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**NOTICE OF APPEARANCE**

In the Matter of U.S. Army (Jefferson Proving Ground Site)

Docket No. 40-8838-MLA

ASLBP No. 00-776-04-MLA

'00 MAR 20 P 3:41

Richard Hill, President Save the Valley, Inc., hereby advises that he is appearing on behalf of the members listed below. You will find enclosed with this Notice affidavits of two of those members that include their consent for this representation. A third affidavit enclosed is from the president, Richard Hill, representing himself. The other three members listed have verbally expressed their interest and standing in the matter, but have not submitted affidavits at this time.

Signature of president: Richard Hill  
Date: 3/9/2000

REPRESENTATIVE: Richard Hill, President Save the Valley, Inc.

HOME ADDRESS: 3800 W. H&H Rustic Lane  
Madison, IN 47250

HOME PHONE: (812) 273-6015

ORGANIZATION ADDRESS: PO Box 813  
Madison, IN 47250

ORGANIZATION PHONE: (812) 265-4577

**APPEARING ON BEHALF OF MEMBERS OF SAVE THE VALLEY, INCLUDING:**

Robert Rosenthal  
5934 W Woodspirit Way  
Dupont, IN 47231  
(812) 873-6037

Mary Clashman  
801 Filmore St.  
Madison, IN 47250  
(812) 265-2088

Vicki Jenkins  
5934 W Woodspirit Way  
Dupont, IN 47231  
(812) 873-6037

Jae Breitweiser  
7714 Tree Farm Ln.  
Madison, IN 47250  
(812) 866-2795

Richard Hill  
3800 W H&H Rustic Lane  
Madison, IN 47250  
(812) 273-6015

Michael L. Bowen  
5900 N 800 W  
Madison, IN 47250  
(812) 866-2588

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STATE OF INDIANA                    )  
  ) SS:  
COUNTY OF JEFFERSON                )

**AFFIDAVIT**

Comes the Affiant, Richard Hill, under oath and of legal age, and states:

1. I am Richard Hill and I live at 3800 W. H & H Rustic Lane, Madison, Indiana 47250.
2. I am a member of Save The Valley, Inc., whose address is P.O. Box 813, Madison, Indiana 47250.
3. I live approximately five (5) miles from the Jefferson Proving Ground.
4. I have concerns about the decommissioning plan for the DU area. These concerns include the vagueness of the planned extent of the cleanup, the vagueness of the plan for future monitoring of the DU area and areas downstream, and the vagueness of the planned procedures that will be employed to ensure that the DU area remains restricted.
5. To be more specific, in part 5.0 Completing the Decommissioning, it is stated that " . . . collection of DU fragments deposited in the soil surface would be a cost effective means to keep the exposure of humans and animals to residual radiation as low as reasonably achievable." However, it is not clear that such a collection is actually the option that will be pursued. Further, a plan should be in place to periodically reevaluate the area for further cleanup if additional DU should migrate to the surface due to freeze/thaw effects, erosion, or other means.
6. Part 5.0 also states that " . . . continued environmental monitoring of soil concentrations, groundwater, surface water, and possibly plants and animals will provide the data to show the

potential doses delivered to site users, people who use water downstream from the impact area, and animals living in the impact area". However, I do not find in the plan any assurance as to how often and for how long monitoring would be implemented.

7. I agree that the DU area should be considered for restricted use only. However, more details are needed as to how this will be accomplished.

8. Another concern involves my use of Big Creek as a recreational area. I periodically fish in Big Creek on sections downstream from the DU area (outside of the boundaries of JPG). I am concerned about any potential contamination to the fish and other wildlife in and along Big Creek. These concerns include potential harm to the fish populations, as well as other wildlife.

FURTHER AFFIANT SAYETH NOT.

  
-----  
RICHARD HILL

SUBSCRIBED AND SWORN to before me, a Notary Public, this 7<sup>th</sup> day of March, 2000.

(SEAL)

  
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Nora A. Davidson, Notary Public  
County of Residence: Jefferson

My Commission Expire:  
September 6, 2006

STATE OF INDIANA                    )  
  ) SS:  
COUNTY OF JEFFERSON                )

**AFFIDAVIT**

Comes the Affiant, Dr. Robert J. Rosenthal, under oath and of legal age, and states:

1. I am Dr. Robert J. Rosenthal, and I live at 5935 W. Woodspirit Way, Dupont, Jefferson County, Indiana 47231.
2. I am a member of Save The Valley, Inc., whose address is P.O. Box 813, Madison, Indiana 47250.
3. I am concerned about a proposal to decommission an area of the Jefferson Proving Ground which still has large quantities of depleted uranium (DU). Like many of our neighbors adjacent to JPG, particularly those of us who live along Big Creek (which has its headwaters in the DU area), I am concerned about possible long term dangers from migrating radioactive material and other effects.
4. I own twenty-six acres which border on Big Creek less than two miles west of JPG. This has been my home for fifteen years and I plan to spend the rest of my life here. My drinking water comes from a well within 100 feet of Big Creek. I fish and swim in the creek, my dogs romp in it, and I value its abundant wildlife.
5. What I know about depleted uranium as used in weapons tested at JPG comes from attending NRC presentations related to JPG and from related reading. I know such materials degrade over time and that substantial particles can be carried by surface water and winds. Each year we experience one or two major rainstorms which raise Big Creek as much as eighteen vertical feet at our place. That is an enormous volume and force of water, capable of carrying large and heavy objects remarkable distances. I routinely find limestone slabs of well over 100 pounds dramatically relocated after such floods.

6. I believe that everyone living within range of the effects of the hazards at JPG deserves to have such hazards minimized and to be certain that their effects are carefully monitored.

7. I write as a member of Save The Valley, but know that many other neighbors share my concerns.

8. I give my consent for Save The Valley, through its president, Richard Hill, to represent my interest in requesting a hearing on the DU Decommissioning Plan for JPG.

FURTHER AFFIANT SAYETH NOT.

  
-----  
DR. ROBERT J. ROSENTHAL

SUBSCRIBED AND SWORN to before me, a Notary Public, this 8<sup>TH</sup> day of March, 2000.

(SEAL)

  
-----  
Nora A. Davidson, Notary Public  
County of Residence: Jefferson

My Commission Expire:  
September 6, 2006

STATE OF INDIANA )  
 ) SS:  
COUNTY OF JEFFERSON )

**AFFIDAVIT**

Comes the Affiant, Dr. Vicki Jenkins, under oath and of legal age, and states:

1. I am Dr. Vicki Jenkins, and I live at 5934 W. Woodspirit Way, Dupont, Jefferson County, Indiana 47231.

2. I am a member of Save The Valley, Inc., whose address is P.O. Box 813, Madison, Indiana 47250.

3. I am concerned about a proposal to decommission an area of the Jefferson Proving Ground which still has large quantities of depleted uranium (DU). Like many of our neighbors adjacent to JPG, particularly those of us who live along Big Creek (which has its headwaters in the DU area), I am concerned about possible long term dangers from migrating radioactive material and other effects.

4. I own twenty-six acres which border on Big Creek less than two miles west of JPG. This has been my home for fifteen years and I plan to spend the rest of my life here. My drinking water comes from a well within 100 feet of Big Creek. I fish and swim in the creek, my dogs romp in it, and I value its abundant wildlife.

5. What I know about depleted uranium as used in weapons tested at JPG comes from attending NRC presentations related to JPG and from related reading. I know such materials degrade over time and that substantial particles can be carried by surface water and winds. Each year we experience one or two major rainstorms which raise Big Creek as much as eighteen vertical feet at our place. That is an enormous volume and force of water, capable of carrying large and heavy objects remarkable distances. I routinely find limestone slabs of well over 100 pounds dramatically relocated after such floods.

6. I believe that everyone living within range of the effects of the hazards at JPG deserves to have such hazards minimized and to be certain that their effects are carefully monitored.

7. I write as a member of Save The Valley, but know that many other neighbors share my concerns.

8. I give my consent for Save The Valley, through its president, Richard Hill, to represent my interest in requesting a hearing on the DU Decommissioning Plan for JPG.

FURTHER AFFIANT SAYETH NOT.

*Dr. Vicki Jenkins*  
DR. VICKI JENKINS

SUBSCRIBED AND SWORN to before me, a Notary Public, this 7<sup>th</sup> day of March, 2000.

(SEAL)

*Nora A. Davidson*  
Nora A. Davidson, Notary Public  
County of Residence: Jefferson

My Commission Expire:  
September 6, 2006



# SAVE THE VALLEY

SAVE THE VALLEY, INC., P.O. BOX 813, MADISON, IN 47250  
phone & fax: (812) 265-4577; e-mail: phill@venus.net  
*Protecting the Ohio River Valley environment since 1974*

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MAR 20 P 3:41

In the Matter of

U.S. Army

Docket No. 40-8838-MLA

(Jefferson Proving Ground Site)

## CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing AFFIDAVITS OF SAVE THE VALLEY MEMBERS CONCERNS ASSOCIATED WITH THE LICENSEE'S DU DECOMMISSIONING PLAN and NOTICE OF APPEARANCE BY RICHARD HILL, PRESIDENT SAVE THE VALLEY, INC. have been served upon the following persons by U.S. mail, first class, and by facsimile, except as noted.

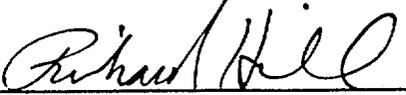
Administrative Judge  
Alan S. Rosenthal, Presiding Officer  
Atomic Safety & Licensing Board Panel  
Mail Stop - T-3 F23  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555

Administrative Judge  
Thomas D. Murphy, Spec. Asst.  
Atomic Safety & Lic. Board Panel  
Mail Stop - T-3 F23  
U.S. Nuclear Regulatory Com.  
Washington, DC 20555

Secretary  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001  
Attn: Rulemaking & Adjudications Staff

Dal M. Nett  
U.S. Army TECOM  
314 Longs Corner Road  
Aberdeen Proving Ground, MD  
21005  
(no facsimile number available)

Paul D. Cloud, JPG BRAC Env. Coordinator  
U.S. Army SBCC  
5183 Blackhawk Road  
Aberdeen Proving Ground, MD 21010-5424



Richard Hill  
President Save the Valley, Inc.

Dated 3/9/2000