

**HARMON, CURRAN, SPIELBERG & EISENBERG, LLP**

1726 M Street, NW, Suite 600 Washington, DC 20036

(202) 328-3500 (202) 328-6918 fax

DOCKETED  
USNRC

January 23, 2002

January 29, 2003 (1:26PM)

To Emile Julian from Diane Curran

OFFICE OF SECRETARY  
RULEMAKINGS AND  
ADJUDICATIONS STAFF

Emile – Thanks for your forbearance on these original declarations. I previously filed fax copies of all of them, but had not received originals in time. Here is a guide to the pleadings they go with:

Declaration of Frances Lamberts and Declaration of Park Overall were attached to Hearing Request by Friends of Nolichucky River Valley et al. (November 27, 2002), filed before Presiding Officer in Docket No. 70-143.

Declaration of Glenn Carroll was attached to Georgians Against Nuclear Energy's Response to Applicant's Second Set of Interrogatories (December 20, 2002), Filed before Presiding Officer in Docket No. 70-3098.

Declaration of Pamela M. Heatherington was attached to Motion For Partial Reconsideration Of LBP-02-23 By San Luis Obispo Mothers For Peace And Environmental Center Of San Luis Obispo (December 12, 2002), filed before ASLB in Docket No. 72-26.

Gordon Thompson signature page is from Declaration Of 7 September 2002 By Dr. Gordon Thompson In Support Of A Petition By Avila Valley Advisory Council, San Luis Obispo Mothers For Peace, Peg Pinard, et al (September 7, 2002), filed before Commission in Docket No. 72-26.

  
Diane Curran



in my drinking water, caused by normal operations and potential accidental releases, have the potential to adversely affect my health.

6. I am a member of State of Franklin Group of the Sierra Club, and serve on the executive committee. I am also a member of the Friends of the Nolichucky River Valley and the Tennessee Environmental Council. I have authorized the State of Franklin Group of the Sierra Club, the Friends of the Nolichucky River Valley, and Tennessee Environmental Council to represent me in this proceeding, for the purpose of ensuring that the NRC's decision on NFS's license amendment application includes adequate measures for the protection of my health and welfare and the quality of my environment.

Frances Lamberts

Frances Lamberts

Date: 11/25/02

UNITED STATES OF AMERICA  
U.S. NUCLEAR REGULATORY COMMISSION  
BEFORE THE PRESIDING OFFICER

In the matter of	)	
	)	
Nuclear Fuel Services, Inc.	)	Docket No. 70-143
	)	
(Materials License SNM-124)	)	
	)	

**DECLARATION OF PARK OVERALL**

Under penalty of perjury I, Park Overall, declare that:

1. My name is Park Overall. My principal residence is 33150 Drill Road, Agua Dulce, California.
2. I have a fifteen-acre farm in Tennessee, at 1374 Ripley Island Road in the town of Afton. I reside at my Tennessee residence during part of each year, sometimes for as long as two months.
3. My farm lies on the banks of the Nolichucky River. The Nuclear Fuel Services ("NFS") Erwin plant lies about 31 river miles upstream.
4. I am aware that NFS has filed the first in a series of related license amendment applications to the U.S. Nuclear Regulatory Commission ("NRC"), that would allow NFS to downblend high-enriched uranium ("HEU") at its plant in Erwin, Tennessee. According to an Environmental Assessment prepared by the Staff of the U.S. Nuclear Regulatory Commission in June of 2002, the downblending operation would result in increased discharges of radioactive contaminants to the municipal water supply in Jonesborough. Table 5.1 of the EA shows that levels of radiological contaminants in drinking water would increase in the following proportions: uranium (16.6%), thorium (210,000%), and plutonium (5.8 million %). At page 5-6, the Environmental Assessment states that the "receptor" used for the purpose of estimating these contaminant levels is the nearest point of water use, *i.e.*, the Jonesborough Water Plant. The Jonesborough Water Plant is located on the Nolichucky River, 13 km (8 miles) downstream from the Erwin plant.
5. As described in Section 3.9 of the Environmental Assessment, operation of the NFS facility has resulted in radiological and nonradiological contamination of soil and groundwater. This causes me to be concerned that NFS does not have sufficient control

of its operation to ensure that radiological and chemical effluents from the proposed downblending operation can and will be contained properly.

6. When I was a child, I swam and boated in the Nolichucky River. I don't do that any more, because the river has become heavily sedimented over the years. If the water quality in the river were not so degraded and unpleasant, I would continue to swim and fish there to this day.

7. I hope that one day the sedimentation of the Nolichucky River will be cleaned up. In that event, however, I am concerned that I will still be unable to swim or fish there because of radiological and chemical contamination that is carried downstream from the NFS-Erwin plant. This contamination includes effluents from normal operations of the proposed HEU downblending operation, as well as accidental releases. I am also concerned about the effects of increased pollution from the NFS-Erwin Plant on the quality of my drinking water, because the town of Afton gets its water from the Nolichucky River, where NFS discharges liquid effluent. I am concerned that additional normal or accidental effluent discharges from the NFS-Erwin Plant to the Nolichucky River may have a detrimental effect on Afton's water quality. I am also concerned about the effects of an increase in the NFS plant's effluent to the Nolichucky River on my property values. Finally, I am concerned about the impacts of increased pollution from the NFS-Erwin plant on wildlife and plants in the area, which I enjoy.

8. I am a member of the Tennessee Environmental Council, Oak Ridge Environmental Peace Alliance ("OREPA"), and Friends of the Nolichucky River, which have requested a hearing in this proceeding. I have authorized those organizations to represent my interest in ensuring that the NRC's decision on NFS's license amendment application includes adequate measures for the protection of my health and welfare and the quality of the environment in which I live.

  
Park Overall

Date: 11/22/02