

RAS 3288
DUKE COGEMA STONE & WEBSTER
(Savannah River Mixed Oxide Fuel Fabrication
Facility)

DOCKETED
USNRC

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION
ATOMIC SAFETY AND LICENSING BOARD

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Before Administrative Judges:
Thomas S. Moore, Chairman
Charles N. Kelber
Peter S. Lam

OFFICE OF SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF

Docket No. 70-3098-ML

ASLBP No. 01-790-01-ML

July 26, 2001

Affidavit of Edward A. Giusto
State of Georgia
County of Richmond
City of Augusta

**The undersigned, Edward A. Giusto, of 651 Bohler Avenue, Augusta Georgia, 30904-3794,
being duly sworn, says:**

I am a member of Environmentalists Inc. and hereby authorize Environmentalists Inc. to represent my interests in this proceeding.

I reside and own property twenty-two (22) miles from the site proposed for locating a Mixed Oxide (MOX) Fuel Fabrication Facility. I grow vegetables at my residence for personal consumption and purchase fresh fruit and vegetables from area growers throughout the growing season.

I drive from Augusta to Hilton Head, SC about twenty to thirty times a year to work as a musician at various venues, and also vacation there several times a year. I drive on State Highway 125 which passes through the Savannah River Site and within five miles of the proposed MOX Fuel Facility. While in Hilton Head either working or on vacation I consume water that is drawn from the Savannah River, since Hilton Head island is dependent upon the Savannah River for its water supply.

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SECY-018

During the time I would be in close proximity to the MOX fuel facility site and/or the transportation routes for plutonium and plutonium fuel, I would have no way of knowing if radioactive contaminants resulting from leaks from the MOX facility or related activities existed in the air I breathe, my water, the milk I drink, and/or the food I eat from local sources.

Edward A. Giusto

X Edward A. Giusto

Witnessed by *Donald J. Mansak*

[Signature]

~~Sworn to before~~ me this 26 day

of July 26 2001.

~~Notary Public for Georgia~~

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of)
)
DUKE COGEMA STONE & WEBSTER)
)
(Savannah River Mixed Oxide Fuel)
Fabrication Facility))

Docket No. 70-3098-ML
ASLBP No. 01-790-01-ML

July 30, 2001

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing affidavit of Mr. Edward A. Giusto has been served by FAX and first class certified mail to the parties listed on Page 2.

Because Mr. Giusto lives in Augusta I offered to assist Environmentalists Inc. with obtaining his affidavit. On July 24, 2001 I typed the Affidavit while speaking to Environmentalists Inc on the phone. On July 25, 2001 I forwarded the Affidavit to Mr. Giusto via email. Because Mr. Giusto's network had crashed on July 24, 2001 he had neither his normal FAX or Scanning capability. I met with Mr. Giusto on July 26, 2001 and after being told the notary had left, we were advised by personnel at the after-hours bank branch at Krogers Supermarket near downtown Augusta to go to the after-hours bank at the Washington Street Krogers location. After being told to wait "a few minutes" that turned into 30 minutes at the Washington Street location, we were told to wait another 30 minutes.

At this time Mr. Giusto signed two copies of the affidavit and copied his drivers license, but no notary in Aiken SC would notarize the document in his absence (despite the drivers license copy) on July 27, 2001. As a result, as a personal favor to Environmentalists Inc. I am forwarding the version that was signed and witnessed by myself on July 26, 2001 to the parties on page two by FAX, and enclosing this in the first class mailing containing BREDL/Don Moniak's submission of July 30, 2001.



Donald J. Moniak
Dated at Aiken, South Carolina
this 30th day of July 2001

Secretary of the Commission*
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Washington, D.C. 20555-0001
Attn: Rulemakings and Adjudications Staff
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