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Greater-Than-Class-C Environmental Impact Statement

Project - Public Meetings

April 27, 2011

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A P P E A R A N C E S

- Holmes Brown
- J.R. Stroble
- Don Hancock
- Yemane Asmerom
- Joseph Wexler
- Chris Timm
- Rodney Peterson
- Niyol Tsinhnahjinnie
- Peter Schilke

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

2 MR. BROWN: It is now time -- are you all set?

3 UNIDENTIFIED MAN: Yeah.

4 MR. BROWN: Okay. It's now time to receive  
5 your comments on the Draft EIS. This is your  
6 opportunity to provide DOE with oral comments on the  
7 Draft EIS, including what you would like to see as a  
8 preferred alternative or what factors DOE should  
9 consider when developing a preferred alternative for  
10 inclusion in the final EIS.

11 Your comments will be transcribed for the  
12 administrative record. Recording your comments for  
13 tonight is Gary Goldbloom (ph) over in that corner.  
14 Please step up to that microphone when your name is  
15 called, introduce yourself providing an organizational  
16 affiliation where appropriate. If you have a written  
17 version of your statement, please provide a copy to  
18 Gary after you've completed your remarks.

19 Also, please leave any additional attachments  
20 that you would like to see included in the permanent  
21 record, they will be labeled and submitted. I will  
22 call two names at a time. The first is the speaker and

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1 the second of the person to follow. In view of the  
2 number of people who've already signed up to speak,  
3 please confine your public presentation to five  
4 minutes. This is necessary in order to allow all  
5 speakers the opportunity to provide comments.

6 Please observe this time limit as a courtesy  
7 to the other attendees. If your prepared comments  
8 exceed the time allotted tonight, please summarize the  
9 key points for the audience and the hearing officer.  
10 There are a variety of ways of submitting additional  
11 comments prior to the closing date of June 27. All  
12 comments, whether verbal, as presented tonight, or in a  
13 written or electronic form, count equally in the  
14 preparation of the final EIS.

15 I will keep track of each presentation and  
16 will let you know when you have a minute left by  
17 holding up this sign. Arnie Edelman will be serving as  
18 the hearing officer for the Department of Energy during  
19 the formal comment period. He will not be responding  
20 to any questions or comments during the formal session.

21 I might add that if everybody observes their  
22 time limit, if some people have a few additional

1 comments to add after their initial five minutes, we  
2 may have some time near the end in order to allow  
3 people to add a few final comments. So, with that by  
4 way of introduction, let me call on our first speaker,  
5 who is Don Hancock, and he will be followed by Yemane  
6 Asmerom.

7 MR. HANCOCK: Good evening. Welcome to  
8 Albuquerque for the Department of Energy and other  
9 people who are here. I'm Don Hancock from Southwest  
10 Research and Information Center in Albuquerque, a 40-  
11 year-old organization that has worked on a variety of  
12 nuclear issues, including nuclear waste issues during  
13 most of that time. We provided scoping comments on  
14 this document and so, I'm disappointed in looking at  
15 the document that our conclusion must be that this  
16 Draft EIS is fatally flawed as a matter of law, as a  
17 matter of policy, and as a technical matter.

18 From a legal standpoint, the Draft EIS is the  
19 wrong document. It does not consider all the  
20 reasonable alternatives, as required by the law, and it  
21 cannot be used to consider -- continue on to an  
22 adequate final EIS. First, it's the wrong document.

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1 Why is it the wrong document? Because, as we stated in  
2 our scoping comments, the Department of Energy first  
3 must do a programmatic environmental impact statement  
4 to address a variety of issues, some of which are not  
5 even considered in this draft document.

6 For example, PEIS, a programmatic  
7 environmental impact statement should address questions  
8 like, "Should a Department of Energy facility be used  
9 for commercial waste?" "Should Greater-Than-Class-C  
10 waste be disposed of alternatively in a high-level  
11 waste or spent nuclear fuel repository?" "What about  
12 the options for on-site storage at existing reactor  
13 sites for several decades or more?" "What about  
14 consolidating GTCC storage at a few locations?" "What  
15 about the range of disposal options even more than are  
16 considered in the document?" "What about changes in  
17 the Nuclear Regulatory Commission regulations that  
18 would be required for various disposal options,  
19 especially for the existing sites?" And, you were  
20 shown those existing Department of Energy sites, none  
21 of which have an NRC licensed disposal facility.

22 Regarding the other kinds of waste that they

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1 want to include, the misnamed GTC-like waste, in 1997,  
2 the Department of Energy issued its Waste Management  
3 Programmatic Environmental Impact Statement. That's  
4 almost 15-years-old. It's time to update that  
5 programmatic environmental impact statement to decide  
6 what about the Department of Energy waste unrelated to  
7 the commercial Greater-Than-Class-C waste. So, that  
8 document has to be supplemented to look at the  
9 Department of Energy waste before there should be any  
10 consideration of consolidating DOE and commercial  
11 waste.

12           There's no clear statement of what the need  
13 is. You heard Mr. Edelman's presentation saying the  
14 need is there's no current -- there is currently no  
15 disposal capacity for Greater-Than-Class-C low-level  
16 radioactive waste. The same thing, in fact, could be  
17 said about there's no disposal -- current disposal  
18 capability for spent nuclear fuel. That -- the  
19 statement that there isn't current disposal capability  
20 is not an adequate statement of need.

21           Again, the National Environmental Policy Act  
22 requires that the need, the purpose, be clearly defined

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1 and stated so the decision makers and the public can  
2 understand what the alternatives really are. Again,  
3 this is another reason that we should be having a  
4 programmatic environmental impact statement not this  
5 one.

6           Secondly, the -- according to the federal  
7 regulations, the heart of any legally adequate  
8 environmental impact statement is consideration of all  
9 reasonable alternatives. This document doesn't do  
10 that. The Nuclear Waste Policy Act, for example,  
11 federal law, says that there is a legal requirement for  
12 the Department of Energy to develop a geologic  
13 repository for spent nuclear fuel and high-level waste  
14 other than WIPP.

15           In any of the presentation, did you hear  
16 anything about that legally required facility even  
17 being mentioned in this document? No. It's not. It  
18 has to be for all reasonable alternatives to be  
19 considered.

20           MR. BROWN: Don, you've got about a minute  
21 left on this part of your presentation. Thanks.

22           MR. HANCOCK: The only alternatives, as you

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1 heard, that are really being seriously considered are  
2 Department of Energy sites. What about commercial  
3 sites for commercial waste? In fact, DOE didn't even  
4 follow its own advance notice of intent, which said,  
5 "They would consider disposal in new or existing DOE or  
6 commercial facilities." They certainly didn't do that.  
7 The generic facilities they talk about are not  
8 adequate.

9           They didn't consider the need for long  
10 Hardened On-site Storage on site. Shockingly, from a  
11 policy standpoint, this document says that for the next  
12 70 years, the term that it purports to cover, the only  
13 geologic repository in the United States will be WIPP.  
14 That is wrong policy and wrong law. So, the conclusion  
15 that they can't go forward, they've got to stop, go  
16 back and start over with a programmatic environmental  
17 impact statement and supplementing the waste management  
18 PEIS is what they need to do.

19           The PEIS process, the one that they're doing  
20 now that we've just heard about should end after our  
21 comments. They shouldn't proceed to a final EIS.  
22 Instead, DOE needs to start over. And, they should

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1 conclude and determine that neither New Mexico nor  
2 other Department of Energy sites should be used for  
3 disposal of commercial Greater-Than-Class-C waste.

4 MR. BROWN: Okay.

5 MR. HANCOCK: Thank you.

6 MR. BROWN: Thank you.

7 (Applause)

8 MR. BROWN: Okay. Our next speaker is Yemane  
9 Asmerom, and he will be followed by Joseph Wexler.

10 MR. ASMEROM: Thank you so much. I'm afraid  
11 I'm not going to be as coherent as the preceding  
12 speaker. I'm here to speak as a citizen, even though  
13 my training is in (inaudible) chemistry. I work with  
14 radioactive materials. I'm not anti-nuclear and I  
15 believe the waste in question, at least the commercial  
16 stuff, is essential. Sooner or later, most of us are  
17 going to help reduce that and I do agree, I think,  
18 consolidation is going to be very important, both for  
19 national security reasons and other inventory  
20 considerations.

21 The profound concern I have though, is the  
22 way, at least from my reading, the sites were selected.

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1 If you look at all the sites: Hanford, Savannah River,  
2 the Nevada test site, Los Alamos, the WIPP project --  
3 have nothing in common as it relates to suitability of  
4 waste. Each of them came about either because of  
5 personal historical accident. Los Alamos happened to  
6 be the persons -- the first -- you know, the site in  
7 which people spent summers there.

8           The Savannah River came about because there  
9 was a need for energy for fuel production, same thing  
10 for Hanford. Arguably, the WIPP project is probably  
11 the only one that one could say there was exhaustive  
12 and extensive study for some aspect of geological with  
13 repository purposes. And, so, I think fundamentally,  
14 just simply selecting these sites because they were  
15 accidentally sort of chosen for other reasons is kind of  
16 like being drafted into the old Saris Russian Army,  
17 once you're drafted, you're drafted for everything and  
18 any contingency, and as long as you live.

19           (Laughter)

20           MR. ASMEROM: And, I think there is a very,  
21 very important issue of, I think, stewardship and issue  
22 of justice here. You can walk or drive a few miles

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1 west of here or north of here, and what you'll find is  
2 negligence and lack of stewardship in the service of  
3 the country when it was needed.

4 We located most of our mining activities  
5 second to -- you know, in the second -- in the country  
6 and now we're left with (inaudible) of abandoned mine  
7 and waste (inaudible). The people of Southern New  
8 Mexico graciously -- not all of them, but at least --  
9 accepted the WIPP project, and that's the only one, in  
10 fact, in the country that (inaudible). Unlike, for  
11 example the (inaudible) Mountain Project in which there  
12 was over 30 years of study just because the House --  
13 the Senate majority didn't want it, that's essentially  
14 over.

15 So, in a sense, as a New Mexican, I feel, we  
16 are yet being asked to then again simply be the dumping  
17 ground for essential waste, I have to say. And, I  
18 don't think it's just and simply doesn't make sense to  
19 me. Specifically, about Los Alamos, I feel very, very  
20 insecure. To locate a site in which it's going to be  
21 built in freshly erupted tough (ph), a few thousand  
22 years old, in a tectonically active area, in a

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1 watershed that feeds into the essential drinking water  
2 system for all the urban centers of New Mexico, and  
3 that's affected by periodic catastrophic fire. I  
4 cannot for the life of me think that there is no other  
5 more suitable place in the country.

6           So, I really, with all due respect, ask the  
7 Department of Energy to go back and look at all  
8 potential suitable sites across this country. This is  
9 a national issue. This is a national activity and I  
10 think in Mexico, we've done our due burden and it's  
11 about time others also share. As I said, I am not  
12 anti-nuclear in any shape, or form, especially when it  
13 comes to nuclear medicine. Thank you so much, and you  
14 know, I appreciate that you're giving us this chance to  
15 talk to you.

16           MR. BROWN: Okay. Thanks a lot.

17           (Applause)

18           MR. BROWN: Okay. Joseph Wexler is next and  
19 he will be followed by Chris Timm.

20           MR. WEXLER: Well, I hadn't read any of this  
21 information until I got here tonight. By the way, my  
22 name's Joe Wexler. I'm a civil engineer, long-term

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1 work in New Mexico, since 1964. And, I'm getting more  
2 and more interested in this nuclear business and  
3 radioactivity.

4 First of all, I just want to say I don't see  
5 many young people out here. I saw a young fellow --  
6 yeah, in the back -- I told him he reminded me of  
7 Isaiah. He had a staff --

8 (Laughter)

9 -- he looked like he just emerged from the desert.  
10 Good for you. I guess you've got something to tell us.  
11 This is also the time of Easter and Passover just  
12 passed on for the year, and that too, is a desert.  
13 And, also, we're rapidly destroying the Ann Valencia  
14 (ph).

15 The reason I live here is because New Mexico -  
16 - when I first came here in '64, I realized there's  
17 something going on here. Not just nuclear activity,  
18 but here's the last remnant of Ann Valencia of the 12th  
19 and 13th Centuries. Christians, Jews, Muslims living  
20 in peace in a beautiful creative culture, okay. And,  
21 all nuclear waste is going to do is destroy it. That's  
22 one item.

1           Also, in this time, we've gotten Chernobyl.  
2   It's the anniversary of Chernobyl. Russians are pretty  
3   good engineers. Now, we've got Fukushima -- Kashima  
4   (ph). The Japanese are pretty good engineers too, and  
5   everybody takes great pride over there. Hell, the  
6   Russians can build anything and the Japanese can build  
7   anything. Yeah, until it comes to making money or  
8   showing your power or going home and getting laid or  
9   what the hell you're doing.

10           And, we're human beings. It's over our heads,  
11   from beginning to end, and we're going to destroy not  
12   only New Mexico, but the entire planet with this  
13   behavior. I'm an engineer, I've seen guys on  
14   construction. I've seen contractors. If they can make  
15   a few bucks, they're going to cut corners. Even if  
16   it's radioactive.

17           Now, getting back to this report, that is --  
18   which I just saw tonight in any detail. I notice  
19   there's a lot of stuff in here about medical -- medical  
20   supplies. My wife was helped. She was helped greatly  
21   by radiation and so forth with cancer, so it is  
22   helpful. We must take care of these materials.

1           And, why is this lumped together with nuclear  
2 bomb waste or nuclear fuel waste and so forth? That's  
3 the trick here. And, it threw me off balance, to talk  
4 about hospital wastes, radioactive materials. Hey,  
5 that's good stuff, but why put it together with what  
6 these characters are doing with nuclear power?

7           For GE and Westinghouse and I don't know who  
8 all else, making massive sums of money and not doing  
9 the job right -- doing the job -- okay, oh, he'll do,  
10 let's get home for the night. We won't put the  
11 additional concrete in and we won't put the additional  
12 reinforcing in. We won't put the water pumps up on top  
13 that we need, we'll put them right down on the ocean  
14 and let the sea wall collapse on them. And, now  
15 they're still -- and now the dead -- the dead are going  
16 to build up.

17           At Chernobyl, the estimate of dead up to this  
18 point is 1 million. And, in addition to that, there  
19 are many youngsters who are sick, their thyroid glands  
20 are screwed up. We just can't handle nuclear energy.  
21 I know you've got to get rid of this stuff somehow, but  
22 we can't afford building any more plants until we

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1 become super human, like the guys in the movies.

2 I don't know, the robots, the guys -- is it --

3 MR. BROWN: You've got one minute left.

4 MR. WEXLER: Okay.

5 MR. BROWN: Thanks.

6 MR. WEXLER: Has Hollywood convinced us that  
7 we can really do anything with a few electronic pieces  
8 of equipment? That a guy from Texas who hates -- who  
9 hates the world around him, who can't stand a black guy  
10 or Hispanic guy, is going to come out and build a  
11 beautiful nuclear plant that will care for the world?  
12 That will take care of all of us? It can't happen.

13 If you're a racist and you hate people, you're  
14 going to do a lousy job. Look, I've been around this  
15 country, we all have. I've lived in Mississippi and I  
16 know what happens to people's minds.

17 MR. BROWN: If you make just one more point,  
18 please.

19 MR. WEXLER: Okay.

20 MR. BROWN: Time's up.

21 MR. WEXLER: Okay. That's about it, thank  
22 you.

1 MR. BROWN: Okay. Thank you.

2 (Applause)

3 MR. BROWN: Okay. Chris Timm and Rod Peterson  
4 will follow Chris.

5 MR. TIMM: Thank you ladies and gentlemen.  
6 I'm pleased to see the turnout. I'm always pleased to  
7 see people interested in trying to solve a problem.  
8 I'm Chris Timm, I'm also a civil engineer.

9 I've had about 20 plus years, closer to 30  
10 years in the environmental compliance, environmental  
11 cleanup, waste management business. I'm with Pecos  
12 Management Services, and most recently, we finished a  
13 five-year stint of being the independent oversight  
14 contractor for WIPP. Before that, I worked at Rocky  
15 Flat, I worked at Hanford's, I worked at Los Alamos, on  
16 a variety of cleanups. I'm very familiar with what  
17 these issues are, and I'll speak to it from a  
18 perspective of this is a problem that has to be solved  
19 and looking at the alternatives.

20 The citizens of this country have received  
21 many benefits from their lives from the use of  
22 radioactive elements that have resulted in Greater-

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1 Than-Class-C waste. You've heard mention about the  
2 treatment of cancer and of other diseases by the  
3 medical -- by medical processes that result in this  
4 waste. And, I think there's a lot of people, probably  
5 many in the audience that would agree this has been  
6 beneficial, it's something that we'll want to continue  
7 (inaudible).

8 But, therefore, I think it's time that we  
9 agree on a permanent disposal path to protect us and  
10 our offspring from the side effects, if you wish, of  
11 having the waste. If it sits elsewhere, it's going to  
12 continue to cause problems. If it's put in a safe  
13 disposal, out of touch of all of us, then it's  
14 certainly a much safer situation.

15 Of the alternatives presented, the one with  
16 the demonstrated safety for permanent disposal of this  
17 type of waste is WIPP. Greater-Than-Class-C waste is  
18 essentially no more radioactive than the transuranic  
19 waste now being disposed of in WIPP. In fact, much of  
20 it is less hazardous than the waste being disposed in  
21 WIPP now. WIPP also has an established transportation  
22 system designed to minimize potential exposure to the

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1 public, etc. Again, they've got the safety record.

2 WIPP is also well regulated by EPA and the New  
3 Mexico Environment Department, which will continue to  
4 assure the citizens of Mexico that they would be safe.  
5 Finally, using WIPP is the quickest and most cost-  
6 effective solution as well as being safe. In this era  
7 of concern about federal spending, yet still wanting to  
8 protect our health, safety, and environment, all tracts  
9 -- all factors make it the preferred alternative.

10 Thank you.

11 MR. BROWN: Thank you.

12 (Applause)

13 MR. BROWN: Rod Peterson -- and he will be  
14 followed by Niyol Tsinhanhjinnie.

15 MR. PETERSON: My name is Rod Peters and I've  
16 been a resident here in the Albuquerque area since  
17 1950. My background is in engineering and geology. I  
18 attended school in -- geology at New Mexico School of  
19 Mines, the Colorado of Mines, the University of  
20 Wisconsin. I worked at a WIPP site. I've worked all  
21 over the Nevada test site under various contracts for  
22 the AEC. The consulting engineering firm I was with

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1 had the contracts and I was the project engineer in the  
2 field.

3           And, I'm here tonight to -- kind of wondering  
4 what -- why we spent all this additional money looking  
5 at new sites when since -- in 19 -- in 2002, Congress  
6 designated the Yucca Mountain site as the permanent  
7 storage site for highly radioactive nuclear power plant  
8 waste. And, in the past two decades, more than \$13  
9 billion was spent on -- on the Yucca Mountain project.

10           And, since 1983, that's 28 years more or less,  
11 portions of most of our electric bills have gone into a  
12 fund to build and operate a permanent storage site for  
13 the nuclear power plant waste, which could include all  
14 this other waste we're talking about tonight. And, in  
15 March 2009, it leaked out at a Senate Energy Commission  
16 hearing, I believe, that no more funds would be spent  
17 on the Yucca Mountain site. And, what's wrong with the  
18 Yucca Mountain site, Mr. Chu -- Senator John McCain  
19 asked -- asked the Energy Secretary. Chu's answer was,  
20 "We have nothing concrete in mind, just a new  
21 comprehensive study, some kind of new strategy." Well,  
22 that's what's being presented here tonight I believe.

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1 I pulled up on the Internet about 21  
2 publications by the U.S. Geological Survey relating to  
3 the Yucca Mountain radioactive waste storage project.  
4 Reports covering the span from 1968 through 2008, and  
5 they'd probably fill half this room. And, most of the  
6 geologists that worked over that long span of years, on  
7 the Yucca Mountain project, were in favor of that being  
8 a permanent storage site for high radioactive nuclear  
9 fuels.

10 And -- I'm going through my notes here.  
11 Giving up the Yucca Mountain site is a threat to public  
12 health and the environment. Nearly 60,000 tons of used  
13 radioactive fuel will allow -- continue to be stored in  
14 pools of water at reactor sites all over the country.  
15 And, I have an editorial here that appeared in the  
16 Albuquerque Journal on March 7, 2009, regarding storage  
17 of nuclear waste, and I'll give that to the person  
18 here.

19 And, I've heard reference to nuclear power --  
20 building nuclear power plants and using nuclear power  
21 is going to kill everybody on earth. We've had nuclear  
22 power plants on submarines in our Navy for 60 years and

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1 there's never been a single fatality on these nuclear  
2 submarines that have been roaming the planet's oceans  
3 in that long period of time.

4 Los Alamos is currently working on small  
5 nuclear power plants, small units that can be used by  
6 our military in remote areas and could be sited  
7 anywhere in the country or anywhere in the world for  
8 energy, electrical energy for small communities. And,  
9 I just believe that we've got to continue developing  
10 our nuclear power. Wind and solar are not going to --  
11 are not going to do the job. And, that's about all I  
12 have to say. I'm glad to have been here.

13 MR. BROWN: Thanks very much.

14 (Applause)

15 MR. BROWN: Okay. Our next speaker is Niyol  
16 Tsinhnahjinnie. Are you here? Okay. Please come  
17 forward then. Okay. And, our -- our next speaker  
18 would be Peter Schilke. Hi.

19 MR. TSINHNAHJINNIE: Hello, my name's Niyol.  
20 I'm here to represent the earth and sky. And, yeah, I  
21 was pretty much -- first, I'd like to say I definitely  
22 think it shouldn't come to New Mexico, but I mean, I

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1 think there should be definitely some sort of  
2 alternative. I mean, I wouldn't -- I personally  
3 wouldn't know the best alternative. Maybe like --  
4 maybe even like possibly send it out to space or  
5 something, to like a star or something, you know, like.  
6 I mean like it would cost a lot of money, but I think  
7 the earth deserves it. You know, because I mean like  
8 the earth is what made us all this money, and I mean  
9 like, I just pretty much -- I pretty much just hope --  
10 hope that this waste finds its home in like a  
11 harmonious -- harmonious like neutral place where it  
12 doesn't hurt anything including the earth or any  
13 organisms. But, yeah, I say good luck and loving you  
14 all.

15 MR. BROWN: Okay. Thank you.

16 (Applause)

17 MR. BROWN: Peter Schilke and then Rosemart  
18 Evens.

19 MR. SCHILKE: Good evening. My name is Peter  
20 Schilke. I've lived in various parts of the country.  
21 I've been in New Mexico for 16 years. My background is  
22 in the fields of engineering. I've worked for various

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1 countries that were part of the military industrial and  
2 nuclear complex.

3           And, I'm here to say that there's no  
4 credibility in these industries. If all of the  
5 projections of -- and statistics that they put forth  
6 were valid, we wouldn't have had the many, many space  
7 accidents that we have had, the launch vehicles burning  
8 up on the launch pads. The shuttles -- one blowing up  
9 on launch or partly through the launch, another one  
10 coming back in and being destroyed, and I go back to  
11 the time when the mercury project had many problems  
12 happen in one of the capsules and the computers failed  
13 and the astronaut, fortunately, was able to manually  
14 bring it back in.

15           I mention this aspect even though it doesn't  
16 seem like it's part of the nuclear program because all  
17 of these programs had people pushing numbers and  
18 statistics about the reliability. Reliability? I  
19 don't think so. So many of these numbers that have  
20 been put forward to you this evening are purely picked  
21 out of the air. I just don't believe any of the things  
22 that officially get put forth anymore and my history

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1 goes back to the 50's when I first got my first  
2 security clearance.

3 So, I've been through the industry. I see the  
4 lies that go on, the cover-ups, pushing the facts under  
5 the rug. We've had this with Los Alamos. We've had it  
6 at Kirtland Air Force Base. It just permeates the  
7 whole economy, the whole society, to make all of these  
8 outrageous claims about the safety to me, is totally,  
9 bogus.

10 If the things were as safe as they were, the  
11 nuclear industry, we would not need the Price-Anderson  
12 Act. We would not need to be giving loan guarantees to  
13 the nuclear industry. Wall Street would gladly step up  
14 to the plate. So, what we are dealing with is a lot of  
15 smoke and mirrors and lies, I believe. And, if they're  
16 looking for a good place to bury nuclear waste, they  
17 might bury it under Washington, D.C., and under Wall  
18 Street.

19 (Applause)

20 MR. BROWN: Okay, Rosamund Evans and Floy  
21 Barrett will follow.

22 MS. EVANS: I'm Rosamund Evans. I've lived in

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1 New Mexico for 37 years. I'm a citizen. There will be  
2 comments submitted after I work with a couple  
3 organizations to develop those. You know, when we come  
4 -- and I really appreciate the opportunity to have  
5 public comments. We have very few venues where we can  
6 be heard, and so some of the statements I guess are for  
7 ourselves and to bolster our activity, than it is,  
8 because we don't feel that we're heard. I definitely  
9 oppose the plans to bring the nuclear -- the GTCC to  
10 New Mexico, and certainly not to WIPP. The -- I oppose  
11 -- I'm just going to state the very simple things that  
12 I can say at this time.

13 I oppose the transportation that will have to  
14 occur to bring that waste to New Mexico, across New  
15 Mexico to WIPP, and of course, the possibility of  
16 accidents and contamination then exists in many parts  
17 of the country that might not be contaminated, but I'm  
18 not sure where that would be at this point. The  
19 available current proposed solution might be the  
20 hardened on-site waste. And as Don Hancock pointed  
21 out, that has not even been considered. But I believe  
22 that that is being used in some places at this time.

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1 I myself think that this plan has been  
2 designed to test out bringing the high-level rods, that  
3 waste, to New Mexico, because it could be the trial run  
4 and the working out of the details of bringing all of  
5 it to New Mexico. And I definitely agree with one of  
6 the other speakers, who said that New Mexico's had  
7 enough. We really have. There is currently ongoing a  
8 mapping of contaminated sites, water, land, around New  
9 Mexico. When that is finished, I think it'll be very  
10 interesting for all of us, because we can't really know  
11 of all of the contamination that has happened because  
12 of the nuclear activity and the militarization in New  
13 Mexico. And we have accepted, and I think accepted in  
14 much too passive a way, what has happened to our land,  
15 our resources, our air.

16 There's a lot of cancer, and it may be treated  
17 with radiation, but that cancer, much of it has come  
18 from the radiation, and unfortunately, my grandchildren  
19 and their children are certainly going to experience  
20 that after what has happened in Japan, and we're still  
21 suffering from Chernobyl. We are definitely lied to.  
22 When you change the background -- I don't know the

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1 technical term, but you simply lift the bar on  
2 acceptable radiation, which was done after Chernobyl  
3 and now is being done in Japan. That's not solving a  
4 problem; that's just saying, more radiation is  
5 acceptable as part of the standard of safety. We've  
6 seen that in other situations; chemicals, for example,  
7 that are declared safer than they earlier were rated.

8 MR. BROWN: About one minute left.

9 MS. EVANS: Thank you. I want to say that we  
10 must object, and we must use the words that recognize  
11 this as insanity, because that's what it is. The  
12 nuclear power and the nuclear weapons, we are  
13 experiencing crisis. We cannot continue to just go  
14 along; we must call it what it is, and it's insanity,  
15 and thank you, Joe, for helping us to understand that,  
16 too. Thank you.

17 (Applause.)

18 MR. BROWN: Okay, I guess our next speaker is  
19 Floyd Barrett, and William Radford will follow Floyd.

20 MS. BARRETT: I've been in New Mexico since  
21 1969, and I've been a teacher of young children for all  
22 of those years. And I'm really concerned about our

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1 children, because they can't absorb the kinds of  
2 radioactive pollution that adults can, and is this  
3 going to affect them for a long time?

4           So I'd like to speak in their behalf, and  
5 because of the current -- I'm going to speak about this  
6 particular DEIS, and the current regulations say that  
7 the GTCC waste should be disposed in a geologic  
8 repository. Since WIPP is the only geological  
9 repository in New Mexico and it is only certified to  
10 hold transatlantic waste, New Mexico cannot accept GTCC  
11 waste. The Nuclear Regulatory Commission has  
12 determined that spent nuclear fuel can be stored at  
13 commercial reactors for up to 100 years, so the GTCC  
14 waste could also remain at the site of production and  
15 at least for that time period, 100 years.

16           The best solution at present would be to stop  
17 generating any more of that waste, close down --  
18 (applause) -- close down all the current old nuclear  
19 power plants and build no more. They are too hazardous  
20 and dangerous for all living things. Chernobyl is  
21 still releasing radioactive waste 25 years after its  
22 first disaster, and they are still 600 million Euros

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1 short of funds needed to finish a containment structure  
2 for the Chernobyl reactor today. So how can it ever be  
3 safe? It can't.

4 So I would like to submit that for the time  
5 being, that all of this GTCC waste be kept at exactly  
6 where it was produced at those commercial plants and  
7 leave it there for 100 years, and in that space of  
8 time, maybe we'll come to some realization of a better  
9 place to start. And I would also like to say that I  
10 don't think any of it should be transported across the  
11 state. Thank you.

12 MR. BROWN: Thank you. William Radford will  
13 be speaking next, and then Astrid Webster.

14 MR. RADFORD: First of all, I'd like to lodge  
15 a complaint that I wasn't sent a copy of the draft  
16 Environmental Impact Statement. I have been on the  
17 DOE's list since 1976, and I keep getting dropped from  
18 the list. I don't know what it takes to get on there  
19 permanently, but please put me on permanently. So the  
20 remarks I'm going to give this evening are based on my  
21 review of the panels in the back and a brief review of  
22 the documents in the front there.

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1 I think that this proposal amounts to a  
2 cynical breach of the public trust, primarily because  
3 the WIPP project that seems to be your not quite yet  
4 preferred alternative, seems to ignore the fact that  
5 the citizens of New Mexico who have under some duress,  
6 I would say, accepted this project, was with the  
7 understanding that it would be for defense-related  
8 waste only, and now we find that we're being told that  
9 it will include some commercial waste as well. I  
10 consider that a breach of trust. There was a great  
11 deal of negotiation, and discussion through Congress  
12 and other means to come up with a decision which was  
13 made, which was that it was not to include any  
14 commercial waste.

15 The next point I would like to raise is that  
16 the WIPP site should be precluded from consideration as  
17 an alternative for the same reason that it should have  
18 been precluded in the site selection process for the  
19 transatlantic disposal. That is to say, the  
20 government's own criteria, site selection criteria,  
21 called to avoid any site that had attractive natural  
22 resources. In the case of WIPP, we're dealing of

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1 course, with potash and oil and gas. If you look at  
2 the claims and the drills around the WIPP project,  
3 you'll see it's just dotted. Everywhere around the  
4 land withdrawal site, there are oil and gas sites. It  
5 cannot be denied that it's a very attractive site for  
6 natural resources.

7           So it should be excluded for the same reason  
8 that it should have been excluded for what it was. I  
9 didn't -- I asked whatever the DOE represents is  
10 outside, whether or not there was any criteria for  
11 avoidance of natural resources; he said he didn't know  
12 or that the list that was on the panels there did not  
13 include all of the criteria. I'm suggesting that if  
14 there isn't a criteria for exclusion due to natural  
15 resource competition or attractiveness, that that  
16 should be there, and that the WIPP site should be  
17 precluded for that reason.

18           The next point I would like to raise also  
19 relates to the WIPP project, and it has to do with your  
20 definition of the word "deep." Now, your criteria call  
21 for deep geologic disposal. I contend that "deep" in a  
22 geologic sense should mean some amount greater than

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1 less than a half mile. I think most of the audiences -  
2 - I think that if the general public understood that  
3 when they think of the waste -- at the waste isolation  
4 pilot plant as being deep, deep, deep underground, if  
5 they really thought about how far less than a half mile  
6 it is, they would be far less complacent about it.  
7 That's only about four throws of a good rock, if a good  
8 arm, or younger arm perhaps.

9           So I would think that if we're going to be  
10 talking about deep geologic disposal, it should be  
11 considerably more than the depth at which the waste  
12 isolation pilot plant sits; i.e., way deeper than a  
13 half mile. Those are my comments.

14           MR. BROWN: Thanks very much. Astrid Webster  
15 and Erich Kuerschner will be next.

16           MS. WEBSTER: Hi. My name is Astrid. I've  
17 been in New Mexico since I was an 18-year-old freshman  
18 at the University of New Mexico, and my affiliation is  
19 for life. And I'd like to speak to the man in the red  
20 jacket who thinks that solar power and wind power can't  
21 meet our needs. I have solar panels on my roof, and  
22 they're more than meeting our needs, by a bunch. And

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1 if more people had the courage and the faith in the  
2 future, they would do the same.

3           Every time we make anything nuclear,  
4 every time we utter the word, "nuclear," the next word  
5 should be waste; whether it's spoken or not, it's a  
6 waste. From the time that uranium comes from the  
7 ground, it wastes money, water, lungs and life. The  
8 damage to the environment finds its way across the  
9 pads, our pads, beginning among the state's poorest,  
10 and finding its way to impoverish all of our lives.  
11 Nuclear waste begins its life providing power for  
12 homes, industry, and most of all, war. It ends its  
13 first incarnation in cooling ponds that use a million  
14 gallons a minute to keep them from causing another  
15 Fukushima. What a waste that's turning into! That's  
16 touching all our lives.

17           Some waste finds its way to places like  
18 Los Alamos, where it has turned into even greater  
19 waste. That means not by accident, but intentionally,  
20 we can take thousands, even millions of lives. A  
21 criminal waste, according to the World Court, and  
22 according to the NPT Treaty, that it's the law of the

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1 land. That's as old as my 33-year old daughter, and  
2 that we have been weakening by degrees by the stories  
3 that are told. A gentleman who I'm sure is well  
4 educated, mechanical engineer, spoke a few minutes ago,  
5 and he said, this is over my head.

6           It's not over your head. It's not over  
7 anybody's head. It's ridiculous. (Applause.) And the  
8 reason some of us used to think it was over our heads,  
9 because somebody told us with a big fat degree and much  
10 less compassion than a very narrow, thoughtless  
11 education, and this stuff is still being foisted on us,  
12 and it's still a waste.

13           If any of you listened to Helen Caldicott  
14 talk, she said, this stuff bioaccumulates. It goes  
15 from the lowest of the food chain, and it's filling the  
16 fish that are farmed and in the oceans around Japan.  
17 It's going to be shipped around the world, and after it  
18 kills the first body, it will be pushing up daisies and  
19 it will kill the second body, and it will skill the  
20 third and the fourth. And I was not surprised but  
21 still angered to find that a child 500 years from now  
22 wandering into a field, can die, from this stuff that's

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1 being safely carried across the state? No, not for a  
2 second. It's not safe anywhere, and we're not safe  
3 anywhere until we all stand up and so no, no more.  
4 Erich's going to talk in just a minute. He's got a  
5 book by John Gofman, who studied this for a long, long  
6 time, longer than I've been alive, and he said, it is  
7 not safe, not one shred, not one scrap. And so when  
8 they say they're going to bury it near Carlsbad, where  
9 they say it's a tourist site and I went there as a kid,  
10 you know what? That's wrong. These people who have no  
11 sense but to continue making this stuff should carry it  
12 home in their lunchboxes. Thank you.

13 MR. BROWN: Okay, Erich Kuerschner, and he  
14 will be followed by Elaine, who has very lovely  
15 handwriting, and I can't read your last name. So  
16 Elaine, you know who you are --

17 MS. CIMINO: Cimino.

18 MR. BROWN: Cimino, okay, and she'll be up  
19 next, thank you.

20 MR. KUERSCHNER: First off, thank you for the  
21 opportunist to speak and thank you for all the folks  
22 that came out. My name is Erich Kuerschner. I first

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1 lived in New Mexico from 1952 to 1957 in Alamogordo,  
2 and returned again in '86, and I've lived in the Taos  
3 area ever since. My training is as an economist. I'm  
4 a member of Economists for Peace and Security, and I  
5 worked on my first EIS statement. I think it was one  
6 of the very first. It was with the Skidmore, Owings  
7 and Merrill environmental study group that did the  
8 Baltimore Beltway and then were asked to do the Mt.  
9 Hood Freeway I-80N that was to move traffic from  
10 eastern Portland through to the I-5 across the  
11 Willamette River.

12           The reason I mention this is because it  
13 was so early, we had a great deal of discussions about  
14 what the NEPA process was and what it did. And I have  
15 to kind of iterate. I wish I could speak as eloquently  
16 as Don Hancock did, but most of what I have to say  
17 really is right along the lines of what he says.

18           I found the NEPA process to be really  
19 corrupted, and it's no longer the type of process that  
20 we had in 1972. The NEPA process clearly states, the  
21 purpose has to be understandable by anyone; the  
22 alternatives have to be stated clearly. In fact, when

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1 the Department of Environmental Quality issued its  
2 implementing regulations, they, in the very first  
3 sentence if I recall, said, this is to be an aid in  
4 decision-making and not to be something to be used to  
5 kind of justify an existing condition.

6           So let me just go through what I mean by  
7 this. Number one, in alternatives, when you have an  
8 imbalance, the first thing you learn in economics,  
9 there's a supply and demand. We have an imbalance.  
10 Like, in Portland they said the imbalance was too much  
11 traffic congestion, so Highway Department said there's  
12 only one alternative: more lands, more asphalt, bigger  
13 bridge crossing and so on and so forth. We said,  
14 nonsense; there's many ways to solve problems. That's  
15 only one way. We want to look at the demand side as  
16 well. We want to look at land use changes, we want to  
17 look at relocating people closer to work, we want to  
18 look at light rail. And they said, no, you can't do  
19 any of those things. Well, we convinced them, and they  
20 allowed us. That freeway was never built, that massive  
21 eight-lane bridge crossing -- actually, it was more  
22 than that. I think it was a twelve-lane bridge

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1 crossing that was required; didn't happen. You look at  
2 Portland now, it doesn't have those twelve lane things.  
3 We solved the problem on the demand side.

4           This is what's missing here. All they're  
5 talking about is we need -- the amount of waste that's  
6 being produced is a given, and we're not going to look  
7 at that. We're going to take half of the problem and  
8 half of the solutions and ignore them. The only things  
9 we're going to look at is supply, is on the supply  
10 side.

11           Secondly, Don said it much better than I  
12 did, is like I -- in Germany, they stopped after what  
13 happened in Fukushima. They've stopped the issuance of  
14 new permits, and as far as I know, all their waste is  
15 in a hardened dry storage alternative, which isn't even  
16 being considered here. It makes absolutely no sense.  
17 And secondly, if I remember right, and again, I hadn't  
18 planned to speak; I just came here because of another  
19 hearing this morning, having to be out in Albuquerque,  
20 and I thought, well, at least I can share my  
21 information with the public so that you'll know and  
22 understand how this process has deteriorated.

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1                   If I remember correctly, the NEPA law  
2 specifies that one of the solutions even has to be out  
3 of the control of the specifying agency. In this case,  
4 it's DOE. When I look at those sites, every one of  
5 those -- like I say, I'm not that familiar with them,  
6 but it looks to me like all seven of those sites are  
7 DOE sites. Thank you very much.

8                   And so secondly, three of the seven are  
9 New Mexico; only one's a geological site. It seems to  
10 me that this is a back-door effort to try to justify  
11 using WIPP. And in terms of dosage, the last thing  
12 that I wanted to say, is this whole nuclear issue  
13 smells to me like the cigarette case, where we can  
14 remember the CEOs of the tobacco companies saying, no  
15 problem, no deaths. Well, there's a huge discrepancy  
16 in what Gofman and long-term nuclear physicians say. I  
17 mean, in Chernobyl, they're saying there's a million  
18 deaths. DOE official position is 2,000 deaths. Well,  
19 that was the way it was in cigarettes, if you remember.  
20 So we've got a real issue that needs addressing. And  
21 just to close it, I just want to leave you with Stuart  
22 Udall's statement, when he was Secretary of the

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1 Interior, he said, there's never been a case in the  
2 United States of so much deceit and so many lies  
3 becoming official U.S. policy as was the case when the  
4 U.S. tried to cover up for the nuclear weapons  
5 industry. Thank you.

6 MS. CIMINO: Good evening. My name is Elaine  
7 Cimino, and I didn't come here tonight to actually  
8 speak; I was on a listening tour. But after I heard  
9 the introduction of this situation and the PowerPoint  
10 presentation, I realized that there were a lot of  
11 inconsistencies in what was being said and what was in  
12 the PowerPoint presentation, especially on the fourth  
13 slide. It has just bulleted points, but the numbers  
14 that were being told to us, like we're going to  
15 remember all those numbers, are not on that slide. And  
16 I think that -- I noticed this throughout the  
17 presentation, that some of the facts that the man was  
18 reporting wasn't reflected in the slides that were  
19 being presented. And I find that a little  
20 disconcerting, at best.

21 I will submit my comments in writing, and  
22 I agree with most of what has been said here this

1 evening, that we must stop this insanity. We must at  
2 this point stop our shift from -- of nuclear power, of  
3 nuclear energy and nuclear. These things have to be  
4 stored at the site that they were created, and I truly  
5 believe that. I don't believe that New Mexico is a  
6 place that we should be bringing all of this nuclear  
7 waste to. New Mexico is disproportionately impacted in  
8 this. You could see that with the three places now in  
9 New Mexico. And I believe that we should stop this --  
10 stop it. There were some other things here, but I  
11 think like I said, I wasn't prepared to speak, but I  
12 will submit my comments in writing. Thank you very  
13 much.

14 MR. BROWN: Okay, thank you. Susan will be  
15 followed by Judith Kidd.

16 MS. RODRIQUEZ: Good evening, my name is Susan  
17 Rodriguez. I've lived in Albuquerque for 22 years. I  
18 agree with, from what I understand, what Don Hancock  
19 said. I usually do agree with him. And I agree with  
20 Astrid and with Elaine.

21 And I've been here -- for the 22 years  
22 I've been here, it's been a real learning of what New

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1 Mexico is really into and how uninformed we are and how  
2 ignorant we are and how some of us are paying the price  
3 for the nuclear industry, and how when we do ask  
4 questions, we're told by people who have their Ph.D.s  
5 who work at Sandia that, oh, don't worry; it's just --  
6 it'll hold all -- whatever's coming down from Los  
7 Alamos will fall into that dam and all the heavy metals  
8 will fall to the bottom, and you won't be drinking any  
9 of it. And when we get our water bill, the study of  
10 the water, we take a look at it, and they're not even  
11 testing for the nuclides.

12                   Nuclides are very small, and they are  
13 cumulative, which means-- that word means it adds up,  
14 and if we get it in the air, we get it in our food,  
15 we're now getting it more substantially in our water.  
16 I think close to 80 percent of the water that we now  
17 drink is coming from the Rio Grande. And they're not  
18 testing for the nuclides. I find this very  
19 disconcerting.

20                   The Japanese, of all people, are learning  
21 the hard way how an industry can sell them something  
22 that they don't need, they shouldn't have had, and

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1 they're really sorry. And I did here one of the --  
2 probably the only report that I heard from a Japanese  
3 citizen questioned by U.S. media, how did this happen?  
4 You guys, you had the bomb, you had two bombs, and you  
5 know what could happen when you're affected by this.  
6 And they said, well, the industry came here and they  
7 convinced us, and that's what happened.

8                   Here in New Mexico, the industry goes  
9 around and the city helps, and the school system gets -  
10 - has special schools to educate our brightest and gets  
11 them into Sandia and pays them really good money and  
12 also up to Los Alamos. My daughter is in her last year  
13 in chemistry at the University. She didn't have such a  
14 great education at APS, but she got into some courses  
15 that interested here, I'm glad, in medicine, not in  
16 working at Sandia. And my husband also has a Ph.D. and  
17 he was never interested in that. But she says she gets  
18 all these forms, or these advertisements, to get these  
19 young kids to work in the industry, without being  
20 really aware. I don't think there's enough information  
21 about it.

22                   If you support it and you understand what

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1 you're doing, then that's one thing, but most of the  
2 people, that's why there's such a poor turnout here, I  
3 think. It's very poorly advertised on what you're  
4 doing, and when we come here we don't get the full  
5 truth. I didn't really understand what kind of waste  
6 was coming here. I don't see why we taxpayers should  
7 pay for private industry to be storing waste. What is  
8 that all about? I mean, we're paying for everything.  
9 The bottom line is we're paying with our lives, that's  
10 what I feel, and it is very dangerous.

11           So I'm very upset about that, and I know  
12 what EIS Studies are, and Don Hancock said that there's  
13 an EIS Study that goes back to 1999. I mean, they  
14 tried -- they did that here in Albuquerque, used an old  
15 EIS in order to build the road through the petroglyph,  
16 and they needed to update that, and they never did. So  
17 you have to update EISs. That is totally -- see, I  
18 think it's illegal.

19           What you try to do is what they do over  
20 in Sandia. They decompartmentalize what everything,  
21 what people are doing. So they don't work in war,  
22 because this guy doesn't know what this guy is doing.

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1 You put it all together, they certainly are, and that's  
2 their greatest mission, is to work in the war industry.  
3 When we look at Chernobyl or we look at Three Mile  
4 Island, and you say, oh, that's different. It's not  
5 different; it's all nuclear energy, and it's nuclides  
6 that do add up to a very dangerous situation for human  
7 health.

8           If we want to have certain types of  
9 energy, the last resort should be something like coal  
10 or nuclear energy. We really should go the way of  
11 Denmark, which is green. They also -- do they produce  
12 any oil? I'm not aware of the oil, but there was a  
13 wonderful program on NPR showing what that country has  
14 done to a great extent, of making that country green.  
15 And we should try much harder to do that. It's  
16 cleaner, it's safer, and certainly the people in the  
17 industries will not be making big money, but tough crap  
18 for them. Thank you.

19           MR. BROWN: Judith Kidd? And Dory Bunting  
20 will be after Judith.

21           MS. KIDD: Hi. I've been in Albuquerque for  
22 about 30 years, and mostly my professional life has

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1 been as a teacher. So I'm not a scientist. I don't  
2 know a lot about the technology, but it's so obvious at  
3 an instinctual level, that what we're doing with this  
4 continued increasing creation of nuclear waste is  
5 damaging for our future generations, and that concerns  
6 me a great deal. We're all going to be dead, and we're  
7 not going to feel a lot of the effects of what we're  
8 planning to do these days, this industry's doing, but  
9 it will be our grandchildren's children who will be the  
10 most fragile.

11           And I think we really, really need to  
12 think through what we're doing here. We really need to  
13 say no, no more waste to New Mexico. We were promised.  
14 WIPP would not include anything higher than sea level  
15 waste, would not include commercial waste, so let's  
16 keep to that promise, and then let's find safe storage  
17 for the commercial waste near where it's created and  
18 then let's scale down and create a world that works for  
19 the future. It's a very fragile planet we live on, an  
20 d it's becoming more obvious all the time -- very  
21 fragile. And our future generations are very fragile,  
22 so let us think in those terms.

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1                   And I really, really agree with all the  
2 things that have been said tonight against bringing  
3 waste here and against the proliferation of the nuclear  
4 industry, so I say, let's stop it now. Thank you.

5                   MR. BROWN: Thank you. Dory Bunting is  
6 passing, so the next speaker will be William Beems, if  
7 you're ready? And he will be followed by Chelsea  
8 Collonge.

9                   MR. BEEMS: Thank you, Mr. Admin, for  
10 administering this hearing and allowing the people of  
11 New Mexico to express -- one of the rare opportunities  
12 to express the dismay with regard to the actions taken  
13 previously and those to come by the DOA regarding the  
14 WIPP site outside Carlsbad.

15                   My name is William Beems. I've been in New  
16 Mexico 30 years. Most of that time I've worked as an  
17 early childhood education instructor. And there's been  
18 some mention made of youth, and I look out on a whole  
19 lot of white hair, and I'm not quite there. But I was  
20 recently at a men's group where we deemed ourselves  
21 White Men with White Beards. I've been here before,  
22 and I've talked when it just used to be the WIPP

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1 hearings, and I'm glad to be here to continue to let  
2 you know how wrong, how wrong your thoughts are taking  
3 you. I'm sorry. I am sorry.

4           The children I work with are five, six  
5 years old. They're filled with innocence, filled with  
6 innocence. They don't have a tiny, tiny clue as to  
7 what actions the people here in this room are okaying,  
8 saying that's going to be an okay thing -- don't worry.  
9 Don't nobody worry; it's okay. But you know, I work  
10 with the children who are a lot closer to the children  
11 there, like they talk about seventh generation. And  
12 I'm sorry; I hope you can reconsider. I hope you can  
13 understand the wayward manner that you proceed, because  
14 it's killing our children, and I cannot reiterate  
15 enough how much there just needs to be no more  
16 additional GTCC waste sent into this state to travel  
17 across the byways that the general public share, nor  
18 deposited here. Thank you.

19           MR. BROWN: Thank you. Chelsea's next, and  
20 Ken Homan will be after you.

21           MS. COLLONGE: Hi, my name's Chelsea Collonge.  
22 I live here in Albuquerque. And going off of what

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1 William was saying, it seems like a lot of the people,  
2 the majority of people who are speaking out against  
3 this proposal, have worked with young kids in their  
4 life. And I think there's a reason for that. Young  
5 kids have a lot more common sense than we do, and I  
6 think we have a lot to learn from kids who have  
7 probably put all of these scientists on a timeout to be  
8 able to think about the wrong that they've done, and  
9 learn how not to lie. (Applause.)

10                   And you know, if I sound angry, it's  
11 because I am angry. I made a choice not to have  
12 children. My husband and I have made that choice,  
13 because the water that we drink here in Albuquerque is  
14 so contaminated with pharmaceuticals and radioactive  
15 materials, and it's not even being tested up to  
16 standards that are protective of the health of young  
17 people, women, the unborn. So I can't really trust  
18 what anyone is saying about new nuclear projects and  
19 how safe they'll be. I'm from Trinity House Catholic  
20 Worker. We're a small Catholic community, a homeless  
21 shelter. Through the generosity of this community, we  
22 have an eight-bedroom shelter that we run on 15,000

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1 dollars a year. Folks in our neighborhood who sleep in  
2 ditches and in burned-down houses come to our house  
3 four days a week to take a shower, to do their laundry,  
4 to eat a meal, which is often their only meal of the  
5 day.

6 New Mexico's really poor. We're like  
7 48th, 49th in this country. Stop dumping on us. We  
8 don't have the healthcare. We don't have the money to  
9 deal with these risks. I have three friends who  
10 couldn't be here tonight and who asked me to speak for  
11 them. They're all really sick. One of them has kidney  
12 failure that causes extreme pain in all of his  
13 appendages, and he's a veteran. Another one is a  
14 single mother, younger than I am. She has three kids.  
15 She has pancreatic failure, meaning she can't digest  
16 her food. She's in severe abdominal pain almost all  
17 the time. Another friend of mine had a seizure today.  
18 She works full-time on this nuclear issue, but she grew  
19 up in a neighborhood that's right downwind from Sandia  
20 National Laboratory. Her dad just died. Her mother  
21 died when she was 11 from leukemia. Her grandmother,  
22 who was a worker at Sandia, died of brain tumors.

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1           So I would like for the DOE to keep its  
2 promise, that WIPP would remain a site only for weapons  
3 waste, that its mission would not be expanded, because  
4 we can't handle additional waste here. The standard of  
5 reference man, the model that our government uses to  
6 calculate how much radiation is safe, that model is a  
7 20-something year old five foot seven Caucasian male.  
8 That's a sexist and a racist model, and we know that  
9 every single dose of radiation cumulatively contributes  
10 to risk of cancer.

11           Me and my friend, who couldn't be here  
12 because she had that seizure, we talk to high school  
13 students about radiation all over Albuquerque. They  
14 understand that, and the fact that like no one else is  
15 telling them the truth, it just shows who gets cared  
16 about in this society. It's the people on the East  
17 Coast who have money, who are living near nuclear power  
18 plants who are making gazillions of dollars off of  
19 radioactive industries, they're the ones that the  
20 Department of Energy cares about. So you guys might  
21 think that the world's forgot about Chernobyl, that  
22 we'll forget about Japan, that our country is just

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1 going to forget about New Mexico, but we're not going  
2 to let that happen. Thanks.

3 MR. BROWN: Okay, Ken Homan and Marvin  
4 Gladstone will follow.

5 MR. HOMAN: I would like to point out, you  
6 left the NSJ off the end of my name. That is  
7 important. I am a member of the Society of Jesus. I'm  
8 a first-year novice, becoming a Roman Catholic priest.  
9 And I believe it is a sin to use nuclear power, because  
10 nuclear power is always related to nuclear war. What  
11 will we do with this waste? Turn it into bullets.  
12 That's all we do with it, is turn it into bullets that  
13 kill people, and if it doesn't, well, it causes to  
14 cancer. To the man in the red jacket, Nuclear subs  
15 haven't killed anybody? Since when has a nuclear sub  
16 not killed someone? That's their job.

17 I would like to point out a few things  
18 about this, that this whole thing sets a precedent for  
19 further nuclear activity that just create the  
20 environment to keep building nuclear, to keep  
21 destroying human life. There's too high a chance of  
22 human and environmental degradation. We are risking

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1 too much of our future, too many of our children, to  
2 any of the people that I hope one day to minister to,  
3 that I hope to off the Eucharist to, but I will  
4 probably have to visit in hospitals, because they have  
5 been contaminated by nuclear waste. I would like to  
6 point out the horrendous example of private industry in  
7 this sector already. Let's look at mountaintop  
8 removal. Let's look at the fact that they want the  
9 government to clean up; the fact they've blown off  
10 entire mountains. Why should we continue picking up  
11 after private industry?

12                   There's too many long-term impacts,  
13 there's too many previous debacles. Quite frankly, I  
14 just don't trust the Four Prophets, and I don't trust  
15 what they want to do with our country, because it is  
16 the price of a penny versus the price of a human life.  
17 As a Catholic priest, I reiterate -- or Catholic priest  
18 to be -- that it is a sin to continue on this mission  
19 of destruction. Thank you.

20                   MR. BROWN: Thank you. Marvin Gladstone?

21                   MARVIN GLADSTONE: He passes.

22                   MR. BROWN: All right. Janet Greenwald?

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1 Hello, glad to see you again.

2 MS. GREENWALD: Glad to see you.

3 MR. BROWN: And Mary Alice Trujillo will  
4 follow Janet.

5 MS. GREENWALD: Hi, I'm Janet Greenwald, and  
6 I'm a coordinator of Citizens for Alternatives to  
7 Radioactive Dumping, a 33-year-old organization, state-  
8 wide organization that is mostly volunteers. Our  
9 mission is to protect the land and people of New Mexico  
10 from radioactive contamination, which I'll state right  
11 away, is impossible.

12 In my job, I see a lot of people who are ill  
13 and some people who are dying, and I also work with the  
14 children of families that have been devastated by  
15 radioactive contamination. I'm talking about uranium  
16 miners, I'm talking about production workers. I am  
17 grateful that Carlsbad does have a culture of safety  
18 and that no major issues of gross contamination have  
19 happened there.

20 I want to illustrate to you how dangerous  
21 these wastes are. Several years ago, a janitor who  
22 worked at WIPP went up to the mezzanine where he should

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1 not have been, and with his friends, they smoked some  
2 cigarettes. In order to cover up the smoke, that smell  
3 of smoke, they opened a small trap door in a pipe where  
4 radioactive gases that have built up in the  
5 transportation of the WIPP karsts were being vacuumed  
6 out to a HEPA filter. He was dead within six months  
7 from bleeding lungs from a few minutes of exposure.  
8 Radioactive wastes are mixed with chemicals, they  
9 produce gases, they're very active, and they're  
10 dangerous, they're very dangerous.

11 WIPP is in one of the largest karstlands  
12 in the world, where water runs underground rather than  
13 above ground. DOE claims that WIPP is on an island in  
14 a sea of karst, but no independent scientist has ever  
15 supported that position, and some of DOE's own  
16 contractors and scientists have disagreed with it.  
17 They disagree with sitting a nuclear facility in  
18 southeastern New Mexico. NRC forbids nuclear  
19 facilities to be sited in CARD. It's too unstable. If  
20 you want to learn more about that, you can turn to  
21 CARD's Website, [cardnm.org](http://cardnm.org), or you can turn to EPA  
22 docket and see the current controversy over why the

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1 wellheads at WIPP are inexplicably rising and falling.

2 Over the last couple of days, I've been  
3 traveling over the southern north-south WIPP route and  
4 talking about people along that route. I have been  
5 listening to them and listening to their concerns and  
6 their approvals also. They've mentioned several times  
7 that they were grateful, or several people mentioned  
8 that they were grateful that the Department of Energy  
9 kept their promise to make the highway between I-40 and  
10 the WIPP site a four-lane road. They're very  
11 appreciative of that kept promise. They're very  
12 unappreciative of the fact that the WIPP trucks park  
13 everywhere. They park next to their stores, next to  
14 their restaurants, and they know that there has been no  
15 study on the effect of the radiation that these trucks  
16 give off to pregnant women, women in general, the  
17 fetus, the young child. Because all radiation  
18 standards are based, as Chelsea told us, on reference  
19 man. Everyone else, and especially the fetus, is much  
20 more susceptible to radiation, contamination and  
21 resulting illnesses than reference men.

22 MR. BROWN: One minute left.

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1 MS. GREENWALD: Okay.

2 MR. BROWN: Okay, thanks.

3 MS. GREENWALD: When I talked to these people  
4 along the route, they said that they were going to  
5 fight commercial waste going to WIPP, and they said,  
6 there is many reasons for that, but the main reason is  
7 that the Department of Energy came to them and told  
8 them that if transatlantic military waste went through  
9 their communities, if they went along with this, that  
10 there would never be commercial waste disposal at WIPP.  
11 And they said to me, where we come from, a man's words  
12 still mean something, and that we feel deeply resentful  
13 that the Department of Energy lied to us. Thank you  
14 for your time.

15 MR. BROWN: Okay, again, is it Mary Alice  
16 Trujillo?

17 MS. TRUJILLO: Yes.

18 MR. BROWN: And she'll be followed by Michael  
19 Trujillo.

20 MS. TRUJILLO: Good evening. My name is Mary  
21 Alice Trujillo. I'm from a little town called  
22 Antonito, Colorado, which is about six miles north of

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1 the New Mexican border. About a year and a half ago,  
2 we were told that there were train cars that were  
3 going, gondolas, they were called, going on a little  
4 rail that goes from Antonito all the way to Walsenburg  
5 and on up to Chicago. And we were going to be the  
6 facilitators of transporting nuclear waste out of Los  
7 Alamos.

8 Well, anytime anyone tells me about  
9 nuclear waste, after having taught for 30 years in the  
10 fields of chemistry, biology, and math, my ears go up  
11 and the hairs on my arm stand up, because nuclear  
12 waste, according to the Academy of Science, the only  
13 safe exposure to radiation is no exposure. And so I'm  
14 thinking, here we go, all those wonderful geniuses up  
15 at Los Alamos, they haven't figured out how to do what  
16 they need to do; and that is, dispose of whatever it is  
17 that they generate on site. Well, no, they're not  
18 going to do that. Why? Because there's a lot of money  
19 to be made in transporting this all over the country,  
20 through little towns like Antonito, Colorado, which  
21 they practiced environmental injustice. It's a little  
22 town made up of more than 90 percent Latinos, which are

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1 what I call American Mexicans, a lot of Indian  
2 influence. Been there for generations, five  
3 generations. Ignorant? Well, yeah, most of us are  
4 ranchers. We're not ignorant about all things.  
5 Uneducated, but the majority of us might be. Average  
6 income per family in Conejose County, 24,000 dollars.  
7 Well, that's all we need. We have our own. We're  
8 self-sustainable. We don't need all that.

9           But as they looked at the environment, they  
10 felt it was okay to take five gondolas full of nuclear  
11 waste dirt, transport it by truck and then transfer it  
12 on to rail. Well, thank goodness that our town mayor  
13 and our county commissioners were alert, and they put a  
14 stop to that because no one had ever applied for a  
15 special land use permit. No one had ever asked  
16 permission. We were those kinds of people you don't  
17 ask permission of. We're dispensable, and guess what?  
18 Our culture, our people, are very much like the people  
19 in New Mexico. We're of indigenous background, half of  
20 us. We're Hispanic and we're poor, and we're ignorant,  
21 and that's what they think.

22           And so when you have this elitist mentality

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1 that your Ph.D., shit piled high and deep, exempts you  
2 from practicing ethics, then we're in trouble. We're  
3 in trouble because therein sits the good old boy's  
4 club, making all the decisions for our country. I  
5 believe in nuclear energy. It's based in the sun, and  
6 we can capture it by using all the right technology.  
7 And you know how I think we can curb this behavior?  
8 When I was at one last meeting in Los Alamos and they  
9 were presenting the budget for their new metallurgical  
10 building, whatever, and they had line items that said,  
11 to be determined. Excuse me? I wish that my income  
12 tax said that: tax to be determined. You know? But  
13 no, they're taking all the pennies away from everybody,  
14 so six billion dollar structures can be built in Los  
15 Alamos.

16 Well, I had a thought. When my daughter and  
17 her son and her husband ran the Race for the Cure and  
18 each of them raised X amount of dollars, and for the  
19 whole thing it was a 40 thousand dollar benefit, why  
20 don't we get our scientists at all these various  
21 places, and have them run to raise money so that they  
22 can keep their science projects going? And so from

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1 Colorado I tell you, the nation is aware in little bits  
2 and pieces, and we have prevailed. There will be no  
3 shipping unless a NEPA study and I question that, too,  
4 will be done; when they put their little shipping  
5 facility -- ready -- 75 yards from our river source,  
6 over a railway, a bridge that is over 100 years old,  
7 and then another bridge down about two miles. And what  
8 Michael will be talking about is just how dilapidated  
9 that rail line was. DOE isn't watching at the bottom;  
10 they just make the decisions at the top, and any  
11 subcontractor can do whatever they want, at the bottom.  
12 Thank you.

13 MR. TRUJILLO: Good evening, my name's Mike  
14 Trujillo. Thanks for having me here. I'm a property  
15 owner here at Rio Rancho, and a lot of my life was  
16 spent in Colorado. I've had something like nine career  
17 changes in my life. I'm a disabled United States  
18 Marine veteran, Vietnam. One of the things I learned  
19 when I was 18 is how the government tried to convince  
20 the masses that Agent Orange is a beautiful chemical.  
21 By listening to the big corporations, the enticed the  
22 U.S. government to invest in Agent Orange. It was a

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1 beautiful chemical to destroy forests and other plants  
2 and animals, thereby giving us the opportunity to see  
3 the enemy. It's no different now.

4           DOE, I hate to say it, but I must have  
5 met in the last year and a half, approximately 19, 20  
6 officials of DOE and their associates, contractors, and  
7 the railroad. And sad to say, I never met one with any  
8 substance. A pack of lies is all I heard from day one.  
9 I haven't heard the word here used tonight, propaganda.  
10 Propaganda's a term that we all kind of shy away from,  
11 but it's a very effective tool that's used by DOE and  
12 anybody associated with something that they want to  
13 pass onto to you to make a few bucks, because that's  
14 what it's all about. It's about money.

15           A railroad pre-existed in town. DOE came  
16 into town. A contractor came into town, and they said,  
17 this is where we're going to have a transloading  
18 station. Approximately fourteen people got together  
19 after finding out what was going on, and they said, no,  
20 no, you're not; you're not going to have any  
21 transloading station. And they said, well, we're just  
22 shipping dirt from Los Alamos. Well, if it's just

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1 dirt, just leave it in Los Alamos. We don't want Los  
2 Alamos' dirt. Lo and behold, I already knew from day  
3 one that that was a pack of lies, because that's the  
4 way they operate.

5 I was a former building inspector ten  
6 years for the City of Alamosa, Colorado. I was called  
7 upon to do a structural analysis of the fiscal plant,  
8 the railroad -- the ties, the railroad, the railroad  
9 bed, the bridges, the culverts -- you name it. And I  
10 presented 120 photos through a PowerPoint presentation,  
11 and I presented this at a hearing. And I asked  
12 officials of the DOEs, is this what you want to  
13 transport your waste in? Well, of course. Did they  
14 care? I doubt it. The facility to this day, is  
15 deficient, decrepit. It should be demolished and  
16 cleared, by analysis, be it structural engineer or  
17 building a specter, you name it.

18 I'm not going to take a whole lot more of  
19 your time, except to say this. When aggrieved by a  
20 bully, there's only one action to take, and that's to  
21 take the bully by the horns. And it's very easy to say  
22 it, but we took three bullies by the horn, and we said,

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1 you're not going to have a transloading site here.  
2 You're not going to ship anything from Los Alamos here.  
3 And we formed a corporation, and this corporation got  
4 services from lawyers, professionals in the community  
5 to help us out, and we never actually went to  
6 litigation. As a matter of fact, we went to a  
7 settlement. But I don't trust these guys to this day.  
8 They'll slip through the back door when they have a  
9 chance. They'll slip at the onset of sunset, and  
10 they'll try to sneak their stuff into my town. And my  
11 advice to you, don't let them do it. You organize; you  
12 form. You'd be surprised what a few people can do with  
13 bullies. Thank you.

14 MR. BROWN: Our next speaker is Henry  
15 Misserville.

16 MR. MISSERVILLE: I'd like to Dave McCoy to go  
17 along.

18 MR. BROWN: Okay, and then I guess, Dave --

19 MR. MISSERVILLE: That's all right.

20 MR. BROWN: Right, and then Dave McCoy's next.

21 MR. MISSERVILLE: Hi, my name is Henry  
22 Misserville. I'm a citizen of Planet Earth, and I am

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1 an environmentalist, and a part-time resident of New  
2 Mexico as well. The speakers who spoke against nuclear  
3 waste, against the transportation, I agree totally with  
4 them. I feel empowered by what I have heard. The  
5 first speaker spoke about the lack of an impact  
6 statement. There needs to be one.

7 Another speaker spoke about negligence  
8 and lack of stewardship. And from what I can tell,  
9 there's a total lack of negligence and lack of  
10 stewardship on the part of the DOE, on the part of  
11 NMED, on the part of the regulatory agencies that  
12 aren't regulating. They're in bed with the nuclear  
13 industry, the arms and proliferation industry, Sandia  
14 Labs, with its radioactive and hazardous waste, its  
15 nuclear reactor that is totally unsafe, Kirtland Air  
16 Force Base with its jet fuel spill, 8 million gallons  
17 of jet fuel that is contaminating the water. New  
18 Mexico, I've heard it referred to as a toxic wasteland,  
19 and the DOE wants to contribute to that.

20 These regulatory agencies have no  
21 credibility. Their claims of safety are bogus.  
22 They're in collusion with the nuclear arms industry,

1 from what I can tell. And people are not being heard.  
2 They don't have regular public meetings where the  
3 public can comment. In fact, NMED in the past, has  
4 prevented public comment, and they have declared some  
5 of their minutes of their meeting executive privilege  
6 so that we cannot get access to their discussions with  
7 Sandia, with Los Alamos, with Kirtland Air Force Base.

8           The fact that they want to bring in mid-  
9 level radioactive waste, one of the speakers said, is a  
10 trial run. It is a trial run. It's a trial run for  
11 high-level radioactive waste. Just a matter of time.  
12 Our president, President Obama, has been bought by the  
13 nuclear power industry, unfortunately. They're the  
14 ones that contributed to his campaign, put him into  
15 office. We have defense and non-commercial waste  
16 supposedly that are going to go to WIPP. Another  
17 speaker mentioned that you can't have nuclear energy  
18 without a consideration of nuclear waste. That's the  
19 other part of the equation, and there is no permanent  
20 solution to nuclear waste.

21           You know, from what I can tell, the state  
22 of New Mexico is the dumping ground for nuclear waste.

1 I heard it stated in one of the public comment periods  
2 at another venue, that this is environmental racism.  
3 They take the poorest state, the least educated state,  
4 and they have these glossy scientists try to convince  
5 people that this is the right thing to do.

6 MR. BROWN: Okay, you've got one minute.

7 MR. MISSERVILLE: Okay. There was an accident  
8 in July of 2001, Baltimore rail tunnel fire --  
9 railroad. It was a fire that went on for six days, a  
10 chemical fire. And the temperatures of that fire in  
11 that tunnel were 1,500 degrees. These casks can  
12 withstand temperatures of 1,475 degrees for 30 minutes.  
13 If they had been transformed to nuclear waste, it would  
14 have been a Chernobyl in the making. The feds cannot  
15 force high-level nuclear waste dumping on a state that  
16 doesn't want it. Nevada stopped the Yucca Mountain  
17 dumping. We can stop that, too. And it seems like the  
18 people here want to stop that. And we can pass  
19 ordinances to prevent the transfer of radioactive  
20 waste. You can't move spent fuel without irradiating  
21 people along the routes. You just can't do it. There  
22 will be radiation, we will be impacted, and there is no

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1 safe amount. Thank you.

2 MR. BROWN: Thank you. Dave McCoy is next,  
3 and Leona Morgan will follow Dave.

4 MR. MCCOY: Good evening. I'm Dave McCoy,  
5 Executive Director for Citizen Action New Mexico.  
6 We've been fighting nuclear waste disposal at the mixed  
7 waste landfill, other sites. Nobody has really spoken  
8 -- I'm not going to speak so much as the director as I  
9 want to put on my cap as an attorney. I am a licensed  
10 attorney in the state of California. And I want to  
11 look at this draft EIS from a legal perspective, and I  
12 won't have the kind of heartfelt comments that I'm so  
13 grateful for so many of you making.

14 The selection of WIPP as the alternative  
15 site provides numerous opportunities for lengthy  
16 litigation. A brief legal history of the Waste  
17 Isolation Pilot Plant is that an agreement was reached  
18 in 1981 that limited WIPP to the disposal of only  
19 defense-related transatlantic waste. A subsequent  
20 lawsuit in 1991 by the state of New Mexico sought to  
21 stop shipments to WIPP. Nevertheless, Congress made  
22 the determination to proceed with WIPP via the Land

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1 Withdrawal Act of 1992. Unless GTCC low-level waste is  
2 contaminated with transatlantic isotopes of defense  
3 origin; that is, non-commercial nuclear waste  
4 operations, the Waste Isolation Plant cannot accept the  
5 waste.

6           Using WIPP for a commercial radioactive  
7 waste storage would require amendment of the Land  
8 Withdrawal Act of 1992. DOE would also be in for a  
9 battle as to whether the EPA standards put in place for  
10 Yucca Mountain disposal, and those radiological  
11 releases to the public should prevail over the  
12 standards of another section of law. The EPA standards  
13 for WIPP require that the annual cumulative dose rate  
14 for many releases be less than .15 millisievert per  
15 year for 10,000 years after closing. Yucca Mountain  
16 standards have several added requirements regarding  
17 those exposures. The DOE proposal to further  
18 radioactively contaminate an impoverished minority  
19 public will bring additional litigation for  
20 environmental justice considerations. A modification  
21 of the Resource Conservation and Recovery Act disposal  
22 permit for WIPP from the New Mexico Environment

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1 Department would receive further litigation. The  
2 Council on Environmental Quality regulations and DOE  
3 implementing regulations provide clear direction for  
4 tiering broad program decisions. These regulations  
5 encourage DOE officials to tier from broader  
6 programmatic EIS documents to those with a narrower  
7 scope in order to focus on the issues ready for  
8 decisions. DOE has not met those SEQ requirements.

9           No programmatic environmental impact  
10 statement exists for nuclear waste disposal in the U.S.  
11 That would include the DOE/GTCC-like waste or the  
12 commercial GTCC LLW. The treatment, storage and  
13 disposal of commercially generated GTCC waste, along  
14 with other DOE waste types that have similar hazard  
15 characteristics, must be made subject of a programmatic  
16 analysis under the National Environmental Policy Act.  
17 The plan to use WIPP as a disposal site is  
18 inconsistent, with a DOE final waste management PEIS,  
19 which Mr. Hancock mentioned, from 1997.

20           MR. BROWN: You got about a minute left.

21 Thanks.

22           MR. MCCOY: The PEIS states, quote, "The only

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1 alternative being considered for the WIPP is a possible  
2 treatment of all contact handled TRU waste under the  
3 TRU Waste centralized alternative; thus, the impacts  
4 for treatment of true waste at WIPP were not  
5 appropriately considered for the inclusion of this  
6 waste."

7 I could go on with a whole lot more violations  
8 and failure to comply with the NEPA that are going to  
9 confront the DOE. And the first people it will be  
10 turned to in this battle against this GTCC waste coming  
11 here, will be the attorneys. So you might as well look  
12 at some of these legal problems that you're going to be  
13 facing, and stop wasting your time as presenting the  
14 WIPP as some kind of a location where this is going to  
15 be stored. Legally speaking, it just ain't (sic) gonna  
16 happen, and you're wasting our time and money even  
17 coming out with this proposition. Thank you.

18 MR. BROWN: Leona Morgan, and Shannon Mason  
19 will be next.

20 MS. MORGAN: Good evening. My name is Leona  
21 Morgan, and I am a resident of New Mexico. I am also  
22 from the Navajo Nation, where my ancestors and my

1 family has lived since time and memorial.

2           And first of all, I'd like to say that I  
3 am opposed to the proposal for GTCC and GTCC-like waste  
4 to come to the WIPP site; also for the proposal to  
5 build more sites in the WIPP vicinity. As a young  
6 person, I'm going to speak for the generations who are  
7 not present here today. I am not so young, but I do  
8 remember growing up in Gallup, New Mexico. I went to  
9 high school there, and I never heard of uranium mining  
10 issues while I was growing up, and so I'm going to  
11 speak for the generations who have not grown up aware  
12 of the dangers of radioactive contamination and who  
13 have not lived during the time of the nuclear bomb  
14 drills when some of you might recall hiding under your  
15 desk or the issues with the Cold War.

16           A lot of my generation and the younger  
17 generations' have no idea about the dangers of nuclear  
18 power and nuclear weapons, and so for that reason I  
19 have spent the last four years talking in public at  
20 gatherings, either doing presentations. I have spoken  
21 with hundreds of residents and a lot of young people  
22 younger than myself. I have spoken one-on-one,

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1 explaining the nuclear fuel chain and talking about the  
2 history of uranium mining, especially how it has  
3 affected my people, the Dine. And for myself, I  
4 learned and I educated myself with the help from people  
5 like Don Hancock and Strick and a lot of people here  
6 today who have helped to educate me on the issues and  
7 therefore I see it as an oversight of the DOE to not be  
8 using modern forms of media to get this information  
9 out.

10 So that's one of the issues I'd like to  
11 address, is that the Department of Energy really needs  
12 to find new ways to give this information out,  
13 especially to young people. I do not see any here  
14 today, and I believe that is by design. So first of  
15 all, I'd like to just talk about the root of the  
16 problem of nuclear waste. Right now, if we allow  
17 nuclear power plant waste to come to the WIPP site, we  
18 are just opening the door to more nuclear power plants  
19 in the United States, something the Obama  
20 Administration favors, and that means opening the door  
21 to more uranium mining.

22 In my community -- my family is from

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1 Crown Point, New Mexico, and today I was actually in  
2 Crown Point, New Mexico, attending a funeral. My aunt  
3 had died. I think she was 56. I believe a lot of her  
4 problems were the result of -- she had Parkinson's,  
5 which is not related, but she also had severe  
6 depression from the loss of her daughter, who died at  
7 30 because of kidney failure, which was compromised by  
8 other issues. But in the community of Crown Point,  
9 what I learned today is that there is a rise in  
10 leukemia among young people. My grandmother, who also  
11 died in 2005, she died of lung cancer, and she never  
12 smoked. She was a traditional grandmother. She --  
13 Crown Point is not heavily polluted by automobiles or  
14 that type of air pollution, and so I believe it is from  
15 the naturally occurring radon gas and the abandoned  
16 uranium mines in the area.

17                   And so that is the big issue. On Navajo  
18 Nation there have been identified over a thousand  
19 abandoned uranium mines. And so when we talk about  
20 nuclear waste coming to WIPP, I just think, well,  
21 there's nuclear waste in my family's background. In  
22 Crown Point, New Mexico, we're also facing ISL mining,

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1 which is being proposed -- well, we've been dealing  
2 with this for a long time. HRI has a mine site which  
3 is within three miles of the water storage tanks in  
4 Crown Point and which is within a couple miles of the  
5 elementary school, the high school. There's four  
6 churches in that area where the ISL mining would occur.

7           And so these issues of uranium mining,  
8 they're not just in Crown Point, they're not just in  
9 Church Rock, they're also in areas like Grants and  
10 Mount Taylor, which is a sacred site to all the  
11 indigenous peoples of New Mexico. And so to talk about  
12 expanding the WIPP site to accept nuclear power plant  
13 waste, to me is like just increasing the amount of  
14 environmental racism that has already occurred. The  
15 reason I spend time talking to young people about these  
16 issues is because during the uranium boom of the last  
17 century, nobody spent the time to talk to my people  
18 about the dangers of uranium mining and radioactive  
19 waste, and so today, I'd just like to express my great  
20 concern that the DOE is again using our people and  
21 sacrificing human lives for private industry and for  
22 these commercial nuclear power plants and all these

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1 companies who don't even live here, and they don't have  
2 their family here. They don't understand the extent to  
3 which we have already suffered.

4                   And so as a Native person, as an  
5 indigenous person, I'd also like to just explain to the  
6 DOE and to everyone here that when we're talking about  
7 losing a life, in my culture it's not just losing a  
8 human; it's losing our language, it's killing our way  
9 of life, and that is going to affect our future for  
10 generations to come. So thank you, thank you for your  
11 time today, and again I'm opposed to the expansion of  
12 WIPP.

13                   MR. BROWN: Thank you. Shannon Mason? Is  
14 Shannon here? Jay Lee Evans? All right, and Jay Lee  
15 is headed this way, and Hildegard Adams will follow Jay  
16 Lee.

17                   MR. EVANS: My name's Jay Lee Evans. I'm a  
18 lifelong resident. My father was born in St. Joseph  
19 Hospital, delivered by Dr. Loveless. He had a  
20 doctorate. Something he gave me was an appreciation  
21 for the amazing physics that was done at the labs  
22 during the war, and I want to thank you for the

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1 opportunity to put my words on the official record  
2 again.

3 I admit, I have a profound suspicions of the  
4 process, but I'm grateful to once again enter into the  
5 Kabuki dance that we do with the DOE or the DoD.  
6 Fifteen years ago, many of us were in rooms like this,  
7 testifying whether or not WIPP should be open and what  
8 level waste should be permitted and whether or not the  
9 TRUPACT containers were sufficient. And as a result of  
10 the IIS process at that time, we came away with the  
11 impression that WIPP would open but it would only be  
12 licensed for lower level military waste. In all, we  
13 knew deep down back then that this day was going to  
14 come, but we had official reassurance that neither high  
15 level nor military waste would be allowed at WIPP.

16 I'm a bureaucrat. I'm a municipal bureaucrat.  
17 I understand the need for the process of appeal and  
18 review and overturn policies, but here we are again. I  
19 worked in the circus when I was a kid. If you've ever  
20 been around camels, if you're in a tent, camel gets his  
21 nose in the tent and okay, and you look around and  
22 before you know it his neck is under the tent, and you

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1 say, okay. And before that, he's got his shoulders,  
2 his legs, pretty soon his hump is in the tent, and  
3 before you know it, you've got a camel in your tent.  
4 Well, the citizens of New Mexico, the industry's  
5 stinking, putrid, death-dealing camel has its nose in  
6 our tent, and we are here today to suggest, to demand,  
7 to plead, to be on the record, asking to turn away from  
8 Pluto, the god of death, the namesake of plutonium,  
9 turn towards sanity, turn towards life and the children  
10 and the grandchildren that we are so fond of talking  
11 about and do what?

12 I'm not all about being negative. My  
13 suggestion, my proposal, my recommendation is a  
14 monitored, double-walled, retrievable, surfaced storage  
15 facility. I think we would be well-advised to explore  
16 vitrification technology rather than weapons  
17 protection. We need to refocus the lab's mission.  
18 We've got these amazing brains. We've done this  
19 magnificent physics here. I think we could refocus  
20 away from weapons production and do some more  
21 magnificent physics for humanity, for our children and  
22 our grandchildren. With all due respect to the people

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1 that have spoken before, it should not surprise anyone  
2 that the retired industry flacks and nuclear engineers  
3 speak as apologists for the industry. I understand you  
4 go through school, you've got a career, you get a  
5 degree, you're looking for a good job. Your choices  
6 are severely limited. And the labs are the industry,  
7 are the place to pay off those debts, and where you  
8 stand depends on where you sit. And this doesn't  
9 change; it's always the same. We have the engineers  
10 speaking about how safe it is.

11 I'm not surprised at them spinning the  
12 industry's line. It was asked, why was 13 billion  
13 dollars spent on Yucca Mountain and came up rejected.  
14 The answer to that is, you can't put enough lipstick on  
15 that pig, whether it's United States Geologic Service  
16 reports or labs modeling, to disguise the fact that  
17 when you're talking about geologic time, thousands of  
18 tons of waste, high, low, medium level, and half lives  
19 of millennia, it is the height of arrogance and human  
20 folly and sheer stupidity to think that employing the  
21 crudest waste disposal method imaginable, sticking it  
22 in the ground, is going to be reasonable or well-

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1 advised way to provide for our children's and our  
2 grandchildren's health and future.

3 A gentleman I mentioned earlier that --

4 MR. BROWN: You've got a little less than a  
5 minute left.

6 MR. EVANS: I haven't got my running shoes on.  
7 Permanent disposal passed to protect our children and  
8 our grandchildren, I agree, and something else that we  
9 can also agree on is radionuclides are both mutagenic  
10 and carcinogenic. I know of no more authoritative  
11 source than National Academy of Science. Google it,  
12 look up B-E-I-R, Biological Effects of Ionizing  
13 Radiation. It's clear. It's been mentioned here.  
14 There is no safe dose of radiation, especially if it's  
15 internal, ingested, or inhaled -- despite this very  
16 reassuring placemat, very charming, that I'm very  
17 grateful to have.

18 We hear the canard, no fatalities at Three  
19 Mile Island, no fatalities in nuclear subs, and now in  
20 this cascading catastrophe that's Fukushima, the media  
21 tells us in unity, immediately, the two messages to  
22 throw all on, it's safe, it's inevitable, even while

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1 it's continuing to melt down.

2 MR. BROWN: Okay --

3 MR. EVANS: To finish up, to finish up here.

4 I'm going to conclude the way I always conclude my  
5 testimony at these events, with the statement --

6 MR. WADE: Don't let it break with tradition.

7 MR. EVANS: I will focus the question on --  
8 the (inaudible). If you choose not to hear us, your  
9 grandchildren will curse your name.

10 MR. BROWN: Okay, thank you. Okay, Hildegard  
11 Adams? And Geraldine Amato will be after Hildegard.

12 MS. ADAMS: I don't know if I have that much  
13 to say. There have been so many eloquent speakers  
14 already who have spoken from their knowledge base and  
15 from their hearts. I do have a question for you, and  
16 that is how is this event being recorded? I'm sorry; I  
17 came in late.

18 MR. BROWN: Oh, the gentleman behind you is  
19 recording that, and that is being made part of the  
20 permanent record, which will be reviewed in preparation  
21 of the final Environmental Impact Statement.

22 MS. ADAMS: Okay. Thank you for answering

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1 that. So I'd like to go on record as being totally  
2 opposed to any more radioactive waste coming to New  
3 Mexico. New Mexico is already extremely contaminated,  
4 and honestly, if I had known that back in 1975 when I  
5 was moving here from California, really, I would not  
6 have come. I had no idea, and the general public in  
7 New Mexico, unfortunately, has no idea of the extent of  
8 the dangers that they're in from the nuclear industry;  
9 in particular, of course, that being perpetrated by the  
10 U.S. government.

11 I'd like to ditto everything that  
12 everybody's said about governmental lies. I'm a  
13 retired teacher, and I'm going to tell you a story  
14 about some students that I had a long time ago, before  
15 WIPP even opened. Well, I taught gifted, and these  
16 were sixth and seventh graders who had gotten wind of  
17 the projected plan to open WIPP in the Carlsbad area,  
18 and many of my gifted students were not slouches,  
19 regardless of -- no microphone.

20 MR. BROWN: Okay.

21 MS. ADAMS: I might have to get a few more  
22 minutes.

1 MR. BROWN: Try that; that should work.

2 MS. ADAMS: Okay. Let's see, testing, testing  
3 -- no, not so much. Are you getting it back there?

4 MR. BROWN: Can everybody hear?

5 MS. ADAMS: Well, I'm not saying anything  
6 right now. Is this on? Can you hear in the back of  
7 the room?

8 ALL: Not enough.

9 MS. ADAMS: No, it doesn't sound loud to me,  
10 either, so I know the clock is ticking, but I guess  
11 you'll have to add time -- sort of like a basketball  
12 game.

13 MR. BROWN: This is not counting against your  
14 time.

15 MS. ADAMS: Okay, but are you recording  
16 everything? Okay, great.

17 MR. BROWN: Okay, go ahead.

18 MS. ADAMS: Okay, let me try that again. It's  
19 a little better. It's not real great, but I'll speak  
20 up.

21 UNIDENTIFIED SPEAKER: Both of them are dying.

22 MS. ADAMS: Both of them are dying; I guess

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1 they think we've said enough. I don't think we've said  
2 quiet enough. I may have to carry on for awhile.

3 At any rate, I had these wonderful  
4 students that had read in the newspaper about WIPP  
5 opening. They got extremely irate, and they wrote to  
6 Westinghouse Corporation about their feelings of New  
7 Mexico becoming the nation's radioactive waste dump.  
8 And they had also written to DOE. And the amazing  
9 thing to us was that DOE and Westinghouse took the kids  
10 seriously and insisted on sending some guest speakers  
11 to the school where I was teaching. And so they came  
12 in and talked to the kids, and of course, gave them the  
13 same line that we always get, which is, don't worry; be  
14 happy. We know; you're kids. You don't know. And we  
15 had some really interesting confrontations.

16 But what I fondly remember about that is  
17 the Westinghouse representative and the DOE  
18 representative saying, look, it's only going to be low  
19 level radioactive waste. It will only be lab coats,  
20 masks and booties. And that's the line that I have  
21 never forgotten, especially as the level of the waste  
22 coming to WIPP has escalated, and now we're looking at

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1 the coming true of another suspicions that we had,  
2 which was of course, commercial radioactive waste  
3 coming to New Mexico, which DoE solemnly promised would  
4 never happen. So I've just got to say, ditto, ditto,  
5 ditto, to everybody who said, pack of lies; don't trust  
6 them, here we are again. And how endless does DoE  
7 think Carlsbad is? Where is this waste going to  
8 eventually end up?

9 I'm completely opposed to it. I think  
10 enough is enough. It's already too much for New  
11 Mexico, for land, for air, for water, and I can't  
12 believe that you're thinking about brining even more  
13 waste, and in particular, commercial waste. So I guess  
14 my time's probably up, and thank you for putting me on  
15 the record.

16 MR. BROWN: Geraldine Amato is next, and then  
17 Laurie Blackwood.

18 MS. AMATO: Good evening. I have been here --  
19 I wasn't here from the beginning, but I believe that  
20 the comments and the information given here are a  
21 worthwhile hearing, and it's unfortunate that we're  
22 talking to each other here in this room, and that these

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1 proceedings are not genuine public hearings. They are  
2 a sham public hearings. We have all kinds of  
3 electronic gadgetry that project information, so-  
4 called. We have the television, we have PBS, we have  
5 radio, we have the UNN station, the APS station, and we  
6 have cable government access -- Jay Evans was here. We  
7 have government access on cable, et cetera, and these  
8 are not televised, they are not broadcast. These are  
9 minimal hearings at all for public. Most of the public  
10 in this area know nothing of what's been said here  
11 today and what's been rejected here today. Most of us  
12 have an inkling of it, and the information given here  
13 is not going far enough.

14 I personally believe that Department of  
15 Energy is not the least bit interested in what the  
16 public has to say. This is a ritual. How we can  
17 resolve that is not a simple answer to such a question.  
18 We are essentially in my estimation, on a federal  
19 reservation, and the federales are in control, and our  
20 opinions count for little. How we can change that  
21 remains yet to be seen. I'm reminded of the  
22 Declaration of Independence statement, our repeated

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1 petitions have been answered only by repeated injury,  
2 and I think that's where we are politically in this  
3 country today.

4           We have this glossy paper and excellently  
5 very fashionable and very glitzy paperwork. I don't  
6 think -- I mean, it's not impressive, but it cost  
7 resources to put out this literature on this glossy  
8 paper which apparently has that toxic plastic they talk  
9 about every now and then, so when we handle it, we can  
10 also add to the toxification of ourselves. What we can  
11 -- I appreciate those people that have studied these  
12 issues. I haven't been a student of it for too long,  
13 and I know there's many people that have never heard of  
14 this information that was given here this evening. And  
15 how we can get it out to them, God only knows, because  
16 we are not in charge of the mainstream press and media.

17           Newspaper announcements to the printed  
18 press today are not adequate. It's only a mere minimal  
19 legal requirement, because we're under a private legal  
20 jurisdiction; we are not under the principles of a free  
21 society. And I repeat, I don't think the Department of  
22 Energy is really interested in what the public has to

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1 say or think. And we need to be doing something  
2 further than talking to each other and finding our  
3 comments amusing to each other. How do we get this  
4 type of information out to people, enough people, to  
5 have an upsurge of resistance? Otherwise, we can see  
6 the Department of Energy particularly having its way.  
7 Whatever it wants to do it's going to do, because we  
8 gave a pyramid government. We have a top-down  
9 authority. The peoples' opinion doesn't count.

10 Under the lawful republic, it's the  
11 authority of the people up. We don't have that any  
12 longer. We need to get mentally off the federal  
13 reservation and continue to consider what it is we  
14 really need to do. And we need to pray about getting  
15 some direction. I believe there is one spirit of truth  
16 in this Earth, that's the Holy Spirit of the Sovereign  
17 God Almighty, and each of us can access the council of  
18 that Holy Spirit, get our marching orders and move on  
19 out. We can't play footsy with how would you say,  
20 demonstrable criminals, is what we have in charge of  
21 our government today. It's not our government. It's  
22 an alien force, it's a central government, and it's no

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1 longer representative of the good people of this  
2 nation. And God only knows if we're going to have  
3 enough of resistance of what's going on in this nation.

4 Oh, and that Spaceport project -- is my  
5 time almost up?

6 MR. BROWN: You've got one minute left.

7 MS. AMATO: The Spaceport project is related  
8 to this. I remember listening to that Star Wars call-  
9 in talk show for awhile on UNM a few years back, and  
10 that one man that called in and mentioned that there  
11 was such an organization as the Mars Society. And  
12 those people claim that they are preparing their own  
13 special spacecraft, and when the Earth is ruined --  
14 they don't mention that they're the ones ruining it --  
15 they are leaving the Earth and going to Mars. I mean,  
16 imagine the mentality of the people we are dealing  
17 with. They have the financial resources in their  
18 pocket to belong to the Mars Society and to make plans  
19 to terraform Mars. They say they're going to make the  
20 Mars habitable --

21 MR. BROWN: Can you make one final point?  
22 Your time is up.

1 MS. AMATO: Same to you.

2 MR. BROWN: All right, thanks very much.

3 Laurie Blackwood? Go ahead.

4 MS. BLACKWOOD: Thank you. My name's Laurie  
5 Blackwood, and I've been following Helen Caldicott's  
6 presentations over the last 30 years, 29 years maybe,  
7 and just heard her recently. I hope many of you did,  
8 too. And she said that there really is no difference  
9 between the nuclear weapons industry and the nuclear  
10 power industry.

11 UNIDENTIFIED SPEAKER: Can you speak a little  
12 louder?

13 MS. BLACKWOOD: Yes, can you hear me? I'm  
14 sorry. There we go, about that.

15 UNIDENTIFIED SPEAKER: That's better.

16 MS. BLACKWOOD: So she said there really is no  
17 difference between nuclear power industry and nuclear  
18 weapons industry and I trust her in that. She's very  
19 well educated in this field, and I recommend her books  
20 very highly, if folks have not read her books.

21 I don't know what to do, except try to  
22 vote for politicians who will clean up the DoE,

1 politicians who do not claim to be environmentalists  
2 and support nuclear industry, because you cannot be an  
3 environmentalist if you support the nuclear industry.  
4 They're entirely opposed to each other. And we need to  
5 hold our politicians accountable and get them out of  
6 office, every single one of them, I think, probably  
7 from the state at the federal level, unless someone  
8 corrects me on that.

9                   But I think all the representatives and  
10 senators and of course, the President, they are all  
11 against life, as we know it, in terms of plants, trees,  
12 human life, animal life. And I hope that the DoE will  
13 get a total turnover as we slowly get better  
14 politicians, politicians who will represent us and will  
15 be public servants and will hire public servants in the  
16 DoE. Thanks.

17                   MR. BROWN: Thank you very much. We've got  
18 about I think two minutes left. I guess the batteries  
19 were timed for 9:30. I think Dan, I had promised you a  
20 second chance, so I think you've got two minutes.  
21 Maybe you said everything you needed to. Apparently  
22 not.

1 MR. HANCOCK: I just want to say a couple of  
2 things more. One is to remind everybody, this is not  
3 the first time that the Department of Energy has  
4 proposed to bring commercial waste to WIPP. It's  
5 happened repeatedly over the last 35 years, and the  
6 reason it hasn't come to WIPP is because people have  
7 said no, and we have won. So thank you all for helping  
8 in that effort again tonight.

9 The other thing, while there have been a  
10 lot of numbers, there are two numbers I want to be sure  
11 that people got from the presentations. Mr. Eddleman  
12 talked about the Greater-Than-Class C Waste we're  
13 talking about here is 160 million curies. Mr. Strobel  
14 talked about how many curies are coming to WIPP -- 3  
15 million curies. Most people would say 130 million  
16 curies and 3 million curies are not the same thing, are  
17 not the same level of radioactive contamination and  
18 concentration, and that's the case. So don't let  
19 people think that oh, this is just more of the same,  
20 but it's commercial. No, it's not more of the same,  
21 and it is commercial and it's much higher radioactivity  
22 than what's going to WIPP. Thank you.

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1 MR. BROWN: Okay. Thank you. It's actually  
2 9:30.

3 MR. PETERSON: I have one more.

4 MR. BROWN: Okay, you got one more? Okay.

5 MR. PETERSON: I would like to say that I  
6 think one reason we're here tonight is that Senator  
7 Harry Reid of Nevada turned thumbs down on the Yucca  
8 Mountain site for any nuclear waste. They don't want  
9 it in their backyard in Nevada. You're going to get it  
10 here.

11 MR. BROWN: Okay, Janet? Demonstrate that you  
12 sprinted to the microphone.

13 MS. GREENWALD: I just wanted to say that most  
14 people in the United States do believe that we need  
15 nuclear power in the mix, but there's a wonderful book  
16 by a great physicist, Arjun Makhijani, Nuclear-Free,  
17 Carbon-Free, which gives in detail a path of moving  
18 forward without coal or nuclear power -- I highly  
19 recommend it. Thank you.

20 MR. BROWN: Thanks. We have reached the  
21 conclusion of 9:30. I wanted to express appreciation  
22 for everybody who attended and spoke, and we are

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1 officially adjourned. Thanks again.

2 (Whereupon, the hearing

3 was concluded at 9:30 p.m.)

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