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UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

**Title:** PUBLIC MEETING ON THE P DRAFT  
ENVIRONMENTAL IMPACT STATEMENT FOR  
THE PRIVATE FUEL STORAGE FACILITY

**Docket No.:** 72-22

**Location:** Salt Lake City, Utah

**Date:** Thursday, July 27, 2000

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UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

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PUBLIC MEETING ON THE P DRAFT ENVIRONMENTAL  
IMPACT STATEMENT FOR THE  
PRIVATE FUEL STORAGE FACILITY

Little America Inn  
500 South Main Street  
Salt Lake City, Utah  
Thursday, July 27, 2000

The above-entitled meeting commenced, pursuant to  
notice, at 7:00 p.m.

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## 1 PARTICIPANTS:

2 Dr. Susan Shankman, NRC

3 Mark Delligatti, NRC

4 Scott Flanders, NRC

5 Glenn Carpenter, U.S. Bureau of Land Management

6 Allen Summerfield, U.S. Surface Transportation Board

7 Gary Kently, U.S. Bureau of Indian Affairs

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

(7:00 p.m.)

1  
2  
3 DR. SHANKMAN: I would like to welcome you all. I  
4 hope you got some of our handouts. I also hope that anybody  
5 who was interested got a copy of this Draft Environmental  
6 Impact Statement. This meeting is between the U.S. Nuclear  
7 Regulatory Commission, U.S. Bureau of Indian Affairs, U.S.  
8 Bureau of Land Management, and the U.S. Surface  
9 Transportation Board.

10 We have an introduction, and we want to go over  
11 some of the elements of the Draft Environmental Impact  
12 Statement, but the Governor is here and asked if he can  
13 answer. He's on a tight schedule, so we are going to allow  
14 him to make a statement, then we will continue with the  
15 meeting.

16 But I wanted to welcome you all. I am Susan  
17 Shankman. I'm the Deputy Director of the Division of Safe  
18 Fuel Storage, Project Office, future storage and  
19 transportation of spent fuel. And with that, Governor,  
20 could you use the microphone back there because it is hooked  
21 up to the court reporter. We'll take the comments, and we  
22 have a court reporter who is recording all the comments as  
23 they are stated. Thank you.

24 GOVERNOR LEAVITT: Thank you. I want to thank the  
25 Nuclear Regulatory Commission, Bureau of Land Management,

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1 Bureau of Indian Affairs, and the Surface Transportation  
2 Board for the opportunity for the public setting in which to  
3 make our comments. I'll be commenting tonight, and a  
4 representative for the state government will also be  
5 commenting tomorrow evening in Grantsville.

6 May I suggest, the decision that you are preparing  
7 to make is one of extreme importance to the future of Utah,  
8 to the Goshutes, and to the nation as a whole. It could  
9 have significant, long-term impacts on the health and safety  
10 of Utah's citizens and of individuals who live on high level  
11 nuclear waste transportation corridors throughout the  
12 nation. Approval of this proposal would cause the  
13 unprecedented movement of massive amounts of high level  
14 nuclear waste throughout the nation, creating risks that  
15 may, in the end, turn out to be unnecessary. It could also  
16 have significant, long-term impacts on Utah's economy and  
17 could even harm the nation's military readiness.

18 Such an important decision deserves your very  
19 careful review and consideration. Frankly, this draft does  
20 not support such a careful review. The DEIS is seriously  
21 deficient in information and analysis required by the NEPA,  
22 by federal regulations, and by common sense. It will not  
23 come as a surprise to you that I continue to oppose the  
24 transportation and storage of high level nuclear waste  
25 within Utah. The initial review of this draft only

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1 heightens my concern.

2           The PFS high level nuclear waste storage facility  
3 is the largest facility of its kind ever proposed for  
4 licensing by the NRC. The consequences and cumulative  
5 impacts are equally significant and have not been adequately  
6 analyzed. I'm sure the NRC is aware of the magnitude of  
7 this proposal, but the cooperating agencies and the public  
8 should be made aware of the extreme nature of this proposal.

9           This site will store 40,000 metric tons of high  
10 level nuclear waste in 4,000 casks. To put this in  
11 perspective, today there are only 436 such storage units or  
12 casks for commercial spent fuel in the entire United States,  
13 one-tenth the number proposed for Skull Valley.  
14 Furthermore, 12 of the 13 storage sites are within  
15 three-quarters of a mile of a nuclear power plant. The  
16 experience to date with transportation of commercial waste  
17 involves short distances compared to the cross-country route  
18 required for the PFS facility's proposal.

19           The DEIS ignores or inadequately addresses many of  
20 the issues that could have a significant impact on the  
21 health and safety of Utah's citizens. Potentially  
22 significant risks associated with earthquakes are not  
23 analyzed at all in the DEIS. Nor are risks associated with  
24 nearby military activities. Information about the risks  
25 resulting from the transportation of high level nuclear

1 waste to the facility is scarce in the DEIS. It's  
2 surprising that, given the unprecedented volumes of high  
3 level nuclear waste that would be transported if this  
4 project were approved, NRC has chosen to rely on outdated  
5 studies, with little project-specific analyses.

6 The individual and cumulative impacts on military  
7 installations and operations in, over, and near Skull Valley  
8 are not even described, much less analyzed in the Draft EIS.  
9 The risks from cruise missile and F-16 crashes, the  
10 emergency evacuation route through Skull Valley in case of a  
11 chemical leak, the essential ongoing use of the airspace  
12 over Skull Valley for access to the Utah Test and Training  
13 Range -- discussions of all of these and numerous other  
14 military activities are missing from this draft.

15 Furthermore, the socio-economic impacts to Hill  
16 Air Force Base and its surrounding communities if Utah Test  
17 and Training Range operations are curtailed and are never  
18 considered in the Draft EIS. These are critical impacts of  
19 significant consequence. Not just for the safety of this  
20 country but for national defense. I might add this is the  
21 same area which, on two occasions during the course of the  
22 last three years, we have had incidents with cruise  
23 missiles; one inherently crashing into the ground and the  
24 other having to be destroyed because it was not  
25 controllable. This is a very serious problem that is not

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1 even considered in the draft.

2           The Draft EIS does not address potential economic  
3 costs of a storage or transportation accident. Despite the  
4 fact that the Price Anderson Act does not indemnify a  
5 private away-from-reactor storage facility, NRC has no  
6 on-site nuclear property or insurance requirements. If  
7 there is an accident or other problem, PFS' liability under  
8 the lease agreement with the Skull Valley Band is normally  
9 limited to the money available through commercially  
10 reasonable nuclear liability insurance, even if actual costs  
11 are much higher.

12           There are no assurances that potential on or off  
13 Reservation impacts from an on-site incident will be  
14 properly addressed. By its nature, it's a limited liability  
15 company. This is a matter on which almost unlimited  
16 liability could be created. It is unclear whether the Price  
17 Anderson Act will cover accidents that occur during the  
18 transportation of high level nuclear waste to or from this  
19 facility. But, even if it does, nuclear utilities would be  
20 liable for a maximum of \$9.43 billion of accident costs.  
21 The federal government, U.S. taxpayers, would be responsible  
22 for the rest, and the rest could be significant.

23           The estimated economic costs for a transportation  
24 accident in a metropolitan area ranges from \$14 to \$313  
25 billion. Just to put this into perspective, \$313 billion is

1 nearly 47 times my entire state's annual budget. The PFS  
 2 facility is not temporary. Once a utility ships its spent  
 3 fuel to the PFS, it can shut down its nuclear power reactors  
 4 and decommission the power plant. At that point, spent  
 5 nuclear fuel cannot be returned to the power plant. If a  
 6 permanent deep geologic storage is not completed or lacks  
 7 sufficient capacity, the spent nuclear fuel cannot be moved  
 8 to a permanent facility.

9           Therefore, even though those utilities in the  
 10 east, midwest, and California may have liability for their  
 11 spent fuel rods, those rods will be sitting here, in Skull  
 12 Valley, less than an hour from where we sit, remaining  
 13 legally hot for 10,000 years. Amending the license or the  
 14 EIS in the future will not solve the problem. The facility  
 15 and the problem will be a permanent one. The Draft EIS just  
 16 ignores that problem.

17           The list of problems with the Draft EIS as well as  
 18 the underlying license proposal -- the list of problems is  
 19 long. Benefits considered are skewed in favor of the  
 20 utilities, and the costs to Utah communities are simply or  
 21 almost completely undervalued. There is no analysis of  
 22 impacts to Salt Lake City or to the Wasatch front from the  
 23 PFS project, including high level nuclear waste  
 24 transportation.

25           Transportation infrastructure, again, almost

1 completely ignored. Impacts of transportation accidents and  
2 the equipment and costs needed to respond, again, almost  
3 completely ignored. PFS' financial responsibility and  
4 liability are not addressed. Interstate transportation  
5 routes are not specifically identified or evaluated, and  
6 hence the impacts to the communities along transportation  
7 corridors are not adequately considered.

8           The DEIS fails to acknowledge or even consider the  
9 transportation casks are not designed or tested to withstand  
10 transportation accidents and sabotage. Now, this is the  
11 same area, I might add, where 44 percent of the nation's  
12 stockpile of chemical weapons exist. How much of the  
13 project do we want to be in this area? Again, this is not  
14 considered in this draft.

15           The DEIS fails to acknowledge or consider that  
16 storage casks are not designed for long-term storage. This  
17 is the same technology in which this is being stored. If  
18 it's so safe, why do we have to move it? Earthquake and  
19 seismic evaluations are excluded from the Draft EIS,  
20 effectively prohibiting participating agencies from  
21 evaluating risks, costs and benefits and separate and  
22 cumulative impacts. This also eliminates the opportunity  
23 for public review and public comment.

24           Existing restrictions in the BLM Resources  
25 Management Plan on transport of hazardous wastes are ignored

1 again in the Draft EIS. Impacts to RS2477 roads, again,  
2 have not even been evaluated in the DEIS. Wildfire danger,  
3 including fires sparked by train operations in Skull Valley,  
4 has received highly inadequate evaluation.

5 I also have a concern about the public process for  
6 DEIS review. The two hearings scheduled are too few and too  
7 early in this process, in this comment period. The State of  
8 Utah's request to reschedule the public hearings and extend  
9 the comment period was denied by the NRC. However, citizens  
10 have attempted to review a copy of the Draft EIS at the  
11 NRC's official document repository at the University of  
12 Utah's library only to be told that there was no copy on  
13 file.

14 The purpose of this public comment period is to  
15 inform the public as well as the cooperating agencies.  
16 Therefore, I hope the federal agencies will recognize the  
17 importance of timely, available information in the NEPA  
18 process and reconsider our request.

19 In the interest of time, I will not address other  
20 concerns this evening. The State is continuing its  
21 evaluation of the Draft EIS. Additional written comments  
22 will be submitted by the deadline for the Draft EIS, and I  
23 will be exercising my consistency review of the BLM Resource  
24 Management Plan as provided under BLM regulation.

25 In closing, I want to say this: simply that this

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1 Draft EIS is deficient in so many respects that it cannot  
2 serve as the basis for the careful analysis and  
3 consideration that a project of this magnitude deserves. I  
4 also urge you to expand the comment period and availability  
5 of the Draft EIS to ensure adequate opportunity for public  
6 input. And, as I have said many times, if temporary storage  
7 is so safe, then high level nuclear waste can stay where it  
8 is. Thank you.

9 DR. SHANKMAN: Thank you very much. And you will  
10 leave a copy of that with us? Thank you very much,  
11 Governor.

12 Okay. Well, thank you for your patience. There  
13 are some people waiting outside. Let's give them a minute  
14 to come in. There's also room in the other room. As I  
15 noted before, in case you came in late, there are copies of  
16 the Draft Environmental Impact Statement.

17 Okay. Let's get started. As I said before, I am  
18 Susan Shankman. I am the Deputy Director of the Spent Fuel  
19 Project Office at the U.S. Nuclear Regulatory Commission.  
20 This meeting is to hear your comments. We are going to have  
21 a brief introduction. The microphone in the middle of the  
22 room in which the Governor spoke is the best microphone to  
23 make your comments because of the court reporter, so I would  
24 ask everybody to please honor that during the meeting.

25 This is a meeting in which the U.S. Nuclear

1 Regulatory Commission, who is represented at the table by  
2 myself; Mark Delligatti, who is the senior project manager  
3 for this project; and Scott Flanders, to my left, who is the  
4 senior environmental project manager for this project. Also  
5 at the table for the U.S. Bureau of Land Management is  
6 Glenn Carpenter. We also have, from the U.S. Surface  
7 Transportation Board, Allen Summerfield, way to the end of  
8 the table. And right here is Gary Kently, who's from the  
9 U.S. Bureau of Indian Affairs. And each of the agencies  
10 have put some literature out on the table to explain a  
11 little bit about their agency in case you are not familiar  
12 with it.

13 This meeting today has one purpose and one purpose  
14 only, which is to accept public comments about our Draft  
15 Environmental Impact Statement. We will take an opportunity  
16 to spend a few minutes to inform you about the schedule and  
17 about the process for submitting comments and to give you a  
18 brief overview of the National Environmental Policy Act  
19 under which this Draft Environmental Impact Statement and  
20 the Environmental Impact Process is being conducted.

21 The ground rules for tonight are simple. Since we  
22 want to hear everybody's comment, we have asked people to  
23 sign up, and we will call you up to the microphone. Please  
24 take a brief few minutes to state what your comment is about  
25 and what your comment is. Every comment is transcribed by

1 the court reporter. Therefore, they are all considered  
2 public comments. Scott will explain a little bit more why  
3 that's very important. We need to know what your comment is  
4 about and what your comment is.

5 We have also asked everybody to sign up with their  
6 name and address. The purpose of that is because as a  
7 commentator, you are entitled to get a copy of the final  
8 Environmental Impact Statement, and in case we have a  
9 problem with your comment. Because we also would like  
10 people to make written comments, if you choose not to come  
11 to the microphone, there's a form. It looks like this. You  
12 can fold it. It is already preaddressed, and it will arrive  
13 at the right place to be considered as a comment. And,  
14 again, we ask for your name and address.

15 The ground rules are respect. We are going to  
16 talk about the Environmental Impact Statement. We are not  
17 going to talk about the whole project, and we are also going  
18 to spend the next few hours together. The meeting as been  
19 noticed to be from 7:00 to 10:00, and we expect to complete  
20 our business. If, for some reason, we need to go longer  
21 than that, if we all agree to do that, we will extend it  
22 another half an hour. But the room -- we only have the room  
23 for a certain amount of time. I regret that we can't do it  
24 another night. We will be in Grantsville tomorrow night, in  
25 case somebody chooses to come there, at the middle school.

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1           So let me tell you, briefly, the process as we  
2 receive an application. We are a federal agency. We  
3 license the use, the transport, the possession of  
4 radioactive material that falls under the Atomic Energy Act.  
5 So under Part 72, which is part of our regulations, we  
6 received an application. We noticed that application and  
7 the Environmental Impact Statement that we were going to do,  
8 and we had scoping meetings. Some of you may have attended  
9 the scoping meetings.

10           At the same time that we were asked to license the  
11 facility for 20 years, the Bureau of Indian Affairs was  
12 asked to approve a 25-year lease between PFS and the Skull  
13 Valley Band of Goshute Indians, so that's the action that  
14 BIA was asked to do.

15           The Bureau of Land Management was also asked to  
16 approve a right-of-way request for the rail line, and also  
17 the Surface Transportation Board, which is the fourth  
18 cooperating agency, must grant a license to construct and  
19 operate the proposed rail line. That is why we are all  
20 cooperating in doing this Draft Environmental Impact  
21 Statement and cooperating in having the comments received.  
22 And the final document will also be prepared by all four  
23 agencies.

24           We did an environmental review. We requested  
25 additional information from the applicant. We, then,

1 prepared the draft document, which, as I said, is available  
2 in the front. Right now we are in the public comment period  
3 on the Draft Environmental Impact Statement. If the Draft  
4 Environmental Impact Statement does not contain data that we  
5 should know about it, we need to hear about it. If we have  
6 analyzed it in a manner that someone feels we should have  
7 analyzed it differently, we need to hear that. If something  
8 that we have, for some reason, which has data that  
9 contradicts what you know to be true, we need to know that.

10 The public comment period is just that. We have  
11 analyzed it. We have used technical experts. We have  
12 prepared a document. It is called draft because it's draft.  
13 So I urge you to take the opportunity to make a public  
14 comments after an introduction by Scott Flanders. He is  
15 going to talk a little bit more about how we've prepared  
16 this document. He is going to talk no more than 15 or 20  
17 minutes, so be prepared to talk. Mark Delligatti will call  
18 you up to the microphone, and I hope we have a very  
19 successful evening. Thank you.

20 SCOTT FLANDERS: Good evening. Can everyone hear  
21 me okay in the back of the room? Good. As Dr. Shankman  
22 said, the purpose of the meeting tonight is to hear from the  
23 public, to hear from you, on the Draft Environmental Impact  
24 Statement. However, for folks that are not as familiar with  
25 the Environmental Impact Statement or Environmental Impact

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1 Statement process, I would like to spend a few minutes  
2 talking about a few issues related to that process.

3 Specifically, I would like to talk about the  
4 National Environmental Policy Act process commonly referred  
5 to as NEPA. Next, I would like to talk about the Private  
6 Fuel Storage proposal, provide a brief overview of the Draft  
7 Environmental Impact Statement, discuss the schedule that we  
8 are working to and discuss the public participation process.  
9 If I could have the next slide, please.

10 The National Environmental Policy Act was enacted  
11 in 1969, and if you can take one thought away as it relates  
12 to the requirements placed on the federal agencies by the  
13 National Environmental Policy Act, it's that two major  
14 requirements were placed on the federal agencies. The first  
15 is to develop a systematic approach for analyzing  
16 environmental impacts as it relates to your actions, and the  
17 second is to develop a detailed statement for major federal  
18 actions significantly effecting the quality of the  
19 environment, and that detailed statement is an Environmental  
20 Impact Statement. If I could have the next slide, please.

21 This slide, Dr. Shankman just spoke to a moment  
22 ago. I put this slide back in to point out just a few  
23 things. Specifically, I want to look at the bullet down  
24 here in the corner, which talks about the review of public  
25 comment and prepare a Final Environmental Impact Statement.

1 Right now, we are in the public comment process, and we want  
2 to hear comments from the public. And once we get those  
3 comments, we take those comments in, review them, analyze  
4 them to determine how we are going to revise the document  
5 and also to prepare written responses to your comments so  
6 that you see how those comments are analyzed.

7           Once that process is done, we, then -- each of the  
8 four federal agencies will prepare a separate record of  
9 decision. Keep in mind, although we are working on one  
10 Environmental Impact Statement, as Dr. Shankman mentioned,  
11 there are four federal acts that are being made, and each  
12 agency has to make their own record of decision. If I could  
13 have the next slide, please.

14           The Private Fuel Storage proposal. The proposal  
15 can be thought of in two primary pieces. The first is to  
16 construct and operate independent spent fuel storage  
17 installation on the Reservation of the Skull Valley Band of  
18 Goshute Indians, and the second piece is construction and  
19 operation of a rail line to transport the spent fuel to the  
20 proposed facility. If I could have the next slide, please.

21           This slide is a map of the area of the Skull  
22 Valley area, and I put this slide in to allow you to get  
23 some orientation as to where this proposed project will  
24 occur and to get some feel for the rail alignment as well at  
25 the location of the facility. As you can see, the proposed

1 rail line that Private Fuel Storage is proposing to build  
2 actually starts just south of I-80 and travels around the  
3 side of the Cedar Mountains and into the proposed facility.

4           The rail lines are approximately 32 miles long,  
5 and the width of the corridor is about 40 feet wide of rail  
6 corridor. As you can see, the Reservation would be located  
7 in the northwest corner of the Reservation, approximately  
8 three and a half miles from the Skull Valley Village. If I  
9 could have the next slide, please.

10           The next slide is a bird's-eye view of the  
11 proposed facility. The point -- the features I would like  
12 to point out are in the gray area here, which is a 99 acre  
13 restricted area. And within that 99 acre restricted area,  
14 there's a canister transfer building where the spent fuel  
15 will be transferred from shipping casks to storage casks and  
16 placed out on the storage pads. The storage pads are  
17 grouped in blocks -- four blocks of 200 each, and each  
18 storage pad will hold about eight casks. Next slide,  
19 please.

20           To give you some feel for the casks themselves, I  
21 first would like to start with your right and look at the --  
22 how the casks are loaded. As I mentioned just a moment ago,  
23 I said the canisters containing the spent fuel would  
24 actually be transported from shipping casks to storage  
25 casks. First, the spent fuel is actually loaded into a

1 metal canister. That metal canister is welded shut once  
2 that fuel is loaded into it, and then the sealed metal  
3 canister is, then, placed in the shipping cask and  
4 transported to the facility.

5           Once it at the facility, the canister is not  
6 opened but transferred from the shipping cask into a storage  
7 cask. To give you a feel for the cask that's being proposed  
8 for use at the Private Fuel Storage Facility, we have this  
9 diagram. A few dimensions. This is the canister, the metal  
10 canister I just spoke of that's welded shut.

11           It is, approximately, 5 feet 8 inches in diameter  
12 and about 15 feet tall. The canister itself is made out of  
13 stainless steel material, and it is probably about half an  
14 inch thick in diameter, the material itself. The cask,  
15 which the canister is loaded into, as you can see, the  
16 dimensions there is, approximately, 19 feet tall, 11 feet in  
17 diameter. It also has an inner and outer steel shell, and  
18 in the middle of the shell is a radiation seal made of  
19 concrete. And that radiation seal is, approximately, 2 feet  
20 thick. If I could have the next slide, please.

21           Before I go into an overview of the Draft  
22 Environmental Impact Statement, I would just like to spend  
23 just a few minutes discussing the development of the Draft  
24 Environmental Impact Statement. Specifically, I would like  
25 to focus on the information that was gathered and used by

1 technical experts to prepare the document. We use technical  
2 experts from Oakridge National Laboratories, Pacific  
3 Northwest National Laboratories as well as NRC staff experts  
4 and experts from the cooperating agencies.

5 In addition to that, we also have other experts  
6 review the work that was done as we were preparing the Draft  
7 Environmental Impact Statement. But, specifically, the  
8 information that was used to develop the document, there are  
9 several sources, and the first source I would like to speak  
10 about is the Private Fuel Storage application.

11 The Private Fuel Storage application, NRC requires  
12 an environmental report to be submitted as well as a safety  
13 analysis report, which contains detailed information about  
14 the design of the facility as well as environmental impacts  
15 associated with the proposal.

16 In addition to those two sources of information,  
17 we also gathered information from a process which we call  
18 Request for Additional Information. And that process is  
19 used when the NRC and other cooperating agencies believe  
20 there is additional information that we think is necessary  
21 to fully analyze the environmental impact. And we have  
22 issued quite a few requests for additional information of  
23 PSF so we could complete a Draft Environmental Impact  
24 Statement.

25 The next source of information I would like to

1 discuss is a public scoping process. A public scoping  
2 process occurred over several years. We had three scoping  
3 meetings. The first starting in June of 1998 and two others  
4 in April of '99. We also obtained written comments as well,  
5 and that information was, of course, folded in and  
6 considered as we developed an Environmental Impact  
7 Statement.

8 Other sources of information included the site  
9 visit where technical experts were brought to the site and  
10 had an opportunity to actually review the site for  
11 themselves as they considered the information as well as the  
12 written information provided to them, but they also had an  
13 opportunity to see the site themselves and factor that into  
14 their thought process as they developed their analysis. We  
15 also received information from tribal, state, county and  
16 local governments, primarily through the request for  
17 additional information process, but we also had consultation  
18 meetings with the State Historic Preservation officer as  
19 well.

20 We also obtained information from federal  
21 agencies. We had discussions with the Fish and Wildlife  
22 Service, the Advisory Council of Historic Preservation. We  
23 had meetings with the U.S. Air Force to discuss and  
24 understand our mission in the area as well as describe the  
25 proposal, the Private Fuel Storage proposal, so we could

1 determine if there were any interactions or result in an  
2 Environmental Impact Statement. We also met with the Dugway  
3 Proving Ground, the Department of Army as well as the  
4 Environmental Protection Agency.

5 And, finally, we also used a great deal of  
6 publicly available documents in our process of developing  
7 the Draft Environmental Impact Statement, draft documents on  
8 different species and resources in the area, and we used  
9 that information to factor into our analysis. If I could  
10 have the next slide, please.

11 The overview of the Draft Environmental Impact  
12 Statement. As you can see, the document is quite large, so  
13 to go into a great deal of detail in the review process  
14 would take quite a bit of time, so instead, I would just  
15 like to provide a road map for individuals to follow as they  
16 review the document, and try to focus on the most  
17 significant portions of the document.

18 The first is starting with the purpose and need.  
19 The purpose and need of the document is discussed in chapter  
20 1 of the document, and gives an overview, of course, of the  
21 need for the action and the purpose; why it is being  
22 proposed.

23 Next, chapter 2, we analyze the alternatives of  
24 the proposal including alternative technologies, alternative  
25 transportation methods as well as alternative site

1 locations.

2 In chapter 3, we discuss the effect of the  
3 environment, and we discuss it by-resource-by-resource  
4 basis. For example, we discuss ecological resources, costal  
5 resources, etc, and presented more of a baseline of the  
6 current plans that currently exist in the valley.

7 Next, we prepared an impact analysis, and the  
8 impact analysis is contained in three chapters. Chapter 4  
9 of the document contains the impact analysis associated with  
10 the proposed itracy itself, the proposed -- the facility  
11 that is being proposed to be built on the Reservation of the  
12 Skull Valley Band of Goshute Indians.

13 Next, we discussed the transportation impacts.  
14 That included construction and operation of a rail line as  
15 well as alternatives of that, and transportation of the  
16 material across country as well.

17 Then in chapter 6, we rolled the two pieces  
18 together. Remember, I said the proposal consisted of two  
19 pieces: the facility and the transportation facility or the  
20 rail line. Now, we wanted to make sure we did not segment  
21 the process, and we considered all the impacts associated  
22 with the proposal as a whole, and that's what we did in  
23 chapter 6. We rolled all those together, looked at all the  
24 alternatives to ensure that we looked at the impacts as a  
25 whole. If I could have the next slide, please.

1 Mitigation measures. Mitigation measures were  
2 discussed in both chapters 4 and 5, and identify mitigated  
3 measures that the cooperating agencies recommended be  
4 required. And we also included the mitigation measures in  
5 chapter 9, which allows one place where you can see all the  
6 mitigation measures associated with the proposal.

7 On the next chapter is chapter 7, which deals with  
8 the alternate site selection process as well as analyzing an  
9 alternative candidate site that Private Fuel Storage  
10 considered in their process of selecting a location for  
11 their proposed facility.

12 Chapter 8 deals with the cost benefit analysis,  
13 which considered the cost and benefits from both the  
14 standpoint of both economic and other cost of benefits that  
15 are not easily quantifiable.

16 And, finally, in chapter 9, we concluded what the  
17 comparison of the different alternatives that we analyzed of  
18 the process so that the reader could understand the  
19 differences between the different alternatives. And we also  
20 included recommendations and recommended mitigation  
21 measures, and presented our preliminary conclusions on the  
22 document. If I could have the next slide, please.

23 Based on the analysis and the information  
24 contained in the Draft Environmental Impact Statement, our  
25 preliminary conclusion is the following: Consideration of

1 the mitigation measures that the cooperating agencies  
2 recommended as well as measures required by other federal  
3 and state permitting agencies, we believe that the impacts  
4 associated with the proposed action would be reduced to  
5 acceptable levels. If I could have the next slide, please.

6 That just provides you with a brief overview of  
7 the document. It just walks you through the chapters and  
8 gives you, more or less, a road map. Now I would like to  
9 briefly discuss the environmental schedule. This schedule,  
10 this particular slide shows the entire process. It gives  
11 dates for each portion of the processes that we have been  
12 involved in and that we showed you in the earlier slides.

13 What I would like to focus in on is the comment  
14 period. As you can see, the comment period does not end  
15 until September 21st, so we will be receiving comments until  
16 September 21st. Once we review all the comments, our job,  
17 then, is to analyze all the comments, review them,  
18 understand how we need to revise the document to address all  
19 the concerns and issues as it relates to new information  
20 being provided to us; provide written comments so everyone  
21 understands how their comments have been dispositioned, then  
22 prepare the final Environmental Impact Statement. And that  
23 final Environmental Impact Statement, our current schedule  
24 is to complete that sometime in early 2000. We believe we  
25 can work on that type of a schedule. If I could have the

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1 next slide, please.

2 The public comment process. As I said earlier,  
3 the public comment period does not end until September 21st,  
4 but there are several ways to provide comments to the NRC.  
5 You can provide them in writing to the address that is  
6 listed there in the slide as well as via the web. We have  
7 the document available on the web, on the NRC home page -- I  
8 will give you that address in a minute -- and there is also  
9 comment forms on the web page where you can provide comments  
10 via the web. And, of course, tonight, you can present oral  
11 comments on the document as well. Next slide please.

12 As I said, the first bullet gives you the website  
13 address where you can view the document on the web. Please  
14 keep in mind that it is case sensitive so you want to make  
15 sure you type it in just as it is presented there. You can  
16 also obtain a free copy of the document. If you prefer to  
17 read a hard copy as opposed to on the web, you can obtain a  
18 free copy of the document by writing to the address listed  
19 there or by E-mail to the web address -- there is the E-mail  
20 address there as well as by fax -- and a free copy will be  
21 provided to you.

22 We also have some copies available here tonight,  
23 and to the extent that supplies last, certainly feel free to  
24 take one. And once the supplies are exhausted, there is a  
25 sign-up sheet where you can identify which documents you

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1 want as well as these other means of getting a copy of the  
2 document. Next slide, please.

3 Points of contact. As we said, there are four  
4 agencies involved in this process. Each one has a  
5 particular federal action. These are different names,  
6 addresses and telephone numbers that you can contact if you  
7 have any specific questions about each of the agency's  
8 action. Or if you have any general comment on the proposal  
9 as a whole or the prospect as a whole, you can certainly  
10 contact myself or Mr. Delligatti.

11 With that, I will conclude my remarks. I would  
12 like to turn the meeting back over to Dr. Shankman so we can  
13 begin hearing your public comments. I thank you very much  
14 for your time.

15 DR. SHANKMAN: At last count, we have about 60  
16 people who have signed up to speak, and if you do the math,  
17 if we limit people to about two to three minutes, we should  
18 be able to hear from everybody. If you can't finish -- I  
19 would like to respect everybody's right to speak. So what I  
20 would like to do is propose that you speak for two to three  
21 minutes. If you can't complete that statement in that time,  
22 you're free to write. And like I said, we can come back to  
23 someone at the end of the meeting.

24 I don't think it is fair to anybody to give  
25 somebody more time at the beginning if somebody signed up at

1 the end of the list, so I would like to keep it to two to  
2 three minutes in a respectful manner. Because there are so  
3 many people who do want to speak, we will not take a break.  
4 We will continue because the court reporter will continue to  
5 take the comments.

6 So if you need to take a break and you need to use  
7 the restrooms or take a walk or get a glass of water, I hope  
8 you'll do so quietly, and we will continue with the meeting.  
9 With that, we will start with the names, Mark. Okay? And I  
10 would ask that you please be respectful. Our job is to hear  
11 everybody's comments, and more than anything else tonight, I  
12 would like everybody who came who wants to speak to get a  
13 chance to say at least the first few minutes of what they  
14 want to say.

15 As I said, we will be more than happy to take  
16 written statements. I think I showed you the forms. Fill  
17 them out. You can also access the website, and you can  
18 expand. You can say, I made a comment at the public meeting  
19 on X -- you know, on this date, and I would like to add to  
20 it. So there's more than one way to get a more full  
21 statement. Okay. I appreciate the patience. I know it's  
22 going to be a long evening. There will be a lot of people.  
23 Okay. Go ahead, Mark.

24 MARK DELLIGATTI: We have a number of elected  
25 officials who have requested to speak, and one of them told

1 us that he has a time commitment. So Chairman Bear, with  
2 your indulgence, I will ask the Honorable Scott N. Howell to  
3 go next. He's the minority leader of the Utah State Senate.  
4 Senator Howell, if you are still here.

5 SENATOR HOWELL: Welcome to Utah. It is nice to  
6 have your here, Dr. Shankman. We appreciate your time. To  
7 start off with, let me just give you a little viewpoint of  
8 my senatorial district. It goes from the top of the Wasatch  
9 mountains down to the Jordan River. It encompasses about a  
10 20-mile area, so I've got within my senatorial district  
11 three superfund sites. So I am very familiar with what's  
12 happened to our environment, so and so forth.

13 I think what I would like to do is share a quick  
14 analysis of what I thought of this, and what, if I were  
15 sitting where you were tonight, what I'd be thinking about.  
16 Number one, is this safe, and is it the right thing to do?  
17 I had a call the other night from an engineer who had  
18 indicated that he knew that this was the safest way of  
19 transporting and storing this type of waste that there ever  
20 was.

21 What was interesting about this is he went on to  
22 talk to me about how safe it was and what a great economic  
23 ploy it could be for the State of Utah. The first thing I  
24 thought about was, Why not Nevada? Why not Massachusetts?  
25 Why not California? If it is such a great thing for our

1 state, why isn't it a great thing for the other states? So  
2 I have to confess that that put up a red flag. I want you  
3 to know tonight, too, that this is a nonpartisan issue.  
4 This is not democrats. It is not republicans. It is not  
5 independents. It is our children's future. It is our  
6 children's children's future that we have to think about.

7           Some of the facts that my staff put together for  
8 me and that I found alarming, 92 percent of the reaction  
9 material that is producing the waste are located east of  
10 Colorado. None are in Utah. There will be 40,000 metric  
11 tons of uranium to be stored. A storage of this volume of  
12 waste is unprecedented. It has never been done before. The  
13 proposed facility location is seismatically not safe, and I  
14 would ask in all the presentations as I listen to you  
15 tonight that you consider that very carefully.

16           Your local newspaper said this: No state that  
17 allows such a thing should think of this as temporary. Nor  
18 should it underestimate the message it would send about our  
19 willingness to accept others' nuclear trash. I'm an elected  
20 official, and what I have seen for ten years is something  
21 that is very, very disturbing to me. I wonder if the  
22 Goshutes right now would be willing to take the State of  
23 Utah's surplus, \$114 million, in exchange for that land to  
24 give to them as opposed to bringing in nuclear storage. And  
25 I can tell you right now that I believe that the heart of

1 this matter is dollars, and I am concerned about that.

2 I am very, very concerned. And please indulge  
3 this crowd. I have been where you are, and I know all about  
4 it, and they are respectful, but their emotions are high.  
5 If we exchange with the Goshutes or we make a proposal to  
6 them that we would take our surplus from next year and give  
7 it to them, I bet you dollars to cents that they would take  
8 that proposal and that would end the negotiations. It would  
9 be over and done. I've learned in my ten years at Capital  
10 Hill do not -- do not let dollars predict the future. If we  
11 do that, then we all lose as a society. Thank you for  
12 coming. Thank you for your politeness. We appreciate you  
13 here in Utah.

14 MARK DELLEGATTI: Next speaker will be the  
15 Honorable Leon Bear, chairman of the Skull Valley Band of  
16 Goshute Indians. Chairman Bear.

17 CHAIRMAN LEON BEAR: Hello. My name is Leon Bear.  
18 I am the Chief of the Skull Valley Band of Goshute Indians,  
19 chairman of the executive committee. I live on the  
20 Reservation in Skull Valley with my wife, daughters and  
21 granddaughter. Thank you for this opportunity to present  
22 comments on the Draft Environmental Impact Statement or the  
23 proposed temporary spent fuel storage facility on the Skull  
24 Valley Goshute Reservation.

25 The potential environmental impact on this project

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1 is not something we have taken lightly. Our land is all we  
2 have to sustain this and future generations of our tribe.  
3 We were almost wiped out by the settlers moving here 150  
4 years ago. We survived then, and we will survive now. Our  
5 general council began looking at the feasibility of a  
6 storage facility when the federal government was looking for  
7 volunteer host communities in the late 1980s.

8 We received grants to study spent fuel storages,  
9 and we visited nuclear storage sites all over the country  
10 and in four foreign countries. We talked to people in the  
11 nuclear power plants and in the community surrounding the  
12 plants of storage facilities. We even talked to  
13 environmentalists and anti-nuclear activists because we  
14 wanted to see all sides. It seems clear to us that the  
15 scientific facts show that the facility like this can be  
16 built and operated safely without any significant risk to  
17 our people and our environment.

18 A substantial majority of the adult members of the  
19 tribe signed resolutions in favor of pursuing this project.  
20 I am pleased that the Draft EIS thoroughly analyzes  
21 potentially environmental impacts and concludes that with  
22 the regulations that will govern the facilities and mitigate  
23 actions and NRC requirements and the DEIS. There will be  
24 small potential for environmental impacts. We do not see  
25 any impacts that will significantly effect our lives on the

1 Reservation.

2 I am also glad to see that the DEIS recognizes the  
3 positive economic impact that this facility will have for  
4 the tribe, the county and the state. It will create  
5 well-paid jobs for many that may attract members of our band  
6 back to our Reservation. It will give us revenues that can  
7 be used for our government services, like health insurance  
8 and health care, housing, education and training.

9 I want to make it clear that we are not ignorant,  
10 impoverished people, desperate enough to take any project  
11 that will bring income. We have turned down the state's  
12 proposal of a landfill. Why would we want to permanently  
13 bury Salt Lake City's trash on our land? We have turned  
14 down other proposals that would have spoiled our lands.

15 I also want to make it clear that we are not  
16 turning over our Reservation to PFS or the federal  
17 government. We are working on our own environmental code to  
18 work with the EPA. We will monitor PFS activities every  
19 step of the way.

20 We have already gained considerable experience in  
21 monitoring and protecting our environment in our tribe's  
22 investigation and clean up of the sheep killed by army's  
23 nerve gas. They were buried by the military on our  
24 Reservation, and we are are learning more about  
25 environmental monitoring at the nuclear facilities through

1 our internships at nuclear powerplants.

2 Numerous tribal members had opportunity to visit  
3 various sites; Yucca Mountain, Idaho National Environment  
4 Engineering Laboratories in Idaho, and Northern States  
5 Power, Perry Island Nuclear Power Facility to further inform  
6 themselves in the nuclear field. Because of the more than  
7 ten years of study and work we have done in this field, most  
8 of our members are well beyond the irrational fear stage  
9 when they hear the word "nuclear."

10 Sure, we know the risk of exposure to bare fuel,  
11 but we have also seen firsthand how relatively simple it is  
12 to shield the fuel and make it safe to store.

13 Finally, we have said over and over again  
14 throughout this process that if anyone can show me  
15 scientific evidence that this facility will not be  
16 environmentally safe, I would like to see it. I have heard  
17 a lot of fears expressed and a lot of crazy claims, but I  
18 have seen no evidence yet to persuade me that this facility  
19 cannot and will not be operated safely. Thank you.

20 MARK DELLIGATTI: The next speaker will be the  
21 Honorable Ralph Becker from the Utah State House of  
22 Representatives.

23 RALPH BECKER: Thank you. I am Ralph Becker, a  
24 state representative from this district and with the author  
25 of resolution in the legislature two years ago to oppose

1 this facility, which, as Senator Howell mentioned, was  
2 supported in a bipartisan way and requested -- demanded from  
3 the state's point of view that we not be the subject of the  
4 refuse of high level nuclear waste in this country.

5 I've had a chance to review part of your Draft  
6 Environmental Impact Statement, and from my prospective,  
7 there is bias throughout this Draft EIS, and I'll just give  
8 you one example. Part of the requirements in doing an  
9 impact statement is that you look at the reasonable range of  
10 alternatives during scoping.

11 I and others ask that you look at the alternative  
12 of leaving those wastes in place and handling those wastes  
13 in place. If it is so safe as has been claimed, why  
14 transport this waste all across the country to make Utah the  
15 dumping ground?

16 In your Draft EIS, you have ignored what I view as  
17 one of the basic principals of NEPA when it comes to  
18 alternatives. In looking at the range of alternatives that  
19 counsel and environmental direction says you have to look at  
20 a reasonable range, it says those need to be rigorously  
21 explored and objectively evaluated. It says the emphasis is  
22 what is reasonable rather than whether the proponent  
23 applicant likes or is itself capable of carrying out a  
24 particular alternative.

25 in the Draft EIS when it comes to considering that

1 alternative, there is a rather odd explanation for rejecting  
2 consideration of that alternative. You say that the  
3 Secretary of Energy has suggested that option in a  
4 congressional hearing, and then you say it isn't right for  
5 consideration by this body.

6 Now, if it is timely to consider moving tens of  
7 thousands tons of this waste to Utah, then why isn't it a  
8 consideration to leave it in place? That to me is a  
9 reasonable alternative. It is simpler. It is more cost  
10 effective. It is safer than transporting this highly  
11 hazardous waste all across our country.

12 I know I speak for a lot of my colleagues in the  
13 legislature and a lot of people in Utah when I express my  
14 disappoint in seeing Utah targeted in this way. In four  
15 years -- it is actually far less than that now. In two  
16 years, we will be welcoming the world to Utah for the  
17 Olympics. That's a great thing.

18 How will the world feel that welcoming them is  
19 secondary to dumping into Utah tens of thousands of tons of  
20 some of the most lethal material known to mankind? I ask  
21 that you consider a real range of alternatives and that you  
22 respect the views of Utahns and fully evaluate, in an  
23 objective way, this environmental impact.

24 MARK DELLIGATTI: Representing the Mayor of Salt  
25 Lake City tonight is Mr. Juan Arce-Larreta. Mr.

1 Arce-Larreta, if you are still here.

2 JUAN ARCE-LARRETA: Good evening. Thank you for  
3 this opportunity to speak. I appreciate your times and  
4 efforts. Like I said, my name is Juan Arce-Larreta. I am  
5 the administrative assistance to the environmental and  
6 intergovernmental relations to Mayor Ross C. Anderson.

7 Salt Lake City is opposed to any proposal to ship  
8 spent nuclear fuel to the Skull Valley Goshute Band  
9 Reservation and has passed a resolution expressing its  
10 opposition. The city echos the Governor's concern that the  
11 process and opportunities for public input have been  
12 inadequate from the inception of this proposal.

13 The safety of the residents of Salt Lake City  
14 demands a more thorough process. The negative risks and  
15 perceptions associated with nuclear waste, such as the waste  
16 involved in this proposal, would detrimentally impact the  
17 health, environment and economy of Salt Lake City and all  
18 cities, counties and states through which such waste passes.  
19 Residents of those areas must be heard.

20 Salt Lake City is committed to revitalizing its  
21 downtown area and those low income and plighted areas within  
22 the city along the proposed transportation routes. The  
23 transportation of high level nuclear waste through those  
24 Salt Lake City areas would hinder the city's plans for  
25 revitalization. The associated decrease in property values

1 and the negative stereotypes arising from such project would  
2 create substantial barriers to taking this city where it  
3 wants to go.

4 Can you imagine hearing that casks of high level  
5 nuclear waste contains 40 times the long-lasting radiation  
6 that was released from the Hiroshima bomb are being shipped  
7 through downtown Salt Lake City? Word would spread quickly  
8 that the world's high level nuclear waste is welcome in  
9 Utah. Utah would be the recipient of waste produced both in  
10 the U.S. and throughout the world.

11 There is no way to put a positive spin on this.  
12 Salt Lake City would suffer from decreased tourism, and  
13 businesses and families would logically hesitate before  
14 moving to Utah upon learning of Utah's radiation stockpiles.

15 I understand that the Goshute Reservation is  
16 struggling economically, but there are better solutions. It  
17 can't help that the 18,000 acre Goshute Reservation is  
18 surrounded by pollution producing and hazardous material  
19 storage facilities.

20 To the east of the Reservation is Rush Valley  
21 wherein lies a nerve gas storage facility and the world's  
22 largest nerve gas incinerator. To the north is the  
23 Magnesium Corporation Plant or MagCorp, which the EPA has  
24 declared as being the most polluting plant of its kind in  
25 the United States, emitting tons of chlorine gas.

1            Located to the south is the Intermountain Power  
2 Project that produces coal-fired electrical power primarily  
3 for California. And to the northwest is Envirocare that  
4 accepts low-level radioactive waste.

5            Who can blame the Goshute people for feeling it is  
6 okay to place high level nuclear waste on 820 acres of their  
7 18,000 acre Reservation? Economically it may sound great to  
8 the Goshute people, but there is no guarantee against  
9 negative long-lasting impacts to the people, land and  
10 ecosystem of the Reservation. Likewise, there is no  
11 guarantee that the waste would ever be moved.

12           The Department of Energy's broken promises and  
13 unfulfilled commitments throughout this process is a clear  
14 indication of what would be in store for the residents of  
15 the Goshute Reservation, the residents of Salt Lake City and  
16 all the residents along the proposed transportation routes.

17           How can we be sure that this high level nuclear  
18 waste with a life of 10,000 years will be moved off this  
19 proposed temporary holding site at the end of any lease or  
20 license? Federal mandates don't seem to dictate what is  
21 accomplished by the DOE. What has dictated the actions of  
22 the DOE is the public and private outcry by those not  
23 wanting this waste to be placed in their backyard.

24           This leads me to ask why these materials can't be  
25 stored on site. The industry claims to be running out of

1 room and unless a location is found to store these  
2 materials, power plants will have to shut down so no further  
3 waste is produced. These contentions are driven by  
4 economics.

5           The utility companies stand to save a lot of money  
6 by shipping this waste to the Goshute location. But how do  
7 you put a price on the risks of transporting high level  
8 nuclear waste across the country? You can't. The increased  
9 potential of an incident and accordingly the increased  
10 likelihood of loss of life and long-lasting environmental  
11 impacts must not be driven by economic benefits to be  
12 realized by a private industry.

13           There is no way to guarantee that an accident  
14 won't occur or that it would be contained to a small area.  
15 While the risks of such an incident may be small, the  
16 consequences have the potential of being huge, long lasting  
17 and cannot be measured fiscally. It is projected that  
18 clean up of a major incident would cost at least \$13 billion  
19 and as much as \$300 billion.

20           This would include containment, clean up,  
21 relocation of residents, etc. It is not clear who will be  
22 responsible for these costs. What is clear is that the  
23 taxpayers would pay for the majority of the costs associated  
24 with a major incident.

25           The proposed shipments to Skull Valley would pass

1 through low income and minority neighborhoods located in  
2 Salt Lake City. It is clear, and courts have upheld, that  
3 property values along nuclear waste transportation corridors  
4 decrease and the property owners along such corridors are  
5 entitled to compensation for the loss of value. The New  
6 Mexico Supreme Court recently upheld such a decision.

7           The highest radiation dose experienced by a  
8 population along the transportation route will be along the  
9 corridor within Salt Lake County and especially in Salt Lake  
10 City where the rail lines pass closer to residences. The  
11 increase in radiation will result in a higher incidence of  
12 cancer for those living along the corridor. Health impact  
13 studies were completed on a model of a 154-pound adult male.  
14 Studies did not address the impacts upon the more vulnerable  
15 populations of women, children or unborn fetuses.

16           Salt Lake City encourages its residents to educate  
17 themselves and become involved in this process. Please  
18 attend the hearings on this issue, write the National  
19 Regulatory Commission, the BLM, the BIA and the Surface  
20 Transportation Board, all of whom have a say in this matter.  
21 While you're at it, let the President know how you feel and  
22 contact your elected officials and those running for office.

23           Salt Lake City encourages the Goshute Tribe to  
24 look at other economic opportunities. The city would be  
25 willing to work with the Goshute Tribe on potential economic

1 development projects within Salt Lake City. Salt Lake City  
2 also encourages the federal and state governments and Tooele  
3 County to work diligently and aggressively to remedy the  
4 desperate economic conditions on the Skull Valley Goshute  
5 Reservation.

6 If any citizens who are present here would like to  
7 come contact me and discuss this further, I would be happy  
8 to talk to you, and my number is 535-7738. That's my  
9 number. Thank you.

10 MARK DELLIGATTI: The next speaker is the  
11 Honorable Bill Colbert from the Draper City Council. Mr.  
12 Colbert, are you still here?

13 HONORABLE BILL COLBERT: Good evening. I am Bill  
14 Colbert, member of the Draper City Council. I'll start that  
15 the Draper City Council has not taken a vote. I am speaking  
16 as an individual council member.

17 First, I just now quickly reviewed of the EIS, the  
18 Draft EIS. I think this plan is seriously flawed, and it  
19 does not seriously look at alternatives; that is, it is  
20 economically driven; that I cannot -- my main question is,  
21 is how the applicant for this site feel that this is a safer  
22 facility than leaving it on site or in an area closer to  
23 where this waste is generated or in an appropriate DOE site?

24 To me, this whole issue is an issue between DOE  
25 and the nuclear power companies. It is not a Utah problem.

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1 It never was. Utah does not benefit from this nuclear  
2 power, and I don't see why we should take the risk of the  
3 product that other people are making major money from. And  
4 if the result is closing down nuclear power sites while  
5 waiting for approved permanent sites, so be it. Again, it  
6 is not a Utah problem.

7 I encourage other elected officials in the state  
8 to represent their people and take an active role in  
9 encouraging citizens to get involved and also elected  
10 officials to make a stand on this issue. One thing I think  
11 is a serious concern is that this is called a temporary  
12 site, and right now, we've spent well over a billion dollars  
13 down in Nevada in the Yucca Mountain facility, and it still  
14 isn't deemed safe. And we haven't spent nearly that looking  
15 at this site, and we have no idea what the long-term safety  
16 implications are.

17 We also -- if a permanent facility is not  
18 approved, then this is going to end up being a permanent  
19 site by default. It will be. Again, I don't think any  
20 action should be taken until we find a permanent site  
21 somewhere, and it is an approved site, and we have a  
22 scheduled plan in moving this material into a safe location.

23 And right now, I see no evidence that this  
24 decision is going to be made soon. I mean, there is talk  
25 about this decision being made next year. If it is so close

1 and so immediate, then why don't we wait until next year to  
2 work options as far as moving this material off present  
3 locations? To me, it is.

4           Again, it's an eastern states or states east of  
5 the Colorado who are using their political and financial  
6 power to oppress states out in the west that right now do  
7 not have the means to adequately protect their safeteyness  
8 necessarily, and we are being ignored, and it is all over  
9 economics.

10           And the safety of this whole issue is -- one thing  
11 I noticed in reviewing the report is that the PFS recognized  
12 the possibility of a container leak, and their solution to  
13 that is if they find a container leak after shipping it  
14 across the entire country is to return it back through  
15 populated areas, back to the source of origin. And to me,  
16 that is ludicrous, and, to me, it recognizes that this is  
17 not a perfect site. And there is not a guarantee of safety,  
18 and that they will jeopardize millions of lives and millions  
19 of people to -- again, for some interim economic gain.

20           One thing that is another issue, this site is next  
21 to an active bombing range. If you look at the Deseret  
22 News, March 26th of this year, there have been at least five  
23 cruise missiles that have crashed out in the West Desert,  
24 supposedly under some type of control, but one of them  
25 actually hit two trailers for a cosmic ray observatory. So

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1 it is not impossible for an Air Cruise Missile or some other  
2 weapon to hit this site, and I see no evidence that that  
3 safety issue has been addressed in this report.

4 I know I am out of time, but I encourage other  
5 elected officials to get up here, too. Thank you.

6 MARK DELLAGATTI: That concludes the list of  
7 tribal, state and local officials who have requested to  
8 speak. I will now go on to the rest of the list. The next  
9 speaker is Mr. Steve Erickson.

10 STEVE ERICKSON: My name is Steve Erickson. I  
11 represent downwinders. I am going to thank the audience for  
12 being here tonight. It is tough when you ask people to come  
13 out and participate in what is ostensibly a democratic  
14 process when we all know what the results are going to be  
15 from this process since it is run from the NRC, and the  
16 decision has already been made, and it is now just  
17 essentially being ratified.

18 Where to begin? With this analysis here at DEIS,  
19 the DEIS fails to substantiate a need for the project. It  
20 goes on to say there's going to be economic benefits of some  
21 \$53 million to the State of Utah; a pittance in the state's  
22 annual budget, much less a 20-year budget. It poses a phony  
23 alternative in Owl Creek, Wyoming; postulates a Site B just  
24 a half a mile south of the preferred alternative site. Some  
25 alternative. And it fully inadequately assesses the

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1 no-action alternative.

2 DEIS states that there are some 15 ISFSIs now and  
3 another 15 to 20 on the drawing board. And in 1984, '90 and  
4 '99, the NRC issues environmental assessments in which they  
5 gave a finding of no significant environmental impact for  
6 that continued on-site storage, and it issued eight on-site  
7 storage licenses during that time. So is it a problem that  
8 this waste needs to be moved to a place like Utah?

9 Well, the DEIS goes on to state there are some  
10 utilities that may run out of physical space in which to  
11 store space, and then it analyzes only the 11 power plants  
12 belonging to the eight utilities of the Private Fuel Storage  
13 consortium. It didn't mention any of the other -- what? --  
14 104.

15 In fact, the DEIS says around 100 nuclear power  
16 plants in the country, which, of course, the capacity of  
17 this facility is supposed to be able to accommodate all of  
18 the nation's nuclear waste. Some 80 percent may run out of  
19 space by, oh, another ten years. This is documentation of a  
20 need? Hardly.

21 The NRC, even worse, perhaps, ignores and violates  
22 its own regulations in this Draft Environmental Impact  
23 Statement. I am referring to new reg. 15-55. In that, the  
24 regulations governing the protocol guidelines, if you wish,  
25 say that EIS must stand on its own as an analytical document

1 that fully informs decision makers and the public of the  
2 environmental effects of the proposed action.

3 Draft DEIS must emphasize issues that are  
4 significant. DEIS must be written in plain language. DEIS  
5 cannot refer to other documents for essential salient  
6 information, and the DEIS must be complete. Well, this DEIS  
7 refers repeatedly to the Safety Evaluation Report, the SARs  
8 as well, and both is general and regional in nature, and  
9 impossible for the average person to understand. It  
10 requires a significant amount of ability to digest  
11 convoluted data in order to do that.

12 It lacks specifics on dozens of issues.  
13 Mitigations are to be decided later. They are going to be  
14 worked out as well as the best management practices -- the  
15 BMPs -- and what the expansion impacts of the facilities  
16 will be dealt with sometime down the road. This didn't pass  
17 the smell test for the public to address and comprehend the  
18 issue at hand. And the DEIS is inaccurate and superficial  
19 in a variety of areas.

20 Just to mention a couple -- and you will get them  
21 all in writing at some point from us -- Dugway housing  
22 downsizing. I think you are a little behind in the curve on  
23 this. There is no shortage of housing at Dugway that can be  
24 used for personnel operating, constructing this facility.  
25 There are waiting lists for housing right now.

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1           They are not downsizing. They are upsizing.  
2 Emergency response and liability is given short shifts  
3 throughout the documents. It says there are no sensitive  
4 areas in the Skull Valley. No ACEC is listed in one section  
5 where the BLM is required to make their analysis of their  
6 document. Well, Horseshoe Springs is an ACEC.

7           Sources of water, we will find it when we drill.  
8 We haven't adequately characterized it yet, but when we  
9 drill a few wells, maybe we will find enough water to  
10 operate this place. The information on capable faults is  
11 completely contradictory.

12           In one place you say, Well, it is within -- well,  
13 capable faults are, like, two miles away. And others say  
14 they are outside five miles away. Clearly, you are basing  
15 this on regional data seismologically, and it doesn't relate  
16 to what could happen on that site. Fire suppression,  
17 another failure in this process.

18           You know, the best part was Appendix F, and No. 5,  
19 wherein the original site evaluation is going on by the NRC  
20 and PFS, and what it says is that there's never been any  
21 nuclear opposition referenda in the State of Utah. Well,  
22 maybe there wasn't a referenda but there is damn sure  
23 opposition, isn't there? I mean, essentially, they have  
24 thrown down the gauntlet to people of the State of Utah, and  
25 these folks have already made up their minds.

1           This is going to be rubberstamped in the process,  
2 so it really is up to all of us. We want to be just like  
3 this? I don't think so. I think it is time that we not be  
4 put into the position of propping up what is a dying  
5 industry, whose last gasp is to try to hide this stuff --  
6 out of sight, out of mind -- so they can continue, when it  
7 is all about money and politics; not about sound science and  
8 not about intelligent public policy.

9           So it is really up to all of us; those of you who  
10 took the time to come here tonight to take charge of this  
11 and take it out of the hands of the regulators who really  
12 are the lap dogs of the industry. Thank you.

13           MARK DELLIGATTI: I am going to announce the next  
14 speaker, then I will also tell you who the following speaker  
15 is so you will be ready. The next speaker will be Steven  
16 Barrowes, followed by Jason Groenewold.

17           STEVEN BARROWES: I've got my remark on a little  
18 flyer that is available out here. There are 60 copies so  
19 you can get the other three-fourths of what I don't have  
20 time to say.

21           The title is, "Is it Hot Enough for You?" and the  
22 point is that global warming has a very intimate  
23 relationship to what kind of energy supply we have in this  
24 country. We are talking about whether to kill the nuclear  
25 industry by bottlenecking the storage problem forever versus

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1 allowing the nuclear industry to take part of the load,  
2 thereby reducing the amount that is done by fossil fuels and  
3 reducing the global warming problem.

4 We have no other steps in this country to reduce  
5 the global warming problem except some kind of energy, like  
6 nuclear, which is the only affordable available energy that  
7 can take that place right now. Wind power, solar-cell  
8 power, those things cost several times as much as what we  
9 are paying right now, so they need more development so they  
10 can really take the load. The truth about moving and  
11 storing spent nuclear fuel is that it can be done safely.  
12 In fact, much more safely than the energy equivalent amount  
13 of coal.

14 According to the '96 Encyclopedia Americana,  
15 mining and moving enough coal to fuel our power plants  
16 involves several hundreds deaths per year. While if we had  
17 a thriving nuclear industry, the transportation of spent  
18 nuclear fuel would cause less than one death per century,  
19 according to their estimates. The same article estimates  
20 other risks with the conclusion that coal causes far more  
21 sickness and pollution including cancer deaths.

22 And the global warming is almost universally  
23 acknowledged by scientists, with its hotter summers, melting  
24 of icecaps in Greenland and Antarctica, rising sea level,  
25 weather disruptions and future extinctions of species.

1 Nuclear power offers the only alternative. It is extreme  
2 folly to fight against the cleanest, most environmentally  
3 friendly and safest energy supply we have.

4 Now, to illustrate the hazards along the  
5 transportation. If you stand one meter away from one of  
6 these transportation casks, you get 10 millirems of exposure  
7 per hour. That's equivalent of one chest x-ray or flying in  
8 an airplane for four hours. Those are risks that we accept  
9 routinely because we want the benefits of the x-ray or the  
10 airplane transportation. A person standing or living near  
11 the tracks and leans against his back fence when this  
12 transportation cask goes by at 30 miles per hour, he only  
13 gets .3 seconds of exposure.

14 He is over two meters away from the cask, and if  
15 you calculate this and ask how many of those casks would  
16 have to go by for him to get the equivalent of one x-ray  
17 exposure, it comes out that 19,000 casks would have to go by  
18 at that distance. Now, that is the closest distance you can  
19 have to the railroad. They need nine feet of clearance  
20 between the center of the track and any object. That is a  
21 standard that the railroads work by, and that was the number  
22 that was calculated in here.

23 So there are not 19,000 casks in the United  
24 States. There's less than half that number, and they won't  
25 all go past any one point, so there is no bystander that

1 would get the equivalent of one chest x-ray. It just could  
2 not happen in the transportation of all this spent fuel, and  
3 this is a greatly exaggerated danger. This is a safe thing  
4 to do. We take x-rays because there is a benefit, and if we  
5 don't like the global warming, we should consider the  
6 benefit of cutting down our coal-fired power plants and  
7 using more nuclear.

8 That's what this is about. It is not about money.  
9 It is about our future energy policy for this country. Are  
10 we going continue to run it by hysteria, or are we going to  
11 look at the scientific analysis of the risks and do a  
12 reasonable thing? Thank you.

13 MARK DELLIGATTI: Jason Groenewold followed by  
14 Mariann Webster.

15 JASON GROENEWOLD: Hi. My name is Jason  
16 Groenewold, and I am the director of a local grassroots'  
17 organization called Families Against Incinerator Risk, and  
18 we are very much opposed to this project because of what is  
19 happening here in Utah already.

20 If you go and look at what is happening in Tooele  
21 County and the West Desert, you will find that we are home  
22 to the largest toxic air polluter in the United States. We  
23 have two chemical weapons' incinerators, a hazardous  
24 incinerator, a hazardous waste landfill, a radioactive waste  
25 landfill, a massive bombing way, a proving ground for

1 biological and chemical warfare agents, and now two  
2 proposals that, if approved, will bring most all the  
3 nation's nuclear waste here into our state.

4 Well, enough is enough. We shared our burden of  
5 waste here in this state, and now you are asking us to take  
6 more. And you are going to be shipping it through our  
7 community by rail lines, by highways, and we don't want it.  
8 It is that simple.

9 You know, this Draft Environmental Impact  
10 Statement tries to down play the significance of the risk of  
11 moving this waste across the country and then storing it  
12 about 50 -- 55 miles from downtown Salt Lake City. Well, it  
13 is just ludicrous to put that on paper because if it is so  
14 safe, why don't you keep it where it is? You know, why  
15 aren't the people who are generating this hold on to it and  
16 deal with it responsibly?

17 You know, for 40 years, the nuclear industry has  
18 been trying to figure out a solution to this problem, and  
19 here we are today, you still don't have a solution. You  
20 come to us with this proposal that is temporary storage at  
21 the Skull Valley Goshute Reservation, but yet, what's the  
22 final solution? You don't have it. And yet, this is the  
23 interim measures?

24 Well, I think some of the things you need to do  
25 first off is to approach this as if it were the final

1 resting place for this waste, you know, and until you do  
2 that, this Environmental Impact Statement is completely  
3 inadequate.

4           You know, I think it is interesting to hear some  
5 of the comments of supporters of the nuclear waste storage  
6 facility. You know, I guess what it reminds me of is that  
7 with enough money, you can get most any one to say anything  
8 you'd like. And I think that has been the case with the  
9 nuclear industry as well.

10           They handpicked their scientists to come and try  
11 and show our community that what they are about to do is  
12 absolutely safe, poses no risks to our community, and that  
13 we really shouldn't worry about it; that we should be more  
14 focused about the economic gains.

15           Well, I mean, that is just absolutely ridiculous  
16 when you consider in this day and age how widely accepted it  
17 is; not just here in the United States, but across the  
18 world, how dangerous it is to deal with high level nuclear  
19 waste. I meant, Europe has recognized that.

20           You see decommissioning of nuclear power plants  
21 going on in Germany, Sweden, and yet, here we are in the  
22 process of not only wanting to transport this waste across  
23 our country, but in this process, allow for us to produce  
24 even more. That is just a failed and flawed public policy.

25           A couple of things that, you know, are interesting

1 is what are you going to do in case of a catastrophic  
2 accident? I mean, it didn't even seem to be addressed in  
3 your impact statement here. And what if we are experiencing  
4 dry conditions like we are this summer and you have a fire  
5 out in the West Desert? Which facility gets first priority?

6 Are you going go over to the chemical weapons'  
7 incinerator where we have the nation's largest stockpile of  
8 chemical weapons? Are you going to the hazardous waste  
9 landfills, and try to put out those fires? Are you going to  
10 go to Dugway Proving Ground where we have, you know,  
11 contaminated land with anthrax for us, or are you going to  
12 go over here and deal with all the spent nuclear fuel rods  
13 that you have brought into our community?

14 I think we are completely unable to deal with this  
15 waste, and for you to shove this down our throats is totally  
16 inappropriate. And I think, finally, one of the things that  
17 really needs to be pointed out is you are trying to limit us  
18 to three minutes of public comment and telling us that is  
19 all the time that is available for the public to be involved  
20 in this process. That is ridiculous.

21 We need more public hearings. We need hearings in  
22 every city and in every town that this waste is going  
23 through. We want more and extensive hearings in Salt Lake  
24 City and throughout all of Utah where this waste will be  
25 coming; not just one single night where you entertain us to

1 give us a few minutes of public comment.

2 If you are serious about involving the public and  
3 if you are serious about democracy, then you will open up  
4 this process, and the only way to show that is through your  
5 actions. And I'd just like to close by saying there really  
6 is no small mistake with nuclear waste, and that Utah is  
7 definitely not the place for the nation's nuclear waste.  
8 Thank you.

9 MARK DELLIGATTI: Mariann Webster, followed by  
10 James Webster.

11 MARIANN WEBSTER: I am Mariann Webster. My  
12 comments are addressed to the BLM, the BIA, the STB, the NRC  
13 members, the group of utility companies from New York,  
14 Florida, Wisconsin, Michigan, Minnesota, Alabama, Georgia  
15 and California, known as Private Fuel Storage, and John D.  
16 Parken, chairman of the board.

17 Why does Utah continually seem to be at the  
18 receiving end of every harebrained scheme that comes out of  
19 Washington? Not too long ago we had the Utah downwinders  
20 dying from frequent careless bomb testing in Nevada, then  
21 there was the Mx Missile shell game -- now, there was a  
22 brilliant plan -- and then it was the Supercollider. Now  
23 you gentlemen want to make Utah the site of the world's  
24 largest high level nuclear waste dump.

25 Your current licensing process, which has been

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1 used only for reactor licenses, is inadequate for licensing  
2 a permanent facility or semi-permanent facility such as  
3 this. The NRC hearing process is biased in favor of utility  
4 companies, and tainted by the fact that the federal  
5 government is being sued by the utilities because no federal  
6 facility has been provided.

7 This is unethical for the NRC to serve only the  
8 applicants of this license. This sets a dangerous precedent  
9 for the NRC to allow a company like Private Fuel Storage to  
10 come into Utah and take the nation's nuclear waste with  
11 them.

12 This is unethical for the NRC to allow the Private  
13 Fuel Storage environmentally racist tactics of enlisting  
14 financial-strapped Native American Tribes to take the deadly  
15 waste of eastern communities. Communities like Westchester  
16 County, New York, who feel they are too good to keep it in  
17 their own neighborhoods.

18 At least 22 Native American Tribes have been  
19 listed as potential host sites by these eastern utilities.  
20 If this facility is so safe and desirable, why does Private  
21 Fuel Storage need to deal with sovereign nations outside the  
22 normal legal and regulatory boundaries?

23 Since one-third of the Goshute Tribe has gone on  
24 the record of opposing this nuclear dump, Private Fuel  
25 Storage cannot claim the tribe has voluntarily pursued this

1 site on their tribal lands. This is not a willing-host  
2 jurisdiction.

3 Why, really outside of financial need, would the  
4 Goshute Band wish to risk their lives and health, those of  
5 their children, and the possible pollution of their tribal  
6 lands by taking in unprecedented amounts of radioactive  
7 waste? Do you people have ethics? Are you honest? Let's  
8 get honest about this.

9 I call for immediate steps by the federal  
10 government, the NRC, and the State of Utah to assist the  
11 tribe in working for a more just enterprise on their land.  
12 The NRC has previously reached the conclusion that the  
13 environmental effects of storing the spent fuel at the  
14 reactor where it was generated are not significant.

15 Why, then, are the utility companies attempting to  
16 dump all their spent fuel on Indian land? This dangerous  
17 substance is not desired in east coast neighborhoods. Why  
18 should the Goshute and the Wasatch front bear the risk? The  
19 only benefits here are to utility companies' profits and  
20 their eastern rate payers.

21 There will be an economic impact to Salt Lake City  
22 with no benefits. The risks and stigmas associated with the  
23 transport and storage of high nuclear waste will make Salt  
24 Lake and the Wasatch front a less desirable place to live  
25 and visit. Your cost benefit analysis, your DEIS, is

1 incomplete. The movement of these amounts of high level  
2 nuclear waste is unprecedented.

3 Each cask contains 40 times the radioactive of the  
4 Hiroshima bomb. We have all heard this. Utility companies  
5 plan to constantly move two to six casks per week through  
6 Salt Lake and the Wasatch front. Well, these casks have  
7 been in use for 14 years. It is unproven, yet this license  
8 is for 25 years, then another 25 years.

9 There are no plans for a local radiological  
10 response team in each community they pass through. The  
11 nearest radiologic response teams are in California or the  
12 east coast. There are no hazardous-material response team  
13 in Tooele. Figure that one out.

14 There is no fire department in Tooele County  
15 except for the volunteers. This will be the largest  
16 concentration of high level nuclear waste in the world, and  
17 NRC plans to help put it in an active seismic zone with over  
18 113 recorded earthquakes and four faults in the immediate  
19 area.

20 These casks are above ground and are not designed  
21 to withstand an earthquake or a fire for over 15 minutes or  
22 a plane crash, yet Hill Aircraft Testing Field is 15 miles  
23 away. Because the Department of Defense is testing these  
24 planes and training pilots, crashes can and do occur off  
25 site. A plane crash would release radioactive substances

1 into the air and ground. Sabotage and terrorism are also  
2 credible incidents, according to the study, but no detail  
3 plan is available for protection.

4 The facility is only 45 minutes from Salt Lake  
5 City. Our community and the entire Wasatch front could be  
6 held hostage to terrorists, plane crashes at the facility,  
7 bombing acts and sabotage. Due to congestion, evacuation of  
8 the Wasatch front by road would not be possible. The NRC  
9 and utility companies are showing a blatant disregard of the  
10 safety of the citizens of the Wasatch front, not to mention  
11 our economic stability.

12 Because the agreement is made between the Indians  
13 and a private company, the radioactive waste will not be  
14 required to be shipped or stored at the same safety standard  
15 as would be required by a federally owned and operated  
16 facility.

17 For example, Yucca Mountain was to be an  
18 underground facility with government security. The rail  
19 shipments would have had a more rigorous standard as well.  
20 The primary purpose of this sweet deal between the utility  
21 companies and the NRC is to increase utility companies'  
22 profits by reducing storage cost. Eastern rate payers will  
23 enjoy the benefit of cheaper electricity without the risk or  
24 risk responsibility of storing the hazardous waste.

25 The cost to Salt Lake City, the Wasatch front, and

1 Utah has not been assessed in this DEIS. Utah has been  
2 forced to bear the risks of the world's largest high level  
3 nuclear waste dump at the hands of a limited liability  
4 corporation.

5 Limited liability means that there will not be  
6 enough financial responsibility for a major radioactive  
7 disaster. The utility company corporation can simply go out  
8 of business leaving Utah with the world's most dangerous  
9 superfund site. Utility companies' assets will be unharmed.  
10 This has already happened in Utah at the Atlas Tailing Site.

11 The DEIS is inadequate, poorly written, and it is  
12 not according to NEPA guidelines, and I object. Why is this  
13 room so small? I object to that. Why is there only one  
14 public hearing during the week of the biggest holiday in  
15 Utah, in the month of July when most people take their  
16 vacations?

17 This is not a democratic process. The Private  
18 Fuel Storage proposal has failed to obey environmental  
19 justice statutes of our government, has failed to recognize  
20 the socio-economic impact to Salt Lake City.

21 The rail route proposed passes through Salt Lake's  
22 poorest minority neighborhoods. This has not been dealt  
23 with at all. The proposed plan to store unanchored casks  
24 above ground leave the entire Wasatch front vulnerable to  
25 earthquakes, sabotage and plane crashes.

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1           The NRC's refusal to even listen to transportation  
2 concerns is unreasonable. Shipping high level radioactive  
3 waste 2,400 miles from the east, 1,600 miles from the south,  
4 1,000 miles from the west, endangers every community that it  
5 passes through. This simply does not make sense, given the  
6 fact that this Draft EIS states clearly that utility  
7 companies can continue to store the waste on the site where  
8 it was generated.

9           Recent information suggests -- and I don't know if  
10 this is true -- that the DOE will take -- that is the  
11 Department of Energy -- will take title to and pay for  
12 storage costs. Because there is no need for this facility,  
13 the NRC should not act on this license. Because waste  
14 transport exposes the people of this country to unreasonable  
15 risk to loss of life and property damage, this will become a  
16 permanent facility by default.

17           The NRC is at the core of the gross mismanagement  
18 and oversights of the nuclear utility industry of this  
19 country. Now this organization expects the people of the  
20 Wasatch front to expect dangerous substances we did not  
21 create, saddled with responsibility of monitoring against  
22 leaks for the next 10,000 years, and they want to put this  
23 mess 50 miles from 70 percent of Utah's population mass.

24           DR. SHANKMAN: Okay. We are getting to the end of  
25 your time. Could you please wrap up?

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1 MARIANN WEBSTER: I am at the end of my talk.  
2 Clean up your ethics, NRC. Stop allowing utility companies  
3 to run amuck on the poor minorities of this country, and  
4 leave the deadly substances where they are. And above all,  
5 stop trying to dump on Utah.

6 MARK DELLIGATTI: James Webster followed by James  
7 McConkie.

8 JAMES WEBSTER: Yes, we are related, and I don't  
9 intend to do a very good job in following that act. However,  
10 I'm a landscape architect and landplanning consultant, and I  
11 have been working and involved in Tooele County for the last  
12 25 years. I know a little bit about that environment. I  
13 did the master plan for Overlake Community, which -- and I  
14 hope Drew Hall is here. He is the developer of that, and I  
15 hope he speaks either now or tomorrow.

16 I am also a railroad employee at one time in my  
17 life. For ten years in my life, I was a brakeman on the  
18 Southern Pacific Railroad. I was also a brakeman on this  
19 specific line that goes through Utah. These issues have not  
20 been dealt with. The issue of sabotage of the railroad.

21 I have been involved in enough derailments that  
22 people have caused out of human error. It is a very  
23 vulnerable situation. If you look at the railroad, those  
24 issues have not been addressed. I'd like to see, by a show  
25 of hands, how many people have actually had an opportunity

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1 to read the DEIS? And yet, this is a hearing at which time  
2 that opportunity is afforded.

3 I got my copy from the Department of Environmental  
4 Quality at the State of Utah. They had to xerox it for me.  
5 These things are rare as hen's teeth. It is a very  
6 difficult thing to say that this is a democratic process  
7 where this information is available to the public to comment  
8 upon. I, nevertheless, prepared a nine or ten page  
9 commentary. I won't take the time of this group to go  
10 through all of that, but I would like to highlight a few  
11 things.

12 In the executive summary, it says, quote, it is  
13 expected that the SNF would be shipped -- it is expected  
14 that the NSF would be shipped from the proposed PFS SNF to a  
15 permanent repository. Why not, it will be. It is  
16 disingenuous. In the environmental report, three pages --  
17 what a good deal -- three pages are devoted to  
18 decommissioning the facility.

19 I couldn't find any in the DEIS. Who, if anyone,  
20 has determined that there is adequate water anywhere on the  
21 Reservation with adequate flow and duration? What about  
22 water rights? What about fire flow? What about some of  
23 these factors?

24 Potential impact to livestock grazing is  
25 discussed. It is a red herring, especially in light of the

1 emission of numerous other more significant cultural  
2 resources. Landscaping would constitute a total alien  
3 intrusion. This thing must be been written by somebody from  
4 the east coast. I've been there. I have my degrees from  
5 Harvard. Okay. That's what they think about the Goshute  
6 Reservation; let's go do a little landscaping. That will  
7 spruce it up.

8           There is no simulation modeling that I have seen  
9 in the DEIS, certainly not in color, yet the report talks  
10 about color blending. The detailed design for the facility  
11 in Wyoming does not exist, quote, from the report. Nor has  
12 this been studied, quote, in as great a detail as Skull  
13 Valley; therefore, it is not really a realistic alternative.  
14 Four of the alternatives are just farther. They are the  
15 same Skull Valley alternative; just moving it around.

16           If the NRC has previously reached the overall  
17 conclusion that the environmental effects of building a  
18 reactor, ISFSI are not significant, and that's a quote, then  
19 why is anyone in Skull Valley -- why are we pursuing the  
20 Skull Valley alternative?

21           There is a lot -- a lot of this in the DEIS. A  
22 lot of contradiction. The DEIS indicated that no impact to  
23 scenic qualities can be completely mitigated or that impacts  
24 -- DEIS states that impacts to scenic qualities can be  
25 completely mitigated once the facility and rail line are

1 decommissioned and removed.

2 I'd like to point out that over 150 years, scars  
3 from wagons along the Mormon Trail are still evident. It  
4 states there is 172 increase in road traffic. By my  
5 calculation, given a standard multiplier of 4.2 or even 2.5  
6 people per family, that represents a 2,133 percent increase.  
7 The report says that no traditional properties important to  
8 federally recognized Indian Tribes or culturally important  
9 resources have been documented. There needs to be a lot  
10 more work done.

11 Rail lines are particularly vulnerable to  
12 sabotage. The ever present danger associated with the  
13 facility, the ethic of imposing degenerative and deleterious  
14 materials on sacred lands, and Tooele County's inability to  
15 provide protection, and the inability of PFS to provide  
16 protection from terrorism and sabotage in the force of  
17 abolishments of the reverence for the land by the Goshutes  
18 who are opposed to the project constitutes additional  
19 socio-economic impacts that have not be addressed.

20 There a letter by Wilson Martin in the report that  
21 is buried in the appendix B and talks about EO NEPA  
22 consultation with other Tribes in Skull Valley row. Those  
23 issues have not been addressed. Freemont Island burned to  
24 the ground a few years ago as a result of an F-16. How do  
25 we know that's not going to happen? Freemont Island is a

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1 lot of land, and it is about as remote from fire protection  
2 as the Goshute, maybe more so or maybe less. We don't know.

3 References to the vegetation to Skull Valley is  
4 contained in section 3.4.11, and identified 11 plants. In a  
5 report that was reprinted in 1964, 334 separate species are  
6 identified. That is a 30,354 percent increase. 32 of these  
7 plants are used for medicinal purposes.

8 I admire the Goshutes for their ability to eke out  
9 a living, and especially to deal with the prospect of  
10 medicinal plants. Those alternatives ought to be pursued  
11 with the assistance of the universities and the State of  
12 Utah.

13 I would like to end my presentation with a quote  
14 from Wassaja, a Mohave Apache, also known as Carlos Monte  
15 Zuma, and he delivered this address to the American Society  
16 of Indians: The iron -- quote, the iron hand of the Indian  
17 Bureau has us in charge. The slimy clutches of horrid  
18 greeds and selfish interest are gripping the Indians'  
19 property; little by little, the Indians' land. Everything  
20 else fading into a dim and unknown realm.

21 He wrote this in 1915. It is my opinion that very  
22 little has changed. Thank you.

23 MARK DELLIGATTI: James McConkie followed by Steve  
24 Frishman.

25 DR. SHANKMAN: I have conferred with the hotel and

1 the other people who are working with us, and the court  
2 reporter is only contracted to be here until 10:00, but we  
3 have another 50 people who would like to talk, so I would  
4 ask that the speakers from now on try to limit themselves.

5 Because what will happen is that the first  
6 speakers will get to speak, and the other people will be  
7 disappointed. I don't think that's fair. I think -- let me  
8 continue. May I continue? What I would like to do is try  
9 to limit the comments. We will try to arrange another  
10 meeting. We are having one tomorrow night in Grantsville.

11 Right now, the comment period ends on September  
12 21st. We will take any and all comments that are made  
13 through the internet or in writing. There are forms in the  
14 back of the room. You do not have to do anything but fill  
15 them out, and we will take them back with us. In the  
16 interest of fairness to people who came tonight and who  
17 signed up, I am going to ask people to please limit their  
18 statements.

19 I understand your concerns. I believe that we  
20 will try to accommodate everybody tonight. The decision to  
21 make another meeting is something I cannot commit to  
22 tonight, but I understand your concerns. I am asking you to  
23 be fair to the people who came tonight. Go ahead.

24 JAMES MCCONKIE: I will try to move my statement  
25 along. My name is Jim McConkie. I am here on behalf of the

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1 Citizens Against Radioactive Waste in Utah. This  
2 organization came into existence two weeks ago, and I  
3 emphasize it is a bipartisan group of people.

4 You may not recognize these names, but they are on  
5 our honorary board, among others: Governor Bangerter, the  
6 former governor of the state; Senator Jake Garn, a  
7 well-known senator, past senator; Representative Wayne  
8 Owens; Ted Wilson, the former mayor; Senator Ted Moss, the  
9 United States Senator; Brent D. Ward, a United States  
10 attorney for ten years in the State of Utah, who would also  
11 like an opportunity to address you.

12 The point I am making is that a broad spectrum of  
13 people in both the democratic and republican party oppose  
14 this proposal, and it is our intention to make this  
15 politically unfeasible to place the waste on the Goshute  
16 Indian Reservation.

17 Now, very briefly, as I have read through the  
18 environmental statement, I think the fatal flaw in the  
19 statement is to completely ignore the other dangers that  
20 exist there, particularly the bombing range, and not to  
21 consider the impact that it will have on Hill Air Force Base  
22 and its future operation.

23 Until that issue, among many others, is addressed,  
24 I believe that the impact statement is insufficient. It is  
25 also the position of our group that a national policy should

1 be developed first before these waste materials are forced  
2 on any community. And by default, as a group of citizens  
3 broadly based, we do not intend to allow this nuclear waste  
4 to be deposited on the Goshute Reservation. Thank you.

5 MARK DELLIGATTI: Steve Frishman followed by Judy  
6 Trichel.

7 STEVE FRISMAN: I am Steve Frishman. I am  
8 technical policy coordinator for the Nevada Agency for  
9 Nuclear Projects. We are the agency that oversees the Yucca  
10 Mountain project, and we also are the agency that supports  
11 the state's policy that is opposed to Yucca Mountain.

12 I have a written statement from Bob Lexy, deputy  
13 director of that agency, that I will give you for the  
14 record, but I would just like to make a couple of comments  
15 out of that statement.

16 First of all, in discussing need for the proposed  
17 act, the DEIS incorrectly states that, quote, both the  
18 original Nuclear Waste Policy Act and the Nuclear Waste  
19 Policy Act in 1987 recognized that some form of centralized  
20 interim storage would be a component of the national  
21 program. This is incorrect. Because while both pieces of  
22 legislation set out siting processes for a monitored  
23 retrievable storage facility, neither act authorized such a  
24 facility.

25 This suggests the intent that such a facility

1 could be a component of the national program if approved by  
2 congress at some later date. There is no indication that  
3 such a facility was considered an integral component of the  
4 national nuclear waste program, and numerous reviews have  
5 concluded that there are no outstanding safety issues that  
6 could lead to the need for centralized facilities.

7 We have looked at this policy in terms of some of  
8 our concerns about interaction between this proposal and the  
9 Yucca Mountain proposal, and we see that the DEIS  
10 incorrectly assumes, at least in two places, that the  
11 permanent repository will be located at Yucca Mountain.

12 According to the procedure of the Nuclear Waste  
13 Policy Act and the Department of Energy, the Department of  
14 Energy's current decision and schedule, the Yucca Mountain  
15 site needs to go through a long series of approvals before  
16 it could ever have been assumed that it could be the  
17 location of the national repository.

18 Even if all the necessary decisions and approvals  
19 are made, according to the schedule available of the  
20 repository at Yucca Mountain, it is still at least a decade  
21 in the future. And if the Yucca Mountain repository does  
22 not seem to be available as a destination when spent fuel  
23 must be removed from the PFS facility, it is still possible  
24 that the Nuclear Regulatory Commission's prediction that  
25 there will be a repository within the first quarter of the

1 21st century could come true.

2 DEIS should acknowledge the uncertainty about the  
3 availability of a permanent repository and evaluate the  
4 consequences of a lack of a permanent repository at the time  
5 of the expiration of the 20-year license. It is not  
6 sufficient to note that a 20-year license could be renewed.  
7 The information in the DEIS indicates that at a maximum  
8 operational capacity of 40,000 metric tons of storage, at  
9 least one 20-year license would be required.

10 This operation would include 20 years of incoming  
11 shipments, 20 years of outgoing shipments. If the proposed  
12 action included licenses at the PFS facility for up to 20  
13 years, this is insufficient to accomplish the full scope of  
14 the proposed project.

15 The commission cannot commit itself now to a  
16 license renewal 20 years in the future. For this reason,  
17 the DEIS is defective, in that it proposes a project that  
18 cannot be accomplished under the acknowledged regulatory  
19 conditions and proposed operational capacities.

20 MARK DELLIGATTI: Judy Trichel, followed by Jerry  
21 Shmidt.

22 JUDY TRICHEL: My name is Judy Trichel. I am the  
23 Director of the Nevada Nuclear Waste Task Force. This is a  
24 scene all too familiar in Nevada, and now the people of Utah  
25 are learning just like we've learned over a long period of

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1 time with Yucca Mountain.

2 The guide rules or the ground rule, number one,  
3 was respect. It is not respectful to try and limit people's  
4 time to speak. It is not respectful to not get a room large  
5 enough for everyone to be in here together.

6 You are also telling people that this comment  
7 period allows them to write in their comments, to E-mail  
8 their comments and do other things. It is very helpful for  
9 the public to hear each other. That is what you are hearing  
10 from me, and you don't just give that short strip. That is  
11 the wrong thing to do.

12 You have also told people that this is not the  
13 opportunity to talk about this whole project. Well, that  
14 DEIS should have covered the whole project. When are people  
15 here going to be given the opportunity to talk about the  
16 whole project? And when is it going to be enough time for  
17 all the people, as it's been pointed out? People.

18 Of Nevada should be having a hearing concerning  
19 Goshute because these two projects are joined at the hip.  
20 So there's a lot wrong with this process, and this is not  
21 your first rodeo either. You should have been learning all  
22 these years that you have been doing this to Nevada.

23 A lot of the issues being discussed about Goshute  
24 are the same things that come up with Yucca Mountain. There  
25 is transport nationwide. There is a question of who

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1 benefits and who loses. There have been inadequate  
2 hearings. And what problem gets solved by having this  
3 facility?

4 Yes, there was talk about waste being moved from  
5 the east, and that there's not adequate space. Are you  
6 telling me that the utilities that are part of this proposal  
7 are going to shut off their reactors and not fill those  
8 spots when waste gets moved off? These are not reactors  
9 that are going out of business. This is making room for  
10 more waste. So nothing gets solved.

11 This DEIS also assumes the Yucca Mountain  
12 Repository -- on one portion in here, it talks about after  
13 the proposed repository at Yucca Mountain opened and spent  
14 nuclear fuel stored at Skull Valley will be transported to  
15 the repository. You are the NRC. You have been telling the  
16 people of Nevada for I don't know how many years that  
17 there's absolutely no decision on Yucca Mountain.

18 We know that that site is lousy. We know it is a  
19 bad site. We are told by NRC that it will be given a very  
20 fair hearing; that NRC is our surrogate that, you know,  
21 represent the people of the State of Nevada. No decision  
22 has been made, and you have published that over the state  
23 line here in Utah.

24 Well, times have changed. Nevadans and Utahns are  
25 pretty close. We were together during the bombing days. We

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1 all got soaked. I will cover in this DEIS about cumulative  
2 effects. There are still some people here in Utah that are  
3 still feeling the effects of the bombing days. This is an  
4 accumulation. This is a new exposure. They are  
5 accumulative. That needs to be looked at in here.

6 I guess in what I would like to wind up just by  
7 saying is that Goshute, very obviously, is a staging area  
8 for Yucca Mountain. People of Utah are finding out how NRC,  
9 how DOE, how the utilities all play the game, and that they  
10 are now going to see how rules change.

11 There was talk about the NRS process, and  
12 according to the Nuclear Waste Policy Act, there couldn't be  
13 an NRS until you had a permanent facility some place so that  
14 it didn't get stuck there. Fine. Change the name of the  
15 thing. Change the process. Change who does the deal. The  
16 result is the same. That's what we have seen in Nevada.  
17 Every rule has changed.

18 So I would say the public here is doing just what  
19 Nevadans do. I am happy to see it. I am a public advocate.  
20 I like seeing Nevadans out for meetings. I like sees Utahns  
21 out for meetings. And I am going to say the same thing in  
22 both states and probably across the country, when you don't  
23 give them enough room, you don't give them enough time and  
24 you do not give them enough respect. Thank you.

25 MARK DELLIGATTI: Jerry Shmidt followed by Steve

1 Nelson.

2 JERRY SHMIDT: Good evening. Welcome to Utah.  
3 Your reception hasn't been all that friendly, but we are a  
4 pretty friendly group of folks. My name is Jerry Shmidt,  
5 and I have a few comments here that I have thrown together  
6 being privy now to the DEIS. I have been looking at it some  
7 of it on the web, then I've seen a copy here tonight.

8 First off, the thing -- you know, Steve Erickson  
9 thanked everybody for being here, and I would, too, as well.  
10 And the thing is, before we get too far in the proceedings,  
11 it really is, I think, just only appropriate that we  
12 remember all of the veterans and soldiers who gave so much  
13 to protect or participatory democracy, and so maybe  
14 somewhere during the night tonight as we are participating  
15 in this process, we can think about all the people who gave  
16 so much.

17 In short, I am here tonight to express my support  
18 for the no-action alternative and to explain -- well, you  
19 know, you folks are the bastard child of the AEC, the Atomic  
20 Energy Commission, and your agency, the NRC, really has next  
21 to no credibility in Utah after poisoning our citizens.  
22 Some of the things that scare me, and although I respect  
23 your intelligence and consulting and all that goes on here,  
24 but with all due respect to that, you have been assigned an  
25 impossible task.

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1           And no matter the level of your expertise, your  
2 consultants, the amount of time or money at your disposal,  
3 it is absolutely impossible for you to ascertain whether  
4 Private Fuel Storage and their financial backers have the  
5 financial and technological resources to have complete  
6 remediation in a case of an accident or a natural disaster  
7 occurrence, and there has never been an occurrence of this  
8 type or of this scale.

9           You think Yucca Mountain had problems with  
10 earthquake preparedness. This site is due to go, and it is  
11 very possible and, in fact, probable that this site will be  
12 the site of a catastrophic event in the next 50 -- 60 years  
13 or so.

14           Now, you are saying the site will only be licensed  
15 for 20 to 40 years, but we have heard promises before. The  
16 thing is that no matter what the cultural inequities that  
17 the Goshute Tribe has experienced, it does not excuse the  
18 siting of some of the most dangerous materials known to  
19 mankind just 50 miles upwind of the major metropolitan area  
20 in the Intermountain west.

21           And not only can you not measure the impact of  
22 that disaster on the metropolitan area, but it is absolutely  
23 impossible for you to measure and estimate the impacts of a  
24 disaster of this type on the Great Salt Lake.

25           And I would like to quote from just your abstract

1 summary very quickly. It says, "The proposed site" -- and  
2 this is on page 34 -- "The proposed site would occupy  
3 undeveloped range land which has no unique habitats, no  
4 wetlands, no surface water bodies or aquatic resources.  
5 There would be, thus, no impacts of these types of  
6 resources."

7 Now, the fact is that your site is 27 miles from  
8 Stansbury Beach, and I don't know how many times you guys  
9 from D.C. get out here, but we have a thing called the Great  
10 Salt Lake here. It is internationally known migratory route  
11 for thousands of bird species, and the fact is, if a  
12 disaster occurred and effected the lake's ecosystem, really,  
13 to judge the problem and how it would effect the food chain  
14 worldwide, .

15 I mean, your DEIS would probably have to encompass  
16 probably -- well, what? -- the western hemisphere. I mean,  
17 it is just impossible for you to measure this stuff. So the  
18 thing is, you have been faced with an impossible task.

19 Also, the idea of an LLC is that -- others have  
20 brought up Private Fuel Storage LLC, limited liability  
21 corporation. I mean, how can you license a limited  
22 liability corporation to have a license to deal in a  
23 facility like this where the costs are going to be  
24 astronomical? I also have concerns with regards to how the  
25 process has gone. A 90-day comment period is too short.

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1 I'd like to join with others in asking you to extend that  
2 comment period, and also have more hearings.

3 With all due respect to your offices and such, we  
4 are the taxpayers of this country. We pay your salary, and  
5 it is a little disheartening to us to have people come in  
6 here, and we get a long explanation from a few people about  
7 a few things and how they go and this and that, and then we  
8 are told that we do not have enough time to speak. We do  
9 ask for more hearings here in Utah because we do deserve  
10 them.

11 I question your agency. Your agency has less  
12 credibility with me simply on the fact that when I came to  
13 the scoping hearings in June of '98, I got this map from you  
14 folks, and if you look at the map and check it out, you find  
15 that the site is about 54 miles from Salt Lake City.

16 Then I read other documents -- well, a few weeks  
17 ago at the Saturday hearing -- and you folks are saying this  
18 thing is 75 miles from Salt Lake City. So, I mean, if you  
19 can't even get distance down, I mean, how am I supposed to  
20 trust you on all this other stuff, you know?

21 As far as the need goes, again, on page 29 of your  
22 executive summary, I would like to echo Mr. Erickson's  
23 comments and others, and here's the deal. Here's what it  
24 says: Some reactor owners -- some, not all -- are faced  
25 with the possibility that their facilities may be forced to

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1 halt power generation creations before their operating  
2 licenses expire because they have insufficient spent nuclear  
3 fuel storage capacity and no permanent repository currently  
4 exists.

5 Well, you know, the thing is, if somebody is going  
6 to continue to or start a project without really thinking of  
7 long-term impacts or kind of ruin the fish bowl, if you know  
8 what I am saying, without thinking about what they are  
9 doing, I don't have a lot of sympathy for them. And if it  
10 is time to turn off their plants, it is time to turn off  
11 their plants.

12 Again, with the idea of a limited liability  
13 corporation, it says, "Hereby ownership and the ultimate  
14 responsibility for the spent nuclear fuel will remain with  
15 PFS until the DOE takes ownership for their permanent  
16 facility."

17 Having an LLC in charge of this, again, is not  
18 what I think is a proper way and a prudent way to ensure  
19 against our being taken care of in case of an accident.  
20 Let's see. There's just a couple other things. Yeah, as  
21 far as on page 37 of your executive summary, you provide  
22 estimates on the economic benefits to Tooele County to the  
23 tune of about \$92 million, \$53 to the State, but never in  
24 there is estimated the mentioned lease payments to the  
25 Goshute Tribe.

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1           And I would like to see some figures on that in  
2 the next report, if I could, please, because it doesn't seem  
3 that the public can get that information, because the fact  
4 is that rule on the Reservation is not a democracy, and in  
5 this case, I think it has turned into a totalitarian  
6 prostitution.

7           And the fact is that the people -- the Goshute  
8 Tribe, there's only 124 members of the Tribe. About 25 live  
9 on the Reservation. Approximately 80 percent live off the  
10 Reservation.

11           I think we should poll the people who live on the  
12 Reservation and see how they do it, because the way that the  
13 Tribe politics have been handled, the fact is that it could  
14 be that someone who lives off the Reservation who supports  
15 the project would get less money and tribal payments than  
16 somebody who opposes the project but lives on the  
17 Reservation. That is an inequitable situation.

18           And the fact is that under Goshute leadership, I  
19 don't believe there's ever been a democratic-style ballot  
20 vote of the Tribe of its 69 voting members as to whether  
21 they want this thing or not. This has never been an option  
22 for them, and that kind of thing needs to be taken care of  
23 before you guys go and license this thing.

24           They may be a sovereign nation, and I understand  
25 that. I don't care if it be Germany or Sweden or the

1 Goshute Tribe, this is something located in the middle of  
2 Tooele County and effects millions of people, and we need to  
3 have a say in it. Thank you very much.

4 MARK DELLIGATTI: Mr. Nelson, if I could just  
5 respond to a question, a number of people signed up prior to  
6 the hearing that was in the meeting notice, and we are now  
7 in the list of people who signed up tonight. Okay. Steve  
8 Nelson to be followed by Sammy Black Bear.

9 STEVE NELSON: I will try to be brief and cut out  
10 some of the things that are highly repetitive from the  
11 comments of others. My name is Steve Nelson. I am a  
12 isotope geochemist at the Brigham Young University. I am  
13 also the chair of the Utah Radiation Control Board. And  
14 before joining facility at BYU, I spent four years with the  
15 management and operating contractor for the Yucca Mountain  
16 project. So with this background, I am not sure which hat I  
17 want to wear tonight.

18 However, I will -- although I will be speaking for  
19 myself, I feel a particular obligation to speak for the  
20 interest of the State of Utah. And I am concerned with the  
21 process, and I don't wish to be offensive, but some of our  
22 recent interactions with the board regarding the issue of  
23 alternate feed does not give me warm and fuzzy feelings that  
24 the comments and objections by the state will be taken  
25 seriously, and I would urge you to make sure that you do

1 that.

2 Seismic hazards, they are not my particular area  
3 of expertise, so I will only comment briefly on the topic,  
4 except this concerns me. There are quaternary scarp faults  
5 in Skull Valley on the west side of the Stanbury range, in  
6 addition to some of the other faults that have been eluded  
7 to. These are published in the geologic maps that you can  
8 get in the library.

9 DR. SHANKMAN: Do you have a copy with you?

10 STEVE NELSON: I sure do.

11 DR. SHANKMAN: Would you leave it with us?

12 STEVE NELSON: It belongs to the Brigham Young  
13 University's library, but you can take the reference.

14 DR. SHANKMAN: That would be excellent.

15 STEVE NELSON: The Wasatch fault is only 50 miles  
16 away and quite capable of producing strong ground motion at  
17 this distance, liquid faction, shaking, amplified ground  
18 shaking in soft sediments. If we make the assumption that  
19 there is one to maybe a few hundred casks that are handled  
20 at the site per year, there is a good chance that waste will  
21 be in the process of being handled in the event that a large  
22 quake occurs.

23 I'd like to echo, with respect to the DEIS, some  
24 of the comments made, especially by the Governor and others,  
25 regarding socio-economic impacts outside of Tooele County

1 and outside the Goshute Reservation. A question of safety  
2 -- and I'll get there -- Yucca Mountain is supposed to be  
3 the permanent home for spent nuclear fuel. Geologic  
4 disposal has been the intent of the congress and the heart  
5 of the high level waste policy for decades.

6 Yucca Mountain is proceeding to license, and  
7 according to the DOE schedule, if you take that at face  
8 value, waste placement begins in 2010 versus 2003. For PFS  
9 that means it is only a seven-year advantage to speeding  
10 this up. Again, if you take the schedules at face value,  
11 there is only a difference of seven years, but, of course,  
12 there are many hurdles.

13 What if Yucca Mountain is not successful? What if  
14 neither the DOE or the NRC is willing to recommend the  
15 repository to condepress or the administration? What  
16 happens if, in spite of a recommendation, the site is not  
17 approved for political reasons? Do we start the process all  
18 over again and begin searching for a new permanent  
19 repository beginning at ground zero -- pun intended -- while  
20 the waste just sits in Skull Valley?

21 Another likely scenario that waste in Utah -- in  
22 other words, temporary storage, a temporary storage bill is  
23 eventually passed, and the repository either slowly dies on  
24 the vine or is canceled. And I worked at Yucca Mountain in  
25 1995 when cancellation of the project almost occurred.

1           And what if congress simply, at some point,  
2 decides that perpetual above-ground monitor storage is the  
3 way to handle spent nuclear fuel, and the message is sent to  
4 Utah, "Sorry, we have changed our mind," or "Sorry, Utah, we  
5 haven't got any other place to send it"?

6           Finally, I am not persuaded by the argument that  
7 money will be saved for the utilities. Now, I buy it that  
8 the utilities, maybe, save money, but I don't buy that is a  
9 valid argument. The DEIS addresses what the environmental  
10 just -- is it just to foist upon the citizens of the State  
11 of Utah waste that we don't want for the economic advantage  
12 of people far away?

13           So the most compelling words are, and these are  
14 right out of the executive summary commission, concludes  
15 that storage of spent nuclear fuel at nuclear power reactor  
16 sites will not have a significant incremental effect on the  
17 quality of the human environment. Thus, there is no  
18 compelling health and safety need for this facility.

19           And one more brief -- a brief comment. I also  
20 don't see the sense in bringing waste to Utah to then taking  
21 it to Yucca Mountain, putting it in storage and out of  
22 storage again. I don't see any economic or health and  
23 safety benefits. I see a health and safety risk in that  
24 process as well. Thank you.

25           DR. SHANKMAN: I just want to tell you that we

1 have 43 speakers who have signed up. It is now,  
2 approximately, 9:00, and we will -- I have made arrangements  
3 for us to stay for an extra half an hour. I understand your  
4 concern. I wish we could stay here all night. It is not  
5 possible to do that. So I just want to tell you there are  
6 43 more people who want to speak.

7 MARK DELLIGATTI: Sammy Black Bear to be followed  
8 by Donald Evan.

9 SAMMY BLACK BEAR: I am Sammy Black Bear, and I am  
10 one of the Goshutes that opposes this facility, and I am the  
11 one, and others, that filed a lawsuit, and I will try and be  
12 brief. And I live on the Reservation. I do live in Skull  
13 Valley, for now.

14 Why are you still proceeding with this licensing  
15 process, and what is it going to take to stop it? This  
16 injustice to me and my people -- these are the questions  
17 that we would like to have answered some day. This DEIS  
18 study reflecting the scoping report, you know, is  
19 inappropriate because of the BIA's activity. And you know  
20 that the BIA's approval of the purported lease agreement was  
21 without a NEPA review and an EIS study. In fact, the BIA  
22 stated in court in front of Judge Kimball that they didn't  
23 even keep any administrative records of this licensing  
24 process.

25 Then the purported lease agreement does not even

1 exist, which means you guys are approving a lease that does  
2 not exist. Why? There are so many discrepancies here. You  
3 should have stopped this long ago and not let this get this  
4 far.

5 Is it a fact that the reason why you have an EIS  
6 study in the first place is because you know you cannot do a  
7 NEPA review on an Indian Reservation? I think federal law  
8 forbids it. And that you also know that this DEIS study  
9 cannot be used to substitute for a BIA NEPA review. You  
10 know that.

11 I also know that the EIS coverage of environmental  
12 just is grossly inadequate, and whatever risk that may exist  
13 will only endanger us Goshutes as well as others. By  
14 putting this facility in Skull Valley, you are putting my  
15 family at high risk as well as others who live there.

16 The Goshutes have never approved this lease and  
17 this facility, and only a minority support it. And only  
18 those who support the facility will be getting any money  
19 from this facility. For example, I am not for this  
20 facility; nor am I ever permitted to get any money from this  
21 facility -- the money -- even though this facility sits on  
22 Goshute land. This is injustice at its worse.

23 The BIA has a judiciary duty not to let this  
24 happen. In fact, the NRC also has a judiciary duty, which  
25 they have not exercised. In fact, if this facility is ever

1 built, only the poor Goshutes who do not receive money and  
2 those who do not support it will be left beside the  
3 facility, because you know and I know that we can't afford  
4 to leave such a dangerous place.

5 Some Goshutes are also expressing concerns about  
6 perception damages to products and value use and the use of  
7 our Reservation for anything else. The NRC does not even  
8 consider perception damages in the same way the BIA is  
9 required to do. This is only one of the BIA fiduciary  
10 duties that they waive so easily.

11 This BIA study does not adequately address  
12 perception damages, so I request again, what is it going to  
13 take to stop this? We, the general council, have filed a  
14 lawsuit against the BIA and PFS and Bruce Babbit as well,  
15 that ranges in several wrongdoings.

16 In filing this lawsuit, you, the NRC, should have  
17 halted this licensing process, but you have not done so.  
18 Why? Then I sent a declaration to the NRC stating  
19 wrongdoing. That should have stopped this licensing  
20 process, which it did not. That declaration found its way  
21 into a filing cabinet somewhere. Why?

22 Mrs. Bullcreek has also has an appeal in the NRC  
23 on environmental issues. That, as well, should have stopped  
24 this licensing process. The BIA did not fulfill any of the  
25 their fiduciary duties to the Band of Goshutes. That, as

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1 well, should have stopped the licensing process, and the NRC  
2 is still continuing. Why?

3 Why are the people working backwards with all of  
4 their procedures? Is it because it is on Indian land, and  
5 Indian people do not matter? Because that is what you are  
6 demonstrating to all the people across this nation. I do  
7 not see you people doing these types of things on white-man  
8 land. Do you think for one moment that the white man would  
9 let you get away with these types of injustices? I don't  
10 think so.

11 Finally, the United States Congress has also sent  
12 a letter vigorously opposing this license process. I would  
13 like to read part of the letter from congress that was sent  
14 to all of you people.

15 This is just a paragraph: I am very concerned  
16 about the financial irregularities of this deal. I will be  
17 bringing the full power and oversights of the House of  
18 Representatives Resources Committee to bear on this request.  
19 I am also initiating action to begin a legal review of the  
20 financial deal struck between PFS and some members of the  
21 Skull Valley Band of Goshutes. This legal investigation  
22 will also examine failure of the Bureau of Indian Affairs to  
23 ensure all aspects of this proposal complied with federal  
24 law, DOE and BIA regulations.

25 This brief overview only begins the outline of my

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1 objections of this proposal. This is from congress,  
2 gentlemen, but yet you guys still continue. Representative  
3 Hansen, even though you people have received this letter  
4 suggesting wrongdoing and possible criminal acts by some  
5 parties and that they are starting their own investigation  
6 of wrongdoing by certain parties as well as in Skull Valley,  
7 you still continue to license this facility. Again, I ask,  
8 why?

9           The only thing I could come up with is PFS is  
10 paying NRC to license this facility with bait-race money  
11 from Minnesota, which is taxpayer money. Is that not a  
12 conflict of interest here, people? I wonder. You know, it  
13 saddens me to think that these injustices to Skull Valley  
14 Goshutes are so acceptable. So I ask you a final time,  
15 what's it going to take to stop this licensing? Thank you.

16           MARK DELLIGATTI: Donald Evan to be followed by  
17 R.J. Hoffman.

18           DONALD EVAN: Dr. Shankman and gentlemen and the  
19 review board and to all the wonderful citizens who are here  
20 tonight, I am Donald Evan.

21           I just want to express my personal opinions and  
22 respect to the Chief of the tribe. You don't want that on  
23 your Reservation, and I can assure you and tell you why.

24           I have been involved in nuclear waste for 35 years  
25 very diligently. DOE, I have written to them many times and

1 have been involved in quite a few of the impact studies in  
2 Hamford, which is the largest and hottest spot on the earth.  
3 If none of you have been to Hamford or you have looked at  
4 it, I was raised there when they built the first atomic  
5 reactor, and I can tell you all right now that our country  
6 has a serious, serious problem.

7           The United States Government doesn't know what to  
8 do with its high-grade radioactive waste. They have spent  
9 \$58 billion or so in Yucca Mountain, and people can't agree  
10 on it. President Clinton said he'd veto any bill that came  
11 across his desk making that a permanent repository.  
12 Scientists are struggling. I know. I have talked with them  
13 and dealt with them. Now DOE will not answer my question as  
14 to, What are you going to do with radioactive waste.

15           Every one of our sites -- Oakridge, Hamford, ones  
16 in Idaho and the very places -- they have been storage  
17 facilities for years. Let the fuel rods remain where they  
18 are. That's my observation from years and years of  
19 research. And I am kind of worried about it because now you  
20 want to bring it into Utah on the Indian Reservation, and I  
21 personally feel that's really wrong after studying the  
22 problems we have had for years with it.

23           Radioactive waste is a serious problem. I'd like  
24 you to know -- this may not be directly related to it -- but  
25 our government has brought in high-grade uranium from the

1 Ukraine and flown it into this country, and they are stored  
2 back in Tennessee. They were flown in with C-5A aircraft.

3 I opposed this, and said, "Why are we taking fuel  
4 rods and high-grade radioactive waste from foreign  
5 countries?"

6 Well, they don't want third-world countries to get  
7 it, but, yet, we, in America, are going to suffer because  
8 this stuff hangs around for 10,000 years. Let me tell you,  
9 right now, Germany has passed through their legislation that  
10 they are going to shut down their nuclear reactors.

11 Russia's reactors are the worse in the world.  
12 They are so dangerous. And you know what Russia has come  
13 and asked the United States to do? Support them and pay for  
14 them. They just cocooned the Chernobyl reactor that blew  
15 up.

16 The B reactor, I will be going through it next  
17 year -- next week in Hamford, which I have gone through for  
18 years and studied up at Hamford. They cocooned the reactor  
19 in Hamford, the C reactor, and it is only good for 75 years.

20 So I asked the doctor there, "Well, it is going to  
21 be there for 10,000 years. Well, what's this 75 year bit?"

22 And they said, "Well, that gives us time to think  
23 what we are going do next."

24 That almost reminds me of what we are trying to do  
25 out here in Utah. It is a temporary storage. Personally

1 and due respect to all of you and your professional jobs, I  
2 know you have got a tough assignment, but let me tell you,  
3 the solution is not to bring it in Utah. Never in Utah.

4 The solution is to keep it all where it is. Let  
5 these commercial companies -- they have got to make  
6 arraignments for it. That's what they are in business for.  
7 These fuel rods, they must take care of them themselves  
8 until the United States Government can find a permanent  
9 storage.

10 And let me tell you, in Hamford just recently,  
11 there was an enormous fire. On page 563 on your impact  
12 study here, it says between the years 1989 through 1998, a  
13 total of 4,636 acres were destroyed by fire in this region.  
14 That could be very, very hazardous and very serious to  
15 consider.

16 The Hamford fire, I am very familiar with what  
17 happened up there. Thank goodness it only went mostly to  
18 Benton City, which is adjacent to it, and destroyed some  
19 homes. Had it gone on the Reservation, I can tell you,  
20 professional people, you would have had a catastrophic  
21 incident there.

22 They have 177 storage tanks there. Some have been  
23 there since World War II, and Tank 101 is quite a volatile  
24 tank. Our government cannot even make money available to  
25 make permanent storage tanks for that up there, let alone

1 what you want to bring here in Utah.

2           You know what is interesting? The cockroaches in  
3 Hamford and all the bugs in Hamford are radioactive, and  
4 they get into the offices, and they are concerned. What do  
5 you do? Because people work in those offices, and those  
6 little bugs are all contaminated. That whole Reservation is  
7 something to be considered, let alone the other ones. So's  
8 Nevada's concern.

9           Please take the comments of Governor Leavitt. I  
10 know him personally, and I have discussed it and written  
11 letters to the Governor on it. Please take his comment and  
12 others seriously. Personally, I encourage the Department of  
13 Energy and the Nuclear Regulatory Commission to cease with  
14 any further actions on making this repository in Utah. They  
15 say it is temporary, but I don't believe that. Thank you  
16 very much.

17           MARK DELLIGATTI: Thank you. R.J. Hoffman to be  
18 followed by -- I believe It's Jerry Ross.

19           R.J. HOFFMAN: My name is R.J. Hoffman. I am a  
20 certified health physicist that's spent about 25 years in  
21 radiation protection matters. I am a former chairman of the  
22 Utah Board of Radiation Control. However, tonight I am here  
23 as a spokesman for a group known by the title of Scientists  
24 for Secure Waste Storage.

25           Just a way of a little of information to people

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1 here to know who is in this group, it includes several noble  
2 laureates and physical scientists, a former president of the  
3 Health Physics Society, a former chairman of the ADC, a  
4 former chairman of the NRC, and many experts in the field of  
5 radiation safety and engineering in the group.

6 A couple of things. The group feels that EIS  
7 indicating the Goshute Indian Reservation is an excellent  
8 location for waste. We do not claim that it is necessarily  
9 the best location, but do claim it is one of many  
10 scientifically acceptable locations from which society, the  
11 population of the United States, could locate one.

12 We do believe that there will be inevitable and  
13 adverse impact on the environment indicated by the EIS, but  
14 those impacts are very small. They will be local in origin  
15 and can be mitigated by close attention to detail of use of  
16 the facility.

17 SSWS, the Scientists for Secure Waste Storage, has  
18 no doubt that Private Fuel Storage and the Skull Valley Band  
19 of Goshute Indians will pay attention to this detail to see  
20 that the facility is properly run. And we go -- I would  
21 like to say that the length of the NRC's report DIS -- and  
22 it is a rather lengthily document -- should not obscure the  
23 fact that this facility is really a rather simple facility,  
24 and it will not contribute any major impacts on the  
25 environment.

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1           The Draft Environmental Impact Statement should  
2 not be taken as a complete discussion of the overall  
3 impactions of the facility. By convention, such impact  
4 assessments tend to be limited to direct effects of the  
5 facility, but these direct impacts are very small. Indirect  
6 effects are likely to be larger and positive, not adverse.

7           Some of the things have been alluded to, and other  
8 things, just generally of nuclear power. Although this is  
9 off topic, but if nuclear power were to disappear in the  
10 United States, we would have a terrible time, and it would  
11 be impossible for the United States to meet the CO2  
12 commitments that we have made in conventions worldwide.

13           We would not be able to meet them because the only  
14 way we would be able to make up for the electricity loss  
15 would be for the burning of coal. We believe that the  
16 proposed Private Fuel Storage facility on the Indian -- on  
17 the Skull Valley Indian Reservation is, in principal, a  
18 sensible proposal to cope with one of the steps in the  
19 technology of nuclear power and a safe and environmentally  
20 acceptable way. And we have little doubt that such storage  
21 facility can be built and operated safely.

22           There was an allusion a little earlier so I want  
23 to read this: The motives of some people that might support  
24 solving a problem, and I would like to say that none of the  
25 scientists in our group have personal, financial or property

1 interest in the proceeding. Our interest, however, is  
2 great, but it is solely an interest in the public good and  
3 desire to be sure that the public good be properly  
4 considered.

5 I would just like to close by saying we feel that  
6 the Draft Environmental Impact Statement adequately  
7 addresses real and not conjured hazards of or to the  
8 facility as a result of other activities, but we do support  
9 further refinements or places where the EIS does not  
10 consider some things that, maybe, have been brought to  
11 light.

12 We can urge that those things be incorporated into  
13 the final EIS and would give support to the NRC and this  
14 hearing group to include those things and consider them if  
15 they have merit at the appropriate time. Thank you.

16 MARK DELLIGATTI: Jerry Ruse to be followed by  
17 Cindy King.

18 JERRY RUSE: I am just a private citizen  
19 representing myself. I would first like to refer to  
20 something that the previous speaker said. He said if there  
21 were an accident, it would only be a local matter.

22 Well, let me tell you, if you happened to be in  
23 that local area, it is not just a local matter. It becomes  
24 a very major event. And I have to tell you, also, I have  
25 crossed out so many things so I hope that what I say will

1 make sense, but I have tried to condense this.

2           The proposal by a consorcium of nuclear power  
3 companies to safely move and temporarily store 88 million  
4 pounds of radioactive waste on the Utah West Desert on the  
5 Goshute Indian Reservation is dangerous and unfair to the  
6 Utah citizens and their environment.

7           Utah is being asked to accept all the risk  
8 involved in this venture. Private Fuel Storage, as a  
9 limited umbrella company with no assets of its own, assures  
10 that each member utility company that forms PFS is not  
11 individually liable; nor will their assets be individually  
12 at risk if and when the waste is moved to Utah.

13           If moving and storing the waste is so safe, why,  
14 then, did these companies form a shell company isolating  
15 themselves from liability should an accident occur? I  
16 submit to you that they were not certain themselves; that  
17 is, this type of storage is actually as safe as they have us  
18 believe. Why is it wise or logical to move radioactive  
19 waste from one temporary site to to another temporary site?

20           The U.S. General Accounting Office has already  
21 determined there is sufficient temporary storage capacity  
22 existing at the power plants which generate the waste, and  
23 that most of the power plants could expand their on-site  
24 storage if they wanted.

25           Why, then, are we providing another temporary

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1 site? That just doesn't make sense. If storing nuclear  
2 waste is as safe as the Nuclear Regulatory Commission and  
3 Private Fuel Storage contend, then all eight PFS nuclear  
4 power companies should be individually liability to the full  
5 amount of the assets of each individual company.

6 Holding each individual company liable would  
7 ensure that Utahns are not responsible for maintenance and  
8 clean up as in the Atlas incident, which occurred because  
9 the NRC failed to verify that Atlas had the funds required  
10 to clean up the site after the uranium processing ended.  
11 Atlas declared bankruptcy, and, thus, dumping responsibility  
12 for the clean up.

13 Are we headed in the same direction by temporarily  
14 storing someone else's uranium waste? These companies are  
15 not willing to take the risk, so they are going to let us  
16 take it so they can walk away without any problems and with  
17 their assets intact.

18 Utah, Tooele County in particular, is fast  
19 becoming a garbage dump for rest of the nation. The list of  
20 hazardous waste in Tooele County is unending. As Ron Allen,  
21 the state representative of Tooele County testified just a  
22 months ago, he has tried to steer companies to settle in  
23 Tooele County, but they would not even consider it because  
24 of the hazardous activities going on in that county. Is it  
25 fair to force more hazardous activity on that county or the

1 State of Utah?

2           The proposed dry cask storage has only been used  
3 for 14 years, and contrary to statements by nuclear industry  
4 supporters, the casks are not infallible. These nuclear  
5 waste canisters and casks have not been subject to any  
6 actual tests. Some of the casks in use had numerous  
7 problems, such as hairline fractures during manufacturing,  
8 and an explosion during a chemical reaction during loading  
9 of a cask, and weld cask failures, along with other  
10 problems.

11           According to the nuclear industry supporters, the  
12 casks -- contrary to the nuclear industry supporters, the  
13 casks are definitely not infallible, and Private Fuel  
14 Storage has no track record of being able to transport,  
15 handle or manage such a vast quantity of spent fuel.  
16 However, Private Fuel Storage has assured us that if any of  
17 the casks arrived in Utah damaged, they will send them back  
18 to the state of -- site of origin. Isn't that called double  
19 or triple jeopardy?

20           Not only is PFS admitting there is a danger, but  
21 they are going to have that danger transverse our populated  
22 areas and watersheds three times. Furthermore, I find it  
23 reprehensible that PFS is planning to ship this waste  
24 through Utah's most populated communities and portions of  
25 our watersheds. I don't think the Easterners realize how

1 important our watersheds are for us. Destroy them and you  
2 destroy our water. Destroy our water and you destroy us.

3           Additionally, Private Fuel Storage has proceeded  
4 with their plan even though they know that this area is  
5 strategically important to our military forces. Every time  
6 those casks are moved, it is very costly, and there is  
7 potential for danger and damage to them and to bystanders.  
8 I think they should be moved as little as possible. I fear  
9 that once they are moved to Utah, it will undoubtedly be the  
10 last move, and storage will become permanent for the next  
11 10,000 years.

12           These power companies knew that there was this  
13 problem before they ever started generating nuclear energy.  
14 Now they are solving their problem on us. Forcing their  
15 nuclear waste on Utah is neither moral nor honest.

16           Areas that reap the benefits of cheap energy and  
17 millions of dollars of taxes from these companies should  
18 assume the consequent risks of storing their own byproduct.  
19 The material should stay where it is until a permanent  
20 solution is found. Thank you.

21           MARK DELIGATTI: Thank you. Cindy King to be  
22 followed by James O'Neil. Ms. King, there are 38 more  
23 Speakers after you.

24           CINDY KING: Thank you. My name is Cindy King. I  
25 represent the Utah Chapter of the Sierra Club and

1 Environmental Health Committee, and we are against this  
2 proposal.

3 I do believe we need to have due process. Your  
4 arrogance and blatant disregard for the citizens of Utah --  
5 their due process is not our problem we should bear. It is  
6 yours. For your arrogance and disrespect for the citizens  
7 of the State of Utah, I believe you owe us an apology for  
8 the appalling process that we now have to put up with.

9 Nowhere in the Draft Environmental Impact  
10 Statement is there an analysis of an Executive Order 1304  
11 protecting children and environmental health and safety  
12 risks. And if I may remind you, I brought this up during  
13 your scoping session. I would like to know why you ignored  
14 it.

15 I didn't know the President gave you the authority  
16 to ignore his own executive orders. Nowhere in your  
17 analysis is there any analysis of the protection of  
18 children, fetuses or the development of fetuses into  
19 childhood. All your risk analysis are erroneous and in  
20 error.

21 The maximum perceivable forecastable release or an  
22 incident that could occur if we pursue the maximal thing  
23 needs to be considered. We just had one from the facility  
24 that said they wouldn't have one, and it was GB. Cerium is  
25 a replacement of calcium and bone tissue and bioaccumulation

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1 in the tissue and food chain.

2           Nowhere in the Draft EIS is a bioaccumulation or  
3 biomagnetism discussed in the food chain or human body,  
4 especially of that of children developing fetuses and  
5 breast-feeding infants. Why are you so ignorant about the  
6 majority of the people in the State of Utah?

7           The Atomic Energy Commission and now the bastard  
8 child, the Nuclear Regulatory Industry, has been 40 years of  
9 smoke, lies and mirrors to inform us they have a solution.  
10 This is the only industry that does not address their waste  
11 issue. Why is that? It has taken you 40 years to figure  
12 out you have a problem. Why haven't you figured it out? It  
13 is not hard for us to figure it out.

14           Utah is the second driest state in the nation.  
15 Where in God's name or, for that matter, where in hell's  
16 name are you going to get water for any practical purposes?  
17 The models that you used in your Draft EIS for the  
18 determination for the casks were scale models, computer  
19 models and new casks. There is no mention of the fact that  
20 the casks are ten to 15 years old before they would be used  
21 to place the spent fuel rods in and are now being used.

22           The facts are missing of the reason the casks have  
23 to wait for so long before they can be used. It couldn't  
24 possibly be the fact that it takes that long for them to go  
25 through the curing process, or the fact that if they put the

1 spent fuel rods in a cement cask that hadn't cured properly,  
2 you might have the possibility of increased pressure inside,  
3 causing it to crack, not seal properly, or break.

4 Not to mention the fact that the valves, due to  
5 pressure, if put into a cask that was too hot or the nuclear  
6 spent rods that were too hot, would allow nuclear isotopes  
7 to escape into the environment. There is no mention of the  
8 fact of nuclear isotopes escaping out of anything.

9 In closing, the Constitution of the United States  
10 assures due process. I am so glad that we now have a  
11 dictatorship known as the Nuclear Regulatory Commission.  
12 The Bureau of Indian Affairs is responsible to assure that  
13 the significant interests of Native American people are  
14 addressed.

15 There's been various precedent-setting cases that  
16 state that the Bureau of Indian Affairs is no better than  
17 the NRC because they lack their mandate they need to sure  
18 the intergovernment relationships are addressed, and they  
19 need to assure due process to all Native American Tribes in  
20 which this process could be effecting.

21 The Executive Order -- which now I am going to,  
22 again, remind you of that which you totally ignored in your  
23 scoping session -- 13045, protecting children from  
24 environmental health risks and safety risks, was blatantly  
25 ignored by all four of the regulatory governmental agencies,

1 which is against the law, unless you live in a dictatorship,  
2 which I don't believe we have.

3           The placement of the proposed action within a  
4 half-mile radius is not an alternative. NEPA requires the  
5 assessment of an alternative, like on-site shipment, which  
6 your own documents, NRC, says is safe and do not need to be  
7 transported. I would suggest you go back to second grade  
8 and third grade and learn how to read, especially your own  
9 documents that you are asking the public to read. You  
10 should do the same.

11           The arrogance of no analysis on the two bombing  
12 ranges and the effect of the possibility of the limited  
13 juice and possible national security is an issue that needs  
14 to be addressed and was blatantly ignored. The bombing  
15 range is limited due to training or due to the fact that  
16 these casks are in place is not an acceptability of  
17 balancing between existing resources and the use of the  
18 proposed action.

19           I suggest you go back and learn to read NEPA  
20 because NEPA requires you to address those issues. And the  
21 blatentness of your arrogance to the State and the citizens  
22 of Utah that a written apology is needed from all four of  
23 these regulatory agencies. Due process is constitutionally  
24 guaranteed, and it is also guaranteed under NEPA.

25           MARK DELLIGATTI: James O'Neil to be followed by

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1 Scott Northard.

2 JAMES O'NEIL: Gentlemen, we thank you for your  
3 time being here. I will be brief.

4 On page 4 of the Summary 2.2.1, it says: The  
5 threat of sabotage either by an insider or by terrorist was  
6 regarded as an important vulnerability of the facility and  
7 of transportation activities, etc., and so forth.

8 This is -- in this document here, DEIS, and in all  
9 the other foot-high documents that I read at the University  
10 of Utah -- the only place that we seem to have it around  
11 here -- this is not covered.

12 I think it is arguably the worst threat that we  
13 have or the worst threat that we have to our nation now  
14 days, and we are spending billions on terrorism. This  
15 facility is vulnerable, very vulnerable, to that. You have  
16 not considered that. That's the point I want to make. I  
17 could make a lot of points about it.

18 For you Chief Bear, I have a story for you. We'll  
19 put it on the internet. It is about the coyote and the  
20 village. You will enjoy that. Okay. I apologize because I  
21 have got to leave. I had a lot of things that I could say.  
22 We'll -- we and my young friends will put it on the internet  
23 and --

24 AUDIENCE: Where at?

25 JAMES O'NEIL: You'll find out. You know, as they

1 say, politics is war without bloodshed. You had a  
2 politician here earlier who declared war on you without  
3 bloodshed. You need to understand. You don't understand  
4 Utah. You don't understand that this is one of the centers  
5 of the world for internet.

6 You don't understand our young people. An old man  
7 like me, I am not here to vent; I am telling you. I just  
8 came here to point out the most serious scientific quality  
9 of things, and when we calculate it and put figures on there  
10 of what can happen, you are going to be embarrassed as  
11 professionals, and we'll see to it.

12 MARK DELLIGATTI: Scott Northard to be followed by  
13 Key Barlow.

14 SCOTT NORTHARD: I am Scott Northard, and I'm with  
15 Private Fuel Storage. I am the project manager of Private  
16 Fuel Storage. I also work for Northern States Power  
17 Company. I have been an employee of Northern States Power  
18 for 23 years.

19 I have worked with spent fuel and high-level  
20 material for all those 23 years. I have been involved in  
21 handling the spent fuel, with shipping the spent fuel and  
22 storing the spent fuel, and I have to say that we have done  
23 that without incident. We have done that safely and  
24 conducted ourselves professionally.

25 I'll keep my comments brief because I think it is

1 important to hear all of the comments of the public that are  
2 here today. The very purpose of this process is to make  
3 sure that it is open; that people have an opportunity to  
4 speak their mind. I think it is important that everybody  
5 does hear all the other comments.

6 We obviously have worked very hard on this project  
7 for the last several years, working initially with the  
8 tribe, beginning in 1996, culminating with the application  
9 that went to the Nuclear Regulatory Commission in '97.  
10 There have been several public meetings since that time.  
11 This has been the most highly attended one, but I commend  
12 everyone for coming out and speaking your mind, because it  
13 is very important that your opinions are heard.

14 Just one comment that I would like to make on the  
15 Draft Environmental Impact Statement, there are recommended  
16 mitigation measures throughout the document that the NRC is  
17 recommending be adopted. PFS has reviewed those, and we do  
18 expect to commit to all of those. Our interest is making  
19 sure this facility operates as safely as possible.

20 I did want to address the need issue because a lot  
21 of people have talked about that today. 21 percent of our  
22 nation's electricity last year came from nuclear power. All  
23 of us use this electricity in some way. Although there's no  
24 nuclear power plants in Utah, there are three large nuclear  
25 reactors in Arizona, which makes the air quality even better

1 in Utah than it would be otherwise. And recently we have  
2 had air-quality alert days here in Salt Lake City. That  
3 would be even worse if we didn't have nuclear reactors in  
4 Arizona and California upwind of Utah.

5 There is a need for this spent fuel storage  
6 because plants are running out of space. We initially had a  
7 recycling program in the United States that President  
8 Carter, in 1978, killed in an executive order which  
9 prohibited commercial spent fuel reprocessing, so we were  
10 forced to find extra space on-site.

11 And we have run to the limit in many plants for  
12 space on-site, so there definitely is a need. Many plants  
13 would be in jeopardy of shutting down. Other plants could  
14 not decommission and restore those sites if they were not  
15 able to store that spent fuel.

16 The storage system that is proposed is a passive  
17 storage system. It is very environmentally benign. There  
18 are no cooling systems required, no moving parts, no fans  
19 associated with it. It's been designed by Private Fuel  
20 Storage and the companies we're working with to be extremely  
21 safe with no external contamination on the canisters.

22 The transportation casks that would be shipped to  
23 Utah should not arrive contaminated because those containers  
24 will never be in the water at the spent fuel pools at the  
25 nuclear power plants.

1           We have added extra levels of safety all the way  
2 through this proposal, and I encourage people to read the  
3 Draft Environmental Impact Statement and to also read the  
4 Safety Analysis Report that was prepared which addressed  
5 some of the issues that people are bringing up today about  
6 Hill Air Force Base and aircraft crash issues and seismic  
7 issues, because those are going to be included in the Safety  
8 Evaluation Report. And those will be the subject of public  
9 hearing next spring, so you will get an opportunity to speak  
10 your mind on those as well.

11           And, again, I encourage people to read all those  
12 documents. Educate yourself and provide comments to the  
13 process because that's really what this is all about. Thank  
14 you for the opportunity today, and I will turn the rest of  
15 my time over to others. Thank you.

16           MARK DELLIGATTI: Okay. Thank you. Key Barlow to  
17 be followed by Volley Wallace. And Mr. Barlow, there are 36  
18 more people after you.

19           KEY BARLOW: Good evenings, ladies and gentlemen.  
20 My name is Key Barlow. I live up in Riverdale where they  
21 had that mud flood here about a year ago.

22           Anyway, I never got involved with this thing that  
23 is going on now. You know, I got to reading the papers and  
24 the news and all that, and I thought, Well, I'm going to  
25 come down here and take a listen. And the young lady said I

1 could speak out there, and if I do, write my name. So I  
2 thought, Well, I'll just go ahead and write my name. If  
3 there's something I hear, then I'll say a few words.

4 I don't know. My father just turned 103 years  
5 old, and he's a Native American Indian, Navaho, and some of  
6 the stuff we do now days -- I don't know. It's -- of  
7 course, I believe in a different way, you know. My  
8 grandmother and my grandfather believed a little bit  
9 different than today. They were here before Jesus Christ  
10 came, you know, so it is really, really confusing me, but I  
11 try to keep my tradition and tell my kids the way we do  
12 things.

13 But I'll tell you by just measure, about 60  
14 percent of what we do today is wrong. Like the guy come up  
15 to me the other day, he said, "Are republican or are you  
16 democrat?"

17 I said, "No. I am a Native American Indian," and  
18 I got an idea.

19 I work with metal. Now, you were showing this  
20 diagram on your screen there. It's stainless steel. I  
21 studied it. Looks like it is pretty safe to me because I  
22 build stuff myself and I used to work at Hill Field for  
23 about three years. And I helped the engineering out there,  
24 and he engineered a lot of stuff with metal. And I not  
25 quite agree with his, so I tell him my way, and he said, "My

1 god, you're a brilliant guy."

2           So one day, he sent me out on a job, and he said,  
3 "You don't need me. You don't need me. You just go out and  
4 measure the job and come and do it," so I did.

5           So anyway, I think -- I am not taking sides. I am  
6 not taking sides. I think what we ought to do, whatever  
7 this is, who invented it, I think we ought to start building  
8 rockets and shoot them up in the air and blast them up there  
9 so we don't have to worry about -- I mean, it is funny,  
10 'huh?

11           It is funny how we do things. Just like I say, 60  
12 percent of what we do today, I'm just I am not agreeing with  
13 that. It is wrong. It is just wrong. That is all I have  
14 to say; just build them rockets, put people to work, send  
15 them up to the sky and blast them. Thank you.

16           MARK DELLIGATTI: Thank you. Volley Wallace to be  
17 followed my Margene Bullcreek. And sir, there are 35 more  
18 speakers after you.

19           VOLLEY WALLACE: Thank you. I am a chemist. From  
20 early childhood days, I have been interested in truth and  
21 reality, and I search for the roots of our beliefs and find  
22 out what's true and what is not true. And I've looked at  
23 this, some of the objections raised here, and there are some  
24 serious faults with them.

25           Now, many things are theoretically possible but

1 they are unrealistic. An example of this is that one pound  
2 of air is enough to kill everybody in the world. All you  
3 have to do is to inject just the right amount, a small-sized  
4 bubble, in the right place in the body. Well, that's  
5 theory. That's theory. It is not reality.

6 But there's another point of theory which is not  
7 reality, and that's Ralph Nader's declaration that one pound  
8 of plutonium is enough to kill everybody in the world. It  
9 is true. It is true enough if you went about it the right  
10 way. But it is no more realistic than using air to kill the  
11 people.

12 To perfect that massive kill, you would have to  
13 pulverize plutonium down to a size of microscopic particles  
14 and have every one breathe a dose of it. This, supposedly,  
15 would give everyone lung cancer, and you would have to do it  
16 before medical science found out how to take care of lung  
17 cancer.

18 As a chemist, I know how to make plutonium in that  
19 supertoxic form, but it would require a properly equipped  
20 laboratory and property agent. I don't see how it could  
21 happen in transit or in temporary storage at Skull Valley.

22 If plutonium toxicity is a problem, there should  
23 be strong medical evidence of it already. Our atomic bombs  
24 have evaporated about six tons of plutonium. Six tons.  
25 That is how much plutonium they have put in the atmosphere.

1 Hypothetically, this could kill every person, every animal,  
2 in the world several times over.

3 Some individuals working with plutonium have  
4 gotten accidental doses of it. The Three Mile Island and  
5 the Chernobyl meltdown provided abundant opportunity for  
6 massive plutonium kills. Diligent search has failed to find  
7 a single case of plutonium poisoning. Not one case of  
8 plutonium poisoning.

9 To demonstrate how safe plutonium actually is, a  
10 pair of scientists drank a plutonium solution. They drank  
11 it, and they lived to tell about it. Well, they didn't even  
12 get sick.

13 Plutonium in microscopic particle-size escaping  
14 from the spent reactor rods simply does not look realistic.  
15 It does not look like a real-world consideration. Now,  
16 sitting here listening, I hear and see another one of these  
17 imaginative hypothetical situations and are unrealistic, and  
18 that is the question of, How far from this reactor container  
19 is it unsafe? How far is it? It is only unsafe for two or  
20 three meters in terms of direct radiation.

21 What happens if you break it? What happens if you  
22 have an accident? Well, what kind of an accident are you  
23 going to have? You are not going to have a nuclear  
24 explosion, like you had in Nevada, that threw stuff up in  
25 the atmosphere and scattered it downwind. You are not going

1 to have an explosion like that. You are not going to have a  
2 white-area contamination. You are not going to have a  
3 meltdown. You are not going to have a meltdown.

4 What you will have is a breakage of the container  
5 and a spillage of metal pieces from that container. The  
6 problem will be very local. Clean-up crews will come in  
7 with a geiger counter, find those pieces, pick them up, take  
8 them away and that will be it. Well, I think my time is up.

9 DR. SHANKMAN: Excuse me, let me tell you, I have  
10 asked the hotel, and we can stay later. I have asked the  
11 transcribers to please check and see how late they can stay.  
12 If we stay later and the remarks are not transcribed, then  
13 they do not become part of the official record. And so we  
14 can stay later. We can hear your comments, but without the  
15 transcribers, what we'll have to do is ask you to make your  
16 comments in writings.

17 As a staff, we are willing to stay as long as we  
18 have to stay. Remember, we have a meeting in Grantsville at  
19 the Grantsville Middle School tomorrow night from 7:00 on.  
20 There, we are limited by some school board regulation so we  
21 won't be able to stay later. But the hotel informs me that  
22 we can stay later, and we are willing, as a staff, to stay  
23 later, but as I said, the transcribers can not stay -- they  
24 are going to find out how late they can stay, and I will  
25 announce that.

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1           But I want to urge you to make your comments as  
2 brief as possible and put them in writing because we will be  
3 in that situation of hearing your comments, but need you to  
4 write them down without the transcriber. So in the interest  
5 of fairness, we will move on.

6           MARK DELLIGATTI: And Ms. Bullcreek, you will be  
7 the next speaker to be followed by Dr. Herman Pine. Is it  
8 Pine? Pine, okay. And Ms. Bullcreek, there are 34 people  
9 after you to speak. Thank you.

10           MARGENE BULLCREEK: I'll try not to be long. This  
11 is the staff that we carried when we first started out as an  
12 organization to oppose the nuclear waste about two years  
13 ago, and this is the staff that has been given to me to give  
14 me strength to fight the ways, because I know how strong and  
15 how powerful you are as an NRC and as PFS and the Chairman  
16 Leon Bear and his family.

17           I know that this waste, the nuclear waste, is  
18 dangerous to our people, and I know that it is progressing  
19 more than fairly well. And I hope that the NRC is listening  
20 to what we are saying in our oppositions and in our concern  
21 for our people and our state and especially for our  
22 Reservation.

23           And this plutonium that is stored in here, in what  
24 PFS is showing the public, is a tiny, little thing; the size  
25 of an eraser. But that little, tiny thing, they are not

1 saying how dangerous that is.

2 From the past experience of plutonium, it has  
3 killed a lot of Native Americans, and the fallout testing in  
4 Nevada has effected a lot of Native Americans; that there  
5 had never been any health study on it, but from what I have  
6 heard and learned, the scientific facts, the scientific  
7 theories that they have are not based on the sickness that  
8 this fallout has caused.

9 It is based on evidence that is showing up now in  
10 the health of the people, even though the fallout had  
11 happened 40 -- 50 years ago in the '50s or '40s, and now it  
12 is showing up in the young people.

13 And how is this -- this is going to effect us.  
14 The PFS, our chairman, has been telling us that this is all  
15 safe. I don't agree with that. They're man-made accidents.  
16 You see it in the papers. And you can't say that it is  
17 really safe; that it is safer than the microwave ovens in  
18 our homes. Now, those are just sellouts. That is a sellout  
19 that our chairman has given to our people; that Scott  
20 Northhand has given our people.

21 They want our land, and they are using  
22 sovereignty. Sovereignty -- all you people here, no matter  
23 how you complain or no matter how good reports that you give  
24 the NRC, sovereignty is going to -- he'll say, Oh, you can't  
25 do anything because I am the Chief of this tribe, and I have

1 my people backing me up.

2 His "people" is his family. They have a large  
3 family, and we're small majorities, and those of us who are  
4 against us we are being threatened. I wouldn't be surprised  
5 if I am going to give them enough evidence to be terminated.  
6 That is what they are telling me.

7 They are denying our kids. We are hurting from  
8 this. Not everybody is benefiting from this project; just  
9 them and their family and people. And they are telling us,  
10 If you don't support us, you don't -- you are not going to  
11 get paid. That is bribery for our land.

12 They are saying, Well, we are a corporation.  
13 Where in the heck -- when did we become a corporation? We  
14 are a Reservation. There is no such thing as corporation.  
15 PFS has put big heads on them. They are wearing suits.  
16 I've never seen them in suits before.

17 What do I have? This is what I have. This is  
18 what I believe in because I am a Native American, and I am a  
19 caretaker. I am a caretaker for my Reservation. I am not  
20 -- we are not here to save the nation for our sacrifice. We  
21 are already sacrificing.

22 And what they are saying to you, just like Mr.  
23 Black Bear was saying, not everybody signed that lease from  
24 the beginning. There was only 19 people, and the majority  
25 should have been 36, but they are going around having people

1 sign now to make it legal. That is not fair. And what's  
2 going on is not legal either. Not everybody is benefiting  
3 from here, from this project at all. They go around with  
4 brand new cars, and we have junk cars in our yard.

5 They come -- the newspapers reporters come to see  
6 me, to find out who we are in opposition. What do they do?  
7 They talk about my wrecked cars. They talk about our homes  
8 that should have been improved 20 years ago. That's not the  
9 point. The issue is money. We don't need money if it is  
10 going to destroy us as who we are as Native Americans.

11 And we never had a chief. The last chief we had  
12 was like before the 1900s, and that chief looked after his  
13 people. Chief Little Man. Chief Little Man. They were  
14 going to put us in another place like Duchenne or some other  
15 place, but the Chief didn't want to leave. He wanted his  
16 people there in Skull Valley.

17 And this Chief, he calls himself a Chief, is not  
18 really looking out for his people. If he could only give  
19 money to people that is going to support him and not us,  
20 too, that is not going to support him. We are hurting, and  
21 you are letting him hurt us.

22 Scott Northard, Oh, they are -- a fair. They are  
23 going to have a fair in August. They are going to have a  
24 big exhibition. They have the money. They have newsletters  
25 sent out to every post office in Tooele County. Tooele

1 County commissioners are right along with them.

2 Have they provided the Native Americans with  
3 public school helping? You know, all these other mitigation  
4 fees, have they really helped the Native Americans? And now  
5 they are going get more money than we will. And that's what  
6 you call mitigation or whatever you call it.

7 But another thing I want to say, too, is on your  
8 environmental statement, it is totally wrong. The NEPA  
9 regulations is not even mentioned in there about us Native  
10 Americans. You didn't come down to us. You didn't ask us.

11 There's nothing in there about the archaeological  
12 sites that we have on the Reservation. There's nothing on  
13 there about this natural spring water that goes underneath  
14 the stream -- underneath the dirt right where that test site  
15 is going to be.

16 There nothing in there about how it is going to  
17 effect our native plants, but that is no concern. I think  
18 the only concern that PFS and you have is the railroad route  
19 and how it is going effect the roads -- or the land and  
20 whatever that is going to be destroyed along the way and  
21 could be reseeded. But you can't reseed our culture and our  
22 traditions.

23 I had a lot of things that I had written down to  
24 say but, I don't think that is as important as to have you  
25 listen to me as I stand here this with this staff, of how I

1 am always going to be a caretaker for my people, and we are  
2 going to stand up.

3 And I am glad to hear all of you here making your  
4 testifies and how you are going to fight this because I  
5 cannot fight my chairman by myself. My family and I, we  
6 have our lawsuits, and I know and I believe that we will win  
7 because what he is doing is wrong.

8 DR. SHANKMAN: We need to take a -- we need to let  
9 the transcriber change her tape. She asked me to allow her.  
10 Do you want to signal me when you are ready to start again?  
11 Okay.

12 HERMAN PINE: I appreciate the opportunity to  
13 stand in front of you. I am a licensed psychologist and  
14 marriage and family counselor in the State of Utah.

15 As an adjunct clinical professor at the University  
16 of Utah, I have been teaching, among other things, a course  
17 entitled, The Psychology of Human Living Space. It is a  
18 class exploring issues relating to environmental patterns  
19 eliciting both positive and negative reactions from people.

20 Stress and society depression and despair  
21 dominate, of course, the negative domain and are often the  
22 human emotional reactions to environmental stressors. Hope,  
23 security and having a feeling of safety are the opposites  
24 and the more positive side.

25 My family and I will soon be moving to Cyprus with

1 a full-bright scholar award in conflict resolution between  
2 Greek and Turkish separates. The Cyprus situation includes  
3 a mutual community distrust of the other side, and teach  
4 each other's -- teach their own children distrust of the  
5 other side as a cultural norm.

6 In Israel, another conflict we are more familiar  
7 with, one certainly feels the tension in the air. The  
8 stress effects on children are well documented and are not  
9 positive. Continued feelings of insecurity on both sides  
10 have far-reaching outcomes on family and especially  
11 children, and reach far into the future.

12 When my family returns to Utah in a year, how will  
13 we feel in terms of safety? Approve this proposed nuclear  
14 waste storage facility at our doorsteps and I know my  
15 family's response. Imagine a scenario where a bomb is  
16 dropped on the storage containers, and the result and stress  
17 on the community, the fear engendered by even imagining such  
18 a possibility may be as real as the actual happening.

19 According to Ukrainian investigators, stress for  
20 children from the Chernobyl disaster and its consequences is  
21 a more serious concern than cancer and chromosome damage.  
22 The disruption in people's lives combined with radiation  
23 phobia has led to real diseases, including chronic  
24 bronchitis, digestive system problems and hypertension and  
25 may have compromised the immune system.

1           Many Chernobyl clean-up liquidators received  
2 little radiation but presumed they were afflicted with the  
3 result and stress leading to increased suicide and alcohol  
4 abuse. The quote, Hot Children, who were called "Fire  
5 Flies" by their peers and were shunned by them will probably  
6 never recover from the emotional trauma.

7           The addition of the world's largest nuclear dump  
8 with a life span of, perhaps, 10,000 years, and has been  
9 stated by many, which might not be moved, might not be  
10 temporary, will do nothing to lesson our discomfort.  
11 Environmental patterns leading to human distress are located  
12 all around the world, and Utah, as you have heard, has its  
13 fair share. The human psychological toll is immense.

14           During the Cold War, psychologists set up special  
15 programs to deal with children's fear of nuclear war. One  
16 accident with a proposed nuclear waste storage facility will  
17 lead to increased fears for hundreds, if not thousands, of  
18 Utah children and families and the health risk associated  
19 with that. The pending decision may well effect the lives  
20 of hundreds of generations and must not be taken at this  
21 time with such ill-informed public.

22           The far-reaching ramification of building such a  
23 facility may only cry out physically in the distant future,  
24 but it negatively impacts the emotional safety and quality  
25 of life of living in Utah today. When I immigrated to Utah

1 at age seven with my mother from Germany, she left Germany  
2 for a better life, for the safety of these rocky mountains,  
3 for the safety of these valleys.

4 She wanted the dream of safety for my children,  
5 for my children's children and for myself. Personal  
6 perceptions of being at increased diminished that dream.  
7 Please do not allow this to happen, and please deal with  
8 these psychological issues in your report because you  
9 completely failed to do so. Thank you very much.

10 MARK DELLIGATTI: Mr. Mingo followed by Ms.  
11 Rassmassen.

12 RICHARD MINGO: Richard Mingo, concerned citizen.  
13 I would like to thank the BIA, BLM, STB and NRC for  
14 providing this opportunity for me to express my outrage over  
15 this outrageous proposal.

16 Basically, we don't want your nuclear waste in our  
17 backyard. The Draft Environmental Impact Statement failed  
18 to address indirect and cumulative impacts of the proposed  
19 action as required by 40 CFR 1500.

20 Tooele County is on the verge of becoming the  
21 nation's biggest environmental sacrifice zone only 50 miles  
22 west of the Wasatch front. I am asking you to address the  
23 indirect and cumulative impacts of the proposed project  
24 along with all past, present and reasonably foreseeable  
25 projects.

1 Many of those have been mentioned here tonight,  
2 such as the chemical incinerators, Dugway Proving Ground,  
3 Aptus, and they go on and on. You fail to address the  
4 cumulative and the indirect impacts of the proposed project.

5 Also, 40 CFR 1502-14 requires that a reasonable  
6 range of alternatives be considered. This requires the  
7 agency to rigorously explore and objectively evaluate all  
8 reasonable alternatives and alternatives which have been  
9 eliminated. A reason for them for being eliminated needs to  
10 be provided. This hasn't been done.

11 The agency needs to devote a substantial treatment  
12 to each alternative considered in detail, including the  
13 proposed action, so that reviewers can evaluate their  
14 competitive merits. We haven't been able to do that. You  
15 need to include a reasonable range of alternatives, even  
16 those not within the jurisdiction of the lead agency. You  
17 haven't done that. You need to include the no-action  
18 alternative. You haven't done that.

19 NRC's own guidance specifies that the applicants  
20 emit a slate of alternatives, and NRC compare the proposed  
21 site to the alternatives. The DEIS does not present and  
22 analyze a reasonable range of alternatives as required by  
23 law.

24 The only alternative site evaluated was one in  
25 Wyoming, and this analysis did not devote a substantial

1 treatment to this alternative. Certainly, there are other  
2 reasonable sites that should have been evaluated, including  
3 storing spent fuels at the locations in which they created.

4 The no-action alternatives was not analyzed in  
5 detail. What are the consequences of not implementing the  
6 project and not meeting the purpose and need for the  
7 project? The purpose and need for the project includes the  
8 need to provide economic development for the Goshute Tribe.  
9 If this is, in fact, an underlying need for the project, an  
10 array of alternatives to meet this need should be addressed  
11 in the DEIS other than nuclear waste storage.

12 The DEIS does not comply with federal regulations  
13 for implementing NEPA, NRC's own implementing regulations,  
14 and it is, therefore, inadequate. I request that the DEIS  
15 be redrafted to address these omissions, that the draft be  
16 reissued and that the public be given an opportunity to  
17 review and comment on the revised draft prior to any  
18 decisions being made. Thanks.

19 MARK DELLIGATTI: Thank you. Dana Rasmessan. I  
20 am sorry, Susan. I forgot we need a break for the court  
21 reporter. I am sorry, Ms. Rassmassen. It will be about  
22 five minutes.

23 DR. SHANKMAN: The court reporter cannot stay.  
24 She needs a break. She has had another job today. She can  
25 stay until approximately quarter to 12:00, so that will be

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1 the transcriber.

2 The hotel has an audio tape that is being  
3 transcribed, and I have asked our attorney, and we will use  
4 that tape to the best that we can, but I cannot guarantee  
5 that comments that are made after they are transcribed can  
6 be addressed the same way as those that are transcribed.

7 So I will ask you, if you make a comment after  
8 quarter to 12:00 when the court reporter leaves, that you  
9 also make it in writing or come to Grantsville tomorrow  
10 night when we will have another transcriber.

11 I understand that that's a frustration. It is a  
12 frustration for us, as well, but I am trying to accommodate  
13 everybody. Some people have taken little bit longer to make  
14 their statements. You let us know when you are ready to  
15 begin again, and then we will continue with the comments.

16 AUDIENCE: Let's just hope that you are serious  
17 about entertaining public comment, and that there will be  
18 more rounds of hearings so that everybody will have an  
19 opportunity to properly comment on this process.

20 DR. SHANKMAN: Could you let the next speaker  
21 speak? Could you let the next speaker speak?

22 AUDIENCE: Will you be willing to let the people  
23 who came to --

24 DR. SHANKMAN: They can. They can comment in  
25 writing or on the internet. They can comment in writing.

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1 Would you let the next speaker speak, please? Would you let  
2 the next speaker speak, please? Would you be kind enough to  
3 let the next speaker speak? Thank you.

4 DANA RASMESSAN: Dr. Shankman and panel, I would  
5 like to thank you for the opportunity to speak tonight, and  
6 I would like to thank you for being here and staying late.  
7 I would also like to thank the people here in the audience  
8 that have already shared comments. I have learned a great  
9 deal from those comments.

10 I am the mother of seven sons and one daughter. I  
11 think that says a lot right there about what we want our  
12 environment to be like around here. I am also an owner of a  
13 business that focuses on health; the health of families and,  
14 specifically, parents and children.

15 As I have listened to the many different comments  
16 tonight, I have made numerous notes, but because all of you  
17 have heard those notes, I don't think I will reiterate  
18 those.

19 A couple of things that I think I will briefly  
20 share with you include the fact that I live in a beautiful  
21 neighborhood called Fruit Heights, Utah. Fruit Heights,  
22 Utah, happens to be 20 minutes from Salt Lake City and 20  
23 minutes from Ogden. It is right by the bench. Fruit  
24 Heights, Utah, happens to be right in the jet stream of  
25 Tooele. In fact, we had a very severe fire that occurred

1 two weeks ago or so.

2 It was interesting. In the first three hours of  
3 that fire, we saw this huge orange cloud go completely over  
4 the State of Utah, so to speak, and land right over Fruit  
5 Heights before it had time to dissipate over the rest of the  
6 state.

7 If you visit with every household within about an  
8 eight-block radius of my home, you will find that in every  
9 household -- virtually every household -- there is an ill  
10 person, at least one, if not two or three, with very severe  
11 illnesses, such as brain tumors and other forms of cancer.  
12 That seems to be a little bit more than what you would  
13 expect in one neighborhood.

14 As I have listened to the many comments, for  
15 instance, from the lady who held the staff, I felt saddened  
16 to think that it will be difficult for her to find the money  
17 necessary to fight the type of bribery that she was talking  
18 about. And hopefully, perhaps there is a lawyer in this  
19 audience that might assist her or might allow someone else  
20 to know about the problem and help.

21 The thought occurred to me, and perhaps I am a bit  
22 naive, that we only have one route through Utah. Because  
23 right now, our legacy highway is being fought to the hilt,  
24 so really, there is only one route in Utah. It would take  
25 four semis -- that is it -- to close down the State of Utah.

1 All you have to do is turn them sideways and tip them over,  
2 and you have the whole State of Utah turned over.

3 Now, let's take that one step further and remember  
4 that just a year ago in August we had a huge wind called a  
5 tornado that, of course, Utah doesn't get, land right on the  
6 Delta Center and take the roof off and go skipping right  
7 through the whole Salt Lake City.

8 We have 50 to 100 mile wind gusts on a regular  
9 basis. Now, let's just see all those neat little trucks  
10 just tripping through our state and just have some  
11 unexpected gusts -- and these come out of nowhere. They are  
12 not predictable -- tip one of these little tankers over  
13 right on its way.

14 Now, everybody picked up on the water problem,  
15 which is a biggy. I mean, there are tons of problems with  
16 this, but let's just pretend that one of those tankers  
17 tipped over. And I have seen dozens and dozens of tankers  
18 tip over with just one wind storm from Ogden to Salt Lake  
19 and to Provo.

20 So we have one of those tip over, then all of a  
21 sudden, we have a huge disaster on our hands. Nobody can  
22 even get out of the state because all of a sudden, we have  
23 got all of our freeways closed down.

24 I am not going take much more time than that,  
25 other than to simply reiterate something that one person

1 said. They said, and I would add, it is not Utah -- that  
2 would be my statement. They said, "It is not Utah's power;  
3 therefore, it is not Utah's problem."

4 Now, we are a nation, and I do believe that we  
5 work together, and we try to share things. However, I don't  
6 think this is something that we want to share. I think  
7 there are other ways to come up with power. We could use  
8 water. We don't just have to use coal.

9 In fact, that is what we use here in the west is  
10 water. Where water is very scarce, we use water to generate  
11 power. There are other alternatives. And I would add that  
12 it is not Utah's children's power; therefore, it is not  
13 Utah's children's problem. Thank you.

14 MARK DELLIGATTI: Thank you. Mr. Larwance Bear to  
15 be followed by Boyer Jarvis. Mr. Bear.

16 LARWRENCE BEAR: Good evening. I'd like to ask a  
17 special favor, and that's to have my daughter and  
18 granddaughter kind of my backdrop here.

19 MARK DELLIGATTI: Certainly.

20 LARWRENCE BEAR: Now, I'm a member of the Goshute  
21 Tribe in Skull Valley that has been so popular here, you  
22 know. And right at the onset of this nuclear fuel rod  
23 situation, I was chairman at the time, and it was called the  
24 MRS at that time.

25 And during my tenure as a chairman right at the

1 onset, we had a meeting. We had a meeting on this, the  
2 whole tribe's general council had a meeting on this, and  
3 there was a vote taken. And of that vote taken, the  
4 consensus of the vote was the majority wanted this proposal.

5 And so it's been like that from day one, and it's  
6 almost been ten years so it is not like we're jumping into  
7 this, you know, in the heat of the moment here. It's been  
8 ten -- it been approximately eight or ten years since the  
9 MRS went down and then PFS picked it up, you know. And I,  
10 for one, am for this. I am for this. I don't live on the  
11 Reservation, but I am an enrolled member.

12 My -- each one of us that are enrolled on the  
13 Reservation has a number. Like everybody else here, we are  
14 all numbers. And my number is number one. Number one from  
15 my children on down. That's how it goes. It starts at  
16 number one and goes right on down to all the members. They  
17 have a number, and like I say, I am for this proposal that  
18 PFS has.

19 And during my tenure, like I said, we had a chance  
20 to visit abroad. We visited Japan. We visited the U.K.,  
21 Sweden, France. Now, all these countries have nuclear power  
22 reactors, and I have been inside of them. I have been in  
23 the control rooms of these facilities, and I have been  
24 meters away from the spent fuel that is in the water. I can  
25 see the water just crystal clear in some of these pools that

1 they have there, and the facility in Japan, you could have  
2 eaten your meal off the floor. It was that clean.

3 And everywhere you went, the technicians there  
4 were all young Japanese people, and every department that  
5 you passed through, you were completely gone over with a  
6 geiger counter making sure that you didn't pick up any kind  
7 of contaminate that you might have went through.

8 All of those facilities were like that. You'd  
9 think after having two atomic bombs dropped on Japan,  
10 Hiroshima and Nagasaki, you would think they would be the  
11 one people that would abhor any kind of nuclear -- I didn't  
12 see that over there.

13 People were -- at one reactor, people were living  
14 right around it; were living right around it. The same way  
15 with the United Kingdom. We went to Sellafield. I went to  
16 Sellafield. That was pretty impressive there. We also went  
17 to Cogema that is in France and a couple of others in  
18 Sweden, but those were all experiences I'll never forget,  
19 and I am glad that I did have those experiences.

20 But like I say, from the onset, the tribe's been  
21 for this, for this proposal. You might have heard some of  
22 these -- you might have heard some tribal members say that  
23 that wasn't so, but that's not true. If that was true, we  
24 wouldn't be here today. We wouldn't be here today.

25 We wouldn't even -- we'd -- it would be gone, but

1 it is not -- to me, waste is waste. Everybody says Tooele  
2 County is the dumping ground for everybody. So what? To  
3 the west of us we have Abodes. We have USPCI. We have a  
4 few others, MagCorp, and now we have the nerve gas  
5 incinerator.

6 I'd rather be sleeping next to a spent fuel cask  
7 rather than sleeping next door to the incinerator, you know.  
8 So that's just my thinking on it, you know. A lot of tribal  
9 members might say that, you know, our Reservation is -- you  
10 know, it should be brought up to standard, and I think that  
11 if we had the financial backing like we would expect, that  
12 we could have housing or medical needs taken care of and a  
13 few other things, you know.

14 I don't live on the Reservation because there's no  
15 work on the Reservation. If things turned around, if things  
16 were different, I could probably move back to the  
17 Reservation. I live in Grantsville. I live in Grantsville.  
18 You know, everybody -- I hear a lot of people talking about,  
19 Oh, it is going to impact Salt Lake City. It is only 50 --  
20 40 -- 70 -- I have heard so many mileage things from how far  
21 it is from here to there.

22 And things I see in Grantsville are people moving  
23 out of Salt Lake and moving into Tooele, Tooele Valley. Now  
24 the traffic has got so bad in the mornings, you can't even  
25 get on the highway. That's how bad it is. People are

1 moving out Grantsville, a doomed area, so to speak.

2 The way people have -- you know, I have heard a  
3 lot of sarcastic remarks here, which are not appropriate at  
4 this type of meetings, and I have also heard one politician  
5 say we -- of all the alternatives -- I have heard all the  
6 bad things, but no good alternatives, saying, Hey, we are  
7 going do this for you Goshutes. We are going to give you  
8 this. Only one -- I only heard one statement tonight, and  
9 that is from Scott Howell, and he said he'd give us the  
10 state's surplus.

11 Now, you know, that kind of sounds erroneous to  
12 me, you know, with all the -- with all the hubbub we have  
13 had with the Olympic bid and everything, you know. How long  
14 would this go on? Would this go on for 20 years that they  
15 would give us the state's surplus? Hey, that would be  
16 great, you know. Maybe we can do something with that, but I  
17 don't think so. I don't think so.

18 But we are going to be in Grantsville tomorrow, my  
19 hometown, and I'll be there, and I will be up here talking.  
20 And I will see if my neighbors are going to be there, too,  
21 since we live right over the hill from Skull Valley.

22 And I have also heard a lot of people say, you  
23 know, our land's sacred. I believe our land is sacred, but  
24 then again, I say -- somebody once said -- not in this  
25 context, but this is what I say: It is not what we can do

1 for our land; it is what our land can do for us. And that's  
2 what this is going to be about, and that is just what I  
3 would like to say. Thank you.

4 MARK DELLAGATTI: Thank you, Mr. Bear.

5 DR. SHANKMAN: I have conferred with our attorney  
6 and the other three agencies. What I am going to do is we  
7 are going to go back and look at our schedules and try to  
8 schedule another meeting in Salt Lake City. It won't be in  
9 the next week or two, but it will be before the September  
10 21st date that the comment period will be over, and we will  
11 announce that in the newspapers.

12 If you want to get a notification of that meeting,  
13 would you sign up, please? I'll have the staff at the  
14 reception desk start a sign-up list. I will say this: that  
15 the comments tonight will be included in our analysis. When  
16 the court reporter leaves, the hotel has said they will  
17 continue with the audio tape. I am very concerned; that  
18 what we will do with the audio tape is we will have somebody  
19 transcribe that from the audio tape.

20 The problem is that I -- you know, the audio tape  
21 at the hotel is not our official record, so what we can do  
22 is if you make a comment after the time the transcriber  
23 leaves and you want us to confer with you, we will try to  
24 send you a copy of what we believe you said. That will  
25 involve a lot more back and forth. What I am going to do is

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1 try and have another meeting in Salt Lake City. It will be  
2 before September 21st.

3 The other agencies have indicated that they will  
4 support it. I can't tell you when, and I can't tell you  
5 where, because, obviously, I can't arrange it tonight. But  
6 we will do that because I know that it is frustrating. It  
7 is as frustrate for us as it is for you, and we do want to  
8 hear your comments.

9 So sign up and get a notice of when we will have  
10 another meeting, and that is the best I can do tonight. I  
11 can't tell you when or where, but it will be in Salt Lake  
12 City. Okay. The next speaker, please.

13 MARK DELLIGATTI: Okay. Boyer Jarvis to be  
14 followed by -- I am sorry, the next name after Jarvis is not  
15 very clear. Perhaps it is Michael Connely from the fair  
16 board.

17 BOYER JARVIS: My name is Boyer Jarvis. Others  
18 have given many good reasons for rejecting the Private Fuel  
19 Storage request to store highly radioactive spent nuclear  
20 fuel on the Goshute Reservation.

21 My single argument against the PFS request is that  
22 if any spent nuclear fuel ever gets to the Goshute  
23 Reservation, it will be there forever. In reality, there is  
24 nothing temporary about the Private Fuel Storage proposal.  
25 In giving serious, fair and honest consideration to the PFS

1 request, the Nuclear Regulatory Commission should change the  
2 word "temporary" to the word "permanent" wherever the word  
3 temporary appears in every document connected to the PFS  
4 request and in the Draft Environmental Impact Statement now  
5 under consideration.

6 The prospect of placing highly radioactive spent  
7 nuclear fuel above earthquakes, susceptible ground exposed  
8 to the weathering effects of summer heat, winter cold, wind  
9 and rain is simply not acceptable, nor fair, to the Goshute  
10 Tribe or the residents of Utah. Thank you.

11 MARK DELLIGATTI: If you could give me your last  
12 name again, sir.

13 MICHAEL COWLEY: Michael Cowley.

14 MARK DELLIGATTI: Thank you so much, Mr. Cowley.  
15 Let me just announce the speaker following you. I believe  
16 it's -- the middle name appears to be Stewart. I am sorry.  
17 I am having some trouble reading it. Milo Stewart, if you  
18 are still here, let me know when you come up. Mr. Cowley.

19 MICHAEL COWLEY: Thank you. In reading the Draft  
20 EIS and having worked on a lot of these other the years, one  
21 thing I find that is rather alarming is a trust issue that  
22 we are having problems with here in Utah.

23 For example, earlier nuclear regulatory agencies  
24 used to tell our residents to go up on the roof tops and  
25 watch nuclear blasts while they were in their suits,

1 protective suits, going over cars and seeing how far the  
2 dust was traveling.

3           Several years ago out on the Dugway Proving  
4 Ground, a phantom jet went through a test zone. A valve  
5 didn't shut off. The nerve gas that came out of the plane  
6 went off target. It killed 6, 600 sheep. Unfortunately,  
7 that same agent is going to be used or burned out at the  
8 waste incinerator starting shortly.

9           They didn't admit to that for a decade and a half.  
10 Recently, there have been reports in the nuclear industry.  
11 Once again, there were meetings like this. There were  
12 hearings that were similar to this, and people who were  
13 involved in the plutonium industry that complained that  
14 there were health problems have only recently had those  
15 problems addressed and admissions admitted that there were  
16 exposures and there were health effects effected. Of  
17 course, once again, decades after some of the original  
18 occurs occurred.

19           So in Utah, we're rather sceptical. We are  
20 sceptical of government. We are sceptical of promises made,  
21 especially when it deals with hazardous waste and chemicals  
22 of this nature.

23           One thing the report didn't address, and it is a  
24 history of the nuclear industry, it is a history of the  
25 government agencies, is that catastrophic accidents or

1 catastrophic effects, especially as they will effect the  
2 environment and the people of Utah, are always omitted or  
3 played down. In this report, there isn't anything that  
4 really deals significantly with the effects of sabotage --  
5 intentional -- terrorism, or some of the worst scenarios  
6 that could happen.

7           Years ago, it was determined, especially after the  
8 Oklahoma City bombing, that nuclear facilities themselves  
9 and reactors were not adequately protected from its large  
10 explosive car bombs. Because of that, in the hearings, they  
11 put in new protective gates. They figured out ways of  
12 helping to mitigate against that kind of an attack.

13           I noticed that out here in -- at the facility, we  
14 have a double fence. And I wonder why, when you are  
15 bringing all the fuel rods from 104 nuclear reactors to one  
16 site, that the security is so small. It was estimated that  
17 if a major terrorist attack would happen at a nuclear waste  
18 facility, that 100,000 people could die in a populated area.  
19 Lots of energy, you know, and radiation could be released.  
20 \$15 billion worth of damage, and these are from senate  
21 hearings.

22           In fact, if anyone wants to have a sleepless  
23 night, go on the internet, type in the words "nuclear  
24 terrorism" and read away; not only from senate hearings, but  
25 from Nevada people, who have also addressed these concerns.

1 And I noticed in the Draft EIS, environmental damage is not  
2 talked about at all.

3 The worst possible scenario would be if a nuclear  
4 device was detonated in a place like this in some kind of  
5 terrorist action. A nuclear device would not only carry its  
6 own radiation, but it would take up the radiation of all the  
7 spent fuel rods. It could make it so bad that it could wipe  
8 out an area the size of the State of, you know,  
9 Pennsylvania. Thousands of people would die. Billions of  
10 dollars of damage, and, of course, that effects the  
11 environment.

12 And you'd think that something could be mentioned  
13 in the EIS that could say that this could be a possibility.  
14 The reason that it is never done is that the federal  
15 government -- in a lot of these activities -- and the  
16 nuclear industry and elsewhere have not seemingly wanted to  
17 take responsibility for the action, especially that they are  
18 even possible, even though history has shown what has  
19 happened.

20 The Costale Society, going against one of the  
21 gentleman that spoke early, had mentioned that about 55,000  
22 people had died because of air testing worldwide. It was an  
23 estimate figure brought, and by consensus, of many  
24 scientific studies and reports and responsibility for that  
25 is something that the government very rarely will take,

1 especially up front.

2           What I'm saddened about, though, is that it won't  
3 be looked at or even brought up in an Environmental Impact  
4 Statement of the possible negative effects of a catastrophic  
5 accidents. Not only do I think it should be included, but I  
6 think it is only fair for people to be able to contemplate  
7 what it means to bring that much radioactive material and  
8 focus it on one spot.

9           The only other concern that I have as well is, I  
10 just want to say that I am very concerned legally about the  
11 sovereignty issue, the idea of security. As far as this  
12 kind of a site, the nuclear industry has used the backdrop  
13 of national certification and national licensing.

14           And what happens when we take the responsibility  
15 of all of these nuclear material and put it on the sovereign  
16 out of basic government jurisdiction? And what happens to  
17 security issues? What happens to anti-terrorist issues, or,  
18 you know, concerns? How do you protect it on this site? I  
19 hope that those issue cans be addressed. Thank you.

20           MARK DELLIGATTI: Again, the next speaker Milos  
21 Stewart, and there is a third name, but I regret that I  
22 can't make it out. Okay. If you are here, we'll try to  
23 come back when we go through the list. The next speaker,  
24 Russel Klive. Perhaps --

25           AUDIENCE: It is Kline. I believe they both have

1 left.

2 MARK DELLIGATTI: Kline. Thank you so much. Next  
3 would be Brent Ward. Kathleen Stats? Okay. Blain Howard  
4 and to be followed by Alex and Andrea Rossbray.

5 DR. SHANKMAN: Let me remind you, if you are  
6 leaving, to sign up, and we'll send you an announcement of  
7 the next meeting. It will also be advertised in the Salt  
8 Lake City newspapers.

9 BLAIN HOWARD: Okay. My name is Blain Howard. I  
10 am currently retired. I don't represent any nuclear  
11 industry or company. It is just my own interest.

12 I started work in the health physics with a  
13 fellowship in radiologic physics from the atomic Energy  
14 Commission in 1953 and have spent many years studying and  
15 working in health physics, which is the science of radiation  
16 protection.

17 I received the Comprehensive Certification from  
18 the American Board of Health Physics, although my  
19 certification isn't current, and I reviewed the executive  
20 summary of the DEIS. I didn't have the DEIS, but I concur  
21 with the conclusions received, which are reached there.

22 I do have some concern about or some questions  
23 about some timing. First, if the PFS transports 200  
24 canisters per year, it will take 20 years to transport 4,000  
25 canisters, and that is the lifetime of the license. Is this

1 realistic?

2           Second, if the PFS is required to remove all  
3 canisters within 90 days of the expiration of the lease, it  
4 seems to place the limit on the number of canisters which  
5 can be on-site at the time the lease expires. How many  
6 canisters can PFS realistically remove in 90 days? You  
7 might want to think about that.

8           Next, I would like to call attention to the  
9 importance of nuclear power to this nation. It is an  
10 important energy source. We have the raw materials. We  
11 have the expertise and engineering capability that we need  
12 right here within this nation. We don't have to rely upon  
13 foreign oil.

14           Other nations are utilizing this technology, but  
15 we seem, as a nation, to be turning our backs on this  
16 marvelous source of energy which is so vital to our nation's  
17 welfare and national security. We have allowed enemies of  
18 nuclear power to pollute the thinking of many of the people  
19 so that they fear anything related to nuclear power,  
20 especially radiation.

21           These opponents of the nuclear industry have  
22 become so emotional about their opposition that they will  
23 not listen to rational explanations. Even the political  
24 leaders of the states have taken up their cry, and the  
25 attitudes seems to be prevalent that nuclear waste is not

1 welcome anywhere. The common expression is, "Not in my  
2 backyard."

3 They have no faith in our ability to safely store  
4 this small volume of spent fuel. Realistically speaking,  
5 that is a small volume compared with waste from other  
6 industries. We have the expertise to do this. Our  
7 regulatory agencies are capable of overseeing the project  
8 successfully.

9 There has been a lot of mistrust in government,  
10 mistrust in agencies, and sometimes they have made mistakes,  
11 but they do have the capability of overseeing this  
12 successfully. And the Goshutes, I think, should be thanked  
13 and commended for having the courage to help solve this  
14 simple problem when everyone else seems to think is  
15 hopeless.

16 If people will listen to the experts in radiation  
17 protection, they can overcome their unrealistic fears about  
18 radiation. For factual information, look to members of the  
19 Health Physic Society. There are several members in Utah,  
20 of which I am one, and including some in the Utah Division  
21 of Radiation Control. And I know that those in the Division  
22 of Radiation Control were not consulted by the Governor. He  
23 didn't consult his experts, but somewhere I think he got  
24 some misinformation was ill-advised.

25 And I would advice anyone with doubts and fears

1 about radiation to look to the experts rather than to those  
2 who have an ax to grind; just as if you would go to a doctor  
3 to find a solution to a medical problem instead of your  
4 next-door neighbor. Thank you.

5 MARK DELLIGATTI: Thank you, sir.

6 DR. SHANKMAN: I'd invite the other people in the  
7 other room that was set up for overflow, there are plenty of  
8 seats up here. You don't have to watch us on the screen.  
9 You can certainly come into this room, if you choose.

10 MARK DELLIGATTI: Alex and Andrea Rossbray? Ilene  
11 Green? Roberta Kirkpatrick to be followed by John Jensen.

12 ROBERTA KIRKPATRICK: I would like to raise one  
13 very important point that I think everybody should  
14 definitely consider, and that is the fact that there are  
15 military bombing exercises going on very close to where this  
16 is. And I hope that the military could be talked to about  
17 that; that that could be taken into consideration.

18 I also am concerned about other risks; risks of  
19 fire, and we've had a lot of fires around here lately. That  
20 is on my mind. I hope that can be looked into. I would  
21 also hope that the earthquake risk could be looked into as  
22 well.

23 And one final thing that I'd like to add is that I  
24 do -- or a couple of final things, I do hope that everybody  
25 could understand that not all of the Goshutes are in support

1 of this, and I hope that they could be listened to, and  
2 maybe you could have some discussions with them.

3 Also, I would like to encourage people to think  
4 about other alternatives for power, such as solar power and  
5 things like that. That's -- I'll sum it up with that.  
6 Thank you.

7 MARK DELIGATTI: Thank you. John Jensen to be  
8 followed by Carla Redding.

9 JOHN JENSEN: Thank you. My name is John Jensen,  
10 citizen of Salt Lake City. First I would like to respond to  
11 what Mr. Howard -- I believe it was said two speakers ago  
12 about listening to experts on this issue. Mr. Howard, there  
13 are plenty of experts who you could find who consider  
14 nuclear waste to be extremely dangerous.

15 I had the privilege of hearing Helen Caldicott in  
16 Denver speak a month ago, and she is certainly an expert; a  
17 physician from Australia who has warned for years about  
18 radiation poisoning. So that expert issue goes both ways.

19 One thing I would like to address really quickly  
20 is holding this private meeting in a private building  
21 presented some problems. Earlier on, hotel personnel  
22 harassed me on the way in, escorted me out of the building  
23 for the purpose of confiscating a poster, claiming that the  
24 NRC's rules prohibit posters larger than 18X18 inches. If  
25 this is true, I would like to see that rule.

1 DR. SHANKMAN: Yes. We will get a copy to you.  
2 Leave your address. There is such a rule. I am sorry if  
3 you were harassed.

4 JOHN JENSEN: Thanks. Yeah, I would just like to  
5 suggest that perhaps the future hearings could be held in a  
6 public building, and maybe that could prevent such  
7 incidents.

8 As for the PFS proposal itself, I believe it is  
9 imperative to hold hearings in every community along the  
10 transport route that will be effected by this, both in terms  
11 of property values and health values. Two hearings in Utah  
12 for an issue of such daunting importance at this stage I  
13 believe to be completely inadequate. There needs to be  
14 hearings, yes, again, in every community along the transport  
15 route.

16 As a life-long resident of Utah, I consider this  
17 proposal an affront to the future. If the nuclear industry  
18 has to rely on out-of-site, out-of-mind waste disposal  
19 systems needing the far off desert of the Great Basin even  
20 to remain in existence, then the nuclear industry is an  
21 economic failure and deserves to be replaced by solar, wind,  
22 geothermal and hydrogen fuel-cell energy technologies,  
23 which, in opposition to what has been said earlier, are the  
24 true environmentally-sound energy technologies of the  
25 future.

1           In sum, I would just like to repeat my  
2 wholehearted opposition to PFS's proposal to ship their  
3 waste here, and to urge them to deal with it on-site at the  
4 points of generation. And if they can't do that, perhaps we  
5 need to consider that the nuclear industry should go  
6 extinct. Thank you.

7           MARK DELLIGATTI: Carla Redding? Jill Shrinberg?  
8 Kevin Camps.

9           KEVIN CAMPS: My name is Kevin Camps, and my title  
10 is Nuclear Waste Specialist at Nuclear Information and  
11 Resource Service based in Washington, D.C., and I will be  
12 submitting written comments on behalf of our organization,  
13 so I will try to limit my verbal comments tonight.

14           We came here, my wife and I, actually hauling a  
15 replica of a nuclear waste truck cask all the way from  
16 Michigan. We started at the Cook Nuclear Reactors in  
17 Michigan. American Electric Power, which owns Cook, is one  
18 of the eight utilities that comprises Private Fuel Storage,  
19 and we kicked off our national tour along actual  
20 transportation routes at the Cook Plant because we felt that  
21 it was shameful for them to be involved in this project.

22           The history of the relationships between the white  
23 settlers and the Michigan and the Native American Tribe is  
24 very shameful. In 1840, the Potawatomi and Ottawand Ojibwa  
25 were rounded up by gun point by the United States Army and

1 marched to Kansas in the winter. And so many died that it  
2 was called the Trail of Death, and it is incredible to me  
3 that there is this long list of tribes that are targeted for  
4 this deadly waste in this country.

5 I think there is a book called "Bury my Heart at  
6 Wounded Knee" which chronicles the shameful history of white  
7 relations and Native Americans, especially in the 19th  
8 century, and I am sure that in the future, there is going to  
9 be a book written of the 20th and 21st century of the  
10 equivalence of what happened back then.

11 So the main point I would like to make is, we  
12 traveled through Michigan, Indiana, Illinois, Missouri,  
13 Nebraska, Wyoming and now Utah, and we are going to arrive  
14 in Nevada in a few days, targeted, as it is, for a permanent  
15 disposal site for hazardous nuclear waste. And we have  
16 talked to hundreds, if not thousands, of people on this  
17 trip.

18 And I would just like to inform you that there is  
19 a lot of concern out there that they are being ignored; that  
20 there are no hearings scheduled about Private Fuel Storage  
21 in places like Nebraska, Wyoming, right on the train lines  
22 that would be as hard hit as Utah because they would receive  
23 all of the transports to here.

24 So they're -- I have a stack of petitions that  
25 have been signed calling for hearings in all of these

1 communities that we passed through, and told them that they  
2 were on the route. They didn't know it and was very  
3 interested to learn that. And most of the people that  
4 signed this petition took petitions, blank ones, of their  
5 own.

6 So in addition to calling for hearings, there is a  
7 call for an extension. I know it's been said that all of  
8 the agencies involved have made their decision, but none of  
9 these people have been asked. They didn't know that there  
10 was a comment period happening, and so here we are. I don't  
11 know how far into it -- we're like half way into it, the  
12 comment period.

13 DR. SHANKMAN: One third.

14 KEVIN CAMPS: One third. These people have just  
15 found out. They found it very difficult to get a hold of  
16 this document. Several tried on the internet and were  
17 unable to download it for some reason. So in terms of  
18 process, by the 21st, I am sure we are going to have as many  
19 petitions as this is thick, calling for hearings in all of  
20 these states. So that's something to consider.

21 A very important point that I want to make is that  
22 this whole issue boils down to the economic situation on the  
23 Goshute Reservation. I can't imagine why any community  
24 would want to support this proposal if they did not have  
25 economic problems that they are involved in. And so I would

1 really call upon all the people who are here to remember  
2 that when this proposal is defeated for all of its problems  
3 and because it is so wrong, that the people in Skull Valley  
4 Goshute Reservation not be forgotten and be assisted with  
5 their economic development.

6 And I'd just like to point out that there have  
7 been problems with dry cask storage. That is how I became  
8 involved in this issue ten years ago in Michigan. I lived  
9 downwind of the Palisades Nuclear Plant before I moved to  
10 Washington a year ago to work on this on a national level.  
11 The casks at Palisades were in place with the public being  
12 locked out of the process. It was the first plant in the  
13 country where the public did not have the right to intervene  
14 in the process.

15 And there have been some serious problems at  
16 Palisades. There's been welding flaws, defective casks.  
17 There has been leakage of helium gas that was not  
18 anticipated, as the helium is supposed to preserve the fuel  
19 rods into the future. So the state of the future rods is a  
20 concern.

21 Mr. Northard from Private Fuel Storage and  
22 Northern States Power earlier said they had a stellar  
23 experience or history with handling spent fuel at their  
24 reactor at Perry Island, and I recall an incident where a  
25 fuel rod dangled over the spent fuel pool for quite a long

1 time up there. So there have been problems at Palisades.

2 The forecast to be loaded in the summer of '94 was  
3 found to be defective shortly after loading. Consumer  
4 Energy Company and the NRC, in court, had assured the judge,  
5 when we sought an injunction against loading, that the casks  
6 would be unloaded if any problems had been found. And that  
7 cask has sat there now for over six years. Technical  
8 problems prevent its unloading. So there are some real  
9 concerns with dry cask storage.

10 But I should add that it is preferable to be  
11 dealing with these problems at zero miles an hour than 70 on  
12 the transport casks on the railways. And in terms of  
13 trusting the experts, I just look to the explosion at the  
14 Point Beach Reactor in Wisconsin, an unforeseen chemical  
15 reaction that was missed by the experts at the NRC, at the  
16 cask manufacturer, at the utility company, that resulted in  
17 an explosion that dislodged a two-ton lid on the edge of the  
18 spent fuel pool. A near miss, had that lid somehow been  
19 dumped in the pool and punctured the pool. So because  
20 nuclear waste is so dangerous we have to be very careful  
21 with its handling and its storage.

22 And I think that this proposal is on the fast  
23 track; that it is should be slowed way down. We should have  
24 hearings across the country on the transport route, and I  
25 think there are people all along these communities that

1 would be very interested to be involved in this as well.

2 Thank you.

3 MARK DELLIGATTI: Thank you.

4 DR. SHANKMAN: Kevin, are you going leave copies  
5 of those, or are you going to spend them to us?

6 KEVIN CAMPS: (Inaudible.)

7 MARK DELLIGATTI: Gabriella Bullsova to be  
8 followed by Jim Webster.

9 GABRIELLA BULLSOVA: My name is Gabriella  
10 Bullsova. I was born in central Europe in the former  
11 Czechoslovakia, and we have a saying back home which goes  
12 like this: If the mountain doesn't come to you; you have to  
13 come to the mountain.

14 I don't live in Utah, but I live in one of the  
15 proposed transportation routes. Former Czechoslovakia  
16 shared its eastern borders with one of the republics of  
17 Soviet Union, with Ukraine, in April of 1986. As you may  
18 recall, a catastrophic accident with global consequences  
19 happened at the Chernobyl Nuclear Power Plant 14 years ago.

20 I have listened to the confident voices of  
21 well-addressed mostly men with titles in front and behind  
22 their name, who has ensured us that there is no danger from  
23 the radiation releases at the Chernobyl Power Plant and that  
24 there are no precautions necessary to take. They often use  
25 the words, "It is safe, and "trust us."

1           In 1995, I had the opportunity to visit for an  
2 extended period of time the republic of Ukraine, Bellows and  
3 Western Russia. I walked through the fields, which before  
4 the Chernobyl accident, provided food for generations of  
5 people who worked on them. I walked through the forests,  
6 important source of wood and additional source of food as  
7 well as recreation.

8           I visited villages and towns where I talked to  
9 parents, teachers and doctors, who had to hopelessly watch  
10 their children, friends and loved ones gets sick from  
11 something they could neither prevent nor detect from  
12 radiation.

13           The irony of this accident is that a short time  
14 before this disastrous event took place, the Chernobyl  
15 Nuclear Power Plant was declared by the International Atomic  
16 Energy Agency so safe that it could be built on the Red  
17 Square. They, again, used the words, "Trust us," and "It is  
18 safe".

19           I drew this parallel to the Chernobyl accident by  
20 not incidentally. Nobody asked the people in Ukraine and  
21 Bellows if they wanted this nuclear power plant to be built  
22 on the historically and culturally rich homeland. When I  
23 say that it was different, it was done in totalitarian  
24 region and socialism.

25           This country is proud to call itself a democratic

1 country. To my understanding, democracy includes  
2 participation and open dialogue. Private Fuel Storage, a  
3 limited liability company, is putting at risk millions of  
4 people at this country who live along the designated  
5 transportation routes proposed for the shipments of the high  
6 level nuclear waste holding. Two public hearings on such an  
7 important issue, which would deeply effect our communities,  
8 is simply not enough.

9 Is Private Fuel Storage afraid to hear the  
10 opinions of people across the country, or does it simply not  
11 consider relevant to imply some of the main principals of  
12 democracy, or is it because, as they or as you say, this  
13 whole process is so safe that there is nothing to worry  
14 about.

15 Then I ask, why, then, such a rush? Why not to  
16 leave this dangerous materials to sit where they are right  
17 now? Why? To risk health of people in Utah and the people  
18 on the transportation routes? For money? For allowing the  
19 nuclear industry to get rid of their liability for the  
20 garbage they created?

21 Several words come to my mind; greed, bribery,  
22 environmental racism and environmental injustice. Private  
23 Fuel Storage often uses its magic slogan, "72 to 1," meaning  
24 to upload the nuclear waste from 72 sites around the country  
25 to the magic 1. That is not true. They are allowing, on

1 public expense, the nuclear industry to continue to generate  
2 more waste. It is not 72 to 1, but plus additional 1.

3 The new centralized, so called, temporary for  
4 40-year storage site would not only sacrifice the land of  
5 the Skull Valley Goshute people but also engrave a deep  
6 stigma on the State of Utah and its people. So I challenge  
7 the PFS and the nuclear industry and say that it is not  
8 safe, and I, personally, do not trust you.

9 The Draft Environmental Impact Statement didn't  
10 take into consideration the true and actual risk of  
11 transportation, the risk of centralized storage site, the  
12 impact on human health and environment, the enviro-economic  
13 impacts, etc., etc.

14 I do not suggest that this document to be  
15 rewritten. I simply suggest the members of the Private Fuel  
16 Storage to abandon this project and find a better and more  
17 honest jobs for themselves.

18 MARK DELLIGATTI: Jim Webster? Beatrice Bradford  
19 to be followed by Cynthia of the Desert.

20 BEATRICE BRADFORD: Thank you. And I do thank you  
21 for agreeing to add another hearing to the schedule. I  
22 certainly encourage you to add a good many more. I will try  
23 to come back to the second hearing in Salt Lake as well.

24 My name is Beatrice Bradford. I am the program  
25 director of the group called the Snake River Alliance. I

1 live in Pocatello, Idaho. The Snake River Alliance is an  
2 Idaho-based member organization founded in 1979 to serve as  
3 citizens monitoring the Idaho National Engineers  
4 Environmental Laboratory. We have 1,300 individual family  
5 and business members. Most of our members live in southern  
6 Idaho, though we also have due paying members in 37 other  
7 states and Puerto Rico. One of the other states is Utah.

8 We accomplish our objectives through research,  
9 education and community advocacy. Our primary concerns have  
10 always centered on nuclear weapons and nuclear waste. We  
11 welcome this opportunity to comment on the Draft DEIS on  
12 centralized storage on the most radioactive substance on  
13 earth.

14 Idaho is one of the few states in the nation  
15 currently receiving spent fuel on distant generator. In our  
16 case, the spent fuel comes from the nuclear navy for  
17 indefinite storage at INEL. INEL also stores spent fuel  
18 from such sources of commercial power plants; the partially  
19 melted core from the Three Mile Island is in Idaho, other  
20 Department of Energy sites and 13 foreign countries. Our  
21 direct experiences are the basis for these comments.  
22 Efforts going forward here in Utah to establish a  
23 centralized interim storage facility for spent fuel are a  
24 necessary inequitable, unproductive, imprudent and  
25 profoundly undemocratic, unnecessary.

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1           The Nuclear Regulatory Commission asserts spent  
2 fuel can be stored safely on site at reactors, asserting  
3 that the spent fuel can be stored without any negligible  
4 environmental impacts. According to these federal agencies,  
5 there is no safety concern. Driving spent fuel  
6 consolidation with nuclear waste can and should be stored as  
7 safely as possible, as close to its point of generation as  
8 possible, and you must evaluate that as a real alternative.

9           Inequitable, the Nuclear Waste Policy Act states  
10 that, quote, the persons owning and operating civilian  
11 nuclear power reactors have the primary responsibility for  
12 providing interim storage of their spent nuclear fuel,  
13 unquote. That responsibility must not be shifted. It is  
14 unfair for those responsible for the waste utilities and  
15 those who have benefited from their production, customers  
16 and stockholders, to shift the burden of spent fuel storage  
17 to political states that have gotten little or no direct  
18 benefit from nuclear power; unproductive.

19           If spent fuel storage is centralized, the county  
20 ends up with more, not fewer, nuclear waste sites. Even if  
21 spent fuel were removed from reactor storage sites, those  
22 facilities will not be decontaminated, decommissioned or  
23 decased. If the centralized interim facility becomes a  
24 reality, we will simply have added one more site to the  
25 contaminated list.

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1           It's prudent calling a centralized storage  
2 facility temporary. It seems to shorten our sight, though  
3 it certainly does not shorten the time. This material will  
4 remain at risk. To give a company, a limited liability  
5 corporation, a license to operate a facility, to store the  
6 most radioactive substance on earth while not demanding to  
7 see the money they will use to operate it safely, is  
8 imprudent. To give a license to a corporation unwilling to  
9 design to the very highest possible seismic standards,  
10 because you're dealing with the most radioactive substance  
11 on earth, is imprudent.

12           It does seem to me -- what I have been able to  
13 gather so far about the Accident Response Plan of Private  
14 Fuel Storage, which is descended some place else, that is  
15 perhaps it is most imprudent thing I ever heard. The  
16 nuclear industry suggestment is undemocratic.

17           The Snake River Alliance agrees with industry  
18 lobbyists that we face a crisis, but it is not a nuclear  
19 waste crisis. It is not a crisis, as new storage facilities  
20 can be designed, built and licensed near reactors. What we  
21 face instead is a crisis of consensus issues as contentious,  
22 as indefinite. Nuclear waste storage can only be addressed  
23 with the broadest public involvement because we need the  
24 broadest public agreement consensus.

25           The process so far pursued by the NRC will not

1 lead us to that consensus. And profit making corporations,  
2 assisted by public agencies, cannot force a burden as heavy  
3 as nuclear waste storage on the unsuspecting or the  
4 unwilling. In Idaho, it is a lifetime too late to say, "Not  
5 in my backyard." Fight back, Utah.

6 DR. SHANKMAN: Before we have the next speaker, I  
7 want to tell you that we have a half an hour left of the  
8 transcriber. We have, approximately, ten more speakers. If  
9 they will limit themselves to two and a half minutes, we can  
10 get everybody on the transcript. So I ask that you consider  
11 what you are saying, and give respect to the following  
12 people because they have stayed late, and I think they  
13 deserve to be heard.

14 MARK DELLIGATTI: Cynthia of the Desert to be  
15 followed by Melanie Moore.

16 CYNTHIA OF THE DESERT: I appreciate all of you  
17 still being here. I must admit to being rather angry  
18 earlier at the onus being put on those of us here because  
19 there are so many of us -- yes, there are so many of us --  
20 that we should cut each other's remarks off. This is -- I  
21 think this is not correct. I do respect that you have  
22 responded to it. I am glad that you have all stayed. I am  
23 glad that the people who are still here stayed.

24 I congratulate you for creating one more hearing.  
25 I encourage you to create at least 50 more. Responding to

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1 what Mr. Camp said, every single community on the route  
2 needs to be considered. This is just the beginning of a lot  
3 of people in Utah who need to be considered. One more  
4 hearing will not do it. I guaranty you this. Please  
5 consider at least four to six more hearings in the State of  
6 Utah along the routes. This includes the routes that are  
7 proposed by PFS; rail and highway.

8 I am going to cut my remarks short, so I am not  
9 going to specify everything that I read in the DEIS and the  
10 different directions, but you need to consider them.  
11 There's western. There is southern. Yeah, people all over  
12 the state who are going to be effected; not just the Goshute  
13 Reservation; not just Tooele County; not just Salt Lake  
14 City; not just Salt Lake County. I urge you to consider the  
15 entire state, and consider every single state that this is  
16 going to go through. Now I will get to my prepared remarks.

17 DR. SHANKMAN: Would you state your name, because  
18 there were two names.

19 CYNTHIA OF THE DESERT: Cynthia of the Desert.

20 DR. SHANKMAN: Okay. Thank you.

21 CYNTHIA OF THE DESERT: First of all, I would like  
22 to, again, speak to the tribal issue. I feel that the NRC  
23 will never be able to deal with this in an honest, moral  
24 clarity unless you have a Native American on your board;  
25 someone whose land is being effected. So please consider

1 that next time there is a vacancy.

2           Some of us are aware that the Goshutes are not the  
3 first tribe that PFS has tried to create a deal with. I  
4 certainly hope this is the last, and I certainly hope that  
5 the consortium of eight keeps the nuclear waste where it is.  
6 You, all of you, have the power to see that that happens.  
7 The NRC collectively must not grant this license to PFS.  
8 The BIA must not approve the PFS lease. BLM must not  
9 approve the right-away request for the rail. The STB must  
10 not grant a license to construct the rail line. Don't do  
11 this.

12           We have a lot of time. PFS has a lot of money.  
13 Maybe the communities, maybe the tribe, maybe the  
14 individuals do not have that money, but you know what we  
15 have? All the time in the world, and the people in the  
16 communities who live in their homes that are run off nuclear  
17 power agree. They know that there is a situation with a  
18 mess that needs to be dealt with.

19           I, personally, over the years, spoke within  
20 several scientists who say that this waste can safely be  
21 contained where it sits on site, where its been generated,  
22 yet the utilities refuse to pay for this option. They would  
23 rather spend I don't know how many millions of dollars  
24 trying to foist it off somewhere else; through every one's  
25 backyard, in someone's last-minute backyard.

1           This is not acceptable. I don't know where the  
2 figures are, but it says acceptable. To who? This is not  
3 acceptable to anyone. If you all want to have it in your  
4 backyard, if Mr. Northhand wants to have it in his, every one  
5 else from PFS, fine, but not one of you would say yes to  
6 this, even if you were given maybe \$40 million. How do we  
7 know? Nobody's seen the lease between the PFS except for  
8 Leon and two or three other people. But I guarantee if any  
9 of you searched your hearts, you wouldn't accept that. Why?  
10 Because you know what we are all dealing with. You know  
11 what this stuff is.

12           I forgot to state my background. I got this close  
13 to a physics degree and didn't finish it. I understand most  
14 of what I read in the DFS -- DEIS -- I am tired folks. I  
15 have been dealing with this for 14 years, first with the  
16 Nevada test site, then Yucca Mountain; two and a half years  
17 with my close friends now who oppose this, who live three  
18 miles from where this facility, proposed facility, would be  
19 located. The DEIS did not deal with infrastructure costs.  
20 That means, in lay-language, emergency response needs.

21           I listened to the representative from Tooele, who  
22 also happens to be the volunteer fire chief, at the last set  
23 of hearings a month ago. He states that no one, none of his  
24 people will respond if there's a fire. There is nothing in  
25 the DEIS that deals with wild fire. There is nothing that

1 deals with fire at the plant itself. What are you going to  
2 do, folks?

3           There isn't enough water. It is sitting on four  
4 earthquake faults; none of which has been adequately  
5 addressed. Everyone from the governor to Representative  
6 Hansen, to now are good Mayor of Salt Lake, have told you  
7 exactly what they think. You need to listen. This cannot  
8 just be shoved through. And the disrespect of saying, oh,  
9 well -- just coming on board at the last minute, it takes a  
10 while to get organized when you don't have money, when you  
11 don't have information.

12           You know, I wouldn't have been able to read the  
13 DEIS had not Sue Martin been able to give it to me. A month  
14 ago, it came out. The NRC was hear and had three copies.  
15 Now, even if, oh, you came with hundreds and hundreds of  
16 copies, how is the layperson supposed to read this? I still  
17 don't even understand half of it -- three-quarters of it.  
18 Sometimes, you know, there's language in there that -- how  
19 convenient for you, the NRC, how convenient for PFS, that  
20 every day people don't understand this.

21           So how can we actually respond in -- this is  
22 supposed to be only specific remarks to the DEIS, and yet,  
23 you have heard very emotional statements from a lot of  
24 people because this is a very gut-level emotional issue.  
25 But the science involved, you have either ignored it you've

1 played fast and loose with it.

2 I want to actually make a quote here, too. Cindy  
3 King earlier mentioned the executive order, and you know  
4 what I am speaking about. New health -- no health risks  
5 were even considered for children and pregnant women, and  
6 that's what a hell of a lot of this state is made of. You  
7 heard a woman earlier who specifically -- Kathleen Stats, I  
8 think. No, it was Dana Rasmessan. That is a typical Utah  
9 mother; seven children. This is what the State of Utah, an  
10 awful lot of it, is made of made up of the citizens here.

11 But there's no health risk assessments, and there  
12 certainly isn't anything there about what would happen to  
13 the families with children who live three miles -- it is too  
14 bad that family is not here any longer. That family with  
15 children lives three miles from the proposed site. There's  
16 nothing in your DEIS that addresses the health risk if there  
17 is an accident at the storage site.

18 Now, I am going quote Keith Louis: There is  
19 nothing moral about tempting someone who is starving with  
20 money. This whole thing is immoral. This science is not  
21 very well done. Environmentally, you have skipped over all  
22 kinds of things; earthquakes, fire, water. Oh, what about  
23 the water table? There's not enough water out there for you  
24 to build the thing, never mind if there's a fire, never mind  
25 to continue it on a daily basis. Not enough water.

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1 I am trying to pick and chose what to cut and what  
2 to say, but thank you.

3 DR. SHANKMAN: I understand, but there are nine  
4 other people after you.

5 CYNTHIA OF THE DESERT: Yes, there are, and you  
6 know what? They are going to stay. They are still hear.

7 DR. SHANKMAN: Okay.

8 CYNTHIA OF THE DESERT: All right. There's no  
9 need to move the waste. Even another governmental agency  
10 stated this. The GAO report, I am sure you have read that.  
11 There's no need to move it. Leave it where it is. Have PFS  
12 consortium use their money to figure out how to contain it  
13 where it is. And gee, Scott, just don't make any more.

14 I would just like to say there are many reasons  
15 not to create this waste dump on tribal land; scientific,  
16 environmental, economic, military, terrorism, legal, moral,  
17 racist, spiritual. You really need to hear the people of  
18 Utah and the Goshute people; not Leon and the three others  
19 that created this outrageous deal. Thank you.

20 MARK DELLIGATTI: Thank you. I believe the first  
21 name is Melanie, Melanie Moore. Okay. Jerry Lazar. Eli  
22 Lazar? Steven Egelsbee to be followed by Naomi Silver  
23 Stone.

24 STEVEN EGELSBEE: Yes, thank you. The hour is  
25 late so I'll be brief. I think maybe I can bring a

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1 prospective to the discussion, even at this late date,  
2 because I represent the nuclear industry. I represent the  
3 Nuclear Energy Institute in Washington, and we represent the  
4 utilities that own and operate nuclear power plants, but  
5 more broadly, other users of nuclear technology. So  
6 inasmuch others have, outside the industry, have spoken for  
7 the industry, let me speak briefly to you this evening on  
8 what we support.

9           The PFS project is an important option for  
10 temporarily managing used nuclear fuel until a permanent  
11 underground storage facility is ready. It has been noted  
12 that nuclear power produced 20 percent of your electricity,  
13 and that is accurate. More importantly, nuclear power  
14 yields significantly environmental benefits because the  
15 plants do not burn anything as they generate electricity.

16           To put that in prospective in terms that, perhaps,  
17 are most immediate here, that's like taking 99 million cars  
18 off the road. That is how much carbon nuclear power plants  
19 avoid emitting. Every technology that produces electricity  
20 has by-products that must be managed, and the federal  
21 government has responsibility for disposing nuclear fuel and  
22 the byproduct of defense-related activities as part of long  
23 established national policy.

24           In 1982, the Nuclear Policy Act set into law  
25 federal policy for developing a disposal facility that will

1 safely manage these products. This law also set in law  
2 January 19, '98 as the date when the federal government  
3 would begin removing used fuel from nuclear power plants for  
4 nuclear disposal energy.

5 Secretary Bill Richardson reaffirmed the current  
6 positions support for this national policy as recently as  
7 last week when he said, and I quote, This administration is  
8 committed to resolving the complex important issue of  
9 nuclear waste disposal in a timely and sensible manner, and  
10 remains committed to a safe, permanent geologic repository.

11 Secretary Richardson also, last week, repeated his  
12 position that DOE will provide a recommendation on Yucca  
13 Mountain's suitability to the President by the summer of  
14 2001. Two major studies by DOE in 1998 and 1999 point to  
15 Yucca Mountain as an appropriate site for a permanent  
16 repository. These are the viability assessments and the  
17 Draft Environmental Impact Statement.

18 Two decades of scientific studies embodied in  
19 these studies point to Yucca Mountain as an appropriate  
20 repository site, but DOE's delay in meeting its 1998  
21 commitment has meant that some nuclear power plants has run  
22 out of storage capacity, as we all know. Some plants have  
23 re-racketed their fuel pools to hold more fuel. Some have  
24 expanded their storage capacity by building above-ground dry  
25 cask facility, but some nuclear power plants are unable to

1 expand their capacity to store fuel on site, and these  
2 plants must move used nuclear fuel to centralized storages  
3 that's envisioned by Private Fuel Storage.

4           The storage technologies has well understood and  
5 has been demonstrated to be safe at 21 nuclear plant sites  
6 that have been operating similar facilities since the late  
7 1980s. During the operation of these facilities, there has  
8 never been a release of radiation to public for the PFS  
9 facility, and this is simply a larger version of  
10 above-ground facilities now at nuclear plants. The Nuclear  
11 Regulatory Commission calculates the individual standing at  
12 the boundary of the PFS facility would receive, quote, no  
13 more than a fraction of the normal background dose in the  
14 United States.

15           PFS and other storage facilities, whether they are  
16 operated on nuclear plant sites by the companies or on other  
17 -- or embody other Private Fuel Storage ventures are viable,  
18 valuable options for managing used nuclear fuel, but they  
19 are not a subsidy for a permanent storage facility. They  
20 are a temporary solution. They are a temporary solution  
21 until a permanent disposal facility is operating.

22           The industry and the government remain committed  
23 to the development of a permanent disposable facility. If  
24 the President approves the Yucca Mountain site, disposal  
25 could begin as early as 2010. Now, managed used nuclear

1 fuel, as we all heard tonight, inevitably raises the issue  
2 of transporting material from nuclear power plants to a  
3 storage facility, and I am proud to tell you that the  
4 nuclear industry and others responsible for moving used fuel  
5 have established an exemplary safety record.

6 More than 10,000 used fuel assemblies, such as we  
7 have discussed this evening, have been transported in more  
8 than 3,000 shipments since 1964; internationally, ten times  
9 as many have been carried out safely. The NRC and the  
10 Department of Transportation regulate the shipment of used  
11 nuclear fuel and other radioactive materials. The strict  
12 control they have put in place and the rugged containers  
13 that will be used are reasons why no harmful levels of  
14 radioactivity have been released in the eight transportation  
15 accidents that have occurred in 35 years involving  
16 radioactive materials.

17 I invite every one who is still here tonight to  
18 see the actual results of severe crash tests the fuel  
19 containers have undergone and survived, and you will find  
20 video of the test at the Nuclear Energy Institute's website  
21 [WWW.NEI.ORG](http://WWW.NEI.ORG). I think you will find it an interesting  
22 exercise compared to what you may have heard here tonight.

23 A person who spends 15 minutes standing six feet  
24 away from the vehicle carrying radioactive materials would  
25 receive 2.5 millirems of radiation. That's about the same

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1 amount of radiation I received on my flight from Washington  
2 to be with you here this evening. The full range of safety  
3 precautions and regulations will apply to the PFS fuel  
4 shipments, which will average about two trains a week.

5           Given what the nuclear energy industry transports  
6 its used fuel, based on a philosophy that it emphasizes  
7 safety every step of the way and has a 35-year record of  
8 zero radiation releases when a few accidents have occurred,  
9 the NRC has concluded that radiological doses to the public  
10 along spent fuel shipping routes to Skull Valley would be  
11 small and controlled by regulatory restrictions.

12           To conclude, used fuel storage facilities, like  
13 the PFS facility, use proven, independent reviewed container  
14 technology. Experience has shown that such facilities  
15 provide the highest level of protection for public health  
16 and safety. Likewise, the nuclear industry has demonstrated  
17 that used nuclear fuel can be transported safely.

18           Earlier this year, the NRC stated that  
19 transporting used nuclear fuel, which the agency had said  
20 carried a very small risk, is even safer than previously  
21 estimated, based on years of experience and the new  
22 analytical techniques that you have available to you. Your  
23 agency concluded that past transportation studies used very  
24 conservative assumptions that overestimated the frequency  
25 and consequences of the accidents.

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1 NEI supports the PFS project as a temporary  
2 solution to safely and efficiently manage used nuclear fuel  
3 until a permanent facility is built and operated. Thank  
4 you.

5 MARK DELLIGATTI: Naomi Silver Stone? William H.  
6 Miller.

7 WILLIAM MILLER: My name is William Miller, and I  
8 am a professor of nuclear engineering at the University of  
9 Missouri and Columbia, Missouri. I encourage the  
10 consideration of the project, the fuel storage project, for  
11 the interim storage of spent fuel of the nuclear power  
12 industry.

13 Nuclear power plays an important role of 20  
14 percent of our electricity, and it does so in a safe manner.  
15 Its only significant byproduct is spent fuel, which is, by  
16 law, the responsibility of the federal government.  
17 Unfortunately, the program for permanently disposing of this  
18 and geological storage is at least a decade behind the  
19 schedule, and our society needs to determine the safest and  
20 most cost-effective way to bridge the gap to ultimate  
21 disposal.

22 Private Fuel Storage is an option to be considered  
23 more specifically, and I want to encourage the development  
24 of safe transportation system based upon a significant  
25 history of shipping technology and actual nuclear material

1 transport to move fuel from partial reactors to either  
2 temporary or permanent disposal sites.

3           Somebody suggested I have a vested interest in  
4 this because of my professional affiliations. I have  
5 another interest. I live a mile and a half from Interstate  
6 70 in Missouri and about ten miles from major rail routes  
7 through the middle of the state, and it is suggested that  
8 about half the nuclear fuel of the nation will probably go  
9 by my doorstep within the next 30 years or so.

10           However, I have seen the crash-test films of  
11 trains and trucks containing spent fuel casks slammed into  
12 concrete walls at 80 miles an hour and know that even if an  
13 accident might happen, no nuclear material would be released  
14 into the environment.

15           My favorite video that I often show to my students  
16 is actually the British version of that where they derail  
17 the cask on a railroad crossing, and with 1,500 invited  
18 guests watching, slammed a train into it 1000 miles per  
19 hour. The cask was not breached.

20           I am also aware of the requirements by local,  
21 state and federal officials for these shipments; the  
22 training requirements for shippers and emergency personnel  
23 and the continuous communications, satellite positioning,  
24 sensors and escorts required for shipping vehicles. I am  
25 also aware that we have shipped some 3,000 shipments of

1 spent fuel in the U.S. over the past 30 years with no  
2 problems.

3 My concern is that very -- that the misinformation  
4 about the very safe transportation of the spent fuel will  
5 lead us to solutions that are actually less safe. Thus, I  
6 encourage the careful study of all disposal options so that  
7 spent nuclear fuel can be transported and stored in a  
8 consolidated location. Thank you.

9 MARK DELLIGATTI: Thank you. Susan, that was the  
10 last person who indicated they wish to speak.

11 DR. SHANKMAN: Okay. I reiterate that if you are  
12 still here and you know someone who wanted to speak and they  
13 had to leave, I hope you will encourage them to come to  
14 Grantsville. We will have another meeting. We will  
15 advertise it.

16 I want to thank the court reporter for staying  
17 later, and here are other staff and people who supported us  
18 in this meeting, and I want to thank them for staying, the  
19 other agencies, and I thank them for agreeing to find  
20 another date that we can be with you. They may not all be  
21 able to send representatives, but they have agreed that they  
22 will review the transcript.

23 So what I can commit to you is that NRC will hold  
24 another meeting. The other agencies will support it as they  
25 can. We are going to try to have it sooner, rather than

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1 later, so that the comments can be received before the end  
2 of the comment period and transcribed before the end of the  
3 comment period.

4 And I want to thank you for all being here at the  
5 end. We went over by several hours, and I also appreciated  
6 the people who signed up and came out tonight. With that,  
7 we will conclude the meeting.

8 AUDIENCE: (Inaudible.)

9 DR. SHANKMAN: What I said was if anybody wants to  
10 receive a notice of when we have another meeting sign up,  
11 there's a list that the staff has made, and we will send you  
12 a direct -- we will certainly put it on our website, as we  
13 always do, and it will be, I suspect, in August, but I --  
14 right now, I can't tell you because I can't --

15 AUDIENCE: Just quickly something that I would  
16 like to have on the record that I forgot to mention. It  
17 wasn't an isolated incident that just one individual was  
18 harassed. I also was harassed by hotel security. I simply  
19 asked what the problem was, why there were three or four  
20 people who were being refused entry into the hearing, and it  
21 had to do with the signs that they had.

22 And none of us were familiar with the NRC's  
23 regulation, and I was actually manhandled away from the  
24 building by one of the security -- I don't know his name. I  
25 could fine it out. So just when you schedule future

1 hearings, I would be more on top of the security  
2 arrangements with the -- and I agree with a public facility  
3 being used as opposed to a private facility with these kinds  
4 of problems, because I know I can handle this kind of thing,  
5 but I am not sure that some others could, and would be  
6 scared away or intimidated by this kind --

7 DR. SHANKMAN: I understand. And you know that we  
8 have always tried to schedule our meetings at a  
9 publicly-accessible handicapped-assessable security  
10 facility, and I am sorry if people were harassed. I am sure  
11 the hotel security did not --

12 AUDIENCE: Those were your rules.

13 DR. SHANKMAN: To harass people, I do not think  
14 so.

15 AUDIENCE: (Inaudible.)

16 DR. SHANKMAN: I am sorry that you felt harassed.  
17 That was not the intension. We do have rules that we have  
18 for all of our meetings. They are not particular to this  
19 meeting, and they are well publicized. So thank you  
20 everybody for coming, and thank you very much. Good night.

21 (Whereupon, at 12:00 midnight, the meeting was  
22 concluded.)

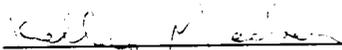
REPORTER'S CERTIFICATE

This is to certify that the attached proceedings before the United States Nuclear Regulatory Commission in the matter of:

NAME OF PROCEEDING: PUBLIC MEETING ON THE P DRAFT  
ENVIRONMENTAL IMPACT STATEMENT FOR  
THE PRIVATE FUEL STORAGE FACILITY

PLACE OF PROCEEDING: Salt Lake City, Utah

were held as herein appears, and that this is the original transcript thereof for the file of the United States Nuclear Regulatory Commission taken by me and thereafter reduced to typewriting by me or under the direction of the court reporting company, and that the transcript is a true and accurate record of the foregoing proceedings.

  
\_\_\_\_\_

Kellie Mecham

Official Reporter

Ann Riley & Associates, Ltd.