

ORIGINAL

RADIOACTIVE MATERIALS HANDLING FACILITY (RMHF)
ENGINEERING EVALUATION & COST ANALYSIS (EE/CA)
PUBLIC COMMENT MEETING

TRANSCRIPT OF PROCEEDINGS

SIMI VALLEY, CALIFORNIA

APRIL 17, 2007

CORRECTED TRANSCRIPT MAY 23, 2007

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3 RADIOACTIVE MATERIALS HANDLING FACILITY (RMHF)
4 ENGINEERING EVALUATION & COST ANALYSIS (EE/CA)
5 PUBLIC COMMENT MEETING
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9 The TRANSCRIPT OF PROCEEDINGS, taken at the
10 Grand Vista Hotel, 999 Enchanted Way, Simi Valley,
11 California, commencing at 6:31 p.m., Tuesday, April 17,
12 2007, before Johanna Mangual Ledesma, CSR No. 6951.
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A P P E A R A N C E S

FOR THE BOEING COMPANY:

JEFF SMYTH, MODERATOR

BLYTHE JAMESON

TOM GALLACHER

RAVNISH AMAR

BRIAN SUJATA

PHIL RUTHERFORD

FOR THE DEPARTMENT OF ENERGY:

THOMAS JOHNSON

BILL TAYLOR

BEN UNDERWOOD

REPRESENTATIVES OF GOVERNMENT OFFICIALS:

GUILLERMO GONZALES, REPRESENTING
SENATOR DIANE FEINSTEIN

JASON SOPRADO, REPRESENTING VENTURA COUNTY
SUPERVISOR FOY

DAN PARAMICK, REPRESENTING CITY OF
SIMI VALLEY

ALSO PRESENT:

DANIEL HIRSCH

DAVE EINHORN

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APPEARANCES CONTINUED:

ELIZABETH CRAWFORD

CHRIS ROWE

SUE BOECKER

MARK PERRYMAN

ADAM SALKIN

CHRISTINA WALSH

JENNIFER MEAD

MARIE MASON

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24
25

I N D E X

SPEAKER:	PAGE:
SMYTH, JEFF	6, 23
JOHNSON, THOMAS	24, 77, 108
SUJATA, BRIAN	13
HIRSCH, DANIEL	26, 63, 78, 118
EINHORN, DAVE	39
PLOTKIN, SHELL	40
CRAWFORD, ELIZABETH	48, 66, 93, 118
RUTHERFORD, PHIL	50, 60, 101, 106, 114
THOMPSON, ELIZABETH	72, 122
ROWE, CHRIS	73
GONZALES, GUILLERMO	77
BOECKER, SUE	85, 119
PERRYMAN, MARK	95, 120
SALKIN, ADAM	100
WALSH, CHRISTINA	111
MEAD, JENNIFER	115
MASON, MARIE	116

1 GRAND VISTA HOTEL BALLROOM, SIMI VALLEY, CALIFORNIA

2 APRIL 17, 2007, 6:31 P.M.

3 PUBLIC COMMENT MEETING

4
5 (The speaker is identified as Jeff Smyth.)

6 MR. SMYTH: If I can ask everybody to go ahead
7 and take their seats? We're going to get started. While
8 you're taking your seats, I'll turn on my microphone so
9 you can hear me.

10 Welcome to the Public Comment Meeting on the
11 Department of Energy's Proposed Disposition Alternative
12 for the Radioactive Materials Handling Facility. I'm glad
13 you all attended tonight. The purpose of tonight's
14 meeting is to solicit written, either written comments or
15 verbal comments. After an overview presentation, verbal
16 comments will be taken. As you come forward to the mike,
17 they will be recorded by the stenographer. She will ask
18 you or we'll ask you to identify yourself, the
19 organization you represent, if any, so your comments can
20 be recorded as such.

21 If you don't want to speak at the microphone,
22 there are cards available for you to provide written
23 comments at this meeting. Of course, you can comment via
24 e-mail. They'll be an address on the presentation that
25 the speakers will go over, and there's some handouts with

1 the address and contact information on it also.

2 If you have any questions about where to provide
3 your comments, if you don't want to speak or write them
4 down here, just ask me and I'll make sure you have the
5 information on how to provide comments.

6 My name's Jeff Smyth, by the way. I'm going to
7 be moderating the meeting tonight. Some logistical
8 information: It looks like you guys have pretty much
9 found the coffee and water and cookies. They will remain
10 against the back wall. The restrooms are out that door
11 past the hallway on your right, men and women, both.

12 Let's see. Handouts: There are two handouts on
13 the front table as you came in. Again, if you don't have
14 these and you want them and you don't want to get up and
15 go get them during the meeting, let me know. Raise your
16 hand and I'll come and find out what you need.

17 The first is the Engineering Evaluation Cost
18 Analysis for the Radioactive Materials Handling Facility.
19 It's the Analysis of the Alternatives to Disposition the
20 Facility. The second is a Factsheet on the Removal of the
21 Radioactive Materials Handling Facility. Again, the
22 contact information is on the back of the Factsheet.

23 Some introductions: First of all, I'm going to
24 start with the elected officials and then I'll go to the
25 Department of Energy and Boeing.

1 We have two representatives of, I guess, one
2 representative of an elected official, Jason Soprado --

3 MR. SOPRADO: Soprado.

4 MR. SMYTH: -- representing Supervisor Foy, and
5 Dan Paramick of the City of Simi Valley.

6 From the Department of Energy, it would be
7 Project Manager, Closure Project Manager For Engineering
8 Technology Engineering Center, Thomas Johnson;
9 Bill Taylor, the Public Affairs Officer.

10 Bill, where are you?

11 MR. JOHNSON: He stepped out.

12 MR. SMYTH: I guess he stepped out.

13 Ben Underwood for Department of Energy, Attorney
14 for Department of Energy; for Boeing, Tom Gallacher, the
15 Director of the Santa Susana Field Laboratory; Ravnesh
16 Amar, the DOE Contract Program Manager; and Brian Sujata,
17 the Radioactive Materials Handling Facility Project Manager.

18 Phil Rutherford -- I'm sorry, Phil. I forgot
19 your department.

20 MR. RUTHERFORD: Manager of Radiation Safety.

21 MR. SMYTH: Thank you -- Manager of Radiation
22 Safety.

23 Next slide. The agenda? The agenda's pretty
24 simple. There's going to be -- I'm doing the
25 introductions now. There's going to be an overview of not

1 more than 30 minutes, probably more like 20 minutes, which
2 will consist of a presentation on the environmental or,
3 I'm sorry, the Engineering Evaluation Cost Analysis by
4 Brian Sujata. I already messed that up.

5 The presentation will start with Thomas Johnson
6 providing an overview, then Brian Sujata going over the
7 technical details of the Engineering Evaluation Cost
8 Analysis. And then Thomas will wrap it up again.

9 And then we'll go to about a 90-minute comment
10 period. And between the presentation, the comment period,
11 I'm going to speak for a little bit about ground rules,
12 and that'll be the break so you can have a chance to get
13 up and go to the bathroom if you want. And then we'll
14 start the official comment period.

15 I'll ask you if you would, please, to hold your
16 questions until the comment period, and let these two
17 gentlemen get through their presentation uninterrupted.

18 Thomas?

19 (The speaker is identified as Thomas Johnson.)

20 MR. JOHNSON: Can everyone hear me okay in the
21 back? I notice there are a few new faces here tonight. I
22 introduced myself the last time, but I'll take a minute or
23 so and do it again. My name is Thomas Johnson. I'm the
24 DOE Project Manager for the ETEC site. My name is
25 Thomas Johnson. I'm the DOE Project Manager for the ETEC

1 site. I've been on site at the ETEC location since
2 January of this year.

3 I spent the previous 15 years or so at the
4 Savannah River site in Aiken, South Carolina, and about
5 11 years prior to that with the Corps of Engineers in
6 Charleston, South Carolina.

7 My family and I relocated to this area for this
8 particular project. So I'm here until we can get this
9 done and plan to be here for some time. With that, I will
10 go ahead and start my presentation.

11 First slide for me is Why Are We Here?

12 AUDIENCE MEMBER: We're still having trouble
13 with your volume.

14 MR. JOHNSON: First line is Why Are We Here?
15 We're here to discuss the Department of Energy, and we're
16 here to solicit public comment on the proposed removal
17 action. And as Bill mentioned earlier, you'll have the
18 opportunity to provide comments here tonight. The comment
19 period doesn't close for a while yet, so you will have a
20 chance to provide the written comments to us following
21 this meeting as well.

22 Just a few things with the slide here: The
23 Santa Susana Field Laboratory is a 2,850 acre site that
24 was established in 1947 by North American Aviation as a
25 test laboratory for large rocket engines and later

1 expanded to a research facility for the development of
2 nuclear power. The SFSL is comprised of four areas, as
3 you can see from the insert in the right-hand side of the
4 slide. And specifically what we're concerned with is the
5 Area IV for the ETEC site.

6 ETEC is actually approximately 290 acres, 90 of
7 which was used as a part of the or for the DOE facilities
8 at the ETEC site.

9 The early-on research was for the development
10 and use of nuclear power for the production of electricity
11 for land and space. And the research conducted at ETEC
12 mostly involved the development and testing components for
13 use in metallic sodium systems. Next slide, please?

14 It's just a slide of, the graphics' slide that
15 shows the location of the RMHF facility.

16 What's included in an EE/CA? As Jeff mentioned
17 several times before, EE/CA is actually Engineering
18 Evaluation and Cost Analysis document that's used as a
19 part of the CERCLA process or the Comprehensive
20 Environmental Response Compensation and Liability Act or
21 commonly referred to as CERCLA.

22 The way the EE/CA is part of that process -- can
23 everyone hear me okay? EE/CA is part of that --

24 AUDIENCE MEMBER: Keep moving it away from your
25 mouth.

1 OTHER AUDIENCE MEMBER: Can we give you that
2 one?

3 MR. JOHNSON: Excuse me. Is this any better for
4 you?

5 The EE/CA or Environmental, the Environmental
6 Evaluation Cost Analysis is part of the CERCLA process and
7 what it's used for is the identification of the removal
8 action objectives, the evaluation of the removal action
9 alternatives, and also provides the recommendation of the
10 Department's preferred alternative.

11 The next slide, please? What is DOE proposing?
12 We're proposing to decontaminate and demolish the RMHF
13 facility as a removal action. The removal action will be
14 done in accordance with the 1995 Joint DOE Policy
15 Memorandum. It's consistent with the CERCLA process.
16 This approach includes consultation with the EPA and the
17 California Department of Toxic Substances and Control as
18 well as the opportunity for public participation.

19 Our timeline is as follows: The Administrative
20 Record File was established in the local libraries and
21 also made available online. This was done on March 23rd.
22 We made the congressional notifications on the 26th of
23 March.

24 And one thing I'd like to note here, last time
25 we got comments that we needed to advertise in the

1 Los Angeles Times as well as to try and increase the
2 notification to the public, and we did so this time. It
3 was advertised in the Los Angeles Times on March 29 and
4 the Ventura County Star on March 29 and in the Daily News
5 on March 31st.

6 We also made a public, had a mailer go out to
7 approximately 4500 folks, and that was mailed out on the
8 30th of March. And, obviously, we're here tonight for the
9 Community Meeting.

10 And the other thing to note here is that the
11 comment period for this particular EE/CA will end on
12 April 30th. And with that, I'm going to turn it over to
13 Brian. And we didn't listen to him last time. So we're
14 not going to be up here quite as long for the presentation
15 to allow more time for comments.

16 (The speaker is identified as Brian Sujata.)

17 MR. SUJATA: Thank you. Let's try the
18 microphone? Can you hear me well?

19 Thank you. Thank you very much. Thank you,
20 Thomas. My name is Brian Sujata. I am a project manager
21 here for the Radioactive Materials Handling Demolition.
22 I'd like to tell you a little bit about myself before I
23 begin.

24 I'm a 16 year employee of the Santa Susana
25 Laboratory. I've been doing clean up and remediation

1 projects throughout. These past ten years have been
2 involved with doing the removal of RAD facility
3 demolition, also been with the RMHF for a fair amount of
4 time, Radioactive Materials Handling Facility and -- thank
5 you.

6 The Radioactive Materials Handling Facility's
7 life is coming to an end right now. It's the last of the
8 facilities to be demolished at Santa Susana, last of the
9 27 facilities that now will be gone.

10 I work as a project manager as I mentioned
11 before, and what I do, I end up being the one who figures
12 out what work needs to be done, figure out the
13 requirements that have to be done. I do budgeting,
14 scheduling, those types of things, things to keep the
15 project moving.

16 I'm not a spokesperson, but I'm involved in the
17 project here. And I thought this would be a good chance
18 for me to tell you folks a little bit about what I do, and
19 the project, what I would like to do for the Radioactive
20 Materials Handling Facility.

21 I'm a native of the area. I grew up in
22 San Fernando Valley. I'm a graduate of Granada Hills High
23 School, and I live in Thousand Oaks with my family. So
24 I'm very proud to have worked up at Santa Susana and very
25 proud of the accomplishments I've had up there as well.

1 So let's start off with a, what is the
2 Radioactive Materials Handling Facility? It's a group of
3 10 buildings that is out in Area IV, as Thomas mentioned,
4 built in 1958 to safely manage radioactive materials.

5 The areas of, paved areas is about one and a
6 half acres in size. And as you can see, we have a fence
7 around the facility here. Got a couple of buildings. One
8 building is of note. That is Building 22. It's about
9 52' high and underneath there, underneath the building,
10 there are seven vaults that were used for the dry storage
11 of fuel and for radioactive materials. They provided
12 shielding, storage for those items.

13 The things we did at the RMHF, we used it,
14 basically, as a collection point for radioactive
15 materials. If you had a contaminated item, it came for
16 the decontamination or packaging and off-site disposal.
17 We mentioned it's a radiological facility -- and it has
18 some special requirements to that, and we'll get to that
19 in a couple of minutes.

20 For the decontamination waste packaging, and as
21 I stated, we're going to finish the operations in Area IV.
22 It is now time for the Radioactive Materials Handling
23 Facility itself to be demolished. So most of the
24 facility, most of the waste has been removed, and the RMHF
25 is no longer needed, but what I have here is a couple of

1 pictures of a person doing some sampling, also at the
2 handling facility, and we have some packages of waste that
3 are ready for shipment.

4 What we're proposing to do is to remove the
5 RMHF, and that means we'll remove all buildings and
6 remaining equipment. We'll remove all the concrete
7 foundations. We'll take up a sub-surface vault of
8 Building 4022, the utilities, lines, water lines, all the
9 asphalt and all the contaminated soils that do not meet
10 our clean-up objectives.

11 Getting used to this thing here, this is a
12 picture of the RMHF. Over here, another view of the --
13 the one and a half acre area would be completely leveled
14 off and all the, all the buildings removed with the, with
15 the area just, basically, just at grade or with the soil
16 in place.

17 So we looked at taking apart the Radioactive
18 Material Handling Facility. We considered the
19 alternatives and what we ended up doing was looking at two
20 options here. We looked at a no action alternative --
21 sorry -- no action alternative. We also looked at
22 demolition and removing for off-site disposing facility.

23 So the first thing we did is we looked at
24 implemental -- is it possible to do the work that we'd
25 like to do? We also considered is it effective? And we

1 also looked at the cost for just general comparison
2 purposes.

3 And what we came to is that we found the, that
4 the no-action alternative, which really is the
5 leave-it-in-place alternative or do nothing alternative,
6 as you may -- is very implementable because it doesn't
7 require us to do anything. You leave it and you will meet
8 your objectives, but we also know that based on our
9 previous experience at ETEC and other DOE facilities, that
10 we can demolish the RMHF and make our objectives.

11 Is it effective? The no-action alternative is
12 not effective. It leaves the thing in place, the
13 buildings and such -- a concern for the demolition removal
14 option, yes, that is very, very effective. It does remove
15 the things that we'd like to remove from the facility.

16 For cost purposes, in here, we arrived at a cost
17 estimate of \$30,000,000 over 30 years as a cost to do
18 maintenance and, maintenance and operations for that
19 period of time, and as opposed to \$13,000,000 that we
20 think it's going to take to demolish the facility and take
21 it all down.

22 What we came to then is the demolition and
23 removal is a preferred option for us. After the buildings
24 are gone, after the soil has been or after the building
25 and piping and all that stuff has been removed, we remove

1 the contaminated soils that do not meet the CERCLA
2 requirements for residential risk, residential exposure
3 scenario.

4 How do we know the objectives have been met?
5 We'll sample the area so it meets the CERCLA requirements
6 for residential exposure scenario. The DOE will work with
7 the EPA to develop the sampling and analysis plan.

8 Over here, we have some individuals at
9 Building 59. They're taking samples from the basement
10 area, Building 59. And here we have a person here who's
11 been doing some field sampling as well as using a
12 detector.

13 Now we ask ourselves how will the action be
14 protected? And one of my jobs as the project manager will
15 be to arrange the project, understand what the hazards
16 are, mitigate those hazards, and accomplish the project.
17 And if I do everything well, that's how things are going
18 to go, and we have a discipline that's in place for the
19 buildings.

20 I'd just like to tell about that for a minute.
21 When we take apart a build, first thing we do, find out
22 what's there. Is there any radioactive materials present?
23 Do a survey and find out what's the probability, then find
24 out what kind of contamination it is and start looking at
25 the build, where the disposal location is going to go,

1 that is where the waste's going to go and how we're going
2 to get there, how we're going to package the waste. We
3 develop all those things as we go forward with the project
4 here to define what we're doing. When we do so, we do so
5 in a protective manner.

6 All the requirements are going to be met for the
7 packaging, transportation. For the characterization of
8 the buildings, make sure we know the radioactive materials
9 are there. If so, what are they? What are they of?

10 And so it's all based on doing these actions to
11 make sure that we can demolish the building and do it in a
12 safe manner for the public, for the facility and, yes, for
13 our neighbors as well.

14 So what we do here before we start demolishing
15 the buildings, we will be performing a biological
16 assessment of the area to insure the project will not harm
17 on-site animals. We also have these other requirements
18 we'll be following as well.

19 Just because we're demolishing the building on
20 CERCLA authority, we have these other requirements that
21 will be maintained. Among others are the radiation
22 controls, worker safety, storm water plugs' prevention,
23 control of air emissions and dust, safe packaging, and of
24 course, transportation and disposal of wastes.

25 Now transportation disposal of wastes is an area

1 of concern to our neighbors and I'd like to spend a moment
2 talking a little more about that. When we demolish a
3 building, what we're doing, we go through and first find
4 where the radioactive contamination is. We demolish the
5 buildings in a safe manner and we package those wastes so
6 they're ready to go through -- so that's the process we go
7 through when we segregate wastes.

8 The wastes will be sent to only approved
9 federally owned or commercial disposal sites. The waste
10 shipments will meet U.S. Department of Transportation
11 requirements. And I want to emphasize again that none --
12 these wastes will not be sent to any municipal land fills.
13 Okay?

14 And over here, doing the, the transportation or
15 the removal of the waste here is Phil Horton and that
16 would be John Hunsley driving the forklift out there.

17 So we're now in the process. The DOE has
18 identified a preferred alternative for the RMHF, but a
19 decision has not yet been made.

20 Public is encouraged to comment on the preferred
21 alternative at this meeting or in writing until April 30.
22 All comments submitted during the comment period will be
23 reviewed and considered and a decision will be made by the
24 Department of Energy.

25 There's a couple of people I would like to

1 introduce you to, if you will. The workers at facilities
2 are many of our long time workers that have been doing the
3 activities up here, most of them are residents of
4 Simi Valley themselves. Phil Rutherford is over here. No
5 doubt met Phil several times.

6 There is -- that's Paul Waite, myself, a couple
7 of the other characters as well. We work up at
8 Santa Susana and we live here in this community and we're
9 very interested in making sure this project goes off well
10 as well just for our own safety and our community and our
11 neighbors.

12 So what is not included in the action? Well,
13 the RMHF is a different kind of an animal. There are
14 different regulatory processes going on here and each of
15 these things individually have to get met.

16 One of the things I use to describe this,
17 getting three big people to go through the same door at
18 the same time, not all going to make it, but one at a
19 time, you'll make it through.

20 We already talked today about the Radioactive
21 Materials Handling Facility being demolished as a CERCLA
22 action. That's the first person going through. That's
23 going to get you all the RAD, the buildings gone and the
24 RAD cleaned up.

25 The next person who gets to go through the door,

1 if you will, will be the Permitted Unit Closure. A couple
2 of minutes ago, I talked to you about we had waste in
3 storage that had a chemical component to it. When the
4 Department of Energy started to take the waste and store
5 the waste there that have chemical components, they also
6 committed to doing a closure under the Resource
7 Conservation and Recovery Act. That's a different set of
8 rules -- that's characterized -- and then if necessarily
9 removed. So that whole thing happens under the Permitted
10 Unit closure.

11 And then the final person goes through the door
12 is the RCRA Facility Corrective Action Program that goes
13 through. As it turns out, the radiological control
14 handling soil based management unit, under a document that
15 was published several years ago by the EPA -- that only
16 obligation now is to investigate that entire area as a
17 soil waste management unit. That will happen further down
18 the line.

19 So like I say, we have three people going
20 through the door. This action before us is the first step
21 of activities that will happen at the RMHF and, finally,
22 what is not included here is the former RMHF leach field.
23 The leach field is a sanitary leach field. It was in
24 operation in the 1958 to 1961 period. It became
25 contaminated with radioactive materials and in 1978, it

1 was cleaned up by the people that were operating the
2 facility at that time.

3 What we have before us is another effort to look
4 at that facility, to look at that leach field and decide
5 what actions need to be taken out there. So that's not
6 part of the RMHF right here right now. Okay?

7 So let me move on here. For more information,
8 we have a DOE website which has recently been updated.
9 There are a number of items that are available for your
10 background reading, if you're so interested.

11 We have extensive information that's been placed
12 on here about other past operations we've done here,
13 facility histories. We have released documents on here.
14 We have backgrounds. We have our community studies that
15 have been placed on here as well.

16 So if you're looking for information, this is
17 certainly the place, and I, certainly, encourage you to go
18 there. You can also get more information by visiting one
19 of our public libraries. We have libraries in
20 Simi Valley, CAL State Northridge, and the one in Woodland
21 Hills.

22 So at this point, I'm going to turn it over to
23 Thomas to speak a little bit more.

24 (The speaker is identified as Thomas Johnson.)

25 MR. JOHNSON: A couple of things: On the items

1 that Brian mentioned that were excluded from the RMHF
2 EE/CA, I want to point out those things will be done
3 under, with the review and approval of the California
4 Department of Toxic Substance and Controls.

5 Can we go to the next slide, please? The
6 purpose for coming back up here, what I wanted to show you
7 here is what the site looked like at its peak and our
8 projections on what you can expect the site to look like
9 when we're done with all the facilities' removals.

10 And as we told you the last time, these were the
11 last two sets of radiological facilities that needed to be
12 removed from the site.

13 And also as I promised you from the last
14 meeting, we were going to spend not so much time for us
15 talking, but make time available for you to comment.

16 At this time, we'll open it up for comments.

17 MR. SMYTH: Thanks, Thomas.

18 A couple of requests, I guess, rather than
19 ground rules: The purpose of this meeting, as I said when
20 I opened it, is public comment on the Department of
21 Energy's proposed disposition for RMHF. Because of that,
22 I'm going to ask you that, to the extent possible, please
23 limit your comments to the Radioactive Materials Handling
24 Facility and the EE/CA and the proposed alternative.

25 Obviously, it's public comment. You can talk

1 about other things if you want, but the purpose of this
2 meeting is to truly have an opportunity for you to comment
3 on what the Department of Energy is proposing for this
4 facility. That's what the Department wants to solicit
5 from you and that's what I believe they will respond to.

6 I ask that you respect the time so that
7 everybody has a chance to comment. Also, that when people
8 are commenting, that you respect the right to have to
9 comment. It's a pretty neat opportunity to provide your
10 input on something a Federal agency is proposing to do.
11 Please allow everybody the opportunity to comment however
12 they wish.

13 Finally, obviously, there's lots of cameras here
14 tonight. By coming to a public meeting, you do not waive
15 your right to be filmed. If you do not want to be filmed
16 when you're providing your public comment, please let me
17 know and I'll ask them to turn off their cameras during
18 your comment. Okay?

19 The way it happened last time is, started out by
20 people raising their hand and then they just lined up
21 behind the microphone. Whichever way you'd like to do
22 it -- I see your hand, Dan. Let me do one thing first.
23 You can go ahead.

24 AUDIENCE MEMBER: Answer questions from the
25 crowd if you can take them, if you want to have the

1 questions.

2 MR. SMYTH: Okay. Just one second. I also want
3 to introduce Brian Miller from Representative Gallegly's
4 office who came in during the presentation.

5 Anybody from the audience like to make a
6 comment?

7 AUDIENCE MEMBER: He wants questions or
8 comments?

9 MR. SMYTH: It's a comment period.

10 (The speaker is identified as Daniel Hirsch.)

11 MR. HIRSCH: May I have a mike?

12 My name is Daniel Hirsch. I'm President of the
13 Committee to Bridge the Gap. We were here a few weeks ago
14 when there was a similar comment period on the EE/CA for
15 Building 4024, and in that session, DOE violated
16 essentially every requirement of CERCLA, EPA, and Atomic
17 Energy Act in terms of comments.

18 That meeting, people walked in and were handed
19 the document they were supposed to comment on and an ad to
20 place in the newspapers with a link to a website, the link
21 being dead. The congressional offices had not been
22 notified. The press had not been notified. And the EE/CA
23 itself had essentially no information in it about the
24 action we were supposed to comment on.

25 We are now deja vu all over again. A few minor

1 matters have been corrected for this EE/CA, but one still
2 hasn't corrected the ones from the past. You didn't call
3 a second hearing where people could, in fact, make
4 comments on the Building 4024 -- EE/CA, after having had a
5 chance to see it. You did not mail it out to people.
6 Things went on and on, the same problem, but here we are
7 today to discuss the supposed clean up of the last
8 building, but almost all the information that you, as the
9 public, need to know has been excluded from the document
10 you're supposed to comment on.

11 It's a sham. It's an empty shell. And let me
12 give a few examples here. They say that we are to comment
13 on only two alternatives, cleaning it up the way they
14 proposed or not cleaning it up at all. No other
15 alternative is provided.

16 The core of the environmental law is taking a
17 hard look at alternatives. It has been violated here.
18 DOE is, essentially, saying my way or the highway, but
19 they're not even telling you what my way is.

20 There's a table in the EE/CA which is entitled
21 Contaminants of Concern and there are numbers in that
22 table. Any normal person would presume that those were
23 the clean up standards that are being proposed for you to
24 comment on. They're not. They're not. DOE says in the
25 EE/CA that the actual clean up numbers will be decided

1 later after your comments are over. They will look for
2 contaminants, and if they are in a range of 10 to the
3 minus 4 to 10 to minus 6, all the EE/CA says, a risk
4 management decision will be made. It doesn't tell you who
5 will make it. It doesn't tell you how it will be made and
6 it'll be made after the comments are over.

7 It's kind of like a Soviet form of democracy.
8 You kind of pretend to vote, but you don't get to. You
9 pretend to have comments, but they will do what they want
10 after the comment period is over.

11 They don't even define what a contaminant of
12 concern is. They don't tell you what those numbers mean.
13 They don't relate those to clean up standards. They
14 simply have a table. They want you to think those are the
15 clean up standards, and then there's a single line that
16 only someone like me would know what it means which is if
17 they find anything over that contaminant of concern, they
18 will make a risk management decision later whether to
19 leave it in place or clean it up. And their history is
20 they will leave it in place.

21 The second thing is they told you they are going
22 to clean it up so this can be released for unrestricted
23 use. Their word over and over again, unrestricted, but in
24 fact, they are saying it will not be unrestricted use
25 because EPA requirements say you have to clean it up to

1 the land use which would produce the highest dose and the
2 greatest clean up. And in this case, that is subvert,
3 excuse me, rural residential.

4 You heard them say they will clean up to
5 residential standards, but they didn't tell you what
6 residential standard. They will clean it up to suburban
7 residential, which is 100 times the concentration
8 permitted which is what the current zoning is and land
9 use is around it.

10 Current zoning is RA-5, rural agricultural, 5.
11 If you go on DOE's own website, under Land Use, it says
12 that it's zoned RA-5. Under EPA rules, you have to then
13 clean it up to that standard and that would be 100 times
14 more clean up than they have even in that table.

15 So, in fact, what they're proposing is to be
16 able to leave the total of 10,000 times more contaminants
17 in place than the law would normally permit, 100 times
18 higher because they're using the wrong land use. Even
19 though they say it's unrestricted, they won't consider
20 unrestricted use.

21 And, secondly, they say even with that high
22 level, 100 times higher than it should be, they reserve
23 the right after your comments are finished to leave 100
24 times higher than that. And 100 times 100 is 10,000,
25 10,000 times higher levels of radioactivity that the law

1 would normally permit, but they don't disclose that to
2 you.

3 Let me give a couple of other examples.
4 Actually, I need to read something about that for a
5 moment. I don't think any of you have gone and been able
6 to look at the documents that they claim are part of the
7 administrative record. It's, essentially, set up so you
8 won't do it. I happen to have done it. And in one of the
9 documents -- we have very few -- is a document called the
10 Final RFI (Sic) Facility Report for Rockwell International
11 Corporation, May '94, Santa Susana Field Laboratory.

12 And on page -- there's some photographs,
13 photograph 50, 51, and 52. They're already in the
14 records, so I don't have to put them in the record. I'll
15 show them to anyone who wants to look.

16 Let me just read to you the title: Cattle
17 Footprints At the Building 886, Former Sodium Disposal
18 Facility; 51, A heard of cows -- " this is the
19 photograph -- "A heard of cows was observed near the
20 Building 886, former sodium burn pit." And, similarly,
21 52, "A heard of cows observed."

22 So this is already used for agricultural
23 purposes. The area near has ranches, orchards, vegetable
24 gardens. And when you go, in fact, into their own
25 document, in their own closure plan, the RMHF Closure

1 Plan, March 2006, page 2-1, "The adjacent properties
2 within one mile of RMHF are undeveloped, and the land use
3 is agricultural consisting of livestock grazing," but
4 first, it's Figure 4, but, unfortunately, they didn't
5 include any of the figures, any of the tables they placed
6 in the public document.

7 Also, they said they were placing the Historical
8 Site Assessment, but when you go into the binder for the
9 Administrative Record, all they have is the first volume
10 which is methodology. They don't have any of the results.
11 So that stuff's all hidden from you, but the point is
12 their own records show the site is zoned rural
13 agricultural and the land use around it is currently rural
14 agricultural and that is the land use that produces the
15 greatest level of clean up, but they're going to put in
16 100 times higher contaminant levels and go 100 times over
17 those. And those doses would fry people when they move
18 onto the property, immense amounts of contamination.

19 What else have they hidden from the public
20 process? They have not let you know that what they intend
21 to do, first of all with the build, they told you the
22 buildings would be cleaned up to these standards. Turns
23 out that's false. The buildings won't be cleaned up to
24 the standard on the table. The buildings are being
25 cleaned up to Reg. Guide 1.86 levels.

1 So even the figures they put up there turn out
2 to be figures for the soil, not for the buildings. They
3 don't tell you that. And those levels are astronomical
4 for sodium nuclides.

5 And they tell you. You heard it said a moment
6 ago. The waste from these buildings, from this clean up
7 will be sent to approved disposal facilities. Now anyone
8 in this audience would think that meant approved by some
9 regulatory agency to receive radioactive waste. False.
10 They don't disclose who will approve it. The truth is
11 it's going to go to landfills in California that are not
12 licensed or designed for radioactive waste.

13 Last time, we, essentially, learned it was going
14 to Kettleman Hills where they mixed it with chemical
15 waste. Chemicals make it migrate faster. The two
16 together become much more dangerous.

17 There's not an ounce of disclosure of what the
18 health effects are of dumping the radioactive waste in
19 unlicensed sites, sites not licensed for radioactive
20 waste.

21 So a few other comments here: They tell you
22 they are going to do this because it integrates the EPA's
23 oversight and provides an opportunity for greater public
24 participation. Well, they don't, in fact, integrate EPA
25 oversight.

1 I'd like this clarified on the record by you
2 folks. In fact, Thomas, can you just tell us? Do you --
3 does EPA have sign-off authority on this? Can they say
4 no?

5 MR. JOHNSON: Dan, you know as well as I do
6 as --

7 MR. HIRSCH: I want it for the record.

8 MR. JOHNSON: EPA does not have sign-off
9 authority. EPA is consulted with on the document and on
10 the process. That's what the memorandum signed by DOE
11 headquarters and EPA headquarters says.

12 MR. HIRSCH: That's not what you say here today.
13 EPA says they can look over, but not do anything about it.

14 EPA, in December 2003, said to DOE, says your
15 clean up violates that clean up. You haven't
16 characterized the site appropriately. You're using the
17 wrong standards.

18 DOE says we don't care what EPA says. We're
19 going to do whatever we want. EPA said it wasn't safe for
20 anything except day hikes with restrictions on picnicking,
21 and we've given a fact sheet done so there can be EPA
22 oversight.

23 If EPA says it's unsafe and we're going to do it
24 anyway, that's not oversight. They are artificially
25 segmenting this clean up. There's never been an

1 environmental impact statement for the clean up. Quarter
2 of a billion dollars in taxpayer money's been spent so far
3 and there's never been an environmental impact statement.
4 They do it in bits and pieces and this bit has been in
5 submission.

6 We're told the RMHF is going to be subject to a
7 second process with the Department of Toxic Substances
8 Control to deal with the chemicals. There's no reason to
9 separate those things out. We should be able to integrate
10 them all and see what the total risk is.

11 Another sin from this document, they're looking
12 at the risk just from radioactivity. You're required by
13 law to add in it risks of the chemicals. They tell you
14 they're at the edge of the permissible range, but when
15 they add the chemicals, they're over.

16 The core problem, if they tell you their
17 objective is to clean this up anywhere from 10 to minus 4
18 or 10 to minus 6, because they're already using the wrong
19 land use even though this is unrestricted, the true risk
20 by their own numbers is 1 in 10,000 to 1 in 100. They say
21 those goals, they can go anywhere in that range.

22 Well, the EPA guidance says absolutely not. You
23 have to shoot to as close to 1 in 1,000,000 as you can
24 get. You can only fall back from that the minimum
25 necessary and only by using 9 balancing criteria from

1 CERCLA.

2 And that consideration of how far to fall back
3 is kept from you. They will quote/unquote make a risk
4 management decision later.

5 Give you another example how it is kept from
6 you: At the core of this is whether they're going to be
7 measuring for the radioactivity honestly. EPA found they
8 were washing the vegetation sample before monitoring and
9 then heating the vegetation samples to a high temperature
10 and burning them to drive off the radioactivity off the
11 vegetation and then measuring the ash.

12 They heat the soil the same way they've been
13 filtering the ground water. So it's critical that someone
14 who's honest do those measurements and the public have
15 some input into how the measurements are going to be made,
16 but in fact the EE/CA proposes that a convicted
17 environmental felon do the measurements.

18 Rocketdyne was convicted of environmental
19 felonies a decade ago for illegal disposal of hazardous
20 materials on this site. Two workers were blown up in an
21 explosion. The company lied to the regulators, said it
22 was legitimate research, and FBI raided the site, took
23 away documents.

24 MR. SMYTH: RMHF, Dan.

25 MR. HIRSCH: No. This is exactly the point.

1 You are having a convicted environmental felon do the
2 monitoring for RMHF. That's absolutely impermissible. No
3 one trusts those results. They contaminated. They are a
4 convicted felon. They lied to regulators, and you cannot
5 have an EE/CA that has any credibility if you are, indeed,
6 saying, well, leave it to that felon to do the
7 measurements and we'll keep the public out from any
8 ability to comment on the protocols for the radiation
9 measurements.

10 Again, EE/CA says we'll figure out how to do the
11 measurements later after the comment period has expired.
12 So it's a sham. They want to leave you to -- amounts of
13 radioactivity behind. They don't tell you the truth in
14 the document, and the fundamental decisions will occur
15 after the comments are over. They are racing to try to
16 end this clean up so that somehow, they can claim before
17 Mr. Bush leaves office that it's over and nobody can undo
18 the mess that they've made. And it's unseemly.

19 I'm going to stop now so others can comment
20 because there's a record that has to be created. I will
21 speak again. Understand that you should get all the
22 comments in you can because it does become part of the
23 record, but understand they aren't going to listen to a
24 word that you say.

25 MR. SMYTH: Dan, before you sit down, I agree

1 other people need a chance to talk, but I want to make
2 sure I understand what the comments are. So let me roll
3 through them. I think I got them.

4 You are objecting to the alternatives that were
5 considered.

6 MR. HIRSCH: And the failure to consider
7 anything other than do it their way or not.

8 MR. SMYTH: Do you have a suggested alternative
9 you would like the Department to consider?

10 MR. HIRSCH: Yes. Should be cleaned up
11 consistent with the EPA requirements to the rural
12 residential land use which is agriculture. That's Item 1.

13 They should be at the 10 to minus 6 risk and it
14 not be able to fall back from that any further than can be
15 demonstrated by the 9 balancing criteria, but only with
16 the public be involved, be able to comment on any proposal
17 to not go to 10 to minus 6.

18 MR. SMYTH: I've got that down. It's Number 5.
19 On the alternatives --

20 THE WITNESS: That's part of it. There needs to
21 be a clean up number on this document the public can see
22 and that clean up number should be the preliminary
23 remediation goals published by the EPA for the rural
24 residential agricultural scenario. That should be the
25 clean up number.

1 MR. SMYTH: Got it. What I was interested in
2 was, if you had a suggested alternative other than
3 demolition or removal or leave it in place. I understand
4 you want the clean up numbers to be specified.

5 MR. HIRSCH: The waste and demolition should go
6 to a radioactive waste disposal site, anyway, that has any
7 radioactive contamination in it, and the clean up has to
8 be to the EPA agricultural PRGs.

9 MR. SMYTH: And wrong land use, right?

10 MR. HIRSCH: That's what I said, EPA agriculture
11 PRG. That fixes that problem.

12 MR. SMYTH: You would like to see the regulatory
13 oversight, not just consultation?

14 MR. HIRSCH: And since these last two buildings
15 are being done under CERCLA, you are still segmenting
16 everything. So the entire facility needs to be cleaned up
17 pursuant to these EPA --

18 MR. SMYTH: You would like to see the public
19 comment on sampling and clean up protocols?

20 MR. HIRSCH: Everything they've heard from this
21 document, but that's including the sampling plan and that
22 is includes where the waste will go and includes the final
23 clean up standard.

24 And there has to be independent monitoring, not
25 by the felon. And you don't end up handing it over to

1 Oakridge. I mean this is astonishing. The Department of
2 Energy contaminated this site, and Oakridge is
3 contaminating. So they want another contaminated nuclear
4 site to come here. Give me a break.

5 MR. SMYTH: Thanks.

6 MR. HIRSCH: I'll come back after, but you all
7 should have a chance.

8 (The speaker is identified as Dave Einhorn.)

9 MR. EINHORN: My name is Dave Einhorn. I live
10 about one and a half miles from the Boeing/Santa Susana
11 Field Laboratory.

12 There was a Health Risk Assessment done possibly
13 a year ago that indicated there was a higher risk of
14 cancer from the Boeing/Santa Susanna Field Lab. Now there
15 are some things that are missing from this presentation.
16 You do not give the routes that possibly will be taken
17 when removing the material.

18 I know for a fact there is a large cluster of
19 children that were along one of the routes that were taken
20 and they developed cancer of the eye, and I'm sure that
21 has something to do with radiation.

22 Cancer of the eye is very rare. To have a large
23 cluster is evidence of something going very wrong taking
24 out the material from this site.

25 As far as I'm concerned, nothing should be done.

1 This facility is a witch's brew of radiation and hazardous
2 waste.

3 Now another thing you didn't include in your
4 presentation is how many cubic yards of material, how many
5 truckloads are you going to be taking out? How much
6 radioactive dust, hazardous waste dust is going to be
7 raised with this demolition?

8 MR. SMYTH: Okay.

9 MR. EINHORN: And I would like some answers to
10 my questions.

11 MR. SMYTH: Can I make sure again just, we got
12 all three?

13 Transportation route you identified. No actions
14 should be taken. Is that one of your comments?

15 Okay. And you want to know how many cubic yards
16 of material are going to be disposed of as a proposed
17 alternative?

18 Okay. Thank you.

19 Next?

20 (The speaker is identified as Shell Plotkin.)

21 MR. PLOTKIN: I'm Shell Plotkin. I'm with
22 Southern California Federation of Scientists, also the
23 Rocketdyne Clean Up Coalition.

24 I wrote out brief comments from our organization
25 and e-mailed them to you to meet the deadline, and I got a

1 note back from my server that the address I had was no
2 good. So I wrote it out and mailed it to you, so it came
3 in late.

4 I think maybe just to satisfy, make sure that
5 these things are accounted for, that I should just read
6 the short statement I have to make.

7 MR. SMYTH: Can you leave a copy tonight, also?

8 MR. PLOTKIN: Do you have a copy of it?

9 MR. JOHNSON: I have a copy.

10 MR. PLOTKIN: All right. So our comments are
11 pretty much the same for the entire DOE clean up
12 operation. The problem's extending back to the beginning
13 of the clean up effort. First, Rocketdyne, the polluter,
14 was hired over the vehement objections of the public to
15 characterize a contamination, that is decide what needed
16 to be cleaned up.

17 Second, DOE reneged on its initial promise to
18 use EPA standards for superfund sites, that is 10 to the
19 minus 6 level. Its standard concocted 10 minus 4 level
20 which makes for greater health risk by a factor of 100.

21 So now after all this bureaucratic maneuvering,
22 the DOE is pretending to listen to public comments. We
23 haven't been listened to for 18 years. So why should we
24 be listened to now? What has changed at this late date?

25 We contend the official site is contaminated to

1 preclude the land being safe for residential occupancy.
2 It's been, only been safe enough for short day hikes.
3 This is a violation of the unrestricted use requirement.
4 For example, an EIS for the entire clean up is certainly
5 in order.

6 Finally, let the record show the SSFL, the DOE
7 simply places money above human health. We charge this
8 agency's attitude as the height of irresponsibility.
9 Rocketdyne made large profits contaminating the area in
10 years past, so the DOE can just as well spend the money
11 required today for Rocketdyne to clean up the radioactive
12 toxic chemical contamination after an EPA characterization
13 of present standards. Much needs to be done.

14 And along those lines, let me just point out
15 that just several things in the past -- first of all, one
16 of the EPA physicists, Greg Dempsey, has been on the
17 property a few times. Every single time he gets on the
18 property, he finds the clean-up's being done wrong and in
19 some significant respect, so what's happened?

20 Well, first of all, Rocketdyne decided they
21 wouldn't allow Greg Dempsey on the property anymore.
22 Second thing, the EPA now won't even allow him to come to
23 meetings let alone have some responsibility.

24 And he was, the public asked that he be in
25 charge of a group of people selected by him to do a

1 re-characterization of the property, and we were told that
2 he just didn't have the time to do that. He's too
3 committed to other things around the country, but he was
4 nailed on a, the last meeting he attended that I recall,
5 he was asked specifically by me that whether or not he
6 would have the time to supervise a group of people of his
7 selection who would do the characterization and evaluation
8 of the clean up. And his responsibility, besides
9 collecting the people involved, would be to just review
10 the report that they came up with to see if he agreed or
11 not. And after long thought, he said yes, he would. He
12 could work that into his schedule.

13 Well, to this day, the EPA won't allow him, and
14 I'm sure there's collusion between DOE and EPA on this
15 matter. So that's just one facet.

16 Something else. The public used to be allowed
17 to come on in, kind of in the beginning and observe the
18 clean-up process and what they were doing. And, finally,
19 even some of us that weren't all that acquainted with the
20 clean-up techniques were ruled off the property and we
21 weren't allowed to come back on anymore.

22 And on one occasion when I was there, I found --
23 I asked that they test in one building, not this one, but
24 another building, that they go to the bottom of the pit
25 where a radioactive accident had occurred and monitor to

1 see if there was any radioactivity left there. And they
2 went berserk. I mean the people involved absolutely
3 refused, and with statements about the safety was a
4 problem. It's over.

5 Well, to make a long story short, one of the
6 public meetings when this particular subject came up, they
7 hollered safety again. And I asked the question, was
8 there anybody in the audience who was a licensed safety
9 engineer, and from the company or DOE or EPA or anybody?
10 There wasn't any. I was the only one.

11 And so at that point, I assured them that I
12 could figure out a very safe way of testing the
13 contamination at the bottom of this pit so that nobody
14 would be harmed, and that was the end of it. They refused
15 to do that.

16 That's just an example of the kind of thing
17 that's been going on up there. So the public's been up
18 against it. And it's perfectly obvious that this whole
19 thing, like Dan said, was a sham.

20 You know. You say you're listening to us.
21 You're not listening. You're taking notes and all the
22 people here that represent the DOE, for example, have, do
23 not have the authority to make a decision, a fundamental
24 decision as to what is to be done or what is not to be
25 done. You're taking notes like you have the authority,

1 but I know you don't.

2 MR. SMYTH: No. I just want to make sure --

3 MR. PLOTKIN: All you do is pass the information
4 to somebody who is not here who makes the decision. I
5 mean Phil may have, at one time, had, had a little bit of
6 authority in Rocketdyne, but I'm sure Lafflam was the
7 final decision in all of that. So he was the only one
8 that ever showed up to any of these meetings that had any
9 authority to make a decision. And, of course, were it,
10 being for a Rocketdyne official, he's not doing anything
11 for the public benefit.

12 MR. SMYTH: Do you have anymore comments on
13 building -- on RMHF?

14 MR. PLOTKIN: No.

15 Fits in with the whole thing. You know. You
16 have to go in with independent people, not Rocketdyne, and
17 not DOE people either, but, again, somebody who's
18 independent.

19 Greg Dempsey, let him go in and test for the
20 radioactivity. And perhaps there's some people in DTSC
21 who would be good for testing chemical toxicity. And then
22 you use the 10 to minus 6 level of the EPA to figure out,
23 and somebody mentioned about a previous speaker, about
24 land.

25 What's involved here is simply money. You know.

1 And it's a matter of hauling stuff away, at one point, to
2 meet the standards that you were going to do, something
3 like 5,000 cubic yards were moved away. That's a lot of
4 land, a lot of earth, so forth, but to meet 10 to the
5 minus 6 EPA standards would take 100,000 and that means a
6 lot more truckloads.

7 And then you holler about the problems of auto
8 accidents. We'll have too many trucks and the auto
9 accidents compared to the number of people dying of cancer
10 some years downstream has to be compared in some kind of a
11 way, and that's nonsense. And that's the way it goes.

12 You haven't cleaned it up to the right
13 standards, this building or any of the other ones. And to
14 think that you can clean it up and then walk away and, and
15 do this responsibly, you know, it's simply not so. To
16 walk away from that site as DOE plans to do without
17 cleaning it up to the highest possible standard, don't
18 forget, this was pristine land to begin with. You know?
19 And Rocketdyne came up with DOE and they contaminated the
20 whole place. They made a lot of money doing it.

21 And so there's no way you can clean it up so
22 that it's in this pristine condition that it was in the
23 first place, but certainly you can do your best, make your
24 best effort, and if it means spending many millions of
25 dollars and many truckloads of dirt being hauled away and

1 a very thorough examination.

2 You got problems even figuring how to measure
3 the contamination and how much has to be trucked away.
4 You have to figure out proper background level. That's
5 another argument we've had over the years. You use the
6 wrong background level. Use a high level, another part of
7 the property that's been contaminated, and say that's the
8 background level. We're going to clean this up, too.

9 Well, you're comparing contamination with
10 contamination rather than getting a true value or a better
11 value for, for what background level is.

12 The analysis, we went through the, well, you're
13 familiar with the water monitoring problem we've had over
14 the years, filtering the water and then measuring the
15 contamination and throwing the filter away when there's
16 nothing wrong with filtering the water, but if you do, you
17 have to measure the contamination you caught in the
18 filter. That, they haven't done for years and as far as I
19 can gather, still aren't doing it.

20 That's a chemical part of things. The
21 radioactivity part, that's another matter that the
22 analysis and the way the samples are taken, you're going
23 to take radioactive samples. All right. You go here.
24 You there, some other place and take samples, a couple of
25 feet below the ground or something and think you've done

1 it. Not so according to Greg Dempsey. You need something
2 much more than that and you have to go down to different
3 levels. And it's an expensive process.

4 If you examine that, the contamination that's
5 left there and to, you might say, acceptable values, it's
6 going to cost you in one way a lot of money, a whale of a
7 lot more than you're willing to spend. And that's the big
8 problem that we, in the public, have. You won't spend it.

9 You use your bureaucratic power to hammer us
10 with these dog and pony shows all the time. You quit
11 coming to the work group meetings because you got
12 clobbered every time you came and for what you were doing.
13 So you quit coming and now you had your own meetings. And
14 that's another indication of the kind of things that's
15 involved here.

16 Now I'm just blowing off steam at the moment,
17 but, you know, you haven't listened to us, like I said,
18 for 18 years. No reason for you to listen to us now and
19 you're not going to listen to anything I said anyway. So
20 at any rate, thank you very much.

21 MR. SMYTH: Thanks, Shell.

22 Next? Liz?

23 (The speaker is identified as
24 Elizabeth Crawford.)

25 MS. CRAWFORD: Hi. My name's

1 Elizabeth Crawford. I run the website
2 Rocketdynewatch.org, and I worked for several years for
3 Ventura County Supervisors in the parks and an
4 environmental aide as well.

5 I have several questions. I'd like to go back
6 to the top because I, certainly, would like a bit more
7 data please. You say that the, our Radioactive Materials
8 Handling Facility was a collection point for radioactive
9 material waste packaging, decontamination, and off-site
10 shipment, and that sort of thing.

11 Can you tell me the sources of material, where
12 the materials came from that were collected there and
13 handled, please?

14 And how about if Phil answers the questions
15 since he's worked there for how long? I'm sorry.

16 Phil?

17 MR. SMYTH: Let me clarify they're going to
18 answer questions. It's set up as a comment period.

19 MS. CRAWFORD: Excuse me. I think they should.

20 MR. SMYTH: Thomas?

21 MS. CRAWFORD: Phil, how long did you work there
22 please?

23 By the way, Phil Rutherford is the only
24 remaining member of what was the original team since at
25 least the '70s. Steve Lafflam, who was mentioned as being

1 one of the decision makers, is, you know, retired. And
2 Majelle Lee, who was also very pivotal in the operations
3 of the site and knowledgeable about a lot of this stuff,
4 also retired last year. So Phil is sort of the last of
5 the originals.

6 So that's why I asked you to answer.

7 (The speaker is identified as Phil Rutherford.)

8 MR. RUTHERFORD: Thank you for that
9 introduction, Liz.

10 Is this on?

11 MS. CRAWFORD: If you would start, please, Phil,
12 when you did start working there and what your
13 responsibilities were, just briefly because it's directly
14 related since this is our last community?

15 I mean this is quite a nuclear era that's ending
16 here and the last few buildings are sort of our last
17 chance to really get the whole record. So thank you,
18 Phil.

19 MR. RUTHERFORD: Okay. Sure, I can do that.

20 I first started working for Rockwell
21 International back in 1978 and, initially, I worked down
22 in the DeSoto facility. I was a safety analyst. I did --

23 MS. CRAWFORD: If you would outline what the
24 DeSoto facility does and where it is, please?

25 MR. RUTHERFORD: It's on the corner of Nordhoff

1 and De Soto, and I guess just on the boundary of
2 Canoga Park and Chatsworth. And I started off as a --

3 MS. CRAWFORD: What does the De Soto facility
4 do?

5 MR. SMYTH: Liz, this is an RMHF facility --

6 MS. CRAWFORD: I believe De Soto, the reason it
7 is directly related, please, is that I do believe that
8 some of the materials for, from the De Soto facility were
9 handled up there which was the basis for my first question
10 which is where did the waste come from?

11 So thank you, Phil.

12 MR. SMYTH: Okay.

13 MR. RUTHERFORD: I started off as a safety
14 analyst. I did risk analysis.

15 MS. CRAWFORD: What did the De Soto facility do?

16 MR. RUTHERFORD: I'm sorry, Liz. I thought you
17 first started to ask me what I did and when I was working,
18 when I started.

19 MR. SMYTH: Let me try to clarify. Let's start
20 with the introductions. Liz's question is --

21 MS. CRAWFORD: I see. Before you moved down
22 from the De Soto facility, I wanted to get that buttoned
23 up so we can go on to what you did.

24 MR. SMYTH: Your question, though, is were
25 materials from the De Soto facility disposed of at RMHF,

1 right?

2 MS. CRAWFORD: And then I asked Phil to please
3 answer, and then I interrupted. I apologize.

4 MR. RUTHERFORD: The De Soto facility was used
5 by Atomics International. That's the organization that
6 operated the De Soto facility and Area IV for
7 Santa Susana. They were a division of Rockwell
8 International. Prior to that, we were a division of
9 North American Aviation.

10 The De Soto facility was opened in 1960 and it
11 was used for nuclear research and we did manufacture
12 nuclear fuel there. That's well known. The operations
13 there ended in 1984, and building was cleaned up and
14 decommissioned and decontaminated, and it was overseen by
15 the Nuclear Regulatory Commission. The work there was
16 under a, licensed by the Nuclear Regulatory Commission.
17 Some of the work was done for the Department of Energy.

18 So, certainly, I mean employees of Atomics
19 International worked in De Soto. They also worked in the
20 hill. So I first started working up on the hill in 1990
21 after having worked as a safety engineer in the De Soto.
22 And I was then manager of nuclear safety and radiation and
23 safety and have been ever since. So, yes, I've been on
24 the hill for a long time.

25 So what was your next question?

1 MR. SMYTH: The question was, Phil, if materials
2 from De Soto were handled at RMHF on their way to
3 disposition?

4 MS. CRAWFORD: Actually, the question was what
5 were all of the sources? What were all of the sources
6 that, of the waste and materials and so forth that were
7 handled through the RMHF?

8 MR. RUTHERFORD: As Brian mentioned in his talk,
9 the RMHF was used as a staging facility for nuclear fuel.
10 As you know, the hill had several nuclear reactors,
11 research reactors. And so the RMHF was used to store the
12 fuel which initially came onto the hill, and then it would
13 go onto the reactors. Then they would operate. And fuel
14 was then taken out to the reactors and stored in the RMHF
15 and then later shipped off-site to other DOE facilities.
16 And the vaults that Brian mentioned that were in Building
17 22, that they were dry storage.

18 So unlike the fuel storage that is used, for
19 instance, in commercial plants is, that's water storage,
20 but these were dry storage because we had to cool the
21 fuel.

22 MS. CRAWFORD: Great.

23 So the materials that were handled there were
24 exclusively from the area for activities?

25 MR. RUTHERFORD: Um --

1 MS. CRAWFORD: The reason I ask and perhaps you
2 can answer, in various sources I've seen, where decladding
3 operations and, as you say, packaging and handling from a
4 variety of different sites --

5 MR. RUTHERFORD: Yes.

6 MS. CRAWFORD: -- not just Rocketdyne's, but
7 from the rest of the country?

8 MR. RUTHERFORD: We did nuclear decladding
9 operations in the Hot Lab. We took fuel that had been, I
10 mean either irradiated and exposed in other reactors, in
11 other facilities in the country, and we removed the
12 cladding from fuel.

13 We sent the cladding back to the Department of
14 Energy and we sent the fuel back to the Department of
15 Energy. It was a way of waste minimization.

16 MS. CRAWFORD: Where was that work done?

17 MR. RUTHERFORD: That was done in the Hot Lab,
18 up in Santa Susana. So some of the materials would flow
19 through the RMHF, and we stored it temporarily when they
20 were received and then before they were due to be shipped
21 off site. So I said RMHF was kind of a staging area for
22 fuel, both new fuel and irradiated fuel.

23 MS. CRAWFORD: Well, the reason I ask for
24 clarification, one of the first things I thought I heard
25 was it handled only material from Area IV. So that's what

1 I wanted to get a more clear understanding of.

2 So most of the waste has been removed. Can you
3 tell me how much of the waste has been removed?

4 MR. RUTHERFORD: How much of the waste has been
5 removed?

6 MS. CRAWFORD: Another one of the -- I'm sorry.
7 I didn't get this gentleman in the blue shirt --

8 MR. SMYTH: Brian Sujata.

9 MS. CRAWFORD: I came later.

10 So, Brian, you said much of the waste has been
11 removed. How much, please?

12 MR. RUTHERFORD: Let me answer that in a general
13 sense and then in a more specific sense.

14 When I first started working on the hill in
15 1990, my predecessor and his colleagues made an estimate
16 of how much the material had been used on the hill and
17 generally in terms of curies, which is measurement of --
18 and that's 100,000,000 curies, and that's a lot of
19 activity. And that's not only the fuel itself, but also
20 the products generated during the operation of the
21 reactors.

22 Over the years, all that was removed and sent to
23 a DOE disposal site. And I would estimate now we have
24 probably less than 3 curies of activity left, so from
25 100,000, I mean 100,000,000 all the way down to three.

1 So, obviously, we're almost at the end of the job.

2 Now specifically for the RMHF, we have been
3 undergoing decontamination of various facilities over the
4 last several years. We've been shipping out waste as I
5 say and again as Brian said, since the last 15 years or
6 so. It's been used as a staging area for the radioactive
7 waste from other facilities that were demolished and
8 decontaminated. And we used the RMHF for both
9 characterizing and packaging the radioactive waste.

10 So everything comes into the RMHF, and then we
11 ship it off to places like the Nevada Test Site which is a
12 low level reactive depository.

13 So I don't know off the top of my head how much
14 waste we have shipped out, but as I said, we estimated
15 100,000,000 curies. We're down to 3. That's 99.99
16 percent is gone already.

17 MS. CRAWFORD: And so can you explain what an
18 environmental impact statement is, what Dan had mentioned
19 before?

20 For instance, can you explain the difference
21 between the EPA's assessment of safety of the site after,
22 you know, plans of clean up to the levels that you're
23 suggesting here, why they would make statements such as
24 that like the difference in evaluations without risk
25 factors between those, underlying the plan that you

1 propose here and EPA's assessment?

2 So step number 1, what is environmental impact
3 statement, please?

4 MR. SMYTH: Liz, you understand this is not an
5 environmental impact statement, right?

6 MS. CRAWFORD: That's kind of core to my
7 ultimate point which is why this, what Department of
8 Energy and Boeing is suggesting here is inadequate to the
9 public's needs.

10 MR. SMYTH: But your question is all of that
11 is -- are you asking Phil if he can compare EPA's risk
12 range to the proposed clean up standards or what?

13 MS. CRAWFORD: Yes. Please. I would say that's
14 core.

15 What are you going to clean it up to versus what
16 EPA would clean it up to?

17 For instance, Dan asks for -- and that's one of
18 the questions I'll be able to check off my list. Dan asks
19 for clean up to EPA residential 5 and agricultural. I
20 would further say --

21 MR. SMYTH: He's asking for rural, RA-5 A.

22 MS. CRAWFORD: I would go further and say the
23 minute that, you know, that you, your corporation takes
24 this land back into its hands, it's going to be
25 "unrestricted" and that means a million dollars an acre as

1 residential.

2 How long is that stuff going to stay cow
3 pasture? Momentarily, I would say. So I certainly would
4 say that health and human protection would be to consider
5 it at EPA residential standards.

6 MR. SMYTH: So your comment is also asking
7 for --

8 MS. CRAWFORD: My comment and, please, Phil, can
9 you explain the difference between more than what Dan
10 says. How about let's be realistic here. Within five
11 years, that's all -- an off shoot, how many here know
12 about Dayton Creek and the entire contaminated planned
13 area? It's absolutely relevant. Please.

14 MR. SMYTH: I want to make sure I understand
15 what you're trying to say. Your comments about land use?

16 MS. CRAWFORD: Yes.

17 There are lots of properties that are currently
18 under contention development coming in all of the off
19 shoots of Rocketdyne. So let's talk about the SSFL
20 itself.

21 The moment Department of Energy has its way with
22 its current plan, the RMHF is only one last cancerous cell
23 of it. I'm talking about the entire ETEC. I'm talking
24 about the entire fact that an environmental impact
25 statement, which I would like Mr. Rutherford to explain

1 because, surely, he knows it better than I do.

2 So all of my questions do link because let's be
3 realistic. That place is going to be million dollar view
4 homes within three years.

5 So, Mr. Rutherford, please, you explain the
6 difference between the standards -- let's -- the standards
7 which you will set after these meetings, after these
8 comments are over.

9 Let's be conservative and say the standards that
10 you have proposed at the previous clean ups which is 10 to
11 the minus 6, if you guys get there, pretty much will look
12 for 10 to the minus, you know, will look for 10 to the
13 minus 6 if we can. 10 to the minus 4 will satisfy us just
14 fine.

15 Please, Phil, why would the EPA say something
16 like this land under proposed clean-up levels, assuming
17 that those are the same ones that you're going to use
18 because we don't know, why would EPA say something like
19 this land will only be, in certain places, will only be
20 good for day hikes?

21 What is the difference between EPA residential
22 standards which I, Elizabeth Crawford, in all of my
23 capacities from human being to all of the jobs I've had,
24 certainly say is going to be applicable when you guys are
25 finished with your clean up?

1 Please describe the discrepancy. Use numbers.
2 Use process. Whatever. Thank you. I'll step aside.
3 It's critical to this last one chance to have comments.

4 Go ahead.

5 MR. RUTHERFORD: Okay. Let me try to answer
6 your -- I think your question is, and maybe at the same
7 time answer some of the statements and comments that
8 Mr. Hirsch made earlier on.

9 Mr. Hirsch said the EPA requires you to use a
10 land use scenario which would result in the lowest
11 permissible soil concentrations and that would be
12 agricultural or rural residential. That means the same
13 thing.

14 The Boeing Company has no intention of allowing
15 Santa Susana to be used for agricultural purposes. It
16 will impose institutional controls to prevent that as it
17 will propose institutional controls in using the ground
18 water.

19 CERCLA does not require you to use the most
20 restrictive land use scenario. What CERCLA says it
21 requires you to use the land use scenario which is the
22 most reasonably anticipated land use scenario and that
23 is --

24 MR. SMYTH: Anticipated.

25 MR. RUTHERFORD: -- most reasonably anticipated

1 land use scenario.

2 Also, the California Health and Safety Code says
3 that you must do risk analyses and exposure assessment
4 based on either the current use which, of course, is
5 industrial, or the most foreseeable land use scenario, or
6 the most anticipated land use scenario.

7 So then if you look at the risk numbers, CERCLA
8 requires you to achieve a risk between 1 in 1,000 and 1 in
9 a million, as Dan has said, using 10 minus 6 as a point of
10 departure which means you should get as close to 10 minus
11 6 or 1 in a million as close as possible using the nine
12 steps in the CERCLA process.

13 Some of those steps involve looking at the
14 technical feasibility or the implementability of the
15 process which means you could ask yourself is it possible
16 to get down to those low 1 in a million risk numbers? Is
17 it possible to detect those with field instrumentation?
18 Is it possible to detect those with soil analysis? Is it
19 possible to detect those and ensure they're
20 distinguishable from a background?

21 All of those things we have done in the past and
22 will be doing with these two facilities. So we'll use
23 soil analysis which gets us down as close as possible to
24 10 to minus 6, EPA's own data and EPA's own reports and
25 analysis say that sometimes one cannot get down to 10

1 minus 6 -- let me -- let me finish. Please.

2 MR. SMYTH: Let him finish, Dan.

3 MR. HIRSCH: Well, I enjoyed your test here, at
4 the EE/CA hearing. We'll finish, and then I'll correct it
5 and then we'll let the public make comments.

6 MR. SMYTH: These are questions Liz --

7 MR. HIRSCH: I have to correct the statements.

8 MR. RUTHERFORD: Secondly, I know Liz's comments
9 on Building 24, EE/CA, revolved around costs. She said
10 why are you considering costs? Well, again, one of the
11 nine steps in the process requires you to look at the
12 costs. Thirdly --

13 MS. CRAWFORD: Excuse me, Phil.

14 MR. RUTHERFORD: You had your say. Let me have
15 mine. Thank you. Thank you.

16 The third area that we looked at is
17 effectiveness. What does effectiveness mean? It means
18 we're going down to a 1 in a million risk level, but would
19 it really be safer. It appears it is safer because it's
20 less than 1 in 10,000; however, what you got to look at,
21 who is going to be exposed to that risk level?

22 So you have to multiply those numbers by the
23 expected number of people on the site, even if you do have
24 residencies on the site. We're using residential clean-up
25 standards which is conservative as compared to, for

1 instance, commercial or anything else.

2 So you look at the number of expected people on
3 the site. It's a 200, 300 acre site. So there's rugged
4 mountains. Maybe you have houses on 200 acres. One acre
5 housing, maybe four people in each house, less than 1,000
6 people. Multiply 1,000 people by 10 minus 4. You don't
7 have any expected cancers even at 10 minus 4 level.

8 Now we have shown, without past remediation, by
9 measuring the soil concentrations that we can achieve
10 certainly less than 10 minus 5 and, in many cases, 10
11 minus 6. So we have shown that.

12 MR. SMYTH: I'm going to cut it off there and
13 reiterate this meeting is for public comment.

14 MR. RUTHERFORD: Okay. I'm just responding.

15 MR. SMYTH: I understand that you're responding
16 to questions from Liz, but, Liz, we're going to go back to
17 comments and either yours or Dan's.

18 MS. CRAWFORD: I will pick it up. I will pick
19 it up. Dan certainly has a right to clarify a couple of
20 the issues that Phil brought up.

21 MR. SMYTH: Dan can make more comments for the
22 record and you can make more comments for the record if
23 you want.

24 MS. CRAWFORD: I'll pick up where I left off.

25 MR. HIRSCH: Comments for the record.

1 Yesterday, Phil Rutherford made statements to the Senate
2 Committee on Environmental Quality in which he has alleged
3 that a study by the University of Michigan had concluded
4 that there were no increased cancers in the community.
5 The chairman of that committee had to read a letter by the
6 author of that study saying that that statement by
7 Mr. Rutherford was false and that, in fact, his study had
8 found increased cancers, socio (sic) proximity to the
9 site.

10 Today on the record, the court transcriber,
11 Phil has once again made false statements. He said that
12 EPA rules require you to use the most reasonably
13 foreseeable land use. False. False, like what you said
14 yesterday and that the chairman had to call you on.

15 EPA rules say you need to look at any land use
16 that is reasonably foreseeable. And if there are several
17 that are foreseeable, you need to use the one that
18 produces the greater dose and, therefore, the greatest
19 clean up.

20 Your statement again, Phil, is false. Current
21 zoning is RA-5. The land use around the periphery by your
22 own documents is in part agricultural. It's a reasonably
23 foreseeable land use. Under EPA rules, you must use it if
24 it provides the highest doses and it does.

25 Second point, the bait and switch. Phil just

1 told you they have no intention of farming and that they
2 will impose land use restrictions. That's not an EE/CA
3 that you're supposed to talk about today. The EE/CA says
4 that the land use will be unrestricted. So you're not
5 being permitted to see what he claims will be the land use
6 restriction.

7 I showed you the photographs. There is no
8 restriction presently. They've got cattle going into the
9 contaminated sodium burn pit area. So -- and that was
10 while it was contaminated, before they did any clean up.

11 So here's the bait and switch. They're asking
12 you to comment on unrestricted use and they're going to
13 come back and tell you that they're going to put in some
14 undescribed land use restriction and dismiss all the
15 comments here. And it simply is inappropriate. It's the
16 game we've faced all along.

17 At any rate, I want to remind folks. This is
18 really a time for the public to comment for the record.
19 Once that's done, I think there should be questions, but
20 what we went through was Boeing commenting for the record.
21 I don't think that's why we're here.

22 AUDIENCE MEMBER: Can Phil tell us what the
23 institutional restrictions are?

24 MR. SMYTH: Right now, we'll focus on public
25 comment.

1 AUDIENCE MEMBER: That's a question. You
2 brought it up. It's not in your document.

3 MR. SMYTH: That's fine.

4 AUDIENCE MEMBER: I'll go up and ask when it's
5 my turn.

6 MR. SMYTH: That'll be great.

7 Liz, comments on RMHF on the proposal
8 alternative.

9 MS. CRAWFORD: Believe me. It all fits. I know
10 you want to streamline the process and so forth.

11 MR. SMYTH: It actually has to do with making
12 sure we get the comments for the record.

13 MS. CRAWFORD: Sure. There are, believe me,
14 comments listed in here.

15 Have all criteria been met under CERCLA?
16 Phil?

17 MR. SMYTH: There's not, they're not going to
18 answer unless Thomas wants to. It's the comment that --

19 AUDIENCE MEMBER: You know, I actually thought I
20 was coming up here to ask questions. I tried to ask
21 questions earlier.

22 MR. PLOTKIN: Can we make the public first --
23 there's a legal requirement. They have to get a record.
24 If there's a suit, you need to get a record.

25 MR. SMYTH: All those questions -- all those

1 questions you can rephrase as comments. That would be
2 wonderful and they will be addressed.

3 MS. CRAWFORD: I'll do my bullet points and I'll
4 ask some information. And when I ask a piece of
5 information, it's to get a full explanation as I can with
6 the points that are being brought up with my comments.

7 Number 1, certainly provide an alternative other
8 than nothing and our way, which is as we determine after
9 public comments are closed.

10 MR. SMYTH: Do you have a suggested alternative?

11 MS. CRAWFORD: My suggested alternative is
12 follow all nine steps of certification under CERCLA.
13 Establish and initiate and complete a full environmental
14 impact statement on ETEC because it's completely the basis
15 for all of the, you know, decisions that you make for the
16 RMHF, so provide alternative solution or alternative
17 actions, yes.

18 I'm sorry. Say it again. I don't know the
19 nomenclature for the rural 5, RA --

20 MR. SMYTH: RA-5 A.

21 MS. CRAWFORD: RA-5 A. Please, if that's --

22 MR. SMYTH: Land use?

23 MS. CRAWFORD: If that's the land use, then
24 clearly that should be considered. And in terms of it
25 being practicable and current, yes, it certainly is

1 because not only was livestock access, accessing all of
2 these areas, they currently are. There's horses up there.
3 There's watering holes. There's no barriers for livestock
4 movement across the area. You can go up there and see it
5 today, any time. So, hopefully, implementation will be
6 achieved for that.

7 I would also insist in the fullest that
8 independent testing be done also in addition to
9 Rocketdyne, Rockwell International receiving the largest
10 environmental fine in 1995 while Mr. Rutherford was
11 working up there.

12 No offense, Phil, but you were, you know, up
13 there at the time.

14 Last August, Boeing was forced under citizen and
15 pressured by DTSC to cough up 40 years of burn logs in one
16 of their clean ups under DTSC's authority. So, basically,
17 as recently as last August, burn logs were revealed by
18 Boeing that had been withheld from the DTSC which
19 described all of the use that this burn pit under
20 consideration had had.

21 So I would say again, these are not people who,
22 I mean no offense, but there you go. These are not people
23 who can be trusted. They withhold documents that are
24 related to undergoing, undergoing processes and so forth.

25 So the least that can be provided here to

1 establish any kind of believability about this process is
2 to get independent testing in there appointed by the
3 elected officials and reliable state authorities. I would
4 say that's basic so that we can begin to trust the data
5 that we do have.

6 Millions and millions of dollars have been spent
7 on, you know, ground water monitoring data and so forth
8 that is completely bogus. So I would say let's not go
9 down that road anymore.

10 AUDIENCE MEMBER: I would like to hear some of
11 these other people.

12 MS. CRAWFORD: Actually --

13 MR. SMYTH: Just a second. She has a right to
14 go down her list.

15 MS. CRAWFORD: I almost and truly am because
16 this is really complicated stuff and this is our last
17 chance at it. So I would like to get just basically down
18 to the last point.

19 This all comes under the framework of something
20 that was initiated in February 2001, accelerated
21 clean-ups. In February, I believe it was February 1st,
22 2001, Department of Energy initiated a plan by Bechtel
23 Corporation called accelerated clean-ups, making
24 accelerated clean-ups a reality. And the purpose for this
25 project nationwide, to handle all of the existing

1 Department of Energy nuclear sites across the country, the
2 purpose of it was to move from mortgage holding to
3 closure.

4 Now let's look at the dates. I hate to say
5 these things are political, but February 1st, 2001, we're
6 about ten days into the Bush administration. Bechtel
7 writes this plan to say we can save decades of time and
8 ten, if not hundreds of billions of dollars in our clean
9 ups.

10 It's really easy. I actually purchased online a
11 book, one of your guy's textbooks making accelerated clean
12 up a reality is the website I found it mentioned under.
13 One of the chapters is managing -- Strategies For Managing
14 Public Process. Number 1, streamline your decisions. For
15 instance, a response to comments, to the accelerated
16 clean-ups program from the public was, wow, we didn't know
17 anything about this program. We didn't get a chance to
18 comment on it.

19 The official Federal Department of Energy
20 response to the public singular comment about we didn't
21 get a chance to respond to this was, wow, we streamlined
22 our decisions and we didn't get a chance to tell you.
23 When our processes allow enough time for public input,
24 then we certainly will let you know about it and encourage
25 you to come and speak.

1 So I would like to -- so you guys certainly
2 have, have, have blown the public notification process.
3 We've been cut out of the comments. I can't believe what
4 I've heard in terms of your risk decisions are going to be
5 made after the public comments' period?

6 I would say halt the public comment period right
7 now until 30 days after you declare your risks, your risk
8 calculations. Write that one down. Thirty-day public
9 comment delay until after you announce your firm risk
10 calculations because another chapter in that text book
11 that I bought about making accelerated clean-ups a reality
12 was recalculating risk.

13 Another chapter in my text book about making
14 accelerated clean-ups a reality was internalizing
15 decision-making process. I suppose breaking a 16-year-old
16 Memorandum of Agreement with the EPA would fall under
17 that. It's our decision-making process again.

18 So everybody, the reason I bring it up is
19 because you are watching the last winking cancer cell of
20 responsibility that the Department of Energy has to us up
21 here. This is our very last chance to talk about this.

22 Phil, would you please explain ALARA?

23 MR. SMYTH: Liz --

24 MS. CRAWFORD: No. This is another example of
25 As Low As Reasonably Achievable. You guys make the

1 decisions --

2 MR. SMYTH: Could you provide your comment?

3 MS. CRAWFORD: -- start to finish. You must do
4 a full site environmental impact statement. You must
5 clean up to the highest EPA standards. You must have
6 independent testing, and you must disclose all of your
7 risk calculations long before we're expected to make our
8 comments, thirty days after you disclose that.

9 Thank you very much.

10 MR. SMYTH: Thank you.

11 (The speaker is identified as
12 Elizabeth Thompson.

13 MS. THOMPSON: Hi. My name is
14 Elizabeth Thompson. I live on Woolsey Canyon. I had
15 thyroid cancer. I had my thyroid removed. I don't know
16 if you're aware of it. About a mile and a half from
17 Rocketdyne, 32 acres went up for sale, about a quarter of
18 a mile from where I live. It was tested by an independent
19 company, the same people that Centex, not for all the
20 chemicals or contaminants that were found at Rocketdyne
21 and I'm not sure of the reason for that, but certainly
22 chemicals are tested and exceedingly high radiation was
23 found.

24 Every time, I want you to consider this about
25 leaving it alone or lessening the standards. Every time

1 it rains, it comes down on us, down below us. Now while I
2 may not be valuable to you, I'm very valuable to my
3 grandchildren and each one of us are valuable to somebody.

4 You have a responsibility to clean this up.
5 Forget about advertising on television. Take that money
6 and put it in the ground and then the water, and meet the
7 standards regardless of who's president.

8 You have an obligation to us. How do you sleep
9 at night? Where's the morality in this? Forget about
10 Bush and what the law says.

11 What about your personal law -- in here -- your
12 responsibility.

13 Thank you.

14 (The speaker is identified as Chris Rowe.)

15 MS. ROWE: Hi. I'm Chris Rowe. I was here last
16 time. I guess it was at the end of February, and I was
17 really excited. I got a couple of postcards in the mail
18 and I thought, wow, I actually had some impact. They
19 actually sent a postcard. Maybe the people in the West
20 Hills community actually found out something about what
21 was going on here, but then I called you and you said it
22 went to 4500 people. It went to the people that already
23 know about the site that are already concerned, not to the
24 whole West Hills community or Simi Valley or whatever,
25 which from what I read, could be half a million people.

1 As I look around this room, I see maybe 50
2 people and a lot of them are bureaucrats or whatever,
3 people that work for Boeing. So, you know, I represent a
4 lot of people.

5 And then I call and I say, okay, what kind of
6 notification did we get or did it go to the general
7 community? And I get an e-mail back and it's got a photo
8 copy and it's a photo copy of the disclosure notice. And
9 the disclosure notice is this little tiny, tiny thing in
10 the L.A. Times in the Classified Section.

11 I, actually, went to the L.A. Times. I tried to
12 find it online. They -- I e-mailed L.A. Times and they
13 said it must be an ad. So it was in the Classified
14 Section as an ad in a little tiny disclosure.

15 When I get the L.A. Times, first thing I do is I
16 recycle the paper. I recycle the Classified ads because
17 I'm not buying a car. I'm not renting a house or
18 anything. So I recycle that section.

19 I never would have seen this as a public
20 notification. If I expected a public notification, I
21 would have expected it in the front section or on the
22 California section. And I would have expected it to be,
23 you know, quarter of the newspaper size, not this tiny,
24 tiny thing.

25 Since this is a public forum, again, I'm going

1 to go back to things I brought up both at DOE meetings and
2 at the meetings of the chemicals, about the chemicals.
3 The public is not being notified of the dangers of the
4 site. They're not even aware of it.

5 And when people talk about the cancer clusters
6 associated with the area, I need to see a study that tells
7 me really what is the impact of the general population in
8 the proximity, within that 5 mile range, 10 mile range of
9 that site.

10 It's very difficult for me. I know there's a
11 Boeing community and there's an activist community, and
12 I'm trying to look at this stepped back with a logical
13 perspective. I hear one side say, you know, and I
14 understand all Dan Hirsch's data and Liz's data and
15 they're on top of this and everybody as well. And I'm
16 trying to step back and look at it and say, okay, Boeing
17 says one thing. They've done their own environmental
18 studies and they can't prove this and thus and so. And
19 the other side says no. We've got cancer cluster.

20 I want to see data. I want to see, before these
21 public, you know, for us are over and we have no choices
22 anymore, I want to see data about those cancer clusters.
23 I want to see people, you know, how many thyroid cancers
24 are there? How many are there of the blastomas, the
25 retinal blastomas? I want to see breast cancer.

1 The night of the last meeting, I was driving to
2 Simi Valley and I thought of my best friend who lives in
3 Simi Valley. She grew up in Canoga Park and I wanted to
4 go by her house. And on the way home, I thought of her
5 again. And the next day, her husband called me and he
6 said she died. She died yesterday. She died of breast
7 cancer, and she grew up in Canoga Park in close proximity
8 to this facility.

9 I don't know the data and I want the data
10 because I want to protect the public health. This is not
11 about which buildings are being dismantled to me. This is
12 about protecting the public health, whether it's the RB
13 facility that was just sold recently for public housing,
14 whether it's Sage Ranch or Brandeis or Ahmanson Ranch. We
15 need to be looking at that whole area. We need to be
16 looking at it in terms, as I mentioned it before, to the
17 youth that use it for hiking, camping, whether it's the
18 Boy Scouts or other youth groups.

19 So that's what I'm asking. I'm asking that you
20 guys give a legitimate, honest attempt at notifying the
21 public. I know that Sheila Kuehl had a meeting. I
22 believe it was April 5th. Various people, Dan Hirsch and
23 Bonnie testified there. I didn't know about that meeting.
24 I don't know if that was a closed meeting to governmental
25 groups, but, gee, I keep saying over and over. I would

1 like all these people to be in one room, whether it's
2 Sheila Kuehl or Diane Feinstein's representatives or
3 Barbara Boxer's or, you know, Boeing, DOE, EPA. We need
4 to be in one room. And this concept that is one meeting,
5 just the DOE, two days, the SSFL meeting, it's not right.
6 It needs to be done at one time. Thank you.

7 MR. SMYTH: Thank you.

8 Next? Guillermo.

9 (The speaker is identified as
10 Guillermo Gonzales.)

11 MR. GONZALES: Guillermo Gonzales from
12 Senator Diane Feinstein's office.

13 The last time at the last meeting we were here,
14 myself and Congressman Gallegly's representative,
15 Brian Miller, I asked a question of when we can expect a
16 date regarding the conclusion of radioactive
17 contamination. And so we would like an answer to that
18 question.

19 Does anybody care to answer it?

20 MR. JOHNSON: Yes. I will go ahead and I'll
21 answer that question, but one thing I do want to say is
22 that we were trying to, we're trying to find balance
23 between trying to answer questions and trying to get
24 public comments for the record, but I worked today on a
25 response to the Senator for the letter she wrote to us

1 asking the very same question. And what it says is that
2 we are planning to complete the radiological clean up at
3 the site by September of 2008.

4 MR. GONZALES: Okay. Thank you.

5 MR. SMYTH: Thanks, Guillermo.

6 MR. HIRSCH: When would be the earliest you
7 could do it?

8 MR. GONZALES: Dan asked when would be the
9 earliest you could do it?

10 MR. HIRSCH: The latest, September '08. What
11 if, if you were fast, what would be the earliest it would
12 be done?

13 MR. JOHNSON: Dan, that's really the fastest we
14 can get it done.

15 MR. HIRSCH: That can't be the latest.

16 MR. JOHNSON: Assuming we get the funding to get
17 the clean-ups. If we have no funding, then, obviously, it
18 can be much longer than that, but this is assuming we have
19 the funding, it can be done by September of '08.

20 MR. HIRSCH: You said that's -- you can be done
21 by -- that's the end.

22 MR. SMYTH: It's the earliest.

23 MR. HIRSCH: Is that the earliest? You said it
24 was the latest.

25 MR. JOHNSON: He asked when can we be done with

1 the work. I'm not an expert on all the maneuvering things
2 that are going on. I'm trying to answer you honestly.

3 MR. HIRSCH: That's why I want to ask. If you
4 get the money, what is the earliest you would be finished
5 and latest you would be finished if you get the money?

6 MR. JOHNSON: If we get the money, schedule we
7 have, we would be done by September of '08 if we get the
8 funds. It depends on when you get the funds, Dan. If we
9 don't get it until, if we don't get the funds until late
10 in '08, then, obviously, it won't get done.

11 MR. HIRSCH: That's not my question. If you get
12 the normal cycle of funding in your next fiscal funding,
13 budget of \$13,000,000, if you get that and the bill comes
14 out in time, what's the earliest you would have finished
15 or latest you would have finished if the money comes in
16 the normal appropriation time?

17 MR. JOHNSON: We've asked for additional money
18 for this year. Between now and October 1st, assuming it
19 comes within that time period, we can be done by September
20 of '08. If the funds do not come until sometime in '08 or
21 '09, then, obviously, it'll be pushed back another year.

22 MR. HIRSCH: You requested additional money for
23 this fiscal year?

24 MR. JOHNSON: You know as well as I do, as we go
25 through the fiscal year, sometimes we have the opportunity

1 to get additional funds and we are trying to get those
2 funds as soon as possible so we can be done with all the
3 radiological clean-up.

4 MR. HIRSCH: Where are you trying to get that
5 money from?

6 MR. JOHNSON: From within DOE. From other
7 sites.

8 MR. HIRSCH: You're trying to transfer money
9 internally. Do you need Congressional approval for that
10 reprograming?

11 MR. JOHNSON: The short answer to that is it
12 depends. It depends on where those funds are coming from,
13 Dan.

14 MR. HIRSCH: Where are you asking for them from?
15 We've got two Congressional representatives here. I think
16 they have a right to know if you're trying to move money
17 around, if they have a say in it.

18 So where are you trying to get the money from,
19 and will Congress have a say in that?

20 MR. JOHNSON: The particular funds we are trying
21 to get may come from the EM program itself. There is some
22 latitude within EM for clean-up dollars to move around.
23 There is some latitude there.

24 MR. HIRSCH: Without Congressional approval?

25 AUDIENCE MEMBER: Up to how much? Up to how

1 much? Usually, you have to get the chairman's approval
2 from the committee, but there's a certain dollar amount.

3 MR. JOHNSON: I don't know the -- I don't know
4 the dollar amount. I do know that we do have the
5 opportunity at sometime to get some funds during the year
6 when we go back and look at sites that may be behind on
7 their budget curve and in their spending where they will
8 not be able to utilize all the funds within a year. And
9 we can, we do have the opportunity to make requests and
10 get additional funds.

11 MR. HIRSCH: Are you making a commitment to
12 request approval from the Congress before programing that
13 money?

14 MR. JOHNSON: I make the commitment we will
15 follow the processes allowed by the department.

16 MR. HIRSCH: You won't tell us what those
17 processes are.

18 AUDIENCE MEMBER: It's not his area.

19 MR. HIRSCH: It's not what?

20 AUDIENCE MEMBER: His area.

21 MR. HIRSCH: If there's someone here in that
22 area, tell us.

23 AUDIENCE MEMBER: Go to Washington.

24 MR. HIRSCH: Who are you for the record?

25 MR. TAYLOR: Bill Taylor.

1 MR. HIRSCH: From?

2 MR. TAYLOR: The Department of Energy.

3 MR. SMYTH: Before --

4 MR. JOHNSON: What I said, we were developing a
5 response to a letter that was provided to the Department
6 from Senator Feinstein. In a letter, we have drafted the
7 response. It may take some time before the official
8 response actually reaches. I'm not the signatory on the
9 letter.

10 MR. HIRSCH: We're switching topics. There's no
11 statement here one way or the other if Congress will
12 take --

13 MR. SMYTH: How about if we take -- is there a
14 comment you would like to --

15 MR. HIRSCH: We need to have one matter then
16 clarified. You're asking for additional money to
17 accelerate clean up even further. Are you asking for
18 enough money or are you asking for enough money to finish
19 this this fiscal year or finish off these reprogram monies
20 without having to get appropriation for the next fiscal
21 year?

22 MR. JOHNSON: I do not believe we can physically
23 finish the work this fiscal year.

24 MR. HIRSCH: Can you reprogram the money so you
25 don't have to ask Congress for appropriation for next

1 fiscal year?

2 MR. JOHNSON: We have funding already planned
3 for the next fiscal year. The amount of funding I was
4 talking would be just the additional funds just to
5 complete things by September of '08. The funds for right
6 now, we have about 13,000,000. That's planned for '08.

7 MR. HIRSCH: That's requested for '08 from the
8 Congress?

9 MR. JOHNSON: Yes.

10 MR. HIRSCH: If the Congress wanted to do
11 something different, can you reprogram 13,000,000 from
12 somewhere and bypass the Congress?

13 MR. JOHNSON: I don't believe we can do that.

14 MR. HIRSCH: Why, if you can move the money
15 around?

16 MR. SMYTH: Just for the record, there's about
17 10 minutes left in the public comment period.

18 MR. HIRSCH: No. Last time you said the public
19 comment can go to what it needs to.

20 MR. SMYTH: This question and answer period
21 now --

22 MR. HIRSCH: This is critical. This is EE/CA's
23 effort to deceive Congress and to be able to move the
24 money around without congressional, money without its
25 approval. It's important for the record to let us know

1 whether the Department can reprogram money and, thereby,
2 avoid having the Congress vote on the fiscal year '08
3 appropriation.

4 MR. JOHNSON: Congress is -- Congress still has
5 authority over the '08 appropriations. I was not talking
6 about trying to not request any money in '08.

7 MR. HIRSCH: But you're moving money around in
8 '07.

9 MR. JOHNSON: What I said specifically was we
10 have some leeway within the Department to move some monies
11 around particularly looking at sites that are
12 under-spending, sites that have not spent all of their
13 allocations, but we have a process we have to go through.

14 MR. HIRSCH: I want to know if that process
15 includes the Congress or bypassing, and you won't answer
16 that.

17 I think maybe you've gotten the answer. The
18 Congress has. Comment --

19 MR. SMYTH: Thank you.

20 MR. HIRSCH: -- terribly deceptive. Terribly
21 disturbing. We're a nation of laws. We have a Congress
22 that decides what to do.

23 It appears to me that your administration, as it
24 has on many other matters, is attempting to bypass the
25 Congress and bypass the public and trying to accelerate

1 this clean up so that you could end it and hand it back to
2 Boeing in an effort to try to keep the Congress out of
3 this. And I think that not even telling us that we had to
4 extract that, like pulling teeth from you, tells us a
5 great deal of a rogue agency, above the law, doing it on
6 the EE/CA, doing it on the funding for the enclosure. And
7 it's not even telling the truth to the Congress, and I
8 think it is despicable.

9 (The speaker is identified as Sue Boecker.)

10 MS. BOECKER: I'm Sue Boecker.

11 MR. SMYTH: RMHF focused please.

12 MS. BOECKER: All I can say to you, sir, you
13 must have done something very naughty in the agency to
14 wind up here at this time.

15 My suggestion for an alternative is for DOE
16 to -- you know, whatever financial imaginations you go
17 through and, Mr. Taylor, I would appreciate a name that we
18 can write to and find out -- not at this moment. I'm
19 speaking. I have the floor.

20 MR. SMYTH: Yep. You do, Sue. Go ahead.

21 MS. BOECKER: -- that DOE get whatever funding
22 is required to do a grid of all of Area IV. And I would
23 say like a 3 foot, well, I'll give you 9 feet in between
24 your starting points, not the footprint of this building.

25 There has been huge contamination up there,

1 chemical and radioactive. And this stuff about it's
2 expensive to test? I'm sorry. You know it's there. It
3 was put there.

4 It was decided by the federal government at some
5 point to contract with these people at Boeing who,
6 obviously, could care less about the people that pay their
7 bills.

8 The alternative is to do a grid study under EPA
9 direction. Get the -- have whoever at EPA you guys need
10 to start talking again. Get them there.

11 Why aren't you going to build a farm? That just
12 boggles my mind. I don't understand. That was -- you're
13 not going to have agriculture. You're not going to build
14 a farm up there? Come on. This is ridiculous. This is
15 a, if it's not toxic, you're going to go through with one,
16 one grid, and everything's going to be fine. You won't
17 find it, but you can't take the top 2 inches and you
18 can't, you can't -- you've got to do it correctly.

19 I'm not a scientist. I'm not a geologist. All
20 I know is that you have learned how -- not personally you.
21 I get to yell at you because you're here -- where not to
22 look.

23 How do we not look at the places where there is
24 contamination? You're going to remove this building that
25 contained radioactive material, decladding. It was

1 opened. I don't, I can't even understand. Phil is
2 talking about irradiated fuel and new fuel. Well, I
3 thought the fuel was radioactive. I thought that was the
4 point of these cells.

5 The whole thing, it never, it never makes sense.
6 It's not scientific. It's just it doesn't make any sense.
7 It doesn't make horse sense. I may be a horse's
8 you-know-what, but I'm telling you, you've got to do it
9 differently. Your alternatives are not on. They're not
10 going to happen because it's not right. You have answered
11 no questions.

12 And sorry. You guys were caught with your
13 pants, must have been pretty worn yesterday. That was
14 very interesting to be caught in an absolute bare ball
15 faced lie to a California State Senate Committee.

16 MR. SMYTH: RMHF, Sue.

17 MS. BOECKER: Okay.

18 RMHF, Area IV, must be studied, not just the
19 footprint. Oh, and by the way, were any of those tanks
20 they shipped out or are shipping out, were those from
21 Area IV, any of them? Do you know about them?

22 The great big ones that were put on -- they were
23 hauled. They had closed down Woolsey Road or are in the
24 process. You know. And there, I know that there are,
25 that there are junk piles, piles of office furniture in

1 that area.

2 You can't just look at the building. That is
3 not satisfactory. And if this is the last time we get to
4 comment about DOE up there, there's something way wrong
5 with this country. The people in this country deserve a
6 voice and -- I'm sorry, 10 minutes more.

7 I know. We started out on a bad foot years ago.
8 I still think you're cute -- don't you remember? I made
9 you send somebody to Santa Monica to get those papers?
10 I'm still just as unreasonable, but I do, I live around
11 here and I know Phil lives around here and he says there's
12 nothing to worry about, but I'm worried.

13 This, this study, this closing down, this moving
14 away of DOE has got to satisfy the people that are
15 concerned. A lot of us have had cancer. A lot of our
16 family members have had cancer. A lot of our friends and
17 a lot of them have died, but the ones that get me the
18 worst are the retinal blastoma babies.

19 There is, there is huge contamination and if we
20 look at just the, just the footprint, then you don't get
21 to see all the rest of me. Do you?

22 If you're just looking at what's underneath my
23 foot plus you're looking at only what is -- it doesn't
24 make any sense, guys. This has got to be a real thing.

25 I think that you should be able to say tonight

1 you're going to continue the, the public comment period.
2 You have to let us know what you're going to do. You
3 have -- I hear these people, this woman who comes, whose
4 best friend died last time from breast cancer. I mean
5 she's right. There needs to be a way. I know this
6 process has got to be cumbersome, but there must be a way
7 that everybody can get in a room. I suggest you be the
8 moderator.

9 MR. SMYTH: Thank you.

10 MS. BOECKER: You know, this should be your
11 re-employment act of this century. You must -- you must
12 go at this in a systematic way that makes sense. This is
13 not systematic and it doesn't make sense. Slick brochures
14 are not environmental reports. They're not environmental
15 documents. We've -- a lot of us have been around the
16 environmental process for a long time and this is not
17 suitable.

18 Thank you.

19 MR. SMYTH: Thank you, Sue.

20 Time for one more comment. You can provide
21 written comments.

22 AUDIENCE MEMBER: Wait. Wait. Wait. I've been
23 waiting the entire time to ask questions and I was told to
24 wait to ask questions.

25 MR. SMYTH: No. Actually, it was a public

1 comment period.

2 AUDIENCE MEMBER: I was told by some of the
3 gentlemen up front I can ask questions here, but they
4 wouldn't answer them.

5 MR. SMYTH: If they want to answer your --

6 AUDIENCE MEMBER: You stood up here 20 minutes
7 ago and said first comments, then questions.

8 ANOTHER AUDIENCE MEMBER: Hold on. Let's not
9 deal with the contractor. Let's ask if DOE today,
10 Mr. Johnson, Mr. Johnson -- I'm sorry. Could we have more
11 time to submit public comments after my comment?

12 ANOTHER AUDIENCE MEMBER: I have one little 2
13 second comment.

14 AUDIENCE MEMBER: We all have lots of comments
15 that are extremely important, but without the time to go
16 into this, it's not going to occur.

17 ANOTHER AUDIENCE MEMBER: I've been standing
18 here to ask questions. I gave up my turn to five people
19 to ask a question.

20 MS. CRAWFORD: We have no problem staying later.

21 AUDIENCE MEMBER: Our money is paying for your
22 budget. Why can't we do it?

23 MR. SMYTH: Just a second and let him answer the
24 question.

25 You've asked a question.

1 MR. JOHNSON: One thing. I know you all are
2 rather frustrated or can be frustrated if you didn't have
3 your chance to ask your question or provide your comments,
4 but just as you're frustrated sitting here, believe me,
5 it's equally frustrating.

6 AUDIENCE MEMBER: It's not equally frustrating.
7 We are -- we've been here a long time. We've been
8 affected by this site. It's not equal. I will tell you
9 that right now.

10 MR. JOHNSON: It is frustrating sitting here and
11 not to be able to interact with you and answer every
12 single question you have.

13 AUDIENCE MEMBER: Some questions, I have some
14 questions.

15 MR. JOHNSON: Like I said, we're trying to
16 balance it, and we have, you know, shortened the
17 presentation. We tried to listen to the things you asked
18 or told us the last time that we were here. And so what
19 we're trying to do, we've tried to take your comments and
20 I still want, I want your comments, but this format does
21 not allow me to sit here or to be here and answer every
22 question --

23 AUDIENCE MEMBER: But you haven't answered any
24 of the questions from Building 24 per the CERCLA. So
25 regardless of that, you're not going to listen to us

1 anyway. So if there is a lawsuit that Dan's been
2 mentioning it, it can go into it.

3 ANOTHER AUDIENCE MEMBER: I was told before this
4 meeting I can ask my question --

5 MR. SMYTH: Just a second. This is as stated, a
6 public comment meeting.

7 AUDIENCE MEMBER: Exactly.

8 MR. SMYTH: It was advertised to end at 8:30. I
9 will find out whether we can go further, but it's public
10 comment, not question and answer.

11 AUDIENCE MEMBER: You stood there and said after
12 people make their comments, you will take questions.

13 MR. SMYTH: I believe somebody else asserted
14 that.

15 AUDIENCE MEMBER: You did because I was standing
16 there.

17 ANOTHER AUDIENCE MEMBER: Let's see if we can
18 get some more time.

19 AUDIENCE MEMBER: Hold on a second. If Robert
20 and I second -- all actions and anything presented by
21 Daniel Hirsch, I'm sure the majority of the people in this
22 room would second that information. Dan Hirsch, I know,
23 has other comments he needs to answer to the record;
24 however, if I'm the last presenter, I would like to defer
25 my comments to him. We need to have some kind of decision

1 now whether or not there's going to be additional
2 comments.

3 MR. SMYTH: Let me reiterate --

4 MR. JOHNSON: You have an opportunity for
5 additional public comments. We said you had an
6 opportunity tonight -- was just an opportunity by the
7 additional comments. You can provide written comments to
8 us. You can provide comments. It goes into the record as
9 well. You can provide written comments to us.

10 AUDIENCE MEMBER: How can you make a comment if
11 you don't answer a question?

12 MS. CRAWFORD: Had I known, had I known that my
13 detailed questions and, hopefully, detailed information
14 and the answers would have bumped all of these people, I
15 would have given up long ago. I should have been told I
16 just had three minutes.

17 Two things: I looked at the mailer that I did
18 receive and Part 2 of this meeting was supposed to be
19 response to comments on the last "public meeting" where we
20 had a chance to talk about that.

21 So, so I still want, because it gets to the core
22 of this, what public comments from the Building 4024 were
23 ever addressed and implemented? Because I want to know if
24 what we're saying, A, makes any difference and, B, if
25 you're going to allow us to talk. And I think you should.

1 So it is our tax dollars.

2 Really, I don't think any of us have a problem
3 with waiting to hear, you know, the full extent of it.
4 Can you please give us that? Yes or no.

5 Thank you.

6 AUDIENCE MEMBER: More time or more days of
7 meeting.

8 MS. CRAWFORD: Let him answer yes or no.

9 MR. SMYTH: What do you want to do?

10 MR. JOHNSON: Let's give them time for public
11 comments if we have the room.

12 Jeff is going to find out if we have access to
13 the room a little longer. If we do, we'll give another 30
14 minutes for the comments.

15 Please. If you want to, if you want to, you
16 said you wanted to make sure you got it into the record.
17 If you will please, get the comments. We'll get them back
18 in just a few minutes. While he's -- all right. I'll
19 find out here in just a few more minutes whether we have
20 the room.

21 AUDIENCE MEMBER: If we mail or e-mail, it still
22 gets into the record?

23 MR. JOHNSON: If you mail your comments and we
24 have the website there as well, you can --

25 AUDIENCE MEMBER: Do we have an accurate site

1 address?

2 ANOTHER AUDIENCE MEMBER: Is that
3 Thomas Johnson?

4 MR. JOHNSON: I'm Thomas Johnson. The e-mail
5 address I would like you to send it to is ETEC@DOEAL.GOV.
6 That --

7 AUDIENCE MEMBER: Say again.

8 MR. JOHNSON: ETEC, E-T-E-C, @DOEAL.GOV, GOV,
9 G-O-V.

10 Now I know that we, I know that e-mail works
11 because I got e-mail. I got some emails on the
12 Building 24 at that address.

13 (The speaker is identified as Mark Perryman.)

14 MR. PERRYMAN: I need to go ahead and enter my
15 comments.

16 My name is Mark Perryman. I'm with the
17 website --

18 MR. SMYTH: I want to make sure we get whoever
19 has comments. We are going to take Liz's suggestion and
20 limit you to three minutes.

21 Let me answer your question -- your three
22 minutes haven't started yet -- the way the public comment
23 period works is when the public comment is closed and I
24 believe it closed last week for Building 24, DOE reviews
25 the comments, responds to them, and modifies as they see

1 appropriate based on the comments. And those comments and
2 the responses go into the administrative record. That's
3 where you would look. It hasn't been done yet.

4 MR. PERRYMAN: Anyway, we're here to do public
5 comment, not question answer.

6 My name is Mark Perryman. I am the website
7 administrator for RocketdyneWatch.org. I used to work for
8 Ventura County Supervisor Linda Parks as an executive
9 aide, and I'm also an Eagle Scout. And I've lived in the
10 area for 21 years, my entire life.

11 I have some rhetorical questions that don't need
12 to be answered now, but can be answered when the comments
13 are responded to. I would hope that --

14 Have historic documents been referred to in the
15 process and creation of this EE/CA? I know the historic
16 documents have been seen in the past -- and I know that
17 DTSC had to come forward.

18 What comments have been received -- for this
19 comment period so far -- I want to know just like the last
20 time we were here, Mr. Johnson, how many comments have
21 been received within the public comment period? Maybe you
22 can answer that after the meeting.

23 News agencies and reporters were not properly
24 notified per the National Contingency Plan that has been
25 listed on your website. The National Contingency Plan

1 states that the lead agency, after the preparation of the
2 proposed plan and review by the support agency, shall
3 publish a notice of availability and brief analysis of the
4 proposed plan in a major local newspaper of general
5 circulation. The NCPA says the lead agency should
6 publish --

7 THE REPORTER: I'm sorry. You're going too
8 fast.

9 MR. PERRYMAN: The NCPA states the lead agency,
10 DOE, should publish the notice in a major newspaper of
11 general circulation. The notice provided in the
12 classified section or as an advertisement within
13 newspapers in our area is not adequate since local, state
14 and federal elected officials and community members only
15 look to the classified section for used or new goods in
16 addition to services or housing options.

17 A notice for an important matter such as the
18 RMHF EE/CA requires a press release and proper alerting of
19 the local major news organizations which is, essentially,
20 what the NCPA states when it requires lead agencies to
21 publish notice in a major local newspaper.

22 This was not done properly for Building 24 EE/CA
23 nor has it been done properly for the Radioactive
24 Materials Handling Facility EE/CA. Therefore, public
25 process has been, again, streamlined as are DOE's

1 clean-ups across the U.S. by a DOE accelerated clean-ups
2 plan.

3 Number 2, the Executive Summary states that the
4 RMHF was authorized under the Federal Resource
5 Conservation and Recovery Act to store and treat mixed
6 wastes generated at ETEC. Documentation shows that the
7 RMHF not only handled radioactive materials from the
8 SSFL/ETEC, but also other radioactive materials that was
9 shipped to the site from around the country.

10 Therefore, I request that the Executive Summary
11 be properly amended to this effect and that the community
12 be properly notified of the activities at this facility.
13 This is further illustrated by Table 2-1.

14 Table 2-1 lists the radiological contaminants of
15 concern that DOE will be looking for in the soil. Though
16 the listing of these radioactive contaminants is
17 excellent, not all these radiological products were
18 utilized formally in tests carried out at the SSFL, and I
19 believe a proper explanation is in order if materials
20 outside the ETEC/SSFL site were utilized at the RMHF.

21 Furthermore, I found it interesting the EE/CA
22 does not list tritium as something that will be tested for
23 and removed when, indeed, tritium was utilized at the
24 SSFL's ETEC.

25 I would hope historical documentation has been

1 looked at and the data provided been incorporated in the
2 clean-up measures so DOE is adequately cleaning up the
3 site --

4 Testing or remediation for site related
5 chemicals including, but not limited to perchlorate and
6 trichloroethylene should be executed to insure proper
7 clean-up.

8 If the D&D of the RMHF is approved, I would like
9 to know what measures would be utilized to prevent
10 radiological or chemical exposure to the
11 workers decontaminating and decommissioning the site in
12 addition to what measures would be taken to prevent
13 exposure to the surrounding communities during the
14 excavation and removal processes.

15 Will the constituents of concern be hauled away
16 in casks (sic) or in open bed trucks?

17 I appreciate the time to comment and hope this
18 is not the last time DOE will participate with the public
19 and try to understand the concerns of the community.

20 We look forward to your continued community
21 involvement and hope to see DOE proactively looking to
22 alleviate the community's concerns regarding this
23 radioactively and chemically contaminated site.

24 Thank you very much.

25 MR. SMYTH: You're going to turn that in, right?

1 MR. PERRYMAN: Right. I can give it to you
2 after the meeting.

3 MR. SMYTH: Thank you.

4 (The speaker is identified as Adam Salkin.)

5 MR. SALKIN: My name is Adam Salkin. I grew up
6 around the site. Unfortunately, my family and I have a
7 lot of health problems. I also found out that the room
8 doesn't have to be given up until 11 o'clock at night.
9 I'm not suggesting we stay here until then, but it's
10 really hard after standing here all this time, but waiting
11 to try to rush like crazy to get three minutes. And I'm
12 not saying I'll take it all up, but I really can't speak.
13 You know.

14 Now one of the things that this, this says in
15 your pamphlet here, Section 2.0, Removal Action
16 Objectives. It says, "The selected alternative," meaning
17 this removal action, "will remove all remaining RMHF
18 physical components and any radiologically impacted soil
19 above acceptable limits from above RMHF --" the desired
20 removal? Please -- "radiological clean-up standards
21 protecting for unrestricted use."

22 Now when you say "above acceptable limits," now
23 who exactly -- people brought this up -- who exactly is
24 doing all the surveying because whose acceptable limits
25 are these?

1 MR. SMYTH: It's going to be -- got to be
2 comment.

3 MR. SALKIN: I waited all this time because you
4 said I can ask questions. So I can ask questions. So I
5 need to know who is actually doing the survey?

6 MR. SMYTH: It'll be addressed in the comment
7 response.

8 MR. SALKIN: I was told by Mr. Rutherford before
9 this meeting here is where I would ask my questions. So
10 here's where I'm standing and I have some questions.

11 This is what you told me outside. I stand here
12 and this is where I get to ask you a question, but not out
13 there. So I'm asking.

14 Who is doing all of the surveying?

15 Mr. Rutherford? Phil? Who is doing all the
16 surveying?

17 MR. RUTHERFORD: We'll hire a contractor to do
18 surveying, and verification of surveying will be done by
19 the Oakridge Institute.

20 MR. SALKIN: Isn't that contracted by the
21 Department of Energy and Boeing?

22 MR. RUTHERFORD: Yes.

23 MR. SALKIN: So you guys are watching over all
24 the surveys being done; is that correct?

25 Is anybody else watching over the surveying?

1 MR. SMYTH: Let's go back to comments. If --
2 just -- it's easy to do.

3 MR. SALKIN: It's not easy to do because I need
4 answers to these questions. It's actually very difficult
5 for me to stand here and walk away without answers.

6 Who is doing all the surveying?

7 MR. SMYTH: It's not your turn right now.

8 MR. SALKIN: It's okay.

9 Now you say all of this meets all the
10 requirements, but whose requirements? Who's doing all the
11 surveying? Whose requirements is all this meeting?

12 You're not going to answer?

13 MR. JOHNSON: We're going to -- what I agreed to
14 was take the additional comments. I'll take the comments
15 and that's it.

16 MR. SALKIN: I was told that this is where I ask
17 my questions. I have no place else to ask questions.

18 MR. JOHNSON: I'm going to take comments --

19 MR. SALKIN: You said you were going to be
20 coming to the inter-agency work group meeting on Thursday
21 at the last meeting.

22 Will you be there on Thursday?

23 MR. JOHNSON: I will be there on Thursday.

24 MR. SALKIN: You can answer these questions on
25 Thursday when you can take questions?

1 MR. JOHNSON: I don't know. I'm planning on
2 attending the meeting.

3 MR. SALKIN: So right now, you can't answer
4 these questions because this is isn't where I'm allowed to
5 ask questions.

6 Will I be allowed to ask questions?

7 MR. JOHNSON: Whatever the format --

8 MR. SALKIN: My name is Adam. You're
9 Thomas Johnson. I'm asking you, can I ask you questions
10 on Thursday?

11 MR. JOHNSON: I have not -- I've never been to
12 the working group meeting. I do not know what the format
13 is for that meeting.

14 MR. SALKIN: How about this? When we're out
15 there and out front, no format, just you and me standing
16 there. I need some answers to my questions.

17 MR. SMYTH: You can -- with this, but right now,
18 we need comments --

19 MR. SALKIN: I need answers to questions --

20 MR. SMYTH: That's good.

21 MR. SALKIN: -- because my family and I have a
22 lot of problems. I need to get some answers to these
23 questions and this, right here in front of this mike is
24 where I was told I can get some answers. So this is
25 exactly the only place I can get answers where anybody who

1 is here said that they would answer these questions for
2 me. And they're all facing the other direction.

3 You're facing me, but you're, you know, I'm not
4 trying -- I literally have a lot of health problems. My
5 family has a lot of health problems. All I want is to get
6 help, help getting this figured out.

7 I'm not like trying to be some hard ass. I'm
8 not trying to cause you, sir, in particular, problems. I
9 just want somebody to sit down with me or sit here with me
10 while I -- anything, and just answer some questions about
11 all of this. And I was told this is where I will get
12 those answers.

13 Why can't I get those answers now? Is somebody
14 dying somewhere else? Because there's people dying here.

15 So is there somebody dying somewhere else that
16 somebody needs to get to right now?

17 MR. SMYTH: The only reason they're not
18 answering your questions right now, this is officially a
19 public comment session.

20 MR. SALKIN: That's not what I was told by you
21 or Mr. Rutherford.

22 MR. SMYTH: What we're trying to do is get your
23 commenting --

24 MR. SALKIN: Who is doing all the surveying?
25 Who is doing all the surveying? Whose requirements are

1 you trying to meet?

2 Is it only me that needs answers?

3 AUDIENCE MEMBER: No.

4 ANOTHER AUDIENCE MEMBER: It seems like it.

5 MR. SALKIN: Seriously. There's all kinds of
6 studies showing all kinds of health problems, and all I'm
7 asking is a very simple question and this is, apparently,
8 the only place I can get the answer.

9 There's a lot of people here that need answers.
10 It's not just me. I'm not just standing here because I
11 love everything that's going on and I couldn't wait to,
12 you know, find out about all of these problems.

13 MR. SMYTH: My suggestion, as ineffective as it
14 probably sounds --

15 MR. SALKIN: Do you know the answer? Do you
16 know the answer?

17 MR. SMYTH: No.

18 MR. SALKIN: Mr. Rutherford, do you know the
19 answer?

20 MR. SMYTH: How many would like more public
21 meetings?

22 MR. SALKIN: Why? Why --

23 MR. SMYTH: This is not a public meeting. It's
24 public comment.

25 MR. SALKIN: What's the purpose of this meeting

1 right now? Tell me that. To help the community? Is it
2 to help the community at all?

3 MR. SMYTH: Preferred alternative for --

4 MR. SALKIN: All those words are my --

5 Are you here to help the community at all? Are
6 any of you here to help the community at all? Nothing?

7 MR. RUTHERFORD: To be a part of the community.

8 Adam, I live --

9 MR. SALKIN: Where do you live?

10 MR. RUTHERFORD: -- three miles from the site
11 for the last 20 years.

12 AUDIENCE MEMBER: You just moved away.

13 MR. SMYTH: Adam?

14 MR. SALKIN: What?

15 MR. SMYTH: Do you have any comments?

16 AUDIENCE MEMBER: You moved away.

17 MR. SALKIN: You don't understand. You don't
18 understand. It's like changing comments. I never get any
19 answers, right?

20 MR. SMYTH: The way this part of the process
21 works, they will answer your questions.

22 MR. SALKIN: I was told this is where I will get
23 my answers.

24 MR. SMYTH: On the record.

25 MR. SALKIN: Why should I believe anybody here

1 if I was told standing right here I'll get my answers?

2 And now you're telling me it's not.

3 Why should I believe anything else? How can
4 this site be correctly cleaned up when there has never
5 been a full characterization of the site and nobody knows
6 how bad the contamination is?

7 I guess my comment would be how can the site be
8 correctly cleaned up when there's never been a full
9 characterization of this site? Not question at the end,
10 but just site.

11 MR. SMYTH: You would like a full
12 characterization of the site?

13 MR. SALKIN: I would like to have a full
14 characterization of the site before they try and clean up
15 what they don't even know necessarily how bad it is. They
16 don't know how bad it is, but yet, they're trying to clean
17 it up.

18 Now Phil said that they're almost done with the
19 clean up when he was standing up here before. According
20 to who?

21 MR. SMYTH: I'm working on trying to change that
22 one, too.

23 MR. SALKIN: All right. You go ahead. I'll ask
24 my questions, and you change them to comments.

25 The question is you said you were almost done

1 cleaning up the site. According to who?

2 MR. SMYTH: So who will approve the final
3 clean-up of the site? How does that work?

4 MR. SALKIN: You said that you're almost done
5 cleaning up the site.

6 MR. SMYTH: Who's going to make the decision if
7 the site's clean?

8 MR. SALKIN: Yes. Who will make the decision if
9 the site is clean? It's still a question.

10 Phil, who will make the decision if this site is
11 cleaned? I feel like you hate me. The problem is that I
12 literally am just trying to get answers. I'm serious.

13 You're looking at me, and I have nothing against
14 you, but I just want answers. You know?

15 What am I supposed to do?

16 MR. JOHNSON: I have absolutely nothing against
17 you. I don't know you. What I said was --

18 MR. SALKIN: What am I supposed to do?

19 MR. JOHNSON: We're willing to take additional
20 comments.

21 MR. SALKIN: What am I supposed to do when --
22 can you answer that one? What am I supposed to do? Where
23 do I go? Where do I go to ask questions?

24 MR. JOHNSON: Provide your comment and it will
25 be answered as a part of this process.

1 MR. SALKIN: That's the scary part. Really.
2 Look at the process. I'm told by everybody I can ask
3 questions, but I can't. That's the process.

4 How many nuclear accidents have there been at
5 the Santa Susana Field Lab?

6 MR. SMYTH: I'm not sure how to translate that
7 to RHMF.

8 AUDIENCE MEMBER: We would like an answer.

9 MR. SALKIN: Sorry, everybody. I'm just like --

10 AUDIENCE MEMBER: We understand.

11 MR. SMYTH: RMHF comments.

12 MR. SALKIN: I guess what I was expecting to
13 hear after that, when I heard that question, you guys
14 don't know how many accidents have been on the site. If
15 you don't know how many accidents have been on the site,
16 how can you clean up the site?

17 If nobody's watching, basically, this whole
18 thing just seems like the -- it is, this is the craziest
19 thing I've ever in my wildest dreams ever could imagine.
20 I grew up next to the worst nuclear facility in
21 United States history. I don't know where to go. So I
22 come here.

23 And I really do want to get together with you
24 guys and try and learn more and talk about this and figure
25 out what more I can do, what more I can figure out, how I

1 can make sense of all this, you know, but I really have to
2 come here and kind of just be really hard about this
3 because this is really something that's affected me and my
4 family and I don't really know what else to do.

5 I wish I knew about this a long time ago. You
6 know, but there's people today that are moving here that
7 don't know anything about it.

8 So I guess the point is that, getting back to
9 newspapers and stuff, here's a comment having to do in
10 general. Since I'm really not -- better asking comments,
11 saying comments, the comment is nobody really knows about
12 this. This was mentioned before, but the point is that
13 when putting an ad in the paper, you know, you guys spend
14 a lot of money on a lot of things, but maybe letting the
15 actual public know about this so that they have the
16 ability to comment after learning about it and gaining
17 that knowledge.

18 MR. SMYTH: Okay. The reason I keep asking
19 about RMHF comments, I realize all these things are
20 important.

21 MR. SALKIN: How about you guys tell people more
22 about RMHF?

23 MR. SMYTH: The opportunity we have right now is
24 to tell DOE how you want them to either change what
25 they're proposing to do --

1 MR. SALKIN: Have somebody looking over the
2 clean up other than the Department of Energy and Boeing or
3 people contracted by the Department of Energy or Boeing.

4 AUDIENCE MEMBER: Spend more than \$50 on a
5 classified ad.

6 MR. SALKIN: Yeah. I mean, you know, I want
7 more people to know about it so they can learn about it so
8 they could comment so it's not just a pretty empty room.

9 MR. SMYTH: As much as all you guys aren't going
10 to like this, we still only have 10 minutes now before
11 Department of Energy has said the public comment period is
12 closing. So not the public comment, the public comment
13 meeting is closing.

14 MR. SALKIN: I really do hope that we can talk
15 at some point and it really would mean a lot to me and I
16 just want to talk and learn, try and be a part of making
17 this better, whatever that means. You know? So that's a
18 comment. You know.

19 MR. SMYTH: Seriously.

20 (The speaker is identified as Christina Walsh.)

21 MS. WALSH: Hi. My name is Christina Walsh.
22 I'm with CleanUpRocketdyne.org, and I live 1.7 miles as
23 the crow flies from the site downhill.

24 I am sorry I was late today and I missed the
25 beginning, and I'm confused. The RMHF and Building 4024,

1 is that the entire extent of the 1 percent you're cleaning
2 up of the site? Is that the same deal because I remember
3 hearing about the No Action Alternative versus the
4 1 percent. And now I'm being told that this is the final
5 comment period about clean up of the ETEC site, and --

6 MR. SMYTH: This is just a comment period.

7 MS. WALSH: I understand.

8 Can you clarify? Is the RMHF part of or the --
9 does that -- is the entire 1 percent that you were saying
10 you were going to clean up to save those 1.4 fatality
11 traffic accidents? That was at the meeting we heard a
12 year ago, right?

13 Did you read the -- you didn't read any of the
14 comments from before you got here and they replaced
15 everybody, but Phil and, by the way, it was really
16 enjoyable to watch that yesterday. Thanks. It was a
17 great show.

18 Again, I missed the beginning, so I had a
19 question about this picture that we're looking at. Is
20 that -- can somebody answer a question about what this
21 picture is, the one on the left versus the one on the
22 right?

23 What are the dates of the two? Roughly decades?

24 AUDIENCE MEMBER: One's what it looks like years
25 ago. The one on the right is what it's going to look like

1 when it's done.

2 ANOTHER AUDIENCE MEMBER: Computer generated.

3 MS. WALSH: I need to point to something. Do I
4 have permission to do so? Would you mind?

5 I find it -- a comment, one comment -- that I
6 have to say the worker does a lot better. I believe that
7 if you are saying that you're not even going to consider
8 anything else and you don't really care about any of these
9 people that have been harmed, I think it would be more
10 appropriate for you to actually face the people that are
11 here to make the public comments, to put your backs to
12 them from the front -- by the way. Thank you, sir, for
13 having the guts to face us, both two eyes, looking at the
14 person talking.

15 I see you ducking your head. I don't blame you.
16 I understand that, but, wow, that's really unbelievably
17 offensive.

18 Now my question about this picture --

19 MR. SMYTH: Okay.

20 MS. WALSH: This is Area IV. This is Area IV
21 roughly in the 21st century, and this is Area IV a long,
22 long time ago.

23 Okay. Now the EPA comments about the inadequacy
24 of the DOE clean up, stated that more than 200 buildings
25 had been removed without oversight. There's a bunch of

1 buildings here and there's not very many here.

2 Now the last two you're talking about are over
3 here. Am I correct in that? Can someone answer that's
4 true? They are over here? 4024 and RMHF, they're here?

5 Phil?

6 MR. RUTHERFORD: That's incorrect.

7 MR. SALKIN: Can you point to where those two
8 buildings are located on this map, please, Phil or someone
9 else?

10 MR. SMYTH: Are you making a comment on RMHF?

11 MS. WALSH: Yes, because I'm trying to
12 understand where they are in Area IV here versus there.
13 I'm trying to understand these two pictures. And since
14 this is the part of the presentation, I have the right to
15 know that.

16 MR. RUTHERFORD: This is the RMHF and that's
17 Building 24.

18 MS. WALSH: The RMHF and Building 4. Okay. I
19 have it backwards. Okay.

20 Then my question is, these are the things
21 that -- I'm sorry. Go ahead.

22 MR. RUTHERFORD: So they're approximately here.

23 MS. WALSH: Okay. So I was -- I apologize. I
24 had the picture reversed. That's why I was asking for
25 clarification.

1 MR. SMYTH: That's fine. I'm trying to
2 encourage you to get to your comment.

3 MS. WALSH: It's literally upside down. That's
4 interesting.

5 My question is if these are the two areas, the
6 only two areas we may comment about that are here, why are
7 you working here? What's here? What are you doing up
8 here?

9 Do you know that, Phil, because you're working
10 there now and there doesn't appear to be anything? Why
11 are you doing that? I don't understand, and that's a
12 question and a comment.

13 MR. SMYTH: Okay. It has nothing to do with
14 RMHF.

15 MS. WALSH: Yes, it does because those are the
16 only two -- oh, my goodness. We won't go there. I won't
17 spend anyone else's, more time on that. Sorry.

18 (The speaker is identified as Jennifer Mead.)

19 MS. MEAD: Hi. My name is Jennifer Mead. I'm
20 32 years old. I have lived in Simi Valley for 30 years.
21 I have not at all been involved in any of the activities
22 in these organizations or on my own. This is my first
23 meeting, and I've done my own individual research. And I
24 have grown up listening to the rockets being tested my
25 whole life during school and at home, and I just wanted to

1 comment that my mother is a survivor of thyroid cancer
2 which is prominent in Simi Valley, more than any other
3 concentrated area in the United States, and also a
4 survivor of breast cancer.

5 So please do an independent study of the site
6 all the way down to the bottom of the earth because any
7 contaminants in this site is going to harm anyone
8 surrounding these areas: Canoga Park, Simi Valley, West
9 Hills, all these areas. It's really important for the
10 survival of all of us.

11 Thank you.

12 MR. SMYTH: Okay.

13 (The speaker is identified as Marie Mason.)

14 MS. MASON: My name's Marie Mason and I live in
15 the community right below the site. I have questions and
16 comments, but since you don't get to ask a question, I
17 don't know how I'll ever get my answer to make the public
18 comment because you left them out of your document.

19 I read the section while I was sitting there. I
20 know this building is extremely deep, but you don't say
21 how deep it is. It's like written so that this part's
22 this deep. What is it? I know it's extremely deep. It
23 goes down -- so I think the document needs to say in plain
24 English how deep is deep because I've heard at other
25 meetings that this building is extremely deep. It goes

1 way down into the earth.

2 I have never heard about institutional
3 restrictions. I think this document needs to say what
4 these institutional restrictions are. Are you not going
5 to -- once it's released for unrestricted use, does that
6 mean, example, people can't have fruit trees?

7 I've heard before from your department many
8 years ago, you know, children wouldn't be allowed to sleep
9 on the first floor of their homes because it's so
10 contaminated, they could be getting the vapors up through
11 it. Way before your time.

12 I've been doing this for 18 years. So, you
13 know, I know your own department's answer is some people
14 have to die. That's just the realities of it. A public
15 person said that at one of these meetings.

16 So, you know, if you're having institutional
17 restrictions and we're not allowed to know what these
18 restrictions are, this document needs to say that. We
19 need to know. The public needs to know what these
20 restrictions are going to be so when this land is removed
21 for homes, what are they going -- what is it going to say?

22 I know what it said probably 15 years ago or 12
23 years ago, but is it actually going to say in a written
24 document?

25 I think it kind of hurts the public when you

1 don't put all the answers into the questions. You wrote
2 this on the 23rd, but we get it tonight. It's pretty hard
3 to read a document, listen to someone speaking at the same
4 time, and your comment period's over on the 30th. So I
5 don't know how I'm going to get to comment on something I
6 don't even have an answer on.

7 MR. HIRSCH: One quick clarification.

8 When Marie and the rest of us say there's things
9 that should be in the EE/CA, we're not saying go ahead and
10 revise it after our comments. Then we have no ability to
11 comment on the revisions.

12 She's saying, I'm saying the information should
13 have been there in the first place so we can comment on
14 it. And don't play hide-the-ball with us, which is to put
15 the information in after the fact with no opportunity for
16 public comment. You need to re-issue this whole thing,
17 full disclosure, and start the whole thing over again with
18 public input.

19 MR. SMYTH: All right. I just want to --

20 Liz, only if it's very brief.

21 MS. CRAWFORD: Comment. Again, it was so
22 helpful to get a couple of things buttoned down. For
23 instance, an extension on the bidding period for
24 Building 4024 was really a wonderful thing. And when I
25 mentioned can we get a 30-day public comment period after

1 things like the risk factors to be used and that sort of
2 thing, would be announced by the Department of Energy, I
3 noticed everybody picked up their notebook and wrote. I
4 think that's something that we could get a grip on here
5 and I know that it would satisfy a lot of process. I know
6 it would satisfy a lot of information gathering for us.

7 Is that something we could get? I really
8 appreciate, you know, it and finding some way we can move
9 on in a productive way with this process.

10 MR. SMYTH: Thank you.

11 MS. BOECKER: I used to be an employee in
12 Ventura County, and when a project is going to be reviewed
13 by the Planning Commission, the developer or person
14 proposing the project has to state exactly what they're
15 going to do.

16 And in addition to that, they have to provide
17 environmental review in the form of a document and
18 environmental impact report. That's the only way the
19 public is able to make heads or tails of any project.

20 Right here in your Recommended Removal Action
21 Alternative, you say, oh, gee, we don't know what ours is
22 going to be. How can -- we cannot provide cogent comments
23 when we don't even know what we're commenting on.

24 So I really feel that it is incumbent upon the
25 Department of Energy to make some sense of this process.

1 You wouldn't have so many people up here saying, hold it
2 open, let us -- asking questions if you'd provided an
3 adequate document.

4 This document is inadequate for public review.
5 That's one. The process is you need to provide a
6 statement of what you're planning to do. Then have
7 environmental review of it by experts. Provide those
8 documents, your plan and your environmental review, and
9 what the impacts of that, your actions are going to be to
10 the public in a reasonable way, in a reasonable time frame
11 like 45 or 60 days for the public to read them because I'm
12 assuming we're going to get 3 or 4 inches of material.

13 And then you have a public comment meeting and
14 if you need to -- or you need 10 -- you continue the
15 public comment period until you get, until you satisfy and
16 have all the comments people need to make. Then you make
17 your decision. Oh, you also provide alternatives and you
18 define those fairly well, too.

19 Thank you.

20 MR. SMYTH: Thanks, Sue.

21 Let me remind everybody. You can provide your
22 comment either via e-mail or the ordinary mail for the
23 address that Tom has provided.

24 Last comment and then meeting's closed.

25 MR. PERRYMAN: Just one final thing here, I

1 think today is a testament of how the community doesn't
2 really know how everything is going, not only with the
3 4024 clean up, but the RMHF clean up. If you look in the
4 audience, there weren't many people in the audience.

5 The reason I bring up my comment, because,
6 because, that nobody had any idea about it. If it was
7 such a bigger issue, more people would have been here. If
8 it was properly publicized for the public instead of
9 thrown in the back of the paper, more people would have
10 been here.

11 I issued these comments and others issued these
12 comments to you guys. It still hasn't changed for this
13 meeting layout, even though the stenographer's report came
14 out, what, a couple of weeks ago?

15 So I would hope that somehow the comments, did
16 the comments get through to somebody at DOE? And I hope
17 that this isn't the last that we see of you guys, only
18 when you guys decide to do EE/CA.

19 I hope you guys continue to update the
20 community, allow the community time and process to provide
21 you more information about what their concerns are and how
22 you can adequately fill those needs.

23 MR. SMYTH: Thanks.

24 MR. PERRYMAN: Thank you.

25 MR. SMYTH: Thank you all for attending.

1 MS. THOMPSON: Elizabeth Thompson.

2 I live on Box Canyon. About a year ago, I
3 attended with many of the same people a meeting where we
4 kind of had the same kind of interaction, our unhappiness
5 of the public dealing with you guys trying to get you to
6 understand our frustration and what we perceive as being
7 duped and being -- everything's disguised. You can't read
8 it or understand it.

9 Anyways, you guys, during that meeting, made
10 some promises to us and we thought maybe, you know, we're
11 going to get ahead of this. And to me, it's like deja vu
12 all over again. We're recycling this whole thing. Why,
13 at that meeting, we had asked for somebody other than
14 Rocketdyne for anything. Why, that question at that
15 meeting, why are we still accepting the word of
16 Rocketdyne? This is a year ago. It's a year later and
17 we're still questioning.

18 MR. SMYTH: We can have this conversation, but
19 it's not in regard to RMHF.

20 MS. THOMPSON: One more thing. Can we get you
21 guys to commit to a third alternative of RS-5?

22 MR. SMYTH: RA-5 A?

23 MS. THOMPSON: Right.

24 MR. SMYTH: Land use? So the comment is please
25 consider RA-5 A land use.

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MS. THOMPSON: Alternative.

MR. SMYTH: Thank you. Thank you for attending.

(END OF MEETING AT 9:17 P.M.)

REPORTER'S CERTIFICATE

I, JOHANNA MANGUAL LEDESMA, CSR No. 6951,
Certified Shorthand Reporter for the State of California,
certify;

That the foregoing proceedings were taken before
me at the time and place herein set forth;

That the comments, suggestions and statements
made at the time of the proceedings were recorded
stenographically by me and were thereafter transcribed;

That the foregoing is a true and correct
transcript of my shorthand notes so taken.

I further certify that I am not a relative or
employee of any of the parties, nor financially interested
in the action.

I declare under penalty of perjury under the
laws of the State of California that the foregoing is true
and correct.

Dated this 30th day of April, 2007.


JOHANNA MANGUAL LEDESMA, CSR No. 6951

REPORTER'S CERTIFICATION OF CERTIFIED COPY

I, JOHANNA MANGUAL LEDESMA, CSR No. 6951, a
Certified Shorthand Reporter for the State of California,
certify that the foregoing transcript constitutes a true
and correct copy of the original COMMUNITY MEETING taken
on APRIL 17, 2007.

I declare under penalty of perjury under the
laws of the State of California that the foregoing is true
and correct.

Dated this 30th day of April, 2007.


JOHANNA MANGUAL LEDESMA, CSR No. 6951

A102ED2
TRANSCRIPT OF PROCEEDINGS **APRIL 17, 2007**

<p style="text-align: center;">A</p> <p>ability 36:8 110:16 118:10 able 29:16 30:5 34:9 37:14,16 57:18 81:8 83:23 88:25 91:11 119:19 about 7:2 9:9,11 10:4 13:22 14:18 15:5,8 18:20 20:2 21:20 22:2 23:12 25:1 26:23 30:4 33:13 39:10 44:3 45:23,23 46:7 49:14 50:3 58:10,12,15,19,23 58:24 65:3 69:1 70:6 70:17,20,24 71:11 71:13,21 72:16,17 72:24 73:5,9,11,20 73:23 75:2,5,22 76:11,12,23 82:13 83:6,16 84:6 86:1,6 87:2,21 88:4,12 93:20 103:14 104:10 105:12 109:24 110:2 110:5,7,11,15,16,19 110:21,22 111:7,7 112:3,5,19,20 113:8 113:18,23 114:2 115:6 117:2 121:6 121:21 122:2 above 42:7 85:5 100:19,19,22 absolute 87:14 absolutely 34:22 36:2 44:2 58:13 108:16 accelerate 82:17 84:25 accelerated 69:20,23 69:24 70:11,15 71:11,14 98:1 acceptable 48:5 100:19,22,24 accepting 122:15 access 68:1 94:12 accessing 68:1 accident 43:25 accidents 46:8,9 109:4 109:14,15 112:11 accomplish 18:16 accomplishments 14:25 accordance 12:14 according 48:1 107:19 108:1 accounted 41:5 accurate 94:25 Achievable 71:25 achieve 61:8 63:9 achieved 68:6 acquainted 43:19 acre 10:23 16:13 57:25 63:3,4 acres 11:6 15:6 63:4 72:17 across 68:4 70:1 98:1 act 11:20 22:7 26:17 89:11 98:5 action 10:17 12:8,8,13 12:13 16:20,21 18:13 21:12,22</p>	<p>22:12,20 26:24 100:15,17 112:3 119:20 actions 19:10 23:5 40:13 67:17 92:20 120:9 activist 75:11 activities 21:3 22:21 53:24 98:12 115:21 activity 55:19,24 actual 27:25 110:15 actually 11:6,17 30:4 53:4 66:11,19 69:12 70:10 73:18,19,20 74:11 82:8 89:25 101:5 102:4 113:10 117:23 ad 26:19 74:13,14 110:13 111:5 adam 4:6 5:17 100:4,5 103:8 106:8,13 add 34:13,15 addition 68:8 97:16 99:12 119:16 additional 79:17,22 80:1 81:10 82:16 83:4 93:1,5,7 102:14 108:19 address 6:24 7:1 41:1 95:1,5,12 120:23 addressed 67:2 93:23 101:6 adequate 97:13 120:3 adequately 99:2 121:22 adjacent 31:1 administration 70:6 84:23 administrative 12:19 30:7 31:9 96:2 administrator 96:7 ads 74:16 advertise 12:25 advertised 13:3 92:8 advertisement 97:12 advertising 73:5 Affairs 8:9 affected 91:8 110:3 after 6:15 17:23,24,24 27:4 28:1,6,10 29:23 36:11,15 39:6 41:21 42:12 43:11 52:21 56:21 59:7,7 67:8 71:5,7,9 72:8 90:11 92:11 96:22 97:1 100:2,10 109:13 110:16 118:10,15,25 again 7:13,21 9:8,23 20:11 26:25 28:23 36:10,21 40:11 44:7 45:17 56:5 62:10 64:11,20 67:18 68:21 71:17 74:25 76:5 86:10 95:7 97:25 112:18 118:17 118:21 122:12 against 7:10 44:18 108:13,16 agencies 96:23 97:20 agency 25:10 32:9</p>	<p>85:5,13 97:1,2,5,9 agency's 42:8 agenda 8:23 agenda's 8:23 ago 22:2,15 26:13 32:6 35:19 39:13 88:7 90:7 93:15 110:5 112:12,25 113:22 117:8,22,23 121:14 122:2,16 agree 36:25 agreed 43:10 102:13 Agreement 71:16 agricultural 29:10 30:22 31:3,13,14 37:24 38:8 57:19 60:12,15 64:22 agriculture 37:12 38:10 86:13 ahead 6:6 10:10 25:23 60:4 77:20 85:20 95:14 107:23 114:21 118:9 122:11 Ahmanson 76:14 aide 49:4 96:9 Aiken 10:4 air 19:23 ALARA 71:22 alerting 97:18 alleged 64:2 alleviate 99:22 allocations 84:13 allow 13:15 25:11 42:21,22 43:13 70:23 91:21 93:25 121:20 allowed 43:16,21 81:15 103:4,6 117:8 117:17 allowing 60:14 almost 27:8 56:1 69:15 107:18,25 108:4 alone 42:23 72:25 along 39:19 42:14 65:16 already 9:4 21:20 30:13,22 34:18 56:16 73:22,23 83:2 alternative 6:11 12:10 16:20,21 17:4,5,5,11 20:18,21 24:24 27:15 37:8 38:2 40:17 66:8 67:7,10 67:11,16,16 85:15 86:8 100:16 106:3 112:3 119:21 122:21 123:1 alternatives 7:19 12:9 16:19 27:13,17 37:4 37:19 87:9 120:17 amar 3:7 8:16 amended 98:11 American 10:24 52:9 Among 19:21 amount 14:3 81:2,4 83:3 amounts 31:18 36:12 analyses 61:3 analysis 1:4 2:4 7:18 7:19 9:3,8 11:18</p>	<p>12:6 18:7 47:12,22 51:14 61:18,23,25 97:3 analyst 50:22 51:14 Angeles 13:1,3 animal 21:13 animals 19:17 announce 71:9 announced 119:2 another 16:12 23:3 34:11 35:5 39:3 40:3 43:24 47:5,6,21 48:14 55:6 71:10,13 71:24 79:21 90:8,12 90:17 92:3,17 94:13 95:2 105:4 113:2 answer 25:24 49:18 50:6 52:3 54:2 55:12 60:5,7 66:18 77:17 77:19,21,23 79:2 80:11 83:20 84:15 84:17 90:4,5,23 91:11,21 92:10,23 93:11 94:8 95:21 96:5,22 102:12,24 103:3 104:1,10 105:8,15,16,19 106:21 108:22 109:8 112:20 114:3 116:17 117:13 118:6 answered 87:10 91:23 96:12,12 108:25 answering 104:18 answers 40:9 49:14 93:14 102:4,5 103:16,19,22,24,25 104:12,13 105:2,9 106:19,23 107:1 108:12,14 118:1 anticipated 60:22,24 60:25 61:6 anybody 26:5 44:8,9 77:19 101:25 103:25 106:25 anymore 42:21 43:21 45:12 69:9 75:22 anyone 30:15 32:7 115:17 116:7 anything 17:7 28:17 33:13,20 37:7 45:10 48:19 63:1 70:17 74:18 92:20 104:10 107:3 110:7 113:8 115:10 122:14 anyway 33:24 38:6 48:19 92:1 96:4 Anyways 122:9 anywhere 34:17,21 apart 16:17 18:21 apologize 52:3 114:23 apparently 105:7 appear 115:10 APPEARANCES 4:1 appears 62:19 84:23 applicable 59:24 appointed 69:2 appreciate 85:17 99:17 119:8 approach 12:16 appropriate 96:1</p>	<p>113:10 appropriately 33:16 appropriation 79:16 82:20,25 84:3 appropriations 84:5 approval 24:3 80:9,24 81:1,12 83:25 approve 32:10 108:2 approved 20:8 32:7,8 99:8 approximately 11:6 13:7 114:22 april 1:16 2:11 6:2 13:12 20:21 76:22 area 10:7 11:5 14:21 15:3,21 16:13,15 18:5,10 19:16,25 22:16 30:23 42:9 52:6 53:24 54:21,25 56:6 58:13 62:16 65:9 68:4 75:6 76:15 81:18,20,22 85:22 87:18,21 88:1 96:10 97:13 113:20,20,21 114:12 116:3 areas 11:2 15:5,5 68:2 115:5,6 116:8,9 argument 47:5 around 15:7 29:9 31:13 43:3 62:9 64:21 74:1 80:17,22 83:15,24 84:7,11 88:10,11 89:15 98:9 100:6 arrange 18:15 arrived 17:16 artificially 33:24 ash 35:11 aside 60:2 asked 42:24 43:5,23 44:7 50:6 52:2 77:15 78:8,25 79:17 90:25 91:17 122:13 asking 57:11,21 58:6 65:11 76:19,19 78:1 80:14 82:16,17,18 101:13 103:9 105:7 110:10,18 114:24 120:2 asks 57:17,18 asphalt 16:9 ass 104:7 asserted 92:13 assessment 19:16 31:8 39:12 56:21 57:1 61:3 associated 75:6 assuming 59:16 78:16 78:18 79:18 120:12 assured 44:11 astonishing 39:1 astronomical 32:3 ATKINSON-BAKER 1:21 Atomic 26:16 Atomics 52:5,18 attempt 76:20 attempting 84:24 attended 6:13 43:4 122:3</p>
--	--	---	--	--

A102ED2
TRANSCRIPT OF PROCEEDINGS **APRIL 17, 2007**

<p>attending 103:2 121:25 123:2 attitude 42:8 Attorney 8:13 audience 10:12 11:24 12:1 25:24 26:5,7 32:8 44:8 65:22 66:1 66:4,19 69:10 80:25 81:18,20,23 89:22 90:2,6,8,12,14,17,21 91:6,13,23 92:3,7,11 92:15,17,19 93:10 94:6,21,25 95:2,7 105:3,4 106:12,16 109:8,10 111:4 112:24 113:2 121:4 121:4 August 68:14,17 author 64:6 authorities 69:3 authority 19:20 33:3,9 44:23,25 45:6,9 68:16 84:5 authorized 98:4 auto 46:7,8 availability 97:3 available 6:22 12:21 23:9 24:15 Aviation 10:24 52:9 avoid 84:2 aware 72:16 75:4 away 11:24 35:23 46:1 46:3,14,16,25 47:3 47:15 88:14 99:15 102:5 106:12,16 A102ED2 1:25</p> <hr/> <p style="text-align: center;">B</p> <hr/> <p>B 93:24 babies 88:18 back 7:10,22 9:21 24:6 34:24 35:2 37:14 39:6 41:1,12 43:21 49:5 50:21 54:13,14 57:24 63:16 65:13 74:7 75:1,12,16 79:21 81:6 85:1 94:17 102:1 110:8 121:9 background 23:10 47:4,6,8,11 61:20 backgrounds 23:14 backs 113:11 backwards 114:19 bad 88:7 107:6,15,16 bait 64:25 65:11 balance 77:22 91:16 balancing 34:25 37:15 ball 87:14 BALLROOM 6:1 Barbara 77:3 bare 87:14 barriers 68:3 based 17:8 19:10 22:14 61:4 96:1 basement 18:9 basic 69:4 basically 15:14 16:15 68:16 69:17 109:17 basis 51:9 67:14</p>	<p>bathroom 9:13 became 22:24 Bechtel 69:22 70:6 become 32:16 36:22 bed 99:16 before 2:12 11:17 13:22 14:11 19:14 22:20 23:3 35:8 36:16,25 51:21 54:20 56:19 65:10 72:7 75:20 76:16 81:12 82:3,7 92:3 101:8 107:14,19 110:12 111:10 112:14 117:7,11 begin 13:23 46:18 69:4 beginning 41:12 43:17 111:25 112:18 behind 25:21 36:13 81:6 being 14:11 21:21 26:21 27:23 31:24 38:15 42:1,18 45:10 46:25 49:25 59:23 65:5 67:6,25 75:3 76:11 101:24 112:4 115:24 122:6,7 believability 69:1 believe 25:5 51:6,7 66:9,13 69:21 71:3 76:22 82:22 83:13 91:4 92:13 95:24 98:19 106:25 107:3 113:6 below 47:25 73:1 116:15 ben 3:14 8:13 benefit 45:11 berserk 44:2 besides 43:8 best 46:23,24 76:2 89:4 better 12:3 47:10 59:1 110:10 111:17 113:6 between 9:10 43:14 56:21,25 58:9 59:6 59:21 61:8 77:23 79:18 85:23 bidding 118:23 big 21:17 48:7 87:22 bigger 121:7 bill 3:13 8:9,10 10:17 79:13 81:25 billion 34:2 billions 70:8 bills 86:7 binder 31:8 biological 19:15 bit 9:11 13:22 14:18 23:23 34:4 45:5 49:6 bits 34:4 blame 113:15 blastoma 88:18 blastomas 75:24,25 blowing 48:16 blown 35:20 71:2 blue 55:7 BLYTHE 3:5 boecker 4:4 5:15 85:9 85:10,10,12,21</p>	<p>87:17 89:10 119:11 boeing 3:3 7:25 8:14 57:8 60:14 65:20 68:14,18 74:3 75:11 75:16 77:3 85:2 86:5 101:21 111:2,3 Boeing/Santa 39:10,14 boggles 86:12 bogus 69:8 Bonnie 76:23 book 70:11 71:10,13 both 7:11 54:22 56:8 75:1 113:13 bottom 43:24 44:13 116:6 bought 71:11 boundary 51:1 Box 122:2 Boxer's 77:3 Boy 76:18 Brandeis 76:14 break 9:12 39:4 breaking 71:15 breast 75:25 76:6 89:4 116:4 brew 40:1 brian 3:8 5:6 8:16 9:4,6 13:13,16,20 24:1 26:3 53:8,16 55:8,10 56:5 77:15 Bridge 26:13 brief 40:24 97:3 118:20 briefly 50:13 bring 71:18 121:5 brochures 89:13 brought 63:20 66:2 67:6 75:1 100:23 budget 79:13 81:7 90:22 budgeting 14:13 build 18:21,25 31:21 86:11,13 building 15:8,8,9 16:8 17:24 18:9,10 19:11 19:19 20:3 26:15 27:4,8 30:17,20 43:23,24 45:13 46:13 52:13 53:16 62:9 85:24 86:24 88:2 91:24 93:22 95:12,24 97:22 111:25 114:17,18 116:20,25 118:24 buildings 15:3,7 16:5 16:14 17:13,23 18:19 19:8,15 20:5 21:23 31:22,23,24 32:2,6 38:14 50:16 76:11 113:24 114:1 114:8 built 15:4 bullet 67:3 bumped 93:14 bunch 113:25 bureaucratic 41:21 48:9 bureaucrats 74:2 burn 30:20 65:9 68:15 68:17,19 burning 35:10</p>	<p>Bush 36:17 70:6 73:10 buttoned 51:22 118:22 buying 74:17 bypass 83:12 84:24,25 bypassing 84:15</p> <hr/> <p style="text-align: center;">C</p> <hr/> <p>C 3:1 CAL 23:20 calculations 71:8,10 72:7 california 1:15 2:11 6:1 12:17 24:3 32:11 40:22 61:2 74:22 87:15 call 27:2 64:14 74:5 called 30:9 69:23 73:21 76:5 came 7:13 15:15 17:3 17:22 26:4 41:2 43:10 44:6 46:19 48:12 49:12 53:12 55:9 121:13 cameras 25:13,17 camping 76:17 cancer 39:14,20,22 46:9 71:19 72:15 75:5,19,22,25 76:7 88:15,16 89:4 116:1 116:4 cancerous 58:22 cancers 63:7 64:4,8 75:23 Canoga 51:2 76:3,7 116:8 Canyon 72:14 122:2 capacities 59:23 car 74:17 cards 6:22 care 33:18 77:19 86:6 113:8 Carolina 10:4,6 carried 98:18 case 29:2 cases 63:10 casks 99:16 cattle 30:16 65:8 caught 47:17 87:12,14 cause 104:8 cell 58:22 71:19 cells 87:4 Center 8:8 Centex 72:19 century 89:11 113:21 CERCLA 11:19,21 12:6 12:15 18:1,5 19:20 21:21 26:16 35:1 38:15 60:19,20 61:7 61:12 66:15 67:12 91:24 certain 59:19 81:2 certainly 23:17,17 42:4 46:23 49:6 52:18 58:3 59:24 63:10,19 67:7,25 70:24 71:1 72:21 certification 67:12 chairman 64:5,14 chairman's 81:1 chance 9:12 10:20</p>	<p>14:17 25:7 27:5 37:1 39:7 50:17 60:3 69:17 70:17,21,22 71:21 91:3 93:20 change 107:21,24 110:24 changed 41:24 121:12 changing 106:18 chapter 71:10,13 chapters 70:13 characterization 19:7 42:12 43:7 107:5,9 107:12,14 characterize 41:15 characterized 22:8 33:16 characterizing 56:9 characters 21:7 charge 42:7,25 Charleston 10:6 Chatsworth 51:2 check 57:18 chemical 22:3,5 32:14 42:12 45:21 47:20 86:1 99:10 chemically 99:23 chemicals 32:15 34:8 34:13,15 72:20,22 75:2,2 99:5 children 39:19 117:8 choices 75:21 chris 4:3 5:13 73:14,15 christina 4:7 5:18 111:20,21 circulation 97:5,11 citizen 68:14 city 3:20 8:5 cladding 54:12,13 claim 30:6 36:16 claims 65:5 clarification 54:24 114:25 118:7 clarified 33:1 82:16 clarify 49:17 51:19 63:19 112:8 classified 74:10,13,16 97:12,15 111:5 clean 13:25 27:7,23,25 28:13,15,19,22,25 29:2,4,6,13,14 31:15 32:6 33:15,15,25 34:1,17 36:16 37:21 37:22,25 38:4,7,19 38:23 40:23 41:11 41:13 42:4,11 43:8 46:14,21 47:8 56:22 57:12,15,16,19 59:10,25 64:19 65:10 68:16 70:8,11 72:5 73:4 78:2 82:17 85:1 107:14,16,19 108:7,9 109:16 111:2 112:5,10 113:24 121:3,3 cleaned 21:24 23:1 31:22,23,25 37:10 38:16 41:16 46:12 52:13 107:4,8 108:11 cleaning 27:13,14</p>
--	---	---	--	---

A102ED2
TRANSCRIPT OF PROCEEDINGS **APRIL 17, 2007**

<p>46:17 99:2 108:1,5 112:1 CleanUpRocketdyne... 111:22 clean-up 16:10 43:18 43:20 59:16 62:24 80:3,22 99:2,7 100:20 108:3 clean-ups 69:21,23,24 70:16 71:11,14 78:17 98:1,1 clean-up's 42:18 clear 55:1 clearly 67:24 clobbered 48:12 close 10:19 34:23 61:10,11,23 76:7 closed 67:9 76:24 87:23 95:23,24 120:24 closing 88:13 111:12 111:13 closure 8:7 22:1,6,10 30:25,25 70:3 cluster 39:18,23 75:19 clusters 75:5,22 Coalition 40:23 Code 61:2 coffee 7:9 cogent 119:22 colleagues 55:15 collected 49:12 collecting 43:9 collection 15:14 49:8 collusion 43:14 come 6:16 7:16 39:4,6 42:22 43:17,21 51:10 65:13 70:25 79:20 80:21 86:14 96:17 109:22 110:2 comes 56:10 69:19 73:1 79:13,15,19 89:3 coming 14:7 24:6 25:14 48:11,13 58:18 66:20 80:12 102:20 commencing 2:11 comment 1:5 2:5 6:3 6:10,23 9:9,10,14,16 10:16,18 13:11 20:20,22 24:15,20 24:25 25:2,7,9,11,16 25:18 26:6,9,14,19 26:24 27:10,12,24 28:10 36:8,11,19 37:16 38:19 49:18 58:6,8 63:13 65:12 65:18,25 66:18 70:18,20 71:6,9 72:2 82:14 83:17,19 84:18 88:4 89:1,20 90:1,11,13 92:6,10 93:10 95:22,23 96:5 96:19,21 99:17 101:2,6 104:19 105:24 107:7 108:24 110:9,11,16 111:8 111:11,12,12,18 112:5,6 113:5,5</p>	<p>114:10 115:2,6,12 116:1,18 118:4,5,11 118:13,16,21,25 120:13,15,22,24 121:5 122:24 commenting 25:8 65:20 104:23 119:23 comments 6:14,15,16 6:19,23 7:3,5 10:18 10:20 12:25 13:15 20:22 24:16,23 26:8 26:17 27:4 28:1,6,9 29:23 32:21 36:15 36:22 37:2 40:14,24 41:10,22 45:12 58:15 59:8 60:3,7 62:5,8 63:17,21,22 63:25 65:15 66:7,12 66:14 67:1,6,9 70:15 71:3,5 72:8 77:24 89:21 90:7,11,14 91:3,19,20 92:12,23 92:25 93:2,5,7,7,8,9 93:19,22 94:11,14 94:17,23 95:15,19 95:25 96:1,1,12,18 96:20 102:1,14,14 102:18 103:18 106:15,18 107:24 108:20 109:11 110:10,11,19 112:14 113:11,23 116:16 118:10 119:22 120:16 121:11,12,15 121:16 commercial 20:9 53:19 63:1 Commission 52:15,16 119:13 commit 122:21 commitment 81:11,14 committed 22:6 43:3 committee 26:13 64:2 64:5 81:2 87:15 commonly 11:21 communities 99:13 community 13:9 21:8 21:10 23:14 50:14 64:4 73:20,24 74:7 75:11,11 97:14 98:11 99:19,20 106:1,2,5,6,7 116:15 121:1,20,20 community's 99:22 company 3:3 35:21 44:9 60:14 72:19 compare 57:11 compared 46:9,10 62:25 comparing 47:9 comparison 17:1 Compensation 11:20 complete 67:13 78:2 83:5 completely 16:13 67:14 69:8 complicated 69:16 component 22:3 components 11:12 22:5 100:18</p>	<p>Comprehensive 11:19 comprised 11:2 Computer 113:2 concentrated 116:3 concentration 29:7 concentrations 60:11 63:9 concept 77:4 concern 17:13 20:1 27:21 28:12,17 98:15 99:15 concerned 11:4 39:25 73:23 88:15 concerns 99:19,22 121:21 concluded 64:3 conclusion 77:16 concocted 41:19 concrete 16:6 condition 46:22 conducted 11:11 confused 111:25 Congress 80:19 81:12 82:11,25 83:8,10,12 83:23 84:2,4,4,15,18 84:21,25 85:2,7 congressional 12:22 26:21 80:9,15,24 83:24 Congressman 77:14 Conservation 22:7 98:5 conservative 59:9 62:25 consider 29:19 37:6,9 58:4 72:24 113:7 122:25 consideration 35:2 68:20 considered 16:18,25 20:23 37:5 67:24 considering 62:10 consist 9:2 consistent 12:15 37:11 consisting 31:3 constituents 99:15 consultation 12:16 38:13 consulted 33:9 contact 7:1,22 contained 86:25 contaminant 28:11,17 31:16 contaminants 27:21 28:2 29:16 72:20 98:14,16 116:7 contaminated 15:15 16:9 18:1 22:25 36:3 39:2,3 41:25 46:19 47:7 58:12 65:9,10 99:23 117:10 contaminating 39:3 42:9 contamination 18:24 20:4 31:18 38:7 41:15 42:12 44:13 47:3,9,10,15,17 48:4 77:17 85:25 86:24 88:19 107:6 contend 41:25</p>	<p>contention 58:18 Contingency 96:24,25 continue 89:1 120:14 121:19 continued 4:1 99:20 contract 8:16 86:5 contracted 101:20 111:3 contractor 90:9 101:17 control 12:17 19:23 22:13 34:8 controls 19:22 24:4 60:16,17 conversation 122:18 convicted 35:16,18 36:1,4 cookies 7:9 cool 53:20 copy 41:7,8,9 74:8,8 core 27:16 34:16 35:6 57:6,14 93:21 corner 50:25 corporation 30:11 57:23 69:23 Corps 10:5 correct 62:4,7 101:24 114:3 corrected 1:17 27:1,2 Corrective 22:12 correctly 86:18 107:4 107:8 cost 1:4 2:4 7:17 9:3,7 11:18 12:6 17:1,16 17:16,17 48:6 costs 62:9,10,12 cough 68:15 country 43:3 54:7,11 70:1 88:5,5 98:9 county 3:18 13:4 49:3 96:8 119:12 couple 15:7,19,25 20:25 21:6 22:1 23:25 24:18 30:3 47:24 63:19 73:17 118:22 121:14 course 6:23 19:24 45:9 61:4 court 1:21 64:10 cow 58:2 cows 30:18,19,21 crawford 4:2 5:10 48:24,25 49:1,19,21 50:11,23 51:3,6,15 51:21 52:2 53:4,22 54:1,6,16,23 55:6,9 56:17 57:6,13,22 58:8,16 59:22 62:13 63:18,24 66:9,13 67:3,11,21,23 69:12 69:15 71:24 72:3 90:20 93:12 94:8 118:21 craziest 109:18 crazy 100:11 created 36:20 creation 96:15 credibility 36:5 Creek 58:12 criteria 34:25 37:15 66:15</p>	<p>critical 35:13 60:3 83:22 crow 111:23 crowd 25:25 CSR 1:24 2:12 cubic 40:4,15 46:3 cumbersome 89:6 curies 55:17,18,24 56:15 current 29:8,10 58:22 61:4 64:20 67:25 currently 31:13 58:17 68:2 curve 81:7 cut 63:12 71:3 cute 88:8 cycle 79:12</p> <hr/> <p style="text-align: center;">D</p> <hr/> <p>D 5:1 Daily 13:4 dan 3:20 8:5 25:22 33:5 35:24 36:25 44:19 56:18 57:17 57:18 58:9 61:9 62:2 63:19,21 75:14 76:22 78:8,13 79:8 80:13 92:22 dangerous 32:16 dangers 75:3 daniel 3:23 5:7 26:10 26:12 92:21 Dan's 63:17 92:1 data 49:7 61:24 69:4,7 75:14,14,20,22 76:9 76:9 99:1 date 41:24 77:16 dates 70:4 112:23 dave 3:24 5:8 39:8,9 day 33:20 42:2 43:13 59:20 76:5 days 70:6 71:7 72:8 77:5 94:6 120:11 Dayton 58:12 De 51:1,3,6,8,15,22,25 52:4,6,10,19,21 53:2 dead 26:21 deadline 40:25 deal 34:8 85:5 90:9 112:2 dealing 122:5 decade 35:19 decades 70:7 112:23 deceive 83:23 December 33:14 deceptive 84:20 decide 23:4 41:15 121:18 decided 27:25 42:20 86:4 decides 84:22 decision 20:19,23 28:4 28:18 35:4 44:23,24 45:4,7,9 50:1 92:25 108:6,8,10 120:17 decisions 36:14 67:15 70:14,22 71:4 72:1 decision-making 71:15,17 decladding 54:2,8</p>
--	--	--	--	---

A102ED2

TRANSCRIPT OF PROCEEDINGS

APRIL 17, 2007

<p>86:25 declare 71:7 decommissioned 52:14 decommissioning 99:11 decontaminate 12:12 decontaminated 52:14 56:8 decontaminating 99:11 decontamination 15:16,20 49:9 56:3 deep 116:20,21,22,22 116:24,24,25 defer 92:24 define 19:4 28:11 120:18 deja 26:25 122:11 delay 71:9 democracy 28:7 demolish 12:12 17:10 17:20 19:11 20:2,4 demolished 14:8 15:23 21:21 56:7 demolishing 19:14,19 demolition 13:21 14:3 16:22 17:13,22 38:3 38:5 40:7 demonstrated 37:15 Dempsey 42:16,21 45:19 48:1 department 3:11 6:11 7:25 8:6,13,14,19 10:15 12:17 20:10 20:24 22:4 24:4,20 25:3,4 34:7 37:9 39:1 52:17 54:13,14 57:7 58:21 69:22 70:1,19 71:20 81:15 82:2,5 84:1,10 101:21 111:2,3,11 117:7 119:2,25 department's 12:10 117:13 departure 61:10 depends 79:8 80:12,12 depository 56:12 describe 21:16 60:1 described 68:19 deserve 88:5 designed 32:12 desired 100:19 DeSoto 50:22,24 despicable 85:8 detailed 93:13,13 details 9:7 detect 61:17,18,19 detector 18:12 determine 67:8 develop 18:7 19:3 developed 39:20 developer 119:13 developing 82:4 development 11:1,9,12 58:18 diane 3:17 77:2,12 die 117:14 died 76:6,6 88:17 89:4</p>	<p>difference 56:20,24 58:9 59:6,21 93:24 different 21:13,14 22:7 48:2 54:4 83:11 differently 87:9 difficult 75:10 102:4 direction 86:9 104:2 directly 50:13 51:7 Director 8:15 dirt 46:25 discipline 18:18 disclose 30:1 32:10 72:6,8 disclosure 32:17 74:8 74:9,14 118:17 discrepancy 60:1 discuss 10:15 27:7 disguised 122:7 dismantled 76:11 dismiss 65:14 disposal 15:16 18:25 19:24,25 20:9 30:17 32:7 35:19 38:6 55:23 disposing 16:22 disposed 40:16 51:25 disposition 6:11 7:19 24:21 53:3 distinguishable 61:20 disturbing 84:21 division 52:7,8 document 11:18 22:14 26:19 27:9 30:9,25 31:6 33:9 34:11 36:14 37:21 38:21 66:2 116:18,23 117:3,18,24 118:3 119:17 120:3,4 documentation 98:6 98:25 documents 23:13 30:6 30:9 35:23 64:22 68:23 89:15 96:14 96:16 120:8 DOE 8:16 9:24,25 11:7 12:11,14 17:9 18:6 20:17 23:8 26:15 27:18,24 33:10,14 33:18 41:11,17,22 42:6,10 43:14 44:9 44:22 45:17 46:16 46:19 53:15 55:23 75:1 77:3,5 80:6 85:15,21 88:4,14 90:9 95:24 97:10 98:1,15 99:2,18,21 110:24 113:24 121:16 DOEAL.GOV 95:8 DOE's 29:11 97:25 dog 48:10 doing 8:24 13:25 14:2 16:1,19 18:11 19:4 19:10 20:3,14 21:2 22:6 43:18 45:10 46:20 47:19 48:12 61:22 85:5,6 100:24 101:5,14,15 102:6 102:10 104:24,25 115:7,11 117:12</p>	<p>dollar 59:3 81:2,4 dollars 34:2 46:25 57:25 69:6 70:8 80:22 94:1 done 10:9 12:14,21 14:12,13 23:12 24:2 24:9 30:8 33:21 38:15 39:12,25 42:13,18 44:24,25 47:18,25 52:17 54:16,17 61:21 65:19 68:8 75:17 77:6 78:12,14,19,20 78:25 79:7,10,19 80:2 85:13 96:3 97:22,23 101:18,24 107:18,25 108:4 113:1 115:23 door 7:10 21:17,25 22:11,20 dose 29:1 64:18 doses 31:17 64:24 doubt 21:5 down 7:4 17:21 22:17 36:25 37:18 48:2 50:21 51:21 55:25 56:15 61:16,23,25 62:18 69:9,14,17 71:8 73:1,1 87:23 88:13 104:9 115:3 116:6,23 117:1 118:22 downhill 111:23 downstream 46:10 drafted 82:6 dreams 109:19 drive 35:10 driving 20:16 76:1 dry 15:10 53:17,20 DTSC 45:20 68:15,18 96:17 DTSC's 68:16 ducking 113:15 due 54:20 dumping 32:18 duped 122:7 during 7:15 20:22 25:17 26:4 55:20 81:5 99:13 115:25 122:9 dust 19:23 40:6,6 dying 46:9 104:14,14 104:15 D&D 99:8</p>	<p>27:1,4,20,25 28:3 35:16 36:5,10 62:4,9 65:2,3 85:6 96:15 97:18,22,24 98:21 118:9 121:18 EE/CA's 83:22 effect 98:11 effective 16:25 17:11 17:12,14 effectiveness 62:17,17 effects 32:18 effort 23:3 41:13 46:24 83:23 85:2 einhorn 3:24 5:8 39:8 39:9,9 40:9 EIS 42:4 either 6:14 45:17 54:10 61:4 63:17 110:24 120:22 elected 7:24 8:2 69:3 97:14 electricity 11:10 elizabeth 4:2 5:10,12 48:24 49:1 59:22 72:12,14 122:1 else's 115:17 EM 80:21,22 emails 95:11 emissions 19:23 emphasize 20:11 employee 13:24 119:11 employees 52:18 empty 27:11 111:8 Enchanted 2:10 enclosure 85:6 encourage 23:17 70:24 115:2 encouraged 20:20 end 13:11 14:7,11 36:16 38:25 44:14 56:1 73:16 78:21 85:1 92:8 107:9 123:3 ended 16:19 52:13 ending 50:15 energy 3:11 7:25 8:6 8:13,14 10:15 20:24 22:4 25:3 26:17 39:2 52:17 54:14,15 57:8 58:21 69:22 70:1,19 71:20 82:2 101:21 111:2,3,11 119:2,25 Energy's 6:11 24:21 engineer 44:9 52:21 engineering 1:4 2:4 7:17 8:7,8 9:3,7 11:17 Engineers 10:5 engines 10:25 English 116:24 enjoyable 112:16 enjoyed 62:3 enough 42:2 70:23 82:18,18 ensure 61:19 enter 95:14 entire 22:16 38:16 41:11 42:4 58:12,23 58:24 89:23 96:10</p>	<p>112:1,9 entitled 27:20 environmental 9:2 11:20 12:5,5 27:16 34:1,3 35:17,18 36:1 49:4 56:18 57:2,5 58:24 64:2 67:13 68:10 72:4 75:17 89:14,14,16 119:17 119:18 120:7,8 EPA 12:16 18:7 22:15 26:16 28:25 29:12 32:24 33:3,8,9,11,13 33:14,18,19,21,23 34:22 35:7 37:11,23 38:8,10,17 41:18 42:12,16,22 43:13 43:14 44:9 45:22 46:5 57:16,19 58:5 59:15,18,21 60:9 64:12,15,23 71:16 72:5 77:3 86:8,9 113:23 EPA's 32:22 56:21 57:1,11 61:24,24 equal 91:8 equally 91:5,6 equipment 16:6 era 50:15 essentially 26:16,23 27:18 30:7 32:13 97:19 establish 67:13 69:1 established 10:24 12:20 estimate 17:17 55:15 55:23 estimated 56:14 ETEC 9:24,25 10:1 11:5,6,8,11 17:9 58:23 67:14 95:8 98:6,24 112:5 ETEC/SSFL 98:20 ETEC@DOEAL.GOV 95:5 evaluation 1:4 2:4 7:17 9:3,7 11:18 12:6,8 43:7 evaluations 56:24 even 27:19 28:11 29:14,18,21 32:1 34:19 42:22 43:19 47:2 62:23 63:7 75:4 82:17 85:3,7 87:1 107:15 113:7 118:6 119:23 121:13 ever 45:8 52:23 93:23 109:19,19 116:17 every 26:16 42:17 48:12 72:24,25 91:11,21 everybody 6:6 25:7,11 71:18 75:15 89:7 109:2,9 112:15 119:3 120:21 everyone 9:20 11:23 everything 18:17 38:16 38:20 56:10 105:11 121:2 everything's 86:16</p>
--	---	--	--	--

A102ED2
TRANSCRIPT OF PROCEEDINGS **APRIL 17, 2007**

<p>122:7 evidence 39:23 exactly 35:25 92:7 100:23,23 103:25 119:14 examination 47:1 examine 48:4 example 35:5 42:4 44:16,22 71:24 117:6 examples 27:12 30:3 excavation 99:14 exceedingly 72:22 excellent 98:17 except 33:20 excited 73:17 excluded 24:1 27:9 exclusively 53:24 excuse 12:3 29:3 49:19 62:13 executed 99:6 executive 96:8 98:3,10 existing 69:25 expanded 11:1 expect 24:8 77:15 expected 62:23 63:2,7 72:7 74:20,21,22 expecting 109:12 expensive 48:3 86:2 experience 17:9 expert 79:1 experts 120:7 expired 36:11 explain 56:17,20 58:9 58:25 59:5 71:22 explanation 67:5 98:19 explosion 35:21 exposed 54:10 62:21 exposure 18:2,6 61:3 99:10,13 extending 41:12 extension 118:23 extensive 23:11 extent 24:22 94:3 112:1 extract 85:4 extremely 90:15 116:20,22,25 eye 39:20,22 eyes 113:13 e-mail 6:24 74:7 94:21 95:4,10,11 120:22 e-mailed 40:25 74:12 E-T-E-C 95:8</p> <hr/> <p style="text-align: center;">F</p> <hr/> <p>face 113:10,13 faced 65:16 87:15 faces 9:21 facet 43:15 facilities 11:7 14:8,9 17:9 21:1 24:9,11 32:7 53:15 54:11 56:3,7 61:22 facility 1:3 2:3 6:12 7:18,20,21 8:17 11:1 11:15 12:13 14:2,4 14:20 15:2,7,17,23 15:24 16:2,18,22 17:15,20 19:12</p>	<p>21:21 22:12 23:2,4 23:13 24:24 25:4 30:10,18 38:16 40:1 49:8 50:22,24 51:3,5 51:8,15,22,25 52:4,6 52:10 53:9 76:8,13 97:24 98:12 109:20</p> <p>Facility's 14:6 facing 104:2,3 fact 27:3 28:24 29:15 30:24 32:24 33:2,21 35:16 39:18 58:24 64:7 118:15 factor 41:20 factors 56:25 119:1 Factsheet 7:20,22 failure 37:6 fair 14:3 fairly 120:18 fall 34:24 35:2 37:14 71:16 false 31:23 32:9 64:7 64:11,13,13,20 familiar 47:13 family 10:7 14:23 88:16 100:6 103:21 104:5 110:4 far 34:2 35:2 39:25 47:18 96:19 farm 86:11,14 farming 65:1 fast 78:11 97:8 faster 32:15 fastest 78:13 fatality 112:10 FBI 35:22 feasibility 61:14 February 69:20,21,21 70:5 73:16 federal 25:10 70:19 86:4 97:14 98:4 federally 20:9 Federation 40:22 feel 108:11 119:24 feet 47:25 85:23 feinstein 3:17 82:6 Feinstein's 77:2,12 felon 35:17 36:1,4,6 38:25 felonies 35:19 fence 15:6 Fernando 14:22 few 9:21 10:22 26:13 26:25 27:12 30:9 32:21 42:17 50:16 94:18,19 field 8:15 10:23 18:11 22:22,23,23 23:4 30:11 39:11,14 61:17 109:5 figure 14:12 31:4 36:10 44:12 45:22 47:4 109:24,25 figured 104:6 figures 14:11 31:5 32:1 32:2 figuring 47:2 file 1:25 12:20 fill 121:22 fills 20:12</p>	<p>filmed 25:15,15 filter 47:15,18 filtering 35:13 47:14 47:16 final 22:11 30:10 38:22 45:7 108:2 112:4 120:25 finally 22:21 25:13 42:6 43:18 financial 85:16 find 7:16 18:21,23,23 20:3 28:17 74:12 77:22 85:18 86:17 92:9 94:12,19 105:12 113:5 finding 119:8 finds 42:18 fine 59:14 66:3 68:10 86:16 115:1 finish 15:21 62:1,2,4 72:3 82:18,19,23 finished 29:23 59:25 79:4,5,14,15 firm 71:9 first 7:17,23 10:11,14 16:23 18:21 20:3 21:22 22:20 25:22 31:4,9,21 41:13 42:15,20 46:23 50:20 51:9,17 52:20 54:24 55:14 66:22 74:15 90:7 115:22 117:9 118:13 fiscal 79:12,23,25 82:19,20,23 83:1,3 84:2 fits 45:15 66:9 five 58:10 90:18 fixes 38:11 flies 111:23 floor 85:19 117:9 flow 54:18 focus 65:24 focused 85:11 folks 13:7 14:18 33:2 65:17 follow 67:12 81:15 following 10:20 19:18 follows 12:19 foot 85:23 88:7,23 footprint 85:24 87:19 88:20 Footprints 30:17 forced 68:14 foreseeable 61:5 64:13 64:16,17,23 forget 46:18 73:5,9 forgot 8:18 forklift 20:16 form 28:7 119:17 formally 98:18 format 91:20 103:7,12 103:15 former 22:22 30:17,20 forth 46:4 53:6 66:10 68:24 69:7 forum 74:25 forward 6:16 19:3 96:17 99:20 found 7:9 17:3 35:7</p>	<p>43:22 64:8 70:12 72:20,23 73:20 98:21 100:7 foundations 16:7 four 11:2 63:5 foy 3:19 8:4 frame 120:10 framework 69:19 friend 76:2 89:4 friends 88:16 from 8:6 11:3,24 17:15 18:9 24:1,12,13 25:5 25:24 26:3,5 27:2,9 31:11,19 32:6,6 34:11,12,17,24,25 35:3,5 36:7 37:14 38:20 39:10,14,15 39:24 40:24 41:1 44:9 46:16 49:12 51:8,10,22,25 53:2 53:24 54:3,7,12,25 55:24 56:7 59:23 61:20 63:16 68:18 70:2,16 72:16,18 73:25 77:11 80:5,6,6 80:12,14,18,21 81:2 81:12 82:1,6 83:7,11 85:4 87:20 89:4 91:24 93:22 98:7,9 100:19 106:10 111:23 112:14 113:12 117:7 front 7:13 74:21 90:3 103:15,23 113:12 fruit 117:6 frustrated 91:2,2,4 frustrating 91:5,6,10 frustration 122:6 fry 31:17 fuel 15:11 52:12 53:9 53:12,13,18,21 54:9 54:12,14,22,22,22 55:19 87:2,2,3 full 67:5,13 72:4 94:3 107:5,8,11,13 118:17 fullest 68:7 fundamental 36:14 44:23 funding 78:16,17,19 79:12,12 83:2,3 85:6 85:21 funds 79:8,8,9,20 80:1 80:2,12,20 81:5,8,10 83:4,5 furniture 87:25 further 22:17 37:14 57:20,22 82:17 92:9 98:13 Furthermore 98:21</p> <hr/> <p style="text-align: center;">G</p> <hr/> <p>gaining 110:16 gallacher 3:6 8:14 Gallegly's 26:3 77:14 game 65:16 Gap 26:13 gardens 30:24 gather 47:19 gathering 119:6</p>	<p>gave 90:18 gee 76:25 119:21 general 17:1 55:12 74:6 75:7 97:4,11 110:10 generally 55:17 generated 55:20 98:6 113:2 gentleman 55:7 gentlemen 9:17 90:3 geologist 86:19 gets 21:25 42:17 61:23 93:21 94:22 getting 16:11 21:17 47:10 104:6 110:8 117:10 give 12:1 27:12 30:3 35:5 39:4,16 76:20 85:23 94:4,10,13 100:1 given 33:21 93:15 100:8 glad 6:12 go 6:6,25 7:15,24 9:9 9:13 10:10 13:6 18:18,25 19:1,3 20:3 20:6,6 21:17,25 23:17 24:5 25:23 29:11 30:24 31:8,16 32:11 34:21 37:17 38:5,22 43:24 45:16 45:19 47:23 48:2 49:5 51:23 53:13 57:22 60:4 63:16 66:4 68:4,22 69:8,14 74:6 75:1 76:4 77:20 79:24 81:6,23 83:19 84:13 85:16,20 86:15 89:12 90:15 92:2,9 95:14 96:2 102:1 107:23 108:23 108:23 109:21 114:21 115:16 118:9 goals 34:21 37:23 goes 21:9 22:11,12 46:11 93:8 116:23 116:25 going 6:7 7:6,23 8:24 8:25 9:6,11 13:12,14 15:21 17:20 18:17 18:25 19:1,1,2,6 21:14,18,22,23 22:19 23:22 24:14 24:22 28:21 31:15 32:11,13,22 33:19 33:23 34:6 35:6,15 36:19,23 39:23 40:5 40:6,16 44:17 46:2 47:8,22 48:6,19 49:17 57:15,24 58:2 59:3,17,24 62:18,21 63:12,16 65:8,12,13 66:17 71:4 73:21 74:25 79:2 86:11,13 86:13,15,16,24 87:10 89:1,2 90:16 91:25 93:1,25 94:12 95:19 97:7 99:25 101:1 102:12,13,18 102:19 105:11 108:6</p>
---	---	---	---	--

A102ED2
TRANSCRIPT OF PROCEEDINGS **APRIL 17, 2007**

<p>111:9 112:10,25 113:7 116:7 117:4 117:20,21,21,23 118:5 119:12,15,22 120:9,12 121:2 122:11 gone 14:9 17:24 21:23 30:5 56:16 gonzales 3:17 5:14 77:10,11,11 78:4,8 good 14:17 41:2 45:21 59:20 103:20 goodness 115:16 goods 97:15 gotten 84:17 GOV 95:8 government 3:16 86:4 governmental 76:24 grade 16:15 graduate 14:22 Granada 14:22 grand 2:10 6:1 grandchildren 73:3 graphics 11:14 grazing 31:3 great 53:22 66:6 85:5 87:22 112:17 greater 32:23 41:20 64:18 greatest 29:2 31:15 64:18 Greg 42:16,21 45:19 48:1 grew 14:21 76:3,7 100:5 109:20 grid 85:22 86:8,16 grip 119:4 ground 9:11 24:19 35:13 47:25 60:17 69:7 73:6 group 15:2 42:25 43:6 48:11 102:20 103:12 groups 76:18,25 grown 115:24 guess 8:1,12 24:18 51:1 73:16 107:7 109:12 110:8 guidance 34:22 Guide 31:25 guillermo 3:17 5:14 77:8,10,11 78:5 guts 113:13 guys 7:8 59:11,24 71:1 71:25 76:20 86:9 87:12 88:24 101:23 109:13,24 110:13,21 111:9 121:12,17,18 121:19 122:5,9,21 guy's 70:11 G-O-V 95:9</p> <hr/> <p style="text-align: center;">H</p> <p>half 15:6 16:13 39:10 72:16 73:25 hallway 7:11 halt 71:6 hammer 48:9 hand 7:16 25:20,22 85:1 handed 26:18</p>	<p>handing 38:25 handle 69:25 handled 49:13 51:9 53:2,7,23 54:25 98:7 handling 1:3 2:3 6:12 7:18,21 8:17 13:21 14:4,6,20 15:2,22 16:2,18 21:21 22:14 24:23 49:8 54:3 97:24 handouts 6:25 7:12,12 hands 57:24 happen 22:17,21 30:8 87:10 happened 25:19 42:19 happens 22:9 hard 27:17 100:10 104:7 110:2 118:2 harm 19:16 116:7 harmed 44:14 113:9 hate 70:4 108:11 hailed 46:25 87:23 99:15 hauling 46:1 having 10:12 27:4 36:1 52:21 82:20 84:2 110:9 113:13 117:16 hazardous 35:19 40:1 40:6 hazards 18:15,16 head 56:13 113:15 headquarters 33:11,11 heads 119:19 health 32:18 39:12 41:20 42:7 58:4 61:2 76:10,12 100:7 104:4,5 105:6 hear 6:9 9:20 11:23 13:18 69:10 75:13 89:3 94:3 109:13 heard 29:4 30:18,19,21 32:5 38:20 54:24 71:4 109:13 112:11 116:24 117:2,7 hearing 27:3 62:4 112:3 heat 35:12 heating 35:9 height 42:8 help 104:6,6 106:1,2,5 106:6 helpful 118:22 her 69:14 76:4,4,5 Hi 48:25 72:13 73:15 111:21 115:19 hidden 31:11,19 hide-the-ball 118:14 high 14:22 15:9 29:21 35:9 47:6 72:22 higher 29:18,22,24,25 31:16 39:13 highest 29:1 46:17 64:24 72:5 highway 27:18 hikes 33:20 42:2 59:20 hiking 76:17 hill 52:20,20,24 53:10 53:12 55:14,16 Hills 14:22 23:21 32:14 73:20,24 116:9</p>	<p>him 13:13 42:22,25 43:13 45:19 62:2 90:23 92:25 94:8 hire 101:17 hired 41:14 hirsch 3:23 5:7 26:10 26:11,12 33:7,12 35:25 37:6,10 38:5 38:10,14,20 39:6 60:8,9 62:3,7 63:25 76:22 78:6,10,15,20 78:23 79:3,11,22 80:4,8,14,24 81:11 81:16,19,21,24 82:1 82:10,15,24 83:7,10 83:14,18,22 84:7,14 84:20 92:21,22 118:7 Hirsch's 75:14 historic 96:14,15 historical 31:7 98:25 histories 23:13 history 28:19 109:21 hold 9:15 90:8 92:19 120:1 holding 70:2 holes 68:3 holler 46:7 hollered 44:7 home 76:4 115:25 homes 59:4 117:9,21 honest 35:14 76:20 honestly 35:7 79:2 hope 96:13 98:25 99:17,21 111:14 121:15,16,19 hopefully 68:5 93:13 horse 87:7 horses 68:2 horse's 87:7 Horton 20:15 Hot 54:9,17 hotel 2:10 6:1 house 63:5 74:17 76:4 houses 63:4 housing 63:5 76:13 97:16 huge 85:25 88:19 human 42:7 58:4 59:23 hundreds 70:8 Hunsley 20:16 hurts 117:25 husband 76:5</p> <hr/> <p style="text-align: center;">I</p> <p>idea 121:6 identification 12:7 identified 6:5 9:19 13:16 20:18 23:24 26:10 39:8 40:13,20 48:23 50:7 72:11 73:14 77:9 85:9 95:13 100:4 111:20 115:18 116:13 identify 6:18 illegal 35:19 illustrated 98:13 imaginations 85:16 imagine 109:19 immense 31:18</p>	<p>impact 34:1,3 56:18 57:2,5 58:24 67:14 72:4 73:18 75:7 119:18 impacted 100:18 impacts 120:9 impermissible 36:2 implementability 61:14 implementable 17:6 implemental 16:24 implementation 68:5 implemented 93:23 important 83:25 90:15 97:17 110:20 116:9 impose 60:16 65:2 inadequacy 113:23 inadequate 57:8 120:4 inappropriate 65:15 INC 1:21 inches 86:17 120:12 include 31:5 40:3 included 11:16 21:12 22:22 includes 12:16 38:22 38:22 84:15 including 38:21 99:5 incorporated 99:1 incorrect 114:6 increase 13:1 increased 64:4,8 incumbent 119:24 indeed 36:5 98:23 independent 38:24 45:16,18 68:8 69:2 72:6,18 116:5 indicated 39:13 indication 48:14 individual 115:23 individually 21:15 individuals 18:8 industrial 61:5 ineffective 105:13 information 7:1,5,8,22 23:7,11,16,18 26:23 27:8 45:3 67:4,5 92:22 93:13 118:12 118:15 119:6 121:21 initial 41:17 initially 50:21 53:12 initiate 67:13 initiated 69:20,22 input 25:10 35:15 70:23 118:18 insert 11:3 insist 68:7 instance 53:19 56:20 57:17 63:1 70:15 118:23 instead 121:8 Institute 101:19 institutional 60:16,17 65:23 117:2,4,16 instrumentation 61:17 insure 19:16 99:6 integrate 32:24 34:9 integrates 32:22 intend 31:20 intention 60:14 65:1 interact 91:11</p>	<p>interaction 122:4 interested 21:9 23:10 38:1 interesting 87:14 98:21 115:4 internalizing 71:14 internally 80:9 International 30:10 50:21 52:5,8,19 68:9 interrupted 52:3 inter-agency 102:20 introduce 21:1 26:3 introduced 9:22 introduction 50:9 introductions 7:23 8:25 51:20 investigate 22:16 involve 61:13 involved 11:12 14:2,16 37:16 43:9 44:2 45:25 48:15 115:21 involvement 99:21 irradiated 54:10,22 87:2 irresponsibility 42:8 issue 121:7 issued 121:11,11 issues 63:20 item 15:15 37:12 items 15:12 23:9,25 it'll 28:6 79:21 101:6 IV 11:5 15:3,21 52:6 54:25 85:22 87:18 87:21 113:20,20,21 114:12</p> <hr/> <p style="text-align: center;">J</p> <p>JAMESON 3:5 January 10:2 jason 3:18 8:2 jeff 3:4 5:4 6:5 7:6 11:16 94:12 jennifer 4:8 5:19 115:18,19 job 56:1 jobs 18:14 59:23 johanna 1:24 2:12 John 20:16 johnson 3:12 5:5 8:8 8:11 9:5,19,20,23,25 10:14 12:3 23:24,25 33:5,8 41:9 77:20 78:13,16,25 79:6,17 79:24 80:6,11,20 81:3,14 82:4,22 83:2 83:9,13 84:4,9 90:10 90:10 91:1,10,15 93:4 94:10,23 95:3,4 95:4,8 96:20 102:13 102:18,23 103:1,7,9 103:11 108:16,19,24 Joint 12:14 junk 87:25 just 7:4 10:22 11:14 16:15,15 17:1 18:20 19:19 21:10 25:20 26:2 30:16 33:2 34:12 38:13 40:11 41:4,5 42:10,14,15 43:2,9,15 44:16 45:2</p>
--	---	--	---	---

A102ED2
TRANSCRIPT OF PROCEEDINGS **APRIL 17, 2007**

<p>48:16 50:13 51:1 54:6 59:13 63:14 64:25 69:13,17 76:13 77:5 83:4,4,16 86:11 87:6,18 88:2 88:10,20,20,22 90:23 91:4 92:5 93:6 93:16 94:18,19 96:19 102:2 103:15 104:9,10 105:10,10 106:12 107:10 108:12,14 109:9,18 110:2 111:8,16 112:6 115:25 117:14 118:19 120:25</p> <p style="text-align: center;">K</p> <p>keep 11:24 14:14 36:7 76:25 85:2 110:18 kept 35:3,5 Kettleman 32:14 kind 18:24 21:13 28:7 28:8 43:17 44:16 46:10 48:14 54:21 57:6 69:1 74:5 92:25 110:2 117:25 122:4 122:4 kinds 105:5,6 knew 110:5 know 7:15 17:8 18:4 19:8 25:17 27:9 28:16 31:20 33:5 39:18 40:15 44:20 45:1,15,25 46:15,18 48:17 50:1 53:10 56:13,22 57:23 58:11 59:12,18 62:8 66:9,19 67:15,18 68:12 69:7 70:16,24 72:15 73:23 74:3,23 75:10,13,21,23 76:9 76:21,23,24 77:3 79:24 80:16 81:3,3,4 83:25 84:14 85:16 86:2,20 87:21,24,24 88:7,11 89:2,5,10 91:1,16 92:22 93:23 94:3 95:10,10 96:15 96:16,19 99:9 100:13 101:5 103:1 103:12 104:3 105:12 105:15,16,18 107:15 107:16 108:14,17 109:14,15,21 110:1 110:4,6,7,13,15 111:6,7,17,18 114:15 115:9 116:17 116:20,22 117:8,13 117:13,16,17,19,19 117:22 118:5 119:5 119:5,8,21,23 121:2 122:10 knowledge 110:17 knowledgeable 50:3 known 52:12 93:12,12 knows 59:1 107:5 110:11 Kuehl 76:21 77:2</p>	<p style="text-align: center;">L</p> <p>Lab 39:14 54:9,17 109:5 laboratory 8:15 10:23 10:25 13:25 30:11 39:11 Lafflam 45:6 49:25 land 11:11 20:12 29:1 29:8,11,18 31:2,13 31:14 34:19 37:12 38:9 42:1 45:24 46:4 46:18 57:24 58:15 59:16,19 60:10,20 60:21,22 61:1,5,6 64:13,15,21,23 65:2 65:4,5,14 67:22,23 117:20 122:24,25 landfills 32:11 large 10:25 39:18,22 42:9 largest 68:9 last 9:22 12:24 13:13 14:7,8 24:10,11,13 25:19 27:7 32:13 38:14 43:4 50:4,4,14 50:16,16 56:4,5 58:22 60:3 68:14,17 69:16,18 71:19,21 73:15 76:1 77:13,13 83:18 88:3 89:4 91:18 92:24 93:19 95:24 96:19 99:18 102:21 106:11 114:2 120:24 121:17 late 41:3,24 79:9 111:24 later 10:25 28:1,18 35:4 36:11 53:15 55:9 90:20 122:16 latest 78:10,15,24 79:5 79:15 latitude 80:22,23 law 27:16 29:17,25 34:13 73:10,11 85:5 laws 84:21 lawsuit 92:1 layout 121:13 leach 22:22,23,23 23:4 lead 97:1,5,9,20 learn 109:24 111:7,16 learned 32:13 86:20 learning 110:16 least 49:25 68:25 leave 17:7 28:19,20 29:16,23 36:6,12 38:3 41:7 leaves 17:12 36:17 leave-it-in-place 17:5 leaving 72:25 ledesma 1:24 2:12 Lee 50:2 leeway 84:10 left 44:1 48:5 55:24 63:24 83:17 112:21 116:18 legal 66:23 legitimate 35:22 76:20 less 55:24 62:20 63:5 63:10 86:6</p>	<p>lessening 72:25 let 7:15 9:16 23:7 25:16,22 27:11 30:3 30:16 31:20 37:2 42:6,14,23 45:19 49:17 51:19 55:12 60:5 62:1,1,2,5,14 70:24 83:25 89:2 90:23 93:3 94:8 95:21 120:2,21 letter 64:5 77:25 82:5,6 82:9 letting 110:14 let's 7:12 13:17 15:1 51:19 58:10,19 59:2 59:6,9 69:8 70:4 90:8,9 92:17 94:10 102:1 level 29:22 31:15 41:19 41:19 45:22 47:4,6,6 47:8,11 56:12 62:18 62:21 63:7 leveled 16:13 levels 29:25 31:16,25 32:3 48:3 56:22 59:16 Liability 11:20 libraries 12:20 23:19 23:19 licensed 32:12,19 44:8 52:16 lie 87:15 lied 35:21 36:4 life 14:7 96:10 115:25 like 7:8 9:1 12:24 13:22 14:19 16:25 17:15 18:20 20:1,25 22:19 24:7,8 25:21 26:5 28:7,16 33:1 37:9 38:12,18 40:9 44:19 44:25 46:3 48:17 49:5,6 56:11,24 58:25 59:16,18 64:13 69:10,17 71:1 77:1,17 82:14 85:4 85:23 91:15 92:24 95:5 96:19 99:8 100:11 104:7 105:4 105:20 106:18 107:11,13 108:11 109:8,9,18 111:10 112:24,25 116:21 119:1 120:11 122:11 limit 24:23 95:20 limited 99:5 limits 100:19,22,24 Linda 96:8 line 10:14 22:18 28:15 lined 25:20 lines 16:8,8 42:14 link 26:20,20 59:2 list 57:18 69:14 98:22 listed 66:14 96:25 listen 13:13 36:23 41:22 48:18,19 91:17,25 118:3 listened 41:23,24 48:17 listening 44:20,21 115:24</p>	<p>listing 98:16 lists 98:14 literally 104:4 108:12 115:3 little 9:11 13:22 14:18 20:2 23:23 45:5 74:9 74:14 90:12 94:13 live 14:23 21:8 39:9 72:14,18 88:10 106:8,9 111:22 116:14 122:2 lived 96:9 115:20 lives 76:2 88:11 livestock 31:3 68:1,3 Liz 48:22 50:9 51:5,16 57:4 62:6 63:16,16 66:7 71:23 118:20 Liz's 51:20 62:8 75:14 95:19 local 12:20 97:4,13,19 97:21 located 114:8 location 10:1 11:15 18:25 logical 75:12 logistical 7:7 logs 68:15,17 long 13:14 21:2 43:11 44:5 49:15,21 52:24 58:2 72:7 89:16 91:7 93:15 110:5 113:21 113:22 longer 15:25 78:18 94:13 look 23:3,4 24:8 27:17 28:1 30:6,15 33:13 59:11,12 61:7 62:11 62:20 63:2 64:15 70:4 74:1 75:12,16 81:6 86:22,23 88:2 88:20 96:3 97:15 99:20 109:2 112:25 121:3 looked 16:17,20,21,23 17:1 24:7 62:16 93:17 99:1 looking 16:19 18:24 23:16 34:11 61:13 76:15,16 84:11 88:22,23 98:15 99:21 108:13 111:1 112:19 113:13 looks 7:8 112:24 Los 13:1,3 lot 46:3,4,6,20 48:6,7 50:3 55:18 74:2,4 88:15,15,16,17 89:15 100:7 103:22 104:4,5 105:9 110:14,14 111:15 113:6 119:5,6 lots 25:13 58:17 90:14 love 105:11 low 56:12 61:16 71:25 lowest 60:10 L.A 74:10,11,12,15</p> <p style="text-align: center;">M</p> <p>made 12:21,22 13:6 20:19,23 28:4,5,6</p>	<p>35:15 36:18 42:9 46:20 55:15 60:8 64:1,11 71:5 88:8 122:9 mail 27:5 73:17 94:21 94:23 120:22 mailed 13:7 41:2 mailer 13:6 93:17 maintained 19:21 maintenance 17:18,18 Majelle 50:2 major 97:4,10,19,21 majority 92:21 make 7:4 17:10 19:8 19:11 21:18,19 24:15 26:5 27:3 28:5 28:18 32:15 35:3 37:1 40:11 41:4,6 44:5,23 45:2,9 46:23 56:23 58:14 62:5 63:21,22 66:22 67:15 71:25 72:7 81:9,14 87:6,7 88:24 89:13 92:12 93:10 94:16 95:18 108:6,8 108:10 110:1 113:11 116:17 119:19,25 120:16,16 makers 50:1 makes 41:20 45:4 87:5 89:12 93:24 making 21:9 66:11 69:23 70:11 71:11 71:13 81:11 111:16 114:10 manage 15:4 management 22:14,17 28:4,18 35:4 manager 8:7,7,16,17 8:20,21 9:24,25 13:20 14:10 18:14 52:22 managing 70:13,13 maneuvering 41:21 79:1 mangual 1:24 2:12 manner 19:5,12 20:5 manufacture 52:11 many 21:2 40:4,4,15 46:8,24,25 58:11 63:10 75:23,24 84:24 96:20 105:20 109:4,14,15 114:1 117:7 120:1 121:4 122:3 map 114:8 March 12:21,23 13:3,4 13:5,8 31:1 marie 4:9 5:20 116:13 116:14 118:8 mark 4:5 5:16 95:13,16 96:6 mason 4:9 5:20 116:13 116:14,14 material 16:18 39:17 39:24 40:4,16 49:9 49:11 54:25 55:16 86:25 120:12 materials 1:3 2:3 6:12 7:18,21 8:17 13:21</p>
--	--	--	--	---

A102ED2
TRANSCRIPT OF PROCEEDINGS **APRIL 17, 2007**

<p>14:4,6,20 15:2,4,11 15:15,22 18:22 19:8 21:21 22:25 24:23 35:20 49:7,12 51:8 51:25 53:1,6,23 54:18 97:24 98:7,8 98:19 matter 43:15 46:1 47:21 82:15 97:17 matters 27:1 84:24 may 1:17 17:6 26:11 30:11 45:5 73:2 80:21 81:6 82:7 87:7 115:6 maybe 41:4 60:6 63:4 63:5 73:19 74:1 84:17 96:21 110:14 122:10 mead 4:8 5:19 115:18 115:19,19 mean 28:12 39:1 44:2 45:5 50:15 52:18 54:10 55:25 62:17 68:22 89:4 111:6,15 117:6 meaning 100:16 means 16:5 28:16 46:5 46:24 57:25 60:12 61:10,15 62:17 111:17 meant 32:8 measure 47:2,17 measurement 55:17 measurements 35:14 35:15,17 36:7,9,11 measures 99:2,9,12 measuring 35:7,11 47:14 63:9 meet 16:9 17:7 18:1 20:10 40:25 46:2,4 73:6 105:1 meeting 1:5 2:5 6:3,10 6:14,23 7:7,15 10:21 13:9 20:21 24:14,19 25:2,14 26:18 43:4 63:13 76:1,21,23,24 77:4,5,13 92:4,6 93:18,19 94:7 96:22 100:2 101:9 102:11 102:20,21 103:2,12 103:13 105:23,25 111:13 112:11 115:23 120:13 121:13 122:3,9,13 122:15 123:3 meetings 42:23 44:6 45:8 48:11,13 59:7 75:1,2 105:21 116:25 117:15 meeting's 120:24 meets 18:5 102:9 member 10:12 11:24 12:1 25:24 26:7 49:24 65:22 66:1,4 66:19 69:10 80:25 81:18,20,23 89:22 90:2,6,8,12,14,17,21 91:6,13,23 92:3,7,11 92:15,17,19 93:10 94:6,21,25 95:2,7</p>	<p>105:3,4 106:12,16 109:8,10 111:4 112:24 113:2 members 88:16 97:14 memorandum 12:15 33:10 71:16 men 7:11 mentioned 10:17 11:16 14:10 15:3,17 24:1 45:23 49:25 53:8,16 56:18 70:12 76:16 110:12 118:25 mentioning 92:2 mess 36:18 messed 9:4 met 18:4 19:6 21:5,15 66:15 metallic 11:13 methodology 31:10 Michigan 64:3 microphone 6:8,21 13:18 25:21 might 48:5 migrate 32:15 mike 6:16 26:11 103:23 mile 31:2 72:16,18 75:8,8 miles 39:10 106:10 111:22 Miller 26:3 77:15 million 57:25 59:3 61:9 61:11,16 62:18 73:25 millions 46:24 69:6,6 mind 86:12 113:4 mine 62:15 minimization 54:15 minimum 34:24 minor 26:25 minus 28:3,3 34:17,18 37:13,17 41:19,19 45:22 46:5 59:11,12 59:13,13 61:9,10,24 62:1 63:6,7,10,11 minute 9:22 18:20 57:23 minutes 9:1,1 15:19 22:2 83:17 88:6 90:6 93:16 94:14,18,19 95:20,22 100:11 111:10 missed 111:24 112:18 missing 39:15 mitigate 18:16 mixed 32:14 98:5 moderating 7:7 moderator 3:4 89:8 modifies 95:25 moment 20:1 30:5 32:5 48:16 58:21 85:18 Momentarily 58:3 money 42:7,10 45:25 46:20 48:6 73:5 79:4 79:5,6,15,17,22 80:5 80:8,16,18 81:13 82:16,18,18,24 83:14,24,24 84:1,6,7 90:21 110:14 money's 34:2</p>	<p>Monica 88:9 monies 82:19 84:10 monitor 43:25 monitoring 35:8 36:2 38:24 47:13 69:7 morality 73:9 more 9:1,1 13:15 20:2 23:7,18,23 29:14,16 32:16 46:6 48:2,7 49:6 55:1,13 58:9 63:21,22 88:6 89:20 90:10 92:18 94:6,6 94:19 105:20 109:24 109:25,25 110:21 111:4,7 113:9,24 115:17 116:2 121:7 121:9,21 122:20 mortgage 70:2 most 15:23,24 21:3 55:2 60:19,22,25 61:5,6 64:12 mostly 11:12 mother 116:1 mountains 63:4 mouth 11:25 move 23:7 31:17 70:2 80:16,22 83:14,23 84:10 119:8 moved 46:3 51:21 106:12,16 movement 68:4 moving 11:24 14:15 84:7 88:13 110:6 much 7:8 13:19 24:14 32:16 40:5 41:11 42:13 47:3 48:2,20 55:3,4,10,11,16 56:13 59:11 72:9 78:18 80:25 81:1 99:24 111:9 multiply 62:22 63:6 municipal 20:12 must 61:3 64:23 72:3,4 72:5,6 74:13 85:13 87:13,18 89:6,11,11 myself 9:22 13:22 21:6 77:14</p>	<p>30:4 37:1 48:1 64:15 64:17 66:24 75:6 76:15,15 77:3 80:9 82:15 86:9 92:25 95:14 96:11 101:5 102:3 103:16,18,19 103:22 105:9 113:3 117:19 118:16 120:5 120:14,14,16 needed 12:25 15:25 24:11 41:15 needs 14:12 37:20 38:16 42:13 57:9 77:6 83:19 89:5 92:23 104:16 105:2 116:23 117:3,18,19 121:22 neighbors 19:13 20:1 21:11 Nevada 56:11 never 33:25 34:3 74:19 87:5,5 103:11 106:18 107:4,8 117:2 new 9:21 54:22 87:2 97:15 news 13:4 96:23 97:19 newspaper 74:23 97:4 97:10,21 newspapers 26:20 97:13 110:9 next 8:23 11:13 12:11 21:25 24:5 40:19 48:22 52:25 76:5 77:8 79:12 82:20,25 83:3 109:20 night 73:9 76:1 100:8 nine 61:11 62:11 67:12 nobody 36:17 44:13 107:5 110:11 121:6 nobody's 109:17 nomenclature 67:19 none 20:11 nonsense 46:11 Nordhoff 50:25 normal 27:22 79:12,16 normally 29:17 30:1 North 10:24 52:9 Northridge 23:20 note 12:24 13:10 15:8 41:1 notebook 119:3 notes 44:21,25 nothing 17:5 39:25 47:16 67:8 88:12 106:6 108:13,16 115:13 notice 9:21 74:8,9 97:3 97:10,11,17,21 noticed 119:3 notification 13:2 71:2 74:6,20,20 notifications 12:22 notified 26:22,22 75:3 96:24 98:12 notifying 76:20 no-action 17:4,11 nuclear 11:2,10 39:3 50:15 52:11,12,15 52:16,22 53:9,10</p>	<p>54:8 70:1 109:4,20 nuclides 32:4 number 23:9 37:18,21 37:22,25 46:9 57:2 62:23 63:2 67:7 70:14 98:3 numbers 27:21,25 28:12 34:20 38:4 60:1 61:7,16 62:22</p>
				<p style="text-align: center;">O</p> <p>Oakridge 39:1,2 101:19 Oaks 14:23 objecting 37:4 objections 41:14 objective 34:17 objectives 12:8 16:10 17:8,10 18:4 100:16 obligation 22:16 73:8 observe 43:17 observed 30:19,21 obvious 44:18 obviously 13:8 24:25 25:13 56:1 78:17 79:10,21 86:6 occasion 43:22 occupancy 42:1 occur 36:14 90:16 occurred 43:25 October 79:18 off 15:1 16:14 21:9 25:17 35:10,10 43:20 48:16 51:2,13 54:21 56:11,13 57:18 58:11,18 63:12,24 82:19 offense 68:12,22 offensive 113:17 office 26:4 36:17 77:12 87:25 Officer 8:9 offices 26:21 official 8:2 9:14 41:25 45:10 70:19 82:7 officially 104:18 officials 3:16 7:24 69:3 97:14 off-site 15:16 16:22 49:9 53:15 oh 87:19 115:16 119:21 120:17 okay 9:20 11:23 20:13 23:6 25:18 26:2 40:8 40:15,18 50:19 51:12 60:5 63:14 74:5 75:16 78:4 87:17 102:8 110:18 113:19,23 114:18,19 114:23 115:13 116:12 old 115:20 once 64:11 65:19 117:5 one 8:1 12:2,24 14:11 15:5,7 16:13 18:14 21:16,18 23:18,20 25:22 26:2 27:1 30:8 31:2 36:3 39:10,19 40:14 42:15 43:15</p>

A102ED2
TRANSCRIPT OF PROCEEDINGS **APRIL 17, 2007**

<p>43:22,23,23 44:5,10 45:5,7 46:1 48:6 50:1 54:24 55:6 57:17 58:22 60:3 61:25 62:10 63:4 64:17 68:15 70:11 70:13 71:8 73:3 75:13,17 77:1,4,4,6 77:21 82:11,15 86:15,16 89:20 90:12 91:1 100:14 107:22 108:22 112:21,21,25 113:5 117:15 118:7 120:5 120:25 122:20 ones 27:2 46:13 59:17 87:22 88:17 One's 112:24 online 12:21 70:10 74:12 only 20:8 22:15 27:13 28:16 34:24,25 37:15 42:2 44:10 45:7 49:23 54:25 55:19 58:22 59:19 59:19 68:1 88:23 97:14 98:7 103:25 104:17 105:2,8 111:10 115:6,16 118:20 119:18 121:2 121:17 onto 31:18 53:12,13 on-site 19:17 open 24:16 99:16 120:2 opened 24:20 52:10 87:1 operate 53:13 operated 52:6 operating 23:1 operation 22:24 41:12 55:20 operations 15:21 17:18 23:12 50:2 52:12 54:3,9 opportunity 10:18 12:18 25:2,9,11 32:23 79:25 81:5,9 93:4,6,6 110:23 118:15 opposed 17:19 option 17:14,23 options 16:20 97:16 orchards 30:23 order 42:5 98:19 ordinary 120:22 organization 6:19 40:24 52:5 organizations 97:19 115:22 original 49:24 originals 50:5 other 12:1 13:10 17:9 19:17,20 21:7 23:12 25:1 27:14 30:3 32:21 37:1,7 38:2 43:3 46:13 47:24 53:15 54:10,11 56:7 67:7 69:11 75:19 76:18 80:6 82:11</p>	<p>84:24 92:23 98:8 104:2 111:2 116:2 116:24 122:13 others 19:21 36:19 121:11 ounce 32:17 ourselves 18:13 out 7:10,16 8:11,12 13:6,7 14:12,12 15:3 18:21,23,24 20:16 22:13 23:5 24:2 25:19 27:5 31:23 32:1 34:9 36:7,10 39:24 40:5,24 41:2 42:14 44:12 45:22 47:4 53:14 56:4,14 71:3 73:20 79:14 85:2,18 87:20,20 88:7 92:9 94:12,19 98:18 100:7 101:12 103:14,15 104:6 105:12 109:25,25 116:18 121:14 outline 50:23 outside 98:20 101:11 over 6:25 9:6 13:12 16:12 17:17 18:8 20:14 21:4 23:22 26:25 28:1,6,10,17 28:23,23 31:16 33:13 34:15 36:15 36:17 38:25 41:14 44:4 47:5,13 55:22 56:3 59:8 75:21 76:25,25 84:5 101:23,25 111:1 114:2,4 118:4,17 122:12 overseen 52:14 oversight 32:23,25 33:22,24 38:13 113:25 overview 6:15 8:25 9:6 own 21:10 29:11 30:24 30:25 31:12 34:20 48:13 61:24,24 64:22 75:17 115:22 115:23 117:13 owned 20:9 o'clock 100:8</p>	<p>64:22 93:18 106:7 106:20 108:25 109:1 111:16 112:8 114:14 participate 99:18 participation 12:18 32:24 particular 10:8 13:11 44:6 80:20 104:8 particularly 84:11 part's 116:21 pass 45:3 past 7:11 14:1 23:12 27:2 42:10,15 61:21 63:8 96:16 pasture 58:3 Paul 21:6 paved 15:5 pay 86:6 paying 90:21 peak 24:7 people 20:25 21:17 22:19 23:1 25:7,20 26:18 27:3,5 31:17 37:1 42:25 43:6,9 44:2,22 45:16,17,20 46:9 62:23 63:2,5,6 63:6 68:21,22 69:11 72:19 73:19,22,22 73:25 74:2,3,4 75:5 75:23 76:22 77:1 86:5,6 88:5,14 89:3 90:18 92:12,21 93:14 100:23 104:14 105:9 110:6,21 111:3,7 113:9,10 117:6,13 120:1,16 121:4,7,9 122:3 per 91:24 96:24 perceive 122:6 percent 56:16 112:1,4 112:9 perchlorate 99:5 perfectly 44:18 performing 19:15 perhaps 45:20 54:1 period 9:10,10,14,16 10:19 13:11 17:19 20:22 22:24 26:9,14 28:10 36:11 49:18 71:5,6 79:19 83:17 83:20 89:1 90:1 95:23 96:19,21 111:11 112:5,6 118:23,25 120:15 period's 118:4 periphery 64:21 permissible 34:14 60:11 permission 113:4 permit 29:17 30:1 permitted 22:1,9 29:8 65:5 perryman 4:5 5:16 95:13,14,16 96:4,6 97:9 100:1 120:25 121:24 person 16:1 18:10 21:22,25 22:11 27:22 113:14 117:15 119:13</p>	<p>personal 73:11 personally 86:20 perspective 75:13 phil 3:9 5:11 8:18,18 20:15 21:4,5 45:5 49:14,16,21,23 50:4 50:7,11,18 51:11 52:2 53:1 57:11 58:8 59:15 62:13 63:20 64:1,11,20,25 65:22 66:16 68:12 71:22 87:1 88:11 101:15 107:18 108:10 112:15 114:5,8 115:9 photo 74:7,8 photograph 30:13,19 photographs 30:12 65:7 physical 100:18 physically 82:22 physicists 42:16 pick 63:18,18,24 picked 119:3 picnicking 33:20 picture 16:12 112:19 112:21 113:18 114:24 pictures 16:1 114:13 piece 67:4 pieces 34:4 piles 87:25,25 pipin 17:25 pit 30:20 43:24 44:13 65:9 68:19 pivotal 50:2 place 16:16 17:12 18:18 23:17 26:20 28:19,20 29:17 38:3 46:20,23 47:24 59:3 102:17 103:25 105:8 118:13 placed 23:11,15 31:5 places 42:7 56:11 59:19 86:23 placing 31:7 plain 116:23 plan 10:9 18:7 30:25 31:1 38:21 56:25 58:22 69:22 70:7 96:24,25 97:2,4 98:2 120:8 planned 58:12 83:2,6 planning 78:2 103:1 119:13 120:6 plans 46:16 56:22 plants 53:19 play 118:14 please 9:15 11:13 12:11 24:5,22 25:11 25:16 49:7,13,22 50:11,24 51:7 52:2 55:11 57:3,13 58:8 58:13 59:5,15 60:1 62:1 67:21 71:22 85:11 94:4,15,17 100:20 114:8 116:5 122:24 plotkin 5:9 40:20,21,21 41:8,10 45:3,14</p>	<p>66:22 plugs 19:22 plus 88:23 point 15:14 23:22 24:2 31:11 35:25 42:14 44:11 46:1 49:8 57:7 61:9 64:25 69:18 86:5 87:4 110:8,12 111:15 113:3 114:7 points 67:3,6 85:24 Policy 12:14 political 70:5 polluter 41:13 pony 48:10 population 75:7 possible 16:24 24:22 46:17 61:11,15,17 61:18,19,23 80:2 possibly 39:12,16 postcard 73:19 postcards 73:17 power 11:2,10 48:9 practicable 67:25 preclude 42:1 predecessor 55:15 preferred 12:10 17:23 20:18,20 106:3 preliminary 37:22 preparation 97:1 present 3:22 18:22 42:13 presentation 6:15,24 9:2,5,10,17 10:10 13:14 26:4 39:15 40:4 91:17 114:14 presented 92:20 presenter 92:24 presently 65:8 president 26:12 73:7 press 26:22 97:18 pressured 68:15 presume 27:22 pretend 28:8,9 pretending 41:22 pretty 7:8 8:23 25:9 41:11 59:11 87:13 111:8 118:2 prevent 60:16 99:9,12 prevention 19:22 previous 10:3 17:9 45:23 59:10 PRG 38:11 PRGs 38:8 prior 10:5 52:8 pristine 46:18,22 proactively 99:21 probability 18:23 probably 9:1 55:24 105:14 117:22 problem 27:6 34:16 38:11 44:4 47:13 48:8 90:20 94:2 108:11 problems 46:7 47:2 100:7 103:22 104:4 104:5,8 105:6,12 problem's 41:12 PROCEEDINGS 1:14 2:9 process 11:19,22 12:6</p>
---	--	--	---	--

A102ED2
TRANSCRIPT OF PROCEEDINGS **APRIL 17, 2007**

<p>12:15 20:6,17 31:20 33:10 34:7 43:18 48:3 60:2 61:12,15 62:11 66:10 69:1 70:14 71:2,15,17 84:13,14 87:24 89:6 89:16 96:15 97:25 106:20 108:25 109:2 109:3 119:5,9,25 120:5 121:20 processes 21:14 68:24 70:23 81:15,17 99:14 produce 29:1 produces 31:14 64:18 production 11:10 productive 119:9 products 55:20 98:17 profits 42:9 program 8:16 22:12 70:16,17 80:21 programming 81:12 project 8:7,17 9:24 9:25 10:8 13:20 14:10,15,17,19 18:14,15,16 19:3,16 21:9 69:25 119:12 119:14,19 projections 24:8 projects 14:1 prominent 116:2 promise 41:17 promised 24:13 promises 122:10 proper 47:4 97:18 98:19 99:6 properly 96:23 97:22 97:23 98:11,12 121:8 properties 31:1 58:17 property 31:18 42:17 42:18,21 43:1,20 47:7 proposal 37:16 66:7 propose 57:1 60:17 proposed 6:11 10:16 24:21,24 27:14,23 40:16 57:12 59:10 59:16 97:2,4 proposes 35:16 proposing 12:11,12 16:4 25:3,10 29:15 110:25 119:14 protect 76:10 protected 18:14 protecting 76:12 100:21 protection 58:4 protective 19:5 protocols 36:8 38:19 proud 14:24,25 prove 75:18 provide 6:22 7:2,5 10:18,20 25:9 67:7 67:16 72:2 89:20 91:3 93:7,8,9 108:24 119:16,22 120:5,7 120:17,21 121:20 provided 15:11 27:15 68:25 82:5 97:11</p>	<p>99:1 120:2,23 provides 12:9 32:23 64:24 providing 9:6 25:16 proximity 64:8 75:8 76:7 public 1:5 2:5 6:3,10 8:9 10:16 12:18 13:2 13:6 19:12 20:20 23:19 24:20,25 25:14,16 27:9 31:6 31:19 32:23 35:14 36:7 37:16,21 38:18 41:14,22 42:24 43:16 44:6 45:11 48:8 62:5 63:13 65:18,24 66:22 67:9 70:14,16,20,23 71:2 71:5,6,8 74:19,20,25 75:3,21 76:10,12,13 76:21 77:24 83:17 83:18 84:25 89:1,25 90:11 92:6,9 93:5,19 93:22 94:10 95:22 95:23 96:4,21 97:24 99:18 104:19 105:20 105:23,24 110:15 111:11,12,12 113:11 116:17 117:14,19,25 118:16,18,25 119:19 120:4,10,11,13,15 121:8 122:5 publicized 121:8 public's 44:17 57:9 publish 97:3,6,10,21 published 22:15 37:23 pulling 85:4 purchased 70:10 purpose 6:13 24:6,19 25:1 69:24 70:2 105:25 purposes 17:2,16 30:23 60:15 pursuant 38:17 pushed 79:21 put 30:14 31:15 32:1 65:13 73:6 86:3 87:22 113:11 118:1 118:14 putting 110:13 p.m 2:11 6:2 123:3</p>	<p>questions 7:2 9:16 25:24 26:1,7 40:10 49:5,14,18 57:18 59:2 62:6 63:16 65:19 66:20,21,25 67:1 77:23 87:11 89:23,24 90:3,7,18 91:13,14,24 92:12 93:13 96:11 101:4,4 101:9,10 102:4,17 102:17,24,25 103:4 103:5,6,9,16,19,23 104:1,10,18 106:21 107:24 108:23 109:3 116:15 118:1 120:2 quick 118:7 quit 48:10,13 quite 13:14 50:15 quote/unquote 35:3</p>	<p>reactors 53:10,11,13 53:14 54:10 55:21 read 30:4,16 41:5 64:5 73:25 112:13,13 116:19 118:3 120:11 122:7 reading 23:10 ready 16:3 20:6 real 88:24 realistic 58:10 59:3 realities 117:14 reality 69:24 70:12 71:11,14 realize 110:19 really 17:4 50:17 62:19 65:18 69:16 70:10 73:17 75:7 78:13 94:2 100:10,12 109:1,23 110:1,2,3,4 110:10,11 111:14,15 112:15 113:8,16 116:9 118:24 119:7 119:24 121:2 reason 34:8 48:18 51:6 54:1,23 71:18 72:21 104:17 110:18 121:5 reasonable 120:10,10 reasonably 60:22,25 64:12,16,22 71:25 recalculating 71:12 recall 43:4 receive 32:9 93:18 received 54:20 96:18 96:21 receiving 68:9 recently 23:8 68:17 76:13 recommendation 12:9 Recommended 119:20 record 12:20 30:7,14 31:9 33:1,7 36:20,23 42:6 50:17 63:22,22 63:25 64:10 65:18 65:20 66:12,23,24 77:24 81:24 83:16 83:25 92:23 93:8 94:16,22 96:2 106:24 recorded 6:17,20 records 30:14 31:12 Recovery 22:7 98:5 recycle 74:16,16,18 recycling 122:12 referred 11:21 96:14 refused 44:3,14 Reg 31:25 regard 122:19 regarding 77:16 99:22 regardless 73:7 91:25 regulators 35:21 36:4 regulatory 21:14 32:9 38:12 52:15,16 reiterate 63:13 93:3 relate 28:13 related 50:14 51:7 68:24 99:4 release 97:18 released 23:13 28:22 117:5 relevant 58:13</p>	<p>reliable 69:3 relocated 10:7 remain 7:9 remaining 16:6 49:24 100:17 remediation 13:25 37:23 63:8 99:4 remember 88:8 112:2 remind 65:17 120:21 removal 7:20 10:16 12:7,8,13,13 14:2 17:13,23 20:15 38:3 99:14 100:15,17,20 119:20 removals 24:9 remove 16:4,5,6 17:14 17:15,25 86:24 100:17 removed 15:24 16:14 17:25 22:9 24:12 54:11 55:2,3,5,11,22 72:15 98:23 113:25 117:20 removing 16:22 39:17 reneged 41:17 renting 74:17 rephrase 67:1 replaced 112:14 report 30:10 43:10 119:18 121:13 REPORTED 1:24 REPORTER 97:7 reporters 1:21 96:23 reports 61:24 89:14 represent 6:19 44:22 74:3 representative 8:2 26:3 77:14 representatives 3:16 8:1 77:2 80:15 representing 3:17,18 3:20 8:4 reprogram 82:19,24 83:11 84:1 reprogramming 80:10 request 81:12 84:6 98:10 requested 79:22 83:7 requests 24:18 81:9 require 17:7 60:19 64:12 required 34:12 42:11 85:22 requirement 26:16 42:3 66:23 requirements 14:13 15:18 18:2,5 19:6,17 19:20 20:11 28:25 37:11 102:10,10,11 104:25 requires 60:9,21 61:8 62:11 97:18,20 research 11:1,9,11 35:22 52:11 53:11 115:23 reserve 29:22 residencies 62:24 residential 18:2,2,6 29:3,5,6,7 37:12,24 42:1 57:19 58:1,5</p>
--	--	---	---	---

A102ED2
TRANSCRIPT OF PROCEEDINGS **APRIL 17, 2007**

<p>59:21 60:12 62:24 residents 21:3 Resource 22:6 98:4 respect 25:6,8 42:19 respond 25:5 70:21 responded 96:13 responding 63:14,15 responds 95:25 response 11:20 70:15 70:20 77:25 82:5,7,8 93:19 101:7 responses 96:2 responsibilities 50:13 responsibility 42:23 43:8 71:20 73:4,12 responsibly 46:15 rest 54:7 88:21 118:8 restriction 65:6,8,14 restrictions 33:20 65:2 65:23 117:3,4,17,18 117:20 restrictive 60:20 restrooms 7:10 result 60:10 results 31:10 36:3 retinal 75:25 88:18 retired 50:1,4 revealed 68:17 reversed 114:24 review 24:3 43:9 97:2 119:17 120:4,7,8 reviewed 20:23 119:12 reviews 95:24 revise 118:10 revisions 118:11 revolved 62:9 re-characterization 43:1 re-employment 89:11 re-issue 118:16 RFI 30:10 rhetorical 96:11 RHMF 109:7 ridiculous 86:14 right 7:11 14:7 23:6,6 25:8,15 29:23 38:9 41:10 46:12 47:23 52:1 57:5 63:19 65:24 69:13 71:6 77:5 80:16 83:5 87:10 89:5 91:9 94:18 99:25 100:1 102:7 103:3,17,23 104:16,18 106:1,19 107:1,23 110:23 112:12,22,25 114:14 116:15 118:19 119:20 122:23 right-hand 11:3 risk 18:2 28:3,18 34:10 34:12,19 35:3 37:13 39:12,13 41:20 51:14 56:24 57:11 61:3,7,8,16 62:18,21 71:4,7,9,12 72:7 119:1 risks 34:13 71:7 River 10:4 RMHF 1:3 2:3 11:15 12:12 14:3 15:13,24</p>	<p>16:5,12 17:10 20:18 21:13 22:21,22 23:6 24:1,21 30:25 31:2 34:6 35:24 36:2 45:13 51:5,25 53:2,7 53:9,11,14 54:19,21 56:2,8,10 58:22 66:7 67:16 85:11 87:16 87:18 97:18 98:4,7 98:20 99:8 100:17 100:19 109:11 110:19,22 111:25 112:8 114:4,10,16 114:18 115:14 121:3 122:19 road 69:9 87:23 Robert 92:19 rocket 10:25 Rocketdyne 35:18 40:23 41:13 42:9,11 42:20 45:6,10,16 46:19 58:19 68:9 72:17,20 122:14,16 rocketdynewatch.org 49:2 96:7 Rocketdyne's 54:6 rockets 115:24 Rockwell 30:10 50:20 52:7 68:9 rogue 85:5 roll 37:2 room 74:1 77:1,4 89:7 92:22 94:11,13,20 100:7 111:8 roughly 112:23 113:21 route 40:13 routes 39:16,19 rowe 4:3 5:13 73:14,15 73:15 RS-5 122:21 rugged 63:3 ruled 43:20 rules 9:11 22:8 24:19 29:12 64:12,15,23 run 49:1 rural 29:3,10 31:12,13 37:11,23 57:21 60:12 67:19 rush 100:11 rutherford 3:9 5:11 8:18,20 21:4 49:23 50:7,8,19,25 51:13 51:16 52:4 53:8,25 54:5,8,17 55:4,12 58:25 59:5 60:5,25 62:8,14 63:14 64:1,7 68:10 101:8,15,17 101:22 104:21 105:18 106:7,10 114:6,16,22</p>	<p>56:21 61:2 Sage 76:14 sale 72:17 salkin 4:6 5:17 100:4,5 100:5 101:3,8,20,23 102:3,8,16,19,24 103:3,8,14,19,21 104:20,24 105:5,15 105:18,22,25 106:4 106:9,14,17,22,25 107:13,23 108:4,8 108:18,21 109:1,9 109:12 110:21 111:1 111:6,14 114:7 same 21:17,18 27:6 35:12 41:11 59:17 60:6,12 72:19 78:1 112:2 118:3 122:3,4 sample 18:5 35:8 samples 18:9 35:9 47:22,23,24 sampling 16:1 18:7,11 38:19,21 San 14:22 sanitary 22:23 Santa 8:15 10:23 13:24 14:8,24 21:8 30:11 52:7 54:18 60:15 88:9 109:5 satisfactory 88:3 satisfy 41:4 59:13 88:14 119:5,6 120:15 Savannah 10:4 save 70:7 112:10 saying 27:18 28:24 36:6 64:6 76:25 93:24 100:12 110:11 112:9 113:7 118:9 118:12,12 120:1 says 27:24 28:3 29:11 33:11,13,14,18,18 33:23 34:22 36:10 58:10 60:20 61:2 65:3 73:10 75:17,19 78:1 88:11 97:5 100:14,16 scary 109:1 scenario 18:3,6 37:24 60:10,20,21,22 61:1 61:5,6 schedule 43:12 79:6 scheduling 14:14 school 14:23 115:25 scientific 87:6 scientist 86:19 Scientists 40:22 Scout 96:9 Scouts 76:18 seats 6:7,8 second 7:20 26:2 27:3 28:21 34:7 41:17 42:22 64:25 69:13 90:13,23 92:5,19,20 92:22 secondly 29:21 62:8 section 74:10,14,18,21 74:22 97:12,15 100:15 116:19 see 7:12 11:3 15:6</p>	<p>25:22 27:5 34:10 37:21 38:12,18 43:10 44:1 51:21 65:5 68:4 74:1 75:6 75:20,20,22,23,25 88:21 92:17 95:25 99:21 113:15 121:17 seems 105:4 109:18 seen 54:2 74:19 96:16 segmenting 33:25 38:15 segregate 20:7 selected 42:25 100:16 selection 43:7 Senate 64:1 87:15 senator 3:17 77:12,25 82:6 send 88:9 95:5 sense 55:13,13 87:5,6 87:7 88:24 89:12,13 110:1 119:25 sent 20:8,12 32:7 54:13,14 55:22 73:19 separate 34:9 September 78:3,10,19 79:7,19 83:5 serious 108:12 Seriously 105:5 111:19 server 41:1 services 97:16 session 26:15 104:19 set 22:7 30:7 49:18 59:7 sets 24:11 seven 15:10 several 11:17 21:5 22:15 42:15 49:2,5 53:10 56:4 64:16 SFSL 11:2 sham 27:11 36:12 44:19 sheet 33:21 Sheila 76:21 77:2 shell 5:9 27:11 40:20 40:21 48:21 shielding 15:12 ship 56:11 shipment 16:3 49:10 shipments 20:10 shipped 53:15 54:20 56:14 87:20 98:9 shipping 56:4 87:20 shirt 55:7 shoot 34:23 58:11 shoots 58:19 short 41:6 42:2 44:5 80:11 shortened 91:16 show 24:6 30:15 31:12 42:6 112:17 showed 45:8 65:7 showing 105:6 shown 63:8,11 shows 11:15 48:10 98:6 sic 30:10 64:8 99:16 side 11:3 75:13,19 signatory 82:8 signed 33:10</p>	<p>significant 42:19 sign-off 33:3,8 simi 1:15 2:10 3:20 6:1 8:5 21:4 23:20 73:24 76:2,3 115:20 116:2 116:8 similar 26:14 similarly 30:20 simple 8:24 105:7 simply 28:14 42:7 45:25 46:15 65:15 sin 34:11 since 10:1 38:14 49:15 49:24 50:14 52:23 56:5 74:25 97:13 110:10 114:13 116:16 single 28:15 42:17 91:12 singular 70:20 sir 85:12 104:8 113:12 sit 36:25 91:21 104:9,9 site 9:24 10:1,1,4,23 11:5,8 24:7,8,12 31:8,12 33:16 35:20 35:22 38:6 39:2,4,24 41:25 46:16 50:3 54:21 55:23 56:11 56:21 62:23,24 63:3 63:3 64:9 72:4 73:23 75:4,9 78:3 91:8 94:25 98:9,20 99:3,4 99:11,23 100:6 106:10 107:4,5,7,9 107:10,12,14 108:1 108:3,5,9,10 109:14 109:15,16 111:23 112:2,5 116:5,7,15 sites 20:9 32:19,19 41:18 54:4 70:1 80:7 81:6 84:11,12 site's 108:7 sitting 91:4,10 116:19 size 15:6 74:23 sleep 73:8 117:8 Slick 89:13 slide 8:23 10:11,22 11:4,13,14,14 12:11 24:5 smyth 3:4 5:4 6:5,6 7:6 8:4,12,21 24:17 26:2 26:9 35:24 36:25 37:8,18 38:1,9,12,18 39:5 40:8,11 41:7 45:2,12 48:21 49:17 49:20 51:5,12,19,24 53:1 55:8 57:4,10,21 58:6,14 60:24 62:2,6 63:12,15,21 65:24 66:3,6,11,17,25 67:10,20,22 69:13 71:23 72:2,10 77:7 78:5,22 82:3,13 83:16,20 84:19 85:11,20 87:16 89:9 89:19,25 90:5,23 92:5,8,13 93:3 94:9 95:18 99:25 100:3 101:1,6 102:1,7 103:17,20 104:17,22</p>
--	--	---	--	--

A102ED2
TRANSCRIPT OF PROCEEDINGS **APRIL 17, 2007**

105:13,17,20,23 106:3,13,15,20,24 107:11,21 108:2,6 109:6,11 110:18,23 111:9,19 112:6 113:19 114:10 115:1 115:13 116:12 118:19 119:10 120:20 121:23,25 122:18,22,24 123:2	51:25 52:4,6,10,19 52:21 53:2 sounds 105:14 sources 49:11 53:5,5 54:2 South 10:4,6 Southern 40:22 Soviet 28:7 space 11:11 speak 6:21 7:3 9:11 23:23 36:21 70:25 100:12 speaker 5:3 6:5 9:19 13:16 23:24 26:10 39:8 40:20 45:23 48:23 50:7 72:11 73:14 77:9 85:9 95:13 100:4 111:20 115:18 116:13 speakers 6:25 speaking 85:19 118:3 special 15:18 specific 55:13 specifically 11:4 43:5 56:2 84:9 specified 38:4 spend 20:1 24:14 42:10 48:7,8 110:13 111:4 115:17 spending 46:24 81:7 spent 10:3 34:2 69:6 84:12 spokesperson 14:16 SSFL 42:6 58:19 77:5 98:18 SSFL's 98:24 SSFL/ETEC 98:8 staging 53:9 54:21 56:6 stand 101:11 102:5 standard 29:6,13 31:24 38:23 41:19 46:17 standards 27:23 28:13 28:15 29:5 31:22 33:17 41:18 42:13 46:2,5,13 57:12 58:5 59:6,6,9,22 62:25 72:5,25 73:7 100:20 standing 90:17 92:15 100:10 101:10 103:15 105:10 107:1 107:19 Star 13:4 start 7:24 9:5,14 10:10 15:1 18:24 19:14 50:11,12 51:19 72:3 86:10 118:17 started 6:7 22:4 25:19 50:20 51:2,13,17,18 52:20 55:14 88:7 95:22 starting 85:24 state 23:20 69:3 87:15 97:13 119:14 stated 15:21 92:5 113:24 statement 34:1,3 41:6 56:18 57:3,5 58:25 64:6,20 67:14 72:4	82:11 120:6 statements 44:3 56:23 60:7 62:7 64:1,11 states 97:1,9,20 98:3 109:21 116:3 stay 58:2 100:9 staying 90:20 steam 48:16 stenographer 6:17 stenographer's 121:13 step 22:20 57:2 60:2 75:16 stepped 8:11,12 75:12 steps 61:12,13 62:11 67:12 Steve 49:25 still 10:12 27:1 38:15 47:19 84:4 88:8,10 91:20 93:21 94:21 108:9 111:10 121:12 122:15,17 stood 90:6 92:11 stop 36:19 storage 15:10,12 22:3 53:17,18,19,20 store 22:4 53:11 98:5 stored 53:14 54:19 storm 19:22 story 44:5 Strategies 70:13 streamline 66:10 70:14 streamlined 70:21 97:25 studied 87:18 studies 23:14 75:18 105:6 study 64:3,6,7 75:6 86:8 88:13 116:5 stuff 17:25 46:1 50:3 58:2 69:16 86:1 110:9 stuff's 31:11 subject 34:6 44:6 submission 34:5 submit 90:11 submitted 20:22 Substance 24:4 Substances 12:17 34:7 suburban 29:6 subvert 29:2 sub-surface 16:7 sue 4:4 5:15 85:9,10 85:20 87:16 89:19 120:20 suggest 89:7 suggested 37:8 38:2 67:10,11 suggesting 56:23 57:8 100:9 suggestion 85:15 95:19 105:13 suit 66:24 suitable 89:17 sujata 3:8 5:6 8:16 9:4 9:6 13:16,17,20 55:8 Summary 98:3,10 superfund 41:18 supervise 43:6 supervisor 3:19 8:4	96:8 Supervisors 49:3 support 97:2 suppose 71:15 supposed 26:19,24 27:7,10 65:3 93:18 108:15,18,21,22 sure 7:4 19:8,11 21:9 37:2 39:20 40:11 41:4 43:14 45:2,6 50:19 58:14 66:12 66:13 72:21 92:21 94:16 95:18 109:6 surely 59:1 surrounding 99:13 116:8 survey 18:23 101:5 surveying 100:24 101:14,16,18,18,25 102:6,11 104:24,25 surveys 101:24 survival 116:10 survivor 116:1,4 Susana 8:15 10:23 13:24 14:8,24 21:8 30:11 39:10 52:7 54:18 60:15 109:5 Susanna 39:14 switch 64:25 65:11 switching 82:10 systematic 89:12,13 systems 11:13	Technology 8:8 teeth 85:4 television 73:5 tell 13:22 14:18 18:20 28:4,5,12 29:5 32:3 32:5,21 33:2 34:13 34:16 36:13 49:11 55:3 65:13,22 70:22 81:16,22 91:8 106:1 110:21,24 telling 27:19 85:3,7 87:8 107:2 tells 75:6 85:4 temperature 35:9 temporarily 54:19 ten 14:1 70:6,8 terms 26:17 55:17 67:24 71:4 76:16 terribly 84:20,20 test 10:25 43:23 45:19 56:11 62:3 86:2 testament 121:1 tested 72:18,22 98:22 115:24 testified 76:23 testing 11:12 44:12 45:21 68:8 69:2 72:6 99:4 tests 98:18 text 71:10,13 textbooks 70:11 thank 8:21 13:17,19,19 13:19 14:4 40:18 48:20 50:8,17 51:11 60:2 62:15,15 72:9 72:10 73:13 77:6,7 78:4 84:19 89:9,18 89:19 94:5 99:24 100:3 113:12 116:11 119:10 120:19 121:24,25 123:2,2 Thanks 24:17 39:5 48:21 78:5 112:16 120:20 121:23 their 6:7 9:17 25:17,20 28:19,23 30:24,25 31:12 34:16,20 37:7 53:2 68:16 75:17 81:7,7 84:12 86:6 92:12 117:9 119:3 121:21 themselves 21:4 thing 12:24 13:10 16:11,23 17:12 18:21 22:9 25:22 28:21 40:3 42:22 44:16,19 45:15 49:10 60:13 74:9,15 74:24 75:17 77:21 87:5 88:24 91:1 109:18,19 118:16,17 118:24 119:2 120:25 122:12,20 things 10:22 14:14,14 15:13 17:15 18:17 19:3 21:15,16 23:25 24:2 25:1 27:6 34:9 39:15 41:5 42:15 43:3 47:20 48:14 54:24 61:21 70:5
--	---	---	--	--

A102ED2
TRANSCRIPT OF PROCEEDINGS **APRIL 17, 2007**

75:1 79:1 83:5 91:17 93:17 100:14 110:14 110:19 114:20 118:8 118:22 119:1 think 17:20 28:14 30:5 32:8 37:3 41:4 46:14 47:25 49:19 60:6 65:19,21 80:15 84:17 85:3,8 88:8,25 93:25 94:2 113:9 116:23 117:3,25 119:4 121:1 third 62:16 122:21 Thirdly 62:12 thirty 72:8 Thirty-day 71:8 thomas 3:12 5:5 8:8 9:5,8,18,19,23,25 13:20 15:3 23:23,24 24:17 33:2 49:20 66:18 95:3,4 103:9 thompson 5:12 72:12 72:13,14 122:1,1,20 122:23 123:1 thorough 47:1 though 29:19 34:19 51:24 98:15 121:13 thought 14:17 43:11 51:16 54:24 66:19 73:18 76:2,4 87:3,3 122:10 Thousand 14:23 three 21:17 22:19 40:12 55:25 59:4 93:16 95:20,21 100:11 106:10 through 9:17 20:3,6,7 21:17,19,22,25 22:11,13,20 37:3 47:12 53:7 54:19 65:20 79:25 84:13 85:17 86:15 117:10 121:16 throughout 14:1 throwing 47:15 thrown 121:9 Thursday 102:20,22,23 102:25 103:10 thyroid 72:15,15 75:23 116:1 time 9:22 10:9 12:24 13:2,13,15 14:4 15:22 17:19 21:2,18 21:19 23:2 24:10,14 24:15,16 25:6,19 32:13 42:17 43:2,6 45:5 48:10,12 52:24 60:7 65:18 68:5,13 70:7,23 72:24,25 73:16 77:6,13 79:14 79:16,19 82:7 83:18 85:14 88:3 89:4,16 89:20,23 90:11,15 91:7,18 92:18 94:6 94:10 96:20 99:17 99:18 100:10 101:3 110:5 113:22 115:17 117:11 118:4 120:10 121:20 timeline 12:19	times 11:17 13:1,3 21:5 29:7,13,16,17 29:22,24,24,25 31:16,16 42:17 74:10,11,12,15 tiny 74:9,9,14,23,24 title 30:16 today 21:20 27:7 33:12 42:11 64:10 65:3 68:5 77:24 90:9 110:6 111:24 121:1 together 32:16 109:23 told 24:10 28:21 31:21 34:6 43:1 65:1 89:23 90:2 91:18 92:3 93:15 101:8,11 102:16 103:24 104:11,20 106:22 107:1 109:2 112:4 tom 3:6 8:14 120:23 tonight 6:13 7:7 9:21 10:18 13:8 25:14 41:7 88:25 93:6 118:2 tonight's 6:13 top 49:6 56:13 75:15 86:17 topics 82:10 total 29:16 34:10 toxic 12:17 24:4 34:7 42:12 86:15 toxicity 45:21 traffic 112:11 transcriber 64:10 TRANSCRIPT 1:14,17 2:9 transfer 80:8 translate 109:6 transportation 19:7,24 19:25 20:10,14 40:13 treat 98:5 trees 117:6 trichloroethylene 99:6 tried 66:20 74:11 91:17 91:19 tritium 98:22,23 trouble 10:12 trucked 47:3 truckloads 40:5 46:6 46:25 trucks 46:8 99:16 true 34:19 47:10 114:4 truly 25:2 69:15 trust 69:4 trusted 68:23 trusts 36:3 truth 32:10 36:13 85:7 try 13:1,17 36:15 51:19 60:5 85:2 99:19 100:11 107:14 109:24 111:16 trying 58:15 75:12,16 77:22,22,23,23 79:2 80:1,4,8,16,18,20 84:6,25 91:15,19 104:4,7,8,22 105:1 107:16,21 108:12 114:11,13 115:1 122:5	Tuesday 2:11 turn 6:8 13:12 23:22 25:17 32:1 66:5 90:18 99:25 102:7 turns 22:13 31:22 two 7:12 8:1 9:16 16:19 24:11 27:13 32:15 35:20 38:14 61:22 77:5 80:15 93:17 112:23 113:13 114:2,7,13 115:5,6 115:16 types 14:14 U ultimate 57:7 Um 53:25 unbelievably 113:16 under 22:6,9,14 24:3 29:11,12 38:15 52:16 58:18 59:16 64:23 66:15 67:12 68:14,16,19 69:19 70:12 71:16 86:8 98:4 undergoing 56:3 68:24 68:24 underlying 56:25 underneath 15:9,9 88:22 understand 18:15 36:21,23 37:2 38:3 57:4 58:14 63:15 75:14 86:12 87:1 99:19 106:17,18 109:10 112:7 113:16 114:12,13 115:11 122:6,8 understanding 55:1 underwood 3:14 8:13 under-spending 84:12 undescribed 65:14 undeveloped 31:2 undo 36:17 unfortunately 31:4 100:6 unhappiness 122:4 uninterrupted 9:17 unit 22:1,10,14,17 United 109:21 116:3 University 64:3 unless 66:18 unlicensed 32:19 unlike 53:18 unreasonable 88:10 unrestricted 28:22,23 28:24 29:19,20 34:19 42:3 57:25 65:4,12 100:21 117:5 unsafe 33:23 unseemly 36:18 until 9:16 10:8 20:21 71:7,9 79:9,20 100:8,9 120:15,15 update 121:19 updated 23:8 ups 59:10 68:16 70:9 upside 115:3 use 11:10,13 21:16	28:23,24 29:1,9,11 29:18,20 31:2,13,14 34:19 37:12 38:9 41:18 42:3 45:22 47:5,6 48:9 58:15 59:17 60:1,2,9,10,19 60:20,21,21,22 61:1 61:4,5,6,22 64:12,13 64:15,17,21,23,23 65:2,4,5,12,14 67:22 67:23 68:19 76:17 100:21 117:5 122:24 122:25 used 11:7,18 12:7 15:10,13 16:11 30:22 43:16 52:4,11 53:9,11,18 55:16 56:6,8 60:15 96:7 97:15 119:1,11 using 18:11 29:18 33:16 34:18,25 60:17 61:9,11 62:24 Usually 81:1 utilities 16:8 utilize 81:8 utilized 98:18,20,23 99:9 U.S 20:10 98:1 V valley 1:15 2:10 3:20 6:1 8:5 14:22 21:4 23:20 73:24 76:2,3 115:20 116:2,8 valuable 73:2,2,3 value 47:10,11 values 48:5 vapors 117:10 variety 54:4 various 54:2 56:3 76:22 vault 16:7 vaults 15:10 53:16 vegetable 30:23 vegetation 35:8,9,11 vehement 41:14 ventura 3:18 13:4 49:3 96:8 119:12 verbal 6:15,15 verification 101:18 versus 57:15 112:3,21 114:12 very 13:19 14:24,24 17:6,14,14 21:9 30:9 39:22,23 44:12 47:1 48:20 50:2 71:21 72:9 73:2 75:10 78:1 85:13 87:14 99:24 102:4 105:7 114:1 118:20 via 6:23 120:22 view 16:12 59:3 violated 26:15 27:17 violates 33:15 violation 42:3 visiting 23:18 vista 2:10 6:1 voice 88:6 volume 10:13 31:9 vote 28:8 84:2	vu 26:25 122:11 W wait 89:22,22,22,24 105:11 Waite 21:6 waited 101:3 waiting 89:23 94:3 100:10 waive 25:14 walk 46:14,16 102:5 walked 26:18 wall 7:10 walsh 4:7 5:18 111:20 111:21,21 112:7 113:3,20 114:11,18 114:23 115:3,15 want 6:21 7:3,14,14 9:13 20:11 24:2 25:1 25:15,25 26:2 28:9 28:14 33:7,19 36:12 37:1 38:4 39:3 40:15 45:2 58:14 63:23 65:17 66:10 72:24 75:20,20,22,23,25 76:9,10 77:21 79:3 84:14 90:5 91:20,20 93:21,23 94:9,15,15 95:18 96:19 104:5,9 108:14 109:23 110:24 111:6,16 118:19 wanted 24:6 51:22 55:1 76:3 83:10 94:16 115:25 wants 25:4 26:7 30:15 66:18 washing 35:8 Washington 81:23 wasn't 33:19 44:10 waste 15:20,24 16:2 19:2 20:9,15 22:2,4 22:5,17 32:6,9,12,15 32:18,20 38:5,6,22 40:2,6 49:9 51:10 53:6 54:15 55:2,3,4 55:10 56:4,7,9,14 wastes 19:24,25 20:5 20:7,8,12 98:6 waste's 19:1 watch 112:16 watching 71:19 101:23 101:25 109:17 water 7:9 16:8 19:22 35:13 47:13,14,16 53:19 60:18 69:7 73:6 watering 68:3 way 2:10 7:6 11:22 25:19,21 27:13,18 27:19 35:12 37:7 44:12 46:11,11,21 47:22 48:6 49:23 53:2 54:15 55:25 58:21 67:8 76:4 82:11 87:19 88:4 89:5,6,12 95:22 106:20 112:15 113:12 116:6 117:1 117:11 119:8,9,18
--	---	---	--	--

A102ED2
TRANSCRIPT OF PROCEEDINGS **APRIL 17, 2007**

<p>120:10 website 23:8 26:20 29:11 49:1 70:12 94:24 95:17 96:6,25 week 95:24 weeks 26:13 121:14 Welcome 6:10 well 10:21 12:18 13:1 13:18 14:25 18:11 18:17 19:13,18 21:7 21:9,10,12 23:15 32:24 33:5 34:22 36:6 42:10,20 43:13 44:5 47:9,12 49:4 52:12 54:23 62:3,10 75:15 79:24 85:23 87:2 93:9 94:24 120:18 went 27:6 44:2 47:12 65:20 72:17 73:22 73:22 74:11 were 15:10 23:1 24:1 24:10,14 26:13,18 26:19,24 27:22 31:7 35:8,20 37:4 39:19 39:19 43:1,18,20 45:9 46:2,3 48:12 49:12 50:13 51:8,24 52:7,8 53:2,5,5,6,16 53:17,20,23,23 54:20,20 56:7 64:4 65:21 68:12,17 72:20 77:13,22 78:11 82:4 87:12,19 87:20,22,22 91:18 93:22 96:20,23 98:17,20 102:19 107:25 112:9,10 weren't 43:19,21 121:4 West 73:19,24 116:8 we'll 6:18 9:9,13 15:18 16:5,6,7 18:5 19:18 24:16 36:7,10 46:8 61:22 62:4,5 65:24 94:13,17 101:17 we're 6:7 10:12,15,15 11:4 12:12 13:8,13 15:21 16:4 19:1,2,4 19:19 20:3,17 21:8 24:9 33:18,23 34:6 47:8 56:1,15 62:18 62:24 63:16 70:5 72:7 77:22 82:10 84:21 91:15,19 93:24 96:4 102:13 103:14 104:22 108:19 112:19 117:17 118:9 119:23 120:12 122:10,12,17 we've 23:12 33:21 47:5 47:13 56:4 65:16 71:3 75:19 79:17 80:15 89:15 91:7,7 91:19 whale 48:6 Whichever 25:21 while 6:7 10:19 65:10 68:10 73:1 94:18 104:10 116:19 whole 22:9 44:18</p>	<p>45:15 46:20 50:17 73:24 76:15 87:5 109:17 115:25 118:16,17 122:12 wildest 109:19 willing 48:7 108:19 wind 85:14 winking 71:19 wish 25:12 110:5 witch's 40:1 withheld 68:18 withhold 68:23 WITNESS 37:20 woman 89:3 women 7:11 wonderful 67:2 118:24 Woodland 23:20 Woolsey 72:14 87:23 word 28:23 36:24 122:15 words 106:4 work 14:10,12 16:24 18:6 21:7 43:12 48:11 49:21 52:15 52:17 54:16 74:3 79:1 82:23 96:7 102:20 108:3 worked 14:24 49:2,15 50:21 52:19,19,21 77:24 worker 19:22 113:6 workers 21:1,2 35:20 99:11 working 50:12,20 51:17 52:20 55:14 68:11 103:12 107:21 115:7,9 works 95:10,23 106:21 worn 87:13 worried 88:12 worry 88:12 worst 88:18 109:20 wouldn't 42:21 90:4 117:8 120:1 wow 70:16,21 73:18 113:16 wrap 9:8 write 7:3 71:8 85:18 writes 70:7 writing 20:21 written 6:14,14,22 10:20 89:21 93:7,9 116:21 117:23 wrong 29:18 33:17 34:18 38:9 39:23 42:18 47:6,16 88:4 wrote 40:24 41:2 77:25 118:1 119:3 www.depo.com 1:22</p> <p style="text-align: center;">X</p> <p>X 5:1</p> <p style="text-align: center;">Y</p> <p>yards 40:4,15 46:3 Yeah 111:6 year 10:2 13:24 39:13 50:4 79:18,21,23,25 81:5,8 82:19,21,23</p>	<p>83:1,3 84:2 112:12 122:2,16,16 years 10:3,5 14:1 17:17 22:15 41:23 42:10 46:10 47:5,14 47:18 48:18 49:2 55:22 56:4,5 58:11 59:4 68:15 88:7 96:10 106:11 112:24 115:20,20 117:8,12 117:22,23 yell 86:21 Yep 85:20 yesterday 64:1,14 76:6 87:13 112:16 youth 76:17,18 you-know-what 87:8</p> <p style="text-align: center;">Z</p> <p>zoned 29:12 31:12 zoning 29:8,10 64:21</p> <p style="text-align: center;">\$</p> <p>\$13,000,000 17:19 79:13 \$30,000,000 17:17 \$50 111:4</p> <p style="text-align: center;">0</p> <p>07 84:8 08 78:10,19 79:7,10,20 79:20 83:5,6,7 84:2 84:5,6 09 79:21</p> <p style="text-align: center;">1</p> <p>1 34:20,20,23 37:12 57:2 61:8,8,11,16 62:18,20 67:7 70:14 112:1,4,9 1st 69:21 70:5 79:18 1,000 61:8 63:5,6 1,000,000 34:23 1.4 112:10 1.7 111:22 1.86 31:25 10 15:3 28:2,3 34:17,18 37:13,17 41:18,19 45:22 46:4 59:10,12 59:12,13 61:9,10,24 61:25 63:6,7,10,10 75:8 83:17 88:6 111:10 120:14 10,000 29:16,24,25 34:20 62:20 100 5:17 29:7,13,17,22 29:23,24,24 31:16 31:16 34:20 41:20 100,000 46:5 55:25 100,000,000 55:18,25 56:15 101 5:11 106 5:11 108 5:5 11 10:5 100:8 111 5:18 114 5:11 115 5:19 116 5:20</p>	<p>118 5:7,10 119 5:15 12 117:22 120 5:16 122 5:12 13 5:6 13,000,000 83:6,11 15 10:3 56:5 117:22 16 13:24 16-year-old 71:15 17 1:16 2:11 6:2 18 41:23 48:18 117:12 1947 10:24 1958 15:4 22:24 1960 52:10 1961 22:24 1978 22:25 50:21 1984 52:13 1990 52:20 55:15 1995 12:14 68:10</p> <p style="text-align: center;">2</p> <p>2 86:17 90:12 93:18 98:3 2,850 10:23 2-1 31:1 98:13,14 2.0 100:15 20 9:1 90:6 106:11 200 63:3,4 113:24 2001 69:20,22 70:5 2003 33:14 2006 31:1 2007 1:16,17 2:12 6:2 2008 78:3 21 96:10 21st 113:21 22 15:8 53:17 23 1:17 5:4 23rd 12:21 118:2 24 5:5 62:9 91:24 95:12 95:24 97:22 114:17 26 5:7 26th 12:22 27 14:9 288-3376 1:22 29 13:3,4 290 11:6</p> <p style="text-align: center;">3</p> <p>3 55:24 56:15 85:23 120:12 30 9:1 17:17 20:21 71:7 94:13 115:20 30th 13:8,12 118:4 30-day 118:25 300 63:3 31st 13:5 32 72:17 115:20 39 5:8</p> <p style="text-align: center;">4</p> <p>4 28:3 31:4 34:17 41:19 59:13 63:6,7 114:18 120:12 40 5:9 68:15 4022 16:8 4024 26:15 27:4 93:22 111:25 114:4 118:24 121:3</p>	<p>45 120:11 4500 13:7 73:22 48 5:10</p> <p style="text-align: center;">5</p> <p>5 29:10 37:18 57:19 63:10 67:19 75:8 5th 76:22 5,000 46:3 50 5:11 30:13 74:1 51 30:13,18 52 15:9 30:13,21 59 18:9,10</p> <p style="text-align: center;">6</p> <p>6 5:4 28:3 34:18 37:13 37:17 41:19 45:22 46:5 59:11,13 61:9 61:11,24 62:1 63:11 6:31 2:11 6:2 60 5:11 120:11 63 5:7 66 5:10 6951 1:24 2:12</p> <p style="text-align: center;">7</p> <p>70s 49:25 72 5:12 73 5:13 77 5:5,14 78 5:7</p> <p style="text-align: center;">8</p> <p>8:30 92:8 800 1:22 85 5:15 886 30:17,20</p> <p style="text-align: center;">9</p> <p>9 34:25 37:15 85:23 9:17 123:3 90 11:6 90-minute 9:9 93 5:10 94 30:11 95 5:16 99.99 56:15 999 2:10</p>
---	--	--	---	---