in the  
20 executive level roles now, departmental managers,  
21 division managers, heck, we pay attention to the  
22 environment. I think about it. I like camping. Yet  
23 at the same time, I know we can go and build something  
24 and safeguard against the dangers of it. And that's  
25 what technology is and that's what mankind's evolution

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 of progress is all about. And we're doing that with  
2 the space shuttle, space research. Everything is a  
3 byproduct off that, and we learn -- we continue to  
4 learn even in our construction projects. I've been in  
5 the Arctic construction. We write up lessons learned  
6 from what we've done in the past so we can do that  
7 better in the future. Thank you.

8 (Applause.)

9 MR. CAMERON: Okay. Thank you. Charlie  
10 Belin, you wanted to say a couple minutes for us, and  
11 then we're going to go to Don Moniak. Charlie Belin.

12 DR. BELIN: My name is Charlie Belin. I'm  
13 a rain ecologist here in Savannah. I've lived here  
14 for 23 years. In response to Clete Bergen, I think  
15 one of the things you need to know about plutonium is  
16 after my 14 years in hazardous and toxic waste  
17 remediation, it is the most toxic element ever. I've  
18 lived here in Savannah, as I said, 23 years. I'm  
19 getting a little tired of hearing about spill after  
20 release after spill coming down the Savannah River,  
21 and one of the things that I've learned over the years  
22 is that we are all downstream. Whether or not you  
23 live north of Aiken, south of Aiken, east, west,  
24 whatever the case may be, we are all downstream of  
25 something somewhere.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1           To Tim and Tom who are going to be  
2 preparing this document, you fellas really have your  
3 work cut out for you. This is going to be monumental  
4 document if it's done adequately. I've done, as I  
5 said, 89 Environmental Impact Statement and  
6 environmental assessments. You've got your work cut  
7 out for you. This is going to be a real bear.

8           Chip said at the beginning of this get  
9 together tonight that he wanted advice. I have two  
10 pieces of advice. Number one, include in the EIS  
11 contingencies for the reduction of releases to zero.  
12 I hope that that can be done, but not just coming down  
13 the Savannah River. All over the place up there,  
14 whether it's in the facility, in groundwater, air,  
15 whatever the case may be.

16           The second recommendation I have for you,  
17 or bit of advice, is that you folks at NRC that are  
18 preparing this Environmental Impact Statement  
19 recommend through a "no action" alternative to the  
20 decisionmaker, whoever that may be.

21           (Applause.)

22           MR. CAMERON: Thank you, Charlie. Don  
23 Moniak.

24           MR. CAMERON: Do you want to hold it or do  
25 you want it in the thing? There you are.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 MR. MONIAK: My name is Don Moniak. I  
2 work for the Blue Ridge Environmental Defense League.  
3 A community organizer, I live in Akin, South Carolina.  
4 December 9th of this year, December 9, 2000, there was  
5 a meeting in Akin, South Carolina involving worker  
6 compensation issues. It packed the house.

7 The fire marshals could have probably  
8 closed it down. There was about 500 people there.  
9 The transcript is publicly available. If you'd like  
10 it, I can send it to you. There's a lot of people who  
11 have been sick at this Site, who have gotten sick.  
12 It's to be expected. They've worked around dangerous  
13 materials. It happened all over the country.

14 And we're spending probably \$2 billion,  
15 possibly, over the next 20 years to compensate workers  
16 who were lied to, who were not told the hazards of  
17 what was going to happen because under the interest of  
18 national security.

19 Savannah River Site, up until six months  
20 ago, claimed it did not handle beryllium, a highly  
21 toxic light metal that is probably more essential for  
22 nuclear weapons than plutonium is. And they've known  
23 that it is very dangerous to some people at varying  
24 levels for 15 years. There are now something like 15,

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 16 people who've tested positive for beryllium  
2 sensitization at Savannah River Site.

3 It's a beryllium site. And they denied it  
4 up until a year ago. April of 1999, we hear about the  
5 safety culture. Let me tell you, 12,000 people still  
6 go to work at Savannah River Site every day intending  
7 to do the job right, and they take a lot of pride in  
8 their work, most of them. Because I've been out there  
9 and I've met them.

10 They're very -- they don't want to go home  
11 with an excess dose. They want to keep it to a  
12 minimum because they know that radiation is harmful.  
13 If you ask them, if they say radiation isn't harmful,  
14 then I would say, "Well, how about if we increase the  
15 worker exposure dose rate, you allow the dose to ten  
16 grams a year. Is that okay? Let's start with you  
17 guys first before you start with the public." And  
18 they all go, "No, no, no."

19 There's another reason radiation is  
20 harmful. Radiation is harmful because over time, it  
21 damages materials like on small parts. There's a huge  
22 amount of work going into investigations in nuclear  
23 weapons stockpile right now to see what the effects  
24 are of low level radiation on these little

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 miniaturized parts, because they get damaged over  
2 time.

3 Plutonium damages itself over the course  
4 of decades. This is a fact. Plutonium damages  
5 itself. It damages everything it touches. It damages  
6 other metals. Now if something is that damaging  
7 because it emits such a harsh energetic alpha particle  
8 over the course of decades, you can imagine what it  
9 does to your soft tissue if it gets inside.

10 They always say, "Well, you can stop it  
11 with paper," but we're not lined with paper, nor will  
12 we ever be lined with paper. You cannot conduct an  
13 Environmental Impact Statement legally until all the  
14 information is available.

15 One of the few people who is stupid  
16 enough, but it's also my job, to have downloaded the  
17 entire construction authorization request, and I've  
18 printed it. This is Section 11, Design Process. The  
19 entire safety analysis reports, safety evaluation  
20 reports, the entire analysis is based on this chapter.  
21 This is the source documents.

22 There's 36 tables in here which are blank,  
23 because they claim it's proprietary secret  
24 information. You cannot conduct an EIS with this kind  
25 of information. NRC, to have allowed this to go

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701



1 forward, is unbelievable. What I've heard tonight is  
2 unbelievable because the NRC is laying down on the  
3 job.

4 You do have a responsibility when you  
5 granted that EIS. The process in which this started,  
6 it started before 1997, sir, in all due respect.  
7 That's when I started on this. And I was quite naive.  
8 I had never heard of MOX. But I know how to ask the  
9 government questions. I worked for the Foresters for  
10 15 years and I know that government employees and the  
11 supervisors, they lie to their subordinates. You  
12 know, it's human nature.

13 So if they lie to their own workers, then  
14 of course, they're going to lie to the public. I  
15 taught foresters about the lies. That's why I never  
16 got beyond a GS-6. This is the spinal surplus  
17 plutonium disposition EIS. I'm amazed there aren't  
18 any copies available, because three years ago when --  
19 or a year ago, when they came up with the record of  
20 decision, this thing was floating around like candy.

21 You'll notice that when the Department of  
22 Energy comes out of the record of decision, these are  
23 always very available at the time. A year later,  
24 suddenly they have a hard time finding copies. This  
25 is a factually inaccurate document. The NRC was

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 charged by Congress to license this facility based on  
2 this record of decision.

3 The NRC, every one of you signed a piece  
4 of paper saying you swear to uphold the laws of the  
5 United States. This is a false document and I'm going  
6 to tell you why. This is a seal device. It costs  
7 about \$350 brand new. They've used it on two nuclear  
8 weapons, one was real and one was a joint test  
9 assembly.

10 I got it in a scrap pile, 500 pounds for  
11 \$200. I also got some actuators in there. These  
12 parts are as essential to a weapon going off as the  
13 plutonium. Weapons are very hard to make, and I can  
14 explain why, but I don't have the time. Just imagine  
15 this is a kilogram of plutonium.

16 Four years ago, they said, "We need to  
17 dispose of 50 tons of plutonium," which is 50,000  
18 kilograms. Four years ago, they said there would be  
19 almost no liquid waste, almost none. Today, per  
20 kilogram, it will be about 30 gallons of intensely  
21 radioactive liquid waste that the NRC doesn't want to  
22 take any responsibility for, and is allowing them to  
23 pipe across the fence to the Department of Energy,  
24 which has no plan to take care of it yet.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1           The NRC, to not -- to allow that, is just  
2           -- I think it's just flat out irresponsible. I'm  
3           sorry. Is somebody pulling the strings up high or  
4           something? I don't know. Why did this happen?  
5           Because four years ago, they've had this dry process  
6           and they were convinced it was going to work. They  
7           told everybody it was going to be dry.

8           They even told Congressmen there was going  
9           to be no emissions, which is rather comical. Because  
10          by definition, you always have some emissions. They  
11          said it was going to be a closed process. Okay, in  
12          1997 -- in 1997, they decided to make the dry process  
13          a contingency.

14          But they didn't tell Congress, and they  
15          designed -- designed only a conceptual design report  
16          that said it was going to be a dry process. And they  
17          based everything -- it was only 100,000 square foot  
18          facility at that time. But they decided in '97 they  
19          were going to do the wet -- the plutonium polishing --  
20          liquid asset polishing, liquid asset processing,  
21          whatever you want to call it.

22          They decided that but they didn't tell  
23          Congress and they didn't tell the public. And they  
24          always said it was not a reasonable alternative

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 because of the huge waste stream. I can prove this.  
2 I have proved it. I've got the documents that say it.

3 You need to -- the NRC, at this point in  
4 time, has an obligation to Congress to report that the  
5 Department of Energy violated the National  
6 Environmental Policy Act and misled Congress.  
7 Because when they said it was going to be plutonium  
8 polishing, the size of the facility now, the Hardin  
9 Facility is now three and a half times what it was.

10 It's now 340,000 square feet. And the  
11 amount of waste, as I said, is 30 gallons for every  
12 kilogram of plutonium they're going to process. That  
13 is just -- it's criminal. I'm sorry. And I do not  
14 use the word criminal easily. Because there were a  
15 lot of people who believed all this. They betrayed  
16 the public trust of people who truly believed in this  
17 program, and believed it was for non-proliferation.

18 We're in this room and we're lucky to be  
19 in this room. But over in Russia right now, they  
20 don't have this opportunity. There's been a public  
21 process here for six years now. They have not had a  
22 public process. Last year, I was fortunate enough to  
23 be on a delegation to Russia, U.S. delegation, non-  
24 governmental organizations on plutonium fuel.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1           We held the first meetings. It was the  
2 first time some people had heard about it and has this  
3 disdain for the public. The other day I read a  
4 document from Los Alamos that said that what we're  
5 dealing with over there is the most conservative  
6 element of Russian culture and society. It's a throw  
7 back to the old regime.

8           This ministry of atomic energy intends to  
9 export plutonium fuel. They're going to get from the  
10 infrastructure that we're going to fund over there,  
11 too countries like Bolivia, Iraq, Cuba, if they can.  
12 There's nothing going to stop them. Why should it?  
13 Who are we to say that Libya can't have nuclear power.  
14 This --

15           MR. CAMERON: Don, I'm going to have to  
16 ask that --

17           MR. MONIAK: I understand you're going to  
18 have ask me, but I want to finish by saying that this  
19 tonight was a travesty to not inform people of the  
20 real issues. The NRC punted on many --

21           MR. CAMERON: A few more minutes, Don.

22           MR. MONIAK: The NRC punted on many, many  
23 questions. December I was at a meeting where they  
24 talked about the nuclear inactive part of it, and they  
25 didn't even allow the public to speak. Of course, I

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 spoke anyhow because I don't care what the NRC says.  
2 You all work for me.

3 This is public money being spent now.  
4 You're not working for Duke COGEMA Stone & Webster.  
5 They're not your customer. We're the customer. And  
6 it's time to start acting like it. NRC wants to  
7 charge you \$44 for the construction authorization  
8 request if you so desire.

9 Duke COGEMA Stone get the environmental  
10 review for free on this. We will provide not only a  
11 construction authorization view, but every document we  
12 have electronically free if you want to sign up back  
13 there, if you want to be really excited by all this.

14 And one word about terrorism. I suggest  
15 everybody take a look at this, "First Edition Medical  
16 Management of Radiological Casualties." What do you  
17 think the date of that was? How about December 1999  
18 for the Armed Forces Radiobiology Research Institute.  
19 It's a really stunning document.

20 It's very cold, clinical, objective -- I  
21 really have a lot of respect -- they sent me 100  
22 copies of these because I asked for them. And they  
23 sent me eight videos. And it's something to watch the  
24 military sitting there talking to each other

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 objective, you know, not lying to the public, not  
2 lying to each other.

3 If you're a terrorist, what you do is you  
4 get a couple of CCM 137 sources that the NRC can't  
5 keep track of, and you put a few explosives around  
6 them, and you go downtown somewhere and you blow them  
7 up and you irradiate a bunch of people, you cause  
8 havoc. Because terrorists cause havoc, not mass  
9 destruction.

10 There may be some who might try mass  
11 destruction. But what's the risk? In this EIS, I  
12 want to hear what the risk is and what the probability  
13 is of somebody having the capability to make a weapon  
14 of mass destruction from weapons grade plutonium.  
15 Because weapons grade plutonium is harder.

16 Edward Teller -- if you want to argue with  
17 Edward Teller, go for it. Edward Teller says that  
18 it's easier to make a bomb with reactor grade  
19 plutonium. Who are we to argue that with Teller? I  
20 don't like him. But I'm not going to argue with him  
21 on how to make a bomb.

22 It's easier. What the difference is is  
23 that a nuclear weapons state will not use reactor  
24 grade because it's unpredictable, it's unreliable.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 You know what a nuclear weapons detonation fizzle is?  
2 It makes Oklahoma City look little.

3 MR. CAMERON: Don, I --

4 MR. MONIAK: I'm done. Thank you.

5 MR. CAMERON: Great.

6 MR. MONIAK: And I want to submit this.

7 (Applause.)

8 MR. CAMERON: All right. Thank you all  
9 for your comments tonight. There's going to be one  
10 more scoping meeting, at least, that we know of now.  
11 It's going to be in Charlotte on May 8th. And as we  
12 noted, there is a handout out there on the notice of  
13 opportunity for hearing on a MOX facility. That has  
14 a timeline associated with it. So if you are  
15 interested in participating in that, you need to  
16 follow that timeline.

17 And I would just thank you all for the  
18 comments tonight, and again, thank you for the  
19 patience. And we're adjourned.

20 (Whereupon, at 10:02 p.m., the NRC Public  
21 Hearing was concluded.)

22

23

24

25

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13