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11 NUCLEAR REGULATORY COMMISSION
12 PUBLIC MEETING
13 AUGUST 27, 2009
14 HILO HIGH SCHOOL LIBRARY
15 HILO, HAWAII
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24 REPORTED BY: NANCY P. BLANKENSHIP, CSR NO. 459
25 REGISTERED PROFESSIONAL REPORTER

1 APPEARANCES:
2 KU'UMEAALOHA GOMES, MODERATOR
3
4 NRC:
5 KEITH McCONNELL
6 REBECCA TADESSE
7 JOHN HAYES
8 CHRISTEPHER McKENNEY
9 SARAH MICHONSKI
10 JOHN HULL
11 DAVE McINTYRE
12 JACK WHITTEN
13 BOB EVANS
14
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1 MS. GOMES: Hello everybody, welcome
2 to the Nuclear Regulatory Commission's public meeting
3 tonight, which they will share with you their
4 process -- the processes that they are responsible
5 for relative to the application for license of
6 possession. This is an extremely informative panel
7 of people here tonight and they'll be sharing a lot
8 of information with you.
9 At the first part of the meeting
10 they'll have a slide presentation and go over that --
11 go over their information. Following that is a
12 public comment period. If you want to comment, there
13 are yellow cards there on the table. Please fill
14 them out so that I can call you when it's your turn
15 and we'll go according to when you signed up for it.
16 So each card will be numbered. So please put your
17 name up there.
18 Now, we will need to be out of here by
19 8:30. Okay. So all the comments will stop at 8:30.
20 We will not go beyond that. NRC has an agreement
21 with Hilo High School that they will clean everything
22 up and be out of here by 8:45, 9:00 around there. So
23 we will need to stop at 8:30. So I ask for your
24 cooperation with that. Please help us with that. So
25 we can be out of here on time.

1 I also ask that -- and I know that it
2 will be -- I know that our people, our Kamali'i
3 folks, I know that folks who live here have a real
4 attachment to this island, and protection and
5 preservation of it. So I know things can get
6 emotional, but I ask you in your comments to please
7 be very respectful. Okay.
8 So without further ado, then I'm going
9 to turn it over to Keith McConnell from the NRC who's
10 going to start off. And it was suggested last night,
11 too, that they introduce themselves and talk a little
12 bit more about their qualifications, their
13 professional background. So they will be doing that
14 also. Okay. Thank you.
15 MR. McCONNELL: Thank you. And
16 welcome, everybody. On behalf of the U.S. Nuclear
17 Regulatory Commission, I do welcome you here tonight
18 to this meeting on the Army's application to the NRC
19 to possess depleted uranium. Okay.
20 So, again, welcome, but we are here to
21 discuss the Army's application to the NRC for the
22 possession of depleted uranium at the Pahakuloa and
23 Schoffield Village firing range. As indicated, my
24 name is Keith McConnell. I'm deputy director for
25 decommissioning and uranium recovery licensing at the

1 Nuclear Regulatory Commission. And by way of
2 background, my qualifications -- professional
3 qualifications include I have a Ph.D. in geology from
4 the University of South Carolina, I'm a registered
5 professional geologist, I have 25 years' experience
6 with the NRC in a wide variety of positions, mostly
7 in the decommissioning uranium recovery and waste
8 management areas, and I've served as a senior
9 technical advisor to the chairman of the U.S. Nuclear
10 Regulatory Commission. Actually several chairmen of
11 the NRC.
12 We are here tonight to involve you,
13 the members of the public, in our licensing process.
14 The Commission has a policy of openness and
15 transparency in its licensing process. One of the
16 mechanisms we use to involve the public is when we
17 get an application like this that we come out to
18 community and have public meetings so that we can
19 hear your comments, hear your concerns and try to
20 answer any questions that you might have about the
21 NRC and our process. I note that we are very early
22 in our review process for this application, so mostly
23 what you're going to hear tonight is about what NRC
24 is, what it does and how we review the license
25 application.

1 I think, Chris, if you could go to
2 that slide. The approach we are going to take is to
3 have a short series of presentations that introduce
4 you to the NRC. We don't have a large presence in
5 the Island and so we think it's important for you --
6 for us to help you understand what we do and how we
7 do it. One thing I would like to make clear up front
8 is we aren't part of the Department of Defense. We
9 are not part of the Department of Energy. We are a
10 separate independent regulatory body that was created
11 by Congress in the mid 1970s solely for the purpose
12 of regulating the civilian use of radioactive
13 materials. So our sole function is regulating the
14 civilian use of nuclear materials and that extends
15 into possession only licenses for depleted uranium.
16 Just to give you some idea of the
17 scope of the NRC's activities, we license operating
18 nuclear power plants, we license medical facilities
19 that use radioactive material, along with our
20 agreement with state partners, radioactive material
21 in diagnostic and therapeutic testing in hospitals.
22 We license uranium recovery facilities that basically
23 produce uranium. Most of those occur out in the
24 western United States. And, finally, we also license
25 the possession of what we call source material, which

1 is in -- in short terms uranium and thorium.
2 So what we are going to do is
3 obviously the action precipitating our presence here
4 tonight is the application for the Army to possess
5 depleted uranium. We are going to give you some
6 background on the NRC, but just in kind of advance of
7 that I will explain that the NRC is an organization
8 of about three to 4,000 people, staff members, based
9 largely in Rockville, Maryland. We have four
10 regional offices, one near Philadelphia, one in
11 Arlington, Texas, one in Atlanta, Georgia and one in
12 Chicago, Illinois.
13 We are headed by a five member
14 commission who are political appointees. One of
15 those is the chair of the Commission. They serve
16 five-year terms and the terms are staggered, and
17 usually the party that holds the presidential office
18 has the majority of the members on the Commission.
19 So in the current state, it would normally be three
20 democrats on the commission and two republics.
21 Because of some vacancies on the Commission there are
22 actually two republicans and one democrat and our
23 chairman is Chairman Jazcko. So we will provide a
24 little bit more background on the NRC in another
25 presentation. We will provide discussions on our

1 licensing, inspection and enforcement process. We
2 will provide an overview of the Army's application to
3 us. We will identify opportunities in the future for
4 the public to comment on in our licensing process,
5 beyond this meeting. There are other opportunities.
6 And then, finally, at the end of our
7 presentations, we will open it up for comments and
8 questions. I would reiterate that this is an
9 informal meeting. It's not a hearing in our sense.
10 The hearing process at the NRC is a separate process
11 that's run by a separate independent group of judges
12 that runs the hearings.
13 Okay. So what I'll do now is just
14 introduce the NRC staff that's present here tonight.
15 We brought a large group, because we wanted to make
16 sure that we can answer the range of questions that
17 might come up in a meeting like this. I would
18 introduce Rebecca Tadesse. Rebecca is our materials
19 decommissioning branch chief and it's in that branch
20 where the license application will be reviewed. We
21 have Jack or John Hayes. He goes by either. He's
22 the project manager for the license review and he'll
23 be talking about the Army's application. We have got
24 Rob Evans. He's from our region IV office in
25 Arlington, Texas. He'll talk about our inspection

1 process.

2 Also in the audience -- oh, and I'm

3 sorry, Chris McKenney. I almost forgot you, Chris.

4 He's the chief of the performance assessment branch

5 and Chris will talk about radiation and in particular

6 depleted uranium and its hazards. And then also in

7 the audience we have Jack Whitten, branch chief for

8 our nuclear decommissioning inspection program in

9 region IV, John Hull from our office of general

10 counsel, Dave McIntyre from our office of public

11 affairs and behind the pillar, which I can't see, is

12 Sarah Michonski, who is a licensing assistant at NRC

13 and is helping us with the organizational aspects of

14 the meeting. So with that, I'll turn it over to

15 Rebecca.

16 MS. TADESSE: Good evening. My name

17 is Rebecca Tadesse. I'm the branch chief of the

18 materials decommissioning, and my educational

19 background I have a bachelor's of science in physics

20 from Purdue University, I have a master's degree in

21 environmental engineering from Johns Hopkins. I've

22 had about 17 years of experience. I started in the

23 industry and I've been with NRC about ten years. I

24 started in the nuclear reactor area, accident

25 analysis, physics and decommissioning and now in my

1 current position.
2 Tonight I'm going to talk just about
3 our process in terms of how we review our NRC
4 licenses when they come in. As Keith indicated NRC
5 is a federal agency, it's an independent agency that
6 reports directly to Congress and our responsibility
7 is to license radioactive material for civilian use.
8 We do licensing, we do inspections, we do
9 enforcement. And within those processes we look at
10 the safety and environmental aspects of each
11 application.
12 Our main mission is to protect the
13 public health and safety and we protect the public as
14 well as the worker that is going to be involved
15 working with the radioactive materials, and in this
16 case would be the workers and the soldiers who are
17 training in that facility.
18 We require the Army to follow strict
19 NRC requirements for safety, security and
20 environmental protection to make sure that nothing
21 leaves the site, the workers are safe and the
22 environment is also protected.
23 Next slide.
24 We perform three types of reviews:
25 The environmental review, which is documented in our

1 environmental assessment, we have a safety review and
2 a security review, which are documented in the safety
3 evaluation report. And from those three documents we
4 will make a final decision whether or not we issue a
5 license or we do not issue a license. That's our
6 basis forward.
7 If you see our flow chart, our review
8 process is very detailed. Once a license gets
9 submitted, we look at the application and we would,
10 if it's acceptable, if they have all the material
11 that is necessary to start our review, we accept it
12 and we -- what we do is we issue a Federal Register
13 notice for opportunity for hearing and for providing
14 comments. The Army's application, that was done in
15 August 13, and you have 60 days to provide comments
16 to us on the application or request for a hearing,
17 and also we have a public meeting, which we have done
18 and we are doing right now. We have had it in
19 Schofield on Tuesday, we had a meeting at Kona
20 yesterday and we are having a meeting tonight. We
21 have had the category 1 meeting, which is with the
22 license -- with the prospective licensee, the Army,
23 and us on Monday afternoon and that was open for the
24 public observation.
25 Once we have these meetings, we go

1 back, we start our technical review, and during our
2 technical review, the inputs that we get from the
3 members of the public and any -- and any questions
4 that our technical staff come up with, we do a
5 request for additional information. That's when we
6 ask the Army anything that we haven't been satisfied
7 with their application. We request that they submit
8 more information to us. And that is available for
9 the public to look at it. These are the type of
10 meetings we get information, so that if there's
11 something that we are not aware of, if you provide us
12 that information, we will be able to use that
13 information to see whether or not we need to ask
14 additional questions.
15 And after that we prepare our safety
16 evaluation and security evaluation and environmental
17 assessments. Then, of course, we, as I said, there
18 is our final decision. If there is a hearing request
19 that has been granted following the process that was
20 outlined in the Federal Register notice, then there
21 will be a hearing that's a formal process, and
22 whatever the decision that the three panel judges
23 make that will be the final decision, the Agency's
24 decision.
25 So as you can see, there's a number of

1 opportunities where the public can provide comments
2 to us, and we will ensure that we look at your
3 comments, consider them in our review, and -- and I
4 think I've discussed it earlier, but basically you
5 have until October 13 where you can provide us
6 written comments, and Jack will describe how you can
7 get those comments to us in his presentation. The
8 public meeting is transcribed, our meetings, so that
9 we will be able to take that information into our
10 consideration.
11 And if you choose to request for a
12 hearing, you have to follow the process that's
13 outlined in the Federal Register notice and the
14 Atomic Licensing Board will make the decision whether
15 it's accepted or not accepted, and they will follow
16 their own separate process.
17 As the licensee finishes the use of
18 that material, or in the Army's case when they cease
19 to use the facility, they are required to follow our
20 strict regulation to decommission the facility. They
21 have various options to decommission and the goal in
22 decommissioning is to make sure that the property is
23 left behind so that the environment and the public is
24 protected from any -- any risk from radiation, and
25 those standards are within our regulatory

1 responsibility.

2 With that I will turn it to Chris.

3 UNIDENTIFIED SPEAKER: Can I ask you

4 about the licensing board. Is that the one with the

5 two republicans and the one democrat?

6 MR. McKENNEY: No, no, no.

7 MS. TADESSE: That is -- we have one

8 lawyer and then two technical staff that is

9 independent from the staff -- from NRC staff.

10 They're members and basically they run the programs,

11 and we are separate from them.

12 MR. McKENNEY: Okay. My name is Chris

13 McKenney. I've got a bachelor's degree in radiation

14 protection engineering from Oregon State University.

15 I've been with the agency since 1991 and worked in

16 waste management and uranium recovery, working on

17 protecting the public and workers and doing

18 assessment of those doses from releases.

19 Just to get a little primer so that we

20 can make sure it goes through. Certain things in the

21 environment naturally are radioactive, and some other

22 things can be made radioactive. That means that the

23 atoms are -- over time will turn into different types

24 of atoms. When they do change over, which is also

25 known as decay, they emit particles such as alpha

1 particles, beta particles or other types of things
2 that are called radiation. If that occurs near a
3 person or in a person, that would result in radiation
4 dose. The radiation dose is dependent on the type of
5 particle and the type of radionuclide.
6 Just like every type of job, there is
7 jargon numbers and we have a unit, we measure
8 radiation dose in a unit called the millirem. It's a
9 unit of measure of radiation dose.
10 What we are talking about tonight is
11 depleted uranium. It is in our -- we classify
12 materials into three different categories of types of
13 materials we regulate. It falls under what we call
14 source material, which is uranium or thorium in any
15 form. Depending on the amount of material and the
16 type of material, part of our analysis regards the
17 security of radioactive material and how does the
18 licensee secure the material so that it cannot be got
19 in the wrong hands. And, of course, we are speaking
20 about depleted uranium here.
21 Radiation is all around us. This is a
22 slide of the mainland. It's a little bit more
23 colorful in reverse of normal than Hawaii, because
24 uranium forms naturally in a number of types of rocks
25 in the world. Every type of rock has a different

1 amount of natural uranium in it. Volcanic rock, such
2 as what the islands of Hawaii are made out of, is the
3 type of rock that has the lowest amount of natural
4 uranium in it. So if I had a similar map up here of
5 Hawaii here, it would all be blue.
6 But the natural uranium, the
7 potassium, stuff from space, they all form sources of
8 radiation that will cause dose to you naturally. Our
9 limits are based on looking at making sure that the
10 doses not -- we don't regulate the natural system.
11 We regulate what it's likely to have and make sure
12 the amount they release is minimally above that. The
13 limits are based on the above background.
14 Next slide.
15 Depleted uranium. What is it depleted
16 of? Natural uranium is a form of three different
17 types of uranium. There is -- and the numbers are
18 based on the number of neutrons and protons that are
19 in them. There's about equal amounts of 234 and 238
20 out there. Less than one out of every 100 atoms of
21 uranium naturally is U235. U235 happens to be the
22 important radionuclide because it is what is
23 necessary for nuclear fuel, on how to make a nuclear
24 reactor run.
25 So what they do is they take natural

1 uranium, they take the U235 atoms out of one mass of
2 uranium and they stick it in another and, therefore,
3 they enrich this other amount of uranium and they
4 take that off in nuclear fuel. That leaves this
5 other -- the remaining mass of uranium that they took
6 the uranium 235 atoms out of and that is called
7 depleted uranium. It has been depleted of uranium
8 235.
9 That has -- well, it was sitting
10 around, so people thought what the heck can we use
11 this for? And they used it for -- it has a number of
12 benefits, because it's twice as dense as led and
13 it's -- relative to the original uranium and some
14 other things it's light. It doesn't have as many
15 emissions. It's not as radioactive. So they use it
16 in counterweights for planes and counterweights in
17 this case for the Davy Crockett round. And later
18 they used it in other military applications and they
19 use it also as shielding for hospitals and other
20 things like that because of its density.
21 Like a number of things out there,
22 especially various elements, there's both chemicals
23 and radiological issues with depleted uranium. And
24 so we have limits for -- like, workers for -- both to
25 protect them both on the chemical and the radiation

1 wise.

2 When we talk about public doses, we

3 only usually talk about radiological dose, because

4 the dose limits are so low that you can't get the

5 chemical effects to occur. So we don't have a

6 specific limit for a -- for a chemical based

7 exposure. And, you know, when we are talking about

8 these radiological limits, we have limits for air.

9 So as John Hayes will talk about one

10 of the most important features of -- important parts

11 about the possession only license is how will they

12 monitor to make sure nothing is coming off the site?

13 I mean, we heard last night and other nights about

14 the, you know, various health concerns of -- that the

15 continued bombing, what will that do? Will that pick

16 it up? Will dust be able to travel off site? And

17 that is the point of our review and setting up

18 whether the environmental monitoring programs that

19 Jack is about to discuss is adequate.

20 Jack, you're up.

21 MR. HULL: One of the reasons I wanted

22 to get out from behind there is because there's no

23 air and I'm afraid if we go to 8:30, I'm not going to

24 make it. So I hope you will appreciate that I need

25 to get out where there's air.

1 UNIDENTIFIED SPEAKER: Is a there a
2 reason why there's no window open and there's no air
3 conditioning on?
4 MS. MICHONSKI: They told me the air
5 conditioning is on. I know it doesn't feel like it.
6 UNIDENTIFIED SPEAKER: Can we turn it
7 up?
8 MS. MICHONSKI: I turned it down to
9 66. If every one is okay with opening the door.
10 UNIDENTIFIED SPEAKER: We need air,
11 please.
12 MR. HULL: While we're opening up the
13 door to give you background in terms of my
14 experience, I have a bachelor's in chemical
15 engineering from Purdue and I have a master's in
16 nuclear engineering also from Purdue. I have over 30
17 years' experience working in the nuclear industry
18 both at an electrical utility and engineering
19 consulting firm and then with the NRC. My workings
20 have been involved with radiation protection in terms
21 of calculation of radioactive doses from normal and
22 accident effluents involved with the ventilation
23 systems. I'm on the ASME Committee on Nuclear Air
24 and Gas Treatment, which is a code writing committee
25 for ASME, and I'm on the executive committee and the

1 committee chairman for the filtration subcommittee.
2 Now, that's my background.
3 What do I want to discuss tonight? I
4 want to discuss five main items with you this
5 evening. The first one I want to give you an
6 overview of the Army's application. The second item
7 I would like to discuss with you is documents
8 associated with this application that may be of
9 interest to you and that you may want to refer to in
10 terms of evaluating this application on your own.
11 Third, I'd like to discuss the NRC's review
12 activities and the present status of those review
13 activities. The --
14 UNIDENTIFIED SPEAKER: Excuse me, I
15 understand you never turn down an application from
16 the Army.
17 MR. HULL: Sir, you'll have an
18 opportunity once we stop our presentation to ask any
19 question or make any statement that you have. So for
20 all of you, if you allow the NRC to proceed, I think
21 the meeting will go a lot smoother and every one will
22 have a chance to make their comments. Is that okay?
23 UNIDENTIFIED SPEAKER: Uh-huh.
24 MR. HULL: The fourth item we will be
25 discussing is how you can participate and I hope we

1 can be able to tell you how you can participate
2 effectively. And, finally, I'd like to discuss how
3 you can obtain access to documentation in the future
4 that the Army will submit to the NRC and the NRC's
5 documents they will put on the record, either in
6 correspondence to the Army or findings of fact.
7 Okay. The Army's application. The
8 Army's application is a for possession only license.
9 Okay. It will cover multiple Army locations.
10 Next slide, please.
11 Okay. The Army has identified that
12 there are a number of sites which have depleted
13 uranium on them. In addition to the Hawaiian sites,
14 you can see that there's roughly seven that are on
15 the mainland. The Army's application came -- was
16 made in November of 2008. What the NRC indicated is
17 for this particular application we needed to have a
18 generic environmental radiation monitoring plant, a
19 generic physical security plant and then site
20 specific applications of radiation environmental
21 monitoring plant.
22 What the Army did in July of this
23 year, they submitted specific radiation monitoring
24 plans for the two Hawaiian sites. Now, what will
25 happen is as these particular sites on the mainland,

as they characterize the material of depleted uranium at the sites, they will come in with a specific radiation monitoring plan and that radiation monitoring plan will be based upon the amount of material there and the pathways of exposure to potential individuals.

Next slide, please.

Okay. Documents of interest. I have listed here four documents that we currently have that are all on our public website. And our public website where you want to get access has the acronym ADAMS. What you do is you go on the NRC public website, go to ADAMS and, for example, you would type in for the first document the number ML090070095 and you will get that document in its entirety. It a PDF version.

I will go -- later in my presentation I will tell you how you identify what the ML numbers are and what specific documents are.

Next slide, please.

Now, the NRC has just begun its review process. We have no conclusions. One of the reasons for us coming here is to get information from you that will assist us in our review. Okay. When we complete our review, we will issue a safety

1 evaluation report. Along with that we will issue an
2 environmental assessment.
3 Now, in terms of your participation,
4 okay, we need your comments by October 13. Okay.
5 Next slide, please.
6 Okay. On the 13th of August, we
7 published in the Federal Register a notice for an
8 opportunity for a hearing that you can request. What
9 happens when a significant licensing action comes
10 into the NRC? In this case it's a request for A
11 license. When a significant licensing request comes
12 in, the NRC publishes in the Federal Register a
13 notice, an opportunity for hearing, and that notice
14 allows 60 days for you to provide a request for a
15 hearing and/or to provide comments on a particular
16 action.
17 Next slide, please.
18 Rebecca has already mentioned the
19 outreach we have done. But, again, I want to
20 reiterate October 13 that's the deadline for you to
21 provide comments, you know, with respect to this
22 particular application. That's an important date for
23 you.
24 Now, next slide, please.
25 What about the NRC's project team

1 doing the review? The NRC's project team doing the
2 review involves a number of various disciplines. You
3 have atmospheric science specialists, you have
4 radiation protection health physicists, you have
5 people who are involved with groundwater and surface
6 water, hydrology, you have people who are involved
7 with archeological and cultural resources,
8 terrestrial ecology. That's some of the spectrum of
9 analysts that we pull into our review cycles.
10 Now, in some cases some of these
11 disciplines don't apply, because it's not applicable
12 for the particular application or the particular
13 site, but that's just an overview of some of the
14 individuals we would pull into a typical review.
15 Next slide, please.
16 Okay. Comments. Here's my name,
17 address, telephone number, fax, e-mail address. If
18 you have specific comments, you can provide them to
19 me, either by that manner, direct mail. You can send
20 them through a courier service, whatever it is. But,
21 again, you need to provide them by the 13th.
22 Let's step aside a minute for the type
23 of comments that you need to provide. If you want to
24 be effective, then you need to address the specific
25 application that we have here from the Army. The

1 Army has a radiation environmental monitoring
2 program. That's what we are dealing with. Okay. If
3 you find, you know -- if you find a problem with that
4 program, the more you can give us in terms of
5 information, whether it be sources, whether it be the
6 type of monitoring, where the monitors are located.
7 The more specific recommendations and information you
8 can provide to us, will help us in our review.
9 Because what the NRC is doing, the
10 NRC, as Rebecca said, we have a request for
11 additional information. It is unusual for anyone to
12 make an application that is so complete that we don't
13 go back to them and ask questions. You know, it just
14 doesn't happen, you know. And so we will go out
15 likely to the Army and request additional
16 information.
17 Well, our review can be much more
18 complete if we get citizens' input. Now, it's
19 impossible for us to know everything that has gone on
20 at this site or other sites, so anything that the
21 citizenry can provide is valuable to us.
22 Again, I mentioned the request for
23 hearing due by October 13th and Rebecca mentioned
24 that if you want to request a hearing, you need to
25 follow the guidelines associated with the Federal

1 Register notice. It's very specific. It's supposed
2 to be an electronic filing, unless you get an
3 exemption.
4 Next slide, please.
5 In summary, the NRC is going to
6 determine independently if the Army's physical
7 security and radiation monitoring plans will protect
8 public health and safety. We will inspect the Army's
9 implementation of those plans and we will assess the
10 adequacy of the radiation monitoring program as data
11 is received to determine if changes need to be made.
12 And finally, to say that the NRC will take the action
13 it believes is necessary to protect public health and
14 safety.
15 Next slide.
16 Okay. If you want any document
17 associated with this action, I'll cut to the chase,
18 see this docket number here, go to the ADAMS and go
19 and put in that docket number, 04009083, and you will
20 get all the documents associated with this
21 application, both from the NRC standpoint and what
22 the Army has provided.
23 MR. EVANS: My name is Rob Evans. My
24 title is Senior Health Physicist out of the NRC
25 Region IV Office, Arlington, Texas. Just to give you

1 a real quick background, I have a degree in nuclear
2 engineering and I'm a licensed professional engineer,
3 certified health physicist and I've been conducting
4 inspections of facilities that handle or use uranium
5 in one form or another for about 16 years.
6 The way the regulations are written is
7 licensees are responsible for compliance with our
8 regulations. What we do is verify that the licensees
9 are complying with regulations. One of the mantras
10 that we consider is trust but verify. So we verify
11 compliance with licensee commitments, regulatory
12 requirements as well as procedures and other
13 protocols that in this case would be the Army has
14 committed to as to how they would run their program.
15 As part of the inspection process we
16 also conduct a follow-up on previously identified
17 violations and programmatic weaknesses. We want to
18 make sure that these areas which were identified in
19 the past as a problem have been corrected. We also
20 conduct inspections any time there's significant
21 changes in the site, site staffing, or site
22 protocols. This particular facility at the beginning
23 will be a two-year inspection interval, once the
24 license is issued.
25 If the license were to be issued.

1 UNIDENTIFIED SPEAKER: Oops. Oops.
2 MR. EVANS: I do apologize. I'm
3 talking in terms of inspections with a license in
4 place, so it's just a little slip there.
5 UNIDENTIFIED SPEAKER: A Freudian
6 slip.
7 MR. EVANS: The frequency of the
8 inspection may vary. It may be reduced if licensing
9 performance is poor or it may be expanded beyond two
10 years if licensing performance is considered good by
11 our standards.
12 Next slide, please.
13 When we do an inspection, there are
14 certain things that we look at almost all the time.
15 One of them is we review a number of very important
16 records. Occupational exposure records, like what
17 are radiation doses the workers are receiving is
18 something that we also take a look at, because we
19 want to make sure that the workers are properly
20 protected and any doses are below regulatory limits.
21 We also take a look at the
22 environmental monitoring program, water sampling, air
23 sampling, groundwater sampling, those sorts of
24 things, because we want to make sure that the
25 operation of the facility or whatever they're doing

1 with the radioactive material is not impacting the
2 environment as well as the public that's in the
3 environment. We almost always -- any time there's a
4 significant activity ongoing at a site, we observe
5 that particular activity and we compare whatever
6 they're doing to the NRC approved work plan or
7 procedure to make sure that it's being done
8 correctly. So in this particular case, if and when
9 the Army chose to start cleanup activities, I assure
10 you that would be an opportunity that we would be
11 there at that time. That's down the road, of course.
12 We also have the ability, training and
13 equipment to perform radiological surveys and we have
14 our own equipment, we maintain it for conducting
15 radiological surveys.
16 Next slide, please.
17 In this particular case, depleted
18 uranium sometimes is large enough fragments where you
19 can actually see it and if you're out in the field
20 and you can see it, following proper protocols one
21 way of removing it from the field is shoveling it up,
22 picking it up or something along those lines.
23 Sometimes the depleted uranium is smaller than what
24 you can see as you're walking across or the surface,
25 like it has grass or something and you can't see it

1 down in there. So at that point a lot of -- in the
2 past lot of similar type projects have used
3 radiological survey meters to survey the ground, and
4 I brought an example with me. This is a FIDLER, it's
5 an acronym, and this instrument happens to be very
6 good at conducting surveys for depleted uranium.
7 We also have the ability to collect
8 soil and water samples like, for example, if the Army
9 chose to collect the water sample, we could split the
10 sample with them and have it independently analyzed
11 by a laboratory. We have a contract with Oakridge
12 National Lab, who is a very highly respected
13 laboratory that we send our samples to.
14 We also have the option of, if the
15 Army were to collect samples of any type, air, water,
16 soil, we could take -- let them analyze the sample,
17 we could take the exact same sample and ship it off
18 to our laboratory for an independent analysis, and we
19 do that quite a bit as part of our oversight
20 function.
21 UNIDENTIFIED SPEAKER: Do you collect
22 the samples or does the person applying for the --
23 MR. EVANS: We typically do ourselves.
24 I do want to qualify that by sometimes
25 special samples, like water samples, they may collect

1 it under our direct observation and then they
2 actually will take the sample, homogenize it and
3 split it in two. We let them do that under their
4 procedures, but we are there at all times. And then
5 we will take our sample and sometimes immediately put
6 a seal on it so it's tamper proof, or we will just
7 literally take it away.
8 I'm sorry. Wait a couple of minutes,
9 please.
10 MR. McCONNELL: Let's go through this
11 quickly.
12 MR. EVANS: I want to shift gears for
13 just a moment. The NRC does have an enforcement
14 policy. The enforcement policy is there to emphasize
15 importance of compliance with regulatory
16 requirements. One of the main reasons we actually
17 have an enforcement policy in the first place is to
18 encourage licensees to identify and correct their own
19 problems. That would indicate, for example, they
20 have a good quality control or good internal
21 oversight. If that doesn't work and if we come and
22 conduct an inspection and identify the violation, we
23 may have less I'm using the term sympathy for the
24 program. So we encourage them to identify and
25 correct their own problems.

1 Next slide.
2 We have three enforcement sanctions
3 that we -- in our tool belt. One of them is the
4 notice of violation; a second is an escalating up
5 would be a civil penalty for some of the more
6 significant issues; and, finally, orders, which would
7 have the force of a license which would compel a
8 licensee to take an action if we feel that there's a
9 problem at a particular facility.
10 Next, please.
11 Violations in simple terms are
12 noncompliances with regulations and/or license
13 conditions. Like if there's a condition, for
14 example, to collect air samples and the entity did
15 not collect air samples for one reason or another,
16 then that would be a potential violation. And the
17 violations are typically identified through the
18 inspection process, which is what we do, compliance
19 with regulations, as well as what's called
20 investigations, which is typically when the NRC, a
21 different group, sort of does a follow up of
22 wrongdoing.
23 Next, please.
24 A violation is assigned a -- is based
25 on significance. In simple terms, if there's no

1 actual safety consequence, we may not cite the
2 violation, but as part of the process we consider the
3 actual and potential safety consequences, the
4 potential impact on the regulatory function. For
5 example, if they -- in this case it would be the
6 Army. If they submitted inaccurate or incomplete
7 information, then that would have an impact on our
8 decision-making process, and less commonly if there's
9 willfulness; they knew that they were supposed to do
10 something, whoever it happened to be, and they chose
11 not to do it.
12 Next, please.
13 We assign what's called a severity
14 level to violations that range from 1, which is most
15 severe to 4, which is the least severe. But we also
16 have what's called a non-cited violation where that
17 is licensee -- commonly if this is licensee
18 identified and corrected, we choose not to cite it.
19 Or if it happens to be a minor violation like, for
20 example, the submittal of a late report, we may
21 choose not to even go to the effort of submitting a
22 violation.
23 In summary, noncompliances with
24 regulatory requirements typically result in
25 enforcement actions. And just for your reference, is

1 I had -- we inspect government agencies and I have
2 actually cited -- identified and cited other
3 government agencies. Region IV has a slogan, we
4 regulate friendly but firm, and I assure you that we
5 will make sure that the Army, if they're issued a
6 license, complies with NRC rules and regulations.
7 I will turn it over to Mr. McConnell
8 for final remarks.
9 MR. McCONNELL: I don't have any final
10 remarks, other than it's time to open it up for
11 comments, questions and concerns.
12 MS. GOMES: We are going to go in
13 order of the cards that you filled out so that
14 everyone will have a chance who signed up for it and
15 if you haven't handed in your cards, you can do so
16 now.
17 Okay. I want to remind people again
18 that the public comments are going to stop about
19 8:25. We have to be out of here by 8:30. And NRC
20 has to put all the chairs and tables back, because
21 they moved them so that you could have space. So
22 they ask for your cooperation. I'm Ku'umeaaloha and
23 I'm the facilitator for tonight and I will be calling
24 out the folks in the order that the cards have been
25 received, and I will call the first person and the

1 second person so that that second person can get
2 ready.
3 I ask you to adhere to the
4 three-minute time limit and I will show you the one
5 minute sign and then the pau sign. That is so that
6 every one who wants to speak you can meet that
7 deadline of 8:25 and people will have an opportunity
8 to speak. So let's get started. The first person is
9 John Ota, followed by Dr. Lorrin Pang.
10 MR. OTA: My name is John Ota. I was
11 born and raised on this island, retired citizen of
12 this county today. I would like to make a statement
13 pertaining to this gathering. Fifty minutes of your
14 time was spent by NRC to sell us how good they are,
15 what their responsibilities are and all the good job
16 that they have accomplished. However, that 50
17 minutes now is taken away your time to speak. Okay.
18 Understand that. They want to close this place down
19 at 8:30. Will all of you have a chance to speak? I
20 don't know. But my statement is as follows: Thank
21 you for allowing me to present my opinion on the
22 depleted uranium at Pohakuloa.
23 Deception and misleading statements to
24 maintain secrecy and security for the country is a
25 continual endeavor by the U.S. Government, even

1 today. The subject of the depleted uranium was
2 discussed in detail after the first atomic bomb was
3 exploded in the U.S. Transport and usage of depleted
4 uranium was restricted in the 1940s.
5 I strongly oppose the Army's proposal
6 to allow the DU to remain in place at Pohakuloa for
7 the following reasons. My comments was timed, I have
8 two minutes and 40 seconds to complete all the
9 statements I have written.
10 NRC should not grant the license to
11 the Army as requested. One, the Army failed to
12 mention that drinking water for the majority of
13 residents originates from Maunakea, Maunakea Bay,
14 next to Pohakuloa. Underground water flow provides
15 the drinking water for the residents. It is a known
16 fact that depleted uranium can cause serious harm to
17 personal health.
18 Deception and constant misleading
19 statements made by the Army has failed to convince
20 the public that DU is not a health hazard and the
21 environment is safe. Army records of the 714 rounds
22 of Davy Crockett shipped to Hawaii cannot be
23 accounted for. It would be accurate to state that
24 more than three rounds were fired at Pohakuloa. The
25 Army installed old and outdated DU sensors

1 manufactured in 1945 to record Big Island DU
2 radiation. The installed DU sensors has been out of
3 commission for more than nine months. Lava terrain
4 and other excuses have been used by the Army for not
5 locating any more rounds.
6 The history of Pohakuloa goes back to
7 World War II when the marines set up camp in Waimea
8 and used the slopes of Maunakea for combat training.
9 The Department of Defense has directly or indirectly
10 used much of Pohakuloa and Maunakea for many
11 projects. Environment health or welfare of residents
12 were ignored for a very long time.
13 As recent as two or three years ago,
14 the Army used helicopters to kill sheep and goats on
15 the scopes of Maunakea, leaving the dead carcasses,
16 180 of them, to rot as they lay. Dead animal
17 carcasses are the cause of many health problems for
18 many. The generals at Schofield Barracks were not
19 disciplined for allowing this situation to occur.
20 This is only one of the many examples of the abuses
21 created by the DOD without concerns for the public.
22 The Nuclear Regulatory Commission
23 created by Congress in 1970 is charged with
24 responsibility to maintain safe health and
25 environment for the citizens and the country. Time

1 lapse since the Davy Crockett episode is more than 55
2 years ago. Continual abuse of the environment and
3 health problems persist on the Big Island. Tribune
4 Harold published an article stating Kona area is the
5 highest percentage of cancer problems per capita in
6 all of the U.S. The federal government has not taken
7 any action to relieve this problem. Why is this?
8 Is it correct to interpret the
9 non-initiative as the residents of this island are
10 being used as Guinea pigs to determine what other
11 types of health problems could arise from long
12 exposure to DU? I urge this Commission to declare
13 that urgent and immediate remedial action must be
14 taken by the Army to safeguard the health and safety
15 of the residents of this island.
16 (Applause)
17 MS. GOMES: If you have written
18 testimony, I want you to leave it so that they can
19 type it in and the court reporter also is taking
20 notes. But if you want to give it to Sarah, they
21 will enter it into the record.
22 The next person is Lorrin Pang,
23 Dr. Lorrin Pang, followed by Jim Albertini.
24 DR. PANG: Hi. Good evening, I
25 already spoke to them this afternoon. They know what

1 I want to say. I'm going to speak to you now. First
2 of all, I'm a physician, I'm from Maui. I speak as a
3 private citizen. I'm retired Army Medical Corps 24
4 years. My job was to watch out for the community and
5 for the soldiers and I have to say that during my 24
6 years this thing was going on, but I checked with all
7 my civilians, we had no idea what was going on at
8 PTA, specifically about DU. So let's just start.
9 I have to apologize to them. There's
10 a little bit of anger toward them, because the Army
11 has frustrated us. The Army has used the NRC's name,
12 whether or not they agreed. The Army says it's safe
13 and NRC, CDC, COH all comply. I don't know if you
14 really comply or not -- agree or not, but nonetheless
15 your name was used, so you're going to get some of
16 that heat just by association.
17 Our position has always been the
18 precautionary principle, if you don't know if it's
19 safe or you don't know if it's harmful, don't do it,
20 especially with the long half life and hard problem
21 with cleaning up. Well, what's safe? Unfortunately,
22 from the Nuclear Regulatory Agency it has been shown
23 a DU fired as weaponry is a very different animal
24 altogether, probably the likes of what we altogether
25 have never seen before. Not only does it release DU

1 oxides, and maybe you know a little bit about DU
2 oxides, but that 3,000 degrees temperature -- lava is
3 2200 -- releases what they call nanno particles. If
4 you Google nanotechnology, right there is
5 nanotoxicity. The French believe that the high
6 firing causes minute particles, radioactive or not,
7 of metals, which causes this. So you've got that,
8 you've got the radiation effect, you've got the
9 genetic mutation of the radiation, you have the burns
10 from the radiation, then you have the toxicity
11 itself, but I claim that this kind of weaponry is
12 something new which we really don't know about,
13 period.
14 For the last three years the Army has
15 said, You're wrong, Dr. Pang, we do know about this.
16 Whatever the toxicity, the mechanism chemical,
17 radiologic, nano, whatever, our soldiers were exposed
18 to this in what they call the friendly fire incident.
19 Soldiers -- our own soldiers got hit in the tanks,
20 breathed the DU stuff and they followed 30 soldiers
21 or something for years and they have no problems.
22 That study has since -- they presented this at
23 Waimea. That study has since been shown to be a
24 farce. That's as kind as I can say it. Those
25 solders developed tumors, both malignant and benign,

1 and when the Army was pressed why didn't you report
2 this? They said we didn't think it was related. At
3 the very least we believe in the precautionary
4 principle if this thing is unknown, there should be a
5 moratorium on all activities until we see what
6 activity causes the monitoring in the air, in the
7 water. I'm mostly for air monitoring and I would
8 like to see persistent air monitoring. Whatever
9 stirs it up, bombing, marching, the Army has to be
10 honest, because those types of activities should be
11 suspended.
12 Thank you.
13 (Applause)
14 MS. GOMES: Jim Albertini followed by
15 Kale Gumapac.
16 MR. ALBERTINI: Aloha, everyone. The
17 first thing I want to mention is that the Pohakuloa
18 Training Area consists of 133,000 acres of so-called
19 ceded lands. Now, those ceded lands are really
20 Kingdom of Hawaii occupied stolen lands and one of
21 the key things is they're talking about expanding the
22 Saddle Road through the newly acquired 24,000 acres
23 of the Army. That's down -- predominantly downwind
24 of the impact area. So the NRC should be putting
25 some kind of restriction on the dust that's going to

1 be created by the bulldozing of that military Saddle
2 Road. That has a bearing.
3 Let's put this request in perspective.
4 The Army is seeking a license to allow the radiation
5 from weapons training to remain in place, to possess
6 it at Pohakuloa. Now, that's a polite way of saying
7 it wants a formal okay to do what it's already done,
8 and what it has done is establish a radiation waste
9 dump in an active bombing range in the heart of
10 Hawaii island. Now, to bomb a nuclear waste dump is
11 plain nuts and should not be tolerated. If the NRC
12 is in the interest of protecting public health, it
13 should cease -- make sure that there's a cease fire,
14 that the bombing is stopped there at Pohakuloa.
15 Here's some background. It's been
16 confirmed that hundreds, perhaps as many as 2,000
17 depleted uranium Davy Crockett spotting rounds have
18 been fired at PTA. That's just one weapons system
19 back in the 1960s.
20 Now, my research says that there are
21 dozens of depleted uranium rounds in the arsenals of
22 the Army, Navy, Air Force and marines that could have
23 been fired since the early and mid 1960s when the
24 Davy Crockett rounds were fired. The Army claims it
25 has a prohibition since the late '90s against DU to

1 be used in training. What about the years from 1962
2 until the late '90s? Or is the military still lying
3 about DU being used today?
4 Open live fire at PTA risks spreading
5 the DU radiation already present and, as Dr. Pang has
6 testified, DU is particularly hazardous when small
7 particles burned DU oxide are inhaled. I want to
8 emphasize that the Hawaii County Council more than a
9 year ago, July 2, 2008, called for a halt of all live
10 fire and other activities at PTA that create dust
11 until there's a complete assessment and cleanup of
12 the DU already present. The Council also called for
13 seven additional actions, none of which have been met
14 today, more than one year since that council action.
15 So it's now up to the people, I think,
16 to speak loud and clear, to sound the alarm that what
17 we are really calling for is concern for the health
18 and safety of the people, for the aina and for future
19 generations. We want this madness stopped now.
20 (Applause)
21 MS. GOMES: Kale Gumapac followed by
22 L.V. Kelley.
23 MR. GUMAPAC: My name is Kale Gumapac.
24 I'm with the Kanaka Council Moka O Keawe. You're
25 going to hear many people tonight talk about the

1 environmental stuff, you'll hear many people talk
2 about the radiation and so forth, but tonight I'm
3 going to talk to you guys and I'm sure some of you
4 have heard it last night, about the cultural impact.
5 The cultural impact that Jim alluded to in terms of
6 the Army's occupation here in Hawaii is illegal.
7 Occupation has continued since the overthrow of the
8 Hawaiian kingdom of 1893. It continued since the
9 illegal territories that the United States brought
10 this Hawaiian Kingdom into play. As a result of
11 that, you should deny and oppose this application to
12 the Army.
13 (Applause)
14 Because of the cultural impact. From
15 our culture, if I was to come to your house and I
16 throw all my opala in your house and left it, how
17 would you feel? As a person, as a Black person, as a
18 haole person, as a Japanese person, you wouldn't like
19 that. They continue to do that in our house.
20 They've continued to ignore that the lands that they
21 have up at Pohakuloa are crown lands. It's not U.S.
22 Army lands. They took that away. They used World
23 War II as an excuse to come in and occupy the
24 Hawaiian lands. And just by that it's your
25 responsibility to malama the Hawaiians, because what

1 is the hookupu, the gift that they bring? Radiation.
2 This is the type of stuff -- and all opala that they
3 put in the ocean, all of the -- the Army depleted
4 bombs, everything that they're putting in there, they
5 never cleaned it.
6 Good example, Kahoolawe, they did the
7 same thing there. And then they said, we don't have
8 money to clean it. We can give you $600 million, and
9 then they left it, because they said we ran out of
10 money. Oh, and you, Hawaiians, you can have that
11 island back. They're doing the same thing now. They
12 desecrated our island of Kahoolawe. Now they're
13 coming over here. And I saw your map up there of
14 where you have all of the radiation, all throughout
15 the continent.
16 Then you said, you know, Hawaii, when
17 we put that thing up on the map, it's all blue. So
18 what we going to do? We are going to wait until it
19 turns red? If it's already clean, why are you
20 allowing this kind of stuff to take place to dirty
21 the place? And you know what can happen? The
22 cleaning of this stuff, they're not going to be able
23 to do a good job. And what is -- I think the
24 scientific terminology of the life span of radiation?
25 What's the half life, quarter life, full life? It's

1 always going to be there. It's always going to be
2 there and we need for you guys to take care of this
3 by not allowing the military, because they have lied.
4 They have lied from the time they have overthrown the
5 Kingdom all the way up until now. And you guys are
6 coming and you're saying, oh, we are really not the
7 guys that are going to be making the decision, but we
8 are here to listen to you. You can hear everybody
9 talk about this kind of stuff, but you're not going
10 to hear people talking about the cultural impact and
11 what it has done to us.
12 What is the psychological impact --
13 you need to write this down -- on the Hawaiian? What
14 is the psychological impact? That is a very
15 important question because of what has happened to
16 our people over here. The time that you guys give us
17 short time. And we come here to give you guys our
18 manao, but you say, you know what, you only got this
19 place until 8:30. Why you guys never get a place
20 that would allow us to be able to speak all night
21 long, because you need to hear from us. And if it's
22 necessary to extend the time past 8:30, then extend
23 it. At least give us -- give us that respect.
24 (Applause)
25 MS. GOMES: Sally Miller followed by

1 Cory Harden.
2 MS. MILLER: There's no way I can even
3 come close to that. I'm sorry. Mine will be short.
4 MR. HULL: We need you to use the
5 microphone.
6 MS. MILLER: Okay. Okay. There are
7 eight -- the county did pass a resolution, a
8 nonbinding resolution, and I'm sure other people are
9 going to talk about it, but there are two points that
10 I want to mention about the resolution. One of them
11 is just have a permanent high tech monitoring system
12 with procedures to ensure air quality control with
13 public access. If something shows up, see what
14 activity is making -- taking place at the time and
15 stop and forbid that activity from happening again if
16 we are getting spikes in the deplete -- that show
17 depleted uranium being recorded in the dust that's
18 caused by that. And it should happen each time
19 there's a spike and you need to look at what is going
20 on during that time with the spike.
21 The other important thing I think
22 should be done is while you're taking -- setting up
23 these monitoring stations is to establish a citizen
24 monitoring -- I'm sorry, establish a citizen
25 monitoring system to work closely with the military

1 experts to assure transparency and restore community
2 confidence. We also have a part in this.
3 And then if you are only licensing the
4 non-cleanup of the Davy Crockett, the public needs to
5 know exactly how many Davy Crocketts were fired up on
6 the mountain. I believe radioactive materials should
7 have a paper trail and that licensing should not even
8 be considered until the true number has been
9 determined.
10 (Applause)
11 Regarding weaponry used at Pohakuloa,
12 I understand that the Army is able to use weapons to
13 their full capacity. If that is the case, then it
14 follows that the use of depleted uranium weaponry
15 used in the Iraq wars must have been used at
16 Pohakuloa or the Army would not have been training
17 their troops adequately. They must have used it so
18 the troops could know how to work that stuff to wipe
19 out the tanks in Iraq. I don't think it is the case
20 that -- I'm sorry. I don't think that is the case
21 that -- I'll try this one more time.
22 It is logical to suspect that more
23 than the Davy Crockett has been used in training
24 exercises, especially since the Army has stated that
25 there's no risk to human health regarding their

1 residual effects after they have been fired. Should
2 you decide to grant license for the Davy Crockett,
3 please limit it only to the Davy Crockett and not to
4 use the license to include any other depleted uranium
5 weaponry that may be disclosed later on down the
6 road.
7 I also ask that while you are in your
8 hotel rooms tonight or whenever you have a spare
9 moment to please use your laptops to Google earth
10 defects in Iraq and Kosovo and see what the Hawaiian
11 community is so concerned about. It gives the human
12 side to our concerns.
13 Thank you for considering my
14 recommendations and thank you for taking the time to
15 come here and listen to us. Aloha.
16 (Applause).
17 MR. McCONNELL: While the next person
18 is coming up, I would just like to address the
19 limitation we have tonight. We try when we come out
20 for these meetings to set it up so that we can hear
21 everybody's comments and we did last night extend the
22 meeting to the point where we burned out the
23 transcriber. And, unfortunately, in this case we
24 don't have that flexibility and that one of the
25 reasons we wanted to identify other opportunities for

1 you to participate in the process is just for that
2 reason. So that if you don't get your comments on
3 the record tonight, there are written comment forms
4 on the table that you can use to send to Jack and
5 also there are these other alternatives. I'm sorry,
6 I have to go --
7 UNIDENTIFIED SPEAKER: The principal's
8 office said that you have the room until 9:00 and I'm
9 sure everyone here would be willing to help you put
10 up the chairs if that's the problem.
11 MR. McCONNELL: Works for us, so if we
12 could end it at 8:45 so that all of us could arm
13 wrestle the tables back in place. Thank you.
14 MS. HARDEN: Thank you for holding
15 these meetings to communicate -- or give us
16 information and listen to us. Cory Harden, Sierra
17 Club. We have many concerns about the depleted
18 uranium. First, Pohakuloa is not a nuclear waste
19 dump. Every effort should be made to find all the DU
20 and remove it to a nuclear waste facility. Efforts
21 so far have only found three spotting rounds, but
22 there may be 2,000 based on the number of pistons
23 found and number of spotting rounds required by
24 training manuals and other usage estimates.
25 The searches may not have found it all

1 because they did not cover the entire impact area.
2 Air searches were hampered by debris kicked up by
3 helicopters. Ground searches with hampered by
4 dangerous terrain. Satellite imagery I don't think
5 has been tried yet and some crucial reports are not
6 publicly available.
7 Also, it may be a violation of the
8 State Department of Land and Natural Resources lease
9 to use Pohakuloa to leave nuclear waste. If
10 solutions other than removal are proposed as well as
11 full removal, decisions should be made with citizen
12 participation.
13 Second, cease fire. Live fire and
14 dummy bombing should stop until after the hazards
15 have been thoroughly assessed and decisions have been
16 made with citizen participation. It should not
17 continue when there's possible risk.
18 Third, the DU discovery should be a
19 wake-up call to search classified and unclassified
20 records for current and former military sites
21 throughout Hawaii used by all branches of the
22 military, United States and foreign, for other
23 hazards we may have forgotten about.
24 The Army -- I haven't seen much
25 evidence from them for its claim that other services

1 have not used DU. I haven't seen public information
2 about DU use by foreign forces, the National Guard or
3 the Air Force, and I haven't seen information about
4 searches of classified records for other services,
5 and I haven't seen details of searches by the Navy
6 and Marines.
7 Fourth concern. Air monitoring should
8 be done by nongovernment groups but funded by
9 government. This is all the concerns about studies
10 raised by Dr. Pang and also by Dr. Reimer, a Ph.D.
11 theologist who's been commenting, and others.
12 Also, our history in Hawaii includes
13 leaving ocean areas and hundreds of acres of lands in
14 hazardous conditions from unexploded ordnance and
15 toxins.
16 Fifth concern. Citizens should
17 participate in decision making. The public was not
18 told of the DU discovery until four months after the
19 find and was told by citizen groups, not the Army.
20 The Army has ignored the County Council resolution,
21 Colonel Killian with the Army said he was willing to
22 speak to groups, but Sierra Club has invited him
23 repeatedly to participate in their forum with
24 Dr. Pang and he's just put us off and put us off.
25 Pohakuloa Commander Richardson claimed

1 that the Pohakuloa Community Advisory Council was
2 discussing DU, but at that time DU had only been
3 discussed for about five minutes at two meetings and
4 only because I was a member and I insisted it be put
5 on the agenda.
6 Sixth concern. All of the relevant
7 studies should be made available to the public. The
8 archive search report, I've been trying to get it for
9 nine months. I hear I'll be getting it soon.
10 Characterization report on human health risk
11 assessment to Pohakuloa, I haven't been able to get
12 those. And there's still searches going on.
13 So thank you for listening.
14 (Applause)
15 MS. GOMES: Next speaker is Danny Li
16 followed by Moanikeaua Akaka.
17 MR. LI: Good evening. My name is
18 Danny Li and I'm a resident of Puna, Hawaii and I
19 wish to make a couple of pertinent comments with
20 regard to the Army's handling or more accurately
21 mishandling of DU at PTA, Pohakuloa Training Area. I
22 have to admit I'm no scientist, so I trust that there
23 are other people, experts like Dr. Pang and other
24 people, who will be talking more scientifically.
25 They can offer more information, but I have heard --

1 you know, dealt with the Army, have heard their
2 presentations in the last couple of years and I'll
3 tell you that I'm not impressed. I've seen a lot of
4 stonewalling, I've seen a lot of double standards and
5 most of all I've seen, you know, evidence of the U.S
6 military's seemingly inexhaustible inventory of WMDs.
7 That's weasels of mass deception.
8 About a year ago, as Jim and other
9 people have said, after months of community and
10 expert testimonies and several public hearings, the
11 County of Hawaii by a vote of 8 to 1 passed a
12 Resolution 639-08 specifically calling for the
13 military to -- this is a quote, To order a complete
14 halt to B-2 bombing missions and all live fire
15 exercises at PTA that create dust until there's an
16 assessment and cleanup of the DU already present.
17 And then a month later the County
18 Council also passed another resolution calling for
19 Dr. Pang to be designated as the Council's rep on the
20 Citizens Advisory Committee. So far it's all been
21 ignored.
22 But in a meeting in November of 2008
23 with the Army colonel when asked what was being done
24 to implement the Council's resolution, kept saying,
25 well, it's just a resolution. Well, I have to remind

1 public officials that in 1998 it was only a
2 resolution that got Hawaii annexed to the United
3 States.
4 (Applause)
5 So for safeguarding the health and
6 well being of all citizens of Hawaii, we demand once
7 again for the utmost urgency that the U.S. military
8 heed the call of the people and cease all live fire
9 exercises until an independent verification by
10 citizen monitoring of DU danger is completely
11 resolved.
12 You know, as concerned citizens, we
13 will use all legal means, but we also reserve, you
14 know, other creative and nonviolent means at our
15 disposal to ensure the Army's compliance. Mahalo.
16 (Applause)
17 MS. GOMES: Moanikeaua Akaka followed
18 by David LaRocco.
19 MS. AKAKA: Aloha. My name is
20 Moanikeaua Akaka. I'm the trustee for the Office of
21 Hawaiian Affairs for twelve years. A handful of us
22 started the native people movement for justice almost
23 40 years ago. As has been mentioned, Pohakuloa is on
24 ceded lands. You know, we are sick and tired of the
25 military controlling our islands. Twenty-five

1 percent of Oahu is controlled by the military. We
2 have over 50 sites on this island left over from the
3 second world war that has military garbage on it.
4 I mean, even within the past month
5 they found some kind of canister of munitions on our
6 beach, on school grounds they've found canisters of
7 military munitions. And, as has been stated, you
8 know, we don't want to be used as a nuclear dumping
9 ground, as you're doing on -- over at Pohakuloa as
10 well as Schofield. You know, it was years and years
11 and years before you even admitted that you had DU
12 here on our islands. And it finally slipped out a
13 couple of years ago.
14 You know, a question was asked
15 earlier. Have you turned down the military? Have
16 you? Never?
17 Okay, you're on my time so hurry up
18 the answer.
19 MR. McCONNELL: We will extend your
20 time. There are three parts to this question, so let
21 me have three parts and they'll be short. One, the
22 answer to your question is no. Second part of it is,
23 at least in my experience, I don't know that we have
24 ever gotten an application from the Army in the
25 recent past. And, third, even if we had, it --

1 they're independent actions and they have to stand on
2 their own merits.
3 MS. AKAKA: You know, if you're going
4 to be a rubberstamp for everything the military wants
5 to -- now, this country is in bad economic straits
6 right now. Maybe they should just dissolve your NRC,
7 if you're really not going to be watchdogs to protect
8 our health and safety.
9 As an example, there are several
10 cultural monitors, part Hawaiian young people that
11 were over at Schofield. Now, first of all, they kept
12 them -- although they were supposed to be the
13 monitors, they kept them in the office so they
14 couldn't see what was going on until they finally
15 started reading all the rules and realized they were
16 supposed to be out in the fields with the military to
17 find out whether there was depleted uranium and
18 that's exactly what they were there for.
19 This one young man not only got
20 contaminated by depleted uranium but for months and
21 months and months he was not even monitored or
22 checked out by the military. Now, what do you call
23 that? You know, that's disgusting. Who the hell is
24 going to protect us, you know, is the question.
25 Those three young people -- he was not only

1 contaminated, but his sister-in-law who was there
2 with them, she ended up having a child that was born
3 the innards were outside and they -- they said that
4 could be an indication of depleted uranium
5 contamination.
6 You know, we are tired of being a
7 colony and a dumping ground for not only nuclear --
8 the nuclear waste or depleted uranium, but we are
9 tired of being disrespected and just being a colony
10 for you to use and abuse as the United States sees
11 fit. So stop until true, true indications have been
12 given that there is no harm from the DU we now have.
13 And I think it is despicable, don't
14 you, that the monitoring devices that you use are
15 dated back in 1945? And don't you think it's -- you
16 of the NRC, don't you think it's pretty sad that for
17 months and months and months the equipment here has
18 been incapacitated? You know, you guys can throw a
19 monitor on a plane and can have it here within hours,
20 yet we are not having any monitoring because --
21 because the equipment is out of order. You know, if
22 that doesn't sound like a ploy to do just whatever it
23 is the military wants to do, while you contaminate
24 us. And it is very interesting, don't you think,
25 that where the wind blows over the Kona side there

1 are very, very high incidents of radiation problems?
2 So cease fire until you can prove to
3 us that there is no nuclear DU that is going to harm
4 us and, as has been said, I'm sorry, but we don't
5 trust you. We need our own private citizens group
6 right along your side. If there's going to be any
7 trust, because, as I said, you only admitted a couple
8 of years ago that you had even been using DU, yet
9 it's been going on since the '60s. You know, you
10 folks think we are dumb, us brown people over here.
11 We are tired of being used and abused by the United
12 States. So cease. Mahalo.
13 (Applause)
14 MS. GOMES: David LaRocco followed by
15 Margaret Furukawa.
16 MR. LaROCCO: Can I use my time toward
17 the end?
18 MS. GOMES: I think one of the Hawaii
19 kupuna has requested that time.
20 UNIDENTIFIED SPEAKER: He said towards
21 the ends, not the end.
22 MS. FURUKAWA: Thank you. Do you want
23 me to speak now?
24 MS. GOMES: Okay.
25 MS. FURUKAWA: Thank you. Can you all

1 hear me? Okay. I'm Margaret Furukawa and I just
2 have a quick comment here which addresses more the
3 thought of what's going on rather than specifics. As
4 George Orwell wrote in the book 1984, the war is not
5 meant to be won. It is meant to be continuous.
6 Hierarchal society is only possible on the basis of
7 poverty and ignorance. This new version is the past
8 and no different past can ever have existed. In
9 principle the war effort is always planned to keep
10 society on the brink of starvation. The war is waged
11 by the ruling group against its own subjects and its
12 object is not the victory over either Eurasia or east
13 Asia but to keep the very structure of society
14 intact. And what they mean is them up here and us
15 down here. Okay.
16 (Applause)
17 MS. GOMES: Galen Kelley. Galen
18 Kelley followed by Shelly Stephens.
19 I'm sorry, it's Galen and then Dan
20 Sythe.
21 MS. KELLEY: I was wondering if we had
22 anybody from the Army here tonight? One person.
23 Great. Always appreciate the opportunity to meet you
24 here finally.
25 Our government is commanding us to be

1 environmentally responsible. Can we see the
2 hypocrisy in that policymakers ask us to check our
3 carbon footprint while the military agenda covers the
4 planet with the toxic deposits? Depleted uranium is
5 antigreen and its use must be stopped and its
6 contamination dissipated as much as possible. We are
7 asking halt live fire. But why? Yes, for safety
8 reasons, but also for disengaging from military
9 pursuits. We cannot look at this issue without
10 looking at what it was born of and that is war and
11 training for war. If there was no war, we wouldn't
12 have to train humans to kill other humans, and if we
13 didn't have to train, there would be no need for such
14 toxic weapons.
15 You might argue that we have enemies.
16 I would argue we have created enemies. So look to
17 the root of what you serve and open to the
18 opportunity to divest yourself from this anti
19 humanity endeavor, that is to say become moral.
20 Morality is a scary thing, because it destroys lies
21 and it brings down empires.
22 There have been accounts of the NRC
23 not playing fair and that scares people. Knowing not
24 where to turn, we turn to each other and encourage
25 ethics, integrity and conscience. We are asking you

1 to do the same.
2 To the newspapers or other media that
3 are present tonight, I implore you to give true
4 representation of the people's outcry for this is no
5 ordinary outcry. This is the people fighting for its
6 life. To those who condemn we who -- to those who
7 condemn us for rocking the boat, I say to you, we are
8 not the enemy, not the ones polluting and endangering
9 your lives, not the ones selling fear and
10 devastation, not the ones perpetrating occupation and
11 oppression. We look to better days where aloha is
12 practiced everywhere.
13 Also, it was mentioned that your
14 organization is a federal agency and an independent
15 agency, and that felt like an oxymoron to me. I
16 didn't quite calculate. I can't imagine how anything
17 federal is independent. So I'm going to have to
18 pursue some answers there. Of course, my bottom line
19 is to see Hawaii return to the kanaka and I encourage
20 all of us to support that in whatever way we can.
21 And you're trained scientists and
22 that's a valuable education. I encourage you to use
23 that science. Let it serve humanity. We have to
24 grow organic food, we have to have clean
25 transportation and we have to assure survival on

1 earth. Use your science for us. Thank you.
2 (Applause)
3 MR. McCONNELL: I'll take a shot and,
4 John, if you want to chime in, we are independent in
5 the sense that we are independent from the
6 administration. We are not a cabinet department like
7 Department of Defense or Department of Energy, so we
8 basically report to Congress not to the President,
9 and Congress controls our budget and so that's -- I
10 know -- I think from your perspective, you see the
11 government as one big amorphous mass, but that's what
12 independent means in terms of our responsibility. I
13 didn't do a very good job then?
14 UNIDENTIFIED SPEAKER: No. I don't
15 know that means.
16 MR. McCONNELL: It just means that we
17 are independent from the administration. We don't
18 sit in -- the commissioners don't sit in on cabinet
19 meetings. They're basically -- their job is solely
20 to regulate civilian use of nuclear material and we
21 report to Congress not to the President.
22 UNIDENTIFIED SPEAKER: Are you
23 appointed?
24 MR. McCONNELL: Our five commissioners
25 are appointed and they're appointed by the President

1 but confirmed by the Senate. And I think I mentioned
2 that usually it's -- and I don't want to go too far
3 into this to take away time, but three of them are
4 from the party that holds the presidency, two are
5 from the party that doesn't.
6 MS. GOMES: Dan Sythe followed by
7 Shelley Stephens.
8 MR. SYTHE: Aloha kakou. I'm Dan
9 Sythe. I'm executive director of the Whale Song
10 Project on Maui, which is a project focused on the
11 ocean health. I've been designing radiation
12 detection instruments and systems for 31 years and I
13 work with groups ranging from the Western Shoshone
14 Nation with problems around the nuclear test sites
15 there to Hanford and Three Mile Island, Chernobyl,
16 and so I'm trying to bring -- I live on Maui now.
17 I'm a resident of Maui. My favorite job is playing
18 bass. I look to the Hawaiians for answers. I look
19 to the Hawaiians for true science. The Hawaiians
20 understood what happens at the top of the mountain
21 affects the reefs and whether there's fish and
22 whether there's a healthy life. Astute observers of
23 nature. I listen to them.
24 My experience in citizen monitoring, I
25 worked with Dr. Carl Morgan, the father of modern

1 health physics with the blue ribbon scientific panel
2 that was addressing the problems at Three Mile Island
3 after the accident there and psychological impact was
4 one of the big things that was looked at there. You
5 can't have a healthy community if you're stressed,
6 and if you have real time monitoring and you have a
7 transparent monitoring program that all the citizens
8 participate in and everybody knows what's happening
9 and there's scientific people that the people trust,
10 then people sleep better and people are more relaxed.
11 If they know they'll be alerted if something goes
12 wrong, then they can sleep at night. And one of our
13 most successful monitoring programs that I've been
14 involved with, which is still active up around the
15 Seabrook community up in Massachusetts, and we have a
16 real time monitoring system up there. And one of the
17 key things that I think is important about the way
18 that's implemented is that the State taxes the
19 nuclear plant and they fund an independent citizen
20 group to do the monitoring, and I think the
21 independence is really, really important. Complete
22 transparency is really important. And they have to
23 be -- I cited a document with these fine people
24 earlier. I want to thank you guys for coming out
25 and, again, I told them earlier not to take anything

1 I say personally.
2 But I have a question and that's that
3 the -- I live in California and we have three plants
4 licensed by the NRC on fault lines and then Three
5 Mile Island there was an accident, they called the --
6 they called the NRC, nobody answered the phone. And
7 I know that's all ancient history, but just within
8 the last couple of years, according to the New York
9 Times, the NRC was -- somebody set up a bogus -- it
10 was a federal investigative agency to see whether
11 terrorists could get nuclear materials. They set up
12 a bogus company. They made up the name of a company.
13 They made up the name of individuals in the company.
14 They got a Mailboxes Etc. address. They applied for
15 a license for high level radioactive sources. They
16 were granted the license. And then they applied for
17 an increase in the amount of materials they could
18 get. And my question is, how can we make sure that
19 the NRC is going to treat our community better and be
20 more careful? How can we sleep good at night? I
21 mean, have you guys addressed the issue of licensing
22 a bogus company?
23 MR. McCONNELL: It's really not in my
24 area, so it's difficult for me to respond. The quick
25 response is that the agency has responded to that

1 particular incident and I think there's probably a
2 documented record on our website about how we
3 responded, but I'm just not in a position to --
4 MR. SYTHE: But there's all that stuff
5 about all of your procedures for ensuring safety and
6 regulatory correctness, but you didn't even call to
7 see if those people really existed or whether that
8 company really existed. You just gave them a
9 license. What's going to keep you from doing that
10 with the Army now?
11 MR. McCONNELL: Again, I can't speak
12 to that particular issue. All I can tell you is that
13 we take our job very seriously and we try to do the
14 best job we can.
15 MR. SYTHE: You take your job serious,
16 but what about those people?
17 UNIDENTIFIED SPEAKER: Let this
18 gentleman talk over here.
19 UNIDENTIFIED SPEAKER: I was going to
20 say what the gentleman was referring to was a report
21 by the Government Accountability Office, the GAO
22 you've heard about, which is a Congressional watchdog
23 and, yes, they stung us a few years ago.
24 What we did immediately, when they
25 came to us, even before this became public, was when

1 they came to us and basically said, gotcha, we said,
2 okay, we have a problem and we changed our licensing
3 procedures. And we put it in that whenever a new
4 licensee or new applicant comes in for a license,
5 that we don't know them, we do go out and do a site
6 visit now and that's one of the main things that we
7 didn't have in our procedures before that GAO
8 recommended we put in.
9 So that has changed. A number of
10 things have changed over the past few years to make
11 our licensing process more strict. And I can get
12 some information to you if you want. We can talk
13 later.
14 MR. SYTHE: I told you I care about
15 the babies here so none of this is personal.
16 UNIDENTIFIED SPEAKER: We do, too.
17 You raised a valid point and I just want to make the
18 point that we did respond to that and change our
19 licensing procedures.
20 MR. SYTHE: Thanks for coming.
21 UNIDENTIFIED SPEAKER: But what you
22 just said there was when we don't know them, and
23 everybody knows the Army, and you cannot question the
24 Army's validity based on current societal norms. We
25 know who the Army is. We're not worried about their

1 identity or whether they are a true entity. We know
2 they exist, you know.
3 MS. GOMES: I'd like to move on,
4 because we have 13 more speakers. Shelley Stephens
5 followed by Bruce Anderson.
6 MS. STEPHENS: My name is Shelley
7 Stephens and I'm here to talk about also pictures
8 I've seen of the babies who, you know, suffered from
9 depleted uranium because of our attacks on Iraq and
10 whatnot. Also, that I had heard that the monitors
11 were down during the time that they were doing a
12 cleanup and barrels were being removed and taken to
13 the Hilo port and we don't know where those barrels
14 were taken to and why the monitors were down during
15 that specific cleanup.
16 And one of the questions was, when you
17 cleanup, can it destroy a cultural site? So part of
18 the problem is that the lease that was given by BLNR
19 technically as it stands that the military is
20 actually overextending their reach of impact zone and
21 they are violating their lease.
22 Now, Judge Ezra of the federal court
23 stated that Hawaii Kingdom law prevails when it comes
24 to land title. So what's happened is these Hawaiians
25 were forcibly removed, they're having cultural

1 unrest, their bones are being crushed in the open
2 sunlight, and they're allowing foreign countries to
3 come in and bomb the mountain in full face of
4 non-compliance.
5 Now, I went to several meetings in
6 Washington, the Pentagon environmental branch, Linda
7 Faye was there, and so basically it has amounted to
8 that they did not give us confirmation that there was
9 depleted uranium at the time and so we are asking for
10 complete compliance with lease requirements and that
11 also Ordinance 0842, which is a cultural compliance
12 ordinance that has been in effect since January 1st,
13 2009. So that is to be compliant with section 106,
14 and all the other regulations. So by law you must
15 consult with the Hawaiian lineal descendants whose
16 allodial title has been bypassed and these Hawaiians
17 have been forcibly removed.
18 I also wanted to bring up the fact
19 that there is the Statehood Emissions Act and it's
20 our responsibility, I'm a United States citizen, I'm
21 an American Indian, I'm the related to the Hawaiians,
22 but I'm going to tell you that there are violations
23 of conditions of statehood that we must not cause the
24 Hawaiians to diminish.
25 And in wind patterns also that

1 Waikoloa schools was effected. It showed that in the
2 wind patterns that depleted uranium dust could blow
3 to Waikoloa Elementary School. And I wanted to make
4 sure also, that the air monitors requested by the
5 Sierra Club are but back in place, heavy metal tags
6 required by OSHA for military personnel be in place,
7 and that the NRC please look into the military use of
8 snap generators mentioned in and referred in
9 Congressional meetings with Matsunaga from the
10 geothermal plant, that these are radioactive waste
11 buried six feet down on military sites in Hawaii.
12 And I'm also asking that military
13 leasing of the mountain for bombing practices to
14 other countries has to stop. Also, to look into
15 ocean military dump sites. We hear that they are
16 dumping presently two and a half miles done in the
17 Puna trench. Also no future use of radioactive
18 components. Thank you.
19 (Applause)
20 MS. GOMES: Bruce Anderson followed by
21 Ko'olau Honolei.
22 Bruce Anderson?
23 Ko'olau.
24 UNIDENTIFIED SPEAKER: I'm here to
25 reed this for my uncle. I'm here to report from

1 Ko'olau Honolei Apele. My ancestors are literally
2 turning over in their graves and are being blown to
3 bits at Pohakuloa. I cannot understand how this has
4 happened, but I feel it in my bones, my iwi. From
5 what I know, my tutu man goes up to the mountain and
6 he carries a gourd full of bone shards and he tappas
7 with a long bone. He goes to the mountain and he
8 wants to pick up the pieces if iwi. He says the
9 military is hurting him, poking him in the ribs. He
10 shows me his bruises, all the size of quarters. Tutu
11 says when he goes there he tells the military man, I
12 have gathering rights, but then he cries out loud and
13 says, oh, what am I gathering? The bones of my
14 ancestors.
15 Contracts between the countries and
16 training for ground exercises lead to destruction of
17 the area and the fragile ecosystem of the mountain.
18 Bombing and live fire practice desecrate the bones.
19 My tutu I feel so sad for him. I hear him lament,
20 even if I die, I will never rest. I must pick up all
21 the bones.
22 Now, they're allowing foreign
23 countries to keep blowing them up into smaller and
24 smaller pieces. Who can help me? Now I know that
25 the EIS for the Striker says, We, as Hawaiians, may

1 have face-to-face consultation with the military.
2 Also, the Department of Defense is now required to
3 consult and communicate with Native Hawaiian
4 organizations. Also, for the lease held by the
5 military with DLNR was also violated on many
6 occasions. I think that they have violated their
7 lease. It should be terminated and they should start
8 cleaning up and let us handle the bones in the sacred
9 sites. They should move the Strikers to Texas.
10 Mahalo.
11 MS. GOMES: Linda Faye Kroll followed
12 by Rex Weigel. I'm sorry if I'm pronouncing your
13 names incorrectly.
14 MS. KROLL: I'm Linda Faye Kroll. I
15 have studied military toxins for quite a few years.
16 I'm self-educated. I don't have degrees like a lot
17 of people here. May I borrow this? One thing I want
18 to make very, very clear -- Dr. Pang touched on it
19 when he spoke -- if this is depleted uranium, are we
20 worried about this? Yes. We are worried about
21 ballistic depleted uranium. You cannot see it.
22 Solid depleted uranium is not a threat we are
23 concerned about. Alpha radiation can be blocked by
24 our skin. Those of us who are self-educated, we know
25 this, but when they've used it as a weapon and it

1 becomes dust, there's the problem.
2 The military is doing a lot of
3 misinformation, disinformation and making us -- don't
4 look over here folks, there's nothing to see. Move
5 right along, move right along and over here they're
6 doing the distraction. Trying to get a license to
7 make it okay to make us a nuclear dump is not okay.
8 The NRC must not license the military. Be strong, be
9 the first in history to turn down the military for
10 such a ridiculous license --
11 (Applause)
12 -- the land of aloha a nuclear dump.
13 We are concerned about the dust.
14 Now, a couple years ago when they did
15 the opening of Saddle Road, it was May 29th, I'll
16 never forget that day. I was up there with many of
17 the people that are here. We had our own radiation
18 monitors. It was right around 10 for the longest
19 time. Then a gust of wind came up off Pohakuloa and
20 we saw the radiation spike to 75 counts per minute.
21 You can't see it. All of us there were exposed to
22 something that was radioactive. I can have tiny DU
23 particles floating around in my body right now. All
24 it has to do is hit the right cell, knock the cell
25 out of commission, because it has like 4 million

1 electron volts and a cell only has 10, then I've got
2 a tumor. Then I've got cancer.
3 Since the beginning of talking about
4 the Striker brigade build-up, I've been to a number
5 of these meetings all over and they've heard the same
6 thing over and over and over again from the people:
7 We don't want it. We don't want the Striker brigade.
8 We don't want nuclear waste in our islands. And they
9 go forward and they go forward. Listen to us this
10 time. We don't want it. Don't license them.
11 (Applause)
12 MS. GOMES: Rex. Followed by Ron
13 Fujiyoshi.
14 MR. WEIGEL: Thank you. Everybody has
15 spoken very eloquently to all the other issues. One
16 of the things I want to talk you to about is the
17 moral imperative, and I think that I can do that
18 since we are talking about military weapons. I'm a
19 military veteran. I would like to talk about the
20 impact this is going to have on veterans and victims
21 of the war. You know, 65, 70 years ago my uncle was
22 working at Todd shipyard in Tacoma and he was blowing
23 asbestos in the hulls of Navy ships without even a
24 dust mask, and I'm sure there was someone from the
25 federal government there to tell him that asbestos

1 was not going to hurt him and he died 40 years later
2 of malignant mesothelioma. Are we going to wait 40
3 years to see what the implications of DU toxicity
4 are?
5 I'm alarmed by this handout you gave
6 out. I mean, this is really -- you really believe
7 this? You people that have had education. You
8 really think this is a benign substance? I mean,
9 this is almost laughable. This is the scariest
10 military weapon I have ever seen and you go to
11 Kosovo, you go to Beirut you go to Gaza that place is
12 contaminated with DU, and it doesn't just stay in the
13 Gaza and Kosovo and Beirut, it comes to the Big
14 Island in the wind and the rain. It's everywhere.
15 This is the gift that keeps on giving. The veterans,
16 the tank crewman that sits on that case of DU rounds
17 radiated his testicles as he's traveling through the
18 desert is going to die years later from radiation
19 poisoning and you're going to be the ones that told
20 him it was okay.
21 When this first came out in the paper,
22 I couldn't even believe that you were considering
23 this. I had to come to this meeting. I mean, I was
24 amazed that you would even consider this. To me
25 these weapons should not even be made. They're a

1 violation of the legal --
2 (Applause)
3 -- (inaudible) and they're inhuman.
4 The people that live in these islands are going to be
5 suffering for years later. When I walked out of
6 Vietnam, as horrible as it was, the war was over for
7 me and for the Vietnamese for the most part. Well,
8 they had to live with a lot of toxicity, too, with
9 agent orange, but this weapon, this residual is going
10 to kill people forever and there's not a damn thing
11 we can do about it. If we keep making these weapons
12 and we are the only ones doing it besides the
13 Israelis that get it from us, it's going to be a big
14 problem.
15 I ask you since you're human beings
16 like the rest of us and the other issues have been
17 addressed, look in your own heart and ask yourself do
18 you really want to contaminate this planet to that
19 extent? Because that's where we are going with this.
20 It isn't just about this island or this state or the
21 United States, we are talking about the planet.
22 Thank you.
23 (Applause)
24 MS. GOMES: Ron Fugiyoshi followed by
25 Kane Thomas.

1 MR. FUJIYOSHI: Aloha, everyone. My
2 name is Ronald Fujiyoshi. In my personal capacity
3 I'm the Luna Ho'omalu of the Association of Hawaii
4 Evangelical Churches, of the United Church of Christ,
5 but I'm here to speak on behalf of Micronesians
6 United of Big Island, since nobody has acknowledged I
7 want to thank -- acknowledge Sonny Kaniho, who was
8 the one who first took me up to view Pohakuloa and he
9 died recently, so I wanted to acknowledge Sonny.
10 I have -- actually I came because the
11 Governor Lingle has decided Tuesday, September 1, to
12 stop Med-QUEST for Micronesians and it's going to
13 affect at least 100 people on dialysis and 120 on
14 chemo and partly the reason why they're here is
15 because of the Marshallese -- there were 67 nuclear
16 and atomic tests done in Bikini and Enewetak from
17 1946 to 1958 and so I've been going over at least
18 four times on March 1st, which is the anniversary of
19 Bravo, which was the hydrogen bomb test, and that
20 test alone was 1,000 times the impact of the
21 Hiroshima A bomb. I've also been to Vieques at least
22 four times and the studies show that the DU that's
23 being blown over by the wind has caused the cancer in
24 the Vieques people that is much, much higher than in
25 Puerto Rico itself.

1 Now, I have four photos that I
2 brought -- actually they're one of eight photos
3 that -- just to show you what happens to children.
4 Now, these photos were in the years 2004 and 2005 six
5 Utrok kids -- I'm reading so you don't believe I make
6 it up, right -- Utrok kids, babies who were born with
7 terrible mutations such as swollen head, no ears,
8 gray hair and other malformations. All of these
9 babies died within weeks of their birth.
10 Now, this is our first baby. You can
11 see she has -- the baby has no ear. The hair is
12 premature white. This is another baby. You can see
13 a very enlarged head. This is from the top. Now,
14 these babies are grandchildren of the original people
15 who were affected by the Bravo tests on Utrok and the
16 U.S. scientists all claimed that radiation is not
17 inherited. So the senator, at that time Senator
18 Yamamura, presented this to the DOE as proof that it
19 is available.
20 So, you know, it's very hard to
21 believe the fox that's guarding the henhouse, right?
22 And so if they are the ones who are providing the
23 statistics on telling you that you don't have to
24 worry, you have to really think twice about that.
25 And then I think what we are saying is that we really

1 don't know the effects of continued radiation, right?
2 Even in small doses, over long period of time we
3 really don't know the effects and so I think, you
4 know, I -- although I'm a third generation Japanese,
5 I really believe that Hawaii is -- is being occupied
6 by a foreign military government and I think this
7 agency has to take responsibility to make sure they
8 get out.
9 So thank you very much.
10 (Applause)
11 MS. GOMES: Kane Thomas followed by
12 Deborah Ward.
13 MR. THOMAS: Hello, everyone. My name
14 is Kane Thomas. I was born and raised here on the
15 Big Island. I'm a student here at the University of
16 Hawaii Hilo, trying to get an education within the
17 system. I would like to say this is a conspiracy.
18 There's too much secrecy. Our mantra is (inaudible)
19 as citizens, as human beings who are using reason.
20 What facts are you guys looking at? What reason are
21 you using? We all know that the military lies. You
22 guys should all take this personally, very
23 personally.
24 The fact that Kona has the highest
25 cancer rates is new to me. I don't know why. People

1 should know about this. You guys should quit
2 avoiding the real questions. How will you guys show
3 us that you're responsible? How will you be
4 accountable?
5 (Applause)
6 I want you to keep in touch with
7 Hawaii, because you're going to be accepting these
8 deals. Keep in touch with us, you know. I want you
9 to listen to us, listen to me. This is not your
10 land. And I'm not the only one who's angry.
11 Thousands.
12 (Applause)
13 MS. GOMES: Deborah Ward followed by
14 Mike Reimer.
15 MS. WARD: Aloha. My name is Deborah
16 Ward. Thank you all very much for coming and for
17 coming all the way that you came.
18 I'm a scientist, but I have spent my
19 life being aware that even scientists don't tell the
20 truth all the time, and a lot of times things are
21 found much later to be not true after they've been
22 presented as true for many years, and so I'd like to
23 share a personal story and that is that I'm a cancer
24 survivor with head and neck cancer with an unknown
25 primary, and the unknown primary meant that I needed

1 to have the most radiation in order to save my life
2 13 years ago.
3 The cancer that I have is generally
4 associated with people that drink quite heavily or
5 smoke quite heavily and in this case I'm not one of
6 the drinkers or smokers and I asked the doctors how
7 on earth did I end up with this? And I was told that
8 it was most likely airborne particulates that caused
9 the mutation that caused my cancer. So that's my
10 personal story.
11 When I was volunteering at a Sierra
12 Club project a few years -- not a few years ago, a
13 couple of years ago, about a week after a very
14 intense fire caused by military live fire at
15 Pohakuloa, on this island, I was sitting at the top
16 of Puu Waawaa, which is an old cinder cone on the
17 Kona side and I was looking out at the Pohakuloa area
18 enjoying the day, it was a beautiful sunny day, when
19 a very large wind came up and that wind carried dust
20 about half a mile high in a very large brown cloud.
21 It blew it through the saddle and over to the Kona
22 side, across the Waikoloa area where schools are and
23 houses are and blew it in the direction of the ocean.
24 And that dust cloud obscured Maunakea. That's how
25 high and how thick and how dark it was, immediately

1 after a fire.

2 Now, if the dust borne particles of

3 that kind of a cloud are being carried across school

4 grounds, I worry about the children who may end up

5 with the kind of cancer that I had and may not be as

6 lucky as I was to have survived it.

7 So the other thing I would like to

8 relate to you is that I lived on Oahu for 20 years in

9 a valley adjacent to Kalama Valley, and Kalama Valley

10 was taken from a Hawaiian family in 1942 and used as

11 bombing practice and munitions practice for the

12 entire time during World War II. At the end of that

13 time, the Hawaiians asked for their land back and

14 they were told, well, we need to do cleanup. It is

15 now more than 50 years later. That cleanup has never

16 occurred and the family has never gotten their land

17 back. This is the kind of thing that we put up with

18 in Hawaii.

19 When I arrived on this island, I was

20 astounded to find out that Patsy Mink who's our

21 senator who has passed away now, had to do a FOIA and

22 many years of work in order to find out what happened

23 to the Sarin tests. It turns out that those -- that

24 the Sarin being used for testing was being put into

25 lava cracks in the Waiakea Forest Reserve. It wasn't

1 released by the Army. Nobody knew it until Patsy
2 Mink had to find it out for us and make us aware of
3 it. Thank you.
4 (Applause)
5 MS. GOMES: Cory Harden is going to be
6 reading for Mike Reimer. He's a geologist. And then
7 it's Megan Rycraft.
8 MS. HARDEN: I'll just read from Mike
9 Reimer's e-mail. Mike Reimer is a Hawaii resident, a
10 retired geologist, had a distinguished career in
11 public service. He held a National Academy of
12 Science Post Doctoral Fellowship with the National
13 Institutes of Science and Technology, worked as a
14 research geologist in energy resources and naturally
15 occurring radiation risks at the U.S. Geological
16 Survey and as a research professor at the Colorado
17 School of Mines, heading a research institute and
18 serving a period as chair of the graduate
19 geochemistry program. He's a member of the citizens
20 advisory group of the Big Island to the U. S. Army,
21 which I mentioned in the testimony and currently is
22 on the mainland engaged in consulting work.
23 His recommendations are: The quality
24 of monitoring must be enhanced to be able to detect
25 DU. I know he's had serious concerns about the air

1 monitoring.

2 Two, there should be independent

3 monitoring to give assurance that the current

4 monitoring is adequate for long term observation.

5 Three, any continued use of live fire

6 at the suspected DU training area sites must cease

7 immediately as it could contribute to the release of

8 aerosols; and,

9 Four, if the DU is to remain in place,

10 the license must address the issues of this being

11 considered a closed low level radioactive repository

12 site and the appropriate measures dealing with such

13 must be applied.

14 He says, We know the ideal solution.

15 At the former Lowry Air Base in Aurora, Colorado,

16 when DU emissions were found, acres of surface were

17 scraped and moved to a low level repository site.

18 That could be applied here which would be consistent

19 with the low and reasonably achievable principle,

20 especially when the soil and bedrock background have

21 been compromised by a factor of two or more. The

22 fact that the DU may be in an area of unexploded

23 ordnance in itself is not prohibitory as cleanup of

24 unexploded ordnance is performed at Waikoloa when

25 roads for a housing development were planned.

1 Realistically we recognize what could happen and what
2 should happen but will not happen. We sadly
3 recognize that this entire training area in this land
4 of paradise well beyond our lifetime and a massive
5 eruption from Mauna Loa notwithstanding will
6 eventually have to be declared a national sacrifice
7 area closed forever, no wilderness, no park, no
8 wildlife refuge. Closed forever. Another piece of
9 paradise lost.
10 Don't sweep this issue under the rug
11 or in the case of Pohakuloa under the basalt. Don't
12 substitute minimal requirements when comprehensive
13 ones should in place. It is our objective to
14 contribute as stakeholders seeking a proper and best
15 resolution. We ask that you, too, participate in
16 achieving that goal.
17 (Applause)
18 MS. GOMES: Megan Rycraft followed by
19 Professor Lui Kekumano.
20 MS. RYCRAFT: Good evening, my name is
21 Megan. I grew up here in Hilo. I graduated from
22 Hilo High. I went on to school on the mainland. I
23 went to school, graduated from the Maine Maritime
24 Academy. I've been sailing as a merchant marine.
25 I've worked in the Middle East on a petroleum tanker

1 carrying jet fuel for the Department of Defense and I
2 didn't know anything about this meeting tonight. And
3 when my mom asked me to come, I really didn't even
4 want to and I had a pretty bad attitude about coming.
5 And I have been sitting here listening to it and the
6 more and more I listen, the more and more angry I
7 got, you know. It was just such an eye-opener. I'm
8 going to cry, because I'm an emotional girl. The
9 ignorance on my behalf. I didn't know anything about
10 this. I'm totally -- you know, I don't have any
11 facts. I didn't know any of this history, you know.
12 And I'm just like ashamed for my own generation. How
13 many of us in my generation are even here? I can
14 only count Kane that stood up and the girl who sat
15 behind me. These are our kids that are going to deal
16 with this. That's what Rex brought to our attention.
17 40 years ago asbestos was a concern and I'm still
18 sailing on merchant ships that are equipped with
19 asbestos. We still carry respirators for ships that
20 have been built in the year 2000, 2005, you know.
21 The accountability or the lack thereof
22 is astounding. It's astounding. And the ignorance
23 on my behalf to hold people accountable is what's
24 astounding, you know. I mean, there are fines for
25 littering. If I litter, I get a fine, you know. I

1 mean, there is -- there's a level of accountability
2 here that I think goes beyond anything we can begin
3 to imagine. And I think that the people here who
4 have mentioned things like cultural impact
5 statements. Where is that in the procedure? Where
6 is the accountability for the U.S. Army to provide a
7 cultural impact statement?
8 You know, resorts that are being built
9 in Kona they're required to have people on their
10 staff to research and learn about the land where they
11 are building and provide accountability for the
12 resort to construct things around things of
13 significance and not only to construct around it, but
14 to preserve what's already there. Thank you.
15 You know, it's the more and more I
16 talk about it, the more and more heated I get, you
17 know. I work directly with the Department of
18 Defense. I understand how it works. It's crazy.
19 There is no accountability. You can tell them over
20 and over and over again that something is unsafe, it
21 doesn't matter. I'm still carrying jet fuel for
22 them. I still have a job with them, you know. The
23 fact that I didn't even know this was going on
24 tonight I think is extremely telling. If you want
25 community impact, there you go right now. Look

1 around here and see how many people are here and how
2 many people like me who grew up in Hilo who would be
3 so angered by what is going on here and know nothing
4 about it. That's what you need to take home. How
5 many don't know nothing -- don't know nothing
6 (laughter) -- don't know anything about this? How
7 many people? You know. That is what you need to
8 remember. You know. I mean, I'm just appalled.
9 That's what I want to go home saying. I'm just so
10 appalled.
11 (Applause)
12 MS. GOMES: Professor Lui Kekumano
13 followed by Able Lui.
14 MR. KEKUMANO: Mahalo. First of all,
15 I thank the young people for speaking their truth,
16 their heart, for they are the backbone of our
17 community and our world. We solicit or the
18 government solicits you to give them permission to
19 place toxic waste in our air that will last a half
20 life is 34 billion years. So if depleted uranium
21 lives a half of it's life at 34 billion years,
22 there's nothing you can do to clean it up.
23 As far as the regulatory basis, you
24 say that you have an enforcement regulatory plan or
25 how you can fine people and monitor people? Are they

1 going to be paying $10,000 for the opportunity to gas
2 all of us in this room? Is that what the fine is
3 going to be when you enforce it? I would like to
4 know what your sincerity is by all of you repeating
5 to me in unison, what is the State motto of Hawaii?
6 May I hear it from all of you now? This is to tell
7 me how sincere you are, because you said you were
8 sincere, you at the end. You're very sincere, so can
9 I hear it?
10 MR. McCONNELL: I don't think you'll
11 hear it from us. I don't know it.
12 MR. KEKUMANO: Could anybody in your
13 panel give me the state motto? No. For every one in
14 the class here who knows what the state motto, could
15 you please say it in unison.
16 AUDIENCE: Ua Mau Ke Ea O Ka Aina I
17 Ka Pono.
18 UNIDENTIFIED SPEAKER: Perpetuate the
19 land in righteousness.
20 MR. KEKUMANO: Okay. Let's hear the
21 translation from Ms. Shelley.
22 MS. STEPHENS: As I understand it,
23 it's to perpetuate the land in righteousness but also
24 for the future generations of the children now.
25 UNIDENTIFIED SPEAKER: To perpetuate

1 the life of the land and that's what we're meddling
2 with here.
3 MR. KEKUMANO: That is the State
4 motto, so you shouldn't need to listen why you should
5 accept the military's licensing or make them people
6 who can have depleted uranium as their number one
7 business.
8 But I'm here because I am from Kau and
9 Kau is a designated place to bury all the military's
10 toxic waste so that they will give Kau the economic
11 dollars to get us out of the economic depression that
12 Kau is in. So we are in trouble because someone from
13 your panel could make that possible for the military
14 to be dumping it in our area.
15 So if our state motto is one they
16 adopted from Kamehameha III to say that nothing on
17 our land should cause the demise of us, in that sense
18 and that righteousness should reign, then you should
19 never give anybody a license to --
20 UNIDENTIFIED SPEAKER: Kill.
21 MR. KEKUMANO: License the kill.
22 I realize that -- I'm pau, but you are
23 saying that 155,000 you give, according to the
24 newspaper, for anybody who wants to be the one who
25 monitors depleted uranium. So a lot of us who don't

1 have a job might take that very seriously and come
2 and apply for the 155,000. I hope you're not going
3 to do that. Thank you.
4 MS. GOMES: Able Lui followed by Soli.
5 MR. LUI: Aloha. I never know about
6 this meeting. A friend of mine came by from Kawaa
7 where I live this afternoon. And I had no -- he said
8 come to this meeting. That's my sister. They came
9 to do other things and I never knew I was going to be
10 here.
11 UNIDENTIFIED SPEAKER: We were told
12 about this, too, and we came.
13 MR. LUI: Anyway, the gigs up.
14 (Applause)
15 MR. LUI: Pau already. You guys never
16 learn nothing from other wars? You been in the war,
17 sir?
18 MR. McCONNELL: No, I have not.
19 MR. LUI: What about you, sir?
20 MR. HULL: I've not been in the war.
21 MR. LUI: And you, ma'am?
22 MS. TADESSE: No.
23 MR. McCONNELL: Let me say something.
24 My daughter left today for Afghanistan.
25 UNIDENTIFIED SPEAKER: My daughter is

1 in Afghanistan.
2 MR. LUI: Lord, the man's daughter is
3 over there. Bring her home safely to her father over
4 here.
5 MR. McCONNELL: And I two another
6 children that are the Navy, so I know what war is.
7 UNIDENTIFIED SPEAKER: So I hope
8 you're going to stop this one.
9 MR. LUI: No, you don't. You haven't
10 been in a war you don't come tell us about no war.
11 One of your children can, because nobody would shoot
12 at you. Nobody come and give you food starving out
13 there. You've been outside there in the trench. So
14 no come tell me this nonsense. Don't give me this
15 BS. The gig is up with the military. Time for them
16 guys go back home. Go back to America. This is not
17 America. We have got treaties. You guys should do
18 your homework and find out about Hawaii. We get
19 treaties with all the countries and you guys making
20 decisions.
21 My son is only 17 years old. Next
22 year he going to graduate and I hope you don't tell
23 me that he go in the war. You know what I mean? I
24 have to take my kids off this land to put in there.
25 Pohakuloa and this island just like die and don't

1 know how it is. All this bombing and all of these
2 things that they're bringing. You guys heard them
3 from all the people. Maybe one day we come up here
4 and tell you about the future and the future is now.
5 Not before. We are talking about now.
6 What if my son come home and, dad,
7 what happened up there on the mountain? Sorry, dad
8 we get cancer now. I don't want cancer, but this is
9 what I have. Oh, I got one more minute.
10 I got open heart surgery. I don't got
11 no cancer. My cousin he get the cancer. Today he no
12 can breathe. He had to come into town. My wife died
13 from cancer. My dad died from cancer. All from this
14 stuff. I thank God that I'm alive. I thank God that
15 all of these people come and show up and give their
16 that manao. You folks, you said you got kids
17 daughter and grandkids and look at yourself tonight
18 when you guys go home, you got to pick up after,
19 because this concern our land and everything. It
20 concern you, but if you're going to live here, then
21 let's get along with the man, because if not, man,
22 this whole deal going to blow up.
23 Thank you. Aloha.
24 (Applause)
25 MS. GOMES: Isaac Harp and then Soli

1 Nineu.

2 MR. HARP: Mahalo. Is this still on?

3 Thank you for an opportunity to submit my testimony

4 last night, but I had a small addition to put into

5 it. I asked you last night to consider protecting

6 the people here in the island and when I went home

7 last night I recalled my oldest son, he joined the

8 Army against my wishes and he ended up training in

9 Pohakuloa for several months, and because the Army is

10 being careless with the young men training in the

11 area, we care about them and we don't want to see

12 them exposed to the depleted uranium. So I ask you

13 to step in to protect not only the people of the

14 island but also the young men who come to train at

15 Pohakuloa.

16 Thank you very much.

17 (Applause)

18 MR. NIHEU: Aloha. I would like to

19 say a special aloha to my interpreter over here,

20 because she never heard some of the things I say

21 before, and took the opportunity to share with her my

22 manao.

23 But anyway, I spoke last night just

24 very briefly and it is quite obvious that this panel

25 here is -- you know, you don't give a rip. They

1 don't give a rip. They just don't. That's the way
2 it is. That's why they sit on this panel. They're
3 here to just be -- oh, he got a sad story. We are
4 going to listen, but they're not going to do nothing.
5 The only time something is going to be done is that
6 we going to have to do it. No ifs, ands or okole.
7 Let's get that straight in our minds, they are not
8 going to do it. So when the time comes, we have to
9 do it. We got to do what is necessary and you know
10 what that means? (Speaking Hawaiian) So fight for
11 the sovereignty of our people, of our nation. And no
12 matter what this NRC does, they ain't going to do
13 jack shit.
14 You know, when I went home, I took a
15 real close look at the declaration of human rights
16 and the declaration of indigenous rights and in there
17 they have articles protecting all humans, protecting
18 peoples of the world from harmful technologies, such
19 as nuclear radiation. People gave their lives for
20 the document, but when I read this last night when I
21 went home, there's a disclaimer in there, in the
22 declaration of human rights and it's sad to say, I'll
23 show it to you if anybody wants to see it, it's sad
24 to say, the doctrine says, it has no legal standing.
25 I was terribly shocked. So what it tells me is that

1 it is up to us to enforce those documents,
2 declaration of human rights, and to tell the United
3 States there must be a signature to the declaration
4 of human rights, because the declaration of human
5 rights is not enough for those who originate from
6 here and those who originated from their homelands.
7 So once again, this is another example
8 of the United States and its continuation of rights,
9 starting with the Declaration of Independence, Bill
10 of Rights, Civil Rights. This is all bullshit.
11 So anyway, in closing, I'm going to
12 say that when you Americans are tired of being
13 Americans, come and join us.
14 (Applause)
15 MS. GOMES: I think the battery is
16 running out. Anyway, that's the end of our
17 testimonies. No time for questions.
18 UNIDENTIFIED SPEAKER: Do we have time
19 for questions?
20 MS. GOMES: Did you have a question?
21 UNIDENTIFIED SPEAKER: Yes, I'm just
22 kind of curious when the words that you heard that
23 you guys ain't going to do nothing, I just wondered
24 how that registered in your space and what your inner
25 response was to it, how you felt and in your heart

1 and mind? Yes.
2 MR. McCONNELL: That's, I think, the
3 typical question, because --
4 UNIDENTIFIED SPEAKER: Why is that
5 difficult?
6 MR. McCONNELL: I said a typical
7 question, and let me tell you why, okay. Because you
8 raised a number of issues that are way beyond what we
9 were here to talk about and what we can influence and
10 what our role is. I mean, I think as many of you
11 have expressed tonight there are many, many, many
12 issues that you all are struggling with and are
13 concerned with but that's not within our framework.
14 That's more within a legal and a political framework
15 that we just can't address. So that's why it's
16 difficult for us to respond.
17 UNIDENTIFIED SPEAKER: What legal
18 framework?
19 MR. GUMAPAC: I have a question. The
20 question that I have was I raised an issue on the
21 cultural impact. So we would like to invite you to
22 attend the Kanaka Council meeting so that we can
23 address you based on our culture, because you're
24 listening to everybody else, but when have you sat
25 down with the kanaka maoli and really listened to

1 what we have to say? And we would like to present
2 that to you and invite you to come and at the same
3 time, because I'm on the record, I would like to say
4 that we need one hearing and are filing one official
5 appeal to you, rather than writing, because I hate
6 writing. I'm using my voice to tell you that we
7 have -- this is an official filing on hearing to be
8 conducted here.
9 (Applause)
10 MR. McCONNELL: I'll say two things,
11 if I could, I'd like to get information on the group,
12 because we have an outreach program for Native
13 Americans and other indigenous people --
14 MR. GUMAPAC: We're not Native
15 Americans.
16 MR. McCONNELL: I said and other
17 indigenous groups.
18 MR. GUMAPAC: We're not indigenous.
19 MR. McCONNELL: Okay. Well, I
20 obviously need help there. We have be an outreach
21 program and if we could get your information, we
22 would like to include that so --
23 MR. GUMAPAC: We don't want an
24 outreach. We'd like you guys sitting over here now.
25 MR. McCONNELL: Well --

1 MR. GUMAPAC: Not an outreach because
2 you send messengers. We like you guys.
3 MR. McCONNELL: And I think there was
4 an issue. I think we would like to respond to. A
5 couple of times environmental impact and cultural
6 impacts have come up and I think we would like a
7 chance to respond to that.
8 MS. TADESSE: As part of our
9 environmental assessment we do -- are required to
10 have Section 108 consultation and we do contact the
11 fish and wildlife and the SHPO, the State's
12 historical --
13 UNIDENTIFIED SPEAKER: They're federal
14 bodies. They're not kanaka maoli. Those are federal
15 bodies. You need direct consultation with bodies.
16 MS. TADESSE: It's the State, it's
17 not --
18 UNIDENTIFIED SPEAKER: We're not State
19 represented. Hawaiians are different. Hawaii nei.
20 This is a belligerently occupied independent legal
21 nation. State does direct consultation with lineal
22 descendants of Hawaii nei.
23 MR. GUMAPAC: I'll give you my contact
24 number so that we can set it up so that we get the
25 kanaka maoli to be able to sit. We're not part of

1 the State, we're not part of the federal. We are
2 Hawaiian national, a sovereign nation.
3 MR. McCONNELL: I think we are going
4 to need help obviously from people who are more
5 knowledgeable about those things.
6 MR. GUMAPAC: I'll give you my number
7 and let's set it up.
8 MR. McCONNELL: Okay.
9 MS. GOMES: Uncle here wants to say
10 something. Excuse me. Wait. He wants to say
11 something. Hold on. Yeah.
12 UNIDENTIFIED SPEAKER: My name is Kawi
13 Kiluea (phonetic.) Why I am here tonight is because
14 you guys are blind to what Hawaii is all about, its
15 body system of humanity. (speaking Hawaiian) Okay.
16 We represent the heart in this world body system of
17 humanity that is why we have a culture called aloha
18 and (speaking Hawaiian) is for all us to practice to
19 make this world a better one.
20 But you guys all these military mind.
21 You guys not fully focused. You guys got to put you
22 guys -- you guys got be not presenting our society
23 all the people. You guys got to put the (inaudible)
24 first, aina, second, then you. (speaking Hawaiian)
25 you guys, no more culture. We get culture to us.

1 You guys can all (inaudible) and now we can make
2 America Big Brother but you guys got no manao. We
3 give culture. But you guys disrespect big time. Big
4 time disrespect. And it's like you think you
5 (inaudible) You understand?
6 You guys take me serious, because I
7 love Hawaii. I hate the people come here and make no
8 more respect. It's number one in America's book.
9 You guys get everything all over your face, but you
10 guys, Big Brother to the whole world, but to
11 (inaudible) because every culture that came into
12 power they lost their power because no one
13 (inaudible).
14 (Applause)
15 MS. GASMAN: My name is Renada Gasman
16 (phonetic). I had the privilege to live in Pohakuloa
17 Mauna Kea State Park from 1984 to 1986. I came from
18 Berlin with a specialty degree of bird diseases and
19 together with my ex-husband we would raise endangered
20 species at that time the Alala, the Hawaiian goose,
21 the Nene, and the Hawaiian duck. And in this two
22 years we had no knowledge that anything was put out
23 like uranium, but we had several instances when we
24 came out in the morning there would be dead birds in
25 the open air on the ground. Hawaii had barely any

1 facilities -- Hawaii didn't have even a toxicology
2 facility when we had die offs of owls, which is not
3 connected to you guys. That was another issue.
4 But we -- my husband was a zoologist
5 with a Ph.D. made in Germany, I have a Ph.D. in
6 veterinary medicine and we both were very, very
7 astonished how come the bird which when they die go
8 in hiding. If a bird is not intoxicated or
9 succumbing to any accident, it's not dying in the
10 open. And we would find these birds, and we were
11 like what is this? Yeah. I mean, we weren't that
12 smart at that time what it could be, because we were
13 new. We had so many other things to do. We left
14 Pohakuloa on behalf of my ex-husband, because we had
15 only eight Hawaiian crows left in the cages. That
16 meant four breeding pairs and from those eight crows,
17 four were naked. This was due probably to uranium,
18 but we cannot prove it yet -- or now because it's too
19 late but these crows were so stressed by the
20 military, the airplanes flew right over the crow
21 cages, would land beyond the crow cages. These wild
22 birds could not escape and so they were getting
23 neurotic like your macaw or like your Amazon in the
24 cage and they had no feathers left.
25 We then had meetings and meetings with

1 the military and they flew us up to Maui, put us in a
2 prison and we are like, okay, the East Germans never
3 come back. I mean, my husband was from Michigan.
4 Anyway, I was interested or I would be
5 very interested how you monitor the environmental
6 impacts and who is monitoring it and what -- I mean,
7 do you include birds? I only heard a little bit
8 about water and those things, but I really want to
9 make you aware that birds in the old days in Germany
10 were telling the miners when they would suffocate.
11 Birds have a totally -- when you have a teflon pan in
12 your kitchen and you overheat it and you have a
13 canary, it will die, because of the inhalation.
14 Birds have air sacks not only a lung and that is
15 several times smaller than having a lung as a
16 mammalian. So I wanted to make you aware, please
17 include the birds. There can be sparrows, which you
18 have in the Pohakuloa, a minor bird, but please do
19 this.
20 UNIDENTIFIED SPEAKER: Good point.
21 (Applause)
22 DAVID: Hi, my name is David. I would
23 just like one minute of your time. I think from
24 hearing everybody tonight I think it's a hands down
25 decision that we don't want any DU here. Is that

1 understood? Thank you.
2 MS. GOMES: We have one more minute.
3 MR. KAPAHUA: I'm Alva Kapahua, Jr.,
4 descendant of Keeaumoku and descendant of Kamehameha
5 I. I don't want you guys on my land. Striker, all
6 you guys get off. Okay, because Keeaumoku is my
7 family's land. Okay. You guys stay off my family's
8 land, because you have desecrated enough. I help you
9 guys desecrate -- I was in the Army for five years,
10 five and a half years. I know what you guys do and
11 what you made me do. You guys stay off my family's
12 land. That's all I get to tell you guys, because you
13 guys got nothing good come out of you guys. You guys
14 say you guys protect us. You guys not protecting us.
15 I don't see not one protection from you guys. So
16 stay off my family's land.
17 MS. GOMES: You know, a lot of you --
18 (Applause)
19 MS. GOMES: -- committed earlier to
20 helping to clean up and put things back, so I want to
21 like thank everybody for being here and turn it over
22 to Keith for any last minute comments. And then if
23 folks can help to put the tables back. Tables go
24 this way and the chairs are on both sides of the
25 table.

1 Keith is going to make his last
2 comments.
3 UNIDENTIFIED SPEAKER: Do you folks
4 have a decision on what you're going to do here?
5 MR. McCONNELL: Yes, and that usually
6 takes -- our process usually takes approximately a
7 year.
8 UNIDENTIFIED SPEAKER: What do you
9 think? What do you feel personally on what your
10 decision is going to be?
11 MR. McCONNELL: I think our decision
12 is yet to be made.
13 UNIDENTIFIED SPEAKER: Yet to be made.
14 MR. McCONNELL: We have to weigh all
15 the facts.
16 UNIDENTIFIED SPEAKER: You're not
17 telling me anything.
18 UNIDENTIFIED SPEAKER: You make
19 another war.
20 UNIDENTIFIED SPEAKER: When you guys
21 go and have your community meetings in Fort Worth,
22 Texas, and there are a bunch of others listed, are
23 they as angry as we are? I mean, honestly do they
24 have the same amount of public outcry?
25 MR. McCONNELL: I think we see similar

1 passion -- the meeting is breaking down and I think
2 we do have to get out of here, but what I'll say is I
3 want to thank you for coming out. Your concerns are
4 obviously heartfelt and sincere. So thank you again.
5 Good night.
6 (Meeting concluded at 8:43 p.m.)
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STATE OF HAWAII)
COUNTY OF HONOLULU)

I, Nancy P. Blankenship, Certified Shorthand Reporter, in and for the State of Hawaii, certify that the foregoing proceedings were reported stenographically by me at the time and place indicated.

Given under my hand on this 18th day of September, 2009.

Nancy P. Blankenship, CSR #459