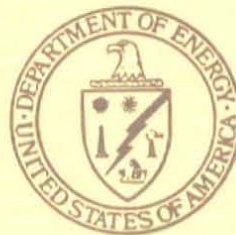


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FINAL SUPPLEMENT ENVIRONMENTAL IMPACT STATEMENT

Waste Isolation Pilot Plant

Volume 8 of 13



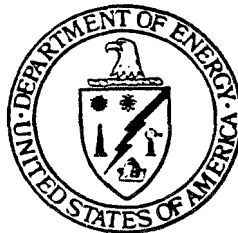
January 1990

U.S. DEPARTMENT OF ENERGY
Office of Environmental Restoration
and Waste Management

FINAL SUPPLEMENT ENVIRONMENTAL IMPACT STATEMENT

Waste Isolation Pilot Plant

Volume 8 of 13



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**U.S. DEPARTMENT OF ENERGY
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and Waste Management
Washington, D.C. 20585**

FINAL SUPPLEMENT ENVIRONMENTAL IMPACT STATEMENT

Waste Isolation Pilot Plant

Volume 8 of 13





COVER SHEET

RESPONSIBLE AGENCIES:

Lead Agency: U.S. Department of Energy (DOE)

Cooperating Agency: U.S. Department of the Interior, Bureau of Land Management (BLM)

TITLE:

Final Supplement, Environmental Impact Statement, (SEIS), Waste Isolation Pilot Plant (WIPP)

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ABSTRACT:

In 1980, the DOE published the Final Environmental Impact Statement (FEIS) for the WIPP. This FEIS analyzed and compared the environmental impacts of various alternatives for demonstrating the safe disposal of transuranic (TRU) radioactive waste resulting from DOE national defense related activities. Based on the environmental analyses in the FEIS, the DOE published a Record of Decision in 1981 to proceed with the phased development of the WIPP in southeastern New Mexico as authorized by the Congress in Public Law 96-164.

Since publication of the FEIS, new geological and hydrological information has led to changes in the understanding of the hydrogeological characteristics of the WIPP site as they relate to the long-term performance of the underground waste repository. In addition, there have been changes in the information and assumptions used to analyze the environmental impacts in the FEIS. These changes include: 1) changes in the composition of the TRU waste inventory, 2) consideration of the hazardous chemical constituents in TRU waste, 3) modification and refinement of the system for the transportation of TRU waste to the WIPP, and 4) modification of the Test Phase.

The purpose of this SEIS is to update the environmental record established in 1980 by evaluating the environmental impacts associated with new information, new circumstances, and proposal modifications. This SEIS evaluates and compares the Proposed Action and two alternatives.

The Proposed Action is to proceed with a phased approach to the development of the WIPP. Full operation of the WIPP would be preceded by a Test Phase of approximately 5 years during which time certain tests and operational demonstrations would be carried out. The elements of the Test Phase, tests and operations demonstration, continue to evolve. These elements are currently under evaluation by the DOE based on comments from independent groups such as the Blue Ribbon Panel, the National Academy of Sciences, the Environmental Evaluation Group, and the Advisory Committee on Nuclear Facility Safety. At this time, the Performance Assessment tests would be comprised of laboratory-scale, bin-scale, and alcove-scale tests. The DOE, in December 1989, issued a revised draft final Test Phase plan that focuses on the Performance Assessment tests to remove uncertainties regarding compliance with long-term disposal standards (40 CFR 191 Subpart B) and to provide confirming data that there would be no migration of hazardous constituents (details are available in Subsection 3.1.1.4 and Appendix O). The tests would be conducted to reduce uncertainties associated with the prediction of natural processes that might affect long-term performance of the underground waste repository. Results of these tests would be used to assess the ability of the WIPP to meet applicable Federal standards for the long-term protection of the public and the environment. The operational demonstrations would be conducted to show the ability of the TRU waste management system to certify, package, transport, and emplace TRU waste in the WIPP safely and efficiently. Waste requirements for the Integration Operations Demonstration remain uncertain. A separate document would be developed to describe in detail the Integration Operations Demonstration following the DOE's decision as to the scope and timing of the demonstration.

During the Test Phase, National Environmental Policy Act (NEPA) requirements would be reviewed in light of the new information developed and appropriate documentation would be prepared. In addition, the DOE will issue another SEIS at the conclusion of the Test Phase and prior to a decision to proceed to the Disposal Phase. This SEIS will analyze in more detail the system-wide impacts of processing and handling at each of the generator/storage facilities and will consider the system-wide impacts of potential waste treatments.

Upon completion of the Test Phase, the DOE would determine whether the WIPP would comply with U.S. Environmental Protection Agency (EPA) standards for the long-term disposal of TRU waste (i.e., 40 CFR Part 191, Subpart B; 40 CFR Part 268). The WIPP would enter the Disposal Phase if there was a favorable Record of Decision based on the new SEIS to be prepared prior to the Disposal Phase and if there was a determination of compliance with the EPA standards and other regulatory requirements. During this phase, defense TRU waste generated since 1970 would be shipped to and disposed of at the WIPP. After completion of waste emplacement, the surface facilities would be decommissioned, and the WIPP underground facilities would serve as a permanent TRU waste repository.

The first alternative, No Action, is similar to the No Action Alternative discussed in the 1980 FEIS. Under this alternative, there would be no research and development facility to demonstrate the safe disposal of TRU waste, and TRU waste would continue to be stored. Storage of newly generated TRU mixed waste would be in conflict with the Resource Conservation and Recovery Act (RCRA) Land Disposal Restrictions; treatment would be required to avoid such conflict. The WIPP would be decommissioned as a waste disposal facility and potentially put to other uses.

The second alternative to the Proposed Action is to conduct the bin-scale tests at a facility other than the WIPP and to delay emplacement of TRU waste in the WIPP underground until a determination has been made of compliance with the EPA standards for TRU waste disposal (i.e., 40 CFR Part 191, Subpart B). The bin-scale tests could be conducted outside the WIPP underground facilities in a specially designed, aboveground facility. The implications of this alternative include delays in both the operational demonstrations and alcove-scale tests, the lack of alcove-scale test data for the compliance demonstration, and placing the WIPP facilities in a "standby" mode. The specialized facility for aboveground bin-scale tests could be constructed at any one of the DOE facilities. In order to analyze the environmental impacts of this alternative in the final SEIS, the DOE has evaluated the Idaho National Engineering Laboratory in Idaho as a representative facility for the aboveground bin-scale tests.

ADDITIONAL INFORMATION:

The 1980 FEIS was reprinted and provided to the public with the draft SEIS which was published April 21, 1989. Public comments on the draft SEIS were accepted for a period of 90 days after publication. During that time, public hearings were conducted in Atlanta, Georgia; Pocatello, Idaho; Denver, Colorado; Pendleton, Oregon; Albuquerque, Santa Fe and Artesia, New Mexico; Odessa, Texas; and Ogden, Utah.

This final SEIS for the WIPP project is a revision of the draft SEIS published in April 1989. It includes responses to the public comments received in writing and at the public hearings and revisions of the draft SEIS in response to the public comments. Revisions of importance have been identified in this final SEIS by vertical lines in the margins to highlight changes made in response to comments.

Volumes 1 through 3 of the final SEIS contain the text, appendices, and the summary comments and responses, respectively. Volumes 6 through 13 of the final SEIS contain reproductions of all of the comments received on the draft SEIS, and Volumes 4 and 5 contain the indices to Volumes 6 through 13. An Executive Summary and/or Volumes 1 through 5 of the final SEIS have been distributed to those who received the draft SEIS or requested a copy of the final SEIS. Although not distributed to all who commented on the draft SEIS, Volumes 1 through 13 of the final SEIS have been placed in the reading rooms and libraries listed in Appendix K; these volumes will be mailed to the general public upon request.

A notice of availability of the final SEIS has been published by the EPA in the Federal Register. The DOE will make a decision on implementation of the Proposed Action or the alternatives no earlier than 30 days after publication of the EPA notice of availability. The DOE's decision will be documented in a publicly available Record of Decision to be published in the Federal Register and distributed to all who receive this final SEIS.

FOREWORD

The comment and response volume and comment (reproduced public comments) volumes of the Final Supplement to the Environmental Impact Statement (SEIS) for the Waste Isolation Pilot Plant (WIPP) have been prepared in compliance with the Council on Environmental Quality (CEQ) regulations 40 CFR 1503.4 and 1506.6, which provide for the consideration of comments received during the public comment period on the draft SEIS. Volume 3 contains responses by the Department of Energy (DOE) to summaries of the approximately 9,000 pages of comments the DOE received from about 2,200 individuals during the public comment period and during nine public hearings conducted in May, June, and July, 1989. All comments received are reproduced in Volumes 6 through 13. Volumes 4 and 5 contain indices to Volumes 6 through 13.

On February 17, 1989, the DOE announced the preparation of a supplement to the 1980 Final Environmental Impact Statement (FEIS) for the WIPP in a Federal Register notice (54 FR 7251). On April 21, 1989, the DOE published another notice in the Federal Register (54 FR 16350) announcing the availability of the draft SEIS, a 60-day public comment period, and the schedule, locations, and procedures for six public hearings. On June 12, 1989, a notice was published (54 FR 24940), announcing two additional hearings on the draft SEIS, in Texas and New Mexico, and a 7-day extension of the comment period. On June 26, 1989, a notice was published (54 FR 26828) announcing a third additional public hearing on the draft SEIS, in Ogden, Utah, and an extension of the public comment period to July 11, 1989. In response to requests, the public comment period was extended to July 20, 1989 (90 days total), to ensure that all interested citizens had time to comment (54 FR 20909). Nine public hearings were held as follows:

Atlanta, Georgia	May 25, 1989
Pocatello, Idaho	June 1, 1989
Denver, Colorado	June 6, 1989
Pendleton, Oregon	June 8, 1989
Albuquerque, New Mexico	June 13-14, 1989
Santa Fe, New Mexico	June 15-17, 1989
Artesia, New Mexico	June 22, 1989
Odessa, Texas	June 26, 1989
Ogden, Utah	July 10, 1989

On April 13, 1989, copies of the 1980 FEIS and the draft SEIS were distributed to U.S. legislators, Federal agencies, and Governors of the 23 affected States. On April 14, copies of the documents were sent to State agencies, State public libraries, legislators of the 23 States, DOE reading rooms, and to local, State, and national public interest groups. Current generator facilities' mailing lists were obtained and also used. Copies of the 1980 FEIS and the draft SEIS were provided to the public and media upon request.

HANDLING OF COMMENT AND RESPONSES

At the beginning of the public comment period, a procedure was established to receive, document, identify, and summarize public comments. Each comment (written, oral, exhibit, or question/answer session) has been assigned an identification number and is reproduced in Volumes 6 through 13 of the final SEIS.

The identification numbers assigned were as follows:

- TGXXXXX = Oral testimony given at the Atlanta, Georgia, hearing on May 25, 1989.
- TPXXXXX = Oral testimony given at the Pocatello, Idaho, hearing on June 1, 1989.
- TDXXXXX = Oral testimony given at the Denver, Colorado, hearing on June 6, 1989.
- TOXXXXX = Oral testimony given at the Pendleton, Oregon, hearing on June 8, 1989.
- TQXXXXX = Oral testimony given at the Albuquerque, New Mexico, hearing on June 13-14, 1989.
- TSXXXXX = Oral testimony given at the Santa Fe, New Mexico, hearing on June 15-17, 1989.
- TAXXXXX = Oral testimony given at the Artesia, New Mexico, hearing on June 22, 1989.
- TTXXXXX = Oral testimony given at the Odessa, Texas, hearing on June 26, 1989.
- TUXXXXX = Oral testimony given at the Ogden, Utah, hearing on July 10, 1989.
- WDXXXXX = Written document sent to the DOE during the comment period.
- EXXXXXX = Exhibits (e.g., written testimonies, letters, pictures, poems) submitted at the hearings.
- QXXXXX = Questions asked during the hearing by recognized sources.
- XXXXX = Numbers designating the order in which the comments were received.

The approximately 9,000 pages of comments received from about 2,200 individuals were reviewed, and specific issues, questions, and statements within each were identified. Each issue, question, and statement was identified by topic, and assigned a number (e.g., 2.2-1). Similar comments were frequently raised by a number of different reviewers. These were summarized into a single comment and response. Editorial comments were simply incorporated into the text of the final SEIS.

All letters, transcriptions of oral testimony (including question/answer sessions), and accompanying exhibits were electronically reproduced and are included in Volumes 6 through 13 of the final SEIS.

Figure 1 shows how the comments were handled from receipt to inclusion in the final SEIS.

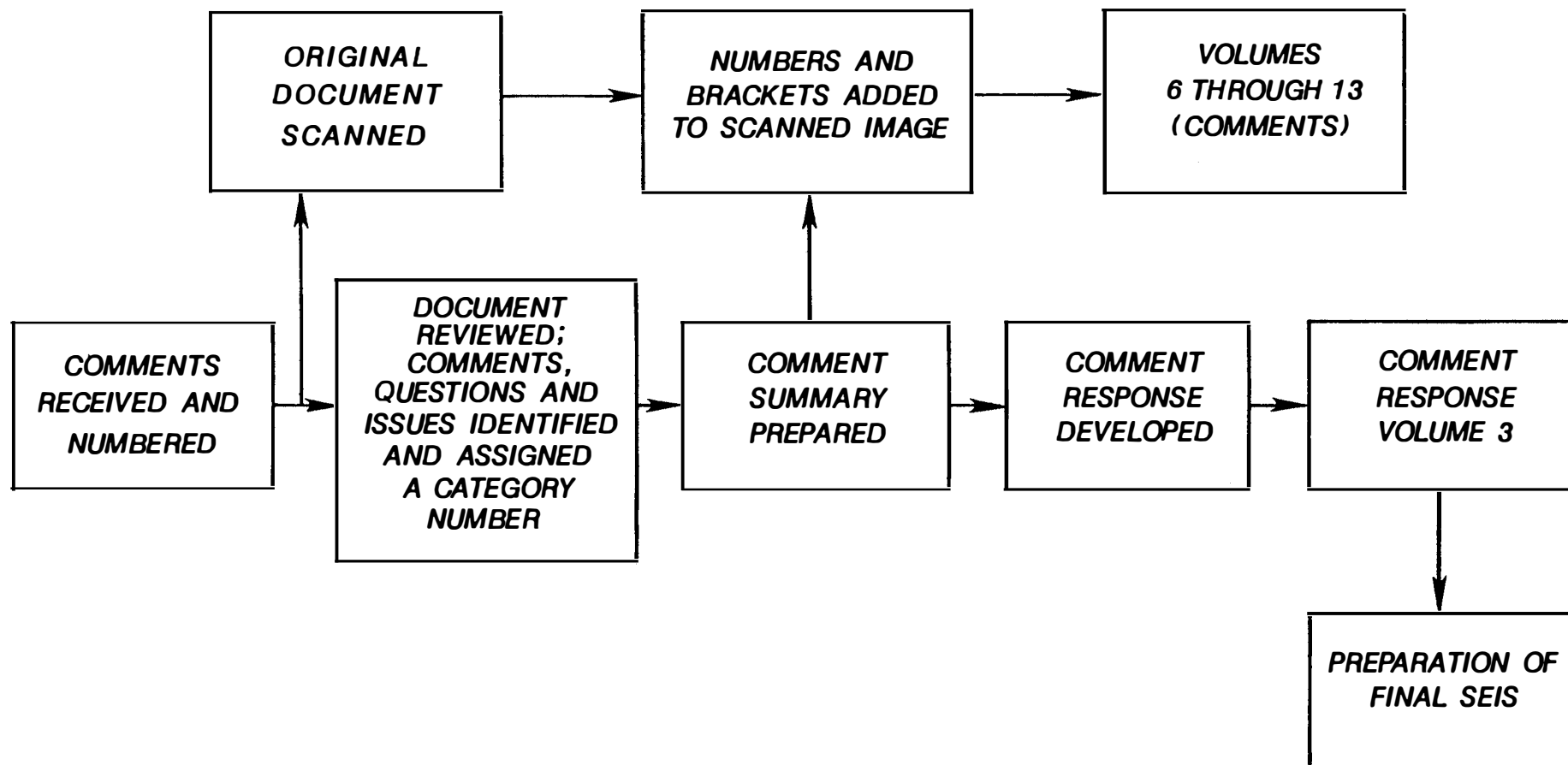


FIGURE 1
TREATMENT OF COMMENTS

FINDING RESPONSES TO COMMENTS

This volume is 1 of 13 volumes that make up the final SEIS for the WIPP Project. Volumes 6 through 13 reproduce the public comments received on the draft SEIS. The numbers and corresponding titles of each volume are as follows:

Volume No.	Title
-	Executive Summary
1	Final Supplement Environmental Impact Statement
2	Final Supplement Environmental Impact Statement - Appendices
3	Final Supplement Environmental Impact Statement - Public Comments and Responses
4	Final Supplement Environmental Impact Statement - Index A
5	Final Supplement Environmental Impact Statement - Indices B,C,D,E
6	Final Supplement Environmental Impact Statement - Oral Testimony (Testimony for hearings held in Atlanta, GA; Pocatello, ID; Denver, CO; and Albuquerque, NM)
7	Final Supplement Environmental Impact Statement - Oral Testimony (Testimony for hearings held in Santa Fe, NM)
8	Final Supplement Environmental Impact Statement - Oral Testimony (Testimony for hearings held in Santa Fe, NM)
9	Final Supplement Environmental Impact Statement - Oral Testimony (Testimony for hearings held in Santa Fe, NM; Artesia, NM; Odessa, TX; and Ogden, UT)
10	Final Supplement Environmental Impact Statement - Exhibits
11	Final Supplement Environmental Impact Statement - Exhibits
12	Final Supplement Environmental Impact Statement - Written Documents
13	Final Supplement Environmental Impact Statement - Written Documents

The indices located in Volumes 4 and 5 will help locate specific questions or statements in a letter, exhibit, or transcript of oral testimony, and the DOE's response. Numbers appear in the margins of Volumes 6 through 13 and refer to summary comments. Both the summary comment and the DOE's response are located under the comment number in Volume 3. In this way, each specific comment can be traced from the original to a summary comment and the DOE's response.

Index A (Volume 4) is an alphabetical listing of all individuals and organizations who submitted comments, either in oral or written form. To the right of each name is a list of all the comment numbers assigned to statements or questions made by the commenter and the DOE's response. The volume and page number where the testimony is located are also found in Index A. Indices B through D (Volume 5) are similar to Index A, with the exception that the names of the individuals and organizations are listed in the order that their comments were received. Index B is a listing of oral testimonies. Index C lists exhibits. Index D lists written documents. As in Index A, opposite each commenter's name is a listing of the summary comment numbers which identify specific comments extracted from that individual's or organization's submittal, and the volume and page number where an individual's reproduced comment is located.

Index E (Volume 5) provides a numerical listing of the summary comment and response numbers contained in Volume 3. Listed opposite each summary comment number are the submittal numbers of each individual or organization that made the specific comment that is addressed by the summary comment and response.

As an aid to the reader in locating information in Volumes 6 through 13, the following instructions are provided:

1. To find your specific comment and the DOE response

- Look in Index A in Volume 4.
- Find your name (names are in alphabetical order).
- Summary comments and responses are identified by numbers located to the right of your name.
- Find the summary comment number in Volume 3. (Comment numbers are listed in numerical order.)
- Beneath the summary comment number in Volume 3 will be a comment summary which represents your comment.
- The DOE's response to your comment is directly below the comment summary.

2. To find the reproduction of your comments in Volumes 6 through 13

- Look in Index A in Volume 4.
- Find your name (names are in alphabetical order).
- Find the volume and page number located to the right of your name.
- The reproduction of your comment will appear within the volume identified.

3. To find the comments of others who made the same comment

- Look in Index A in Volume 4.
- Find your name (names are in alphabetical order).
- Look under the Summary Comment/Response number heading.
- Find the Summary Comment/Response numbers that were extracted from your submittal.
- Look in Index E in Volume 5.
- Find the Summary Comment/Response number in Index E that was by your name in Index A. (Index E lists the comment numbers in numerical order.)
- Look at the document numbers opposite that comment number. (Each number identifies an individual who made a comment similar to yours.)
- Go to Index B in Volume 5 if the number begins with a TG, TP, TD, TO, TQ, TU, TS, TA, TT, or QT (e.g., TG00034, TU00645, QT00034).
- Go to Index C in Volume 5 if the number begins with EX (e.g., EX00110, EX00214).
- Go to Index D in Volume 5 if the number begins with WD (e.g., WD00468, WD00030).

- Indices B, C, and D (Volume 5) list the document numbers in numerical order.
- Find the name of the person or organization and the location of their reproduced comment.
- Look up the reproduced comment in Volumes 6 through 13 as appropriate.

TABLE OF CONTENTS

Doc. No.	Name	Location	Page
TS-00558	Bunting, Amy	Santa Fe, NM	6
TS-00559	Sullivan, Julie	Santa Fe, NM	9
TS-00560	Childs, Nancy C.	Santa Fe, NM	11
TS-00560	Childs, Prentiss	Santa Fe, NM	11
TS-00560	Weisberg, Maurice	Santa Fe, NM	11
TS-00561	Rymland, Lizbeth	Santa Fe, NM	12
TS-00562	Low, Steve	Santa Fe, NM	17
TS-00563	Harbor, Jeff	Santa Fe, NM	20
TS-00564	Walter, Sydney	Santa Fe, NM	24
TS-00565	Lavoto, Anhara	Tesuque, NM	26
TS-00566	Deyo, Richard	Santa Fe, NM	30
TS-00567	Fiedler, Karen	Santa Fe, NM	33
TS-00568	Giovando, Elaine	Santa Fe, NM	36
TS-00569	Weinstein, Judith	Santa Fe, NM	40
TS-00570	Ruyabalid, Lewis	Santa Fe, NM	41
TS-00571	O'Dowd, Thomas	Santa Fe, NM	43
TS-00572	Thompson, Helen	Roe, NM	47
TS-00573	McKelvey, Lynn	Santa Fe, NM	51
TS-00574	Radkin, Carolyn	Santa Fe, NM	56
TS-00575	Radkin, Ed	Santa Fe, NM	56
TS-00576	Steinhoff, Monica	Santa Fe, NM	58
TS-00577	Herzlich, Toby	Santa Fe, NM	62
TS-00578	Anderson, Craig	Santa Fe, NM	64
TS-00579	Paine, Wingate	Santa Fe, NM	67
TS-00580	Boyce, Christine	Sarafina, NM	69
TS-00581	Cobb, Sara	Zuni, NM	71
TS-00582	Farr, Mary	Santa Fe, NM	73
TS-00583	Statnekov, Daniel K.	Tesuque, NM	74
TS-00584	Bonneau, Bonnie <i>Intergalac Confed for Interplanet Peace</i>	Santa Fe, NM	79
TS-00585	Ortega, Rebecca <i>Pueblo of Santa Clara</i>	Santa Clara, NM	82

TABLE OF CONTENTS (Cont.)

Doc. No.	Name	Location	Page
TS-00586	Casey, Paul <i>Rocky Mountain Peace Center</i>	Boulder, CO	85
TS-00587	Ponton, Zina	Santa Fe, NM	89
TS-00588	Maimed, Tony	Santa Fe, NM	91
TS-00589	Maimed, Jesse	Santa Fe, NM	93
TS-00590	Cunningham, David	Santa Fe, NM	94
TS-00591	Lehnert, Richard	Santa Fe, NM	96
TS-00592	Rose, Julie	Santa Fe, NM	101
TS-00593	Oppenheimer, Maran Orion	Santa Fe, NM	103
TS-00594	Oppenheimer, Mose Orion	Santa Fe, NM	106
TS-00595	Malcolm, Richard	Santa Fe, NM	110
TS-00596	Suhre, Pamela	Santa Fe, NM	117
TS-00597	Tsenhnhajinne, Van Tsosie	Chinle, AZ	120
TS-00598	Campbell, James	Santa Fe, NM	122
TS-00599	Hauenstein, Scott	Santa Fe, NM	124
TS-00600	Grassle, Karen	Santa Fe, NM	125
TS-00601	Galvan, Jesus Carlos	Santa Fe, NM	128
TS-00602	Harmon, Susan	Santa Fe, NM	132
TS-00602	Ra, Ana	Santa Fe, NM	132
TS-00603	Birsky, Margaret	Santa Fe, NM	136
TS-00604	Pingel, James	Santa Fe, NM	139
TS-00605	Brigham, Susan	Santa Fe, NM	141
TS-00606	Malcolm, Christine	Santa Fe, NM	144
TS-00607	Green, Barry	Santa Fe, NM	146
TS-00608	Clark, Arthur	Santa Fe, NM	151
TS-00609	Sigstedt, Carolyn	Santa Fe, NM	156
TS-00610	Mohr-Nelson, Janice	Santa Fe, NM	158
TS-00611	Beckman, Ron	Albuquerque, NM	161
TS-00612	Tyson, Frances	Las Vegas, NM	166
TS-00613	Bayer, Barbara	Santa Fe, NM	172
TS-00614	Evans, James Lee	Albuquerque, NM	174
TS-00615	Holzer, N. T.	Santa Fe, NM	177
TS-00616	Burns, Dennis	Santa Fe, NM	179

TABLE OF CONTENTS (Cont.)

Doc. No.	Name	Location	Page
TS-00617	Montgomery, Lou	Santa Fe, NM	182
TS-00618	Greenwald, Aaron	Dixon, NM	185
TS-00619	Kegal, Robert	Santa Fe, NM	187
TS-00620	O'Toole, Leslie	Santa Fe, NM	189
TS-00621	Jarvis, Dana	Santa Fe, NM	191
TS-00622	Calico-Hickey, B.	Santa Fe, NM	195
TS-00623	O'Mara, Peggy	Santa Fe, NM	199
TS-00624	Curtis, Sue	Lamy, NM	205
TS-00625	Dasburg, Ann	Santa Fe, NM	207
TS-00626	Farber, Steven	Santa Fe, NM	210
TS-00627	Tirjan, Jim	Santa Fe, NM	213
TS-00628	Plammezer, Peter	Santa Fe, NM	218
TS-00629	Vanstrum, David S.	Santa Fe, NM	219
TS-00630	Loeks, Derk	Santa Fe, NM	228
TS-00631	Lolka, Kathleen	Santa Fe, NM	232
TS-00632	Harrison, John	Santa Fe, NM	234
TS-00633	Siegman, Stephan	Santa Fe, NM	238
TS-00634	Dean, Ginny	Santa Fe, NM	241
TS-00635	Parrish, Rain	Santa Fe, NM	242
TS-00636	Chisholm, Karen H.	Santa Fe, NM	244
TS-00637	Haas, Karen	Santa Fe, NM	247
TS-00638	Verswijver, Frederick	Santa Fe, NM	257
TS-00639	Eblen, Dianne	Santa Fe, NM	258
TS-00640	Vigil-Gray, Darren <i>Jicarilla Apache Nation</i>	Santa Fe, NM	260
TS-00641	Stevens, Raymond A. <i>Citizens for Alternatives to Rad Dumping</i>	Chimayo, NM	261
TS-00642	Stevens, Barbara	Chimayo, NM	264
TS-00643	Lakind, Leslie	Santa Fe, NM	267
TS-00644	Poling, Kristi	Santa Fe, NM	270
TS-00645	Poling, Stephen	Santa Fe, NM	272
TS-00646	Stout, Sarah	Santa Fe, NM	274
TS-00647	Philips, Caitlin	Santa Fe, NM	277

TABLE OF CONTENTS (Cont.)

Doc. No.	Name	Location	Page
TS-00648	Davies, Sheila	Berkeley, CA	280
TS-00649	Whalen, Patricia	Santa Fe, NM	284
TS-00650	Strock, Glenn	Dixon, NM	286
TS-00651	Schumacher, Dede	Santa Fe, NM	289
TS-00652	Nichols, Jean	Llano, NM	292
TS-00653	Morbid Ugly Child	Penasco, NM	295
TS-00654	Moss, Theresa	Santa Fe, NM	296
TS-00655	Martin, Francis	Santa Fe, NM	300
TS-00656	Schuckman, Marjorie <i>Unitarian Church</i>	Santa Fe, NM	304
TS-00657	Maybury, Johanna	Santa Fe, NM	306
TS-00658	Brewer, Mary	Santa Fe, NM	312
TS-00659	Gordon, Resa <i>Earth First</i>	Santa Fe, NM	314
TS-00660	Hotchkiss, Marlow	Santa Fe, NM	316
TS-00661	Hotchkiss, Cynthia	Santa Fe, NM	321
TS-00662	Sanders, Anita	Santa Fe, NM	324
TS-00663	Markus, Jill	Santa Fe, NM	326
TS-00664	Page, Bob	Santa Fe, NM	327
TS-00665	Brewton, Mollie	Santa Fe, NM	329
TS-00666	Montboeca, Christina	Santa Fe, NM	333
TS-00667	Grodin, Michael	Santa Fe, NM	336
TS-00668	Hess, Mark	Santa Fe, NM	339
TS-00669	Norris, Emily	Santa Fe, NM	341
TS-00670	Chernak, Carol	Santa Fe, NM	348
TS-00671	Lowe, Rosemary	Santa Fe, NM	352
TS-00672	Freeman, Pat	Santa Fe, NM	356
TS-00673	Huzelrigg, Hugh	Santa Fe, NM	358
TS-00674	Winder, Margy	Santa Fe, NM	361
TS-00675	Milewski, John	Santa Fe, NM	364
TS-00676	Jody, Paine	Santa Fe, NM	368
TS-00677	Ramberg, Louise H.	Santa Fe, NM	369
TS-00678	Cohen, Sophie	Santa Fe, NM	373

TABLE OF CONTENTS (Cont.)

Doc. No.	Name	Location	Page
TS-00679	Markus, Parvati	Santa Fe, NM	375
TS-00680	Pearson, Kathleen	Santa Fe, NM	378
TS-00681	Reisley, Mary	Santa Fe, NM	380
TS-00682	Lechsted, Alicia	Seifina, NM	383
TS-00683	Kenny, John J.	Santa Fe, NM	386
TS-00684	Mitchell, Judith A.	Santa Fe, NM	391
TS-00685	Shulman, Howard	Santa Fe, NM	393
TS-00686	Marshall, James	Santa Fe, NM	397
TS-00687	Holmes, Jim	Santa Fe, NM	400
TS-00688	Burchess, Barbara	Lamy, NM	405
TS-00689	Hughes, Cecily	Santa Fe, NM	408
TS-00690	Neilson, Mary Gray	Santa Fe, NM	411
TS-00691	Nestor, Michael	Santa Fe, NM	413
TS-00692	Price, Joan	Santa Fe, NM	416
TS-00693	Wilcox, Spencer Wayne	Santa Fe, NM	421
TS-00694	Nickels, Nancy	Santa Fe, NM	424
TS-00695	Dryden, Ann Marie	Chueco, NM	426
TS-00696	Dominguez, Jileo	None Provided	429
TS-00697	Gagnon, Daniel	Santa Fe, NM	431
TS-00698	Metzler, Caroline	Santa Fe, NM	433
TS-00699	La Ren, Richard	Santa Fe, NM	435
TS-00700	Allen, Kathy	Santa Fe, NM	439
TS-00701	Kanefield, Susan	Santa Fe, NM	440
TS-00702	Kanefield-Cunnim, Chenoa	Santa Fe, NM	442
TS-00703	Ananda, Satfa	Santa Fe, NM	443
TS-00704	Ananda, Cheyla	Santa Fe, NM	445
TS-00705	Lafaye, Michelle L.	Santa Fe, NM	447
TS-00706	Carde, Margret	Santa Fe, NM	451
TS-00707	Collins, Michael T.	Santa Fe, NM	455
TS-00708	Lauritzen, Alicia	Tesuque, NM	458
TS-00709	Heden, Rance	Santa Fe, NM	460
TS-00710	Peabody, N. Llyn	Santa Fe, NM	468

TABLE OF CONTENTS (Cont.)

Doc. No.	Name	Location	Page
TS-00711	Wagoner, Joan	Santa Fe, NM	470
TS-00712	Klauck, Duke	Santa Fe, NM	473
TS-00713	Marks, Virginia	Shreveport, LA	475
TS-00714	Marks, Jay	Shreveport, LA	476
TS-00715	West, Randy	Santa Fe, NM	478
TS-00716	Hughes, Hank	Santa Fe, NM	481
TS-00717	Janssens, Connie	Santa Fe, NM	484
TS-00718	Gould, Geri Jimenez	Santa Fe, NM	486
TS-00719	Dannucci, Kate	Santa Fe, NM	489
TS-00720	Quay, Pamela	Santa Fe, NM	491
TS-00721	Loring, Eugene	Santa Fe, NM	492
TS-00722	Gordon, John	Santa Fe, NM	494
TS-00723	Nieman, Witney Mitchell	El Prado, NM	497
TS-00724	Drabik, Ursula	Santa Fe, NM	500
TS-00725	Johnston, Robert	Santa Fe, NM	504
TS-00726	Kaluta, Jane	Dixon, NM	507
TS-00727	Pierpont, Jonathan	Lamy, NM	510
TS-00728	Cunningham, Kathryn	Santa Fe, NM	514
TS-00729	Padberg, Jane	Dixon, NM	517
TS-00730	Georgelle	Santa Fe, NM	520
TS-00731	Spies, Sandra	Santa Fe, NM	524
TS-00732	Adams, Jim	Santa Fe, NM	528
TS-00733	Brenden, Marcia	Dixon, NM	529
TS-00734	Harris, Susan	Santa Fe, NM	533
TS-00735	Reher, Candace	Santa Fe, NM	536
TS-00736	Kohn, John	Santa Fe, NM	538
TS-00737	Bradshaw, Bill	Albuquerque, NM	540
TS-00738	Zekowski-Berne, Arlene	Santa Fe, NM	543
TS-00739	Ruben, Josh	Santa Fe, NM	546
TS-00740	Wallace, Paula	Santa Fe, NM	548
TS-00741	Fox, Casey	Santa Fe, NM	549
TS-00742	Vance, Susie	Santa Fe, NM	553

TABLE OF CONTENTS (Cont.)

Doc. No.	Name	Location	Page
TS-00743	Dillingham, Beth	Albuquerque, NM	556
TS-00744	Howell, Tana	Santa Fe, NM	559
TS-00745	Behounek, Jutta	Santa Fe, NM	561
TS-00746	Filice, Bob	Santa Fe, NM	563
TS-00747	Levithan, Robert	Santa Fe, NM	566
TS-00748	Simmons, John C.	Santa Fe, NM	567
TS-00749	Crews, Jonathan	Santa Fe, NM	570
TS-00750	Nonine	Santa Fe, NM	572

DEPARTMENT OF ENERGY

PUBLIC HEARING
SUPPLEMENT TO THE
ENVIRONMENTAL IMPACT STATEMENT
FOR THE WASTE ISOLATION PILOT PLANT

Friday
June 16, 1989

Room One
Second Floor
Sweeney Convention Center
201 West Marney Street
Santa Fe, New Mexico

ARGIE REPORTING SERVICE
1000 West 70th Terrace
Kansas City, Missouri 64113
(816) 363-3657

2-3

I N D E X

<u>SPEAKER</u>	<u>PAGE</u>
Amy Bunting	12
Julie Sullivan	18
Maurice Weisberg	22
Liz Rymland	25
Steve Low	35
Jeff Harbor	42
Sydney Walter	48
Anhara Lavoto	53
Richard Deyo	60
Karen Fiedler	67
Elaine Giovando	73
Judith Weinstein	80
Lewis Eyabalid	82
Thomas O'Dowd	87
Helen Thompson	95
Lynn McKelvey	103
Carolyn Radkin	112
Ed Radkin	113
Monica Steinhoff	116
Toby Herzlich	125
Craig Anderson	129
Wingate Paine	134

	<u>SPEAKER</u>	<u>PAGE</u>
1	Christine Boyce	138
2	Sara Cobb	143
3	Mary Ferr	147
4	Daniel K. Statnikov	149
5	Bonnie Bonneau	159
6	Rebecca Ortega	164
7	Paul Casey	178
8	Sina Ponton	178
9	Tony Malmel	183
10	Jesse Malmel	187
11	David Cunningham	188
12	Richard Lehnert	193
13	Julie Rose	202
14	Maran Orion	206
15	Mose Orion-Oppenheimer	213
16	Richard Malcolm	220
17		
18		
19		
20		
21		
22		
23		
24		
25		

	<u>EXHIBITS</u>	<u>PAGE</u>
1		
2	No. 414	26
3	No. 415	35
4	No. 416	79
5	No. 417	88
6	No. 419	129
7	No. 420	157
8	No. 421	190
9	No. 422	193
10	No. 423	210
11		
12		
13		
14		
15		
16		
17		
18		
19		
20		
21		
22		
23		
24		
25		

6

M O R N I N G S E S S I O N

HEARING OFFICER O'RIORDAN:

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Good morning everybody. At this time I will formally open this morning's public hearing. It is approximately 7:17 in the morning, it's June 16th, and we're in Room Number 1 of the Sweeney Center in Santa Fe, New Mexico.

This is the United States Department of Energy proceeding, EIS-8826-DS, and it's being held for the purpose of receiving comments regarding the Draft Supplemental Environmental Impact Statement, prepared in relationship to the proposed operation of the Department of Energy's Waste Isolation Demonstration Project, located near Carlsbad, New Mexico.

My name is Hugh O'Riordan and I am an attorney in private practice with a law firm, and our law firm has been retained by the Department of Energy as an independent Hearing Officer to help assure that all interested persons and organizations have the opportunity to

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participate in these hearings, and to the extent feasible, have their comments submitted and made part of the record.

In my role as a Hearing Officer, I do not serve as an advocate for or against the action, as proposed.

My sole purpose at this hearing is to provide all entrusted persons a fair and equal opportunity to comment on the record concerning issues of the relative potential and environmental impacts of the proposed action.

I would also like to note that we have two senior representatives of the Department of Energy in attendance here, Mr. Bob Lowrey and Mr. David Lechel.

At each of the other hearings, we also have senior members of the Department of Energy present, and they have been present throughout the hearing process here in Santa Fe and in Albuquerque and in the other cities.

Once this hearing is

1 concluded, there will be a transcript of
2 all these proceedings, as well as all the
3 written comments that have been submitted
4 for the record.

5 The time to submit the
6 written comments is either today at the
7 conclusion of your presentation, and
8 we'll mark and have them made a part of
9 the record, or you have until July 11th
10 to submit comments to the Department of
11 Energy.

12 The people at the front desk
13 can give you addresses and the like, if
14 you need to where to submit the comments.

15 When the transcript is
16 completed, it will be made available at
17 public places such as libraries, if you
18 wish to look at it. You can find out the
19 exact location at -- from the people at
20 the front desk.

21 We are estimating that the
22 transcript will be available sometime
23 within two or two and a half weeks after
24 the completion of the public hearing
25 process.

1 Today is what we call the
2 public portion or the public citizen's
3 portion of the comment process.

4 Yesterday, we had a comment
5 process from political persons, interest
6 groups, followed by a question and
7 answer.

8 Today, we have five minute
9 segments of -- for the, what you might
10 call the general public.

11 I have lights on the podium
12 and we flash them at four minutes and it
13 basically says that you have one minute
14 to go, and then we ask that you conclude.

15 We have a court reporter
16 here, and we're taking a transcript of
17 everything that is said.

18 I ask that you make an
19 effort to speak distinctly and in a
20 normal voice and speed.

21 I know that some people
22 aren't used to public speaking, and we're
23 just simply trying to get a good
24 transcript.

25 We have a small group here

1 this morning, and some of the larger
2 groups we've had some interruption of
3 speakers.

4 I would ask each person here
5 to extend the same courtesy to the
6 speaker as they would wish to have
7 extended to them.

8 I've listened to probably
9 150 people give their public
10 presentations, and from my impression,
11 it's that each person has spent a
12 significant amount of time preparing
13 their remarks, and I think they have a
14 right to have -- be able to say their
15 remarks in peace, and with respect from
16 the audience, even if you disagree with
17 the person, even if you disagree with
18 them strongly, I think as a matter of
19 fact even more so if you disagree with
20 them strongly.

21 One final thing, the
22 individuals from the Department of Energy
23 are not here today to answer questions.
24 This is a public comment proceeding for
25 the preparation of a final Environment

1 Impact Statement.

2 They're essentially here to
3 listen and learn from you folks.

4 With that, I would like to
5 have --

6 Well what I will do is I
7 will call the pre-registered speakers in
8 the order that they're on the list, and
9 what we have done in the past when we
10 have speakers who registered at the door,
11 we have them come after the
12 pre-registered speakers have made their
13 presentations.

14 Sometimes this has been a
15 little inconvenient for people that have
16 been here, because we have people that
17 have registered that don't show up and we
18 just simply do the best we can.

19 The first person listed is
20 Amy Bunting, is Amy Bunting here?

21 Thank you. We appreciate
22 you being here.

23 MS. BUNTING: Is this the
24 mike I speak into?

25 HEARING OFFICER O'RIOEDAN:

12

1 Yes, you're on. 16-Jun-89: TS-00558, PAGE 1 OF 7

2 MS. BUNTING: My name is Amy
3 Bunting, and I'd like to begin by saying
4 that I think that the DOE is handling
5 these hearings is despicable.

6 Dividing us into three
7 separate rooms and giving us unreasonable
8 hours to testify makes it clear to me
9 that the DOE could care less about what
10 we had to say.

11 Be that as it may, and mad
12 as I am, I shall continue.

13 I live in the Eldorado
14 Development, access to which is via Route
15 285. If the WIPP site were to open,
16 those of us in Eldorado could expect
17 three truck loads of radioactive waste
18 per day for the next twenty years. There
19 is no by-pass plan for Route 285.

20 Each of those three trucks
21 would be carrying three trupacts each,
22 each trupact as stated in this, would
23 be eight feet wide by ten feet wide, so
24 we're not talking about little pick-up
25 trucks here, we're talking about three

8-7

7.3.3.1-2
7.15.4-1

13

1 16-Jun-89: TS-00558, PAGE 2 OF 7
2 very, very large trucks, daily going down
3 that highway.

4 Just turning off I-25 to
5 Route 285, will be an interesting maneuver
6 to say the least, especially during the
7 icy road conditions of our winters.

8 Anyone who has driven down
9 285 at that intersection is aware of the
10 narrow traffic feed lane and hazardous
11 conditions any kind of inclement weather
12 poses.

13 Now when I look at the map
14 of the transportation routes planned for
15 this nuclear waste, I am appalled.

16 I wonder if the public
17 realizes that practically every state in
18 the Union will have these giant
19 radioactive waste trucks going through on
20 a regular basis.

21 Why oh why spend billions of
22 tax dollars to haul this deadly waste all
23 over the country, it just doesn't make
24 sense.

25 In order to create the bombs
from which this nuclear waste comes, we

7.3.3.1-2
7.15.4-1

3.4-1

14

16-Jun-89: TS-00558, PAGE 3 OF 7

1 have used billions and billions, not
2 millions, but billions of tax dollars,
3 which could have been used on our
4 dangerously deteriorating
5 infra-structures such as our national
6 highways, down which the DOE now wants to
7 haul this nuclear waste.

8 The DOE is willing to risk
9 endangering and in some cases, the
10 nuclear waste has already killed by
11 cancer deaths, our citizens, because of a
12 mass hatred and fear of citizens in
13 another country about whom our citizens
14 know next to zero, such is our national
15 insanity perpetuated by the DOE.

16 Now maybe it's the mother in
17 me, but I love where I live, and I have a
18 gut instinct that you don't foul the nest
19 you live in, and I have an equal gut
20 instinct that you don't systematically
21 think up ways to exterminate your own
22 species.

23 If I sound emotional, you
24 bet I am, and we had all better feeling
25 emotional about caring for this planet

15

16-Jun-89: TS-00558, PAGE 4 OF 7

1 that we live on.

2 We can dig leaky holes in
3 the ground and try to hide the hideous
4 waste we have created, and then go right
5 on creating more, or we can choose to
6 take responsibility and say no, and keep
7 the existing nuclear waste above ground.

8 We need to let the
9 government, the DOE and the scientific
10 community know, that we do not want
11 anymore nuclear warheads to be built.

12 The scientists were so
13 brilliant that they thought up these
14 monstrous weapons. Now we want them to
15 use their expertise to solve the real
16 problem of how to deactivate the
17 radioactive waste so that it doesn't
18 continue to threaten life on earth.

19 I say no shoving it in an
20 expensive hole in the ground with the
21 stupid out-of-sight out-of-mind
22 mentality.

23 It must remain above ground
24 where it can be visibly monitored and as
25 a constant reminder of the total failure

1-2
36-1
36-2

52-1
52-2

16

16-JUN-89: TS-00558, PAGE 5 OF 7

1 of this nation to deal with conflict in
2 any way but violently to the max.

3 You can't get more max than
4 instant frying or slow cancerous death.

5 Now we're told that these
6 giant trupaets are absolutely leak-proof,
7 well then why not put the nuclear waste
8 in them as planned, and let them stay
9 right where the waste was created, above
10 ground.

11 There is no need to haul
12 them thousands of miles away.

13 So now what do we do with
14 this marvelous technological wonder of a
15 hold called WIPP?

16 My suggestion, and I'm very
17 serious about this, is that we turn it
18 into a maximum security prison for
19 particularly irredeemable life term
20 prisoners.

21 We could get the word out
22 that instead of prison ordinary style,
23 anyone convicted of major drug or murder
24 crimes, will be forced to spend the rest
25 of his/her life, no parole, underground

1-2
36-2
53-1

17

16-JUN-89: TS-00558, PAGE 6 OF 7

1 in the WIPP hole, never to see the light
2 of day.

3 And on the lighter side,
4 just to test the living conditions, it
5 would be a good idea for our Governor to
6 spend a few years down there since he
7 seems so enamored of the site.

8 My final word is to the DOE,
9 you've lied to us, withheld information,
10 misled us and generally ignored us.
11 There is no reason for us to trust you on
12 the safety of this project, particularly
13 on the transportation of the nuclear
14 waste.

15 So I say keep it in your
16 leak-proof trupaets right where it's
17 being created, and let the people in
18 Rocky Flats, Idaho Falls, Hanford and
19 Savannah, live with the trupaets, since
20 it was their choice to make their living
21 by creating nuclear weapons.

22 It is not New Mexican's
23 responsibility to turn our beautiful
24 state into your radioactive waste heap.

25 Thank you.

1-2
32-1
41-1

41-1

18

16-Jun-89: TS-00558, PAGE 7 OF 7

HEARING OFFICER O'RIORDAN:

Any Bunting's comments will be Exhibit 413.

Our next person on the list is Julie Sullivan, is Julie here?

I would ask that each person, as they give their presentation, give their name and address and I won't start the time until after that's done.

MS. SULLIVAN: Good morning, my name is Julie Sullivan, my address is P. O. Box 2796, Santa Fe, New Mexico 87584.

HEARING OFFICER O'RIORDAN: Thank you.

MS. SULLIVAN: I'm grateful for this opportunity to express my feelings concerning WIPP.

I am fully and strongly opposed to the Waste Isolation Pilot Project.

It is indeed a criminal act, considering burying the nuclear waste in the ground in our mother earth.

Plutonium is an unstable

16-Jun-89: TS-00559, PAGE 1 OF 4

1-2

19

16-Jun-89: TS-00559, PAGE 2 OF 4
molecule, it cannot --

HEARING OFFICER O'RIORDAN:

Excuse me, the court reporter -- I'm sorry.

MS. SULLIVAN: Would you like me to start over?

HEARING OFFICER O'RIORDAN: Should she start over?

COURT REPORTER: No, I got it, it was just something here happened and -- okay.

Why don't you go through to your last sentence.

MS. SULLIVAN: Okay.

It is indeed a criminal act to consider burying the nuclear waste in the ground in our mother earth.

Plutonium is an unstable molecule, it cannot be contained.

To disturb what we have already created in waste is very foolish.

I believe we need to leave our waste where it is and seal it until further action can be decided upon as to rendering it neutral.

53-1

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20

16-Jun-89: TS-00559, PAGE 3 OF 4

We have brilliant scientists in our country, ones who are close to the knowledge and deeds who understand the ways to neutralize the deadly waste.

It is time to stop the production of material which leaves behind the nuclear waste, waste that is slowly but surely killing us.

The human race is precious, as are all living things on our planet.

We have made great error in destroying our natural resource, our planet earth, with pollution, with disturbing the ozone layer, with cutting of the rain forests and with nuclear contamination.

The nuclear is a fooler, it does its harm in a slow, silent, timely way, very deadly.

I call for a moratorium to stop production, we have other ways, more honorable and peaceable for power sources.

The idea of transportation is foolish and stupid, it can only lead

5.3-1

3.6-1

3.6-1

7.3.5.1-12

21

16-Jun-89: TS-00559, PAGE 4 OF 4

to devastation.

We have an issue far greater than we know here, it's out of control.

Let us stop it by letting it stay in the various states, at the sites already contaminated. Let us cover it up so that it cannot escape, seal it, and then when we are aware of the next step, proceed.

We have alternatives, options, peaceful ways and sane ways.

The DOE has not shown itself to be trustworthy, as evidenced in Rocky Flats. They are rushing to make our state a garbage dump for the nation. This must not occur, for the safety of us all.

Let us stop all movement and create safe alternatives.

Our forefathers did not have this in mind, in God we must trust to show us a new way, for we have the answer already, WIPP must be stopped.

Thank you.

HEARING OFFICER O'RLODAN:

7.3.5.1-12

1-2

3.2-1

22

1 Thank you. 16-Jun-89: TS-00560, PAGE 1 OF 4
 2 Our next commentator is
 3 Maurice Weisberg, who is taking Prentiss
 4 Childs' place.

5 MR. WEISBERG: yes, I'm --
 6 do you want my address?

7 HEARING OFFICER O'RIORDAN:
 8 Name and address, please.

9 MR. WEISBERG: My address is
 10 1677 Cerro Gordo, shall I spell that?

11 C-e-r-r-o, Gordo, G-o-r-d-o.

12 HEARING OFFICER O'RIORDAN:
 13 Thank you.

14 MR. WEISBERG: I'm reading
 15 this for Nancy and Prentiss Childs, who
 16 are out of the country.

17 They sent me this to read
 18 for them and it begins as follows.

19 As long term residents of
 20 New Mexico, we've been concerned about
 21 the WIPP project since its inception.

22 Millions of dollars have
 23 been spent on preparing environmental
 24 impact statements. Worthless documents
 25 answering nothing. A disgrace.

1-2
2.3.1-2

23

16-Jun-89: TS-00560, PAGE 2 OF 4

1 We are asking that no action
 2 be taken by DOE. Keep WIPP shut. Take
 3 waste elsewhere, or better yet, stop
 4 generating radioactive waste altogether.

5 The citizenry of both Idaho
 6 and Colorado are up in arms about
 7 transuranic waste storage and generation.
 8 Why should New Mexico have to accept what
 9 Idaho and Colorado have rejected?

10 Why should New Mexico have
 11 to accept the piles of contaminated
 12 gloves, tools and other radioactive
 13 rubbish that have been building up for
 14 years in the ten various weapons plants
 15 and research laboratories?

16 WIPP cannot be operated
 17 safely. The study makes this clear by
 18 neglecting to prove the contrary.

19 It would be insane to open
 20 WIPP without even complying with Federal
 21 environment standards, which are minimal.

22 WIPP, as Don Hancock of
 23 Albuquerque's Southwest Research and
 24 Information Center says, will be another
 25 DOE facility that will contaminate the

1-2
3.6-1

3.1-2

12

24

16-Jun-89: TS-00360, PAGE 3 OF 4

1 environment and cost billions to clean
2 up.

3 We do not want WIPP to open
4 now or ever. We do not want nuclear
5 waste passing through Santa Fe County,
6 where we live.

7 Remember, it takes 24,000
8 years for a speck of plutonium to lose
9 half its radioactivity.

10 Thank you for considering
11 our views, and with great sincerity,
12 Nancy Childs and Prentiss Childs.

13 HEARING OFFICER O'RIORDAN:
14 Thank you.

15 Mr. Weisberg, do you want to
16 make that a part of the record, that
17 letter?

18 MR. WEISBERG: Yes.

19 HEARING OFFICER O'RIORDAN:
20 Okay, we will make the Childs' letter
21 Exhibit Number 414.

22 (The document above-
23 referred to was marked for
24 identification as
25 Exhibit No. 414, and

3.1-2

1-2
7.3.3-3

25

16-Jun-89: TS-00360, PAGE 4 OF 4

1 received into evidence.)
2 Next is Victor Ramal, is
3 Victor Ramal here?

4 (No response.)

5 HEARING OFFICER O'RIORDAN:
6 Is Toby Lawford here? Toby Lawford.

7 (No r 16-Jun-89: TS-00361, PAGE 1 OF 11
8 Lis Rymland? Thank you.
9 Would you please give your
10 name and address?

11 MR. RYMLAND: Sure. My name
12 is Lix Rymland and the address is 1274
13 Calle De Comercio, Santa Fe, 87502.

14 The poisoning of our planet
15 challenges us to put nationalism,
16 patriotism and factionalism to bed
17 forever.

18 Patriotism no longer serves
19 us. It is a baby blanket. The only
20 thing about nationalism that serves us is
21 Marilyn Horne's singing the anthem at the
22 Macey's Day Parade. Nationalism no
23 longer serves us.

24 Political, oppositional
25 thinking no longer serves us. Because,

9-1

26

16-Jun-89: TS-00561, PAGE 2 OF 11

1 we're all made of the same stuff, we're
2 all made of the stuff that is being
3 poisoned. We all come from the same gene
4 pool that is threatened by gene deranging
5 substances.

6 If we don't act fast we will
7 all soon feel sick. It's no fun to be
8 sick.

9 Besides, at heart we are
10 tired of the dog fight between the black
11 and white dog. We're tired of politics,
12 it's boring.

13 We've got to go beyond yes
14 or nay with this issue. We've got to
15 begin to create at the same scale as we
16 destroy.

17 We've gotten lost in the
18 details. We're all armed with facts and
19 figures about a set of bad ideas that are
20 over forty years old.

21 The radioactive waste issue
22 is no longer a political problem. It
23 threatens us all equally.

24 We are all caring and
25 concerned people who need to pool their

3.12
5.3-136-1
52-1
52-2

27

16-Jun-89: TS-00561, PAGE 3 OF 11

1 resources quickly.

2 The radioactive waste issue
3 is a creative problem, it's an economic
4 problem, and the more we treat this as a
5 political problem, the more we
6 factionalize, the more we lie to each
7 other, the more we project our shadows
8 and hatred onto each other.

9 This hatred is the stuff of
10 toxic waste, it's the same thing, and
11 it's making us sick.

12 The DOE are not Nazi
13 doctors. They are hard working,
14 concerned people.

15 The opponents of WIPP are
16 not mindless hippies, we have to go
17 beyond oppositional thinking, we have to
18 get really creative with it.

19 If we have the money and
20 the resources to stockpile death, we
21 certainly have the resources to detoxify
22 and revive the planet.

23 Nature itself has given us
24 ten solutions to every problem. We don't
25 have to pay for research. All the

36-1
52-1
52-2

5.3-1

28

16-Jun-89: TS-00561, PAGE 4 OF 11

1 solutions to clean, free energy and the
2 transformation of waste exist in vaults
3 under lock and key and just need to be
4 brought to the light of day.

5 An example. A Filipino has
6 taken a biological problem and turned it
7 into a miracle. From a total lay
8 position, Dr. Godredo Monsade has worked
9 for years studying the Water Hyacinth.
10 It is considered by the
11 petrochemical/pesticide manufacturers as
12 one of the most noxious weeds known to
13 man. It is clogging the waterways in
14 Australia. It grows where ever there is
15 waste.

16 It is another piece of God,
17 a miracle, because what it does is take
18 toxic waste such as Dioxin and a host of
19 other life-threatening chemicals, and
20 like a jackal or a saint, this plant,
21 this piece of God takes up the poisons
22 into its root systems and cellularly and
23 microbiologically crunches them.

24 The petrochemical/pesticide
25 manufacturers treat the Water Hyacinth as

9-1

29

16-Jun-89: TS-00561, PAGE 5 OF 11

1 an enemy. Imagine, nature is begging to
2 give us medicines and solutions to toxic
3 waste in abundance and what do we do?
4 Poison these plants from the sky.

5 We should be worshipping
6 this plant, not waging war against it.

7 Dr. Monsade recognized the
8 miracle in this plant and he thought
9 there must be a reason why God would have
10 this plant grow in abundance all of the
11 sudden, it grows where ever poisons are.
12 He thought, you don't poison life, you
13 use what God gives us in abundance.

14 As a lay person he went to
15 make -- he went on to make 48 major
16 products from that plant, he made a
17 compound of Vitamin A that's curing
18 blindness, and he's making paper products
19 and a number of other things.

20 He did another miracle, he
21 got Filipinos to eat green bread. We
22 sell them our "shitty" depleted wheat to
23 keep them stupid and adds Water Hyacinth
24 protein into their bellies.

25 He's made organic

9-1

16-Jun-89: TS-00561, PAGE 6 OF 11

1 preservatives and on some --

2 Someone on the earth has
3 neutralized radioactive waste through
4 algae and Water Hyacinth, I don't know
5 who it is right now.

6 When Monade started to be
7 successful, everyone thought of him as
8 insane.

9 We banish our visionaries to
10 the fringes and call them cranks.

11 I suggest that we begin to
12 look to the fringes for solutions and to
13 the cranks for clues.

14 The heroes journey involves
15 thinking for ourselves. the heroes
16 journey involves the transformation of
17 waste.

18 It is time that we stick our
19 hands into the wound and bring life to
20 the scorched and ailing places.

21 We have created a world
22 economy based on stockpiling death. Is
23 it possible for us to create a world
24 economy based on our most wild
25 imaginings?

9-1

16-Jun-89: TS-00561, PAGE 7 OF 11

1 Other instances of heroic
2 transformations of waste can be found in
3 the numerous case studies of the
4 conversion of military industries to
5 domestic production.

6 The Lucas Aerospace Plan,
7 the Landskrona Production in Sweden, the
8 conversion work at Krupp's MAK factory in
9 Kiel, Blohm and Voss in Hamburg. Blohm
10 and Voss for instance, converted tank
11 parts production into two main areas,
12 ship building and energy policy. The
13 workers decided to investigate a plan to
14 build anchored ships containing small
15 windmills that would be installed in
16 off-shore locations, and could generate
17 as much energy as a 700 megawatt, nuclear
18 fueled power plant.

19 Now, the challenge is to
20 transform wastes in the form of wasted
21 human effort. What do we do with
22 prisoners, what can they teach us? What
23 can we do with mental patients? What can
24 we do with the mafia? What do we do with
25 the corporate gamblers?

9-1

32

16-Jun-89: TS-00561, PAGE 8 OF 11

1 We have the means to heal
2 even the crazy people and at least study
3 them in kind environments.

4 We have the means to make
5 the mafia and corporate gamblers happy
6 without untold destruction to the
7 biosphere. All of these people could be
8 made very useful.

9 We're bored with
10 oppositional thinking. We need to build
11 an economy based on better, more exciting
12 games than war.

13 Our nomadic ancestors were
14 thoroughly challenged by the mysterious
15 forms and changes of nature. As they
16 move across the land, the bodies and
17 minds were entirely charged and
18 challenged by the soulful intelligence of
19 nature.

20 The non-human world was
21 alive with the secret information force.
22 We've stopped physically moving, we've
23 become stagnant. Our little homes are
24 stultifying, the work is no longer a
25 spiritual adventure. The only adventure

9-1

36-1

9-1

33

16-Jun-89: TS-00561, PAGE 9 OF 11

1 comes through the television set. No
2 wonder we behave like sleep walking
3 monsters, destroying everything that once
4 sustained us. There is no more deep
5 purpose in our lives.

6 I'm not suggesting that we
7 go back in time, I am suggesting that we
8 invent better, more exciting games than
9 war.

10 There have been sources of
11 clean and free energy since beginningless
12 (sic.) time. There are ways to
13 neutralise the waste.

14 No one wants to, it's a
15 multi billion, trillion, dollar business,
16 run by you know who.

17 The mark of courage will be
18 the ability to look into the face of our
19 shadow side and begin to re-configure it
20 into life giving substance.

21 That means discovering
22 wisdom and value in our enemies, for the
23 things that we can learn.

24 The Soviets for example, the
25 fact that we have had so much trouble

9-1

36-1
7.15.3-2
7.15.3-11
9-3

9-1

16-Jun-89: TS-00561, PAGE 10 OF 11

1 with the Soviets and Communism probably
2 stems from the fact that we have
3 something -- some hard lessons to learn
4 from them.

5 The problem of Communism is
6 that it sacrifices the individual for the
7 good of the whole.

8 The problem with Capitalism
9 has always been that it sacrifices the
10 whole for the good of a few strong, well
11 bred individuals.

12 The Soviets, the Americans,
13 we mirror one another. Now we must trade
14 aspects, trade secrets and each become
15 more intelligent and whole.

16 That means looking at the
17 poisons we make, sticking our hand into
18 the wound and bringing life, spirit and
19 imagination into the scorched places.

20 This is the contemporary
21 heroes journey..

22 HEARING OFFICER O'RIORDAN:

23 Thank you. Would you like for that to be
24 part of the record?

25 MS. RYLAND: What did you

9-1

16-Jun-89: TS-00561, PAGE 11 OF 11

1 say?

2 HEARING OFFICER O'RIORDAN:

3 Would you like to have your remarks made
4 a part of the record?

5 Okay, that will be Exhibit
6 Number 415.

7 (The document above-
8 referred to was marked for
9 identification as
10 Exhibit No. 415, and
11 received into evidence.)

12 I should point out that
13 we're keeping a transcript too, so if you
14 don't make written remarks a part of the
15 record, what you say orally is part of
16 the record.

16-Jun-89: TS-00562, PAGE 1 OF 7

17 Is Steve Low here? You're
18 next, Mr. Low.

19 If you could start, and each
20 other person start, by giving their name
21 and address, and we have a five minute
22 time limit, and I flash the green light
23 at one minute to go.

24 Thank you.

25 MR. LOW: I'm Steve Low, 447

36

16-Jun-89: TS-00562, PAGE 2 OF 7

Cerrillos Road, Santa Fe, 87501.

Thank you for this opportunity to speak at these hearings.

If this is the practice of democracy, I hope the voices and statements of these people at these hearings will be heard and acted upon by you.

Unfortunately, we are divided into three rooms, jeopardizing the very nature of a public hearing.

In any case, I am opposed to MIPP.

I believe turning New Mexico into a nuclear dump undermines the value of our state and the health and safety of our people.

Too many negative factors have amassed for me to feel any other way.

This project was designed years ago, and is now leaking salt brine. This brine, mixing with the water could create gas, which mixing with the waste could create gas pressure resulting in a

8-7

1-2

7.8.5-2
7.8.6-1
7.14-17

37

16-Jun-89: TS-00562, PAGE 3 OF 7

radioactive release into the atmosphere.

This project was designed for dry, salt beds. These beds are not dry.

Also, the storage room walls are moving faster than expected. These problems suggest to me that the site is unsafe to contain radioactive, hazardous waste.

Another major problem, the proposed by-pass has never been built around Santa Fe, and the idea of trucks driving with radioactive waste on St. Francis Drive, and through these areas and communities, is absolutely insane.

Considering the enormous number of accidents on this artery and the rest of the roads in our state, full of drunken drivers.

In the event of an accident involving radioactive waste, the citizens in the surrounding area would be left in the ultimately dismal position of having to experience their death or their subsequent disease if they live, as a

7.8.5-2

7.7.3-1

7.15.4-1

7.3.3-4

7.3.5.4-3

16-Jun-89: TS-00562, PAGE 4 OF 7

1 result of a worse case scenario, such as
2 a trupact leak or explosion.

3 In the SEIS Report by the
4 DOE, the description of an accident is
5 appalling and futile. Nothing makes
6 sense in terms of barricades and crowd
7 control, considering Page D-72 in Volume
8 2, 1989, which states, the wind is the
9 controller of the dispersal of
10 radioactive release. So setting a
11 barricade 188 or 288 feet from the
12 accident is infantile and ludicrous.

13 What if the accident occurs
14 on St. Francis Drive in Cerrillos Road?

15 On Page C-2 of Volume 2,
16 1989, suggestions for handling
17 radioactive waste by the DOE, and I
18 quote, remain calm, do not be overly
19 concerned with the presence of
20 radioactive material or allow it to
21 disrupt the usual emergency response
22 activities, are an insult to
23 intelligence.

24 Who wrote this, a lunatic
25 comedian?

7.3.5.4-3

3.2-1

16-Jun-89: TS-00562, PAGE 5 OF 7

1 One particle of plutonium,
2 smaller than a pin head can kill us,
3 which brings us to Page 7-4, Volume 1,
4 1989, which states, "the transportation
5 of TRU waste to the WIPP would expose
6 people near the transportation routes to
7 radiation". And I add, even without an
8 accident.

9 I live near St. Francis
10 Drive. This is mad. This is anti-life.
11 Human life is at stake. Property is
12 implicated.

13 Who would assume liability
14 in the event of a catastrophe?

15 The DOE says it will replace
16 contaminated uniforms, but what about our
17 environment and lives, not even the DOE
18 can replace them.

19 Santa Fe and New Mexico are
20 wonders in our world. How can we even
21 consider such an idea, that could destroy
22 our environment for generations to come.

23 Plutonium lasts thousands of
24 years, property values will decline. Who
25 wants to live on the dump road, who wants

7.3.5.2-4
7.3.5.4-3
7.15.4-2

3.1-5

7.2-2

20

40

16-Jun-89: TS-00562, PAGE 6 OF 7

1 to live in the dump state? I guess our
2 Governor.

3 Everything indicates that
4 WIPP should not open until so many
5 questions are addressed honestly.

6 New Mexico has a history and
7 active reputation as a healing place, a
8 place to retreat, to reflect, to balance,
9 to introduce a nuclear dump into New
10 Mexico and invite the nation's
11 radioactive hazardous waste to converge
12 here for eternity is a dangerous idea, at
13 odds with so many dreams, visions,
14 quests, so much hope and energy.

15 WIPP will only add emotional
16 distress, health problems, anxiety.

17 Obviously, WIPP is
18 unacceptable. It is "managed", and I use
19 that word in quotes, by the Department of
20 Energy, notorious for deception and lies.

21 Our nation is marked with
22 scandals of handling radioactive and
23 hazardous waste.

24 At this moment, the FBI is
25 investigating the DOE office in

72-2

72-3

32-1

41

16-Jun-89: TS-00562, PAGE 7 OF 7

1 Albuquerque, and Rocky Flats, and their
2 handling of radioactive waste and
3 storage.

4 How can we trust a group of
5 men with a record as horrific as the DOE?
6 Too many lies have been revealed, too
7 many disasters have already happened.

8 The planet is delicately
9 poised in our hands. We must be
10 responsible to the earth and to each
11 other.

12 No small group of men, with
13 a reputation as shoddy and diabolical as
14 the Department of Energy, should ever
15 make decisions for the rest of us.

16 My plea is earnest, stop
17 WIPP now. 16-Jun-89: TS-00563, PAGE 1 OF 7

18 HEARING OFFICER O'RIORDAN:
19 I understand that Jeff Harbor is here.
20 You're next, Mr. Harbor.

21 MR. HARBOR: My name is Jeff
22 Harbor, I live at 918 Gildersleeve in
23 Santa Fe, 87581.

24 HEARING OFFICER O'RIORDAN:
25 Thanks.

32-1

1-2

42

16-Jun-89: TS-00563, PAGE 2 OF 7

1 MR. HARBOR: I did not
2 prepare a written statement, but will
3 speak extemporaneously from notes.

4 First, I would like to thank
5 the other speakers for their comments
6 this morning.

7 President Bush recently said
8 that it is the responsibility of every
9 man, woman and child in our society, to
10 speak out for the environment, to protect
11 our environment.

12 That's why I'm here today,
13 because I feel that our environment is in
14 danger from the actions of the Department
15 of Energy and from the possible opening,
16 the proposed opening of WIPP in the
17 coming months.

18 I have a variety of concerns
19 that I want to talk about this morning.

20 The first thing that comes
21 to my mind is the current cost of clean
22 up which has been estimated at one
23 hundred billion dollars, from DOE
24 records, supplied to the general
25 accounting office.

3.1-2

3.6-2
5.3-1

43

16-Jun-89: TS-00563, PAGE 3 OF 7

1 This year the Bush
2 administration allocated approximately
3 five hundred million dollars for clean
4 up, that's one half of one per cent of
5 the estimated cost of current
6 contamination of DOE sites.

7 That doesn't keep up with
8 inflation.

9 By the time my daughter, who
10 is now 7, is grown, if we keep spending
11 one half of one per cent of the current
12 clean up costs, the cost for current
13 clean up will have doubled. In other
14 words, instead of being one hundred
15 billion, it would be two hundred billion.

16 This is unacceptable. It's
17 unacceptable to me, that in my lifetime,
18 we have created these wastes and we're
19 not going to do anything about it, we're
20 going to leave it for our children to
21 clean up.

22 I'm also concerned about the
23 transportation issue. The Trupact One
24 did not succeed, so now the DOE has
25 presented us with the Trupact Two, and

9-1

7.3.1-2
7.3.1.1-2

22

44

16-Jun-89: TS-00563, PAGE 4 OF 7

are treating it as if it were a used car,
a version of a car that didn't work, it's
sort of like the Edsel 2, and it doesn't
give me much confidence.

New Mexico has not been
given the money that we were promised for
highway improvement.

I do not believe that the
training has been provided, which was
promised when the WIPP site was initially
proposed.

I am also very concerned
about the DOE's record. Everywhere I
look in the newspapers, everything I hear
about the DOE, tells me that the DOE is
not taking care of national security, but
under the guise of national security, is
endangering our environment and our
society.

Krushchev said years ago, we
will conquer you without firing a shot.
Now I'm beginning to understand what he
meant.

The arms race has
accelerated to such a degree that we

7.3.1-2
7.3.1.1-27.3.3-5
7.15.4-1

7.12.9-1

3.2-1

45

16-Jun-89: TS-00563, PAGE 5 OF 7

cannot control the waste.

I do not believe that we
have the technological capability of
dealing with it, and I do not believe it
is wise to take the most toxic substance
in the world and ship it 2886 miles, from
all directions, to a corner of New Mexico
to a site that has a proposed life of 25
years, and call that a permanent solution
to the nuclear waste problem, as Mr.
Arthur, the director of the WIPP project,
said in yesterday's Reporter.

We also said that computer
models show that less than one death will
occur from radioactivity resulting from
the WIPP project.

Computer models lie in the
same way that people can lie. A computer
model only puts out what is put into it.
In other words, it's dependent on the
input for the results.

If you have a bias, when
you're entering your information, the
bias is going to come out on the other
side. I believe this is clearly the

1-2

32-1

46

16-Jun-89: TS-00563, PAGE 6 OF 7

1 case.

2 Common sense tells me, my
3 fellow citizens, that the WIPP site is
4 not in the best interests of our country,
5 locally or nationally. The risks are too
6 high.

7 We've been given economic
8 incentive as the reason for WIPP.
9 Economic incentive should not be a
10 priority here. There are much more grave
11 considerations at hand.

12 I believe that we are the
13 custodians of the earth and the
14 custodians of our children's future. I
15 believe the best way to assume that
16 responsibility and to carry it out is to
17 clean up the existing WIPP sites, to put
18 the money we have, including the money
19 that has been spent on WIPP, which is a
20 little less than a billion dollars or one
21 per cent of the current cost to clean up
22 what we estimate existing contamination
23 is, and use it to enhance those sites, to
24 make those as safe as possible for the
25 people that live in those areas, and for

3.2-1

3.6-2
5.3-1

47

16-Jun-89: TS-00563, PAGE 7 OF 7

1 all of us.

2 I also believe to paraphrase
3 William Blake, that the righteous
4 indignation of the people that has been
5 expressed here, is the voice of God, and
6 I plead with the Department of Energy
7 officials, whoever you are, whoever is
8 making the decision, whoever holds power,
9 to heed this voice and to behave
10 responsibly, and by all means, to make
11 WIPP be monitored at every step of the
12 way by the Environmental Protection
13 Agency and to meet the minimum
14 Environmental Protection Agency
15 requirements over the proposed three year
16 period, trial period.

17 I am opposed to that, but I
18 say that we must have accountability and
19 the Department of Energy cannot monitor
20 itself.

21 Thank you.

22 HEARING OFFICER O'RIORDAN:

23 Is Victor Ramal here?

24 (No response.)

25 He was supposed to be here

3.6-2
5.3-1

3.1-8

48

1 earlier.

2 Okay, how about Toby
3 Lawford?

4 (No response.)

5 Is Steve Kress here?

6 (No response.)

7 HEARING OFFICER O'RIORDAN:

8 Jeanne Farmer? Is Jeanne Farmer here,
9 P-a-r-m-e-r?

10 (No response.)

11 Sydney Walter, is Sydney
12 Walter here? 16-Jun-89: TS-00564, PAGE 1 OF 3

13 You're next, Mr. Walter.

14 MR. WALTER: Sydney Walter,
15 I live at 288 Calle San Simon in Santa
16 Fe.

17 Well, I guess you guys are
18 the DOE in Santa Fe, and I guess you're
19 going to have to listen to an awful lot
20 of unpleasant testimony from your point
21 of view today.

22 And you want the WIPP site
23 to open in September, so I guess what
24 you're saying is trust us, we'll do it
25 right.

49

16-Jun-89: TS-00564, PAGE 2 OF 3

1 I want to just quote three,
2 and this is a very small sample from our
3 local newspaper, which is not known as a
4 leftist, radical publication.

5 This is about the cracks.
6 The cracks were not disclosed in any
7 reports, about the repository, including
8 a two volume assessment of environmental
9 effects that is now the subject of public
10 hearings around the country. The cracks
11 were found however, in an inspection on
12 May 2nd, by a member of the environmental
13 evaluation group and at issue is whether
14 the repository is safe for workers and
15 whether the Government can fulfill its
16 promise that in the event of a problem,
17 waste stored in the repository in its
18 first years of operation, could be easily
19 retrieved.

20 Now this is another one.
21 The ability of the Federal Department of
22 Energy to safely operate the Waste
23 Isolation Pilot Plant near Carlsbad, has
24 been questioned for the tenth time by a
25 state scientific group. The

7.12.6-4
7.12.8.1-3

50

16-Jun-89: TS-00564, PAGE 3 OF 5

1 environmental evaluation group, a
2 federally funded oversight panel operated
3 by the state, said a safety report
4 prepared by the Energy Department is
5 incomplete and some calculations are
6 inaccurate.

7 And again, meanwhile, an
8 independent academic group, scientists
9 review panel, has rejected Department of
10 Energy plans for nuclear waste
11 experiments at the nation's first
12 repository for such trash, saying that
13 the plans are inadequate.

14 So other groups that don't
15 seem to have a vested interest in WIPP
16 opening, say it's not safe, and you guys
17 say trust us, but you don't seem
18 trustworthy.

19 I'm sorry to say, that all
20 over the country, as this gentleman
21 mentioned, there's a fantastic mess
22 that's going to cost billions and
23 billions to clean up.

24 Now you're saying, well in
25 spite of the fact that these independent

3.2-1

51

16-Jun-89: TS-00564, PAGE 4 OF 5

1 groups say that the situation isn't safe,
2 let's go ahead and put the junk in the
3 ground anyway.

4 I don't trust you, and I
5 don't think that WIPP should be opened
6 until absolutely all the safeguards and
7 the EPA regulations are met, at minimum.

8 I don't think it should be
9 put in the ground at all. I think that
10 the handling of nuclear waste has been a
11 matter of denial by the DOE from the
12 beginning.

13 From the beginning we've
14 been reassured and now we have to face
15 this incredible mess all over the
16 country.

17 Putting it away in the
18 ground, where it's going to be presumably
19 safe for 200,000 years, is the ultimate
20 form of denial.

21 I think it should be kept
22 above ground until the technology is
23 available to detoxify it.

24 I imagine that sometime
25 before 200,000 is up, we'll be able to

3.1-3
3.2-1

1-2

52

16-Jun-89: TS-00564, PAGE 5 OF 5

1 handle this waste in some more
2 intelligent way than shoving it away in
3 the ground.

4 Thank you.

5 HEARING OFFICER O'RIORDAN:

6 Is Judith Weinstein here? Judith
7 Weinstein?

8 (No response.)

9 Is Tara Lavoto? Okay,
10 great.

16-Jun-89: TS-00565, PAGE 1 OF 9

11 MS. LAVOTO: Okay, I wanted
12 to --

13 HEARING OFFICER O'RIORDAN:

14 Could you give us your name?

15 MS. LAVOTO: My name is
16 Anbara Lavoto, A-n-h-a-i-a.

17 HEARING OFFICER O'RIORDAN:

18 Oh, we did make a mistake, okay thank
19 you. And your address?

20 MS. LAVOTO: Can I get a
21 drink of water?

22 HEARING OFFICER O'RIORDAN:

23 Yes, sure.

24 I think the water in that
25 pitcher is from last night -- oh, that's

53

16-Jun-89: TS-00565, PAGE 2 OF 9

1 coffee. This is water here, I'm sorry.

2 MS. LAVOTO: My address is
3 P. O. Box 114, Tesuque, New Mexico
4 87574. Oh, T-e-s-u-q-u-e.

5 Okay, I've written about a
6 hundred letters to DOE and all the
7 different congressmen and very factual
8 letters, but I wanted to make an
9 emotional speech, as a mother and as an
10 artist.

11 When we were demonstrating
12 and opposed to WIPP, some people said
13 well we should make this symbol, the
14 nuclear symbol, inside New Mexico symbol,
15 and I said don't do that because DOE
16 could make this into their symbol.

17 They even made a poster, you
18 know, an anti-WIPP poster with this
19 symbol, and then my little boy had DOE
20 people come to their school, and this was
21 the symbol that they had on their
22 literature. I said see, they made the
23 New Mexico symbol a WIPP, you see the New
24 Mexico symbol and how the WIPP sign is
25 inside it. It had a nuclear sign inside

54

16-Jun-89: TS-00565, PAGE 3 OF 9

1 it, and it's all broken up.

2 To me this is the symbol of
3 what you're going to do to us. You're
4 going to take New Mexico, the sacred sign
5 of the symbol, and you're going to put
6 nuclear energy and make us radioactive
7 and break us up and destroy us.

8 Now this is what -- if you
9 shot newborn babies with automatics
10 everyday, as soon as they were born, that
11 is what DOE stands to me.

12 DOE is a part of one of the
13 most hideous death cults, and they hide
14 under a sweet sounding name, like
15 Honeywell, DOE, General Electric.

16 DOE could pick out the kids
17 with allergies and choose death for them,
18 because the weakened, the newborn, the
19 fetus, especially the fetus, the sick,
20 the allergic person, the old, would be
21 the first to go.

22 The low levels of radiation
23 that are so-called tolerable to normal
24 adults, are lethal to these.

25 Will DOE take them out of

55

16-Jun-89: TS-00565, PAGE 4 OF 9

1 their loved ones arms and inject
2 radiation into their arms and toss them
3 in their graves at their own hands? No,
4 but the effect is still the same.

5 A civilized country cannot,
6 will not allow it. This is why there is
7 such a protest. DOE may not have started
8 out this way, but by covering up the
9 effects of their disastrous handling,
10 they have become so.

11 Now the whole U. S. is
12 wising up. Our trust is corroded along
13 with the radioactive barrels, and the
14 D. S. is preparing lawsuits, lots of
15 them.

16 The snowball is rolling and
17 nothing but a stop to these DOE crimes
18 will satisfy the people of the U.S.A. and
19 New Mexico.

20 New Mexico won't allow them
21 in the first place.

22 DOE, do you want a sane
23 world? I look around sincerely and what
24 I see is an insane world as far as a lot
25 of politics.

56

16-Jun-89: TS-00565, PAGE 5 OF 9

1 Do you know what my
2 definition of insane is? It's hurts,
3 contradictions, brutal lies and abuses,
4 that are pushed back inside our veins and
5 forgotten in order to survive.

6 You want us to forget your
7 dirty deeds. If we did, we'd be insane
8 too. Insanity is distress and distress
9 is caused by being hurt.

10 The reason we can all feel a
11 little insane and imbalanced, is because
12 we're being hurt, mentally and physically
13 abused, with every day and no relief.

14 DOE, do you want a sane
15 world? Then stop abusing people.

16 Let us live in peace without
17 being tortured with the thought of death
18 bearing trucks going endlessly by. There
19 is no peace in that, there is no peace.

20 Now can you expect mothers
21 to keep birthing, nurturing and nursing
22 little babies, and that's what I do, I'm
23 a mother in threat of radiation.

24 Did you know I just had a
25 baby, and here she is. I started out

3.2-1

57

16-Jun-89: TS-00565, PAGE 6 OF 9

1 last year with a vow. I wanted to let
2 everyone in New Mexico that WIPP would
3 mean the death of New Mexico as we know
4 it.

5 I was passing out leaflets
6 in the rain and the hail with my two
7 other children. We passed out 8,888
8 leaflets. It was after two weeks of
9 that, I could just stand and cry. I had
10 hardly been home to even feed my family
11 for days, and I was sick, it turned out
12 pregnant with this little one.

13 Do you want to know how it
14 feels for me to be pregnant at this time
15 in New Mexico? The WIPP opening was
16 scheduled in October, and I would be
17 giving birth in December. I would be
18 birthing and nursing a newborn baby as
19 the first trucks were carrying deadly
20 plutonium, one mile past my house.

21 I'm glad they delayed it
22 then, and I hope they delay it forever.

23 I seriously doubted my
24 sanity to bear a child into such an
25 uncertain world. I wanted to move, I

58

16-Jun-89: TS-00565, PAGE 7 OF 9

1 pleaded with my husband to move to
2 Sweden.

3 Then I heard Chernobyl had
4 doused Sweden with high levels of
5 plutonium, and after further research, I
6 found the whole world under pollution,
7 either from bomb testing power plants,
8 war zones or dumps, not to mention the
9 lethal earthly habits of effecting every
10 one --

11 Anyway, the whole world is
12 in a complete disaster. Ninety per cent
13 of the animals could be destroyed in ten
14 years, the ozone, deforestation, rain
15 forests, everything was in a big mess.

16 Without a nuclear war, all
17 this could happen, without a nuclear war
18 we are on the brink of destruction, and
19 because it's coming from inside our
20 planet, by the store of wastes,
21 ironically the wastes that we made to
22 kill other people.

23 Is that my time?

24 HEARING OFFICER O'RIORDAN:

25 Yes.

59

16-Jun-89: TS-00565, PAGE 8 OF 9

1 MS. LAVOTO: We're going to
2 destroy ourselves.

3 Anyway, I had a lot more to
4 say, but --

5 HEARING OFFICER O'RIORDAN:

6 You can submit comments to the record if
7 you want to do that at a later date.

8 MS. LAVOTO: Okay.

9 Anyway, all I'm saying, I'm
10 pleading as a mother, genetic damage to
11 the unborn child and the birth defects
12 causing the mental deficiency of the
13 entire nation of newborns, just these
14 kinda of defects that are caused by
15 radiation, can destroy the mental -- the
16 actual brains and the genetic pools,
17 because a lot of kids are born in bomb
18 testing areas, with incredibly low
19 capacity to learn, they're mentally
20 retarded in lots of ways, and it's really
21 sickening.

22 If you care one bit for a
23 little tiny life that starts out this
24 big, and that radiation comes around and
25 it's in the air, if it's anywhere, if you

30

60
16-Jun-89: TS-00565, PAGE 9 OF 9

1 care one bit about the future of our
2 planet, our life as human beings, do not
3 do anything with radiation.

4 Stick it in containers and
5 keep it there, really good ones, until a
6 future date. Our children are really
7 smart, they're going to figure out a way
8 to take care of it.

9 I'm sure they will.

10 Don't let it get out in
11 everything, please.

12 HEARING OFFICER O'RIORDAN:
13 Thank you.

14 Is Charley Drobeck here?
15 Charley Drobeck?

16 (No response.)

17 Is Richard Deyo? You're
18 next Mr. Deyo. 16-Jun-89: TS-00566, PAGE 1 OF 7

19 MR. DEYO: P. O. Box 2685,
20 Santa Fe.

21 I appreciate another
22 opportunity to show my love and respect
23 for you and everyone else.

24 I have written some
25 questions previously, and I haven't

1-2

61
16-Jun-89: TS-00566, PAGE 2 OF 7

1 gotten any answers back from you, and so
2 I'm very frustrated at the moment, simply
3 because I feel they're very important,
4 and it's like when I asked somebody
5 downstairs yesterday, the staff, whether
6 I could even ask anybody privately,
7 one-on-one, whether or not they knew the
8 answers to my specific questions, they
9 told me, you can't even do that.

10 And so I'm -- that's one of
11 the things that makes me frustrated right
12 at the moment.

13 Another thing that makes me
14 extremely frustrated is that when the
15 Federal Branch of the Government tells
16 the general public, you're only allowed
17 five minutes to speak, such arrogant
18 behavior to me, seems more criminal than
19 it does anything else. I mean it isn't
20 fair to you, it isn't fair to me, it
21 isn't fair to anyone else here, or
22 anybody else.

23 Certainly if the half life
24 of these materials is as long as they
25 claim them to be, it's the most blatant

8-6

62

16-Jun-89: TS-00566, PAGE 3 OF 7

1 form of hypocrisy that I've ever heard
2 of.

3 I intend for my comment to
4 be very brief at this particular thing
5 anyway, I'm not that eloquent a speaker
6 or anything, though I do have a few words
7 about a lot of the documents that the
8 Department of Energy I presume, placed in
9 the public library here in Santa Fe, that
10 are supposedly supporting the statements
11 that were taken -- that are in this --
12 there were zeroes of zeroes of zeroes,
13 and several of those things, you can't
14 read. I mean it's like last night, at
15 about 8:45, I went over to the public
16 library and I tried to find a couple of
17 the more blatant forms of the things that
18 you couldn't read.

19 I would dare anybody here to
20 try to read a report called Bloom Rice.
21 I mean I found that thing only looking
22 for five minutes.

23 Those two words are probably
24 the only thing you can read in that
25 entire report.

8-6

2.3.1-1

63

16-Jun-89: TS-00566, PAGE 4 OF 7

1 Another one that I thought
2 was rather interesting that came up quite
3 a bit yesterday, was the Beer Report.

4 Now that is a very important
5 report, it was at a lot of the places
6 where you come across the word summary,
7 some bright genius, I don't know who, at
8 one point took a marker and zeroxed and
9 tried to highlight those words, some
10 words on there, okay? And a funny thing
11 happens when you try to xerox something
12 that has been so-called highlighted, it
13 becomes totally black, you can't read it,
14 it's like reading over a piece of -- I
15 mean you can't read the silly things.

16 I mean I could go on, and
17 on, and on, and on, about such things,
18 but it's like maybe I should just ask --

19 I sort of feel that maybe I
20 should have asked a question that I
21 couldn't ask anybody individually there
22 last night, and what I'd already sent in
23 writing about a month ago when I asked to
24 speak here.

25 There have been some

2.3.1-1

32

64
16-Jun-89; TS-00566, PAGE 5 OF 7

1 computers, some robots, that they say
2 this is according to Science Magazine and
3 the National Academy of Sciences, that it
4 killed some people, okay? And according
5 to this article in Science that I read,
6 they were saying that they're trying to
7 get these computers not to -- tell these
8 computers that you're not supposed to
9 harm, you're not supposed to kill people
10 and everything, but within the same
11 article, there was a lot of talk about
12 how they're trying to get computers and
13 robots to "think and act like human
14 beings" and that they do that by "bending
15 the law to the point of breaking the
16 law".

17 And so it's like if you tell
18 a computer, do not harm, do not kill you,
19 and then break that law, that machine
20 just might decide to -- I mean anoximoron
21 I guess is what the word is.

22 And it's very obvious if you
23 look through a lot of especially the
24 supporting documents, that they were
25 obviously written by computers with very

2.3.1-2

65
16-Jun-89; TS-00566, PAGE 6 OF 7

1 little in the way of human oversight, so
2 a lot of those documents, they do not
3 even say which computer programs were
4 used, much less the computer.

5 How do you know those
6 machines, those dosimeters, those
7 computers, those technologies, whether
8 those are telling you the truth or not?

9 I don't know. But in some
10 sense maybe I should just speak a little
11 bit about some of the human things.

12 I have always heard that
13 there is this thing called Murphy's Law.
14 Do you know what Murphy's Law is? If
15 anything can go wrong it will. Well --

16 There isn't anything like
17 that, that I can tell, in all of these
18 documents.

19 It's like I hope you don't
20 have to see what I had to witness when a
21 lot of the so-called people who have been
22 advocating not only WIPP, but a lot of
23 the technologies, the technologies to
24 support with and everything.

25 I used to be -- I used to

2.3.1-2

66

16-Jun-89: TS-00566, PAGE 7 OF 7

1 have a collection of quotes from a lot of
2 people like Ryan Oakridge and Ron Hanford
3 and Renlos Alamos, and I used to be
4 really good at like quoting -- I
5 certainly hope you're not -- you don't
6 have to deal with them.

7 I think it was Edward Teller
8 who once said, well I'm justified in
9 killing friends but I don't know whether
10 I'm justified in murdering them or not,
11 but I'm justified in killing them.

12 But I know that it was
13 Albert Einstein that just said, well
14 let's just all reason that I'm God, and
15 it's not impossible that Einstein was
16 God. They shouldn't have ever built that
17 first atomic bomb, and they had good
18 reasons not to build it back then.

19 They've lied from --

20 I used to have quotes from
21 all the lives equal from the president of
22 the United States on down, or everybody
23 from the president on up, if you'd
24 prefer.

25 HEARING OFFICER O'RIORDAN:

67

1 Thank you for your comments.

2 Is Karen Fiedler here?

3 And just a reminder for the
4 new folks that are here, each person has
5 five minutes, and we flash the green
6 light when there's a minute to go, and if
7 you could start by giving your name and
8 address, and if you do that, that's when
9 we start timing.

10 Thank 16-Jun-89: TS-00567, PAGE 1 OF 7

11 MS. FIEDLER: My name is
12 Karen Fiedler, and my address is Route
13 18, SIFF, Santa Fe, New Mexico.

14 I came here today because
15 I've spent the last 21 years of my life
16 being a teacher.

17 I've spent those years
18 standing in front of a bunch of kids,
19 trying to convince them that they should
20 respect one another, that they should
21 love their country, that they should take
22 care of the environment, that they should
23 stand up for what they believe in.

24 I've only got five minutes
25 to do that with you. I hope that I've

68

16-Jun-89: TS-00567, PAGE 2 OF 7

1 become a good teacher.

2 One of the biggest things
3 that I've tried to teach my students is
4 to learn from their mistakes.

5 We've had a lot of mistakes
6 around the world. I don't have to tell
7 you about the statistics and I don't have
8 to tell you about the specifics, you know
9 these, you're the experts, I'm not.

10 All I want to tell you is
11 that we have to learn from these
12 mistakes.

13 We have to look at Rocky
14 Flats, we have to look at Southern
15 Colorado, we have to look at Chernobyl,
16 we have to look at all the things that
17 we're doing here.

18 This is our world, this is
19 our future, and these are our kids.

20 Even -- I read your report,
21 and although it was not amusing, the only
22 thing that came to mind was a Marx
23 Brothers film, and the Marx Brothers film
24 showed a scene with Groucho and Harpo,
25 and Harpo was trying to convince Groucho

2.3.1-1

69

16-Jun-89: TS-00567, PAGE 3 OF 7

1 that he had to keep buying books to read
2 the other books, you know, he bought one
3 book, but he couldn't read that book
4 until he had another book, and he
5 couldn't read that book until he had
6 another book.

7 That's how I felt about the
8 report. I felt like this was part of the
9 information, but they kept referring back
10 to other documents that I didn't have,
11 and that was kind of disappointing.

12 A few years ago I worked for
13 a public service radio station as a
14 community liaison person in Southern
15 Colorado, and I've always been somewhat
16 of an idealist.

17 At that time, I attended a
18 number of meetings, Grange meetings, and
19 community related interest meetings, and
20 one of the problems there was many abuses
21 and violations that were taking place
22 with regard to the energy related
23 industry.

24 I went to these meetings and
25 I said to the people, well our Government

2.3.1-1

3.2-1

78

16-Jun-89: TS-00567, PAGE 4 OF 7

1 protects us against this, they take care
2 of us, they're here for us, they are us,
3 and I met with a lot of skepticism, and I
4 went out and I visited sites where
5 violations were taking place for years
6 and I personally met and spoke with some
7 people from DOE at that time, and I was
8 told that they had no comments on that
9 particular issue, or that the situation
10 had been under investigation.

11 I later found out that some
12 of these situations had been under
13 investigation for years.

14 I saw the violations myself,
15 I became somewhat disillusioned with
16 regard to the DOE.

17 I feel like perhaps you've
18 overlooked the fact that you are us,
19 you're part of the United States, you're
20 our arms, you're there to take care of
21 us.

22 Yes, energy is important, we
23 need it, it's valuable, but we also need
24 to be taking care of our folks, our
25 people.

32-1

71

16-Jun-89: TS-00567, PAGE 5 OF 7

1 This is not a situation in
2 which we can take lightly.

3 This problem has been in
4 existence for forty years.

5 Last night I was thinking of
6 what I was going to say here, and I heard
7 a song on the radio, it's an old rock and
8 roll song from the early 70's. One of
9 the lyrics of the song is, putting out
10 the fire with gasoline, and I really feel
11 like that is what you guys are trying to
12 do down here at WIPP, you're trying to
13 put out the fire with gasoline.

14 Do you know we got into
15 something, we do, nobody says we can't --
16 we could ignore this situation, but I
17 don't think this is a good solution.

18 I think there are a lot of
19 people that feel the same way as I do,
20 you have to look at this a little closer.

21 The people in Las Cruces
22 need also to go and talk to some of the
23 people in Colorado, they need to go and
24 talk to some of the people in Idaho.

25 If this is such a great

36

72

16-Jun-89: TS-00567, PAGE 6 OF 7

1 deal, how come Idaho doesn't want it
2 anymore?

3 You know, I know you people
4 want jobs, I understand that, and I know
5 people want and need employment, but I
6 think we also have to consider the
7 security of our people and our kids.

8 My kid goes to a school that
9 the school yard backs right up onto the
10 WIPP route right now.

11 I read your projected
12 fatalities and your projected -- the
13 possibilities for injury, and I
14 understand, they're not real high, but
15 even one is no good, even one isn't
16 acceptable. It might be my kid.

17 I don't want to watch my kid
18 die of cancer.

19 You know, my favorite thing
20 to teach has always been the Constitution
21 of the United States.

22 In this situation, I think
23 one of the things that you really have to
24 think about is that this is the
25 Government, we the people, the government

7.3.5.3-1

73

16-Jun-89: TS-00567, PAGE 7 OF 7

1 is of the people, for the people and by
2 the people, and we're talking to you,
3 we're the people, and we don't want this
4 to happen.

5 We're frightened, we're
6 worried, and we're not convinced that
7 you've really got the situation under
8 control. You've got to do better for us.

9 Like the preamble says, we
10 don't want to perish from the earth.

Thank 16-Jun-89: TS-00568, PAGE 1 OF 7

HEARING OFFICER O'RIORDAN:

Is Elaine Giovando here?

You're next.

15 MS. GIOVANDO: My name is
16 Elaine Giovando, and I live in Santa Fe
17 at 535 Camino Militar, it's 87581.

18 I'm reminded hearing this
19 beautiful music in the other room, that I
20 feel that it's a loss that we've been
21 divided into separate groups. I would
22 love to know what this woman is singing,
23 she has an absolutely beautiful voice,
24 and I'm sorry that we've been split up
25 into these different groups.

8-7

74

16-Jun-89: TS-00368, PAGE 2 OF 7

I have a prepared statement
that I am going to submit.

HEARING OFFICER O'RIORDAN:

Okay. Your statement will be Number 416,
the Exhibit.

MS. GIOVANDO: Okay. But I
also think it's kind of rude to sit here
and read to you as fast as I possibly
can, to get these things said.

So I'm just going to take
one thing, one point, out of a mass of
points.

When I was preparing for
this speech I called the DOE and I called
Los Alamos Labs, and I wanted to get some
information.

The information was
relatively harmless, it was when were the
contracts given to the Los Alamos Lab, to
do research on nuclear waste.

I didn't get any
information. What they said to me was,
are you a member of a group, they wanted
to know.

I thought to myself, is

75

16-Jun-89: TS-00368, PAGE 3 OF 7

there anyone there that can tell me, can
answer this simple question.

There was no one. It was
all filtered through a public relations
man, or a public relations unit, and that
unit was so busy that they were unable to
get to me before the time limitations
were set by this meeting.

This is only to express some
of the frustration that we are feeling,
and that we are throwing back to you, in
terms of personal attacks on the DOE,
which I'm sure it's really hard for you
to take.

I'd like to point out that
it's not the DOE alone. I feel the DOE
has really been following national policy.

The EPA itself was only
established in the early 70's, and from
that very early, early time, they have
had certain principles that you've
followed.

One of those principles is
the idea that limited exposure to
radiation or limited exposure to poisons,

32-1

7.3.5.2-4
7.13.1-1
7.13.1-2
7.13.1-7
7.13.1-8
7.14-10
7.14.1-2

76

16-Jun-89: TS-00568, PAGE 4 OF 7

1 is acceptable.

2 This is the EPA that is
3 saying it, and you're only following it
4 when you create a document like the SEIS
5 document.

6 The point that I want to
7 make today is that limited exposure,
8 limited radiation, even that kind of
9 radiation that's going to come out of
10 these trucks going down our highways, is
11 not any more acceptable in this country.

12 There have been studies that
13 have been made in Canada, the Petcau
14 Study, that come up with evidence that
15 limited, small dose radiation over a long
16 period of time, will in fact affect the
17 immune system, will create chronic
18 fatigue and other symptoms.

19 I worked in the hospital
20 here in Santa Fe and I've had some
21 experience with people who have been
22 working at Los Alamos. I've also had
23 friends who have been working in Los
24 Alamos.

25 A lot of times, those people

7.352-4
7.354-3

7.13.1-7

77

16-Jun-89: TS-00568, PAGE 5 OF 7

1 are of Spanish decent, middle class
2 workers, who are delighted to have a good
3 paying job by working for Los Alamos.
4 They're very loyal. They wouldn't say a
5 thing.

6 In the hospital, these cases
7 were kept quiet, I can give no
8 information.

9 But I know of a man who is
10 now older, he's suffering from chronic
11 fatigue, and troubled with his immune
12 system, and it's my belief, after reading
13 the Petcau Report and information, that
14 this man is suffering from exactly what
15 was described in that report.

16 In the hospital, I met a man
17 who was involved in a nuclear accident
18 that was covered up by Los Alamos, and
19 he's dying. He was a hero, he saved us.
20 He saved it from getting into the
21 atmosphere, and he's dying.

22 All I could tell him was
23 thank you very much, I consider you to be
24 a hero, a true hero.

25 The other thing about low

7.352-4
7.354-3
7.13.1-7

78

16-Jun-89: TS-00368, PAGE 6 OF 7

1 level radiation accumulating, you know,
 2 it's policy, it has been a national
 3 policy, that we're accepting poisons in
 4 our food, in our water, in our air and in
 5 our earth, all low level, if analyzed
 6 independently, supposedly no harm will
 7 come to us from the doses of these
 8 different poisons.

9 But obviously, you know,
 10 it's just a matter of logic, these things
 11 are going to accumulate, it's going to be
 12 the 90's, the 1990's, where the effects
 13 of the accumulations of these low levels
 14 will come out in medical records.

15 And so I'm afraid that I
 16 can't accept the SEIS reports telling me
 17 that low level emission from the site at
 18 WIPP is acceptable, or low level
 19 emission from the trucks is acceptable.

20 I think that we have to look
 21 for -- we have to tighten up, you know,
 22 we can't accept those levels, even those
 23 levels.

24 Thank you.

25 HEARING OFFICER O'RIORDAN:

7.3.52-4
 7.3.54-3
 7.13.1-7

79

16-Jun-89: TS-00368, PAGE 7 OF 7

1 Thank you. Just for clarification,
 2 yesterday the Petcau Report was mentioned
 3 and you've mentioned it again today.

4 MS. GIOVANDO: Yes.

5 HEARING OFFICER O'RIORDAN:

6 Did you include a reference for that, I'm
 7 not familiar with it personally?

8 MS. GIOVANDO: No, you can
 9 find that out from Concerned Citizens for
 10 Nuclear Safety.

11 HEARING OFFICER O'RIORDAN:

12 Okay, do you think they have a copy of
 13 that?

14 MS. GIOVANDO: Yes.

15 HEARING OFFICER O'RIORDAN:

16 Okay, thank you.

17 (The document above-
 18 referred to was marked for
 19 identification as
 20 Exhibit No. 416, and
 21 received into evidence.)

22 MS. GIOVANDO: You're
 23 welcome.

24 HEARING OFFICER O'RIORDAN:

25 I'm told that Judith Weinstein is here.

40

88

16-Jun-89: TS-00569, PAGE 1 OF 2

1 You're next Ms. Weinstein.

2 If you could start by giving

3 your name and address.

4 MS. WEINSTEIN: All right.

5 HEARING OFFICER O'RIORDAN:

6 You're all set.

7 MS. WEINSTEIN: My name is

8 Judith Weinstein, and I reside at 282

9 East Coronado Road, here in Santa Fe.

10 I have a very brief

11 statement to make.

12 (The document above-

13 referred to was marked for

14 identification as

15 Exhibit No. 417, and

16 received into evidence.)

17 I am speaking to you as a

18 school teacher on behalf of the children

19 who are too young at this time.

20 I want you to understand

21 that morally you are in the same category

22 as the men who dropped the atomic death

23 bombs on the people of Hiroshima and

24 Nagasaki, and that you are as culpable

25 and responsible as the German officers

32-1
36-1

81

16-Jun-89: TS-00569, PAGE 2 OF 2

1 and bureaucrats who were eventually tried

2 at Nuremberg for crimes against humanity.

3 The unique distinction you,

4 gentlemen, are incurring, is atomic

5 crimes against your own people, your own

6 population and your own nation.

7 This is an historical

8 distinction for which very few would envy

9 you.

10 I suggest you think on this

11 at night, alone, by yourself, and

12 understand the personal destiny you are

13 accruing.

14 The pilot who pushed the

15 button over Hiroshima ended up in the mad

16 house. I suggest that that was the most

17 honorable thing he could do.

18 I think perhaps that the

19 children whose bodies you will ruin will

20 try you someday, and that history will

21 forever hold you in contempt for

22 proceeding with such an idea as you are

23 suggesting here in New Mexico or anywhere

24 else in this country.

25 Thank you.

32-1
36-1

1 HEARING OFFICER O'RIORDAN:
2 Thank you. 16-Jun-89: TS-00570, PAGE 1 OF 3
3 Is Louise Ruyabalid here --
4 is it Lewis? I'm sorry
5 MR. RUYABALID: Good
6 morning.
7 HEARING OFFICER O'RIORDAN:
8 Good Morning.
9 MR. RUYABALID: I'm Lewis
10 Ruyabalid, my address is 129 Calle Don
11 Jose, Santa Fe, 87581.
12 I've been listening
13 downstairs to some of the most stirring
14 presentations I've ever heard, and I feel
15 that I should have done a little bit
16 more.
17 But I am delighted to be
18 able to contribute at least something.
19 According to the draft
20 supplement of the Environmental Impact
21 Statement Waste Isolation Pilot Plant,
22 Page D-36, Volume 2 of 2, the route from
23 Los Alamos to the WIPP is not described
24 because the DOE has agreed to construct a
25 by-pass around Santa Fe, New Mexico, end

7.154-2

1 16-Jun-89: TS-00570, PAGE 2 OF 5
2 the final route has not been selected at
3 this time.
4 I sincerely hope that you
5 will give this concern deep consideration
6 in order to safeguard the lives of
7 children attending schools in the St.
8 Francis/Alameda vicinity, and insist on
9 the predicted by-pass.
10 I went to a town hall
11 meeting with Bill Richardson the other
12 evening and they asked him about WIPP.
13 He said that it was
14 inevitable that we should have it at
15 Carlsbad. The only thing he could hope
16 was that they might give us the by-pass.
17 I think that's very
18 pessimistic and that there was nothing
19 inevitable about this decision.
20 Mr. John Arthur acknowledges
21 that they did not expect brine water
22 seeping from the salt beds, into the
23 repository, and that DOE thought the salt
24 beds were bone dry.
25 Their own study belies this
contention.

7.154-2

7.85-2

84

16-Jun-89: TS-00570, PAGE 3 OF 5

The geological formation is lower than previously believed. Moisture content of the Salado formation, and consequent brine in-flow are higher than previously believed.

Salt creep convergence occurs faster than previously believed.

The marker bed 139 is 3.3 feet below the floor of the underground waste disposal area, and 139 undulations show post dispositional geological stresses.

This means that there will be an eventual room closure.

These stresses are mining induced, and that's what they were concerned about, the fracturing of the rock salt floor material underlying M-139.

Investigations of the long term mechanical and fluid flow behavior are ongoing. Borin said in 1985, the sub-horizontal fracturing, partially healed fractures, the potential plane of weakness that could control or influence

7.7.3-1
7.8.5-2

85

16-Jun-89: TS-00570, PAGE 4 OF 5

the chemical response of the rock around the WIPP excavation.

We will hear again, about Cueva Dolomite, member of the Rustler formation, is the first laterally continuing hydrologic system above this Salado formation, and it provides the most likely potential pathway for any release from the repository to the accessible environment.

The concern has been that evaporate dissolution could play a major role in the potential breach of the WIPP underground facility.

The National Environmental Policy Act requires that NIS rigorously explore and objectively evaluate all reasonable alternatives, and for alternatives which are eliminated from detailed study, to briefly discuss the reasons for their having been eliminated.

One of the deep concerns which I would like to speak about has been that the study in 1988 would service Rock Flats, Idaho and Los Alamos.

7.7.3-1
7.8.5-2

7.14-9

7.7.2-4

3.2-1

86
16-Jun-89: TS-00570, PAGE 3 OF 3

1 Since the SS15 has come out,
2 now they have added Nevada, Oakridge,
3 Tennessee, Argon, Illinois, Lawrence
4 Livermore, California, Mound Lab in Ohio
5 Hanford, Washington, which is 2,296 miles
6 away, Savannah Plant, South Carolina,
7 1915 miles.

8 What can we believe when
9 people make statements to us and then
10 change them at their convenience.

11 Thank you.

12 HEARING OFFICER O'RIORDAN:
13 Thank you. 16-Jun-89: TS-00571, PAGE 1 OF 10
14 Next is Thomas O'Dowd.
15 MR. O'DOWD: I have a
16 question.

17 HEARING OFFICER O'RIORDAN:
18 Yes.

19 MR. O'DOWD: Are we to
20 submit a written statement following the
21 presentation?

22 HEARING OFFICER O'RIORDAN:
23 No, you have until July 11th to submit a
24 written statement to DOE and you can get
25 the address downstairs at the front desk

32-1

87
16-Jun-89: TS-00571, PAGE 2 OF 10

1 if you need it.

2 MR. O'DOWD: I would like to
3 submit one at the hearing, just in case I
4 can't finish this off.

5 HEARING OFFICER O'RIORDAN:
6 Okay. Yours will be Number 418.

7 MR. O'DOWD: 418?

8 HEARING OFFICER O'RIORDAN:
9 Yes, 418, and if you would give it to the
10 ladies here, they can put it in when you
11 get done.

12 MR. O'DOWD: Thank you.

13 My name is Thomas O'Dowd, I
14 live at 688 1/2 Camino De La Luz, here in
15 Santa Fe, New Mexico.

16 To this blushing man,
17 symbolically blind to death coming down
18 on our doorstep, yesterdays' New Mexican,
19 I say stop the slop because we the people
20 are not amused, and to every executive
21 underneath them, to the door of the WIPP.

22 Excuse me while I read
23 quickly and rudely to get this all in.

24 My name is Thomas O'Dowd and
25 I am here today as a witness for the

1-2

88

16-Jun-89: TS-00571, PAGE 3 OF 10

1 Truth and Light, for the United States of
2 America, and for New Mexico in
3 particular.

4 I say the following, to be
5 the true statement of WIPP's impact on
6 the environment and on the environment of
7 American democracy, that WIPP and many
8 other DOE projects amount to high treason
9 and military treason.

10 That this single agency is
11 more of a threat to our national defense
12 than any liberal or pacifist movement
13 will ever be.

14 Consider that, intelligence
15 community.

16 That all radioactive dumping
17 constitutes national suicide, since it
18 destroys the resource base upon which all
19 of our American freedoms and standards of
20 living depend.

21 For the first time in
22 history we experience reverse, manifest
23 destiny, wherein the amount of usable
24 and habitable land is continually
25 decreasing because of radioactive

32-1

89

16-Jun-89: TS-00571, PAGE 4 OF 10

1 contamination.

2 Remember, that there can be
3 no life, liberty or pursuit of happiness,
4 where there is no pure and intact
5 resource base.

6 That the enactment of a
7 project like WIPP is really the
8 commitment of a genocide, that I now term
9 environmental manslaughter.

10 That since it is
11 scientifically probable that WIPP will
12 follow in the footsteps of other DOE
13 failures, WIPP in reality is therefore
14 not the same as WIPP in theory, as it is
15 addressed in this SEIS.

16 And since the DOE is
17 synonymous with unknowns, falsifications,
18 and surprises, we can have no static WIPP
19 entity that would be a fixed quantity and
20 quality, and thus we cannot even begin to
21 issue an SEIS statement on an unknown, if
22 we are to follow the rules of logic.

23 That WIPP is a part of -- I
24 say that WIPP is a part of what I term a
25 death economy, wherein lives and land are

16-Jun-89: TS-00571, PAGE 5 OF 10

1 lost, at ruin forever, in the name of
2 commerce and jobs.

3 This is in contrast to life
4 economy of steady state economics and
5 eternal preservation of renewable
6 resources.

7 That for the people of
8 Carlsbad to ask all of us and all who
9 live along the WIPP routes throughout
10 this nation, to risk our lives so that
11 they may have a job, is absurd and
12 readily unchristian of them.

13 The key to the future is to
14 simply so that others may simply live.

15 Are you so short on reason
16 and weak of true spirit that you cannot
17 earn your daily bread in some way other
18 than WIPP, whereby unknown deadly waste
19 will be drug by families and children, in
20 containers severely under-tested, on two
21 lane roads without markers or shoulders,
22 to be dumped in a place sure to leak?

23 And don't forget our suicide
24 squads, whose first responders who will
25 ride without radiation suits and

16-Jun-89: TS-00571, PAGE 6 OF 10

1 radiation detectors, this is outrageous
2 and unacceptable.

3 I say now that such actions
4 will pose in a deadly manner, on one
5 group of people by another, amounts to
6 none other than fascism.

7 Also, the true battle cry of
8 this WIPP rebellion is taxation with
9 misrepresentation, and it must stop.

10 This is really extraction,
11 and unlike other business deals, our
12 Government is never held to a contract
13 and it may not leave such contracts, and
14 least respected of all is the social
15 contract.

16 So why is this Government of
17 blunders and backward movements still
18 doing things like WIPP to us?

19 For one thing, because we do
20 not have the right to selective and
21 voluntary taxation, and for another,
22 because we do not have the right to a no
23 vote in elections, as Russia now does.

24 The real issues here are
25 personal integrity and adult

92

16-Jun-89: TS-00571, PAGE 7 OF 10
responsibility.

If we do not stop this mass
psychological denial, this collective
sickness, then it will consume us, the
beast.

Before WIPP can ever be
considered, the Manhattan 2 should be put
into effect, to seriously researched and
develop better alternatives, such as
glass encasement, transmutation,
molecular entrapment and non-explosive,
electromagnetic propulsion into the sun,
for which we already have the technology.

These are not too expensive
or time consuming, on the contrary, we
cannot afford to continue on as we have.

If we don't take all the
time in the world to develop solutions,
we shall very soon have no more time in
this world.

When we finally scrap the
entire WIPP project, we will lose a
pittance, a mere fraction of the Federal
deficit, and no big deal for a nation as
great as we.

5.3-1

93

16-Jun-89: TS-00571, PAGE 8 OF 10
So remember this, DOE

physicists, scientists and engineers, as
the wise old Greeks used to say, Poncho
Rae, all things flow, or all is flow, and
you know this includes air and soil,
brine solution and aquifers, the Pecos
River and the Gulf of Mexico, the
Atlantic Ocean and so on.

Or another way to put this
simple environmental law is to say this,
anything you put anywhere ends up
everywhere in time.

So don't be so determined to
succeed that you fail, that you become
capable of objectivity.

But in the end, I know that
we are all of us, in this together, and
if all those people whose wills combine
to try to make WIPP possible, are acting
with conviction and belief as they bring
death to our doorstep, then I applaud
them for following their path, dark
though it may be.

The question they must ask
themselves is why have they cast

16-Jun-89: TS-00571, PAGE 9 OF 10

themselves as the Judas in this sad
play?

As for me, I find myself
caught within this crack, within this
fissure in the topography of democracy,
where law and government does not serve
me on one side, and direct individual
action is barred to me from the other.

From here I cry to the sky,
may you Judas' be smitten by God, may you
bear painful wounds of light, that you
may no longer bring death to all that is
great and glorious, may the mighty wind
of the Holy Spirit breathe fire into your
eternal souls, and if you will not allow
yourself to stop denial, if you will not
widen your opening for the truth and
begin affirmation of self and life, then
may your flesh pass swiftly on, lest your
soul be sullied further by these most
heinous sins against the truly sacred
spiritual reality of American existence,
sins against the living world and sins
against your very selves.

De te a maria en la louse

16-Jun-89: TS-00571, PAGE 10 OF 10

(phonetic), as for us, we will lie into
the dark net of the soul, keep the vigil
of hope and truth alive and there in the
light will be waiting for you, for your
homecoming, as we are one in man.

Thank you.

HEARING OFFICER O'RIORDAN:

Thank you, Mr. O'Dowd.

I understand that Helen
Thompson is here. 16-Jun-89: TS-00572, PAGE 1 OF 5

MS. THOMPSON: I am.

HEARING OFFICER O'RIORDAN:

You're next.

MS. THOMPSON: My name is
Helen Thompson, I live in Ros, New
Mexico, Box 99.

I live 25 miles west,
southwest of Santa Fe, on I-25, right
between I-25 and the railroad.

I want today --

I came here mainly to address
the risks that most of those who live
next to the WIPP route, out in the
country, which I'm beginning to think is
considered uninhabited area, which it's

733-3

96

16-Jun-89: TS-00572, PAGE 2 OF 3
 not of course, not to mention the animals
 which live along this beautiful highway.

I would like for us to
 consider the people.

I also live a few yards from
 the railroad.

In the last seventeen years,
 I have witnessed a freight train
 derailment of over fifteen cars directly
 in front of my house, in which the train
 carried ammunition and created a very
 dangerous situation.

In the last year, we also
 had a serious accident by a truck on I-
 25, loaded with some unrevealed contents,
 that had to do with the military base.

The road became a detour
 route, and sharp turns through the
 village created a backing up of traffic
 and other serious traffic situations. It
 was the detour from the off-ramp, it was
 completely inadequate in handling the
 heavy truck traffic, especially.

There is no doubt in my mind
 that no one knows what the storing of

7.3.3-3

1-2

97

16-Jun-89: TS-00572, PAGE 3 OF 3
 waste in Carlsbad will do to the
 environment over the years.

Therefore, I am opposed to
 that storage.

But we do know very clearly,
 the hazards of transporting toxic waste.
 The inevitability of accidents is clear.

Has anyone spelled out
 clearly, what the disaster possibilities
 are? What kind of evacuation would be
 necessary? What health procedures would
 be available?

Tell us clearly, what could
 actually be the worst scenario in Roe and
 other towns, if a spill or accident were
 to happen.

I think of One Mile Island,
 if those people have any real sense of
 what could have happened before that
 plant was built.

I think that the scandal of
 this whole thing is that technology is so
 short-sighted and irresponsible that it
 goes into production of products and
 materials before making sure that toxic

1-2

7.3.5.1-31
 7.3.5.3-1
 7.12.9-2
 7.12.9-4
 7.12.9-10

98

16-Jun-89: TS-00572, PAGE 4 OF 5

1 waste can be disposed of safely.

2 Technology must show it can
3 handle the waste products before
4 production is begun.

5 The idea of transporting the
6 waste over long distances, should be seen
7 as absolutely too dangerous.

8 I don't want to live on a
9 WIPP route, and I don't want anyone else
10 to have to live on a WIPP route.

11 The unrealistic, unreliable
12 and incomplete WIPP plan, is an insult
13 to the idea of a Government which is
14 supposed to protect and inform the public
15 and foster the idea of public trust.

16 For me, the idea that anyone
17 in the Department of Energy thinks that
18 waste can be safely transported by truck
19 or rail, over long distances, shows a
20 lack of real concern for public safety,
21 and a terrible denial of what goes on in
22 the real world.

23 Please spare us a disaster.

24 I just would also like to
25 comment to the people who have spoken

7.3.3-4

2.3.1-2

99

16-Jun-89: TS-00572, PAGE 5 OF 5

1 before me this morning. I have such a
2 sense of their sincerity, their concern,
3 and I see this -- I also have a sense
4 that perhaps we're all participating in a
5 bureaucratic front here, to another
6 military objective, short-sighted and
7 self-serving.

8 The contrast -- I mean I'm
9 not criticizing people sitting here, but
10 just the structure of these hearings, the
11 sense of impotence of the sincerity of
12 the people, in front of a bureaucratic is
13 what has struck me this morning also.

14 HEARING OFFICER O'RIORDAN:

15 Thank you.

16 I would like to call some of
17 the pre-registered people who haven't
18 spoken yet.

19 Is Victor Ramal here by any
20 chance?

21 (No response.)

22 Toby Lawford, is Toby
23 Lawford here?

24 (No response.)

25 Is Steve Cress here?

(No response.)

Jeanne Farmer, is Jeanne
Farmer here?

(No response.)

That means that we have
completed all the pre-registered speakers
and at-the-door registered speakers, up
until our 8:45 scheduled break.

We'll stand in recess then,
until 9:15. That will give us all a
chance to stretch our legs a little bit.

Thank you, and we'll look
forward to seeing you at 9:15.

(Short recess.)

HEARING OFFICER O'RIORDAN:
We're back on the record.

We've had our first break
and we have some people here for the
next session.

For those of you who weren't
here early this morning, each person has
five minutes, and we flash a green light
when there is one minute to go.

You can submit written
comments either at the time of the

presentation or up until July 11th, to
DOE.

I would ask each of you to
render the same courtesy to the speaker
that you yourself would like to have,
especially so if you disagree with the
speaker.

When you begin your
presentation, if you would start with
your name and address. We don't start
timing until you give your name and
address.

If you also would take into
account the fact that we have a court
reporter here, so to the best of your
ability, try to speak reasonably
distinctly and in a normal speed.

We appreciate you all being
here.

What I'd like to do is call
the people that are pre-registered in the
order of them being pre-registered.

If they're not here, then
we'll call them again if they come in a
little later, so we make sure that

182

everybody gets their chance.

Those that register at the door, we generally call after the pre-registered people have spoken.

We also have some free time slots in this process for people who come in and haven't pre-registered.

We try and keep it as fair as possible, on a first-come first-serve basis.

It gets a little difficult because sometimes people don't show up and then they show up later.

All we do is make the best judgment call that we can.

I would like to call first, is Lynn McKelvey here?

MS. MC KELVEY: Yes.

HEARING OFFICER O'RIORDAN:
Thank you.

MS. MC KELVEY: Do I need to talk into this?

HEARING OFFICER O'RIORDAN:
Yes.

MS. MC KELVEY: It's a

183

pretty small room.

HEARING OFFICER O'RIORDAN:

I'm sorry, yes. 16-Jun-89: TS-00573, PAGE 1 OF 10

And you can move it if it's not comfortable for you.

MS. MC KELVEY: Hi, my name is Lynn McKelvey, do I need to give my address?

HEARING OFFICER O'RIORDAN:
Yes.

MS. MC KELVEY: 1944 Osage Drive, Santa Fe.

HEARING OFFICER O'RIORDAN:
Let me interrupt you.

The reason that we have the address is because this is really a formal administrative proceeding by the Department of Energy, so to that extent it is a legal proceeding under the National Policy Act, and it's important that we know who is speaking, that they're identified, so we can respond to comments.

Thank you.

MS. MC KELVEY: And I

184

1 16-Jun-89: TS-00573, PAGE 2 OF 10
 2 thought it was just so that I could get
 3 on the DOE mailing list.

4 HEARING OFFICER O'RIORDAN:
 5 I think you have to request that
 6 separately.

7 (Laughter.)

8 MS. MC KELVEY: Good
 9 morning. I've been thinking a lot this
 10 week about what I wanted to talk about
 11 today, and I thought I wanted to focus on
 12 cynicism toward the political process. I
 13 was going to make a humorous comment
 14 about how the EPA was started by Richard
 15 Nixon, and so after all what did we
 16 expect in the way of environmental
 17 protection.

18 I was going to refer to
 19 Congress now, what's been happening with
 20 the Congressional leadership, and what
 21 happened in the Reagan White House, and
 22 make a plea for accountability, because
 23 after all, we don't have that many
 24 examples around us of political
 25 accountability.

Then I was listening to

185

1 16-Jun-89: TS-00573, PAGE 3 OF 10
 2 people yesterday afternoon and evening,
 3 and I kept finding more things I wanted
 4 to say, I wanted to respond to each and
 5 every one of them.

6 But as I ran those things
 7 over in my mind, I realized that they
 8 were all not unrelated to the issue of
 9 accountability, although what impressed
 10 me most about what people were saying on
 11 both sides yesterday, was how much
 12 mistrust there was, how much of a split
 13 there was between people on both sides,
 14 and sometimes it just seemed like we
 15 weren't speaking the same language, how
 16 much mistrust there was of this whole
 17 SEIS process.

18 There was a gentleman from
 19 Carlsbad representing the tourist
 20 industry, who spoke about how the
 21 anti-coalitions simply wanted to create
 22 media events, and that was the sole
 23 motivation behind the kind of work that
 24 we're doing.

25 Whenever I hear something
 like that it really bothers me because I

186

16-Jun-89: TS-00573, PAGE 4 OF 10
1 don't understand that, you know, it's an
2 example of non-understanding language
3 we're speaking.

4 Why would we make this up,
5 it takes a lot of time and we don't have
6 the money, although I have to give an
7 incredible amount of credit, I'm not sure
8 that I could sit for three days listening
9 to representatives of the DOE make their
10 pitch.

11 So that was one example of
12 just not understanding each other.

13 It doesn't make sense why we
14 would make it a media event, out of
15 something that we would rather just
16 wasn't a problem at all.

17 Of course there's lots of
18 other problems that we would focus in on
19 if this was resolved.

20 He also made mention of how
21 the anti-nuke people were focusing on
22 their emotions and not their logic or not
23 using logic but we were relying on our
24 emotions.

25 That kind of a split doesn't

187

16-Jun-89: TS-00573, PAGE 5 OF 10

1 make sense to me either.

2 I think that we have to
3 combine both and I think that both sides
4 have to combine both.

5 There has to be a
6 willingness of DOE to consider the human
7 emotion that goes into the fear that we
8 have about the prospect of the WIPP
9 trucks driving through out neighborhoods,
10 the real fear that I think does motivate
11 us.

12 I think that there are
13 logical solutions and I think that there
14 is no question that people that I work
15 with are willing to listen to the logical
16 solutions.

17 I have some of my own.

18 There is the issue of the
19 by-pass going around both Santa Fe and
20 other communities, that would enable the
21 trucks to pass by the communities.

22 All I've been hearing about
23 it lately is that there is 50 million
24 dollars that it's going to take to build
25 the by-passes, and nothing is happening.

7.15.4-2

16-Jun-89: TS-00573, PAGE 6 OF 10

188

I'm not sure if that money has been appropriated, or even having been appropriated, I want to suggest that if the money isn't there and the Department of Transportation in the counties or the local communities or where ever it needs to come from, let's take it from the Department of Defense.

I hear from -- on the one hand, DOE officials say there is going to be a low level waste, hospital gowns, syringes, tubes used for testing, but on the other hand, I hear that if we went to the next logical step, which would be to stop producing the waste in the first place, to shut down these facilities that our defense would suffer, our security would suffer.

Well if that's the case, then it seems logical to me that to enable the facilities to open up safely, let's take the money from the Department of Defense if that's our concern, and build the by-pass.

I know that I would feel

7.33-5
7.154-3

16-Jun-89: TS-00573, PAGE 7 OF 10

189

more comfortable if this is inevitable.

If I don't want it to be inevitable, that's one thing, in my heart.

But if logically I know that it is inevitable that the waste has to go somewhere, I'm going to feel a lot better about it if there is the by-pass.

Let's build it, let's wait, there's no rush.

Let's use Los Alamos and Sandia, the incredible technology up there, to find other alternatives to nuclear energy, to nuclear technology. Let's look at alternative energy resources, let's look at mass transportation, let's look for ways to reduce our energy needs.

That is logical to me.

Let's find a way with the technology and expertise that we have to meet the EPA standards.

The most up to date, if we find even better ways to safeguard the site, let's wait until we can enact

9-3

1-3

118

1 those. 16-Jun-89: TS-00573, PAGE 8 OF 10

2 That's where trust is going
3 to come from. If logically the solutions
4 that seem that they can be enacted, if we
5 take the time to enact them.

6 One of the representatives
7 from the DOE last night, said that he
8 couldn't focus on, and wasn't aware of
9 what was happening in Rocky Flats or
10 Washington, that we only had to focus on
11 this site, for the WIPP site.

12 This was in response, I
13 think, to a comment that someone made
14 about how we had to be -- no, it was a
15 different speaker.

16 But it was right after
17 someone had made a comment about being
18 concerned about the whole earth, do you
19 care about the earth.

20 When she said that, I
21 cringed, I said oh God, they don't want
22 to hear that, they're going to think
23 we're a whole bunch of flakes, but then I
24 realized that that's not true.

25 Does that means stop?

1-3

111

16-Jun-89: TS-00573, PAGE 9 OF 10

HEARING OFFICER O'RIORDAN:

Sum up.

MR. MC KELVEY: Okay, we
have to integrate our views, we have to
look at Rocky Flats in Washington,
because that is where the solutions will
come from.

If we just look at WIPP we
won't find a solution, because it is
related to the same problems that are
appearing in Rocky Flats.

We have to find a way of
trusting each other, so that when a DOE
official says they're only going to be
carrying low level waste, my first
thought is, I don't believe that, once
the trucks start running, they're going
to start putting anything they can in
there.

I've got to stop feeling
that way.

We'll stop fighting if we
start believing that what you say is
true, and so we need examples of logic,
of accountability, and that's what I'd

32-1

112

1 ask for. 16-Jun-89: TS-00573, PAGE 10 OF 10
2 Thank you.
3 HEARING OFFICER O'RIORDAN:
4 Thank you. 16-Jun-89: TS-00574, PAGE 1 OF 2
5 Is Carolyn Radkin here?
6 MS. RADKIN: Good morning,
7 I'm Carolyn Radkin, I live at 1831
8 Hickox, Santa Fe, 87501.
9 I came this morning just to
10 say what many people have said before me,
11 that I don't trust DOE and I'm worried
12 about what you say you're going to do,
13 and what you really do.
14 The speaker before me said
15 something that needs to be addressed.
16 We need to learn to trust
17 each other, but it's very hard when we
18 hear about places like Ohio and like
19 Colorado, and other places where you've
20 said one thing, and you're not being very
21 responsible.
22 I'm worried about the future
23 of the world for future generations.
24 I'm here just to let you
25 know that I want to be counted and what

32-1

32-1

113

16-Jun-89: TS-00574, PAGE 2 OF 2
1 you're saying, I want you to hear that
2 you're not reaching me, and I don't trust
3 what you're saying.
4 I want a future, a safe
5 world for the generations to come, and
6 that's why I'm here.
7 Thank you for listening to
8 me. 16-Jun-89: TS-00575, PAGE 1 OF 4
9 HEARING OFFICER O'RIORDAN:
10 Thank you. Ed Radkin?
11 MR. RADKIN: Can we turn
12 this up at all?
13 Can we turn that mike up?
14 (Long pause.)
15 HEARING OFFICER O'RIORDAN:
16 We ought to turn one down.
17 MR. RADKIN: Yeah, that
18 would be better.
19 HEARING OFFICER O'RIORDAN:
20 Thanks for your patience.
21 MR. RADKIN: My name is Ed
22 Radkin, I live at 1831 Hickox here in
23 Santa Fe.
24 As a member of the Santa Fe
25 community and a home owner two blocks off

32-1

32-1

114

16-Jun-89: TB-00375, PAGE 2 OF 4

1 St. Francis Drive, where the garbage will
2 pass through, I would like to state my
3 opposition on the grounds that the
4 Government has no idea as to the far
5 lasting effects of the waste.

6 The cannot guarantee that
7 the containers which are carrying the
8 waste are safe.

9 The site was chosen by the
10 same experts who have now found water in
11 cracks in the salt beds.

12 The trucks are going down
13 roads that need improvements.

14 The accident rate in this
15 part of New Mexico, I don't know if
16 you're familiar with it, we probably have
17 one of the highest drunken driver rates
18 in the whole country, it is way above
19 normal, and would probably increase the
20 chance for accidents.

21 There are many other logical
22 reasons too numerous to mention.

23 However, my greatest fear is
24 the motivation of this whole act. I feel
25 that it's political, and not in the

3.2-1

115

16-Jun-89: TB-00375, PAGE 3 OF 4

1 interests of the people of Santa Fe.

2 The vindictiveness of our
3 political leaders to those opposing this
4 project, is I believe, further proof of
5 the political nature of this project.

6 I as a father, husband and a
7 neighboring human, feel that I cannot
8 support this and am against it totally,
9 and do not want to see another disaster
10 like Chernobyl, Three Mile Island, and
11 Ohio, as my wife had mentioned, and many
12 others that we probably don't know
13 anything about, but will find out very
14 soon.

15 I do not want to hear at a
16 later date, how sorry we were, but we
17 really meant well.

18 If well is so safe, I
19 believe it should stay where it is.

20 But better yet, let's take
21 all the resources spent now on nuclear
22 energy and invest in solar energy.

23 I have another question.
24 Why do we need it here in New Mexico?

25 Nobody else seems to want

3.2-1

1-2

9-3

4.1-1

58

116
16-Jun-89: TS-00575, PAGE 4 OF 4
1 it. What is the motive of our leaders to
2 want something this dangerous and
3 ominous.
4 Thank you very, very much
5 for listening to me.
6 HEARING OFFICER O'RIORDAN:
7 You're welcome. 16-Jun-89: TS-00576, PAGE 1 OF 9
8 Is Monica Steinhoff here?
9 MS. STEINHOFF: Yes.
10 HEARING OFFICER O'RIORDAN:
11 You're next.
12 If each person could start
13 by giving their name and address, and you
14 have five minutes.
15 MS. STEINHOFF: Yes.
16 HEARING OFFICER O'RIORDAN:
17 Thank you.
18 MS. STEINHOFF: I haven't
19 ever spoken in front of a microphone
20 before.
21 HEARING OFFICER O'RIORDAN:
22 That's okay, just take a deep breath.
23 MS. STEINHOFF: My name is
24 Monica Steinhoff, I also have a married
25 name, I'm married to an attorney in Santa

3.2-1
4.1-1

117
16-Jun-89: TS-00576, PAGE 2 OF 9
1 Fe. We live at 1298 Lejano Lane, that's
2 87581.
3 I want to thank you all
4 again for listening to us.
5 I have a slightly different
6 experience, in that I was born in
7 Germany, right at the beginning of the
8 second World War, and the first four
9 years of my life were escaping bombs,
10 continually.
11 So I feel the reality of
12 disasters is very real to me compared to
13 a lot of other Americans who have never
14 had a war on their soil.
15 I also grew up learning
16 about Nazi Germany, you know, sort of
17 indirectly.
18 When I was a college student
19 at U.C.L.A. and had a Jewish room mate,
20 and then kind of worked my way backwards
21 to figure out what had happened in those
22 times, when I would ask my parents, they
23 would always say well we didn't know what
24 was happening.
25 I know that at the same

118

16-Jun-89: TS-00576, PAGE 3 OF 9

1 time, my father was haunted by what
 2 happened in Nazi Germany all his life and
 3 when he had an accident, hit by a drunken
 4 driver about four years ago and was in a
 5 hospital in Virginia, it took three
 6 orderlies to hold him in the hospital,
 7 because he was absolutely certain that he
 8 was in a concentration camp.

9 So I grew up with the idea
 10 that you can't automatically trust your
 11 Government, that you have to look at what
 12 your Government does and think about what
 13 they do and look at their actions.

14 You know, I'm the only one
 15 of a family of seven children, who is not
 16 a scientist, and I think I became a
 17 non-scientist partly because I could see
 18 that my parents and my siblings sometimes
 19 would get so lost in scientific data that
 20 they didn't see the reality that's like
 21 all around them that holds it together.

22 My father was -- I grew up
 23 in Alamogordo, where my father was chief
 24 scientist at Walman Air Force Base, and
 25 oversaw all the testing at White Sands

3.2-1

119

16-Jun-89: TS-00576, PAGE 4 OF 9

1 Proving Range, so I grew up with
 2 scientists, I grew up with scientists, I
 3 grew up with this whole question, and
 4 have really thought about it a great deal
 5 and thought about, you know, what my
 6 position is.

7 Even recently, when I talked
 8 to people about nuclear energy and
 9 nuclear bombs and so forth, people tend
 10 to assume that well if you're against
 11 them you don't know what you're talking
 12 about.

13 I feel like because of my
 14 own background, I do know something of
 15 what I'm talking about.

16 I remember in Alamogordo,
 17 when I was a sophomore in high school,
 18 when we studied science, I believe
 19 probably the bomb dropping in Hiroshima
 20 and Nagasaki was mentioned, but it was
 21 like a textbook fact you learned, it
 22 happened in 1945, but you have no idea of
 23 the reality.

24 It took me until I was -- I
 25 went to graduate school in Germany after

120

16-Jun-89: TS-00576, PAGE 5 OF 9

1 getting a Masters at U.C.L.A. I saw a
2 film on Hiroshima, and that's the first
3 time that I began to feel what the
4 impact, what the reality behind that fact
5 that I learned in high school.

6 The other thing that I
7 learned in high school was that when they
8 talked about nuclear energy, it was
9 stated, and it was very interesting now
10 to look at it, is that the nuclear waste,
11 the problem of nuclear waste, would be
12 resolved before we ever used it very
13 heavily.

14 Well here we are, 48 years
15 later, not quite 48 years later from when
16 I was 15, but 48 years later maybe from
17 when I was first adopted, and we still
18 haven't learned what to do with the
19 waste.

20 Here we are, I've lived in
21 California. I lived first at Santa
22 Barbara as a student, then at U.C.L.A.,
23 and then at Berkley, although I'm not a
24 political radical, though I have learned
25 that one cannot be politically

121

16-Jun-89: TS-00576, PAGE 6 OF 9

1 complacent, and I think that a lot of
2 people say well the Government will take
3 care of it, but as I said initially, the
4 Government doesn't always take care of
5 things.

6 We need to work with the
7 Government and be aware.

8 But in living at U.C.L.A.,
9 and being in L.A., now when I go back,
10 it's very tragic to see what has happened
11 to L. A., and it's like we human beings
12 and the Government are not talking care
13 of the environment.

14 When you go to San
15 Bernadino, you're in this gray soup, and
16 you live in this gray soup long enough,
17 and you don't feel like you have any
18 power over your own life.

19 That's a very devastating
20 thing to live with.

21 So now I am here in New
22 Mexico, I came back to New Mexico because
23 it's less crowded, the air is clean here,
24 relatively. You know, you can't say it
25 totally for Albuquerque, but Santa Fe is

122

16-Jun-89: TS-00576, PAGE 7 OF 9

1 still relatively. You know, we have
2 relatively clear ground water, and we
3 live here.

4 Many people are refugees
5 from other parts of the world. We come
6 here because we don't like to live in
7 that gray soup, and we care about our
8 environment.

9 Okay, one more minute.

10 I've hardly gotten started,
11 but I will try.

12 We come here because we love
13 this environment and we love the earth
14 and we care about the earth.

15 The thing that I haven't
16 heard from the speakers is you know, the
17 thing that I was going to get into at
18 great length, but I'll make it very
19 brief, is why do we need to bury this
20 waste? It's like we have to hide the
21 garbage that we are creating instead of--
22 if we put the nuclear garbage that it
23 took to air condition Phoenix, in the
24 middle of Phoenix, it would teach people
25 something about themselves.

123

16-Jun-89: TS-00576, PAGE 8 OF 9

1 You know, you walk into a
2 restaurant in Phoenix and you freeze,
3 because the nuclear industry says the
4 energy is cheap and clean and safe. It
5 is not.

6 We need to learn a better
7 relationship with the way we use energy.

8 We need to not waste it as
9 much as we do, and we need to not hide it
10 and bury it.

11 You know, this stuff is not
12 safe, nuclear waste is not safe.

13 And they don't want it at
14 Rocky Flats, they say it's leaked into
15 the ground water, you know, why not make
16 it stay there, where it is, instead of
17 going to this incredible cost to truck it
18 over here, where we don't want it either,
19 and then put it in these salt beds, where
20 there is salt brine.

21 My father became an expert
22 in the whole underground water system,
23 and so we talked about that in his last
24 years, and there is -- you know, this
25 stuff is very corrosive, it's much more

124

16-Jun-89: TS-00576, PAGE 9 OF 9

1 corrosive than the air.

2 Why put it in these, it's
3 because we want to bury it, we don't want
4 to see it, we don't want to look at it.

5 But we have to be
6 responsible for our garbage, I think
7 that's the main lesson to learn, before
8 we have some accidents here, is to have
9 the public look at this and say, we have
10 to -- we can't just keep burying of our
11 garbage.

12 We create tons and tons and
13 tons of garbage, we are burying
14 ourselves, our civilization in garbage,
15 and we can't keep doing that.

16 We want to kind of truck it
17 all over here, you know, we don't want to
18 even know the trucks are coming through,
19 we want to just take it down there and
20 leave it down there.

21 You know, the road of WIPP
22 is not the road to healing ourselves or
23 our planet, and that's the most important
24 point I wanted to make.

25 Thank you.

125

16-Jun-89: TS-00577, PAGE 1 OF 5

HEARING OFFICER O'RIORDAN:

1 Is Toby Herslich here? I'm sorry if I
2 mispronounced that name.

3 MS. HERSLICH: That's okay.

4 Good morning, my name is
5 Toby Herslich, my address is 723 Gomez
6 Road, Santa Fe, 87501.

7 I am a resident of Santa Fe,
8 a citizen of this country, and individual
9 who cares very deeply about the land and
10 the people of New Mexico.

11 I am very concerned about
12 many inefficiencies that exist in the
13 SEIS document, and the WIPP project as a
14 whole.

15 I share the concerns of many
16 people who have already testified about
17 transportation issues, the geological
18 uncertainty of the site, the
19 socio-economic effects on communities
20 along the route, including Santa Fe, and
21 the far reaching health risks at every
22 stage of waste transport.

23 I'm particularly upset about
24 the fast track approach that the DOE is
25

23.1-2
3.1-2
3.1-10
5.1-2

3.1-8

126

16-Jun-89; TS-00577, PAGE 2 OF 3

1 taking on this project, insisting that we
2 open in September of this year, when
3 there are many safety issues that haven't
4 been addressed, and EPA standards haven't
5 been met.

6 It seems that the DOE is
7 willing to put public health and safety
8 at risk and to possibly contaminate a
9 large portion of New Mexico's desert, in
10 the name of political pressures.

11 This is absolutely
12 inappropriate in this case.

13 The new EPA standards must
14 be met and the WIPP site must be proven
15 safe before any nuclear waste is
16 transported to Carlsbad.

17 The SEIS document clearly
18 reveals that there is less risk of
19 negative impact to public safety, health
20 and the environment in the "no-action"
21 alternative than in proceeding with WIPP.

22 It states that the waste
23 slated to come to New Mexico could remain
24 where it is with no serious environmental
25 threats for perhaps a century.

3.1-2
3.1-83.1-2
3.1-31-3
3.1-31-2
5.2-1
5.2-2

127

16-Jun-89; TS-00577, PAGE 3 OF 3

1 There is no need to hurry in
2 getting the WIPP open and trucking
3 plutonium through 23 states.

4 The time must be taken to
5 bring WIPP up to EPA standards, to
6 thoroughly test the facility, to address
7 each and every citizen concern about the
8 entire process of waste disposal, and to
9 boldly investigate other alternatives
10 that haven't even begun to be explored.

11 I believe that it is also
12 much more important to devote our funds
13 to cleaning up existing contaminated DOE
14 sites that have resulted from the
15 mis-handling of nuclear waste in the
16 past, than to plunge ahead in opening new
17 facilities before safety standards are
18 met.

19 We can't afford to make
20 another mistake.

21 New Mexico is a particularly
22 pristine environment with clean air,
23 clean water and clean soil. We must not
24 create another Rocky Flats, another
25 Hanford, another Savannah River Plant,

1-3
2.2-2
3.1-2
3.1-3
4.1-3
5.3-12.2-2
9-3

64

128

16-Jun-89: TS-00577, PAGE 4 OF 3

and the list goes on and on.

The Iriquois Indians, whom the white man held in high regard as being a "civilized" people, had a guideline that they employed in all of their actions which affected the tribe.

Each decision was made with the next seven generations in mind. If the results would be beneficial for the seventh subsequent generation, then they would accept the choice and move forward.

Now we're dealing with plutonium, an extremely dangerous substance with an active life of 248,800 years, that's 788 generations.

I urge you, the DOE, our legislators, to do your decision making with the care and the time that it deserves. There is no need to rush.

Also, for the record, I want to object to the way that these hearings are being held.

I think that it reflects, again, this push, this fast track approach, we're in these small rooms, the

8-6
8-7

16-Jun-89: TS-00577, PAGE 5 OF 3

citizen groups are being broken up so that we can't learn from what each other is saying, there are distractions with people talking in the other room, and I would like to see a hearing that took as much time as it needed to give every citizen the time to speak and learn from each other.

Thank you.

HEARING OFFICER O'RIORDAN:

You're welcome.

(The document above-referred to was marked for identification as Exhibit No. 419, and received into evidence.)

Is Craig Anderson here?

MR. ANDERSON: Yes.

HEARING OFFICER O'RIORDAN:

You're next, Mr. Anderson.

MR. ANDERSON: My name is Craig Anderson, and I live at route 14, Box 228A in Santa Fe.

I have been in New Mexico since 1971. I am a property owner in New

8-6
8-7

16-Jun-89: TS-00578, PAGE 1 OF 3

130

16-Jun-89: TS-00578, PAGE 2 OF 3

1 Mexico, I am a father, I have -- sorry, I
2 didn't realize that.

3 I'll start over.

4 My name is Craig Anderson, I
5 live here in Santa Fe, I am a father, I
6 am a property owner, we've recently built
7 our family home about two miles from the
8 route that the WIPP trucks are expected
9 to take.

10 I've been a business man in
11 Santa Fe, had twelve people in my employ,
12 and I'm speaking partly on their behalf
13 today as well.

14 Basically, I am opposed to
15 putting nuclear waste at the Waste
16 Isolation Pilot Plant.

17 I am opposed to nuclear
18 energy in its entirety, I think it's a
19 hellacious notion, I think that it's a
20 very dangerous situation that has been
21 promulgated on the people of the United
22 States for the past approximately 40
23 years.

24 It's unthinkable to me that
25 the Government can cooperate with

1-2

32-1

131

16-Jun-89: TS-00578, PAGE 3 OF 3

1 industry to produce such a hazardous
2 waste, and provide no acceptable means
3 for storing the waste, no acceptable
4 situation that takes into consideration
5 the long-term health effects of this
6 waste.

7 I think that, you know, the
8 solutions thus far have been very simple
9 minded, very short-sighted.

10 I am angry with the
11 Government, I am here speaking today
12 because this is my right as a citizen.

13 I feel that my views are
14 valid, I feel that it should be known
15 that people in the business community,
16 fathers, householders, are extremely
17 concerned, extremely upset about this.

18 I agree with the young woman
19 who was here earlier that this situation
20 is not the situation that I would like to
21 see in terms of having one hearing room,
22 having a straight ahead situation where
23 everybody is in one room, we're all
24 hearing speakers in line. It's another
25 rush toward putting the Waste Isolation

32-1

8-7

132

16-Jun-69: TS-00578, PAGE 4 OF 5

Pilot Plant on line September.

I think that this is a sorry day for mankind, that here I am speaking in this way, to this group of folks, because this is something that should have been dealt with 48 years ago.

I am amazed that the Government continues to support nuclear energy when they have no solution in terms of the waste. This is simply unthinkable to my mind, it's unconscionable and I hope that nuclear waste is never placed in the Waste Isolation Pilot Plant.

I'm sorry, but that's -- I know that's not your position, but this is my position.

I have a three year old daughter, I have a pregnant wife, I do believe that we need to consider many generations ahead.

I just do not think that this is a prudent method for dealing with a very devastating problem.

I was a conscientious

133

16-Jun-69: TS-00578, PAGE 5 OF 5

objector to the war in Vietnam in 1969.

I was ridiculed at that time for holding onto ideas and views that were outside of the mainstream.

I am here today to tell you folks that this is a bad idea and I'm here also to tell you that I told you so, because it is going to come to light in the following years, that this was a very poor idea, that it was pushed through by bureaucracy, and that the people spoke and the Government rolled over the people.

Thank you very much.

HEARING OFFICER O'RIORDAN:

You're welcome.

Is Wingate Paine here?

You're next.

Each person has five minutes, I flash the green light when there is a minute to go.

If you could start with your name and address and speak so that the court reporter can keep up.

MR. PAINE: All right.

134

16-Jun-89: TS-00579, PAGE 1 OF 4

HEARING OFFICER O'RIOGDAN:

1 Thanks.

2

3 MR. PAINE: Good morning

4 gentlemen, my name is Wingate Paine, my

5 address is Route 9, Box 86F, Santa Fe,

6 New Mexico, zip code 87505.

7 So many of us have been here

8 yesterday, we'll be here today and

9 tomorrow, we've heard so many facts.

10 You already obviously know

11 so many facts, probably more than we do.

12 I would only be repeating

13 what you've already heard in these times,

14 to go over it, so I would like to talk

15 about something else.

16 I would like to talk about

17 truth.

18 Truth is a very, very

19 powerful thing. When truth is embodied

20 in a single man, he can stop a column of

21 tanks in its tracks.

22 When it's embodied in

23 somebody like Mahatma Gandhi, he can non-

24 violently and peacefully lead an entire

25 nation to freedom.

135

16-Jun-89: TS-00579, PAGE 2 OF 4

1 You all know the facts

2 concerning WIPP, are you admitting to

3 yourselves the truth that's in these

4 facts?

5 From what I have seen from

6 the Supplemental Environmental Impact

7 Statement, I have the full copies, as I

8 have the full copy of the Final

9 Environmental Impact Statement, reading

10 through the summaries and reading through

11 it a little bit, I have noted some

12 things, which you obviously have also.

13 To start with, there is the

14 truth, the draft SEIS does not justify

15 your preferred alternative of opening

16 WIPP without complying with the EPA

17 standards now being promulgated.

18 The truth is that your draft

19 SEIS does not contain any analysis of the

20 failure of WIPP to comply with these

21 standards.

22 Why not?

23 From my understanding, the

24 truth is that the draft SEIS does not

25 analyze or even discuss, the alternative

1-3

2.3.1-2

5.3-1

136

16-Jun-89: TS-00579, PAGE 3 OF 4

interim or long term storage
alternatives.

The draft SEIS evaluation of
public health and safety issues, to my
mind, does not justify proceeding with
your preferred course of action of
opening WIPP in September.

Parenthetically, from a
business standpoint, I've got to tell you
that it's in my best business interests
that WIPP open as soon as possible, as
far as I see it.

I run a company that is New
Mexico's sole manufacturer of cremation
urns.

(Laughter.)

And believe me, if there is
an accident, I am sure my business would
take off.

Finally, the truth is that
the draft Supplemental Impact Statement
really does not adequately evaluate all
the problems of transportation.

I go out on the road and
travel around the country a great deal,

5.3-1

3.1-2

7.3.2.1-5

137

16-Jun-89: TS-00579, PAGE 4 OF 4

and I can't tell you how much it means to
me to come back here. It's my home, and
how fortunate we are here, especially in
northern New Mexico.

A single accident here, a
trucking accident, would do incalculable
(sic.) damage to our environment, to our
economic base, which is tourism, and to
the health of many people who live here.

I guess what I'm really
trying to say gentlemen, is that you know
all of this, and I think somewhere in
your hearts, you know that it's not right
to be pushing this so quickly.

It is not right to try and
open it even before the standards are
met.

I hope that you can evaluate
that within your own hearts and come to a
different decision.

Thank you.

HEARING OFFICER O'RIORDAN:

You're welcome.

Is Richard Miller here,
Richard Miller?

7.2-1
7.2-5

3.1-3

138

HEARING OFFICER O'RIORDAN:

What I'll do is I'll call the people that are registered -- I said this before but some you haven't been here.

I'll call the people that are registered in the order that they are registered, and then I will go back to make sure that we pick up everybody.

Is Matt Dougherty here?

(No response.)

Christine Boyce, is

Christine Boyce here?

MS. BOYCE: va.

HEARING OFFICER O'RIORDAN:

You're next.

MS. BOYCE: Good morning.

HEARING OFFICER O'RIORDAN:

Good morning.

MS. BOYCE: My name is Christine Boyce, I live at Box 72, Sarafina, New Mexico 87569, that's about an hour towards Las Vegas from here.

I was born in Santa Fe, and I lived on Route 14 for most of my life.

I have to say that I don't

16-Jun-89: TS-00580, PAGE 1 OF 5

1-2

139

16-Jun-89: TS-00580, PAGE 2 OF 5

believe that WIPP should be opened.

The truth of the matter is that it's not ready, and the way that you're pushing these hearings through to get them done fast, is the way that you're pushing through to get WIPP opened by September.

You just had an accident in California, that's going to take 28 years to clean up and about 45 billion dollars, I can't remember the name of the place, I'm terrible with names.

For an industry that spends billions of dollars annually on nuclear defense, I don't see the results of the nuclear medical research.

We have a terrible disease on this earth called AIDS, and where is the miracle of nuclear technology when it comes to that.

We see nuclear technology destroying people all over the place.

When it's not destroying them with accidents at power plants or defense industries, it's destroying them

1-2

140

16-Jun-89: TS-00580, PAGE 3 OF 5
with the product.

What I object to most is that nuclear defense -- nuclear waste comes from an industry which produces destruction and it destroys people, and then you want to put it in the earth so that those people you didn't directly kill, you will kill sooner or later with an accident.

On March 22nd of 1989, that's this spring, I was driving to California to L. A., and I'm driving in Ariadne, and the highway gets moved down to one lane traffic, with highway department signs, "accident".

There were men in paper suits, picking up canisters with white powder in them.

Did it tell me what was there? I know that's a hazardous waste, because those men were wearing white paper suits, but there was no radiation sign, there was nothing to inform me of what I was driving myself through.

It was 20 feet away from me

3.6-1

3.1-2

141

16-Jun-89: TS-00580, PAGE 4 OF 5

on the road. Did I ever hear a news report about it? Do I have a number to call if I see that happen?

If you open this site in September, those kinds of incidents are going to be happening more and more and we're not going to hear about them, because we have no way to tell you about them, there's no dial 1-800 nuclear accident.

I'm scared, but most of all, I feel anger that we're creating this thing in the first place.

It's time to turn our money into things that are for peace and that are for the good of mankind.

Let's see the disease of AIDS eradicated with that money that you spend, and let's see you build something that will contain the waste, because we have the problem on our hands now, I agree, we have to do something.

But if you're not ready to open WIPP, believe me, I'm not ready to open WIPP.

3.1-2

142

16-Jun-87: TS-00580, PAGE 3 OF 3

1 It makes me angry as hell
2 when Governor Gary Carruther says that
3 the state is for WIPP.

4 Well I'm part of the state
5 and I'm not for it, and I can speak for
6 my friends and my family also.

7 Spend you money now, keep it
8 where it is now, don't spend the money on
9 transportation, and don't build those
10 roads.

11 Let's build something that
12 will hold it, like the speaker before me
13 suggested, we don't bury it anymore.

14 Let's build a giant truptact
15 container and hold it as a monument to
16 our society.

17 Spend you money on how to
18 contain it on something that will contain
19 it, and don't put it into leaching salt
20 beds with cracks in the floor already
21 that you are not even convinced about.

22 If you were convinced about
23 it, why didn't you start building the
24 roads ten years ago?

25 Thank you.

9-8

3.1-2
5.3-1

143

HEARING OFFICER O'RIORDAN:

1 You're welcome. 16-Jun-87: TS-00581, PAGE 1 OF 4

2 Is Sara Cobb here?

3 MS. COBB: My name is Sara
4 Cobb, I live at P. O. Box 1483, Suni, New
5 Mexico, it's near Gallup, it's on the
6 Suni Indian Reservation.

7 I am currently living there
8 with my husband, who is a physician with
9 the Indian Health Service, and my two
10 boys, ages one and three.

11 I hold a Masters Degree in
12 early childhood education, and I'm
13 certified to teach children in grades
14 kindergarten through six, and children
15 with learning disabilities.

16 I am currently working for
17 National Credentialling Program, the
18 Child Development Associate Program at
19 the University of New Mexico in Gallup.

20 This program is designed to
21 train and certify Head Start teachers.

22 I work primarily with Navajo
23 teachers in rural reservation schools.

24 Occasionally I ask myself
25

9.1

144

16-Jun-89: TS-00581, PAGE 2 OF 4

1 how the DOE would operate if I had the
2 opportunity to have some of its members
3 in my kindergarten classroom, because in
4 kindergarten we learn the basics of life
5 and relationships. We learn about trust,
6 about sharing, and about how to clean up
7 our own mess.

8 After a very short year
9 together, the group has a clear idea
10 about these fundamentals of life.

11 We cannot have a democratic
12 social system, even if it's a
13 kindergarten, unless these basic values
14 of honesty and fairness are in place.

15 When my students move on at
16 the end of the year, I am confident that
17 they possess these skills and values, but
18 there are always a few that I worry
19 about.

20 Perhaps some of our Federal
21 employees should repeat kindergarten in
22 order to learn what they missed.

23 (Laughter.)

24 For approximately 48 years,
25 the Department of Energy of its

9-1

145

16-Jun-89: TS-00581, PAGE 3 OF 4

1 predecessor, the Atomic Energy
2 Commission, have been telling us that
3 their plants are well managed, safe and
4 pollution free.

5 We have since learned that
6 three of their plants, Rocky Flats,
7 Hanford and the Savannah River Plant,
8 have been so badly mis-managed for so
9 long that it will cost billions of
10 dollars to clean them up.

11 With this sort of track
12 record, I've learned not to trust.

13 I have no reason to believe
14 that the management of WIPP will be any
15 different.

16 WIPP cannot open here in New
17 Mexico, or anywhere else, without meeting
18 the EPA's disposal standards.

19 These standards were
20 mandated by the Federal Government to
21 protect the health and safety of all of
22 us in the disposal of nuclear waste.

23 We are entitled to this
24 protection.

25 It is inexcusable and

32-1

1-3

146

16-Jun-89: TS-00581, PAGE 4 OF 4

1 irresponsible to ignore these conditions.

2 I appreciate how
3 unsatisfactory WIPP alternatives are, I
4 apologize to the people and to those
5 areas close to other waste sites, but we
6 need to consider above-ground, monitored,
7 retrievable storage facilities, before we
8 consider transporting this waste across
9 the country.

10 Obviously this plant is only
11 courting disaster.

12 An accident and spill
13 involving hundreds of people and acres of
14 land is inevitable.

15 At this point, we should
16 leave the waste where it is, while
17 cleaning up and improving these sites.

18 These should only be
19 considered temporary while scientists
20 continue to research long-term processes
21 for ultimate disposal, destruction,
22 and/or neutralization.

23 Thanks very much.

24 HEARING OFFICER O'RIORDAN:

25 You're welcome.

36-2
53-1

1-2
31-2
36-2
53-1

147

1 Is Mary Farr here?

2 I would ask the people in
3 the audience too, that when the person is
4 speaking that you try not to interrupt
5 them, whether you agree or disagree.

6 I've noticed that each
7 person has prepared remarks and put a lot
8 of effort into it and I'd like to have
9 each person have an opportunity to have
10 their say. 16-Jun-89: TS-00582, PAGE 1 OF 3

11 Would you please give us
12 your name and address?

13 MS. FARR: Yes. My name is
14 Mary Farr, my address is 966 Camino
15 Oraibi, here in Santa Fe.

16 Supposedly the number one
17 fear in America is public speaking, and
18 it's not exactly one of my personal
19 favorites, but honestly I think the
20 number one fear should be the Department
21 of Energy and its control over our
22 destinies.

23 I'm sure you guys are fairly
24 bored hearing all the emotional appeal
25 regarding the WIPP stances, the anger,

32-1

148

16-Jun-89: TS-00582, PAGE 2 OF 3

1 the frustration, the despair, the
2 distrust, but it's legitimate fear.

3 It stems from known facts
4 which become increasingly more publicly
5 stated, and unknown possibilities of the
6 truth of what's coming forth.

7 So I ask that the DOE find
8 the wisdom behind responding to this fear
9 because it is a real problem, WIPP is a
10 real problem, it is all legitimate, these
11 things that everybody has been saying
12 here and will continue to say.

13 The fear is not going to go
14 away, it simply going to escalate.

15 I think that you should deal
16 with it, I think that you should take a
17 look at it and take it very, very
18 seriously.

19 Essentially, we're all in
20 this together. You might not live here,
21 but you live somewhere in this country.

22 The short-term vision of
23 this country continues to get us into
24 greater and greater health hazards and
25 threats, and I think you should think

32-1

31-8

149

16-Jun-89: TS-00582, PAGE 3 OF 3

1 safety first, and I hope that you do.

2 Thank you.

3 HEARING OFFICER O'RIORDAN:

4 You're welcome.

5 Is Jesse Malmel here, Jesse
6 Malmel, M-a-l-m-e-d?

7 (No response.)

8 Is Tony Malmel here?

9 (No response.)

10 Is Paul Casey here? He was
11 an at the door registering, he's supposed
12 to be here.

13 Paul Casey is not here?

14 What I'll do is I'll call--
15 there is one person and then we'll take a
16 break.

16 16-Jun-89: TS-00583, PAGE 1 OF 8

17 Is Daniel Statnikov?

18 MR. STATNIKOV: Yes.

19 HEARING OFFICER O'RIORDAN:

20 You will be our last person and then we'll
21 take a break and we'll give the other
22 people a chance to get up here.

23 MR. STATNIKOV: My address
24 for the record, is Post Office Box 687,
25 Tesuque, New Mexico 87574.

31-8

158

16-Jun-89: TS-00583, PAGE 2 OF 8

My name is Daniel K.

Statnekov.

HEARING OFFICER O'RIORDAN:

I'm sorry I mispronounced your name.

MR. STATNEKOV: I'm here to go on the record in asking you, the Government employees of the Department of Energy to obey the law regarding the Waste Isolation Pilot Plant.

I ask that you obey the law enacted by the Congress of the United States, the law that is the reflection of the will of the citizens of this country, the law that has been signed by the President of the United States, and that has been the subject of interpretation by duly constituted judicial bodies.

What are the laws that apply to WIPP? Three laws that obviously apply are first, the National Environmental Policy Act, which requires a federal agency to complete an Environmental Impact Statement that assesses the impacts of the project's action and all reasonable alternatives.

22-4
3.1-10
3.6-2
5.3-1

151

16-Jun-89: TS-00583, PAGE 3 OF 8

The DOE's failure to consider long-term above-ground storage for the purpose of further experimentation and research into other methods of waste treatment and disposal, is I think a violation of that enacted law.

The second law that applies to WIPP is the compliance with the Resource Conservation and Recovery Act, better known as RCRA, which regulates waste containing hazardous toxic chemicals and radioactive material.

Under RCRA the DOE must demonstrate to the EPA to a reasonable certainty that there will be no migration of hazardous constituents from the disposal unit for as long as the waste remains hazardous.

This is obviously a serious challenge and a serious problem, in light of the testimony that we've heard here yesterday and this morning.

A secondary problem to that is that there is no detailed chemical and

22-4
3.1-10
3.6-2
5.3-1

3.7-1
3.7-2
3.7-4
7.9.3-3

152

16-Jun-89: TS-00583, PAGE 4 OF 8
 1 physical analysis of representative
 2 samples of the waste.

3 Now I heard the testimony of
 4 the man from Los Alamos, and I think that
 5 the people at Los Alamos are doing a good
 6 job in terms of understanding what is in
 7 these barrels and making a retrievable
 8 situation possible.

9 But last night we heard some
 10 testimony from an assistant, former
 11 assistant attorney general who worked for
 12 Jeff Bingham and who was involved in the
 13 legal agreement with the DOE some years
 14 ago, a settlement of a court case.

15 He stated that there are
 16 problems with waste from the late 48's
 17 and early 50's, that are currently in 55
 18 gallon drums, are not labeled, and that
 19 no one has an understanding of what are
 20 in these containers.

21 So assuming that we can go
 22 forward under some reasonable means for
 23 opening the WIPP project, we can't accept
 24 the 48's and 50's waste until it's
 25 analyzed and it's understood what's in

37-1
 37-2
 37-4
 7.9.3-3

153

16-Jun-89: TS-00583, PAGE 5 OF 8
 1 there.

2 Because if there is a
 3 problem then it compounds the problem and
 4 we wouldn't be able to solve it or our
 5 children wouldn't be able to solve it.

6 We have gallons of waste
 7 that have organic materials and inorganic
 8 materials, are just unknown, unlabeled
 9 and apparently from the early 40's and
 10 50's.

11 This is a tremendous concern
 12 to those of us who are not totally
 13 against WIPP opening under some
 14 reasonable methodology.

15 This is a very real concern,
 16 and I think that --

17 I want it to be reiterated
 18 that, to go on the record, that this
 19 waste is against the law in terms of this
 20 RCRA Act in terms of putting it into the
 21 WIPP site.

22 We can't put waste into the
 23 WIPP site that is not understood what it
 24 is.

25 So therefore there is no

37-1
 37-2
 37-4
 7.9.3-3

154

16-Jun-89: TS-00583, PAGE 6 OF 8

1 understanding of what sort of reactions
2 might occur should these wastes come in
3 contact with one another.

4 And it is my understanding
5 that the DOE is seeking a variance to
6 this section of the law, of the RCRA law,
7 for this particular waste.

8 I am here to vehemently
9 protest the issuance of such a variance.

10 This is not a zoning line
11 we're talking about here, it's a variance
12 to potentially create the most horrific
13 chaos that man can imagine.

14 Once again, I protest the
15 issuance of any sort of variance in this
16 matter.

17 The third law applicable to
18 WIPP are the EPA standards themselves.

19 We see a lot of signs here,
20 and I know it's been introduced, the sign
21 itself, yesterday was introduced into the
22 record.

23 The EPA standards are
24 regulations that are laws of this
25 country.

37-2
37-4
7.93-3

1-3
3.1-3

155

16-Jun-89: TS-00583, PAGE 7 OF 8

1 Whether or not their in the
2 process, as I understand it, being
3 rewritten, it is mandatory that you folks
4 at the DOE adhere to the EPA standards.

5 You want to open this thing,
6 some of us are against it, some of us are
7 for it, some of us are in the middle, and
8 some of us are trying to pick our way
9 through the morass illusion and
10 misinformation and deal with it as a very
11 real problem.

12 I am no more happy with the
13 fact that there's waste sitting up in Los
14 Alamos, above ground, without a deep
15 understanding of how to deal with that,
16 than I am about putting it into the
17 ground at Carlsbad without some
18 scientific grasp of the imponderables
19 (sic.), and I think that's reasonable.

20 The EPA standards are
21 legally constituted regulations,
22 currently being rewritten as the result
23 of due legal process.

24 Until the new regulations
25 are formulated, there is no legal

1-3
3.1-3

1-3
3.1-3

156

16-Jun-89; TS-00583, PAGE 8 OF 8

1 precedent that can allow the DOX to
2 proceed, especially to proceed on the
3 basis of regulations that have been
4 determined in a court of law, to be
5 insufficient to safeguard the public.

6 We know what that court of
7 law was, it's been brought into the
8 record many times.

9 The law is how we operate in
10 the democratic system in which we are so
11 fortunate to live, and despite recent
12 actions by Oliver North, et al, we still
13 live in a free and democratic society.

14 So adjure all of you
15 gentlemen to remember as you proceed in
16 your business, to obey the law.

17 They are laws that are meant
18 to protect our children and they are laws
19 that are meant to protect your children
20 too.

21 Thank you.

22 HEARING OFFICER O'RIORDAN:

23 You're welcome.

24 We'll mark your exhibit as
25 number 428.

1-3
3.1-3

157

1 (The document above-
2 referred to was marked for
3 identification as
4 Exhibit No. 428, and
5 received into evidence.)

6 Is Paul Casey here?

7 (No response.)

8 Is Tony Malmel here,

9 M-a-l-m-e-d?

10 (No response.)

11 Jesse Malmel?

12 (No response.)

13 Matt Doherty, is Matt

14 Doherty here?

15 (No response.)

16 Is Richard Miller here?

17 (No response.)

18 Now about Victor Ramal?

19 (No response.)

20 Toby Lawford?

21 (No response.)

22 Jeanne Farmer?

23 (No response.)

24 Steve Crass?

25 (No response.)

158

1 Is Charley Drobeck here?
 2 (No response.)
 3 Well we've completed all the
 4 pre-registered people and all of the
 5 at-the-door registrants.
 6 UNKNOWN SPEAKER: Excuse me,
 7 I registered at the door, I was going to
 8 appear -- 16-Jun-89: TS-00584, PAGE 1 OF 7
 9 HEARING OFFICER O'RIORDAN:
 10 What was your name, I'm sorry?
 11 MS. BONNEAU: Bonnie
 12 Bonneau.
 13 HEARING OFFICER O'RIORDAN:
 14 How do you spell that?
 15 MS. BONNEAU: They said that
 16 18:35 is the time.
 17 HEARING OFFICER O'RIORDAN:
 18 That's after the break, but would you
 19 like to talk now?
 20 MS. BONNEAU: Could I?
 21 HEARING OFFICER O'RIORDAN:
 22 You bet..
 23 MS. BONNEAU: And then I
 24 won't be nervous.
 25 HEARING OFFICER O'RIORDAN:

159

16-Jun-89: TS-00584, PAGE 2 OF 7

1 That's okay, I'm glad I asked.
 2 MS. BONNEAU: Ni.
 3 HEARING OFFICER O'RIORDAN:
 4 Ni, what's your last name again?
 5 MS. BONNEAU: Bonnie
 6 Bonneau, B-o-n-n-e-a-u.
 7 I represent the
 8 Intergalactic Federation for
 9 Interplanetary Peace and the Legions of
 10 Living Light, and they had me registered
 11 to speak yesterday, but I didn't get my
 12 postcard, and so I didn't know.
 13 I recommended that your
 14 mythological experiments could be
 15 completed perfectly well with
 16 non-hazardous materials, and that the
 17 five year experiment should be done to
 18 prove that they can stop the leaking and
 19 the seepage that is coming in from the
 20 aquifer and the seepage of brine and the
 21 five year experiment should be to prove
 22 that the hole can be made totally water
 23 tight and kept water tight for five
 24 years.
 25 After there has been five

160

16-Jun-89; TS-00584, PAGE 3 OF 7

1 years without having any water in it,
2 then it's okay to put in booties and
3 paper suits and stuff like this.

4 Because after all, five
5 years is one-two thousandth of ten
6 thousand years, and it's one-fifth
7 thousandths of 258,888 years, and I mean
8 it's only a blink of time, the five
9 years, to prove you can keep it dry.

10 Any sane EPA standards, when
11 they get them together, are going to say
12 that hole has got to be waterproof and
13 water tight.

14 The five years would also
15 allow time to develop good EPA standards
16 and to get them tested in court and
17 passed and signed and vetoed and whatever
18 becomes of them, you know?

19 In fact, there's really no
20 reason to believe that they can't stop
21 the leaking of water into the WIPP site.

22 Probably in five years, the
23 hole will be half full of water and
24 non-functional and the real meaning of
25 the experiment that EPA or DOE rather,

3.1-2
3.1-3
3.2-1

161

16-Jun-89; TS-00584, PAGE 4 OF 7

1 is proposing, is to prove that they can
2 get anything they want and they can do
3 anything they want, you know, it's just
4 an experiment of public power or power
5 over the public, and you know, to prove
6 that whatever they say, everybody should
7 believe.

8 So then, we have to demand
9 that the EPA standards be established
10 before anything proceeds, but that
11 meanwhile you can work on plugging up all
12 the leaks.

13 I suggest that the standards
14 should consider human beings and life in
15 general, of all species, rather than
16 being exclusively by and for Government
17 agencies.

18 I believe that actually the
19 waste would be better off left at sites
20 where it is, and that the plants should
21 be closed down and turned into waste
22 sites, because the area is already
23 contaminated.

24 You can find sane ways to
25 decontaminate Rocky Flats, Hanford,

1-3
3.1-2
3.1-3
3.2-1

1-2
3.6-1
5.3-1

9-2

162

16-Jun-89; TS-00584, PAGE 5 OF 7
Savannah River, Fernal (phonetic).

Over a year ago I sent a recommendation or a request to the Los Alamos Committee on Arms Control and International Security, that there was a way to decontaminate nuclear waste with baking soda and rusty nails, and I asked that they perform an experiment to this effect up at Los Alamos, and I believe that they got some pretty stupendous rusty nails -- new nails out of it, and I believe that this would be, you know, a good thing to look into, to find out about.

I would also like to suggest that sometime probably in the next five years, and sort of as a result of this coal fusion, there's going to be the discovery of new substances being emitted by nuclear -- new energy being emitted from a nuclear substance in the form of waves on an electromagnetic wave, rather than particulate matter. They're going to discover that there is something new that is radiating electromagnetically out

9-2

163

16-Jun-89; TS-00584, PAGE 6 OF 7

of the waste.

And as we all know the trupact containers can be worked on in the next five years, two for instance, the drop test, it should be dropped so that it goes -- the thing, the peg that it lands on, that it could be dropped more than three feet and the peg and spike it lands on has to be long enough to go through the ten inches of polyurethane foam, rather than being like so short that they couldn't possibly puncture the inner container, you know, regardless if they dropped it forty feet onto this little peg, the peg is so short that it couldn't puncture the inner container, you know.

So I hope that of course the EPA standards consider -- make the trupact more so it doesn't automatically leak, which they call ventilation, they say they have to vent the material or it might blow up.

I mean while this venting of material, it's putting radioactive stuff

7.3.1.1-13
7.3.4.1-17.3.1.1-17
7.3.1.1-24

164

16-Jun-89: TS-00584, PAGE 7 OF 7

1 into the air, where you know, it's going
2 to get blown around and it's going to get
3 in somebody's lungs.

4 Is my time up now?

5 HEARING OFFICER O'RIORDAN:

6 Yes.

7 MS. BONNEAU: Okay, thank

8 you.

9 HEARING OFFICER O'RIORDAN:

10 You're welcome. 16-Jun-89: TS-00585, PAGE 1 OF 4

11 Is Rebecca Ortega here?

12 MS. ORTEGA: Yes.

13 HEARING OFFICER O'RIORDAN:

14 You're next.

15 If you could give your name
16 and address before you give your
17 presentation.

18 MS. ORTEGA: My name is
19 Rebecca Ortega and I am currently from
20 Santa Clara, Pueblo, and what I would
21 like to say is that I see this whole WIPP
22 site as being as the beginning of the
23 end.

24 I am the mother of two
25 children, and I am totally against the

7.3.1.1-17
7.3.1.1-24

1-2

165

16-Jun-89: TS-00585, PAGE 2 OF 4

1 opening of WIPP.

2 My first concern is the
3 health and well being of my children, as
4 well as the children of New Mexico, and I
5 would not want to leave contaminated air,
6 land or water for my children, my
7 grandchildren and my great grandchildren.

8 If any of you have ever seen
9 that movie called the Day After, which
10 deals with the day after nuclear war, and
11 if you saw the movie, you saw how those
12 children were suffering, their lungs were
13 contaminated, they were coughing, they
14 were choking, they were sick, they were
15 bleeding from the rectum, you know.

16 I mean would you like to see
17 your great grandchildren going through
18 that? That's just disgusting.

19 On top of that, who will pay
20 for the health costs? You know, who will
21 pay for the well being of these children?

22 Once they're sick then we're
23 going to have another problem, who's
24 going to pay for the health, the medical
25 costs?

1-2

3.1-5

16-Jun-89: TS-00585, PAGE 3 OF 6

1 Now the other thing too, is
2 that we all know how -- and I've been to
3 the East, we all know how a lot of
4 eastern states look at our state, they
5 don't even know if New Mexico is a part
6 of Mexico or is it a part of the United
7 States. Most people think we're a part
8 of Mexico.

9 Right at this point, we are
10 known as the desert land, right now we're
11 going to be known as the dump site of the
12 nation's nuclear waste.

13 It is my feeling that once
14 the air is contaminated, once the land is
15 contaminated, once the water is
16 contaminated, none of us will be able to
17 live here.

18 Do you know what they'll do
19 in Washington, D. C.? They'd say oh
20 well, let's just condemn the whole state
21 of New Mexico, we'll use that as our
22 nation's dump site.

23 Where will we all go? I
24 suppose we'll all have to move to
25 Phoenix, California, Arizona or maybe to

16-Jun-89: TS-00585, PAGE 4 OF 6

1 Detroit, Michigan, who knows, but our
2 children won't even grow up here.

3 Maybe the state of New
4 Mexico might not even exist anymore.

5 We might not see it in our
6 lifetime, but I would hate to be here
7 when my children, my grandchildren or my
8 great grandchildren have to see it.

9 They might --

10 You know, we pride ourselves
11 so much that we're a multi-cultural
12 state, but I don't think we're even
13 thinking of those things. I don't think
14 we're thinking of the multi-culture
15 state, the beauty of the Spanish, the
16 beauty of the Indian people, the beauty
17 of the white people, the beauty of
18 everybody that lives here.

19 No, we're saying we want
20 money, go ahead and bring all your
21 nation's dump, you know, waste. That's
22 all right, we'll live with it.

23 I don't think that's right
24 and I would hate to be the person to be
25 drinking contaminated water.

168

16-Jun-89: TS-00585, PAGE 5 OF 6

1 I would hate to be the
2 person wondering if the rain is
3 contaminated, I wonder if the air is
4 contaminated.

5 And like I said, you know, I
6 am the mother of two children, my main
7 concern is the health and well being of
8 my children as well as the children of
9 the rest of New Mexico., and not only our
10 children but the future generations.

11 We have to think about these
12 things, we have to think about the health
13 costs, we have to think about what we're
14 leaving for them.

15 We have to wonder if maybe
16 in a few hundred years, if the seepage
17 continues, maybe as soon as that, or
18 maybe in a few thousand years, New Mexico
19 might not even exist, they'll just be
20 totally condemned, because anyway, the
21 really are part of the United States, we
22 might be a part of Mexico.

23 So as far as I'm concerned,
24 I see it as the beginning of the end.

25 HEARING OFFICER O'RIORDAN:

169

16-Jun-89: TS-00585, PAGE 6 OF 6

1 Okay, thank you.

2 MS. ORTEGA: And also, I
3 feel that every state should, if they
4 need to produce new nuclear waste, should
5 be responsible for taking care of it on
6 their own.

7 HEARING OFFICER O'RIORDAN:

8 Thank you.

9 We're going to have a recess
10 until 10:30 to allow some of the people
11 to get here for the next session.

12 Thank you.

13 (Short recess.)

14 HEARING OFFICER O'RIORDAN:

15 We're back on the record.

16 It's 10:30, and for the
17 people that are here, each person has
18 five minutes, and we flash a green light
19 when there is a minute to go.

20 You can submit written
21 comments now, or up until July 11th.

22 If you could begin your
23 comments by giving your name and address,
24 this is a formal hearing under the
25 National Policy Act, and so we need to do

4.1-1

170

1 that. 16-Jun-89: TS-00586, PAGE 1 OF 9

2 We appreciate your being
3 here.

4 What was your name, sir?

5 MR. CASEY: My name is Paul
6 Casey, I'm from the Rocky Mountain Peace
7 Center, 1634 Spruce Street in Boulder,
8 Colorado 80302.

9 I am on the staff of the
10 Rocky Mountain Peace Center in Boulder.

11 For those of you who don't
12 know what the Rocky Mountain Peace Center
13 is, we're created in a spirit of
14 unconditional non-violence, dedicated to
15 research, education and action and
16 non-violence as a means of personal and
17 social change, and to the achievement of
18 justice by non-violent means.

19 I guess I would like to just
20 call attention to a publication that the
21 Rocky Mountain Peace Center did this past
22 year, which is a citizens guide to Rocky
23 Flats and Rocky Flats has been in the
24 news these past days.

25 I made some reprints for

171

16-Jun-89: TS-00586, PAGE 2 OF 9

1 people that are excerpts from the this
2 which are available at one of the tables
3 downstairs, but not in the full form that
4 I have here.

5 Just a brief review of some
6 of the chronology at Rocky Flats, I would
7 like to call attention to one of the
8 fires which occurred in 1957.

9 HEARING OFFICER O'RIORDAN:
10 I can't see it -- excuse me, would you
11 turn it there, where I can't see the
12 light.

13 I'm sorry to interrupt.

14 MR. CASEY: That's all
15 right.

16 As fire fighters tried to
17 combat this blaze, filters over the glove
18 boxes caught fire, releasing plutonium
19 particles lodged in them.

20 Since these had not been
21 changed since their installations in
22 1954, the filters alone may have released
23 as much as 100 pounds of plutonium into
24 the atmosphere on that day.

25 Officials did not reactivate

172

16-Jun-89: TS-00586, PAGE 3 OF 9

1 smokestack monitors until seven days
2 after the accident.
3 time, Rockwell
4 claimed the incinerator had never been
5 used, but later admitted that it had been
6 working for a three year period.

7 Of course just this month,
8 when the FBI disclosed evidence from
9 serial surveillance which showed
10 deliberate possible criminal violations
11 of the law in toxic dumping and
12 incineration in December of last year.

13 I am reviewing this, because
14 this where the bulk of the waste for the
15 WIPP project is going to come from.

16 My feeling is that this --
17 that these incidents are not isolated,
18 there is a whole chronology on the back
19 of this, which just about year-by-year
20 and blow-by-blow, reveals what we've been
21 able to learn.

22 I think that there is
23 probably more that we don't know yet, but
24 that will be coming out, about what has
25 been happening there.

173

16-Jun-89: TS-00586, PAGE 4 OF 9

1 It doesn't do a lot for the
2 public confidence to have a record of
3 this kind of mis-management.

4 The first day they were
5 turned on, the stack emissions measured
6 for 16,888 times acceptable radioactive
7 standards.

8 Production resumed three
9 days after the fire, although the
10 destroyed filters had not yet been
11 replaced, and in two elementary school
12 yards, soil samples showed
13 concentrations of possible uranium, about
14 288 times the background level in
15 Colorado for the nuclear testing fallout.

16 In spite of such alarming
17 preliminary findings, Rocky Flats
18 officials only examined three soil
19 samples from the surrounding area.

20 In 1969, 28 plutonium fires
21 broke out, the largest in May, when
22 plutonium again ignited spontaneously in
23 a cabinet.

24 Heat sensors did not detect
25 the fire until it was out of control,

174

16-Jun-89: TS-00586, PAGE 5 OF 9

1 because workers had inadvertently
2 insulated the sensors from the area in
3 which the fire had started.

4 The 1969 fire won the
5 ignominious distinction of being the most
6 expensive U. S. industrial accident of
7 the time, costing taxpayers 45 million
8 dollars and hundreds of workers needed to
9 clean up the mess may be paying an even
10 higher price.

11 More recently, the waste
12 disposal incinerators in Building 776,
13 which were built in 1978, it was operated
14 since -- this incinerator was operated
15 for three years and then shut down, and
16 then used again in 1985.

17 At that time, Rockwell
18 claimed the incinerator had never been
19 used, but later admitted that it had been
20 working for a three year period.

21 Of course just this month,
22 when the FBI disclosed evidence from
23 serial surveillance which showed
24 deliberate possible criminal violations
25 of the law in toxic dumping and

32-1

175

16-Jun-89: TS-00586, PAGE 6 OF 9

1 incineration in December of last year.

2 I am reviewing this, because
3 this where the bulk of the waste for the
4 WIPP project is going to come from.

5 My feeling is that this --
6 that these incidents are not isolated,
7 there is a whole chronology on the back
8 of this, which just about year-by-year
9 and blow-by-blow, reveals what we've been
10 able to learn.

11 I think that there is
12 probably more that we don't know yet, but
13 that will be coming out, about what has
14 been happening there.

15 It doesn't do a lot for the
16 public confidence to have a record of
17 this kind of mis-management.

18 In the 2918 Report, which
19 was released last year, you cited
20 citizens opposition in the form of
21 environmental and anti-nuclear groups as
22 being a significant factor in the
23 decision to phase out the operations at
24 Rocky Flats.

25 You state that this

32-1

176

16-Jun-89: TS-00586, PAGE 7 OF 9

1 opposition had been instrumental in
2 shaping public perception of the dangers
3 the plant poses.

4 I would like to offer that
5 this public perception is based also on
6 some really hard realities, which include
7 your own mismanagement and deception.

8 Very rarely has there been a
9 free and forthcoming issue of information
10 from the Rocky Flats Plant.

11 My real fear is that the
12 same will be true of the WIPP if it's
13 opened.

14 I don't really feel that the
15 statements that were made by Earl
16 Whitehead last year to reassure us in the
17 light of what happened already in the
18 intervening time, were very -- are very
19 good.

20 I mean it's really doing a
21 lot to damage your credibility and I'm
22 not here to try and restore it.

23 I just don't think that the
24 WIPP is a good project and if you're
25 going to do this and all of this is part

32-1

177

16-Jun-89: TS-00586, PAGE 8 OF 9

1 of a huge and monstrous operation, I
2 think in the name of national security
3 then, let's get honest about it.

4 The production of nuclear
5 weapons and their deadly by-products, in
6 itself is the real threat to our national
7 security, which is our health and safety.

8 I strongly urge people, the
9 two other people, three other people
10 here, and whoever is going to hear these
11 tapes, to continue their opposition to
12 this WIPP project, because it's not in
13 the interest of our national security.

14 I hope that the real
15 question of nuclear weapons production
16 policy are examined at your level, I mean
17 at your level of management, and that we
18 see that it's no longer justifiable.

19 We really need to work this
20 out, we have great opportunities in the
21 world today, to deal with the Soviet
22 Union, to deal with other nations, toward
23 working out a reduced and possibly
24 eliminated nuclear arms scene.

25 I am strongly urging that

32-1
36-1

36-1

178

16-Jun-89: TS-00586, PAGE 9 OF 9.

1 you take this into account and I'm saying
2 it the most reasonable way that I can,
3 not to criticize you, but to really try
4 to bring this back to where you were, and
5 consider it carefully, that many people
6 don't want this anymore.

7 HEARING OFFICER O'RIORDAN:

8 Thank you very much.

9 MR. CASEY: Thank you.

10 HEARING OFFICER O'RIORDAN:

11 Is Sina Ponton 16-Jun-89: TS-00587, PAGE 1 OF 3

12 MS. PONTON: There were
13 other names ahead of me, is anyone here
14 that --

15 HEARING OFFICER O'RIORDAN:

16 And when you're finished speaking, I'm
17 going to go through the list.

18 If you could identify
19 yourself and begin your presentation.

20 MS. PONTON: My name is Sina
21 Ponton and my address is 2596 Camino
22 Treco, Santa Fe, New Mexico 87505.

23 I am speaking as a concerned
24 citizen.

25 I do have a background in --

3.6-1

179

16-Jun-89: TS-00587, PAGE 2 OF 3

1 somewhat in physics and I understand much
2 of the dynamics of what goes on with
3 nuclear radiation, and I've taken a
4 look at my own history, different
5 projects, both power plants, at one time
6 I worked briefly as a technical writer
7 for Everhine (phonetic) Instruments, and
8 I have worked at Astronomy Observatory.

9 So I understand the nature
10 of physics and I understand -- I'm more
11 than an average citizen who knows about
12 both sides of what nuclear energy is all
13 about.

14 My concern here is that the
15 WIPP project has not been thoroughly
16 researched in the presentation of your
17 Environment Impact Statement.

18 I also have a background
19 with the National Parks Service for about
20 ten years, and so I am a naturalist and I
21 understand also, things like geology and
22 plant life.

23 I do not feel that the --
24 where you have chosen to locate the
25 project is a very safe place, the salt

2.3.1-2

7.7-4

100

1 mines. 16-Jun-89: TS-00587, PAGE 3 OF 5

2 This is my opinion, and I
3 know that you all have had your
4 geologists and you've had your people
5 look at the place and run their own
6 estimate, but this is my opinion that it
7 would not be safe in the long run, so far
8 as leakages and so far as what the earth
9 does in the salt mines, as well as the
10 containers of the nuclear waste products
11 that you will be shipping down there.

12 I also feel that the routes
13 that you have chosen --

14 In fact, there is nothing
15 that I really like about the WIPP
16 project.

17 I know that there is a
18 definite problem that the Government is
19 working on in trying to find a viable
20 solution in order to get rid of waste,
21 but I do not feel the way the WIPP
22 project has been handled or the
23 Environmental Impact Statement, has been
24 researched, to give me enough confidence
25 in the safety of -- or the reliability

7.7-4

7.12.6-5

3.1-2

101

16-Jun-89: TS-00587, PAGE 4 OF 5

1 that the location here in New Mexico is
2 very good, both from transporting it as
3 well as securing it under ground.

4 I am a spokeswoman for peace
5 as well and I agree with other comments
6 that have been made, concerning efforts
7 both on your part, and working with us,
8 towards a mutual agreement for peace, of
9 which one of the things is about finding
10 out what to do with waste, you know,
11 radiation, radioactive waste. I mean this
12 is it.

13 It's not just about war,
14 it's about what to do with things that
15 endanger our health and our lives on any
16 level, and this is what I am speaking
17 for.

18 I would like to see the
19 Department of Energy take more time
20 before even taking any action in
21 presenting the public, presenting me as
22 a citizen with more information than you
23 have, that would convince me that the
24 WIPP project here in New Mexico is
25 something more than you present it to be

3.1-2

182

16-Jun-89: TS-00587, PAGE 5 OF 5

1 already, because I do not feel it's safe
2 at all.

3 I do not -- I just do not.

4 It shakes me up inside, you
5 know.

6 I don't know how the people
7 down in Carlsbad feel, but I know that
8 the radioactive waste is going to be
9 coming through here, I don't like that.

10 I don't feel very safe about
11 the ways it's going to be transported,
12 and I don't feel it's going to be very
13 safe at all on the way you have presented
14 the nuclear radiation to be secured in
15 the salt mines.

16 I thank you for allowing us
17 to speak here, and I hope that our mutual
18 efforts can be resolved peacefully.

19 Thank you.

20 HEARING OFFICER O'RIORDAN:
21 You're welcome.

22 I would like to call some of
23 the names that were pre-registered a
24 little earlier this morning, who weren't
25 here.

3.1-2

183

1 Is Richard Miller here by
2 any chance?

3 UNKNOWN SPEAKER: He's
4 downstairs.

5 HEARING OFFICER O'RIORDAN:
6 He's downstairs, okay.

7 Matt Doherty?

8 (No response.)

9 Is Jesse Malmed? You're
10 next, sir. 16-Jun-89: TS-00588, PAGE 1 OF 5

11 MR. MALMED: I'm going to
12 comment by --

13 HEARING OFFICER O'RIORDAN:
14 I'm sorry, whatever is convenient.

15 Each person has five
16 minutes, and if you could begin by
17 identifying yourself.

18 I put the green light on
19 when you have one minute.

20 MR. MALMED: Okay. I'm Tony
21 Malmed, this is Jesse Malmed.

22 HEARING OFFICER O'RIORDAN:
23 Okay, I see.

24 MR. MALMED: The first thing
25 that I would like to say is that I feel

184

16-Jun-89: TS-00588, PAGE 2 OF 5

1 that all the speakers and all of us, are
2 extremely lucky to have this opportunity
3 to speak out like that, like this, and
4 that it's a true tribute to the greatness
5 of our country that it's allowed.

6 I feel that the reason that
7 it was set up initially is that we would
8 have this freedom so that the Government
9 would listen to us and see what the
10 people in fact do think and care about.

11 I think that you people
12 sitting here probably are impressed by
13 the sincerity of the people that have
14 come up, that the concerns are very real.

15 You're probably more aware
16 of how real they are than we are, which I
17 think is part of your problem, is that I
18 think that the amount of nuclear waste
19 that we have stockpiled in the country
20 has become such a problem, that something
21 drastic has to be done with it.

22 I think the danger is that
23 you're trying to rush into something
24 before it's really ready.

25 Probably if I knew --

3.2-1

4.1-3

185

16-Jun-89: TS-00588, PAGE 3 OF 5

1 knowing what I know, which I'm sure is
2 only a little bit of what you know, I
3 probably would try to rush something
4 through also so that I could feel that I
5 was getting something done, but I don't
6 think that's really the way to do it.

7 In the last two weeks, just
8 in Santa Fe in our newspaper, which is
9 not known for its great coverage of
10 important issues in this country, there
11 were two mentions on the front page of
12 major things that happened. One was the
13 FBI raid on Rocky Flats, and the other
14 one is that the DOE withheld the data for
15 the cracks in the storage rooms, even
16 from this report that is the subject of
17 these hearings.

18 I have to think that they're
19 either negligent or intentional
20 misconduct by the Department of Energy,
21 and it makes me question whether some
22 other regulatory body should be the one
23 that's in charge of this handling of the
24 nuclear waste, if that is the kind of
25 treatment that the Department of Energy

4.1-3

3.2-1

186

1 is doing. 16-Jun-89: TS-00588, PAGE 4 OF 5

2 I would like to have more
3 faith in the Department of Energy because
4 they are my Government and I am a
5 citizen, and I'm patriotic, and I'm sure
6 that they're patriotic, but I just can't,
7 I can't. All I can do really, is
8 mistrust them, and think that they're not
9 handling it the way that they should.

10 I think that the bottom line
11 come on it is the fact that they would
12 even consider driving nuclear waste
13 through a metropolitan area like Santa
14 Fe, a few blocks from here, shows that
15 they shouldn't be the ones that make the
16 decision.

17 To me, the fact that 1500
18 trucks are going to come by within a few
19 miles here, with nuclear waste,
20 especially in a state that has one of the
21 worst driving records, if not the worst,
22 in the country, shows that it's just
23 inconceivable that they should be the
24 ones that get to make the decisions on
25 such an important issue.

3.2-1

187

16-Jun-89: TS-00588, PAGE 5 OF 5

1 Thank you.

2 HEARING OFFICER O'RIORDAN:

3 You're welcome. 16-Jun-89: TS-00589, PAGE 1 OF 2

4 MR. JESSE MALMED: (Child)

5 I can't get to it.

6 HEARING OFFICER O'RIORDAN:

7 Could you give us your name?

8 MR. JESSE MALMED: My name
9 is Jesse Malmel.

10 MR. TONY MALMED: Do you
11 want to say something? What do you want
12 to say?

13 MR. JESSE MALMED: You stay
14 with me.

15 MR. TONY MALMED: Okay.
16 Tell them what you told me you were
17 worried about.

18 MR. JESSE MALMED: I'm
19 worried about it going through, places
20 that are full of -- places with many,
21 many schools.

22 One of the schools has me in
23 it.

24 MR. TONY MALMED: Do you
25 want to say anything else?

733-3
735.2-4

188

16-Jun-89: TS-00589, PAGE 2 OF 2

Okay, thank you.

HEARING OFFICER O'RIORDAN:

Thank you for coming.

Is Bonnie Lipton here?

(No response.)

What we're going to do now
is call the names of the pre-registered
people.

Is David Cunningham here?

You're next Mr. Cunningham.

Please give your name and
address when you start, and you have five
minutes and I'll flash the green light.

For those of you that are
new, I would ask that whether you agree
or disagree with the speaker, that you
don't interrupt their presentation,
because the speakers put some time in
preparing it, and I think that they
deserve the courtesy of being able to
give their piece. 16-Jun-89: TS-00390, PAGE 1 OF 3

Thank you.

MR. CUNNINGHAM: My name is
David Cunningham, Box 8387, Santa Fe,
87584.

189

16-Jun-89: TS-00390, PAGE 2 OF 3

I live here, I was raised in
Las Vegas, my father worked for the DOE
for 35 years in the Nevada Test Site.

Dear DOE,

Who do you think you are?

I despise your mentality, I
abhor your tactics.

I'll take planetary purity
over temporary jobs.

You epitomize
shortsightedness.

You willingly ravage the
earth and poison it's life.

Who do you think you are?

You sit there smirking, not
really listening, going through these
motions like puppets.

Your bombs do me no good,
your enemy is not my enemy, you are my
enemy.

Who do you think you are?

Thank you.

HEARING OFFICER O'RIORDAN:

Do you want to make that part of the
record?

190

16-Jun-89: TS-00590, PAGE 3 OF 3

MR. CUMMINGHAM: Yes.

HEARING OFFICER O'RIORDAN:

Okay, that -- Mr. Cunningham's letter
will be Exhibit 421.

(The document above-
referred to was marked for
identification as
Exhibit No. 421, and
received into evidence.)

Is Jill Gallagher here?

(No response.)

Now about Francesca Lobato?

Is Francesca Lobato here?

(No response.)

CHILD: Thank you.

HEARING OFFICER O'RIORDAN:

You're welcome.

Is Julie Rose here, Julie

Rose?

(No response.)

Arthur Panaro?

(No response.)

Is Richard Lehnert here?

(No response.)

Julie Joyce?

191

(No response.)

Is Maran Orion here, or Mose
Orion here?

(No response.)

Are there any pre-registered
speakers here, any people registered at
the desk?

Ma'am, have you registered?

UNKNOWN SPEAKER: Not until
tomorrow.

HEARING OFFICER O'RIORDAN:
Okay, not until tomorrow.

Do you want to speak today,
would you like to speak now?

UNKNOWN SPEAKER: I left my
papers at home.

HEARING OFFICER O'RIORDAN:
Okay. It's 18:58 and we have no
registered or pre-registered, or
registered at-the-door speakers, so we're
going to take a fifteen minute recess and
see if some other people come to make
comments.

(Short recess.)

HEARING OFFICER O'RIORDAN:

96

192

1 It's 11:28, and we got a little bit ahead
2 of schedule, so we took a recess.

3 I would like to call the
4 names of the people that were scheduled
5 as pre-registered speakers, for this time
6 period immediately before.

7 Is Bonnie Lipton here,
8 Bonnie Lipton?

9 (No response.)

10 Now about Jim Gallagher, Jim
11 Gallagher?

12 (No response.)

13 Is Francesca Lobato here?

14 (No response.)

15 Is Julie Rose here, Julie
16 Rose?

17 (No response.)

18 Now about Arthur Panaro,
19 Arthur Panaro?

20 (No response.)

21 Richard Lehnert? You're
22 here.

23 Would you like to speak now,

24 Mr. Lehnert?

25 MR. LEHNERT: Yes, I would.

193

16-Jun-89: TS-00591, PAGE 1 OF 8

1 HEARING OFFICER O'RIORDAN:

2 If you could give your name and address,
3 and you have five minutes, and I
4 appreciate you being here very much.

5 MR. LEHNERT: Okay. I have
6 a transcript of what I'm about to say.

7 HEARING OFFICER O'RIORDAN:
8 We'll make that -- that will be Exhibit
9 Number 422.

10 (The document above-
11 referred to was marked for
12 identification as
13 Exhibit No. 422, and
14 received into evidence.)

15 MR. LEHNERT: Okay, my name
16 is Richard Lehnert, I am a resident of
17 Santa Fe, P. O. Box 6885, Santa Fe, New
18 Mexico 87582.

19 When preparing my statement,
20 I thought long and hard about how I
21 should address the gentlemen and ladies
22 of the DOE.

23 Should I be emotional,
24 pouring out my heart in a plea for mercy
25 for the residents of New Mexico and their

194

16-Jun-89; TS-00591, PAGE 2 OF 8
 children for generations to come?

Certainly no scream of
 anguish, no cry of passion, could be loud
 enough.

Or should I explode in rage,
 furious at the fact that anyone, much
 less our elected officials and their
 appointees, could dare to decide for me
 and my children that nuclear waste should
 be trucked through town and country, to
 be stored in a repository the safety of
 whose construction and maintenance are
 questionable?

My fury would seem but the
 beginning of an appropriate response.

Or should I let you see my
 fear, my terror, at the long-term effects
 of even a single trucking accident
 involving nuclear waste.

Waste, I might add, that
 according to the DOE's own figures, would
 be more safely transported by rail.

Such accidents, despite all
 the assurances of the powers that be, are
 impossible to foresee or prevent, let

32-1
 4.1-1

195

alone predict 16-Jun-89; TS-00591, PAGE 3 OF 8

Those powers project a
 minimum of such accidents, in fact, two
 years ago I heard the DOE in a hearing in
 this very building, project no accidents
 at all.

The Supplemental to the
 Environmental Impact Statement is
 slightly more realistic, predicting 8.3
 deaths by trucking accidents, over the
 course of WIPP's active life.

That seems to me to be 8.3
 deaths too many.

Unfortunately, there is no
 such thing as a "reasonable risk" when
 dealing with nuclear waste.

The proposed by-pass routes,
 even if they are built, are only a few
 miles west of Santa Fe. Anyone who lives
 here can tell you that the prevailing
 winds blow from west to east, 99 per cent
 of the time.

In a single accident in the
 Santa Fe area, even from ten miles away,
 the wind could blow waste into the town.

7.3.5.3-1

196

16-Jun-89: TS-00591, PAGE 4 OF 8

1 It takes only one air-borne particle of
2 plutonium to cause cancer.

3 The plans do not take into
4 account the possibility, I should say
5 certainty, given the history of the
6 nuclear energy industry in this country,
7 of human error, such as the false
8 security of statistics.

9 It only takes one such
10 accident to cause fatal cancer, to
11 destroy life, to make an area
12 uninhabitable, not only for humans, but
13 for all species, for generations,
14 effectively, forever.

15 This is the sort of risk
16 that I would never take for myself, let
17 alone for another.

18 I deeply resent the choice
19 being taken out of my hands.

20 The world is simply too
21 complicated a place for a few to take
22 risks on behalf of the many, that the
23 many must, sooner or later, pay for
24 themselves.

25 The risk is far too great,

7.3.5.4.3

7.3.5-1
7.13.1-8
7.13.3-1

197

16-Jun-89: TS-00591, PAGE 5 OF 8

1 the benefits that from nuclear reactors
2 we might have even more energy to
3 continue to consume at our present
4 reckless, gluttonous, suicidal pace, such
5 benefits are trivial when compared to
6 permanent contamination.

7 I assure that my fear is not
8 born of ignorance. In fact, it is far
9 too fully informed. Environmental Impact
10 Statements are only part of that
11 information.

12 But perhaps I should play it
13 safe, and be politic, embodying the voice
14 of reason and rhetoric.

15 Excuse me, gentlemen and
16 ladies, if I insult you with the
17 recitations of the lethal facts.

18 Surely, any intelligent,
19 compassionate person who has read the
20 facts can not help but work against the
21 Waste Isolation Pilot Plant in all of its
22 manifestations.

23 Surely any such person
24 would see the very concept of a "national
25 sacrifice area" to be an obscenity.

198

16-Jun-89: TS-00591, PAGE 6 OF 8

I reveal to you these strategies because I do not believe in subterfuge, of working for the right end by indirect or incomplete means.

Still, I could speak to you in any of the voices I've listed with the utmost sincerity, all are justified, but none of them would be the whole story.

To those who believe that "not in my backyard" is a selfish or short-sighted response, I say this, and the logic is simple, if all of America's backyards refused to accept any more nuclear waste, there would be no place to store it. If there is no place to store nuclear waste, and if we refrain from shipping it to the third world, then we shall have to stop producing it, and that's the only rational choice left, to stop it dead in its tracks, a source of energy too deadly, too expensive, too permanent in its side effects, to absolute in its risks.

When we do this, and it is inevitable that we shall, we shall prove

199

16-Jun-89: TS-00591, PAGE 7 OF 8

to ourselves that we can learn from our mistakes and that stepping aside can sometimes get us farther than stepping ahead.

In closing, I'm astonished that the DOE should have stated, as it did last week, that it would receive all simple rejections of the WIPP site with no credibility whatsoever.

Our Government seems to think a simple "no" more than sufficient in the war against drugs, that the burden of proof should fall upon those who oppose the far more dangerous, far more lethal, far longer lasting plague of radioactive waste, seems insupportable.

Had the citizens of New Mexico been asked to put such an important issue to a vote, as they most certainly should have been asked, the simple "no", cast in the voting booth would have more than sufficed.

It has already sufficed in Austria, a country not known for its history of civil liberties, why not here

288

16-Jun-89: TS-00591, PAGE 8 OF 8

1 in the U.S.A., supposedly the birth place
2 of modern democracy?

3 That the storage of the most
4 dangerous, deadly toxins ever manipulated
5 by mankind could somehow be exempted from
6 EPA standards, standards which themselves
7 are not as stringent as the Safe Drinking
8 Water Act, is frankly insane.

9 That WIPP's radioactive
10 control, electrical and fire systems were
11 never diagrammed, and are therefore
12 virtually impossible to repair when they
13 break down, and they will, is criminally
14 irresponsible.

15 Refusing to be politic,
16 then, and taking and risking
17 incredibility, do I want WIPP? Simply,
18 no.

19 HEARING OFFICER O'RIORDAN:
20 Am I to understand that Julie Rose is
21 here?

22 UNKNOWN SPEAKER: Excuse me.

23 HEARING OFFICER O'RIORDAN:

24 Yes.

25 UNKNOWN SPEAKER: I need to

3.1-3

7.122-7

1-2

281

1 get a message to Mr. (inaudible).

2 HEARING OFFICER O'RIORDAN:

3 Yes.

4 UNKNOWN SPEAKER: The facts
5 that you said that you needed some
6 documentation on the Petcau Report and
7 apparently you got the rather large scope
8 of that yesterday, so it's on your
9 records for yesterday.

10 HEARING OFFICER O'RIORDAN:

11 But he did not provide a specific
12 reference to that, and that's what I was
13 looking for, so that we could look at the
14 documentation ourselves.

15 The lady mentioned the
16 Petcau Report, and he was asking where he
17 could get a copy of the report.

18 UNKNOWN SPEAKER: I will go
19 talk to Mr. (Inaudible).

20 I understand that he's just
21 downstairs and that he will be back here
22 and that he was going to give it to you
23 all, but if not, I'll go get him.

24 HEARING OFFICER O'RIORDAN:

25 Well I did not look at his exhibit that

282

1 he turned in, but if it is indeed in
2 there, the reference, then we can obtain
3 the report and look at it ourselves.

4 Thank 16-Jun-89: TS-00592, PAGE 1 OF 5

5 Is Julie Rose here?

6 MS. ROSE: Yes.

7 HEARING OFFICER O'RIORDAN:

8 If you would start by giving your name
9 and address, you have five minutes.

10 MS. ROSE: Okay. My name is
11 Julie Rose, I live at 66 Verano Loop
12 (phonetic), Eldorado, Santa Fe, New
13 Mexico.

14 These are my children, and
15 I'm here today to represent a silent
16 majority, a majority that doesn't get to
17 speak or even be recognized, but a
18 majority that will have to live with this
19 decision and pass it down for 248,888
20 years, a majority whose lives will be
21 greatly affected.

22 I could have walked in here
23 with 58 children, which was my intention,
24 but I decided that if I walked in with
25 one or 188, it would make no difference

283

1 16-Jun-89: TS-00592, PAGE 2 OF 5
2 to the DOE.

3 It seems as though you have
4 your minds made up.

5 You know, it just seems
6 whether there are cracks, brine seepage,
7 human error or big business, you just
8 seem desperate, you seem like you are
9 desperate to ram WIPP down our throats,
10 regardless of anything else.

11 You know, our Government, if
12 you look at the ethics of it, just look
13 at Colorado and what just took place.

14 If WIPP goes through, soon
15 the nation can turn to New Mexico, and we
16 can make it a cover up in the storing and
17 transportation of toxic waste here.

18 But I wish I could speak to
19 the politicians of New Mexico today,
20 because those are the people that we have
21 elected in the state, and I plead with
22 them as a mother. My instincts as a
23 mother feel very threatened with this
24 situation.

25 Could you look these
children in the face and promise them a

32-1

31-8

284

1 safe backyard? 16-Jun-89: TS-00592, PAGE 3 OF 5

2 Can you promise them that
3 their highways are going to be safe, that
4 this pilot plant, which is the first of
5 its kind, is not going to influence their
6 environment here in New Mexico?

7 You know, and if you do
8 allow WIPP to go through, and it's 24
9 hundred thousand years of toxic waste to
10 come to New Mexico, can you promise my
11 children, and my children's children,
12 that they will not have the probability
13 of cancer, of facing their genes mutated,
14 of dirty air and radioactive water
15 contaminated water from WIPP?

16 You know, the level of
17 toxicity and the harm of radioactive
18 waste to the human body is tremendous.

19 1/100 of a milligram of
20 plutonium will induce cancer.

21 There seems to be no place
22 for toxic waste on our planet earth.

23 Where will you people be
24 when my grandchildren will be born?

25 I ask every one of you,

3.1-8

285

16-Jun-89: TS-00592, PAGE 4 OF 5

1 including the DOE, do you have a
2 conscience up there?

3 Do you care beyond the money
4 that WIPP is going to create?

5 And do you -- does anyone
6 know how nature is going to handle this
7 toxic waste?

8 To all the local
9 politicians, the Highway Department is no
10 longer immune to liability in this state.

11 The statistics of highway
12 fatalities in New Mexico is great.

13 I live along the WIPP road,
14 and the Lane Highway is just a country,
15 two-lane road, it was not designed to
16 transport nuclear waste.

17 You know, a broader
18 interpretation of our immunity law has
19 been accepted in this state. Our state
20 Highway Department can be sued and can be
21 held liable.

22 All I can say, is that if
23 WIPP goes through, our state better get a
24 hell of a good insurance policy, because
25 we just might use it here.

3.1-5
7.321-2
7.12.9-6

286

16-Jun-89: TS-00592, PAGE 5 OF 5

1 It seems to me that our
2 Government is very desperate right now.

3 You don't know where to put
4 your nuclear waste, and it seems to me
5 that you are all distorted with your
6 values.

7 You know, a clean, safe
8 environment versus toxic waste in our
9 backyards, you say you have no
10 alternative and that it's just
11 stockpiling, all this toxic waste.

12 I've discussed it with my
13 children, and my eight year old son came
14 up with a great solution. He said momma,
15 just tell them to just stop building
16 bombs because we don't want them anymore.

17 Thank you.

18 HEARING OFFICER O'RIORDAN:

19 Is Maran Orion here? 16-Jun-89: TS-00593, PAGE 1 OF 8

20 MS. ORION: Yes.

21 HEARING OFFICER O'RIORDAN:

22 Did I mispronounce that?

23 MS. ORION: Good afternoon,
24 members of the DOE and concerned citizens
25 of New Mexico.

36-1

287

16-Jun-89: TS-00593, PAGE 2 OF 8

1 My name is Maran Orion

2 Oppenheimer, I am the mother of two and
3 massage therapist here in Santa Fe. I
4 live at 1676 Cerro Gordo.

5 I am deeply concerned with
6 the health and well being of this and
7 future generations, and that is why I've
8 come here today, to speak my mind about
9 the Waste Isolation Pilot Plant, which
10 you want to open in Carlsbad, New Mexico.

11 I do understand that the DOE
12 has a huge problem on its hands, what to
13 do with the large amount of radioactive
14 waste that has been generated over the
15 last 48 years, and in fact, is still
16 being generated, as the production of
17 nuclear bombs and nuclear electricity
18 continues.

19 However, the solution is not
20 to transport this waste by truck or rail
21 from all over the country, to sweep it
22 under the rug, or in this case, sweep it
23 under the desert of New Mexico.

24 First of all, the
25 transporting of nuclear waste over the

7.3.3.1-2

288

16-Jun-89: TS-00593, PAGE 3 OF 8
 1 New Mexico highways, and through the many
 2 communities on Highway 285, is very
 3 dangerous.

4 My family and I drove from
 5 Santa Fe down to Carlisbad this spring on
 6 the proposed WIPP route, and I can
 7 personally testify that this road is a
 8 small, two-lane, pot-holed highway, all
 9 the way down, most of the way down, and
 10 there's not many by-passes around any of
 11 the communities, if there are any at all.

12 It does not strike me as a
 13 safe route for transporting, this
 14 extremely dangerous substance, I didn't
 15 even feel safe riding in my car down
 16 there.

17 Also, I know that 285
 18 through Santa Fe, which is also known as
 19 St. Francis Drive, is a very dangerous
 20 road.

21 The intersection of St.
 22 Francis and Cerrillos Road has the
 23 highest incidence of traffic accidents of
 24 any intersection in Santa Fe.

25 In the five years that I

7.3.3.1-2

7.3.3.1-2

289

16-Jun-89: TS-00593, PAGE 4 OF 8
 1 have lived here, I have seen several
 2 accidents, or near accidents there, and
 3 my husband was in an accident on another
 4 part of St. Francis Drive, and I don't
 5 feel this is a safe road to take highly
 6 dangerous substances on.

7 We citizens of Santa Fe
 8 don't want to take a chance that one of
 9 the many accidents that happens on this
 10 road, would involve one of the WIPP
 11 transport trucks, especially considering
 12 that there has been little training of
 13 personnel to handle such emergency
 14 situations.

15 The by-pass around Santa Fe
 16 and other New Mexico communities must be
 17 built before transportation of these
 18 dangerous substances can begin.

19 Secondly, the DOE wants us
 20 to believe that this site in the salt
 21 beds of Carlisbad, will be safe for the
 22 next 248,888 years.

23 With the track record
 24 they've had in just the past year, we'd
 25 have to be crazy to go along with them.

7.3.3.1-2

7.3.3-5

3.2-1

218

16-Jun-89: TS-00593, PAGE 5 OF 8

The names of Savannah River,

Manford and Rocky Flats, are all too familiar to anyone who listens to the news, as examples of supposedly safe sites administered by the DOE, that have been leaking radioactive and other toxic waste substances into the atmosphere for years, contaminating the surrounding communities.

I understand that many of the people living in Carlsbad are supporting the WIPP because of the boost to the economy, but in 20 years or 100 years or 1000 years, when they and their children are suffering from increased rates of cancer and birth defects, will they still think it's such a good neighbor?

Ask the residents of Fernell, Ohio how they feel about this. By that time it will be too late to do anything about it.

Conditions at the site have not been as anticipated by the designers of the Waste Isolation Pilot Plant.

772-1
785-2
786-1

211

16-Jun-89: TS-00593, PAGE 6 OF 8

Water has leaked into the

rooms, and cracks have appeared in the floor and ceilings of the storage rooms, and now there is a worry about gas that might make the whole thing explode.

All this has happened in just a few years that they have been working on this, and who is to say what will be happening in 50 years or 500 years?

This waste is dangerous for so long a time, that our puny human minds cannot comprehend it.

We should not leave such a legacy for future generations to DOE.

Well what can we do with all the toxic waste and radioactive garbage that 20th century humans have produced?

We've come to the point in our existence that we realize that this small and beautiful planet can only take so much abuse from us before the delicate balance that must be maintained for life to continue, will be thrown off.

History will progress from

772-1
785-2
786-1

212

16-Jun-89: TS-00593, PAGE 7 OF 8

the age of mammals to the age of
cockroaches, or who knows what.

It's our task at this time,
to find ways to render these toxic waste
substances harmless.

We need to put our
scientists to work in creating ways to
better our lives and heal our planet, not
creating more bombs and more toxic waste.

We must discover the process
that will turn plutonium into a harmless
substance so that it can truly be handled
safely.

Of course we don't want to
waste the taxpayers' money, the billion
dollars that has already gone into
developing WIPP, but I'd rather waste
that than our health and our children's
health, in our beautiful state of New
Mexico.

So in conclusion, I just
want to say that before WIPP can be
allowed to open, the standards set for
safety by the EPA must be met, and the
by-pass around the communities must also

1-3

213

16-Jun-89: TS-00593, PAGE 8 OF 8

be constructed, it must be safe.

Thank you.

HEARING OFFICER O'RiORDAN:
You're welcome. 16-Jun-89: TS-00594, PAGE 1 OF 4

Is Mose Orion here?

Is your last name
Oppenheimer, or is there a mistake in
this?

MR. ORION-OPPENHEIMER: Yes,
it's Orion-Oppenheimer.

HEARING OFFICER O'RiORDAN:
Okay, thank you.

MR. ORION-OPPENHEIMER: My
name is Mose Orion-Oppenheimer, my
address is 1674 Cerro Gordo Road, here in
Santa Fe.

First of all I would like to
thank the DOE for giving us this
opportunity to speak.

I'm a little disappointed
that it was divided up so that it
couldn't be just one large forum for the
community.

I would like to say that I
sympathize with the DOE's problem of

8-7

214

16-Jun-89: TS-00594, PAGE 2 OF 6

1 having all this radioactive waste and
2 trying to figure out what to do with it.

3 It really is a mess and it's
4 a problem that we have to solve.

5 But as many of us have been
6 saying for over 28 years, the problem
7 exists, and why keep making the stuff,
8 it's just piling up and there's no where
9 to go with it.

10 These barrels will stay
11 radioactive for a quarter million years,
12 how can there be a solution, any
13 solution, that will guarantee the safety
14 for that long?

15 Let's look at the site in
16 Carlsbad. You people are in such a hurry
17 to get rid of this waste, that you just
18 want to get it out of sight, out of mind,
19 and I just don't believe that you can
20 hurry something as incredibly important
21 as this is.

22 The EPA standards must be
23 met before any of this waste can be
24 dumped into this site, and no
25 experimental storage should be put into

1-3
3.1-3

215

16-Jun-89: TS-00594, PAGE 3 OF 6

1 the site until all these standards are
2 met.

3 My opinion is that this site
4 cannot be proven safe at all.

5 It may prove safe, but at
6 this point, nothing should be put in it
7 until it is.

8 As far as transportation of
9 the waste, as I understand it, the WRC
10 has not certified this procedure, and
11 from what I could gather from the news
12 last summer, the trucking firm that was
13 picked to carry this waste, was picked
14 because they were the lowest bidder in
15 the transactions, and not because they
16 had a lot of experience carrying toxic
17 waste and not because they were really
18 equipped to carry toxic waste, but
19 because they had made the lowest bid.

20 I can't see where this is
21 the kind of criteria that could be used
22 for storing something so important as
23 this.

24 The other thing I see about
25 this is that the communities along the

1-3
3.1-31-3
3.1-27.3.1-2
7.3.2.1-47.3.3-8
7.12.9-1
7.12.9-5
7.12.9-7

216

16-Jun-89: TB-00594, PAGE 4 OF 6

wayside, along the route, are not at all prepared for any kind of an accident that might occur.

The people along the route that would deal with such an accident have not been trained to deal with it, and they do not have the equipment necessary in order to deal with it.

I can't see that any of this stuff should be going down the highways until this has been taken care of.

Here in Santa Fe there is no by-pass at all. Trucks will come right down the St. Francis Drive.

If there was an accident, thousands and thousands of people would be seriously affected, not to mention the dozen or so schools along the route.

In conclusion, if this site in Carlsbad could be proven 100 per cent safe for the next quarter million years, then let's go for it, let's put the stuff down in there.

But I strongly believe that it can't.

7.3.3-8
7.12.9-1
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7.12.9-7

7.3.3-3
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7.3.5.1-31
7.3.5.4-3
7.15.4-2

3.1-2
3.2-1

217

16-Jun-89: TB-00594, PAGE 5 OF 6

Something this incredibly serious to the survival of our planet cannot be rushed into.

Not only this, but as several people that I've been sitting here have said, the DOE lately, does not have a very good track record.

The latest thing with the Rocky Flats in Colorado and the cover-up that supposedly has gone on there, does not create any trust in the people toward the DOE.

So it's hard to believe when they say that this thing is 100 per cent safe.

I suggest -- my suggestion is that we immediately stop making these totally needless bombs.

We already have enough power to blow up this earth -- I don't know, I've heard so many different figures, 17, 25 times fold, I don't know what the figure is.

Let's stop making these bombs and let's put these brilliant

3.1-2
3.2-1

3.6-1
5.2-1
5.2-2
5.3-1
7.12.1-1

218

16-JUN-89: TS-00594, PAGE 4 OF 6

1 minds in scientists, these scientists'
2 brilliant minds to work to try and
3 neutralize this radioactive waste,
4 somehow to just neutralize it so that it
5 won't be radioactive so that it won't be
6 around for a quarter million years.

7 Let's not move hastily into
8 burying it in the Carlsbad Caverns.

9 We're making a decision here
10 that will effect the lives on this planet
11 for what seems to be right now, forever.

12 So when we come with a
13 solution let's be sure, let's be sure,
14 sure, sure, before we act on anything.

15 I say stop the bombs and
16 stop WIPP now.

17 Thank you.

18 HEARING OFFICER O'RIORDAN:

19 You're welcome.

20 Okay, that will be Exhibit

21 No. 423.

22 (The document above-
23 referred to was marked for
24 identification as
25 Exhibit No. 423, and

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received into evidence.)

HEARING OFFICER O'RIORDAN:

Now before I call the names, are there
any pre-registered speakers here, who
haven't spoken?

Okay, are you --

UNKNOWN SPEAKER: I'm

registered for later in the afternoon,
but I would like to speak earlier if I
could.

HEARING OFFICER O'RIORDAN:

That's fine. What is your name, sir?

MR. MALCOLM: Richard

Malcolm.

HEARING OFFICER O'RIORDAN:

What time are you registered for?

MR. MALCOLM: 3:05.

HEARING OFFICER O'RIORDAN:

Okay. We have to change the tape, but
you can come to the podium.

It is 10:30 and for the
people that are here, each person has
five minutes and we flash a green light
when there's a minute to go.

You can submit written

220

1 comments now or up until July 11th.

2 If you could begin your
3 comments by giving your name and address,
4 this is a hearing under the National
5 Policy Act and so we need to do that. We
6 appreciate you being here.

7 MR. MALCOLM: My name is
8 Richard Malcolm, and my address is P. O.
9 Box 9161, Santa Fe, New Mexico 87504.

10 I would like to thank the
11 DOE for inviting public comment on this
12 matter, and I would like to thank all the
13 people who have taken the time and
14 trouble to be here today to express their
15 opinions.

16 There are several concerns
17 that I would like to briefly address, and
18 several proposals to make, regarding what
19 I feel are significant omissions in the
20 SRIS.

21 The first is that no waste
22 management facility should be opened or
23 operated until it's in full compliance
24 with all the applicable EPA standards.

25 The record shows that we've

16-JUN-89: TS-00595, PAGE 1 OF 6

2.3.1-2

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3.1-3
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221

16-JUN-89: TS-00595, PAGE 2 OF 6

1 had difficulty in operating our existing
2 weapons and energy facilities in a safe
3 and legal manner.

4 Since even attempted
5 compliance with safety regulations does
6 not guarantee safe operation, we need
7 these regulations in effect to provide a
8 minimum standard for reasonable and
9 prudent management of highly toxic waste.

10 I propose that no waste be
11 deposited in WIPP or any permanent
12 disposal facility, without a thorough
13 study of the possible influence with the
14 Greenhouse Effect, on ground water and
15 seismic activity at the proposed site.

16 I propose that no waste be
17 deposited in WIPP or any permanent
18 disposal facility without a long-term,
19 on-site monitoring system, for both
20 radiation and ground water, to determine
21 the possible need for waste retrieval to
22 protect ground and human habitat.

23 I propose that no waste be
24 deposited in WIPP or any permanent
25 disposal facility, without detailed plans

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3.1-2
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3.2-12.3.1-2
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7.14-9
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7.12.10-2

7.12.6-6

222

16-Jun-89: TS-00595, PAGE 3 OF 6

1 for eventual retrieval over the
2 radioactive lifespan of the waste.

3 I propose that no waste be
4 deposited in WIPP or any permanent
5 disposal facility, until a Federal
6 Constitutional Amendment has been
7 enacted, which sets guidelines for
8 long-term protection of the environment
9 from stored radioactive wastes.

10 The Government policy
11 changes with the whim of politics, but
12 plutonium decays very slowly.

13 We can't afford to forget
14 that this is a 248,888 responsibility.

15 My most immediate concern
16 relates to the safety of Governments and
17 industry in handling radioactive and
18 other toxic wastes.

19 Earlier this month, the
20 world reacted in horror as the Government
21 in China ordered its soldiers to crush
22 unarmed students in Beijing. The Chinese
23 leaders then praised the troops for
24 assaulting their own people.

25 Now we hear that the

7.12.8-6

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3.1-2
3.1-6
3.7-1
5.1.1-1
7.12.11-1

3.2-1

223

16-Jun-89: TS-00595, PAGE 4 OF 6

1 American Government instructed or allowed
2 it's contract workers to dump toxic waste
3 into municipal water supplies in
4 Colorado.

5 The responsible Government
6 agency, the Albuquerque Office of the
7 Department of Energy, has recently
8 awarded that contract to the Rockwell
9 Corporation, with a multi-million dollar
10 bonus for safe waste management.

11 While I would not equate the
12 intentions of the American Government
13 with the intentions of the Chinese
14 Government, I must question the
15 competence, the conscience, the
16 integrity, and the suitability of public
17 trust of Government agencies, which
18 knowingly poisons its own people.

19 I propose that the
20 Albuquerque of the DOE not be given
21 increased waste handling
22 responsibilities, including the
23 transportation of waste to the WIPP site,
24 until the FBI, the Justice Department,
25 and the EPA have completed their

3.2-1

224

16-Jun-89: TS-00595, PAGE 5 OF 6

1 investigations at the Rocky Flats Weapons
2 Plant, and all individuals charged with
3 wrongdoing or negligence have been
4 brought to trial.

5 I further propose that no
6 permanent TRU waste disposal facility
7 open, even on a test basis, until DOE has
8 demonstrated its ability and willingness
9 to comply with the Federal Waste
10 Management Regulations at all of its
11 existing facilities, for a period of five
12 years.

13 The situation of Rocky Flats
14 and Hanford and Savannah River, tells me
15 that I can't trust the DOE to safely ship
16 thousands of truck loads of toxic waste
17 to a facility that doesn't even meet the
18 standards that they're already violating.

19 The DOE has not earned our
20 trust, it has not earned the right to
21 violate this planet and its people,
22 according to the WIPP plan.

23 Let the DOE go back and do
24 some more homework.

25 Let the DOE show that it can

3.2-1

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225

16-Jun-89: TS-00595, PAGE 6 OF 6

1 manage Rocky Flats and all the plants
2 that it already operates and do so
3 safely, and in accordance with the law.

4 Let the DOE show that it
5 accepts long-term responsibility for
6 monitoring toxic waste, far beyond the
7 proposed one-tenth of one per cent of its
8 radioactive lifespan.

9 Then let the DOE ask us for
10 our trust and support.

11 Until then, I say no to a
12 WIPP facility that doesn't meet EPA
13 standards.

14 I say no to any waste
15 management plant that doesn't provide for
16 a long-term monitoring and retrieval.

17 I say yes to conscientious
18 handling of all toxic materials, and I
19 say yes to conducting all of our
20 activities with the greatest respect for
21 this planet earth and its living
22 creatures.

23 Thank you.

24 HEARING OFFICER O'RIONDAN:
25 You're welcome.

3.2-1

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226

1 Are there any other
2 pre-registered speakers here or anyone
3 who is registered at the door?

4 Let me call the roll of the
5 people that were registered to come here
6 before lunch.

7 Bonnie Lipton.

8 Is Jim Gallagher here?

9 (No response.)

10 Francesca Lobato?

11 (No response.)

12 Arthur Panaro?

13 (No response.)

14 Is a Julie Joyce here?

15 (No response.)

16 Well we have concluded the
17 presentations from all the individuals
18 that were registered to speak up until
19 11:58, including those who will speak at
20 11:58.

21 Our next speaker is not
22 scheduled until one o'clock.

23 Therefore, I believe that we
24 should recess until one o'clock.

25 Thank you all for your

227

1 attendance and we'll be back here at one
2 o'clock with the rest of the folks.

3 We appreciate it very much.

4 (Whereupon, the hearing in
5 the above-entitled matter was adjourned
6 to reconvene at 1:00.)
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C E R T I F I C A T E

I, LORENE ARGIE, do hereby
 certify that I appeared at the time and
 place first hereinbefore set forth; that I
 took down by means of cassette recording
 the entire proceedings had at said time and
 place; and that the foregoing pages 2
 through 227 constitute a true, correct and
 complete transcript of my said cassette
 recordings.

Lorene Argie
 REPORTER

DEPARTMENT OF ENERGY

PUBLIC HEARING

SUPPLEMENT TO THE
 ENVIRONMENTAL IMPACT STATEMENT
 FOR THE WASTE ISOLATION PILOT PLANT

Friday
 June 16, 1989

Room One
 Second Floor
 Sweeny Convention Center
 201 West Markey Street
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I N D E X

<u>SPEAKER</u>	<u>PAGE</u>
Pamela Suhre	234
Tsossie Van Tsinnahjinnie	239
Jim Campbell	244
Scott Hauenstein	248
Karon Grassle	258
Jesus Galvan	256
Susan Maxmon (for Ana Ra)	264
Margaret Birskey	271
James Pingel	277
Susan Brigham	282
Christine Malcolm	287
Barry Green	291
Arthur Clark	302
Carolyn Sistedt	311
Janice Mohr-Welson	316
Ron Beckman	322
Frances Tyson	331
Barb Bayer	344
Dr. James Lee Evans	348
M. T. Holzer	354
Dennis Burns	358
Lou Montgomery	363

<u>SPEAKER</u>	<u>PAGE</u>
Aaron Greenwald	378
Robert Regal	374
Leslie O'Toole	378
Dana Jarvis	382
Dr. B. Calico-Hickey	389
Peggy O'Mara	397
Sue Curtis	409
Ann Daburg	413
Steven Farber	428
Jim Tirjan	427
Peter Plummer	435
David Vanstrum	438
Derk Loeks	456
Kathleen Loeks	464
John Harrison	468
Steven Siegman	476
Ginny Dean	481
Rain Parrish	484
Karen Chisholm	488
Karen Haas	495

EXHIBITS

<u>EXHIBITS</u>		<u>PAGE</u>
1		
2	No. 424 Jim Campbell	248
3	No. 425 James Halvin	264
4	No. 426 Christine Halderson	291
5	No. 427 Barry Haen	381
6	No. 428 James Hoke-Helson	322
7	No. 429 Francisco Lyon	343
8	No. 436 Barb Sags	347
9	No. 431 Lou Montgomery	363
10	No. 432 Jim Sieger	427
11	No. 433 John Rasmussen	468
12	No. 434 Siegman, Steven	476
13	No. 435 Karen Hise	495
14		
15		
16		
17		
18		
19		
20		
21		
22		
23		
24		
25		

AFTERNOON SESSION

HEARING OFFICER O'RIORDAN:

Okay, it's approximately 1:00 p.m. and we are re-opening our meeting, our comment period, after the lunch break.

My name is Hugh O'Riordan, and I'm the moderator.

My duties are to make sure that everybody gets their comments in, in a timely fashion and everyone's opportunity to make a comment is -- opportunity to make comments is made available to everybody.

During this comment period, each person is entitled to five minutes. We flash a green light when four minutes are up and you have a minute to go, and a red light when you are finished.

Written comments can be submitted at the conclusion of your testimony, to be made a part of the record, or if you wish you can submit written comments to DOE up until July 11th.

We have a court reporter

233

1 here and so I ask you to speak distinctly
2 and with a reasonable rate of speed, so
3 that she can keep up with you and
4 transcribe your testimony.

5 All the testimony will be
6 transcribed.

7 I ask you also that you show
8 courtesy to each speaker. Each person
9 that I've seen speak has prepared their
10 talk and given it a great deal of
11 thought, and I think that the audience
12 owes respect to that person whether they
13 agree with them or not.

14 At the beginning of your
15 testimony, I would like you to give your
16 name and address.

17 This is a formal proceeding
18 of the Department of Energy, under the
19 National Environmental Policy Act, and
20 the purpose of the proceeding is to take
21 comments on the Draft Environmental
22 Impact Statement, and these comments will
23 be analyzed in preparation of the Final
24 Environmental Impact Statement.

25 Our first person is Pam

234

1 Suhre. You're next.

2 How do you spell that,
3 S-h-u-r-e?

4 MS. SUNRE: Pamela,
5 P-a-m-e-l-a, Suhre, S-u-h-r-e.

6 HEARING OFFICER O'RIORDAN:
7 Okay.

8 MS. SUNRE: My address is
9 155 Calle Don Jose, Santa Fe.

10 HEARING OFFICER O'RIORDAN:
11 Thank you. 15-Jun-89: TS-00596, PAGE 1 OF 6

12 MS. SUNRE: DOE Committee
13 and people present, I haven't been
14 actively involved in this issue for a
15 long time, I thought it was an important
16 issue, but I had my own life to live, and
17 I figured other people were doing it.

18 More recently, I became
19 really struck when I talked to my
20 children about this issue.

21 When I talked to my twelve
22 year old, and his face changed while we
23 were talking, and I said are you scared
24 about this, and he said, yes, I'm really
25 scared.

235

15-Jun-89: TS-00596, PAGE 2 OF 6

1 I talked to my fourteen year
2 old, and he felt the same way.

3 These are not children who
4 have been brainwashed to be scared about
5 WIPP, I assure you, I've had many other
6 things on my mind other than doing that,
7 but they're intelligent, aware children.

8 One of the things that I
9 would ask you to do, legislators who may
10 hear this, or members of the DOE
11 Committee, is ask your children, or ask
12 your grandchildren, how they feel about
13 WIPP and are they frightened.

14 You won't make them
15 frightened by asking that if they're not
16 frightened, watch their faces. See how
17 they feel about it.

18 I mean where I stand is, I
19 know that we have these nuclear plants,
20 and that's a fact right now.

21 I know that we have waste to
22 dispose of, I understand that.

23 But what seems clear is the
24 plants that we have are not 100 per cent
25 doing the job, there are mistakes and

236

15-Jun-89: TS-00596, PAGE 3 OF 6

1 there are leakages.

2 I don't believe anybody on
3 the committee, on the DOE Committee,
4 wants to see the world polluted, I don't
5 believe that, I believe you have the best
6 intentions. I believe we all have the
7 best intentions, we all want what's
8 right, best of justifiable, given the
9 information that we have at the time.

10 But I do believe there are
11 mistakes being made, and I do believe
12 there are leakages.

13 All the studies show these
14 leakages are affecting life, plants and
15 the earth.

16 Given that these effects
17 will last a quarter of a million years,
18 it just seems to me if there's any
19 possibility of these kind of mistakes,
20 that we've got to stop and figure out a
21 better way to do it.

22 So what I would ask is that
23 number one, that we get these regulations
24 in place, new regulations, new EPA
25 regulations, that are going to assure as

237 |
15-Jun-89: TS-00596, PAGE 4 OF 6

1 best we humanly possibly can, that we're
2 going to have safe storage of this waste.

3 Then, that we say for WIPP,
4 then you have to prove as best you
5 humanly can, that you can meet these
6 regulations, and then we store the waste.

7 I think if New Mexico can do
8 this, and if we can show that we can do
9 this, apparently historically this hasn't
10 been done, what has been done is you
11 store the waste, it leaks, you pull your
12 hair and say what are we going to do now.

13 I'm sure you try to plan
14 ahead and all that, but it is just
15 looking at the history of what's happened
16 with some of the plants.

17 So we could really make
18 history by planning ahead for this waste,
19 and planning as carefully and
20 thoughtfully as we can.

21 I mean the way that I look
22 at it, if there's any chance of things
23 going wrong, we just can't take it.

24 We live on a small little
25 planet, and it's getting smaller all the

1-3

15-Jun-89: TS-00596, PAGE 5 OF 6 238

1 time.

2 I guess that's all I want to
3 say, but there's just one other thing,
4 which is, I know that people planning
5 this did the best they could in terms of
6 expediting, and I know there were a lot
7 of people going to speak and I'm sure
8 that you did the best you could, but I
9 think it's unfortunate what's happened,
10 because when people are speaking in Room
11 1 or 2, basically, no one hears them.

12 If I were on the DOR
13 Committee, I wouldn't be really crazy to
14 go home after spending all day here, and
15 read a transcript of people griping at
16 me.

17 I mean just knowing human
18 nature, you're not going to pour over
19 this stuff. It's uncomfortable and it's
20 not real pleasant, and I can understand
21 that.

22 But I would just beg you,
23 that if there is any possibility, we've
24 all got kids, grandkids and family, if
25 there's any possibility that things are

15-Jun-89: TS-00596, PAGE 6 OF 6 239

1 going to mess up, I say that we need to
2 atop and we need to look at this very
3 carefully and go over it very, very,
4 slowly.

5 Thank you.

6 HEARING OFFICER O'RIORDAN:

7 You're welcome.

8 The next person has a name I
9 really pronounce. It's Taosie Van --

10 MR. VAN TSINNNANJINNE:

11 Tainhnabninne.

12 HEARING OFFICER O'RIORDAN:

13 Okay, thank you. 16-Jun-89: TS-00597, PAGE 1 OF 6

14 MR. VAN TSINNNANJINNE:

15 Okay, my name is Taosie Van Tainnbahjinne
16 and I reside and I reside at REDS, Box
17 694, Chinle, Arizona.

18 I -- my background is in
19 architecture, but also I worked for I&L,
20 EG&G in Idaho Falls, Idaho.

21 This doesn't make me an
22 expert, it does let me know what's going
23 on in the field to a degree.

24 I still have some leanings
25 towards the industry in the areas of

248

16-Jun-89: TS-00597, PAGE 2 OF 6

1 fusion I would say.

2 But I'm here to talk about a
3 different aspect that I think the WIPP
4 will be in conflict with, and that's the
5 tourism industry.

6 I am in a position with, or
7 in contact with the Navajo tribe, and I'm
8 trying to start some tourism industries
9 and businesses out there, one being a
10 brick company in the Canyon De Chelly
11 area.

12 Most of our people -- or
13 most of the tourism visitors that come
14 out there, the large majority are German,
15 French, and Japanese.

16 Most of them come out into
17 the area because this is the -- the
18 scenery out there is very spectacular and
19 this is what they've told me.

20 You don't have to add
21 anything, we don't have to take away
22 anything, it is spectacular scenery
23 around here.

24 One of the reasons that they
25 came out here is because it is so pure,

241

16-Jun-89: TS-00597, PAGE 3 OF 6¹

1 or in their minds when they come over
2 here from the -- compared to what they
3 have in their country, it is so pure and
4 pristine out there.

5 What happens when this image
6 is -- the image changes in the southwest,
7 it taints the image and that there is
8 nuclear waste out here.

9 It has a bad connotation to
10 it.

11 It's kind of like the same
12 way when like if Hollywood has a star and
13 the star goes out on the night or
14 something bad happens to him, and so he's
15 not as producible for the movies that --
16 or not as much of a money maker as he
17 used to be.

18 This is going to be the same
19 for the southwest. If we have the waste
20 here, if it was something --

21 I think that if we have --
22 for some reason I don't know why you term
23 it waste, because waste has a bad
24 connotation to it.

25 This is going to be

7.2-1

242

16-Jun-89: TS-00597, PAGE 4 OF 6¹

1 affecting the tourism industry in the
2 southwest in the future.

3 A man from Carlsbad said
4 that there was a rise in the tourism in
5 the Carlsbad area.

6 What I think is happening is
7 that I think that they're coming out
8 before the WIPP is installed, to see the
9 caverns or to enjoy the sites that are in
10 Carlsbad now.

11 A lot of -- I think what
12 businesses really rely on is repeat
13 customers.

14 Two years ago, Canyon De
15 Chelly had 588,888 visitors, so this year
16 they -- or last year, they had a million
17 visitors. This is twice the number.

18 When you taint that image,
19 most of those repeat customers are not
20 going to come back, the number is going
21 to go down and business will suffer.

22 That would be my main point
23 for WIPP not happening.

24 The other one is, as an
25 alternative, I would like to offer my --

7.2-1

122

243

16-Jun-89: TS-00597, PAGE 5 OF 6

I guess my experience in Idaho.

I know people in DOE know that there is large tract of land that is laid out for EM&L and I think that it's a wide enough space where you could use that as a waste disposal facility.

Egor (phonetic) 1 and Egor 2 is the last I knew, they were -- those facilities were both vacant, and they're I think rather large enough, and they're both fairly stable enough to handle the waste that is generated.

I do have some faith in the company that I worked for, and I'm hoping that the waste will be -- one day will be able to be recycled and if it is, if this does happen, if it is recycled, you'll be wanting to take the -- if you do, and if you do install WIPP in Carlsbad, you'll be wanting to remove the waste from the salt mines and move it back to facilities where they can be reprocessed.

Well why not want to keep them in facilities like Idaho, and store them there, and then they will be on a

1-2
5.3-1

244

16-Jun-89: TS-00597, PAGE 6 OF 6

ready basis, when you are ready to use them again.

That is all my comments.

Thank you.

HEARING OFFICER O'RIORDAN:
You're welcome. 15-Jun-89: TS-00598, PAGE 1 OF 5

Is Jim Campbell here?

MR. CAMPBELL: My name is Jim Campbell, my address is 232 Irvine, Santa Fe, 87501.

I have three things that I would like to have put into the record.

The first of these is a note that is in opposition to the proposal to close the public out of hearings concerning the radioactive waste storage permits.

The public should have every opportunity to comment on proposals for storing waste whether WIPP or existing facilities or at new facilities.

I should note as well that Bill Richardson voted for this particular proposal, and I'm strongly opposed to that.

5.3-1

8-7

9-1

245

15-Jun-89: TS-00598, PAGE 2 OF 3

1 The second thing that I'd
2 like to have put into the record, is
3 written testimony that I was prepared to
4 read.

5 However, I began thinking
6 about what will happen with the nuclear
7 waste repository.

8 What if there is a tragedy,
9 how do we put a face to that?

10 Here is a face, and I would
11 like that put into the record as well.
12 This is my granddaughter. She is one
13 year old. Her mother lived in Broomfield
14 during the time when there was a
15 potential for her to be poisoned by waste
16 from Rocky Flats.

17 Put it in the record,
18 please, that this grandfather is "pissed"
19 (sic.).

20 The half life of plutonium
21 is at least a thousand human generations.
22 Her is one face that may already have
23 been affected by that.

24 If you think that we can
25 control anything for 24,000 years, 10,000

7.14-5

246

15-Jun-89: TS-00598, PAGE 3 OF 3

1 years, or 500 years, you're crazy. It
2 can't be done.

3 If there is one thing that
4 we know, climate change does occur.
5 Populations patterns don't remain static.

6 There are too many things
7 that we cannot control and certainly
8 placing radioactive waste in a repository
9 that is as questionable as the WIPP site
10 is, is simply ludicrous.

11 We simply do not have
12 enough information about the site.

13 Quite frankly, if we did,
14 I'm not sure that I would trust the DOE
15 or Westinghouse to run it.

16 In the newspaper yesterday,
17 there was a photograph of Chinese
18 students being hauled away, an example of
19 a Government out of control.

20 I don't want this picture to
21 appear in a newspaper as a result of a
22 Government agency out of control, and
23 that is certainly what the DOE is giving
24 the appearance of being.

25 It's time for us to take a

7.14-5

7.14-13

7.14-6

32-1

5.2-1
5.2-2

15-Jun-89: TS-00598, PAGE 4 OF 3 247

1 look at the SE15 document and then throw
2 the damn thing away.

3 You might as well start
4 over, you had better start over with
5 better ideas.

6 To ignore the no action
7 possibility, or to assign a minimum, a
8 minimum, of nine pages, is not good
9 science, it's not good engineering, it's
10 not good politics.

11 WIPP cannot open on the
12 basis of some political timetable. The
13 potential for disaster is too high.

14 I'll tell you what will
15 happen if those trucks start to roll,
16 you're going to find gray-haired
17 grandmothers and grandfathers standing
18 right in the middle of the road, and by
19 God I'll be among them, James Campbell,
20 232 Irvine, Santa Fe.

21 The photograph is of Melanie
22 Caitlan Gyagos (phonetic), one year old.

23 Let's hope that her
24 grandchildren don't have to face the
25 problem that she may be facing.

2.3.1-2
5.2-1
5.2-2

3.1-8

15-Jun-89: TS-00598, PAGE 5 OF 3 248

1 I'm a grandfather, a first
2 grandfather, I know what this child means
3 to the future. This child is our hope.

4 I don't want to look back
5 when this child is 25 years old and feel
6 that I didn't do enough.

7 Thank you.

8 HEARING OFFICER O'RIORDAN:
9 Mr. Campbell's Exhibits will be Number
10 424.

11 (The document above-
12 referred to was marked for
13 identification as
14 Exhibit No. 424, and
15 received into evidence.)

16 Okay, I would like to call
17 some of the pre-registered people.

18 Is Scott Havenstein here?

19 MR. HAUENSTEIN: You'll have
20 to excuse me, I'm speaking under duress.

21 This is going to be short,
22 I'll explain.

23 I would like to thank this
24 country for the opportunity to speak
25 today, and my statement is short but I

16-Jun-89: TS-00599, PAGE 1 OF 3

16-Jun-89: TS-00599, PAGE 2 OF 3

249

would like it included in the record.

HEARING OFFICER O'RIORDAN:

Could you give your name and address too?

MR. MADEMSTEIN: Scott

Hauenstein, M-a-u-e-n-s-t-e-i-n, 1986 Old
Santa Fe Trail, 87581.

You see yesterday I had a
wisdom tooth taken out, and it was done
by a very, very incompetent dentist.

We dropped the hypodermic
needle down my throat, and it stuck in
that thing that hangs in the middle of
your throat.

Okay, the thing is about all
this, the point is, that he is a licensed
dentist and he's licensed to practice in
Santa Fe, and he's licensed to practice
elsewhere.

As a result, I lost all
confidence in him while I was sitting in
the chair.

Similarly, I've lost all
confidence in the Department of Energy,
the Department of Transportation, and
somewhat, I've lost confidence in the

16-Jun-89: TS-00599, PAGE 3 OF 3

258

United States Government.

There are no assurances of
complete safety for high level waste or
transuranic shipments.

I understand this as a human
being on this plant, and as referred to
as a receptor in these -- this document,
this 2888 page document, makes me
compelled to make this statement.

Thank you.

HEARING OFFICER O'RIORDAN:

You're welcome.

Is Karen Grassle here?

MS. GRASSLE: Hello, my name
is Karen Grassle, G-r-a-s-s-l-e. My
address is 315 Cordova Lane, Santa Fe,
New Mexico 87581.

Gentlemen, it's an honor for
me to be here today to participate in the
democratic process through free speech.

You might know my work. For
eight years I was a mother on Little
House on the Prairie, and I know now a
little bit of your work.

Now I'm making my home here,

16-Jun-89: TS-00600, PAGE 2 OF 7

1 and I'm raising my daughter in this
2 beautiful place, New Mexico.

3 I am not a scientist, I'm
4 not quick with graphs or numbers or
5 complicated abbreviations for
6 unmentionable chemicals, but I know this,
7 nuclear energy plants have not always
8 been safe, the nuclear weapons industry
9 is dangerous to its workers, and to the
10 people that it's supposedly going to
11 protect, and now we are here to discuss
12 whether it's a good idea to bring this
13 waste down a crowded thoroughfare, in a
14 small capital city, that depends on
15 tourism and out-of-state money for its
16 survival.

17 Are we crazy?

18 The wind blew last night,
19 but we didn't have to rush to our
20 television sets to see what direction it
21 was blowing.

22 We didn't have to close our
23 windows or keep our kids indoors, because
24 there was no nuclear waste in it, it was
25 after all, only the wind.

16-Jun-89: TS-00600, PAGE 3 OF 7

1 Now I looked at this report,
2 it sounded like this to me, that accident
3 can't happen because these canisters
4 can't break, and besides, if they do
5 break, not much of the stuff will come
6 out, and besides, if a little bit of it
7 comes out, well it's a low-level poison,
8 and besides, even if it is poison, we
9 would clean it up.

10 The wind blew last night.

11 It may have knocked over a pot of
12 geraniums, but it wasn't scary.

13 I remember people in
14 California, my home state, against
15 off-shore drilling, and I remember the
16 oil spills and walking on the beach in my
17 home town afterward.

18 I remember the pathetic
19 corpses of the sea gulls, blackened with
20 that goo, and I remember the follow-up,
21 those beautiful T.V. commercials in which
22 they said we now have the machinery to
23 clean this up.

24 And now of course, we have
25 the Exxon disaster in Alaska.

16-Jun-89: TS-00600, PAGE 4 OF 7

253

1 The news of course, has
2 moved on from the Exxon disaster, but the
3 otters there are still dying.

4 The wind blew here in Santa
5 Fe last night, and I sat safe in my chair
6 and thought about our future, because the
7 airports of New Mexico were not jammed
8 with people trying to get away from a
9 disaster near Carlsbad Caverns.

10 It used to be known for it's
11 beautiful caves.

12 If there is an accident down
13 here at St. Francis and Cerrillos, where
14 we have a lot automobile accidents, who
15 specifically, will clean it up and with
16 what?

17 How long will it take and
18 what will the cost be to the health and
19 welfare of the people of New Mexico?

20 This stuff that you think is
21 probably safe to bring here in New
22 Mexico, is so long lived that all of
23 recorded human history is but one per
24 cent of the life of this garbage.

25 Yes, as a nation, we are

7.129-3
7.129-7
7.129-11

16-Jun-89: TS-00600, PAGE 5 OF 7

254

1 going to have to do something about our
2 garbage.

3 We're going to have to take
4 responsibility for the creation of this
5 plutonium, this radioactive waste, and no
6 one wants it.

7 The People of Idaho are
8 anxious to send it here, who could blame
9 them?

10 The clock will tick for a
11 long time on this danger.

12 And now, here we are to say
13 to you, no, we don't want it, because you
14 haven't shown us that it's safe.

15 You know, the wind blew last
16 night and my daughter planned to go
17 swimming today, because the water is not
18 radioactive, it is not hot, like the
19 water near Socky Flats.

20 Gentlemen, I don't believe
21 that the DOE is made up of evil men.

22 These are all men trying to
23 do their jobs, these are men with
24 superior educations no doubt, and with
25 the desire to do service, and aren't they

128

255

16-Jun-89: TS-00600, PAGE 6 OF 7

1 all hopeful for their children's future?

2 Would they move their

3 children to Rocky Flats, Chernobyl,

4 Carlsbad?

5 The wind blew last night and

6 I thought of the reindeer slaughtered in

7 remote Lakland after Chernobyl. I

8 thought of the innocent, tribal people

9 there, and of their economic ruin,

10 Lakland, New Mexico, beautiful New

11 Mexico, but poor she is and vulnerable.

12 But we here people, we have

13 come out to protect her.

14 Yes, poverty makes you

15 vulnerable, we need jobs, teachers,

16 school rooms.

17 Shall we bet all of our

18 natural beauty, the major resource here,

19 and roll the dice and hope that

20 everything works out okay in the bowels

21 of those salt caves, where they want

22 to hide this deadly stuff?

23 I say no, not now and not

24 every unless they can show us it's safe.

25 No, to an on-site

1-2

256

16-Jun-89: TS-00600, PAGE 7 OF 7

1 experimental lab here.

2 The wind blew last night and

3 I thought of the wind on Little House on

4 the Prairie, the hail, the drought, the

5 locusts, all the natural disasters, the

6 plague of the settlers of our country,

7 disasters that brought hardship, and then

8 passed away again.

9 It's not like this

10 radioactive waste, and every day we're

11 pumping out more of it in the national

12 interests.

13 Can we afford the power

14 plants, the war machine that runs on its

15 own momentum now?

16 The wind blew last night,

17 but we still have hope.

18 Thank you.

19 HEARING OFFICER O'RIORDAN:

20 You're welcome. 16-Jun-89: TS-00601, PAGE 1 OF 9

21 Is Jesus Galvan here?

22 MR. GALVAN: My name is

23 Jesus Carlos Galvan, my address is 141

24 Pasaje Corto, Number B, Santa Fe, New

25 Mexico 87581.

1-2

257

16-Jun-89: TS-00601, PAGE 2 OF 9

I am a general dentist here in Santa Fe, I come here both as an individual citizen and as a health care professional, whose responsibility is the well being of the community that I serve.

I come here today to contest both the opening of the WIPP site, and the transportation of hazardous waste to the project site.

My objections are based on the failure of the Department of Energy to establish current and adequate standards for the safe transport and storage of hazardous waste that will comply with existing Environmental Protection Agency standards.

Although I am not some expert on the technical aspects of transport containers, salt beds, ground water movements, et cetera, I feel I am qualified to address the lack of standards for WIPP.

I base my qualifications on common sense, something that must prevail if we're going to find a solution for the

1-2
3.1-2
3.1-3
3.7-1
7.3.1-2
7.3.4.1-1

3.1-8

258

16-Jun-89: TS-00601, PAGE 3 OF 9

handling and storage of these hazardous wastes, and the fact that I am also regulated by the New Mexico Environmental Improvement Division, the EID, of the Health and Environmental Department, the same state agency that oversees the Waste Isolation Pilot Plant.

Yes, in my little dental office, less than a mile down the street here, one-half block off of the WIPP route, I must meet EPA approved biohazardous waste disposal standards.

These are current standards, effective just a month ago.

By law I must account for and dispose of in a sterile manner, all biohazardous waste, in order to protect our citizenry and our environment.

Of course this is only common sense.

We can all remember last year, the specter of needles and syringes being washed up on the beaches in New Jersey.

In my office, any waste that

3.1-8

259

16-Jun-89: TS-00601, PAGE 4 OF 9

1 might be contaminated with blood or
2 saliva, needles to paper towels, must be
3 isolated, weighed, accounted for, and
4 sterilized before disposal.

5 Consider for a moment that
6 you cut your finger preparing supper last
7 night, and you used a paper towel or a
8 tissue to help stop the bleeding.

9 This is now hazardous waste.

10 Yet you throw it into the
11 garbage and in a couple of days it's
12 picked up from the curb in front of your
13 house and it's hauled off to the local
14 landfill.

15 My similar bloody waste is
16 collected and transferred and sent to
17 special treatment plants for
18 incineration.

19 Consider also that most
20 viruses and bacteria can be killed with
21 ordinary household bleach, the reason
22 that we chlorinate our drinking water, or
23 they would simply die in the dry
24 environment outside the body, even those
25 that cause deadly diseases such as

268

16-Jun-89: TS-00601, PAGE 5 OF 9

1 hepatitis, tuberculosis and AIDS.

2 Yet why shouldn't I be
3 required to prevent exposure to potential
4 harmful pathogens?

5 At least I feel that I have
6 some control over environmental
7 pollution, however small that role might
8 be, but I comply with these national and
9 state standards.

10 But if the state regulates
11 paper towels whose contamination can be
12 rendered harmless by common bleach, more
13 than it controls radioactive waste that
14 will remain deadly or harmful for tens of
15 thousands or hundreds of thousands of
16 years, common sense should tell us that
17 there's something wrong.

18 Let's consider
19 radioactivity. As a doctor I depend on
20 x-ray images for the diagnosis and
21 treatment of decayed teeth, various
22 infections, tumors, and cysts.

23 Go into a dental office, and
24 before an x-ray picture is taken you will
25 be covered with lead aprons and shields

261

16-Jun-89: TS-00601, PAGE 6 OF 9
to protect the rest of your body.

All x-ray generating equipment is licensed by the state, it is required to be maintained safe.

The Department of Energy in it's Draft SEIS report admits that there will be small releases of radioactivity into the environment from trupact containers.

By law and common sense, my x-ray equipment cannot leak, no matter how low-level or slight.

Admittedly these trupact releases would be less potentially dangerous if Santa Fe had its promised by-pass, the by-pass that will now go through residential areas.

But we do not have the by-pass for years to come, and what about those cities like Roswell and Artesia, that never will have a by-pass?

Any one of us here in Santa Fe could observe the intersection of St. Francis and Cerrillos and observe the accident that is just waiting to happen.

3.1-2
7.35.2-4

7.154-1
7.154-2

7.33-3
7.33-4
7.33.1-2
7.35-1
7.35-2
7.154-2

262

16-Jun-89: TS-00601, PAGE 7 OF 9

What a curious mixture we would see, trupact trucks, touriata in over-sized RV's, loat and trying to make some sense out of our unique street system, dilapidated pick-up trucks, cars at one end or the other of a rope or a chain, towing and being towed, and sundry other ordinary people, you, I, in a hurry to get to work, to an appointment, to get back home.

Common sense should tell us that these do not combine to make a safe WIPP route.

It is this same, unpredictable human element that is so frighteningly absent in the SEIS report.

We could of course make a lead apron large enough to spread around and over Santa Fe to protect us from radiation leaks.

However, even if we were to make it turquoise blue and paint howling coyotes al lever it, I do not think for a moment it would convince a single person this is Santa Fe style.

7.33-3
7.33-4
7.33.1-2
7.35-1
7.35-2
7.154-2

7.33-3
7.33.1-8
7.35-1
7.154-2

7.35-1

263

16-Jun-89: TS-00601, PAGE 8 OF 9

1 As a dentist, I frequently
2 have a credibility problem. Like the old
3 phrase, "the check is in the mail", I am
4 met with disbelief when I say, "this
5 won't hurt a bit".

6 (Laughter.)

7 Likewise, all of us have
8 grown skeptical of anyone saying, "I'm
9 from the Government, trust me".

10 Yet, with all the
11 improvements in dentistry and proper care
12 and technique, most of the time, a trip
13 to the dentist will be painless.

14 I hope that someday my trust
15 in the Government will be restored by
16 similar care and thoroughness, as in
17 establishing and following standards and
18 procedures that would protect me and my
19 environment and do this before the
20 project is begun, not after an accident
21 and contamination.

22 Santa Fe, all of New Mexico,
23 is special. It's unique and can never be
24 replaced. Let's not turn it into some
25 kind of abscess tooth.

32-1

3.1-8

3.1-2
32-1

3.1-8

264

16-Jun-89: TS-00601, PAGE 9 OF 9

HEARING OFFICER O'RIORDAN:

1 Thank you, Doctor.

2 Your notes will be marked as
3 Exhibit 425.

4 MR. GALVAN: Thank you.

5 (The document above-
6 referred to was marked for
7 identification as
8 Exhibit No. 425, and
9 received into evidence.)

HEARING OFFICER O'RIORDAN:

10 Is Ana Ra here, A-n-a, R-a?

11 Did I say that wrong?

12 MS. HARMON: Ana Ra had a
13 problem with her throat and asked me to
14 speak for her.

HEARING OFFICER O'RIORDAN:

15 Well that's fine.

16 MS. HARMON: Her address is
17 1333 Pacheco, Suite J, Santa Fe, New
18 Mexico 87581.

19 Her main interest was that
20 she wanted to bring up the point that
21 yesterday, a half a billion dollar
22 missile was launched to let us know when
23
24
25

16-Jun-89: TS-00602, PAGE 1 OF 7

3.6-1

16-Jun-89: TS-00602, PAGE 2 OF 7

265

missiles are launched.

Her reasons for bringing this up was priorities.

What are we talking about with priorities?

We're going to -- half a billion dollars is a lot of money, and the idea is that we are continuing to create nuclear waste, which seems to be a more major concern than where we're going to put it.

I think we should be concerned about what the creation of the nuclear waste, with the expenses that we're making, regarding all of this, and where our priorities are.

I know that these hearings are concerning the WIPP Waste Isolation Pilot Plant, and there is the assumption that well it's going to happen anyway, and there's really not much point in anybody saying anything, because the decisions have been made.

I don't believe that.

To me, one of the most

3.6-1

16-Jun-89: TS-00602, PAGE 3 OF 7 266

wonderful things about my life is that I happen to live in the United States of America, that has a Constitution that guarantees the right of free speech. It guarantees the right to assemble, no matter what our Governor has recently reminded us of.

We don't have to be coerced into somebody else's point of view.

I have some very personal issues regarding nuclear waste and that aspect that creates the nuclear waste.

Most of what will be coming through Santa Fe would be coming from Los Alamos.

Most of that nuclear waste is created from the making of bombs.

I happen to be privileged to have been in the first group of dependents to live in Japan after World War II.

I lived in Hiroshima when the Atomic Bomb Commission was there studying the effects of the atomic bomb.

That bomb was 155 times

16-Jun-89: TS-00602, PAGE 4 OF 7

267

1 smaller than any nuclear weapon that we
2 have in existence today.

3 I saw the results of that in
4 my playmates.

5 We continue to create bombs
6 and blow them up to find out that bombs
7 go boom!

8 We already know that. We
9 don't keep to making more things and
10 spending billions of dollars to destroy
11 the place we live.

12 There seems to be a great
13 deal of concern about jobs, that WIPP is
14 going to bring jobs to New Mexico.

15 What's the point of having
16 jobs if we don't have any place to live,
17 if we don't have a planet to live on, if
18 we can't drink our water and breathe our
19 air?

20 It's priorities, it all
21 comes back to priorities, and what our
22 priorities are.

23 I don't think that there is
24 any question that there is no safety
25 involved with WIPP, there is no safety

16-Jun-89: TS-00602, PAGE 5 OF 7

268

1 involved with bringing these things
2 through my home.

3 This is where I live.

4 There is no safety involved
5 in any of this.

6 There is no safety in making
7 it in the first place.

8 It doesn't seem to be the
9 issue, the issue seems to be money, and I
10 think it behooves every citizen that
11 stands up here to say what they feel.

12 This is our home and it is
13 not fair for people who want to see the
14 bombs go boom to send their garbage
15 through my home.

16 I am privileged to live in
17 this country, and I'm privileged to be a
18 human being, and I'm not going to stand
19 still for it.

20 For every one of us who
21 stands up here and says to you, although
22 we're divided room from room, I am not
23 claiming any paranoid feelings about
24 that, although there is a little tinge
25 there, there is at least one hundred more

16-Jun-89: TS-00602, PAGE 6 OF 7

269

1 who won't stand up here, who think that,
2 and a thousand more who would stand up if
3 they knew, who just don't understand a
4 lot of it.

5 So the few hundreds of us, a
6 thousand or so of us, who stand here,
7 there is at least another hundred or a
8 thousand that feel the same way we do.

9 We're not alone. We're not
10 alone.

11 This is a Government of the
12 people, for the people and by the people,
13 and it's up to us to take responsibility
14 to keep our freedom and tell any branch
15 of our Government, we're your bosses.
16 We're the people. You're the people,
17 it's your land the same as it is ours,
18 and you have to stand up and not think
19 that the only thing you can do is get a
20 job.

21 You have so much more going
22 for you than getting a job and destroying
23 the earth on which you live.

24 Thank you.

25 HEARING OFFICER O'RIORDAN:

16-Jun-89: TS-00602, PAGE 7 OF 7 278

1 I didn't get your name.

2 MS. HARMON: Okay.

3 HEARING OFFICER O'RIORDAN:

4 You were speaking for Ana Ra.

5 MS. HARMON: Should I put
6 that in the record?

7 HEARING OFFICER O'RIORDAN:

8 Yes, so that we know.

9 MS. HARMON: My name is
10 Susan Harmon, and my address is 1427 Agua
11 Fria, 87581.

12 HEARING OFFICER O'RIORDAN:

13 Okay, thank you.

14 Is Fred Friedman here? Fred
15 Friedman?

16 (No response.)

17 Then I have a Mrs. Fred
18 Friedman listed.

19 (No response.)

20 Is a Leslie O'Toole here?
21 Leslie O'Toole?

22 (No response.)

23 I think it is Raven

24 Matraskan?

25 (No response.)

271

1 Now about a Mark Schlenger,
2 S-c-h-l-a-n-g-e-r.

3 UNKNOWN SPEAKER: He had to
4 go to the store.

5 HEARING OFFICER O'RIORDAN:
6 So he's not going to be here?

7 UNKNOWN SPEAKER: No.

8 HEARING OFFICER O'RIORDAN:
9 That's too bad.

10 Is Margaret Birsky here?

11 MS. BIRSKY: That's me.

12 HEARING OFFICER O'RIORDAN:
13 You're next then.

14 Okay, we're all set.

15 MS. BIRSKY: My name is
16 Margaret Birsky, my address is 119 Park
17 Avenue, Apartment 15, Santa Fe, New
18 Mexico 87501.

19 I thank you for this
20 opportunity to share my views on the DOE
21 SEIS WIPP project.

22 I have lived in Santa Fe for
23 a year and a half. I have moved from
24 Port Smith, New Hampshire, away from the
25 Seabrook land, right into WIPP land.

16-Jun-89: TS-00603, PAGE 1 OF 7

272

16-Jun-89: TS-00603, PAGE 2 OF 7

1 Seabrook, a place where my
2 friends worked, one of which was a
3 nuclear engineer.

4 They would come home from
5 work with stories of people literally
6 sleeping on-the-job, people getting high
7 and going back to build the facility.

8 Needless to say, this made
9 me feel insecure about the nuclear
10 industry, which is run and designed by
11 human beings.

12 We are all -- we all have a
13 erroneous zone.

14 Now there is WIPP, and I
15 feel sad, scared, angry, and powerless.

16 But as I reach out with
17 other concerned citizens, there is a
18 degree of hope.

19 I acknowledge the DOE and
20 Government officials, that these
21 decisions are stressful and highly
22 pressured.

23 But I strongly oppose your
24 recent proposal for cutting the public
25 out of the decision making process in the

273

16-Jun-89: TS-00603, PAGE 3 OF 7

1 case of radioactive waste storage
2 permits.

3 Democracy has a right,
4 especially in our Constitution.

5 You must really listen to
6 the 688 or more voices and the two or
7 three hundred businesses against WIPP.

8 You should hear the turrets
9 when I explain to them what WIPP means,
10 and what is happening with WIPP.

11 The fear of losing their
12 vacation land overwhelms them.

13 To me it's not WIPP alone,
14 it's the whole industry.

15 I feel that you're missing
16 a large piece of the industry's puzzle.

17 Sure we know how to build
18 bombs and blow ourselves apart and create
19 nuclear energy, that's easy, now.

20 But what do we really do
21 with the waste?

22 Perhaps your industry
23 wouldn't mind yielding its production in
24 spending more money on completing your
25 puzzle.

5.3-1

274

16-Jun-89: TS-00603, PAGE 4 OF 7

1 I feel that if we had the
2 mind and technology to split the atom, we
3 have the mind and technology to create a
4 way of perhaps recycling the waste or
5 finding a 100 per cent proof of storing
6 the waste.

7 We have the responsibility
8 to our environment and our health.

9 Rise up from your denial,
10 face the real problem, complete your
11 puzzle.

12 Don't keep running to the
13 next experiment. Work for the good of
14 the whole of humanity.

15 So I strongly oppose WIPP
16 because of its non-compliance to EPA
17 standards.

18 Please wait until 1998 or
19 1991, when the EPA standards are
20 finalized.

21 This makes health sense to
22 me, maybe not financial sense to you, but
23 I suggest putting your money in
24 completing the puzzle.

25 I strongly oppose WIPP and

5.3-1

1-3

275

16-Jun-89: TS-00603, PAGE 5 OF 7

1 the transportation of waste by truck
2 versus train, when statistics show that
3 train would be better.

4 But I do like the
5 statistics, 8.3 deaths, 186 injuries by
6 truck, and three deaths and 34 industries
7 by train.

8 What are acceptable and
9 unacceptable risks? What right does the
10 DOE have, and the Government, by playing
11 Russian roulette with the citizens of New
12 Mexico.

13 I strongly oppose the WIPP
14 site itself, it's geo-technical problems,
15 including the large pressurized brine
16 reservoir underlining WIPP, the brine
17 seeping into the waste rooms, rapid
18 movement of water through the rustler
19 aquifer and rapid closure of salt and the
20 resulting in rock cracking.

21 I strongly oppose the five
22 year test plan. I believe WIPP was not
23 designed to conduct scientific
24 experiments, or am I mistaken?

25 I strongly oppose the draft

276

16-Jun-89: TS-00603, PAGE 6 OF 7

1 for prematurely rejecting no action
2 alternative.

3 I believe a no action
4 alternative, combined with a clean-up
5 program at existing DOE facilities,
6 should be considered fully to determine
7 the environmental impact of such a
8 program.

9 If the DOE intends to
10 proceed with WIPP, then it must adopt an
11 alternative action and demonstrate
12 compliance to EPA standards.

13 I would like the DOE to
14 explain the supposed national security
15 implications of WIPP does not open.

16 How would this create more
17 national security problems? Don't we
18 have enough weapons already?

19 In closing, I ask you to
20 look in the eyes of children, for they
21 are our future.

22 Make your decisions within
23 their innocence, for they will be
24 cleaning up our mistakes tomorrow.

25 I ask for peace and love for

277

16-Jun-89: TB-00603, PAGE 7 OF 7

1 the many of Americans, where they have
2 suffered enough by your industry and
3 encourage citizens to keep asking your
4 questions.

5 I ask that God penetrate the
6 heart, so that these decisions will be
7 made wisely and have integrity.

8 I thank you.

9 HEARING OFFICER O'RIORDAN:
10 You're welcome. 16-Jun-89: TB-00604, PAGE 1 OF 5

11 Is James Pingel here?

12 You're next, Mr. Pingel.

13 MR. PINGEL: Okay.

14 HEARING OFFICER O'RIORDAN:
15 Pingel, I guess.

16 MR. PINGEL: Yee, that's
17 P-i-n-g-e-l. I reside at 3327 Vuelta
18 San Marcos, here in Santa Fe, New Mexico
19 87585.

20 This is quite an emotional
21 issue for me and many people.

22 I would like to ask the
23 panel a couple of questions.

24 The first one is, would you
25 be willing to store these waste products

3.1-2

278

16-Jun-89: TB-00604, PAGE 2 OF 5

1 in your garage for the next five years,
2 to see if they'll be safe?

3 Would you be willing to
4 transport these wastes down your
5 neighborhood streets, and your children's
6 children's streets, for the next 248,888
7 years?

8 I really would like you to
9 ask yourself these questions.

10 If there is any iota of
11 doubt at all, then you can see why I and
12 many of us in here are not willing to do
13 so.

14 Now it's my opinion that
15 this is a human problem, created by
16 humans, and to be resolved only by
17 humans.

18 You know, in the heat of
19 this controversy, it's easy to imagine
20 the DOE, the some remote, unfeeling
21 agency, that we as people seemingly have
22 no control over, some entity running
23 blindly into the future, making the
24 decisions that will affect future
25 generations.

3.1-2

3.2-1

279

16-Jun-89: TS-00604, PAGE 3 OF 5

1 The DOE has been compared to
2 Darth Vader recently in the paper, the
3 forces of darkness. I think that's
4 stretching it.

5 We're all human beings, Bob,
6 David, Hugh, we have hearts and we have
7 intelligence, and we have the ability to
8 compromise for our own safety.

9 So my contention that this
10 agency is ultimately comprised of
11 intelligent and heart felt humans, we
12 share a common bond and respect for life,
13 and would consider every possibility for
14 the safety of their own kind, before
15 rendering policies that may jeopardize
16 future generations.

17 I would like to think this
18 to be true, but I really begin to have my
19 doubts when I start to read things like
20 Rocky Flats, when we are actually
21 injecting waste products into the
22 watering systems that sustain human life,
23 knowingly, knowingly, not by mistake.

24 We are injecting into our
25 precious atmosphere nuclear particles

32-1

288

16-Jun-89: TS-00604, PAGE 4 OF 5

1 that contaminate, contaminate the lungs,
2 and jeopardize human life.

3 When we find cracks in the
4 storage units, and we talk about the
5 brine levels, these are things, these are
6 answers that we have no answers to, these
7 are questions we have no answers to at
8 this point.

9 There is no solid
10 scientific foundation to rectify these
11 problems.

12 You know, these facts
13 describe the situation in many ways that
14 in my heart I feel is out of control.

15 It's our responsibility as
16 humans, to control it.

17 This time we can't pass the
18 buck, because if we try, who are we going
19 to pass it to, who's going to be around.

20 And as I said, there are two
21 real tragedies exposed by these hearings
22 for me, the first one is that we as
23 humans are finally recognizing the fact
24 that we have very little respect and
25 value for other human life, even the

281

16-Jun-89; TS-00604, PAGE 5 OF 5

1 least danger to our own kind would be
2 common ground to resolve and not opposing
3 ground for controversy.

4 The second tragedy is where
5 does mother earth have her say in all of
6 this?

7 This is a living breathing
8 organism that offers herself to us
9 without question every day. She offers
10 us sunlight and we strip the ozone layer.
11 She offers us rain, and we contaminate it
12 with acid. She offers us wind and we
13 contaminate it with pollution, recently
14 nuclear pollution. She offers us food
15 and we spray it with pesticides.

16 As if that isn't enough, we
17 now introduce a man-made poison, the
18 dangerous likes of which and the
19 consequences of which, may never be
20 known, and we now put it here, into her
21 skin, and ask her to deal with it for the
22 next 248,888 years.

23 My heart weeps today, for
24 her and for our fellow man and our fellow
25 earth.

282

1 Thank you.

2 HEARING OFFICER O'RIORDAN:

3 You're welcome. 16-Jun-89; TS-00605, PAGE 1 OF 4

4 Is Susan Brigham here?

5 MS. BRIGHAM: My name is
6 Susan Brigham, my address is 2526 San
7 Patricio, Santa Fe, New Mexico 87585.

8 The democratic process
9 entitles its citizenry to participate in
10 these hearings, but you have made our
11 position as a public body, weaker
12 politicelly, by dividing us into three
13 rooms. You know this and we know this.

14 I mention it for the record,
15 for those that cannot be here, for those
16 that have not had experience with your
17 methods.

18 I am asking here for more
19 honesty, integrity and general concern on
20 your part, for our lives.

21 I would like to address the
22 problem of transportation.

23 The DOE has been
24 irresponsible in your testing of the
25 TRUPACT 2 containers.

8-7

7.3.1-2
7.3.1.1-2

283

16-Jun-89: TS-00605, PAGE 2 OF 4

1 The draft SEIS states that
2 the dominant accident effect for truck
3 shipments is crushed, rather than impact,
4 and yet you have not tested crush
5 resistance. This is irresponsible.

6 Also, there is no test for
7 contusion with two or more subsequent
8 drops of TROPACT 2 containers mounted on
9 a truck, which is the way in which they
10 are designed to be transported.

11 Please don't send trucks
12 down my main street without performing
13 real, comprehensive tests.

14 Even more important, SEIS
15 says that extremely small, air-borne
16 releases from the TROPACT 2 containers
17 will be experienced during routine
18 operations.

19 You are telling me that even
20 without any accident, three times a day,
21 down my main street, a trail of radiation
22 is spreading.

23 You can say the effects are
24 not credible, but I don't want to live in
25 this dangerous condition.

7.3.1.1-9

7.3.1.1-15
7.3.4.1-17.3.1.1-2
7.3.4.1-17.3.5.2-4
7.3.5.4-3

284

16-Jun-89: TS-00605, PAGE 3 OF 4

1 Why drag a trail of
2 radiation across half of the country?
3 Why not build monitored, retrievable
4 storage units near where the waste is
5 generated, and leave it there until
6 methods are known for neutralizing the
7 radioactivity, or leave it there forever,
8 as monuments to the direction in which we
9 began to travel, and by that I mean the
10 direction of nuclear war or any kind of
11 war, but were wise enough to recognize as
12 folly and turn back from.

13 I would prefer to pay my
14 share towards 2.3 billion dollars to
15 construct monitored, retrievable storage
16 units, than to pay it towards the
17 promised, future by-passes to WIPP or
18 other untold future transportation costs,
19 emergency response costs, or God forbid,
20 the cost of tending to a loved one hurt
21 by contamination.

22 If the storage units keep us
23 safe, remind us that war is unthinkable,
24 and stand in representation of the
25 continued direction of peace, the cost is

36-2
5.3-1

285

16-Jun-89: TS-00605, PAGE 4 OF 4

1 worth it to me.

2 I think you can see that New
3 Mexicanas are a peaceful and pro-peace
4 people.

5 America has been the
6 ideological and technological leader of
7 the world so far. Now the challenge is
8 upon us to become the moral leader too.

9 We have to make morality our
10 top priority, and technology a means to
11 the end of survival on our planet, and
12 peace, happiness and prosperity upon
13 earth.

14 HEARING OFFICER O'RIORDAN:
15 Is Leslie O'Toole here?

16 UNKNOWN SPEAKER: Mr.
17 Hearing Officer?

18 HEARING OFFICER O'RIORDAN:
19 Sure.

20 UNKNOWN SPEAKER: I am not a
21 scheduled speaker, but I would have to
22 say that my constitutional rights to hear
23 political debates has been diluted, just
24 by a factor of three to one because I
25 cannot be in three places at one time.

286

1 Likewise, tonight I will be
2 speaking and again, my ability to speak
3 is being diluted by a factor of three to
4 one.

5 I think this is a shame. I
6 have to point out that the Hearing
7 Officer, the DOE employees and everybody
8 else here --

9 HEARING OFFICER O'RIORDAN:
10 I'm sorry, we're here to have --

11 Everyone has a right to have
12 their speech and if you want to be a
13 registered speaker, you can do so --

14 UNKNOWN SPEAKER: Well the
15 procedure --

16 HEARING OFFICER O'RIORDAN:
17 We have your protest, others have done
18 it, it's in the record, but --

19 UNKNOWN SPEAKER: Very well,
20 thank you.

21 HEARING OFFICER O'RIORDAN:
22 You're welcome.

23 Is Leslie O'Toole here?

24 (No response.)

25 Now about Raven Mitnick

287

1 (phonetic).

2 (No response.)

3 Christine Malcolm? You're

4 next.

16-Jun-89: TS-00606, PAGE 1 OF 5

5 MS. MALCOLM: My name is

6 Christine Malcolm, and I live at 339

7 Delgado, Santa Fe, New Mexico 87501.

8 This is really hard for me
9 to be here and talk, I don't know why,
10 but I don't usually -- I felt like --

11 HEARING OFFICER O'RIORDAN:

12 Take a deep breath.

13 MS. MALCOLM: Yeah. I had
14 to come.

15 First, I object to the way
16 in which these hearings are being split
17 up into three different rooms.

18 This approach diffuses the
19 impact of these hearings, which I'm sure
20 was the intent.

21 I came to New Mexico to learn
22 about natural healing and to get more in
23 touch with the land and culture of this
24 nation.

25 I lived in a place on the

8-7

288

16-Jun-89: TS-00606, PAGE 2 OF 5

1 east coast that was ridden with
2 pollutants and poisons.

3 I worked on a street which
4 was referred to as "Cancer Alley", a
5 place where many children get leukemia
6 and diseases prevalent among all age
7 groups.

8 I myself, contracted thyroid
9 cancer after working in this region for
10 only about one year. I'm not saying that
11 it resulted in just that one year, but I
12 can tell you where this is if you wanted
13 to check it out, but there are high
14 statistics of cancer there.

15 People all over the world
16 perceive of New Mexico as a land of
17 natural beauty and harmony.

18 If WIPP in its unsafe state,
19 is set into action, I am sure that the
20 perceived value of this state will be
21 greatly depreciated.

22 The value of New Mexico lies
23 in its preservation of nature. The
24 people here would like to live in harmony
25 with nature.

72-3
72-31

289

16-Jun-89: TS-00606, PAGE 3 OF 5

Two years ago I started Santa Fe Fragrance Research, and I promote the use of natural aromatics, that are derived from plants, flowers and trees, for aesthetic and therapeutic purposes.

I am investigating the possibilities of distilling sage and juniper berries here in the southwest.

I also educate through seminars and published articles in national magazines and newspapers on olfactory perception.

Research is currently being conducted at Yale and Duke University Medical Schools about the dilatory effects that odors may have on our psychological and physiological state of health.

Although there may not be an odor associated with radiation, how much more dangerous will it be not to be able to detect it through olfaction?

Investigations at the Monelle Institute, a center solely

298

16-Jun-89: TS-00606, PAGE 4 OF 5

devoted to the study of the senses of smell and taste, have confirmed that what comes impassable through the olfactory and gustatory senses, has a potential to be a much more harmful and even lethal, than a substance that we may actively take through oral consumption.

The possibility of physical and psychology disturbances due to the perceived lack of safety in the air we breathe, is enough of a deterrent to stop the transport of nuclear waste through Santa Fe, in my opinion.

I'm very unhappy about the way in which pollution problems are being looked at after the fact.

Perhaps these should be considered in a preventative fashion, which is what we who are opposed to the WIPP project have come to speak about today.

Thank you very much.

HEARING OFFICER O'RIORDAN:

You're welcome.

MS. MALCOLM: I would like

291

16-Jun-89: TS-00606, PAGE 3 OF 3
to submit a letter.

HEARING OFFICER O'RIORDAN:

Yes, we'll make that Exhibit 426.

(The document above-
referred to was marked for
identification as
Exhibit No. 426, and
received into evidence.)

HEARING OFFICER O'RIORDAN:

Is Paul Trujillo here?

(No response.)

Now about Fred Friedman and
Mrs. Fred Friedman?

(No response.)

Is Barry Green here?

MR. GREEN: Yes.

HEARING OFFICER O'RIORDAN:

You're next, Mr. Green.

MR. GREEN: Good afternoon,
my address is 610 Velarde Street, here in
Santa Fe. 16-Jun-89: TS-00607, PAGE 1 OF 11

My name is Barry Green, and
I'm an attorney and licensed to practice
law in the state of New Mexico since
1982.

292

16-Jun-89: TS-00607, PAGE 2 OF 11

I am also licensed to
practice law in the Federal Courts in the
state of New Mexico.

I would first like to object
to the way these proceedings have been
set up by the Department of Energy.

I think that the
notification, and the way this has been
set up in three rooms, is really a
violation of our rights.

The National Environmental
Policy Act says that the public should
have meaningful input into any kind of
decision of this magnitude.

I don't think that that
input can be meaningful because of the
way you have set this up.

Although I asked for my
speaking time over two weeks ago, I
didn't get notification of the speaking
time until less than 48 hours ago.

In any kind of normal course
situation, that kind of notification
would be a violation of the
Constitutional right to due process.

16-Jun-89: TS-00607, PAGE 3 OF 11

1 The splitting of the hearing
2 into three rooms is also a way which does
3 not allow the public meaningful input.
4 The speakers do not get to hear each
5 other. We learn from each other.

6 Also, the people who are
7 listening, the employees of the
8 Department of Energy, do not get to hear
9 all the different speakers.

10 I see that their proceedings
11 are being recorded by tape, I've listened
12 to many hours of court room testimony by
13 tape, and it is very difficult.

14 I doubt seriously that each
15 employee is going to listen to ever hour
16 of taped speeches by the public that
17 they missed.

18 I also note, I've been a
19 public speaker for years now, the
20 conditions here are deplorable.

21 It is very distracting to me
22 to hear another person's voice booming
23 over the loud speaker as I try to talk,
24 or to hear the applause coming from the
25 other room.

8-6
8-7

16-Jun-89: TS-00607, PAGE 4 OF 11

1 The podium situation is
2 horrible, I can't even put my papers down
3 in front of me.

4 You have the microphone set
5 up on a speaker. There isn't a glass of
6 water for the speakers.

7 I think that these
8 conditions are easily remedied by you and
9 they should be.

10 The main point though, that
11 I want to make here today, is that I am
12 against NIPP.

13 I have received and read
14 copies of all the reports, the
15 Supplemental Environmental Impact
16 Statement, the Impact Statement released
17 in 1988, I find them inadequate legally
18 and scientifically.

19 I think that NIPP is a
20 program that represents an
21 environmentally backwards public policy,
22 and I think that it is technologically
23 unsound.

24 Therefore, I think that NIPP
25 should never be opened, no NIPP project

8-7

1-2
2.3.1-2

295

16-Jun-89: TS-00607, PAGE 5 OF 11

should be opened.

I have listened to many hours of the public commentary and I've heard a lot of good reasons for not opening WIPP.

I'm going to try and limit myself to three reasons.

First what I want to talk about is, I think that WIPP is an environmentally backward public policy.

The policy applies equally to nuclear waste, toxic waste and non-toxic waste.

That public policy forced the garbage of one community on another community, while doing nothing to encourage the first community to make less garbage, to reduce its waste.

It is an out-of-sight, out-of-mind policy.

Well we're quickly finding out that there is not enough room left in the United States or in the world, to just go on digging holes and dumping garbage.

1-2
2.3.1-2

1-2
36-1
52-1
52-2

296

16-Jun-89: TS-00607, PAGE 6 OF 11

The infamous New York garbage barge of a few years ago is an excellent example.

A better public policy would be to require the communities that generate the waste or the communities that benefit financially from operations, whether they're from the Government or the private corporations, the operations that create the waste, those communities should bear the responsibility for those wastes.

They should not be allowed to dump it on their neighbors.

A major step towards easing the garbage problem, no matter which type, is called source reduction.

Thus, the way to ease the problem of defense generated nuclear waste, is to end the production of nuclear weapons.

I don't think we need them. I think that we already have enough nuclear weapons to destroy the world.

I don't think that these

36-1
52-1
52-2

16-Jun-89: TS-00607, PAGE 7 OF 11

1 weapons represent any kind of a
2 deterrent, because they simply cannot be
3 used.

4 Any kind of use of nuclear
5 weapons, even in a limited nuclear war,
6 is going to result in either our direct
7 destruction or destruction through a
8 nuclear winter.

9 Now can we even consider
10 using a nuclear weapon if we know that
11 the result is going to be our own
12 destruction.

13 If we were being realistic,
14 we would realize this.

15 If nuclear weapons were
16 eliminated today, the production of
17 nuclear weapons, then almost 78 per cent
18 of the defense generated nuclear waste
19 that is destined for WIPP, would be
20 eliminated.

21 Therefore, the need for WIPP
22 would be reduced drastically.

23 In conjunction with source
24 reduction, I think that all the defense
25 related nuclear waste should remain where

36-1
52-1
52-2

1-2
52-1
52-2
53-1

16-Jun-89: TS-00607, PAGE 8 OF 11

1 they are produced, on-site, in on-site
2 storage facilities.

3 Those facilities could be
4 upgraded with the money that was destined
5 for WIPP.

6 Those facilities could
7 include a containment building and with
8 another building inside to store the
9 materials, the containment building could
10 have monitoring equipment, above-ground,
11 under-ground, and any kind of waste leak
12 could be immediately detected.

13 That way, any kind of waste
14 leak could be dealt with quickly, before
15 it became a problem.

16 I don't think this method
17 would be expensive, it would allow us to
18 introduce any new technological changes
19 that come about in the future, and it
20 would eliminate all worries about whether
21 WIPP can withstand 240,000 years with no
22 human intervention, without leak, it
23 would eliminate all of the worry of
24 trucking or even rail transport to WIPP.

25 Just quickly, with regard to

1-2
36-2
52-1
52-2
53-1

299

16-Jun-89: TS-00607, PAGE 9 OF 11

1 trucking, I am very concerned that WIPP
2 is not addressing some real needs here.

3 First of all, it doesn't
4 take into consideration a lot of problems
5 that we have in northern New Mexico with
6 road without shoulders, with the
7 population that does not drive well in
8 the snow, with a vacationing public that
9 is often intoxicated on the road, with a
10 response to the waste, any kind of a
11 spill.

12 The problem is, gentlemen,
13 that if there were a spill in Pojoaque,
14 which is half way between here and Los
15 Alamos, it would take any kind of team to
16 handle the spill, 30 minutes to get
17 there, if they left immediately.

18 In those 30 minutes, the
19 waste would be borne on the breeze.

20 There is a suggestion of
21 using a by-pass to protect Santa Fe.
22 That won't work.

23 We know from Chernobyl that
24 the breeze will take the nuclear waste
25 and float it miles.

7.3.3.1-4

7.3.5.4-3

300

16-Jun-89: TS-00607, PAGE 10 OF 11

1 I put a lot more in my
2 statement, and I would like to enter that
3 into the record.

4 I would like to just sum up
5 by reminding you gentlemen of one thing,
6 the Attorney General of the United States
7 is now investigating the Department of
8 Energy of criminal violations in
9 connection with the Rocky Mountain Flats
10 Plant.

11 That same kind of
12 investigation could occur with WIPP.

13 We don't feel that the
14 Department of Energy is listening to the
15 public.

16 The Secretary of Energy has
17 already said that WIPP will open in
18 September, and so has the Department in
19 Albuquerque after the Albuquerque
20 hearings.

21 If you don't listen to us,
22 and there is criminal investigations
23 because of problems with WIPP, we the
24 people you aren't listening to, are going
25 to be on those grand juries, and you know

32-1

301

16-Jun-89; TS-00607, PAGE 11 OF 11

1 that those grand juries are not going to
2 indict people at the top of the ladder,
3 they're going to indict the people at the
4 bottom of the ladder, like you people who
5 are listening to these hearings.

6 We don't want that to
7 happen.

8 I think that you should not
9 open WIPP ever, and I ask you to make
10 your recommendation to Washington, which
11 should count heavily, that WIPP not be
12 opened and that the alternative of
13 storing on-site and reducing waste, be
14 explored.

15 Thank you.

16 HEARING OFFICER O'RLODAN:

17 You're welcome.

18 Mr. Green's comments will be
19 marked as Exhibit 427.

20 (The document above-
21 referred to was marked for
22 identification as
23 Exhibit No. 427, and
24 received into evidence.)

25 Is Sue Curtis here, Sue

32-1

1-2

302

1 Curtis? 16-Jun-89; TS-00608, PAGE 1 OF 8
2 (No response.)

3 Arthur Clark, Arthur Clark?

4 You're next Mr. Clark.

5 MR. CLARK: My name is
6 Arthur Clark and I reside at 789 Viento
7 Drive, Santa Fe, 87581.

8 I'm not a scientist, I'm not
9 an engineer, I don't have a whole lot of
10 technical suggestions.

11 I do have several basic
12 suggestions that I would like to make for
13 the record.

14 Basically, my feeling is
15 that though we have many able and
16 dedicated Government employees,
17 fortunately, the way the bureaucracy is
18 set up at all these different levels, it
19 just happens to be very vulnerable to
20 collecting enclaves of people who aren't
21 so capable, and they seem to stay on,
22 year after year.

23 My uncle, out of patriotic
24 fervor, volunteered to work for the
25 Federal Government during the war.

9-1

383

16-Jun-89: TS-00608, PAGE 2 OF 8

1 obviously, everybody was
2 doing their best to make some sort of
3 sincere effort, given the challenge that
4 we had.

5 He worked sincerely and
6 hard, but he found it impossible to get
7 anywhere, because on one occasion he
8 wrote a key letter to some other official
9 and after six or more weeks, he found
10 that the letter had not even arrived, and
11 in checking into it, he found it on the
12 desk of a functionary who had checked it
13 over for English and had found a split
14 infinitive, and had taken it upon himself
15 as the authority, to keep the letter on
16 the desk for six weeks.

17 I also know people who have
18 worked at the local level, and apparently
19 the Governmental structure is such that
20 when people are inadequate, they simply
21 can't be gotten rid of, so they often get
22 promoted and shunted aside and so on.

23 So my feeling is that this
24 is just part of the human layle, the
25 human game, we're all fallible.

384

16-Jun-89: TS-00608, PAGE 3 OF 8

1 In my studies in counseling
2 psychology, I was very interested and
3 surprised to see that in the famous MMPI,
4 Minnesota Multi-Phase Personality
5 Inventory, as a professional I was being
6 shown that they had a lie scale, and if
7 people said that they didn't lie, that
8 was counted down on the lie scale.

9 Our evolution as human
10 beings, and I was -- fortunately enough I
11 knew enough about myself, I knew that I
12 told some lies, all of us at one time or
13 another, have the temptation, and
14 generally give in to the temptation, to
15 cover something up that might be
16 embarrassing.

17 So in our country, we know
18 that travels as high as the presidency,
19 and poor Dick Nixon, was one of the
20 few people at that level, who happened to
21 get caught in it, but I'm sure that he
22 was far from alone.

23 So this relates to one basic
24 point that I'm making, is that I feel the
25 DOE should not have a responsibility that

32-1

305

16-Jun-89: TS-00608, PAGE 4 OF 8

1 is as large as the nuclear problem.

2 Because what we're into with
3 the problem of nuclear physics, is that
4 we're like a two year old child living in
5 a glass house that has been handed a
6 hammer, and we're talking about the human
7 race here.

8 And so my feeling is rather
9 than have the DOE, rather than have a
10 bureaucratic branch of Government, which
11 is structured in an awkward way, given
12 the size of the responsibility that we
13 have to handle here, I feel the basic
14 safety decisions, and whether or not WIPP
15 should go forward, should be in the hands
16 of a specially appointed Congressional
17 Committee.

18 I feel that one appropriate
19 way to form that committee would be to
20 have the members of the New Mexico
21 delegation, since WIPP is located in New
22 Mexico, all those members on it, and an
23 equal member of other people from
24 Congress.

25 My other point is that it's

3.2-1

3.1-6

7.14-1

306

16-Jun-89: TS-00608, PAGE 5 OF 8

1 come to my attention that the caves that
2 we're thinking of storing these dangerous
3 materials in, are made out of salt.

4 And some people say there is
5 more of a leakage into the caves than
6 they had originally thought.

7 Well if we're talking about
8 a dangerous condition which is
9 threatening the continuation of the
10 species on the planet, and maybe not
11 only of but in terms of what we're doing
12 all over the planet, the species seems to
13 be at some risk here.

14 So perhaps underground caves
15 are a good idea, but I strongly urge that
16 they not be made out of salt, which can
17 easily be turned into brine, which is
18 very corrosive to the general elements
19 that we're using to try and protect these
20 materials for tens of thousands of years.

21 So I think if we follow
22 these two suggestions, maybe we'll make a
23 less large error or catastrophic error
24 than we might make otherwise.

25 Also, in terms of the

7.14-1

3.1-2

7.12.6-5

7.13.3-1

387

16-Jun-89: TS-00608, PAGE 6 OF 8

1 transportation of these materials to the
2 site, I doo't disagree with what the
3 speaker said before me, that carrying
4 these radiations in the wind can be a
5 very problematic thing.

6 But I would say at the
7 very least, what we need is not to run
8 everything down St. Francis.

9 I moved here over a year ago
10 from California, and I notice how we
11 truly are in the wild west out here.

12 You can't turn left on a red
13 light, because there are so many people
14 running through the red light, coming
15 from the other direction, you can never
16 tell who is going t run through it and
17 who isn't.

18 I have a personal friend who
19 was almost killed by a truck that was
20 coming from about 50 yards down the
21 street, that was accelerating when its
22 light turned red, and was planning to
23 plow through and turn a corner on --
24 right onto St. Francis.

25 I've heard a number of

7.3.3-3

7.3.3-3
7.15.4-2

7.3.3-3

388

16-Jun-89: TS-00608, PAGE 7 OF 8

1 stories. My wife was only here two or
2 three months when she was run off the
3 road, some drunk driver or whatever,
4 coming over on her side of the road.

5 People who come from outside
6 of Santa Fe simply are not used to this,
7 and I imagine that most of you are in
8 that category.

9 So while disobeying minor
10 traffic laws -- of course none of them
11 are really minor, seems to be a
12 considerably state sport out here, it
13 doesn't make sense to me to run these
14 dangerous payloads through the city.

15 One other thing that I want
16 to mention to underacore the point of my
17 feeling that the species really is in
18 danger, is that such research as we've
19 been able to carry out so far, tends to
20 indicate that young children are
21 extremely much more sensitive to these
22 radiations than we adults are, and that
23 unborn babies are about 50 times more
24 sensitive.

25 So if we start making

7.3.3-3

7.3.5.1-36
7.3.5.4-3
7.13.4-1

14-Jun-89: TS-00608, PAGE 8 OF 8

389

1 mistakes, and it's easy for us to make
2 mistakes, because we're -- like I'm a 50
3 year old adult, you may not find out
4 anything really obvious in connection
5 with my health, and if we're screwing up
6 the environment for the unborn and for
7 the every young, we'll run out of the
8 species before we know exactly what the
9 problem is.

10 So I thank you for your time
11 and attention, that's basically what I
12 wanted to say.

13 HEARING OFFICER O'RIORDAN:
14 You're welcome.

15 While we're changing the
16 tape, is Debbie Emilio here?

17 (No response.)

18 I will say this for the
19 people who weren't here before, and
20 that's that each person is given five
21 minutes to make their presentation, and
22 what this presentation is or comments on
23 the Draft Environmental Impact Statement,
24 which are to be used in developing the
25 Final Environmental Impact Statement by

7.3.51-36
7.3.54-3
7.13.4-1

318

1 the Department, and when I flash the
2 green light, it in essence means that you
3 have a minute to go, and when red, it
4 means time to conclude or sum it up.

5 All day today, everyone has
6 been very courteous to the speaker and I
7 think that's really good.

8 I think each -- my
9 impression is that each speaker has
10 really worked and prepared for their
11 comments today, and I think that the
12 audience and all of us owe them to listen
13 to -- owe it to the speaker to listen to
14 those comments.

15 If you have written
16 comments, at the end of your
17 presentation, we will make them a part of
18 the record right now.

19 If you want to submit
20 written comments later, you can have
21 until July 11th.

22 We have a court reporter, so
23 I would ask you to speak distinctly and
24 in a normal rate of speed, and begin with
25 your name and address.

311

16-Jun-89; TS-00609, PAGE 1 OF 5

1 Thanks.

2 MS. SIGSTEDT: My name is
3 Carolyn Sigstedt and my address is 261
4 Ojo De La Vaca.

5 Good afternoon. I
6 originally was not intending to speak
7 today, but after hearing the testimony of
8 so many others, I felt I had something to
9 contribute as well.

10 I am a mother and I work for
11 Oja Juevavita (phonetic), which is a drug
12 and alcohol prevention center here in
13 Santa Fe.

14 New Mexico ranks seventh
15 lowest of all the states in population
16 density, with only 15.5 persons per
17 square mile.

18 We are an economic -- we are
19 an economy that produces high levels of
20 unemployment and maintains a high cost of
21 living.

22 Carlsbad represents a poor
23 area in a relatively poor state, and thus
24 was chosen as the site for WIPP, since
25 WIPP would be welcomed as a boost to

4.1-1

312

16-Jun-89; TS-00609, PAGE 2 OF 5

1 their economy.

2 Then what the DOE figured
3 was that with such meager, unorganized
4 population throughout the rest of the
5 state, any opposition would and could be
6 overcome.

7 What the DOE did not figure
8 in terms of my own profession, and I
9 agree with everything aforementioned by
10 the other participants, but I will just
11 speak of the statistics that I know, is
12 the serious problem of substance abuse
13 and drinking while driving throughout
14 this state.

15 We all witnessed and now
16 must live with, the results of one drunk
17 driver in Alaska.

18 As a substance abuse
19 specialist in New Mexico, I offer the
20 following statistics.

21 New Mexico alcoholism death
22 rate is nearly twice the national
23 average.

24 Sixty-two per cent of
25 drivers, ages 16 to 18 killed in motor

4.1-1

7.3.6.1-2

313

16-Jun-89: TS-00609, PAGE 3 OF 3

1 vehicle accidents, had detectable blood
2 alcohol levels.

3 One hundred per cent of all
4 Indian youth are directly or indirectly
5 impacted by alcoholism, and this is in
6 the southwest, not just New Mexico.

7 For the Hispanic and Anglo
8 population in New Mexico, the percentage
9 decreases to approximately 58 per cent of
10 the population at risk. However, this
11 is still an alarmingly high risk
12 nationally.

13 This is a state, and I was
14 agghast when I came here, where you go to
15 the Phillips station to buy alcohol and
16 gas, I mean that's what they sell.

17 All this appeals driving
18 conditions more hazardous than most other
19 states or most other areas.

20 When one combines the
21 aforementioned statistics with the fact
22 that in the western states, driving
23 stretches are increased because of the
24 large expanses between destinations,
25 resulting in many fatal accidents due to

7.3.6.1-2

7.3.3-4
7.3.5.1-8

314

16-Jun-89: TS-00609, PAGE 4 OF 3

1 fatigue.

2 I also worked on the Walapae
3 (phonetic) Indian Reservation in Peach
4 Springs, Arizona. I was a school teacher
5 at the time, but I ended up most of the
6 time, triaging the only doctor there,
7 because there were so many accidents on
8 what was then Route 66, people hauling to
9 get from one desolate area to the next,
10 and falling asleep at the wheel.

11 These accidents were
12 invariably fatal.

13 Perhaps this state was not
14 the best choice after all.

15 Rail use in the western
16 states is a serious risk as well.

17 I live on the tracks, or by
18 the tracks, in Canyoncito, New Mexico.

19 I have personally witnessed
20 two rail derailments in front of my home
21 in the last seven years.

22 I also know that the rail
23 system has a serious problem dealing with
24 individuals tampering with or shooting
25 out signals, their signal system, which

7.3.5.1-8

7.3.2-4

315

16-Jun-89: TS-00609, PAGE 5 OF 5

means that two trains -- and when I lived there, there was the possibility of this, it luckily did not happen, could collide into each other.

This is due to youngsters and older people carrying guns, which is part of the western life as well.

Our population is small in this state, but statistics show that the risks by rail and road are greater than other states.

Perhaps there are few people to battle, but never forget that there are more hazards to address.

You are in a difficult position, I realize that, you've spent a lot of money.

It would be a bold or it would take a bold act, and I mean very bold, for the DOE at this point to close down WIPP.

For the safety of our planet, please consider this act.

Boldness has power and genius in it.

7.32-4

1-2

316

Thank you.

HEARING OFFICER O'RIORDAN:

You're welcome.

Is Janice Mohr-Nelson here?

MS. MOHR-NELSON: Yes.

HEARING OFFICER O'RIORDAN:

If you're going to play music, if you're going to sing a song, if you have a transcript or a copy of the song that we could make a part of the record, great.

Five minutes, please.

MS. MOHR-NELSON: I timed it, I think I can get it in.

HEARING OFFICER O'RIORDAN:

I've learned to enjoy the music, it's kind of a good break.

MS. MOHR-NELSON: That's good.

16-Jun-89: TS-00610, PAGE 1 OF 6

My name is Janice

Mohr-Nelson and I also live out by Carolyn, my address is 278 Ojo De La Vaca, Santa Fe, 87505.

I'm also representing my husband, Steven R. Nelson who couldn't be here, and my friend David Siems, and I

317

16-Jun-89: TS-00610, PAGE 2 OF 6

1 have some other neighbors out in Canyon
2 Cito that were going to try to make it
3 and they said if they didn't make it to
4 mention that I was speaking for them too,
5 so it's for those of them that couldn't
6 make it.

7 The independent scientific
8 community has raised lots of questions
9 about the Supplement to the Environmental
10 Impact Statement and developed a WIPP
11 site ever since -- without the WIPP ever
12 even meeting the EPA standards.

13 We're not sure we can trust
14 the DOE and SEIS to even try and meet the
15 EPA standards or even be concerned about
16 the detrimental effects for New Mexico.

17 The DOE intends to test the
18 WIPP site by hauling waste down there and
19 then seeing if it works or not.

20 If it doesn't work, what's
21 the DOE going to do about the pollution
22 caused by testing the site?

23 Will they clean it up and
24 give the site back to New Mexico or will
25 they just say "oopsie" and justify

31-3
32-1
5.1.1-1

31-3
31-8
32-1
5.1.1-1

318

16-Jun-89: TS-00610, PAGE 3 OF 6

1 staying there anyway since it'll then be
2 already polluted?

3 We would like to say that it
4 is not good for the national security to
5 waste New Mexico.

6 It's already having a
7 detrimental effect on tourism and
8 potential buyers and investors in New
9 Mexico.

10 My local filling station man
11 has told me that tourists are already
12 telling him how they won't be back once
13 the trucks start rolling.

14 The local real estate board
15 has reported sales that are on hold until
16 the potential buyers see what happens
17 with WIPP.

18 And to our elected officials
19 who are for WIPP, I'd like to say how
20 ashamed I am and disappointed that I
21 voted for them.

22 Does our Governor really
23 think that polluting New Mexico will
24 qualify him for the job of Secretary of
25 the Interior, so he then can pollute the

31-3
31-8
32-1
5.1.1-1

72-31

72-2
72-24

9-8

319

16-Jun-89: TS-00610, PAGE 4 OF 6

1 whole United States?

2 We have already heard that
3 hospitals and fire departments are not
4 prepared to deal with any accidents or
5 spills.

6 You want to truck nuclear
7 waste in a state that has one of the
8 worst accident and drunk driving records
9 in the U. S.

10 Doing nothing at all is
11 preferable to trucking or shipping by
12 rail.

13 But what we'd like to stress
14 the most is that we feel that the DOE
15 needs to quit spending money on this
16 dangerous plan and concentrate on
17 developing ways of neutralizing the
18 nuclear waste where it is around the
19 country.

20 I have some friends that are
21 going to help me sing, is that okay?

22 HEARING OFFICER O'RIORDAN:

23 Sure.

24 SONG

25 (Song to "Winter Wonderland")

9-8

7.129-1
7.129-2
7.129-3
7.129-5
7.129-7

1-2
3-6-1
5-2-1
5-2-2
5-3-1

320

16-Jun-89: TS-00610, PAGE 5 OF 6

1 Come on folks, are you

2 listening?

3 WIPP's unfit, safety's
4 missing.

5 New Mexico must fight or
6 we'll glow in the night, we'll be a
7 radioactive land.

8 Sirens wail, are you
9 blistering, all the residents are
10 glistening.

11 A horrible sight, we're in
12 shock tonight, walking in a radioactive
13 land.

14 No more need to worry about
15 pollution, there's so many kinds for you
16 to try.

17 The air we breathe's a
18 horrible solution, the rivers and the
19 oceans gonna die.

20 Gone away is the blue bird,
21 here to stay is the nuclear waste and
22 radiation, spreading through the nation,
23 living in a radioactive land.

24 The politicians must be on
25 payola, they act as if there's really

3.1-8

3.2-1

161

321

16-Jun-89: TS-00610, PAGE 6 OF 6

nothing wrong.

The DOE is passing out
granola, the land will all be worthless
before long.

Polluted water, acid rain,
New Mexico is down the drain.

Politicians copped out,
can't we even stop it, New Mexico's a
radioactive land.

Tourists always used to like
to come here, now they hardly come here
anymore.

Once that do come wear those
suits and gas masks, we don't make money
like we did before.

Later on we'll expire, no
more dreams by the fire.

No insurance compensation,
the Government's on vacation, the earth
is now a radioactive land.

HEARING OFFICER O'RIORDAN:
Oh, we need a copy, Ms. Nelson, we need a
copy of your comments and song.

It will be Exhibit Number
428.

32-1

322

(The document above-
referred to was marked for
identification as
Exhibit No. 428, and
received into evidence.)

MS. MONR-NEELSON: Thank you.

I also included a song by Pete Seeger
from 1967 that really applies too.

HEARING OFFICER O'RIORDAN:

Okay, thank you.

Is Ron Beckman here?

If you have written
comments, I would appreciate if we could
make them a part of the record.

MR. BECKMAN: Good
afternoon, gentlemen, my name is Ron
Beckman. I live at 2637 Eldorado
Northeast in Albuquerque, New Mexico.

I have been a native of this
state, or a member of this state for 26
years.

I'm employed by the
Albuquerque Fire Department and I'm a
career fire fighter and currently hold
the rank of Captain.

16-Jun-89: TS-00611, PAGE 1 OF 8

16-Jun-89; TS-00611, PAGE 2 OF 8 323

1 I'm an eleven year veteran
2 of this department, with nine and a half
3 years to go to the paramedic and rescue
4 program.

5 I'm not here today to be a
6 spokesperson for the Albuquerque Fire
7 Department, but rather as a concerned
8 citizen, a home owner, a taxpayer, a
9 Patriot, with some background in what I'm
10 asking.

11 What if? I'm sure you've
12 all heard this probably a hundred times
13 in your hearings and you're probably
14 getting sick of it, throughout the
15 country.

16 What if, is a phrase that
17 ponders up several pictures or trains of
18 thought, different things for different
19 people, such as, in the infancy of WIPP,
20 what if we could store this waste under
21 ground, or the other side of the coin,
22 the public's concern of, what if there is
23 an accident?

24 I live within two miles of
25 the I-40 and I-25 interchange, and am

16-Jun-89; TS-00611, PAGE 3 OF 8 324

1 concerned about unresolved issues dealing
2 with over land transportation.

3 I am concerned about
4 unresolved issues dealing with over land
5 transportation of hazardous waste, and
6 I'll address this in four points.

7 Number one, the TRUPACT 2
8 container, I don't believe the container
9 has been made, and certainly not 100 per
10 cent tested for all foreseeable and
11 unforeseeable types of transportation
12 emergencies or accidents.

13 If there are going to be
14 over 44,000 shipments over 20 years, just
15 on the interstate highways, the chances
16 are too great that there would be an
17 accident.

18 This type of transportation
19 cannot be 100 per cent effective.

20 Does it matter?

21 The second point is
22 (inaudible).

23 Who is going to conduct all
24 the necessary safety checks involved?

25 Is the job going to the

325

16-Jun-89: TS-00611, PAGE 4 OF 8

lowest bidder, as is customarily the case with the Government?

A recent survey reported an estimated 88 per cent of semi-trucks going through the state that were checked, had numerous safety violations.

Are the WIPP carriers going to be any different?

Are there going to be assurances for driver fatigue, weather conditions such as run slick highways, ice, drug testing and education of the drivers and rail operators?

Will this containers be disguised?

Will emergency response personnel be able to readily identify the shipments every single time?

Road conditions, I think you have picked a state with -- to deposit the DOE's waste in the state with the most dangerous roadways in the world.

I have traveled them in excess in the United States, and New Mexico's roads are very poor.

7.3.2.1-1
7.3.2.1-6

7.3.2.1-6

7.3.1-1

7.3.3.1-15

326

16-Jun-89: TS-00611, PAGE 5 OF 8

There are numerous potholes, lighting problems, they are very narrow, and sometimes without shoulders, everywhere along the route that you have chosen, especially near the Colorado border near Raton.

The state is supposed to receive valuable moneys for highway repair because of WIPP.

Has the DOE checked out these roads in the United States? I would like to know what kind of vehicle the Governor cruises around in when he's out on these roads.

We must get a lot of frequent flyer miles.

I feel if WIPP is going to be here, at the very least, the highways under these transports should be inspected and be the very best available, 100 per cent, before you do this, and they are not.

Emergencies. Two years ago, September of '87, we had a PCV spill and fire in Albuquerque on Interstate 40,

7.3.3.1-15

7.12.9-1
7.12.9-5

327

16-Jun-89: TS-00611, PAGE 6 OF 8
 1 right in the heart of town.

2 We learned some valuable
 3 lessons about relocating people,
 4 evacuation and decontamination.

5 I have authored a disaster
 6 protocol for mass casualty incidents.
 7 It's a standard operating procedure for
 8 the Albuquerque Fire Department.

9 The Albuquerque Fire
 10 Department is a professional organization
 11 with training and equipment for
 12 hazardous incidents, including
 13 radioactive -- radiation activity.

14 Some of our equipment is
 15 outdated, surplus equipment, and that's
 16 what we use, and we're better than most
 17 cities across the country.

18 What about other cities? Is
 19 the DOE going to train and provide the
 20 hazardous material equipment in
 21 Albuquerque and other cities?

22 Emergency organizations that
 23 respond to incidents. If you are going
 24 to rely on municipalities for initial
 25 response, you need to let everyone in

7.12.9-1
7.12.9-5

328

16-Jun-89: TS-00611, PAGE 7 OF 8

1 these departments have what is basically
 2 necessary to calm down an incident and
 3 control it.

4 You can't just rely on
 5 satellite tracking in response from a
 6 Federal clean-up team miles away.

7 Where is the promised
 8 education and training?

9 Shouldn't this be done
 10 before you ship these wastes?

11 Are you relying on luck not
 12 to have an accident?

13 You're going to have tons
 14 and tons of nuclear waste shipped across
 15 the land of this country.

16 It's possible that WIPP is a
 17 viable solution to our growing problem in
 18 this country for nuclear waste, I don't
 19 know.

20 But we need to take all the
 21 reasonable precautions and cut no corners
 22 where safety and accident prevention are
 23 concerned.

24 The odds are, over land,
 25 that in the years of transporting this

7.3.22-2
7.12.9-1
7.12.9-3
7.12.9-7

16-Jun-89; TS-00611, PAGE 8 OF 8

329

1 material, there will be an accident.

2 Then DOE will have failed in
3 this program.

4 The "I told you so" attitude
5 of the people here, will be of no great
6 concern then.

7 At whose expense?
8 Taxpayers? Fire fighters? Home owners?
9 Innocent citizens? Other people sharing
10 the roadway?

11 And what about the land
12 itself? We should learn valuable lessons
13 from the past. Have we? Obviously not.

14 HEARING OFFICER O'RIORDAN:
15 Thank you very much.

16 It's time for us to take a
17 fifteen minute break, which would be
18 until three o'clock.

19 We're on schedule, but we
20 have two speakers, Frederick Verswijver
21 and Diane Kblin.

22 What I would like to do is
23 take those two people first and then come
24 back at three, and then we'll just be
25 right back on schedule.

330

1 So we will recess for
2 fifteen minutes so that we can get ready
3 and refresh ourselves.

4 Thank you for your
5 attention.

6 (Short recess.)

7 HEARING OFFICER O'RIORDAN:
8 We're back on the record after a short
9 break.

10 First, I would like to let
11 everyone know that we found a watch in
12 the room, and I don't know whose it is.

13 We have a lost and found,
14 but I was hoping they might still be in
15 the room.

16 No, okay.

17 Well if you hear that
18 someone lost a watch, we have it here and
19 we'll give it to the security folks.

20 For those of you who haven't
21 been here the whole time, each person has
22 five minutes, and we flash the green
23 light when you have a minute left. Then
24 when the red light comes, your time is up
25 and it basically means --

331

The first person is Frances Tyson.

Can you hear me okay?

Before Ms. Tyson talks, I would like to mention that each person has the opportunity to submit written comments at this time.

If you wish, you can submit them later, up until July 11th.

I would ask that everyone in the audience extend the courtesy to the speaker, not to interrupt, whether you agree or disagree with the speaker.

From my experience, and I've listened to a lot of testimony, each person has been very well prepared, and I think deserves the courtesy and the right to be able to present their comments undisturbed.

When you begin your presentation, if you would please give your name and address and then begin.

Thank you.

MS. TYSON: My name is Frances Tyson, I live at Route 1, Box

16-Jun-89: TB-00612, PAGE 1 OF 13

332

16-Jun-89: TB-00612, PAGE 2 OF 13
373, Las Vegas, New Mexico.

I'm a bachelor of economics major, class of '74.

Anyway, dear DOE, if the U.S. is a democracy and not a dictatorship, then you, DOE, should serve all Americans and our land, not just the stooges of the nuclear oligarchy.

nuclear is an impossible technology, I quote my outstanding husband, it's the most costly way to boil water.

Tailings piles, production of yellow cake and the plants themselves, constantly leak radiation, and thereby will render earth unfit for life, and I quote Doctor Alice Stewart.

The connection between AIDS and radiation exposure should be admitted, it's avoided right and left, Doctor E. J. Sternglass and others.

In my childhood we were far healthier. Doctors had time for house calls.

Today with all the hi-tech

333

16-Jun-89: TS-00612, PAGE 3 OF 13

1 junk, doctors offices are crammed. Our
2 immune systems seem to be failing.
3 Radiation wrecks the immune system.

4 How many thousands of acres
5 of soil and ocean areas, have nuclear
6 facilities destroyed for 500,000 years?

7 Now the DOE wants to load up
8 WIPP, wet WIPP, and contaminate its
9 downstream area, and the land along the
10 U. S. highways.

11 I say you want to open
12 Seabrook, you have opened Seabrook, to
13 destroy that area too.

14 Nuclear is an impossible
15 technology in itself. The plants are
16 poorly designed, badly built and run, and
17 after 40 years of incompetence (sic.)
18 public relations jokers pushing sex,
19 violence, greed and nukes on the TV., we
20 have two or three generations of kids who
21 are dumb, drugged, and pregnant, and
22 utterly irresponsible.

23 Look at the record of 3,000
24 accidents per year at nukes.

25 These children, don't screw

3.1-2

334

16-Jun-89: TS-00612, PAGE 4 OF 13

1 the last -- don't turn the last screw
2 really tight.

3 We've got to stop making
4 nuclear waste, by shutting down all
5 nuclear facilities now.

6 That's a drastic statement
7 but we've got to do it, starting today.

8 You still do not know what
9 to do with nuclear waste, so have the
10 common sense to stop making these, and
11 bury what you have in situ (sic.) in
12 cement. That's what the Russians did
13 with Chernobyl.

14 I know that cement isn't
15 supposed to be very good, but it's the
16 best thing we've got so far.

17 Let me list a few
18 alternatives which are good for America
19 and for all it's citizens.

20 1) Use energy more
21 efficiently, read Amory Lovins).

22 2) Go solar.

23 Now attached are the copies
24 of the Journal of Commerce of May 28th,
25 '89, and also the Boston Business Journal

1-2
3.6-1
5.2-1
5.2-2

9-3

335
16-Jun-89; TS-00612, PAGE 5 OF 13
of May of '89.

The Chinese and the
Taiwanese are working on Alvin Marks'
patents to produce energy with
lumeloid.

I'm not sure that these will
work, but they're working on it.

The Taiwanese by this month,
may put up two million dollars to back
it.

Come on, why aren't we doing
something like that?

The cost will not be 38
cents per kilowatt hour like nuclear, but
at one cent per kilowatt hour, with no
wastes.

Marks also has patents for
the control of NOX and SOX, from oil and
coal power plants, to cut out acid rain
for a trial pipe insertion for cars. Each
needs about \$88,888.88 to get into the
blue print stages.

Why do you ignore these
things?

I mean I don't know that

336
16-Jun-89; TS-00612, PAGE 6 OF 13

they'll work, but they ought to be tried.
888,888 compared to what
we're spending all over the place, is
very little.

I've invested in it and it's
not the investment I'm putting in on, I'm
trying to get something else besides
nukes.

Until Lumeloid films are in
production, last month Asians produced
blue prints of Marks' solar cookers,
which produce 688 degree Fahrenheit
stored heat. I don't understand how it's
done.

When joined together, they
boil water at a fraction of the cost of
nuclear or the nuclear plant, and again,
with no waste.

With really cheap
electricity, dirty or salty water can be
split into hydrogen and oxygen, the
oxygen put into the air, the hydrogen is
used for energy as a fuel cell to
retrofit cars.

There are cars run on

337

16-Jun-89: TS-00612, PAGE 7 OF 13

1 electricity or solar panels that compete
2 in the Tour de Sol here and abroad.
3 There is something called an electric
4 static energy conversion system.

5 Do the nukie boys insist
6 that you ignore all these things?

7 These should be looked at,
8 at least. You should be able to come out
9 and say yes, we're trying, and give other
10 people the chance to mention what they're
11 doing.

12 Americans have been rightly
13 horrified at the old Chinese dictators,
14 that the old Chinese dictators have shot
15 some 2,000 protesting students, asking
16 for democracy.

17 One can see blood and bullet
18 wounds, but it is harder to count the
19 dead, diseased or the dying right here in
20 the U. S. A. and abroad, caused by
21 nuclear radiation, which one can neither
22 see, smell taste or feel. But the count
23 of the dead and diseased will go into the
24 millions, oh dear.

25 Well let me go on a little

9-3

9-1
9-3

338

16-Jun-89: TS-00612, PAGE 8 OF 13

1 longer.
2 Starting with the soldiers
3 sent into the radiation zones as guinea
4 pigs, the increase in infant deformities,
5 cancer and leukemia around nuclear
6 facilities, cattle in Utah and all the
7 diseases resulting from loss of immunity,
8 radiation from Chernobyl circled the
9 globe.

10 I'm not telling you anything
11 new. Now the NRC wants to dump radiated
12 materials into the general garbage.

13 Would they like to handle
14 the stuff?

15 Los Alamos wants to burn
16 plutonium contaminated with plutonium.
17 the plutonium, unchanged by the heat of
18 fire, simply goes into the air with the
19 smoke.

20 It will be taken into the
21 body with breath and food.

22 Do you want to kill all life
23 on earth, including yourselves?

24 Stop it!

25 U. S. citizens have

9-1

339

16-JUN-89: TS-00612, PAGE 9 OF 13

1 protested and have been hauled off to
2 jail by you, our dictators.

3 Let me tell you my life
4 after Trinity, or maybe I haven't got
5 time, but I sure would like to in that
6 paragraph.

7 Is there time?

8 HEARING OFFICER O'RIORDAN:

9 Sure, finish up.

10 MS. TYSON: Let me tell you,
11 from 1945 to 1955, only later did I read
12 Doctor Sternglases analysis of wind and
13 rain patterns, which carried the
14 radiation from Trinity to fall on
15 northern New Jersey, where my kindly,
16 responsible, humorous mother was working
17 to restore an old farm.

18 Our three healthy and
19 intelligent children and I often went to
20 help her.

21 Eleven months after Trinity,
22 our fourth baby was born with no brain
23 tissue. Thank goodness the little thing
24 died within twelve hours, and did not
25 live as other deformed infants have lived

9-1

340

16-JUN-89: TS-00612, PAGE 10 OF 13

1 to breed and contaminate the gene pool.

2 In 1948, from excellent
3 health, mother died a perfectly horrible,
4 painful death, her whole body was riddled
5 with cancer.

6 In 1952, our gentle daughter
7 died of leukemia, and in the early 50's I
8 underwent surgery, first for cancer
9 hysterectomy and then for cancer
10 colostomy.

11 Some years later, two
12 sisters-in-law and my husband, died of
13 cancer.

14 You at DOE and DOD and NRC
15 and the Pels (sic.) in Washington, and
16 everyone else in this room, will also die
17 of cancer or AIDS or other diseases since
18 radiation destroys the immune system of
19 all creatures.

20 So do stop jabbering about
21 WIPP and get busy shutting down all the
22 nuclear facilities and develop alternate
23 solar technologies.

24 We cannot use nuclear
25 weapons. All the money you squander

9-1

36-1
83

341

16-Jun-69: TS-00612, PAGE 11 OF 13

1 only puts us more in debt and subject to
2 blackmail.

3 If Japan stops lending us
4 \$148-odd billion dollars per year,
5 Government checks will bounce, including
6 yours.

7 Nuclear has turned America
8 into a tenth rate country, a colony.
9 We're broke and incompetent and we're a
10 mess.

11 We're into o r l d War III
12 right now. The enemy is Mother Nature,
13 who has no use for fools and against whom
14 we have no weapons.

15 We have maybe five years in
16 which to change our ways drastically, to
17 crash program for peace and environmental
18 protection.

19 Let the old fat cats go home
20 and enjoy their ill gotten gains.

21 Stop supporting the nukie
22 boys and so get us out of debt.

23 Let America be a leader in
24 getting us all unhooked from nuclear
25 addiction and become again a powerful

342

16-Jun-69: TS-00612, PAGE 12 OF 13

1 nation. We can do it.

2 I close with three short
3 quotes from Aldo Leopold.

4 "Modern natural history
5 deals principally with relationships.
6 This is called ecology.

7 "The question is, does the
8 educated citizen know that he's only in
9 an ecological mechanism? That if he will
10 work with that mechanism, his mental
11 health and his material wealth can expand
12 indefinitely? But if he refuses to work
13 with it, it will ultimately grind him to
14 dust?

15 "If education does not teach
16 us these things, then what is education
17 for?"

18 The second quote is, "The
19 problem is how to bring about a striving
20 for harmony with land among a people,
21 many of whom have forgotten there is such
22 a thing as land, among whom education and
23 culture have become almost synonyms
24 with landlessness?"

25 And the last. "Voluntary

343

16-Jun-89: TS-00612, PAGE 13 OF 13

1 adherence to an ethical code elevates
2 self respect, but voluntary disregard of
3 the code degenerates and depraves."

4 Shut down the nukes.

5 Stop making nuclear waste.

6 I thank you for letting me
7 go over time.

8 HEARING OFFICER O'RIORDAN:

9 Ms. Tyson's comments will be Exhibit
10 Number 429.

11 (The document above-
12 referred to was marked for
13 identification as
14 Exhibit No. 429, and
15 received into evidence.)

16 Is Frederick Verswijver
17 here, V-e-r-s-w-i-j-r-e-r here?

18 (No response.)

19 Now about is Diane Eblin
20 here, E-b-l-i-n?

21 (No response.)

22 Okay, is Bess Fadden here,

23 Bess Fadden?

24 (No response.)

25 Is Dennis Burns here, Dennis

3.6-1

344

1 Burns?

2 (No response.)

3 Is Jill Burns here? Jill

4 Burns?

5 (No response.)

6 Is Mark Alexander here?

7 Mark Alexander?

8 (No response.)

9 These people are all
10 scheduled to speak right about now. I'll
11 have to call the names.

12 Is Aaron Greenwald here?

13 Aaron Greenwald?

14 (No response.)

15 Is Barb Bayer here?

16 MS. BAYER: I'm here.

17 HEARING OFFICER O'RIORDAN:

18 You're next. 16-Jun-89: TS-00613, PAGE 1 OF 4

19 MS. BAYER: My name is

20 Barbara Bayer and my address is 481
21 Sunset, Santa Fe.

22 Gentlemen and Mr. Hearing
23 Officer, I would like to appeal to you
24 from a rational mind.

25 Now it seems obvious to me

7.3.3-3

345

16-Jun-89: TS-00613, PAGE 2 OF 4

1 that this idea you have of transporting
2 toxic, radioactive materials through
3 metropolitan areas at a frequency of
4 approximately four shipments per day in
5 New Mexico, for the next 20 years, is
6 neither of sound mind nor clarity of
7 heart.

8 Therefore, I urge to dismiss
9 this ludicrous proposal on the grounds of
10 insanity.

11 Gentlemen, where are your
12 hearts in this matter?

13 Do you sincerely believe
14 that the production of materials so
15 deadly to humankind and all living things
16 is in our best interests?

17 I think this concept would
18 baffle the simplest minds. Why do we
19 seem to be on a path of self-destruction.

20 Why are we so determined to
21 wipe out and devalue every life
22 sustaining, natural resource that is made
23 available to us?

24 Now is it that we choose to
25 generate our energy from means which are

7.3.3-3

3.6-1

346

16-Jun-89: TS-00613, PAGE 3 OF 4

1 harmful to us and are literally killing
2 ourselves and our planet?

3 Why do we insist on creating
4 bombs which will complete this process?

5 Why are we so suicidal?

6 This mind cannot reason or
7 justify our actions. There are
8 alternatives for providing our needs
9 without these noxious ramifications, but
10 we have chosen not to take them.

11 Much of the demand here
12 today is to comply with safety standards
13 before continuing with this madness.

14 I do not believe these
15 safety standards can ever be met. I do
16 not think the degenerating poison we are
17 producing can ever be considered safe or
18 stable, with any devised containment.

19 Therefore, in regard to this
20 hearing today, I am totally against the
21 transportation and storage of nuclear
22 waste at the WIPP site, or any site in
23 the state, country or world, for I have
24 an unrelenting will to live.

25 I wish to submit these

3.6-1

3.1-2

1-2

16-Jun-89: TS-00613, PAGE 4 OF 4

347

statements as an exhibit.

HEARING OFFICER O'RIORDAN:

Thank you. Your statements will be
Exhibit 438.

(The document above-
referred to was marked for
identification as
Exhibit No. 438, and
received into evidence.)

HEARING OFFICER O'RIORDAN:

Is Doctor James Evans here?

DOCTOR EVANS: Yes.

HEARING OFFICER O'RIORDAN:

Haven't you spoken already?

DOCTOR EVANS: Not here.

They said it was okay.

HEARING OFFICER O'RIORDAN:

They said it was all right, okay.

Can you speak twice?

DOCTOR EVANS: I did speak
and I was heard, and I don't want to take
anybody else's space, but I was told
outside it --

HEARING OFFICER O'RIORDAN:

Okay, if you came as a walk-in that's

348

fine.

DOCTOR EVANS: I do not --

UNKNOWN SPEAKER: You did
not have a predetermined time.

DOCTOR EVANS: Pardon?

UNKNOWN SPEAKER: You did
not have a predetermined time today, you
were a walk-in.

DOCTOR EVANS: Yes.

UNKNOWN SPEAKER: Okay.

HEARING OFFICER O'RIORDAN:

Okay.

DOCTOR EVANS: Is that --

HEARING OFFICER O'RIORDAN:
Yes, that's fine, I would like to hear
you speak. 16-Jun-89: TS-00614, PAGE 1 OF 6

DOCTOR EVANS: Thank you.

My name is James Lee Evans,
I live at 382 Tulane, Southeast, in
Albuquerque. My zip is 87186.

I have a B. A. and M. S.
degree in experimental psychology from
the University of New Mexico, and a Ph.D.
from the University of Pittsburgh.

I am a New Mexico veteran, I

16-Jun-89: TS-00614, PAGE 2 OF 6

349

1 taught psychology at U.N.M. in 1961 and
2 '62, and communications at the University
3 of California at San Francisco in 1972 to
4 1975.

5 I was in business in
6 Albuquerque from 1968 to 1978.

7 On July 16th, 1945, at 5:32
8 a.m., when I was 16 years old, an atomic
9 bomb was exploded within 55 miles of my
10 bedroom without my knowledge or consent.

11 My Government lied to me and
12 to the people of New Mexico who witnessed
13 this ghastly and terrifying entry into
14 the atomic age, by saying that an
15 ammunition dump near Alamogordo had blown
16 up.

17 Some ammunition dump!

18 The Trinity bomb was what I
19 referred to as the first great New Mexico
20 atomic experiment, using New Mexicans as
21 guinea pigs and New Mexico as a
22 laboratory.

23 The Department of Energy is
24 now seeking to conduct what I refer to as
25 the second great New Mexico atomic

16-Jun-89: TS-00614, PAGE 3 OF 6

350

1 experiment, using New Mexico as a
2 laboratory and the people of New Mexico
3 as guinea pigs.

4 This experiment is better
5 known as the WIPP project.

6 The scientists in charge of
7 the Trinity experiment did not know what
8 the results of the test would be, not
9 Oppenheimer, not Kadermay (phonetic), not
10 Teller, not Tlatlakoaski (phonetic).

11 There were side bets that
12 the atmosphere might ignite and a large
13 fraction of the state of New Mexico be
14 destroyed.

15 The people in charge of the
16 second great New Mexico atomic
17 experiment, do not know what the results
18 will be.

19 As Doctor Charles Meider an
20 early and valiant opponent of WIPP
21 pointed out in Albuquerque, no adequate
22 physical or mathematical model exists for
23 the WIPP project.

24 Let me repeat, the
25 Department of Energy has not yet

3.1-2

16-Jun-89: TS-00614, PAGE 4 OF 6

351

1 developed an adequate physical or
2 mathematical model for the WIPP project,
3 as is customarily done in scientific
4 activities of this size and certainly of
5 this importance.

6 Doctor John Cobb points out
7 how the proposed WIPP procedures offers a
8 perfect smuggling mechanism for anyone
9 who comes to the conclusion that a few
10 kilograms of weapons grade plutonium
11 might be even more profitable than a few
12 kilograms of cocaine or crack.

13 What did Three Mile Island,
14 Chernobyl, Savannah River, Fernal, Rancho
15 Seco and Rocky Flats have in common?
16 Incompetence, catastrophe and cover-up.

17 Who wants to be the new kid
18 in town? The Waste Isolation Pilot
19 Plant.

20 I propose that the people of
21 New Mexico move immediately by
22 appropriate democratic action, such as a
23 state-wide referendum to a state policy
24 of no garbage in, no garbage out, no
25 radioactive garbage in, no chemical

7.12.7-1

1-2

16-Jun-89: TS-00614, PAGE 5 OF 6

352

1 garbage in, no biological garbage in.

2 Let New Mexico constitute a
3 proud leadership model for the world, by
4 our own ability to clean up and dispose
5 of our own waste, while we maintain the
6 integrity of New Mexico borders.

7 With the longest history of
8 atomic experimentation, two national
9 weapons laboratories, 18-odd reactors,
10 and a significant -- including one on the
11 University of New Mexico campus, and a
12 significant chunk of the world's nuclear
13 arsenal, God knows we have enough for
14 them to take care of.

15 Let us also use our
16 scientific know-how to help our brothers
17 and sisters in other states to clear up
18 and dispose of the poisonous waste which
19 is right now pointing towards New Mexico.

20 As a boy, a popular alley
21 was to go to Carlsbad Caverns and walk
22 down to the bottom of the caverns or down
23 into a deep part of the caverns, and then
24 they turned off the lights. That stood
25 you in darkness, I recall, of course

1-2

353

16-Jun-87: TS-00614, PAGE 6 OF 6

1 singing Rock of Ages, chief for me, let me
2 bid myself in There.

3 I did not then, nor do not
4 now, interpret this as a commandment to
5 bury living death for the ages in the
6 violated rock salt of Carlsbad.

7 In conclusion, let me invite
8 all of you, and especially our brothers
9 and sisters who work for the Department
10 of Energy, to join us in our new mantra,
11 New Mexicans unite, we have the clout,
12 for no garbage in and no garbage out.

13 Thank you.

14 HEARING OFFICER O'RIORDAN:
15 You're welcome.

16 Doctor Evans, do you want to
17 make your comments a part of the record?

18 DOCTOR EVANS: They are.

19 HEARING OFFICER O'RIORDAN:
20 Well I mean do you have a typewritten
21 that we can -- a hard copy, as they say?

22 DOCTOR EVANS: No, I don't.

23 HEARING OFFICER O'RIORDAN:
24 Okay, that's all right.

25 DOCTOR EVANS: Can I submit

354

1 them?

2 HEARING OFFICER O'RIORDAN:
3 Yes, you can.

4 DOCTOR EVANS: When I get
5 back?

6 HEARING OFFICER O'RIORDAN:
7 That would be fine, that would be great.

8 Okay, next is M. T. Molsar.
9 Are you all set? Okay.

10 MR. MOLSAR: My name is M.
11 T. Molsar and I live at Route 9, Box
12 64-3, Santa Fe, New Mexico 87505.

13 I am a retired president and
14 chief executive officer of a computer
15 company, that spent the last 35 years in
16 building nuclear monitoring systems for
17 the Department of Defense, the Department
18 of Energy, for the old Atomic Energy
19 Commission, and have as our customers,
20 Savannah River, Hanford, among some of
21 the others.

22 We have built systems all
23 over the world, for the English, the
24 Taiwanese, and various foreign
25 governments.

16-Jun-87: TS-00615, PAGE 1 OF 5

355

16-Jun-89: TS-00615, PAGE 2 OF 3

1 I have been to Savannah
2 River many, many times in my professional
3 tenure, and I've been to Hanford many,
4 many times in my professional tenure.

5 Looking back over 20 years
6 ago, 15 years ago, I was aghast at the
7 procedures, nuclear monitoring
8 procedures, that both these facilities
9 were using in protecting the population
10 of this country.

11 I can say with strong
12 professional knowledge, that the systems
13 utilized in Europe and the systems
14 utilized in Taiwan, and the Far East,
15 were far more protective than the
16 systems that we were using here in the
17 United States.

18 Savannah River in
19 particular, was a nightmare, and now only
20 in the last couple of months, we've seen
21 Savannah River come to head.

22 The methodology, the
23 relationship between DuPont, who was the
24 contractor, and the Department of Energy
25 people, just did not lend itself for

356

16-Jun-89: TS-00615, PAGE 3 OF 3

1 proper monitoring of a facility building
2 weapon nuclear material.

3 When people go to lunch and
4 live with each other all day, and cover
5 up for each other all day, there's no
6 doubt in my mind that Savannah River
7 would eventually develop into what it has
8 developed into.

9 It was a nightmare years
10 ago, and I can imagine what it must be
11 today.

12 Therefore, I am very, very
13 strongly against any promises with no
14 disrespect to you gentlemen, made by the
15 Department of Energy in monitoring this
16 WIPP facility.

17 It just can't be done unless
18 the whole bloody system changes.

19 If you don't change the
20 system, that thing is just as dangerous
21 as Savannah River or Hanford or any of
22 these facilities that are under your
23 jurisdiction.

24 We've got to change the
25 methodology, and I'm serious about that,

16-Jun-89: TS-00615, PAGE 4 OF 5

I've lived with it.

I've spent 35 years of my life in the nuclear industry, I'm retired now, and I just came -- I decided after reading the paper, I'd better get down there and just get that off my chest.

I have seen things at Savannah River that you wouldn't let your son go near, let alone yourself.

This has been going on since the -- well just about five or six months ago the Savannah River came to a head.

When the DuPont people go out with the DOE people in the evening and drink beer, you know they're not going to rat on each other, I mean that's just the system.

The system just does not work.

And again with no disrespect, in closing, I do not trust, and the people of this good town do not trust, the Department of Energy.

Your intentions may be good, but the system doesn't allow it to

32-1

16-Jun-89: TS-00615, PAGE 5 OF 5

operate properly.

I thank you.

HEARING OFFICER O'RIORDAN:

You're welcome.

I would like to call Dennis Burns.

If you have prepared comments, we will make them part of the record.

You don't?

MR. BURNS: No, I'm unprepared.

HEARING OFFICER O'RIORDAN:

That's okay too.

MR. BURNS: Well good.

I say my name, is that right?

16-Jun-89: TS-00616, PAGE 1 OF 5

HEARING OFFICER O'RIORDAN:

Give your name and address, it's a five minute presentation.

MR. BURNS: 338 Nena Street, Santa Fe, New Mexico 87501.

Good afternoon, it's a pleasure to be frightened by you all.

I say I'm unprepared, but

16-Jun-89: TS-00616, PAGE 2 OF 5

359

everybody is unprepared to face what's happening to them, it feels as though what's happening to us here, something that we're told that it's already happening, the Department of Energy has already decided that it's going to happen now, and the Governor announces in the newspaper.

I'm afraid now, because the Governor announce in the newspaper that everybody that stands out and says something is going to be punished, no contracts for those who will speak up.

I don't understand why we're doing it this way.

Why is there fear?

Now come is it already decided and now we have to be prepared and we have to fight, and we have stand up here and make statements, that who knows, it seems -- it's felt as though it's already decided.

I know that we have to do something with the waste that's buried up around Los Alamos in coffee cans, and

16-Jun-89: TS-00616, PAGE 3 OF 5

360

beneath the ground, and now we have to do something.

I don't really know if it's going to be anything better.

Is this going to be actually better than coffee cans?

Coffee cans were, you know, with cement around them, that was a good idea 40 years ago, but now, 5000 years or in a 1000 years, is this going to be any better than the coffee can decision was 40 years ago? I don't know.

Do any of us know?

Maybe we could think of something really creative to do with it, and instead of trying to bury it and hide it, maybe we could put it on -- well I'll come back to that point.

I have a business here in town and my primary business is groceries, I sell food, which is chemical free, you know, we try to do that stuff, no pesticides, that sort of thing, sort of a crank out there on the side of this sort of thing, that we even have meat

16-Jun-89: TS-00616, PAGE 4 OF 5

361

1 that comes in that's done on unsprayed
2 grass.

3 It's been my whole -- what
4 I've done with my time in my life, I've
5 tried to create a less toxic environment
6 for everybody.

7 So to just allow it to come
8 in now, without tremendous amounts of
9 study, maybe we have to allocate it in
10 certain ways.

11 You know, I don't -- I can't
12 be -- I don't feel good about it.

13 My children, my store, is
14 right across where the trucks are
15 supposed to roll by and you know, I have
16 fear about that.

17 I know that I drive out
18 there on the streets, and I'm a little
19 afraid of what will happen if I run into
20 one of those trucks, you know, it will
21 ruin this town forever.

22 So maybe there are some more
23 creative solutions.

24 I thought if maybe we could
25 put it on box cars and roll it round for

5.3-1

16-Jun-89: TS-00616, PAGE 5 OF 5

362

1 5000 years or something, you know, out
2 someplace.

3 But then I thought maybe the
4 best thing we could do, possibly do with
5 it, is that we could mail it. We could
6 mail it to all the nuclear weapons
7 producing countries, to the leaders of
8 them, in just boxes, little boxes, and
9 mail it to them.

10 That way, we won't have to
11 deal with it in big chunks, because maybe
12 that's the scariest part.

13 But then maybe the best idea
14 is that if we could -- if we really
15 wanted to be especially careful to take
16 good care of it, because I think we
17 probably do, you know, take real good
18 care of this for a real long time, is
19 maybe what we should do is take it
20 Washington, D. C. and bury it in
21 Washington, D. C., underneath the White
22 House and the Capitol, because that way
23 I'm sure we'll take very good care of it
24 for a long time.

25 Thank you.

5.3-1

16-Jun-89: TS-00617, PAGE 1 OF 8

363

HEARING OFFICER O'RIORDAN:

You're welcome.

Is Lou Montgomery here?

MS. MONTGOMERY: Yes.

HEARING OFFICER O'RIORDAN:

You're next.

MS. MONTGOMERY: I just noticed my page three is in my -- buried in my computer, so I'll do the best I can.

I'll submit what I have and then bring the last page later.

HEARING OFFICER O'RIORDAN: Submit it later on or bring it.

MS. MONTGOMERY: Yeah, great.

HEARING OFFICER O'RIORDAN: And when you submit it, it will be Exhibit 431.

(The document above-referred to was marked for identification as Exhibit No. 431, and received into evidence.)

MS. MONTGOMERY: Okay,

16-Jun-89: TS-00617, PAGE 2 OF 8

364

great.

My first major concern is, why the opening of the WIPP cannot be delayed until EPA standards are met.

The public has a legitimate right to insist that all health and safety standards are met before they are subjected to the severe and lethal toxic hazards to which we'll all be exposed in the event of a premature opening of the site.

The rationale that the DOE needs to do a test phase, seems to be unfounded, unexplained and not in any kind of accordance with scientific recommendations, that such a study would be better conducted in a simulated environment, that more accurately duplicates a closed repository, rather than being conducted in an open facility.

This seems very clear that it's a ploy on the part of the DOE to just push for an opening of the site, regardless of whether safety standards are met or not.

3.1-3

7.11-1

3.1-2
3.2-1
4.1-3

16-Jun-89: TS-00617, PAGE 3 OF 8

1 It seems that from my
2 understanding the DOE began advocating
3 the test phase plan after it realized it
4 couldn't meet the EPA standards by the
5 original October, 1988 scheduled opening.

6 I have a question, why
7 couldn't the test be conducted in a more
8 carefully monitored environment, and what
9 if the tests fail in their contamination?

10 What contingencies have been
11 planned?

12 In the Draft SEIS, why isn't
13 there more discussion of how the rest of
14 the waste accumulated around the country,
15 and is stored or buried, will be
16 disposed?

17 WIPP is slated to handle
18 only 15 per cent of stored TRU waste, and
19 only 11 per cent of all TRU wastes and
20 contaminated soils.

21 I'm curious as to when such
22 a broad based study will be available
23 to the public.

24 From my understanding, it
25 seems that there is just no mega-plan on

3.1-3
5.1.1-12.2-1
2.2-2
2.2-4

3.1-7

16-Jun-89: TS-00617, PAGE 4 OF 8

1 a national level that adequately
2 addresses the issue of our nuclear waste
3 disposal, or if that is -- if there has
4 been this kind of mega-plan developed,
5 when will that be available to the
6 public.

7 The DOE has rejected the
8 alternative action of delaying the
9 opening of WIPP until standards are met
10 because of the cost, the five year delay,
11 and they claim that experiments could --
12 would not resolve all the uncertainties
13 in the performance assessment.

14 But this is unfounded,
15 especially when one considers the
16 tremendous cost of bringing the waste to
17 WIPP, and then having to retrieve it if
18 the site doesn't meet EPA standards, not
19 to mention the tremendous risks to which
20 the public will be exposed, and the cost
21 of transportation during the test phase.

22 Certainly our experience at
23 Rocky Flats leaves -- is certainly
24 evidence of what happens when things are
25 not handled before hand and there's got

3.1-7

5.1.1-1

3.1-3
5.1.1-1
5.2-1
5.2-2

16-Jun-89: TS-00617, PAGE 5 OF 8

367

1 to be a major clean-up.

2 I am very, very concerned
3 about why the evidence given by
4 independent scientists as to the
5 vulnerability of the aquifer, the brine,
6 the water seepage that's already going
7 on, is not given more credence.

8 I would like to know what
9 contingency, if there -- has the DOE ever
10 handled a water table contamination?
11 Have they ever cleaned up a water table?

12 I think we're talking in
13 terms of, there's no experience, no
14 precedent, and no technology to do that
15 kind of clean-up.

16 We're talking about
17 affecting livestock, agriculture and
18 living standards for multi-generations.

19 The site, from my
20 understanding, geologically, not to
21 mention the water table and the water
22 seepage and the underwater brine, is
23 extremely vulnerable.

24 It feels like -- reports
25 that I've been seeing over the last

31-2
7.7-2
7.7-4
7.7.2-3
7.8-2
7.8-16

16-Jun-89: TS-00617, PAGE 6 OF 8

368

1 couple of years, scientists have just not
2 been given the seriousness that they need
3 to be considered.

4 In terms of immediate safety
5 issues, I'm deeply concerned is that
6 proposed shipping is to be carried out in
7 containers that have not received
8 certification, that the containers can
9 withstand nuclear regulatory commission
10 test conditions.

11 The containers tested in the
12 past have failed.

13 When will certification be
14 complete?

15 Now can the public be given
16 proof that these proposed MUPACT 72 B
17 shipping containers will not leak?

18 Based in general, on the
19 DOE's track record, I have little
20 confidence that the public safety and
21 environmental protection is given more
22 than a cursory priority.

23 How do I accept the
24 rationale that's given for not meeting
25 the EPA standards before the site's

31-2

7.3.1.1-2
7.3.1.3-2

32-1

31-3
7.3.5-1
7.3.5.4-3

16-Jun-89: TS-00617, PAGE 7 OF 8

369

opening.

I have grave concerns about the DOE's admission of potential deaths and accidents, which I assume have been grossly underestimated.

What would the DOE consider acceptable in terms of a death toll, before it defined the hazards presented by WIPP as unacceptable?

The accident release scenarios are not credible and cannot be relied upon to ascertain the effects of a severe transportation accident.

Lastly, I feel that the proposed administrative land withdrawal is unjustified and is only being proposed so that the DOE can remain unaccountable to the public.

Only Congress can grant land withdrawal to allow wastes to be brought to WIPP.

The DOE is attempting to circumvent Congress and avoid meeting health and safety requirements.

Luckily, the strategies

3.1-3
7.3.5.4-3
7.3.6-2
7.13.3-2
7.13.4-2

7.3.5.1-11
7.3.5.1-31

6.1-1

3.2-1

16-Jun-89: TS-00617, PAGE 8 OF 8

378

taken by the DOE are so unfounded that even the uneducated public can clearly see right through them.

Thank you.

HEARING OFFICER O'RIORDAN:

You're welcome. 16-Jun-89: TS-00618, PAGE 1 OF 4

Is Aaron Greenwald here?

Aaron Greenwald?

Mr. Greenwald, if you have written comments, we can make them part of the record right now, or if you don't have --

MR. GREENWALD: I don't.

HEARING OFFICER O'RIORDAN:

Okay, that's fine.

MR. GREENWALD: My name is Aaron Greenwald, I live in Dixon, New Mexico.

First, I'm going to give you the reasons I think WIPP is unsafe.

The truck drivers that are going to be driving the waste are going to be on schedules that they're not going to be able to meet, they're going to be on whites (sic.) -- did you not get that?

7.32.1-6

371

16-Jun-89: TS-00618, PAGE 2 OF 4

HEARING OFFICER O'RORDAN:

1
2 No, I had to let the light on.

3 MR. GREENWALD: They're
4 going to be on whitea, they're going to
5 be like just any other truck drivers,
6 they're going to be chasing off dragons
7 and apirita off the road, that you or I
8 have never seen.

9 The containers are not going
10 to be able to contain wastes after
11 falling for 388 feet and falling into a
12 rock, and bursting into flames. There is
13 no way that you're going to be able to
14 contain that.

15 I have seen pictures of the
16 WIPP site, with workers with brine water
17 up to their waists, seeping into the WIPP
18 site itself.

19 I have a friend who wrote
20 their Ph.D. thesis on the site, and he
21 had the proven, that the wastes will be
22 in the Peco and the Rio Grande within
23 ten years.

24 There are underwater rivers
25 running from that site, bigger than the

7.32:1-6

7.34:1-1

7.85-6

7.14-9

372

16-Jun-89: TS-00618, PAGE 3 OF 4

1 Rio Grande, to South Dakota.

2 You want to store the waste
3 for 248,888 years, no civilization has
4 lasted even half that long.

5 There is no way that you're
6 going to be here in another 25,888 years,
7 to make sure that that waste is kept
8 underground.

9 You're not worried about
10 yourselves, you're not worried about your
11 children, obviously.

12 What you're doing is you're
13 borrowing the site from the generations
14 to come, and you're borrowing the earth
15 from these people.

16 I'm on the volunteer fire
17 department, we have not one hammat suit,
18 we have not one geiger counter.

19 My fire marabal, if a call
20 goes out, will not show up to the scene
21 because we have no training.

22 The only training we got is
23 to get in and get out fast, and take a
24 shower.

25 My anaver to the waste

7.14-9

7.14-11

7.129-1
7.129-5

1-2

16-Jun-89: TS-00618, PAGE 4 OF 4 373

1 problem is to leave it where it is right
2 now, until we decide what to do with it.

3 Do not start moving it
4 around.

5 And last but not least, I
6 would like to say that I wish that this
7 was in an open forum, and I think that
8 putting people into these rooms is kind
9 of a sham, and just people segregated,
10 you don't want to see mass dissension.

11 I see more movement in China
12 than I do here.

13 Thank you.

14 HEARING OFFICER O'RIORDAN:
15 You're welcome.

16 I would like to call some of
17 the pre-registered speakers who didn't
18 answer the first call.

19 I want to make sure that we
20 don't pass over them since their time has
21 passed.

22 Is S. Faden here, F-a-d-e-n?

23 (No response.)

24 Is Jill Burns here?

25 (No response.)

1-2

8-7

374

1 Apparently not.

2 Is Mark Alexander here, Mark
3 Alexander?

4 (No response.)

5 Is Stephanie Lee here,
6 Stephanie Lee?

7 (No response.)

8 Is Joan Ward here, Joan
9 Ward?

10 (No response.)

11 Is Dana Jarvis here, Dana
12 Jarvis?

13 (No response.)

14 Is Robert Regal, K-e-g-a-l?
15 Okay, you're next, Mr.

16 Regal. 16-Jun-89: TS-00619, PAGE 1 OF 4

17 MR. REGAL: Hi, my name is
18 Robert Regal, my address is Post Office
19 Box 285, Santa Fe, New Mexico.

20 I had a couple of questions.

21 I am a real estate broker
22 and appraiser here in Santa Fe.

23 In the past few months,
24 what's happened is that as real estate
25 brokers we're being required by our code

7.2-24

375

16-Jun-89: TS-00619, PAGE 2 OF 4

1 of ethics, to inform a prospective buyer
2 that they would be possibly within the
3 corridor of the WIPP route.

4 What I'm beginning to see as
5 a real estate broker and appraiser is
6 that some buyers moving into the area,
7 once they see this situation, are
8 reluctant to buy properties within these
9 prospective corridors.

10 My own dwelling happens to
11 be about 288 feet from the Atchison,
12 Topeka and Santa Fe Railroad, and just a
13 little bit away from an interstate
14 highway.

15 What I'm seeing is that by
16 opening this thing, the public is
17 perceiving danger.

18 This result is resulting in
19 a lower property value.

20 I was wondering if there was
21 any -- how this was going to be handled
22 in terms of properties along the route,
23 resulting in loss of property value due
24 to this, if there is anything being put
25 in place or anything like that?

7.2-24

7.2-2

376

16-Jun-89: TS-00619, PAGE 3 OF 4

HEARING OFFICER O'RIORDAN:

1 Is that a rhetorical question?
2

3 MR. KEGAL: No, it's a
4 question.

HEARING OFFICER O'RIORDAN:

5 The purpose of this proceeding is
6 essentially to take comments from the
7 public and then they're analyzed in
8 developing the Final Environmental Impact
9 Statement.
10

MR. KEGAL: Okay.

HEARING OFFICER O'RIORDAN:

11 We're not here to answer questions.
12

13 I believe one of the members
14 of the real estate board who did
15 participate in the question and answer
16 portion of yesterday's program -- I can't
17 remember if they asked that exact
18 question.
19

20 MR. KEGAL: These comments
21 that are recorded, are they put into the
22 record and the responses?

HEARING OFFICER O'RIORDAN:

23 Oh yes, this is all in the public record,
24 and the comments are all analyzed.
25

377

16-Jun-89: TS-00619, PAGE 4 OF 4

1 When the final Environmental
2 Impact Statement is developed, the issues
3 are responded to.

4 MR. REGAL: Okay, well I
5 guess my question would be then, for the
6 record, is how is the Federal Government
7 going to handle the diminishing of
8 property values along this area, because
9 when you lose property value, under the
10 Constitution you're entitled to
11 compensation.

12 Now is this going to be
13 done, is there going to be a court or
14 whatever appointed to take care of that
15 problem?

16 HEARING OFFICER O'RIORDAN:
17 Okay, well thank you very much.

18 Is Leslie O'Toole here?

19 MS. O'TOOLE: Yes.

20 HEARING OFFICER O'RIORDAN:
21 I called you before.

22 MS. O'TOOLE: They didn't
23 tell me Room Number 1.

24 HEARING OFFICER O'RIORDAN:
25 Oh, I'm sorry.

72-2
72-31

378

16-Jun-89: TS-00620, PAGE 1 OF 3

1 MS. O'TOOLE: My name is
2 Leslie O'Toole, my address is 1889 Camino
3 Anasazi, Santa Fe, 87581.

4 The facilities to store
5 waste are necessary. The Government and
6 other nuclear producing companies have
7 produced lethal garbage that is now
8 killing many people and total
9 environments, due to total technological
10 and bureaucratic mismanagement.

11 The reason I am speaking
12 today is to demand integrity in the
13 handling of these wastes.

14 It is insane that with all
15 our great scientists and our immense
16 resources, and in general, our great
17 country, that we the people have allowed
18 monetary and political concerns to
19 override those of health, well being and
20 a nation we can truly be proud of.

21 We cannot undo that which
22 has already been done, we cannot give the
23 land back to the native Americans, we
24 cannot unmake the bomb, we cannot give
25 back healthy families to the survivors or

3.1-2

379

16-Jun-89: TS-00620, PAGE 2 OF 3
Agent Orange.

What we can do, and must do,
is take a stand in cleaning up with
integrity, the nuclear dumps we now have,
not by bending the standards or by
totally disregarding the EPA standards,
and not by paying off someone else who
doesn't care.

We must do it in a way that
no one else suffer from the poison.

We must be accountable, that
is, openly acknowledge that deaths have
occurred because of our lack of
integrity.

To put it succinctly, I the
people, don't trust the Government, and I
also know that I am the Government.

So it is with that
understanding that I hereby accept
responsibility for the death and
destruction that is at this moment a part
of my country.

I'm also taking the stand
today to bring integrity back into our
country, by not allowing the transport or

1-3

388

16-Jun-89: TS-00620, PAGE 3 OF 3

storage of waste until it can be
unquestionably proven safe, and that no
more affluence, nuclear or chemical, be
produced, that cannot be safely disposed
of.

I want to apologize for not
being here when my name was first called.
I was first really angry at the hearings,
and the DOR for not clearly telling me
about Rooms Number 1 and Number 2.

Again, I must take
responsibility for assuming that there
was some integrity at these hearings.

So now I'm really afraid to
find out what's behind Door Number 3.

HEARING OFFICER O'RIORDAN:
Is -- Ms. O'Toole, do you want to submit
your comments for the records?

MS. O'TOOLE: No, I just
have (inaudible).

HEARING OFFICER O'RIORDAN:
Okay, thank you.

MS. O'TOOLE: All right.

HEARING OFFICER O'RIORDAN:
Is Sue Curtis here? Sue Curtis?

1-3

381

1 (No response.)
 2 Okay, is Dana Jarvis here?
 3 UNKNOWN SPEAKER: He just
 4 was here a while ago.
 5 HEARING OFFICER O'RIORDAN:
 6 Okay. Now about Joan Ward, is she here,
 7 or Stephanie Lee?
 8 (No response.)
 9 Is Stephen Farber here?
 10 (No response.)
 11 Is Peggy O'Mara here?
 12 (No response.)
 13 Is Jim Trijan, T-r-i-j-a-n,
 14 Jim Trijan?
 15 (No response.)
 16 Is Peter Plammenzer here?
 17 (No response.)
 18 Okay, is -- are there any
 19 pre-registered speakers here that I
 20 haven't called out, or any at-the-door
 21 registered speakers?
 22 (No response.)
 23 Okay, well we're a little
 24 bit ahead of our schedule. We were
 25 behind for awhile and now we're a little

382

1 bit ahead, so I think we'll just remain
 2 open here until some of the folks that
 3 signed up at the front desk or are
 4 pre-registered can get up here.
 5 We'll go off the record for
 6 a few minutes. 16-Jun-89: TS-00621, PAGE 1 OF 3
 7 (Off the record.)
 8 HEARING OFFICER O'RIORDAN:
 9 We're back on the record.
 10 MR. JARVIS: I've been
 11 running, so let me catch my breath.
 12 HEARING OFFICER O'RIORDAN:
 13 That's fine.
 14 MR. JARVIS: Are you
 15 recording this?
 16 HEARING OFFICER O'RIORDAN:
 17 Yes.
 18 MR. JARVIS: My name is Dana
 19 Jarvis, I own and operate a video company
 20 here in Santa Fe, New Mexico.
 21 I would like to tell you a
 22 story for everybody who is here, and
 23 whoever might listen to this tape.
 24 In the future, and I want
 25 you all to listen very carefully to what

383

16-Jun-89: TS-00621, PAGE 2 OF 3

1 I have to say here, it's a personal
2 story.

3 I grew up in Colorado, my
4 father worked at the Rocky Flats nuclear
5 plant, and in those days it was run by
6 Dow Chemical, and later on became -- was
7 operated by Rockwell International.

8 He worked there for 38
9 years.

10 He got up at 5:15 every
11 morning, and rode the car-pool down to
12 work, and he was a very devoted worker,
13 top secret position, as a technical
14 writer there at the Rocky Flats plant.

15 When it came time for
16 retirement at 63 years old, he had an
17 option of retiring with a personal
18 pension.

19 He chose to stay on until 65
20 and get his full pension and the day
21 after his 63rd birthday, when he
22 announced his decision to the company,
23 they decided to put him on a Saturday
24 shift, wearing a nuke suit and carrying a
25 geiger counter around, to check for

384

16-Jun-89: TS-00621, PAGE 3 OF 3

1 leaks, radiation leaks at the factory.
2 This was a job normally assigned -- it
3 was the lowest paid job at the plant.

4 He didn't get a gold watch
5 for his 38 years of hard work. This is
6 my blood father I'm talking about. He
7 didn't get a thing from you.

8 He got kind of a raw deal
9 after 38 years of keeping top secrets and
10 being a very hard working, devoted
11 employee.

12 I would like to say that I
13 wouldn't want the waste from this plant
14 coming to New Mexico.

15 I don't want to see Rocky
16 Flats dumping on New Mexico, like they
17 dumped on my own dad.

18 That's all I have to say,
19 thank you very much.

20 HEARING OFFICER O'RIORDAN:
21 You're welcome.

22 Is Sue Curtis here, is Sue
23 Curtis here?

24 (No response.)

25 I believe we're about due

for a break.

We'll take a break until 4:15, recess until 4:15, and then we'll come back.

(Short recess.)

HEARING OFFICER O'NEILL:

We're back on the record.

As the commentator, maybe I should just summarize a little bit on what we're doing here today, since we've had people kind of rotate in and out of the hearing room.

Today we are taking comments on the Draft WIPP Environmental Impact Statement and these comments are being transcribed by our court reporter, or will be transcribed, they're recorded right now, and so I ask that you speak as distinctly as possible, and at a reasonable rate.

The comments will eventually be transcribed and will be multi-volumed, and will then be placed in public places where you can view them or read portions or all of them.

You'll have to ask DOE where that's going to be. It will be public libraries and public buildings.

The process itself involves the -- the next step in the process is that these comments are used, that's comments on the Draft Environmental Impact Statement, they are analyzed by DOE and utilized in preparation of the Final Environmental Impact Statement.

They are also responded to.

Obviously there are a lot of comments, and they will most likely -- I am not responsible for responding to them, but the usual way that it's done, is that the comments are broken down by issue and then there will be a response to the particular issues.

I think if you have listened to a number of the people testify, you realize that there is a number of main, key issues.

Though there are special issues that come up, depending on the person.

387

1 Anyway, that's the type of
2 proceeding we're in.

3 I know a number of people
4 have commented on the hearing being in
5 three separate rooms and I should say for
6 the people that are here, that wasn't
7 part of a nefarious plot or a
8 psychological ploy as has been mentioned,
9 it was simply because we had 688 people
10 registered and my job, and my law firm's
11 job was to make sure that everybody got a
12 fair chance and the comments were done
13 and recorded in a timely fashion.

14 That was the reason that it
15 was done.

16 To a real extent, the
17 comments are directed at the DOE and not
18 at the audience, and in my own view,
19 comments in this room to the DOE
20 personnel are a matter of law, of equal
21 importance, anyone else, and I think it's
22 a lot better without a lot of
23 disturbances.

24 I ask that each of the
25 people here extend the courtesy to the

388

1 speaker that they would like to have
2 extended to themselves.

3 I've noticed during the
4 various presentations, that almost with
5 exception (sic.), every speaker has been
6 prepared with written comments and
7 thought it through a lot.

8 I would ask that you have
9 respect for that person, even if you
10 disagree with them, or even if you agree
11 with them, not to interrupt them. Let
12 them give their talk, especially so since
13 a lot of people are nervous when they
14 speak.

15 When you begin your
16 presentation, if you could give your name
17 and address.

18 I know that sometimes we
19 miss people and everyone is getting a
20 little tired and cranky, and so I we'll
21 all try and be patient with each other.

22 Is the next speaker, is Ms.
23 Calico -- Vicky? Doctor, I'm sorry, I
24 didn't say that.

25 You're next Doctor.

389

16-Jun-89: TS-00622, PAGE 1 OF 8

DOCTOR CALICO-NICKEY:

Doctor B. Calico-Nickey, that's
C-a-l-i-c-o hyphen N-i-c-k-e-y.

HEARING OFFICER O'RIORDAN:

I'm sorry, I didn't get it.

DOCTOR CALICO-NICKEY: You
didn't get it?

HEARING OFFICER O'RIORDAN:

It got kind of jumbled up, thank you.

DOCTOR CALICO-NICKEY: It
hasn't been on many lists, since I've
first called DOE, so I want to make sure
it gets on the record.

HEARING OFFICER O'RIORDAN:

I can assure you you're on the list,
right here.

DOCTOR CALICO-NICKEY: I

haven't been in the past, and that's what
I want.

First of all, I do not have
written comments -- oh, my address.

It's P. O. Box 5785, Santa
Fe, New Mexico.

HEARING OFFICER O'RIORDAN:

Maybe I should go over that too. If you

390

16-Jun-89: TS-00622, PAGE 2 OF 8

don't have written comments for today,
the record is open until July 11th, and
you can supply written comments.

DOCTOR CALICO-NICKEY: My
zip code is 87502.

First of all, I'd like to
just --

I know that this is a
frustrating process for a lot of people,
not just myself.

However, I would like it to
go on the record, that I think the entire
hearing process has been poorly organized
and that I am at the end of my frustrated
rope already.

I am glad that I am having
this opportunity to share these feelings,
because if I didn't, I would probably
take it out on someone's body, and I'm
not willing to do that.

First of all, I called three
weeks ago, I asked for a copy of the
Draft, and I asked to be placed on the
list to speak, be a speaker.

I didn't hear anything, so

391

16-Jun-89: TS-00622, PAGE 3 OF 8

1 about two weeks before you had the
2 hearings, I called again, no one
3 responded.

4 So I just assumed that I was
5 on the list. I got here early on --
6 yesterday, the first day, and found out
7 that I was no where on the list and I
8 still had not received a copy of the
9 Draft.

10 I asked for a copy of the
11 Draft and they said, we'll mail it to
12 you.

13 I thought these hearings
14 were to comment on the Draft. I cannot
15 comment on the Draft if I don't get a
16 copy of it.

17 HEARING OFFICER O'RIORDAN:
18 You still do not have a copy?

19 DOCTOR CALICO-NICKEY: I
20 still do not have a copy.

21 They had one copy down there
22 and it was a desk copy, or do not remove,
23 or whatever.

24 I am one of the people, few
25 people probably, that do take drafts

8-6

392

16-Jun-89: TS-00622, PAGE 4 OF 8

1 seriously, and I wanted to take a look at
2 it so that I had some kind of
3 knowledgeable comment to present here.

4 So instead, I thought we
5 could have ten minutes of silent
6 meditation, but I thought that would be
7 boring on transcript, so instead --

8 HEARING OFFICER O'RIORDAN:
9 Could you give me your address again?

10 DOCTOR CALICO-NICKEY:
11 Pardon me?

12 HEARING OFFICER O'RIORDAN:
13 Could I write your address down again,
14 please?

15 DOCTOR CALICO-NICKEY:
16 (Laughs).

17 HEARING OFFICER O'RIORDAN:
18 We wrote it down, but I didn't write it
19 down.

20 I want to make sure you get
21 a copy of the Draft. You'll probably get
22 six Drafts is what's going to happen, but
23 I wanted --

24 DOCTOR CALICO-NICKEY: P. O.
25 Box 5785, Santa Fe, New Mexico 87502.

8-7

393

16-Jun-89: TS-00622, PAGE 5 OF 8

1 So anyway, I wanted to just
2 have it on the record that I am
3 frustrated over this hearing process and
4 I understand that you don't see the
5 separation as a divide and conquer
6 measure, however I personally would
7 rather be in a large room and be able to
8 hear what my fellow citizens feel of the
9 entire Draft and the opening of WIPP.

10 So it's a frustrating
11 process for me not to be able to hear the
12 people that I live with and how they view
13 this entire process, as well as what's
14 going on.

15 I also want it to go on the
16 record that our dearly beloved Governor
17 in this state of New Mexico, had a
18 plumber come out to work for him, who had
19 a business against WIPP, or it was a
20 citizen against WIPP, I'm not sure which
21 sign he had in the back of his truck, but
22 the Governor stated that he nor any other
23 business that supported the never ending
24 opening of WIPP, would not receive state
25 money.

8-7

9-7

394

16-Jun-89: TS-00622, PAGE 6 OF 8

1 Well I am here as a business
2 against WIPP, and I'm also a physician.

3 I want our Government to
4 know that if I am the last doctor on the
5 face of the earth and he needs some kind
6 of attention, I will not treat him
7 because he supports WIPP.

8 I want him to recognize the
9 ludicrousness of his statement, by me
10 making an equally ludicrous statement.

11 I also wanted to address the
12 fact that New Mexico has the highest drug
13 and alcohol problem of any state in the
14 United States.

15 I'm not sure about the
16 world, but I do know about the United
17 States.

18 Why are we transporting
19 waste on highways through this one?

20 I am speaking as a
21 recovering alcoholic and addict myself.
22 I know for a fact that -- let me put it
23 on record also that I cannot get health
24 insurance because I am considered a risk.

25 I have been sober for six

9-7

7.3.3-3

7.3.2.16

395

16-Jun-89: TS-00622, PAGE 7 OF 8

1 years, however it is seen as something
2 that is not a safe risk to take.

3 I want it to go on record
4 that I never drove anywhere when I was
5 drinking and using drugs, without enough
6 marijuana to get me where I was going and
7 back again, or enough alcohol in the car,
8 to get me to where I was going and back
9 again.

10 I did not see my actions as
11 a threat to anyone. However, I can tell
12 you that I don't remember going from
13 Point A to Point B, most of the time, I
14 just ended up there.

15 Now these are the folke that
16 we have on the roads now, thinking they
17 don't have a problem, and we're going to
18 be transporting wastes, driving
19 side-by-side, next to each other?

20 I do not feel safe, or that
21 this is in my best interests, as a
22 citizen of this country.

23 I resent the fact that it is
24 going to be taking place.

25 I finally want to say that I

7.3.5.1-12

7.3.3.3
7.3.5.1-12

396

16-Jun-89: TS-00622, PAGE 8 OF 8

1 am -- as a result of this most
2 frustrating process -- I wasn't angry to
3 begin with, I was concerned, my anger has
4 become heightened as this process has
5 gone on.

6 And I have talked to many
7 others, I am not one to protest. I did
8 back in the 60's when I was in college,
9 but that was a long time ago, and I have
10 become sedated in my lifestyle since
11 then.

12 However, if WIPP does go
13 through, I will be laying across the road
14 if necessary, to stop the waste from
15 moving. I will not tolerate it.

16 And I also want to add to
17 that, that this is not only a position of
18 myself, I have talked to other somewhat
19 lasy radicals of the 60's that have
20 gotten quite content in their lifestyles,
21 and they are also feeling this way.

22 So if WIPP -- if you don't
23 deal with me now regarding WIPP, you will
24 deal with me later.

25 Thank you.

1-2

397

1 HEARING OFFICER O'RIORDAN:
 2 You're welcome.
 3 Okay, is Peggy O'Mara here?
 4 You're next.
 5 MS. O'MARA: Okay.
 6 HEARING OFFICER O'RIORDAN:
 7 If you have a -- it would be easier if
 8 you say it, and if you have written
 9 comments that you would like to submit
 10 for the record --
 11 MS. O'MARA: I don't have
 12 any written comments.
 13 HEARING OFFICER O'RIORDAN:
 14 Okay. 16-Jun-89: TS-00623, PAGE 1 OF 13
 15 MS. O'MARA: I would like to
 16 ask a question.
 17 I am representing an
 18 organization, so do I have five minutes
 19 or ten minutes?
 20 I know that you have to
 21 change the time?
 22 HEARING OFFICER O'RIORDAN:
 23 We're in the five minute segment now, if
 24 that's okay.
 25 MS. O'MARA: Okay.

398

16-Jun-89: TS-00623, PAGE 2 OF 13

1 HEARING OFFICER O'RIORDAN:
 2 You can submit lengthier comments later
 3 if you wish.
 4 MS. O'MARA: Okay, later, I
 5 understand.
 6 My name is Peggy O'Mara,
 7 that's spelled O, apostrophe, M-a-r-a.
 8 I am representing Mothering
 9 Magazine, and the address is Post Office
 10 Box 1698, Santa Fe, New Mexico 87504.
 11 First of all, I would like
 12 to thank you all for this process. I
 13 feel that with the current events in
 14 China, I greatly appreciate the
 15 opportunity to have this kind of freedom
 16 of speech, and I appreciate that even
 17 with divergent views, we can discuss this
 18 issue, which is one that concerns all of
 19 us in this nation, not just those of us
 20 in New Mexico.
 21 I feel that I have some
 22 experience with the hearing process, and
 23 I appreciate the fact that you have had
 24 to divide the people into separate rooms.
 25 I think that that is probably just all

399

16-Jun-89: TS-00623, PAGE 3 OF 13

1 you could do.

2 Recently, I took my son to
3 school, and on the way back I noticed
4 that there were a bunch of police
5 officers kind of guarding the highway,
6 and I thought that perhaps it was another
7 break from a penitentiary, but as I
8 turned and saw what was happening on the
9 highway, I saw fire fighters down there
10 and emergency equipment, and then I
11 noticed that there was a tanker of
12 gasoline or a petroleum tanker, lying off
13 on the side of the road.

14 So when I first started to
15 panic, wondering whether I should go and
16 get my son from school, when I saw the
17 tanker and I realized what it was, I saw
18 the emergency people there, I thought it
19 was under control, and I thought if there
20 was any danger to my son, there would be
21 some sort of an evacuation.

22 But then I realized that if
23 that had been a WIPP truck or what I
24 imagine what might have been a WIPP
25 truck, that I would have surely panicked

8-7

7.3.5.1-12

400

16-Jun-89: TS-00623, PAGE 4 OF 13

1 and would have gotten my son out of
2 school and gotten my other kids and
3 driven up into the hills and have gotten
4 as far away from there as I could.

5 I think one of the problems
6 that we have with WIPP is that there is
7 really now worst case scenario that we've
8 really been able to find out, that we
9 really don't know, what is the worst
10 thing that could happen, and what would
11 be the long and the short term effects of
12 that.

13 As a parent, that frightens
14 me because I think because I don't know
15 that, I would tend to act irrationally.

16 It worries me that people
17 would panic.

18 Perhaps in your opinion, you
19 know, because you have your information,
20 not necessarily, but I think none of us
21 really have information on what the long
22 term effects and what the worst case
23 scenario of this is, and that's what
24 makes many of us very concerned.

25 My concerns are rooted in

7.3.5.1-12

7.3.5.1-12
7.3.5.4-3

7.3.3-3

401

16-Jun-89: TS-00623, PAGE 5 OF 13

the fact that I've lived in New Mexico for eighteen years, and I'm very familiar with the back roads of New Mexico.

I've driven on Highway 285 down to Alamogordo part of the way. For those eighteen years, I've spent a lot of time on those roads, and I've just traveled on it in the past couple of weeks.

75 per cent of the roads in the rural part of New Mexico, and I think it's safe to say that 75 per cent of Highway 285, does not have any shoulders.

What that means is that it does not have any shoulders, it just doesn't have any paved shoulders, it just don't have any shoulders.

When you go off the road, you are into the elated sagebrush and chamisa (phonetic) and vegetation, and every so often there are arroyo, so that when you go off the road, you are just off the road into an arroyo.

So as someone who has driven on these roads, I consider them pretty

73312

402

16-Jun-89: TS-00623, PAGE 6 OF 13

challenging, and have felt that if I were ever in an accident or stranded, it might be a long time before somebody found me.

I know that my sister was in an accident some years ago on one of those roads and it was late at night, and it was over an hour before someone found here.

I know also from being in southern New Mexico, that there are some places along that road, where you could be as many as 50 to 75 miles from a hospital.

I don't have confidence that the emergency medical technicians in this state have been trained to deal with the radioactive spill.

I think that if we're going to bring in anything doing with WIPP into this state, that the emergency technicians have to be trained and really have to know what we're talking about here, and that that has to be common knowledge.

My other concern as a

71281
71282
71287

73312

483

16-Jun-89: TS-00623, PAGE 7 OF 13

1 representative of Mothering Magazine and
 2 as a representative of myself, is that I
 3 feel that a lot of parents now days, and
 4 I don't know if this is unique, but it
 5 seems to be unique here, are very
 6 concerned about the health of their
 7 children.

8 They're sacrificing
 9 economically often, to give their
 10 children the best food, maybe organic
 11 food that costs more, they're sacrificing
 12 to send them to alternative schools or to
 13 schools that are private, that cost
 14 money, and I know they're making choices,
 15 lifestyle choices, right and left, to
 16 protect the health of their children.

17 This kind of situation
 18 threatens that because people again,
 19 don't know what the real risks are.

20 They feel that they are
 21 doing everything that they can, but that
 22 there is some sort of menace, some sort
 23 of mysterious menace that they can't
 24 quite understand, that threatens them.

25 I think that all of these

484

16-Jun-89: TS-00623, PAGE 8 OF 13

1 concerns about the health hazards of WIPP
 2 are what -- one of the things that would
 3 make people panic so much about the
 4 situation and feel panic.

5 I think what comes from that
 6 panic is what Doctor Calico-Mickey is
 7 talking about, the possibility of
 8 demonstrations in the future.

9 I too feel very strongly
 10 about not wanting WIPP to be --

11 I want WIPP to meet the
 12 environmental protection standards, but
 13 basically, I don't know what those mean,
 14 and if they are something that even if
 15 they were met, would really insure the
 16 safety of my family.

17 I feel that after living in
 18 New Mexico for eighteen years and making
 19 this my home, that it is my home and it
 20 is my one home, and I have nowhere else
 21 to go.

22 If there is the threat of
 23 WIPP coming in here, you know, I would
 24 feel that I would have to demonstrate in
 25 some way, and I would perhaps include my

3.1-3

485

16-Jun-89: TS-00623, PAGE 9 OF 13

1 family in that.

2 That seems to be real
3 dangerous, involved in a situation, and I
4 think you're finding in these hearings
5 that you've got a really lot of people in
6 this town who feel strongly about these
7 issues.

8 A lot of people come to New
9 Mexico to escape the very things that
10 WIPP threatens to bring.

11 We've come here for blue
12 skies and unpolluted water and clean air,
13 and we see New Mexico as a place that's
14 different from some of the other
15 over-polluted areas of the country, and
16 realize that those areas are working hard
17 to correct those problems, but they
18 haven't become problems here.

19 This has been a state that
20 hasn't been industrial, and it's been a
21 state that has had a long history of
22 being very rural and very undeveloped.
23 It only became a state in 1912.

24 Our laws aren't very
25 sophisticated and we're a very poor

486

16-Jun-89: TS-00623, PAGE 10 OF 13

1 state, we're a very big state, with lots
2 of room to put in and not a lot of money.

3 So I feel that the risk of
4 this issue, with the people feeling so
5 strong about it, is very great.

6 I hope that you will
7 consider putting the -- because of the
8 recent events in Idaho, the possibility
9 that that storage could stay there,
10 because of the FBI questions in Rocky
11 Flats, I think we really need more time,
12 all of us, to examine this.

13 I would like to suggest that
14 the money -- that some money be put into
15 this to researching this issue as a
16 priority and finding out if there's not
17 some way to get the scientists to
18 neutralize this waste or to do something
19 that would be more in keeping with modern
20 technology than the sort of old fashion
21 train, let's truck it on out, down to the
22 New Mexico method, which seems somehow
23 obsolete and inappropriate for the kind
24 of technology that we really have at our
25 disposal today.

487

16-Jun-89: TS-00623, PAGE 11 OF 13

1 We just have to put our time
2 and our energy and our money there and I
3 thank you.

4 HEARING OFFICER O'RIORDAN:
5 You're welcome.

6 Since we have a number of
7 people in the room, I would like to kind
8 of repeat our general guidelines here.

9 Each person, each
10 commentator, has five minutes, and we
11 flash the green light when four minutes
12 are up and the red light when your time
13 is up.

14 I would ask that each person
15 here --

16 I would ask that the
17 audience extend to the speaker, the
18 courtesy that they would like to have
19 extended to them when they're giving
20 their presentation.

21 As I've said before, each
22 commentator has had a well prepared
23 statement, and I think they deserve the
24 right to have a courteous audience while
25 they give their statement.

488

16-Jun-89: TS-00623, PAGE 12 OF 13

1 When the statement is over,
2 then applaud or whatever.

3 If you're giving a statement
4 and you have a written presentation, we
5 can take -- make it an exhibit right
6 now, and we'd like to do that, because it
7 saves us time in analyzing the comments.

8 We don't have to wait until
9 the court reporter gets them typed up.

10 If you don't have written
11 comments, you can submit them by July
12 11th.

13 When you begin your
14 presentation, please give your name and
15 your address.

16 This is a formal proceeding,
17 before the DOR, regarding the Draft
18 Environmental Impact Statement, and as
19 such, there are some formalities, and
20 part of it is having a name and address,
21 when possible.

22 Okay, our next speaker is
23 Sue Curtis. I believe she's here, we've
24 called her a number of times.

25 I was just told that she was

489

16-Jun-89, TS-00623, PAGE 13 OF 13

here.

Are you Sue Curtis?

MS. CURTIS: Yes.

HEARING OFFICER O'BRIEN: Ob, great. I'm sorry.

MS. CURTIS: My name is Sue Curtis, I live at General Delivery, Lamey, New Mexico 87548.

I've been in New Mexico 28 years, and I've seen a lot of land misuse and a lot of strip mining.

I grew up on an Indian reservation where they did strip mining, uranium was left everywhere, they left tailings everywhere, people took showers in radioactive water. It was really bad, and nobody really gave -- nobody cared about what was going on to the people.

Now I live on the more western side of the state, and NIPP really appalls me.

There is a lot of concerns I have about it, I really am opposed to it opening, altogether, because it's not safe.

16-Jun-89, TS-00624, PAGE 1 OF 4

1-2

418

16-Jun-89, TS-00624, PAGE 2 OF 4

The Department of Energy has a really bad record of regulating things.

I'm not even sure that EPA standards are that good.

I am opposed to it opening at all, we're not prepared, the towns along the way are not ready to handle emergencies. Nobody has been given equipment, training.

The average person has not been given equipment training, I think you -- I think each and every individual should be given emergency evacuation plans and medical training, what to do in the event of an emergency.

I think each and every citizen is entitled to those things.

I don't believe that NIPP is safe from what I've heard from the facts that I've received and the literature that I've read. It's not ready to open in September, it's being fast-tracked in the name of big bucks.

I just -- I am really appalled by what I see and what I hear,

3.2-1

7.12.9-1
7.12.9-2
7.12.9-4
7.12.9-5
7.12.9-7

3.1-2

411

16-Jun-89: TS-00624, PAGE 3 OF 4

1 and I would like to read a poem, because
2 I really didn't prepare anything to say.

3:1-2

3 I'm saddened that you'd kill
4 me, and betrayed by what you've done, and
5 I'm horrified by the power you possess.

6 I am disillusioned by the
7 mayhem you create and the anti-life
8 pro-destruction stand you are so fucking
9 (sic.) proud of.

10 All in the name of power and
11 more importantly, money, which you neatly
12 distort perceptions of by calling freedom
13 a democracy.

14 What is freedom? I starve
15 and you turn away. I die and you tax my
16 neighbor to stick me in the ground.

17 I sweat for you, I toiled
18 for you, and you feed our children poison
19 and propaganda.

20 I shed my blood for you and
21 you turn away.

22 Then in return, you pollute
23 my water, you destroy my body and my
24 child's body and all of my
25 grandchildren's bodies, until maybe

412

16-Jun-89: TS-00624, PAGE 4 OF 4

1 someday we are no more.

2 If I should mourn, you would
3 turn away, satisfied that a spirit was
4 broken.

5 And if I cry for the world
6 to hear, you might kill me.

7 I would like to dedicate
8 this to the U. S. Government and its
9 policies and to you here at the
10 Department of Energy.

11 I thank everybody for your
12 time.

13 HEARING OFFICER O'RIORDAN:
14 You're welcome.

15 It's my understanding that
16 Ann Dasburg is here to speak for Doctor
17 Chellis Glendinning.

18 Are you Ann Dasburg?

19 MS. DASBURG: Yes.

20 HEARING OFFICER O'RIORDAN:
21 You're next then.

22 MS. DASBURG: I am?

23 HEARING OFFICER O'RIORDAN:
24 You're on now, if that's convenient.

25 MS. DASBURG: I barely made

413

1 it. 16-Jun-89: TS-00625, PAGE 1 OF 8

2 HEARING OFFICER O'RIORDAN:

3 And could you give your name and address
4 and who you're speaking for.

5 MS. DASBURG: I'm Ann
6 Dasburg, D-a-s-b-u-r-g, Route 7, Box
7 124M, Santa Fe, 87505.

8 I am sorry about these
9 little rooms, because I think a lot of
10 people downstairs would like to hear
11 what's being said upstairs and vice
12 versa.

13 I don't think that it was
14 very well thought out, especially
15 considering as how with our taxes we're
16 paying all of your salaries.

17 To comply with the Research,
18 Conservation and Recovery Act, the
19 Department of Energy was supposed to
20 rigorously explore and objectively
21 evaluate alternatives to their proposed
22 action to open up WIPP before it was
23 proven to meet EPA standards.

24 This they have failed to do.

25 In a document of over 1,888

8-7

3.7-1

414

16-Jun-89: TS-00625, PAGE 2 OF 8

1 pages, the no-action alternative is only
2 given nine pages, and the preferred
3 alternative is only given 12 pages.

4 The DOE's own alternative
5 task force, which was mentioned at the
6 Governor's conference, is not even
7 mentioned at all in the SEIS.

8 Thus, the DOE has failed to
9 meet its RCRA mandate.

10 Why does the DOE constantly
11 push for exemption to Federal law?

12 On the surface and for the
13 media, in the SEIS, the DOE constantly
14 mentions that they intend to meet all
15 existing Federal standards governing the
16 transportation and disposal of hazardous
17 mixed waste, and yet the entire SEIS
18 speaks about meeting EPA standards that
19 are no longer valid, having been remanded
20 by a Federal Court for not even meeting
21 Federal safe drinking water standards.

22 On top of this, the DOE
23 claims to have an agreement with the
24 State of New York, to meet the remanded
25 EPA standards?

3.7-1

3.1-3

1	16-JUN-89: TS-00625, PAGE 3 OF 8	413
2	Now can the state and the	
3	DOE make an agreement to supersede	
4	Federal law?	
5	As another example, the DOE	
6	states in the SHIS that they are	
7	committed to meeting rigorous standards,	
8	and yet the DOE is attempting to get an	
9	exemption from rigorous standards by	
10	proving no migration of waste to reach	
11	the accessible environment over the	
12	18,000 year period of accountability.	
13	I don't believe you could be	
14	so arrogant as to express a point of view	
15	that you hope people would accept,	
16	mainly, that you can guarantee us, or the	
17	EPA, what will or will not happen over	
18	18,000 years.	
19	Also, if the DOE is exempt	
20	from having to know exactly what is in	
21	the barrels of waste, what are the	
22	implications of this case, of an	
23	accident?	
24	The emergency first	
25	responders will not know what hazardous	
	chemicals they are dealing with.	

3.13

3.13
3.727.35.4-1
7.9.3

1	16-JUN-89: TS-00625, PAGE 4 OF 8	416
2	This gives me serious cause	
3	for concern.	
4	This brings to mind another	
5	major flaw in the SHIS, this concerns the	
6	DOE's assessments of the risks of	
7	proposed action.	
8	It fails to include the	
9	possibility of human error in the	
10	operation of WIPP. It fails to include	
11	the possibility of human error in the	
12	transportation of waste along the	
13	nation's highways, through 23 states.	
14	Perfect, error free people,	
15	operating perfect, error free equipment,	
16	with a perfectly harmless product, when	
17	released in the minute amounts your	
18	computer models have predicted, aside	
19	from eight deaths and 186 injuries, talk	
20	about being caught up in your own	
21	fantasy!	
22	Doctor Carl Morgan, director	
23	of health physics at Oakridge National	
24	Laboratory says, that there is no safe	
25	level of radiation exposure.	
	So the question is not what	

7.35.4-1
7.9.35.1-2
7.35-1
7.13.1-8
7.13.3-1
7.14-2
7.14-4
7.14-2

417

16-Jun-89: TS-00625, PAGE 5 OF 8

1 is a safe level, the question is, how
2 great is the risk.

3 The SEIS document is full of
4 fanciful, unexplained and unsupported
5 assumptions, such as, I quote, "The DOE
6 is now developing...", "are expected to
7 be completed in early 90's", "details not
8 available at this time", "will enable the
9 DOE in the future", "would ultimately be
10 analyzed", "a number of options".

11 I am extremely suspicious of
12 the ten year safety guarantees and in all
13 honesty, I am suspicious of our -- of
14 your entire health risks analysis.

15 As a resident of Santa Fe, I
16 would like to ask, why did you pick for
17 your bounding case scenario, a truck
18 carrying RM, why did you not pick for
19 your bounding case scenario, a situation
20 in which a driver falls asleep driving
21 back from Los Alamos?

22 What happens when one of
23 those containers falls down the cliff on
24 the way back from Los Alamos?

25 We just recently had an

7.3.5-1
7.13.1-8
7.13.3-1
7.14-2
7.14-14
7.14-42

2.3.1-2

7.3.1.1-9
7.3.4-2
7.3.5.1-31

418

16-Jun-89: TS-00625, PAGE 6 OF 8

1 accident of a truck driver who fell
2 asleep on our highways, and furthermore,
3 you mentioned that the PSAR, as a
4 supporting document for these containers,
5 is this document available for public
6 review?

7 You have not given the
8 public any reason that would mitigate
9 Your choice of the more dangerous method
10 of 100 per cent truck transport, over the
11 safer rail transport.

12 What do you mean by "more
13 control for truck transport"? Please be
14 specific.

15 Why did you choose an
16 inexperienced truck firm to haul this
17 deadly long-lived toxic waste mess?

18 You speak of TRANSCON as
19 guaranteeing -- whoops, that little
20 message -- okay.

21 HEARING OFFICER O'RIORDAN:
22 Thank you.

23 MS. DASBURG: Pardon?

24 HEARING OFFICER O'RIORDAN:
25 I said thank you.

7.3.1.1-9
7.3.4-2
7.3.5.1-31

2.3.1-1

7.3.2-4

7.3.2.1-4

16-Jun-89: TS-00625, PAGE 7 OF 8 419

1 MS. DASBURG: You have not
2 set up an independent verification system
3 for reporting on the TRANSCOM, is that
4 going to save us just because you have
5 some control over where these trucks are?

6 So you see, I have many
7 questions about the path that DOE has
8 chosen.

9 It seems to me that the SEIS
10 is an insupportable attempt to
11 fast-track the opening of WIPP.

12 If WIPP is opened before it
13 is independently verified to be able to
14 meet newly promulgated EPA standards, I
15 think we will only be headed for another
16 DOE facility that will eventually poison
17 people and the environment.

18 This is what has happened to
19 practically all the other DOE facilities.

20 This is your opportunity to
21 show the public that you truly care for
22 health and safety of people and of the
23 environment.

24 I hope that you do WIPP
25 right, or not at all.

7.3.2.2.2

1-3
3.1-3
3.1-101-3
3.1-10

16-Jun-89: TS-00625, PAGE 8 OF 8 420

1 HEARING OFFICER O'RIORDAN:

2 Ms. Dasburg, would you like to make your
3 written comments a part of the record?

4 MS. DASBURG: I'm going to
5 mail them.

6 HEARING OFFICER O'RIORDAN:

7 Okay, you mailed them, that's fine.

8 I would ask that the
9 speakers, if you wish to have your
10 written comments made a part of the
11 record, that after you finish your
12 presentation, if you would give them to
13 our assistant so that we can make them
14 part of the record right now.

15 Okay, next is Steven Farber,
16 is Steven Farber here?

17 MR. FARBER: Thank you. My
18 name is Steven Farber, and I live at 489
19 Hillside Avenue, which is actually where
20 my office is, and 1603 Camino Cruz Blanca
21 in Santa Fe, New Mexico.

22 I've been a resident of
23 Santa Fe since 1974, and I was trying to
24 think this morning, whether it was in
25 1978 or 1979, that I went on the first

16-Jun-89: TS-00626, PAGE 1 OF 7

3.1-2

16-Jun-89: TS-00626, PAGE 2 OF 7

421

1 demonstration against WIPP in Loving, New
2 Mexico, carrying my daughter on my
3 shoulders, to have to stand here today,
4 to still be unconvinced that our
5 Governmental officials have within them,
6 the capacity to provide for safe
7 transport of deadly waste through the
8 state of New Mexico to the WIPP site.

9 Unlike other people, I am a
10 demonstrator, and I'm proud of it.

11 I've done it all my life,
12 and I will continue to do it.

13 I'm sorry the good doctor
14 left, because I was going to tell her
15 that if she lays her body out there, if
16 I'm not next to her, I'll provide her
17 representation, and I'll provide Ms.
18 O'Hara representation, and we'll make
19 sure that the people who are so concerned
20 about this will have all of their legal
21 rights protected.

22 You do not know the depth of
23 feeling that people in Santa Fe and
24 throughout the state of New Mexico have
25 about this crazy scheme, and I hope that

31-2

16-Jun-89: TS-00626, PAGE 3 OF 7

422

1 these days are just starting the process.

2 Now I don't know if you've
3 been in New Mexico before, I don't know
4 where you're assigned, I don't know if
5 you can tell from the sense of the people
6 that come up here, that there are genuine
7 concerns, real concerns, and dedication,
8 and more than dedication, a fervent
9 desire on the part of many people, to not
10 have that junk come through this state
11 and ruin our lives, ruin the lives of our
12 families, ruin the lives of our children,
13 ruin the lives of the people who will
14 come after us.

15 We will do that which is
16 necessary to stop those trucks from
17 traveling on the highways and byways of
18 New Mexico, if you do not understand the
19 risks that you create by having those
20 trucks come through this state.

21 I have represented people
22 who have been charged with vehicular
23 homicide, who have been drunk and who
24 have just knocked off someone they didn't
25 know, not knowing that they were drunk,

423

16-Jun-89: TS-00626, PAGE 4 OF 7

1 not understanding the problems that they
2 created.

3 I know all too well, the
4 anguish that they feel for having done
5 what they did, as well as the anguish
6 that I have to see in the families of the
7 victims.

8 That can happen in this type
9 of situation again.

10 We do have a very terrible
11 problem with drinking and driving.

12 I don't know if any of you
13 have ever driven from Santa Fe down to
14 Loving, New Mexico, I have. And when you
15 make that turn from Vaughn, New Mexico
16 and the next thing that you see is Mesa,
17 38 miles down the road, that's a long
18 stretch without people. That's a long
19 stretch without hospitals. That's a long
20 stretch without doctors. That's a long
21 stretch without emergency facilities, and
22 you still have to travel further to get
23 to Roswell.

24 That is not even talking
25 about the immediate problem right around

7.3.3.1-2

7.3.3-3

424

16-Jun-89: TS-00626, PAGE 5 OF 7

1 Santa Fe, and why we don't want it here.

2 It seems to me that from the
3 very beginning of this process, there has
4 been an idea on the part of bureaucrats
5 within the Government, to want to have
6 WIPP, and that desire to want to have
7 WIPP is the thing that has motivated this
8 whole process.

9 Throughout the entire time
10 since WIPP, whether it was '78 or '79,
11 there has been one question after another
12 about this project.

13 The questions are
14 unanswered, but the response is
15 basically, oh, we'll solve the problem.

16 But there is always another
17 problem.

18 I read about it all the
19 time.

20 Does the green mean that I'm
21 done?

22 HEARING OFFICER O'RIORDAN:
23 One minute.

24 MR. FARBET: I am
25 unconvinced of the safety of the project.

7.3.3-3

3.1-2

16-Jun-89: TS-00626, PAGE 6 OF 7

1 I am unconvinced of the
2 safety of the TRUPACT.

3 I am unconvinced about the
4 reliability of the drivers who would be
5 driving the TRUPACT, or the operators of
6 the WIPP plant.

7 It seems to me that there
8 has been a bundle of money made by a lot
9 of people, but I think you are just
10 starting to see a sense of Santa Fe, that
11 I really haven't seen in a lot of years.

12 There was a demonstration
13 last October, and it went for blocks.

14 I guarantee you, that if
15 those TRUPACT trucks come, it will go for
16 miles.

17 I guarantee you that there
18 will be people in the streets and in the
19 highways, who will say we just don't want
20 it because we have not been convinced
21 that the procedures are in effect to make
22 it safe for everybody in this state.

23 The one thing that I have
24 learned about living here, more than
25 anything else, is how much people really

7.3.1.1-17

7.3.2.1-6

3.1-2

16-Jun-89: TS-00626, PAGE 7 OF 7

1 care for and love this community and the
2 people who are around it.

3 I am very sad and I'm very
4 sorry, that this process has been split
5 up.

6 This is a part of Santa Fe
7 that I'm seeing today, that I saw a
8 little bit yesterday, that I hadn't seen
9 in a lot of years.

10 It's a part of Santa Fe that
11 the Department of Energy is going to have
12 to reckon with.

13 Thank you.

14 HEARING OFFICER O'RIORDAN:

15 You're welcome.

16 Is Jim Tirjan here?

17 MR. TIRJAN: Yes.

18 HEARING OFFICER O'RIORDAN:

19 Do you have written remarks that you
20 would like to make a part of the record
21 here?

16-Jun-89: TS-00627, PAGE 1 OF 9

22 MR. TIRJAN: Yes, very

23 definitely.

24 HEARING OFFICER O'RIORDAN:

25 Okay, your remarks will be Exhibit No.

8-7

427

1 432. 16-Jun-89: TS-00627, PAGE 2 OF 9

2 (The document above-
3 referred to was marked for
4 identification as
5 Exhibit No. 432, and
6 received into evidence.)

7 MR. TIRJAN: Thank you.

8 My name is Jim Tirjan and I
9 live 1477 Canyon Road, Santa Fe, 87581.

10 I am not a scientist, but I
11 have worked in the industry for over 28
12 years, a good portion of that time for
13 defense contractors.

14 My educational background is
15 in systems analysis and operations
16 research, specializing in the design and
17 implementation of information and
18 materials handling systems.

19 It is my belief that the DOE
20 and the Bush Administration, have a
21 serious credibility problem with the
22 planned WIPP implementation for a number
23 of reasons.

24 Number one, complex
25 man-made systems poorly conceived and/or

231-2
32-1

428

1 16-Jun-89: TS-00627, PAGE 3 OF 9
2 incorrectly implemented, invariably fail
3 in the long run.

4 Obviously, the DOE is off to
5 a very poor start here.

6 For many technical reasons,
7 and you've been hearing them for days,
8 and it will be a part of the record, and
9 I will skip them in the interest of time,
10 but for all of the reasons, the SRIS is
11 seriously, probably fatally flawed and
12 should be declared unacceptable.

13 The second reason, the
14 citizens of this state and of this
15 country will find the idea of a permanent
16 nuclear waste repository acceptable only
17 if they do not feel threatened by it.

18 As the program implementer,
19 the DOE is charged with the
20 responsibility of making us feel less
21 threatened by what is contemplated by the
22 SRIS.

23 Here too, not only the DOE,
24 but also the SRIS itself is counter
25 productive.

We feel that we are being

231-2
32-1

32-1

429

16-Jun-89: TS-00627, PAGE 4 OF 9
 1 lied to. We feel that the -- that WIPP
 2 is a big lie thrust upon us by our
 3 Government and large defense contractors
 4 to cover their rear ends for past foul
 5 ups.

6 It seems the major concern
 7 is not national security, but job
 8 security, both yours and those of the
 9 so-called people in the private sector.

10 A case in point is the
 11 several roles played by Westinghouse in
 12 this whole dirty business. As both the
 13 producer of weapons-grade materials and
 14 the contractor supervising the clean-up
 15 at Fernald, Savannah River, Hanford and
 16 Idaho National Laboratories, and then the
 17 contractor and builder of the operating
 18 WIPP site, Westinghouse literally has it
 19 coming and going.

20 Further, the
 21 Price-Anderson Act exempts Westinghouse
 22 for all liability for injuries, deaths
 23 and environmental contamination resulting
 24 from these operations.

25 Given this set-up, how can

32-1

3.1-5

438

16-Jun-89: TS-00627, PAGE 5 OF 9
 1 we as citizens, possibly believe that
 2 Westinghouse-WIPP would ever reject
 3 materials received from another
 4 Westinghouse managed facility?

5 We believe it's not a pilot
 6 project at all.

7 Obviously, as far as
 8 Westinghouse is concerned, once the stuff
 9 is in place in the WIPP site, it's not
 10 coming back out.

11 Without meaningful
 12 independent oversight, Westinghouse has
 13 every incentive to unload their biggest,
 14 nastiest problems right into the salt
 15 mines, and then breathe a big sigh of
 16 relief.

17 We believe that's exactly
 18 what they intend to do.

19 Three, start up and
 20 operating problems must be anticipated
 21 and eliminated or reduced by
 22 investigating any and all alternatives
 23 where ever they exist.

24 Accurate modeling of all
 25 alternatives and analysis of their

32-1

53-1
7.146

431

16-Jun-89: TS-00627, PAGE 6 OF 9

probably outcomes should be employed.

Here too, the SEIS is misleading because it appears obvious that the DOE knew the conclusion it was going to reach before drafting of the initial document even began.

Each of the three alternatives, and certainly there are more than three, is not considered thoroughly.

Only the preferred alternative described in this SEIS is any kind of a model at all.

The proposed action alternative, let's face it, is actually implementation without testing.

Why does the no action alternative, the safest and the sanest of the three alternatives discussed in the SEIS, get the shortest shrift?

The DOE would have us believe that WIPP implementation is necessary now to clean up problems that resulted from improper planning and rushed implementation in the past.

7.14-6

232-2
5.3-1

5.1-2

52-1
52-231-2
32-1
4.1-3

432

16-Jun-89: TS-00627, PAGE 7 OF 9

And now you want to do it again!

If the clean-up program carries a price tag of 200 billion dollars and the materials are going to be around for another quarter of a million years, don't you think you owe it to the American people to do the job?

I don't like rushing.

We believe the SEIS describes a radioactive Love Canal or Times Beach in the making.

Furthermore, we don't believe that the DOE can prove that we're wrong in that assessment.

I don't care if it's five minutes.

And finally, four, implementation can be effected if and when, and only if and when, those problems encountered in the test phase are completely addressed and minimized or totally eliminated as determined by further testing.

Further testing doesn't mean

31-2
32-1
4.1-3

5.1.1-1

3.1-3

433

16-Jun-89: TS-00627, PAGE 8 OF 9
 requesting waivers from compliance.

Throughout all testing, retesting and eventual implementation if warranted, conformance with EPA standards is an absolute must.

Testing must be verified independently and completely in all phases.

HEARING OFFICER O'RIORDAN:
 Excuse us.

MR. TIRJAN: Sure.

HEARING OFFICER O'RIORDAN:
 Finish up.

MR. TIRJAN: Finally, the dressing up of a ten year old document in a slap-dash fashion to meet some artificial deadline, is just one more example of a "good enough for Government work" mentality that we as citizens and taxpayers find insulting and infuriating.

We deserve better, and we'll insist upon better value for our tax dollars.

We are sincerely asking the DOE, as our public servant, to become

3.1-3

2.3.1-2

434

16-Jun-89: TS-00627, PAGE 9 OF 9

part of the solution, not a part of the problem.

I thank the DOE for inviting public comment on the SEIS and only hope that you will incorporate our concerns and recommendations in your decision making.

Clearly a 1989 opening is our of the question if the DOE acts responsibly.

We would welcome the opportunity to participate in future hearings as you look for solutions to these dreadful problems.

Since the future of humankind as we know it may well depend on finding those solutions, we intend to watch you and hopefully work with you, every step of the way.

Thank you.

HEARING OFFICER O'RIORDAN:
 Is Peter Plummer here?

Do you have written comments that you want to make a part of the record?

2.3.1-2

435

16-Jun-89: TS-00628, PAGE 1 OF 3

1 MR. PLAMMESER: I'll do that
2 later on.

3 HEARING OFFICER O'RIORDAN:
4 You'll submit those later?

5 MR. PLAMMESER: My name was
6 spelled wrong.

7 HEARING OFFICER O'RIORDAN:
8 Okay, let us correct it, thank you.

9 MR. PLAMMESER: Okay, my
10 name is Peter Plammeser and I am a
11 student here, I am from Austria in
12 Europe, and I've been living here for
13 about a year now.

14 I would like to thank you
15 for giving me the chance to share my
16 feelings and thoughts about the ways you
17 are dealing with nuclear waste here.

18 I am really concerned about
19 the fact that many questions remain
20 unresolved as to the suitability of the
21 selected WIPP site to effectively isolate
22 radioactive waste from the biosphere, for
23 even a short period of time.

24 I always doubt that highly
25 toxic substances can be transported on

436

16-Jun-89: TS-00628, PAGE 2 OF 3

1 public roads, especially here in New
2 Mexico, without presenting a terrible
3 threat to the health of the people living
4 along these routes, and the environment.

5 I was in Europe when the
6 accident of Chernobyl happened, when
7 daily activities became a threat to life.

8 We couldn't go outside, we
9 couldn't sit in the grass, we couldn't
10 swim in the water, we couldn't drink the
11 milk anymore, we couldn't eat fresh
12 fruits and vegetables, and we had to live
13 with the threat of having to suffer from
14 eventual effects of the nuclear
15 radiation, as the people in Russia did.

16 I don't believe that the way
17 nuclear waste is handled today can be
18 called safe in any way, because of the
19 infinite number of risk factors involved.

20 I would rather see you spend
21 your time, money and energy in finding
22 ways of reducing nuclear waste and its
23 production, for the benefit of us all.

24 We're all sitting in the
25 same boat, called Planet Earth. Let's

36-2
53-1

16-Jun-89: TS-00628, PAGE 3 OF 3

1 keep her alive.

2 Thank you.

3 HEARING OFFICER O'RIORDAN:

4 You're welcome.

5 Is Dirk Loeka here,

6 L-o-e-k-s?

7 UNKNOWN SPEAKER: He is, I
8 think he went to find his wife.

9 HEARING OFFICER O'RIORDAN:

10 Okay, I'll call him again later on then.

11 Is -- Kathleen then, she's
12 not here either, okay.

13 Is Richard Bogg here,

14 B-o-g-g?

15 (No response.)

16 I'm going to call some of
17 the names of the pre-registered people,
18 that I don't have an indication if
19 they're here or not, so I'll just make
20 sure.

21 Is David Vanstrum here?

22 MR. VANSTRUM: Here.

23 HEARING OFFICER O'RIORDAN:

24 Would you like to speak, Mr. Vanstrum?

25 MR. VANSTRUM: All right.

16-Jun-89: TS-00629, PAGE 1 OF 8

1 HEARING OFFICER O'RIORDAN:

2 I'm sorry, you're David Vanstrum?

3 MR. VANSTRUM: Yes.

4 HEARING OFFICER O'RIORDAN:

5 Okay.

6 MR. VANSTRUM: I'm sorry Mr.

7 Arthur is not here, because I began to
8 wonder if he and I were talking about the
9 same report.

10 I just want to know if he's
11 read this?

12 HEARING OFFICER O'RIORDAN:

13 Could you please --

14 MR. VANSTRUM: David

15 Vanstrum, Post Office Box 333, Santa Fe,
16 New Mexico.

17 HEARING OFFICER O'RIORDAN:

18 Do you have written comments that you
19 would like to submit as part of the
20 record?

21 MR. VANSTRUM: I will mail
22 them when I'm finished.

23 HEARING OFFICER O'RIORDAN:

24 Okay, that's fine.

25 MR. VANSTRUM: The 1988 SEIS

16-Jun-89: TS-00629, PAGE 2 OF 8 439

1 did not tell us about the hazardous
2 chemicals.

3 What does this report omit?
4 I want answers to the questions, boy I'm
5 mad, personally.

6 Proposed action is the most
7 lethal alternative being considered.
8 S-12 clearly states that, S-4.

9 You tell us that you didn't
10 tell us about hazardous chemicals when
11 you knew they were there.

12 S-28, you say you're going
13 to fix the disturbed rock zone by making
14 more disturbances through mining.

15 The undisturbed repository
16 no longer exist!

17 Interim storage may have
18 long term problems and the necessity of
19 opening WIPP is not a consequence.

20 Another choice is to
21 reprocess this material. Then more new
22 death is unnecessary. You already then
23 reduce the volume of storage by 25 per
24 cent.

25 Overview, Section 2-1, Zone

7.9.3-1
7.9.3-3

5.1-2

3.2-1

7.7.2-5

2.2-3

7.4-1

16-Jun-89: TS-00629, PAGE 3 OF 8 448

1 4, 28 sections of land you took out of
2 the program, there's no longer that
3 buffer there to inhibit disturbance by
4 mining and drilling.

5 2-11, you say the generators
6 who make this (sic.) get to certify
7 that their packages are going to meet all
8 your standards. That's like having the
9 fox watch the chickens.

10 If additions happen to WIPP,
11 this is a quote, the waste will be
12 brought back to the surface and might not
13 be sent back to the generator or storage
14 facility of origin.

15 Well where will it go?

16 Are you going to leave it
17 sitting out there until you decide what
18 you're going to fix down below, where all
19 the cracks are and all the brine is
20 coming in?

21 If the waste shipper handles
22 transport accident response, doesn't this
23 omit any kind of check or balance?
24 Doesn't the shipper have a motive to
25 conceal his (sic.)?

7.4-1

7.12.4-10

5.1-1
7.12.6-7

7.3.2.1-11

16-Jun-89: TS-00629, PAGE 4 OF 8

1 What are you going to do,
2 hire the wolf to watch the chickens
3 again?

4 Tin soldiers and WIPP are
5 coming, we're finally on our own. This
6 summer we hear the drumming, bury death
7 in New Mexico, take your first born and
8 watch him glow.

9 Sisters, brothers, we must
10 say no.

11 Then you get to 3, Volume 1.
12 This tells us what you're going to do,
13 this is wonderful.

14 You tell us that you're
15 going to bring 6.4 million cubic feet of
16 this stuff over the highways, 4.67 trucks
17 per day for the next 28 years. That's
18 equivalent to twice the volume of the pit
19 at U.M.M. That's equivalent to the
20 volume of -- more than the volume of Vis
21 Linda Mall.

22 You tell us here, Page 3-32,
23 the only way to analyze what will happen
24 is to go ahead and do it.

25 I don't believe you! I do

7.3.2.1-11

1-2

32-1
7.3.5.1-5

5.1.1-1

16-Jun-89: TS-00629, PAGE 5 OF 8

1 not believe you!

2 Page 3-13, you show us the
3 pressure cooker. You're going to fill
4 this thing up, you're going to put all
5 this shit (sic.) in here, you've got
6 vents in these things because they blow
7 up if you don't vent them, that means
8 these things are under full pressure.

9 Boy, I'd love to be in the
10 waste handling room when these things
11 arrive, open them up, guess what's going
12 to pop out.

13 A and B annex, and the
14 appendices, here you tell us the 34,888
15 tons of mixed waste is coming from
16 Colorado. You tell us that of that
17 18,243 pounds is pure radioactive
18 elements.

19 The Hiroshima bomb had five
20 pounds of radioactive elements.

21 Nowhere in this document, or
22 in the previous 1988 document, do you
23 discuss criticality within the salt
24 pits.

25 Nowhere do you mention a

2.3.1-1
5.1.1-1

7.3.1.1-16

7.14-3

443

16-Jun-89: TS-00629, PAGE 6 OF 8

possibility that this salt, as it creeps, could compress this stuff and actually create a critical mass and cause a nuclear detonation, although you did admit it when you were talking about the volumes that you had to reduce inside the canister.

Section 4, in here you talk about the existing environment, the biology, the stratigraphy (phonetic), the geology, the hydrology, and the brines. Brines, there weren't any brines in 1988, but suddenly, Appendix C, you tell us there are brines, a lot of brines, you don't even know how much.

In fact, the testing tool that you used didn't work right, and you say so.

D-54, additional testing recommended. E-1-55, sufficient time not available. E-1-56, testing conditions prevented collection of data. E-1-57, the magnitude before we cannot be determined from the available data, uncertain test tool, test unsuccessful, test tool cannot

7.14-3

3.1-2

444

16-Jun-89: TS-00629, PAGE 7 OF 8

be configured.

Section 5 -- I want my money back, how about you?

(Applaud).

We want our money back. You applaud that the risk is --

Appendix C is fictional.

Section 6, mitigation, makes it clear that DOE does not how to seal this thing.

You're going to put it down there and you still don't know how to seal it, you tell us that.

The law requires you to re-evaluate the actual situation instead of the hypothetical case that you present in these books.

D, the most heavily traveled route being planned is a two-lane black-top in New Mexico. Was an accident risk calculated using the by-pass for Santa Fe? Because that hasn't happened.

Although you don't know how you're going to ship it by rail, you seem to know what the risks are. I don't

3.1-2

16-Jun-89, TS-00629, PAGE 8 OF 8 445

believe that.

General comment. I still haven't found any discussion for potential for unintentional criticality.

I have a lot more to say, you'll get it by mail.

HEARING OFFICER O'RIORDAN:
Thank you.

I don't want to interfere with your right people, but it makes it very difficult for the court reporter to get his comments at the same time with the -- during the presentation. After the presentation is fine.

MR. VANSTROM: I'd be glad to repeat that.

HEARING OFFICER O'RIORDAN:
No, that's fine. We'll get your written comments.

COURT REPORTER: I turned it up and I got it, but I don't know if I always will, because I'm not sure everything will come through.

Sometimes high tones don't come through as well as low tones.

3.1-2

446

HEARING OFFICER O'RIORDAN:

Okay, is --

UNKNOWN SPEAKER: We have thoughts too.

HEARING OFFICER O'RIORDAN:

I understand that and I don't want to interfere with that, but I want everybody to be able to get their comments in and get it on the record.

UNKNOWN SPEAKER: I'm responsible for the --

UNKNOWN SPEAKER: I have a question.

HEARING OFFICER O'RIORDAN:

Yes, sure.

UNKNOWN SPEAKER: It's not a procedural law that we cannot emote when the speaker is speaking.

HEARING OFFICER O'RIORDAN:

No, it's just that she can't -- she just can't --

We're trying to make a transcript, which is the object of this, and when there's clapping going on at the same time that someone is speaking, she

447

1 can't get the words.

2 UNKNOWN SPEAKER:

3 (Inaudible).

4 HEARING OFFICER O'RiORDAN:

5 Yeah, it just interferes.

6 Well if it gets to the point
7 that it interferes with the speaker, to
8 me I think that's not fair, it defeats
9 the purpose of what we're trying to do,
10 namely have the speaker make their
11 presentations.

12 From my observations --

13 UNKNOWN SPEAKER: Well we
14 just wanted --

15 HEARING OFFICER O'RiORDAN:

16 I haven't finished yet, I'm sorry.

17 From my observation, almost
18 every speaker that we've had, has had a
19 very well prepared presentations, have
20 read from comments or note cards, and I
21 think it's important that the audience,
22 even though they agree or disagree with
23 them, let the speaker speak and get it on
24 the record.

25 I'm not trying to discourage

448

1 applause, but it's just a practical
2 thing, that's all. Applaud after.

3 UNKNOWN SPEAKER: Now about
4 if the speaker just waits until we
5 applause and the speaks after?

6 HEARING OFFICER O'RiORDAN:

7 Well we're trying to keep --

8 Well it just gets to be
9 impractical.

10 I mean we have a five minute
11 time limit and we're trying to
12 accommodate a lot of people, and we're
13 really trying to do that.

14 It's worked pretty well so
15 far, and I think it's fair for each
16 person to have their five minute
17 presentation with dignity and peace,
18 whether you agree with them or not, and
19 then every person can submit written
20 comments as they will, until July 11th.

21 It's really the only way
22 that I know of, how to do it.

23 Yes?

24 UNKNOWN SPEAKER: Is it July
25 11th or the 10th?

449

1 HEARING OFFICER O'RIORDAN:
2 I thought it was July 11th. That's what
3 someone -- they told me last night, yes.

4 UNKNOWN SPEAKER: I heard
5 them yesterday that it was July 10th.

6 HEARING OFFICER O'RIORDAN:
7 Well then we better double check. Now I
8 heard July 11th.

9 UNKNOWN SPEAKER: I will
10 check with them.

11 HEARING OFFICER O'RIORDAN:
12 Okay, thank you.

13 Yes, sir?

14 UNKNOWN SPEAKER: Can you
15 give us an explanation as to why you
16 split us up into three rooms?

17 HEARING OFFICER O'RIORDAN:
18 Yeah, I --

19 UNKNOWN SPEAKER: Would you
20 give it again, I missed it.

21 HEARING OFFICER O'RIORDAN:
22 Yeah, I'm sorry, because people --

23 We just had so many people,
24 and the object was simply so that each
25 person could make their five minute

450

1 presentation.

2 UNKNOWN SPEAKER: Couldn't
3 we just stay longer?

4 HEARING OFFICER O'RIORDAN:
5 Well you have -- you just have a simple
6 impracticality of it going on for days.

7 It's already gone on for
8 days.

9 I'm sorry, I haven't
10 finished.

11 UNKNOWN SPEAKER: We can be
12 heard --

13 HEARING OFFICER O'RIORDAN:
14 I mean we have separate hearings in
15 Albuquerque and other cities too. This
16 isn't really that much different than a
17 hearing we had at Albuquerque that
18 someone didn't attend.

19 The need for procedure
20 allows the agency to take public comment.

21 We had an unusual amount of
22 people want to comment, and it's obvious
23 that the people feel strong about it,
24 people have prepared, they've come here
25 at seven in the morning, and we've been

451

1 going all day.

2 We have simply set the three
3 rooms up so that we could accommodate all
4 the people and get all the comments, so
5 that they can be analyzed in preparation
6 of the Final Environmental Impact
7 Statement.

8 UNKNOWN SPEAKER: You mean
9 to accommodate the Department of Energy,
10 not to accommodate the people and
11 citizens.

12 HEARING OFFICER O'RIORDAN:
13 Well it was done to --

14 UNKNOWN SPEAKER: It's my
15 taxes that you're using for the money
16 paid here.

17 HEARING OFFICER O'RIORDAN:
18 Okay, now we have our next speaker --

19 (Crowd talking).

20 HEARING OFFICER O'RIORDAN:
21 Excuse me, we have our next speaker.

22 I'm sorry, we are here to
23 have a -- excuse me, excuse me.

24 We are here to have a public
25 hearing, there are people scheduled to

452

1 speak that are prepared.

2 Now these people have a
3 right to testify, and if we're going to
4 interrupt or be disruptive, we'll have to
5 have you removed from the room.

6 I want to hear these people,
7 personally, and I think they're prepared
8 and they want to testify, and I ask that
9 you extend them the courtesy to let them
10 give their comments.

11 The next person is --

12 UNKNOWN SPEAKER: Can we
13 make one request?

14 This maybe would help
15 alleviate some of the situation.

16 Tomorrow, the hearing stand
17 in Eldorado --

18 HEARING OFFICER O'RIORDAN:
19 Yes.

20 UNKNOWN SPEAKER: I am
21 scheduled and each room is only going to
22 11:30 with people in it, so in the
23 interest of supporting our feelings here
24 about being together, could you see if we
25 could be together tomorrow and have one

453

1 room go until maybe four or five in the
2 afternoon?

3 HEARING OFFICER O'RIORDAN:
4 I will ask, I'm not sure.

5 UNKNOWN SPEAKER: Could you
6 see about that now?

7 HEARING OFFICER O'RIORDAN:
8 No, I'm going to conduct the hearing now,
9 if that's all right.

10 We did in Albuquerque when
11 the people didn't show up, we
12 consolidated to two hearings back
13 together.

14 I just don't know what's
15 going to happen in terms of the number of
16 people.

17 It is July 11th, we checked,
18 the date of the closing comments.

19 I'm sorry, I would really
20 like to proceed.

21 Is Derk Loeks here?

22 UNKNOWN SPEAKER: I'd like
23 to make one comment.

24 HEARING OFFICER O'RIORDAN:
25 I'm sorry, it's Mr. Loek's turn.

454

1 UNKNOWN SPEAKER: I must
2 make this comment.

3 UNKNOWN SPEAKER: Let's hear
4 what she has to say.

5 HEARING OFFICER O'RIORDAN:
6 Okay, go on.

7 UNKNOWN SPEAKER: I am an
8 author and a television producer, and
9 I've spoken before large audiences.

10 They put me in Room 2, they
11 have divided in the intent to cover up.

12 HEARING OFFICER O'RIORDAN:
13 We've gone over that. We've already gone
14 over that ma'am, I'm sorry.

15 UNKNOWN SPEAKER:
16 (Inaudible).

17 HEARING OFFICER O'RIORDAN:
18 We've gone over that.

19 UNKNOWN SPEAKER: Let's meet
20 downstairs at 6:30 and let's do a
21 meditation.

22 I will allow everyone to
23 participate, and let's try and focus
24 towards Washington, D. C., and our words
25 being heard.

455

1 UNKNOWN SPEAKER: Yes.
 2 HEARING OFFICER O'RIORDAN:
 3 Okay, Mr. Loeks.
 4 UNKNOWN SPEAKER: We will
 5 not be divided.
 6 HEARING OFFICER O'RIORDAN:
 7 That's fine.
 8 UNKNOWN SPEAKER: We will
 9 now --
 10 HEARING OFFICER O'RIORDAN:
 11 It is now Mr. Loeks --
 12 UNKNOWN SPEAKER: (Inaudible
 13 shouting).
 14 HEARING OFFICER O'RIORDAN:
 15 I'm sorry, we're going to have to ask for
 16 security to remove the people who are
 17 disturbing.
 18 I want to have the other --
 19 Mr. Loeks and the other people testify,
 20 including his wife.
 21 Mr. Loeks, are you ready?
 22 MR. LOEKS: Yes.
 23 HEARING OFFICER O'RIORDAN:
 24 Okay, thank you.
 25 MR. LOEKS: Would you

456

1 explain the lights?
 2 HEARING OFFICER O'RIORDAN:
 3 There are five minutes to testify, the
 4 green light goes on when there's a minute
 5 left, or at four minutes.
 6 MR. LOEKS: Okay.
 7 HEARING OFFICER O'RIORDAN:
 8 The red light is when your time is up and
 9 I would ask that you would conclude.
 10 If you have a written
 11 exhibit, I can make it a part of the
 12 record right now.
 13 MR. LOEKS: Okay. My name
 14 is Derk Loeks, and I've been working in
 15 the southwest region since 1969, usually
 16 for Government agencies, but not always.
 17 (Inaudible talking).
 18 HEARING OFFICER O'RIORDAN:
 19 Are you all right? Do you want to talk
 20 some other time?
 21 UNKNOWN SPEAKER: I just
 22 wanted to tell them we were in an
 23 accident.
 24 HEARING OFFICER O'RIORDAN:
 25 Okay.

16-Jun-89, TS-00630, PAGE 1 OF 8

16-Jun-89: TS-00630, PAGE 2 OF 8 457

1 UNKNOWN SPEAKER: I'm
2 speaking, but we were in an auto
3 accident, I just got back from the
4 emergency room.

5 HEARING OFFICER O'RIORDAN:
6 Are you okay to talk?

7 MR. LOEKS: Should we go
8 later?

9 MS. LOEKS: No, it's okay,
10 I'm --

11 HEARING OFFICER O'RIORDAN:
12 Okay, Mr. Loeks, please.

13 MR. LOEKS: I object to --

14 HEARING OFFICER O'RIORDAN:
15 Can I have your address please, you need
16 your name and address.

17 MR. LOEKS: 615 Calle De
18 Leon, Santa Fe, 87505.

19 It's been really adequately
20 covered, but the reading of the SEIS
21 documents show how deeply flawed the
22 procedure is at this time for storing
23 waste there.

24 It's difficult for me to say
25 how much feeling I have about this

2.3.1-2

16-Jun-89: TS-00630, PAGE 3 OF 8 458

1 particular topic, because I do not want
2 the waste stored the way it's being
3 stored in Idaho and other areas.

4 As far as I'm concerned,
5 that's a time bomb also.

6 I want to get it out there,
7 I want to get it in a safe storage area,
8 but pushing it into this area before the
9 area is safe and completely clear, is
10 really a deep mistake.

11 My family and I were in
12 Stockholm at the time that the Chernobyl
13 event happened, and you cannot conceive
14 until you've been there, what it's like
15 to wake up in the morning, knowing that
16 your children have been playing for days
17 out in the sandbox and in the grass and
18 in the water, and finding out after the
19 fact, that it was radioactive, and not
20 knowing how much.

21 No one, even if you say that
22 everyone has the best of intentions, no
23 one knows what has happened until a long,
24 long time afterwards.

25 You don't know how bad it

3.1-2

7.3.5.1-12
7.3.5.2-4
7.3.5.4-3

459

16-Jun-89: TS-00630, PAGE 4 OF 8

1 is, and this situation is that we won't
2 know how bad it is just driving down the
3 highway fifteen feet behind one of these
4 canisters, no one really understands
5 this.

6 And to see the faces of the
7 people in Sweden who just love their
8 nature so much, as they realized that
9 they could not gather the herbs that they
10 like to gather in the springtime, that
11 they could not go out and fish the way
12 they wanted to fish, that their waterways
13 were polluted that they spent two decades
14 trying to clean out, that they had to
15 rush all their cows into the barn because
16 the cows couldn't feed from the fields,
17 and to not know how the stuff
18 distributes, because you could have very,
19 very high concentrations in one area, and
20 you could literally move 15 or 20 feet in
21 another direction, and the concentration
22 level would drop.

23 So you could have a test at
24 one location of whether there was
25 radioactivity, and that test wouldn't

7.351-12
7.352-4
7.354-3

460

16-Jun-89: TS-00630, PAGE 5 OF 8

1 tell you anything about what was
2 happening 200 yards away.

3 So there was this tremendous
4 uncertainty about what you're eating and
5 what you're doing.

6 To see this one old man
7 reaching out to pick up nettles, because
8 they like to make nettle soup in the
9 springtime, and he was reaching down to
10 pick the nettles and to have his daughter
11 come up and touch his arm and whisper
12 into his ear, no, you can't pick it, you
13 can't eat it.

14 This had been this man's
15 life forever, and it was just a ritual,
16 being able to gather from the land to
17 feed each other.

18 And the situation that we
19 were faced in, of all the sudden having
20 children there, and there's no adequate
21 preparation because no one really
22 understands what to do, so we had to go
23 out and we were in the position of buying
24 as much milk as we could, that was
25 pre-dated from the Chernobyl event.

461

16-Jun-89: TS-00630, PAGE 6 OF 8

1 But there's only so much
2 milk to pre-date. Everything that I
3 bought for my child, was something less
4 for somebody else's child.

5 I informed all my friends,
6 go and buy your work, buy your food,
7 previous to this date, look at the stamp
8 mark on it and get it.

9 But everything that they
10 bought would be less for somebody else.

11 So it becomes a situation of
12 the informed unwittingly having to have
13 an advantage over the uninformed.

14 That's a terrible position
15 to be in.

16 We had a situation where
17 setting up, as people come into the
18 house, taking the clothes off, washing
19 the feet, washing the body, having a safe
20 room, that you don't walk past that and
21 then back.

22 Then at the same time, all
23 this tremendous information being said,
24 oh there's no problem, there's no
25 difficulty, don't worry about it.

462

16-Jun-89: TS-00630, PAGE 7 OF 8

1 But two channels of
2 information were happening at the same
3 time.

4 So we took our precautions
5 and I came back and I was tested out at
6 Lawrence Livermore Laboratory, and I did
7 everything right while I was there, there
8 was no trace of radioactivity in myself
9 and my family, but it was a real living
10 hell.

11 The feeling when I left
12 there was that I'm leaving, but what
13 about my friends who are staying?

14 All these years later, as
15 I've come back to Scandinavia just
16 recently, and they're talking to me about
17 what has happened since then, and the
18 fact that the levels of radiation that
19 were supposed to decrease over a period
20 of time, is actually increasing.

21 That which was predicted to
22 decrease is increasing, because it
23 behaves in ways that people don't really
24 understand.

25 So my last comment is from a

16-Jun-89: TS-00630, PAGE 8 OF 8

463

systems standpoint.

From a systems standpoint, we know that when we make bad decisions and we know we're making bad decisions, then we're guaranteeing a situation that the glitches and the errors that will happen, are going to be negative, destructive, glitches and errors.

If we make decisions that are good decisions, and we know we're making good decisions, we're increasing the possibilities that the errors that happen will also -- which will happen, we'll always have errors, but those errors will tend to give us more positive information that will help us.

In this situation, we're making bad decisions and we're guaranteeing that the errors that happen will be destructive errors.

Thank you.

HEARING OFFICER O'RIORDAN:
You're welcome. 16-Jun-89: TS-00631, PAGE 1 OF 3

Kathleen Looks?

MS. LOOKS: I would like to

16-Jun-89: TS-00631, PAGE 2 OF 3

464

introduce Jedediah Looks, who was in Stockholm, six months old, when Chernobyl happened.

He is now, by God's grace, a healthy four year old, and Elisha Looks who also was in Stockholm when Chernobyl happened. Also, he was two years old.

My husband has pretty much told you about how it felt to be there when it happened, and I'm sure my report will be even a little bit more emotional.

I came home from work and a friend called me from California, to tell me that there was radioactivity in Stockholm, and my kids were out in the sandbox.

I said what has happened to the news media in Stockholm, that I don't know about this from the newspapers and the radios in Sweden.

Those of you who know about Sweden, it's an extremely well organized country, there's only eight million people.

Their issues and ours are

465

16-Jun-89: TS-00631, PAGE 3 OF 5

1 not even comparable. I mean when they
2 have to give socialized medicine, it's
3 only to eight million people, it's like
4 just doing it for the city of Los
5 Angeles.

6 Their information is very
7 fast, their radio, their television, it's
8 all Government run, so if they need to
9 get something out, it goes a lot faster
10 than it does here.

11 Yet we were totally in the
12 dark. We didn't know what was happening.

13 We didn't know what we could
14 eat, we didn't know about the air that we
15 were breathing.

16 As a mother, I wanted to get
17 my kids out as fast as possible.

18 We didn't even know if we
19 could go up in airplanes, because we
20 didn't know what was in the air.

21 So I had to wait ten --
22 basically ten days before they could
23 analyze the air enough to know whether we
24 could go out and leave, because I felt I
25 might be safer inside with them.

466

16-Jun-89: TS-00631, PAGE 4 OF 5

1 I know that if something
2 happens with the trucking it isn't going
3 to be the same as Chernobyl, that's
4 catastrophe way beyond what we're talking
5 about with the trucks, so in a way it's
6 not realistic to compare them.

7 But I do say, having gone
8 through that, a nuclear accident is not
9 something that is a pretend experience
10 for me, it's very real, and I don't
11 believe that I'm necessarily going to be
12 the person it's not going to happen to
13 anymore, like maybe somebody else has the
14 cancer and I don't, or the accident might
15 happen in Denver and not in Santa Fe.

16 Having gone through that, I
17 realize how close something can happen in
18 my life.

19 My biggest concern is one,
20 that the trucks are going through Santa
21 Fe and not around it.

22 I'm concerned that our civil
23 defense isn't really set up well enough
24 yet to handle an accident.

25 I'm real concerned about the

7.3.3-3

7.12.9-3
7.12.9-7

7.12.4-15

467

16-Jun-89: TS-00631, PAGE 3 OF 3

1 powder that's inside the containers. I
2 wonder if there's a way that if you're
3 going to have to do this, is there a way
4 that we can get that powder into some
5 kind of situation where it can't be
6 dispersed in the air?

7 Is there a solution to that?

8 I would like to see that
9 addressed more completely than it has
10 been.

11 I think that, you know, the
12 situation about keeping it on site is
13 just as problematic as trucking it, and
14 so I'm not saying don't truck it, but I'm
15 saying let's be safer before we do
16 anything, let's find out more information
17 and then act.

18 Thank you very much.

19 HEARING OFFICER O'RIORDAN:

20 You're welcome. Thank you for coming and
21 telling us.

22 MS. LORKE: Thank you.

23 HEARING OFFICER O'RIORDAN:

24 I would like to call Richard Bogg, he was
25 scheduled to be here, is he here by any

7.12.4-15

3.1-2

468

1 chance? Mr. Bogg?

2 (No response.)

3 Is -- I believe John
4 Harrison is here, John Harrison is
5 next.

6 MR. HARRISSON: Yes.

7 HEARING OFFICER O'RIORDAN:

8 Mr. Harrison's written remarks will be
9 Exhibit 433, for the record.

10 (The document above-
11 referred to was marked for
12 identification as
13 Exhibit No. 433, and
14 received into evidence.)

15 HEARING OFFICER O'RIORDAN:

16 Please give your name and address and
17 begin your presentation.

18 MR. HARRISSON: My name is
19 John Harrison, I'm a British citizen and
20 I reside at 119 Park Avenue in Santa Fe.

21 Over 28 years ago, my
22 brother William died of Leukemia, killed
23 by the nuclear industry.

24 This was the conviction of
25 his doctors, who saw cyclical waves of

16-Jun-89: TS-00632, PAGE 1 OF 8

469

16-Jun-89: TS-00632, PAGE 2 OF 8

1 teen-agers and young children brought
2 into their hospital with leukemia and
3 cancers, within months of atmospheric
4 nuclear testing by the French in the
5 Sahara.

6 My brother's doctor had
7 correlated these events and was in no
8 doubt of the link.

9 Of course, the British
10 Government, like all Government's with
11 nuclear industries, has consistently
12 denied the relationship between nuclear
13 power plants, weapons establishments,
14 waste dumps, and the outrageously high
15 rates of cancer and disease surrounding
16 those sites.

17 Let us remember, when
18 Governments assure us how safe the
19 nuclear industry is, that the same
20 Governments lie to us every day.

21 We all know this, we've come
22 to expect our Governments to deny the ill
23 effects of Agent Orange, cover up the
24 influence peddling or corruption and
25 misrepresent unpleasant, unpalatable

32-1

478

16-Jun-89: TS-00632, PAGE 3 OF 8

1 facts. The British Government is no
2 exception.

3 And now we have evidence of
4 malfeasance and cover-up in the
5 Government nuclear facility at Rocky
6 Flats.

7 The DOE has long argued that
8 their nuclear activities should remain
9 self-regulated rather than controlled by
10 national laws and standards and outside
11 inspectors.

12 What we get is Rocky Flats,
13 and many other horror stories.

14 Why should we trust DOE any
15 more? Or believe it when we're told that
16 the nuclear industry is safe, that the
17 arrangements made in Carlsbad are safe,
18 that the vessels used to transport the
19 nuclear waste is safe? Especially when
20 independent experts testify that they're
21 not.

22 To the sadly shortsighted
23 citizens of Carlsbad who welcome the
24 waste plant because it will bring them
25 money, I want to address the following

32-1

471

16-Jun-89; TS-00632, PAGE 4 OF 8

1 remarks about the infamous Windscale
2 plant in England, which is the equivalent
3 of WIPP in my country.

4 It was so infamous that the
5 Government had to give it a new name,
6 Sellafield.

7 Windscale is currently the
8 biggest nuclear waste dump in the world,
9 and it's also the largest source of
10 radioactive contamination in the world.

11 It was built and is wholly
12 owned by the British Government.

13 Government data show that
14 one child in 68 in the locality of
15 Windscale, has leukemia. Adult cancer
16 rates are also shockingly high.

17 The Government denies any
18 causal link. The Government also covered
19 up for 38 years, the reactor core fire
20 that occurred in 1957, that was far worse
21 than Three Mile Island and almost
22 comparable to Chernobyl.

23 Cancer rates in the whole of
24 Northern England for that period were far
25 higher than average.

472

16-Jun-89; TS-00632, PAGE 5 OF 8

1 Windscale routinely releases
2 plutonium, caesium, curium, americium and
3 radioactive iodine into the environment.

4 And still, until Chernobyl
5 occurred, no testing or restrictions were
6 enforced by the Government on local food
7 production, even though Windscale is
8 located in a highly developed
9 agricultural region.

10 The Government admits to an
11 off-shore underwater lake of discharged
12 waste, including a quarter of a ton of
13 plutonium, which is regularly washed up
14 on the beaches, and yet has never placed
15 of restrictions on fishing in these
16 prolific waters.

17 Independent tests show these
18 fish to be 5000 times as contaminated as
19 fish in other British coastal waters.

20 Storage silos designed to
21 store the waste, leak uncontrollably, and
22 Windscale, according to the Government,
23 has seen 388 accidents, and still the
24 Government assures the public that
25 Windscale is safe.

16-Jun-89: TS-00632, PAGE 6 OF 8

473

I ask the people of Carlsbad to consider one child in 60, in and around Windscale, with leukemia.

You were told that WIPP is quite safe, just like we in Britain are told that Windscale is safe.

These figures mean almost one family in 20, why not just offer the DOE your first born?

At Windscale, nuclear wastes from Britain, Europe and even Japan are processed.

Is there a reason that Japan sends its waste to us?

Why do we, or rather why does our Government allow this?

The people of Carlsbad will recognize the reason. Windscale is the biggest single earner of Japanese yen for the British Government.

The Government assures us Windscale is safe and that all nuclear plants are safe and this is a lie.

I visited one three years ago, and I was allowed to wander freely,

16-Jun-89: TS-00632, PAGE 7 OF 8

474

even in the control room. I don't think that's very safe.

And why three years ago was Whitehall the center of British Government, sealed off and evacuated for four hours when a group of citizens from Windscale emptied a barrel of mud from their shore onto the street?

And why was it cleaned up by men in radioactive protective suits if Windscale is so safe and harmless?

We all remember the trauma of Three Mile Island, that incident produced 13 curies of radioactive iodine. Windscale, over the last 35 years, has released an estimated 188,888 curies, dwarfing Three Mile Island.

The scale of pollution, poisoning, disease and death, and the complicity and silence by the Governments we imagine are there to protect us, violates common decency and common sense.

I am angry to the depths of my soul by the blindness of people, by the willingness to sacrifice life and our

475

16-Jun-89: TS-00632, PAGE 8 OF 8

environment for a very short-term financial gain, by the abuse of our planet and by the lies and denials we are served up.

Windscale and WIPP are grossly anomalous.

We do not have the technology to handle nuclear waste. We do not need nuclear energy. And we do not need nuclear weapons for our security.

Meanwhile, to paraphrase the writer Marilyn Robinson, the people of Carlsbad and all of us, should keep Windscale in mind, it pours plutonium into the world's natural environment and bomb grade plutonium into the world's political environment for money.

HEARING OFFICER O'RIORDAN:

Thank you, Mr. Harrison.

Mr. Harrison, the copy of your written testimony that you gave us, the page isn't copied right, can we substitute, your page for one of ours, it's only a half a page.

Thank you.

476

16-Jun-89: TS-00633, PAGE 1 OF 5

Okay, the next person is Stephan Siegman, is Mr. Siegman here?

MR. SIEGMAN: Yes.

HEARING OFFICER O'RIORDAN:

Oh, Mr. Harrison is Exhibit Number 433, and Mr. Siegman, do you have written testimony you'd like marked for the record?

MR. SIEGMAN: Yes.

HEARING OFFICER O'RIORDAN:

I'll just mark that now. Your testimony will be Exhibit 434, and would you give it to the reporter when you're done?

MR. SIEGMAN: Sure.

(The document above-referred to was marked for identification as Exhibit No. 434, and received into evidence.)

HEARING OFFICER O'RIORDAN:

Thank you.

MR. SIEGMAN: My name is Stephan Siegman, and I live at 695 Galisteo, Santa Fe, 87501.

I am grateful for the

477

16-Jun-89: TS-00633, PAGE 2 OF 5
 1 opportunity to speak here today.

2 I believe the issue of waste
 3 disposal can be personally tried. It is
 4 very important that we do our best.

5 I believe that most of us
 6 are responsible to some degree, for the
 7 safest disposal possible, and for
 8 limiting our use of products that lead to
 9 toxic waste.

10 I hope we all discuss WIPP
 11 in an open and honest manner, with
 12 willingness to let the good outcome
 13 happen, and not necessarily our
 14 individual will.

15 As I understand it, there
 16 were two major reasons for choosing this
 17 site. One, the hydro-geologic stability,
 18 and two, the sparse population and
 19 limited business activity.

20 Neither of these justify
 21 continuing in the present manner.

22 The hydro-geology is far
 23 more liable to spread toxic waste than
 24 previously thought, as clearly stated on
 25 Page S-3 of the summary of the SEIS, and

4.1-1
 7.7-1

478

1 elsewhere. 16-Jun-89: TS-00633, PAGE 3 OF 5

2 Also, the low population
 3 density should not be an excuse for lack
 4 of care or denial of facts.

5 The salient fact that I
 6 think about is regardless of the disposal
 7 method, as long as we produce toxic
 8 waste, the animals, plants and land will
 9 be tainted and people are going to get
 10 sick and die.

11 We only have hard choices,
 12 and the best ones come through honest and
 13 open discussion among interested,
 14 informed people, guided by a loving
 15 desire for good.

16 I am not here to say you
 17 can't put it in New Mexico, which is
 18 really saying it is better for them to
 19 die than for us to die.

20 I believe the responsibility
 21 for much of this waste belongs to all
 22 Americans.

23 I am here to say that I
 24 don't feel safe with the Department of
 25 Energy making decisions about WIPP.

4.1-1
 7.7-1

3.2-1

479

16-Jun-89: TS-00633, PAGE 4 OF 5

I believe they have acted in
a consistently dishonest manner.

I hope the scientists at
U.N.M. will be tightly integrated in the
decision process.

Furthermore, our Governor
has recently shown himself to be unfit
for office in a democracy.

A basic democratic principle
is that citizens can come to an opinion
about any political issue without threat
of punishment.

Governor Carruthers publicly
flouts that guarantee of rights by
suggesting anti-WIPP business should not
receive certain Government contracts.

This is a threat, and it
shows an inability to govern by a
principle we treasure and need.

With this Governor as New
Mexico's first officer, we do have
certain freedoms. We are free to agree
with the Government. We are free to
disagree when our voices are ineffective
or unheard.

3.2-1

3.1-6

9-7

480

16-Jun-89: TS-00633, PAGE 5 OF 5

But when our opinions may

keep the Governor from realizing his
will, we can be penalized.

I call on other New
Mexicans to act on this.

It is in a conflict of wills
that principles are tested.

All Government officials,
by law and by right, must adhere to
democratic principles of truthfulness and
fairness.

Citizens in a democracy are
in agreement to act by principles of
responsibility, humility and
consideration.

I encourage people to live
by these principles.

In a difficult world, we can
find great fulfillment in a clouded and
rock, but always genuine endeavor to do
so.

May God's will, not mine be
done.

HEARING OFFICER O'RIORDAN:

Thank you.

9-7

481

1 Is Jane Aker here, Jane
2 Aker, A-k-e-r?
3 (No response.)
4 Is Ginny Dean here?
5 You're next.
6 MS. DEAN: Okay.
7 HEARING OFFICER O'RIORDAN:
8 Okay, and the reporter is going run her
9 tape just for a second.
10 (Pause.)
11 We are ready. Give your
12 name and address and then proceed.
13 MS. DEAN: My name is Ginny
14 Dean, my address is 2366 Camino Capitan
15 in Santa Fe.
16 I am a opposed to the plan
17 for radioactive waste, transport and
18 storage at the proposed NIPP site, which
19 has already been sited for its flaws.
20 The Department of Energy is
21 once again staging a horrifying scenario
22 with national security and safety as
23 their their, yet concealing the truth in
24 the interest of greed for our tax
25 dollars, and expediency in nuclear

16-Jun-89; TS-00634, PAGE 1 OF 4

1-2

32-1

482

16-Jun-89; TS-00634, PAGE 2 OF 4

1 weapons production, testing, deployment,
2 and war strategy.
3 The DOE continues to lie to
4 the American public and to the world,
5 about the acceleration of its deadly war
6 machine.
7 Despite massive outcries by
8 scientists, health officials, politicians
9 and citizens around the world regarding
10 gross health risks to the planet, the DOE
11 continues full speed ahead to generate
12 radioactive waste fro nuclear power
13 plants, weapons facilities, including
14 unnecessary missile systems and SDI,
15 which are spiraling our economy into debt
16 and depriving us of quality health care
17 and education.
18 Also, the shameful sickening
19 act of nuclear testing that is still
20 going on out in Nevada, which includes
21 unannounced tests by the DOE, unannounced
22 radioactive venting which has been
23 happening since the above ground tests in
24 1958's, which are still affecting people
25 in southern Utah, who have been down wind

32-1

242

16-Jun-89: TS-00634, PAGE 3 OF 4

483

to that, who are still dying from that, their families, a lot of the families, have died.

The DOE is frighteningly out of control, it has been, it still is.

I as the DOE to re-examine its function and drastically change its policies and priorities, to stop all production of radioactive materials, as well as underground nuclear testing, deployment of weapons, and also to stop exposing yourselves, your workers, the land, water and air, to the environmental and health hazards that have resulted, to look into your hearts, as living, breathing humanity, to see the sickening killing, contamination and poisons, in which we are suffocating and dying.

Using the minds of your scientists and workers, to find a safer, more efficient, less costly solution to the present radioactive waste dilemma.

To stop driving our country into debt without outmoded arms race mentality and spending and to create a

3.2-1

3.1-2
3.1-7
3.6-1

16-Jun-89: TS-00634, PAGE 4 OF 4

484

constructive energy policy which addresses the very issues threatening the land, air, water and survival on this planet.

And, to take the lead in creating a local Department of Energy, cooperating with our neighbors around the world, focusing on a global clean-up, insuring a global security that we, our children's children, and all life on this planet deserve.

Thank you.

HEARING OFFICER O'RIORDAN:

You're welcome.

Is Rain Parrish here? Rain Parrish?

You're next.

Do you have written comments? 16-Jun-89: TS-00635, PAGE 1 OF 4

MS. PARRISH: No, I don't.

HEARING OFFICER O'RIORDAN:

You can submit them later if you want.

MS. PARRISH: Thank you, I don't have any written

text.

3.1-2
3.1-7
3.6-1

16-Jun-89: TS-00635, PAGE 2 OF 4: 485

1 My name is Rain Parrish, and
2 I live at 784 Kathryn Street in Santa
3 Fe.

4 I come from Navajo country,
5 one of maybe 388,888 Indian people who
6 live in the southwest.

7 Many of them are at home,
8 dancing for rain, hopefully.

9 I have been following what's
10 been going on for a number of years and
11 it's a very sad and tragic occasion, and
12 I know that many people, not only the
13 southwest, but across the country, share
14 this sadness.

15 I do not know whether as I
16 speak, that changes will be made.

17 I know that in the history
18 of our people, we have been told stories,
19 progressions of our life, that we've come
20 through the earth, and always in this
21 progression, certainly that's what
22 happened.

23 We find within this, a
24 goodness and a sacredness for who we are,
25 in our relationship to the planet.

9-1

16-Jun-89: TS-00635, PAGE 3 OF 4: 486

1 We also find a basket of
2 evils, and I think that what we have here
3 is a nuclear holocaust that's a part of
4 this basket of evils.

5 The question is, how do we
6 deal with it, and whether you will be
7 able to see your grandchildren, your
8 children?

9 Many of my people,
10 relatives, have been affected over the
11 years, from the exposure to work that has
12 been done by the extract of energies by
13 the industries.

14 We have cancer, we have
15 hunger, we have poverty, and we live with
16 this daily.

17 To go home, and to have to
18 eat with utensils that have been
19 contaminated by uranium, plutonium, it's
20 just something that we do now, to have to
21 sleep in a bed of plutonium, to be able
22 to place this waste in the bowels of your
23 Mother, and you do, do this, your own
24 Mother.

25 And find out how you feel

9-1

487

16-Jun-89: TS-00635, PAGE 4 OF 4

1 about this. It's such a devastating
2 event, that I cannot even shed my tears
3 over it.

4 It touches close to home,
5 and I hope that in all the hearings and
6 all the work that you will be doing, that
7 you will consider this, that you will
8 take this home with you, that you will
9 eat with it and you will sleep with it,
10 that you will dream about it, that you
11 will take to your parents, to your
12 grandparents, your grandchildren, know
13 that this will be a part of their life.

14 Thank you.

15 HEARING OFFICER O'RIORDAN:
16 You're welcome.

17 Is Frederick Verawijver
18 here? I think I'm mispronouncing it,
19 it's V-e-r-a-w-i-j-v-e-r.

20 I've called him before and
21 he didn't answer.

22 (No response.)

23 Okay, is Diane Ehlen,
24 E-h-l-e-n here?

25 (No response.)

9-1

488

1 I've called her before and
2 she didn't answer. She's registered to
3 be here.

4 Is Darren Virgil Gray here?
5 Darren Virgil Gray? All right. I had a
6 note that he was here, is he here?

7 (No response.)

8 Is Karen Chisholm here?

9 MS. CHISHOLM: Yes.

10 HEARING OFFICER O'RIORDAN:
11 Do you have written testimony that you
12 would like to make a part of the record
13 at this time? 16-Jun-89: TS-00636, PAGE 1 OF 7

14 MS. CHISHOLM: I'll send it
15 in.

16 HEARING OFFICER O'RIORDAN:
17 Okay that's fine, thank you.

18 Please give your name and
19 address and then start.

20 MS. CHISHOLM: My name is
21 Karen Chisholm, and my address Route 18,
22 Box 142B, Santa Fe, New Mexico 87501.

23 HEARING OFFICER O'RIORDAN:
24 If you want to move the microphone to be
25 more comfortable, that's fine.

16-Jun-89: TS-00636, PAGE 2 OF 7

489

1 MS. CHISHOLM: This is fine.

2 HEARING OFFICER O'BRIEN:

3 Okay.

4 MS. CHISHOLM: Before I
5 start with what I actually prepared for
6 today, I must make mention of how quickly
7 I received the DOE's packet on the rules
8 for conduct at these hearings, after
9 requesting a time to speak.

10 I must also mention, I have
11 yet to receive my card, notifying me of
12 my time to speak.

13 Needless to say, I pursued
14 this of my own accord, only to find that
15 the time I had been given is at a time I
16 will be out-of-town, i.e., tomorrow
17 morning.

18 At any rate, I will not
19 allow my opportunity to speak at these
20 hearings, to merely slip through the
21 cracks and be buried, so to speak.

22 I am here today to speak as
23 a private individual, as a concerned
24 citizen and as a co-habitant of the
25 earth.

8-6

16-Jun-89: TS-00636, PAGE 3 OF 7

490

1 I have just recently moved
2 to New Mexico from Colorado, to attend
3 New Mexico Academy of Massage and
4 Advanced Healing Arts.

5 Prior to this time, I have
6 been active as an emergency medical
7 technician technician basic, for nine
8 years.

9 My concerns regarding the
10 health, safety and the intent of pushing
11 to open the WIPP site by September 1989,
12 is an every growing list, as I sit and
13 listen to the presentations of the last
14 two days.

15 I am concerned not only
16 because of my own personal interest in
17 living in a safe, healthy and hazardous
18 free environment, but also as a member of
19 a "intelligent species" and a prosperous
20 nation.

21 I feel that we owe it to
22 ourselves and to all future generations
23 of the world, to stop the opening of the
24 WIPP site until it is truly proven safe,
25 and meets Federal health and safety

1-3

16-Jun-89: TS-00636, PAGE 4 OF 7 491

1 regulations.

2 We must utilize our
3 intelligence, our natural resources, and
4 our money, to promote life, not to
5 destroy it.

6 I am not an experienced
7 public speaker and I am not particularly
8 comfortable doing this.

9 However, I feel that it is
10 past time that each one of us, as an
11 individual, take responsibility for
12 opening our own eyes, and really seeing
13 what we are allowing to happen to our
14 water, to our air, to our food, to our
15 relationships amongst all peoples that
16 inhabit the earth, not to mention the
17 earth herself.

18 But when it comes to
19 polluting, we don't even stop there, we
20 just continue to dump stuff out in space,
21 who will ever notice?

22 Well I for one, have
23 noticed, and I want it to stop.

24 I want the DOE to open its
25 eyes and to take responsibility for its

1-3

3.1-8

16-Jun-89: TS-00636, PAGE 5 OF 7 492

1 job and for its obligations to the people
2 of New Mexico and the United States.

3 I want the DOE to have the
4 guts and the integrity to recognize that
5 the proposed WIPP site is not
6 environmentally safe, instead of trying
7 to sweep the entire issue into a big hole
8 in the ground, where it will totally be
9 forgotten.

10 I want the DOE to see it as
11 not a preferred alternative to open WIPP
12 as soon as possible, without complying to
13 EPA standards, of which the old
14 standards, thrown out by the First
15 Circuit Court of Appeals in 1987, do not
16 count, and of which the DOE's entire
17 Supplemental Environmental Impact
18 Statement is based on.

19 Also, the fact of the
20 potential for human error was not even
21 considered or calculated into the
22 accident and exposure risks of the sites,
23 is appalling to me, and it appears to me
24 to be a gross oversight, considering the
25 disasters that human error have created

3.1-8

3.1-3

7.35-1
7.13.3-1

16-Jun-89; TS-00636, PAGE 6 OF 7

1 at Chernobyl, Three Mile Island, and most
2 recently, the Exxon oil spill.

3 In my mind, it does not take
4 a degree in statistics or nuclear physics
5 or environmental studies, to only mention
6 a few, to have the common sense, and the
7 ability to recognize that the existing
8 SEIS is inadequate, and that there should
9 be no WIPP until it meets Federal health
10 and safety regulations.

11 Along with this, I am very
12 concerned about the choice of the truck
13 transport of waste material to the WIPP
14 site, as opposed to rail transport.

15 Even now, the DOE admits
16 that train transport is safer.

17 I also feel that the chosen
18 route, right through the middle of Santa
19 Fe, at its busiest intersection of St.
20 Francis and Cerrillos, is not even an
21 option.

22 Not only is this route of
23 transport an accident waiting to happen,
24 but the shipping containers to be used
25 for transporting the nuclear waste

7.3.5-1
7.13.3-1

1-3

7.3.2-4

7.3.3-3

7.3.1-2

16-Jun-89; TS-00636, PAGE 7 OF 7

1 materials, are still not certified by the
2 nuclear regulatory commission.

3 These are only a few of the
4 obvious reasons to not allow WIPP to open
5 in September 1989, and yet I feel that
6 they are more than adequate.

7 Just think for a moment, if
8 the DOE would stop concentrating our tax
9 money, our human resources, and its
10 intentions, on building power and greed,
11 and on playing musical chairs,
12 shuffleboard and Russian roulette with
13 nuclear waste, and instead, putting those
14 energies into real solutions, into
15 permanent solutions.

16 Could it be that we might
17 not even have any nuclear waste to
18 dispose of?

19 Thank you.

20 HEARING OFFICER O'RIORDAN:

21 You're welcome. 16-Jun-89; TS-00637, PAGE 1 OF 7

22 Is Karen Maas here, Karen
23 Maas, M-a-a-a here?

24 MS. MAAS: Yes, I am.

25 HEARING OFFICER O'RIORDAN:

7.3.1-2

495

16-Jun-89: TS-00637, PAGE 2 OF 7

1 Would you like to speak now? You were
2 scheduled for seven, but if you'd like to
3 speak now, you'll be our last speaker
4 before dinner, how's that?

5 MS. HAAS: That's great.

6 HEARING OFFICER O'RIORDAN:

7 An you have written comments that you
8 would like to put in the record now,
9 correct?

10 MS. HAAS: Yes.

11 HEARING OFFICER O'RIORDAN:

12 We will make Ms. Karen Haas' comments,
13 Exhibit 435.

14 (The document above-
15 referred to was marked for
16 identification as
17 Exhibit No. 435, and
18 received into evidence.)

19 I'm getting tired.

20 Please give your name and
21 address and begin.

22 MS. HAAS: Okay, my name is
23 Karen Haas, my mailing address is Post
24 Office Box 9132, in Santa Fe, the zip
25 code is 87504.

496

16-Jun-89: TS-00637, PAGE 3 OF 7

1 HEARING OFFICER O'RIORDAN:

2 Take a deep breath and --

3 MS. HAAS: I just did.

4 I am a registered voter and
5 resident of New Mexico, and I've chosen
6 to speak here today to demonstrate my
7 concern about WIPP.

8 I would like to briefly
9 address the issues of WIPP's impact on
10 the environment and our health.

11 It is my understanding that
12 the long-term radioactive releases from
13 WIPP and subsequent environmental
14 impacts, cannot be accurately predicted
15 from the information the DOE has compiled
16 about the site, to date.

17 The DOE's long-term release
18 scenarios are based on a chain of
19 assumptions that cannot be considered
20 credible.

21 Different interpretations of
22 the same data, or use of slightly
23 different, but equally plausible models,
24 reveal the potential for massive
25 contamination of ground water, air and

7.14-6
7.14-9
7.14-15

497

16-Jun-89: TS-00637, PAGE 4 OF 7

1 soils from the facility, and resulting
2 negative health effects on humans, plants
3 and animals.

4 The DOE selectively analyzes
5 possible release paths for radioactivity
6 from WIPP, randomly dismissing some,
7 while down-playing the significance of
8 others.

9 The DOE says that airborne
10 releases during the operational phase
11 will be cut by 99.999 per cent by filters
12 on the ventilation system, and assumes
13 that this filter system will never fail.

14 Filtration systems have been
15 a weak point at many other DOE facilities.

16 The DOE goes on to say that
17 surface water releases aren't analyzed
18 because there are no major surface
19 streams at the present time.

20 It makes this assumption in
21 spite of the fact that mankind is not
22 altering global weather patterns, and
23 that the Pecos River is only 15 miles
24 from the site, and is fed by the same
25 aquifers which overlie WIPP.

7.14-3
7.14-9

7.132-1

7.14-9
7.14-13
7.14-46

498

16-Jun-89: TS-00637, PAGE 5 OF 7

1 The DOE says that migration
2 through aquifers will not present
3 significant radioactive releases within
4 the 10,000 year control period, yet it
5 also clearly states that aquifer flow
6 rates and direction have yet to be
7 quantified or determined.

8 Regarding health risks, the
9 DOE has not considered the Patcau effect.

10 At the request of the
11 Canadian Atomic Energy Commission, Doctor
12 Patcau performed research to establish
13 the effect of low-dose, long-term
14 exposure to radionuclides.

15 His results, as reported in
16 the March, 1972 issue of Health Physics,
17 suggest an entirely different mode of
18 operation for the damaging effects of low
19 dose, long-term exposure.

20 Through the creation of free
21 radicals, especially of the oxygen
22 molecule, low dose, long-term
23 radionuclide exposure leads to the
24 dissolution of the cell membrane and the
25 eventual death of the cells involved.

7.14-9
7.14-13
7.14-467.13.1-7
7.14-10

499

16-Jun-89; TS-00637, PAGE 6 OF 7

1 Obviously, this wrecks havoc
2 on the immune system and potentiates
3 (sic.) all sorts of immune deficiency
4 diseases.

5 Current research in the
6 field is corroborating Doctor Petcau's
7 original findings.

8 Therefore, we have a health
9 risk for a low dose, long-term
10 radionuclide exposure, that is 1,555
11 times more dangerous than is currently
12 accepted by the DOE or any standard
13 setting body.

14 Without considering the
15 Petcau effect, the health risk of the
16 routine releases of radiation during
17 normal operation of WIPP, are
18 grossly underestimated.

19 In conclusion, I would like
20 to state that in light of the recent FBI
21 raid of the Rocky Flats Plant, and the
22 Albuquerque office of the DOE, and for
23 the aforesaid reasons, I feel that New
24 Mexico and our legislators must insist
25 that WIPP not open until newly

7.13.1-7
7.14-101-3
3.1-3

500

16-Jun-89; TS-00637, PAGE 7 OF 7

1 promulgated EPA standards have been
2 released, and then met by the DOE WIPP
3 project, with independent verification.

4 Without valid EPA standards
5 in place, and without forcing the DOE to
6 comply with these standards, New Mexico
7 will be setting itself up to be the next
8 Rocky Flats, and WIPP could very well be
9 another DOE facility that will
10 contaminate the environment, endanger the
11 public, and cost billions to clean up.

12 My personal preference would
13 be that WIPP never open.

14 Thank you.

15 HEARING OFFICER O'BRIEN:

16 You're welcome.

17 We have gone past the time
18 scheduled for dinner, and I what I would
19 like to do now is declare a recess until
20 our next scheduled speaker, which is
21 6:58.

22 We will have dinner and
23 refresh ourselves.

24 Yes, sir?

25 UNKNOWN SPEAKER: I would

1-3
3.1-3

501

1 like to make one oral request.

2 I was heard downstairs, I
3 spoke down there.

4 I just want you to know that
5 I feel very bad that I didn't get to hear
6 this group.

7 HEARING OFFICER O'RIORDAN:
8 I understand.

9 UNKNOWN SPEAKER: Because I
10 know that you're not going to have time
11 to read each and every testimony.

12 I feel like there should be
13 an opportunity to talk to each and every
14 one of you because each of your votes are
15 very important, and very important that
16 you hear each of us.

17 HEARING OFFICER O'RIORDAN:
18 It's not -- I should explain, it's not a
19 vote type proceeding.

20 I mean there are people
21 testifying in Albuquerque and Pendleton,
22 Oregon, Atlanta, Georgia.

23 The comments are
24 transcribed, or are written comments,
25 there are written comments of people who

502

1 haven't -- aren't here, and they are gone
2 over and analyzed for issues and
3 responded to.

4 You know, our object here is
5 simply to get everyone who is pre-
6 registered, the opportunity to have their
7 comments made.

8 I understand, but I really
9 want to have dinner.

10 UNKNOWN SPEAKER: I just
11 want to ask if you're going to call on
12 tomorrow's proposal?

13 HEARING OFFICER O'RIORDAN:
14 Yes, I am.

15 I just -- I've never been to
16 that hotel, and when I have dinner I'm
17 going to ask and see what -- if we can do
18 that.

19 UNKNOWN SPEAKER: The
20 ballroom is large enough, and I think we
21 can stay together.

22 HEARING OFFICER O'RIORDAN:
23 Okay, I just --

24 And I don't know, I will
25 have to ask them.

503

1 UNKNOWN SPEAKER: Okay.

2 HEARING OFFICER O'RIORDAN:

3 It's not really my call, and I'll ask.

4 Yes?

5 UNKNOWN SPEAKER: I just
6 want to suggest that the last speaker
7 perhaps provide the recorder with a
8 Petcau reference if you have one.

9 HEARING OFFICER O'RIORDAN:

10 Okay, thank you very much, see you at
11 6:50.

12 (Whereupon, the hearing in
13 the above-entitled matter was adjourned,
14 to reconvene at 6:50 p.m.)
15
16
17
18
19
20
21
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23
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25

503-A

CERTIFICATE

I, LORENE ARGIE, do hereby
certify that I appeared at the time and
place first hereinbefore set forth; that I
took down by means of cassette recording
the entire proceedings had at said time and
place; and that the foregoing pages 228
through 503 constitute a true, correct and
complete transcript of my said cassette
recordings.

Lorene Argie
REPORTER

DEPARTMENT OF ENERGY

PUBLIC HEARINGSUPPLEMENT TO THE
ENVIRONMENTAL IMPACT STATEMENT
FOR THE WASTE ISOLATION PILOT PLANTFriday
June 16, 1989Room One
Second Floor
Sweeny Convention Center
201 West Marsey Street
Santa Fe, New MexicoARGIE REPORTING SERVICE
1000 West 70th Terrace
Kansas City, Missouri 64113
(816) 363-3657I N D E X

<u>SPEAKER</u>	<u>PAGE</u>
Frederick Verswijver	512
Diane Eblen	515
Darren Vigil-Gray	518
Raymond A. Stevens	521
Barbara Stevens	526
Leslie Lakind	533
Kristi Poling	539
Steve Poling	543
Sarah Stout	547
Caitlan Philips	553
Sheila Davies	559
Patty Whalen	566
Glenn Strock	571
Dede Schumacher	577
Jean Nichols	582
Morbid Ugly Child	588
Theresa Moss	591
Francis Martin	598
Marjorie Schuckman	607
Johanna Mayberry	610
Mary Brewer	622
Resa Gordon	627

586

<u>SPEAKER</u>	<u>PAGE</u>
1 Marlow Hotchkiss	638
2 Cynthia Hotchkiss	648
3 Anita Sanders	647
4 Jill Markus	658
5 Bob Page	653
6 Molly Brewton	657
7 Christina Montboeca	664
8 Michael Grodin	671
9 Mark Hess	677
10 Emily Morris	688
11	
12	
13	
14	
15	
16	
17	
18	
19	
20	
21	
22	
23	
24	
25	

587

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

<u>EXHIBITS</u>	<u>PAGE</u>	
NO. 436	Frederic Verswijper	512
NO. 437	Diane Olsen	515
NO. 438	Deann Vigil-Kuep	517
NO. 439	Barbara Stornes	526
NO. 440	Luisa Lohnd	533
NO. 441	Kristi Poling	538
NO. 442	Sten Poling	543
NO. 443	Sarah Stout	546
NO. 444	Caitlen Phillips	553
NO. 445	Patty Whalen	566
NO. 446	Johanna Meyerson	618
NO. 447	Mary Lewis	626
NO. 448	Sue Hordon	626
NO. 449	Jill Markus	649
NO. 450	Bob Page	653

EVENING SESSION

HEARING OFFICER O'RIORDAN:

We're back on the record.

It's approximately 6:58, and we're into the after dinner portion of our comment period.

For those who haven't been here earlier, my name is Hugh O'Riordan, and I'm the moderator.

The object of my being a moderator is to make sure that every person who is registered and wishes to speak, speaks and gets their comments into the record.

Each person has five minutes, and we have little red and green lights up there.

The green light goes on after four minutes, and it means you've got a minute to go, and the red light means you should sum up.

As a courtesy, I ask that everyone treat the speaker as they would like to be treated, especially if you disagree with the speaker, I think that's

only fair.

We've had some clapping during the speeches, cheering the speaker on, that's okay except that it makes it very difficult for the court reporter to get the speaker's remarks on tape.

The whole purpose of the hearing is to get the speaker's remarks on tape so that they will be considered during the drafting of the Final Environmental Impact Statement.

So to the extent feasible, I would, ask that you refrain your cheering and booing or whatever, until after the speaker finishes.

I also would point out that a lot of people here haven't done a lot of public speaking and while they may not admit, they get nervous, especially when you cheer.

While you may think you're cheering a person along, that person may simply -- it may rattle them a little bit.

I would just ask that you be

1 sensitive to the speaker and let the
2 person complete their presentation with
3 dignity and the best that they're able to
4 do.

5 We ask that if a speaker has
6 written comments that we -- that that
7 person submit them to the record right
8 now, we'll give them a number and make
9 them a part of the record.

10 Your comments, even if you
11 don't have written comments, will all be
12 part of the record when the tape is
13 transcribed.

14 You have until July 11th to
15 submit your written comments to DOE, so
16 if you don't have them now you can submit
17 them later.

18 As a matter of fact, people
19 who haven't been a speaker --

20 Anyone can submit comments
21 until July 11th.

22 I also ask that you remember
23 that we have a court reporter and that
24 you try and speak at a reasonable rate of
25 speed and try and speak reasonably

1 distinctly.

2 With that, I will start by
3 calling the list of pre-registered
4 speakers that we have, and then we'll go
5 to the at-the-door registrants.

6 We have called a number of
7 times, Frederick Verswijver.

8 MR. VERSWIJVER: Verswijver.

9 HEARING OFFICER O'RIORDAN:
10 I apologize. Would you like to speak
11 now, sir?

12 MR. VERSWIJVER: Sure.

13 HEARING OFFICER O'RIORDAN:
14 Okay. If you would give your name and
15 address and begin.

16 MR. VERSWIJVER: Okay.

17 HEARING OFFICER O'RIORDAN:
18 Do you have written comments that you
19 would like to have made a part of the
20 record?

21 MR. VERSWIJVER: Yes.

22 HEARING OFFICER O'RIORDAN:
23 Okay, your written comments will be
24 Exhibit 436.

25 When you finish, if you

512

1 would give them to the court reporter.

2 (The document above-
3 referred to was marked for
4 identification as
5 Exhibit No. 436, and
6 received into evidence.)

7 MR. VERSWIJVER: Okay.

8 HEARING OFFICER O'RIORDAN:

9 Thank you.

10 MR. VERSWIJVER: Thank you.

11 My name is Frederick
12 Verswijver, address 581 West San
13 Francisco Street, Santa Fe, New Mexico.

14 In the past, we were led to
15 believe the flawless advances of
16 technology.

17 Recently however, we have
18 been disappointed, outraged and
19 frustrated by the Exxon spill in Alaska,
20 shocked by the burning of the nuclear
21 reactor in Chernobyl, and caught by
22 disbelief when the Challenger exploded.

23 We have overlooked the fact
24 of human error, which had in these
25 incidents, devastating effects.

16-Jun-89; TS-00638, PAGE 1 OF 3

513

1 Officials maintained top
2 priority to safety, and we got the
3 message that such accidents are
4 impossible, given the numerous guarantees
5 they gave us and the facts they
6 substantiate.

7 We were led to believe that
8 such accidents are only possible in a
9 margin of one to a million, but
10 nevertheless, these accidents did happen.

11 It revealed how truly frail
12 technology can be at times.

13 Can we trust the seemingly
14 flawless operation of WIPP?

15 Can we the people of New
16 Mexico still be misled?

17 Can we still be deceived by
18 calculated facts that reduce human error
19 to zero?

20 Can we zero the errors of
21 truck drivers or drunken drivers?

22 Can we zero the errors of
23 storage or the build-up of gases at the
24 WIPP site?

25 Can we zero the errors of

16-Jun-89; TS-00638, PAGE 2 OF 3

514

1 slow intervention of medical personnel?

2 And finally, can we zero the
3 errors of the Department of Energy and
4 unconditionally trust them?

5 The Albuquerque Journal of
6 June 8th, 1989 reports, Rocky Flats probe
7 is first ever of a nuclear facility, I
8 quote, it is the largest environmental
9 investigation in history, and it has to
10 raise very serious questions about
11 forthcoming officials at Rockwell and the
12 Department of Energy have been, and
13 whether the Department of Energy can be
14 trusted to police itself, said Republican
15 David Skaggs, whose district includes
16 Rocky Flats.

17 No longer can, and will we
18 be misled.

19 HEARING OFFICER O'RIORDAN:
20 Thank you for your comments, please give
21 your written portion to the court
22 reporter.

23 Is Diane Eblen here?

24 You're next.

25 MS. EBLEN: Thank you.

32-1

515

1 HEARING OFFICER O'RIORDAN:

2 Do you have written comments?

3 MS. EBLEN: I do.

4 HEARING OFFICER O'RIORDAN:

5 Okay, when you finish your written
6 comments will be Exhibit 437, and if
7 you'd give them to the reporter.

8 (The document above-
9 referred to was marked for
10 identification as
11 Exhibit No. 437, and
12 received into evidence.)

13 MS. EBLEN: Okay.

14 HEARING OFFICER O'RIORDAN:

15 Thank you.

16 Please give your name and
17 address and begin.

18 MS. EBLEN: Okay. I'm Diane
19 Eblen, I live at Route 6, Box 48D, Santa
20 Fe, 87581.

21 I appreciate the opportunity
22 to speak.

23 I first became aware of the
24 Waste Isolation Pilot Plant ten years
25 ago.

7.82-1
7.85-2

516

The issue that most concerned me then, and continues to go unresolved, is the issue of water at the site.

I feel that storage underground, where there is a highly pressurized brine reservoir, negates WIPP as an option.

And before accepting the storage of low or high level radioactive waste, that now seems the only solution, I would strongly like to state that I feel the long-term goal of denaturing radioactive material should be the focus.

If the time and resources had been put into research rather than into developing what continues to be a very controversial choice, I feel that the very urgent problem of disposal would be nearing a more logical plan.

On a visit to the site, I remember driving through a field of vibrant, yellow sunflowers.

I believe that WIPP will jeopardize the environment and the health

7.8.2-1
7.8.5-2

36-1
53-1

7.14-9

517

on this planet forever.

With the Alaskan oil spill as a small example of destruction, WIPP could ultimately destroy far more than it would ever temporarily resolve.

If the water table becomes contaminated, the scenario is unimaginable.

Please dump WIPP.

Thank you.

HEARING OFFICER O'RIORDAN:

You're welcome.

Is Darren Virgil-Gray here?

MR. VIGIL-GRAY: Vigil.

HEARING OFFICER O'RIORDAN:

Vigil, I'm sorry.

Do you have written comments too?

MR. VIGIL-GRAY: Yes, I do.

HEARING OFFICER O'RIORDAN:

Okay, your written comments will be Exhibit 438.

(The document above-referred to was marked for identification as

7.14-9

1-2

518

1 Exhibit No. 438, and
2 received into evidence.)
3 Please give your name and
4 address. Thank you.

5 MR. VIGIL-GRAY: My name is
6 Darren Vigil-Gray, I live at 1814 Canyon
7 Road here in Santa Fe. I am a part of
8 the Hickory Apache nation here in New
9 Mexico.

10 For starters, as I look
11 around, I am surprised and not so
12 surprised at the low turnout of Native
13 Americans at these WIPP hearings.

14 I am here on behalf of my
15 spiritual brothers and sisters, to
16 protest this pre-planned devastation of
17 our sacred place here in the mountains
18 and deserts of New Mexico.

19 Our Indian dreams were
20 shattered long ago and our blood memory
21 goes deep.

22 I imagine that there are
23 many, many voices out in our lands that
24 want to be heard.

25 These Indian voices carry

16-Jun-89, TS-00640, PAGE 1 OF 4

3.2-1

519

1 thoughts that many in high places have no
2 time to hear.

3 We are still crying out to
4 you people, you people in charge.

5 Our people are not here with
6 us today, perhaps because too many dreams
7 have been shattered, to many promises
8 broken.

9 Native Americans possess an
10 understanding that the land is sacred and
11 live in accordance with that idea, a
12 concept that the Department of Energy
13 does not seem to understand or respect.

14 Obviously, judging from the
15 last two days of testimonies from very
16 concerned citizens, this sends you a
17 strong message of what we as a people,
18 humanity as a whole, feel about your
19 proposed shipment of nuclear waste
20 through our land.

21 You say you will protect the
22 environment, but protect the material
23 most.

24 Why must you always be
25 thinking up new ways of trying to

16-Jun-89, TS-00640, PAGE 2 OF 4

3.2-1

9-1

520

1 overcome Mother Nature?
2 It is time to simplify, but
3 how you are going to do it, I'm not quite
4 sure.
5 This Indian voice speaks of
6 Mother, but who listens?
7 This Indian soul lives in
8 and out of their reach, in the wind, air,
9 water, soil, sky, sun, moon, stars,
10 plants, animals, birds, memories,
11 laughter, tears. This Indian past, this
12 Indian future waits.
13 I would like to recite a
14 poem by John Trudell, it's called Song of
15 the Trees.
16 Listen, as the tree sing
17 their songs in the wind.
18 Lyrics and melodies for the
19 spirit senses.
20 Songs of laughter and life,
21 timeless things in timeless places.
22 Do not be afraid to be
23 strong.
24 Do not be afraid to love.
25 But always remember, always

16-Jun-89; TS-00640, PAGE 3 DF 4

9-1

521

1 remember.
2 Love wise the love of being,
3 free of possession.
4 The love of being, beyond
5 desire.
6 The love of being respect
7 for Mother Earth.
8 Thank you.
9 HEARING OFFICER O'RIORDAN:
10 You're welcome.
11 Is Raymond Stevens here? Is
12 Raymond Stevens?
13 MR. STEVENS: Yes.
14 HEARING OFFICER O'RIORDAN:
15 You're next, Mr. Stevens.
16 Do you have written comments
17 that you would like to submit?
18 MR. STEVENS: I don't.
19 HEARING OFFICER O'RIORDAN:
20 Okay.
21 Please give your name and
22 address.
23 MR. STEVENS: My name is
24 Raymond Stevens, my address is Post
25 Office Box 567, Chimayo, New Mexico

16-Jun-89; TS-00640, PAGE 4 DF 4
16-Jun-89; TS-00641, PAGE 1 DF 4

9-1

522

1 87522.

2 I am not glad to be here and
3 I don't feel any obligation to thank
4 anybody for this. I don't intend to say
5 anything good about WIPP.

6 I'm going to try and start
7 with a generality, and see if I can work
8 into something specific. I'm not good at
9 this at all.

10 My generality is, that all
11 Governments, no matter where they are,
12 and apparently at any time in history,
13 and certainly if you read the papers and
14 listen to the news, in my lifetime here
15 in this earth, all Governments seem to
16 have only three ways that they can deal
17 with the people they govern.

18 First, they try to hide the
19 truth. They try not to let people know
20 what's happening.

21 The truth always comes out
22 eventually, and they lie trying to cover
23 it up.

24 Finally, the people cease to
25 believe the Government's lies and they

16-Jun-89, TS-00641, PAGE 2 OF 6

32-1

523

1 turn violent.

2 As far as the nuclear
3 business, it's been 50 years at least,
4 that the Manhattan Project was started in
5 total secrecy. They tried to hid the
6 truth from us, about nuclear energy,
7 about the development of it, the
8 researches in it.

9 In the -- oh, I would say
10 about the last 20 years, the truth has
11 been coming out rather rapidly, and the
12 Government has been lying, constantly and
13 consistently, about the costs, about the
14 alleged benefits, and about the hazards,
15 which I think most of us here to consider
16 now.

17 I have been involved in the
18 anti-WIPP movement for I guess ten years
19 or so, since it began, with CARD and
20 other outfits.

21 They have been lying
22 constantly about the WIPP.

23 Before it ever began, there
24 was research showing that they shouldn't
25 try to put nuclear waste in salt beds,

16-Jun-89, TS-00641, PAGE 3 OF 6

32-1

524

1 they went ahead and opened it.

2 Throughout the time they
3 have tried to cover up mistakes.

4 Every time they've made a
5 move, something terrible has happened.

6 They've tried to cover it
7 up, they've been caught at it, they've
8 tried to lie their way out of it.

9 This Environmental Impact
10 Statement, this draft, is just another
11 document in this long line of lies.

12 It wouldn't matter if it was
13 ten times as big as it is now, it
14 wouldn't matter if it was one sentence,
15 it just should be rejected out of hand.

16 Maybe this would be a chance
17 for the Government to try another
18 alternative.

19 There was an alternative
20 that was not listed in this document, and
21 that's to cut the crap, to stop lying, to
22 start dealing with the incredible
23 problems that they've generated in these
24 years with nuclear waste.

25 I don't think that they're

3.2-1

525

1 going to be able to do it, which I'm
2 trying to get somewhat specific to the
3 Department of Energy.

4 I believe the Department of
5 Energy is a lie.

6 I believe it was founded as
7 a lie.

8 It's not a real department
9 of this Government, with a real mission,
10 it's a phony front for the Defense
11 Department.

12 Their job is to cover up
13 some of the worst mistakes that the
14 Defense industry causes and to lie about
15 it.

16 I don't see any way that
17 this outfit is going to deal with our
18 problems.

19 I would like to have in the
20 record, a suggestion that the Department
21 of Energy be disbanded.

22 Congress put them into
23 business with a law, they can write a law
24 and put them out of business.

25 And the money that is being

3.2-1

526

16-Jun-89: TS-00641, PAGE 6 DF 6

wasted now with this foolishness, could be given to another agency, or another agency started, that would honestly try to deal with these problems that we face today.

Thank you.

HEARING OFFICER O'RIORDAN:

You're welcome.

Barbara Stevens is next, and do you have written comments that you would like to submit today?

MS. STEVENS: Yes.

HEARING OFFICER O'RIORDAN:

Okay, your comments will be Exhibit 439.

(The document above-referred to was marked for identification as Exhibit No. 439, and received into evidence.)

Would you please give your name and address and we'll start.

MS. STEVENS: Okay. My name is Barbara Stevens, P. O. Box 567, Chimayo, New Mexico 87522.

I do appreciate the NEPA

32-1

232-1
25-1

527

16-Jun-89: TS-00642, PAGE 2 DF 7

provision for the SEIS and these public hearings, and I request a less hurried time period for citizens' input, thanks for the extra 30 days or whatever, however it seems like only a token gesture for the need for a longer time for public and state and other scientific group study of the document.

Also, there will have to be a -- there will be a definite need for a longer time period for the DOE's study of the response.

As the purpose of the SEIS is to study and allow for changes, make corrections in light of the new geological and geo-technical problems at the site, such as Karst, and I ask that the SEIS face that problem clearly, and the rapid flow of water through to the Rustler aquifer, the unanticipated salt closure rate and resulting lack of retrievability of the waste, and of course the brine, and the idea of WIPP, was to be in dry salt, right?

However, the Kansas dry salt

232-1
25-1

7.7-3
7.7-4
7.72-1
7.73-1
7.82-1
7.84-2
7.85-2
7.86-1
7.126-6
7.14-9

7.7-4

528

1 experiments proved that high level waste
2 didn't work in dry salt.

3 Certainly a worse -- there's
4 a worse situation with this brine and
5 pressurized gas and now the cracking.

6 Your own people told me over
7 the phone that retrievability would
8 become so difficult as to soon become
9 considered out of the question.

10 In light of all of this, and
11 the prediction that a rather fast
12 contamination of the Pecos River and
13 underground water and the Rio Grande and
14 the surroundings, can take place, as well
15 as the risks with transporting wastes,
16 evidently throughout America, cities
17 throughout America, including right past
18 my only son's school building in Poquaque
19 and St. Francis Drive and Santa Fe, and
20 et cetera, please add to this risk the
21 discrepancy regarding unsafe and safe
22 doses of radiation in the reputable
23 science community.

24 In light of all this, your
25 rejection of meeting the new EPA

7.7-3
7.7-4
7.7-2-1
7.7-3-1
7.8-2-1
7.8-4-2
7.8-5-2
7.8-6-1
7.12-6-6
7.14-9

7.3.3-3
7.3.3-4

31-3

529

1 standards, your rejection of the
2 sensible, timely, face saving solution of
3 a no action alternative, seems illegal
4 and an untenable position, a position not
5 justified in the SEIS. Please reconsider
6 it.

7 The credibility of the DOE
8 is so low at this point, with the
9 Democratic majority in Congress, there is
10 a grass roots rumor to disband the DOE,
11 give its money to an agency that will
12 deal with WIPP honestly, getting rid of
13 this politics as usual, trying to open up
14 WIPP for political reasons, just when we
15 have an Idaho governor just right for
16 that.

17 But in fact, has a safely --
18 I know who has a safely monitored above
19 ground facility, while Rocky Flats and
20 the other disasters must be cleaned up,
21 and WIPP needs a no action alternative.

22 The state of when you
23 started this national sacrifice area, was
24 a land of Hispanics and Native Americans,
25 beaten down by poverty and controlled by

31-3
52-1
52-2

32-1

530

1 the Federal Government to some extent,
2 with the nuclear related custodial type
3 jobs, and the patron system and that
4 cultural heritage of respect of authority
5 it represents, when seen in the best
6 light, and the Native American's intense
7 loyalty to the flag and its authority, in
8 spite of everything, they are respectful
9 like that.

10 All of this, you found here
11 and have taken into account in these
12 waste dump plans.

13 I believe you have taken
14 advantage of these people.

15 And now that all of white
16 America has moved to Santa Fe, or at
17 least visits annually, and now that
18 trustworthy historians and world wide
19 opinion has realized the treasure here,
20 represented by these Native Americans and
21 the old Hispanic, the Conquistadores,
22 cultures here, and the need to protect
23 these and to safeguard one of the world's
24 finest vacation places and if your eyes
25 are open, a top area for scenic beauty,

3.2-1

531

1 this place and its people must be
2 protected, it's going to be worth the
3 cost.

4 Please give special notice
5 to this next point.

6 The problem that will incur
7 if the Pecos/Rio Grande Rivers become
8 contaminated is the genocide of the
9 Native Americans from 36 states, members
10 of the Native American Church, whose holy
11 sacrament, an ingested plant, grows only
12 near the Rio Grande.

13 You can go down in history
14 as all General Custers, giving out the
15 contaminated blankets to the Indians.

16 (But, does Rocky Flats
17 already tell me that the DOE are already
18 hopeless sociopaths?)

19 These Native American people
20 elect at this time, I believe, to pray
21 WIPP away from their holy garden.

22 My understanding of this
23 religion is that it is a Christian one,
24 and also an earth religion, which means
25 belonging to and protecting the earth, as

7.14-9

532

1 well as having an ongoing consciousness
2 of their ancestors and the future
3 generations of people which binds them
4 always to the earth.

5 They will continue to use
6 the holy sacrament, be it known to be
7 contaminated or not known to be, not
8 monitored, generation after generation,
9 you can kill them, as long as they last.
10 They're a larger group than you might
11 think, the Native American Church.

12 This is a request that you
13 carefully consider with humanity, the
14 disastrous impact WIPP can make on the
15 members of the Native American Church.

16 I am an active, legal member
17 of a New Mexican (non-Indian) chapter of
18 the Native American Church, the Native
19 American Church of God.

20 Thank you.

21 HEARING OFFICER O'RIORDAN:
22 Thank you for your comments.

23 Is Leslie Lakind here?

24 MR. LAKIND: Yes.

25 HEARING OFFICER O'RIORDAN:

7.14-9

533

1 Do you have written comments, sir?

2 MR. LAKIND: Yes.

3 HEARING OFFICER O'RIORDAN:
4 Okay. I would -- we will mark those as
5 Exhibit 448, when you've completed your
6 presentation.

7 Please give us your name and
8 address and begin.

9 (The document above-
10 referred to was marked for
11 identification as
12 Exhibit No. 448, and
13 received into evidence.)

14 MR. LAKIND: My name is
15 Leslie Lakind, and I live at 382 Lomita
16 Street, here in Santa Fe.

17 I am a dentist and I'm in
18 practice here for 13 years. My wife is a
19 physician. I have two children.

20 I'm speaking partly because
21 there has been a stereotype that people
22 who are in opposition to WIPP are a kind
23 of non-productive, non-conformist, fringe
24 element of society.

25 I hope my presence shows

534

1 that this stereotype is inaccurate.
2 Opposition is much more broad based than
3 that.

4 As a dentist, as a health
5 professional, as father and as a citizen
6 of the planet, I'm concerned about the
7 long-term health effects of any mistakes
8 or any mishaps in the storage process
9 that's proposed.

10 Have you ever had an
11 accident?

12 Have you ever made a
13 mistake?

14 Have you ever made a wrong
15 choice or forgotten something?

16 Have you ever acted weakly
17 or dishonestly because of pressure from
18 the family, from peers, from employers or
19 from co-workers?

20 Who hasn't.

21 If a dentist makes a wrong
22 choice he can cause great pain and
23 inconvenience, it's an image that may
24 make some of you squirm.

25 If a physician makes a wrong

16-Jun-89; TS-00643, PAGE 2 OF 6

31-8

535

1 choice, the result can be great human
2 suffering or even the death of an
3 individual.

4 But if you make a wrong
5 choice, you have a result of 240,000
6 years of dreadful contamination to the
7 environment.

8 240,000 years is a very long
9 time.

10 25,000 years ago, we were
11 just coming out of the last Ice Age.

12 240,000 years puts us deep
13 in the midst of the Old Stone Age, it was
14 the time of Cro-Magnon man and the
15 Neanderthals.

16 After all this, the SEIS
17 document proposes that that WIPP opens
18 before meeting new EPA standards.

19 There's a potential of an
20 element of doubt that things will not be
21 safe, as they should be.

22 After all this very, very
23 persuasive testimony, are you that sure
24 of that choice?

25 Have experts ever been

16-Jun-89; TS-00643, PAGE 3 OF 6

31-8

536

1 wrong? Of course.

2 What we know to be true
3 changes daily. Once it was a fact that
4 the earth was flat.

5 Have experts ever made
6 mistakes?

7 Once we were told that
8 nuclear weapons -- that testing nuclear
9 weapons above the ground was okay.

10 Ask the people in St.
11 George, Utah, with their increased rate
12 of cancer and leukemia, if that was a
13 mistake.

14 Have we ever been misled by
15 our leaders? You bet.

16 The said that the next few
17 decades will be a turning point in our
18 survival as a species.

19 We have ozone destroying
20 pollutants in our air, acid in our rain,
21 toxins in our ground water, waste on our
22 beaches, and trace elements of poison in
23 our food chain.

24 Can we be too careful here,
25 with this worst of all possible poisons?

3.1-8

537

1 How many Three Mile Islands,
2 Chernobyls, Fernalds, Hanfords and Rocky
3 Flats will it take to prove that
4 accidents do happen.

5 Last night I heard some
6 testimony from a man from the Carlsbad
7 Chamber of Commerce. He said that what
8 they do in Carlsbad really shouldn't be
9 our concern here in Santa Fe.

10 Evidently he hasn't been
11 paying much attention these past few
12 years, or he'd know that everything truly
13 is inter-related.

14 Fallout from Chernobyl lands
15 in a wheat field, that wheat field is
16 used to make bread and the next day it's
17 sold in Bloomingdale.

18 A can of drinking water
19 contaminated near Rocky Flats mishaps is
20 in your hamburger tomorrow.

21 In a murder trial, because
22 of the gravity of the decision concerning
23 one human life, the judge instructs the
24 jury to be sure beyond a reasonable doubt
25 in their decision.

3.1-8

538

16-Jun-89, TS-00643, PAGE 6 OF 6

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In your decision to open
WIPP, can you be that sure?

HEARING OFFICER O'RIORDAN:
Is Kristi Poling here?

MS. POLING: Yes.

HEARING OFFICER O'RIORDAN:
Kristi Poling, you're next.

Do you have a written
comments that you'd like to put into the
record?

MS. POLING: Yes, I'll give
it to you when I'm finished.

HEARING OFFICER O'RIORDAN:
Okay, you can mail them to us if you
want.

MS. POLING: I just need it
to read off of.

HEARING OFFICER O'RIORDAN:
Oh, yeah, oh yeah, after you finish.

MS. POLING: Then I'll give
it to you.

HEARING OFFICER O'RIORDAN:
After you finish we'll give them to the
re porter, and it will be Exhibit 441.

(The document above-

31-8

539

16-Jun-89, TS-00644, PAGE 1 OF 4

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referred to was marked for
identification as
Exhibit No. 441, and
received into evidence.)
MS. POLING: Okay.

HEARING OFFICER O'RIORDAN:
Your name and address and begin.

MS. POLING: My name is
Kristi Poling, I live at 5 Monte Alto
Court, in Santa Fe, New Mexico.

I also happen to live
directly on the WIPP route, a bout a mile
off of Highway 285.

I do thank you for this
opportunity to speak and to share my
feelings and my views with you about
WIPP.

The first think that I would
like to say is that I object to the way
you have divided these public hearings.

I get the distinct feeling
that this is an effort to diffuse the
energy, and lessaen the impact of what we
have to say here.

I believe that we all have

8-7

540

1 the right to be present to hear each
2 others' statements and support and band
3 together as a group of concerned
4 citizens.

5 Would it really have been
6 too much to continue the hearings just
7 one more day, to accommodate us all to
8 speak and also be present for the
9 complete hearings, not just segments of
10 it?

11 I also come to you as a
12 private citizen speaking directly from my
13 heart.

14 I am the mother of a
15 beautiful four year old daughter and am
16 deeply concerned for her future.

17 As I said earlier, we live
18 very close to the proposed WIPP
19 transportation route, and in all honesty
20 I have to say that I have no confidence
21 in the DOE's ability to safely transport
22 such a highly toxic material.

23 The trust is just not there,
24 considering the DOE's track record, and
25 now must recently, the DOE's attempt to

8-7

32-1

16-Jun-89, TS-00644, PAGE 2 OF 4

541

1 cover up the illegal dumping of
2 radioactive waste at Rocky Flats,
3 contaminating their air and their
4 drinking water. Will we be next?

5 I am not only concerned for
6 myself and for my family but for all the
7 people living along the WIPP route.

8 Can the DOE really guarantee
9 the health and safety of the people
10 living along this road?

11 Human error alone would make
12 this impossible, for one thing, New
13 Mexico has the highest rate of alcohol
14 related traffic accidents in the nation,
15 let alone the poor road conditions of
16 most of the route.

17 I am also concerned for the
18 environment, our already threatened,
19 fragile bio-sphere, our very sacred
20 earth.

21 The WIPP site is so full of
22 problems and more and more are coming to
23 light all the time.

24 We are dependent upon the
25 earth for our very existence, and we

32-1

735-1
7354-3

31-2

16-Jun-89, TS-00644, PAGE 3 OF 4

542

1 can't afford to take this kind of chance,
2 do you feel?

3 I wonder, have all the
4 alternatives been fully explored?

5 Concerning the gravity of
6 your actions, can the people making the
7 decisions at DOE, honestly say that
8 they know what they are doing?

9 Look into your hearts, as I
10 feel I am, and many other people who are
11 here at this time, do you sincerely feel
12 that to open the WIPP project in
13 September of 1989, is it ready?

14 Do you sincerely feel in
15 your hearts that it will be ready at
16 all?

17 Do you sincerely feel in
18 your hearts that this is the answer?

19 Thank you.

20 HEARING OFFICER O'RIORDAN:
21 You're welcome.

22 Is Steve Poling here?

23 MR. POLING: Yes.

24 HEARING OFFICER O'RIORDAN:
25 Is Aerial your daughter, do you want to

31-2

31-8
32-1
53-1

543

1 go up together?

2 MR. POLING: (No response.)

3 HEARING OFFICER O'RIORDAN:

4 You have written comments, Mr. Poling,
5 right?

6 MR. POLING: Yes.

7 HEARING OFFICER O'RIORDAN:

8 Okay, then yours will be Exhibit Number
9 442 when you get done you can give them
10 to the reporter.

11 MR. POLING: All right.

12 My name is Stephen Poling, I
13 live at 5 Monte Alto Court, Santa Fe, New
14 Mexico 87505.

15 Thank you for this
16 opportunity to state my views on the WIPP
17 project.

18 I strongly object to the
19 opening of the WIPP site at this time,
20 given the many serious flaws with the
21 SEIS report, the site, and with the
22 transportation of the waste.

23 Of the long list of problems
24 regarding this project, I will choose
25 only two to make my point.

16-JUN-89: TS-00645, PAGE 1 OF 3

544

1 First, the serious SEIS --
 2 First, the entire SEIS
 3 report refers to the old EPA safety
 4 standards, that were rejected by the
 5 First Circuit Court of Appeals in 1987,
 6 because they weren't stringent enough to
 7 3 comply with the Safe Water Drinking Act.
 8 Now the DOE wants to open
 9 the WIPP site before the new safety
 10 standards are even written and approved.
 11 The EPA standards were
 12 mandated by the Federal Government to
 13 protect the health and safety of American
 14 citizens in the disposal of nuclear
 15 wastes.
 16 16-Jun-89; TS-00645, PAGE 2 OF 3
 17 We are entitled to this
 18 protection.
 19 I have to conclude that the
 20 DOE doesn't have the American citizens'
 21 health or safety at heart. Why not?
 22 Another flaw in the SEIS
 23 that I find particularly unacceptable, is
 24 the neglect in seriously looking into any
 25 alternatives to burying it.
 What about leaving it above

3.1-3
3.2-136-2
5.2-1
5.2-2
5.3-1

545

1 ground until the technology is developed
 2 to neutralize it.
 3 I think the whole idea of
 4 burying this highly toxic waste in the
 5 earth, is a bad one.
 6 Do we really know the
 7 consequences of doing this?
 8 Can we really guarantee that
 9 there will be no radioactive migration
 10 into the water supply or a contamination
 11 of the atmosphere over the next 245,000
 12 years?
 13 I think we've got to
 14 re-think this problem through.
 15 Considering the way that the
 16 DOE is handling the WIPP project, and now
 17 with the Rocky Flats violations, I think
 18 that the DOE has a very long way to go to
 19 re-establish confidence with the American
 20 people.
 21 Thank you.
 22 HEARING OFFICER O'RIORDAN:
 23 You're welcome.
 24 We also have Aerial Poling.
 25 Do you want her to speak?

16-Jun-89; TS-00645, PAGE 3 OF 3

36-2
5.2-1
5.2-2
5.3-1

7.14-5

32-1

546

MS. POLING: Well it doesn't appear she wanted to.

HEARING OFFICER O'RIORDAN: We can do it later on if you want to.

MS. POLING: I don't know.

HEARING OFFICER O'RIORDAN: Let me know.

MS. POLING: She wanted to earlier, but --

HEARING OFFICER O'RIORDAN: Okay, if you change your mind, let me know and we'll come back.

Is Sarah Stout here?

MS. STOUT: Here.

HEARING OFFICER O'RIORDAN: Do you have written comments?

MS. STOUT: Yes, I do.

HEARING OFFICER O'RIORDAN: Okay, your written comments will be Exhibit 443. Please give them to the reporter after you have finished.

(The document above-referred to was marked for identification as Exhibit No. 443, and

547

received into evidence.)

MS. STOUT: Thank you.

My name is Sarah Stout, and my address is 318 Read Street, Santa Fe.

I am grateful for the opportunity to speak here, and also I'm grateful that I took advantage of this opportunity.

I have been in the health profession as a registered for over 28 years, and I've been a mother for 12 years.

I am no stranger to New Mexico, I've lived here and considered it my home, since 1974.

As part of the baby boom generation, I grew up under the mushroom shaped shadow of nuclear disaster and nuclear accidents.

Even as a child, I was interested in health. I would take my dolly clothes out of their chest and pack it with first aid supplies.

I would worry about how my family could convert our basement into a

16-Jun-89, TB-00646, PAGE 1 OF 3

548

1 bomb shelter.

2 I remember this, and I
3 realize how this deathly shadow has been
4 over my whole life.

5 Much of the time I forget
6 about it and I push it out and I deny it.
7 It's easy to deny something that one
8 can't see, something that might not cause
9 death for five or ten or twenty years.

10 I'm not alone in my denial.
11 A couple of years after the Three Mile
12 Island accident, I visited a vineyard a
13 few miles away from the plant. I asked
14 the tour guide about the wine produced
15 the year of the accident. My questions
16 were evaded.

17 As a nation, we deny our
18 problems, our pain, our fallibility, our
19 waste problems as being entirely over our
20 heads. We find ourselves denying the
21 potential dangers of handling,
22 transporting and storing such wastes,
23 denying the possibility of human error,
24 and WIPP helps me remember.

25 I am really, really

16-Jun-89; TS-00646, PAGE 2 OF 5

549

1 concerned. By-passes were promised and
2 have not been built.

3 It has been admitted that
4 there will be radiation exposure to the
5 public through TRUPACT 2.

6 In Santa Fe alone, there is
7 one elementary school directly on route
8 and several other schools within a half
9 mile of the route. My child is in one of
10 those schools.

11 There is inadequate
12 emergency response capability, there is
13 no rationale for estimated, potential
14 cost to individuals, families and
15 workers.

16 There are valid EPA
17 standards, and yet the DOE is not
18 enforcing the standards.

19 The chief contaminant of the
20 WIPP waste is plutonium, which can be
21 spread and re-suspended in the air, and
22 cause lung cancers for 245,000 years.

23 I look at the history of the
24 nuclear industry and see how important
25 illusions of certainty, and a willingness

16-Jun-89; TS-00646, PAGE 3 OF 5

7.15.4-1
7.15.4-3

7.3.52-4

7.33-3
7.33-4

7.12.9-7

3.1-3
3.1-5

7.14-15

558

1 to risk harming other people in order to
2 get what one thinks one needs, and how
3 this has been the backbone of the nuclear
4 industry's development.

5 WIPP is no exception.

6 I view the money put into
7 WIPP as serving to distract attention
8 from the real problem, and as an excuse
9 to continue the expansion of the nuclear
10 industry.

11 WIPP, nuclear waste and the
12 nuclear industry, is truly a dragon
13 unleashed by mankind, who created it but
14 cannot control it.

15 We must admit our
16 fallibility and put money into cleaning
17 up on what we have created, in a way that
18 is not of danger.

19 We can't ignore the growing
20 number of contaminated areas in our
21 country.

22 I pray we are not a species
23 destined to create our demise by our
24 attempted rule of the earth in a wild,
25 careless and unconscious way.

3.1-8

3.1-2
3.6-1
5.3-1

16-Jun-89; TS-00646, PAGE 4 OF 5

276

551

1 To me, transporting waste in
2 ways that do not meet standards is
3 careless.

4 I again remember the child,
5 the little girl, who packed Band-Aids and
6 worried and then later forgot.

7 I see that there is another
8 path. I feel that it's imperative that
9 we fully admit our problems and join
10 hands in mutual cooperation, whatever our
11 position.

12 We can address the problem
13 of our waste and our survival, and it
14 starts here and now with WIPP.

15 Thank you.

16 HEARING OFFICER O'RIORDAN:
17 You're welcome.

18 Is Izzi Konold here,
19 K-o-n-o-l-d, Izzi Konold?

20 UNKNOWN SPEAKER: I'd like
21 to speak, if possible.

22 HEARING OFFICER O'RIORDAN:
23 Could you register at the front desk?

24 UNKNOWN SPEAKER: I have
25 actually, I was in the other room and

3.1-2
3.1-7
3.6-1

16-Jun-89; TS-00646, PAGE 5 OF 5

277

552

1 there was nobody in there, I felt that I
2 should come where there were people to
3 listen.

4 HEARING OFFICER O'RIORDAN:
5 Okay.

6 UNKNOWN SPEAKER: Right on!

7 HEARING OFFICER O'RIORDAN:
8 What I'd like to do is go through the
9 pre-registered speakers, and then we go
10 back to the people registered at the
11 door.

12 Could you give your name?

13 UNKNOWN SPEAKER:
14 (Inaudible).

15 HEARING OFFICER O'RIORDAN:
16 That's a good idea, actually that's a
17 good idea.

18 If it's okay with everyone.

19 UNKNOWN SPEAKER: Thank you.

20 HEARING OFFICER O'RIORDAN:
21 If you speak here, would you let them
22 know next door that you spoke here?

23 Because we're trying to keep
24 track.

25 UNKNOWN SPEAKER: I will.

553

1 HEARING OFFICER O'RIORDAN:
2 And do you have written comments I could
3 put in the record?

4 UNKNOWN SPEAKER: Thank
5 you, and I'll give that to you when I'm
6 through.

7 HEARING OFFICER O'RIORDAN:
8 Okay, give us your name and address and
9 your comments will be Exhibit 444.

10 (The document above-
11 referred to was marked for
12 identification as
13 Exhibit No. 444, and
14 received into evidence.)

15 MS. PHILIPS: Thank you.

16 My name is Caitlin Philips,
17 Philips has one L, my address is 136 West
18 Berger Street, Santa Fe, 87501.

19 Please let me begin by
20 expressing my deep disappointment in our
21 having been separated into three rooms.
22 I believe this was unnecessary.

23 While having spent most of
24 my day and evening in these three rooms
25 for the past 48 hours, I must say that I

16-Jun-89; TS-00647, PAGE 1 OF 4

8-7

231-1
231-2
31-2
31-8

554

1 feel as though I have been listening to
2 my death sentence.

3 The truth is, I have.

4 To my, to New Mexico's, to
5 the nation's and eventually the world,
6 we're talking about mass murder through
7 many generations to come.

8 There are terms in the SEIS
9 document, such as "further investigation
10 that is needed", "remains to be
11 verified", among others, with the same
12 degree of negativity. These appear
13 throughout the SEIS pages.

14 By your own admission, the
15 WIPP site is questionable in regards to
16 safety factors.

17 Why then, do you insist on a
18 September 1989 opening?

19 In the past two days we have
20 listened to doctors, scientists, teachers
21 and children, express their fears,
22 apprehension, anger and grief, not only
23 at the opening of this site, but in
24 response to the larger and longer
25 implications in response to the lack of

23.1-1
23.1-2
3.1-2
3.1-8

555

1 grace and respect with which you regard
2 our earth.

3 I wonder, are we being
4 heard?

5 Emergency medical
6 technicians, doctors and nurses employed
7 in the New Mexico area, say they and our
8 hospitals, are not prepared to serve
9 effectively if and when an accident
10 occurs.

11 Our roads are not prepared
12 to guarantee the lack of an accident and
13 truck drivers, human beings, are not
14 infallible.

15 This is reminiscent of
16 Hitler's Germany, of the holocaust, with
17 just as much denial in operation.

18 I've seen plutonium referred
19 to as "the most deadly substance produced
20 by man". Do you hear those words?

21 Now can you and still
22 continue with plans. The most deadly
23 substance produced by man is about to be
24 transported not only through our state,
25 but in 22 others, past pre-schools and

23.1-1
23.1-2
3.1-2
3.1-8

7.3.2.1-6
7.12.9-1
7.12.9-2
7.12.9-5
7.12.9-7

3.2-1

556

high schools, dogs and cattle, oceans and rivers and lakes, through mountains.

This most deadly substance produced by man may be sitting 2150 feet under the ground of my home and the homes of thousands of others.

This most deadly substance may be sitting in the ground.

I quote Helen Keller, from a 1912 interview, "as the eagle was killed by the arrow, winged with his own feather, so the hand of the world is wounded by its own skill".

Let us not have another holocaust. Please listen to our words.

You must not open the WIPP site until EPA standards have been met, if you open at all.

Thank you for this time.

HEARING OFFICER O'RIORDAN:
You're welcome.

We have some pre-registered persons that we had called and weren't here.

I would like to just double

16-Jun-89; TS-00647, PAGE 4 DF 4

1-3

557

check to make sure they get their opportunity to make their presentation.

So I would call again, S. Faden, is S. Faden here by any chance?

(No response.)

Jill Burns, Jill Burns?

(No response.)

Stephanie Lee, is Stephanie Lee here?

(No response.)

Is Joan Ward here, Joan

Ward?

(No response.)

Okay, I notice that we have some more new people come in here.

I would just like to reiterate that each speaker is entitled to five minutes of time.

We give a green light at four minutes to let you know that you have a minute to go, to sum up, and when the red light comes on, it's time to conclude.

We take the written testimony at this time. If you want to

558

1 submit written testimony later on, you
2 have until July 11th to do so.

3 A transcript is being taken
4 of this proceeding, and it will all be
5 typed, everything is on the record.

6 I ask you to be aware that
7 the court reporter is making every effort
8 to capture your words, and so to the
9 extent that you can speak in a normal
10 rate of speed and distinctly, it is a
11 real aide to the court reporter.

12 I know that many of you want
13 to cheer and applaud during a person's
14 presentation. I caution on two grounds
15 in that area. The first is that the
16 court reporter sometimes can't get the
17 person's words because of the noise, and
18 secondly, some people do get nervous when
19 there is cheering.

20 While you may be cheering
21 them on, they do get nervous, and there's
22 no way to predict that.

23 I've just noticed that
24 sitting here, and so I would ask that you
25 give the speaker the same dignity and

559

1 treatment that you would like to have, so
2 that they can get their comments into the
3 record.

4 I am going to continue now,
5 going down our list of pre-registrants,
6 and when we get to a good break point,
7 then we'll go to the at-the-door
8 registrants.

9 Is Izzi Konold, K-o-n-o-l-d
10 here?

11 (No response.)

12 Is Sheila Davies here?

13 You're next Sheila -- excuse
14 me, Ms. Davies.

15 Do you have written
16 testimony that you'd like to submit?

17 MS. DAVIES: (Inaudible.)

18 HEARING OFFICER O'RIORDAN:
19 Okay, you may make the presentation.

20 Would you please give your
21 name and address and then begin.

22 MS. DAVIES: Shiela Davies,
23 3 Doris Place, Berkley, California 94785.

24 Good evening. In reviewing
25 the SEIS documents recently, I found

16-JUN-89: TS-00648, PAGE 1 OF 7

560

1 myself thinking can it be that the
2 current inhabitants of the planet are the
3 stupidest group of people that have ever
4 lived, or are we just the greediest.

5 What kind of nation creates
6 in the name of security and national
7 expense, an unimaginable volume of
8 substances that poison, infect and
9 debilitate its populace.

10 Why are we continuing to
11 produce these unmanageable hazardous
12 wastes?

13 Why are we unable to find a
14 way to make them safe?

15 As I understand it, the
16 U. S. Government's Department of Energy
17 was created to insure the autonomous
18 safety of its democratic peoples.

19 Those people work and pay
20 taxes to keep the Government in operation
21 for the good of us all.

22 There is a covenant between
23 people and their Government, via elected
24 officials with their appointed
25 departments and agencies, for the

16-Jun-89: TS-00648, PAGE 2 OF 7

561

1 continuance of the health and welfare of
2 the people.

3 It seems now, that that
4 covenant has been broken.

5 To cite recent examples,
6 Rocky Flats, irreparable contamination to
7 area residents, Hanford, one of the
8 nation's highest rates of cancer and
9 birth defects, Fernald, Ohio, massive
10 releases of radioactive uranium dust
11 consistently under-reported by the DOE.

12 Further, the DOE admits that
13 27 years and a 138 billion dollars in
14 taxpayers' money is required to clean up
15 existing contamination at 16 nuclear
16 weapons production facilities.

17 To address the question for
18 us today, why have the safer no action
19 plan, and the alternative plan outlined
20 in the SEIS been rejected by the DOE?

21 Why is this clearly unsafe,
22 preferred alternative test plan being
23 forced through so quickly, with just a
24 few months for public comments.

25 And why are we continuing to

16-Jun-89: TS-00648, PAGE 3 OF 7

1-2
5.3-1

36-1

562

1 produce these hazardous substances in the
2 name of national security, when we
3 clearly do not know what to do with the
4 tons and tons of contaminated material
5 created during the past 45 years?

6 Quoting SEIS about the
7 proposed truck transportation, "During
8 the 25 years combined test phase and
9 disposal phase at the WIPP, the hazardous
10 chemical components of the TRU wastes are
11 not expected to be released under
12 incident free conditions."

13 What, please explain, are
14 incident free conditions?

15 The DOE has documented 173
16 vehicular accidents in the past 12 years
17 of shipping wastes, 34 occurred in New
18 Mexico, more than in any other state.

19 It is not hard to imagine an
20 accident if you've traveled the winter
21 highways of New Mexico.

22 One snowy morning on route
23 to Santa Fe, I passed five overturned
24 trucks, some with their truck beds
25 crushed or twisted.

36-1

7.3.5.1-22
7.3.6.1-4

563

1 How do we expect incident
2 free conditions during the truck
3 transportation of the 34,144 highway
4 shipments.

5 I favor the no action plan.

6 Why not leave the wastes as
7 they are currently being stored, until a
8 safer solution is found, or perhaps a
9 think-tank reverse Manhattan Project is
10 in order.

11 Do what you did to develop
12 the bomb. Collect the best minds, send
13 them somewhere, and make them stay there,
14 until they come up with a solution.

15 (Laughter.)

16 Pay them a lot of money to
17 come up with a real solution, not just a
18 way to get this stuff out of sight for
19 awhile.

20 The original Manhattan
21 Project is unfinished. Some method must
22 be discovered for neutralizing the
23 existing wastes and for limiting or even
24 eliminating further production of these
25 nuclear by-products.

7.3.5.1-22
7.3.6.1-4

1-2

36-1

564

WIPP will not solve our nation's nuclear disposal problem, though some of you and a few of our local legislators would like us to believe that it will.

Do you really believe that WIPP is the solution, or are you misrepresenting the truth?

We all know WIPP is only slated to contain 19 per cent of the nation's contaminated matter, what will be done with the other 81 per cent?

Who are you people from DOE, and where do you live?

Do you wish to live near or work at a waste disposal facility such as WIPP?

Would you like your water to come from aquifers above the WIPP site?

Are you really willing to ride in a truck stuffed with containers full of transuranic wastes?

How many of your friends and relatives live along the WIPP truck route, through 23 states?

36-1

3.1-8

565

We need the Department of Energy, but not as an agency, we need you as individuals who are working to form a genuinely intelligent ethic.

Thank you.

HEARING OFFICER O'RIORDAN:
You're welcome.

(Applause.)

HEARING OFFICER O'RIORDAN:
Shiela Davies, would you like to submit your written comments into the record at this time?

MS. DAVIES: Not yet.

HEARING OFFICER O'RIORDAN:
Okay, thank you.

Is Patty Whalen here?
You're next.

And do you have written comments that you would like to submit for the record at this time?

MS. WHALEN: Yes.

HEARING OFFICER O'RIORDAN:
Okay, your comments will be Exhibit Number 445, and you can give it to the reporter when you're finished.

3.1-8

566

(The document above-referred to was marked for identification as Exhibit No. 445, and received into evidence.)

MS. WHALEN: First, I would like to say that I strongly object that the speakers at these SEIS hearings are being split into three rooms.

It does not give us all an opportunity to hear what everyone is saying, and it splits up our solidarity.

We've all heard and read --

HEARING OFFICER O'RIORDAN:

Would you please give your name and address, I'm sorry to interrupt.

MS. WHALEN: My name is Patty Whalen, I live at 727 Camino Santa Ana, Santa Fe.

We've all heard and read lots of facts and figures about the inadequacy of the WIPP site in meeting EPA safety standards, as well as many details about the hazards of transporting defense related nuclear waste to the

8-7

7.3.5.1-6

567

site.

Let's not forget that if WIPP fails, which it almost certainly will, the waste must be retrieved, thereby submitting the people in the 23 states along the WIPP route to have more opportunities for radiation exposure.

After all, new evidence is daily revealed that shows how geologically unsuitable the site is for its proposed use.

The safety of the WIPP site and the resolution of the transportation issues involved, can never be satisfactory, because they can never be safe enough.

As the many facts and figures have shown, the risk of radiation exposure is not only unlikely but is in fact a given, in many stages of waste emplacement.

No level of radiation exposure is acceptable. This is my gut feeling, and it is substantiated by the research done by Doctor Petcau for the

7.3.5.1-6
7.12.6-47.13.1-7
7.13.4-1
7.14-10

568

1 Canadian Atomic Energy Commission in the
2 1976's, as well as by current research in
3 this area.

4 Doctor Petcsu's findings
5 show that low dose, long-term exposure to
6 radionuclides, cause a breakdown of the
7 immune system on a cellular level.

8 This leaves us open to many
9 more diseases than would otherwise be
10 possible, especially immune deficiency
11 diseases of which chronic fatigue is
12 often a symptom.

13 Now often do we all
14 experience that?

15 At this point in time, human
16 beings have not developed a safe way to
17 produce, use and dispose of radioactive
18 products, by safe, I mean absolutely no
19 radiation leakage whatsoever.

20 Until that day comes, we
21 must stop all processes that necessitate
22 WIPP and other radioactive waste disposal
23 facilities, whether they contain defense
24 related waste or by-products of nuclear
25 power plants.

16-Jun-89: TS-00649, PAGE 3 OF 5

7.13.1-7
7.13.4-1
7.14-10

36-1

569

1 I'm not trying to skirt the
2 issue of WIPP, rather I want to get right
3 to the source of the waste disposal
4 problem, by eliminating the need for
5 products and sources that create this
6 radioactive waste.

7 Let's create world peace
8 instead of nuclear bombs.

9 Instead of using nuclear
10 energy, let's investigate solar power and
11 other alternative energy sources.

12 More fundamentally, let's
13 recycle, re-use, do with less, and do
14 without.

15 Now many appliances do we
16 really need, and how many of them bring
17 us true happiness, especially knowing
18 that they are run by nuclear power.

19 It's humankind's greed for
20 power and things, that causes conflict
21 and war in the world today.

22 Greed is one of the deepest
23 routes underlying this obsession with
24 creating nuclear bombs and using nuclear
25 power, and even for this newly created

16-Jun-89: TS-00649, PAGE 4 OF 5

36-1

570

1 need to irradiate food.

2 We all need to realize that
3 the WIPP issue is complexly connected on
4 many levels, to the health and well being
5 of this country and of the world.

6 WIPP is intended to store
7 defense related waste, and is therefore
8 connected to the way in which the United
9 States relates to other countries.

10 On a broader and more basic
11 level, WIPP is connected to issues of
12 peace and war.

13 By eliminating the need for
14 WIPP at its source, we take a giant step
15 towards world peace.

16 HEARING OFFICER O'RIORDAN:
17 Thank you.

18 Okay, I would first like to
19 announce that the main room is back in
20 session, for those who would like to
21 attend there.

22 The next person is Glenn
23 Strock, are you ready?

24 Do you have written comments
25 that you would like to submit?

3.6-1

571

1 MR. STROCK: Yes, I do.

2 HEARING OFFICER O'RIORDAN:

3 Okay, your --

4 MR. STROCK: I would like to
5 mail them.

6 HEARING OFFICER O'RIORDAN:

7 Oh, that's fine.

8 Would you please give your
9 name and address and begin your
10 presentation?

11 MR. STROCK: Okay.

12 HEARING OFFICER O'RIORDAN:

13 Is that S-t-r-a-u-k?

14 MR. STROCK: It's actually
15 S-t-r-o-c-k.

16 HEARING OFFICER O'RIORDAN:

17 Okay, thank you.

18 MR. STROCK: Okay. My name
19 is Glenn Strock and I live in Dixon, New
20 Mexico, and P. O. Box 253.

21 I live there with my three
22 daughters, and I'm a member of the Dixon
23 volunteer fire department and have been
24 for the last ten years. We serve as a
25 rescue unit also, for traffic accidents

7.12.9-1

572

and so forth.

None of us have ever been trained in any way, to deal with any kind of nuclear problems.

I am going to speak on the seriousness of the responsibilities posed by nuclear waste.

There is no quick and dirty solution, it's a complicated job, but if we can stop producing that waste and insure that we have continuous access to responsible isolation of the waste, we have 248,888 to focus our technology on detoxification and cleaning up this (sic.).

Which brings me to a metaphor. If any of you have ever traveled in New Mexico, you may have found yourself in a public place, unable to hold it in, if you know what I mean.

So there you're waddling around with a load in your pants, acting like nothing happened, desperately looking for someplace to hide the accident, then distance yourself from the

7.12.9-1

3.6-1

3.1-8

573

stinky situation, whatever it takes.

Human nature, first pretend nothing happened, second, hide the evidence, finally, distance yourself discretely, leaving the offending waste for someone else to deal with.

(Laughter and applause.)

Unfortunately our situation here is not that simple, and the embarrassment, denial or hiding of the problem is inappropriate.

Your responsibility is fatal in this instance.

It's obvious, only human nature, that there are those in this room who would look for a quick and dirty solution, simply bury the problem, and pretend it didn't really happen.

I'm not speaking to them. They have already made up their minds.

But, there are those of you who realize that your energy industry has evolved into a bigger job, that will busy us for the next 248,888 years, at least, or until we focus our technology on

3.1-8
3.2-1

3.6-1

574

1 detoxifying these poisons.

2 Again, we must insure a
3 constant access to this stuff, until it's
4 no longer dangerous.

5 Burying it in the earth's
6 crust is not good enough, given that the
7 entire earth's crust is dynamic and ever
8 changing. It is unsuitable for long-term
9 storage.

10 The WIPP site is -- has
11 proven particular instabilities and by
12 its nature, could deny us the necessary
13 access and control of these poisons.

14 Through our established
15 technology we have isolated and amplified
16 these powerful poisons, and set in
17 process -- or set a process in motion.

18 We must allow ourselves the
19 access and opportunity to protect these
20 wastes in this ever-changing world.

21 If we are responsible, we
22 have 248,888 years to figure out how to
23 complete or reverse a process, which
24 man's ingenuity has set in motion.

25 As a visual aide, I brought

16-Jun-89; TS-00650, PAGE 4 OF 5

36-1
52-1
52-2

575

1 a couple of things with me. I brought a
2 \$100.00 bill.

3 In our capitalist system, it
4 represents the bottom line of the tool
5 which makes big things happen in our
6 culture, and the end, my pocket, I've
7 brought another visual aide, and it
8 represents nuclear waste.

9 If we blow it, no amount of
10 these tools can save you, your children,
11 or your loved ones.

12 As an aside, no amount of
13 economic repressions instigated by our
14 Governor, Mr. Carruthers, should be
15 allowed to deny us our civil right to
16 speak out and participate in the
17 democratic process.

18 (Applause.)

19 I am shocked that the
20 honorable Governor of our state does not
21 have a better grasp of the ideology set
22 forth by the U. S. Constitution.

23 I wonder who this fellow has
24 been playing golf with.

25 (Applause.)

16-Jun-89; TS-00650, PAGE 5 OF 5

3.1-2

9-7

576

1 HEARING OFFICER O'RIORDAN:
2 Mr. Shrock, thank you.
3 Is Darren Vigil-Gray still
4 here?
5 UNKNOWN SPEAKER: I've taken
6 care of that.
7 HEARING OFFICER O'RIORDAN:
8 Oh, you've taken care of it, okay, we got
9 his testimony.
10 Is Dede Schumacher here?
11 MS. SCHUMACHER: I'm here.
12 HEARING OFFICER O'RIORDAN:
13 You're next.
14 Do you have written
15 testimony that you wish to submit when
16 you're concluded?
17 MS. SCHUMACHER: No, I
18 don't.
19 HEARING OFFICER O'RIORDAN:
20 Okay, please give us your name and
21 address and begin.
22 MS. SCHUMACHER: Can you
23 hear me?
24 HEARING OFFICER O'RIORDAN:
25 I think so.

577

1 MS. SCHUMACHER: Okay, I'm
2 Dede Schumacher, 535 Cordova, Box 484,
3 Sante Fe, New Mexico 87501.
4 I want to first thank you
5 for the opportunity that I can speak,
6 that I can be heard, and have the
7 opportunity to make a difference in the
8 world and in my own life.
9 But WIPP to me is absurd.
10 There is no imminent danger
11 of missiles coming at us at the moment.
12 If the missiles were coming,
13 bury the waste fast. That's not what's
14 happening to us.
15 Therefore, it seems to me
16 that we have time to find the safe
17 solution, and that that is the prudent
18 thing for a prudent Government and
19 prudent society to do.
20 Idaho has said that it has
21 three or four years to continue storing
22 its waste, other plants have said the
23 same thing.
24 Just because millions of
25 dollars, a lot of time, a lot of money

16-Jun-89: TS-00651, PAGE 1 OF 3

578

1 has been spent on WIPP, does that make it
2 right?

3 To me, there is the issue of
4 embarrassment here, there is the
5 political issue.

6 I don't see how DOE will get
7 out of this without an embarrassing
8 situation.

9 To me, it's a matter of how
10 embarrassing it will be to them.

11 If in fact it's an
12 embarrassment over time, an embarrassment
13 over money, that seems a lot less than a
14 catastrophic embarrassment over a
15 catastrophic event, that could occur for
16 DOE.

17 New Mexico historically has
18 had very little political clout. I did
19 not see this being crammed down Texas,
20 California, Florida.

21 New Mexico does not
22 historically have a lot of money either.
23 The Hispanics and the Indians have become
24 a passive lot, the Government has pushed
25 them around a lot. The more they're

16-JUN-89: TS-00651, PAGE 2 OF 3

3.18

579

1 pushed around, the more passive they've
2 become, the less involved they are.

3 But I think it would be very
4 important in Washington, for DOE to take
5 the information back, that this may have
6 a change of a hide. New Mexico may rise
7 to the political arena.

8 That is because CCM -- CCNC,
9 I said it wrong, excuse me, they have
10 some co-plaintiffs with them and they're
11 postured for a lawsuit against them.

12 There is some very strong
13 co-plaintiffs who have a lot of political
14 clout.

15 Now to me, a lawsuit
16 represents, and particularly one of this
17 nature, a lot of time and a lot of money
18 having to be spent, on a fight.

19 Now if we can stop WIPP, the
20 same time, the same money, can be spent
21 on productivity instead of counter
22 productivity.

23 Instead of fighting, we can
24 find a safe way, with the same money and
25 the same time, to save lives and to bury

16-JUN-89: TS-00651, PAGE 3 OF 3

3.18

588

1 this waste.

2 I've been reading some
3 things about the political problems and
4 the careers involved with WIPP too.

5 I don't see how any
6 political career will survive, for those
7 who advocate WIPP, and push on for it.

8 Because the inevitable
9 catastrophe or problem, will occur, the
10 seepage, the accident, whatever is going
11 to happen, and then the great publicity
12 comes.

13 So to me, for anybody to
14 politically push for it, this is very
15 counter productive to their career.

16 (Applause.)

17 I hear a lot about the
18 economy and I'm from a part in the
19 nation, that real estate values have gone
20 down a great deal.

21 I see real estate values
22 going up in Sante Fe, and that's somewhat
23 of an anomaly in considering certain
24 parts of the nation.

25 And I cannot see why anyone

3.1-8

7.2-2

581

1 now, would want to continue moving to
2 Sante Fe for beauty, serenity, and
3 environmental purity, to live next to
4 nuclear waste.

5 So I think that's one more
6 factor in ruining and wracking the whole
7 economy of this state, of the real estate
8 values.

9 I don't see any benefit to
10 anyone. The risk is too great,
11 politically, economically,
12 environmentally or to humanity.

13 Thank you.

14 HEARING OFFICER O'RIORDAN:

15 You're welcome.

16 Is Patrice Hughes here?

17 Patrice Hughes?

18 (No response.)

19 I would like to call some of
20 the people who have registered at the
21 door now.

22 Is Jean Nichols here?

23 MS. NICHOLS: I'm here.

24 I have no idea what I'm
25 going to say.

7.2-2

7.2-2
7.2-5

7.2-31

582

1 HEARING OFFICER O'RIORDAN:
2 That's okay. Please give us your name
3 and address and then say it.

4 MS. NICHOLS: Jean Nichols,
5 otherwise known as oxygen, Box 38, Yano
6 (phonetic), New Mexico 87543.

7 I did have a staff with me,
8 which I call my laugh staff, but really
9 it's like an Indian talking -- chief's
10 talking stick, but they wouldn't let me
11 bring it in, because they thought maybe
12 it was a weapon.

13 (Laughter.)

14 You who make weapons, please
15 do not be afraid of me.

16 You probably think I'm
17 crazy, and you know, one reason why I
18 wanted to come here --

19 And yesterday I dressed up,
20 this is just me, but you know, I came
21 here, I really think that I am more sane
22 than you are.

23 (Applause.)

24 You know, I've had jobs for
25 years, I'm an emergency medical

7.12.9-1
7.12.9-2

583

1 technician also, and I've worked in
2 ambulance service for four years. I no
3 longer do so, but I put something
4 officially in the record years ago that I
5 would not respond to a nuclear accident.

6 I did not choose to have
7 nuclear waste passed through our state,
8 and I think it's really terrible to
9 suddenly lay on all these emergency
10 medical technicians, that they are
11 suddenly supposed to know what to do, and
12 they don't.

13 They haven't received the
14 training and the bottom line here, and
15 everybody has said it today, is that
16 you've got to stop making the weapons and
17 leave the waste right where it is until
18 you figure out something to do with it.

19 This has got to stop. This
20 is madness.

21 You know, we've got a whole
22 generation of kids here, who suddenly
23 their logos, they have skulls on
24 everything.

25 You probably think this is a

7.12.9-1
7.12.9-2

3.6-1

584

1 rebellious bunch of kids. Where are they
2 getting this? Suddenly everything they
3 wear, everything they think of is skulls
4 and death.

5 This is coming from you
6 guys. You know, this is what their
7 getting from their Government.

8 They don't believe that they
9 can do anything about it.

10 I've been trained to really
11 be American and think that I have a voice
12 in this country, you know, and I believe
13 that now.

14 I thought that everybody
15 that was against WIPP would be here at
16 these hearings, and I'm really appalled
17 at how few people are here.

18 You know, if you think this
19 is the people that are against WIPP,
20 you're very wrong. There are lots out
21 there.

22 I don't know what to do
23 about them, maybe make miniature TRUPACT
24 containers with a little bit of waste,
25 and send it to everybody who didn't come.

16-Jun-89, TS-00652, PAGE 3 OF 7

32-1
36-1

585

1 (Laughter.)

2 And say just hang onto this
3 and bring it to the next hearing.

4 You know, I don't know what
5 we should do with all this stuff.

6 We've got to bottom line,
7 stop making it, you know, that's the
8 important thing.

9 If we could reach that
10 decision, and we've got enough weapons, I
11 mean if everybody just uses the weapons,
12 you know, figures it out, Russia can keep
13 the weapons they've got now, we'll keep
14 the weapons we've got now, but don't make
15 any more.

16 Certainly you could hear
17 that that's what the American people are
18 telling you now.

19 I don't know what our
20 representatives are doing, they're making
21 a lot of money being politicians.

22 I think now, with all the
23 modern technology, I don't see why we
24 can't vote on every issue.

25 I would like to be able to

16-Jun-89, TS-00652, PAGE 4 OF 7

32-1
33-4
36-1

586

1 put in my social security number and vote
2 on, should we make bomba and you know,
3 what we should do.

4 (Applause.)

5 I think there is just a lot
6 of people out there, who would like to--
7 you know, who should come here, and I
8 hope they come tomorrow, and stand up and
9 say atop doing this.

10 It's not that hard, I mean
11 we have to maybe eat a little crow, you
12 know, it's no big -- you know, you made
13 a mistake, you know, and just atop.

14 We don't need any more
15 weapons.

16 I also would like to put in
17 for the record, that I really object to
18 having been split up into all three
19 rooms.

20 Considering how many people
21 haven't showed up to speak, I don't think
22 that was necessary, I think we could have
23 all spoken in one room.

24 I don't know what else to
25 say except that it just seems -- It seems

3.3-4
3.6-1

8-7

587

1 like there's a whole part of this country
2 that -- and people that I would like to
3 think of as my brothers, that I don't
4 even know how to talk to. I feel like
5 we're a part of a different species
6 almost.

7 (Laughter.)

8 I mean I don't -- you know,
9 I don't want to be intimidating to any of
10 you, you know, because I could you know,
11 dress up in a suit and you know, and be
12 able to talk to you, but like I am now,
13 you probably think a little strange.

14 But it's -- we are all
15 humans, I think.

16 (Laughter.)

17 And we should be able to
18 bridge this gap and just realize that we
19 have to start making some sane choices in
20 this country, and we have to start
21 listening to the people, because the
22 people really want peace.

23 People all over the world
24 want peace.

25 You know, and I just hate to

16-Jun-89; TB-00652, PAGE 7 OF 7

588

1 think that I have more in common with a
2 tree than thee.
3 Thank you.
4 (Applause.)
5 HEARING OFFICER O'RIORDAN:
6 Is Randall Bell here, Randall Bell?
7 (No response.)
8 Now about Molly Brewton, B-
9 r-e-v-t-o-n, Brewton?
10 (No response.)
11 Francis Martin, is Francis
12 Martin here?
13 You're next.
14 Apparently not. Francis
15 Martin?
16 (No response.)
17 Is Morbid Ugly Child here?
18 (Laughter.)
19 You're next.
20 (Applause.)
21 MR. MORBID UGLY CHILD: Good
22 evening gentlemen, my name is Morbid Ugly
23 Child, I'm from Penasco, Box 38, Yano,
24 whatever the zip code is there, I don't
25 know.

16-Jun-89; TB-00653, PAGE 1 OF 3

589

1 Anyhow, I have a few things
2 to say, one of them is that I've been
3 protesting the way these hearings are
4 being held.
5 Splitting us up and
6 subdividing and conquering is not the way
7 you're going to win.
8 (Applause.)
9 Another thing is, you've got
10 these guys driving these trucks with
11 nuclear waste in them, right?
12 What happens if there's an
13 accident? Is it going to be another
14 Valdez situation where you blame it on
15 the captain? Are you going to put this
16 poor son of a bitch (sic.) truck driver
17 through the hassle of drug testing,
18 saying hey, it's his fault.
19 Maybe it's you guys that
20 didn't build your containers right and it
21 leaked out.
22 Another thing is, is like
23 why can't you use your old missile sites,
24 you know, the silos that you have in the
25 ground to put this shit (sic.) in.

16-Jun-89; TB-00653, PAGE 2 OF 3

8-7

3.1-2

398

(Applause.)

You know, what is this?

You've got to dig up some natural resource that we all go to visit, just so that you can say well, we've got our nuclear waste here. Well fuck (sic) all you guys.

Thank you.

HEARING OFFICER O'RIORDAN:

Is Francis Martin here? I called before for Francis Martin. No?

(No response.)

Are there any other pre-registered speakers here?

UNKNOWN SPEAKER: Mr.

Chairman, what time are you -- what time slot are you working on now?

HEARING OFFICER O'RIORDAN:

I'm a little bit ahead, I'm at -- well, I have an 8:05 who didn't show up, which is right on time, so I'm just a little bit ahead.

Randell Nell is 8:25, and I prefer to --

If you people are here and

3.1-2

591

are pre-registered, I'll take them a little early if you'd like to do that.

Do you have written comments that you would like to submit to the record at this time?

MS. MOSS: No, I'll mail it.

HEARING OFFICER O'RIORDAN:

Okay, and what is your name?

MS. MOSS: Theresa Moss.

HEARING OFFICER O'RIORDAN:

And what time were you scheduled to speak?

MS. MOSS: 8:45.

HEARING OFFICER O'RIORDAN:

I've got you, Theresa Moss. Okay, number 162, okay, thank you.

MS. MOSS: Okay, my address is 1140 Camino Delora, Santa Fe, New Mexico 87581.

I would also just like to for the record -- good evening gentlemen, go ahead and wage also a complaint in the way that the hearings have been broken up.

I don't think it's right,

8-7

592

and I think it was another attempt at dividing us.

First, I would wish to thank the DOE for allowing comment and concern in voicing the citizens' outrage at the WIPP attempt.

When the hearings were scheduled, it was instantly clear to me that I must, even as one small voice, speak out.

As I sat down to put on paper what I felt about the WIPP issue, I promised myself it would not lapse into an emotional appeal.

But as I started to think of my options, those being whether to approach this subject from a rational or emotional standpoint, all of the sudden my point of view became crystal clear.

The recent events that have shed light on the horrendous actions of the DOE involvement at Rocky Flats in Colorado, showed me that speaking rationally was truly a moot point.

The use of rational thinking

8-7

32-1

593

seems to be a mystery to those individuals who comprise the DOE.

You're not using rational thinking when you decided to bury hot trash in salt beds that now have access to leak into waterways, thus potentially polluting our water system.

You're not using rational thinking when you illegally dump hot trash from Rocky Flats into ditches and streams that flow into the waterway for the people that -- that float into the water supply for the people of Denver, Colorado.

You certainly are not thinking rationally when you insist on rushing the opening of WIPP, despite all the problems presented, with no solutions to date.

Above all, there is no rational thinking even present, when for the sake of a few dollars and the stubborn pride of those who want to see this project opened prematurely, when you do not even truly know what the deposit

32-1

594

1 and the storage of this hot trash will
2 mean to our earth, air, rocks, waters and
3 trees.

4 I am appalled at the
5 arrogance of a Government who think that
6 only dollars make sense, and that
7 arrogance shows itself in having little
8 regard for this earth.

9 The earth lives. Its
10 waters, trees and rocks are alive on this
11 planet.

12 When we act this
13 irresponsibly, in dumping our man-made
14 hot trash, we are stating how scary
15 mankind has become.

16 Where is the harmony of
17 living on this earth in conjunction with
18 the plants and animals, who have every
19 right to be here also?

20 Has mankind gotten so blind
21 as to think that only two-legged
22 homo sapiens are the sole inhabitants and
23 thus sole inheritors of this earth?

24 The earth's spirits will
25 speak out.

16-Jun-89; TS-00654, PAGE 4 OF 5

32-1

595

1 We cannot cram this hot
2 trash down earth's throat, without some
3 form of protest.

4 That protest is already here
5 in contaminating pollutants that fill up
6 the waterways and plug up our sky.

7 There is no harmony here,
8 and certainly no rationale.

9 No one on this earth will be
10 exempted from the earth's protest, if we
11 insist on cramming nuclear waste back
12 into cavities in our earth.

13 Let us please begin to bring
14 some right thinking, some straight
15 thinking, and some rational thinking to
16 this issue.

17 Do not sell off our earth,
18 it's the only thing that we cannot buy
19 back, once it's ruined.

20 Thank you.

21 HEARING OFFICER O'RIORDAN:
22 You're welcome.

23 Is Francis Martin here?

24 Okay, we've gotten a little
25 bit ahead of schedule, so at this time,

16-Jun-89; TS-00654, PAGE 5 OF 5

3.1-8

596

1 we'll take a recess until 8:30 for our
2 next speaker to show up.

3 Thank you all very much.

4 (Short recess.)

5 HEARING OFFICER O'RIORDAN:
6 We're back on the record.

7 It's about 8:35. Let me
8 call the names of the pre-registered
9 speakers and see if they're here.

10 Then I will call the
11 at-the-door registered speakers, and
12 we'll begin with the presentations.

13 For some of you folks here
14 who are new, each presentation is five
15 minutes. We flash a green light when
16 four minutes has passed, and that means
17 you've got one minute to go.

18 When the red light comes on,
19 that means time is up and please
20 summarize.

21 I ask that each person in
22 the audience show courtesy to the
23 speaker.

24 I think that it's really
25 important. Try not to interrupt the

597

1 speaker, even if it's -- you like what
2 the speaker is saying.

3 Some people get nervous and
4 other people -- excuse me.

5 Also, the court reporter is
6 taking down what's being said, and the
7 object of these hearings is to get
8 testimony and comments in the record and
9 it would be good if you could refrain
10 from your cheers and jeers until after
11 the statements are made.

12 If you could submit your
13 written comments at the time of your
14 statement, or up until July 11th.

15 Okay, is Molly Brewton here,
16 Molly Brewton?

17 (No response.)

18 I guess she's not here.

19 Marjorie Schuckman?

20 MS. SCHUCKMAN: I'm here.

21 HEARING OFFICER O'RIORDAN:
22 Okay, would you like to speak now?

23 MS. SCHUCKMAN: I will but
24 another speaker is here.

25 HEARING OFFICER O'RIORDAN:

598

1 Certainly, what's your name?

2 MR. MARTIN: I'm Francis
3 Martin.

4 HEARING OFFICER O'RIORDAN:
5 Okay, please, yes. We've called you a
6 number of times.

7 MR. MARTIN: Well I'm sorry.

8 HEARING OFFICER O'RIORDAN:
9 No, that's okay, no.

10 MR. MARTIN: I was just
11 here looking at my notes.

12 HEARING OFFICER O'RIORDAN:
13 No, I meant before you were here, I'm
14 glad you're here.

15 MR. MARTIN: Okay.

16 HEARING OFFICER O'RIORDAN:
17 If you would please start with your name
18 and address and -- do you have written
19 testimony?

20 MR. MARTIN: Yeah, I don't
21 have anything I want to give you --

22 HEARING OFFICER O'RIORDAN:
23 At this time, okay.

24 MR. MARTIN: My name is
25 Francis Martin of 1246 Calle De

16-Jun-89, TS-00655, PAGE 1 OF 10

300

599

1 Comercio, Number 2, Santa Fe, New Mexico
2 87501.

3 I would like to ask you all
4 to join in a moment of silence before I
5 start speaking.

6 (Long pause.)

7 As I looked this afternoon
8 for a place to sit out on the plaza, the
9 grass there, to write these comments
10 about WIPP, I had to look a little bit to
11 find a place that was clean.

12 I thought to myself, you
13 know, how horrible to wonder if even a
14 patch of grass that looked clean, might
15 really be contaminated, if there might be
16 some terrible poison underneath.

17 As I've sat in these
18 hearings, I've looked at the faces of DOE
19 people, sometimes they appear tired,
20 which I can kind of understand, or bored.

21 I saw one smirk for half an
22 hour before I finally left.

23 I tried to sort of feel that
24 in my stomach, you know, what you were
25 feeling, and you know, all I could feel

16-Jun-89, TS-00655, PAGE 2 OF 10

32-1

698

1 was that you brought some sort of evil,
2 some sort of evil of lies and greed, some
3 sort of evil of a life back in
4 Washington, D. C. that is less than
5 wholly healthy.

6 I think at this point, that
7 evil is very much your albatross, not
8 ours.

9 But now you ask us to allow
10 you to bring waste here, waste that was
11 produced in a far away place, at least
12 some of it was.

13 I say no. I say no to your
14 evil. I say keep it, work it out for
15 yourselves.

16 Don't pretend to help us
17 with our waste problems.

18 It's my belief that you are
19 the problem.

20 Yes, I've seen a lot of
21 faces in this three ring divide and
22 conquer circus you've been kind enough to
23 grant us.

24 Every face though has had,
25 except yours Head, has had a label in

16-Jun-89; TS-00655, PAGE 3 OF 10

32-1

691

1 front of it, that said DOE.

2 The E stands for that
3 beautiful word, energy. And energy is
4 something we all want and need.

5 But the name Department of
6 Energy does not reflect your activities,
7 unless you consider energy synonymous
8 with war.

9 The evil you have brought us
10 is that of George Orwell's 1984, the evil
11 double speak of his ministry of peace.

12 I don't want you to
13 transport TRU waste to New Mexico or
14 anywhere else.

15 I agree that the areas which
16 have reaped the benefits of weapons
17 manufacture, the economic benefits,
18 though they may be insignificant compared
19 to the destructive effects of those
20 activities, ought to be stuck with the
21 waste, to deter local citizenry from
22 supporting future weapons manufacturing
23 in their communities.

24 When leaks occur in their
25 communities, I stand ready to help the

16-Jun-89; TS-00655, PAGE 4 OF 10

32-1

692

1 refugees here.

2 I would much rather have the
3 refugees than the waste.

4 I refuse to let you put my
5 status as a non-refugee at risk.

6 So go home, ponder and find
7 another way, because this Sante Fe snafu
8 of yours is only a taste of the licking
9 you'll get if you keep trying to WIPP us.

10 Any agreement to store waste
11 should be tied to a commitment to reduce
12 the volume of waste produced.

13 I demand that.

14 I also suggest to you
15 international cooperation, because we are
16 not the only country with this problem.

17 I want to know what efforts
18 have been made on your part in this
19 direction.

20 (Voice coming from other
21 room).

22 I would like to know from
23 you, what you know --

24 UNKNOWN SPEAKER: We've
25 decided to move downstairs to unify the

32-1

693

1 meeting into one group.

2 We're tired of being broken
3 up into three pieces.

4 Does anybody want to come
5 down?

6 UNKNOWN SPEAKER: We're
7 going downstairs.

8 MR. MARTIN: I would like to
9 finish here.

10 HEARING OFFICER O'RIORDAN:
11 I really would --

12 UNKNOWN SPEAKER: I would
13 like to hear you also, but downstairs.

14 There are hundreds --

15 MR. MARTIN: If they'll let
16 me speak, I'll be happy to do this again.

17 (Applause.)

18 I'm almost done, so let me
19 just finish.

20 HEARING OFFICER O'RIORDAN:
21 Please do.

22 MR. MARTIN: I'm within a
23 few seconds of finishing.

24 HEARING OFFICER O'RIORDAN:
25 All right.

16-Jun-89; TS-00655, PAGE 6 OF 10

684

1 MR. MARTIN: I would like to
2 know what you can tell me about how other
3 countries have solved their waste
4 problem.

5 I would like to suggest that
6 perhaps combined international efforts
7 could make otherwise unfeasible or
8 excessively expensive alternatives,
9 actually cost less to us than WIPP,
10 because we would be sharing the burden.

11 That's all I have to say to
12 you tonight, I -- yeah, I'd better stop.

13 Thank you.

14 HEARING OFFICER O'RIORDAN:
15 You're welcome.

16 UNKNOWN SPEAKER: Can't we
17 go downstairs?

18 UNKNOWN SPEAKER: Let's just
19 get up and walk out.

20 HEARING OFFICER O'RIORDAN:
21 I would like to remain on the record here
22 and complete the testimony from the
23 people that are scheduled to testify
24 here.

25 I know that a lot of people

5.3-1

685

1 want to testify in one place at one time,
2 but it was simply physically impossible,
3 given the large number of people that
4 wanted to testify, or to give their
5 comments.

6 UNKNOWN SPEAKER: But sir,
7 it's no longer physically impossible,
8 because they have lots of space and time
9 downstairs.

10 HEARING OFFICER O'RIORDAN:
11 Well it's not space it's --

12 UNKNOWN SPEAKER: There are
13 so few people here, sir.

14 HEARING OFFICER O'RIORDAN:
15 But it's the number of people --

16 UNKNOWN SPEAKER: We should
17 have already gone down there.

18 HEARING OFFICER O'RIORDAN:
19 It's the number of people that want to
20 talk.

21 UNKNOWN SPEAKER: Sir, I
22 just spoke about ten after eight, I just
23 walked in the door and I was scheduled
24 for 9:25.

25 They had read all the names

686

1 and --

2 HEARING OFFICER O'RIORDAN:

3 In the room next door?

4 UNKNOWN SPEAKER: No.

5 HEARING OFFICER O'RIORDAN:

6 Okay, we'll I've been here since 7:00
7 a.m.

8 The one concern that I have
9 is that every person who is scheduled to
10 speak today, gets their chance to speak.

11 I would like -- I think we
12 would all like to speak before it's two
13 o'clock in the morning.

14 If we can all go downstairs
15 and get done say by eleven, like we
16 planned, that would be wonderful.

17 If it means that we've got
18 to go to two or three, I would much
19 rather us all be here, because it makes a
20 lot of sense, because I can listen and
21 understand what you're saying.

22 If you would bear with me,
23 I'll go check downstairs.

24 Would that be all right?

25 UNKNOWN SPEAKER: Yes.

16-JUN-89: TS-00655, PAGE 9 OF 10

687

1 UNKNOWN SPEAKER: Would you
2 guys care to informally respond to my
3 questions while he's doing that?

4 UNKNOWN SPEAKER: Let's go
5 off the record.

6 UNKNOWN SPEAKER: Yeah, if
7 we could go off the record.

8 (Off the record.)

9 HEARING OFFICER O'RIORDAN:
10 We're back on the record.

11 We're finished, thank you.

12 Well I do appreciate it, I
13 know it's late for you and it's late for
14 us, but for people to come and take their
15 evenings and days to give comments is
16 very important.

17 Is Marjorie Schuckman here?

18 MS. SCHUCKMAN: Yes.

19 HEARING OFFICER O'RIORDAN:
20 Would you please come up?

21 MS. SCHUCKMAN: My name is
22 Marjorie Schuckman and I live at 1896
23 Lorca Drive, 75, the zip is 87585.

24 I am with the social
25 concerns committee of the Unitarian

16-JUN-89: TS-00655, PAGE 10 OF 10

16-JUN-89: TS-00656, PAGE 1 OF 3

688

1 Church, and I'm also with the Peace and
2 Justice Task Force of the Interfaith
3 Council.

4 I could speak to many
5 people's concern, the majority of people
6 that I speak to, are really concerned.

7 We have heard that the DOE
8 has been lying to us, as far as current
9 EPA standards.

10 I can't see where anything
11 is being met, the EPA standards are being
12 met.

13 We hear gas leakages, we
14 hear cracks at Carlsbad, we hear seepage,
15 the roads have not been improved
16 measurably, no by-pass has been built
17 yet, and yet we hear that they want to
18 hurry and get it done in September, which
19 doesn't seem at all feasible now.

20 Of course people say well
21 what should you do with the waste. Of
22 course there are a lot of different
23 ideas, what to do with it or don't do
24 with it.

25 But you don't put it in a

16-JUN-89: TS-00656, PAGE 2 OF 3

3.1-3
3.2-1

689

1 place that is dangerous, where there's
2 any doubt at all, should make everyone
3 consider.

4 I don't really have much
5 more to say.

6 HEARING OFFICER O'RIORDAN:

7 That's fine.

8 Thank you very much.

9 Is Molly Brewton here,

10 B-r-e-w-t-o-n?

11 (No response.)

12 Randall Bell? Is Randall

13 Bell here?

14 (No response.)

15 Hess Gordon, is Hess Gordon

16 here?

17 (No response.)

18 Eric Darling, is Eric

19 Darling here?

20 (No response.)

21 Mary Brewer, B-r-e-w-e-r, is

22 Mary Brewer here?

23 (No response.)

24 Is Anita Sandburg here,

25 Anita Sandburg -- Sanders, I'm sorry,

16-JUN-89: TS-00656, PAGE 3 OF 3

3.1-3

610

1 S-a-n-d-e-r-s?

2 (No response.)

3 Okay, is Johanna Mayberry
4 here?

5 MS. MAYBERRY: Yes.

6 HEARING OFFICER O'RIORDAN:
7 Would you please speak next then?

8 MS. MAYBERRY: Okay.

9 HEARING OFFICER O'RIORDAN:
10 Do you have written comments?

11 MS. MAYBERRY: I do. Let me
12 give you mine.

13 HEARING OFFICER O'RIORDAN:
14 They will be Exhibit 446.

15 Thank you very much.

16 (The document above-
17 referred to was marked for
18 identification as Exhibit
19 No. 446, and received into
20 evidence.)

21 MS. MAYBERRY: My name is
22 Johanna Mayberry, I am at 413 Grant,
23 Sante Fe, 87581.

24 I am pleased to speak to you
25 as a resident of Sante Fe, and a home

16-JUN-89; TS-00657, PAGE 1 OF 6

306

611

1 owner whose house is near I-25.

2 Also, I speak as a
3 practicing psychotherapist and a business
4 person in this community, as well as an
5 educator and historian.

6 My strongest credentials
7 however, come as a parent and as a
8 grandmother.

9 I want to speak about my
10 opposition to WIPP on the health and
11 safety issues.

12 Last, I want to address the
13 issue of democracy in this debate over
14 WIPP.

15 There simply is no
16 compelling evidence that WIPP is, or ever
17 can be, safe.

18 We're dealing with a deadly
19 substance that lasts for one quarter of a
20 million years, yet no EPA safety
21 standards exist for this project.

22 New ones have not been
23 written since the old ones were thrown
24 out in 1987, by the First Circuit Court
25 of Appeals, because they were not

16-JUN-89; TS-00657, PAGE 2 OF 6

1-2

3.1-2
3.1-3
3.7-1

1 astringent enough.

2 Compliance with the Resource
3 Conservation and Recovery Act, or RCRA,
4 is mandatory.

5 Nevertheless, the DOE plans
6 to violate Federal law because EPA has
7 not granted WIPP a RCRA permit.

8 SEIS admits that surface
9 facilities will become contaminated, even
10 DOE realizes the potential for
11 endangering people, but under-plays it.

12 What we say in the
13 psychological profession as minimizing,
14 so as not to appear culpable for causing
15 real harm to others.

16 This kind of cunning and
17 distortion conceals the imminent threat
18 to workers, scientists, the public or the
19 general environment, that are genuinely
20 present in the WIPP project.

21 As for health risks, they
22 are numerous. The noted facts of low
23 dose and long-term exposure result in
24 dissolution of cell membrane and
25 eventual cell death.

3.1-3

3.7-1

7.13.4-2

7.14-10

14-Jun-89, TS-00657, PAGE 3 DF 4

1 This profoundly disturbs the
2 immune system in healthy individuals, and
3 destabilizes their ability to resist all
4 kinds of diseases in the future.

5 Nothing so devastating
6 should be permitted in the general health
7 of the American population.

8 But the most damning
9 indictment of the DOE irresponsibility is
10 that it has grossly underestimated human
11 error in the packing, loading,
12 transporting, unloading and storing of
13 these dangerous materials.

14 This deserves serious
15 evaluation.

16 Even SEIS predicts eight
17 deaths, and 186 injuries due to truck
18 transportation alone.

19 How much more damage will
20 there actually be, given the fallibility
21 of predicting safe guarantees before the
22 terrible accidents at Chernobyl, Three
23 Mile Island, and the Exxon spill in
24 Alaska?

25 Moreover, it wasn't until

7.14-10

3.2-1
7.3.5-1
7.13.3-1

14-Jun-89, TS-00657, PAGE 4 DF 4

614

1 recently that the FBI discovered that
2 the supposedly safe Rocky Flata area,
3 operated by the Department of Energy, has
4 engaged in long-term contamination.

5 In testimony before the
6 Department of Energy, the public has
7 overwhelmingly opposed WIPP, and the
8 Department of Energy policies.

9 We live in the United
10 States, by the principles of democracy,
11 and the doctrine that the political
12 leaders must follow the will of the
13 people.

14 We also like to see our
15 leaders confirm their respect for the
16 people by the acts they perform.

17 It is now clear, however,
18 that DOE opposes the will of the people
19 and it opposes its authority against the
20 people's will and the people's interests,
21 to serve politically expedient ends.

22 It knowingly endangers
23 public health and safety, while it
24 ignores the detrimental impact on the
25 environment and the earth itself.

3.2-1
7.13.3-1

1-2
3.1-2
3.1-8
3.2-1

16-JUN-89: TB-00657, PAGE 5 OF 6

615

1 Accordingly, DOE is a
2 harbinger of death and destruction, as
3 much a threat to democracy and peaceful
4 tranquillity in the United States of
5 America, as Lee Pong and Deng Chow Ping
6 are to the people of China.

7 However, there in China, the
8 threat of abusive power is immediately
9 visible and the consequences well known,
10 but here it is covert and secret, covered
11 up by even the illusion that these
12 hearings will ever be taken seriously.

(Applause.)

14 As a result we face the
15 policy of bureaucrats in DOE making
16 deadly fateful decisions that will affect
17 Americans, the environment and the earth,
18 for thousands, perhaps millions of years.

19 Stop the abuse of the
20 American people and their environment.

21 The will of the people in
22 this democracy says no to WIPP, and no to
23 DOE, and in our hearts and minds, we want
24 to be free of this tyranny.

25 HEARING OFFICER O'RIORDAN:

16-JUN-89: TB-00657, PAGE 6 OF 6

1-2
3.1-2
3.2-1

616

1 Thank you very much.

2 Could we have your comments?

3 Ms. Mayberry, could we have
4 your comments?

5 COURT REPORTER: She gave
6 them to me.

7 HEARING OFFICER O'RIORDAN:
8 Oh, she gave them, I'm sorry, I guess
9 I'm getting a little tired.

10 MS. MAYBERRY: I gave them
11 to you.

12 HEARING OFFICER O'RIORDAN:
13 Okay, we have 28 people scheduled between
14 now and 18:55, so let me call on some and
15 see if they're here.

16 Is John Cohen here?

17 (No response.)

18 Katherine Molen?

19 (No response.)

20 Brent Borum?

21 (No response.)

22 We have a few for ten
23 o'clock, Marlow Hotchkiss or Cynthia
24 Hotchkiss?

25 (No response.)

617

1 Thea Becket,

2 (No response.)

3 Carter Beckett?

4 (No response.)

5 Now about Resa Gordon?

6 (No response.)

7 Eric Darling?

8 (No response.)

9 Mary Brewer?

10 (No response.)

11 Anita Sanders?

12 (No response.)

13 Jill Markus?

14 (No response.)

15 Do we have any pre-
16 registered people here at all?

17 (No response.)

18 Okay, any registered
19 at-the-door people?

20 (No response.)

21 We're ahead of schedule,
22 it's nine o'clock, and our next speaker
23 is scheduled for 9:15.

24 It looks like we have some
25 coming here.

618

(Inaudible talking.)

HEARING OFFICER O'RIORDAN:

Oh yeah, we have to stay here, you know, he was just saying that we have to stay here until the allotted time so that everyone has their chance to --

MR. KALDOR: My point was that number one, I appreciate the people that decided to stay and get their comment on the record, that's the purpose of the proceeding.

If anybody else knows of people downstairs that are waiting and want to get on with the proceeding, this is a golden opportunity to be able to come in, give your comments and then get back to the rest of the organization.

UNKNOWN SPEAKER: One is the person and one is the organization.

HEARING OFFICER O'RIORDAN:
You have two halves.

UNKNOWN SPEAKER: I want to go downstairs and watch the --

HEARING OFFICER O'RIORDAN:
Okay.

619

MR. KALDOR: Shall we go off the record?

HEARING OFFICER O'RIORDAN:

Yes, we'll go off the record until approximately 9:30 and see how things shape up.

(Off the record.)

HEARING OFFICER O'RIORDAN:

We're back on the record.

It's approximately 9:35.

Now for those of you who haven't been here before, each person has five minutes to give their presentation, and it will be made a part of the record and recorded.

If you have a written presentation, we would like to have it presented now and we'll make it part of the exhibit and the record.

If you want to submit it later you have until July 11th.

All the statements here are made a part of the record, and all are utilized in the process of developing the Final Environmental Impact Statement.

620

1 I know that some of you are
2 concerned about the number of people
3 here.

4 It makes no difference in
5 terms of how the statement is treated in
6 the process.

7 There have been hearings all
8 over the country and they're all being
9 mushed together and will be analyzed in
10 one process.

11 There are also written
12 statements of people who haven't
13 testified.

14 You don't have to testify to
15 make a statement, and a lot of people
16 have done that.

17 I would like to call some of
18 the names of people who didn't answer
19 earlier, just to make sure that we didn't
20 miss them.

21 Is Izzi Konold, K-o-n-o-l-d
22 here?

23 (No response.)

24 Okay, is Patrice Hughes
25 here, Patrice Hughes?

621

1 (No response.)

2 Is Randall Bell here,

3 Randall Bell?

4 (No response.)

5 Is Molly Brewton here,

6 Brewton?

7 (No response.)

8 You're here, aren't you?

9 No?

10 MS. BREWER: I'm Mary

11 Brewer.

12 HEARING OFFICER O'RIORDAN:

13 Mary Brewer, I'm sorry, I've been at this
14 since seven this morning. I'm getting
15 tired.

16 Is Theresa -- we called her
17 already.

18 Is John Cohen here, John
19 Cohen who was scheduled to speak at 9:10,
20 is he here?

21 (No response.)

22 Kathy Molen, is Kathy Molen,
23 she was scheduled for 9:15, is she here
24 now?

25 (No response.)

622

1 Brent Borum, is Brent Borum
2 here?
3 He was scheduled for 9:28 is
4 he here?
5 (Mo response.)
6 Okay, these people that I've
7 called are not here.
8 I know that Mary Brewer is
9 here, and that we would like to hear her.
10 We've called her three
11 times, and we're looking forward to
12 hearing her.
13 (Applause.)
14 MS. BREWER: The third time
15 is a charm.
16 HEARING OFFICER O'RIORDAN:
17 Thank you for being here, Mary, please
18 give your name and address.
19 MS. BREWER: My name is Mary
20 Brewer, B-r-e-w-e-r, and my address is
21 Post Office Box 16196, Santa Fe, New
22 Mexico 87506.
23 HEARING OFFICER O'RIORDAN:
24 Thank you.
25 MS. BREWER: For the past

16-Jun-89: TS-00658, PAGE 1 OF 4

623

1 ten years, I've worked as a professional
2 in a solar alternative energy industry in
3 California, specifically, with the
4 California Energy Commission, and with
5 the Sacramento Municipal Utility
6 District, a nuclear utility that has been
7 plagued with management and technical
8 problems.
9 From my experiences in the
10 energy industry, I have all too often
11 seen economic and political solutions
12 used to answer technical problems.
13 In the usual scenario, we
14 get to listen to excuses as to why
15 something that could never happen, did
16 happen.
17 I have seen the alternative
18 energy industry decimated, when new
19 political administrations took office,
20 not for technical reasons or any -- or
21 with any regard to any effects on the
22 environment, but purely as part of a
23 political power struggle.
24 I feel that once again, we
25 are being driven by economics and

16-Jun-89: TS-00658, PAGE 2 OF 4

3.1-8

3.1-8
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624

1 politics, instead of true, technical and
2 environment information.

3 To expect a 200 year old
4 country to safeguard radioactive waste
5 for hundreds and thousands of years, is
6 ludicrous.

7 Meaningless assurances from
8 people who have no way of knowing what
9 can happen in the future or how to
10 correct the mistakes and accidents that
11 surely will happen, is tragic.

12 A good example is the oil
13 spill in Alaska, which we were assured it
14 would never happen.

15 Unless the average citizen
16 takes a stand against the pollution of
17 our environment, we will all perish in
18 the ways that we are creating.

19 I feel that it is imperative
20 for the average citizen to speak out
21 against WIPP.

22 DOE doesn't have the
23 solutions, they only created the
24 problems, problems with which this
25 country, and specifically New Mexico,

31-8
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32-1

625

1 will have to deal.

2 New Mexico has a bitter and
3 black history surrounding its involvement
4 with nuclear power.

5 It is time to stand up and
6 say enough is enough, we do not have to
7 be quietly led down the garden path once
8 again, by empty promises that cannot be
9 kept.

10 I would like to formally
11 protest DOE's divide and conquer tactics
12 of the hearing process.

13 We're talking about
14 something that is 240,000 years, and if
15 it was necessary to have these hearings
16 go for a week versus in the scheduled
17 time, I think this is serious enough for
18 it to have happened.

19 I think it's been a
20 disservice to this state and the citizens
21 here, for having this process be done as
22 it was.

23 Thank you for my opportunity
24 to speak.

25 HEARING OFFICER O'RIORDAN:

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314

626

1 You're welcome.

2 COURT REPORTER: Mary, would
3 you like to submit that to the record?

4 HEARING OFFICER O'RIORDAN:
5 That will be Exhibit 446.

6 COURT REPORTER: 447.

7 HEARING OFFICER O'RIORDAN:
8 447, I'm sorry.

9 (The document above-
10 referred to was marked for
11 identification as Exhibit
12 No. 447, and received into
13 evidence.)

14 HEARING OFFICER O'RIORDAN:
15 Is Resa Gordon here?

16 MS. GORDON: Yes.

17 HEARING OFFICER O'RIORDAN:
18 Okay, you're next.

19 Would you like to have your
20 comments made a part of the record?

21 MS. GORDON: Sure.

22 HEARING OFFICER O'RIORDAN:
23 Okay, that will be Exhibit 448.

24 (The document above-
25 referred to was marked for

627

1 identification as Exhibit
2 No. 448, and received into
3 evidence.)

4 HEARING OFFICER O'RIORDAN:
5 Thank you, please give us your name and
6 address.

7 MS. GORDON: Thank you, I'm
8 Resa Gordon, and my address is P. O. Box
9 6494 in Santa Fe, 87502.

10 I too would like to take the
11 DOE to task for the way they've handled
12 this.

13 I called in early May to
14 register to speak and was never
15 contacted, never received a summary, and
16 I've talked to probably 150 people over
17 the last couple of days, who were also
18 completely ignored when they called to
19 reserve a spot to speak.

20 The Department of Energy has
21 deemed to come here and allowed us to
22 voice our concerns about WIPP, what
23 freedom we have in this country.

24 Except the freedom to live
25 without contamination, carcinogenic

16-Jun-89, TS-00659, PAGE 1 OF 3

8-6

9-1

628

chemicals in our food, oil drowning our sea coast, toxic and nuclear waste traveling our highways, to be dumped later in our back yards.

I have to buy safe drinking water. How soon before I have to purchase breathable air?

If we truly had a voice in our Government, we wouldn't even have to be here to plead with our public servants to stop WIPP.

My Government would not be generating nuclear waste with no possibility of safe disposal.

As an Earth First'er, I'm often accused of being irrational, unreasonable, and impolite.

Well trucking nuclear waste through hundreds of towns and dumping it in a leaky depository is irrational, unreasonable and is totally unacceptable.

I refuse to be polite to those who would willfully poison this and future generations of all species.

As a citizen and taxpayer of

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629

this country, as an inhabitant of Turtle Island, I do not ask, I demand to live free of the fear of toxic contamination from WIPP.

I also give you a promise. I will insist, persist and resist, until WIPP is stopped.

The WIPP trucks will not pass, we the people will not allow it.

(Applause.)

HEARING OFFICER O'RIORDAN:
Is Eric Darling here?

(No response.)

Eric Darling, he was scheduled for 9:48, is he here?

(No response.)

Is Anita Sanders here, Anita Sanders?

(No response.)

Marlo Hotchkiss?

MR. HOTCHKISS: Here.

HEARING OFFICER O'RIORDAN:
Would you like to speak next, Mr. Hotchkiss?

Do you have a statement -- a

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630

1 written statement that you would like to
2 make a part of the record at this time?

3 MR. HOTCHKISS: I will edit
4 it and send it in by mail.

5 HEARING OFFICER O'RIORDAN:
6 Okay, fine, thank you.

7 Please start with your name
8 and address.

9 MR. HOTCHKISS: My name is
10 Marlow Hotchkiss, Route 7, Box 123C,
11 Sante Fe, 87505.

12 In August of last year, as a
13 private pilot, I had the opportunity to
14 fly a small group of people from Sante Fe
15 to Carlsbad, to visit the WIPP facility.
16 Our group included Joanna Macy, an
17 internationally known author and
18 lecturer, on the psychology of the
19 nuclear issue, a number of artists from
20 the area, who are part of the Sacred Arts
21 project, an environmentally focused group
22 dedicated to re-sanctifying our earth,
23 and even a concerned high school student.

24 Flying the route from Sante
25 Fe southeast to Carlsbad, you can vividly

32-1

631

1 see the vast sweep of the alluvial
2 plains, dropping away over 4000 feet, as
3 the San Andres and Sacramento Mountains
4 channeled the flow the Pecos water shed
5 down toward Carlsbad, and on to the Gulf
6 of New Mexico and the oceans of the
7 world.

8 It's an impressive system,
9 much of it underground.

10 We were met at the Carlsbad
11 Airport by a Westinghouse official and
12 given what I might call pink carpet
13 treatment, roast beef lunch, a tour of
14 the facility, and an opportunity to
15 question some of the staff and public
16 relations people.

17 I say pink rather than red,
18 because we were prohibited from visiting
19 certain aspects of the facility,
20 including the underground rooms.

21 I was impressed in fact, by
22 the sincerity of a number of the lower
23 level Westinghouse personnel that we
24 talked to, I think especially of one
25 nuclear engineer with over 17 years of

32-1

1 experience in the industry, Joe as I'll
2 call him, he's the kind of person I want
3 on the job handling these deadly
4 materials.

5 I was even more impressed
6 however, with what was left unsaid and
7 uncommunicated by the people that we
8 talked to.

9 Two examples in particular,
10 in one part of the facility, we were
11 shown an elaborate high-tech loading dock
12 for rail transported waste, capable of
13 enclosing, rotating, lifting, entire box
14 cars and their contents, by remote
15 control.

16 Seeing these costly rail
17 facilities already in place and
18 functioning, and knowing of the DOE's own
19 in-house assessment of that rail
20 transport was ultimately safer and
21 cheaper than trucking over highways, I
22 was again struck with the unanswered
23 question of how decisions are made and
24 carried out in the department.

25 Most disturbing to me was

16-Jun-89; TS-00660, PAGE 3 OF 10

32-1

1 our tour of the hot room, a state of the
2 art facility for the remote handling,
3 packing, unpacking and on-site repair of
4 TRUPACT containers.

5 When questioned, the
6 engineer explained that the maximum
7 radiation that would be encountered in
8 the event of a ruptured container, was
9 put at 1000 REM's, supposed low-level
10 waste.

11 We were told the hot room
12 itself was built to shield and contain
13 400,000 REM's.

14 When we inquired why the
15 apparent over-building of the room, we
16 were told it was for the -- for safety
17 reasons and employee protection.

18 In no other situation that I
19 know of involving the handling of --
20 direct handling of nuclear waste,
21 including the casual disposal in
22 cardboard boxes or impromptu on-site
23 burial, the equipment and garments for
24 the emergency response team and even the
25 TRUPACT container itself, am I aware that

16-Jun-89; TS-00660, PAGE 4 OF 10

32-1

1 the DOE has mandated a safety margin of
2 over 400 per cent.

3 Is it possible that once its
4 operational, it is the DOE's and
5 Westinghouse's intention to quietly
6 escalate the level of waste being buried
7 in WIPP?

8 Our entire nuclear science
9 and industry, our basic research and
10 technical applications, were all spawned
11 at a time of maximum war effort and in an
12 atmosphere of utter top secrecy.

13 The old Atomic Energy
14 Commission, and subsequently the DOE,
15 have seemingly inherited a mind set of
16 secrecy, limited accountability and
17 internal intrigue, for their eyes only.

18 When the deadly by-products
19 of these efforts are being dumped without
20 due process and accountability, and
21 without regard for the long-range
22 ecological impact to our local water
23 sheds and perhaps subsequently into our
24 planet's oceans, as is already happening
25 in the North Sea, it is time for our

16-Jun-89; TS-00660, PAGE 5 OF 10

32-1

53-1

1 citizenry to take charge.

2 My wife and partner,
3 Cynthia, will speak to these issues more
4 specifically of the transferring
5 responsibility for nuclear waste and
6 management out of the DOE's hands and
7 into the hands of the public.

8 Waste is ultimately a human
9 creation, it is an obscene and unnatural
10 concept.

11 Nowhere else in nature do we
12 see unusable material being generated,
13 the by-products of one natural activity
14 or life form becoming inevitably the
15 fuel, the resource, perhaps even the food
16 of another living being.

17 The ability of other life
18 forms in biological systems to process
19 and use our by-products, has to become
20 the ethical bottom line in any true,
21 mature and meaningful EPA criteria.

22 The very concept of waste
23 means to be abandoned.

24 Wild nature knows only
25 recycling of resources.

16-Jun-89; TS-00660, PAGE 6 OF 10

36-1

636

1 If our relations with other
2 plants, animals and living systems cannot
3 use what we produce, then we must stop
4 producing it. We must re-join the
5 interdependent community of living beings
6 here on this earth, and give up
7 willy-nilly, our human centered
8 exploitation of resources.

9 We humans must beg
10 forgiveness at whatever altars we hold
11 sacred, for introducing the notion of
12 waste into this world, and living our
13 lives as if God and all living things
14 didn't matter.

15 We must stop producing
16 nuclear waste immediately, and enshrine
17 the existing transuranic by-products and
18 plutonium, in viable, above-ground,
19 retrievable mausoleums, monuments to our
20 lack of imagination, until some time in
21 the future when perhaps a greater wisdom
22 can discover the usefulness of our
23 "waste".

24 Matthew Fox, Catholic priest
25 and author comments, "In the United

16-Jun-89: TS-00660, PAGE 7 OF 10

3.6-1

637

1 States, one half of our water comes from
2 underground aquifers or cavern like
3 reservoirs of fresh water. A study in
4 Massachusetts recently found that one
5 third of its aquifers have been poisoned.
6 Twenty-five per cent of the aquifers in
7 California have been poisoned. In Long
8 Island one hundred per cent have been
9 poisoned.

10 "The human race knows no way
11 to clean up an aquifer once it is
12 poisoned. The poisoned aquifer will
13 remain contaminated for at least 100,000
14 years."

15 He is speaking of chemical
16 contamination, not radioactive.

17 "The Environmental
18 Protection Agency estimates that there
19 are 50,000 toxic dump sites in our
20 country, currently leaking poisons into
21 Mother Earth, only 22 have been cleaned
22 up as of today, while 1.7 million have
23 been spent on military research and
24 equipment in the past ten years. One
25 wonders if a sane and healthy Defense

16-Jun-89: TS-00660, PAGE 8 OF 10

3.1-8

3.1-8

638

Department ought not defend the soil, the waters and the forests and the air.

"Already the human race has begun to feel the effects of the wounds that we have inflicted on Mother Earth. We have begun to put our hands into her laced side and in her crucified hands and feet, at Love Canal for example, where poisonous chemicals were dumped in the soil, there were 18 pregnancies, of these only two resulted in normal children, three resulted in stillborn fetuses, four were spontaneous abortions, nine had birth defects, including incomplete skull closures, multiple rows of teeth, cleft palate, congenital heart defects, and genetic damage, all who men living at Love Canal, had DNA in the sperm cells poisoned, and the human race knows of no way of cleaning this up.

"In the last 25 years, serious birth defects have doubled the world over.

"European officials point out that the Rhine is dead, from a single

16-Jun-89; TS-00660, PAGE 9 OF 10

3.1-8

639

industrial accident, 1986, 1898 tons of toxic waste, including 8888 tons of pure mercury were dumped into that river, and it is now dead."

I don't think that given the uncertainty surrounding the environmental and geological circumstances at WIPP, that we can risk the death of the Pecos River water shed and the Gulf of Mexico.

In closing, I would like to quote C. W. Meyer, friend and co-worker of Carl Jung, "The wilderness within would really go wild if we should really badly damage the outer wilderness, so let us keep the balance as best we can, in order to maintain sanity."

Thank you.

HEARING OFFICER O'RIORDAN:

You're welcome.

Cynthia Hotchkiss, are you ready to give your comments?

MS. HOTCHKISS: Yes.

HEARING OFFICER O'RIORDAN:

Do you have written comments? Do you want to submit them now or do you want to

16-Jun-89; TS-00660, PAGE 10 OF 10

3.1-2

648

1 do that later?

2 MS. NOTCHKISS: I'll send
3 them in.

4 HEARING OFFICER O'RIORDAN:
5 Okay, fine.

6 MS. NOTCHKISS: Hello.

7 HEARING OFFICER O'RIORDAN:
8 Hello.

9 MS. NOTCHKISS: So, my name
10 is Cynthia Notchkiss, and I live at Route
11 7, Box 123C, Sante Fe, 87505.

12 I am 33 years old, and I am
13 currently contemplating having a child.

14 Recently, it seems to me
15 that every other friend that I have who I
16 talk to, is dealing with a serious health
17 crisis, such as breast cancer or
18 leukemia, or other forms of cancer, and
19 that's not to mention AIDS.

20 It's been really shocking to
21 me, friends and friends of friends, and
22 family, are dying untimely deaths all
23 around me, and it feels that we're now
24 firmly in the midst of an epidemic which
25 can only be connected to the healthy

16-Jun-89; TS-00661, PAGE 1 OF 7

9-1

641

1 environment in which we live.

2 The waste that our culture
3 is generating is so toxic that I
4 seriously wonder about their rightness of
5 bringing new life into this world, since
6 it's so unsafe.

7 When I listen to all the
8 words that have been spoken here
9 recently, today and yesterday, I can't
10 help marveling at the fact that there
11 seems to be such opposing views, when it
12 should be a situation of clear and simple
13 facts, and truth, which we could all
14 recognize as workable and realistic, if
15 we were able to open ourselves and listen
16 to each others viewpoints, and really
17 receive what we are saying.

18 I feel that all of our
19 defensive posture is blind to us in
20 recognizing what we're creating, and that
21 we need desperately to work together to
22 resolve our situation.

23 This group here, is our
24 non-trustworthy Governmental agency that
25 will hide the waste away unsafely and

16-Jun-89; TS-00661, PAGE 2 OF 7

9-1

32-1

1 deny its threat to us.

2 These people are the
3 emotional, confrontive, protesting and
4 condemning ones, that don't really offer
5 constructive or effective or alternative
6 actions.

7 It's both of our defensive
8 postures that got us here, and that must
9 be dissolved and reconciled if we're to
10 progress towards a healthy future.

11 The waste which we are faced
12 with, I see it as a sacred trust, which
13 will be with us for many, many lifetimes,
14 into the future.

15 What we do now, we will as a
16 species and a planet, be reaping
17 thousands of years from now.

18 I feel it's all of our
19 responsibility to bear witness to our own
20 destruction, which means that this waste
21 must be monitored by us for the rest of
22 our lives.

23 The more we fight each
24 other, the more likelihood for a mistake,
25 for an accident, or for an incident to

32-1

1 occur.

2 Citizen diplomacy has
3 profoundly influenced the shift in
4 Soviet/American relations in the last
5 years, and I think now must be applied to
6 our own Government.

7 Like citizen diplomacy, it's
8 time for us to create our own means of
9 dealing with this issue, when our
10 Government is failing to do this work for
11 us.

12 We are all afraid, none of
13 us wants to poison our children or our
14 trees or our earth or each other.

15 This is our spiritual
16 heritage, it's a new tradition that is
17 being born now, that we are responsible
18 to.

19 We cannot get rid of this
20 legacy, we must bear witness and make the
21 movement and storage of this deadly
22 waste, the most conscious act of our
23 time, laying the groundwork for the
24 generations to come.

25 We need to join together to

1 ensbrine this waste, most respectfully,
2 and trust each other, that it is held
3 safely and responsibly for the sake of
4 ourselves and all life.

5 A written description of
6 what's called the guardian site project,
7 has been submitted for the record by a
8 previous speaker, named Robert Ott. This
9 project proposes a model for a
10 cooperative, citizen waste organization
11 to store, monitor and care for, our
12 present nuclear waste, in above ground,
13 retrievable facilities, indefinitely, or
14 until creative solutions can be found for
15 its disposal or transformation.

16 Consider a publicly held,
17 non-profit organization, with total
18 accountability, to bring together our
19 best scientists, engineers, philosophers
20 and artists, to design an appropriate
21 facility to hold these wastes as a sacred
22 trust, until our sciences equal the task
23 of healing this mess.

24 (Applause.)

25 I see -- well I have a

36-2
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1 little note here.

2 Perhaps these -- we the
3 people, should take a primary
4 responsibility for the safe management of
5 these wastes, while the Government
6 becomes the watchdog that we've been.

7 I see that these abridges
8 locally, should be, and placed where the
9 waste has been created.

10 But if it must be moved, it
11 should be done so with the -- almost a
12 ceremonial manner, like a procession,
13 moving from one place to the next, with
14 all traffic stopped, and people perhaps
15 holding bands across intersections and
16 atop lights, communities cooperating to
17 insure the safe transmission of these
18 materials of life and death, versus
19 anonymous trucks traveling in the dead of
20 night.

21 The fact is, is that we
22 don't have a permanent solution for
23 disposal and safe containment at this
24 time.

25 We will live with this waste

53-1

646

1 for perhaps hundreds of thousands of
2 years.

3 We do not need a dump, we
4 need a monument, where like the Vietnam
5 Memorial, people can pay their respects
6 to the world's nuclear victims and offer
7 prayers for the as yet unborn children of
8 the future.

9 Let's not pretend that this
10 nuclear race is not a deadly game and
11 that the dream of safe energy is not a
12 nuclear nightmare.

13 Let's not put the blame on
14 others and let's not expect things to be
15 taken care of by someone else.

16 Let's open ourselves to the
17 birth of a new life and hope, based on
18 mutual trust and communication, and
19 dedicate ourselves to working together to
20 insure our planet's survival.

21 Thank you.

22 HEARING OFFICER O'RIORDAN:
23 You're welcome.

24 Is Anita Sanders here?
25

16-Jun-89: TS-00661, PAGE 7 OF 7

53-1

647

1 MS. SANDERS: Yes.

2 HEARING OFFICER O'RIORDAN:

3 You're next.

4 Do you have written
5 comments?

6 MS. SANDERS: No.

7 HEARING OFFICER O'RIORDAN:

8 Okay, please give your name and address.

9 MS. SANDERS: I will.

10 My name is Anita Sanders, I
11 live within breathing distance of the
12 WIPP route, at 636 Garcia, Number 3, in
13 Santa Fe, 87501.

14 So you know what I'm going
15 to say?

16 I asked this because it
17 seems to me that everyone who has come
18 here has a position, either for or
19 against, and you could probably tell who
20 these people are before they even open
21 their mouths.

22 I wonder if there are any
23 open minds here tonight, and I am not
24 interested in speaking to try to persuade
25 anyone to change positions that they have

16-Jun-89: TS-00662, PAGE 1 OF 2

325

648

1 already taken.

2 I would just like to have my
3 name and be here, to be a check mark next
4 to the place that says "no".

5 I don't want the WIPP route
6 to go through Sante Fe, I don't want New
7 Mexico to be a dumping ground for nuclear
8 waste, and I would also like for my name
9 to be a check mark next to the idea that
10 we should not operate from desperation
11 mind, which will help us to convince
12 ourselves that things that we might not
13 be so sure of, are things that we're very
14 sure of, and that could be WIPP route or
15 the WIPP site, or the resulting
16 destruction, or that the WIPP site is
17 absolutely perfectly, 100 per cent safe.

18 I don't believe that it is
19 safe, and I don't believe that we should
20 operate from a position of certainty that
21 it is.

22 That's all I have to say,
23 thank you.

24 (Applause.)

25 HEARING OFFICER O'RIORDAN:

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649

1 You're welcome.

2 Is Thea Becket here, Thea
3 Becket?

4 (No response.)

5 Now about Carter Becket?

6 (No response.)

7 Jill Markus, you're
8 scheduled for 10:15, Jill Markus?

9 Would you like to have your
10 written presentation made a part of the
11 record at this time?

12 MS. MARKUS: Yes.

13 HEARING OFFICER O'RIORDAN:
14 Okay, then that will be Exhibit Number
15 449.

16 (The document above-
17 referred to was marked for
18 identification as Exhibit
19 No. 449, and received into
20 evidence.)

21 You can give it to the court
22 reporter after you're finished, please.

23 MS. MARKUS: Okay.

24 HEARING OFFICER O'RIORDAN:
25 Thank you.

650

16-Jun-89: TS-00663, PAGE 1 OF 3

MS. MARKUS: My name is Jill Markus, and my address is Route 9, Box 86EM, Sante Fe, New Mexico.

I strongly object to the opening of WIPP.

I am outraged with the Department of Energy's willingness to risk the public's health and safety in its rush to open WIPP before EPA standards are met.

I feel personally affected by this flagrant disregard for the people's welfare.

Last August I move from the Northeast to Sante Fe with my husband and two young children.

We were unaware of the WIPP project before we arrived, or we surely never would have bought property as we did, right off the designated WIPP route here.

The prospect of three trucks a day for the next 25 years, hauling hazardous nuclear waste past my home, I feel is a direct threat to the health and

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7.3.3-4

651

16-Jun-89: TS-00663, PAGE 2 OF 3

safety of my family, as it is to all Sante Fean's (sic.).

What happened to the promised by-pass road?

It is inconceivable to me, that you plan to drive the stuff through the most congested intersection in town.

We are entitled to more protection than this.

I believe that WIPP is no solution at all to the problem of what to do with America's nuclear waste.

I understand that the Department of Energy plans to fill more than two-thirds of WIPP's capacity, not with the existing backlog of nuclear waste, but with newly generated wastes.

This keeps the door open for the continuation of the deadly bomb production, which we all know in our hearts is complete madness, and which results in more nuclear waste and more contamination.

I propose that we take the 2.5 billion dollars in funds programmed

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7.15.4-23.1-8
3.6-15.3-1
9-2

652

16-Jun-89: TS-00663, PAGE 3 OF 3

for WIPP, and use it to help clean up the existing contamination of natural resources at other DOE facilities, and to research alternative ways for dealing with nuclear waste, other than carrying this lethal poison in our Mother Earth, sickening the very living body that feeds and sustains us all.

Thank you.

HEARING OFFICER O'RIORDAN:

You're welcome.

Do you want to give us your written comments?

(No response.)

Is Lorie Holmes here, Lorie Holmes?

(No response.)

Okay, Jack Smith, he's not scheduled until 18:25, is Jack Smith here?

(No response.)

Is Bob Page here? Yes?

MR. PAGE: Yes.

HEARING OFFICER O'RIORDAN:

Would you please give your comments, Mr.

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653

Page?

MR. PAGE: Okay.

HEARING OFFICER O'RIORDAN:

And would you like your written comments made a part of the record at this time?

MR. PAGE: Sure.

HEARING OFFICER O'RIORDAN:

That would be Exhibit Number 458.

(The document above-

referred to was marked for

identification as Exhibit

No. 458, and received into evidence.)

Please give your name and address and then your comments.

MR. PAGE: Okay. My name is Bob Page, I live at 244 Casados in Santa Fe, New Mexico.

I am an advocate of CCMS as well as my business is a member against WIPP.

What I want to accomplish in my testimony, is voice my concerns that enough concrete evidence does not exist from the DOE, regarding the safety and

16-Jun-89: TS-00664, PAGE 1 OF 4

5.1-2

654

environment consequences, health effects, transportation, storage and disposal, of this nuclear waste.

Let us consider the transportation issue.

New Mexico and specifically Sante Fe, has the highest accident ratio in the United States.

The Sante Fe police department has given me statistics that report 78 to 88 accidents per week in Sante Fe, which totals 3,648 per year, and 1,000 plus of these accidents take place on the proposed WIPP route of St. Francis Drive.

Has terrorist activity been thoroughly and objectively addressed?

If terrorists can blow up a 747 in flight, what makes you believe that these shipments enroute, will not become targets for their activity?

One major accident contamination, has an automatic death sentence regarding the environment and health effects of the people and places

5.1-2

7.3.3-3
7.3.6.1-47.3-2
7.3.5.1-31

655

around us.

This is the land of enchantment, not the land of entrapment. (Applause.)

Other issues of leakage into the Pecos River and massive geological shifts, cannot be accurately predicted.

When we repress, we blank out the facts and our feelings about the facts.

In the history of the arms race is a story of men so enamored with the process of technological creation, that the problem of where to put the waste never has crossed their minds.

As Carol Wilson, the first general manager of the Atomic Energy Commission has said, we just didn't think about that.

Governor Carruthers is not a governor for the people but for himself. He supports this project in the disguise of economic development, but in my opinion, he wants to jam this waste down the people's throat of New Mexico, just

7.3-2
7.3.5.1-317.14-9
7.14-13

9-8

656

1 to secure a position in Washington after
 2 1998.
 3 I don't know what your
 4 personal convictions are on this
 5 particular subject, but if you gentlemen
 6 thoroughly and honestly believe that
 7 these containers and its accepted
 8 transportation is totally safe, I suggest
 9 that perhaps you take a couple of these
 10 barrels home and put them into your
 11 underground cavern or your basement, and
 12 test it for results and come back with
 13 evidence a little bit later.
 14 Thank you.
 15 (Applause.)
 16 HEARING OFFICER O'RIORDAN:
 17 You're welcome.
 18 Is Kim Buckley here, Kim
 19 Buckley?
 20 (No response.)
 21 Simone Ellis, Simone Ellis
 22 here?
 23 (No response.)
 24 We're getting into a few of
 25 the people schedule for 18:40, but let me

9-8

3.1-2

657

1 call their names.
 2 Christina Montbeoca?
 3 (No response.)
 4 Joyce Shore, Joyce Shore?
 5 (No response.)
 6 Michael Grodin, Michael
 7 Grodin?
 8 (No response.)
 9 Maa Tbea or Carter Becket,
 10 are they here?
 11 (No response.)
 12 Are any other pre-registered
 13 speakers here?
 14 What was your name, ma'am?
 15 MS. BREWTON: Molly Brawton.
 16 HEARING OFFICER O'RIORDAN:
 17 Oh yeah. We'd given up hope.
 18 Please, go ahead.
 19 Do you wish to have your
 20 comments made a part of the record?
 21 MS. BREWTON: I'm going to
 22 mail them in later.
 23 HEARING OFFICER O'RIORDAN:
 24 Okay, that's great.
 25 MS. BREWTON: My mailing

16-JUN-89: TS-00665, PAGE 1 DF 7

658

address is 525 Lolita Street, Santa Fe,
87501.

Good evening.

HEARING OFFICER O'RIORDAN:

Could you put your name on the record
too?

MS. BREWTON: Oh sure, my
name is Molly Brewton.

HEARING OFFICER O'RIORDAN:

Thank you.

MS. BREWTON: Good evening,
the more I examine what you at the
Department of Energy say, and what the
actual realities are, the more I am
forced to conclude that you are engaged
in a 1984-esque game of new speak (sic.),
and that your real agenda has nothing to
do with public service, but is instead a
determination to keep key contractors
lucratively employed, no matter what the
cost to the public, either financially or
health wise.

A good example of this is
the phrase that is often heard from your
officials, that radiation dosages, the

32:1
7.13.1-7

659

earth and public would receive from the
proposed WIPP site, are within allowable
limits.

Now what does this statement
really mean?

Does it mean that studies
have shown conclusively that such levels
pose no threat to health?

It cannot be met, because
several studies, particularly that by
Doctor Petcau, have demonstrated just the
opposite, that prolonged exposure, even
to the supposedly low-levels of radiation
which it would generate over a period of
time, are extremely damaging to health.

So these standards in
reality are meaningless, in terms of any
real maintenance of health.

What this phrase means
instead, is something akin to an
acceptable level of child abuse, an
acceptable number of murders, an
acceptable percentage of poison food.

It is as if radioactivity
standards have been set and are followed,

7.13.1-7
7.13.1-10
7.14-10
7.14-14

1 based on what the nuclear industry can
2 comfortably comply with, rather than the
3 nuclear industry's method of dealing with
4 radioactivity being deemed unacceptable
5 because it cannot meet any real standards
6 for health protection.

7 There seems to be a
8 perception amongst you staff, that you
9 will somehow be exempt for the
10 consequences to health and the
11 environment I just mentioned.

12 But I am sure that deep down
13 somewhere, you realize that that's simply
14 not true.

15 All of us, you included,
16 have to live on this planet, in whatever
17 condition we keep it at.

18 Sooner or later your
19 families, you, and those you love, will
20 also suffer these consequences.

21 Is this what you want for
22 yourselves? Is this what you want?

23 Do you want to live on a
24 planet that is slowly becoming more and
25 more toxic and unable to support life,

7.13.1-7

1 even if the toxicity is proceeding in a
2 way that you deem acceptable?

3 Now let me ask you this, do
4 you feel that you, and the Department of
5 Energy are a powerful institution?

6 You may seem to be powerful,
7 after all, for years you've broken all
8 sorts of laws, including your own, and no
9 one has yet been able to stop you, so you
10 may conclude that that means you're
11 powerful.

12 But look at toward what ends
13 your power is going, is this really
14 power?

15 Can each of you in private,
16 look yourself in the mirror and say my
17 actions are serving those values that I,
18 not the DOE, but I hold highest and
19 truest, and most deeply care about?

20 Or is it really the truth
21 that what you do is just in service of
22 some party line about what powers and
23 what reality demands from you?

24 Real power is being true to
25 your highest values and with all the

7.13.1-7

3.2-1

662

resources available, to bring it about.

I say to you, that if that's not what you're doing, then you don't have real power, the lust for false power has you, and you are being used.

You are not free either, because this system that you've set up requires enormous energy to keep going. It requires you to lie.

Any system based on lies requires lies to maintain it.

Is this really what you want for yourselves?

Don't you ever feel like you're in a cyclone and wish you could just get out, that you could stop lying, and stop having to make up more lies to conceal your original lies, that you could be truly free and truly powerful, and live your life based on what you most deeply care about?

Don't you think your lives are worth more than this?

I urge you to truly fulfill the official mission of your

32-1

3.1-2
3.1-8
3.6-2
5.3-1

663

organization, put your energy into researching long term solutions that are genuinely viable, such as technology to neutralize or transfer nuclear waste.

Take the lead in the preservation of the health of the American people and of yourselves.

Thank you.

(Applause.)

HEARING OFFICER O'RIORDAN:
You're welcome.

Did you want your comments, your written comments, to be a part of the record now?

MS. BREWTON: I'm going to mail them in.

HEARING OFFICER O'RIORDAN:
I forgot, thank you.

Okay, is Thea Becket here?
(No response.)

How about Carter Becket?
(No response.)

Lorie Holmes, is Lorie Holmes here?

(No response.)

3.1-2
3.1-8
3.6-2
5.3-1

664

1 Is Christina Montboeca here?

2 MS. MONTBOECA: Yes.

3 HEARING OFFICER O'RIORDAN:

4 You're next.

5 That chair seemed to have
6 gotten moved around in the 16 hours we've
7 been here.

8 Do you have a written
9 presentation that you would like to make
10 a part of the record at this time?

11 MS. MONTBOECA: No, I don't.

12 HEARING OFFICER O'RIORDAN:

13 16-Jun-89, TS-00666, PAGE 1 OF 3
14 Okay. Please give us your name and
15 address.

16 MS. MONTBOECA: My name is
17 Christina Montboeca, and my address is
18 Route 2, Box 318M, in Santa Fe.

19 This has been a long day,
20 huh?

21 HEARING OFFICER O'RIORDAN:
22 Yes, I'm glad you're here.

23 MS. MONTBOECA: Thanks.

24 Yeah, probably I think if
25 everybody who really had to say things
came, you'd be here a very long time.

665

1 So I know that I really am
2 here to speak on behalf of friends and
3 family who can't be here or couldn't be
4 here, or didn't choose to be here for
5 whatever reason.

6 My thoughts a lot, in the
7 last months have been, very much around
8 safety and not only for the people here,
9 but the people everywhere I guess around
10 the world, that are dealing with this
11 same problem.

12 I think it matters a lot
13 what we do here, with regards to that
14 problem.

15 I think that what happens
16 here just isn't going to be affecting the
17 people that live around the burial site
18 or just the people who live in New
19 Mexico, but you know, people everywhere
20 that are dealing with that same issue.

21 It's really up to us and up
22 to you as the representatives of the
23 people who you know, are really working
24 to figure this problem out and making
25 decisions that are ultimately going to

16-Jun-89, TS-00666, PAGE 2 OF 3

3.1-8

666

1 affect generations and generations of
2 people.

3 You know, when we're
4 learning that the 18,898 years that are
5 ahead of us in terms of the waste that
6 might get buried, you know, this year,
7 we're talking many, many, many, many
8 generations.

9 I think that it's crucial
10 that people who are in the position of
11 being accountable for the decisions that
12 are being made now, spare nothing in
13 making that decision with the highest
14 degree of integrity and honesty.

15 HEARING OFFICER O'RIORDAN:

16 Okay, thank you.

17 Is Joyce Shore here?

18 (No response.)

19 Michael Grodin?

20 (No response.)

21 Are any of the other
22 pre-registered speakers here, or people
23 who registered at the door?

24 UNKNOWN SPEAKER: They may
25 be downstairs protesting the division.

3.1-8

667

1 HEARING OFFICER O'RIORDAN:

2 I know, I have to admit that I'm really
3 impressed by the large number of people
4 that came.

5 You've talked to over -- and
6 I want to say this for the record, we've
7 talked to approximately 115 people in
8 this room today since 7:00 a.m., and
9 there's been some really good comments.

10 I know that people were
11 upset about there being two separate
12 rooms, but we really had a great
13 opportunity, a lot of people put good
14 comments in the record.

15 I was urged at 9:30 to
16 cancel this hearing and have everyone go
17 downstairs and we've had at least twelve
18 people since 9:30 come, this late at
19 night.

20 People told me that they
21 weren't going to come, that there was a
22 lot of no-shows.

23 Actually, there wasn't a lot
24 of no-shows, there were a phenomenal
25 number of people that showed up.

668

1 What was different, is that
2 they didn't talk as long, they talked
3 three or four minutes and sat down, which
4 made us get ahead of schedule and create
5 a scheduling problem, because people --
6 we kept getting ahead of the schedule,
7 but everybody was showing up.

8 I am very impressed, and as
9 I mentioned to some of you in the
10 hallway, the problem with canceling this
11 part of the hearing and sending everyone
12 downstairs is that the testimony would go
13 until two in the morning, and I don't
14 believe you can have quality time at two
15 in the morning, at least I can't, and I
16 don't think you can.

17 I think the people that were
18 here today, gave really first rate
19 testimony.

20 I personally appreciate it.

21 What I would like to do is
22 we have a few people that are scheduled
23 to come after 10:30, and I would like to
24 take a short recess for about fifteen
25 minutes, to give them their chance to

669

1 come, even though they're supposed to be
2 here a half hour early.

3 And then we'll call them, if
4 they're not here we'll recess this
5 hearing until tomorrow.

6 I appreciate all your
7 patience and your courtesies, and I
8 personally have learned a lot.

9 Thank you, and we'll recess
10 now.

11 (Short recess.)

12 HEARING OFFICER O'RIORDAN:
13 We're back on the record.

14 It's 10:40 at night, let's
15 go back on the record.

16 We have a few DOE people who
17 will be here to listen, but I think given
18 the lateness of the hour, let's give
19 everyone their chance to make their
20 comments so they can go home.

21 Let me call the roll of the
22 pre-registered speakers that were after
23 10:20 tonight.

24 Is Lorie Holmes here, Lorie
25 Holmes?

336

670

1 (No response.)
2 Is Kim Buckley here, Kim
3 Buckley?
4 (No response.)
5 Simone Ellis, Simone Ellis
6 here?
7 (No response.)
8 Joyce Shore, is Joyce Shore
9 here?
10 UNKNOWN SPEAKER: She spoke
11 earlier.
12 HEARING OFFICER O'RIORDAN:
13 She spoke earlier, thanks.
14 Is Michael Grodin here?
15 MR. GRODIN: Right here.
16 HEARING OFFICER O'RIORDAN:
17 Mr. Grodin, it's your turn.
18 MR. GRODIN: My turn.
19 HEARING OFFICER O'RIORDAN:
20 And you're last but not least on the
21 list, but there's a couple of other
22 people.
23 Go to the podium, you have
24 five minutes. When the green light goes
25 on it means that you have one minute to

671

1 go.
2 It is recorded by the court
3 reporter, so speak reasonably distinctly
4 and in as normal a voice as possible.
5 Please give your name and
6 address.
7 MR. GRODIN: I'll try.
8 My name is Michael Grodin,
9 my address is Post Office Box 1824, Santa
10 Fe, New Mexico 87504.
11 The reason I'm speaking here
12 today is because I run a business here in
13 Santa Fe, and I'm extremely concerned
14 about the effects that this program will
15 have on our community.
16 One of the things that I
17 wanted to bring up is that being a
18 business person, I have learned that
19 there is only one mistake that is a bad
20 mistake in business, and that's a mistake
21 that you make twice.
22 As far as I can see, the
23 history of the nuclear weapons industry
24 and the nuclear power industry in our
25 country, has been an attempt at business

16-Jun-89; TS-00667, PAGE 1 OF 4

36-1

672

1 that has done nothing but made mistakes.
 2 The mistakes are evidenced
 3 in the state of the industry today, as
 4 any of us can find in the newspaper.

5 It seems to me difficult to
 6 understand how an agency, or a Government
 7 program that means to serve the people,
 8 who are essentially its clientele, can
 9 continue to operate when the public does
 10 no longer believe that it's good business
 11 when they see money being thrown away,
 12 good money after bad, when they see a
 13 history of fumbled management, when they
 14 see a history of deceit in the management
 15 of this industry.

16 It's basically a matter of
 17 business, I think that this is something
 18 that all American people can relate to,
 19 it's bottom line.

20 We don't have the money to
 21 throw away.

22 We don't want to throw away
 23 our lives, and we're not going to
 24 continue I believe, as a constituency and
 25 as a clientele to support this business.

31-8
 32-1
 36-1

673

1 Anybody with any business
 2 sense will tell you that you can't run a
 3 business when your clients don't like the
 4 way you're running your business, and
 5 don't like the way you're handling your
 6 waste.

7 I think it's essential that
 8 the country look to the population, to
 9 the constituency, and respect the wishes
 10 of that constituency and meet the needs
 11 in a way that are acceptable to that
 12 constituency.

13 I do not see that the
 14 nuclear industry has met any of the
 15 promises that it made originally, of
 16 cheap, clean labor -- I mean cheap, clean
 17 energy.

18 The energy has been
 19 extremely expensive and extremely dirty.

20 Now if I was going to a
 21 company and they lied to me once and
 22 they've lied to me twice, I would think
 23 twice about the third time.

24 To me, this whole project is
 25 a sign of an industry in deep distress,

31-8
 32-1
 36-1

674

1 looking for someplace to put the garbage
2 under the rug, and it just happens to be
3 in New Mexico.

4 I don't think that that's
5 going to -- that's not going to cut it
6 with the American public.

7 I really don't think that's
8 an acceptable level of behavior for a
9 corporation or a business or a Government
10 agency, that wants to do business within
11 this nation, with the taxpayers as the
12 main constituents.

13 I think that unless there is
14 some dramatic re-thinking on the part of
15 the agencies and legislators that are
16 involved in making these decisions, there
17 is going to be a dramatic withdrawal of
18 support from the public, which is
19 providing the funds and providing the
20 motivation for the company to run.

21 All right, we need energy,
22 what we need is clean, earth protective
23 energy.

24 We need sustainable
25 development, we do not need development

16-JUN-89: TS-00667, PAGE 4 DF 6

36-1

675

1 or energy systems that create a problem
2 for our future generations.

3 I don't think that any
4 business could run soundly on the kind of
5 history that the nuclear agencies have
6 tried to run the energy and weapons
7 business on.

8 In order to make the changes
9 necessary, I think it's essential that
10 you listen to the people.

11 Basically, that is my main
12 point.

13 (Applause.)

14 I think the people are going
15 to start to tell you in their voting,
16 through their voting power, and through
17 their power of the withholding of taxes
18 if necessary, to the power of taking up
19 arms if necessary, a right given to us in
20 the Constitution, to prevent this, what I
21 consider, smearing of waste on my
22 property, on my land.

23 This is not just a little
24 spot in New Mexico, this is not just a
25 little spot in Colorado, or in Washington

16-JUN-89: TS-00667, PAGE 5 DF 6

33-4

676

1 state, or in Pennsylvania, where there is
2 waste and leakage and damage being done
3 wantonly, this is the whole country.

4 I think that you have to
5 really look at this on a whole country
6 level and understand that Americans are
7 one people, who have a dream, who will
8 not be pushed aside lightly.

9 That's the thing that will
10 keep this country running, not some kind
11 of head long dive into lunacy, which is
12 what I consider the nuclear future to be.

13 Since no new plants have
14 been funded since Three Mile Island, or
15 okayed or continued to be built, it looks
16 to me like a dead horse.

17 If I was an investor, I
18 would pull my money out.

19 So I want you to think about
20 that, think about the money, think about
21 where this country wants its prosperity
22 to go.

23 Thank you.

24 HEARING OFFICER O'RIORDAN:
25 You're welcome.

16-Jun-89; TS-00667, PAGE 6 OF 6

36-1

677

1 Michael Grodin was a 10:55
2 appointee, so he came here pretty late.

3 Is Mark Ness here? I am
4 told that Mark Ness is here.

5 Would you like to speak?

6 MR. NESS: Yes.

7 HEARING OFFICER O'RIORDAN:

8 Would you please give your name and
9 address?

10 MR. NESS: My name is Mark
11 Ness, my address is 246 Lasienaga
12 (phonetic).

13 I also am a late comer, and
14 I wasn't going to speak, I don't like to
15 speak in front of people.

16 But I got to thinking about
17 what other people were saying, and
18 everybody has said pretty much -- it
19 seems like they've covered almost
20 everything you'd probably want to hear.

21 I couldn't think of anything
22 new, except that I saw the sunset when I
23 was coming in here, because I work late,
24 and I don't know if many people had the
25 chance to see the sunset tonight in Sante

16-Jun-89; TS-00668, PAGE 1 OF 3

678

1 Fe, it just lights up -- you know, the
2 Adobe lights up and the whole sky as far
3 as you could see was just glowing, it was
4 just incredible.

5 And I thought of this
6 radiation in 10,000 years, still active,
7 with the quarter of a million years when
8 it's still going to be active, and I said
9 the sun is still going to be there, we're
10 still going to see the sunset, and
11 underneath us is going to be this active
12 radiation, if it's still underneath that
13 is.

14 It just kind of struck me as
15 a heaven and hell scene, you know, you
16 can look up and everything is fine and
17 it's not know what's underneath.

18 I watched the film, The WIPP
19 Trail last night, with a friend who
20 didn't want to watch it because she was
21 afraid, like a lot of other people, that
22 they don't want to face what's going on.

23 I think just this turn out
24 of people that are here stands for --
25 represents a larger, much larger,

16-Jun-89; TS-00668, PAGE 2 OF 3

340

679

1 population.

2 Me myself, not even wanting
3 to be noticed or recognized, you know,
4 I'm one of those others who decided to
5 come off the couch.

6 She saw this film and she
7 completely changed her mind.

8 You know, as hard as it was
9 for her to take the medicine, it was good
10 medicine at the end, you know, because it
11 opened up her eyes.

12 So mostly I just wanted to
13 say that I'm here to say no, I want it on
14 record that I'm saying no, that I don't
15 want this here.

16 Anything that I can do, with
17 the support of everybody here, I don't
18 think it's right, you know, we're in
19 this, and if something happens, it's
20 flesh and flesh, you know, we're going to
21 live or die together.

22 I think that some reasonable
23 answer can be reached.

24 Thank you.

25 (Applause.)

16-Jun-89; TS-00668, PAGE 3 OF 3

1-2

688

1 HEARING OFFICER O'RIORDAN:
2 You're welcome.

3 Is Emily Morris here?

4 MS. MORRIS: Yes, I am.

5 HEARING OFFICER O'RIORDAN:
6 Would you like to speak?

7 MS. MORRIS: Yes.

8 HEARING OFFICER O'RIORDAN:
9 And if you have written comments, we'll
10 make them a part of the record, and
11 otherwise you can send them later.

12 MS. MORRIS: Okay.

13 HEARING OFFICER O'RIORDAN:
14 Please give your name and address and
15 give your comments.

16 MS. MORRIS: My name is
17 Emily Morris of 528 Jose Street in Santa
18 Fe, New Mexico 87581.

19 I am a registered voter in
20 Santa Fe County and I do vote.

21 First, I want to express my
22 thanks for being able to express my
23 opinions, and thank you to everybody else
24 who has been speaking, it's been great.

25 National security, what

3.1-4
3.2-1

16-Jun-89: TS-00669, PAGE 1 OF 5

681

1 kinds of images do you get with these
2 words?

3 For me I see something being
4 guarded by men with weapons and fear.

5 This does not make me feel
6 secure, to know that my Government is
7 focusing a lot more attention on
8 developing bigger and better weapons than
9 on the problem of toxic wastes of all
10 kinds.

11 When I first heard about the
12 WIPP, I was open to the discovery of
13 scientific data which might make the
14 Waste Isolation Pilot Project in
15 Carlsbad, a plausible idea.

16 I live in New Mexico, so of
17 course I'm concerned.

18 But I am not convinced by
19 anything that I have heard or read, that
20 the WIPP will be a safe and effective
21 solution.

22 Furthermore, I'm horrified
23 that much of what is included in the
24 DOE's Environmental Impact Statement is
25 inadequate and inconclusive information.

3.1-4
3.2-1

3.1-2
3.2-1

16-Jun-89: TS-00669, PAGE 2 OF 5

682

1 It is obvious to me that the
2 hydrology and geologic features of this
3 site are proving to be far more complex
4 and unpredictable than the Department of
5 Energy would like us to believe.

6 Yet it is clear that rather
7 than fully address potential
8 environmental impacts, the DOE would like
9 to suppress information about health
10 hazards of low dose radiation over long
11 periods of time, and long term
12 performance of containing nuclear waste
13 in the disposal area.

14 To open WIPP as soon as
15 possible, without meeting new EPA
16 standards, is to me unacceptable.

17 The whole SEIS is based on
18 obsolete EPA standards, that have been
19 declared illegal and invalid as of June
20 1987, by the First Circuit Court of
21 Appeals, yet the DOE is proceeding as
22 though the 1985 standards remain in
23 effect.

24 I demand compliance with the
25 Resource Conservation and Recovery Act,

3.1-2
3.2-11-3
3.1-33.1-3
3.7-1
3.7-2

16-Jun-89; TS-00669, PAGE 3 OF 5

683

1 which states that the DOE must
2 demonstrate to the EPA, to a reasonable
3 degree of certainty, that there will be
4 no migration of hazardous constituents
5 from the disposal unit, for as long as
6 the waste remains hazardous.

7 In the SEIS it states that
8 the DOE is committed to full compliance
9 with RCRA requirements, but the WIPP has
10 not received a RCRA permit from the EPA,
11 nor has it obtained interim status.

12 The SEIS does not address
13 the very real factor of human error in
14 all aspects of radioactive waste
15 disposal.

16 In my opinion, there should
17 be no transportation until the containers
18 are certified by the NRC.

19 Phrases like, "remains to be
20 verified", and "not yet interpreted", do
21 little to inspire my own personal
22 confidence in this alleged Environmental
23 Impact Statement.

24 I propose in the name of
25 national and planetary security, that any

3.1-3
3.7-1
3.7-27.3.5-1
7.13.3-1
7.14-22.3.1-2
7.3.1-2
7.3.1.1-173.1-2
3.1-7

16-Jun-89; TS-00669, PAGE 4 OF 5

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and all nuclear weapons production facilities use their and the Government's resources to develop a proper and safe toxic waste disposal solution, solely.

In addition, I would like to see an independent body to evaluate disposal projects, not the Department of Energy.

Then and only then can I trust my Government's interest and commitment to national security.

HEARING OFFICER O'RIOGDAN:
Thank you.

COURT REPORTER: Do you want to put that in?

HEARING OFFICER O'RIOGDAN:
She's going to mail it.

According to my records, there are no other pre-registered speakers to speak.

Are there any here in this room?

(No response.)

And as far as we know, there are no people registered at the door,

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that everyone has registered and spoken.

Given that, we are adjourned for the night and will begin tomorrow morning at 7:00 a.m.

Thank you all for being here, and I've certainly learned a lot, and I'm going to get some rest.

Thank you.

(Whereupon, the hearing in the above entitled matter was adjourned at 10:59 p.m.)

685

686

CERTIFICATE

I, CHRISTOPHER ARGIE, do hereby certify that I appeared at the time and place first hereinbefore set forth; that I took down by means of cassette recording the entire proceedings had at said time and place; and that the foregoing pages 504 through 685 constitute a true, correct and complete transcript of my said cassette recordings.

Chris Argie
REPORTER

DEPARTMENT OF ENERGY

PUBLIC HEARING

SUPPLEMENT TO THE
ENVIRONMENTAL IMPACT STATEMENT
FOR THE WASTE ISOLATION PILOT PLANT

Friday
June 16, 1989

Room Two
Second Floor
Sweeny Convention Center
201 West Markey Street
Santa Fe, New Mexico

ARGIE REPORTING SERVICE
1000 West 70th Terrace
Kansas City, Missouri 64113
(816) 363-3657

I N D E X

2

	<u>SPEAKER</u>	<u>PAGE</u>
1		
2		
3	Carol Chernak	8
4	Rosemary Love	16
5	Pat Freeman	24
6	Hugh Hazelrigg	28
7	Margy Winder	34
8	Dr. John Milewski	41
9	Jody Paine	48
10	Louise Ramburg	51
11	Sophie Cohen	59
12	Parvati Markus	63
13	Kathleen Pearson	67
14	Mary Reisley	73
15	Alicia Lechsted	79
16	General John Kenny	85
17	Judy Mitchell	95
18	Howard Shulman	97
19	James Marshall	106
20	Jim Holmes	113
21	Barbara Burchess	122
22	Cecily Hughes	129
23	Mary Gray Neilson	135
24	Michael Nestor	138
25	Joan Price	143

3

1	Spencer Wayne Wilcox	154
2	Nancy Nickels	161
3	Ann Marie Dryden	165
4	Jileo Dominguez	170
5	Daniel Gagnon	174
6	Carolyn Metzler	178
7	Richard LaPan	182
8	Kathy Allen	190
9	Susan Kanefield	193
10	Chenoa Kanefield Cunningham	197
11	Satfa Ananda	199
12	Cheyla Ananda	203
13	Michelle Lafaye	207
14	Margaret Carde	215
15	Michael Collins	222
16	Alicia Lauritzen	227
17	Lance Heden	233

	<u>EXHIBITS</u>	
1		
2	<u>EXHIBITS</u>	<u>PAGE</u>
3	No. 509 <i>Carol Chernak</i>	15
4	No. 510 <i>Hugh Hazelrigg</i>	33
5	No. 511 <i>Louise Rumberg</i>	59
6	No. 512 <i>Parvati Mehta</i>	67
7	No. 513 <i>Kathleen Pearson</i>	72
8	No. 514 <i>General John Kerry</i>	91
9	No. 515 <i>Harry Ridley</i>	92
10	No. 516 <i>James Marshall</i>	112
11	No. 517 <i>Joan Price</i>	154
12	No. 518 <i>Wesley Nickels</i>	165
13	No. 519 <i>Susan Kornfield</i>	196
14	No. 520 <i>Chenah Kornfield</i>	198
15	No. 521 <i>Hughart Lord</i>	221
16	No. 522 <i>Renee Nelson</i>	238

MORNING SESSION

HEARING OFFICER RICHARDSON:

Good morning.

MS. CHERNAK: My name is Carol Chernak, and I want to thank you for --

HEARING OFFICER RICHARDSON:

Carol --

MS. CHERNAK: Yes.

HEARING OFFICER RICHARDSON:

-- let me make a few preliminary remarks on the record.

MS. CHERNAK: All right.

HEARING OFFICER RICHARDSON:

And then you can start.

Good morning. This is a continuation of the United States Department of Energy proceeding, DIS-0026DS held on June 16, 1989, at Santa Fe, New Mexico.

Let the record reflect that pursuant to a decision of the Department of Energy officials, this proceeding has been split into three separate and concurrent public

6

1 hearings.

2 This segment of the hearing
3 is taking place in Room 2 of the Sweeny
4 Convention Center.

5 My name is Peter
6 Richardson. And I have been retained
7 as an independent Hearing Officer to
8 assure that all interested persons have
9 an equal and fair opportunity to
10 comment on the record in this proceed-
11 ing.

12 Let the record also reflect
13 that sitting to my right are Critz
14 George and John Arthur, officials of
15 the United States Department of Energy
16 serving as the official Hearings Panel
17 for today's hearing.

18 Today's proceeding is only
19 part of the process by which you may
20 have input on the SEIS.

21 Written comments may also
22 be submitted to the Department of
23 Energy until July 11th, 1989.

24 The address for submission
25 of those comments may be obtained at

7

1 the registration tables in the lobby.

2 As I call you forward, come
3 to the podium. You will have five
4 minutes to speak. Four minutes through
5 your comments, the yellow light will
6 flash, indicating you have one
7 additional minute left for summation.

8 This is a formal hearing
9 and a recorded proceeding. Everything
10 said at this and the other public
11 hearings in this matter, is being
12 recorded and a full transcript is being
13 prepared.

14 The Department's decision
15 making at this proceeding will be based
16 on the record developed at these
17 hearings.

18 In addition, this is not a
19 question and answer session. We are
20 taking comments from the public. We
21 are not engaging in a dialogue at this
22 point. We are just receiving comments
23 from the public.

24 Transcripts of the hearing,
25 when prepared, will be available

1 locally at a location to be announced.
2 Our first scheduled
3 commentator this morning is Carol
4 Chernak.

5 MS. CHERNAK: Thank you.

6 HEARING OFFICER RICHARDSON:
7 Ms. Chernak, would you please state
8 your mailing address for the record,
9 and then proceed with your comments.

10 MS. CHERNAK: All right.
11 My mailing address is 1504 B South St.
12 Francis Drive, Santa Fe, 87505.

13 Good morning, again.

14 Thank you for giving me the
15 opportunity to speak this morning.
16 It's really a gorgeous New Mexico
17 morning, and I hope you had a chance to
18 enjoy it for a few minutes before you
19 came in here.

20 I must warn you, this is
21 going to be one of those emotional
22 speeches. But without apologies.

23 Yesterday we heard some
24 really good testimony from scientists
25 and others who had inspected the site

16-JUN-89: TS-00670, PAGE 1 OF 8

3.1-8

1 and know what they're doing in that
2 area. That's not my area of expertise.

3 I'm a mother, a child abuse
4 specialist, a psychiatric social
5 worker. I'm also becoming what some
6 people call an environmental crazy.

7 And what you at DOE are
8 doing and what those brilliant but
9 mindless folks at Los Alamos are
10 contemplating with their incinerators
11 are driving me and others like me close
12 to the edge.

13 And whoever is dreaming of
14 opening a radium mine at the Grand
15 Canyon will surely push me over it.

16 I'm a refugee from toxic
17 Los Angeles where the newspapers public
18 accounts from companies each day on how
19 many carcinogens they plan to spew into
20 the air.

21 I came to New Mexico in
22 part because of its beauty and
23 awesomeness. The crystal clear air and
24 blue skys and because you can always
25 see the mountains.

16-JUN-89: TS-00670, PAGE 2 OF 8

3.1-8

350

FORM 1041-10001 REPORTING PAGE 10001 CO. 100-484313

12

1 all Hispanic children are poor, one-

2 third of all black children are poor.

3 Only four states have

4 higher poverty rates among children

5 than New Mexico. And the DOE dares to

6 spend \$770 million dollars on a leaky

7 hole in the ground and faulty container

8 tests and computerized projections of

9 safety that don't take into account

10 human error.

11 They suggested in preparing

12 our testimony that we don't get angry.

13 I haven't been angry for 53 years. I

14 have been nice. And I am tired of

15 being nice.

16 I'm not only angry, I'm

17 really outraged at what you're doing.

18 Do you know what \$770 million dollars

19 would pay for in services to human

20 beings?

21 For the entire nation it

22 would pay for 30 years of child abuse

23 and family violence programs. Thirty

24 years of child welfare or thirty years

25 for homeless youth services or thirty

16-JUN-89, TS-00670, PAGE 5 OF 8

3.1-8

13

1 years of comprehensive child develop-

2 ment programs for low-income children.

3 Do you know that \$770

4 million dollars is more than the annual

5 budget for all the mental health

6 services in this country? What a waste

7 of taxpayer dollars the DOE is.

8 But better perhaps a waste

9 than a wasteland. I think it would be

10 worth seven times \$770 million if could

11 guarantee the safety of WIPP. But you

12 can't, and I don't think you ever will

13 be able to.

14 As a psychotherapist, I

15 know about the defense mechanisms of

16 denial of repression and rationaliza-

17 tion.

18 I believe that the people

19 of the State of New Mexico need to come

20 out of their denial. They need to say

21 no to the moving of nuclear waste,

22 willy-nilly on its highways.

23 And we need to say no to

24 the burial of the other people's waste.

25 In the credo everything I needed to

16-JUN-89, TS-00670, PAGE 6 OF 8

3.1-8

3.6-1

1 know about life, I learned in kinder-
2 garten.

3 There was a statement about
4 picking up after myself. Nothing about
5 dumping my trash in someone else's back
6 yard.

7 I think it will only be
8 when the people of this country are
9 forced to look at their own nuclear
10 waste that they will also be forced to
11 look at what causes that waste.

12 We can no longer afford or
13 allow anymore nuclear energy plants to
14 open or anymore nuclear weapons to be
15 made anywhere until we really stop
16 denying that we don't know what the
17 hell we're doing with the waste.

18 And still there are the
19 children. Since the biblical times we
20 have thought that if the streets were
21 safe for children, they would be safe
22 for all of us.

23 I think they are growing up
24 with polluted air, polluted food and
25 water, acid water, lead in their very

14

16-JUN-89; TS-00670, PAGE 7 OF 8

3.6-1

1 mother's milk and radioactivity
2 threats.

3 We must make the world a
4 safe place for children. And only then
5 will it be safe for all of us. Today
6 it's not safe to be a child.

7 Thank you.

8 (Applause.)

9 HEARING OFFICER RICHARDSON:
10 Thank you.

11 If you would like to enter
12 your comments into the record as an
13 exhibit, bring them forward and we can
14 do so.

15 The prepared written
16 comments of Carol Chernak will be
17 entered into the record as Exhibit No.
18 509 of this proceeding.

19 (The document above-
20 referred to was
21 marked for iden-
22 tification as Exhibit
23 No. 509 and received
24 in evidence.)

25 HEARING OFFICER RICHARDSON:

15

16-JUN-89; TS-00670, PAGE 8 OF 8

3.1-2
3.6-1

351

352

FORM GSA - LAMER REPORTING PAPERS & INFO CO. 78-528-2015

1 Our next scheduled commentator is ¹⁶
2 Rosemary Love.

3 MS. LOWE: Gentlemen, thank
4 you for allowing me to come before you.

5 HEARING OFFICER RICHARDSON:
6 Ms. Love, pardon me, if you would
7 please state your mailing address for
8 the record.

9 MS. LOWE: I certainly
10 will. It is 104 LaPlacita Circle,
11 Santa Fe, New Mexico 87501.

12 HEARING OFFICER RICHARDSON:
13 Thank you. Please proceed with your
14 comments.

15 MS. LOWE: It will be hard
16 to say anything probably any more
17 eloquent than the lady who just
18 preceded me in terms of what we are
19 facing on this planet.

20 And I think that what we
21 have here with the problems facing the
22 WIPP project, the transportation of the
23 waste, is a symptom of something
24 greater. And that is what we're facing
25 in terms of man's attitude.

16-Jun-89; TS-00671, PAGE 1 OF 8

3.1-8

FORM GSA - LAMER REPORTING PAPERS & INFO CO. 78-528-2015

1 And I think the WIPP ¹⁷
2 project exemplifies that to the
3 greatest degree that we have ever had
4 in the United States.

5 The WIPP I think is being
6 shoved down our throats. I feel, as
7 this lady, I feel angry. I have a
8 master's degree in the psychological
9 sciences.

10 I've worked with people. I
11 am involved now in the environmental
12 field, and, you know, we're not the
13 species on this planet.

14 And it bothers me that we
15 talk about the effects on human beings
16 which is a terrible thing, the
17 children, it breaks my heart to think
18 about what may happen to future
19 generations.

20 But we are not the only
21 species on this planet. Gentlemen, and
22 please, I realize you are employees,
23 but please go back to your superiors in
24 Washington and let them know that this
25 is serious business that we're talking

16-Jun-89; TS-00671, PAGE 2 OF 8

3.1-8

1 about here, and we had better clean up
2 our act.

3 We have a throw-away bury
4 it mentality. And we are killing
5 ourselves because of that. We cannot
6 continue to do this.

7 Now, I looked at the track
8 record of the DOA -- DOE, and I'm
9 shocked. I didn't realize that the
10 track record was so bad.

11 I kind of went along with,
12 I think, a lot of people and thought,
13 oh, well, if it's the Government, it's
14 okay. I was in the military for three
15 years and, you know, I went along with
16 everything, and I believed what I was
17 told.

18 I'm proud that I served,
19 but I now realize that a lot of it was
20 a bunch of bologna. And I would tell
21 that to anyone now.

22 But the track record scares
23 me. Workers in the facilities at these
24 DOE plants are not properly trained.
25 There are large amounts of radio-

18

3.1-8

3.2-1

1 activity leaking.

2 I talked with a gal from
3 Los Alamos who had been fired and told
4 us what was going on. And she was told
5 to keep quiet, keep her mouth shut.

6 Now, this woman would not
7 have lied. She had not wasted interest
8 at all. And this woman was telling us
9 what was going on up there.

10 Now, Rocky Flats is a -- if
11 I were in DOE, I'd be embarrassed.
12 It's an embarrassment. And that place
13 up there is a glaring example of what
14 is being done and what is being not--
15 what is not being done.

16 And if we cannot take care
17 of places like Rocky Flats, how are we
18 going to take care of transportation on
19 St. Francis Drive, six lanes? I live
20 two blocks from that place.

21 And even if I didn't live
22 six blocks from St. Francis Drive--
23 two blocks, I'm sorry, from St. Francis
24 Drive, I would still be concerned if I
25 lived 100, 200, 300 miles away.

19

3.2-1

3.1-8

20

1 New Mexico is going to have
2 this shoved down our throats if we, the
3 citizens, do not speak up and if we
4 have to go to the streets. It is time.
5 The people are angry, and they're not
6 going to take it anymore.

7 And maybe this is what we
8 need, to get off our duffs and get away
9 from the boob tube and start becoming
10 active in this country or we're going
11 to lose it.

12 We talk about freedom,
13 we're not going to have freedom because
14 we are going to be so regulated because
15 we are so poisoned, we are not going to
16 have -- talk about freedom, democracy
17 will be down the drain.

18 Why are we making more
19 weapons, we don't need more weapons.
20 We can all kill each other a 150,000
21 times, 150 times over.

22 This is insane. We are
23 living in an insane time. And we've
24 got to start looking at that.

25 I talked -- when I talked

16-JUN-89: TS-00671, PAGE 5 OF 8

3.1-8

3.6-1

21

1 -- when I was working up at Las Vegas
2 at the state hospital, I saw people who
3 were supposed to be insane.

4 And I wonder sometimes, who
5 are the insane ones? Maybe it's the
6 bureaucracy that's insane. Maybe it's
7 the people in Washington who sit up
8 there on their little thrones and make
9 the decisions for the rest of the
10 people.

11 The Government has been
12 unwilling to accept that even low
13 levels of radiation can harm people.
14 Now, that bothers me. I have a history
15 of cancer in my family. I don't know
16 what low level means.

17 I don't know how that will
18 effect the free radicals in my body.
19 But I'll tell you one thing, I don't
20 want to be -- I don't want to have to
21 worry about it.

22 And I realize again,
23 please, that you gentlemen are just
24 here to listen to us, but take these
25 messages back.

16-JUN-89: TS-00671, PAGE 6 OF 8

7.13.1-7

I want to close with two quotes, and this was from 1969, I found this book, excellent book. We're going to be going back to these books, folks. The environmental revolution is here and it's not going away this time.

Even from the glimpse, from this glimpse regarding the peace of-- the myth of the peaceful atom, was written in a natural history publication, "It will be apparent that public and environmental safety depend on the flawless containment of radioactivity every step of the way."

Flawless is the word here. "For owing to the incredible potency of fission products, even the slightest leakage is harmful and a massive release would be catastrophic."

We don't know what's going to happen at Chernobyl. You know the other thing is Exxon Corporation told the people everything was all right.

The Government, the Reagan administration ignored the environment

16-Jun-89; TS-00671, PAGE 7 OF 8

3.1-8

for eight years. We had nothing. And the people of Alaska believed the Government. They believed Exxon.

HEARING OFFICER RICHARDSON:
Ms. Lowe, your time has expired.

MS. LOWE: I'm sorry. But we cannot believe all of this anymore. We will not believe it. We want to see the facts.

If we can't -- if we have to have radioactive waste, then we need it above ground where we can see it and it will be a testament to our folly and our grief.

Thank you.

(Applause.)

HEARING OFFICER RICHARDSON:
Thank you.

Our next scheduled commentator is Dr. Elke Meyer.

(No response.)

HEARING OFFICER RICHARDSON:
Following Dr. Meyer, apparently who is not here, is Consuelo Luz Aroategui.

(No response.)

16-Jun-89; TS-00671, PAGE 8 OF 8

3.1-8

24

HEARING OFFICER RICHARDSON:

Our next scheduled commentator would be Pat Freeman.

Ms. Freeman, before you begin your comments, if you could give your mailing address for the record.

MS. FREEMAN: Sure. My name is Pat Freeman. And my address is Rural Route 7, Box 111-E, Santa Fe.

It's kind of early in the morning to give impassioned testimony, but I do feel pretty impassioned about this issue.

I'm the mother of two daughters. And I'm also the owner of a retail store in Santa Fe. And I'm proud to be a member of business against WIPP.

Rather than reiterate the numerous defects in the supplement EIS, which I don't believe is worth the paper it's printed on, I would like to tell you why I'm personally against the waste isolation pilot plant.

To put it succinctly, I

1-2

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25

don't trust the Department of Energy.

They've covered up. They've mismanaged.

And they've lied to the people of Colorado, Idaho, Washington, Ohio, Tennessee and South Carolina.

So why will it be any different here? DOE and its predecessors have created disastrous messes at Rocky Flats, Hanford and elsewhere.

And now they want us to help them pretend that they're cleaning them up. We all know that WIPP is no solution to their rad waste problems.

It will only make matters worse. Shipping thousands of truck loads of radioactive waste over our nation's highways from one unsafe temporary dump site to another unsafe temporary dump site is sheer lunacy.

It's also an enormous waste of the taxpayer dollars. What DOE should be doing is cleaning up existing dump sites.

And once those messes are

32-1

36-2
52-1
55-2
59-1
9-2

1 cleaned up and properly contained, they
2 should be kept onsite until a safe,
3 permanent repository is found.

4 And if and when a safe
5 permanent site is found, the waste
6 should then be shipped only on
7 specially constructed, designated
8 railways, not on our highways, not
9 through downtown Santa Fe.

10 We in Santa Fe have a great
11 deal at risk if this ill-conceived
12 project ever becomes reality. Santa Fe
13 will be playing Russian roulette with
14 its future every time a rad waste truck
15 rolls through town.

16 The economic and environ-
17 mental consequences of an accident here
18 would be devastating. Why does DOE
19 continue to shove this down our throat
20 when it knows that the people don't
21 want it?

22 If DOE would listen to the
23 common sense of the people just once,
24 they could learn a great deal.

25 But all they've tried to do

36-2
52-1
52-2
53-1

7.32.3-1

7.3.3-3
7.3.5.1-12
7.15.4-2

3.1.8

8-7

1 so far is squelch public input,
2 restrict how long we can speak, divide
3 us up into different rooms so we can't
4 hear each other's voices. Dilute and
5 defuse the power impact of what we're
6 trying to say.

7 For DOE this hearing must
8 be a pain, a formality it has to
9 endure. They've already made up their
10 minds.

11 The technocrats and
12 bureaucrats know there is overwhelming
13 public opposition to WIPP. But they
14 simply don't care.

15 All they care about is
16 political expediency and the fast track
17 and finding the track of least
18 political resistance.

19 Well, gentlemen, you won't
20 find that path here.

21 (Applause.)

22 HEARING OFFICER RICHARDSON:
23 Our next scheduled commentator is Margy
24 Winder. Is Margy Winder here?

25 (No response.)

16-JUN-89; TS-00672, PAGE 4 OF 4

8-7

3.1-8

28

HEARING OFFICER RICHARDSON:

Ms. Winder is followed by Dr. John Milewski.

(No response.)

HEARING OFFICER RICHARDSON:

Followed by Hugh Hazelrigg.

MR. HAZELRIGG: For the record, my name is Hugh Hazelrigg and my address is 1469 Canyon Road in Santa Fe.

HEARING OFFICER RICHARDSON: Please proceed with your comments.

MR. HAZELRIGG: Thank you.

On September 13th, 1987, in the City of Goiania, Brazil, two men entered an abandoned clinic looking for scrap metal.

They found a large machine which had been used to treat cancer. They took it apart and removed the stainless steel cylinder, which they moved to a junk yard, and then proceeded to open it with a sledge hammer.

Inside they found a small

16-Jun-89, TS-00673, PAGE 1 OF 6

72-31

29

platinum capsule, which they cut open with a hacksaw. Inside this capsule they found what witnesses described as carnival glitter.

Children playing in the junk yard were attracted to this magic dust. They took it home with them and showed it to their friends who smeared it on their bodies, clothes, floors and walls.

One child actually ate it and began to vomit within ten minutes. Within a few days many others felt ill. It took two weeks before their illnesses were diagnosed as radiation poisoning from Cesium-137.

Immediately it became an international media event. Beyond the short-term physical consequences of the accident, which included four deaths, one amputation and fifty hospitalizations, the economic, political and social consequences were varied and far-reaching.

In an article concerning

16-Jun-89, TS-00673, PAGE 2 OF 6

72-31

1 the incident from the November 1988
2 issue of Nuclear News, John S.
3 Petterson states, and I quote, "When
4 measured in terms of fatalities and
5 injuries, the event itself hardly seems
6 to be of international significance,
7 certainly no more so than any other
8 industrial accident.

9 On the other hand, the
10 secondary consequences have been
11 considerable. The aggregate socio-
12 economic impacts have, indeed, been
13 remarkable," end of quote.

14 Within two weeks of the
15 announcement of the contamination, the
16 wholesale value of the entire state's
17 agricultural production fell by 50
18 percent, even though none of the
19 region's cattle, rice and other grains
20 were shown to be contaminated in any
21 way.

22 The sale price for items
23 produced in and around Goiania, such as
24 textiles, clothing and other finished
25 goods, dropped by about 40 percent,

16-Jun-89; TS-00673, PAGE 3 OF 4

72-31

1 even though none of these items were
2 even shown to be contaminated.

3 In fact, there was never
4 even a published suggestion that they
5 could have been contaminated.

6 In the town of Goiania home
7 sale prices, rental prices, land prices
8 and the rate of property sales
9 plummeted.

10 Hotel occupancy normally at
11 capacity this time of year, fell to 40
12 percent and remained there for six
13 weeks following the announcement.

14 Virtually all conventions,
15 including one for the Regional Medical
16 Association were cancelled or moved
17 elsewhere in response to the perceived
18 risk and stigma associated with the
19 accident.

20 Hotels in other parts of
21 the country refused to allow Goiania
22 residents to register.

23 The attention of various
24 agencies involved in the aftermath was
25 focused entirely on this particular

16-Jun-89; TS-00673, PAGE 4 OF 4

72-31

1 issue to the detriment of their overall
2 missions.

3 There appeared to be no
4 accountability for the accident. The
5 incident precipitated a rash of
6 political actions by other Brazilian
7 states to prevent nuclear waste from
8 being buried within their borders.

9 Over 125,000 citizens, one
10 out of ten in the region, took time off
11 from their daily routines to have
12 themselves check for contamination,
13 even though local and federal author-
14 ities took pains to discourage them
15 from doing so.

16 Of the first 60,000 persons
17 monitored, 5,000 presented symptoms of
18 acute stress or allergic reactions,
19 even though not a single one was found
20 to be contaminated.

21 Airline pilots refused to
22 fly Goiania residents aboard. Bus
23 drivers refused to allow Goiania
24 residents on their buses. Automobiles
25 with Goiania license plates were

16-JUN-89, TS-00673, PAGE 5 OF 6

7.2-31

1 stoned.

2 This incident took place in
3 a well-educated urban population. It
4 is important to realize, however, that
5 the risks are probably greater for this
6 type of reaction happening here in the
7 United States because information
8 travels faster here and has a greater
9 impact on a greater number of people.

10 As the Brazilian case
11 illustrates, the physical impact of a
12 nuclear spill on the lives of the
13 citizenry can be minor compared to the
14 consequences of their reactions to the
15 perceived risks of such an event.

16 Thank you.

17 (Applause.)

18 HEARING OFFICER RICHARDSON:

19 Thank you.

20 The prepared remarks of Mr.
21 Hazelrigg will be entered into the
22 record as Exhibit No. 510.

23 (The document above-
24 referred to was
25 marked for iden-

16-JUN-89, TS-00673, PAGE 6 OF 6

7.2-31

1 tification as Exhibit
2 No. 510 and received
3 in evidence.)

4 HEARING OFFICER RICHARDSON:
5 I'm told that Margy Winder is here.

6 MS. WINDER: Yes.

7 HEARING OFFICER RICHARDSON:
8 I'll repeat for everyone's benefit who
9 just arrived, the -- we have five
10 minutes for comments.

11 After four minutes elapse,
12 the yellow light on the podium will
13 light indicating you have one minute
14 left for summation. At the end of five
15 minutes, the red light will come on.

16 Ms. Winder, would you
17 please state your mailing address for
18 the record, and then proceed with your
19 comments.

20 MS. WINDER: Okay. My
21 mailing address is 2959 Camino, Piedra,
22 P-i-e-d-r-a, Lumbre, L-u-m-b-r-e, the
23 zip code is 87505.

24 HEARING OFFICER RICHARDSON:
25 Please proceed.

16-Jun-89; TS-00674, PAGE 1 OF 8

1 MS. WINDER: Okay. My name
2 is Margy Winder.

3 I'm a citizen of Santa Fe,
4 and a nurse at a local hospital in
5 town.

6 In reviewing the EIS
7 Report, I notice several things I found
8 disturbing.

9 One is that it didn't
10 really explain the failure of the DOE
11 to comply with EPA regulations.

12 It didn't address different
13 alternative scorch solutions for
14 interim and long-range.

15 It really didn't address
16 all the true pack waste problems. And
17 then it mentions some supposed national
18 security implications of WIPP, but it
19 really didn't itemize what they were.

20 And the things I really
21 want to focus on are health and
22 transportation issues. And I really
23 felt that there was not a real thorough
24 analysis of this.

25 The particular thing I

16-Jun-89; TS-00674, PAGE 2 OF 8

FORCIST-LASER REPORTING PAGE 1 AND CO. 88-06-011

1-3
3.1-2
3.1-3
3.1-4

7.3.5-1
7.13.3-1

36

1 found disturbing, I didn't really feel
2 that it addressed -- really accounted
3 for the possibility of human error,
4 which is witnessed by Sir Noble and the
5 three mile in Valdez, that human error
6 were evident in all of these things.

7 So I would say, one, that
8 we need to comply with federal, state
9 -- federal and state health and safety
10 laws.

11 The EPA is re-writing the
12 standards right now. But yet the DOE
13 can't even prove that they meet up to
14 the old ones.

15 There is leaks at the WIPP
16 site in Carlsbad. Independent
17 scientists have recommended that we
18 have above-ground testing, use
19 simulated computers.

20 And independent scientists
21 have also stated that the cancer risks
22 are 1,000 times higher than the DOE
23 estimates from exposure to radiation.

24 Also, I feel like we need
25 to clean up existing facilities before

7.3.5-1
7.13.3-1

7.14-10

3.1-7

37

1 we even think about moving this to
2 Carlsbad.

3 The is routine venting
4 problems at the plant itself. And the
5 Brine Reservoir under WIPP is seeping
6 into the waste rooms.

7 And this can lead to gas
8 generation, as we all know. And if
9 this -- if the gas generation goes up
10 too high, then it will lead to
11 structural failure.

12 And from what I read, you
13 can't starting testing for how much gas
14 generation is going to be a problem
15 until 1991.

16 So I think we also need to
17 address what's acceptable and unaccep-
18 table risks at the existing site.

19 Addressing specifically
20 transportation, I'd like to question
21 the reliability of the shipping
22 containers themselves.

23 I mean, I'm told that, from
24 what I read, the DOE, you know, they
25 want to use mostly truck transport

3.1-7

3.1-2

7.3.2-4
7.3.3.1-2

1 instead of rail, even though rail is
2 originally cited to be safer.

3 But the thought of going
4 down Highway 285, particularly around
5 Clines Corners in that area in the
6 wintertime when it's extremely icy, is
7 really frightening.

8 And the EIS Report didn't
9 really analyze the difference in the
10 number of accidents that would happen
11 there, and if we waited until there
12 were a by-pass built.

13 And it didn't analyze the
14 average radioactivity of the emits from
15 other sources, like if it comes from
16 Hanford, Washington.

17 I'm told there is four
18 times as much radioactivity as there is
19 at Rocky Flats.

20 And I didn't really see an
21 analysis of the problems of those other
22 ones.

23 It didn't consider the
24 release of wastes, even though the
25 shipment contains dozens of the amount

38

7.3.2-4
7.3.3.1-2

2.3.1-2
7.3.5.1-31

7.3.2-2
7.3.5.1-31

1 radioactivity as the average TRUPACT
2 shipment.

3 And what about how the
4 organic materials interact with
5 radionuclides in fire. There wasn't
6 any specific data on that.

7 As far as emergency
8 response, I'm concerned about that, you
9 know, being a nurse.

10 This is really a one-
11 hospital town, and we do have an
12 Indian hospital, but the basic hospital
13 that services the community is just
14 one.

15 And it really doesn't
16 discuss -- I mean, we're told we get
17 like a couple of paper suits and duct
18 tape and rubber gloves.

19 And I mean what if -- and I
20 was told if they come up to our
21 emergency room to hose people down.
22 Well, what about our exposure to
23 radioactivity.

24 You know, we really don't
25 have -- we really haven't been prepared

39

7.3.2-2
7.3.5.1-31

7.3.5.1-1

7.1.29-1
7.1.29-2
7.1.29-5
7.1.29-7

1 with -- emergency personnel really
2 haven't been trained in how to cope
3 with these kinds of problems.

4 We don't have the equip-
5 ment. We don't have the training. And
6 I wonder who's going to pay to test
7 cancer rates in the community, because
8 they've significantly gone up in the
9 other areas.

10 And as a nurse, I've really
11 witnessed the results where people come
12 in with status asthmaticus, which is a
13 life-threatening illness from environ-
14 mental toxins.

15 I'm told that the TRUPACT,
16 you know, will emit radioactivity
17 levels, even if you're next to it in a
18 car. Well, you know, who is going to
19 analyze all these things?

20 And I just don't really
21 feel like, you know, in hospitals that
22 we've really been prepared for this
23 kind of thing.

24 The hospitals along the
25 WIPP route haven't been notified or

40

7.129-1
7.129-2
7.129-5
7.129-6
7.129-11

FORM CER-LABER REPORTERS PAPER, INC. CO. 880-583-513

364

1 trained to respond to victims of
2 radiation exposure if there is a spill.

3 So, you know, I would just
4 like to reiterate in closing that we
5 need \$250 -- well, we need to work on
6 these things before we even think about
7 having a WIPP.

8 Thank you.

9 (Applause.)

10 HEARING OFFICER RICHARDSON:

11 Thank you.

12 I'm informed that Dr. John
13 Milewski is here.

14 DR. MILEWSKI: Yes.

15 HEARING OFFICER RICHARDSON:

16 Please come forward.

17 You'll have five minutes
18 for your comments.

19 DR. MILEWSKI: Okay.

20 HEARING OFFICER RICHARDSON:

21 In four minutes the yellow light will
22 come on to warn you that you have one
23 minute to summarize.

24 DR. MILEWSKI: Okay.

25 HEARING OFFICER RICHARDSON:

41

7.129-1
7.129-2
7.129-11

FORM CER-LABER REPORTERS PAPER, INC. CO. 880-583-513

1 Would you please state your mailing
2 address for the record?
3 DR. MILEWSKI: Yeah, it's
4 Post Office Box 8029, Santa Fe, New
5 Mexico 87504.
6 HEARING OFFICER RICHARDSON:
7 Please proceed with your comments.
8 DR. MILEWSKI: Right. I'm
9 a retired Ph.D scientist from Los
10 Alamos. I have a degree in chemical
11 engineering, metallurgy and ceramic
12 engineering.
13 I'm a licensed professional
14 engineer in the high tech materials
15 field.
16 I feel -- well, typical
17 politicians tell us everything is doing
18 -- going fine. All we're going to do
19 is make things better.
20 Of course, there are minor
21 problems they say, but we have them
22 completely under control.
23 They lie to us by telling
24 us the truth. For example, recently
25 President Bush says, with his Clean Air

42

16-Jun-89: TS-00675, PAGE 2 OF 8

3.6-1

1 Bill that by the year 2000 all
2 Americans will be able to breathe clean
3 air.
4 Well, when you look at the
5 details of his announcement, it shows
6 that he's only going to clean our half
7 of the acid rain constituents.
8 What are we supposed to do?
9 Only breathe the other half? Of
10 course, it's a good start. We do need
11 clean air.
12 But there is no excuse why
13 we're still going to acid rain by the
14 year 2000, and we're still going to
15 have a lot of pollutants around.
16 When I worked at Exxon
17 Research, we had a Government contract
18 there for taking coal, grinding it up
19 and taking out the sulfur and antigen
20 compounds, chemically leaching them out
21 before we even burn them.
22 We'd have 95 percent
23 recovery of the acid pollutant
24 materials before the coals even burned.
25 So we do have the technol-

43

16-Jun-89: TS-00675, PAGE 3 OF 8

3.6-1

1 ogy to do jobs right and protect out 44
2 environment.

3 8 Why doesn't the Government
4 4 OF recognize these problems and go after
5 them with a complete solution.

6 There are still many
7 several -- there are several problems
8 that our Government hasn't even
9 recognized and we are willing to face
10 up to.

11 Besides WIPP I listed 30
12 major problems. Problems the world is
13 facing, medical problems and health
14 care problems, financial problems,
15 business areas, political areas,
16 domestic areas and at least 11 other
17 environmental problems, which I'll talk
18 of later on.

19 Our Government spends
20 nearly \$300 billion dollars a year for
21 weapons, and over -- and the world
22 spends a trillion dollars a year for
23 weapons.

24 These are weapons for
25 death. Why don't we have -- spend

16-Jun-89: TS-00675, PAGE 4 OF 8

36-1

1 money in weapons for life. There is 45
2 more than enough money to do the job
3 right.

4 8 For example, in the WIPP
5 program, I personally believe that the
6 radioactive waste is better to be
7 concentrated in one spot at WIPP,
8 rather than be scattered around at six
9 to ten spots throughout the United
10 States.

11 Currently, most of the
12 radioactive waste in those areas are
13 relatively unprotected and on the
14 surface.

15 And a major storm or
16 earthquake could scatter them into a
17 highly populated area.

18 With proper priorities and
19 spending there is no reason why by-
20 passes couldn't be built around every
21 major city with the slightest chance of
22 any chance of a problem.

23 Escorted convoys could
24 carry the materials at night, only at
25 night. And during busy times the cargo

16-Jun-89: TS-00675, PAGE 5 OF 8

36-1

1-1

1 could be parked safely to the side in
2 secluded areas.

3 Most opponents to the WIPP
4 site talk about -- what about the
5 conditions of the storage area after
6 thousands of years.

7 I believe the -- excuse me
8 -- I believe that within 100 to 200
9 years, we'll have a positive disposal
10 method for completely eliminating or
11 neutralizing the effects of radioactive
12 materials.

13 There is concepts of
14 building nuclear disruptives on the
15 atomic level, which will completely the
16 radioactive material, or better yet, we
17 could pack up the waste and ship them
18 in rockets to the sun.

19 The sun is a large
20 radioactive furnace and could easily
21 assimilate this material very safely.
22 We don't have a long-term storage
23 problem at WIPP.

24 We have a short-term
25 political problem, educational problem

16-JUN-89; TS-00675, PAGE 6 OF 8

53-1

1 and priority problem here on earth with
2 radioactive materials.

3 And the best solution is to
4 put them -- put them all in one spot
5 until we develop the political will and
6 the technical skills to dispose of them
7 in a safe manner.

8 Again, I repeat that our
9 Government does have the political
10 financial -- has the financial
11 resources to do the job right.

12 A fraction of the money
13 spent on weapons could be used to
14 dispose of this problem in a neat and
15 safe manner, then we could get on to
16 concentrate on more severe problems,
17 such as the OZONE layer and the
18 greenhouse effect and the massive
19 chemical waste problems that we have,
20 all of which in my opinion are 10 to a
21 100 times larger and more life-
22 threatening than the localized WIPP
23 problem.

24 At 400 A.D. Plutonia says
25 -- said, we are the caretakers of the

16-JUN-89; TS-00675, PAGE 7 OF 8

53-1

1-1

896

FORM 100-1, LATER, REFORMERS, PAPER 1, WFO CO. 888-004313

1 universe. We -- let's get -- accept
2 our responsibility and get on with our
3 storage ship.
4 Back at 300 B.C. Socrates
5 says, chaos is not sufficient to cause
6 men into action, unless we utter chaos.
7 Let's hope that we do not
8 have to have a major global tragedy
9 before we do something about our
10 environment.
11 Thank you.
12 (Applause.)
13 HEARING OFFICER RICHARDSON:
14 Thank you.
15 Our next scheduled
16 commentator is Audrey Mazza.
17 (No response.)
18 HEARING OFFICER RICHARDSON:
19 Ms. Mazza is followed by Jody Paine.
20 MS. PAINE: My mailing
21 address is Route 9, Box 86-P, Santa Fe
22 87505.
23 MR. GEORGE: Excuse me. I
24 missed the name and I am trying to take
25 notes on this.

48

1-1

1 MS. PAINE: Jody Paine.
2 MR. GEORGE: Jody Paine.
3 MS. PAINE: P-a-i-n-e.
4 I'm the mother of two
5 children. We live in Santa Fe. Our
6 house is situated on the south end of
7 town just several hundred yards off of
8 I-25.
9 I'm concerned mostly with
10 transportation, and that the likelihood
11 of an accident is very high.
12 Several weeks ago and very
13 close to where we live, a tractor-
14 trailer carrying fuel, gasoline, the
15 driver fell asleep, no drugs or alcohol
16 involved, and it took nine hours for
17 them to clean up the site that was--
18 it's scary.
19 People -- we don't know how
20 to deal with spills, especially nuclear
21 radioactive spills.
22 The WIPP site leaks. If it
23 leaks in, I believe it can leak out. I
24 agree with -- I understand that we have
25 the technology to store the nuclear

49

7.3.5.1-12
7.12.9-1
7.12.9-3
7.12.9-7

5.2-1
5.2-2

1 waste above ground, safely for 100
2 years.

3 In the 1940's we got
4 together the brilliant minds of this
5 country to develop the nuclear bomb. I
6 propose let's get, once again, the
7 nuclear mind -- the brilliant minds of
8 the country together and try to
9 neutralize this.

10 I don't think it will take
11 100 years. And then we can safely
12 store all of the waste.

13 I, once again, say we're
14 not prepared, the hospitals are not
15 prepared, no one will know what to do
16 in case of a nuclear accident of a
17 trucking accident.

18 The TRUPACT's have never
19 been subjected to a crush test, which
20 if the truck was to roll, they would be
21 crushed. What would happen?

22 It has not passed the
23 puncture test, or burn test. We need
24 to go back. This needs to be worked
25 on.

50

52-1
52-2
53-1

7.129-1
7.129-2
7.129-7

7.3.1.1-9

1 It's my understanding that
2 the WIPP site in Carlsbad, only when
3 it's filled to capacity, will only hold
4 1 percent of the nuclear waste that we
5 have now in the United States.

6 That means we need to build
7 99 more WIPP sites, such as in
8 Carlsbad. Where are we going to put
9 this? It's a problem.

10 I'm concerned, and that's
11 -- I've voiced my concerns.

12 Thank you.

13 (Applause.)

14 HEARING OFFICER RICHARDSON:

15 Thank you.

16 Our next scheduled
17 commentator is Louise Ramburg.

18 Ms. Ramburg, would you
19 please state your mailing address for
20 the record, and then proceed with your
21 thoughts.

22 MS. RAMBURG: My address is
23 1435 Monterey Drive, Santa Fe, New
24 Mexico 87501.

25 I'm going to speak as a

51

32-1

1 teacher. I'm really frightened about
2 what we're doing in our world. It's
3 going to affect our children and I see
4 you as human beings who have a job to
5 do.

6 And I see you attached to
7 an agency that forgets the human part
8 of this. I am a teacher of teachers at
9 the community college here.

10 And I do think we have to
11 talk about the children. In our school
12 classes today we're teaching about the
13 environment. We're teaching children
14 to be aware of the environment.

15 I don't think we're always
16 honest about what the adults in our
17 generation have been doing to our
18 environment.

19 I think we've stopped
20 teaching children about the fear of the
21 enemy. I think we're learning that
22 that's not true anymore, that we are a
23 global society and we have to learn to
24 cooperate not to see ourselves in a
25 race with other countries, but to see

16-JUN-89: TS-00677, PAGE 2 OF 8

32-1

1 the earth belongs to all of us, that
2 even nationalism doesn't work anymore
3 for any of our problems where they're
4 thick enough or environmental.

5 One of the things we try to
6 teach children in schools is about
7 their Government. And I think this is
8 getting harder, because it's getting
9 harder to trust Government, and yet,
10 the Government is all of us.

11 I don't trust the Depart-
12 ment of Energy today. I don't trust
13 the SEIS Report. I don't that the
14 safety of children is being considered
15 sufficiently.

16 So I don't trust their
17 intentions. From hearing informed
18 analysis by independent people of your
19 work, I think that you slandered the
20 information in the report to support
21 only action, the opening of the WIPP
22 site, without following all EPA
23 standards.

24 I don't trust your efforts.
25 Just this morning there was some

16-JUN-89: TS-00677, PAGE 3 OF 8

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evidence of that on the radio, public radio station here that there was a Court case where -- I guess it was sort of a mini-trial, it's going to be followed-up in August of the Frenald situation as far as its effect on the environment, and people within a 500-mile radius are -- the jury says should be given some recompense for the health losses in that area.

I think there is more -- to come through on that in a larger trial in August. But it shows that maybe no Government agency can take care of the complexity of this situation.

But I think those of us in Santa Fe are saying, let's stop awhile, let's take some more time. Let's find out what's happening so that we can do a better job.

So I do not trust your efforts. With the time frame within which you've done the investigations and written the reports, I don't think you've allowed adequate time to truly

16-Jun-89; TS-00677, PAGE 4 OF 8

32-1

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look at the possibility of human error and the impact on fragile humans of possible errors or omissions in your work.

I do not trust your values as the DOE. You seem to reflect the American focus on do it now, let someone else clean it up if it doesn't work.

In covering up certain reports critical of what procedures you expose us all, children especially to risk of radioactive accidents.

What shall we teach the children about how the waste will be recovered if the experiments fail.

I do not trust your priorities. Protecting the initial investment of \$700 million dollars is not a priority.

Creating jobs with dangerous side effects is not a priority.

Taking the problem from the site of manufacture to create a

16-Jun-89; TS-00677, PAGE 5 OF 8

32-1

1 serious problem of transportation and
 2 possible storage dangers, is not a
 3 priority.

4 Getting started by a
 5 certain date is not a priority. It's
 6 reported that Rocky Flats can keep the
 7 waste there for three years perhaps.

8 The man who spoke last
 9 night who handled the Transatlantic
 10 waste in Los Alamos said that they
 11 could store it there for some time yet.

12 So I don't think it's a
 13 priority, hurry, hurry the opening of
 14 WIPP. Even creating the depository so
 15 that it looks as if we have solved the
 16 massive problem of 40 plus years of
 17 nuclear waste is not a priority.

18 Safety and finding the
 19 truly best solution is the priority.

20 I do not trust the crises
 21 mentality that we use so much in this
 22 country. It is now time for us all to
 23 think globally, creatively and long-
 24 term.

25 We need the time and

56

3.2-1

1 attention in Government acceptance of
 2 responsibility to bring together our
 3 brightest minds, to find a solution to
 4 the nuclear waste that will insure life
 5 on the planet, not toxicity.

6 I would like to teach
 7 children to trust science. I worry
 8 about a mind set in Government and
 9 science. It is afraid to admit error,
 10 afraid to be wrong.

11 How else do we ever learn?
 12 I fear the earmarking of resources so
 13 that once committed as in WIPP, there
 14 is a momentum that does not take into
 15 account new information as it is
 16 presented.

17 Is this what we want to
 18 teach our children?

19 HEARING OFFICER RICHARDSON:
 20 Ms. Ramburg, your time has lapsed. If
 21 you could bring your remarks to a
 22 close now, please.

23 MS. RAMBURG: Thank you.

24 I want to teach children
 25 that we can change our minds, that our

57

3.2-1

values put the worth of the human person first, that our priorities are to create a quality of life, not a fear or power or a fear of loss of possessions, that we can experiment with open minds, and that adults provide safety for children within which they can go and learn.

I believe we adults must pick up the cost of the 40 plus years of nuclear bomb production and not pass it on.

We must find a way to clean up the bomb factories. A way that does not endanger all of us and that doesn't leave a legacy of danger to the future children of this planet.

(Applause.)

HEARING OFFICER RICHARDSON:
Thank you.

Ms. Ramburg, if you would like to put your prepared remarks in the record, we can accept those in the record.

MS. RAMBURG: Fine.

32-1

HEARING OFFICER RICHARDSON:

The prepared remarks of Louise Ramburg will be entered into the record as Exhibit No. 511 in this proceeding.

(The document above-referred to was marked for identification as Exhibit No. 511 and received in evidence.)

HEARING OFFICER RICHARDSON:

Our next scheduled commentator is Sophie Cohen.

MS. COHEN: My mailing address is Route 2, Box 416, Santa Fe, New Mexico 87505.

I've come to you today as a concerned citizen. I'm not terribly educated in the whys and wherefores and specifics, and I don't have any statistics to give you.

All I'd like to do is talk to you from my heart and share with you what I'm feeling and some of my observations.

1 And in this I am willing to 60
 2 somewhat make a fool of myself because
 3 I have not come with any prepared topic
 4 in hand.
 5 However, I feel it is
 6 important at this time to start taking
 7 a stand. If each one person stands up
 8 and says what he and she feels about
 9 something that they feel very strongly
 10 about, then perhaps a wave, a crescendo
 11 can come and pour over you to make some
 12 kind of an impression, some kind of an
 13 impact on what you're doing.
 14 The fact that you made a
 15 plant before you even talked to anybody
 16 makes me wonder. I question the
 17 democratic process, if we have to wait
 18 until after the fact for you to hear
 19 us.
 20 Does this mean that even
 21 all the 600 or so people that are here
 22 in Santa Fe are really talking for
 23 naught because you've already made up
 24 your minds, simply because you have
 25 invested the money in the WIPP plant

16-Jun-89: TS-00678, PAGE 2 OF 5

3.1-8

1 and you cannot, God forbid, look like a 61
 2 fool.
 3 It's difficult to say, I've
 4 made a mistake. I always like to think
 5 that I'm relatively perfect. And I'm
 6 an above-average educated individual,
 7 so I have a sense and awareness of
 8 what's happening.
 9 So when someone says, you
 10 did something wrong, I say, no, I'm not
 11 sure. So I have a sense that the
 12 identity of DOE is really afraid to say
 13 that maybe perhaps they made an error.
 14 And I think that they're
 15 somewhat over awed at the amount of
 16 talk, the amount of effect that this
 17 particular waste site in Carlsbad is
 18 doing.
 19 Okay. So the fact is that
 20 you've got something. What are we
 21 going to do with it? How are we going
 22 to get it transported?
 23 The rail company does not
 24 want to have anything to do with it,
 25 because they don't feel it's safe.

16-Jun-89: TS-00678, PAGE 3 OF 5

3.1-8

1 So just throw it on the
2 people. So we have a few accidents,
3 one accident every year or so is not
4 going to make a difference.

5 People have talked to you
6 about how the fact that the medical
7 community is not trained. The police
8 department is not trained.

9 We have to start respecting
10 human life. Sure we have an over-
11 abundance of human life, but that
12 doesn't mean that each life isn't
13 precious.

14 We have to make a contribu-
15 tion in our life. We have to make an
16 awareness of the fact that our lives
17 count for something.

18 We have to be aware that
19 what we are doing today affects the
20 populous of tomorrow.

21 Science fiction has shown
22 us that we are going to be living in
23 environments closed off from the sun.
24 Why? Because we have no OZONE layer.
25 Why? Because our water is polluted.

16-Jun-89, TS-00678, PAGE 4 OF 5

3.1-8

1 Why? Our environment has no viability
2 anymore.

3 I think we have to look at
4 this. And none of us are emotional
5 aire-fairy people. We're viable
6 people. We pay taxes. We're respon-
7 sible citizens, and we want to be
8 heard.

9 And we want you to really
10 listen.

11 Thank you.

12 (Applause.)

13 HEARING OFFICER RICHARDSON:

14 Thank you.

15 Our next scheduled
16 commentator is Parvati Markus.

17 MS. MARKUS: It's a T not a
18 z. Parvati.

19 HEARING OFFICER RICHARDSON:

20 Thank you.

21 MS. MARKUS: P-a-r-v-a-t-i,
22 it's Parvati, means daughter of
23 mountain.

24 HEARING OFFICER RICHARDSON:

25 I'm sorry about that, Ms. Markus.

16-Jun-89, TS-00678, PAGE 5 OF 5
16-Jun-89, TS-00679, PAGE 1 OF 1

3.1-8

16-Jun-89: TS-00679, PAGE 2 OF 59

64

1 Would you please give us your mailing
2 address for the record, please?

3 MS. MARKUS: It's Route 7,
4 Box 124-CC, Santa Fe 87505.

5 HEARING OFFICER RICHARDSON:
6 Thank you.

7 Please proceed with your
8 comments.

9 MS. MARKUS: Last night
10 while trying to formulate the ideas I
11 thought I wanted to communicate here
12 this morning, I realized that others
13 would be addressing the practical
14 issues that touch upon my own fears.

15 Surely there are many of us
16 who have been in car accidents, who can
17 hear the hard crunch of metal I heard
18 as my car was broadsided by a drunk
19 driver ignoring a stop sign, who know
20 these errors of human judgment do
21 happen, and they do happen to us.

22 Perhaps some of here have
23 heard about the fuel oil truck that
24 barreled out of control on I-25 last
25 week when a driver fell asleep at the

65

1 wheel. That took nine hours to clean
2 up afterwards.

3 And I'm sure we can all
4 imagine what one drunk driver, and New
5 Mexico has many more than just one,
6 could do careening out of control into
7 the vehicle carrying TRUPACT con-
8 tainers.

9 In all my darkest fantasies
10 of TRUPACT containers dropping down our
11 beautiful rugged mountain sides, much
12 more than 30 feet, or colliding with
13 oil tankers, turning over and crushing,
14 which they have not been tested for, I
15 have wondered, how could the DOE go
16 ahead with this, with all the safety
17 requirements yet unmet, how could they?
18 What basic arrogance.

19 But then I realized this
20 was the true heart of the matter. In
21 reality the WIPP site in Carlsbad, if
22 fully operational, will only handle a
23 very small percentage of the nuclear
24 waste already produced in this country.

25 If WIPP opens, or if it

7.3.1-2
7.3.1.1-9
7.3.1.1-20
7.3.5.1-12
7.3.5.4-3

22-1
3.6-1

16-Jun-89, TS-00679, PAGE 4 OF 5

66

1 doesn't, the problem of the enormous
2 amount of waste we have already
3 generated will remain and continue to
4 grow.

5 How could we turn over a
6 situation of this magnitude to the DOE?
7 Why can we not turn over the best minds
8 and hopefully the best hearts of our
9 time to creating a possible solution?

10 Rabbi Schlomo Carlebach
11 tells a story, at the end of days,
12 perhaps even tomorrow, two Messiahs
13 will appear. One a son of Joseph, the
14 other a son of David from the Tribe of
15 Vehuda.

16 Both these Messiahs are
17 needed to correct the world. The son
18 of Joseph for the Holy Chuzpah never to
19 do wrong.

20 The son of David for the
21 strength to do everything wrong and
22 still find a way to return.

23 The first teaches us not to
24 destroy the holy ways we still have.
25 The other, not to give up even though

22-1
32-1
36-1

16-Jun-89, TS-00679, PAGE 5 OF 5

67

1 we have destroyed so much already.

2 The way of Joseph is to
3 know. The way of the son of David is
4 to repent.

5 I came to New Mexico
6 because I felt it was still sacred
7 space. I pray that we repent of our
8 unconscious ways and that we listen for
9 a way to know.

10 Thank you.

11 (Applause.)

12 HEARING OFFICER RICHARDSON:

13 Thank you.

14 The prepared remarks of
15 Parvati Markus will be entered into the
16 record as Exhibit No. 512 in these
17 proceedings.

18 (The document above-
19 referred to was
20 marked for iden-
21 tification as Exhibit
22 No. 512 and received
23 in evidence.)

24 HEARING OFFICER RICHARDSON:

25 Our next commentator is Kathleen

1 Pearson. 68
 2 4 MS. PEARSON: Do you want
 3 16-Jun-89; TS-00680, PAGE 1 OF 4 my address?
 4 HEARING OFFICER RICHARDSON:
 5 Your mailing address please.
 6 MS. PEARSON: It's 303 east
 7 Buena Vista, Santa Fe.
 8 HEARING OFFICER RICHARDSON:
 9 Thank you.
 10 Please proceed with your
 11 comments.
 12 MS. PEARSON: I'm here to
 13 speak against the opening of the of the
 14 WIPP site in the State of New Mexico at
 15 Carlsbad.
 16 My husband was born in New
 17 Mexico and we both grew up in Santa Fe.
 18 This is our home and we hope to raise
 19 our two small children here.
 20 I feel that many issues
 21 concerning the transportation of waste
 22 through our state have not been
 23 addressed or dealt with.
 24 My husband was a volunteer
 25 fireman in the Tesuque Fire Department

1-2

3.1-10
7.3.3-4

1 for three and a half years, ending last 69
 2 4 September.
 3 In that time, hardly a week
 4 went by without a serious accident
 5 occurring on the small stretch of
 6 Highway 285 that they covered.
 7 Many of these accidents
 8 involved alcohol. Many had fatalities.
 9 And some involved fires.
 10 The potential for fire was
 11 always there. Santa Fe is not a sleepy
 12 little town in the desert, but a
 13 thriving community and a tourist
 14 attraction whose streets and highways
 15 have not been able to keep pace with
 16 the rapid growth of our town and its
 17 huge increase in traffic.
 18 Our highways are crowded
 19 and inadequate. While the competence
 20 of the drivers of trucks carrying
 21 nuclear waste is very important, it is
 22 only one of the factors to be con-
 23 sidered.
 24 The TRUPACT containers for
 25 holding the waste have not been proved

3.1-10
7.3.3-4

7.3.2.1-6

7.3.1.1-17
7.3.3-4

16-Jun-89: TS-00680, PAGE 3 OF 4

to be a safe way of transporting waste materials.

An accident involving a fire could spread deadly particles far and wide. There are no personnel trained to deal with an accident involving nuclear waste, and no plan of action in the event there is one.

Before waste is transported through this state, a by-pass must be built and people trained to deal with an accident.

It is not a matter of if there will be an accident, but when. Tourism is our greatest industry, one that we have worked long and hard to develop.

But no one is going to want to tour the site of an accident involving nuclear waste. And the idea of truck loads of waste materials passing through Santa Fe every day will certainly make this a less appealing place to visit or to live.

When my mother learned

70

7.3.1.1-17
7.3.3.47.3.1.1-17
7.15.4-1

7.3.3.4

7.2-1

71

about WIPP, she said she was certainly glad she had chosen to buy property in Arizona.

I think the story coming out about Rocky Flats proves that the DOE is neither competent to run a nuclear waste facility nor would be honest about problems which may occur.

Rise seepage, cracks in storage chambers and the question of whether the vaults can really be sealed are serious issues.

EPA standards have not been met. Although they would have us think otherwise, there are alternatives and there is time to consider them.

I want a future for my children, and personally believe we can live on this planet without creating this deadly waste, which lasts not for 25 years, but for thousands of years to come.

(Applause.)

HEARING OFFICER RICHARDSON:

Ms. Pearson, did you want your remarks

7.2-1
7.2-2

3.2-1

3.1-3
7.7.2-1
7.8.5-2

3.6-1

380

72

entered into the record as an exhibit?

MS. PEARSON: Oh, yes.

HEARING OFFICER RICHARDSON:

The prepared remarks of Kathleen Pearson will be entered into the record as Exhibit No. 513 in these proceedings.

(The document above-referred to was marked for identification as Exhibit No. 513 and received in evidence.)

HEARING OFFICER RICHARDSON:

I'd like to reiterate that your oral presentation is on the record. The court reports take down verbatim your comments.

Exhibits, you can enter into the record your prepared remarks, especially if you have supplemental data or other material you would like to enter into the record to bolster your comments.

Our next scheduled

73

commentator is Mary Reisley.

MS. REISLEY: Reisley.

HEARING OFFICER RICHARDSON:

Reisley.

MS. REISLEY: My mailing address is 1750-A Camino Corrales, Santa Fe 87501.

First, I would like to thank you very much for offering New Mexicans these generous opportunities for speaking out on the WIPP site.

I appreciate your attention and your willingness to listen, even when what you hear is often the slings and arrows of angry citizens.

I speak from my heart and with a mind that has given this matter some considerable thought.

I also recognize your sincerity. Whatever you believe about the WIPP site, I'm sure you also are caring and thoughtful.

You will do the best you can in reaching your decision and whatever the outcome, Americans will

16-JUN-89, TS-00681, PAGE 1 DF 7

1 learn and move on to build on that
2 experience.

3 I do not believe that the
4 WIPP site should or that it ever will
5 be opened. The reason is that it is
6 too late.

7 We are living in a time in
8 which the clear tenor of American
9 experience is overwhelmingly the
10 unearthing of waste, not its burial.

11 We are bringing into the
12 light an out-of-protective hiding so
13 many forms of human waste. I refer to
14 alcoholism and drug abuse, incest and
15 domestic violence.

16 There are others, too.
17 Maybe some of your are acquainted with
18 these experiences.

19 As a society we are for the
20 first time looking at these toxic by-
21 products of our high-powered life-
22 styles, looking them right in the eye.

23 And people everywhere are
24 using them, using the facing of them as
25 tools for transformation and personal

16-Jun-89: TS-00681, PAGE 2 OF 7

1 growth.

2 In the 1980's many of us
3 are honestly evaluating our mistakes,
4 whether we acted as victimizers or
5 victims, and taking responsibility for
6 them.

7 In this context, I cannot
8 make sense out of the idea of burying
9 the physical waste of our high-powered
10 weaponry.

11 Geological encapsulation is
12 metaphorically incongruent with the
13 spirit of our times.

14 So what are the alterna-
15 tives? When I've expressed my ideas to
16 people, some have said, ah, you're
17 unrealistic. We have to get rid of
18 this stuff. We'll never figure out how
19 to detoxify nuclear waste.

20 But we are living in a
21 period of varied and enlightening
22 breakthroughs. In science I think of
23 superconductivity, cold fusion, Dr.
24 Salk's promising work in AIDS research.

25 In politics the INF, the

16-Jun-89: TS-00681, PAGE 3 OF 7

1 Polish elections, in the Chinese
2 student, aspirations.

3 Life is surprising. Let's
4 take advantage of the intellectual
5 fecundity of this period and the great
6 good fortune of relative peace among
7 the super powers.

8 A few handfuls of scien-
9 tists from one country, in less than
10 three years, were able to split the
11 atom and make the first atomic weapon
12 at Los Alamos.

13 Who can anticipate what
14 solution scientists from all the
15 nuclear powers could develop.

16 We don't have to tackle
17 this problem alone. Does it make sense
18 to try, when every country that makes
19 nuclear weapons has on its hands, the
20 same toxic waste products that we do?

21 Your agency has made
22 assurances that the TRUPACT containers
23 could safely hold waste for a period of
24 up to ten years.

25 So as an alternative to

76

16-Jun-89: TS-00681, PAGE 4 DF 7

3.1-7

52-1
52-2

1 testing the problematic logistics of
2 transporting this waste all across the
3 country, potentially exposing millions
4 of people to extremely adverse public
5 health consequences, I propose that we
6 store the waste where it is in these
7 safe containers for ten years, putting
8 the WIPP on hold during that time.

9 I know that if President
10 Bush were to take the leadership
11 position in enlisting an international
12 consortium of scientists, with program
13 support from their countries on the
14 scale of United States support for the
15 Manhattan Project, a solution or
16 several solutions would be found.

17 And in the process, we
18 would be using the reality of this
19 shared problem of radioactive con-
20 tamination to bring our nations closer
21 together, just as people in 12 step
22 programs like AA use their shared
23 emotional scars to build communities of
24 openness and support.

25 I guess what I'm really

77

16-Jun-89: TS-00681, PAGE 5 DF 7

1-3
52-1
52-23.1-6
53-1

1 saying to you is that I believe that we
2 will learn how to dispose or recycle--
3 dispose of or recycle our waste
4 safely, because I believe that human
5 behavior makes sense, and is unified in
6 many historical periods by a few
7 central ideas.

8 What is happening in
9 society in the personal and social
10 realms will spill over into scientific
11 and political fields.

12 The question about the WIPP
13 specifically is, will we put our noses
14 to the grindstone voluntarily and do
15 this with forethought or will we be
16 forced to do it by the sacrifice of the
17 thousands of people who will be hurt if
18 the WIPP site is as unsafe as many
19 reputable scientists believe it may be.

20 Perhaps the recent
21 revelations of human error and
22 duplicity at Rocky Flats and the
23 Fernald Plant will give us a time of
24 public skepticism and official inquiry
25 in which to consider this question

78

16-Jun-89; TS-00681, PAGE 6 OF 7

3.1-2
3.2-1
5.3-1

1 thoughtfully.

2 I want us all to look at
3 the possibility that WIPP may be left
4 empty, a historical monument to the end
5 of our throw-it-away, out-of-sight,
6 out-of-mind part of mentality that we
7 leave behind and enter a new age of
8 responsibility and transformation.

9 Thank you very much for
10 your attention.

11 (Applause.)

12 HEARING OFFICER RICHARDSON:

13 Thank you.

14 Our next scheduled
15 commentator is Alicia Lechstet.

16 Please give us your mailing
17 address for the record.

18 MS. LECHSTED: I live at
19 Post Office Box 61, Serifine, New
20 Mexico 87569.

21 Before I really start on my
22 comments about WIPP and SEIS, I have to
23 say something about the way that these
24 whole hearings have been handled.

25 Again, I don't -- I mean,

79

16-Jun-89; TS-00681, PAGE 7 OF 7

16-Jun-89; TS-00682, PAGE 1 OF 7

3.2-1

8-7

16-Jun-89; TS-00682, PAGE 2 OF 7

you've heard this yesterday, and I don't appreciate the way that it's been split up and packed into 16 hour days, even though in Santa Fe we got 600 people who want to talk.

It's also kind of pathetic that in this most multi-cultural cities, none of the proceedings are in anything other than English, and none of the information is in anything other than English.

In a city where we're lucky enough to have a well-respected school for the deaf, none of the proceedings are SL interpreted.

And especially yesterday, a panel of people from the DOE and Hearing Officers are sitting up there like some sort of tribunal when it's not the speakers that are on trial, it's WIPP and the DOE, and maybe even the people who are sitting up there themselves.

And splitting us up into several meetings and setting it up like

8-7

8-4

8-7

16-Jun-89; TS-00682, PAGE 3 OF 7

that, doesn't make it any easier for people to participate in the process.

Nonetheless, I heard a lot of articulate people yesterday, and I trust that 600 people here in Santa Fe and however many in other cities, will be awfully hard to ignore.

Like you heard from my mailing address, I live in a place called Serifina, New Mexico. And I can't really call it a town because all it is is a post office and a couple houses.

Towns around it or places around it, have names like Jappo (phonetic) and Fernald and Ancon. Some of them are a bit bigger.

Fernald has a gas station. And on a road through Avia (phonetic) there is a place called the Sunshine Bar.

Last summer a small trash dump caught fire and we found out that it takes the Avia Volunteer Fire Department about an hour to get to us.

8-7

7.129-7

986

1 Luckily by the time they
2 got there, the women who live on that
3 land and their neighbors had just about
4 put the fire out and nobody lost their
5 house.

6 About a month ago in May a
7 passing train set off a grass fire with
8 a spark from going across a railroad
9 crossing.

10 And, again, volunteer fire
11 department, you know, responded as
12 quickly as they could. Unfortunately,
13 their fire engine blew its engine on
14 its way there.

15 It's a modified pickup
16 truck about ten years old. And it
17 hasn't been replaced yet because nobody
18 has got the money.

19 But what does that have to
20 do with WIPP? Well, all of those
21 places, Serifina and the other towns I
22 mentioned are all along I-25, a major
23 WIPP route.

24 And the SEIS and the
25 Department of Energy has said that

16-Jun-89: TS-00682, PAGE 4 OF 7

82

7.12.9-7

1 appropriate local authorities will be
2 trained by the Department of Energy to
3 respond to emergency situations.

4 Well, our first response,
5 appropriate local authorities are those
6 volunteer fire fighters and their
7 pickup trucks.

8 And I think that it says
9 something to how prepared the Depart-
10 ment of Energy is, how prepared that
11 region can be to respond to any kind of
12 accident, when it took us an hour to
13 put out a brush fire.

14 When waste trucks go down
15 25, or any of the other highways that
16 have similar communities all along in
17 all the states that it will be going
18 through, they're not just going down
19 some ribbon of concrete.

20 They're going through
21 family land grants that are older than
22 this state. They're going through
23 Indian reservations.

24 They're going through
25 communities. And they're going

16-Jun-89: TS-00682, PAGE 5 OF 7

83

7.12.9-1
7.12.9-3
7.12.9-5
7.12.9-7

9-1

386

1 through some of the least -- the last 84
2 7 unspoiled, uncontaminated land in this
3 6 DF country.

4 And it seems like sometimes
5 the Government and the cities just
6 can't keep their hands off.

7 So if the transportation
8 has got so many problems and the site
9 has so many problems, then we can't
10 conscionably open this place.

11 What's the solution? You
12 all are also asking for suggestions.
13 Well, I like some of the ideas I've
14 heard, even this morning.

15 I think that if we were to
16 leave this waste where it is, where
17 it's made, it might make people think a
18 little bit.

19 To make New Mexico into a
20 dump, first, is an irresponsible
21 attitude of out-of-sight, out-of-mind.
22 And if we were to put this waste at the
23 plants, at the labs and at the
24 Pentagon, maybe even the front lawn of
25 the White House, I think maybe people

9-1

1-2

3.1-8

1 would find the motivation to come up 85
2 with the recycling, the detoxification
3 and make sure that where they're
4 putting it now was safe.

5 Thanks.

6 (Applause.)

7 HEARING OFFICER RICHARDSON:

8 Thank you.

9 Our next scheduled
10 commentator is General John Kenny.

11 GENERAL KENNY: Do you want
12 an address?

13 HEARING OFFICER RICHARDSON:
14 Please, sir.

15 GENERAL KENNY: General
16 John Kenny, 954 Santo Nino Place, Santa
17 Fe, New Mexico.

18 I was born Jack Kenny here
19 in Santa Fe, went to school next door
20 over in City Hall. It was a public
21 school.

22 I later on went to West
23 Point, got my commission. I have a
24 master's in physics and meteorology
25 from UCLA.

3.1-8

387

1 I was instructor of Nuclear
2 Energy at the University of Staff
3 College for three years. Later, after
4 I was luckily promoted, I became
5 assistant Commandant at Fort Sill, and
6 then Commander of Corps Artillery
7 overseas.

8 I sympathize with you.
9 You've got an awesome responsibility.
10 I've shared some of these respon-
11 sibilities.

12 For example, have you ever
13 been responsible for nuclear warhead?
14 I have.

15 Have you ever trained
16 individuals to store, transport, arm or
17 disarm the nuclear warhead? I have.

18 Have you ever been
19 responsible for the protection of
20 nuclear weapons or nuclear materials in
21 a foreign nation? I have.

22 Have you ever been
23 responsible for the safeguard which
24 maintained these weapons under control
25 of the proper national authority, come

86

16-Jun-89: TS-00683, PAGE 2 OF 7

3.1-8

1 hell or high water, come physical
2 weaknesses, liquor, temptations of the
3 flesh, morale inaptitude or mere
4 inaptitude? I have.

5 Now, how do we do it? How
6 do you do it? You do it be detailed
7 tedious, technical, scientifically
8 accepted principles and procedures
9 which cover all possible catastrophes,
10 stupidities, terrorist schemes and so
11 forth.

12 Your plans must cover
13 specific responsibilities at all
14 levels. In my case, all the way from
15 the president and the guy who carries
16 the black box down to the corporal and
17 sergeant who pull the lanyard.

18 The procedures which we
19 used developed Areosolomus (phonetic),
20 Sandia Base and at various intermediate
21 headquarters, are implemented by
22 constant technical inspections.

23 We call them TPI. You may
24 have heard of them. And if one general
25 or colonel or major or captain or

87

16-Jun-89: TS-00683, PAGE 3 OF 7

3.1-8

1 lieutenant or sergeant fails an 88
 2 inspection, he's through.
 3 He leaves, his career is
 4 over, and he has no more respon-
 5 sibility.
 6 There are no chances for
 7 second guessing when you're running
 8 around with nuclear missiles. And I
 9 feel the same way about the thing
 10 you're worried about.
 11 Why have we not established
 12 similar procedures with respect to
 13 WIPP? Very respectfully I ask, what
 14 are the responsibilities of the
 15 president of DOE or the Governor or the
 16 state police or the mayors or the city
 17 commissioners, I'm sorry, city council,
 18 the county commissioners, the sheriffs,
 19 the hospitals, the doctors, the EMT's.
 20 We don't know. We don't
 21 know. We don't even know what the rule
 22 is.
 23 If I fail to spell out
 24 transportation rules for transportation
 25 of nuclear weapons, I would have been

16-Jun-89, TS-00683, PAGE 4 DF 7

3.1-8

7.3.3-1
7.3.3-6

1 fired. 89
 2 Why haven't you spelled out
 3 the rules? Highway 14, 285, there are
 4 rumors all of the place. Where is the
 5 by-pass?
 6 If I failed to spell out
 7 the requirements for medical training,
 8 medicines required, emergency needs in
 9 case of accidents, I would have been
 10 fired. I should have been fired.
 11 And I feel that so should
 12 some of you. If I had not considered
 13 in our bunkers, storage bunkers, gas
 14 buildings, water leakage, cracks, I
 15 would have been fired, and I should
 16 have been fired, and so should some of
 17 you.
 18 If in other nations,
 19 Germany for example, Korea, we hadn't
 20 developed a PR plan, they knew the nuc
 21 weapons were there, we developed a PR
 22 plan that made them natives unrestless.
 23 You've developed a PR plan
 24 that has made the natives restless. I
 25 don't understand it. How can we do it

16-Jun-89, TS-00683, PAGE 5 DF 7

7.15.4-1

7.12.9-1
7.12.9-2
7.12.9-73.1-2
7.8.6-18-1
8-8

1 in Korea and Germany and can't do it in
2 New Mexico.

3 If one of my storage
4 bunkers had a salt crack or water
5 seepage, which I didn't have scientifi-
6 cally studied or systematically report
7 on it, I would have been fired.

8 And now we have a report
9 from the SEIS director, oh, yeah, there
10 is a little brine seepage, but it's not
11 really too bad. Not really too bad. I
12 don't think it's too bad. That's what
13 he's quoted as saying.

14 SEIS is a draft document.
15 Let's finish it, study it and not rush
16 into something unnecessary and
17 irretrievable for a panic solution.

18 If we can't do what Ms.
19 Reisley recommended, let's at least do
20 this right the first time.

21 The bureaucrat who is in
22 charge of cleaning up the uranium
23 tailings is in trouble in Colorado this
24 morning from this morning's paper.

25 Why don't we clean up what

90

8-8

7.72-1
7.85-2

2.31-2

3.2-1

1-3
3.1-2

1 we've got now, meet the EPA standards,
2 meet the transportation and safety
3 issues and make the baseline health
4 study.

5 Let's do it, but not rush
6 it. For God's sake, for my grand-
7 children's sake, let's do it right.

8 Thank you very much.

9 (Applause.)

10 HEARING OFFICER RICHARDSON:

11 Thank you.

12 General Kenny, if you
13 didn't have time to finish your
14 remarks, you can enter them into the
15 record by providing them to the court
16 reporter.

17 GENERAL KENNY: Okay.

18 HEARING OFFICER RICHARDSON:

19 The prepared remarks of General John
20 Kenny will be entered into the record
21 as Exhibit No. 514.

22 (The document above-
23 referred to was
24 marked for iden-
25 tification as Exhibit

91

1-3
3.1-2
3.1-10
9-2

1 No. 514 and received
2 in evidence.)

3 HEARING OFFICER RICHARDSON:
4 In addition, the prepared remarks of
5 Mary Reisley will be entered into the
6 record as Exhibit No. 515.

7 (The document above-
8 referred to was
9 marked for iden-
10 tification as Exhibit
11 No. 515 and received
12 in evidence.)

13 HEARING OFFICER RICHARDSON:
14 At this point, I will go back and call
15 the names who we called earlier this
16 morning who have -- who were not here.

17 Dr. Elke Meyer.
18 (No response.)

19 HEARING OFFICER RICHARDSON:
20 Consuelo Luz Arostegui.
21 (No response.)

22 HEARING OFFICER RICHARDSON:
23 Audrey Mazza.

24 (No response.)

25 HEARING OFFICER RICHARDSON:

1 We're at a point on our agenda this
2 morning where a five-minute break is
3 called for.

4 So we will be at recess for
5 five minutes.

6 (Short recess.)

7 HEARING OFFICER RICHARDSON:
8 Let the record reflect that after a
9 short recess it is now 9:00 a.m.

10 Sitting to my right is the
11 DOE panel, comprised of Critz George
12 and John Arthur.

13 My name is Peter
14 Richardson. I'm the Hearing Officer
15 this morning. We will get right to it.

16 The next scheduled
17 commentator is Judy Mitchell.

18 (No response.)

19 HEARING OFFICER RICHARDSON:
20 Ms. Mitchell is followed by Howard
21 Shulman.

22 Mr. Shulman, if you'd like
23 to make your comments, please come up
24 to the podium.

25 Oh, I'm sorry. Go right to

391

1 the podium, Ms. Mitchell. What you say
2 will be recorded and entered on the
3 record.

4 If what you've got there is
5 simply a copy of your statement, leave
6 it with the court reporter so that they
7 can double check their transcription.

8 Ms. Mitchell, this is our
9 panel of the Department of Energy.
10 They may ask a clarifying question of
11 you when you're finished with your
12 remarks.

13 You have five minutes for
14 your comments. At four minutes, a
15 yellow light on the podium will light
16 indicating that you have one minute
17 left to summarize.

18 MS. MITCHELL: I think it's
19 kind of silly to have all this
20 rigmarole going on when I'm speaking
21 only to the DOE and not to any of the
22 public.

23 HEARING OFFICER RICHARDSON:
24 If you would please provide your
25 mailing address for the record, you may

94

16-Jun-89, TS-00684, PAGE 1 OF 4

1 proceed with your comments.

2 MS. MITCHELL: 261 Camino
3 Del Omo.

4 HEARING OFFICER RICHARDSON:
5 You may proceed.

6 MS. MITCHELL: As I just
7 added to the testimony that I gave to
8 the gentleman over there at the table,
9 I think it was very clever of the DOE
10 to divide everyone up into three rooms
11 so that, you know, I would be able to
12 hear their testimony and they can't
13 hear mine.

14 What I'd like to do is make
15 a few comments on the issue of nuclear
16 waste and its disposal from a psycholo-
17 gical viewpoint.

18 To borrow some ideas from
19 Dr. Chellis Glendinning, a psychologist
20 who works a lot with nuclear issues,
21 these issues are very new to humanity,
22 only a couple of generations have even
23 known nuclear capabilities.

24 The whole thing has been
25 shrouded in Government secrecy for

95

16-Jun-89, TS-00684, PAGE 2 OF 4

8-7

8-9

392

1 reasons of security. So there is a 96
 2 strong taboo and has been all along,
 3 against thinking and talking about the
 4 issue.
 5 Additionally, the issue
 6 carries a lot of fear, hopelessness and
 7 despair. These are feelings that often
 8 render people numb.
 9 When beset with these
 10 feelings we're often unable to think,
 11 and unable to take action. We see this
 12 now in the fact that multitudes of
 13 people don't seem to have any feelings
 14 one way or another about these issues
 15 that are going on currently, and yet we
 16 all know that these are people who care
 17 deeply about their children and their
 18 grandchildren and so forth.
 19 The upshot is that many
 20 people have not seen this as a personal
 21 issue as of yet. I'd like to challenge
 22 the Department of Energy to look at the
 23 education from a feeling viewpoint of
 24 its own staff as well as the public on
 25 these issues.

16-Jun-89; TS-00684, PAGE 3 OF 4

8-9

1 I'd like to see them 97
 2 develop programs to help people deal
 3 with the issues on a feeling level.
 4 My thinking is that we
 5 should be going for Alternative 3 from
 6 the SEIS Report. This is no action,
 7 which means continuing to store the
 8 nuclear waste at production sites,
 9 perhaps in monitored, above-ground
 10 storage units, until a site or solution
 11 is found which is definitely safe from
 12 future leakage or problems.
 13 And in closing, I don't
 14 feel that humanity has any business
 15 producing such a horribly toxic waste
 16 in the first place.
 17 Thank you.
 18 (Applause.)
 19 HEARING OFFICER RICHARDSON:
 20 Thank you.
 21 Our next scheduled
 22 commentator is Howard Shulman.
 23 Mr. Shulman, if you'll
 24 please state your mailing address for
 25 the record and then proceed with your

16-Jun-89; TS-00684, PAGE 4 OF 4

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3.6-1

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16-JUN-89; TS-00685, PAGE 1 OF 80

comments.

MR. SHULMAN: Okay. My mailing address is Post Office Box 8302, Santa Fe 87504.

HEARING OFFICER RICHARDSON: Thank you.

MR. SHULMAN: Okay. I'd like to preface my comments with a protest as to the handling of the hearings. I believe that by splitting the Santa Fe process into three different groups, I think it's subverted the intent of the hearings, and that I would consider the hearings invalid and that there be some action whether legal or otherwise to the DOE about their action.

I was satisfied with the remarks on the opening day with, well, that's the way it is and we'll proceed. I think that that is not the way to deal with this kind of a situation. It's the wrong message to give to the DOE. And I object to that. Okay.

I've rewritten this many,

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16-JUN-89; TS-00685, PAGE 2 OF 80

many times. I wanted to be respectful because I expect people to treat me the way I treat them. And I prefer to live my life that way.

And it's very difficult getting it to the point that it's at. This is about the fifth draft, and I'm not sure that it's even finished at this point.

My background is that-- part of my history is being a teacher. If the SEIS Report showed up in front of me as a teacher as a book report, it would have gotten a failing grade at best, and be sent back to be rewritten and to produce something that is worthy of turning in.

The SEIS Report is not a book report. It's a life and death issue that we're talking about here today.

WIPP is a deadly issue that we're talking about today. The SEIS document shows a blatant disregard for responsible and ethical scientific

99

1 research and experimentation. 100

2 This was exemplified in the

3 problem areas of brine effects and the

4 overall questions of the integrity of

5 the salt deposit itself.

6 Also, including the problem

7 of the decay generated gases and in

8 absence of a comprehensive waste

9 retrieval plan for the site, the

10 barrels of waste will put in on a

11 experimental basis rather than in a

12 laboratory situation, and no idea of

13 how to get those things out of there

14 should there be a problem from the

15 gases or any other problems with the

16 site.

17 I am surprised that that,

18 you know, that that is coming out of an

19 agency that is responsible for the

20 health and welfare of this nation.

21 We keep talking about

22 national security in this country. And

23 usually it's done by agencies in order

24 to promote something that is going to

25 be detrimental to our society,

16-Jun-89: TS-00685, PAGE 3 OF 8

7.7-4
7.85-27.86-1
7.126-4

3.1-4

1 dangerous, fatal. 101

2 Sacrifice areas have been

3 developed, and it looks like New Mexico

4 is a prime target as a sacrifice area.

5 Let's talk about national

6 security in the sense of something

7 positive, instead of sticking something

8 down the public's throat.

9 Let's talk about national

10 security in the sense of caring about

11 people and caring about this environ-

12 ment, this planet that we live on and

13 the future generations, their national

14 security.

15 I have several suggestions.

16 One, WIPP showing sloppy planning and

17 administration and incompetent and

18 inadequate scientific practices, I

19 suggest that the DOE and its contrac-

20 tor's duties and functions be suspended

21 and taken over by a congressionally

22 appointed commission.

23 This I'll follow-up with my

24 elected officials to make sure that

25 this is implemented.

16-Jun-89: TS-00685, PAGE 4 OF 8

3.1-4

3.1-6

102

1 Point 2, that an interna-

2 tional body be established immediately

3 to evolve solutions to the nuclear and

4 toxic waste nightmare.

5 This body to have the

6 unlimited support, intensity and

7 commitment as the original Manhattan

8 Project. We don't deserve less than

9 that.

10 Point 3, that the WIPP be

11 closed indefinitely until a new and

12 competent scientific data is available,

13 developed by this body.

14 I see us moving too fast

15 toward another DOE mistake. I am

16 furious as to what's happening in the

17 newspaper.

18 We get these bits and

19 pieces of information about the DOE's

20 mistakes in the past. We need not to

21 create one out of the speed the DOE is

22 moving right now.

23 Thank you.

24 (Applause.)

25 MR. GEORGE: I have a

16-Jun-87; TS-00685, PAGE 5 OF 8

3.1-6
5.3-1

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103

1 clarifying question.

2 MR. SHULMAN: Yes.

3 MR. GEORGE: I'm par-

4 ticularly impressed by the deliberation

5 and thoughtfulness of your comments.

6 And I have been surprised, frankly, by

7 the degree of opposition to the fact

8 that the hearings were split into three

9 sessions.

10 And it's -- trying to

11 understand, you have made specifically

12 -- I think I understood your statement

13 that splitting into three hearings, you

14 felt subverted the purpose of the

15 hearings.

16 MR. SHULMAN: Yes.

17 MR. GEORGE: Could you tell

18 me, please, what in your mind is the

19 purpose of the hearings and how that is

20 subverted?

21 MR. SHULMAN: The purpose

22 of the hearing is to discuss the SEIS

23 Report, as I understand it, is that not

24 true?

25 MR. GEORGE: The purpose of

16-Jun-87; TS-00685, PAGE 6 OF 8

8-7

104

1 the hearing is to -- we have to, under
2 the law, make certain that our decision
3 makers have considered environmental
4 impacts in making a major federal
5 decision, and this certainly is.

6 MR. SHULMAN: All right.

7 MR. GEORGE: And the SEIS
8 Report is a document, is the document
9 and basis of their understanding
10 because all of these decision makers
11 can't personally attend all of the
12 details.

13 So the report has to be
14 their record, if you will, of those
15 impacts. And these hearings are to
16 inform the Department of areas where we
17 have missed issues or where we have
18 inadequately represented the issues
19 that we have dealt with.

20 And so we're trying to take
21 comments to better understand what
22 those deficiencies are.

23 MR. SHULMAN: Right. And
24 to answer your question as to my
25 initial comment of the subversion of

16-Jun-89, TS-00685, PAGE 7 OF 8

8-7

105

1 the intent, is that Santa Fe is a
2 community, a functioning community,
3 maybe not perfect, but we are a
4 community.

5 And for you to hear the
6 best possible response, everybody needs
7 to have the ability to hear others
8 speak in order to gain that knowledge
9 and possibly even grow and incorporate,
10 evolve their statements from the
11 responses of others.

12 By splitting up people, you
13 are being cheated out of the pos-
14 sibility of an evolution, you know, by
15 the people who are listening, an
16 ongoing process.

17 I didn't go off into a
18 corner to write this, you know, into a
19 dark hidden place. I evolved this from
20 my thoughts and thoughts of others, and
21 then presented it to you.

22 By splitting us up, that is
23 not possible.

24 Is that --

25 MR. GEORGE: Yes, well

16-Jun-89, TS-00685, PAGE 8 OF 8

8-7

expressed.

HEARING OFFICER RICHARDSON:

The supplemental question was asked by Critz George of the Department of Energy panel.

Our next scheduled commentator is James Marshall.

Mr. Marshall, if you would please state your mailing address for the court reporter and then proceed with your comments.

MR. MARSHALL: My mailing address is P. O. Box 8186, Santa Fe, New Mexico 87504.

I should mention that I'm not a public speaker. I probably-- this is probably the first public speech I've ever given.

And yet, I feel very sincerely moved to come and express my feelings.

You know, I could write, you know, I guess I could sit down and write a real personal heart -- speech from the heart, but I wish the

16-Jun-89, TS-00686, PAGE 1 OF 7

Department of Energy and other people involved to realize my knowledge of at least the kind of -- a little bit of research and reading I've been doing on the SEIS Report.

And so if you will bear with me, I will simply read some excerpts from the Southwest Researching Information Center.

I should start out by saying that I am opposed to the opening of WIPP on the scheduled date for the following reasons:

The draft SEIS, does not justify DOE's preferred alternative to -- of opening WIPP without complying with EPA standards.

The EPA was designed and put together to somehow save this planet from the abuse that we have been laying on it for the last 100 or so years.

We all know the environmental problems that we have today. And for this reason, if for no other

16-Jun-89, TS-00686, PAGE 2 OF 7

1-3
3.1-2
3.1-3

398

16-JUN-89: TS-00686, PAGE 3 OF 7

108

reason, we should really honor and-- with our hearts and our minds we should honor the EPA standards, the new EPA standards, which exist today.

In its haste to get WIPP opened, DOE has been campaigning to postpone compliance with these EPA standards.

The only way to determine the suitability of WIPP for a nuclear waste disposal is through a demonstration of compliance with these standards, and I plead and implore and I beg you to do this.

Again, just one other mention about EPA, EPA is -- it's a group of people concerned about-- about their brothers and sisters, about everybody on this planet.

They are -- it's a group of people that was formed out of environmental concerns. And, you know, 400 years ago a bunch of -- a group of men got together and they wrote up a Constitution and a Government.

3.1-2
3.1-3

109

They formed a Government of the people, by the people and for the people. The EPA is designed to function to protect us, the public.

Now, if you override the EPA, you're overriding the public. Is that Government of the people, by the people and for the people? I don't think it is.

The draft SEIS analysis shows that WIPP as currently planned will not comply with EPA standards, and I demand that WIPP will not be opened until a demonstration of compliance with repromulgated EPA standards exists.

Without such compliance with health and safety standards, WIPP will almost certainly be another DOE facility that will possibly contaminate the environment and cost billions of dollars to clean up.

Perhaps that's kind of an offhand comment, but we don't know the outcome. This whole business of let's

3.1-2
3.1-3

16-JUN-89: TS-00686, PAGE 5 OF 7

1 stick the waste in the ground and
2 experiment, let's experiment with the
3 earth and see what happens, none of us
4 in this room really know what is going
5 to happen with this waste.

6 There is a chance that the
7 waste may not float into -- through
8 incoming brine into an existing aquifer
9 above the site or next to the site, 15
10 miles away, but we don't know this.

11 And why do we -- why are we
12 going to test out this facility by
13 using the earth. If there is any other
14 way, that must be researched.

15 The draft SEIS does not
16 justify the validity of the five-year
17 test phase. This test phase in
18 placement of radioactive wastes
19 appears, appears to be some kind of an
20 action of multiple-mirrors, to fast-
21 track the opening of WIPP.

22 This is how it appears in
23 the public eye. And it's not a good
24 image. The draft SEIS prematurely
25 rejects this, a no-action alternative.

110

3.1-3

4.1-3
5.1.1-152-1
52-2

16-JUN-89: TS-00686, PAGE 6 OF 7

1 Why has there been no research done in
2 the no-action alternative?

3 The no-action alternative
4 must be fully analyzed. A no-action
5 alternative combined with a clean-up
6 program at existing DOE facilities,
7 should be considered fully to determine
8 the environmental impacts of such a
9 program.

10 DOE has not explained the
11 supposed, quote, "National security
12 implications if WIPP does not open."

13 If a delay in the opening
14 of WIPP would create national security
15 problems, DOE must detail and evaluate
16 the alternatives to address that
17 concern in the draft SEIS.

18 And I could go on and on.
19 I'm sure you've all read this. But I
20 really feel it bears repeating. And I
21 really feel that people, you people
22 need to know and be aware of that the
23 public are reading these things.

24 And I beg you, once again,
25 please, do not open facility the

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52-2
53-1

3.1-4

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1 proposed date. 112

2 Thank you.

3 (Applause.)

4 HEARING OFFICER RICHARDSON:

5 Thank you.

6 Mr. Marshall, if you would

7 like to enter into the record as a

8 exhibit the document you were refer-

9 ring to, come up --

10 HEARING OFFICER RICHARDSON:

11 We'll take a short recess.

12 (Short recess.)

13 HEARING OFFICER RICHARDSON:

14 We're back on the record.

15 Mr. Marshall, if you want

16 to bring that up. The prepared remarks

17 of Mr. James Marshall will be entered

18 into the record of this matter as

19 Exhibit No. 516.

20 (The document above-

21 referred to was

22 marked for iden-

23 tification as Exhibit

24 No. 516 and received

25 in evidence.)

] 1-2

1 HEARING OFFICER RICHARDSON: 113

2 We're back from recess.

3 The next scheduled

4 commentator is Mr. John Holmes. It's

5 Jim Holmes, excuse me.

6 MR. HOLMES: Thank you.

7 Before I begin, could I ask

8 a question? If I use the abbreviations

9 for the relevant organizations, will

10 that have the same weight on the record

11 as if I read the full name?

12 HEARING OFFICER RICHARDSON:

13 If the abbreviations are commonly know

14 abbreviations in the SEIS documents,

15 they will have the same weight.

16 If you're using an unusual

17 abbreviation that the court reporter

18 does not know, the court reporter will

19 inquire of you when you're done with

20 your remarks and get the full name of

21 the abbreviated words.

22 MR. HOLMES: How much time

23 are we allowed?

24 HEARING OFFICER RICHARDSON:

25 You're allowed five minutes for

114

1 comments. After four minutes, a yellow
 2 light will flash on the podium,
 3 indicating you have one minute for
 4 summation.

5 At five minutes a red light
 6 flashes on, indicating your time has
 7 lapsed.

8 MR. HOLMES: Thank you.

9 HEARING OFFICER RICHARDSON:
 10 Would you please state your mailing
 11 address for the record, and then you
 12 may proceed with your comments.

13 MR. HOLMES: 1710 Lana
 14 Street, Santa Fe, New Mexico 87502.

15 I am grateful for the law
 16 which mandates this opportunity to
 17 express our thoughts about this matter.
 18 And I thank you for your personal
 19 attention.

20 I have strong objections to
 21 the manner in which this process has
 22 been structured.

23 I believe the time allowed
 24 for the review process is much too
 25 limited, and five minutes is not enough

16-Jun-89; TS-00687, PAGE 2 OF 9

8-6

115

1 for me to list the items that concern
 2 me, much less to discuss them.

3 Dividing the audiences into
 4 three groups divides citizens of the
 5 opportunity to hear one another's
 6 statements, and dilutes media coverage.

7 As to the specific
 8 technical, safety, economic and social
 9 issues, I join the following organiza-
 10 tions in their opposition regarding the
 11 fundamental safety of the WIPP project
 12 and the manner in which you are
 13 attempting to implement it.

14 The National Academy of
 15 Science, the Environmental Improvements
 16 Agency, Scientists Review Panel,
 17 Southwest Research Institute and the
 18 Concerned Citizens for Nuclear Safety.

19 Secrecy and immunity from
 20 public inquiry are not longer ap-
 21 propriate to the degree practiced by
 22 the DOE.

23 These policies no longer
 24 protect the American people from
 25 foreign threats so much as they protect

16-Jun-89; TS-00687, PAGE 3 OF 9

8-6

8-7

32-1

402

116

1 American corporation from public
2 accountability.

3 At this point I feel a more
4 immanent threat to my personal safety
5 and First Amendment rights from the
6 Department of Energy, the Governor of
7 the State of New Mexico and the
8 Westinghouse Corporation than from any
9 foreign power.

10 Insufficient attention has
11 been given to exploring alternatives to
12 underground storage, particularly
13 above-ground monitored storage sited
14 where the waste has been generated.

15 The necessity of cutting
16 back on our reckless use of energy in
17 general is not addressed. If we cannot
18 devise a better method for dealing with
19 these incredibly dangerous substances
20 than sticking them in a can and putting
21 it in a hole in the ground, then we
22 must stop making them altogether.

23 A future lit by the stone
24 age technology of olive oil lamps
25 appeals to me more than one projected

16-Jun-89; TS-00687, PAGE 4 OF 9

32-1

36-2
53-1

36-1

117

1 by continued use of nuclear power.

2 The test period of WIPP is
3 supposed to include approximately
4 20,000 barrels of waste. What is your
5 plan if the test fails? Will you ship
6 the dreadful cargo back through Santa
7 Fe to its original location?

8 Experiments should be
9 carried out in laboratories with small
10 amounts of material under controlled
11 conditions, not by the ton on the
12 highways, and in a facility which can
13 be opened on your schedule only by
14 bulldozing laws written to protect you
15 and I.

16 Hospitals and emergency
17 personnel are not equipped and not
18 adequately trained. What happens if a
19 mad man or terrorist hits one of these
20 containers with a hand held armor
21 piercing anti-tank weapon, for
22 instance, at Glorieta Pass?

23 What happens in a tornado?
24 The Santa Fe Fire Department is
25 supposed to protect themselves from

16-Jun-89; TS-00687, PAGE 5 OF 9

36-1

5.11-1

7.12.7-1
7.12.9-1
7.12.9-2
7.12.9-7

16-JUN-89; TS-00687, PAGE 6 OF 9

118

1 spilled plutonium, one atom in your
2 lung gives you lung cancer, with
3 disposable paper overalls and duct
4 tape.

5 Drugs for treating victims
6 are not available, and if they were
7 available, the doctors are not trained
8 in their use.

9 I suppose you will have an
10 800 number to assist them. There will
11 probably be a section in the white
12 pages, irradiated, just dial this
13 number.

14 The economic issues
15 addressed by the SEIS Report are only
16 the positive one. The disaster to
17 property value and tourism are not
18 addressed.

19 The unnecessary urgency,
20 which is driving this rush to get WIPP
21 going, appears to many of us to be a
22 maneuver to obey growing public
23 awareness of the real and terrifying
24 dangers of the project.

25 Dangers that could erupt

7.12.9-2

3.2-1

7.2-1
7.2-2

3.2-1

119

1 with the devastation of a volcano or
2 silently plant the seeds of cancer and
3 genetic defects.

4 The American people who
5 trusted you at Fernald, Idaho, at
6 Fernald, Idaho National Engineering
7 Laboratory, Savannah River and all the
8 rest don't trust you any longer.

9 I heard that there are even
10 some politicians who no longer trust
11 the Department of Energy. It's time
12 that you put aside the mask of national
13 security and recognize that it's mainly
14 corporate profits that you protect.

15 The Department of Energy
16 and its contractors are not able to
17 properly identify the type of waste
18 which has been placed inside the
19 containers at Rocky Flats, but they
20 expect us to believe that they can keep
21 track of that can for about a quarter
22 of a million years.

23 If the right labels are on
24 the containers, it would make the job a
25 lot easier for the local fire depart-

3.2-1

7.9-1

7.3.1-1
7.12.9-7

120

1 ments, they would know when they were
 2 dealing with the really hot stuff and
 3 could take additional precautions,
 4 perhaps dressing in two sets of
 5 disposal paper overalls, one over the
 6 other.
 7 Two hundred and forty
 8 thousand years, that's a long time.
 9 That's about 40 times longer than the
 10 oldest pyramids of Egypt. That's much
 11 longer than any nation or civilization
 12 has endured.
 13 Do you really think you can
 14 do it? I don't. Do you, gentlemen,
 15 trust the Department of Energy? If you
 16 do, your competency is in question. If
 17 you don't, why are you working for
 18 them?
 19 Perhaps you have considered
 20 that question during the course of your
 21 career, perhaps not. I think you
 22 should do well to give questions of
 23 that general nature serious thought.
 24 Your children may love you
 25 more and you may feel better about

6
 16-JUN-89, TS-00687, PAGE 8 OF 9

7.31-1
 7.129-3
 7.129-5
 7.129-7

7.14-5

121

1 yourself as you grow older.
 2 Good luck with the problems
 3 of now blowing our mother planet to
 4 hell before we have a chance to try
 5 star travel and good luck with figuring
 6 out what to do with this mess.
 7 I recommend that you read
 8 the brief poem of Osmandius, by Percy
 9 Brice Shelly, and listen to a song
 10 entitled "I'm sick of you" by Lou Reed.
 11 And I will be very grateful
 12 if you will be so kind as to stick this
 13 stuff in someone else's hole, preferably
 14 those who have profited most by its
 15 creation.
 16 God help us all. Thank you
 17 again for your time and attention.
 18 (Applause.)
 19 HEARING OFFICER RICHARDSON:
 20 I would like to note that if you -- the
 21 comment period for supplying written
 22 statements to the Department of Energy
 23 has been extended to July 11th.
 24 And you can get the address
 25 of the -- the mailing address for

9
 16-JUN-89, TS-00687, PAGE 9 OF 9

7.14-5

1 submitting those comments at the
2 registration desks in the lobby.

3 The next scheduled
4 commentator is Barbara Burchess.

5 Ms. Burchess, would you
6 please provide your mailing address for
7 the record and then you may proceed
8 with your comments.

9 MS. BURCHESS: Thank you.
10 My mailing address is 5 Pino Lane,
11 Lamay, L-a-m-a-y, New Mexico 87540.

12 Gentlemen, do you have
13 children? I have three young children.

14 And I'm basically here as a
15 mother, although I'm a native New
16 Mexican. I grew up here. This is my
17 home. I was raised here.

18 And I'm also now a resident
19 of Lamay, which is by hook or by crook
20 going to see this thing because on one
21 hand we have the railroad, and on the
22 other hand we have 285.

23 So either way, we're going
24 to see this. I'd like to appeal to
25 your paternal instincts for a moment.

16-JUN-89, TS-00688, PAGE 1 OF 8

3.6-1

1 I have read the SEIS document, the
2 entire document, and realized that all
3 of the waste headed for Carlsbad is
4 weapons/production related.

5 I must admit, I live in a
6 rural area, but I thought we were in
7 the midst of arms reduction talks. Is
8 that correct, does everybody else agree
9 with that?

10 I don't know. I receive
11 Nucleus, a publication put out by the
12 union of concerned scientists.

13 And according to them we
14 have -- currently have 12,889 intercon-
15 tinental ballistic missiles, submarine
16 launched ballistic missiles and
17 bombers.

18 How many will be enough?
19 My four year old can't get enough Hot
20 Wheels. You know, they're toys. And I
21 don't know, some people seem to think
22 that these are toys, but they're not.

23 How many will be enough?
24 It seems to me that the obvious first
25 step is to stop weapons production now.

16-JUN-89, TS-00688, PAGE 2 OF 8

3.6-1

406

124

1 If we are in the midst of arms talks,
 2 why do we continue to invest in
 3 obsolete dangerous ideas?

4 We can neither agree on
 5 where to put the weapons or the deadly
 6 by-products.

7 So while trying to protect
 8 our national security, nuclear weapons
 9 have made our very home insecure and in
 10 some cases worthless.

11 Secondly, the idea of
 12 trying to transport this waste around
 13 the country by truck or rail, seems to
 14 be taking the danger one step further.

15 I agree, gentlemen, that
 16 something has to be done. And we need
 17 the cooperation of all of us to find
 18 the right solution to get this done.

19 It's very unfortunate that
 20 the people of Rocky Flats, Idaho, and
 21 Savannah, Georgia, all places I've been
 22 to and all beautiful, beautiful places,
 23 have already been exposed to dangerous
 24 radioactivity.

25 But why expose everyone

16-JUN-89; TS-00688, PAGE 3 OF 8

35-1

34-1

125

1 else? Basically it's because
 2 politicians have made the decisions to
 3 accept these so-called businesses in
 4 their states.

5 And now it looks as though
 6 Mr. Carruthers, Mr. Skeen, Mr.
 7 Diminiche, Mr. Luhohn, Mr. Bingham
 8 (phonetic), would do the very same
 9 thing all for about 40 jobs and some
 10 otherwise unneeded \$200 million in road
 11 improvements, which by the way, we will
 12 not get unless the Land Withdrawal Bill
 13 is passed.

14 Would you gentlemen or
 15 would any of these gentlemen like to
 16 see their children being evacuated from
 17 their homes due to a nuclear spill on
 18 these roads? I don't think so,
 19 gentlemen.

20 As a mother we all know
 21 that accidents do happen. And either
 22 by truck or rail, believe me, they will
 23 happen.

24 Which brings me to the
 25 emergency preparedness plan. The DOE

16-JUN-89; TS-00688, PAGE 4 OF 8

34-1

7.12.9-7

126

1 seems to advocate responsibility for
2 accidents much like they did with
3 Exxon, much like Exxon did in the
4 Valdez accident, leaves it with the
5 state and local fire fighters, most New
6 Mexicans.

7 In a conversation last
8 night with some friends, a friend of
9 our is a volunteer fireman. He has
10 taken the DOE course.

11 He was instructed by the
12 DOE that when on the scene for an
13 accident, he was not to do anything
14 except detain those people who had
15 witnessed the accident.

16 And those people were to be
17 taken immediately to Los Alamos for
18 debriefing.

19 Debriefing, gentlemen,
20 nobody there -- and they were told,
21 could not handle this. The only thing
22 they were told was to not put the fire
23 out with water.

24 I don't call that emergency
25 preparedness. The DOE has offered

B
5 DF
16-JUN-89; TS-00688, PAGE 5 OF 87.12.9-1
7.12.9-3
7.12.9-7

127

1 assistance in developing plans, but
2 doesn't actually offer to help clean
3 any of these accidents up.

4 According to the office of
5 Mr. Fred Freedman with the State of New
6 Mexico Transportation Railroad
7 Division, there have been 30 accidents
8 and derailments in Santa Fe, San Miguel
9 and Sandoval and Bernalillo Counties
10 since 1981.

11 Last, but certainly not
12 least, are our children and their
13 future. It is for them that I urge
14 you to accept the no-action alterna-
15 tive.

16 It states in the SEIS, and
17 I quote, "For comparative purposes, DOE
18 is required by law to analyze the
19 impact of taking no action."

20 And if the no-action
21 alternative was selected, there would
22 be no risk to the public from transpor-
23 tation of true waste to the WIPP.

24 HEARING OFFICER RICHARDSON:
25 Ms. Burchess, your time has lapsed. If

16-JUN-89; TS-00688, PAGE 6 OF 8

7.12.9-3
7.12.9-7

1-2

128

1 you could please bring your remarks to
2 a closure now.

3 MS. BURCHESS: I would just
4 like to say that we have incredibly
5 intelligent scientists. They can put
6 men on the moon and create bombs to
7 kill life.

8 I'm sure they can discover
9 ways to store this waste, right where
10 it is. Governor Andrews of Idaho
11 should have never agreed to nuclear
12 weapons facility in his state if he did
13 not want the responsibility for storage
14 and handling.

15 It is abhorous to use our
16 tax money for weapons production and
17 for our election officials to think
18 only of themselves and their personal
19 careers.

20 I commend Congressman
21 Richardson, though I am sorry he is not
22 here and his staff for their commitment
23 to the people of New Mexico, and I urge
24 him to continue in his fight for
25 safety.

16-Jun-89; TB-00688, PAGE 7 OF 8

1-2

129

1 Thank you.

2 (Applause.)

3 HEARING OFFICER RICHARDSON:

4 The next scheduled commentator is
5 Cecily Hughes.

6 I'll remind the people that
7 comments are limited to five minutes.
8 At four minutes, the yellow light will
9 flash indicating you have one minute
10 left. At five minutes, the red light
11 will flash indicating that your time
12 has lapsed.

13 Ms. Hughes, if you would
14 please state your mailing address for
15 the record, then you may proceed with
16 your comments.

17 MS. HUGHES: Thank you.

18 Mailing address, P. O. Box
19 8158, Santa Fe 897504.

20 This is my brother Peter
21 Hughes. I am a third-generation
22 Mexican. My grandparents live here.
23 My dad grew up here. I am here to
24 briefly address the transportation
25 issue of this -- of what we're doing.

16-Jun-89; TB-00689, PAGE 1 OF 4

130

1 The most dangerous thing we
2 can do with all this is transport it
3 anywhere.

4 Over the past few days I
5 have been calling police department,
6 fire departments and hospitals in
7 Roswell and Hobbs, Artesia, Mora,
8 Moriarty, various places throughout the
9 state.

10 And I have documented this
11 and will turn it in, not today, but I
12 will send it to you all by July 11th.

13 And I just wanted to share
14 with everybody a bit of the response
15 that I've gotten. Luckily for us,
16 Santa Fe was the most together.

17 They say that they have an
18 emergency procedure and it does deal
19 with little suits and a little kit and
20 various other things that they're to
21 bring to the site of the accident.

22 They were the only people
23 that called me back to talk to me about
24 it. I just called. I said, I'm a
25 citizen, what if I'm on the highway and

16-Jun-89, TS-00689, PAGE 2 DF 6

7.351-12
7.129-3
7.129-5
7.129-7

131

1 Someone runs into one of these trucks
2 and they're is stuff everywhere, what
3 do I do?

4 The response I got from
5 Roswell was that they sent one officer
6 to a hazardous material school where he
7 briefly learned how to handle this
8 waste, but nothing else has been done
9 since then.

10 In Moriarty, Asistencia,
11 they think that they've got a kit
12 somewhere that will handle it if
13 something happens. But they're not
14 really sure what to do.

15 St. Vincent's Hospital says
16 they haven't been really informed as to
17 what they -- there are procedures going
18 on, but they're not -- no one could
19 give me an answer as to what's going to
20 happen when the worst scenario happens
21 to us.

22 Now, you've guys have had
23 eight or nine -- because I remember
24 when this was going through, when we
25 were dealing with WIPP in '80 or '81 I

16-Jun-89, TS-00689, PAGE 3 DF 6

7.129-1
7.129-2
7.129-7

410

16-Jun-89; TS-00689, PAGE 4 OF 6

132

1 think it was.

2 You've had that much time
3 to prepare your site, to prepare your
4 reports, to prepare all these other
5 things.

6 Why are we waiting until
7 two months before we're going to start
8 trucking this stuff to prepare us, the
9 public?

10 Because we're the ones, I
11 mean, I don't know, do you -- do you
12 live in New Mexico?

13 MR. ARTHUR: Yes, I do.

14 MS. HUGHES: How long have
15 you lived in New Mexico?

16 MR. ARTHUR: Approximately
17 six years.

18 MS. HUGHES: Six years,
19 okay. I guess that makes you a native
20 these days. That's sort of how things
21 are going.

22 But I don't know where
23 you're going to be when I'm up there
24 on 265 with an accident. Are you going
25 to be there to help us, personally?

7.129-3
7.129-7

133

1 MR. ARTHUR: The Department
2 of Energy would respond. And it's your
3 chance to comment. I'll be glad to
4 talk to you after this.

5 MS. HUGHES: Okay. Because
6 that, I am -- I was shocked. I was
7 hoping that I would get a better
8 response from these fire departments
9 and police departments.

10 And that is what made me
11 stand up here and say, we can't let you
12 -- you cannot move the stuff. You may
13 not move it. And I will personally
14 make sure that people are in the
15 streets and do not let you move it
16 until we know what is going to be done.

17 Unfortunately for us, we
18 have the highest rate of DWI. That's a
19 crime that we live with. I'm sorry
20 about it. But you cannot move the
21 stuff through a state that has that
22 problem.

23 And you cannot move it
24 through here until you know what you're
25 going to do if something happens.

16-Jun-89; TS-00689, PAGE 5 OF 6

7.351-12
7.129-3
7.129-7

16-Jun-89; TS-00689, PAGE 6 OF 6

134

1 And that's all I have to
2 say.

3 MR. HUGHES: My name is
4 Peter Ashford Hughes, Post Office Box
5 1748, Santa Fe, New Mexico.

6 I'd like to read some Henry
7 David Thoreau who was a naturalist by
8 all means.

9 The first, "Men say they
10 know many things. Men say they know
11 many things, but so they have taken
12 wings. The arts and sciences and a
13 thousand appliances. The wind that
14 blows is that anybody knows."

15 One more piece, "This is a
16 delicious evening when the whole body
17 is one sense and imbibes the light
18 through every pore.

19 I go and come with a
20 strange liberty in nature, a part of
21 herself. There can be no very black
22 melancholy to him who lives in the
23 midst of nature and has his senses
24 still."

25 Thank you.

16-Jun-89; TS-00690, PAGE 1 OF 4

135

1 (Applause.)
2 HEARING OFFICER RICHARDSON:
3 The next scheduled commentator is
4 Daniel Gagnon.

5 (No response.)
6 HEARING OFFICER RICHARDSON:
7 Followed by Mary Ann Cleary.

8 (No response.)
9 HEARING OFFICER RICHARDSON:
10 Is Mary Gray Neilson here? Please come
11 up, if you'd like to make your
12 comments, to the podium.

13 Ms. Neilson, would you
14 please state your mailing address for
15 the record and then you may proceed
16 with your comments.

17 MS. NEILSON: 213 La Cruz,
18 Santa Fe 87501.

19 HEARING OFFICER RICHARDSON:
20 Thank you.

21 Please proceed with your
22 comments.

23 MS. NEILSON: Well, I
24 didn't come here planning to speak, and
25 then I went down to get a time when I

136

1 took little Collen out and they said
2 10:35 and it's just 10:00, so I'll give
3 it a shot.

4 HEARING OFFICER RICHARDSON:

5 If you're not prepared, Ms. Neilson --

6 MS. NEILSON: I am
7 prepared. I have many thoughts on my
8 mind.

9 First of all, and this may
10 be repetitious, but I'll just spot-
11 light.

12 I don't like the way the
13 hearings have been conducted in three
14 different rooms, and that's been so
15 well spoken earlier that the community
16 doesn't get to hear the community, that
17 I won't say anymore about that.

18 I'm very concerned about
19 the transportation issue. I teach
20 first grade at Chaparral and I read an
21 editorial by a little seventh grader
22 that was just beautiful.

23 It was in the newspaper.
24 And this is a seventh grader. He said,
25 I go to school here, and he named all

16-Jun-89; TS-00690, PAGE 2 OF 4

8-7

7.3.3-3
7.3.5.1-12

137

1 the schools right along St. Francis.
2 He said, how can they bring this stuff
3 through our town and not think about
4 what would happen if someone got hurt.

5 And since my school was on
6 that list, of course, I had been
7 thinking a long time, but when the
8 seventh grader spoke it so well, that
9 made sense to me.

10 Next the transportation
11 issue that she just spoke about, when
12 the accident happens, then what? The
13 highest rate of drunken driving being
14 right here in New Mexico.

15 It's very, very scary.
16 Accidents are going to happen. We must
17 have time to figure out how to handle
18 it.

19 And the waste that comes
20 must be properly sealed. I mean, it
21 feels like the research is not in yet.
22 You know, it feels like -- it's just
23 too soon.

24 We need a lot more time and
25 frankly in the end, I mean, if it gets

16-Jun-89; TS-00690, PAGE 3 OF 4

7.3.2.1-6
7.3.3-3
7.3.5.1-12
7.12.3-3
7.12.9-7

7.3.1-2

138
1 to why on earth are we producing it?
2 And I don't know.
3 (Applause.)
4 HEARING OFFICER RICHARDSON:
5 Thank you.
6 Another at-the-door
7 registrant is Carolyn Metzler.
8 (No response.)
9 HEARING OFFICER RICHARDSON:
10 The next scheduled commentator is
11 Michael Nestor.
12 Mr. Nestor, if you would
13 please state your mailing address for
14 the court reporter, you may proceed
15 with your comments.
16 MR. NESTOR: Yeah. My name
17 is Michael Nestor. I live at 1542 Sera
18 Gora.
19 I'm a third generation
20 Santa Fe'an, and I have a lot of roots
21 here. I love this place.
22 I'm a gardner or aspiring
23 to be one. I associate myself with all
24 life and can't really see why we need
25 to endanger life, if we can help it.

16-Jun-89; TS-00690, PAGE 4 OF 4
16-Jun-89; TS-00691, PAGE 1 OF 6

139
1 And I think we can. I
2 think there are alternatives to nuclear
3 power. And I think they're not being
4 addressed for some pretty bizarre
5 reasons.
6 When I was 16, I protested
7 at Los Alamos. It was an anti-nuclear
8 demonstration. And I was arrested and
9 put in the D home for a day.
10 And didn't really know why
11 I protested at that time. I was
12 brought up by people that told me that
13 nuclear power was a dangerous thing and
14 all. But I didn't really know, I just
15 thought it was the right thing to do.
16 It made me feel good about myself.
17 But since then I've studied
18 more. I still feel incredibly
19 ignorant. I have yet to read anything
20 published by the Government or private
21 writers that tells me really anything
22 that makes me feel secure in the
23 knowledge of the use of this stuff.
24 It scares me. I don't
25 quite know how to address the issue of

16-Jun-89; TS-00691, PAGE 2 OF 6

414

1 responsibility. Who is going to be 140
 2 responsible for this stuff? Who is
 3 going to be responsible if it spills
 4 and kills people?
 5 Who is going to be
 6 responsible 2,000 years from now when
 7 my children and children's children's
 8 children's children drink water that
 9 has radioactivity in it, and live
 10 barely long enough to make children
 11 because they're dying of cancer.
 12 When I was eight I started
 13 having dreams about nuclear war where I
 14 would go out in the field next to my
 15 house to watch the sun rise, but it
 16 would never rise.
 17 The sky would just be lit
 18 up, burning, and I would be standing
 19 there naked watching the sun --
 20 watching the sky, watching for the sun
 21 to come up and it would never come up
 22 and I would be freezing cold and my
 23 skin would be burning off.
 24 And I didn't understand why
 25 I knew these things about it. But

16-Jun-89; TS-00691, PAGE 3 OF 6

3.1-8

3.6-1

1 that's how I felt. That's what I 141
 2 understood.
 3 When I was 15 I went to see
 4 a friend up on Slope of Adolia. He was
 5 living up there in a little house. And
 6 it was a blizzard, but I just wore my
 7 shorts and a T-shirt. I was feeling
 8 pretty wild.
 9 When I got to his house, he
 10 invited me in and we went and sat in
 11 his living room and started talking
 12 about nuclear war.
 13 When we started talking
 14 about nuclear war, it started to get
 15 really hot in the room, and the snow
 16 started coming through the walls and
 17 going through us.
 18 And I watched my friend
 19 fall apart. I've had many, many dreams
 20 about nuclear war.
 21 I don't know who we can
 22 trust about this information. I mean,
 23 are we supposed to trust the
 24 politicians? They assure us it's safe,
 25 that we're dealing with it well.

16-Jun-89; TS-00691, PAGE 4 OF 6

32-1
36-1

142

1 I don't know. Why do they

2 feel safe? Do they really think that

3 their money or their power is going to

4 protect them?

5 When there is radiation on

6 St. Francis that's bad enough that they

7 have to shut down that street until

8 it's cleaned up, powder that blows,

9 where are they going to be?

10 Are they going to be in

11 their houses feeling safe? I realize

12 my time is out. I just want to say in

13 closing, I guess, that I feel like this

14 knowledge of nuclear war and radio-

15 activity was in me long before I had

16 any capacity or vocabulary to under-

17 stand it scientifically.

18 And I feel like it was not

19 good for my emotional development as a

20 person. And I don't think that it will

21 be for the children in the future.

22 I think that until we have

23 a safe way of dealing with this stuff,

24 we can't do it. And I agree with

25 several of the speakers previous, we've

6 OF
16-JUN-89: TS-00691, PAGE 5 OF 6

3.1-2
3.2-1

143

1 got to leave it where it is, you've got

2 to monitor it.

3 We've only put a fraction

4 of the amount of money into storing it

5 that we have into developing it. We've

6 got to store it safely.

7 And I don't really know

8 enough to make a proposal for doing

9 that. We've got to comply with EPA

10 standards at the very least.

11 This stuff is going to be

12 around as -- much, much longer than

13 we've had what we call a civilization.

14 And it's going to be here as long as

15 we call it -- as long as we've been a

16 species apart from other species.

17 It's still going to be

18 here. And we're not going to be able

19 to forget or we'll die.

20 (Applause.)

21 HEARING OFFICER RICHARDSON:

22 The next scheduled commentator is Karen

23 Walker.

24 (No response.)

25 HEARING OFFICER RICHARDSON:

6 OF
16-JUN-89: TS-00691, PAGE 6 OF 6

36-2
53-1

3.1-3

416

16-Jun-89; TS-00692, PAGE 1 OF 11

1 Ms. Walker is followed by Joan Price. 144

2 Ms. Price, if you would
3 please state your mailing address for
4 the court reporter, then you may
5 proceed with your comments.

6 MS. PRICE: 911 Don Gasper
7 Avenue, Santa Fe, New Mexico 87501.

8 My name is Joan Price, and
9 I am resubmitting testimony I've
10 submitted to you on about ten other
11 occasions.

12 I'm resubmitting a
13 technical document that I submitted to
14 the Government in October 7th, 1980, to
15 the National Commission on Air Quality,
16 the Four Corners Study Group.

17 I am resubmitting my
18 comments on the draft generic environ-
19 mental impact statement on uranium
20 milling regulations, October 19th,
21 1979.

22 I am submitting an article
23 called the "Earth is Alive," and I
24 running out of breath, that has been
25 published ten times in magazines and

77-5

77-5

16-Jun-89; TS-00692, PAGE 2 OF 11

1 books in the United States and in 145
2 Europe since 1975.

3 I have also publicly
4 testified on the material I am
5 submitting to the Fourth Russell
6 Tribunal on Human Rights in October--
7 excuse me, yeah, October 1980.

8 I have also testified at
9 the United States Bureau of Land
10 Management Public Hearings on environ-
11 mental impacts.

12 And I'm in an administra-
13 tive appeal of a final decision
14 approving the development of a ski
15 resort on San Francisco Peaks.

16 So I would like to resubmit
17 some of these papers and all of this
18 work has to do with bringing to your
19 attention, which I have done many
20 times, that the Four Corners area,
21 Colorado, New Mexico, Utah and Arizona
22 takes a global role in climate balance.

23 It gets the highest amount
24 of lightening of anyplace on the
25 planet. Now, if you know Los Alamos at

1 all, you know that their first emblem
2 was the lightening, the symbol of
3 lightening.

4 Lightning is based on
5 uranium. I have found on no end of the
6 United States funded research that
7 creates the link, that demonstrates
8 the link between lightening activity
9 and uranium.

10 The Four Corners has the
11 highest amount of lightening on the
12 planet in August. That our monsoon
13 season.

14 If you -- I don't -- I
15 can't ask you questions, so I can't ask
16 you if you've ever heard of the
17 acupuncture system of the human body.
18 So, you know, you're not allowed to
19 answer, I guess.

20 But most people in Santa Fe
21 at this point, when I started lecturing
22 on this material ten years ago, no one
23 knew the oriental concept of acupunc-
24 ture. Now, most people do.

25 We know that we have an

16-Jun-89, TS-00692, PAGE 3 OF 11

7.7-5

1 organic system of energy distribution
2 throughout the body, and that there is
3 certain points that if you block those
4 points, you become diseased as a human
5 being.

6 If you block a point, the
7 energy backs up and becomes a form of
8 disease, and this is very similar to
9 the lightening structure of the planet.

10 You have major places of
11 lightening activity. If those places
12 are blocked, either enhanced or
13 suppressed, then the lightening comes
14 out in other places it has never come
15 out before.

16 This is clearly developed
17 by Dr. Ray Robls at the National Center
18 for Atmospheric Research in Boulder,
19 Colorado.

20 And I've footnoted him
21 extensively in my documentation. What
22 I'm doing is just interpreting that for
23 you now.

24 In other words, you will
25 change global climate if you block the

16-Jun-89, TS-00692, PAGE 4 OF 11

7.7-5

148

1 electrical fields, the magnetic fields
2 and the lightening frequency of an area
3 like the Four Corners area.

4 This is a map of Arizona
5 which is just almost exactly the same
6 as New Mexico during the lightening
7 season, which is, as I said, is July.

8 The number of lightening
9 strikes here has been recorded and you
10 can see that the state is almost
11 blocked with the number of lightening
12 strikes.

13 This is 9:21 on July 19th.
14 New Mexico looks the same way. This
15 field of lightening over the Four
16 Corners area moves through the course
17 of a year.

18 It literally begins to move
19 south, down the mountains, the Rocky
20 Mountain chain that goes into Central
21 America.

22 It begins to move south as
23 the seasons change and it ends up over
24 the Amazon Forrest. This has been
25 documented by Patrick Air Force Base

16-Jun-89: TS-00692, PAGE 5 OF 11

7.7-5

149

1 out of Florida, satellite mapping.
2 This was mapped ten years ago.

3 That field of lightening
4 activity as the seasons begin to
5 change, begins to drift north again, up
6 the mountain chain, which is called the
7 spy of the continent, back to the Four
8 Corners area.

9 It is a yearly cycle of
10 movement. It's very similar to any
11 acupuncture system of the human body,
12 the energy that moves up and down the
13 spine.

14 We, as you know, are
15 rapidly deforesting the Amazon. As
16 you know, you may not know this, the
17 Four Corners area has been declared a
18 national security lands, a national
19 sacrifice area by the National Academy
20 of Scientists in about 1968 that the
21 amount of resources here, oil, uranium,
22 underground water and all these
23 processes may have to be mined to such
24 an extent that the area will be
25 uninhabitable.

16-Jun-89: TS-00692, PAGE 6 OF 11

7.7-5

150

I don't -- you should know this. So I am talking about what's going to happen to the Four Corners area, and I'm talking about the siting of the WIPP site in that place of movement. That -- now, that lightening is a global system.

The lightening in the Four Corners area maintains a global system of cloud electrification. It is part of what you would call an induced system.

In other words, what happens in the earth induces what happens in the atmosphere and vice versa. If you have electrical phenomena of this intensity in the atmosphere, it will induce currents in the earth and vice versa.

HEARING OFFICER RICHARDSON:

Ms. Price, your time has lapsed. I'll have to ask you to bring your remarks to a close now.

MS. PRICE: Okay. You have not, in all the testimony I have

7.7-5

151

submitted to all your hearings, you have not covered underground electrical current fields and effects of the WIPP site in anyplace in those SEIS documents that I could find.

I have submitted testimony many, many times. I see no reference to this. I see no reference to a global effect on climate changes.

And I would -- the last thing I would like to say is, you have had -- and for every five minutes, a creative intelligent person has come to you with ideas.

We all have so many ideas of what you might look at as alternatives to putting that in the ground.

And I would say in the hearings process, that if you would just select two people an hour that you think might have something that you should follow-up, you could follow it up and talk to them.

You could identify these people and work with us because there

7.7-5

152

1 is a lot that is known now. There is a
2 lot of future. There is a lot of
3 potential to prevent this stuff from
4 going in the ground and blocking the
5 system without effects that we do not
6 know.

7 And I would say that we're
8 here and Santa Fe is a very concerned
9 area. And I hope you get back in touch
10 with everyone that has given you ideas
11 that you never heard before.

12 (Applause.)

13 HEARING OFFICER RICHARDSON:

14 We have a question from Panelist Critz
15 George.

16 MR. GEORGE: Yes. I'd like
17 to ask, since it will be some time
18 before I can at least look at the
19 material that you presented, I would
20 like to know from you, has -- does any
21 of that material include, from your
22 reading, any discussion of these -- or
23 any measure of effects from current
24 mining operations in this area, for
25 example, the Pot Ash mines and in that

11 OF 9
3984 12, 26900-81 168-UNF-91

7.7-5

153

1 area of Carlsbad or perhaps uranium
2 mines or --

3 MS. PRICE: No.

4 MR. GEORGE: -- elsewhere?

5 MS. PRICE: No. No. The

6 only real clear research I've found is
7 that National Center for Atmospheric
8 Research, High Altitude Observatory,
9 Dr. Matsu Shita, who discovered that an
10 underground nuclear test interfered
11 with the induced current system in the
12 earth to such an extent that it
13 completely disrupted ionospheric
14 patterns.

15 MR. GEORGE: Is that in
16 your paper?

17 MS. PRICE: It's in here.

18 MR. ARTHUR: One question,
19 if I might. I feel those are very
20 interesting comments that you made
21 there.

22 Your one statement that you
23 made is that there is good solid data
24 that shows that there is a correlation
25 between those patterns and uranium

16-JUN-89 11:26:00 TS-00692, PAGE 10 OF 11

7.7-5

154

1 concentrations.

2 MS. PRICE: Dr. Ray Roble
3 at the National Center for Atmospheric
4 Research --

5 MR. ARTHUR: Okay.

6 MS. PRICE: -- in a
7 private interview that I held with him,
8 made a theoretical, not based on data,
9 but theoretical by his global studies,
10 uranium mining would definitely effect
11 local climate conditions, and probably
12 the global circuit.

13 Thank you very much.

14 HEARING OFFICER RICHARDSON:
15 Ms. Price, if you'll bring those up--
16 the documents entered by Ms. Joan Price
17 will be identified as Exhibit No. 517
18 for the record.

19 (The document above-
20 referred to was
21 marked for iden-
22 tification as Exhibit
23 No. 517 and received
24 in evidence.)

25 HEARING OFFICER RICHARDSON:

16-Jun-89; TS-00692, PAGE 11 OF 11

7.7-5

155

1 The next scheduled commentator is
2 Spencer Wayne Wilcox.

3 MR. WILCOX: My name is
4 Spencer Wayne Wilcox. I live at 712
5 Calle Rio, Santa Fe.

6 Even though everyone is not
7 able to hear these comments, and I
8 cannot hear everyone else's comments, I
9 am thankful for the process and for
10 this opportunity.

11 I'm sorry that I'm going to
12 have to do this, but I do have to
13 address all of you personally because I
14 don't believe that the energy that I
15 put out in this room is going to be
16 felt on a piece of paper in Washington,
17 D.C., so that's where I'm at.

18 One of the first questions
19 I have -- I'll just move through some
20 of the things I have. I'm wondering
21 how the Federal Government can be
22 building highways, improving highways
23 on 285 and 14 and up into Colorado for
24 the WIPP project, when it hasn't even
25 been proven safe.

16-Jun-89; TS-00693, PAGE 1 OF 6

7.15.4-3

156
1 I'm wondering how that
2 money got approved and I know that's
3 all undercover and secret, but, you
4 know, that is a question of mine.

16-Jun-89: TS-00693, PAGE 2 OF 6
5 I'm wondering how three
6 governors, especially Andres, who has
7 wanted to close his borders in Idaho,
8 can go to a meeting, a national
9 security meeting, and then come out of
10 that meeting and quote national
11 security for a reason to continue
12 storing waste in Idaho.

13 National security has taken
14 care of his people. And I have just
15 read in the paper that he doesn't have
16 the right to protect his state's
17 people.

18 I think you guys are
19 building up to a state-federal
20 confrontation. Another question I have
21 is, can we expect the DOE to learn from
22 its mistakes, you know, that's a
23 process we need to -- that's so
24 important for human evolution, you
25 know.

7.15.4-3

3.1-4

32-1

157
1 And with what's been
2 happening at Rocky Flats in the last
3 year, you know, DOE has known that the
4 Savannah River and Fernald has been
5 terribly polluting their environments
6 for the last -- the last 20 years, you
7 know, and they haven't learned from
8 that.

16-Jun-89: TS-00693, PAGE 3 OF 6
9 So I don't think that they
10 will learn. Another thing I wanted to
11 say is that I think it's -- that you
12 are acting quite professionally, but
13 your note takers here are smiling and
14 sharing like they know something, you
15 know, like we're not intelligent
16 people. And I'd just like to state
17 that.

18 There are two skeletons
19 that I feel the U.S. has in its closet
20 that are very serious that we need to
21 consider.

22 One is the dropping of the
23 bomb in a war that was already over for
24 the sake of killing, I feel, for
25 revenge, for spite.

32-1

9-1

158

1 And the other one is what
2 we've done to our native Americans.
3 And now, the Department of Energy,
4 which has been a bad fellow with the
5 Defense Department, and has used
6 commercial power to get its missile
7 materials, is going to mine a sacred
8 place.

9 We took all this country
10 from these people, gave them some of it
11 back, and now we're going back in to
12 take it away. And this is going to
13 kill these people. It's just not
14 right.

15 You know, just for the
16 energy needs of other countries, for
17 the Japanese and the French and the
18 Swiss, we're going to kill our native
19 Americans, for energy needs. It's just
20 not right.

21 So what I would ask you all
22 to consider is your conscious, your
23 consciousness and your soul, because
24 I've just awakened, and I know how hard
25 it is. It's painful to find that you

16-Jun-89; TS-00693, PAGE 4 OF 6

9-1

159

1 haven't been living the life.

2 And if you rationalize with
3 yourselves that you're going to be
4 protecting your children, that if you
5 lose your job that your children might
6 be affected, I would ask you to ask
7 yourself, what kind of parent is -- you
8 know, I would say dead, but I won't
9 that hard, I will say asleep, because
10 you can awaken, and you can turn to the
11 light because right now you are being
12 supported by butchers.

13 And I know that maybe in
14 the past there was a reason to build
15 the bomb, maybe.

16 But anymore this obsession
17 with the atom, this pursuing this
18 missile materials, if you guys have got
19 a secret, why don't you share it with
20 the public?

21 You know, why do we need to
22 keep producing, you know, we're going
23 to lose our genie pool and human
24 evolution will just -- it will die.

25 So I'd ask you to consider

16-Jun-89; TS-00693, PAGE 5 OF 6

9-1

160

1 yourselves in this process, you know.

2 I love these smiles over here. I mean,
3 these people think they know something.

4 And it's really, it's really said,
5 because they're fooling themselves.

6 But see, isn't this great,
7 isn't this great. It's an insult. And
8 I invite you to come down to CC&S and
9 we can share some things with you, you
10 know.

11 But, you know, you already
12 feel like you know something, so I wish
13 you would share it with us. I wish you
14 would share your smiles, because when
15 you wake up, you'll be scared shitless,
16 okay.

17 And once you feel the power
18 of the spirit, then you'll understand
19 what life is about.

20 Thank you.

21 (Applause.)

22 MR. ARTHUR: Just a
23 statement, and I do appreciate your
24 testimony. In fact, in Santa Fe of all
25 the hearings we've had nationwide,

16-JUN-89; TS-00693, PAGE 4 OF 4

9-1

161

1 we've had very excellent comments, and
2 I'm speaking for the Department of
3 Energy as well as all of our contrac-
4 tors on staff, and I'm hearing you very
5 well, and we appreciate the profes-
6 sionalism of all the comments.

7 Thank you.

8 HEARING OFFICER RICHARDSON:

9 Thank you, Mr. Arthur.

10 The next scheduled
11 commentator is Nancy Nickels.

12 Ms. Nickels, if you would
13 please state your mailing address for
14 the court reporter, and then proceed
15 with your comments.

16 MS. NICKELS: It's 104
17 Williams Street, Santa Fe, New Mexico
18 87501.

19 Okay. This morning I would
20 like to talk about --

21 HEARING OFFICER RICHARDSON:

22 Ms. Nickels, you might want to hold the
23 microphone, that might help. Just use
24 the gray one, right.

25 MS. NICKELS: This one

16-JUN-89; TS-00694, PAGE 1 OF 4

1 here? 162

2 HEARING OFFICER RICHARDSON:

3 Right. It comes out of the --

4 MS. NICKELS: I'll just

5 sort of hunker down here.

6 This morning I'd like to

7 talk about some the health risk

8 assessments that the DOE does not fully

9 address.

10 In regard to safe radiation

11 levels, there have been scientific

12 findings made by Dr. Carl Morgan, who

13 is the Director of Atomic Health

14 Studies for the Manhattan project, and

15 for 25 years the Director of Health

16 Physics at Oak Ridge National

17 Laboratory, a weapons factory.

18 Dr. Morgan concluded that

19 there is no safe radiation level below

20 which exposure is not harmless.

21 Yet the SEIS document

22 reveals that there will be constant and

23 routine emissions into the air from

24 both the TRUPACT containers and the

25 plant itself.

16-Jun-89; TS-00694, PAGE 2 OF 4

7.35.4-3
7.13.1-8
7.14-10

1 These radiation emissions 163

2 are being predicted even without an

3 accident. With policies of deliberate

4 release, there is an unnecessary risk

5 contributing to increasing disease and

6 immuno deficiencies.

7 Also, evident in the SEIS

8 is that issues affecting long-term

9 health risks seem to be glossed over.

10 The document makes no

11 attempt to calculate the long-term low

12 dose radiation exposure either to plant

13 workers or the area residents.

14 Additionally, the long-term

15 release scenarios predict unrealisti-

16 cally low exposure rates to any future

17 populations.

18 I say, future populations

19 meaning, not only future area human

20 residents, but also other forms of life

21 indigenous to that area.

22 Another deficient assump-

23 tion made by the DOE's is that the

24 isolation of mixed hazard waste would

25 delay the appearance of contaminants in

16-Jun-89; TS-00694, PAGE 3 OF 4

7.35.4-3
7.13.1-8
7.14-10

3.1-2

164

1 the accessible environment for very
2 long times.

3 Should the people of
4 America put their trust in an agency
5 that can only predict that the
6 appearance of radiation will be delayed
7 for possibly only a few generations,
8 rather than preventing a leakage
9 forever?

10 It's frightening to think
11 about how such small amounts of a
12 deadly substance can be so harmful to
13 so many people for such a long time.

14 Surely by now we have
15 learned that environmental degradation
16 causes human health problems that
17 cannot be necessarily traced.

18 The EPA standards were
19 drawn up to protect the health of all
20 Americans. Opening WIPP before new
21 safety standards are written and
22 approved would be immoral and irrespon-
23 sible.

24 Americans are entitled to
25 this protection.

3.1-2

3.1-2
3.1-3

165

1 (Applause.)

2 HEARING OFFICER RICHARDSON:

3 The prepared comments of Nancy Nickels
4 will be introduced into the record as
5 Exhibit No. 518 for this proceeding.

6 (The document above-
7 referred to was
8 marked for iden-
9 tification as Exhibit
10 No. 518 and received
11 in evidence.)

12 HEARING OFFICER RICHARDSON:

13 The next scheduled commentator is Ann
14 Marie Dryden.

15 Ms. Dryden, you'll have
16 five minutes for your comments. At
17 four minutes the yellow light will
18 flash indicating you have one minute
19 left for summation.

20 MS. DRYDEN: Thank you.

21 HEARING OFFICER RICHARDSON:

22 If you will please state your mailing
23 address for the court reporter, then
24 proceed with your comments.

25 MS. DRYDEN: Okay. My

16-Jun-89; TS-00695, PAGE 1 OF 4

166

mailing address is 2705 Camino, Chueco,
C-h-u-e-c-o, 87505.

I am here today because I'm
representing my family. And when I say
that, it's like so much emotion comes
up. And I called and asked for the
SEIS Report and to talk today, when I
got to that point, who I was going to
represent and I said my family, I have
a little boy, I'm not real sure how he
got here, it doesn't make sense, even
when he was in my womb, it didn't make
sense to me.

I know biologically, I
understand that, and it still doesn't
make sense to me. He's a real miracle.
And he continues to grow.

I come from Midland,
Michigan. It's the home of Dow
Chemical Company. And for 20 -- well,
even now, Dow Chemical affects my whole
-- my household, my parents in Midland
and my brothers.

My dad was in charge of the
shipment that went out of Dow, the

16-JUN-89: TS-00695, PAGE 2 OF 6

7.3.5.1-8

167

chemicals in the train cars, and he had
lots of statistics about how many cars
might overturn on the railroad track,
how many might become lost, because
that happened a lot.

And it seemed like it
always happened on Saturday nights at
our house. The statistics that he had
for the future didn't work very well,
but the statistics in looking back did.

There were a lot of people
that were hurt and harmed, and my dad
didn't understand how to -- what to do
about that.

So when I hear about St.
Francis and trucks coming down there, I
really question what that's going to be
about for my son and for me and for my
husband.

My little boy would look at
all of you and because you're in suits
and you look like his daddy, he would
totally trust you.

And if you put the nuclear
waste, the low level radioactive waste,

16-JUN-89: TS-00695, PAGE 3 OF 6

7.3.3-3
7.3.5.1-8

7.3.3-3

168

1 into a red shinny truck, he would love
2 you too, because he loves red shinny
3 trucks.

4 But I don't know how to
5 explain about those trucks and what
6 they're doing. I moved to Santa Fe
7 because I love this state. It's my
8 home.

9 Midland became a wreck
10 because of what Dow Chemical did to it.
11 The Tittabawassee River, was not even
12 -- we weren't even supposed to touch
13 it. Things weren't living in it.

14 It's only since the last
15 two years that people can go actually
16 into it. I know what it's like to have
17 chemical spills. I don't know what
18 it's like to have radioactive spills.

19 So I have that firsthand
20 knowledge and that scares me. I don't
21 want that to happen to my son or to the
22 rest of my life or to my son's sons.

23 And my husband and I were
24 talking last night about how I can
25 visualize two to three generations down

16-Jun-89; TS-00695, PAGE 4 OF 6

7.3.3-3
7.3.5.4.3

169

1 the road, but I can't visualize more
2 than that.

3 And what we're talking
4 about here is more than that. And I'm
5 really wondering what that more is
6 going to be, is going to look like,
7 what's the larger picture.

8 I'm a mom, you know. I'm a
9 lion, I have a cub who I want to
10 protect and I don't want this to happen
11 to him, and I don't want it to come
12 into our state.

13 I don't want to throw
14 garbage into my neighbor's yard. I
15 compose. I recycle. I take care of
16 what comes into my house and what goes
17 out.

18 I'm responsible. And if
19 Virginia Daniels saw that I was
20 throwing our garbage into her yard, she
21 would be very upset, and I would
22 acknowledge that.

23 I don't do that. And I
24 don't want other people's garbage in my
25 yard either.

16-Jun-89; TS-00695, PAGE 5 OF 6

7.3.3-3

170

1 6 I thank you for this
2 6 DF opportunity to talk. I heard a lot of
3 the testimonies yesterday. The
4 scientific facts were great, but I
5 really wanted to be a mom here today
6 and think about my son's future and his
7 son's, and his son's and maybe
8 daughter's.
9 Thank you very much for
10 listening.
11 (Applause.)
12 HEARING OFFICER RICHARDSON:
13 Our next scheduled commentator is
14 Colleen Kelly.
15 (No response.)
16 HEARING OFFICER RICHARDSON:
17 We have a couple at-the-door regist-
18 rants that I will call now. The first
19 is Carolyn Metzler. Is she here?
20 (No response.)
21 HEARING OFFICER RICHARDSON:
22 The second is Jileo Dominguez.
23 MR. DOMINGUEZ: That's
24 Jileo.
25 HEARING OFFICER RICHARDSON:

16-Jun-89; TS-00695, PAGE 6 OF 6
16-Jun-89; TS-00696, PAGE 1 OF 4

7.3.3.3

171

1 All right. Would you please state your
2 mailing address for the court reporter.
3 4 MR. DOMINGUEZ: I don't
4 4 DF have one. I'm homeless. But my name
5 is Jileo Dominguez and I was born out
6 here.
7 And when I was growing up I
8 used to see -- I saw these people when
9 they were coming to build Los Alamos.
10 I used to ask, what are they doing up
11 there.
12 And they said that they
13 were building bombs. And that
14 intimidated me. And for 30 years I
15 lived in fear.
16 I got a Ph.D in alcoholism
17 experience-wise, and a master's in drug
18 abuse because of fear.
19 Like right now here I'm
20 speaking like, you know, a little
21 intimidated, you know, because of this
22 nuclear WIPP thing, garbage.
23 But I have to thank all
24 these people who have been talking
25 here about this, because they are the

16-Jun-89; TS-00696, PAGE 2 OF 4

172
 1 ones that have stopped most of this
 2 because if it would have been up to us
 3 here, that would not have really gotten
 4 it, you know.

16-Jun-89, TS-00696, PAGE 3 OF 4
 5 It's sad. I never thought
 6 I would be here to do this because I
 7 was born out there a thousand years
 8 ago. And I knew it was going to come
 9 to this one day, and then here I am
 10 now.

11 But this governor we have
 12 now, I don't like this thing, you know.
 13 I'm scared. I'm very scared. But he
 14 is supposed to protect us, you know.

15 That's why we put him in --
 16 not me, I don't vote, you know. But he
 17 is there and he's not doing it for us,
 18 you know.

19 I don't know what he's
 20 doing it for, but they're doing it for
 21 somebody.

22 I have a lot to say, but
 23 I'm going to make it short, you know,
 24 because I've got to go out there and
 25 think and hope that some day some

9-8

173
 1 people will come to their senses and I
 2 used to see that -- the accidents right
 3 there, when the truck drivers used to
 4 come, you know.

16-Jun-89, TS-00696, PAGE 4 OF 4
 5 And see I was raised
 6 because that highway was the only
 7 highway that faces the old Foust Road
 8 here. And there used to be accidents
 9 all the time there, you know.

10 And I used to sit out there
 11 and watch. And some of those people
 12 were intoxicated, you know, and under
 13 the influence of drugs or something.

14 I just hope that some
 15 people, again, to repeat myself, will
 16 come to their senses and stop this.

17 Thank you.

18 (Applause.)

19 HEARING OFFICER RICHARDSON:
 20 We're going to go back and call the
 21 scheduled speakers who I called
 22 previously who weren't here this
 23 morning. Dr. Elke Meyer.

24 (No response.)

25 HEARING OFFICER RICHARDSON:

174

1 Consuelo Luz Arostegui.

2 (No response.)

3 HEARING OFFICER RICHARDSON:

4 Audrey Mazza.

5 (No response.)

6 HEARING OFFICER RICHARDSON:

7 Daniel Gagnon.

8 Sir, if you will please
9 state your mailing address for the
10 court reporter, then proceed with your
11 statements.

12 MR. GAGNON: My address is
13 317 Aztec, Santa Fe, New Mexico. My
14 name is Daniel Gagnon.

15 I am the president of Herbs
16 Et Cetera. Herbs Et Cetera is both a
17 retail store and a liquid herbal drop
18 manufacturer.

19 We pride ourselves on the
20 service we provide to this community
21 and take at heart the health of our
22 every customer.

23 Herbs Et Cetera staff is
24 comprised of ten highly motivated
25 individuals who love their work.

16-Jun-89; TS-00697, PAGE 1 OF 4

7.2-31

175

1 Last year sales were a half
2 a million dollars. 1989 projected
3 growth is 45 percent. Our clientele
4 insists on organically grown herbs and
5 is very concerned about substance used
6 such as fumigation, irradiation, as
7 well as what is present or absent in a
8 product.

9 Nuclear and other wastes
10 are also a primary concern to them. I
11 am very concerned about the waste
12 isolation pilot project and the way the
13 Department of Energy is handling it.

14 This raises -- it feels to
15 me that this project is being rushed
16 through. This raises many questions
17 about the integrity of the safeguards
18 that are in place and the testing
19 procedures that have been followed.

20 Many concerned citizens in
21 businesses are voicing their opinion on
22 the subject. Herbs Et Cetera also has
23 those concerns.

24 The main thing I want to
25 talk about today has to do with

16-Jun-89; TS-00697, PAGE 2 OF 4

7.2-31

432

176

1 perception. Perception is defined as
 2 becoming aware through the senses.

3 And the Department of
 4 Energy is doing these hearings here
 5 today because of perceptions. Probably
 6 in your opinion people don't understand
 7 what really is happening.

8 So there is a distorted
 9 perception. I am also very concerned
 10 by what even a small accident or
 11 incident would do to my growing
 12 business.

13 An accident in the
 14 transport or storage of nuclear waste
 15 in our area would be reported by
 16 national media.

17 This would have devastating
 18 consequences for our company. Our
 19 clientele would become worried about
 20 the purity of our product or any other
 21 products bearing the New Mexico
 22 address.

23 Beyond the realm of
 24 possibility of contamination, as the
 25 Department of Energy maintains, the

72-31

72-4

177

1 simple perception that a problem
 2 exists, would have all our customers
 3 shy away from our products.

4 The health food store
 5 owners would seek our competitor's
 6 product. Our competitors would have a
 7 field day in pointing out the accident
 8 that would have occurred to our area.

9 In a few weeks we would see
 10 the death of Herbs Et Cetera. Ten
 11 employees would lose their livelihood
 12 and the services we have been providing
 13 to this nation.

14 I would like to avoid
 15 having to deal with a nuclear accident
 16 problem or even a perceived accident
 17 problem.

18 As the president of Herbs
 19 Et Cetera, I urge the Department of
 20 Energy to rethink this entire project.

21 Thank you.

22 (Applause.)

23 HEARING OFFICER RICHARDSON:
 24 Mary Ann Cleary.
 25 (No response.)

72-4

72-31

1-2

178

1 HEARING OFFICER RICHARDSON:
 2 Karen Walker.
 3 UNIDENTIFIED VOICE: Karen
 4 Walker is out of town.
 5 HEARING OFFICER RICHARDSON:
 6 Thank you.
 7 Colleen Kelly.
 8 (No response.)
 9 HEARING OFFICER RICHARDSON:
 10 I'm informed that Karen Metzler is here
 11 now.
 12 Ms. Metzler, you'll have
 13 five minutes for your comments. At
 14 four minutes the yellow light will
 15 flash indicating you have one minute
 16 left.
 17 If you will please state
 18 your mailing address for the court
 19 reporter, then proceed with your
 20 comments.
 21 MS. METZLER: My address is
 22 112 Bob Street, Santa Fe, New Mexico
 23 87501.
 24 I would, first of all, like
 25 to address the myth of any possibility

16-JUN-89; TS-00698, PAGE 1 OF 4

32-1

179

1 of safe storage of radioactive waste.
 2 It's a myth that should
 3 have been addressed 40 years ago at the
 4 inception of radioactive research and
 5 the production of radioactive isotopes
 6 in their unnatural state.
 7 I think it's irresponsible
 8 of the DOE to perpetrate the myth that
 9 there is a safe way to store these
 10 products.
 11 We are asked to trust the
 12 DOE in their storage of these products.
 13 But I personally find it hard to trust
 14 the DOE in light of its track record at
 15 other nuclear sites and the waste that
 16 has gotten out of control there.
 17 I cannot trust a Department
 18 of Energy that supposedly represents
 19 the American people and yet it has
 20 ignored the protests of the American
 21 people against nuclear products for
 22 many years now.
 23 And at the same time it--
 24 in 1986, the DOE spent \$1,134,000,000
 25 on nuclear research as opposed to a

16-JUN-89; TS-00698, PAGE 2 OF 4

32-1

434

180

1 were \$177,000,000 in research on
2 renewable energy sources.

3 I think this is complete
4 irresponsible to spend more money on an
5 industry that creates a by-product that
6 is deadly for 240,000 years when there
7 are alternatives available.

8 This -- it just makes me
9 completely angry. And I feel very
10 helpless. You ask me to trust the DOE
11 when according to a very poorly
12 released information source, the DOE
13 released radioactive gases, when
14 Chernobyl accident occurred in Russia.

15 We had disproportionate
16 amounts of radioactive readings in the
17 United States that were traced to a
18 poorly controlled test at a Nevada test
19 site.

20 I cannot trust a Department
21 or a Government that puts its citizens
22 in jeopardy like this.

23 And according to the State
24 of the World address put out by the
25 World Watch Institute, this is a 1988

16-Jun-89; TS-00698, PAGE 3 OF 4

32-1

3.1-10

181

1 report, the Department of Energy's own
2 Inspector General has stated that there
3 is no coherent long-term plan guiding
4 the Department's programs.

5 And you ask me to trust
6 you? I demand that the DOE meet its
7 own safety standards, RIKER safety
8 standards and EPA safety standards in
9 its storage of nuclear waste.

10 I demand that above-ground
11 storage be implemented so that if and
12 when neutralization of radioactive
13 wastes ever becomes possible, that
14 waste is retrievable.

15 I demand that you stop
16 production of radioactive waste
17 immediately. This is my right as a
18 citizen and as a native New Mexican.

19 I cannot continue to live
20 in my own state if you make it a
21 dumping ground for wastes that are
22 produced by irresponsible, uncon-
23 scionable people.

24 Thank you.
25 (Applause.)

16-Jun-89; TS-00698, PAGE 4 OF 4

1-3
3.1-2
3.1-3
3.1-10
3.2-1
3.7-1

1-2

38-1

182

HEARING OFFICER RICHARDSON:

Is Richard LaPan here? If you would like to make your comments, please step up to the podium. You will have five minutes for comments. After four minutes, the yellow light will flash indicating that you have one minute left.

MR. LA PAN: Okay.

HEARING OFFICER RICHARDSON:

And then when five minutes are up, the red light will flash.

MR. LA PAN: Okay.

HEARING OFFICER RICHARDSON:

If you will first start by telling us your mailing address for the court reporter, and then you may proceed with your comments.

MR. LA PAN: Okay. Thank you.

My name is Richard LaPan and I live at 217 Los Mananitas in Santa Fe.

And part of the reason that I'm here has to do with where I live,

7.33-3

16-Jun-89: TS-00699, PAGE 1 OF 7

183

which is about three and a half blocks from the intersection of Alamo and St. Francis, which is one of the last intersections in leaving town on Highway 285.

And it's been my experience being a resident in that neighborhood that watching the number of trucks, trailers and variety of vehicles that come through that area, have a great deal of difficulty in observing the standard procedures of stopping at red lights on a rather regular and frequent basis.

So that the standard operating procedure for passenger vehicles going through that intersection is to usually wait past the count of ten once the light has turned green before crossing through the intersection across St. Francis.

Not only if you can see a truck, but especially if you can't see a truck, because coming down the hill, the justification for them is that they

7.33-3

16-Jun-89: TS-00699, PAGE 2 OF 7

436

184

1 have such a great deal of momentum
 2 built up that their air brakes won't
 3 even work.

4 Very often you can hear it
 5 in the summer as they come down the
 6 hill, the pumping of the air brakes
 7 just about when they get to the top of
 8 the rise coming back down.

9 That's part of the reason
 10 I'm here. The other part -- the other
 11 main reason that I'm here is to--
 12 really is to speak to -- speak to the
 13 heart of the issue that's involved in
 14 the discussion here and the decision
 15 making that will follow this time and
 16 place forward.

17 I'm sure you've heard lots
 18 of arguments with statistics, with
 19 logic and with reason. And I'm here to
 20 speak not only to your minds but also
 21 to your hearts.

22 And I'm here to speak about
 23 the process of going into making a
 24 prudent decision that takes into
 25 account the welfare and the safety of

7
 16-JUN-89: TS-00699, PAGE 3 OF 7

733-3

31-2

185

1 all individuals currently involved, and
 2 potentially involved.

3 And my children are here
 4 with me, not just as a prop, but also
 5 as a reminder that part of why I am
 6 speaking here today has to do with
 7 their future, and it has to do with the
 8 future of their children.

9 And it's something that
 10 perhaps when I was a teenager or even
 11 in my early 20's would not have
 12 considered nearly as seriously as I do
 13 now being engaged in a lifetime
 14 commitment as a parent.

15 The choice that our
 16 country, the government that represents
 17 the country and all of the various
 18 agencies that have made those decisions
 19 from 1941 forward in terms of nuclear
 20 policy, have I think in their own best
 21 way, tried to take into account the
 22 balance of the needs of national goals,
 23 military goals and the civilian goals.

24 As a child growing in Los
 25 Angeles I have a very vivid memory of

7
 16-JUN-89: TS-00699, PAGE 4 OF 7

31-2

186

every Friday the air raid sirens going off at 10:00 o'clock once a month.

I have very vivid memories of watching early nuclear defense films showing a young boy riding home on his bicycle, hearing the air raid siren, jumping off the bicycle and diving into the curb side to cover his head in the event of being able to protect himself from a nuclear attack.

Well, as you may well know, that's a rather fruitless effort in the event of an actual nuclear attack.

And I think on some level the amount of the attempts to convince the public and the lay people at large about the manner in which we are -- our safety is being taken into consideration, is somewhat analogous, unfortunately, to that film.

Building containers that are designed to withstand a certain type of predictable force I think is admirable. I think what's -- what is difficult is to build containers that

16-JUN-89: TS-00699, PAGE 5 OF 7

187

will withstand the force or the circumstances of unpredictable forces.

The intersection of St. Francis and Alamo is a lot narrower than the valdez straights. The area in Carlsbad is a lot smaller geographically in terms of nearby population centers than those that surround Chenobol.

What I would really hope that would come from the result of these hearings and the result of this process is to look at the logic that says, well, we have this nuclear waste and we need now to find a place to put it.

So let's put it underground and then think about it later. I would encourage, I urge, that the decision making process ignore the logic of, we have to put it somewhere, so let's get it out of our way now and then explore the logic of, what do we do from here, what do we learn from this process. How are we going to protect ourselves

16-JUN-89: TS-00699, PAGE 6 OF 7

438

16-Jun-89: TS-00699, PAGE 7 OF 7

188

1 nov and in the future for, not only our
2 generation, but the generations to
3 come.

4 The same way that the
5 fallacy of the logic that says, you can
6 win a nuclear war, the fallacy exists
7 in the logic that says, you can bury
8 nuclear waste and it will no longer be
9 a problem.

10 It will always be a
11 problem, whether we store it above-
12 ground or below-ground. And I really
13 feel that it's absolutely essential
14 that we take those kinds of considera-
15 tions into account.

16 And I thank you for your
17 time.

18 (Applause.)

19 HEARING OFFICER RICHARDSON:

20 Thank you.

21 It is now 10:40 we are
22 scheduled to take a five-minute break
23 at this point. So we will be at recess
24 for five minutes.

25 (Short recess.)

31-2
36-1

189

1 HEARING OFFICER RICHARDSON:

2 We're back on the record now. It is
3 now 10:53 a.m. This is Hearing Room 2.

4 My name is Peter
5 Richardson. I'm the Hearings Officer
6 this morning. To my right is sitting
7 Margaret Schumann from the Department
8 of Energy. She is on the Department of
9 Energy's panel this morning. She may
10 have a clarifying question or two for
11 you when you're finished with your
12 comments.

13 When I call your name,
14 please come forward to the podium. You
15 will have five minutes for comments.
16 At four minutes, a yellow light will
17 flash indicating you have one minute
18 left and you ought to begin your
19 summarization.

20 At five minutes a red light
21 will flash indicating that your time
22 has lapsed.

23 I will call people in the
24 order in which they have signed up.
25 And will intersperse individuals who

190

1 have signed up at the door in blank
2 spots on our scheduled.

3 The first scheduled person
4 I have on my list this morning is Kathy
5 Allen.

6 Let the record reflect that
7 Critz George has returned to the
8 hearing panel.

9 Ms. Allen, if you will
10 please provide your mailing address for
11 the court reporter, and then you may
12 proceed with your comments.

13 MS. ALLEN: Thank you. My
14 name is Kathy Allen. I live at 530
15 West Alameda, Apartment B, Santa Fe,
16 New Mexico 87501.

17 I'm speaking this morning
18 because I would like to go on record as
19 being opposed to WIPP.

20 I would also like to say
21 that I am very much in favor of finding
22 a solution to the nuclear waste
23 problem, and that I believe that the
24 solutions put out so far is totally
25 inadequate.

16-Jun-89, TS-00700, PAGE 1 OF 3

1-2
7.3.3.1-7

191

1 I know that this panel has
2 heard many concerns from very well
3 prepared individuals.

4 I would just like to add,
5 one of my concerns, that being that I
6 have lived in Southern California for a
7 long time.

8 I am aware from the flyers
9 that were handed out downstairs that
10 the transportation of nuclear waste
11 will be going from -- through Northern
12 California down to Los Angeles where it
13 will then go eastward to New Mexico.

14 Having driving in Los
15 Angeles traffic, I think I would just
16 like to state for the record that Los
17 Angeles traffic frequently travels
18 anywhere from zero to five to fifteen
19 miles per hour for long periods of
20 time.

21 The concern that people
22 here in New Mexico have that WIPP will
23 be traveling through our highways is
24 really only a drop in the bucket
25 compared to the concern that the people

16-Jun-89, TS-00700, PAGE 2 OF 3

7.3.3-3
7.3.3-4

7.3.3.1-7

192

1 in Los Angeles would have where WIPP
2 would not only be traveling across the
3 highway, but many times be parked on
4 the freeways waiting for traffic to
5 clear before they can proceed eastward.

6 I would like to just go on
7 record pointing out that situation, and
8 stating that I think that's a very
9 dangerous situation, and that I think
10 that any plan that we implement to
11 dispose of nuclear waste has to be
12 thought out more rationally so that
13 safety measures are complied with.

14 That's all I have to say.
15 Thank you.

16 (Applause.)

17 HEARING OFFICER RICHARDSON:
18 Thank you.

19 Although commentators are
20 limited to five minutes, you do have
21 the opportunity to provide written
22 comments to the Department of Energy
23 until July 11 of this year.

24 You may obtain the address
25 for submitting those comments at the

733-4
733.1-7

193

1 registration desk in the lobby.

2 Our next scheduled
3 commentator is Carey Thorne.

4 (No response.)

5 HEARING OFFICER RICHARDSON:
6 Carey Thorne is followed by Susan
7 Kanefield.

8 Ms. Kanefield, if you will
9 please provide your mailing address for
10 the court reporter, than you may
11 proceed with your comments.

12 MS. KANEFIELD: Okay. It's
13 P. O. Box 8307, Santa Fe, New Mexico
14 87504.

15 HEARING OFFICER RICHARDSON:
16 Thank you.

17 MS. KANEFIELD: I stand
18 before you today as a citizen concerned
19 with the many unanswered questions that
20 still remain in regards to the waste
21 isolation pilot project.

22 There is no doubt that we
23 have an enormous problem as far as what
24 to do with the large amounts of
25 radioactive and hazardous waste that

16-Jun-89: TS-00701, PAGE 1 OF 4

32-1

194

1 have accumulated, thanks to our nuclear
2 weapons industry.

3 I am appalled at the
4 Department of Energy's gross mismanage-
5 ment of these facilities and irrespon-
6 sible actions in regards to intention-
7 ally discharging large amounts of these
8 poisons into our environment.

9 I wonder how can your
10 conscience rest at peace when your
11 Department deliberately releases these
12 contaminants into the environment by
13 way of pouring them into waterways that
14 provide water for major populations and
15 by burning this material in inciner-
16 ators surreptitiously.

17 This is not the 1940's when
18 we were possibly a bit more naive to
19 the dangerous health risks involved in
20 the disposal of these radioactive and
21 hazardous wastes.

22 The simple fact that
23 plutonium is the deadliest substance
24 known to man and that it's deadly for
25 nearly one-quarter of a million years,

16-Jun-89; TS-00701, PAGE 2 OF 4

32-1

1-2
5.3-1

195

1 which is 3,400 generations, tells me a
2 lay person, that it is not to be
3 treated like confetti.

4 The discharge of radio-
5 active materials into our environment
6 must be stopped immediately.

7 This waste should be held
8 in above-ground concrete or steel
9 storage bunkers where the material can
10 be properly monitored and where it is
11 easily retrievable until neutralization
12 onsite can be achieved.

13 It should not be in place
14 2,000 feet below the earth's surface
15 where it can potentially pollute yet
16 another water aquifer and endanger the
17 lives of millions of people en route to
18 its destination.

19 It is sometimes hard for us
20 as humans to admit our past mistakes.
21 The Department of Energy has yet to
22 admit to the atrocities it has
23 performed.

24 I challenge you to lay your
25 pride aside and humble yourselves to

16-Jun-89; TS-00701, PAGE 3 OF 4

1-2
3.6-2
5.2-1
5.2-2
5.3-1

32-1

1 speak the truth about all of the
2 coverups of the vital reports that show
3 the severe contamination problems that
4 have been created.

5 I ask you to take respon-
6 sibility and to become part of the
7 solution rather than part of the
8 problem.

9 To fast-track the opening
10 of the WIPP site with this out-of-
11 sight, out-of-mind attitude is not
12 acceptable.

13 It is up to us, the public,
14 to continue to speak out, as we are at
15 these hearings, and let the nation know
16 that we will not allow the DOE to
17 continue business as usual.

18 (Applause.)

19 HEARING OFFICER RICHARDSON:
20 The prepared remarks of Susan Kane-
21 field will be entered into the record as
22 Exhibit No. 519 in this proceeding.

23 (The document above-
24 referred to was
25 marked for iden-

196

32-1

3.1-2
3.1-8

16-Jun-89, TS-00701, PAGE 4 OF 4

1 tification as Exhibit
2 No. 519 and received
3 in evidence.)

4 HEARING OFFICER RICHARDSON:
5 Our next scheduled commentator is
6 Chenoa Kane-
7 field Cunningham.

8 MS. CUNNINGHAM: Do you
9 want me to tell you by P.O. Box?

10 HEARING OFFICER RICHARDSON:
11 Yes. Also if you could just take that
12 gray microphone. Right.

13 MS. CUNNINGHAM: My name is
14 Chenoa Cunningham. I am 11 years old
15 and one of my concerns is that my
16 school is Gonzales Elementary and it is
17 a half a block away from St. Francis
18 Drive.

19 Say there was to be an
20 accident on St. Francis Drive near my
21 school, how would you evacuate 600
22 children safely?

23 I am feeling a little
24 frustrated because as a child I
25 shouldn't have to worry about is the
air safe to breathe, is the water safe

197

7.1294

3.1-8

16-Jun-89, TS-00702, PAGE 1 OF 2

198

1 to drink, is the food I'm eating glazed
2 with toxins and chemicals.

3 Due to the mismanagement of
4 toxic and hazardous waste, these are
5 issues that my generation and those to
6 follow will have to deal with.

7 I do not wish to inherit
8 these problems. So let's stop making
9 these matters worse.

10 Please take responsibility
11 to safely and consciously clean-up
12 these toxins.

13 My advice to you is to quit
14 producing hazardous waste because it's
15 killing us.

16 (Applause.)

17 HEARING OFFICER RICHARDSON:
18 The prepared comments of Chenoa
19 Kansfield Cunningham will be entered
20 into the record as Exhibit No. 520 in
21 this proceeding.

22 (The document above-
23 referred to was
24 marked for iden-
25 tification as Exhibit

16-Jun-89: TS-00702, PAGE 2 OF 2

3.1-8

199

1 No. 520 and received
2 in evidencia.)

3 HEARING OFFICER RICHARDSON:
4 The next scheduled commentator is Satfa
5 Ananda.

6 Please provide the court
7 reporter with your mailing address, and
8 then proceed with your comments.

9 MR. ANANDA: My name is
10 Satfa Ananda. My address is 125
11 Entrada de Santiago, Santa Fe, New
12 Mexico 87505.

13 Okay. Hello. First, I
14 would like to say that what you have
15 done here is a perfect example of how
16 insensitive you are.

17 To separate us in different
18 rooms like this is a cruel act of just
19 cruelty, not fair.

20 You must realize you cannot
21 separate us with this atrocious act.
22 We will try our hardest to stop your
23 worst imaginable poison possible.

24 I realize I am just one
25 person. I also realize I share the

16-Jun-89: TS-00703, PAGE 1 OF 5

8-7

32-1

200

1 same thoughts and feelings as many,
2 many people.

3 We share the bafflement
4 that you would play with such poison.
5 Do you not care about our Mother Earth?
6 As far as I have seen, you don't.

7 Your orders to mask and let
8 us, the public, know as little as
9 possible, you would stoop as low as to
10 attempt to put this uncontainable for
11 any long-period-of-time poison in a
12 salt bed that carries water and is
13 forever shifting.

14 My, God, do you not care
15 about your children and their welfare?
16 Is all you're concerned about is the
17 power you get from this?

18 If you have a conscious
19 whatsoever, you must have a hard time
20 sleeping at night to think your
21 radiation has actually murdered people,
22 yes, murdered.

23 The Rio Grande carries
24 radioactive waste from Rocky Flats.
25 Someone who lives by that river will

16-JUN-89, TS-00703, PAGE 2 OF 5

32-1

201

1 contract cancer and die of your
2 radiation.

3 I consider that murder.
4 Six months from now, a year from now,
5 you plan to be taking your radioactive
6 trucks down highways.

7 You estimate several wrecks
8 per year. What happens if there is a
9 spill? I'll tell you. People will get
10 cancer and die.

11 I don't care if it spills
12 in the most remote areas, radiation
13 doesn't dissipate. It will travel. It
14 will be there much longer than even
15 several generations.

16 Why don't you go home and
17 think about that? If you get what you
18 want, WIPP, then you may think to
19 yourself that you contributed to
20 murdering someone even hundreds of
21 years after you have died.

22 Everything we have and use
23 was given to us by God, and came from
24 this planet, from our Mother Earth.
25 Don't you think it is about time that

16-JUN-89, TS-00703, PAGE 3 OF 5

32-1

7.3.5.1-12
7.3.5.3-1
7.3.5.4-3

202

1 ve started giving back instead of
2 taking everything we can get?

3 Has this world become a
4 place where people will, let alone,
5 poison family and friends for power and
6 greed, but even poison themselves.

7 I do realize we must do
8 something with this substance that we
9 have created.

10 I beg, please do not
11 saturate my environment with your
12 degrading poison.

13 The least you could do is
14 put it somewhere safer than a salt bed
15 that carries water to a river, to the
16 ocean and eventually will spread to
17 every corner of this earth.

18 We must all realize that
19 radioactive waste on land, in space and
20 in water is a means of collective
21 suicide.

22 You are not God. You have
23 no right to take another human's life
24 and destroy it with your silly games.

25 Thank you for giving me

7.3.5.1-12
7.3.5.3-1
7.3.5.4-3

7.7-4
7.14-9

203

1 this chance to speak.

2 HEARING OFFICER RICHARDSON:

3 The next scheduled commentator is
4 Cheyla Ananda.

5 MS. ANANDA: Ananda.

6 HEARING OFFICER RICHARDSON:

7 Ananda, thank you.

8 MS. ANANDA: Hello. My
9 name is Cheyla Ananda, 125 Entrada de
10 Santiago, Santa Fe, New Mexico 87505.

11 I would like to start by
12 saying that that was my son and I am
13 extremely proud of him.

14 I would also like to tell
15 you I am a registered nurse. I have a
16 home for the elderly, and I have
17 devoted my life to enhancing the
18 quality of life of a few people, and
19 that that's very important to me.

20 And I just want to
21 communicate that to you so that you'll
22 know my background.

23 I am here today to share
24 with you my concern about WIPP. I also
25 want to state my concern about the

16-Jun-89: TS-00703, PAGE 5 OF 5
16-Jun-89: TS-00704, PAGE 1 OF 4

1 political climate in our country, that
 2 attempts to divide and conquer with
 3 lies and innuendos.
 4 And I would also like to
 5 tell you that this week, I joined
 6 Business Against WIPP, as direct result
 7 of our governor's statements in the
 8 paper, which I'm sure you're all
 9 familiar with.
 10 My children were born and
 11 raised in Northern New Mexico. If you
 12 had bothered to look around you, you
 13 have seen the beauty that abounds, the
 14 clean air, the sunsets, the mountains.
 15 I brought my children up to
 16 respect their environment, to be honest
 17 and honorable in all relationships and
 18 to give back and to nurture.
 19 You'll have to excuse me,
 20 I'm a little bit angry. I'm angry and
 21 I just need a diverge for a moment
 22 about this separation.
 23 I would like to speak to
 24 that group downstairs so that we can
 25 hear each other. We are a community.

16-Jun-89; TS-00704, PAGE 2 OF 4

204

9-7

8-7

1 And we are a tight community and you
 2 need to know that.
 3 Let me get back. I cannot
 4 explain to my children why the people
 5 who have chosen to be the Government
 6 have chosen to lie and hold back the
 7 truth by distorting reality.
 8 They have learned that this
 9 country was founded on freedom by the
 10 people and for the people.
 11 If you cannot contain your
 12 nuclear waste where it is without
 13 contaminating the surrounding environ-
 14 ment and jeopardizing the people in the
 15 process, how on earth are you going to
 16 pack it up and truck it through our
 17 streets, by our homes and take it to a
 18 faulty resting place and expect us to
 19 believe you've got it covered and all
 20 is safe?
 21 We are not fools, and we
 22 don't buy your lies. It is incumbent
 23 upon you to search your souls for the
 24 truth. This is not China, please don't
 25 make Santa Fe your Tiananmen Square.

16-Jun-89; TS-00704, PAGE 3 OF 4

205

8-7

32-1

206

For if you persist in your folly, I will stand up to stop you. I deeply love my country, and I believe with all my heart and soul that when you behave inappropriately it is my responsibility to change your behavior.

We all must stand together to find a solution to the very real problem of your nuclear waste. The most logical first step is to make it safe right where it is.

Until then, you have not earned the right to move it.

Thank you for your care and concern. I trust that democracy will prevail.

(Applause.)

HEARING OFFICER RICHARDSON:
The next scheduled commentator is Margaret Card.

(No response.)

HEARING OFFICER RICHARDSON:
I will go back and call the names again. Is Suzanne Boshard here?

(No response.)

32-1

1-2

207

HEARING OFFICER RICHARDSON:

Michael Collins.

(No response.)

HEARING OFFICER RICHARDSON:

Michelle Lafaye.

MS. LAFAYE: I live at 10 Conscious Slope, Santa Fe 87505.

I'm not going to thank you for allowing me to speak because I feel it's my right to speak and I do not have to thank you for that.

I represent friends, neighbors and acquaintances who feel as I do. They were not able to be here today for whatever, personal reasons.

I'm not angry. I'm enraged. We have a governor who has sought to intimidate a segment of our community by economic sanctions for speaking out against WIPP.

His opinion and pro-WIPP feelings are personal, not the state's. The state is, we, the people. And we, the people, have not been given the opportunity to vote on the WIPP matter.

9-7

33-4
9-7

448

208

1 They never voted for Los Alamos for
2 that meter.

3 I would like to know how
4 Governor Carruthers can logically
5 conclude that the state is dedicated to
6 the opening of WIPP.

7 I'm enraged that the
8 hearings here in Santa Fe are being
9 conducted as they are. I think it's
10 divisive and perhaps undemocratic that
11 the hearings would be divided into
12 these separate locations.

13 This splitting allows no
14 one to hear the entire testimony. And
15 I, as a citizen of a democracy, demand
16 that an extension of the hearings be
17 granted, if necessary.

18 We, the people, have the
19 right to personally witness the entire
20 proceedings, if we so choose.

21 Considering all things, the
22 SEIS itself, the attitude of the
23 governor, the FBI investigations at
24 Rocky Flats, the closure of Rancho Saco
25 Nuclear Power Plant, which the people

16-JUN-89; TS-00705, PAGE 2 OF 7

9-8

8-6
8-7

32-1

209

1 demanded by their vote, and a trail of
2 other questionable events within the
3 nuclear industry, I see no sane or
4 logical reason to trust the credibility
5 of the DOE or the nuclear industry.

6 The SEIS -- the SEIS we are
7 presently reviewing is not final,
8 therefore, it is incomplete. I find it
9 evasive, simplistic where further
10 information and detail are necessary,
11 contradictory and laborious where a
12 simple direct numerical figures would
13 suffice.

14 At this point we cannot be
15 certain which wastes will be destined
16 for burial at the WIPP site. What
17 isotopes are actually to be considered
18 as high level or low level.

19 If we bury Plutonium 239,
20 we are talking a half life of 24,360
21 years. My elementary calculations,
22 this deadly product we use to secure
23 our economy and war industry will be in
24 our environment for at least 97,440
25 years, at a minimum.

16-JUN-89; TS-00705, PAGE 3 OF 7

32-1

231-2

7.9-7
7.13.1-8

210

The entirety of SEIS is questionable. The TRUPACT, the transportation, the ventilation, the emissions, the handling of emergencies, the geological site in five, twenty-five, fifty years, the results of the investigation of other sites, the list of questions is as infinite as the problem.

We would be fools to proceed with such a project so weakly structured in reality.

This room may not be filled with scientists, but we do have an I. Q. and we have a perception of the forrest, not merely a single vein upon a leaf.

The earth is alive. It doesn't give a damn about our technology, our political systems, our wars or any of our petty concerns.

The only truth the earth expresses is change. Carlsbad will change. As Shakespeare so eloquently wrote for Macbeth, tomorrow and

32-1

211

tomorrow and tomorrow creeps on in its petty pace. From day-to-day to the last syllable of recorded time, out, out brief candle, life is nothing but a walking shadow, a poor player who struts and frets his hour upon a stage and then is heard no more. It is a tale told by an idiot full of sound and fury signifying nothing.

I am sure that must be how the earth sees us. We are, then we pass. But legacy we leave for the future heirs of this planet is certainly fear and eventually death and disease in proportions never known to man.

It is this generation, the baby generation, the baby-boomer generation, the grandchildren of the creators of this nightmare that must bear the responsibility and think ahead into time, not five years, not twenty-five years or fifty, but we must think thousands of years into the future.

Scientists can be wrong.

32-1

212

1 Remember when the earth was flat.

2 Ancient Chinese knew by their simple

3 observations that the earth was round.

4 Ancient pyramids are still

5 a puzzle to our scientists. We are

6 arrogant to believe we are superior to

7 all cultures.

8 We are going to mysterious

9 monuments -- are we going to leave

10 mysterious monuments at all our poison

11 sites?

12 The poison, no matter where

13 or how deeply buried will always return

14 to haunt and plague mankind.

15 HEARING OFFICER RICHARDSON:

16 Ms. Lafaye, your time has lapsed, if

17 you could bring it to a conclusion now.

18 MS. LAFAYE: Okay. I'll be

19 real quick. As quick as possible.

20 There is a saying in

21 Senors, Mexico in the mountains that

22 the Indians have that says, go slow

23 like a turtle with the eyes of an

24 eagle.

25 And I think we should

16-JUN-89: TS-00705, PAGE 6 OF 7

3.2-1

213

1 follow that advice. I don't believe

2 that we should rush into burying our

3 wastes in Carlsbad.

4 I don't believe that New

5 Mexico should be the site of another

6 grandiose nuclear research experiment,

7 and I do not believe that this nation

8 needs another trail of tears.

9 (Applause.)

10 HEARING OFFICER RICHARDSON:

11 Ms. Lafaye, I know that you didn't have

12 an opportunity to finish your comments.

13 If you would like to introduce them

14 into the record, I can do that as an

15 exhibit.

16 MS. LAFAYE: Oh, yeah, I

17 want them in.

18 HEARING OFFICER RICHARDSON:

19 Okay. You have until July 11th to

20 submit them.

21 MS. LAFAYE: Okay.

22 HEARING OFFICER RICHARDSON:

23 The next scheduled commentator is

24 Jennifer Gardner.

25 (No response.)

16-JUN-89: TS-00705, PAGE 7 OF 7

3.1-8
3.2-1

216

1 You can lift it out.

2 MS. CARDE: Is that better?

3 Okay.

4 When a ball has been set

5 into motion, momentum makes it

6 difficult to either change its

7 direction or stop its progress.

8 When \$700,000,000 has been

9 invested in a project, momentum takes

10 on a psychological meaning.

11 WIPP has developed a

12 psychological momentum which makes it

13 difficult for the people involved in it

14 to consider alternative ways of toxic

15 nuclear waste disposal.

16 Yet in the WIPP solution we

17 read in newspaper and hear from

18 critics, one, that the so-called low-

19 level waste to be buried at WIPP

20 contains plutonium, a single atom of

21 which has the potential to cause cancer

22 and birth defects.

23 Two, that any spill or

24 release of waste into the aquifer

25 located directly above the site,

7 16-JUN-89: TS-00706, PAGE 2 OF 7

3.1-8
3.2-17.3.5.1-12
7.3.5.4-3
7.13.1-8
7.14-107.7-3
7.14-9

217

1 because of the cost effect, would cause

2 faster than predicted seepage between

3 the aquifer and the Pecos River just 15

4 miles away.

5 Three, that in SEIS there

6 has been no mention of human error in

7 the loading, unloading and trucking of

8 waste material across miles of

9 populated land.

10 Four, that the pressurised

11 brine reservoir beneath the proposed

12 site might infiltrate and erode the

13 containers.

14 Five, that the plutonium

15 which will be deadly for 240,000 years

16 will only be protected at this site for

17 10,000 years.

18 And finally, six, that in

19 no scenario does the SEIS report either

20 predict or deal with the possibility of

21 an accidental release of radioactive

22 material.

23 In short, the SEIS Report

24 belittles the very real potential for

25 irreversible destruction of our land

16-JUN-89: TS-00706, PAGE 3 OF 7

7.14-9

7.3.5-1

7.7.2-6
7.8.2-1
7.12.6-5
7.14-16

7.14-10

7.3.5.1-14
7.13.3-2
7.14-3

1-2

1 and people. 218

2 Ladies and gentlemen, there
3 are too many yet unanswered questions
4 to go ahead with even an experimental
5 opening of WIPP.

6 We need a solution which
7 will take care of all the toxic wastes
8 produced in this country, not only the
9 19 percent toxic waste scheduled for
10 storage at WIPP, but the other 81
11 percent waste which is currently being
12 buried in trenches, dumped in streams,
13 rivers and oceans and let into the air
14 we breathe.

15 It would seem that what
16 needs to be done is to find a way of
17 detoxifying the plutonium so that
18 spills, leaks and human error are moot
19 points.

20 In view of so many
21 unknowns, it would be wise to build
22 above-ground monitored storage
23 facilities so that all the radioactive
24 waste can be watched where it is
25 produced for as long as it takes,

1-2

22-2
36-2
53-1

1 either until research yields processes 219
2 for the ultimate destruction or
3 neutralization of the waste or for the
4 240,000 years it will need to detoxify
5 itself.

6 Here in the west we are
7 still close enough to the land to feel
8 the fine delicately balance dynamic
9 ecological systems which preserve life
10 on earth.

11 The following story told to
12 me by a friend serves to remind us that
13 destruction of even a small part of any
14 system bring unanticipated disasters.

15 This story is called, "Who
16 Will Sing to the Rain." When the
17 people were contained on the reserva-
18 tion there was much suffering.

19 Every year they would plant
20 corn, and every year the prairie dogs
21 would eat the young seedlings.

22 Scientists from the Bureau
23 of Indian Affairs arrived to help the
24 people. A council was called and the
25 scientists explained, we must bulldoze

31-2
52-1
52-2

9-1

220

1 the prairie dog villages in order that

2 the corn might grow.

3 After each chief was heard,

4 it was the old chief's turn. With

5 respect they handed him the pipe.

6 The old chief sat a long

7 time in silence and then he spoke.

8 There will be no one sing to the rain.

9 No one knew what he meant and he did

10 not elaborate, so they voted to

11 bulldoze the prairie dog village.

12 The next spring the corn

13 was planted and without the prairie

14 dogs, it grew well. When the rains

15 came, the corn seedlings were swept

16 away in the worst flood anyone could

17 remember.

18 It was then that they

19 understood that the tunnels and burrows

20 and mounds of the old prairie dog

21 village had always before been able to

22 sing to the rain.

23 We have what the Chinese

24 call a dangerous opportunity. Because

25 we live in a democratic country, we

16-Jun-89; TS-00706, PAGE 6 OF 7

9-1

221

1 have the possibility of reversing the

2 WIPP momentum.

3 We know that when we throw

4 something away there is no away.

5 Waste, especially waste with a life of

6 240,000 years goes into the cyclical

7 processes of life on this earth.

8 We must, therefore, find a

9 way to recycle even nuclear waste. We

10 must find a solution that allows the

11 waste to fit into ecological life

12 cycles, a solution which will sing to

13 the rain.

14 Thank you.

15 (Applause.)

16 HEARING OFFICER RICHARDSON:

17 The prepared comments of Margaret Card

18 will be entered into the record as

19 Exhibit No. 521 in these proceedings.

20 (The document above-

21 referred to was

22 marked for iden-

23 tification as Exhibit

24 No. 521 and received

25 in evidence.)

16-Jun-89; TS-00706, PAGE 7 OF 7

9-1

53-1

222

HEARING OFFICER RICHARDSON:

The next scheduled commentator is I have on my list is Suzanne Boshard.

(No response.)

HEARING OFFICER RICHARDSON:

Followed by Michael Collins. Ms. Boshard is apparently not here.

Mr. Collins, if you will please state your mailing address for the court reporter and then proceed with your comments.

MR. COLLINS: Okay. My name is Michael Collins. And I live at 128 West Booth Street in Santa Fe.

And I also would like to protest about the division of the hearing. I think it's a known insult to the public and to the citizens of New Mexico.

I think the issues are very basic. Before WIPP can open, Environmental Protection Agency safety standards must be met.

Okay. I said, I think the issues seem very basic. Before WIPP

16-JUN-89: TS-00707, PAGE 1 DF 6

8-7

3.1-3

223

can open, Environmental Protection Agency safety standards must be met.

In addition, the nation's hazardous waste law requires compliance. This is the Resource Conservation and Recovery Act.

In the SEIS, the DOE states it is committed to full compliance with RCRA requirements.

The WIPP site at Carlsbad has not been proven to be a safe site. It is known that there are brine leaks and the walls are cracked.

I want to reiterate what has been stated many times. What is your hurry, DOE, and Gary Carruthers? Why does the Governor of New Mexico want to please one federal agency, the DOE, but not another, the EPA?

We have 240,000 years before this junk cools down. If it buried it is out-of-sight, out-of mind. It sounds like the old ostrich burying his head syndrome to me.

Governor Carruthers, if you

16-JUN-89: TS-00707, PAGE 2 DF 6

3.1-3
3.7-1

3.7-1

3.1-2

9-8

3.1-3

224

are so willing to violate or circumvent EPA safety guidelines in the case of WIPP, maybe we as citizens had better look closer at safety standards at other DOE and potentially hazardous projects around New Mexico.

Instead of being so quick to threaten economic sanctions on businesses against WIPP, Mr. Carruthers, you might consider protecting New Mexico by placing pressure on the Department of Energy to either meet Environmental Protection Agency standards or forget about proceeding with WIPP.

Who is he representing, New Mexicans or the federal bureaucracy? Our economy can survive without radioactive garbage.

New Mexico may need jobs in an industry, but at the expense of the citizen's health and the health of our children and their children for generations to come?

Our children and grand-

16-Jun-89: TS-00707, PAGE 3 OF 4

3.1-3

9-8

225

children may thank us for stalling this questionable burial or they may curse us for our lack of foresight and concern.

Until the health and safety standards are met, do not proceed.

Another issue is the trust of the Government. In the name of national security, what will DOE do under that umbrella? Where or when has nuclear waste already been dumped without public knowledge or consent?

Has radioactive trash been dumped in countries with lax Environmental Protection standards? Has it been dumped in remote areas or jettisoned at sea?

After the incidents with Ollie North and Company who knows what is done in the name of national security or national interests?

Robert Neal, the Director of the Environmental Evaluation Group has been studying the proposed WIPP projects since the 1970's.

16-Jun-89: TS-00707, PAGE 4 OF 4

9-8

32-1

226

1 I came here in 1971. And
2 yesterday he testified that decomposing
3 radioactive waste could create enough
4 gas to crack the walls of the storage
5 chambers.

6 According to today's New
7 Mexican, Mr. Neal said the gas problem
8 will require changes to the current
9 design of the WIPP.

10 He said the problem must be
11 addressed as soon as possible. Mr.
12 Beckel or Pickel of Energy Department,
13 Albuquerque office, was quoted as
14 saying, we really do not have enough
15 information. We have a lot of
16 conflicting data.

17 This does not sound like
18 they are ready to open the site in the
19 fall of 1989 or the fall of 1990 for
20 that matter.

21 As far as Carlsbad or New
22 Mexico, this is not a local issue. I
23 feel this is a global issue. We are
24 one planet. It's all we've got as far
25 as we know.

16-Jun-89: TS-00707, PAGE 5 OF 6

3.1-2

3.1-8

227

1 It's -- the planet is not
2 disposable. It's not something we can
3 discard and go on. We don't know
4 anything else yet. Maybe we'll go
5 somewhere else, we don't know.

6 But the earth is sacred to
7 me and millions of other inhabitants of
8 this beautiful planet.

9 It's a living organism and
10 a creation of God. And our source of
11 our rigid origin. It is a source of
12 all life as we know it.

13 And when you violate our
14 Mother Earth, you tamper with that
15 which is holy to us. Leave it alone.

16 (Applause.)

17 HEARING OFFICER RICHARDSON:
18 The next scheduled commentator is
19 Jennifer Gardner.

20 (No response.)

21 HEARING OFFICER RICHARDSON:
22 Followed by Lance Heden.

23 (No response.)

24 HEARING OFFICER RICHARDSON:
25 I'm informed that Alicia Lauritzen is

16-Jun-89: TS-00707, PAGE 6 OF 6

3.1-8

228

1 here.

2 Ms. Lauritzen, please give
3 your address to the court reporter, and
4 then proceed with your statement.

5 MS. LAURITZEN: To him?

6 HEARING OFFICER RICHARDSON:
7 No, just speak there at the podium.

8 MS. LAURITZEN: Okay. SEIS
9 Report

10 HEARING OFFICER RICHARDSON:
11 They will record it.

12 MS. LAURITZEN: Alicia
13 Lauritzen, A-l-i-c-i-a-,
14 L-a-u-r-i-t-z-e-n, Box 337, Tesuque,
15 T-e-s-u-q-u-e.

16 HEARING OFFICER RICHARDSON:
17 It's all being recorded.

18 MS. LAURITZEN: Okay.

19 HEARING OFFICER RICHARDSON:
20 Please proceed with your statement.

21 MS. LAURITZEN: Okay. I
22 really wanted to share with you a dream
23 that came through a client of mine.
24 And it makes me very emotional, and it
25 did the other man.

16-Jun-89: TS-00708, PAGE 1 OF 6

3.1-8

229

1 Are any of you familiar
2 with dream work at all? Have you ever
3 talked about dreams or heard about
4 dream work?

5 Well, essentially I'm a
6 psychotherapist and I work with the
7 world of dreams, and I'm sure you've
8 heard of Carl Jung, he was the pioneer
9 of dream work.

10 And this dream came true
11 and I just thought that you should hear
12 it. And the dream was that there was a
13 nuclear spill all over this area, and
14 it was permeating everything.

15 And, of course, in dreams,
16 dreams make it so wonderful, you can
17 see it, but, of course, in reality in
18 radiation you couldn't see.

19 And all of a sudden there
20 was this voice in the dream and it
21 said, this nuclear spill could be
22 avoided if the tribal king would
23 impregnate his queen. Okay.

24 And all of a sudden it was
25 a very clear picture that there was a

16-Jun-89: TS-00708, PAGE 2 OF 6

3.1-8

230

king, a big tribal king, who was in charge of a nuclear power plant, and that his queen had wanted a child for so long, but he was so concerned with nuclear energy and nuclear power that he wasn't taking care of his queen to bestow a child upon her.

And finally in the dream she got her message through and the king and the queen made love. And, of course, again as miraculous in dreams, you don't actually see the making love, but all of a sudden the dreamer could see into the womb of the woman and she could see the sperm and the egg uniting.

And she knew that the conception had happened and that this child would be born. And when this child would be born, the king would no longer be concerned with the same things that he used to be concerned about, but that he would be concerned about this child that would be very special.

16-JUN-89, TS-00708, PAGE 3 OF 6

3.1-8

231

No more special than any other child, but that it would be his, and his heart would be touched. And that he would be much more careful with his nuclear development.

And the dream very much symbolically shows that the feminine side of us, and that is the heart side, the part of us that can feel, needs to be impregnated by our masculine, and the masculine side I think is the positive side of the government that can move ahead with nuclear energy because that is the way of the future.

I was born in Los Alamos in 1945. My father was a pioneer nuclear physicist.

And I do believe that it's important to develop eventually nuclear energy, but in slowness and in time. And the feminine spirit is also slowness, time, taking everything in its due time.

And the tribal king to me represents -- tribalness is local

16-JUN-89, TS-00708, PAGE 4 OF 6

3.1-8

232

1 thinking, you know, tribes in Africa
2 only think of their tribe, they don't
3 think of the goal and glow.

4 And so the dream is really
5 saying that if all would just let our
6 hearts be penetrated and conceive some
7 new part of ourselves that had
8 reverence for the feminine, reverence
9 for the heart, reverence for the
10 intuition, as well as using the power
11 of the masculine, that a child could be
12 born of this earth that would not be
13 damaging the earth.

14 And that's what I wanted to
15 say to you that are hearing, because I
16 know that you've heard a lot of talks
17 today. But I thought that perhaps in
18 your own psychics and your souls maybe
19 when you dream that you can get some
20 guidance from the feminine principle
21 which in our culture has been greatly
22 denied, and that is the power of the
23 inner world or the heart or the spirit
24 or the instinct, because progress moves
25 us forward so fastly that a lot of

16-Jun-89; TS-00708, PAGE 5 DF 6

3.1-8

233

1 times we can't listen to the instinct.

2 And so I would hope that
3 this dream came forth as a message to
4 all of us to really think more about
5 the child and not just the small tribal
6 king and that conception will happen.

7 Thank you.

8 (Applause.)

9 HEARING OFFICER RICHARDSON:
10 I'm informed that Lance Heden may be
11 here.

12 Step up to the podium. You
13 will have five minutes for your
14 comments. At four minutes, the yellow
15 light will come on indicating you have
16 one minute left. At five minutes, the
17 red light will come on indicating your
18 time has lapsed.

19 If you will please provide
20 your mailing address for the record,
21 and then proceed with comments.

22 MR. HEDEN: Okay. My name
23 is Lance Heden. And my mailing address
24 is P. O. Box 15131, Santa Fe, New
25 Mexico 87506.

16-Jun-89; TS-00708, PAGE 6 DF 6
16-Jun-89; TS-00709, PAGE 1 DF 6

3.1-8

234

HEARING OFFICER RICHARDSON:

Thank you.

MR. HEDEN: Let me begin by saying I am a Santa Fe resident and I have been for three years.

Prior to that I resided in various places in the United States, Minneapolis, Denver, Los Angeles, New York, most recently, Austin, Texas.

There are those who would say you are an outsider. You are a newcomer to New Mexico, what do you know? My answer would be, yes, I am a newcomer to New Mexico, and I came here because it appeared to be one of the few places in the United States where we hadn't over-built or over-industrialized, over-extended our bounds and overused and abused the earth and its resources.

During my three years here, I have become aware of the problems associated with accidents at nuclear plants, nuclear related waste at Los Alamos, Rocky Flats and Three Mile

16-Jun-89; TS-00709, PAGE 2 OF 6

32-1

235

Island, and on and on.

I have read about the astronomical cost of bringing these facilities up to safe operating standards and the inability of the Government to deal with this problem.

Now, the Government wants to bring all of this defense generated nuclear trash to New Mexico and place it in untested, unproven, unsafe temporary burial grounds. What insanity.

You speak in terms of economics, jobs and money generated future security for the Carlsbad area and its residents.

I ask you, what future is there for Carlsbad or New Mexico if this experiment does not work?

The arrogance of the DOE, its scientists and its propaganda would lead us to believe that it will work. Yet most of the independent research and studies question the safety of the salt chambers, the safety of the

16-Jun-89; TS-00709, PAGE 3 OF 6

32-1

236

1 containers, the safety of the transpor-

2 tation system, the safety of the humans

3 handling the waste, and on and on.

4 Myself, I question the

5 safety of nuclear energy. Isn't it

6 strange that what was once called the

7 war department is now called the

8 Defense Department, and that the

9 nuclear waste generated by the Defense

10 Department is hidden behind the skirts

11 of the Department of Energy.

12 It appears to be deception

13 layered upon deception, as was recently

14 discovered at Rocky Flats.

15 I would like to believe

16 that you will listen to what we are

17 saying regarding this issue.

18 The real problem appears to

19 be that there is a nuclear industry at

20 all. So often we speak in terms of

21 economic's contracts and wealth.

22 So rarely we speak in terms

23 of the true wealth, things like human

24 lives, the eco system, and our greatest

25 asset, Mother Earth.

16-Jun-89; TS-00709, PAGE 4 DF 6

32-1

237

1 Those who have preceded us

2 here in New Mexico know much better

3 than we, the earth is our greatest

4 wealth.

5 Yet we mine it mindlessly

6 and create weapons for killing other

7 human beings and destroying the earth.

8 And then we try to bury the unsafe

9 waste in our neighbor's back yard.

10 We also find places in

11 rural countries where we give them what

12 they desperately need, money, to take

13 what we desperately don't need, nuclear

14 waste.

15 Indeed, this is not only a

16 local problem, not only a state

17 problem, not only a national problem,

18 but a global problem.

19 The examples we set here

20 are closely followed by the other

21 nations of the world.

22 Will we continue this

23 mindless course of self-destruction or

24 will we stop this use of nuclear power,

25 the consequences of which can only be

16-Jun-89; TS-00709, PAGE 5 DF 6

32-1

463

1 tragic. 238

2 Thank you for listening. I

3 only hope you can hear what we say.

4 (Applause.)

5 HEARING OFFICER RICHARDSON:

6 I'd like to note for the record that

7 the prepared written comments of

8 Michelle Lafaye will be introduced as

9 an exhibit to this proceeding, No. 521.

10 Correct, 522.

11 (The document above-

12 referred to was

13 marked for iden-

14 tification as Exhibit

15 No. 522 and received

16 in evidence.)

17 HEARING OFFICER RICHARDSON:

18 We're at 11:40 a.m. I've called all

19 the individuals who were scheduled--

20 who have been scheduled to testify this

21 morning.

22 We will, therefore, take a

23 lunch break and resume this proceeding

24 at 12:45 p.m.

25 (Whereupon, a luncheon

32-1

239

1 recess was taken at 11:40 a.m. to

2 reconvene the same day at 12:45 p.m.)

239-A

C E R T I F I C A T E

I, DAVID ARGIE, do
hereby certify that I appeared at the time
and place first hereinbefore set forth;
that I took down by means of cassette
recording the entire proceedings had at
said time and place; and that the foregoing
pages 1 through 239 constitute a true,
correct and complete transcript of my said
cassette recordings.


REPORTER

240

DEPARTMENT OF ENERGY

PUBLIC HEARING

SUPPLEMENT TO THE
ENVIRONMENTAL IMPACT STATEMENT
FOR THE WASTE ISOLATION PILOT PLANT

Friday
June 16, 1989

Room Two
Second Floor
Sweeny Convention Center
201 West Marney Street
Santa Fe, New Mexico

ARGIE REPORTING SERVICE
1000 West 70th Terrace
Kansas City, Missouri 64113
(816) 363-3657

I N D E X

241

<u>SPEAKER</u>	<u>PAGE</u>
Llyn Peabody	246
Joan Wagoner	251
Duke Klauck	257
Virginia Marks	261
Jay Marks	264
Randy West	268
Hank Hughes	273
Connie Janssens	279
Geri Jimenez Gould	284
Key Dinucci	289
Patricia Quay	292
Eugene Loring	295
John Gordon	300
Witney Mitchell Nieman	305
Ursula Drabik	312
Robert Johnston	320
Jane Kaluta	325
Jonathan Pierpont	325
Kathryn Cunningham	338
Jane Padberg	346
Georgelle	351
Sandra Spies	360
Jim Adams	367

242

Marsha Brenden	370
Susan Harris	377
Candace Reher	383
John Kohn	386
Bill Bradshaw	391
Arlene Zekowski-Berne	397
Josh Ruben	404
Paula Wallace	407
Casey Fox	409
Susie Vance	417
Beth Dillingham	423
Tana Movell	428
Ute Behunek	434
Bob Filice	436
John Sommons	446
Jonathan Crews	451
HOMING	455

EXHIBITS

243

EXHIBITSPAGE

No. 523	<i>N Lynn Peabody</i>	251
No. 524	<i>Heri Jineny Hould</i>	289
No. 525	<i>Kate Rearucci</i>	292
No. 526	<i>Jane Kaluta</i>	332
No. 527	<i>Leslie Pierpont</i>	345
No. 528	<i>A Longelli</i>	357
No. 529	<i>Marcia Brenden</i>	387
No. 530	<i>Adrian Zebowski - June</i>	403
No. 531	<i>Bette Dillingham</i>	428
No. 532	<i>Robert Levitt</i>	445
No. 533	<i>Uto Schunk</i>	460
No. 534	<i>Jonathan Curre</i>	461

AFTERNOON SESSION

244

HEARING OFFICER RICHARDSON:

We're on the record.

It is 12:52. This is a continuation of the United States Department of Energy proceeding, known as EIS 0026-DS held on June 16th, 1989 in Santa Fe, New Mexico.

This segment of the proceeding, this is taking place in Room 2 of the Sweeny Convention Center.

My name is Peter Richardson. I have been retained as an independent Hearing Officer to assure that all interested persons have an equal and fair opportunity to comment on the record in this proceeding.

My role as your Hearings Officer, I do not serve as an advocate for or against the proposed action by the Department of Energy.

Let the record reflect that sitting to my right are Critz George and John Arthur, official for the United States Department of Energy.

245

1 These are serving this
2 afternoon as the official panel for the
3 Department.

4 Following your comments,
5 these two gentlemen have the oppor-
6 tunity to ask clarifying questions
7 regarding your testimony.

8 Today's proceeding is only
9 part of the process by which you may
10 have input on the SEIS.

11 Written comments may also
12 be submitted to the Department of
13 Energy until July 11th, at an address
14 that is available to you at the
15 registration tables in the lobby.

16 In addition, should you
17 wish to submit a written copy of your
18 oral comments or submit additional
19 written information as a supplement to
20 your oral comments, please bring that
21 information forward to me at the
22 conclusion of your comments, and I will
23 enter it into the record as a exhibit
24 of this proceeding.

25 This is a formal hearing

246

1 and a recorded proceeding. The
2 gentleman sitting in front of me, is
3 the official court reporter.

4 He will be recording and
5 transcribing your remarks verbatim.
6 The Department's decision making in
7 this proceeding will be on the basis of
8 the record developed at these hearings.

9 Accordingly, it's impera-
10 tive that we develop as complete a
11 record of public concerns that we can,
12 and that when you speak that you do so
13 audibly and into the microphone.

14 Finally, transcripts of
15 this hearing, when prepared, will be
16 made available locally at a location to
17 be announced.

18 I'll be calling individuals
19 in the order in which they've
20 registered.

21 The first commentator
22 registered today for this afternoon is
23 Llyn Peabody.

24 Please make your comments
25 from the podium. You will have five

247

1 minutes for your comments. At four
 2 minutes a yellow light will appear on
 3 the podium indicating you have one
 4 minute left. At five minutes, the red
 5 light will appear indicating that your
 6 time has lapsed, and we would ap-
 7 preciate it if you would conclude your
 8 remarks then. 16-Jun-89: TS-00710, PAGE 1 OF 5

9 MS. PEABODY: All right.

10 HEARING OFFICER RICHARDSON:
 11 Would you please state your mailing
 12 address for the court reporter, and
 13 then you may proceed with your remarks.

14 MS. PEABODY: My name is
 15 Llyn Peabody. My address is 1161 Mesa
 16 Road in Santa Fe, New Mexico 87501.

17 When I was thinking about
 18 what to say today, I felt like probably
 19 most of what I could think of to say
 20 somebody else would say also.

21 And I'm a songwriter and so
 22 I thought maybe I could offer something
 23 more from my heart in that way. And
 24 this is a song that I wrote really in
 25 thanks to all the people that do

16-Jun-89: TS-00710, PAGE 2 OF 5 248

1 things, like letter writing and article
 2 writing and sign carrying which are
 3 things that I don't have a lot of
 4 energy for.

5 You know, so this is my way
 6 of saying thank you to them and giving
 7 them some -- a boost. This really is
 8 expressing my feelings about burying
 9 your waste in the earth.

10 And I wrote the chorus out
 11 here. You'd have to put in on that
 12 chair. And I'd love it if people
 13 would join along.

14 Fellow children of the
 15 earth we all share a common birth.
 16 But Mother Earth is mother to us all.
 17 Never fear the load is too heavy, for
 18 the road will never end, because the
 19 mother has always got you held firmly
 20 in her hand.

21 I am just a simple soul
 22 walking on the land. There is
 23 something deeply troubling me, I'm
 24 trying to understand.

25 It seems the Government

16-Jun-89: TS-00710, PAGE 3 OF 5 249

1 that I elected is poisoning the earth
2 and sea. People tell me not to worry
3 and that's what's bothering me.

4 Fellow children of the
5 earth, we all share a common birth.
6 Mother Earth is mother to us all.
7 Never fear the load is too heavy, for
8 the road will never end, because the
9 mother has always got you held firmly
10 in her hand.

11 I get bored when I write to
12 Congress. I don't care to carry a
13 sign. I wonder if these things will
14 help to change the Government's mind.

15 But I really love to sing.
16 Won't you join me in this song. We can
17 share the joy and strength that comes
18 from knowing we're not gone.

19 Fellow children of the
20 earth, we all share a common birth.
21 Mother Earth is mother to us all.
22 Never fear the load is too heavy, for
23 the road will never end, because the
24 mother has always got you held firmly
25 in her hand.

3.1-8
3.2-1

16-Jun-89: TS-00710, PAGE 4 OF 5 250

1 I filled with awe and anger
2 at the arrogance of song, those who
3 claim the stuff is safe if we bury it
4 in our ground.

5 It's time we took these
6 deadly toys out of the children's
7 hands. I say, make no more nuclear
8 till we understand what to do with it.

9 Fellow children of the
10 earth, we all share a common birth.
11 Mother Earth is mother to us all.
12 Never fear the load is too heavy, for
13 the road will never end, because the
14 mother has always got you held firmly
15 in her hand.

16 I am filled with hope and
17 power when I look into the eyes of the
18 multitudes whose greatest goal is to
19 keep the earth alive.

20 Everybody has got a part,
21 so let's live it from the heart. Do it
22 for your mother and all the children
23 yet to come.

24 Fellow children of the
25 earth, we all share a common birth.

3.1-8
3.2-1
3.6-1

16-Jun-89: TS-00710, PAGE 5 OF 5 251

1 Mother Earth is mother to us all.
 2 Never fear the load is too heavy, for
 3 the road will never end, because the
 4 mother has always got you held firmly
 5 in her hand, in her hand.

6 Thank you.

7 (Applause.)

8 HEARING OFFICER RICHARDSON:

9 Thank you. The prepared remarks of
 10 Llyn Peabody will entered into the
 11 record of this proceeding as Exhibit
 12 No. 523.

13 (The document above-
 14 referred to was
 15 marked for iden-
 16 tification as Exhibit
 17 No. 523 and received
 18 in evidence.)

19 HEARING OFFICER RICHARDSON:

20 The next scheduled speaker I have is
 21 Joan Wagoner.

22 If you will please state
 23 your mailing address for the court
 24 reporter, then you will have five
 25 minutes to do your comments.

3.1-8

16-Jun-89: TS-00711, PAGE 1 OF 6 252

1 MS. WAGONER: My mailing
 2 address is Route 4, Box 50-C, Santa Fe
 3 87501.

4 HEARING OFFICER RICHARDSON:

5 Please proceed.

6 MS. WAGONER: My name is
 7 Joan Wagoner and I moved to Santa Fe in
 8 1982. And I was a victim of toxic
 9 exposure here in New Mexico.

10 And I moved into a house
 11 that's right across from the present
 12 Nifty Cafe. And Nifty Cafe used to be
 13 the Aroyal Honda Gas Station.

14 And, of course, when I
 15 moved there I had no idea that it used
 16 to be a gas station. And the water in
 17 the well I was drinking tasted
 18 horrible. It was a pretty bad taste.

19 Other people wouldn't drink
 20 it, but my landlord thought it was
 21 probably just minerals in the water.
 22 So I thought, minerals are good for you
 23 and I kept drinking it.

24 I lived there four years.
 25 And out of those four years there was

16-Jun-89: TS-00711, PAGE 2 OF 6 253

1 one year I didn't drink it because we
2 knew there was recurring bacterial
3 problem in the well.

4 But I was consistently
5 getting more and more sick. And
6 finally when the property changed
7 hands, a visitor just happened to be
8 from the EID and it occurred to him to
9 check the well for gasoline.

10 And, indeed, the well had
11 very high levels of gasoline and very
12 high levels of Benzine which is an
13 extremely dangerous hydrocarbon that
14 can cause leukemia.

15 So I was the one person who
16 got the worst exposure. The other
17 people had moved away, and I was the
18 caretaker, and by the end of that time,
19 I was extremely sick.

20 And the state consequently
21 ran a test there and drilled about 20
22 test wells and determined that the
23 Nifty Cafe was, indeed, the site of the
24 pollution and it had contaminated 70
25 acres of ground water.

16-Jun-89: TS-00711, PAGE 3 OF 6 254

1 The state documented this
2 leak in 1975. They documented a 400
3 gallon gasoline leak, and the oil
4 company redrilled their own well after
5 they discovered it had gasoline in it.

6 But it never occurred to
7 anybody, neither the state nor the oil
8 company, to warn any of the neighbors
9 that there had been a serious gasoline
10 leak.

11 And so the area was never
12 monitored and my landlord just never
13 knew that there was a gasoline leak
14 across the highway.

15 Our well was the only other
16 well besides the well at the gas
17 station that was affected.

18 And I've been recovering
19 from this for years. And I've become
20 very aware of the toxic laws in the
21 country today.

22 New Mexico hasn't really
23 set their laws. Apparently the laws
24 are determined by existing laws in the
25 other states.

16-Jun-89: TS-00711, PAGE 4 OF 6 255

1 And when you have a serious
2 toxic exposure, one must prove what the
3 damages were to get a good settlement.

4 I have liver problems, but
5 I don't have any proof that the
6 gasoline is what caused by liver
7 problems.

8 And I've gone for years
9 without being able to work full-time.
10 I'm in much better shape than I was,
11 and I look pretty good now, but I
12 looked really bad about three years.

13 And everybody who saw me
14 could tell that there was something
15 wrong. And I'm still dealing in
16 litigation.

17 And the biggest concern to
18 me is that personal error is always
19 something that been present, and always
20 will be present.

21 Just this year I had a chat
22 with a man who worked in ground water
23 in 1975 when they documented the leak.

24 And his comment was, gee,
25 we never thought about the fact it

7.35-1
7.13.3-1

16-Jun-89: TS-00711, PAGE 5 OF 6 256

1 would spread. And my response was,
2 well, gee, you know, this is ground
3 water, and these are experts in ground
4 water. What does ground water do.

5 And the point I'm making
6 is, human error is always there and
7 always will be there. And in a
8 situation with nuclear waste, there is
9 no room for human error.

10 And even when I get a--
11 some day if I get a settlement, I don't
12 know if it will ever cover what I've
13 gone through, nothing can ever cover
14 the fact that I've had an exposure that
15 can cause leukemia and I've got that
16 hanging over my head the rest of my
17 life.

18 And in today's laws, you
19 can't get a settlement for a pos-
20 sibility. You can only file suit if
21 you have cancer, and then you have to
22 prove how you got it.

23 And it may seem really
24 unrealistic to a lot of people, but
25 that's the way the law works today.

7.35-1
7.13.3-1

16-Jun-89: TS-00711, PAGE 6 OF 6 257

1 And not only in respect to
2 people's health should be concerned,
3 but the present economy could really
4 suffer if we had one little accident,
5 perhaps an accident that didn't even
6 affect people's health.

7 I'm sure the tourist trade
8 would just plummet and it wouldn't just
9 affect the people who make their money
10 from tourism, but it would filter down
11 through the economy.

12 I'm a piano technician, and
13 yet I'm sure that if tourism plummeted
14 in this state, that my trade would be
15 affected. There would just be less
16 cash flow in the economy here.

17 And that's all I have to
18 say.

19 (Applause.)

20 HEARING OFFICER RICHARDSON:
21 Thank you.

22 MS. WAGONER: Thank you.

23 HEARING OFFICER RICHARDSON:
24 Duke Klauck. 16-Jun-89: TS-00712, PAGE 1 OF 4
25 MR. KLAUCK: My name is

7.2-5

7.2-1

7.2-4

16-Jun-89: TS-00712, PAGE 2 OF 4 258

1 Duke Klauck. I represent 55 employees
2 of Ten Thousand Waves. And we're
3 located three and a half miles up Hyde
4 Park Road in Santa Fe 87501.

5 I saw a movie about ten
6 years ago called the "China Syndrome."
7 And in it an investigator reporter
8 exposed some coverups of safety
9 violations in a nuclear plant.

10 This movie wasn't a really
11 big hit because immediately after the
12 release truth in the form of the
13 disaster at Three Mile Island became
14 stranger and more horrible than
15 fiction.

16 And one of the most
17 frightening scenes, Jane Fonda,
18 accompanied by portentous music,
19 discovers a puddle of water on the
20 floor of the plant, just a puddle of
21 water.

22 And the film makers were
23 able to scare the audience as much as
24 in a scene from the Exorcist because
25 the water was highly radioactive.

16-Jun-89: TS-00712, PAGE 3 OF 4 259

1 This illustrates how
2 technology has outstripped the unique
3 capacity of the human body to sense
4 danger.

5 When a person can no longer
6 hear, see, smell or feel danger, but he
7 knows it's out there, paranoia is born.

8 When danger can no longer
9 be known except with sophisticated
10 instruments, and when the instruments
11 are only in the hands of those you
12 distrust, conditions are right for mass
13 paranoia.

14 Gentlemen of the DOE, you
15 have allowed large-scale contamination
16 of every nuclear production and storage
17 facility in which you've been involved.

18 Not only that, you've lied
19 and covered up your mistakes. There is
20 not much basis for trust there.

21 Now, you want to rush the
22 opening of WIPP without cleaning up
23 your existing messes, without meeting
24 EPA health standards and without
25 dealing with the growing number of

31-8
32-1

16-Jun-89: TS-00712, PAGE 4 OF 4 260

1 problems at and on the road to WIPP.

2 With transport of waste to
3 WIPP from across the country, millions
4 more will be exposed to a danger they
5 can't easily sense.

6 Unless the DOE can prove
7 itself, how much longer do you think
8 the public can live in a state of fear?

9 The hundreds here are
10 nothing compared to millions who will
11 be screaming for action if the DOE
12 continues its shoddy ways.

13 The DOE now has a perfect
14 opportunity to restore our trust. They
15 can do it right for once. It can take
16 the time to answer all the questions
17 and to prove WIPP is safe before it's
18 used.

19 The DOE can show us that it
20 can govern in our interests rather than
21 through fear and intimidation. Take
22 this opportunity. Prove it safe first.
23 Then we can breathe easy.

24 Thank you for the oppor-
25 tunity.

31-8
32-1

1 (Applause.) 261
2 HEARING OFFICER RICHARDSON:
3 Thank you.
4 Is Mahabba Kauffman here?
5 (No response.)
6 HEARING OFFICER RICHARDSON:
7 Virginia Marks. 16-Jun-89: TS-00713, PAGE 1 OF 4
8 MS. MARKS: Gentlemen, I
9 don't know what in the world I'm doing
10 in this room speaking to you all.
11 HEARING OFFICER RICHARDSON:
12 Ms. Marks, if you could start by
13 providing us with your mailing address.
14 MS. MARKS: All right.
15 It's 521 Elmwood, Shreveport, Louisiana
16 71104.
17 HEARING OFFICER RICHARDSON:
18 Thank you. You have five minutes for
19 your comments.
20 MS. MARKS: Thank you.
21 My husband is in Santa Fe
22 for a head master's meeting and he,
23 much against my better judgment,
24 decided we were going to make this a
25 two-week vacation.

16-Jun-89: TS-00713, PAGE 2 OF 4 262
1 And so this is about our
2 ninth day, and we've been in the car
3 driving all over New Mexico and we went
4 up and rode the train and have hiked
5 around the parks and looked at Indians
6 ruins and arrowheads and things.
7 And we had today, my son
8 and I, all planned out. We were going
9 to go to the Government Palace which
10 was my choice and then go to the
11 Children's Museum, which was his
12 choice.
13 And then I had hoped to
14 sneak off to the Folk Museum to look at
15 all the old dolls, because I love
16 dolls.
17 And I much more interested
18 in clothing and jewelry than I am in a
19 waste disposal plant of any kind.
20 But my son is a real
21 science bug, and we had been hearing
22 those WIPP stuff on the television news
23 at night. And he wanted to come by and
24 listen to hearing.
25 And last night on the news

16-Jun-89: TS-00713, PAGE 3 OF 4 263

1 they interviewed a gentleman from
2 Carlsbad who really made me mad,
3 because he was trying to act like the
4 people who were speaking here were not
5 talking for conservative middle
6 Americans.

7 Now, I am perhaps a little
8 bit better educated. I'm a retired
9 school teacher, but a full-time wife
10 and mother. I've belonged to the
11 United Methodist Women, the DAR and to
12 the Republican Party, and I won't to
13 apologize for that to anybody.

14 But anyway, we came out
15 there and I looked at that map and you
16 all are going to be trucking that waste
17 through Shreveport. It's going to
18 come through our town and it's going to
19 have to pass over a bridge that's over
20 a lake that's got our water supply in
21 it.

22 Now, that forced me out of
23 my complacency. How can I care and be
24 upset if it's come through Shreveport
25 and not be concerned if it's going to

16-Jun-89: TS-00713, PAGE 4 OF 4 264

1 come through New Mexico or Bismark,
2 North Dakota or anywhere else in the
3 world.

4 Most people in the United
5 States don't want this. Please, don't
6 do it.

7 (Applause.)

8 HEARING OFFICER RICHARDSON:

9 Jay Marks. 16-Jun-89: TS-00714, PAGE 1 OF 3

10 MR. MARKS: Okay. Same
11 address as my mother.

12 Anyway, I am very concerned
13 with the ecological ecology effects
14 that this will have.

15 What if there is a wreck
16 and it falls off the highway into a
17 lake, or if it just goes out into the
18 -- anywhere.

19 The whole idea is radio--
20 something that radioactive waste could
21 be anything. It could be a bolt. It
22 could be a screw. It could be rubber
23 gloves.

24 What -- also, you've seen
25 what can happen when a ship captain

16-Jun-89: TS-00714, PAGE 2 OF 3 265

1 gets drunk, what happens a truck driver
2 with radioactive waste, his haul, gets
3 drunk and goes off the road?

4 Also, there is so many
5 things that can go wrong. The only way
6 this could be safely done is to deposit
7 it for maybe 50 miles from where it's
8 produced.

9 We cannot afford the human
10 error in this. We cannot afford even
11 human and other people being able to
12 even be anywhere within the whole cycle
13 without there being chances of major
14 accidents happening.

15 The human factor has not
16 been taken into effect even once. If
17 you can't deal with chemicals, how can
18 you deal with radioactivity?

19 The chances of an accident
20 according to the DOE are very slim.
21 But what happens when the drunk going
22 50 miles per hour slams directly into
23 one of the barrels.

24 Then what? The whole idea
25 of what I'm place over here is that

7.35-1

16-Jun-89: TS-00714, PAGE 3 OF 3 266

1 this cannot be done. It's too unsafe
2 to be even tried.

3 Testing it is okay, but
4 when it's so far from -- and going so
5 far. What happens when it leaks
6 through and ruins the whole countryside
7 of the state or ruins the whole water
8 tower and makes the whole thing regular
9 -- dumped with radioactive water, and
10 radioactive trees and the ground is
11 radioactive?

12 Now, everything can be
13 saved. Now, what's the risk -- it's
14 worth the risk, that kind of thing, but
15 what if it isn't. There is hundreds of
16 other ways to get rid of it.

17 They're just not even
18 thought of. There is the plans of
19 depositing it near the sites. Now,
20 that's not very good either. But there
21 is less risk involved.

22 There is other ways, and if
23 you can't deal with chemicals -- simple
24 chemicals and non-dangerous litter, how
25 can you deal with radioactive--

1-2

7.354-3

478

16-Jun-89: TS-00714, PAGE 4 OF 5 267

1 radioactive garbage?

2 What happens if it's going

3 over a bridge and the driver hits the

4 accelerator instead of the brake, and

5 it goes off the side of the river and

6 goes down and hits a rock and breaks?

7 Or even just dents in it?

8 What can happen? We can ruin the whole

9 globe if the correct things happen.

10 If you're unluckily enough

11 you could be forced to abandon the

12 whole four or five states around New

13 Mexico and outlying areas of other

14 states.

15 We could lose making the

16 worst -- we may be making the worst

17 disaster and radioactive -- we could

18 get radioactive swamps. We could get

19 radioactive deserts.

20 You could even get -- you

21 could even produce animals that were so

22 radioactive that they would die before

23 they were even a few -- day -- after a

24 few days.

25 The whole thing is -- what

7.3.1.1-2
7.3.4.1-1

7.3.5.3-1

16-Jun-89: TS-00714, PAGE 5 OF 5 268

1 I'm trying to say is this cannot be

2 done. It's simply not possible. The

3 human error and the human mind cannot

4 be -- cope with this much.

5 That's it.

6 (Applause.)

7 HEARING OFFICER RICHARDSON:

8 Very good. Thank you.

9 Our next scheduled

10 commentator is Randy West.

11 Mr. West, if you will begin

12 by giving us your mailing address, then

13 you'll have five minutes for comments.

14 MR. WEST: Thank you.

15 I'm Randy West. My mailing

16 address is P. O. Box 9837, Santa Fe

17 87504. 16-Jun-89: TS-00715, PAGE 1 OF 6

18 HEARING OFFICER RICHARDSON:

19 Thank you.

20 MR. WEST: Good morning,

21 gentlemen, ladies.

22 Today I wanted to speak to

23 you about a cancer. It is a cancer we

24 have created.

25 And as we all know, cancer

7.3.5-1

16-Jun-89: TS-00715, PAGE 2 OF 6 269

1 is a strange disease. It's self-
2 defeating. It eats its own host and
3 puts itself out of life.

4 Almost everyone has seen
5 what cancer does to the lives of those
6 that we love.

7 We cannot use surgery in
8 this case, because the cancer that
9 we've created is living on the body of
10 our planet.

11 It is now in the stage of
12 metastasizing. It's metastasizing.
13 It's metastasizing through our lymph
14 systems and through our circulation
15 systems.

16 The plant's lymph is its
17 water table, and the planets circula-
18 tion are the roads and highways.

19 We have no natural immunity
20 for this cancer. And it must be
21 destroyed where it is, because it
22 cannot be controlled once it gets into
23 the metastasized state, though those
24 systems.

25 We must do two things. We

16-Jun-89: TS-00715, PAGE 3 OF 6 270

1 must limit our exposure and we must
2 find a cure.

3 Sweeping it under the rug
4 will not make it go away. We must
5 first limit our exposure.

6 As we now know, any
7 exposure is harmful. The exposure, for
8 example, of sitting next to a truck at
9 a stop light is measured in minutes.

10 But if someone were to
11 follow that truck down the highway that
12 exposure is limited by hours. For
13 commuters on those highways, the
14 exposure is measured in weeks, months
15 and years.

16 We must put our efforts
17 towards a cure. Once a transportation
18 and storage industry has been es-
19 tablished, it will be an entity on its
20 own and fight for its own continued
21 existence.

22 The problems that we have
23 now will multiply with increased
24 handling. The money that we spent on
25 transportation and storage would be

7.3524

16-Jun-89: TS-00715, PAGE 4 OF 6 271

1 better spent on research to find
2 constructive uses or its destruction.

3 The least danger is to keep
4 this cancer where it is now, where we
5 can watch it, where we can contain it.

6 The best minds have been
7 challenged by its creation. And those
8 same minds can be challenged by its
9 destruction.

10 We must first clean up the
11 wastes where they are. Then we must
12 reclaim the water, earth and air.

13 We are human beings and
14 human beings make mistakes. Before
15 moving to Santa Fe, my wife and I lived
16 in Corvallis, Oregon.

17 The Corvallis landfill
18 contains nuclear wastes that were
19 covered over. Three years later the
20 state decided to build a by-pass road
21 over that area and no one in Corvallis
22 remembered the nuclear waste after only
23 three years.

24 We have lived in the same
25 house in Santa Fe for the past two

1-2
52-1
52-2
9-2

16-Jun-89: TS-00715, PAGE 5 OF 6 272

1 years. The previous occupants
2 apparently used a herbicide to control
3 weeds.

4 I have no idea what they
5 used or how much they used, but I know
6 that when I work in the soil, I get
7 headaches and sore joints two years
8 later.

9 The nuclear industry began
10 with good intentions. We stopped the
11 war. We saved millions of lives.
12 Later on we hoped to save millions of
13 dollars with nuclear energy and to save
14 the free world.

15 These were good intentions.
16 However, the state of our knowledge was
17 inadequate for dealing with their by-
18 products.

19 And our inexperience has
20 led us into problems. If we are to
21 follow these good intentions, we must
22 now devote our energies toward gaining
23 the knowledge to decontaminate our
24 planet.

25 We were smart enough to

16-Jun-89: TS-00715, PAGE 6 OF 6 273

1 create it and we are smart enough now
2 to uncreate it. If necessary, my wife
3 and I can move to a safer location, but
4 our native Americans cannot.

5 The cancer that we have
6 created is now in danger of killing its
7 host. Please don't do it.

8 Thank you.

9 (Applause.)

10 HEARING OFFICER RICHARDSON:

11 Thank you.

12 Is Holly Brady here?

13 (No response.)

14 HEARING OFFICER RICHARDSON:

15 Elizabeth Bear.

16 (No response.)

17 HEARING OFFICER RICHARDSON:

18 Hank Hughes.

19 Mr. Hughes, you'll have
20 five minutes for your comments and if
21 you'll please start by stating your
22 mailing address. 16-Jun-89: TS-00716, PAGE 1 OF 7

23 MR. HUGHES: Yes. My
24 mailing address is 2 Cerrado Way,
25 C-e-r-r-a-d-o, Santa Fe, New Mexico

16-Jun-89: TS-00716, PAGE 2 OF 7 274

1 87505.

2 HEARING OFFICER RICHARDSON:

3 Thank you. Please proceed with your
4 comments.

5 MR. HUGHES: Thank you.

6 My name is Hank Hughes. I
7 have two personal reasons to be
8 concerned about the safety of the WIPP
9 project.

10 I have my office just a few
11 hundred feet from St. Francis Drive.
12 And in addition to that, my house is in
13 the Eldorado Subdivision near 285
14 South, the other likely WIPP route.

15 And I think it's important
16 to realize or to remind you that from
17 my office window near St. Francis
18 Drive, I look out over a residential
19 neighborhood and very often I see
20 little children playing in their yards
21 all day long in that neighborhood.

22 And they're who I think
23 about most when I worry about this
24 project. And so it was with this
25 prospective that I read the Supple-

16-Jun-89: TS-00716, PAGE 3 OF 7 275

1 mental Environmental Impact Statement
2 and turned right to the part about the
3 possible accidents.

4 And I noted the way you
5 used the word credible, in there you
6 said that a major accident wasn't very
7 credible, but I thought that you
8 sentence wasn't very credible because I
9 could very easily imagine a major
10 accident in that neighborhood with a
11 train crossing and a major intersection
12 right near there where there is an
13 accident almost every other day between
14 Cerrillos and St. Francis Drive.

15 I think just about anything
16 is possible right there. And you
17 somehow rule out a breach, you know, a
18 complete breach of the containers.

19 But I think you need to
20 look at that again and really take
21 precautions against that, because I'd
22 hate to see that part of Santa Fe or
23 any part of the United States showered
24 with plutonium from an accident like
25 that.

7.3.5.1-31

7.3.5.3-1

16-Jun-89: TS-00716, PAGE 4 OF 7 276

1 And I certainly think that
2 St. Francis Drive is a very inap-
3 propriate route to use for this type of
4 waste. It's probably inappropriate for
5 some of the gasoline trucks that go up
6 and down that all the time.

7 And I also think that
8 commuting on Route 285 into work every
9 day that that would need quite a few
10 safety improvements there before that
11 would be any possible route for nuclear
12 waste transportation.

13 And certainly I don't know
14 if the containers have been certified,
15 but certainly they hadn't been the last
16 I heard. And that certainly needs to
17 be done.

18 And I don't know how you
19 can rule out a breach of the containers
20 when they haven't even been certified
21 and proven that they can't have a
22 breach.

23 I also feel that it's very
24 important that the EPA standards be
25 met. A number of the speakers have

7.3.3.1-14

7.3.1-2
7.3.5.1-33

31-3

16-Jun-89: TS-00716, PAGE 5 OF 7 277

1 mentioned that they don't trust DOE,
2 and I think the only way around that is
3 to have a good watch dog agency such as
4 EPA, independent leaser define the
5 project, making up the standards and
6 making sure that they're met.

7 And I suppose DOE isn't
8 responsible for the standards, but
9 obviously EPA seems to be taking years
10 and years to develop those standards.
11 And I don't understand why, why that
12 is, but probably more money needs to go
13 to EPA so that they can develop the
14 standards and then make sure that the
15 standards are met.

16 I also should mention that
17 I grew up just 20 miles from Three Mile
18 Island. As a young boy, I heard all
19 the propaganda and was certainly
20 impressed that we were going to get
21 such cheap energy from this wonderful
22 facility.

23 And I also remember very
24 vividly the fear of the accident. And
25 I know that even today there is people

3.1-6

16-Jun-89: TS-00716, PAGE 6 OF 7 278

1 in that area with cancer who don't know
2 how they got it. They think they got
3 it from the accident, but the studies
4 afterwards were completely bungled,
5 covered up, everything.

6 And whether or not, you
7 know, the damage from the radiation
8 leak was real, the fear there is very,
9 very real.

10 And I don't want to see
11 that happen to Santa Fe. I don't want
12 to see that happen anywhere. And I
13 think without an adequate emergency
14 response team in place, you know, there
15 would be no way to be on the scene of
16 an accident in time to clean it up and
17 to see what the damage really was.

18 I think the fear of not
19 knowing what the damage is is just as
20 hard on people and knowing, you know,
21 that an accident has occurred.

22 And finally, I'd just like
23 to add that one of the best things I
24 think the DOE could do at this point is
25 just to stop making the nuclear

7.12.9-3
7.12.9-7

36-1

484

16-Jun-89: TS-00716, PAGE 7 OF 7 279

1 weapons.

2 We certainly need -- and
3 our international relations don't seem
4 to need anymore right now.

5 I think we need to help
6 improve our relations with Russia, and
7 this is something that the politicians
8 could work on and certainly we have
9 plenty of nuclear weapons for
10 deterrents at the moment.

11 And if we did that, then
12 you could certainly take all the time
13 that you needed to clean up the waste
14 that's already there safely and, you
15 know, I mean, we're stuck with it. So
16 we've got to do something.

17 But I think it has to be
18 done a little more safely than what's
19 envisioned right now.

20 Thank you.

21 (Applause.)

22 HEARING OFFICER RICHARDSON:

23 Thank you. 16-Jun-89: TS-00717, PAGE 1 OF 6

24 Connie Janssens.

25 MS. JANSSENS: My name is

36-1

16-Jun-89: TS-00717, PAGE 2 OF 6 280

1 Connie Janssens and I live at 825 Kai
2 Ava Hea off St. Francis, Santa Fe.

3 And I wasn't going to speak
4 and I felt like I had to. And then it
5 was postponed, so I even had time to
6 get scared, which is something that's
7 new for me.

8 One of the things is even
9 giving your address in front of the
10 Department of Energy, in front of any
11 Government agency is, from my history,
12 a very dangerous thing to do.

13 Anyway, I moved here from
14 Berkeley two months ago. And I have a
15 history of a lot of activism. I don't
16 know what to say up here except I just
17 feel like I have to talk because this
18 is so bad, what you're doing.

19 And I started home three
20 times, walking up St. Francis to go
21 home instead of speaking and my
22 conscious won't let me.

23 And I wondered why in
24 Berkeley I could be beaten by police
25 batons as a gay person or go to

9-1

16-Jun-89: TS-00717, PAGE 3 OF 6
281

1 Livermore and sit down in front of your
2 trucks and conquer Navy weapons and not
3 be angry -- or not be scared.

4 And it's because today I
5 don't have the kind of rage and hatred
6 that I had there. I have spent the
7 last day and a half listening to love
8 and concern.

9 And I really feel like
10 tears and a lot of sorrow. I listened
11 to ordinary people who stood up here
12 and voiced concerns. Mothers and
13 children.

14 And I wonder who you are
15 that you can work through the agency
16 you do and that you can even sit here
17 and listen -- I've wondered, what are
18 you paid to do this? You know, we pay
19 our taxpayers' money for you to sit
20 here, and I wonder what you're getting
21 out of it.

22 And one of the things that
23 struck me last night, I walked up the
24 Canyon Road about 8:00 o'clock and I
25 stumbled on this -- I think it was a

9-1

16-Jun-89: TS-00717, PAGE 4 OF 6
282

1 post-atomic sculpture garden that's to
2 your left as you go up Canyon Road.

3 And you go back in there
4 and it's silent there in the desk. And
5 there was a breeze. There was no one
6 around, and there is this mass of
7 sculptures that are made out of things,
8 I understand, from Los Alamos.

9 And in the breeze at night
10 and the silence, the breeze took pieces
11 of those sculptures, and all you could
12 hear was the clanging of some of the
13 metal.

14 And I think I got a very,
15 very real sense the first time of what
16 it must be like to live on this earth
17 after the mishap that you all are
18 setting up for us to experience here.

19 And I urge you, instead of
20 going out and enjoying the restaurants
21 in Santa Fe, certainly not the night
22 life, but the restaurants, instead go
23 up Canyon Road and stand there in that
24 garden with your conscious and see what
25 happens so that you can understand what

9-1

16-Jun-89: TS-00717, PAGE 3 OF 4 283

1 you're doing to this earth.

2 Yesterday morning I saw the
3 Indian, the native dancers, and I
4 guess I watched them as entertainment
5 before. I don't think I ever felt
6 before where all that was coming from.

7 But there is a love of the
8 earth. The people like us, me with my
9 rage, and you with your expertise, your
10 science, your technology, but we are
11 not very often moved by this.

12 You go in and watch them
13 and see the kind of love that they
14 dance from and the love and the real
15 genuine feelings in the earth. Or
16 stand here in Santa Fe sometime, or go
17 out in the desert and stand and see if
18 you too cannot align yourself some way
19 with the earth's energy, that you can
20 feel more what you are doing, the kind
21 of destruction that you are ultimately
22 going to bring about to all of us.

23 I hope that somewhere in
24 you you learn to pray, because that's
25 what I learned here, and I hope you two

9-1

16-Jun-89: TS-00717, PAGE 6 OF 4 284

1 do, too, all of you.

2 (Applause.)

3 HEARING OFFICER RICHARDSON:

4 Thank you. 16-Jun-89: TS-00718, PAGE 1 OF 3
5 Geri Jimenez Gould.

6 MS. GOULD: My name is Geri
7 Jimenez Gould. I live at Route 10,
8 Box 88-T, Santa Fe, New Mexico 87501.

9 HEARING OFFICER RICHARDSON:
10 Thank you, Ms. Gould.

11 MS. GOULD: Ladies and
12 gentlemen, I am speaking as a very
13 concerned citizen and a member of the
14 Democratic State Central Committee.

15 This is an issue -- this
16 issue not only affects New Mexicans,
17 but also those who live in the cities
18 who lie in the path truck transported
19 nuclear waste.

20 You have admitted that a
21 person in their automobile standing
22 beside a TRUPACT truck will receive a
23 dose of radiation equivalent to a chest
24 X-ray.

25 With all the shipments that

7.352-4
7.354-3

16-Jun-89: TS-00718, PAGE 2 OF 5 285

1 will passing through Santa Fe, chances
2 are that a person could be exposed to
3 many doses of radiation. And that is
4 totally unacceptable.

5 One of the guarantees of
6 our Constitution states that a citizen
7 shall be secure in property and person.
8 Being exposed to radiation is not my
9 idea of being secure.

10 Another disturbing fact is
11 you plan to open WIPP in September, and
12 the TRUPACT container has not been
13 certified by the NRC.

14 The tests that the TRUPACT
15 has undergone have not dealt with the
16 crushing of the container. And you
17 have conceded that the dominant
18 accident effect for truck shipments is
19 crush rather than impact.

20 I feel that the crush test
21 should be mandatory to give a true
22 accident scenario. The fact that the
23 TRUPACT will be transported by truck
24 instead of by rail will expose it to
25 more chances of serious accidents and

7.3.5.2-4
7.3.5.4-3

7.3.1-2

7.3.1.1-9
7.3.4-2

7.3.2-4

16-Jun-89: TS-00718, PAGE 3 OF 5 286

1 possible breach of the container.

2 New Mexico leads the nation
3 in drunk driving. Your own calcula-
4 tions show that fewer fatalities and
5 less radiation release could result
6 where you maximize shipments by rail.

7 The SEIS document states
8 that recent truck accident rates are
9 not available. Your data is totally
10 obsolete, compiled in 1977, it would
11 hardly be relevant today.

12 We have seen an alarming
13 increase in recent years of substance
14 abuse by a larger number of our
15 population.

16 With regards to this fact,
17 we must have current reliable data,
18 which I'm sure have been kept by the
19 insurance industry.

20 There are untold numbers of
21 hospitals in the 23 states along the
22 WIPP route. These health care
23 providers have not been notified or
24 trained to deal with an emergency
25 involving victims of radiation

7.3.2-4

7.3.6.1-3

7.1.2.9-1
7.1.2.9-2
7.1.2.9-3
7.1.2.9-7

16-Jun-89: TS-00718, PAGE 4 OF 5 287
exposure.

2 Norther/ New Mexico, Santa
3 Fe in particular, will be severely
4 affected economically if there were to
5 be a TRUPACT accident with or without a
6 spill.

7 We are heavily dependent on
8 the tourist industry. Its effects
9 would be devastating and negative
10 publicity would keep tourists away in
11 groves.

12 For example, tourism is 40
13 percent off in Alaska as a direct
14 result from the Exxon-Valdez oil spill.

15 It would also cause our
16 property values to plummet. The real
17 estate brokers are now recommending a
18 WIPP disclosure statement to potential
19 sellers.

20 Real estate loan portfolios
21 held by local banks and savings and
22 loans could be adversely affected.

23 By-pass routes have been
24 promised to divert TRUPACT traffic
25 around the WIPP affected communities.

7.129-7

7.2-1

7.2-25

7.2-2
7.2-24

7.2-7

7.33-5
7.15.4-2
7.15.4-3

16-Jun-89: TS-00718, PAGE 5 OF 5 288

1 But the by-passes have not been
2 completed.

3 And the proposed by-passes
4 for Santa Fe -- oh, it's not a by-pass
5 at all, it would be going through a new
6 population growth area.

7 In fact, it would be going
8 about 1,000 feet from my bedroom
9 window. I can't seem to get away from
10 the hot trash.--

11 I demand that you comply
12 with all new EPA standards. And I hold
13 with suspicion the entire SEIS
14 document.

15 After reading recent
16 headlines of the FBI's criminal
17 investigation into the falsification of
18 environmental documents by you at Rocky
19 Flats, how can we trust the statements
20 in the SEIS?

21 This is your day of
22 reckoning. The people shall speak, and
23 Congress shall listen.

24 Thank you.

25 (Applause.)

7.33-5
7.15.4-2
7.15.4-3

3.1-3

3.2-1

289

HEARING OFFICER RICHARDSON:

The prepared remarks of Ms. Gould will be entered into the record as Exhibit No. 524 in this proceeding.

(The document above-referred to was marked for identification as Exhibit No. 524 and received in evidence.)

HEARING OFFICER RICHARDSON:

The next scheduled commentator is Kay Dinucci. 16-Jun-89: TS-00719, PAGE 1 OF 4

MS. DINUCCI: My name is Kay Dinucci. I live at 115-E West Santa Fe Avenue, Santa Fe 87501.

I appreciate the opportunity to express my views on the DOE SEIS WIPP project.

First, I would like to read a quote of a Blackfoot Indian Chief being asked for his signature to one of the first land treaties in his region in the northwest territories.

9-1

16-Jun-89: TS-00719, PAGE 2 OF 4 290

"Our land is more valuable than your money. It will last forever. It will not even parish by the flames of fire. As long as the sun shines and the waters flow, this land will be here to give life to men and animals. We cannot sell the lives of men and animals, therefore we cannot sell the land. It was put here for us by the great spirit, and we cannot sell it because it does not belong to us. You can count your money and burn it within the hyde of a buffalo's head, but only the great spirit can count the grains of sand and the blades of grass of these plains. As a present to you we will give you anything we have that you can take with you, but the land never."

It is easy for me now, a non-Indian, to feel the deep sadness sometimes the hopelessness and often the rage that the Indians must have felt 100 years ago when they saw their sacred lands overrun, desecrated and taken from them.

9-1

16-Jun-89: TS-00719, PAGE 3 OF 4 291

1 The only decent future for
2 us who live in this country, is to
3 establish a right relationship with the
4 land and its resources, otherwise the
5 destruction of nature will be followed
6 by the destruction of ourselves.

7 Perhaps after ignoring for
8 too long the cries of Mother Earth, the
9 pollution of her streams, rivers and
10 oceans, the extinction of thousands of
11 plants and animals, we may learn to
12 live in a state of balance, a state of
13 grace.

14 I believe my voice, my
15 actions do count. This is my legacy.
16 I cannot turn around and run away from
17 it. I have made the choice to leave
18 this a better world.

19 I hope and pray you make
20 that choice, too. WIPP must not open
21 until it meets EPA standards.

22 Better yet, let us work
23 together to find a preferable solution
24 other than burying toxic materials in
25 the belly of our mother.

9-1

1-3

3.6-1
5.2-1
5.2-2

16-Jun-89: TS-00719, PAGE 4 OF 4 292

1 Thank you for listening.

2 (Applause.)

3 HEARING OFFICER RICHARDSON:

4 The prepared remarks of Kay Dinucci
5 will be entered into the record of this
6 proceeding as Exhibit No. 525.

7 (The document above-
8 referred to was
9 marked for iden-
10 tification as Exhibit
11 No. 525 and received
12 in evidence.)

13 HEARING OFFICER RICHARDSON:

14 The next scheduled commentator is Pete
15 Herber.

16 (No response.)

17 HEARING OFFICER RICHARDSON:

18 Mr. Herber is followed by Ursula
19 Drabik.

20 (No response.)

21 HEARING OFFICER RICHARDSON:

22 Is Pamela Quay here?

23 Ms. Quay, if you would
24 please begin by stating your mailing
25 address, then you'll have five minutes

16-Jun-89: TS-00720, PAGE 1 OF 3 293

1 for comments.

2 MS. QUAY: Yes. My mailing
3 address is 315 Canada Del Norte, Santa
4 Fe 87501.

5 HEARING OFFICER RICHARDSON:
6 Thank you.

7 MS. QUAY: Uh-huh. I hope
8 you gentlemen slept better than I did
9 last night.

10 I have concerns about the
11 opening of the waste isolation pilot
12 project.

13 I am concerned that the EPA
14 safety standards will not be met. I am
15 concerned about the dangers of
16 transporting waste through large
17 population centers.

18 I am concerned about the
19 lack of road improvements. I am
20 concerned about health effects of
21 radiation exposure.

22 I am concerned that the
23 WIPP site is not safe geographically.
24 And I am concerned about the honesty
25 and integrity of my Government.

3.1-2

16-Jun-89: TS-00720, PAGE 2 OF 3 294

1 My concerns stem not only
2 from the conflict over the scientific
3 data and opinions, but also originate
4 from an intuitive knowing.

5 This is a feminine wisdom
6 which has not been acknowledged or
7 honored in our society.

8 This is the knowledge that
9 cannot be explained in an analytical
10 linear manner. It must be experienced.

11 More and more women and men
12 are realizing the validity of this
13 intuitive knowing.

14 We are trusting our own
15 inner wisdom and are willing to speak
16 our truth and to demonstrate our
17 personal power.

18 I've never stood before a
19 Government agency and stated my
20 opinions and beliefs. And I think to
21 say it takes courage for a lot of us is
22 an understatement.

23 However, the time for me
24 and others to stand in our truth and to
25 speak from our hearts has arrived.

16-Jun-89: TS-00720, PAGE 3 OF 3 295

1 Because I care deeply for this planet
2 and for our effects upon it, my request
3 is that the opening of WIPP be delayed
4 until these safety concerns are met.

5 I appreciate this oppor-
6 tunity.

7 (Applause.)

8 HEARING OFFICER RICHARDSON:

9 Thank you. 16-Jun-89: TS-00721, PAGE 1 OF 3

10 The next scheduled
11 commentator is Eugene Loring.

12 MR. LORING: My name is
13 Eugene C. Loring, L-o-r-i-n-g, 2 East
14 Wild Flower Drive, Santa Fe 87501.

15 Unfortunately, I haven't
16 been here to hear more than a few of
17 the people speak this afternoon.

18 I don't know that I have a
19 lot to add to the eloquence except to
20 convey to you my own feelings and just
21 add these feelings to those of others
22 in saying that I don't think that this
23 facility should open until all the
24 standards are met.

25 And as I agree with someone

1-2

3,1-3

16-Jun-89: TS-00721, PAGE 2 OF 3 296

1 who said, perhaps not at all if we
2 could find a better way. I am directly
3 impacted by the transportation of this
4 material.

5 I use St. Francis Drive to
6 go back and forth to work and back and
7 forth to do my errands and shopping
8 daily, more than once a day often.

9 And my home is located
10 within a mile of one of the proposed
11 by-passes from Los Alamos into the
12 connector in Santa Fe.

13 I moved to Santa Fe from a
14 large southeastern city, Atlanta, to be
15 exact, which was becoming a stressful
16 place to live.

17 And I came here to reduce
18 the stress in my life. And I feel that
19 this little episode is not fulfilling
20 that promise.

21 I'm not an expert. I can
22 just tell you how I feel. And the way
23 I feel is that I don't trust the
24 Government. I don't trust DOE and I
25 don't trust the Government or the

16-Jun-89: TS-00721, PAGE 3 OF 5 297

1 people who support it.

2 Why? Because this is the
3 same government which back in the
4 1930's exposed unknowingly black men in
5 Tuskegee, Alabama to syphilis without
6 telling them.

7 This is the same Government
8 which made treaties with the native
9 Americans and didn't keep them, many of
10 them.

11 This is the same Government
12 that told Japanese Americans that they
13 could be citizens, but put them in
14 internment camps in the 1940's during
15 World War II, and then took, what,
16 almost 40 years to give them any
17 recompense, the little that was given
18 to them.

19 This is the same Government
20 that tells all our citizens that we
21 have the same rights, that lesbians and
22 gays the right to privacy.

23 This is the same Government
24 that sprayed San Francisco with
25 bacteria in a gas warfare experiment

16-Jun-89: TS-00721, PAGE 4 OF 5 298

1 without letting them know about it.

2 This is the same Government
3 which reassured us of the safety of the
4 Hanford Nuclear Plant in South
5 Carolina.

6 This is the same Government
7 that has assured us, up until the last
8 few years that DDT was safe, and allows
9 the companies who no longer can sell
10 DDT in this country, to sell it to the
11 underdeveloped world.

12 This is the same Government
13 that assured us that pumping oil in
14 Alaska was safe.

15 This is the same Government
16 that told us Thres Mile Island was
17 safe.

18 This is the same Government
19 that's telling us that Rocky Flats is
20 safe.

21 This is the same Government
22 now that would have us believe that the
23 current plan for transport of nuclear
24 waste to the storage area in Carlsbad,
25 even before the roads were by-passed

16-Jun-89: TS-00721, PAGE 5 OF 5 299

1 around population areas, if they are to
2 be built, are built, and before the EPA
3 has certified that the containers and
4 the facility are safe.

5 I contend that the history
6 of Government in these and many other
7 instances has led me to the position
8 which I really don't feel comfortable
9 at, because I am part of the Govern-
10 ment, but I don't trust you.

11 I don't trust in this time.
12 And I think evidence has proven that
13 the Government has been untrustworthy
14 in the past.

15 I urge you to, if nothing
16 else, wait until all of the tests of
17 safety are in, all the by-passes around
18 Santa Fe and other areas of population
19 have been built to open this facility.

20 Thank you.

21 (Applause.)

22 HEARING OFFICER RICHARDSON:

23 Is Edith Hathaway present?

24 (No response.)

25 HEARING OFFICER RICHARDSON:

1-2

300

1 Ms. Hathaway is followed by Kathryn
2 Cunningham.

3 (No response.)

4 HEARING OFFICER RICHARDSON:

5 John Gordon. 16-Jun-89: TS-00722, PAGE 1 OF 6

6 MR. GORDON: My name is
7 John Gordon. and my mailing address
8 here in Santa Fe is 535 Cordova Road,
9 Suite 428, Santa Fe 87501.

10 I, too, appreciate the
11 opportunity to appear before you and
12 have this opportunity to speak.

13 And it is also one of my
14 first experiences speaking before a
15 Governmental body. Although I'm
16 usually very accustomed to speaking
17 before groups, this is a new experience
18 for me.

19 I do wonder who is
20 listening. I have followed this just
21 since I've come to Santa Fe, which has
22 only been about a month. I come from
23 California.

24 And it's curious to me that
25 a development as significant as this is

16-Jun-89: TS-00722, PAGE 2 OF 6 301

1 for the whole nation, didn't come to my
2 attention in California.

3 I don't know -- I consider
4 myself a fairly well read and fairly
5 well-informed individual.

6 This simply didn't come to
7 my attention. And it's been going on
8 for years and years. Your planning of
9 this project has been going on for
10 years.

11 I raise that just because I
12 wonder -- it's hard for the people here
13 in this room to sound any other way as
14 if they're saying to you, don't do this
15 in my back yard.

16 And I think the issue,
17 however, is much larger than that. I
18 think they're saying, don't do it in my
19 back yard, but what they're saying is,
20 don't do this, because it has implica-
21 tions as I understand it for almost
22 half of the states in the nation if you
23 proceed to full operation with WIPP.

24 And this project appears to
25 be on a fast track, a fast track that

3.1-8

16-Jun-89: TS-00722, PAGE 3 OF 6 302

1 nobody that I've spoken to can
2 understand.

3 I think I may have some
4 sense of it. I worked for a bureau-
5 cracy in Los Angeles, a large private
6 university, and I know that when that
7 university makes up its mind and
8 proceeds towards a goal, it doesn't
9 want to hear the negatives.

10 It's spent a lot of time, a
11 lot of money, a lot of energy, a lot of
12 reports and it feels it's got the best
13 of maybe a series of bad choices. It's
14 got the best solution and it's going to
15 move as quickly as it can to that
16 resolution because it knows that the
17 sooner it's over, the sooner the people
18 are -- its critics will be quiet.

19 I don't think that's the
20 case with WIPP. I think, first of all,
21 its critics will never be silenced. In
22 fact, I have the sense that political
23 pressure is only beginning to develop.

24 The very, very quiet New
25 Mexico political established--

3.1-8

16-Jun-89: TS-00722, PAGE 4 OF 6 303

1 established political figures are
2 suddenly being heard from, just in the
3 last few weeks.

4 So I think political
5 pressure will begin to build, and that
6 probably, if nobody is listening to me
7 and others today, other than you good
8 gentlemen here today, if nobody is
9 really listening, I suggest that
10 political pressure will, if at all--
11 if anything can solve this problem or
12 stop this mistake, will help us.

13 But anyway, I am here, as
14 many have said, I'm here simply because
15 I have to be here. I have hundreds of
16 other things to do today, but I felt I
17 could not live with myself if I didn't
18 come here today and say, stop.

19 What you're doing is wrong.
20 It's short-sighted. It holds the fate
21 of the nation, perhaps, in its grasp.

22 And there has to be a
23 better way. I think we all know that
24 we've got a serious problem with
25 nuclear waste.

1-2

16-Jun-89: TS-00722, PAGE 5 OF 6 304

1 None of us are blind to
2 that, and there has to be -- something
3 has to be done. But as far as I can
4 understand there is no reason to do it
5 today.

6 There is no reason, as I
7 have heard people say that above-ground
8 storage is possible for several more
9 years while you proceed to a more
10 appropriate solution.

11 I see I'm supposed to sum
12 up. I just want to make the point that
13 until today in New Mexico, it was
14 legal to drink and drive in this
15 state. That's unconscionable to me.

16 But I think that shows you
17 where this state is. And this is the
18 state of drunk drivers. And the
19 jackknifing of one of these trucks is
20 almost -- it is inevitable.

21 It's simply going to happen
22 in this state. And the transportation
23 issue, if no other part of it, if
24 you're determined to proceed to dump
25 this stuff in the salt caverns, the

1-2
52-1
52-2

7.35.1-12

16-Jun-89: TS-00722, PAGE 6 OF 6 305

1 transportation issue has simply got to
2 be resolved before you proceed.

3 Thank you.

4 (Applause.)

5 HEARING OFFICER RICHARDSON:

6 Thank you.

7 This would be a good point
8 to reiterate that in addition to making
9 oral comments on the record, you can
10 supply written comments to the
11 Department of Energy until July 11th.

12 The written comments will
13 receive equal weight as the oral
14 comments we're receiving today.

15 The next scheduled
16 commentator is Robert Johnston.

17 (No response.)

18 HEARING OFFICER RICHARDSON:
19 followed by Whitney Nieman.

20 Please provide us with your
21 mailing address, and then you will have
22 five minutes for your comments.

23 MS. NIEMAN: Okay. I'm
24 Whitney Mitchell Nieman, and my mailing
25 address is P. O. Box 357, El Prado

16-Jun-89: TS-00723, PAGE 1 OF 8

7.3.5.1-12

16-Jun-89: TS-00723, PAGE 2 OF 8 06

1 87529, New Mexico.

2 HEARING OFFICER RICHARDSON:

3 Thank you. Please proceed.

4 MS. NIEMAN: I'd like to
5 talk about the part of WIPP that I feel
6 is a misconception. A faulty premise,
7 a devious crack and the purpose box of
8 an idea.

9 That part is the concept of
10 isolation. This is where our main
11 lesson is. I ask you, how is the
12 radioactive waste really isolated.

13 Isolated in perfectly
14 impervious containers, those containers
15 will be transported through 23 states.
16 So now the waste is not isolated to New
17 Mexico. It includes -- can contaminate
18 23 states.

19 Now, that's 23 states at
20 the start. And if any of you have
21 experienced Three Mile and a radio-
22 active accident doesn't stop at the
23 borders. So where does it stop?

24 How will the waste be
25 transported through those 23 states, on

16-Jun-89: TS-00723, PAGE 3 OF 8 307

1 isolated highways? I'm talking about
2 isolation. Isolated from other cars,
3 trucks, traffic, isolated from
4 unexpected hazards of weather?

5 Isolated from rain, snow,
6 sleet, ice? Isolated on a perfect
7 highway with no cracks, no salt
8 filters, no obstacles, such as chunks
9 of truck tire treads, of other
10 unforeseen, unforeseen debris?

11 Have you ever seen a
12 perfect highway? One that's kept
13 perfectly immaculate, untouched by
14 human traffic, kept in perfect
15 condition throughout a year of seasonal
16 cycles?

17 So are there no townspeople
18 along this perfect, impervious to
19 weather, free of motorists highway?
20 Towns, cities of people with hearts,
21 with children.

22 People with loved ones,
23 heritage, ideas, solutions, who could
24 vanish, disappear in the deathly
25 apparently invisible cloud of radio-

16-Jun-89: TS-00723, PAGE 4 OF 8 308

1 active spills.

2 Perhaps there wouldn't be
3 an issue if those towns were faceless,
4 and the people nameless, without
5 conscious, without relationship to the
6 rest of the 51 states.

7 You talk about the United
8 States. Now, there is the contradic-
9 tion, united.

10 Yes, we are through land,
11 air, water path, flesh, ideas. Can a
12 United States find a perfectly isolated
13 path?

14 Can we isolate those
15 carriages of death from the human
16 presence. Let's take the driver, for
17 instance, is he perfect? Perfectly
18 alert, always rested, perfectly adept,
19 in perfectly emotional mental condi-
20 tion, perfectly balanced?

21 Then there is the mechanic
22 for the truck, the fabricator for the
23 containers, the installer of the
24 materials in the containers. There
25 could be no false move, no electrical

16-Jun-89: TS-00723, PAGE 5 OF 8 309

1 outages, no flat tires, no -- we have
2 to have perfect brakes.

3 The containers must be
4 place perfectly, sealed perfectly with
5 perfect material. No flaws. Not one
6 false move.

7 No, we're not just talking
8 about a seemingly isolated condition in
9 New Mexico with this concept. This
10 concept -- rather misconception, has to be
11 followed through, explored right down
12 to the start of the journey, along its
13 entire path throughout downtown Santa
14 Fe, Albuquerque and those are just the
15 big cities that hit home to us New
16 Mexicans.

17 But they don't outweigh
18 even the little ones along the way, the
19 little towns.

20 So now let's imagine the
21 death carriages have arrived at the
22 WIPP site. Now is the land really
23 isolated from the skin of the earth,
24 the veins of the rivers of the Pecos
25 and the Rio Grande, air that is inside

7.35-1

16-Jun-89: TS-00723, PAGE 6 OF 8 10

1 and outside the caverns?

2 Are the proponents of WIPP
3 saying that air does not move molecules
4 of solids, liquids, gases do not
5 interact in the caverns? Do we have a
6 perfect stasis? Does the earth never
7 shift? Does the seemingly permanent
8 rock never crack or even a man-made
9 wall crack over 240,000 years?

10 Just look at the ruins of
11 Greece 3,000 years later, no change, no
12 change, no change, over 240,000 years,
13 is that what we're asking?

14 In New Mexico where it's
15 quite dry, things move very slow, yet
16 we know through time they change. If
17 moisture doesn't erode things, we know
18 dryness well.

19 We see rocks, again,
20 apparently solid, permanently split in
21 half for no visible cause. We know
22 something has been at work for a long
23 time, not 240,000 years.

24 Yet it is something we
25 cannot always witness, and witness.

16-Jun-89: TS-00723, PAGE 7 OF 8 311

Will there be non-stop 24-hour
tireless, round-the-clock observations,
not coffee breaks, no sleeping at the
proverbial wheel, all mechanical
systems working in perfect order,
continual perfect watchfulness?

Let us ask the geologist if
the earth can be still, not shift a
plate of this crust, not changeless,
ask the weather people if the atmo-
sphere can be still, not change. Let
us ask the scientist if radioactive
waves can be stopped for 240,000 years.

Let us ask humanity if it
can be still. Let us ask all the
humans involved in the transportation
of death if they can still their fears,
their emotions, their daydreams while
they perform this task requiring
perfect precision.

HEARING OFFICER RICHARDSON:
Ms. Nieman, your time has lapsed. I'll
have to ask you to summarize.

MS. NIEMAN: I'm just--
just one minute.

16-Jun-89: TS-00723, PAGE 8 OF 8 312

Yes, maybe we can have the
stillness, this quietness, the hush of
no humanity, if we could just eliminate
the life condition of change.

I guess that's it.

(Applause.)

HEARING OFFICER RICHARDSON:
Thank you.

I'm going to return to some
of the names I have called earlier to
see if they have arrived yet. Mahabba
Kauffman.

(No response.)

HEARING OFFICER RICHARDSON:
Holly Brady.

(No response.)

HEARING OFFICER RICHARDSON:
Pete Herber.

(No response.)

HEARING OFFICER RICHARDSON:
Ursula Drabik. 16-Jun-89: TS-00724, PAGE 1 OF 8

MS. DRABIK: You want me to
state my name and my mailing address I
bet.

HEARING OFFICER RICHARDSON:

1 That's correct.

2 MS. DRABIK: Okay. My name
3 is Ursula Drabik, and my mailing
4 address is P. O. Box 6005, Santa Fe
5 87502.

6 HEARING OFFICER RICHARDSON:
7 Thank you. Please proceed with your
8 comments.

9 MS. DRABIK: Well, I just
10 want to point out the obvious. I'm
11 really struck with how remarkable it is
12 that all these people are taking out
13 time from their work.

14 I know it's costing me to
15 be here. And also the fact that you're
16 here during this time. I think it's a
17 remarkable testimony to the fact that
18 this system, if any system can, does
19 work.

20 And I think that Glasnost
21 (phonetic) is testimony to that, and
22 these hearings are testimony to that,
23 and that all over globe we are
24 seriously admitting that there are some
25 ways that we can actually make this

1 unwieldy mass, floating around in space
2 actually work, and to get the other and
3 get organized, and to make sure that
4 there are some premisses that we really
5 do follow.

6 And the United States
7 Constitution seems to be something that
8 does hold up remarkably well, taken
9 pretty close to the letter all the way
10 down the line.

11 I think that those stuffy
12 old Puritans would probably be pretty
13 amazed if they saw that it actually
14 lasted this long.

15 So when I was thinking
16 about how to address my feelings about
17 -- my feelings about WIPP and about the
18 Supplemental Environmental Impact
19 Statement, I felt that it was important
20 to point out that because the system
21 works, what I feel really makes it work
22 and what my fifth grade teacher told me
23 made it work when we were studying the
24 Constitution, was checks and balances.

25 That within the system

16-Jun-89; TS-00724, PAGE 4 OF 8 315

1 there was always a way for human
2 frailty to be checked and balanced.
3 That there was always room made for the
4 possibility of vagary, of error, of
5 chance, of shift that somebody might
6 take a bit into teeth and run a little
7 bit too far, and then we have another
8 election.

9 Pretty soon, we'd have an
10 election frequently. We'd re-assess.
11 We'd have a judicial system as well as
12 other branches of Government. The
13 Government would be broken into
14 branches. So there are checks and
15 balances.

16 And that to me is the one
17 thing that I can isolate that really
18 makes this whole system work.

19 And I feel that that's what
20 we're about right now, is looking at
21 how we can balance what is proposed,
22 which is seeming more or more needs
23 some balance. And I think that's why
24 you're hearing us all today.

25 Just so that you have an

16-Jun-89; TS-00724, PAGE 5 OF 8 316

1 awareness of how far that balance needs
2 to go.

3 Okay. I think that one of
4 the major problems in the SEIS, if you
5 will, if can use those, is that there
6 is no room for any human error in this
7 document.

8 There seems to be no room
9 for any human error in the manufacture
10 of the -- what is it called, let's see,
11 TRUPACT-II. Reading it there is just
12 no room for anything to go wrong.

13 Now, we've seen that in the
14 -- that we had airline disasters
15 because of understandable human error.

16 So there's -- the manufac-
17 ture of those, the inspection of those,
18 it was like human error in inspection
19 that I think that really caused the
20 really tragic accident where a -- I
21 think one air steward was lost.

22 Also, the trucking
23 accidents. Those are 12-year-old
24 statistics in the SEIS about trucking
25 accidents.

16-Jun-89: TS-00724, PAGE 6 OF 8 317

1 We need more current
2 statistics about accidents. We have to
3 acknowledge that accidents happen. And
4 we have to build a system that works so
5 that accidents can happen.

6 We can't be perfect yet.
7 We're working hard on the machines, but
8 not yet. I don't know if we really ever
9 want to.

10 Also, there is the impact
11 of radiation exposure. I mean, who are
12 those -- who are we testing to find out
13 about radiation exposure?

14 I might be a lot more
15 sensitive than you gentlemen are to
16 radiation, or you might be more
17 sensitive than I.

18 There has to be some
19 allowance for this. I could read you
20 my little list of the places where I
21 see that there isn't room enough for
22 human error in the SEIS.

23 But I'm sure that you've
24 got millions of lists that you can
25 refer to.

7.3.6.1-3

7.13.3-1

16-Jun-89: TS-00724, PAGE 7 OF 8 318

1 But I'll just let you chew
2 over the idea that Three Mile Island,
3 Chernobol, the Exxon-Valdez, all of
4 these unfortunate accidents were all
5 the result of human error.

6 And the SEIS does not take
7 into account human error. I honestly
8 believe that there should be an
9 alternative to finding a dump for our
10 nuclear waste.

11 We should find a way,
12 rather than taking our nuclear waste
13 all over our beautiful nation, we
14 should find a way for each element that
15 produces the nuclear waste to contain
16 it, as much as possible, rather than
17 finding a national sacrifice area,
18 which if we're supposed to all be
19 created equal, according to the premise
20 of the system that works, there should
21 be no sacrifice area.

22 Every square inch of the
23 globe should be considered sacred in
24 that manner. So we have to find a way
25 to really be responsible for the way we

7.3.5-1
7.13.3-1

5.3-1

16-Jun-89: TS-00724, PAGE 8 OF 8 319

1 generate waste, individually, state-by-
2 state, that's my belief.

3 Generally speaking, because
4 we all have so much individuality, I'm
5 sure you're overwhelmed with it,
6 generally speaking, the EPA was created
7 in order to make that the health and
8 the safety of every American is
9 protected.

10 The EPA should be used as a
11 balance for the job of the DOE, which
12 is to get this site going.

13 It's a moot balance.

14 HEARING OFFICER RICHARDSON:
15 Your time has elapsed. I'll have to
16 ask you to summarize now.

17 MS. DRABIK: I know. So I
18 feel that the EPA -- the EPA standards
19 must be met before this can go through.
20 Otherwise we are contradicting the
21 basis premises that is our entire
22 system, which works, is based on.

23 Thank you.

24 (Applause.)

25 HEARING OFFICER RICHARDSON:

3.1-3

320

1 Thank you.

2 Continuing to call the
3 names of -- that I've called once
4 already this afternoon, Edith Hathaway.

5 (No response.)

6 HEARING OFFICER RICHARDSON:
7 Kathryn Cunningham.

8 (No response.)

9 HEARING OFFICER RICHARDSON:
10 Robert Johnston. 16-Jun-89: TS-00725, PAGE 1 OF 6

11 Good afternoon, Mr.
12 Johnston, if you could please state
13 your mailing address for the court
14 reporter, then you will have five
15 minutes for comments.

16 MR. JOHNSTON: Okay. My
17 mailing address is Post Office Box
18 8752, Santa Fe 87504.

19 HEARING OFFICER RICHARDSON:
20 Thank you.

21 MR. JOHNSTON: And my
22 comments have to do with -- to begin
23 with, since from newspaper reports all
24 store -- all waste storage sites in the
25 United States are currently leaking,

16-Jun-89: TS-00725, PAGE 2 OF 6 321

1 that if we are a wise people that we
2 would take extra precautions to make
3 sure that the next site will not leak.

4 And so my feeling is that
5 we should test the WIPP site without
6 nuclear waste prior to adding any
7 nuclear waste to that site.

8 The second point is that
9 the WIPP route, a route around major
10 metropolitan areas must be in place
11 before even any consideration to
12 shipping nuclear waste through a major
13 capitol city in the United States, I
14 think is just absolute craziness.

15 The WIPP route will pass
16 within a quarter of a mile of nine
17 schools that I know of.

18 One school on the corner of
19 Alameda and Carrios Road, it's 25 feet
20 to the back wall of that school.

21 To propose that we send
22 nuclear waste within 25 feet of a
23 school is just crazy, psychotic.

24 Along the route on St.
25 Francis, you take a drive there are

5.1.1-1

7.3.3-3

16-Jun-89: TS-00725, PAGE 3 OF 6 322

1 many residences, some of the residences
2 are within 12 to 15 feet of St. Francis
3 Drive.

4 To have nuclear waste
5 shipped that close to humans is, once
6 again, there is no safety margin that I
7 feel would allow that.

8 And also one of the most
9 popular parks in Santa Fe, which in any
10 given evening may have 500 to 1,000
11 people, once again, that park is within
12 15 feet of St. Francis Drive.

13 So before trucking routes
14 around the city are in place, the
15 shipment of waste through Santa Fe,
16 should not even be the beginning of a
17 thought.

18 I think a lot of -- in my
19 own thinking before coming here today,
20 I really feel that the last eight years
21 of the previous administration, the
22 philosophy was one that made compassion
23 and human values, I think, suspect of
24 weakness.

25 That's unfortunate. It's

7.3.3-3

16-Jun-89: TS-00725, PAGE 4 OF 6 323

1 unfortunate that many people would--
2 voted for the man twice. Your agency
3 is a part of all of us.

4 You are here to serve the
5 needs and safety, I think, of all human
6 beings in this country and on the
7 planet, not the nuclear industry.

8 So you are really a part of
9 all of us here and so hopefully we can
10 arrive at some safe measures so that
11 people's values, the value of life is
12 taken into consideration.

13 I think we've all felt or
14 had very heavy hearts watching what has
15 occurred in China, and hearing the
16 Government lie about it which even
17 added insult to the injury to the
18 incredible grief that we must all feel
19 for other human beings.

20 Well, I think when we
21 knowingly allow nuclear waste or any
22 kind of toxic waste into the environ-
23 ment, we're murdering also.

24 We're killing also. It's
25 slower. It's more painful. It's hard

16-Jun-89: TS-00725, PAGE 5 OF 6 324

1 to prove. But it's nonetheless murder.
2 And so everything that we can do to
3 make sure that that doesn't occur, I
4 think we must do.

5 In closing, I just in the
6 last day or so I just happened to come
7 across this quote which was from Chief
8 Seattle and it was a part of a prophecy
9 and part of a speech that he spoke in
10 front of Congress in 1854.

11 And he said, he was talking
12 about, I think, the white man, "He
13 treats his mother, the earth, and his
14 brother, the sky, as things to be
15 bought, plundered, sold like sheep or
16 bright beads. His appetite will devour
17 the earth and leave behind only a
18 desert. You must teach your children
19 that the ground beneath their feet is
20 the ashes of our grandfathers so that
21 they will respect the land. Tell your
22 children that the earth is rich with
23 the lives of our kin. Teach your
24 children that the earth is our mother,
25 whatever befalls the earth, befalls the

16-Jun-89: TS-00725, PAGE 6 OF 8 325

1 son's of the earth. If men spit upon
2 the ground, they spit upon themselves.
3 This we know, the earth does not belong
4 to man. Man belongs to earth. To the
5 earth all things are connected like
6 blood which united one family. All
7 things are connected. Whatever befalls
8 the earth befalls the sons' of the
9 earth. Man did not weave the web of
10 life, he is merely a strand of it.
11 Whatever he does to the web, he does to
12 himself, to ourselves."

(Applause.)

HEARING OFFICER RICHARDSON:

Is Jane Kaluta here?

MS. KALUTA: Jane Kaluta,
Box 334, Dickson 87527.

Okay. I guess each of us
is trying to say something that
reflects what we learned that brought
us to the decision that we are taking
and feeling that we have to come before
you, maybe take less pay today, maybe
not get some work done or go on
vacation today.

16-Jun-89: TS-00726, PAGE 1 OF 8

16-Jun-89: TS-00726, PAGE 2 OF 8 326

1 And so I basically -- what
2 I have to say is why I'm coming to this
3 hearing, what I have to say, it's not
4 on -- it's not the information that you
5 might have. It's the information that
6 I received.

7 And in receiving it I want
8 -- I've come to the decision that I
9 think it would be preferable to take no
10 action.

11 I don't want you to come to
12 my position because I have volume on my
13 side. I want you to agree to no action
14 because something in the argument makes
15 sense to you.

16 It makes the sense of
17 justice and compassion. What polite
18 words can slow the WIPP frenzy.

19 A Catholic nun, Sister
20 Betty Walcott, on a recent pilgrimage
21 at the Santo Mauricio de Chemio
22 (phonetic), asked rhetorically, how can
23 be baptize with toxic water?

24 It was a shake of a
25 question to me for it poses the

1-2

9-1

16-Jun-89: TS-00726, PAGE 3 OF 8 327

1 religion with the gross reality in a
2 way that we don't often allow the two
3 to mix on our life's stage.

4 To me it was like an X-
5 rated image. Most of us don't live and
6 pray or live our prayers in the same
7 moment.

8 Up until just a couple of
9 days ago in Rio Arriba County we had
10 these high dry winds and they would
11 blow the clouds in and swirl them over
12 our heads and then blow them out again,
13 and you'd always have this little voice
14 saying, well, I wonder is this natural,
15 is this a natural unusual season or is
16 this the greenhouse effect?

17 Could last year's have been
18 the last garden? Am I really here on
19 some painting, you know. The last of
20 the rains. And a neighbor of mine said
21 that God was punishing us. I've heard
22 that a lot for the past 20 years in Rio
23 Arriba.

24 And I said, no, don't take
25 it so personally. But she said, we

9-1

16-Jun-89: TS-00726, PAGE 4 OF 8 328

1 need him, he doesn't need us. And I
2 asked her, well, doesn't he need us for
3 his dream? And we parted with each
4 having avry smile.

5 But then I wondered who saw
6 more clearly this God. The reality,
7 this breath. Have we snuffed it
8 already? Is this, indeed, the
9 punishment?

10 Did this dream child of his
11 get beyond even his kin? Did we engage
12 a game of master slave of the planet
13 and did we win and did we lose all in
14 the same God breath moment?

15 Won stuff and lost the
16 breath. What does it mean and did it
17 mean to have dominion over the planet?
18 Did we not read far enough to under-
19 stand this stewardship that went with
20 the dominion or is that genesis story
21 such a good tale of an origin?

22 Perhaps we've been overcome
23 with youness, with arrogance.

24 Empire man, industrial man
25 girded himself in and with metal. He

9-1

16-Jun-89: TS-00726, PAGE 5 OF 8 329

1 trades hard and heavy through spears of
2 land, air and water, leaving a legacy
3 of slow death.

4 Where does civilized man
5 fit with industrial empire man, and
6 where is indigenous man? Indigenous
7 man whose great spirit dealt so
8 equitably with breathing in life,
9 indigenous man perhaps Chief Seattle,
10 who was just quoted.

11 Are we lost of a manifest
12 destiny, lost in a search conquest of
13 the seven cities of Civila, in the
14 conquest to satisfy our addiction to
15 golden energy?

16 Have we just accidentally
17 destroyed the undergrowth, the over
18 story, the underdog, the barely
19 visible, barely seen gossamer web of
20 life?

21 What for the inevitable,
22 the mysteries? We are four plus
23 centuries now on this continent, no
24 longer forgiven our youth.

25 Is it just slow toxic death

9-1

16-Jun-89: TS-00726, PAGE 6 OF 8 330

1 of radiation with occasional screams in
2 far off lands, the forbidden city. We
3 are flabbergasted that they were slain
4 while petitioning for those weighty
5 abstractions, democracy and freedom.

6 And they were bagging and
7 petitioning, but the Chinese Government
8 couldn't figure the next move. And in
9 a frenzy they could stand those million
10 flies no longer.

11 Well, we're still polite.
12 We're all being polite. And I guess
13 I'm asking that we not be frenzied in
14 making an action that we would later
15 regret.

16 There is no consensus on
17 this. Radioactive waste doesn't go
18 rat-a-tat-tat on just students. Inside
19 the great body it works its cancer in a
20 different time.

21 HEARING OFFICER RICHARDSON:
22 Ms. Kaluta, your time has lapsed. If
23 you will begin your summarization now,
24 please.

25 MS. KALUTA: Okay. If the

9-1

510

16-Jun-89: TS-00726, PAGE 7 OF 8 331

1 greenhouse effect meets with the boiler
2 room effect, we're going to have a hard
3 pressed planet.

4 And there won't be time to
5 tell jokes, catch fish, have children,
6 decide to have children.

7 No action, please.

8 (Applause.)

9 MR. GEORGE: Are you going
10 to repeat the invitation that where
11 people didn't quite finish reading
12 their statement --

13 HEARING OFFICER RICHARDSON:

14 Yes, I will. The -- your welcome to
15 submit your written comments as an
16 exhibit, and we will enter them into
17 the record as part of this proceeding,
18 and they will carry the same weight as
19 the oral comments that are being
20 transcribed by our court reporter.

21 MS. KALUTA: Well, I
22 actually sent it in someplace, should I
23 also submit it?

24 HEARING OFFICER RICHARDSON:

25 If you sent it in to the address of the

9-1

16-Jun-89: TS-00726, PAGE 8 OF 8 332

1 Department of Energy that's available
2 at the registration tables in the
3 lobby, then it's not necessary. I'm
4 not sure what address you sent it in
5 to.

6 But just to be safe, why
7 don't you bring it up and we'll
8 introduce it as an exhibit.

9 The prepared remarks of Ms.
10 Jane Kaluta will be entered into the
11 record of this proceeding as Exhibit
12 No. 526.

13 (The document above-
14 referred to was
15 marked for iden-
16 tification as Exhibit
17 No. 526 and received
18 in evidence.)

19 HEARING OFFICER RICHARDSON:
20 Jonathan Pierpont.

21 MS. PIERPONT: My name is
22 Leslie Pierpont. My address is General
23 Delivery, Laney, New Mexico 87540.

24 I want to speak on behalf
25 of the children that are yet to come.

16-Jun-89: TS-00727, PAGE 1 OF 6

31-8

16-Jun-89: TS-00727, PAGE 2 OF 6 333

1 I had not yet been conceived when the
2 atomic bombs were dropped on the
3 Japanese people.

4 I was a child of five
5 sitting under the ironing board while
6 my mother ironed listening to the
7 McCarthy hearings on the radio.

8 I was astonished at the
9 vehement animosity I heard directed
10 toward people who were saying and doing
11 what they felt was good and right and
12 just.

13 I was a girl of ten sitting
14 on the floor of school hallway, my back
15 against the wall, my coat over my head,
16 hoping against my own better judgment
17 that those grownups around me knew what
18 they were talking about, that they were
19 right, that my wool coat and the walls
20 of my school would protect me from harm
21 when the atomic bombs were dropped on
22 us.

23 I was a young woman of 16,
24 full of anger and despair at the mess
25 of the world quethed to me by those who

3.1-8

16-Jun-89: TS-00727, PAGE 3 OF 6 334

1 came before.

2 I was determined never to
3 marry, never to bear children. I live
4 in Laney. The trains go by our home
5 six or seven times a day. Cars and
6 trucks speed past our community on the
7 designated WIPP route, Highway 285.

8 This morning I was
9 listening to the news on the radio with
10 my daughter. We were listening to a
11 story about radioactive contamination
12 of the community around the Fernald
13 plant in Ohio.

14 And my daughter, who is
15 seven years old, said to me, when are
16 they going to bring it here on the
17 trains, mom? I told her what I
18 believed. I told her that if we do our
19 jobs, they will never bring it here.

20 Now, in spite of my
21 resolutions at the age of 16, I am a
22 mother to four children. Four times I
23 have been filled with awe by the love,
24 strength, trust and promise streaming
25 into this world for my children's

3.1-8

16-Jun-89: TS-00727, PAGE 4 OF 6.35
 newborn's eyes.

I believe to my soul that every person born is a gift to the earth with the power and responsibility to nurture and increase the beauty of this planet, a home.

The earth is also a gift to every one of us. It is given to us. It is a treasure and we are here to protect it.

It is our responsibility as the adults of these present times to do everything in our power, everything in our power to rectify our mistakes, to open our eyes to the way things are, not how we would like them to be, how they are, to clean up our own messes and the messes that have been left to us by those who came before us.

It is our responsibility to give our children and our grandchildren a legacy of real love and real respect, air that they will be breathing, the water that they will be drinking, the earth that they will be walking upon.

3.1-8

16-Jun-89: TS-00727, PAGE 5 OF 6.336

It is not enough to settle for something that might work maybe, if everything goes the way we think it will, because as every parent knows, almost nothing goes the way we think it will.

It is not enough to stick our plutonium garbage in a \$7 million dollar hole in the ground, cross our fingers and hope that we're dead by the time the poison migrates in the ground water leaving it to someone else, our children, our grandchildren, their children, to clean up our own mess.

It is not enough to settle for TRUPACT transport that hasn't even been tested for crush resistance when crushing is a likely outcome of a trucking accident.

It is not enough to put plutonium trash in salt caves for tests, watch the salt close around it, move it through the earth and say, we'll figure out later how to retrieve it and what to do with it if we have

3.1-8

7.3.1.1-9
7.3.4-2

3.1-3

513

1 to. 16-Jun-89: TS-00727, PAGE 6 OF 6 337
 2 This is not enough, it is
 3 not enough. Our children, who are our
 4 only future, and our earth, who is our
 5 only home, our mother, these things
 6 deserve the best that we can possibly
 7 do. The best.
 8 This present plan for WIPP
 9 is not our best. It is incomplete. It
 10 is about expediency. It is about
 11 protecting jobs, not lives. It is
 12 about covering up mistakes, not
 13 correcting them.
 14 It is not a solution. The
 15 DOE's preferred alternative merely
 16 passes on what is our responsibility to
 17 future generations. We have to do
 18 better than this.
 19 That's all I have to say.
 20 That's all I have to say right now.
 21 (Applause.)
 22 HEARING OFFICER RICHARDSON:
 23 If you'd like to supply written
 24 comments at a later time you have until
 25 July 11th to do so.

3.1-3

1-3
3.2-1

1 Is Krishna Khalsa here? 338
 2 (No response.)
 3 HEARING OFFICER RICHARDSON:
 4 I understand a Susan Harris may be
 5 here.
 6 (No response.)
 7 HEARING OFFICER RICHARDSON:
 8 Before we take our break, I will go
 9 back again and call the names that we
 10 have called twice in case they've come
 11 into the room since their names were
 12 called. Mahabbs Kauffman.
 13 (No response.)
 14 HEARING OFFICER RICHARDSON:
 15 Holly Brady.
 16 (No response.)
 17 HEARING OFFICER RICHARDSON:
 18 Pete Herber.
 19 (No response.)
 20 HEARING OFFICER RICHARDSON:
 21 Edith Hathaway.
 22 (No response.)
 23 HEARING OFFICER RICHARDSON:
 24 Kathryn Cunningham.
 25 Ms. Cunningham, if you will

16-Jun-89: TS-00728, PAGE 1 OF 7 339

1 please state your mailing address for
2 the court reporter, you'll have five
3 minutes for your comments.

4 MS. CUNNINGHAM: My name is
5 Kathryn Cunningham. And my mailing
6 address is 1225 Lujan, L-u-j-a-n, Santa
7 Fe, New Mexico 87501.

8 HEARING OFFICER RICHARDSON:
9 Thank you. Please proceed with your
10 comments.

11 MS. CUNNINGHAM: Okay. I
12 come here as a citizen of this city,
13 Santa Fe, and this state, New Mexico,
14 and this country, which I love, the
15 United States of America, and this
16 whole earth, and even larger than that,
17 the whole life, the whole universe.

18 And I also come here as
19 someone who has been trained in
20 science, and someone who is now
21 concerned with healing.

22 I am very concerned about
23 the SEIS Report and about the proposed
24 action dealing underground here in New
25 Mexico or anywhere.

16-Jun-89: TS-00728, PAGE 2 OF 7 340

1 And in five minutes I can't
2 talk about all of it, but I'd like to
3 hit some of the points which I feel are
4 most important.

5 One thing that seems really
6 obvious to me, with my training and
7 just the way I was taught to live my
8 life as a child and which works for me
9 now, is that when I'm not sure of
10 results and the results may be
11 dangerous of an action I'm going to
12 take, I'll test out the results in a
13 way that I'm not creating a big danger
14 if the way I think it's going to work
15 isn't the way it works.

16 So when I'm doing something
17 called testing, I do it in a way that
18 it is testing and the action -- the
19 results of my action are going to be
20 limited rather -- it seems to me that
21 WIPP, that the SEIS isn't proposing to
22 do that with WIPP, that what's being
23 called testing is being done in a
24 really dangerous way.

25 To take barrels of actual

16-Jun-89; TS-00728, PAGE 3 OF 7 341

1 waste, the contents of which are
 2 unknown in large part and take them
 3 underground and practice with them, and
 4 see what happens when the water comes
 5 in and see what happens over time, if
 6 the salt gets moved, and see if we can
 7 figure out ways to not have the things
 8 that would be harmful happen while
 9 we've got this potential extremely
 10 lethal material down there in the
 11 ground.

12 It seems to me, I don't
 13 know, it's just hard for me fathom.
 14 It seems like a really odd way of
 15 proceeding to me.

16 And I would suggest that
 17 there are some much more appropriate
 18 ways to proceed with testing, like
 19 working with empty drums or drums with
 20 the same kind of weight, the same kind
 21 of warmth, whatever is needed to get
 22 some test results without endangering a
 23 lot of lives, and, indeed, the whole
 24 ecology in this area.

25 Similarly scientists have

5.1.1-1

16-Jun-89; TS-00728, PAGE 4 OF 7 342

1 suggested doing the gas generation
 2 tests in the laboratory. That seems
 3 like a wise idea to me.

4 Another big concern I have
 5 is a whole premise that throughout the
 6 SEIS of going ahead with action not
 7 knowing how we're going to take care of
 8 problems we haven't answered yet.

9 It's a similar thing. It's
 10 a little bit different. It seems to me
 11 it's the grounding of the whole problem
 12 we're faced with right now of having
 13 all this waste and we don't know what
 14 to do with it. And we need to do
 15 something with it fast because it's
 16 dangerous.

17 And part of the reason we
 18 have that waste is that proceeded, you
 19 know, well, before I was born, you
 20 know, actually, when my parents were
 21 young, people proceeded with working
 22 with ideas they had which had wonderful
 23 aspects to them, but you also had
 24 really unknown and dangerous aspects to
 25 them.

16-Jun-89: TS-00728, PAGE 5 OF 7 343

1 And the people said, well,
2 we'll go ahead because our idea is
3 great and we want the results and we'll
4 figure out the other stuff later as we
5 go.

6 Well, here we have the
7 other stuff, and that's this waste
8 among other things. And I'd like to
9 see us treat this waste differently.

10 I'd like to see us know
11 what we're going to do when we get to
12 the pieces that are unknown before
13 we're up against the wall like we are
14 now.

15 And I would suggest that
16 there are a lot of other alternatives
17 to going ahead with the WIPP the way
18 it's proposed in the SEIS now, which
19 are safer and which are saner.

20 Part of what the SEIS is
21 supposed to do is address all reason-
22 able alternatives. I don't feel that's
23 been done. And I also understand how
24 the conclusions that were drawn from
25 the data that's given in the SEIS, how

53-1

16-Jun-89: TS-00728, PAGE 6 OF 7 344

1 those conclusions end up that WIPP is
2 really the best alternative.

3 It seems like a fairly
4 dangerous one with deaths resulting.
5 And it seems like there are a lot of
6 unknowns, which really need to be
7 addressed before we, God, get down way
8 under the ground with all this salt and
9 some water coming in and there is water
10 underneath and there is water on top,
11 and people are practicing.

12 And we have these gallons,
13 these gallons of toxic waste just ready
14 to give us problems.

15 So I guess that's most of
16 what I want to say is that before we go
17 ahead with dangerous and unknown
18 action, let's go ahead with some -- a
19 lot less dangerous action, a lot more
20 safer action like keeping the waste
21 somewhere, like in a monitored storage
22 above-ground and working on other
23 alternatives which actually could give
24 us permanent relief from this waste
25 instead of just putting it off for a

53-1
53-2
53-136-2
53-1

16-Jun-89: TS-00728, PAGE 7 OF 7 345

1 few generations.

2 And along with that, and a
3 little piece of that is meeting newly
4 EPA standards. That's just like the
5 bottom line. There is a lot more, a
6 log bigger ways we could do it because
7 even the EPA standards may not protect
8 us as well as I want to be protected,
9 and as I want my children, and the
10 children after us to be protected.

11 Thank you.

12 (Applause.)

13 HEARING OFFICER RICHARDSON:

14 Thank you.

15 I'll note for the record
16 the prepared remarks of Leslie Pierpont
17 have been entered into the record as
18 Exhibit No. 527 of these proceedings.

19 (The document above-
20 referred to was
21 marked for iden-
22 tification as Exhibit
23 No. 527 and received
24 in evidence.)

25 HEARING OFFICER RICHARDSON:

31-2
31-3

346

1 We're now at a point where we're a
2 little bit behind. We'll take our
3 scheduled break now for five minutes
4 and reconvene at -- according to my
5 watch, 15 minutes until 3:00.

6 (Short recess.)

7 HEARING OFFICER RICHARDSON:

8 We're back on the record. Let the
9 record reflect it is now 2:51 p.m.
10 This is Hearing Room No. 2 of the
11 Sweeny Convention Center, a continua-
12 tion of DOE Hearing EIS-0026-DS.

13 Our next scheduled
14 commentator is Jane Padberg.

15 MS. PADBERG: Hi. How are
16 you?

16-Jun-89: TS-00729
PAGE 1 OF 5

17 MR. GEORGE: Fine.

18 HEARING OFFICER RICHARDSON:

19 Ms. Padberg, would you please provide
20 your mailing address for the court
21 reporter, and you'll have five minutes
22 for your comments.

23 MS. PADBERG: Sure. I live
24 at Box 234, Dixon, New Mexico.

25 Yesterday I came to the

16-Jun-89: TS-00729
PAGE 2 OF 3

347

1 hearings with my two sons, Jessie, 13,
2 and Chris, 11, and they asked me to
3 come back and please make a public
4 statement in their behalf.

5 One of the great advantages
6 of parenthood is being able to take a
7 fresh look at life and to see things
8 from a new fresh prospective.
9 Absolutely everything, as a matter of
10 fact.

11 I believe in the goodness
12 of mankind, and in the potential for
13 absolute peace on earth in my lifetime.

14 And I've taught my children
15 this. I've also tried to teach and
16 demonstrate the concept of personal
17 responsibility.

18 Speaking from this point of
19 view, they have these questions and
20 these solutions: On the huge issue of
21 nuclear weapons and research Jessie and
22 Chris would ask you why should we do
23 such a thing?

24 If every step from mining
25 the uranium to the weapon's production

16-Jun-89: TS-00729
PAGE 3 OF 3

348

1 to the solving of the waste problem is
2 hazardous to all life on this planet,
3 why should we do such a thing?

4 I suggested to them that
5 when it all started, we just didn't
6 realize the threat to life. They said,
7 okay, but you do now, so why continue.

8 I said, well, there is a
9 lot of jobs tied up in this industry.
10 And they suggest that we try harder
11 converting those jobs to research of
12 safe and clean power.

13 They see the statistics on
14 how much too many nuclear warheads we
15 own. And they see the incredible
16 nuclear waste produced in keeping them
17 all functional.

18 Their answer is to pare it
19 all down, to prepare instead for peace.
20 Jessie and Chris feel that in trying to
21 keep these weapons all ready to go we
22 are actually causing a greater threat
23 to ourselves than by the production of
24 all of this dangerous waste.

25 Specifically, relating to

31-8

16-Jun-89: TS-00729
PAGE 4 OF 5

349

1 WIPP Jessie and Chris see reasonable
2 doubt in the suitability of the WIPP
3 site.

4 To this issue they ask you
5 to please be personally responsible for
6 your decisions. Be sure what you're
7 doing is right before you do anything.

8 They were impressed by the
9 volumes of reports you had done. They
10 asked that you not be hasty now and
11 blow it here at the end.

12 They are extremely,
13 extremely concerned about the transpor-
14 tation issue of WIPP. They observe
15 that everybody makes mistakes and
16 sometimes people have accidents.

17 They believe that involving
18 the public in this degree of danger by
19 transporting nuclear waste on our
20 public highways is unsatisfactory. One
21 spill, one death is too much.

22 So I asked them for a
23 solution. How do we solve this
24 problem?

25 Of the options considered

3.1-8

7.35.1-12

1-2
5.2-1
5.2-2

16-Jun-89: TS-00729
PAGE 5 OF 5

350

1 by DOE they chose the onsite facilities
2 above-ground continuously monitored.
3 The no-action alternative.

4 Jessie and Chris suggest
5 research be stepped up immediately to
6 learn how to neutralize the waste,
7 keeping in mind the long-term goal of
8 clean and safe renewable energy.

9 In closing, I join Jessie
10 and Chris in asking you to be personal-
11 ly responsible for your actions, to
12 work for peace, to value life and
13 health and to have the courage to set a
14 good example for the world to follow.

15 Thank you.

16 (Applause.)

17 HEARING OFFICER RICHARDSON:

18 Thank you.

19 At this point I'd like to
20 note for the record that the Department
21 of Energy Hearings Panel comprised of
22 Denny Krenz and Margaret Schuman are to
23 my right.

24 In addition, I would like
25 to note that if you would like to make

1-2
5.3-1

351

1 additional written comments to the
2 Department of Energy, you may do so
3 until July 11th.

4 The address for making such
5 comments is provided at the registra-
6 tion tables in the lobby.

7 Our next scheduled
8 commentator is Krishna Khalsa.

9 (No response.)

10 HEARING OFFICER RICHARDSON:
11 Susan Harris.

12 (No response.)

13 HEARING OFFICER RICHARDSON:
14 Georgelle.

15 If you would please provide
16 your mailing address for the court
17 reporter, you will have five minutes
18 for your comments. At four minutes,
19 the yellow light will come on indicat-
20 ing you have one minute left. At five
21 minutes, the red light will come on at
22 which time I would ask you to please
23 cease your remarks.

24 GEORGELLE: My name is
25 Georgelle. My address is 204 Laughlin,
16-Jun-89: TS-00730, PAGE 1 OF 6

16-Jun-89: TS-00730, PAGE 2 OF 6 352

1 L-a-u-g-h-l-i-n, Santa Fe 87501.

2 Last night I read a
3 statement for someone who doesn't talk.
4 The rubber lady.

5 While listening to other
6 speakers, I heard a representative of
7 Carlsbad's Chamber of Commerce say that
8 the community of Santa Fe shouldn't
9 stick its nose in the business of a
10 community 268 miles away, quote, "We
11 don't tell them what to do in Santa Fe,
12 why should they tell us?"

13 This was appalling.
14 Doesn't the Carlsbad Chamber of
15 Commerce know that nuclear waste
16 radiates, permeates earth and water and
17 the entire exosphere? I do.

18 And the community of Santa
19 Fe is alarmed because we too will be
20 heir to Carlsbad's decision to embrace
21 WIPP's nuclear waste.

22 I object to the consenting
23 community of Carlsbad, and their
24 callousness in accepting economic
25 development gained by such a potent and

7.2-27

16-Jun-89: TS-00730, PAGE 3 OF 6 353

1 potentially annihilating endeavor.

2 Have you noticed how much
3 dough is talked about by those who are
4 in cahoots with the DOE? I have.

5 I object to the Government
6 using public land, abusing public land,
7 without the public vote to do so as is
8 mandated by the Federal Land Management
9 Act of 1976.

10 I object to radiating waste
11 containers. I object to a Government
12 that tells us there is, quote, "No
13 immediate hazard," closed quote, to a
14 person standing or parked within ten
15 feet of a nuclear waste container for
16 half an hour, although in that half an
17 hour, they are receiving 2 to 3 percent
18 more radiation than they would normally
19 receive in a year.

20 I object to a Government
21 that cares so little for the people
22 they are paid to guide. The root of
23 the word Government is gubernare, to
24 direct, steer, Government today is far
25 from its roots as the American Heritage

7.2-27

8.1-1

7.352-4
7.354-3

32-1

16-Jun-89: TS-00730, PAGE 4 OF 6 354

1 Dictionary demonstrates.

2 It states that the No. 1
3 definition of govern is to control the
4 actions or behavior. I object to a
5 Government that seeks to control my
6 fate.

7 I was not born an American
8 to be trapped in a dictatorship.
9 America is still one of the few
10 countries in this world where freedom
11 of speech and the right to life,
12 liberty and the pursuit of happiness
13 prevails.

14 But this is a country that
15 has spent the last 20 years ruining
16 itself, thanks to our Government's
17 policy to control America's fate,
18 instead of to direct it along the
19 course set by consensus, by true
20 exchange and exploration of facts and
21 feelings.

22 Don't you care that so many
23 of us do care enough, are alarmed
24 enough to take the trouble to protest
25 and organize and to go home and write

32-1

16-Jun-89: TS-00730, PAGE 5 OF 6 355

1 our little speeches into the wee hours
2 of the morning?

3 Who are you? I really
4 wonder about this, thinking of the
5 humans who govern us, and in par-
6 ticular, DOE boys and girls. What
7 makes you tick?

8 Do you have hearts? Do you
9 think of your children's future on
10 Planet Earth and their children's? Are
11 you really astonished by and hardened
12 to the virtue of mothers and fathers
13 who don't want their children turned
14 into cancer ridden adults?

15 All good work comes out of
16 struggle, doubt and a burning need to
17 communicate something, a burning
18 conviction to prove something. That's
19 a quote. I don't know who wrote it,
20 but I have experienced its truth.

21 I see that the issue of
22 WIPP has accomplished good work from us
23 descenters, and these hearings have
24 been our reward.

25 But I believe so little in

32-1

16-Jun-89: TS-00730, PAGE 6 OF 6 356

1 your integrity, you who are here on
2 behalf of DOE, and you who govern
3 America, that I expect this forum will
4 be our only reward.

5 You'll put WIPP through
6 come hell or creeping salt walls.
7 Still, believing in the power of
8 communication as I do, I risk hope, and
9 I ask you, please, don't risk radia-
10 tion.

11 Check it out thoroughly, as
12 if your own child were going to stand
13 ten feet away from a transuranic waste
14 container.

15 Use your best sense of
16 honor, as if you were sending your own
17 children to Carlsbad to raise a family.
18 Each of you at the Department of
19 Energy, use your conscience, screw your
20 duty to the Government, remember your
21 civic duty, and steer our American ship
22 to safety.

23 Don't WIPP our kids,
24 please. Thank you.

25 (Applause.)

32-1

3.1-8

1-2

357

HEARING OFFICER RICHARDSON:

The prepared remarks of Georgelle will be entered into the record as Exhibit No. 528 of these proceedings.

(The document above-referred to was marked for identification as Exhibit No. 528 and received in evidence.)

HEARING OFFICER RICHARDSON:

Our next scheduled speaker is Sandra Spies.

(No response.)

HEARING OFFICER RICHARDSON:

Jim Adams.

(No response.)

HEARING OFFICER RICHARDSON:

Mr. Adams is followed by Stephanie Goldstein.

(No response.)

HEARING OFFICER RICHARDSON:

I realize we're getting a little ahead of our schedule so I'll go back and call the names again. Marsha Brendon.

358

(No response.)

HEARING OFFICER RICHARDSON:

I'll inquire of the audience if there is anyone present who is registered to comment, if you'll list your name, I can call you now.

Yes. Dumas, I do not see your name of my list. Are you registered for Room 2?

MR. DUMAS: Yes.

HEARING OFFICER RICHARDSON:

They haven't run your name up to me yet, so when they do, I will be sure to call you.

MR. REHER: I just registered and I don't know if my name has been called. Candace Reher.

HEARING OFFICER RICHARDSON:

What was your time frame?

MS. REHER: 3:50.

HEARING OFFICER RICHARDSON:

We're you assigned to Room 2?

MS. REHER: Pardon me?

HEARING OFFICER RICHARDSON:

Were you assigned to Hearing Room No.

524

1 27 359
2 MS. REHER: Yes.
3 HEARING OFFICER RICHARDSON:
4 I don't have your name.
5 I haven't gotten your name
6 yet, so we'll wait until they bring
7 them up from the registration tables
8 then.
9 We'll just be in a short
10 recess.
11 MR. LIPPS: I'm not sure if
12 I can wait.
13 HEARING OFFICER RICHARDSON:
14 You can supply written comments to the
15 Department of Energy until July 11th.
16 MS. PIERPONT: He should
17 have the right to speak like anyone
18 else.
19 HEARING OFFICER RICHARDSON:
20 He does have the right to speak.
21 MS. PIERPONT: I registered
22 three weeks ago, and have not yet
23 received a card in the mail from you
24 people. This is ridiculous. He has
25 walked in. He has something to say.

1 Let him say it. 360
2 HEARING OFFICER RICHARDSON:
3 We will do it by procedure.
4 We'll be in a short recess
5 for ten minutes.
6 (Short recess.)
7 HEARING OFFICER RICHARDSON:
8 We're back after a short break and
9 we'll be back on the record.
10 The next scheduled
11 commentator I have on my list is
12 Krishna Khalsa.
13 (No response.)
14 HEARING OFFICER RICHARDSON:
15 Susan Harris.
16 (No response.)
17 HEARING OFFICER RICHARDSON:
18 Sandra Spies. 16-Jun-89: TS-00731, PAGE 1 OF 7
19 MS. SPIES: Thank you.
20 HEARING OFFICER RICHARDSON:
21 Mr. Spies --
22 MS. SPIES: Spies.
23 HEARING OFFICER RICHARDSON:
24 Excuse me, Ms. Spies, would you please
25 state your mailing address for the

16-Jun-89: TS-00731, PAGE 2 OF 7 361

1 court reporter, and they you will have
2 five minutes for comments.

3 After four minutes have
4 elapsed, the yellow light will flash on
5 the podium indicating you have one
6 minute left. After five minutes have
7 passed, the red light will flash
8 indicating your time has lapsed.

9 MS. SPIES: 547 Franklin
10 Avenue, Santa Fe.

11 HEARING OFFICER RICHARDSON:
12 Thank you. Please proceed with your
13 comments.

14 MS. SPIES: Okay. I'm
15 against WIPP. And what bothers me that
16 -- I'm against nuclear power, too,
17 because, you know, there is a saying,
18 you know, you shouldn't defecate where
19 you eat, you know.

20 And this is our planet and
21 we cannot clean up nuclear waste
22 spills. The price is too high. It
23 shouldn't exist, because DOE, what
24 you've done as long as you've been in
25 business, is shuttle this around and

1-2

32-1

16-Jun-89: TS-00731, PAGE 3 OF 7 362

1 hide and make, you know, make mistakes
2 and conceal from the public the damage
3 that's being done.

4 And why are you doing that,
5 you know, we're all Americans? We all
6 live in this country. Why are you on
7 that side of the table? Why am I on
8 this side of the table?

9 You've got grandchildren,
10 you've got children. I've got
11 children. Their going to have
12 children. It's the human race -- we
13 shouldn't leave this kind of garbage
14 around for other people to deal with
15 because it's convenient for us to have
16 nuclear power, on whatever levels.

17 This is immoral. This is
18 genocide, because, you know, all Mother
19 Earth has to do is shrug her shoulder
20 and those caverns are in the ocean.

21 You know, that pollution is
22 polluting, not just Carlsbad, but it
23 can -- you know, that whole area is
24 nothing but caverns anyway.

25 There is caves all over the

32-1

16-Jun-89: TS-00731, PAGE 4 OF 7 363

1 place. Do you actually know where the
2 next cave is? Do you know how much
3 pressure it's going to take to cave it
4 all in until we're dumping radiation
5 into the ocean?

6 Do you know the conse-
7 quences of dumping radiation? It's
8 just too risky. It's too risky for us.
9 It's too risky for future generations.
10 And I think that, you know, in order
11 for you to get even one piece of
12 radiation into Carlsbad, you're going
13 to have to send those trucks over
14 bodies of people that protest, because
15 it's come down to that, you know.

16 It's genocide. A lot of us
17 look at it as genocide. And we feel
18 that we would risk our lives to stop
19 it.

20 And we're taking a stand
21 here and you'll see us stand all over
22 the country coming up. But we are
23 going to stand very pat here because we
24 know that we have got to protect the
25 human race.

16-Jun-89: TS-00731, PAGE 5 OF 7 364

1 And we don't see you doing
2 that, you know. There is all this
3 ohloanery. The canoer of our Govern-
4 ment is the DOE.

5 You are the Department most
6 disgraceful. You are the Department
7 most disgraceful because you've hidden
8 -- I mean, you've -- you're our secret
9 police. You're out Nazi's.

10 You know, you're the ones
11 we're afraid one because of all these
12 funny little things. And the thing is
13 that garbage just is not going to go
14 away.

15 And I think that if nuclear
16 -- if the scientista had ever dis-
17 covered a way to deactivate nuclear
18 waste, you know, and therefore, make it
19 something that could be recycled or
20 handled, we could look at it much
21 different.

22 But they haven't done that.
23 They haven't spent the money on it.
24 Maybe it's impossible. Maybe you have
25 done it. But it hasn't resulted in

1 16-Jun-89: TS-00731, PAGE 6 OF 7 365
 2 that.
 3 And another thing I object
 4 to strongly, the DOE is -- you know, if
 5 the people in Rocky Flats are willing
 6 to work there, draw their sustenance
 7 from there, then they should be willing
 8 to live with that waste and not have it
 9 transported all over the country so
 10 that they -- I think that's a way of
 11 you, you know, reducing the paranoia of
 12 those workers.
 13 If they're going to live
 14 off of that stuff, they should live
 15 with it and not be transporting it
 16 around.
 17 By the same token, we have
 18 a big problem here with Los Alamos.
 19 I'd like to see the FBI investigate Los
 20 Alamos and see how much that's been
 21 dumping on us.
 22 I worked up there for three
 23 years, you know. I mean, I've got an
 24 idea what's going on. You know, and
 25 that's just it, you know, we don't
 know.

3.1-2

1 16-Jun-89: TS-00731, PAGE 7 OF 7 366
 2 We don't have clear
 3 information. I object to the whole
 4 kit and oaboodle, and I'll be down
 5 there in Carlsbad before you run those
 6 trucks over.
 7 And many, many more people
 8 are because it's just too risky. Why
 9 are we, the American public, subsidiz-
 10 ing that industry anyway. I didn't
 11 choose the nuclear industry. Why has
 12 the Government sheltered it all these
 13 years.
 14 It isn't economical, and it
 15 sets up problems for thousands and
 16 thousands and thousands and thousands
 17 of years.
 18 It's time we scrapped it, I
 19 think. That's about all I can say
 20 right now.
 21 (Applause.)
 22 HEARING OFFICER RICHARDSON:
 23 Your comments are recorded by the court
 24 reporter. They're part of the official
 25 record.
 If you'd like to enter into

367

1 the official record additional
2 information or supplemental data, you
3 may do so by bringing it forward at the
4 end of your comments.

5 We will enter your input
6 into the record as an exhibit.

7 Our next scheduled speaker
8 is Jim Adams. 16-Jun-89: TS-00732, PAGE 1 OF 4

9 Mr. Adams, if you would
10 please provide your mailing address for
11 the court reporter.

12 MR. ADAMS: Route 6, Box
13 91, Santa Fe 87501.

14 HEARING OFFICER RICHARDSON:
15 Please proceed with your comments.

16 MR. ADAMS: I'm just going
17 to read this. I would like to take a
18 brief historical look at the develop-
19 ment of our country's military and
20 nuclear programs, and how they have
21 brought us to the need for a waste
22 isolation pilot project.

23 In the mid '40's near the
24 end of World War II and the beginning
25 of the cold war, the National Security

9-1

16-Jun-89: TS-00732, PAGE 2 OF 4 68

1 Council in a Document Numbered 68,
2 declared that some means of perpetuat-
3 ing the industrial productivity
4 generated by the war efforts should be
5 created.

6 They realized that in the
7 absence of active conflict the military
8 industrial complex would flounder
9 unless the public were led to believe
10 in its necessity.

11 Therein it was granted to
12 various federal agencies the power and
13 authority to launch vast campaigns of
14 disinformation and false propaganda
15 against the American people.

16 The idea of a cold war fit
17 this task quite well. It allowed great
18 freedoms to create ideological fears
19 and macho military superiorities as
20 cornerstones to the industrial
21 expansion.

22 Since the supposed enemy
23 was Communism and the Communists had
24 nuclear weapons, anywhere Communism and
25 Communists showed themselves, it became

9-1

16-Jun-89: TS-00732, PAGE 3 OF 4 369

1 an excuse for intervention.

2 So intervene we did. First
3 in Korea, then in Vietnam. All the
4 while, finding ever more diabolical
5 means of warfare and an increasingly
6 complex expensive new nuclear arsenal.

7 This all went right past
8 the majority of our nation citizenry
9 under the guise of national security.

10 The industrialists got
11 rich. The politicians became more
12 powerful, and this planet became the
13 dumping ground for foolish man's
14 wastes.

15 Multi-national corpora-
16 tions, the tri-lateral commission and
17 international financiers had become the
18 priests and clergy of planetary doom.

19 Soon I'll be forced to live
20 with the trafficking of legal tran-
21 suranic waste through Santa Fe. The
22 residents of Southern New Mexico are
23 going to have to live in the presence
24 of WIPP, never knowing if it is safe.

25 Our children must live in

9-1

3.1-2

16-Jun-89: TS-00732, PAGE 4 OF 4 370

1 an era of ever increasing world danger
2 and pollution.

3 I do not trust the DOE. I
4 hold large corporations in suspicion.
5 I have little faith in our State of
6 Federal Governments. They do not
7 represent those of us who declare the
8 right to establish peace and global
9 harmony.

10 Storing waste at the Los
11 Alamos site is a quick and dirty
12 measure to insure the continued
13 production of nuclear weapons and their
14 means of production.

15 (Applause.)

16 HEARING OFFICER RICHARDSON:
17 Stephanie Goldstein.

18 (No response.)

19 HEARING OFFICER RICHARDSON:

20 Mareha Brenden. 16-Jun-89: TS-00733, PAGE 1 OF 8

21 MS. BRENDEN: My address is
22 P. O. Box 175, Dixon, New Mexico 87527.

23 Safety and environmental
24 protection have historically been
25 grossly mismanaged and given very short

3.1-2

3.2-1

3.1-2
3.2-1

16-Jun-89: TS-00733, PAGE 2 OF 8 371

1 shift by the DOE.

2 As a result, serious
3 problems are emerging at facilities
4 such as Rocky Flats Plants.

5 As WIPP is the first new
6 federal nuclear facility to be built in
7 decades, business as usual will no
8 longer be tolerated.

9 There are a number of
10 issues which the recent Supplemental
11 Environmental Impact Statement does not
12 address.

13 In fact, this SEIS is an
14 attempt by the DOE to fast-track the
15 opening of WIPP at the expense of
16 public safety.

17 The draft SEIS is totally
18 inadequate for the following reasons:

19 One, it does not justify
20 those preferred alternative of opening
21 WIPP without complying with the EPA
22 standards.

23 The DOE agreed in its 1984
24 modification to the consultation and
25 cooperating agreement with the State

31-2
32-123.1-2
4.1-323.1-2
3.1-3

16-Jun-89: TS-00733, PAGE 3 OF 8 372

1 of New Mexico that it will comply with
2 all state, federal and local standards,
3 regulations and laws.

4 The draft SEIS does not
5 explain why WIPP cannot meet the EPA
6 standards before the wastes are in
7 place.

8 Without such compliance
9 with health and safety standards, WIPP
10 will almost certainly be another DOE
11 facility that will contaminated the
12 environment and costs billions of
13 dollars to clean up.

14 No. 2, the draft SEIS must
15 provide the information necessary to
16 evaluate alternatives that are required
17 if WIPP fails to meet the EPA stan-
18 dards.

19 The DOE has not analyzed
20 necessary interim and long-term storage
21 alternatives.

22 Three, the DOE has not
23 addressed the full range of transuranic
24 or true waste problems, especially what
25 it intends to do with the true wastes

23.1-2
3.1-2
3.1-32.2-2
5.1.1-1
5.2-1
5.2-2
5.3-1

16-Jun-89: TS-00733, PAGE 4 OF 8 373

1 that are buried at various nuclear
2 facilities around the country.

3 These wastes are not
4 scheduled to come to WIPP. However, it
5 is the buried waste, not the stored
6 waste, that has released radioactivity
7 into the environment, resulting in
8 uncontrolled contamination of soil and
9 water.

10 Four, the draft SEIS
11 evaluation of public health and safety
12 issues, does not justify proceeding
13 with the DOE's preferred alternative of
14 opening the WIPP site in September.

15 The draft SEIS states,
16 quote, "No environmental reasons have
17 been found why true waste could not be
18 left at the Idaho National Engineering
19 Laboratory, stored as it is for several
20 decades or even a century," unquote.

21 However, DOE acknowledges
22 that opening WIPP will create public
23 health and safety problems and
24 calculates that there will be 8.3
25 deaths and 106 injuries trucking waste

22-2
5.1.1-1
5.2-1
5.2-2
5.3-1

5.1-2
5.2-1
5.2-2
5.3-1

16-Jun-89: TS-00733, PAGE 5 OF 8 374

1 to WIPP.

2 While these estimates are
3 overly optimistic, several questions are
4 unanswered by the draft SEIS. For
5 instance, if wastes at Idaho will not
6 harm the public, why proceed with WIPP,
7 which will certainly result in death
8 and injuries.

9 Since the DOE calculates
10 that deaths and injuries from train
11 transportation are one-third of those
12 by truck shipments, why does the DOE
13 plan to use trucks?

14 Has the DOE determined how
15 many deaths are acceptable? Would 20
16 be acceptable? Would 100 be accep-
17 table? What number of deaths is
18 unacceptable to the DOE at any site
19 along any transportation route or at
20 WIPP?

21 Five, the draft SEIS does
22 not justify the validity of the five-
23 year test phase. The test phase
24 emplacement of radioactive waste is a
25 phoney ploy to fast track the opening

5.2-1
5.2-2

7.3.2-4

7.3.5.1-19
7.3.6-2

4.1-3
5.1.1-1
7.1.1-1

16-Jun-89: TS-00733, PAGE 6 OF 8 375

1 of WIPP.

2 Six, the draft SEIS
3 prematurely rejects the no-action
4 alternative of leaving waste at INEL,
5 Hanford and the Savannah River.

6 No adverse impacts related
7 to biology, land use, air quality,
8 cultural resources, water quality or
9 transportation are identified at any
10 SEIS.

11 A no-action alternative
12 combined with a clean-up program at
13 existing DOE facilities should be
14 considered fully.

15 The draft SEIS inap-
16 propriately rejects the alternative
17 action of delaying the opening of WIPP
18 until compliance with EPA standards is
19 demonstrated.

20 DOE's objections are costs.
21 However, the projected costs are much
22 less than costs of bringing wastes to
23 WIPP and then having to retrieve them.

24 Eight, DOE has not
25 explained the supposed national

5.1.1-1
7.11-1

5.2-1
5.2-2

1-3
3.6-2
5.3-1
9-3

3.1-3
5.2-1
5.2-2
5.3-1

3.1-4

16-Jun-89: TS-00733, PAGE 7 OF 8 376

1 security implications if WIPP does not
2 open. Although at the December 1988
3 meeting with the Governors of Idaho,
4 Colorado and New Mexico, DOE officials
5 tried to convince the governors that
6 national security issues were involved.

7 What are these national
8 security implications?

9 Nine, the draft SEIS
10 inadequately evaluates transportation
11 problems. Transportation issues
12 affect citizens in 23 states along the
13 proposed WIPP shifting routes.

14 These issues not adequate-
15 ly addressed include: Reliability of
16 shipping containers. Still no
17 certification has been given by the
18 NRC.

19 Using trucks rather than
20 trains to transport waste. Unrealisti-
21 cally low projected radioactive
22 releases from accidents. And an
23 adequate training and equipment for
24 emergency response personnel.

25 And, ten, the draft SEIS

3.1-4

7.3.2.1-5

7.3.1-2

7.3.2-4

7.3.5.1-34

7.129-1

6.1-1

16-Jun-89: TS-00733, PAGE 8 OF 8 377

1 does not justify proposed administra-
2 tive land withdrawal. Land withdrawal
3 to allow waste to be brought to WIPP
4 can only be given by Congress.

5 DOE's application for
6 administrative land withdrawal is an
7 attempt to circumvent Congress and to
8 avoid meeting health and safety
9 requirements.

10 The BLM should reject DOE's
11 land withdrawal application. I go on
12 board as in favor or no action.

13 Thank you.

14 (Applause.)

15 HEARING OFFICER RICHARDSON:
16 I am told that Susan Harris is here.

17 MS. HARRIS: you want me to
18 give my address? 16-Jun-89: TS-00734, PAGE 1 OF 7

19 HEARING OFFICER RICHARDSON:
20 Your mailing address.

21 MS. HARRIS: Which is 7
22 Abanquero Road, Santa Fe 87505.

23 HEARING OFFICER RICHARDSON:
24 Thank you. You'll have five minutes
25 for your comments.

6.1-1

16-Jun-89: TS-00734, PAGE 2 OF 7 178

1 MS. HARRIS: Thank you. I
2 would like to speak from two view-
3 points, personal and professional.

4 First, the personal. I'm
5 originally from the midwest, but from
6 my first visit to New Mexico nearly 20
7 years ago, I've always loved this area
8 for it's pristine beauty.

9 Though I have traveled many
10 places over the years, I've always
11 returned to New Mexico. When I was
12 presented with a professional oppor-
13 tunity, I eagerly re-settled here.

14 Now, that this WIPP issue
15 is before us, I try to study it
16 carefully attempting to find something
17 redeeming in it.

18 I know many expect economic
19 benefit for the Carlsbad region. We
20 have been promised upgrading of major
21 roadways for the transportation of
22 this hazardous waste.

23 No one would dispute the
24 need for road repair. The containers
25 for shipping this hazardous waste have

16-Jun-89: TS-00734, PAGE 3 OF 7 379

1 been continuously tested.

2 However, from all reports,
3 the latest container, called TRUPACT-
4 II, has not been proven safe.
5 Significant cracks and moisture seepage
6 have been discovered in the underground
7 salt caverns where this hazardous waste
8 is to be stored.

9 The idea of long-term
10 referred to as experimental, storage of
11 this hazardous waste material seems the
12 most spurious of this whole Captain
13 Midnight scenario.

14 Yesterday listening to the
15 testimony from two physicians
16 Sternglass and Gould, I was made very
17 aware of the lethal effects of
18 continuous exposure to low-level
19 radiation.

20 It makes me think of the
21 new evidence for cancer causing
22 syndrome from radon emissions. And
23 this is only considered -- the radon is
24 only considered background emission.

25 What are the dire conse-

7.3.1.1-17

7.7.2-1
7.8.5-27.3.5.2-4
7.13.1-8

16-Jun-89: TS-00734, PAGE 4 OF 7 380

1 quences of exposure to radiation to
2 workers at the WIPP site, to casual
3 passers-by during transit of this
4 nuclear waste, and worse, what are the
5 disastrous consequences if this poison
6 gets loose in the water sources or our
7 atmosphere?

8 One other thing, my car
9 insurance rates immediately tripled
10 upon my moving here to New Mexico. So
11 I asked, what do the automobile
12 insurance companies know that DOE needs
13 to know about traffic accidents rates
14 in New Mexico?

15 And in that regard, I can
16 remember an accident that occurred just
17 last year, May 17th, 1988, when a semi-
18 trailer truck had an accident Inter-
19 state 40 and overturned dumping
20 containers of what is called Yellow
21 Cake, a form of powdered uranium.

22 I understand from talking
23 to an official with the state that this
24 powder actually spilled out of the
25 container onto the highway pavement.

7.3.5.2-4
7.13.1-8

16-Jun-89: TS-00734, PAGE 5 OF 7 381

1 However, this material
2 supposedly is much more benign than the
3 toxic materials to be hauled to WIPP.
4 The short-term economic boom to the
5 Carlsbad economy and the badly needed
6 improvements of New Mexico roads, I
7 maintain is too high a price to pay for
8 the risk of another mistake which could
9 be 1,000 times worse than the Valdez
10 disaster.

11 Why move any of this
12 material, which is really a toxic time
13 bomb? Why not let this noxious
14 material remain at the sites where it
15 has been generated and find some
16 satisfactory method of onsite storage
17 or for that matter, why continue with
18 the monstrous idea of nuclear weapons
19 production in the first place, and the
20 incredible burden it places on our
21 planet.

22 The potential for global
23 toxification from the production of
24 peace keeping nuclear weapons and the
25 resulting excrement seems the height of

1-2
36-1
36-2
52-1
52-2

9-3

16-Jun-89: TS-00734, PAGE 6 OF 7 382

1 irony if there is any humor to be found
2 in all of this.

3 I have found nothing
4 redeeming or reassuring. I foresee
5 nothing that can quiet my fears for the
6 safety of the people and the environ-
7 ment of this state nor that of our
8 neighbors.

9 Second, from a professional
10 viewpoint, I am a realtor associated
11 with a real estate firm in Santa Fe. I
12 have been a full-time real estate
13 practitioner for over six years and
14 take my profession very seriously.

15 I believe in responsibility
16 to my community, and the validity of
17 disclosure of material information. I
18 have no choice but to respond when
19 prospects ask me, what is this WIPP
20 thing.

21 So I speak simply and as
22 matter of factly as possible. There
23 are many thinking people with suffi-
24 cient financial capability to purchase
25 a home here who upon learning what WIPP

9-3

7-2-2

16-Jun-89: TS-00734, PAGE 7 OF 7 383

1 means, decide not to by here in Santa
2 Fe.

3 I have quite a few
4 prospective buyers who have told me
5 they will not consider moving to Santa
6 Fe until this WIPP thing is dead.

7 WIPP hangs like a dark
8 storm cloud over the economic and
9 environmental health of New Mexico. If
10 you were selecting a location for a
11 vacation, a home purchase or opening a
12 business, would you choose a toxic
13 waste dump?

14 Most knowledgeable people
15 wouldn't either.

16 Thank you.

17 (Applause.)

18 HEARING OFFICER RICHARDSON:

19 Thomas Lipps.

20 (No response.)

21 HEARING OFFICER RICHARDSON:

22 Candace Reher. 16-Jun-89: TS-00735, PAGE 1 OF 3

23 MS. REHER: My address is
24 P. O. Box 15454, Santa Fe 87506.

25 I don't have a prepared

72-2
72-31

16-Jun-89: TS-00735, PAGE 2 OF 3 384

1 statement but I feel really compelled
2 to speak.

3 I'm a nurse at St.
4 Vincent's Hospital, and I work on an
5 oncology floor. And I see people that
6 die from cancer all the time.

7 And I know that cancer, in
8 part, is caused by the toxins that are
9 in our environment, radiation being one
10 of them. And there is a lot of causes
11 of it, I know.

12 Last year I watched a woman
13 die who was my age of lung cancer. She
14 was raised in a house that was built on
15 top of uranium tailings near Grand
16 Junction.

17 And I don't know if you all
18 have any relatives that have cancer or
19 if any of you do, but cancer is in part
20 caused by radiation.

21 And I just beg you to look
22 in your hearts when you make a decision
23 and act consciously and responsibly
24 because we're dealing with something
25 very dangerous here.

31-8

16-Jun-89: TS-00735, PAGE 3 OF 3 385

1 I know you know that. But,
2 you know, I have a commitment to
3 helping people live lives as fully as
4 they can, including myself.

5 My well-being and my health
6 is important, as well as my community's
7 and my family's. My father just
8 retired from Rocky Flats, and my
9 parents live about seven miles from
10 there.

11 And what's happening with
12 the FBI investigating you all, I'm
13 really concerned about that. I don't
14 want to see my father die of leukemia.
15 And I don't think you all want to watch
16 anybody either.

17 But I want you to consider
18 that and maybe go watch somebody suffer
19 because a lot of suffering can happen
20 from mistakes.

21 So I just ask you all to
22 act responsibly.

23 Thank you.

24 (Applause.)

25 HEARING OFFICER RICHARDSON:

386

1 I'd like to reiterate at this point
2 that written comments, in addition to
3 your oral comments, may be submitted to
4 the Department of Energy at the address
5 that's available at the registration
6 desks in the front lobby.

7 Is John Kohn here?

8 (No response.)

9 HEARING OFFICER RICHARDSON:

10 Krishna Khalsa.

11 (No response.)

12 HEARING OFFICER RICHARDSON:

13 Stephanie Goldstein.

14 (No response.)

15 HEARING OFFICER RICHARDSON:

16 We're a bit ahead of ourselves on our
17 schedule, so bear with up.

18 Thomas Lipps.

19 (No response.)

20 HEARING OFFICER RICHARDSON:

21 John Kohn.

22 Excuse me, one moment,

23 John, Mr. Kohn.

24 Exhibit No. 529 has been
25 entered by Marsha Brenden in the record

387

1 of this proceeding. That is her
2 prepared statement.

3 (The document above-
4 referred to was
5 marked for iden-
6 tification as Exhibit
7 No. 529 and received
8 in evidence.)

9 HEARING OFFICER RICHARDSON:
10 Mr. Kohn, would you please provide your
11 mailing address for the court reporter?

12 MR. KOHN: Yes. My name is
13 John Kohn, and my address is 53 Veredo
14 Lu, Santa Fe 87505.

15 HEARING OFFICER RICHARDSON:
16 You'll have five minutes for your
17 comments. 16-Jun-89: TS-00736, PAGE 1 OF 3

18 MR. KOHN: Thank you.

19 Today I'm speaking on
20 behalf of my family, neighbors and
21 fellow citizens.

22 I live a short distance
23 from Route 285 where radioactive waste
24 will be shipped to the WIPP site.

25 My three children attend or

16-Jun-89: TS-00736, PAGE 2 OF 3 388

1 will attend a local elementary school
2 which is within view of I-25 and the
3 285 interchange.

4 This roadway will be
5 heavily used to transport wastes. It
6 is a narrow, winding dangerous road.
7 There are many blind turns.

8 The likelihood of an
9 accident and contamination exists. We,
10 we live in the real world, not the world
11 of your confident and detached
12 statisticians.

13 The likelihood of one or
14 more accidents over a 25-year period is
15 clearly a certainty. More than eight
16 people will die due to this method of
17 shipping.

18 This is the real world.
19 Innocent people will lose their lives,
20 perhaps my family and my friends, but
21 certainly my fellow citizens.

22 These hearings are a review
23 of DOE progress, accomplishments,
24 failures, oversights and distortions.

25 You have attempted to

16-Jun-89: TS-00736, PAGE 3 OF 5 389

1 divide Northern New Mexicans from
2 Souther New Mexicans. No doubt those
3 who oppose the opening of WIPP will
4 find citizens from Utah, from Colorado,
5 from Georgia, from many states, where
6 nuclear waste is currently being
7 stored.

8 Clearly all states suffer
9 from the effects of nuclear waste. No
10 one wishes to have it buried in their
11 back yard.

12 Unfortunately, you the
13 DOE, who have been given this important
14 responsibility by the citizens of this
15 country, you have done your work
16 poorly.

17 To date, you have failed to
18 document the safety of the WIPP site,
19 by independent review. You have not
20 been able to secure NRC certification
21 for your containers over an eight-year
22 period.

23 You have not attended to
24 road safety. Your contingency plans
25 seem to exist for the benefit of

3.1-10

16-Jun-89: TS-00736, PAGE 4 OF 5 390

1 television media representatives, but
2 not for local communities.

3 You have not yet met
4 current EPA standards for water, safe
5 water.

6 In the real world, these
7 are not simply administrative details
8 to be worked out in time. This is
9 mismanagement from the highest levels
10 of Government.

11 The quality of your
12 decisions and actions have demonstrated
13 what appears to be wide-spread
14 irresponsibility to the basic safety of
15 American citizens.

16 Here in Santa Fe and
17 Espanola and Los Alamos, we live every
18 day with nuclear waste. From the Los
19 Alamos Labs, Los Alamos is a nuclear
20 trash heap.

21 No one really knows now
22 where the waste is buried anymore.
23 Here we live downstream. If you speak
24 with the medical community in Espanola,
25 you will quickly learn that the rates

3.1-10

16-Jun-89: TS-00736, PAGE 5 OF 5 391

1 for cancer and related illnesses are
2 far higher here than they are nation-
3 ally.

4 We don't have to wait 100
5 years or 200 years to see the effects
6 of this overall long-standing lack of
7 planning, foresight and management.

8 We experience it every day.
9 We live in the real world.

10 Thank you.

11 (Applause.)

12 HEARING OFFICER RICHARDSON:

13 Bill Bradshaw. 16-Jun-89: TS-00737, PAGE 1 OF 3

14 Mr. Bradshaw, if you'll
15 please state your mailing address for
16 the court reporter, you will then have
17 five minutes for your comments.

18 MR. BRADSHAW: 3505 Inca,
19 Northeast Albuquerque 87111.

20 Professor Charles Heider
21 formerly of the University of New
22 Mexico in Albuquerque stated that
23 according to his figures, if they put
24 as much low and medium level nuclear
25 waste in the WIPP site as they figure,

7.14-12

16-Jun-89: TS-00737, PAGE 2 OF 3 392

1 that it will begin to heat up and cause
2 some serious problems.

3 There was another professor
4 who said if this happens, it will melt
5 the salt and it will seal itself.

6 These are some -- these are
7 some things that have never been
8 brought up from anyone that I've ever
9 heard of anywhere.

10 You know, a lot of people
11 blew off Dr. Heider's information
12 because he was a strong nuclear waste
13 opponent. And these kinds of things I
14 haven't heard answered by anyone.

15 You know, I've never heard
16 any of this ever considered. And I
17 would like some of that answered before
18 anyone even considers doing any kind of
19 a study with this.

20 That's something that can't
21 be tested by putting a few barrels in
22 and see if it leaks or leaches out or
23 whatever.

24 And whenever -- whenever
25 nuclear waste has been stored in this

7.14-12

541

16-Jun-89: TS-00737, PAGE 3 OF 3 193

1 country, it's always found four or five
2 stradas down ten or fifteen years
3 later.
4 There is two major water
5 coules that are in the area of the WIPP
6 site. One of them in the Ogalla and it
7 stretches all the way to the edge of
8 the Mississippi River.
9 If we contaminate that,
10 we're going to contaminate an aqua for
11 the supplies, the major portion of the
12 water in the central United States,
13 even if it takes 100,000 years to soak
14 that up, as well as the other aqua for
15 this that's a lot smaller in South New
16 Mexico.
17 And I cannot in any good
18 conscience support any of this
19 happening.
20 Thank you.
21 (Applause.)
22 HEARING OFFICER RICHARDSON:
23 John Rubin.
24 (No response.)
25 HEARING OFFICER RICHARDSON:

7.14-9

1-2

194

1 I'm going back to see if some of the
2 individuals we called earlier have
3 arrived.
4 Stephanie Goldstein.
5 (No response.)
6 HEARING OFFICER RICHARDSON:
7 Krishna Khalsa.
8 (No response.)
9 HEARING OFFICER RICHARDSON:
10 Thomas Lipps.
11 (No response.)
12 HEARING OFFICER RICHARDSON:
13 Arlene Zekowski-Berne.
14 UNIDENTIFIED SPEAKER:
15 She's in the room. She's coming
16 upstairs.
17 HEARING OFFICER RICHARDSON:
18 We will call her name again.
19 UNIDENTIFIED SPEAKER:
20 Thank you.
21 HEARING OFFICER RICHARDSON:
22 We're getting a little ahead of
23 ourselves on our schedule, so we'll go
24 back and check with these people again.
25 Is Audrey Goddard here?

395

(No response.)

HEARING OFFICER RICHARDSON:

Well, we're scheduled to take a five-minute break at 3:50. My watch says it's 3:47, so we'll just take a little break until the other individuals can be here.

It will be strictly limited to five minutes, though.

(Short recess.)

HEARING OFFICER RICHARDSON:

It is 3:55 p.m.

This is a continuation of the United States Department of Energy Proceeding EIS-0026-DS held on June 16, 1989 in the Sweeny Convention Center of Santa Fe, New Mexico.

This is the -- this particular segment of the hearing is taking place in Room 2 of the Sweeny Convention Center.

My name is Peter Richardson. I'm your Hearing Officer. My role as Hearing Officer is not to serve as an advocate for or against the

396

proposed action of the Department of Energy, but rather to assure that all interested persons have a fair and equal opportunity to comment on the record.

Sitting to my right are Denny Krenz and Margaret Schuman, who comprise the official Department of Energy Panel for this afternoon's hearing.

Following your comments, these two individuals may have clarifying questions.

Today's proceeding is only part of the process by which you have an opportunity to provide input on the Supplemental Environmental Impact Statement.

In addition to commenting today on the record, your written comments may be filed with the Department of Energy prior to July 11, 1989.

The address for submission of those comments may be obtained at

the registration desk in the lobby.

In addition, should you wish to submit supplemental information with your oral testimony, please bring that data up to me after your comments and I will enter it into the record as an exhibit in this proceeding.

This is a recorded proceeding. Your comments will be transcribed verbatim by the court reporter sitting in front of me.

When the transcripts are prepared, they will be available locally for your inspection at a location to be announced.

Our next scheduled commentator this afternoon is Arlene Zekowski-Berne. 16-Jun-89: TS-00738, PAGE 1 OF 7

MS. ZEKOWSKI-BERNE: Is this the microphone right here?

HEARING OFFICER RICHARDSON: Yes. Just step up to the podium. One microphone is for the court reporter, the other is for the audience.

MS. ZEKOWSKI-BERNE: Which

is which, sir?

HEARING OFFICER RICHARDSON: The gray one is the auditorium microphone.

MS. ZEKOWSKI-BERNE: Okay.

HEARING OFFICER RICHARDSON: If you would please state your mailing address for the court reporter, then you will have five minutes for your comments.

After four minutes, the yellow light will flash indicating you have one minute of time left.

MS. ZEKOWSKI-BERNE: Can you hear me? Is that all right now?

HEARING OFFICER RICHARDSON: It's the other mike.

MS. ZEKOWSKI-BERNE: Oh, it's the wrong one. You said the gray one.

HEARING OFFICER RICHARDSON: I meant the darker gray one, I'm sorry.

MS. ZEKOWSKI-BERNE: Can you hear me? I can hear myself.

I am Arlene Zekowski-Berne.

16-Jun-89: TS-00738, PAGE 3 OF 7 399

1 My address is Box 4595, Santa Fe 87502.

2 I am an author, television
3 producer and associate research
4 professor emeritus.

5 The DOE estimates a minimum
6 of 43 radioactive transportation
7 accidents in the next 30 years.

8 In real terms this means
9 about 40 Chernobols resulting in
10 potential liver and bone cancers,
11 leukemia, sex organ destruction,
12 genetic mutations, birth defects, heart
13 disease, sterility and premature aging.

14 Plutonium, the cheap
15 radioactive contaminant of the WIPP
16 waste is the most toxic substance known
17 to man, a carcinogen that remains
18 radioactive for 240,000 years.

19 One pound of plutonium
20 deposited in the lungs of people
21 throughout the world, is enough to kill
22 every man, woman and child on earth.

23 Since World War II
24 hazardous and radioactive wastes have
25 proliferated without exception at all

7.35.3-1

3.6-1

16-Jun-89: TS-00738, PAGE 4 OF 7 400

1 DOE locations and installations across
2 the United States, polluting air,
3 contaminating soil, ground water,
4 drinking water with several spreading
5 offsite into rivers and streams,
6 including ocean dumping at both the
7 East and West Coasts.

8 According to the U. S.
9 General Accounting Office clean-up
10 estimates of both existing and inactive
11 facilities including 1,276 waste sites
12 and bomb plants have been projected at
13 \$200 billion dollars.

14 WIPP is designed to hold
15 only 19 percent of existing transuranic
16 military waste. This represents less
17 than 1 percent of all military nuclear
18 waste, and less than one-tenth of 1
19 percent of the nation's nuclear waste.

20 So what is the solution to
21 the potential radioactive waste
22 holocaust that undermines this peace
23 and tranquility of U.S. Citizens, the
24 eco system itself as well as our
25 children and children's children, if we

2.2-1
3.1-2
3.6-13.6-1
5.2-1
5.2-2

16-Jun-89: TS-00738, PAGE 5 OF 7 401

1 allow further research and development
2 of nuclear bombs, when all the
3 civilized world, including West Germany
4 considers the cold war and the nuclear
5 age at an end.

6 In the United States alone,
7 over 100 nuclear plants have been
8 cancelled or shut down, becoming the
9 white elephants of the atomic age.

10 If we don't leave nuclear
11 waste at its respective sites of
12 origin, then our nuclear development
13 obsession in this country will continue
14 to threaten, not only New Mexico, but
15 every state of the United States.

16 It is time for the
17 Department of Energy to surface as a
18 bonafide Department of Energy and not
19 the Department of Bombs, Death on Earth
20 that it has become for the last 45
21 years and more, to research energy
22 alternatives like co-generations, use
23 of industrial heat to generate
24 electricity, wind, water, geothermal
25 and solar energy.

3.6-1

3.6-2
9-3

16-Jun-89: TS-00738, PAGE 6 OF 7 402

1 President Carter's Solar
2 Energy Housing Program shafted under
3 the Reagan administration power of the
4 nuclear industry, must be reactivated
5 and greatly expanded.

6 Nuclear power provides less
7 than 6 percent of all energy consumed
8 in the United States, yet the DOE in
9 1986 spent 60 percent of its budget on
10 nuclear power, whereas every dollar
11 spent on efficiency and renewal energy,
12 bought 80 times as much energy as a
13 subsidy dollar to nuclear power.

14 Each reactor produces
15 approximately 30 tons of lethal, high-
16 level radioactive waste per year. And
17 there is no safe permanent way of
18 getting rid of it.

19 Remember President Dwight
20 Eisenhower's warning to the nation
21 about 30 years ago when he said, "Guard
22 against the acquisition of unwarranted
23 influence by the military industrial
24 complex."

25 The potential for the

9-3

3.6-1

9-1

546

16-Jun-89; TS-00738, PAGE 7 OF 7
403

1 disastrous rise of misplaced power
2 exists and will persist."
3 Thank you.
4 (Applause.)
5 MS. ZEKOWSKI-BERNE: I
6 talked five minutes, but I'm going to
7 submit the entire document and my work
8 on this project.
9 (Applause.)
10 HEARING OFFICER RICHARDSON:
11 Thank you.
12 The prepared remarks of Ms.
13 Zekowski-Berne will be entered into the
14 record as Exhibit No. 530 in this
15 proceeding.
16 (The document above-
17 referred to was
18 marked for iden-
19 tification as Exhibit
20 No. 530 and received
21 in evidence.)
22 HEARING OFFICER RICHARDSON:
23 Is Stephanie Goldstein here?
24 (No response.)
25 HEARING OFFICER RICHARDSON:

9-1

404

1 Thomas Lipps.
2 (No response.)
3 HEARING OFFICER RICHARDSON:
4 Josh Ruben.
5 If you could start out by
6 providing us with your mailing address,
7 then you will have five minutes for
8 your comments. 16-Jun-89; TS-00739, PAGE 1 OF 3
9 MR. RUBEN: Okay. My
10 mailing address is -- it's John Ruben,
11 3 Altazona Drive, Santa Fe, New Mexico
12 87505.
13 HEARING OFFICER RICHARDSON:
14 Thank you. Proceed with your comments.
15 MR. RUBEN: First, I'd like
16 to start off by asking, who in this
17 room lives in New Mexico?
18 HEARING OFFICER RICHARDSON:
19 You need the gray microphone.
20 UNIDENTIFIED SPEAKER: You
21 need the dark gray microphone, we can't
22 hear you.
23 MR. RUBEN: First, I'd like
24 to find out who lives in New Mexico in
25 this room?

16-Jun-89: TS-00739, PAGE 2 OF 3 105

1 Okay. I'd like to start by
2 asking -- by asking that man a
3 question. Could you just tell me your
4 age?

5 UNIDENTIFIED SPEAKER:
6 Forty-six.

7 MR. RUBEN: Well, if the
8 Department of Energy doesn't comply
9 with numerous EPA safety standards and
10 if WIPP opens, there is a 50-50 percent
11 chance that you won't be able to live
12 out the rest of your years.

13 Martin Luther King, Jr.,
14 expressed his biggest dream on August
15 28th, 1963. Since I learned about WIPP
16 my biggest dream for the last years
17 have been not being intoxicated by
18 nuclear waste.

19 Recently I attended a
20 international compensation (inaudible).
21 There were over 6,000 young minds there
22 working to solve very hard problems.

23 I do not see why the
24 Department of Energy and New Mexico
25 could not work out an agreement of how

16-Jun-89: TS-00739, PAGE 3 OF 3 406

1 to dispose of the nuclear waste in a
2 safe way that works.

3 I also do not understand
4 why the waste could not be left where
5 it was made where it is above-ground
6 and stored properly with not leaking
7 out and not a hazard to the environ-
8 ment.

9 I would also like to recite
10 the conservation drive written in 1912
11 when New Mexico became a state.

12 It goes like this, "I gave
13 my flesh as an American to save
14 (inaudible) the natural resources of my
15 country. The soil and minerals is
16 water -- insofar as water in my own
17 life."

18 Thank you, and I hope my
19 home, New Mexico, will be safe.

20 (Applause.)

21 HEARING OFFICER RICHARDSON:
22 Audrey Goddard.

23 (No response.)

24 HEARING OFFICER RICHARDSON:
25 Paula Wallace.

407

1 (No response.)

2 HEARING OFFICER RICHARDSON:

3 Casey Fox.

4 Oh, excuse me. Is this

5 Paula Wallace? 16-Jun-89: TS-00740, PAGE 1 OF 2

6 MS. WALLACE: Yes.

7 HEARING OFFICER RICHARDSON:

8 Ms. Wallace, would you please state
9 your mailing address for the record and
10 then you will have five minutes for
11 your comments.

12 MS. WALLACE: Okay. It's
13 261 Camino Del Almo, Santa Fe, New
14 Mexico 87501.

15 HEARING OFFICER RICHARDSON:
16 Thank you. Please proceed with your
17 comments.

18 MS. WALLACE: Okay. As a
19 young adult, as part of the human race,
20 I basically feel that we have no right
21 to --

22 UNIDENTIFIED SPEAKER: I
23 can't hear you.

24 MS. WALLACE: -- that we
25 have no right to -- that we have no

16-Jun-89: TS-00740, PAGE 2 OF 2 408

1 right to create destructive objects to
2 put in the earth when we don't even
3 know anything about the earth.

4 We don't even -- we haven't
5 even begun to understand the earth and
6 we're already learning how to destroy
7 it, and destroying it.

8 I would really like to have
9 children when I get older, and it's
10 really hard for me to even think about
11 when I can't even think about -- when I
12 can't even know if my health is going
13 to safe.

14 And I just -- it really
15 upsets me to -- the whole basic idea of
16 nuclear waste upsets me.

17 And I really don't want it
18 coming through here, or I don't want
19 any part of it.

20 That's about all I have to
21 say really.

22 (Applause.)

23 HEARING OFFICER RICHARDSON:

24 The microphone to the speaker's left on
25 the podium is the microphone that is

409

1 hooked up to our loud speaker.

2 So when you do speak, make
3 sure you speak audibly and clearly
4 directly into the microphone.

5 Casey Fox.

6 MS. FOX: 2600 West Zia,
7 Z-1-a, Road, Apartment K-4, Santa Fe
8 87504 -- 05. 16-Jun-89: TS-00741, PAGE 1 OF 8

9 Employees and representa-
10 tives of the Department of Energy, I
11 support the alternatives.

12 And as first choice, no
13 action. SEIS reports no environmental
14 reasons have been found why true waste
15 could not be left at the Idaho National
16 Engineering Lab stored as it is for
17 several decades or even a century.

18 This should allow time to
19 develop the technology to treat,
20 neutralize or send to the sun radioac-
21 tive wastes.

22 After 50 years of producing
23 them, research for treatment is only
24 beginning to be earnest. Let
25 Manhattan, too, scientists, engineers

1-2
52-1
52-2

36-1

16-Jun-89: TS-00741, PAGE 2 OF 8 410

1 and labor devote their educations and
2 taxpayers' money to a solution.

3 The crisis is great enough
4 that such work will be just as good as
5 producing weapons for jobs, careers,
6 bank accounts and egos, not to mention
7 good for poor New Mexico and millions
8 of people across the country.

9 Other alternatives not
10 address by SEIS include above-ground
11 monitored retrieval storage, chemical,
12 bacteriological and/or electrical
13 neutralization.

14 If any hot trash is to be
15 shipped and dumped at WIPP, I insist
16 that DOE comply with all laws, all
17 federal, state and local laws.

18 New EPA standards, NRC
19 regulations regarding TRUPACT-II
20 certification, RCRA standards, I insist
21 upon legislative land withdrawal, and
22 administrative land withdrawal for
23 permanent disposal of hazardous wastes
24 is against national policy.

25 I do not trust the DOE SEIS

36-1

53-1

1-3

16-Jun-89: TS-00741, PAGE 3 OF 8 411

1 assessment of health and safety risks.
2 Plutonium is the most toxic substance
3 known.

4 Internalizing one-millionth
5 of a gram can cause cancer. SEIS
6 admits there will be radiation exposure
7 to the public and with employees
8 through TRUPACT containers.

9 I am concerned about the
10 additional hazard of low-dose, long-
11 term exposure to radionuclides.

12 Low-level exposure can
13 cause lung, liver, bone cancers,
14 leukemia, thyroid disorders, miscar-
15 riages, sterility.

16 And rates for these
17 diseases among nuclear employees and
18 people down wind of nuclear plants are
19 higher than national averages.

20 Remote handled true wastes
21 can cause radiation sickness after five
22 to seven minutes exposure to a closed
23 container.

24 A 16 to 50 minute exposure
25 can kill. The term low-level waste is

3.1-2
7.3.5.2-2
7.3.5.2-4
7.13.1-7
7.13.1-8

16-Jun-89: TS-00741, PAGE 4 OF 8 412

1 misleading. A euphemistic term for
2 most military plutonium contaminated
3 wastes regardless of toxicity,
4 including wastes requiring remote
5 handling.

6 DOE does not factor in
7 human error in a worst case accident
8 scenario. Valdez, Chernobyl and TMI
9 were caused by compounded human errors.

10 And the extent of each
11 catastrophe far exceed predicted
12 estimates.

13 TRUPACT-II containers have
14 not been certified by the NRC. There
15 is no crush test, though DOE itself
16 admits that would be the worst dominant
17 accident effect.

18 DOE does not know what is
19 in the waste storage drums, and no one
20 knows how contents will interact over
21 time.

22 Independent scientists
23 believe testing of gas formation and
24 remote handling can better, more safely
25 be done in a controlled lab.

3.1-2
7.3.5.2-2
7.3.5.2-4
7.13.1-7
7.13.1-8

7.3.3-3
7.13.3-1

7.3.1-2
7.3.1.1-9
7.3.1.1-20

7.9-3

5.1.1-1

16-Jun-89: TS-00741, PAGE 5 OF 8 413

1 DOE admits rail shipping
2 would be safer than trucking. Don
3 Trucking has no hazardous radioactive
4 shipping experience. It was the lowest
5 bidder for the job.

6 What about terrorist
7 sabotage? What is a suicidal terrorist
8 group, domestic or foreign, takes a
9 WIPP truck hostage or blows one up?

10 Will DOE truck radioactive
11 wastes go in armed convoys? How will
12 people know if there has been a spill
13 or leak?

14 With the satellite tracking
15 system there is at least a 30-minute
16 delay in notification. But will DOE
17 notify the state or endangered small
18 towns?

19 DOE has a long record of
20 cover-ups and lies regarding emissions
21 from Fernald, Savannah River, Hanford
22 and Rocky Flats.

23 I understand first
24 responders are to be the fire depart-
25 ment. In small towns that will be a

1-2

16-Jun-89: TS-00741, PAGE 6 OF 8 414

1 volunteer group.

2 I understand Santa Fe was
3 issued two official DOE WIPP first
4 responder kits, which contain one
5 plastic sheet, two paper suits, gloves,
6 one half face respirator and a roll of
7 duct tape.

8 Would any of you go to a
9 WIPP truck accident of unknown
10 proportions at Cerrios and St. Francis
11 with this kit and without a radiation
12 detector?

13 Will DOE issue radiation
14 detectors to all first responders
15 across 23 states of WIPP routes?

16 What will people do with
17 the suits if they become contaminated?
18 Hundreds of top officials in Chernobyl
19 fled the city when notified of the
20 disaster there.

21 I understand typical cancer
22 treatment costs \$100,000. DOE
23 employees probably have good health
24 coverage.

25 My employer offers no

3.1-2
7.13-22

16-Jun-89: TS-00741, PAGE 7 OF 8 415

1 health benefits. Perhaps DOE has heard
2 that uranium miners and down winders
3 poisoned by above-ground atomic testing
4 in the '50's and '60's are suing the
5 Federal Government.

6 What is a trend occurs
7 along the WIPP trail. DOE needs to
8 quit this project before it gets out of
9 hand.

10 DOE needs to focus the next
11 27 years and \$130 billion dollars of
12 taxpayers' money, it estimates, will be
13 needed to clean-up the existing
14 contaminated weapons plant sites and
15 address the staggering results of
16 negligence and deliberate radioactive
17 releases.

18 HEARING OFFICER RICHARDSON:
19 Ms. Fox, your time has lapsed. If you
20 could please bring your comments to a
21 close.

22 MS. FOX: I'll wrap it up.

23 HEARING OFFICER RICHARDSON:
24 Thank you.

25 MS. FOX: SEIS does not

3.1-2
7.13-22

1-2

3.8-2

3.2-1

16-Jun-89: TS-00741, PAGE 8 OF 8 416

1 offer one reason why WIPP is vital to
2 national security.

3 The military has over
4 reported the plutonium and tritium
5 needed to enable our leaders to play
6 hard ball on the international circuit.

7 I reject the national
8 security policy that endangers the
9 health and safety of the citizens it is
10 supposed to protect.

11 Thank you.

12 (Applause.)

13 HEARING OFFICER RICHARDSON:
14 Ms. Fox, I know you didn't have an
15 opportunity to read all of your
16 remarks. If you would like to bring
17 them forward, we'll enter them into the
18 record as an exhibit.

19 MS. FOX: Okay. Thank you.

20 HEARING OFFICER RICHARDSON:
21 Thank you.

22 J. A. Klauck.

23 (No response.)

24 HEARING OFFICER RICHARDSON:
25 Ute Behunek.

3.2-1

417

1 (No response.)
 2 HEARING OFFICER RICHARDSON:
 3 Tana Howell.
 4 (No response.)
 5 HEARING OFFICER RICHARDSON:
 6 Susie Vance. 16-Jun-89: TS-00742, PAGE 1 OF 6
 7 Ms. Vance, if you'll please
 8 provide your mailing address for the
 9 court reporter, then you'll have five
 10 minutes for your comments.
 11 MS. VANCE: It's P. O. Box
 12 6201, Santa Fe 87502.
 13 HEARING OFFICER RICHARDSON:
 14 Please proceed.
 15 MS. VANCE: Thank you for
 16 this opportunity to share my views on
 17 the DOE WIPP SEIS project.
 18 New Mexico and our
 19 legislators must insist on no WIPP
 20 until newly promulgated EPA standards
 21 have been released and met by the DOE
 22 WIPP project with independent verifica-
 23 tion.
 24 Without these new standards
 25 in place and without the DOE complying

1-3

16-Jun-89: TS-00742, PAGE 2 OF 6 418

1 with the new standards, New Mexico may
 2 be itself up to become another Rocky
 3 Flats.
 4 In light of many problems
 5 with SEIS, including site and transpor-
 6 tation, I strongly encourage all
 7 legislators not to introduce or push a
 8 land withdrawal bill through Congress
 9 until such time as the many concerns of
 10 the EDG, the SRP, the NAS, the EPA and
 11 all citizens are thoroughly addressed
 12 and resolved to the satisfaction of all
 13 the people concerned.
 14 I ask you to extend the
 15 time for public comment and delay
 16 opening WIPP until all issues are
 17 resolved.
 18 My major concerns with WIPP
 19 are transportation safety and risk. I
 20 live one block west of St. Francis
 21 Drive, therefore, the WIPP route will
 22 have a direct impact on my daily life.
 23 New Mexican newspaper
 24 article dated June 7th, 1989, says that
 25 people who stand or park near the

1-3

6.1-1

1-3

7.3.3

7.35.2.4

554

16-Jun-89: TS-00742, PAGE 3 OF 6 419

1 containers will be exposed to small
2 added levels of radiation.

7.35.2-4

3 Please answer my following
4 questions in writing: How often and
5 when do you intend to monitor the level
6 of radiation on St. Francis Drive?

7 I am deeply concerned for
8 the safety of small children who use
9 St. Francis and Alameda intersections
10 as a school crossing for the Gonzales
11 Elementary School.

7.35.2-4
7.15.4-6

12 The school guard is on the
13 corner on school days. What are the
14 effects of repeated exposure to him and
15 the children?

16 I never thought in this
17 country I would live to see the day
18 when plutonium waste is transported
19 through an intersection that children
20 use to go through and from school.

7.33-3
7.35.1-12

21 Eye openers like that make
22 me convinced that the DOE has made
23 practical safety of WIPP into an
24 invisible computer program.

25 What is the permanent fire

16-Jun-89: TS-00742, PAGE 4 OF 6 420

1 protection plan for us on the route?
2 Where is the emergency
3 response capability for us?

7.12.9-7

4 Why are trucks being
5 brought through Santa Fe on a street
6 that has nearly 1,000 accidents per
7 year?

7.33-3

8 How many times per year
9 will WIPP trucks suddenly slam on their
10 brakes on St. Francis Drive?

11 And as an example, last
12 week there was an accident on St.
13 Francis Drive and the traffic was
14 backed up about three blocks, and I
15 counted three times that I unnecessari-
16 ly had to slam on my brakes.

17 Most important, please
18 answer why all the by-passes for the
19 WIPP route have not been completed
20 before shipments begin?

7.15.4-1

21 When people's safety has
22 been so blatantly ignored, it puts us
23 all on a bad foundation.

24 My other questions are:
25 Why was outdated 1977 truck data used

7.36.1-3

16-Jun-89: TS-00742, PAGE 5 OF 6 421

1 in the transportation analysis?

2 Will the truck drivers be
3 alcohol and drug free?

4 What experience does the
5 WIPP truck company have in hauling
6 toxic waste?

7 Does RADTRAN, the computer
8 program, accurately predict or describe
9 the risks of nuclear waste shipping?

10 And why doesn't your
11 computer system use a completely
12 realistic model for programming?

13 As required by federal law,
14 there has -- there should be a direct
15 comparison between the FBI EIS of 1980
16 and the draft SEIS, and I want to know
17 if that's been completed?

18 Finally, why has human
19 error not been factored in DOE
20 predictions?

21 The most blatant human
22 error is to ignore or deny the
23 existence of human error.

24 Great if you have a
25 satellite tracking system, you will

7.3.2.1-4

7.3.2.1-4
7.3.2.1-6

7.3.2.1-4

7.3.5-1

16-Jun-89: TS-00742, PAGE 6 OF 6 422

1 know where the wreck is. How long will
2 it take you to clean it up? Not as
3 long as the Valdez, I hope.

4 There has been enough
5 negligence with Rocky Flats to make a
6 study on the outcome of error, denial.
7 It's given the DOE a reputation for
8 misrepresentation and cover-up, and
9 people are very skeptical of WIPP
10 because of all this recent media news.

11 How can you accurately
12 determine the accident prone areas of
13 the WIPP route without a realistic
14 computer program?

15 In conclusion, comparative-
16 ly, environmental devastation was
17 caused in Rocky Flats due to human
18 error and cover-up, respectively.

19 With these tragedies, I
20 think the grim reaper is warning humans
21 to get their act together.

22 I hope you will consider a
23 safer system and transport pact before
24 opening WIPP.

25 Thank you.

7.3.5-1

3.2-1

7.3.3-4

423

1 (Applause.)

2 HEARING OFFICER RICHARDSON:

3 John Simmons.

4 (No response.)

5 HEARING OFFICER RICHARDSON:

6 Again, we're getting a little ahead of
7 ourselves on our schedule. We'll go
8 back and call these names again.

9 Katrine Brandon.

10 (No response.)

11 HEARING OFFICER RICHARDSON:

12 Beth Dillingham. 16-Jun-89: TS-00743, PAGE 1 OF 4

13 MS. DILLINGHAM: My name is
14 Beth Dillingham. I live at 1111 Los
15 Arboles Northwest, Albuquerque. My zip
16 code is 87107.

17 My academic background is
18 environmental studies and planning and
19 public policy.

20 For two years I worked in
21 environmental policy analysis as a
22 consultant to the Federal Headquarters
23 of EPA in Washington, D.C.

24 I worked with the Office of
25 Solid Waste in the Hazardous Waste

16-Jun-89: TS-00743, PAGE 2 OF 424

1 Division.

2 My comments are directed to
3 the agency of the Department of Energy,
4 and not to you personally.

5 I would like to acknowledge
6 that you have a difficult job and that
7 you have heard a great deal of
8 testimony over a very emotionally
9 charged issue.

10 But I hope you will bear
11 with me as I discuss six points of
12 concern.

13 There is an unquestionable
14 crisis and the need for adequate
15 storage across the United States, but
16 the WIPP plan is not safe.

17 This project has failed to
18 demonstrate adequate safety precautions
19 or sufficient study to warrant DOE's
20 plans to open the facility before
21 adequate protections are guaranteed.

22 It is inappropriate for DOE
23 to receive a waiver of the RCRA
24 regulations governing mixed waste in
25 its application for a known migration

31-2

37-2

16-Jun-89: TS-00743, PAGE 3 OF 6 425

1 petition.

2 Because of the discovery of
3 the brine reservoir underneath the salt
4 caverns and evidence of seepage, it is
5 irresponsible to act on the assumption
6 that there is no potential ground water
7 contamination possible, especially in
8 light of Plutonium 239's toxicity for
9 240,000 years.

10 I demand that DOE demon-
11 strates scientific justification for
12 placing radioactive waste in WIPP to
13 study gas generation of the breakdown
14 of organic waste in its performance
15 assessment plan.

16 I ask you for a full
17 explanation of why the SEIS Report does
18 not address the five-year experimental
19 plan.

20 Concerning transportation
21 issues, I would like the final SEIS--
22 the final issue of the SEIS Report to
23 document a full explanation of why DOE
24 has chosen to adopt the option of truck
25 transportation of waste, which of the

37-2

7.8.5-2
7.14-97.11-1
7.11.4.45.1-5
5.1.1-1

7.32-4

16-Jun-89: TS-00743, PAGE 4 OF 6 426

1 three options discussed, according to
2 DOE's own figures, have the highest
3 potential loss of life associated with
4 it.

5 Please document how the DOE
6 accounts for the value of human life
7 versus the economic cost of truck
8 transportation over trains.

9 Under the National
10 Environmental Protection Act DOE is
11 required to evaluate the worst case
12 scenario and potential transportation
13 hazards.

14 DOE has designated the
15 worst case scenario as the crush
16 scenario with fully loaded TRUPACT-II
17 packs.

18 Crush tests have not been
19 performed. I call for a halt to the
20 NRC licensing procedures of TRUPACT
21 containers until the crush tests have
22 been completed and demonstrate
23 successful performance and the NEPA
24 law is fully complied with.

25 Finally I challenge the

7.32-4

7.3.1.1-9
7.32-4
7.3.5.1-15

32-1

16-Jun-89: TS-00743, PAGE 5 OF 6
427

1 Department of Energy's capacity to
2 operate a hazardous waste facility
3 safely and legally.

4 For two years I have lived
5 12 miles from Rocky Flats plant -- from
6 the Rocky Flats plant. While I was
7 there DOE officials constantly assured
8 the public that the plant operated
9 safely and that there were no sig-
10 nificant health risks.

11 Recent evidence of the
12 horrible violations and criminal
13 activity, including the illegal
14 discharge of radioactive waste into
15 local drinking water supplies and the
16 illegal operation of an incinerator are
17 just a few examples of DOE's incredible
18 mismanagement and abominable perfor-
19 mance at federal facilities across this
20 country.

21 DOE has completely
22 undermined my trust, and its own
23 credibility as a hazardous waste
24 facility operator.

25 Instead of DOE hearings on

32-1

16-Jun-89: TS-00743, PAGE 6 OF 6
428

1 DOE's WIPP project, I think it is much
2 more appropriate for full Congressional
3 oversight hearings to be called to be
4 held over DOE's capacity to continue,
5 let alone initiate new hazardous waste
6 facility operations.

7 Thank you for your time.

8 (Applause.)

9 HEARING OFFICER RICHARDSON:
10 The prepared written comments of Beth
11 Dillingham will be entered into the
12 record as Exhibit No. 531 in this
13 proceeding.

14 (The document above-
15 referred to was
16 marked for iden-
17 tification as Exhibit
18 No. 531 and received
19 in evidence.)

20 HEARING OFFICER RICHARDSON:
21 Tana Howell.

22 Ms. Howell, if you'll
23 please provide your mailing address for
24 the court reporter, then you'll have
25 five minutes for your comments.

32-1

16-Jun-89: TS-00744, PAGE 1 OF 4 429

1 MS. HOWELL: My name is
2 Tana Howell. My address is 538 Garcia,
3 No. 1, Santa Fe, New Mexico 87501.

4 Several things come to mind
5 for me as I watch the preparations for
6 the opening of WIPP.

7 One things that comes to
8 mind for me is what is the hurry? I
9 really don't understand the push. What
10 seems to me to be the push to get it
11 opened so fast.

12 It seems as if expediency
13 is the priority here and not safety.
14 I've heard a lot of people talking
15 lately about, well, we've got the
16 waste, we better put it somewhere.

17 It's just like out-of-
18 sight, out-of-mind. And I do think we
19 need to consider safety first always.

20 Serious questions have been
21 raised about WIPP, about the safety of
22 WIPP, and shouldn't safety be our
23 highest priority?

24 This is a grave matter for
25 us, the citizens of New Mexico, for the

4.1-3

3.1-2
4.1-3

16-Jun-89: TS-00744, PAGE 2 OF 4 430

1 citizens of the United States, for the
2 DOE, for all of us, it seems that
3 safety should be the highest priority,
4 not expediency.

5 Keep it in mind that the
6 SEIS stated that no environmental
7 reasons have been found why the
8 transuranic wastes at the Idaho
9 National Engineering Laboratory could
10 not be left as it is for several
11 decades or even a century.

12 Why the rush to open WIPP
13 right now? Surely it seems sensible in
14 dealing with a substance, plutonium,
15 that has a lifetime of 240,000 years
16 and is as extremely hazardous to human
17 beings, surely it seems sensible to
18 spend at least a few more years in the
19 testing and preparation of the site
20 that is going to house this plutonium
21 for those 240,000 years.

22 What is a few years
23 compared to 240,000 years?

24 We are all part of the
25 human family here. We all share

3.1-2
4.1-3

16-Jun-89: TS-00744, PAGE 3 OF 4 431

1 guardianship of the earth's resources.
 2 We all have a responsibility for the
 3 future of those resources.

4 I see safety as our first
 5 priority. A priority for all of us.
 6 Citizens, DOE, everyone. I see
 7 complying with the new EPA standards as
 8 essential and minimal, because even if
 9 we comply to presume that we have the
 10 technology and expertise to build a
 11 facility that will be safe for the next
 12 240,000 years -- well, it seems almost
 13 ludicrous to me.

14 How do we possibly know
 15 what will happen in 240,000 years or
 16 100,000 years or 10,000 years.

17 My fervent hope as a
 18 citizen of the United States and a
 19 human being on this planet is that the
 20 Government of this country will
 21 immediately start to re-assess the
 22 environmental feasibility of nuclear
 23 weapons and nuclear reactors.

24 In producing nuclear waste,
 25 we have far exceeded our technology to

16-Jun-89: TS-00744, PAGE 4 OF 4 432

1 dispose of them. That's the fact.

2 I do not support the
 3 building of nuclear weapons. And I
 4 have no doubt that if forced, Americans
 5 will find others ways to meet their
 6 energy needs besides nuclear genera-
 7 tors.

8 Americans are very
 9 resourceful. I'm sure we can develop
 10 solar energy or whatever. Up until
 11 now, alternatives have not been
 12 adequately funded or resourced.

13 Things do need to start
 14 changing now. And at this particular
 15 point in time, I ask the DOE assume
 16 responsibility for New Mexicans and
 17 U.S. citizens now and in the future by
 18 at least complying with the new EPA
 19 standards, whatever that entails,
 20 before opening WIPP.

21 Thank you.

22 (Applause.)

23 HEARING OFFICER RICHARDSON:

24 Audrey Goddard.

25 (No response.)

433

1 HEARING OFFICER RICHARDSON:
 2 John Simmons.
 3 (No response.)
 4 HEARING OFFICER RICHARDSON:
 5 Katrine Brandon.
 6 (No response.)
 7 HEARING OFFICER RICHARDSON:
 8 Bob Filice.
 9 (No response.)
 10 HEARING OFFICER RICHARDSON:
 11 Monine.
 12 (No response.)
 13 HEARING OFFICER RICHARDSON:
 14 Robert Leviathan.
 15 (No response.)
 16 HEARING OFFICER RICHARDSON:
 17 Carlos Perez.
 18 (No response.)
 19 HEARING OFFICER RICHARDSON:
 20 Those are individuals I have signed up
 21 so far through the 6:00 o'clock hour.
 22 If you were registered at
 23 the door and were assigned to this
 24 room, bear with us, a runner will be
 25 bringing your name up to me, then I

434

1 will be able to call you.
 2 Are you Ms. Behunek?
 3 (No response.)
 4 HEARING OFFICER RICHARDSON:
 5 Would you please state your name and
 6 mailing address for the court reporter,
 7 then you will have five minutes for
 8 your comments. After four minutes, the
 9 yellow light will flash on the podium
 10 indicating you have one minute left of
 11 time. 16-Jun-89: TS-00745, PAGE 1 OF 3
 12 MS. BEHUNEK: My name is
 13 Ute Behunek. I live at 829 Dunlap
 14 Street, Santa Fe.
 15 I think there is no safe
 16 way to store nuclear waste. Once it's
 17 stored, it should stay there because
 18 it's even more unsafe to transport this
 19 radioactive material.
 20 More money should be spent
 21 to find a solution to neutralize the
 22 nuclear waste.
 23 I've heard that there are
 24 very successful alternatives to
 25 neutralize it, but it's too expensive.

16-Jun-89: TS-00745, PAGE 2 OF 3 435

1 Is it really too expensive
2 to save our lives?

3 I was in Austria when the
4 accident in Chenobol happened. I am
5 an Australian citizen. And Austria is
6 about 2,000 miles away from Chenobol,
7 and I want to tell you what we
8 experienced, just so you have an idea
9 what really happened and how scary it
10 is.

11 Australia doesn't have any
12 nuclear power plants. They have no
13 nuclear weapons, and they have no
14 nuclear waste.

15 But that doesn't mean that
16 the energy stays away. So it was a
17 beautiful day in spring. It was the
18 first warm sunny day and a really long
19 cold, dark and gray winter.

20 Everybody was out there.
21 Kids were playing in the sand, sitting
22 around. Everybody was out in the
23 nature.

24 Two days later we heard
25 about the accident, and we had been out

16-Jun-89: TS-00745, PAGE 3 OF 3 436

1 there on the worst day.

2 And following statements,
3 what we heard afterwards, make sure
4 your children do not play in the grass
5 or in sandboxes.

6 Sandboxes were empty. They
7 took the sand away. It was too
8 dangerous for kids.

9 Don't eat meat, salad, milk
10 products, berries, wild mushrooms or
11 any kind of fruits because everything
12 was in blossom.

13 Don't go out of the house
14 if it's raining. So I was an adult. I
15 couldn't understand it. We shouldn't
16 go to the swimming pool because it was
17 raining and the water is polluted. -

18 How can you tell a little
19 kid not to do that? I don't want
20 anybody else to experience that. And I
21 hope it's the same with you.

22 Thank you for listening.
23 (Applause.)

24 HEARING OFFICER RICHARDSON:
25 Our next scheduled commentator is Bob

437

1 Filice.

2 Mr. Filice, you'll step up

3 to the podium, your comments will be

4 recorded by the court reporter and

5 entered into the record of this

6 proceeding. 16-Jun-89: TS-00746, PAGE 1 OF 6

7 DR. FILICE: Okay.

8 HEARING OFFICER RICHARDSON:

9 If you would start by providing us with

10 your mailing address and then you will

11 have five minutes to comment.

12 After four minutes, the

13 yellow light will warn you that you

14 have one minute left. At five minutes,

15 the red light will come on and I will

16 ask you to terminate your comments at

17 that time.

18 DR. FILICE: Okay. No

19 problem.

20 My name is Dr. Bob Filice.

21 I live at 3 Malaya Lane in Santa Fe,

22 New Mexico 87505.

23 And I am an active

24 registered voter in Santa Fe, and I

25 want to thank you for giving us the

16-Jun-89: TS-00746, PAGE 2 OF 6 438

1 opportunity to voice our opinions at

2 these public hearings on the SEIS, on

3 the WIPP project.

4 My requests are the

5 following: That WIPP disposal

6 operations begin only after compliance

7 with the EPA safety standards is

8 absolutely demonstrated, documented and

9 made available to the public.

10 Two, that the transporta-

11 tion of the transuranic waste in the

12 TRUPACT-II containers commence only

13 after NRC certification standards are

14 absolutely met, documented and made

15 available to the public.

16 And, three, that the

17 highways upon which this waste is to be

18 transported, whether they be two lane

19 or multi-lane, whether they be through

20 the center of a metropolitan or urban

21 area or through a rural or unpopulated

22 area, be improved to the standards used

23 on this country's interstate highway

24 system.

25 The proposed route on U.S.

1-3

7.3.1-2

7.3.3-4

16-Jun-89: TS-00746, PAGE 3 OF 4 439

1 285 southeast of Santa Fe runs past the
2 entrance to El Dorado where I live, and
3 other residential communities.

4 The population of this area
5 is steadily increasing as is the
6 traffic. Provisions are needed on
7 Route 285 for access and egress to
8 avoid the type of accidents that
9 continually occur in this area.

10 In addition, Route 285
11 south of Lamay, south of the Lamay
12 turnoff is no more than an elaborate
13 cow path. It lacks shoulders and has
14 blind corners and is poorly graded in
15 places.

16 All this needs to be
17 drastically improved before the trucks
18 start to use this route.

19 The current information on
20 the geologic and hydrologic conditions
21 at the WIPP site present an insurmount-
22 able obstacle in insuring the safety of
23 its long-term operation.

24 This factor alone demon-
25 strates the haste and lack of technical

7.3.3-4

7.3.3.1-2

3.1-2
7.7-1

16-Jun-89: TS-00746, PAGE 4 OF 6 440

1 and scientific research that existed
2 from the onset of the WIPP project.

3 In good conscience how can
4 we condone this project to proceed
5 based solely on these hydro-geologic
6 problems?

7 I am a dentist, a health
8 care professional. I do understand the
9 benefits, hazards and precautions in
10 dealing with radiation whether it be
11 for a medical-dental need or a national
12 energy need.

13 I know nuclear energy may
14 some day be a viable safe source for
15 the majority of our domestic energy
16 requirements.

17 What I cannot understand is
18 how hundreds of millions, even billions
19 of dollars be squandered on poorly
20 researched and executed projects such
21 as WIPP.

22 The public cries out for
23 affordable and equitable medical care.
24 And all we get is an overdeveloped and
25 over-budget arms race spurned by

3.1-2
7.7-1

16-Jun-89: TS-00746, PAGE 5 OF 6 441

1 paranoia, all in the name of national
2 defense and national security.

3 Canada with a population
4 one-tenth that of the United States has
5 a medical care delivery system ten
6 times greater than ours.

7 If just a fraction of all
8 these billions of dollars spent on
9 national defense and security were
10 channeled to the health and education
11 of our country, we all would be
12 enjoying ongoing benefits and dividends
13 from these humanitarian changes for
14 greater -- far greater than many of
15 these defense-related projects.

16 But for some reason, we
17 continually pay taxes, usually in
18 excess of what we feel is fair, and
19 stand by almost helplessly watching
20 national policies being made then
21 shoved down our throats whether we like
22 it or not, whether we need it or not.

23 The deception and fraud
24 which exists is all levels of Govern-
25 ment and is continually brought to our

16-Jun-89: TS-00746, PAGE 6 OF 6 442

1 attention, must cease.

2 No one is perfect and this
3 is no Utopia, so we can significantly
4 improve the quality of our lives on
5 this planet simply by striving to
6 improve our level of consciousness of
7 each other and the world around us.

8 If democracy is Government
9 by the people and for the people, it is
10 time for you to listen to the needs of
11 these people.

12 And in closing, I'd just
13 like to comment, make a quote from one
14 of the science fiction heroes of our
15 time when he was faced with a certain
16 death situation in saving the crew and
17 passengers of his ship, and he said,
18 "The needs of the many outweigh the
19 needs of the few or the one.

20 Thank you.

21 (Applause.)

22 HEARING OFFICER RICHARDSON:
23 Thank you for your comments, Doctor.

24 I'll reiterate at this
25 point that if you'd like to supplement

443

1 your testimony with additional written
2 information, you can do so by bringing
3 it up to me at the end of your comments
4 and I will enter it into the record as
5 an exhibit of this proceeding.

6 In addition, you can
7 provide written comments to the
8 Department of Energy at the address
9 that's available at the registration
10 desks in the front lobby.

11 You may do so through July
12 11th.

16-Jun-89: TS-00747, PAGE 1 OF 3

Robert Levithan.

14 MR. LEVITHAN: My name is
15 Robert Levithan, and my mailing
16 address is 136 Daniel Street, Santa
17 Fe, New Mexico 87501.

18 I am president of the Touch
19 Foundation, Incorporation, a not-for-
20 profit organization which presents
21 touchable art programs for the visually
22 impaired nationwide.

23 I am also a consultant for
24 a nation optical business and work with
25 the issue of support for people with

16-Jun-89: TS-00747, PAGE 2 OF 3 444

1 AIDS and other life-threatening
2 illness, primarily through inner
3 resources.

4 My life work at this time
5 focuses on vision. In regards to WIPP,
6 I find myself compelled to look at the
7 immediate vision an ill-conceived and
8 improperly documented plan for nuclear
9 waste transport and storage, and all
10 too many possibilities for worst case
11 scenarios.

12 And the larger vision, of
13 how nuclear waste is being produced and
14 why. I believe that the people of New
15 Mexico and Idaho and Colorado and
16 Georgia are now taking a crucial stand
17 against short-sightedness in terms of
18 national and international nuclear
19 policy.

20 We are not here -- we are
21 here not only to stop WIPP and its very
22 real dangers, but to question the
23 Department of Energy and to speak our
24 concerns to officials, legislators and
25 the people of our state, and beyond our

231-2

1-2
32-1
36-1

16-Jun-89: TS-00747, PAGE 3 OF 3 445

1 state.

2 I was also very moved
3 yesterday as I listened to testimony by
4 witnesses and by the presence of so
5 many supporters besides the speakers.

6 The perpetration of
7 injustice, or in this case potential
8 horror, not only requires error of
9 judgement by the Department of Energy
10 but the rest of us looking the other
11 way.

12 I am heartened that so many
13 of us are not looking the other way.
14 Let us all join in the vision of sane
15 nuclear policy, and let us begin by
16 halting WIPP now.

17 Thank you.

18 (Applause.)

19 HEARING OFFICER RICHARDSON:

20 Thank you.

21 The prepared written
22 comments of Robert Levithan will be
23 entered into the record as Exhibit No.
24 532 in this proceeding.

25 (The document above-

1-2
3.1-8
32-1
3.6-1

446

1 referred to was
2 marked for iden-
3 tification as Exhibit
4 No. 532 and received
5 in evidence.)

6 HEARING OFFICER RICHARDSON:

7 Is Carlos Perez here?

8 (No response.)

9 HEARING OFFICER RICHARDSON:

10 Audrey Goddard.

11 (No response.)

12 HEARING OFFICER RICHARDSON:

13 John Simmons. 16-Jun-89: TS-00748, PAGE 1 OF 4

14 MR. SIMMONS: Hi.

15 HEARING OFFICER RICHARDSON:

16 Hi. Mr. Simmons, if you will please
17 provide your mailing address for the
18 court reporter, and then you will have
19 five minutes for your comments.

20 MR. SIMMONS: Okay. My
21 name is John Simmons. My mailing
22 address is Box 8517, Santa Fe.

23 First, I want to thank
24 everybody here for letting me come up
25 here and talk.

16-Jun-89: TS-00748, PAGE 2 OF 6 447

1 I've been really terrified
2 of this whole WIPP thing right from the
3 start. It scares me bad. Nuclear
4 power terrifies me.

5 It terrifies practically
6 everybody I know. Children that I know
7 are terrified. This is scary stuff.
8 This is scary business.

9 I feel that we can't open
10 WIPP until we first meet these EPA
11 standards. These standards are here so
12 that I can be protected so that my
13 friends, the children that I know, the
14 environment, they're there for our
15 benefit.

16 And we're going to open
17 this without first meeting WIPP, that
18 scares me. That scares me really bad.
19 If I do something, I try to follow the
20 rules.

21 I need to follow the rules.
22 If I don't follow the rules, I end up
23 in jail. I don't believe that DOE
24 should be allowed to open this without
25 following the rules, period.

1-3
3.1-2
3.1-31-3
3.1-3

16-Jun-89: TS-00748, PAGE 3 OF 6 448

1 I don't think DOE is an
2 evil agency. I think that basically
3 you all have been given an impossible
4 task. You've been given a task to deal
5 with this garbage that we've been
6 generating for all these years.

7 We don't know what to do
8 with this. There is really no good way
9 of dealing with it. We keep, time
10 after time, coming up with a temporary
11 solution.

12 We come up with a temporary
13 solution, bury it where, we bury it
14 there, we do this with it, we do that
15 with it.

16 None of these solutions are
17 really appropriate. We end up, time
18 after time, with an environmental
19 disaster on our hands, with this stuff
20 spreading through our environment.

21 I think WIPP is just
22 another one of these situations. I
23 think we're going to put this stuff in
24 there and that ultimately we're going
25 to be in the same boat.

32-1

16-Jun-89: TS-00748, PAGE 4 OF 4 449

1 I think the wisest thing
2 that we can do and that you all can do
3 for us, and I'd appreciate if you could
4 do this, leave this stuff where we're
5 generating it.

6 Leave it there until we can
7 figure out what to do with it. We have
8 to do something with it. It's obvious.
9 We're making this stuff. We have to
10 deal with it.

11 That's our responsibility.
12 It's our responsibility for 10,000
13 years, not just for our lifetime, our
14 children's lifetimes, 10,000 years or
15 more.

16 We need to think about
17 this. We need to stop putting it into
18 these temporary storage areas and stop
19 spreading it around our environment.

20 I'm just really scared. It
21 scares me bad to think about this
22 stuff, driving down St. Francis Drive.
23 It scares a lot of people.

24 I have a lot of friends who
25 aren't coming here, aren't going to be

1-2

16-Jun-89: TS-00748, PAGE 5 OF 4 450

1 here, aren't going to say anything.
2 Most of the people who are terrified
3 are not going to say anything.

4 They don't think that
5 coming up here and saying anything is
6 going to do any good whatsoever.

7 And that's scary. That's
8 really scary. So I'm here. I'm
9 terrified. I'm terrified of WIPP. I'm
10 terrified of nuclear power.

11 I think that we ultimately
12 should ditch nuclear power because
13 basically it isn't safe, no matter what
14 we say about it.

15 It's basically not safe.
16 Everyone knows it's not safe. We
17 wouldn't be worrying so much, you
18 wouldn't be worrying so much about it,
19 if it wasn't.

20 It's not safe, we all know,
21 it. We're all intelligent people. And
22 anybody who has got their brain screwed
23 on straight, back in the back of their
24 minds, no matter what they say for
25 their job, what they say for the

32-1

36-1
9-3

570

16-Jun-89: TS-00748, PAGE 6 OF 6 451

1 situation they're in, in the back of
2 their mind they know that this is not
3 safe.

4 They know that ultimately
5 we have to move beyond this and do
6 something different.

7 And I think that that's
8 where we need to go. I think that we
9 need to ultimately ditch nuclear power,
10 come up with a better solution and
11 sometime down the line figure out what
12 to do with what we've already gener-
13 ated.

14 Thank you.

15 (Applause.)

16 HEARING OFFICER RICHARDSON:
17 Katrine Brandon.

18 (No response.)

19 HEARING OFFICER RICHARDSON:
20 I'm informed that Jonathan Crews may be
21 here.

22 Mr. Crews, if you will
23 please provide your mailing address for
24 the court reporter, you'll have five
25 minutes for your comments.

3.6-1
9-3

3.6-1

16-Jun-89: TS-00749, PAGE 1 OF 3 452

1 At four minutes, the yellow
2 light will flash indicating that you
3 have one minute left. At five minutes
4 the red light will flash.

5 MR. CREWS: My name is
6 Jonathan Crews. My mailing address is
7 1880 Plaza Del Sur, Apartment 104-D,
8 Santa Fe, 87505.

9 My comments will be brief
10 today. I appreciate having the
11 opportunity to speak before you today.

12 After reading extensively
13 about the WIPP project and listening to
14 hours of testimony in the last two
15 days, much of which has come from
16 scientists and other authorities who
17 have investigated independently the
18 WIPP project, I feel that the entire
19 WIPP project is the transportation as
20 well as the storage, it is ill-
21 conceived and poorly planned.

22 I also feel that the
23 nuclear energy, the entire thrust
24 towards providing energy from nuclear
25 sources is poorly planned.

3.1-8
3.6-1

16-Jun-89: TS-00749, PAGE 2 OF 3 453

1 It's very dangerous. And I
2 would like to see this \$700 million
3 that's already been spent on WIPP and
4 future resources that could be
5 allocated by the Government of the
6 United States be directed towards
7 finding means to neutralize the present
8 nuclear waste that's accumulating from
9 all the sources around the United
10 States.

11 And I'd also like to see
12 that the entire movement towards
13 nuclear energy be decreased dramati-
14 cally through the next few years.

15 If we're having obvious
16 problems with disposal, obvious
17 problems with accident, then I don't
18 feel it's safe, particularly when the
19 effects of these -- of these nuclear
20 accidents can last a very long period
21 of time.

22 So I'd like to see money
23 allocated towards research and
24 neutralizing nuclear waste rather than
25 taking temporary measures to store it

1-2
36-1
36-2
52-1
52-2
53-1
9-3

16-Jun-89: TS-00749, PAGE 3 OF 3 454

1 somewhere, because we really don't know
2 what the effects of this storage can
3 have over the short-term and over the
4 long-term.

5 So I would appreciate you
6 listening.

7 Thank you very much.

8 HEARING OFFICER RICHARDSON:

9 We appreciate your comments.

10 (Applause.)

11 HEARING OFFICER RICHARDSON:

12 Nonine.

13 (No response.)

14 HEARING OFFICER RICHARDSON:

15 Carlos Perez.

16 (No response.)

17 HEARING OFFICER RICHARDSON:

18 We're again at a point where we've
19 exhausted the list of individuals who
20 have pre-registered through the hour,
21 through the dinner hour.

22 NONINE: I'm here.

23 HEARING OFFICER RICHARDSON:

24 What's your name, ma'am?

25 NONINE: Nonine.

36-1
53-1

16-Jun-89: TS-00750, PAGE 1 OF 3 455

HEARING OFFICER RICHARDSON:

Nonine. Thank you.

Nonine, if you would please provide your mailing address for the court reporter, then you will have five minutes for comment.

NONINE: Okay.

HEARING OFFICER RICHARDSON:

At four minutes the yellow light will flash on the podium indicating that you have one minute left.

NONINE: All right.

HEARING OFFICER RICHARDSON:

At five minutes the red light will flash at which time we would appreciate it if you would conclude your remarks.

NONINE: Okay. Thank you.

My address is 224-A Maynard Street. I've never done this before so I'm very nervous.

When I decided to speak, I gathered papers and technical information and labored over how many of the facts I could digest in order to help convince you of something.

9-1

16-Jun-89: TS-00750, PAGE 2 OF 3 456

Then the realization came that I must only speak of what's in my heart.

In sight of those mistakes and accidents that have already happened here and abroad, mistakes and accidents that we could in no way foresee, I don't see why we should allow the slightest chance that one more time we and the earth will have to suffer, because we have so little knowledge, so little remembrance of what it is to be pain so little empathy for the pain that the earth experiences.

Is this a projection of the non-acknowledgement of our own pain as individuals? We mask it with one thing or another, act like it isn't happening.

Our earth is not so sophisticated. She must suffer openly in screaming silence. Every time a child is ripped from her womb, every time a hair is torn from her head,

9-1

16-Jun-89: TS-00750, PAGE 3 OF 5 457

1 every time she is force-fed more
2 poison, every time the flesh is burned
3 from her bones, much of it in the guise
4 of preventing our annihilation as a
5 country.

6 If your child came to you
7 and said, daddy, mommy, I'm going to
8 carry a gun from now on because there
9 is so many people out there with guns,
10 how could we fail to recognize
11 ourselves as little children carrying
12 big guns?

13 Shooting down the flowers
14 on our way to a battle that we carry
15 inside of ourselves every step of the
16 way. And we become so numb and so
17 blind.

18 What's the next scenario?
19 Let's go into the deep and magnificent
20 cavities of the great mother and turn
21 them into one great dangerous
22 outhouse.

23 I think no. I can't
24 condone it. We who pride ourselves as
25 the caretakers of the earth, like the

9-1

1-2

31-8

16-Jun-89: TS-00750, PAGE 4 OF 5 458

1 caretakers of a dysfunctional family,
2 hide our garbage under smiles of
3 rationality and coerce her to contain
4 our dismal secrets.

5 What are the rationalities?
6 It will be safe -- safer here than
7 there. That's the ultimate rationality
8 as far as I'm concerned.

9 I think that in our hearts
10 we know that it's not safe. It's not
11 safe anywhere. It will create more
12 jobs or we've already spent so much
13 money.

14 Oh, yes, my child, you must
15 go on with these lessons, regardless of
16 what you or I feel, I've already spent
17 so much money.

18 I'm sure that there is not
19 one of us here who has not at one time
20 or another in our lives put aside our
21 principles because it was easier.

22 Haven't we learned
23 anything? I don't choose to single out
24 any one person, any one organization,
25 even though many of us may feel there

31-8

16-Jun-89: TS-00750, PAGE 5 OF 5 459

1 are two war and camps here.

2 This may sound too esoteric
3 for some and not rationale enough for
4 others, but I feel deeply that the
5 battleground is only within each one of
6 us.

7 Some of you, us, me may
8 say, but I've never pillaged the earth.
9 I've always loved here. But how many
10 of us here truly and every moment love
11 ourselves?

12 I can't say I do. How can
13 love for the earth or anyone else pour
14 out of a heart where love is lacking?

15 And where does the blame
16 lie? It lies with me. I'm a minute
17 cell in every hand that rapes the
18 earth.

19 I'm a minute cell at the
20 end of the longest strand of hair on
21 the great mother's head and so are you.

22 Thank you.
23 (Applause.)

24 HEARING OFFICER RICHARDSON:
25 The prepared written comments of Ute

3.1-8

460

1 Behunek will be entered into the record
2 as Exhibit No. 533 in this proceeding.

3 (The document above-
4 referred to was
5 marked for iden-
6 tification as Exhibit
7 No. 533 and received
8 in evidence.)

9 HEARING OFFICER RICHARDSON:
10 It is now 5:10 p.m. I'll return to the
11 list of the individuals I had called
12 earlier and see if anyone else has
13 arrived.

14 Katrine Brandon.
15 (No response.)

16 HEARING OFFICER RICHARDSON:
17 Carlos Perez.

18 (No response.)

19 HEARING OFFICER RICHARDSON:
20 Those are the last two individuals
21 signed up to testify before the dinner
22 hour beings.

23 We'll be at recess pending
24 calling to chair.

25 (Short recess.)

461

HEARING OFFICER RICHARDSON:

We are on the record.

The prepared written comments of Jonathan Crews will be introduced into the record as Exhibit No. 534 in this proceeding.

(The document above-referred to was marked for identification as Exhibit No. 534 and received in evidence.)

HEARING OFFICER RICHARDSON:

We're off the record subject to the call of the chair.

(Short recess.)

HEARING OFFICER RICHARDSON:

We're back on the record.

Let the record reflect that all of the pre-registered speakers through the dinner hour have been either called and are not present or have been called and have presented their comments.

We will, therefore, recess

462

until 6:30 p.m.

(Whereupon, a dinner recess was taken at 5:39 p.m. to reconvene the same day at 6:30 p.m.)

CERTIFICATE

I, CHRISTOPHER ARGIE, do hereby
certify that I appeared at the time and
place first hereinbefore set forth; that I
took down by means of cassette recording
the entire proceedings had at said time and
place; and that the foregoing pages 240
through 462 constitute a true, correct and
complete transcript of my said cassette
recordings.

Chris Argie
REPORTER