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NUCLEAR REGULATORY COMMISSION

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Public Meeting RE Draft EIS

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1 UNITED STATES OF AMERICA
2 NUCLEAR REGULATORY COMMISSION

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4 PUBLIC MEETING FOR PUBLIC COMMENT ON THE DRAFT
5 ENVIRONMENTAL IMPACT STATEMENT (EIS) FOR THE PROPOSED
6 EAGLE ROCK ENRICHMENT FACILITY IN BONNEVILLE COUNTY,
7 IDAHO

8 + + + + +

9 THURSDAY, AUGUST 12, 2010

10 The public meeting commenced at 7:30 p.m.,
11 Mountain Daylight Time, at the Red Lion Hotel on the
12 Falls Convention Center, 475 River Parkway, Idaho
13 Falls, ID, Richard Barkley, facilitator, presiding.

14 PRESENT FROM THE NRC:

15 RICHARD BARKLEY

16 DIANA DIAZ-TORO

17 HARRY FELSHER

18 THOMAS HILTZ

19 JOEY LEDFORD

20 MAURI LEMONCELLI

21 STEPHEN LEMONT

22 ASIMIOS MALLIAKOS

23 TARSHA MOON

24 DAVID SKEEN

25 JENNY WEIL

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P R O C E E D I N G S

(7:30 p.m.)

1
2
3 MR. BARKLEY: Good evening. Could I have
4 everyone try to take a seat and we'll get the meeting
5 started here in about one minute. Okay. Good
6 evening. Can you hear me okay in the back? Okay.
7 Great. No? How are we doing with volume with our
8 sound man? Try to come forward if you can, along to
9 the seats on either side. It sounds muffled? Okay.
10 We'll check with the sound people here. In the
11 interim, I'll try to move up a little bit, see if that
12 helps. All right. Can you hear me any better now?
13 We'll wait until our sound man gets started. Is this
14 any better? Okay, it sounds a little louder to me.
15 Please contact me if you can't hear, and we'll see if
16 we can make even further adjustments as the evening
17 goes on. But, clearly, if you can't hear me, and
18 you're a speaker you're going to have to speak very
19 closely into the microphone. Okay? Thanks very much.

20 My name is Richard Barkley. I'm a meeting
21 facilitator for this meeting, so I'm helping to make
22 sure that this meeting goes smoothly, that all
23 opinions are heard, that we have everyone who wants to
24 speak called up as best we can tonight. We have an
25 enormous turnout tonight, and I really appreciate all

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1 of you showing up at this meeting. The staff puts a
2 lot of effort in preparing for these meetings, and
3 it's great to see such a big turnout. So, because of
4 that, we have a very large number of people who want
5 to speak, over 40 people right now.

6 If you want to speak, please sign up out
7 at the front on a sign-up card. What I would ask is
8 that you allot your remarks to be modest in time,
9 between three and five minutes. In Boise everyone was
10 great, everyone held their remarks to less than five
11 minutes. The average remark was about three minutes
12 in length, just as a barometer.

13 In the way of the order in which speakers
14 are called, I'm going to call several elected
15 officials first, followed by members of the public,
16 followed by elected officials, and so on, as we go
17 through. What I'm trying to do is have a mix of
18 individuals so that all individual opinions, as well
19 as organizational opinions are heard. And I'll be
20 trying to call the people who did not speak in Boise
21 up earlier than the folks who did speak in Boise. So,
22 there are several people who did speak in Boise on
23 Monday evening, that we call later in the meeting.

24 I would ask that you not interrupt the
25 speaker while they are speaking. People in the

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1 audience in Boise were very, very respectful. I trust
2 that will happen here in Idaho Falls. And a little
3 formality, I would ask that you turn these things off
4 so we don't hear cell phones ringing in the middle of
5 the meeting.

6 Again, as we adjust the sound on the
7 microphones, I would ask that you speak clearly into
8 the microphone, and speak loudly so everyone in the
9 audience can hear you. The other thing is this
10 meeting is being transcribed, so the court reporter in
11 the corner here must be able to hear you clearly so he
12 can transcribe the meeting later.

13 I do not expect that we'll have any
14 disruptive behaviors this evening. However, if there
15 are, I will work to try to deal with those issues, and
16 I trust that we'll not have any difficulties at the
17 meeting this evening.

18 You're providing verbal comments this
19 evening. You can also provide comments in writing
20 this evening. You can also provide comments in
21 writing after this meeting up to a deadline of, I
22 believe, September 13th. If you have any questions
23 regarding the conduct of this meeting, regarding how I
24 am calling individuals this evening, please come over
25 and see me. I had an individual come and talk with me

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1 in Boise because of questions regarding how I had
2 people called in order. It is quite the challenge to
3 try to arrange the calling order of over 40 individual
4 speakers. Some of you did not identify what
5 organization you're with, or what city you're with, so
6 I'm trying to call people in an order that shows
7 fairness and impartiality to all of you.

8 With that, I'd like to turn it over to
9 Dave Skeen. And one last item, though, I would bring
10 up, I was asked to do, if you have any drinks with
11 you, I would ask that you finish them. I know the bar
12 was close by. Some people brought drinks into the
13 meeting, and we would appreciate if you're not
14 drinking alcoholic beverages during the meeting.
15 Thank you.

16 MR. SKEEN: Well, thanks, Rich. I
17 appreciate you being here to facilitate this meeting
18 for us. Good evening, and welcome to everyone here in
19 Idaho Falls. As Rich said, I'm Dave Skeen. I'm the
20 Deputy Director of the Division of Waste Management
21 and Environmental Protection at the NRC, and we've
22 brought several of our folks here tonight to hear
23 comments from interested stakeholders. So, we've
24 traveled to Idaho Falls this evening to hear your
25 comments associated with our Draft Environment Impact

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1 Statement for the proposed Eagle Rock uranium
2 enrichment facility to be built near Idaho Falls.
3 We've come because we want to hear from people in the
4 Idaho Falls area who may be most directly affected by
5 the environmental impacts associated with this
6 proposed facility.

7 A few days ago, we conducted a similar
8 public meeting in Boise to gather comments from people
9 in the Boise area who believe the environmental
10 impacts of the proposed facility may, potentially,
11 affect stakeholders beyond the Idaho Falls area. We
12 also received comments from some people from Idaho
13 Falls and other areas of the state who made the
14 journey over to Boise to provide comments at that
15 meeting. The comments we received at that meeting were
16 very helpful, and we look forward to a similar outcome
17 here this evening.

18 We would like to hear from all interested
19 stakeholders in attendance at this meeting who wish to
20 provide comments on our Draft Environmental Impact
21 Statement. Our goal is to hear from as many
22 potentially affected stakeholders as we can before we
23 prepare our final Environmental Impact Statement.

24 We welcome your comments, and I can assure
25 you that we take each and every comment from all of

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1 our stakeholders very seriously. The NRC's job is to
2 protect the public health and safety, and the
3 environment by thoroughly reviewing each licensing
4 application that is submitted to us before we decide
5 whether to grant a license, and the application for
6 the proposed Eagle Rock facility will be no exception.

7 Now, I understand that there are
8 stakeholders here who may oppose the building of this
9 facility, as well as those who may support it. I want
10 to assure you that we want to hear from all interested
11 stakeholders this evening. I will remind you, though,
12 that the purpose of this meeting is to gather comments
13 on our Draft Environmental Impact Statement. We want
14 to know if there is any information that we may not
15 have considered, or environmental areas that we may
16 need to analyze further as we develop our final EIS.
17 So, with that, let me start with our objectives.

18 I want to touch on the objectives first,
19 and then I'll briefly discuss our regulatory roles and
20 responsibilities. Then Tom Hiltz, who is our Branch
21 Chief responsible for the development of the Safety
22 Evaluation Report, will provide an overview of our
23 licensing process. After that, Steve Lemont, who is
24 our Senior Project Manager, who's overseeing the
25 environmental review. will then provide a summary of

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1 our preliminary findings in the Draft EIS.

2 We hope to do all of this in about 30
3 minutes or so, and then turn the meeting back over to
4 Rich so that he can facilitate the public comment
5 portion of the meeting for the bulk of the time we
6 have here tonight.

7 So, in the Energy Reorganization Act of
8 1974, Congress created the NRC and the Department of
9 Energy by splitting up the Atomic Energy Commission
10 that had been established in 1954 by the Atomic Energy
11 Act. The goal was for the NRC to be an independent
12 agency to regulate all commercial uses of nuclear
13 materials, while DOE continued to oversee the military
14 uses of nuclear material, and also retained the
15 function of promoting the use of nuclear energy in the
16 United States.

17 The NRC's mission is to regulate the
18 civilian use of byproduct, source, and special nuclear
19 materials to protect public health and safety, and the
20 environment, and to promote the common defense and
21 security of the United States.

22 Our regulatory responsibility. The NRC's
23 scope of authority is to regulate 104 commercial
24 nuclear power plants, 35 test and research reactors,
25 11 nuclear fuel cycle facilities, 5 uranium recovery

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1 licensees, over 22,000 licensees for medical,
2 academic, and industrial uses, as well as the
3 decommissioning of these facilities and the sites, and
4 the transport, storage, and disposal of commercial
5 radioactive materials and wastes. In addition, we
6 also have the responsibility for physical security of
7 nuclear material to protect it from sabotage or
8 attacks.

9 So, I mentioned stakeholders before, and
10 who are the NRC stakeholders? Well, as you can see,
11 it's quite a list. Our dialogue with stakeholders is
12 critical to assure that we develop a high quality
13 Environmental Impact Statement. The NRC is actively
14 engaged with a vast array of stakeholders who have an
15 interest in NRC's activities. It goes from individual
16 members of the public, such as you here tonight, all
17 the way to Congress.

18 We're interested in hearing from all of
19 our stakeholders before we make a licensing decision.

20 And tonight, the most important stakeholders are in
21 this room. We are here with open ears, and open minds
22 to listen to what you have to say about our Draft
23 Environmental Impact Statement, and look forward to
24 hearing from you.

25 With that, I will turn it over to Tom

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1 Hiltz and Steve Lemont so that they can briefly
2 describe the NRC's licensing process, and explain the
3 preliminary findings in our Draft EIS.

4 Again, I want to thank all of you in
5 advance for the comments that we'll receive here
6 tonight, and I want to thank you for the interest in
7 NRC's licensing activities. Thank you.

8 MR. HILTZ: Thank you, Dave. And let me
9 join in welcoming you, and thanking you for coming out
10 to participate in the process. You really are -- is
11 this better?

12 First of all, let me thank you all for
13 coming out tonight. As Dave indicated, your input is
14 a very important part, an essential part of our
15 process as we consider finalizing the Environmental
16 Impact Statement, and ultimately reaching a decision
17 on the proposed Eagle Rock facility. So, thank you
18 for taking the time to come out this evening to
19 participate in the process.

20 As many of you know(?), AREVA Enrichment
21 Services has proposed an enrichment facility using gas
22 centrifuge technology to be located about 20 miles
23 west of Idaho Falls. NRC has the authority to review
24 the design, license, construction, operation, and
25 ultimately the decommissioning of the facility.

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1 In the phase that we're in now where we're
2 reviewing the license application, we make sure that
3 AREVA will meet all applicable safety and
4 environmental regulations before we'll consider
5 issuing a license. The NRC staff will use a Standard
6 Review Plan to ensure that the applicant's application
7 meets safety requirements, and that the proposed
8 activities will not adversely effect the environment.

9 In this diagram, it shows the two main
10 paths of our review of the license application. Both
11 of these reviews, both the safety review and the
12 environmental review, are currently underway. The
13 trigger for this was the application submittal in
14 December of 2008, when AREVA submitted to the NRC its
15 application for the proposed Eagle Rock facility.

16 On the top part of that diagram, the
17 safety review, we're currently in the process of
18 completing the safety review, and hope to issue what
19 is called a Final Safety Evaluation Report by the end
20 of this month. The bottom portion of the diagram
21 pictorially describes our environmental review
22 process. And, as you know, we issued the Draft
23 Environmental Impact Statement in July, and we're in
24 the public comment period on that Draft Environmental
25 Impact Statement.

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1 A hearing before an Atomic Safety and
2 Licensing Board is required for uranium enrichment
3 facilities per our regulation, and that's depicted by
4 the middle part. And I'll provide some additional
5 information about that process.

6 So, where are we with the review? We
7 completed a scoping meeting in June of 2009, as part
8 of the environmental review in Idaho Falls. In July
9 of 2009, a Notice of Opportunity for Hearing was
10 published to notify the public of the mandatory
11 hearing process, as well as an opportunity to petition
12 to intervene to contest the license application. No
13 petition to intervene was submitted; therefore, the
14 hearing planned -- there will be no hearing planned
15 on any contested issues.

16 As part of the process, the staff reviews
17 the license application, and prepares Requests for
18 Additional Information. AREVA responds to those
19 Requests for Additional Information, and the staff
20 considers those responses in developing the final
21 Safety Evaluation Report, and in developing the Draft
22 Environmental Impact Statement.

23 As I mentioned, a mandatory hearing will
24 be held to evaluate the staff's review of the
25 application. In March of this year, the Atomic Safety

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1 and Licensing Board was established to preside over
2 the uncontested mandatory hearing.

3 Future activities. I mentioned that we do
4 plan to issue the final Safety Evaluation Report by
5 the end of this month. The Final Environmental Impact
6 Statement is scheduled to be issued in February of
7 2011. A mandatory hearing is scheduled -- will be
8 scheduled to be conducted. The Atomic Safety and
9 Licensing Board will specify the actual date and more
10 details associated with the hearing, but our
11 understanding, based on what we know now, is that it
12 will be a split hearing. One part of the hearing will
13 be on the final Safety Evaluation Report, another
14 hearing will be on the Environmental Impact Statement,
15 and both those hearings will be held in the Idaho
16 Falls area. And we anticipate reaching a final
17 decision on the license application on or before
18 January of 2012.

19 And with that, I'll turn it over to Steve
20 Lemont. Steve is the Project Manager for the
21 environmental review. Thank you.

22 MR. LEMONT: Well, folks, again, I'm Steve
23 Lemont. I'm the Project Manager for the Environmental
24 Impact Statement. Again, I want to welcome you all
25 here, and glad to see such a great turnout, and that

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1 means we're going to get a lot of great comments
2 tonight on the Draft EIS.

3 For my part of the presentation, I'm going
4 to summarize the contents of the Draft Environmental
5 Impact Statement, not an easy task to do. If you've
6 seen that document, it's some 660 pages long, so I'm
7 going to try to condense that all into maybe 10
8 minutes or so.

9 These are the main chapters of the Draft
10 EIS, and this type of organization is fairly typical
11 of most EISs that you would see prepared by other
12 federal agencies. In Chapter One, the Introduction,
13 we start out by discussing the proposed action.
14 That's what AREVA proposes to do, or its desired
15 outcome or goal for which an NRC license is required.

16 And I'm going to go into a little more detail later
17 on exactly what the proposed action is in this
18 particular case.

19 Another major issue that we discuss in the
20 introduction in the purpose is the purpose and need;
21 that is, why is the proposed action, or the AREVA
22 project needed? In Chapter Two, the alternatives
23 section, we describe alternatives that could
24 accomplish the purpose and need, and do a comparison
25 of the potential environmental impacts of selected

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1 alternatives with those of the proposed action.

2 In Chapter Three, Affected Environment, we
3 describe the baseline environmental conditions; that
4 is, what are the environmental conditions at the time
5 the license application was submitted to the NRC,
6 which was initially in December of 2008.

7 In Chapter Four, we actually discuss all
8 of the potential environmental impacts of the proposed
9 action. Chapter Five, Mitigation, identifies the
10 proposed measures that could reduce potential adverse
11 impacts to the environment; for example, dust control
12 measures during construction. Chapter Six discusses
13 the environmental measurement and monitoring programs.

14 These are the major components of AREVA's programs to
15 monitor the releases of constituents to the
16 environment, to ensure that they comply with all
17 applicable federal, state, and local regulations,
18 aside from any requirements that NRC has, well,
19 actually, in addition to. It covers everything. And
20 in Chapter Seven, we do the Benefit Cost Analysis,
21 which describes the major benefits and costs of the
22 project.

23 This slide shows the location of the
24 proposed Eagle Rock Enrichment Facility, or we call
25 the proposed EREF, E-R-E-F. Right in the middle

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1 there, the slide shows the major highways in the area,
2 some major features. The site is located
3 approximately 20 miles west of Idaho Falls. The Idaho
4 National Laboratory is located to the west of the
5 proposed site, and the Fort Hall Reservation is
6 located to the south of the proposed site. And the
7 site, itself, will be located on the north side of
8 U.S. Highway 20.

9 This slide summarizes the components of
10 the NRC environmental review process. This is the
11 process we use for all of our environmental reviews,
12 and for the preparation of all of our Environmental
13 Impact Statements. We initially received AREVA's
14 license application in December 2008, and then they
15 submitted a revised application in April of 2009. We
16 perform an Acceptance Review to make sure that the
17 application, including AREVA's environmental report,
18 meets all of the NRC requirements, and provides enough
19 information for NRC to proceed with its environmental
20 review.

21 If we accept the environmental report,
22 which we did in this case, then we initiate the
23 environmental review, and the EIS process by issuing a
24 Federal Register Notice of Intent to prepare an
25 Environmental Impact Statement and conduct scoping.

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1 And that notice was published in the Federal Register
2 in May of 2009.

3 That initiates the scoping process. We
4 were here in June of 2009 to have a public scoping
5 meeting, and we had a public scoping period, during
6 which we accepted comments from the public that helped
7 us understand what were the important issues that we
8 needed to address in the Environmental Impact
9 Statement, what was important information that we
10 could use in the Environmental Impact Statement.

11 At that time, we also engaged various
12 consulting agencies. These would be federal, state,
13 and local agencies, who would also be able to provide
14 us with information; for example, those would include
15 the Idaho State Historic? Preservation Office, and the
16 U.S. Fish and Wildlife Service. So, with the
17 information we obtained from scoping, the information
18 we obtained from those agencies, information we
19 obtained from our own data collection, and information
20 that was provided to us by AREVA, which we reviewed
21 and independently verified, we were able to analyze
22 and compile all that data to allow us to identify and
23 analyze environmental impacts. And then that led us
24 to the issuance of the Draft EIS for public comment.

25 The draft was officially issued on July

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1 23rd, 2010, and that was done by a Notice of
2 Availability that was published on that date by the
3 Environmental Protection Agency in the Federal
4 Register. It initiated the public comment period.
5 That public comment period ends on September 13th of
6 2010. And part of that public comment period is the
7 public meetings we've had on Monday in Boise, tonight
8 here, and the purpose of the public comment period,
9 as is the purpose of this meeting, is to accept
10 comments on the Draft EIS here. We can take them
11 either orally, or in written form. During the rest of
12 the time, we would accept comments in written form.
13 And I'll talk later about how you can provide comments
14 after this meeting.

15 When we get all the comments, we're going
16 to look at them all, we're going to consider each and
17 every one of them. The NRC staff will consider each
18 and every one of them in determining how to revise the
19 Draft EIS. We'll look for things we missed, if we
20 made any mistakes, omissions, any things like that.
21 And we'll use all that information in issuing the
22 final EIS, which is currently scheduled to be issued
23 in February of 2011. And then following that, as Tom
24 Hiltz pointed out, there's going to be a mandatory
25 hearing process. And then by January 2012, the

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1 licensing decision by the Commission.

2 I talked earlier about the proposed
3 action, and I want to go into it a little bit more, as
4 to what we mean by that. The proposed action,
5 specifically, for this project is to construct,
6 operate, and decommission a uranium enrichment
7 facility near Idaho Falls in Bonneville County, Idaho.

8 It's going to be located, or it is proposed to be
9 located on approximately 460 acre parcel of a larger
10 4,200 acre parcel that AREVA would purchase from a
11 single private land owner. And that 4,200 acre parcel
12 is currently used for native range land, for seeded
13 pasture, and for crop land.

14 The proposed facility would enrich uranium
15 for use as commercial nuclear fuel, meaning that it
16 would be used by nuclear power plants to generate
17 electricity. The proposed facility would use a gas
18 centrifuge process to enrich uranium to up to 5
19 percent uranium-235 by weight. And that's what's
20 known in the NRC as low enriched uranium.

21 I also mentioned that a key component of
22 Chapter One is the Purpose and Need. And in this
23 particular case, the proposed action is intended to
24 fulfill the need for an additional and economical
25 domestic source of enriched uranium. It would supply

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1 enriched uranium for nuclear fuel to commercial
2 nuclear power plants to fulfill national energy
3 requirements, and also another need would be to
4 provide a domestic supply of enriched uranium for
5 national energy security by eliminating dependence
6 that we currently have on foreign sources.

7 In Chapter Two of the Draft EIS, we did an
8 analysis of alternatives to the proposed action. There
9 were a number of alternatives that we considered, but
10 which were eliminated for various reasons from further
11 analysis. Those included alternative sites; that is,
12 sites other than the one located in Bonneville County.

13 We looked at alternative sources of low enriched
14 uranium, and we also looked at alternative uranium
15 enrichment technologies.

16 I mentioned earlier that the alternatives
17 that are considered in the Draft EIS are those that
18 fulfill the purpose and need of the project, but
19 there's one exception to that, and that's in the last
20 bullet where we show the "No Action Alternative." The
21 Council of Environmental Quality is a group that
22 provides the regulations that govern the
23 implementation of the National Environmental Policy
24 Act, or NEPA, under which the NRC's Draft
25 Environmental Impact Statement was prepared. And

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1 these regulations mandate that the No Action
2 Alternative should also be considered in the Draft
3 EIS, whether or not it meets the purpose and need.

4 Under the No Action Alternative,
5 obviously, the proposed action would not take place,
6 so this serves as a baseline for comparing
7 alternatives. So, in the Draft EIS, the potential
8 environmental impacts of the proposed action are
9 compared with those of the No Action Alternative.

10 In Chapter Four, we go into great detail
11 in discussing the environmental impacts of the
12 proposed action. And before I summarize what those
13 are, I sort of want to put things into perspective for
14 you. The NRC defines three impacts level, small,
15 moderate, and large. If the effects on a resource is
16 very minor, then we -- or not at all -- we consider
17 that impact level to be small. If the effect
18 noticeably alters important attributes of a resource,
19 then we consider that impact to be of a moderate
20 level. And if the effect destabilizes important
21 attributes of a resource, then we consider those
22 impacts to be large. So, in the Draft Environmental
23 Impact Statement, for each of the environmental
24 resource areas, and by those I mean things like water
25 resources, ecology, and many others that I'm going to

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1 show you a little later, the NRC's analyzed the
2 potential environmental impacts and assigned levels of
3 significance: small, moderate, or large.

4 I talked about the resource areas. We
5 looked at about a dozen or so resource areas in the
6 EIS. This pretty much covers all of the environmental
7 areas that one might consider. Again, this is fairly
8 typical for most EISs that are prepared by the NRC and
9 other agencies. And if you've looked at, or will look
10 at the Draft EIS, you'll see that there are
11 subsections for each of these resource areas. So, for
12 each of the resource areas, the Draft EIS addresses
13 the potential environmental impacts of construction,
14 of operation, and of decommissioning of the proposed
15 uranium enrichment facility.

16 What I'd like to do now is to briefly
17 summarize the Draft Environmental Impacts that are in
18 Chapter Four. The NRC staff has preliminarily
19 determined that the environmental impacts of the
20 proposed action would be mostly small; however, there
21 are a few exceptions to that. There would be small to
22 moderate impacts related to increased localized
23 traffic density, primarily from commuting workers on
24 U.S. Highway 20. There would be a moderate impact on
25 a historical resource, which is called the John

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1 Leopard Homestead. This is a resource that's on the
2 site, and that impact is associated with ground
3 disturbance in the area of that site, but with
4 mitigation by professional excavation, the impact to
5 that site would be considered moderate.

6 There would also be moderate impacts on
7 visual and scenic resources in the immediate area due
8 to contrast of facility structures with the
9 surrounding visual environment. There would be
10 moderate impacts on on-site vegetation and wildlife,
11 primarily due to the removal of sagebrush steppe and
12 pasture vegetation within the roughly 460-acre area
13 that the EREF site would cover.

14 And then, finally, there would be only
15 short-term and intermittent moderate to large impacts
16 in the vicinity of the project that would be
17 associated with fugitive dust released to the air
18 during the ground disturbing activities; for example,
19 during site clearing and grading.

20 So, all this led us to some preliminary
21 conclusions. The NRC staff has preliminarily
22 concluded that the overall benefits of the proposed
23 action outweigh the environmental disadvantages and
24 costs. And that's based on two factors, the need for
25 an additional economical domestic source of uranium

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1 enrichment services, and then, also, the fact that the
2 environmental impacts are mostly small, except for the
3 small to moderate, moderate, and moderate to large
4 localized and sometimes shorter intermittent impacts
5 that I identified on the previous slides.

6 The NRC staff makes a preliminary
7 recommendation in the Draft EIS, and that is that we
8 preliminarily recommend that unless safety issues
9 mandate otherwise, the proposed license be issued to
10 AREVA. In this regard, the NRC staff has concluded
11 that the environmental impacts are mostly small, and
12 taken in combination with AREVA's environmental
13 monitoring programs and mitigation measures, those
14 would eliminate or substantially lessen any potential
15 adverse environmental impacts associated with the
16 proposed action.

17 Some of you may have already gotten hold
18 of the Draft EIS, or have read it, or are avidly
19 reading it. If you haven't done so, if you're not
20 sure of how to get it, this slide gives you a number
21 of options. If you happen to be visiting us in the
22 Washington area sometime this summer in Rockville,
23 Maryland, you can access it in NRC's public document
24 room. My guess is most of you won't be coming there,
25 so there are two ways you can access it

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1 electronically. One way is through the NRC's Agency-
2 wide Documents Access and Management System, what we
3 call ADAMS. There is a web link to that here, and
4 when you get to that web link, you have to enter
5 what's known as an Accession Number. That's this
6 number that starts with ML101, and you've had to enter
7 that number and sort of like click go, or search, and
8 it would bring you to that document. You could also
9 go, in the third bullet, to a link that will take you
10 directly to the document. So, that's another way to
11 go, probably even a bit of an easier way to go than
12 going through ADAMS. And, finally, right here in your
13 town we have copies of the Draft EIS, as well as other
14 information on the project, available at the Idaho
15 Falls Public Library.

16 There's also a lot of other information
17 available on the site, and on the project, and on
18 environmental issues besides what's in the Draft EIS.

19 I don't know how many of you have seen it, but the
20 NRC maintains a public website for the AREVA project,
21 and the first bullet has a link to that. You can find
22 the Draft EIS in there, too. But you could also find
23 a lot of other information; for example, the
24 environmental report that I mentioned earlier, as Tom
25 mentioned, Request for Additional Information, AREVA's

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1 response to those, a whole slew of stuff.

2 There's also a Federal Rulemaking web
3 site, and I give you the link to that. And if you
4 enter Docket ID NRC-2009-0187, it'll bring you again
5 to the Draft EIS, and also to other information
6 available on the project. I'll tell you that I've
7 looked at that, and probably going to the first
8 bullet, Project website, is going to give you a whole
9 lot more information. And then you can contact us
10 directly. You can call me at any time, or contact me
11 by email, and my phone number and email address are
12 here, or if you have questions about the licensing and
13 safety review, you can contact the Project Manager for
14 that. Her name is Breeda Reilly, and her phone number
15 and email address are listed here, as well.

16 And that brings me to my last slide, which
17 really is one of the most important, which is the
18 whole purpose of this meeting, and that has to do with
19 commenting on the Draft EIS. And I want to tell you
20 now, how do you comment on the Draft EIS? Well, one
21 thing is, do it here. You're here, it's the here and
22 now. A lot of you have registered to speak. We're
23 really very anxious to hear your comments. All of
24 your comments are going to be transcribed. They're all
25 going to be considered in preparing the Final EIS. If

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1 anyone has written comments, if you haven't already
2 given it to one of us, please provide that to me, or
3 to one of the NRC staff, so that it gets to me,
4 because those will also go into our record and be
5 considered.

6 You also have until September 13th to
7 submit comments in writing. And you can do that in a
8 number of ways. You can send them by email to
9 EagleRock.EIS@nrc.gov. You can send them by regular
10 mail to the Chief, Rules Announcements and Directives
11 Branch, or you can fax them to the Rules Announcements
12 and Directives Branch. And, you know, I don't know
13 how many of you have picked up a copy of this
14 presentation, but this is, of course, in the
15 presentation copies, and if you don't have one, you
16 might want to pick one up before you leave, if you
17 want to have this information. And, again, as I
18 mentioned, the comment period ends on September 13th,
19 2010.

20 So, again, thank you all for coming to the
21 meeting this evening. We look forward to receiving
22 your comments tonight and through September 13th. And
23 now I'll turn the meeting back to Rich Barkley, who
24 will continue with the meeting. Thank you.

25 MR. BARKLEY: Okay, thank you. I'm glad

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1 everyone was able to find a seat, and also we've
2 improved the sound. We have scheduled on the agenda a
3 question and answer period. However, we have an
4 extensive number of speakers at this time. I'd like
5 to move right into the speakers, if there's no problem
6 with that, and call our first three elected officials
7 to speak. And, again, I have a considerable number of
8 people who have asked to speak, in excess of 45, so I
9 would greatly appreciate if you could keep your
10 remarks brief. And, as for speaking, there's two
11 separate locations you can speak from. Normally, I
12 would like people to speak from the central microphone
13 in the aisle here; however, there's some people who
14 like to speak from this podium. Either location is
15 fine with me, whatever you feel most comfortable with.

16 The first three people I'd like to call
17 are Leslie Huddleston, who will be speaking on behalf
18 of Senator Mike Crapo, then Amy Taylor who will be
19 speaking on behalf of Senator James Risch, and then,
20 finally, Representative Jeff Thompson who will
21 actually be making a statement on behalf of your
22 Governor. Leslie.

23 MS. HUDDLESTON: Good evening. Can you
24 hear? My name is Leslie Huddleston. Is that better?
25 My name is Leslie Huddleston, and I represent U.S.

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1 Senator Mike Crapo. He apologizes that he can't be
2 with us this evening, but he did send some comments
3 that I will read to you.

4 "Welcome to the NRC staff and attendees,
5 and welcome to my hometown of Idaho Falls. I am
6 encouraged by the number of individuals participating
7 in Monday's meeting in Boise, and I am confident there
8 will be a similar participation this evening. I thank
9 each of you for taking the time to be part of that
10 process. I invite you to become familiar with this
11 Draft Environmental Impact Statement document and its
12 scope, NRC's role in the process, as well as the role
13 of other federal, state, and local entities.

14 AREVA Enrichment Services submitted an
15 application to the U.S. Nuclear Regulatory Commission
16 for a license to construct, operate, and decommission
17 the proposed Eagle Rock Enrichment Facility. The
18 enrichment technology that AES plans to construct and
19 operate in Bonneville County has been demonstrated in
20 Europe, and the NRC has licensed an identical
21 enrichment plant here in the United States. Now, more
22 than ever, it is critical to develop secure,
23 economically feasible, and clean supplies of domestic
24 energy. EREF will supply America's existing operating
25 fleet of nuclear power reactors, and further augment

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1 the anticipated growth of new commercial nuclear power
2 generation here in the U.S.

3 Earlier, I welcomed you to my hometown. I
4 grew up in Idaho Falls. I married and raised my
5 family here. I am fortunate to still call Idaho Falls
6 my home. These decisions affect my family, my
7 friends, and my grandchildren. I am confident EREF
8 will meet the strong environmental and safety
9 standards enforced by the NRC, and other federal,
10 state, and local entities. The staff of the NRC have
11 consulted with Tribal, federal, state, and local
12 entities. They have considered the comments released
13 in the environmental review received during the public
14 scoping process. They have thoroughly reviewed the
15 report revisions and supplementary information
16 submitted by AES. I have confidence in the NRC to
17 analyze potential impacts of construction, operation,
18 and decommissioning of this proposed facility.

19 I strongly support the NRC's preliminary
20 recommendation that AREVA Enrichment Services be
21 issued a license to construct and operate the Eagle
22 Rock Enrichment Facility.

23 Thank you, Mike Crapo, United States
24 Senator, Idaho."

25 MR. BARKLEY: Thank you, Leslie.

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1 (Applause.)

2 MS. TAYLOR: My name is Amy Taylor. Can
3 you hear me? I'm the Regional Director for Senator
4 Risch here in Idaho Falls. He, also, cannot be here
5 tonight, but has sent a letter he asked me to read.

6 "As a U.S. Senator from Idaho, I have the
7 privilege of serving as the Ranking Member of the
8 Subcommittee on Energy. From that position, I have
9 seen firsthand the efforts this country is making to
10 formulate a forward-looking energy policy. Supporting
11 nuclear power, and its associated technologies, such
12 as enrichment, is one way to make our country more
13 energy secure.

14 Years of broken energy policy have led us
15 to become dependent on foreign sources of energy.
16 We've also lost out competitive edge in the nuclear
17 field, a field where the United States and Idaho once
18 led. This community knows what it takes to regain
19 that competitive edge, and once again place Idaho and
20 this nation at the pinnacle of the nuclear industry.

21 There is a growing recognition that
22 nuclear power is the most viable option to meet the
23 clean energy demands of the future. Demand for
24 enriched uranium is increasing in the United States
25 and across the world, to fuel clean nuclear power.

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1 This proposed facility will allow that need to be met
2 from domestic sources, while providing a much needed
3 economic boost to the entire region.

4 I am confident that the Nuclear Regulatory
5 Commission will address the safety and environmental
6 impacts from this proposed facility, while I also note
7 the centrifuge technology is proven, reliable, and
8 efficient. The process will use 50 times less
9 electricity than a gaseous diffusion plant, and the
10 amount of water used by the plant is less than the
11 current irrigation appropriation.

12 In closing, I support AREVA's application
13 for the Eagle Rock Enrichment Facility and recognize
14 the enormous positive impact they will have for our
15 country, state, and local citizens. Very truly yours,
16 James E. Risch, United States Senator."

17 (Applause.)

18 MR. BARKLEY: Thank you, Amy.

19 MR. THOMPSON: Can everyone hear? Good
20 evening. My name is Jeff Thompson, and I am the Idaho
21 State Representative for the City of Idaho Falls,
22 right here where we're located this evening.

23 Governor Butch Otter could not make it
24 tonight due to scheduling conflicts, and he also sent
25 a letter that he would like me to read, so we would

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1 have his comments, as well.

2 I'm here this evening on behalf of
3 Governor C.L. Butch Otter to provide his comments as
4 Governor, and a citizen of this great state. As such,
5 the Governor wants to state his support for the
6 proposed AREVA enrichment facility, Eagle Rock, which
7 will be built and operated outside of Idaho Falls.

8 AREVA is proposing to build a state-of-
9 the-art, technologically-proven, modern facility to
10 enrich uranium needed to operate the existing U.S.
11 fleet of 104 power reactors. AREVA's plant will
12 incorporate many unique features which have been
13 developed over three decades of experience with
14 centrifuge enrichment technology, AREVA's vast
15 experience and use of the surrounding environment and
16 regional communities, but there will remain, however,
17 many significant beneficial impacts. First, the Eagle
18 Rock project will provide a much-needed stabilizing
19 economic force in Idaho Falls, and the southeastern
20 Idaho region. Second, the facility will create much-
21 needed high-quality jobs for the dedicated workforce
22 in the area. Eagle Rock will create thousands of
23 construction and contractor jobs, and in 30 years of
24 operation, hundreds of long-term, high-end positions.
25 Third, Eagle Rock will help rebuild the nation's

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1 nuclear infrastructure, and enhance energy security
2 for all those who depend on nuclear power for their
3 health and welfare right here from Idaho.

4 Safety, integrity, professionalism, and
5 sustainability are demonstrated attributes that AREVA
6 embraces in all of its projects and operations, and
7 the Governor believes they'll bring no less to Idaho
8 Falls. AREVA has been easy to work with, and they are
9 as excited about coming to Idaho as we are to have
10 them locate their facility here.

11 As we look across the country today, there
12 are not many, if any, states or regions that can claim
13 proposed major energy construction projects or
14 facilities like the Eagle Rock Enrichment Facility.
15 While our projects are usually accompanied by some
16 environmental impacts, Governor Otter believes the end
17 result of this facility will be very positive for
18 Idaho and the country. Eagle Rock will provide much-
19 needed domestic production of enriched uranium for our
20 existing U.S. nuclear power fleet, which will help
21 enable U.S. utilities to move away from importing
22 nearly 90 percent of this important fuel product. So,
23 we welcome the NRC here to Idaho Falls this evening.

24 The Governor is sure you will hear a
25 cross-section of comments, but he suspects, based on

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1 his travels around this great state, that the majority
2 of Idahoans will tell you that they want and embrace
3 Eagle Rock and look forward to continuing to work with
4 AREVA in bringing this important project one step
5 closer to reality.

6 In conclusion, the Governor would strongly
7 encourage the Nuclear Regulatory Commission to move
8 forward expeditiously in the review and granting of a
9 license to AREVA so that this important facility can
10 begin construction next year. Thank you."

11 (Applause.)

12 MR. BARKLEY: Thank you, Representative
13 Thompson. It's my understanding you're going to come
14 back and make a presentation at a later time of your
15 own remarks.

16 I understand we have a large number of
17 people from the Mayor's Youth Advisory Committee, so I
18 believe you have one, or possibly two speakers from
19 that group, so I would like to call them now.

20 MS. GIONATTO: Hello, I'm Erica Gionatto,
21 and this is Andrew Stevenson, and we're here tonight
22 representing the Idaho Falls Mayor's Youth Advisory
23 Council. And at this time, we'd like all the youth to
24 stand up.

25 (Applause.)

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1 MS. GIONATTO: As some of you may know, we
2 took an interest from the beginning in the Eagle Rock
3 Enrichment Facility as a project that would benefit
4 the future generations of our community. We said as
5 much in December 2008 in the public hearing on the
6 project, where we voiced our support. Now at this
7 next hearing, we, again, have a few things we would
8 like to say.

9 MR. STEVENSON: We weren't without our
10 concerns originally on this project. As Erica
11 mentioned, the facility is obviously going to have a
12 significant impact on our community, and we were
13 concerned that some of these impacts could,
14 potentially, be negative, and so we wanted to find out
15 more about that. But in March of 2009, AREVA took us
16 to go see the Georges Besse II facility in France,
17 which is, essentially, the same thing they would be
18 building here, and while we were there, Erica actually
19 raised some of those concerns.

20 She touched briefly on the myriad
21 recreational activities that are available here, just
22 because of the pristine condition of our countryside,
23 and our desire to see those areas preserved. There
24 was also some concern about pollution, particularly in
25 the water supply due to accidental pollution, but when

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1 we raised those questions, AREVA showed us some of the
2 measures that they'd implemented to prevent such
3 spillage and pollution. And we have to say, we were
4 extremely impressed with it, even in cases of flood
5 and earthquake, and crazy natural disasters that are
6 never going to happen. It was extremely unlikely that
7 any waste was going to be spilled into the surrounding
8 area. An even greater reassurance came when we
9 visited with residents of Pierrelatte, a French town
10 in the area around the Tricastin site. They all live
11 relatively normal lives, and there were no real
12 noticeable effects from having that site on their
13 borders. Most of them actually said that they felt
14 that having the site there improved their general
15 lifestyles, so we were very comforted by that. Also
16 notable is the fact that the Tricastin site sits right
17 on a river, and yet in all the time that that facility
18 has been there, there have really never been any major
19 issues with water contamination there, and that also
20 eased our mind.

21 MS. GIONATTO: Now with the release of the
22 Environmental Impact Statement for the public comment,
23 our concerns about the impact on the surrounding area,
24 and whether this facility would affect the pristine
25 condition of Idaho's countryside, they have been

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1 allayed.

2 While we know the facility will affect the
3 surrounding area, we believe that these impacts will
4 be small, and have been, or will be mitigated. We
5 would like to take the opportunity to thank the NRC
6 for the work they have put into this statement, as it
7 is an integral part in making this project happen. We
8 also feel that it is an important tool in informing
9 citizens of what they can expect should this project
10 go forward, as we hope it does, and appreciate the
11 fact that it was made publicly available for review.

12 MR. STEVENSON: Because of the efforts
13 made by both the NRC and AREVA in this process, we
14 would like to, as a Council, voice our approval of the
15 Environmental Impact Statement in its current form and
16 urge the NRC to continue on to the next step in the
17 process of getting this project a reality. Thank you.

18 (Applause.)

19 MR. BARKLEY: Okay. Thank you. You are,
20 by far, the youngest speakers I've had at any public
21 meeting I facilitated. It's nice to see you here.

22 The next three people I'd like to call are
23 Greg Crockett of the Partnership for Science and
24 Technology, then Arjun Makhijani, and I believe he's
25 with the Snake River Alliance. And then, finally, a

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1 gentleman who did speak in Boise, but has a schedule
2 constraint and needs to speak earlier, so I'm going to
3 call Robb Chiles third. Go ahead.

4 MR. CROCKETT: Thank you. My name is Greg
5 Crockett. I am a local citizen and businessman. I
6 currently have the pleasure to serve as President of
7 the Partnership for Science and Technology.

8 Given that the Partnership for Science and
9 Technology was able to make an oral statement in Boise
10 on Monday, we have chosen tonight to submit our
11 additional comments, and our additional statements
12 subscribed by many of our members and supporters in
13 writing, so we would like to submit that at this time.

14 On behalf of myself, my family, and my
15 business, and as a lifetime resident of Idaho Falls, I
16 would like to make the following statement. While I
17 understand this is not a debate on nuclear energy
18 policy, the context in which decisions of this nature
19 are made must be considered and cannot be ignored.
20 Daily headlines demonstrate the devastating
21 environmental consequences of our heavy dependence on
22 petroleum fuels. Fires in Russia, floods in China and
23 Pakistan, and oppressive heat currently being
24 experienced within the continental United States
25 remind us continuously of the ever-increasing

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1 consequences of climate change.

2 It is time for the U.S. to change
3 directions in the interest of our energy future and
4 our national interest. It is time for the United
5 States to reassume a leadership role worldwide in
6 nuclear energy. Our national security interests
7 require that we have enrichment and fuel development
8 capabilities within our borders. I support the Draft
9 Environmental Impact Statement, which likewise
10 recognizes those demands.

11 Demand for nuclear fuel is, and will
12 dramatically increase in the future, and I think
13 that's demonstrated by the number of pending NRC
14 license applications. To suggest that the Eagle Rock
15 Enrichment Facility's production is not or will not be
16 necessary is pure folly. To meet our current demand
17 for enriched uranium, much of it is imported, and we
18 need robust domestic suppliers who can provide this
19 service in an environmentally compatible manner.

20 We trust AREVA. We trust that the
21 proposed Eagle Rock facility will provide this
22 valuable service to our nation. I support the Draft
23 Environmental Impact Statement, and recommend that it
24 be accepted, and that the license process proceed.
25 Thank you.

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1 (Applause.)

2 DR. MAKHIJANI: Thank you very much. I'm
3 Arjun Makhijani. I'm actually President of the
4 Institute for Energy and Environmental Research. I'm
5 not a -- I'm a member of the Snake River Alliance, and
6 many other groups all over the country, but I run my
7 own non-government organization in Maryland.

8 I wasn't going to say anything about
9 energy, just confine myself to the enrichment
10 facility, but I might mention that I did write a book,
11 not thinking that we could do without coal and
12 nuclear. But on a dare from the former chairman of
13 the Tennessee Valley Authority, David Freeman, who I
14 know quite well, to look into renewable energy, and I
15 wrote a book, "Carbon Free, Nuclear Free, Roadmap for
16 U.S. Energy Policy," which you can get free from our
17 website. It's been downloaded 400,000 times. And you
18 might also look up the Chairman of the U.S. Federal
19 Energy Regulatory Commission, who has said more than
20 once that in the age of the iPhone we may never need
21 another coal or nuclear power plant.

22 It's a point of view. It's not a given
23 that we have to do things in the way we've always done
24 them. But my main point today is to focus on this
25 Environmental Impact Statement. I've long studied the

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1 question of depleted uranium. Depleted uranium in
2 large amounts from enrichment plants is not covered by
3 any U.S. environmental rule. The NRC has ruled, as
4 stated in the EIS, that depleted uranium from
5 enrichment plants is low-level waste. However, the
6 low-level waste rule itself, the impacts of large
7 amounts of depleted uranium have not been considered
8 under the low-level waste rule. According to the rule
9 itself, and now according to the U.S. Nuclear
10 Regulatory Commission, which has admitted in October
11 of 2005, and in 2009 started a process of rulemaking
12 as to how and under what conditions disposal of
13 depleted uranium in large amounts from enrichment
14 plants should be carried out.

15 What does large amounts mean? Large means
16 more than small, and small has been defined as a few
17 metric tons. This facility will produce 300,000
18 metric tons, approximately, I did a rough addition
19 from the EIS. That is definitely very large amounts
20 of depleted uranium.

21 I want to read to you what the U.S.
22 National Academy has said about depleted uranium, and
23 its concentrations of radioactivity, which are much,
24 much higher than uranium ore. In fact, they're quite
25 a bit like the transuranic waste you have here in

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1 Idaho that the state government has insisted be sent
2 to the Waste Isolation Pilot Plant, and the National
3 Academy, in considering the question of depleted
4 uranium, also shares my own opinion of quite
5 longstanding, which has been presented to the NRC in
6 expert testimony on more than one occasion, that
7 depleted uranium is like the transuranic waste you
8 have here in Idaho, that you don't want in this state,
9 and that you're sending to New Mexico because it is
10 more than 100 nanocuries per gram of alpha emitting
11 long-lived radionuclides that grow in radioactivity
12 over time, because you get Thorium-230 and radium-226.

13 And it's many, many times more radioactive than
14 uranium ore, including its radium and thorium that is
15 present in uranium ore.

16 The Environmental Impact Statement does
17 not consider the impacts of depleted uranium disposal.

18 And, in my opinion, it does not conform to the NRC
19 regulations, 10 CFR Part 51.71, and it does not
20 conform to the regulations of the Council on
21 Environmental Quality, and it does not conform with
22 the National Environmental Policy Act. And I will
23 read it, but you can find on page 224 that they,
24 essentially, say, if the licensing requirements for
25 land disposal of depleted uranium can be met, then it

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1 be disposed of. However, every calculation of
2 disposal of large amounts of depleted uranium but one
3 that has been done has shown that disposal of large
4 amounts in shallow land burial would grossly violate
5 existing regulations by as much as 1,000 times over
6 the radiation dose limit or more, including official
7 calculations, except one done by the NRC in 2009,
8 which did not calculate doses according to the
9 regulation; that is, it did not calculate organ doses.

10 I won't detain you for long. I am going
11 to submit for the record the comments I have already
12 given the NRC, as an invitee of the NRC to the
13 deliberations on the rulemaking. And I will observe
14 that this particular EIS, the drafters of it have not
15 talked to their counterparts, or appear not to have
16 talked to their counterparts in the section of the NRC
17 that are actually currently engaged in making the rule
18 as to how the depleted uranium should be disposed of.

19 And the author of that paper, SECY 0187, by
20 coincidence, himself, said that calculating doses the
21 way he did for a million years in shallow land burial
22 was "silliness." And then the NRC moderator, like
23 you, said the other day that silliness is perhaps not
24 an appropriate regulatory term, but I take it in that
25 spirit. We could invent some other regulatory

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1 equivalent of silliness, but NRC's own invited
2 geochemist agreed that even calculating shallow land
3 burial doses for 10,000 years is not appropriate.
4 This stuff needs to be disposed of in deep disposal.
5 The cost of -- and I'm not saying do it, or don't do
6 it here -- I'm just commenting on the Environmental
7 Impact Statement, and what will be at risk, and what
8 taxpayers might have to do if a private corporation
9 unloads this DU under the Department of Energy, as it
10 can do by law, and it has said it might do. And the
11 Department of Energy takes it, and you're requiring
12 them to put two or two and a half billion dollars out,
13 and my estimate for what it would cost to dispose of
14 300,000 metric tons of depleted uranium is closer to
15 eight or ten billion dollars. So, who's going to pay
16 that? It's going to come -- everybody who is
17 complaining about the deficit should at least pay some
18 attention to the potential cost of this.

19 Finally, I would just remind you that
20 there needs to be a non-proliferation section in this.

21 The non-proliferation is dismissed by saying 5
22 percent uranium cannot be used to make weapons. This
23 is completely correct, of course. But it has been the
24 foreign policy of this country with respect to Iran
25 that a commercial enrichment plant has a proliferation

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1 risk, even though they say, rightly or wrongly, which
2 is a separate issue, that they're building a
3 commercial plant for commercial purposes. It's
4 different to build a commercial enrichment plant in a
5 weapon state that's got surplus highly enriched
6 uranium, completely different, but it has to be part
7 of your analysis. You can't say -- you can't
8 undermine U.S.-Foreign policy by saying 5 percent
9 enrichment plant is not a proliferation issue, because
10 you can't make weapons with 5 percent enrichment. You
11 change the valving arrangement in the enrichment
12 plant, you can make 90 percent enriched uranium. And
13 you know that, and I know that. You can't ignore this
14 very critical problem in your haste to give a license,
15 and undermine long-standing U.S. non-proliferation
16 policy.

17 Finally, I just want to make one point.
18 Alternatives are not considered. This is also not in
19 conformity with the National Environmental Policy Act.
20 You've eliminated alternative by fiat, saying we're
21 not going to have downblending of surplus HEU, but I
22 can tell you, simple calculation that the treaty that
23 the U.S. and Russia have signed, if that enriched
24 uranium on both sides is used, plus LES, plus
25 Portsmouth, plus a couple of years of operation of

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1 Paducah before it is shut down, will provide far more
2 enrichment services than the entire lifetime, so what
3 might happen here is, for the entire U.S. reactor
4 fleet, so you may be building a plant here that may
5 wind up only exporting enriched uranium, if there is a
6 market. Thank you.

7 (Applause.)

8 MR. BARKLEY: Thank you very much for
9 those comments.

10 MR. CHILES: Okay. Thank you very much.
11 I'll keep my comments brief, as I made comments on
12 Monday in Boise when I represented the State Chamber
13 of Commerce and the Eastern Idaho Coalition of
14 Chambers of Commerce, who make up the 11-county region
15 of impact for this statement.

16 Anyway, my name is Rob Chiles, and I'm the
17 President and CEO of the Greater Idaho Falls Chamber
18 of Commerce. Our organization consists of over 850
19 businesses in the region of impact for this project.
20 We are a voluntary organization of individuals and
21 businesses that have joined together to advance the
22 commercial, financial, industrial, civic, and social
23 interests of the greater Idaho Falls area, and are
24 dedicated to improving the quality of life for all the
25 citizens in the area.

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1 and Wade Virgin of the Idaho Department of Labor.

2 MR. THOMPSON: Good evening, again.
3 There's a great number of people here, and it's good
4 to see everyone. As I said earlier, my name is Jeff
5 Thompson, and I'm a resident of Idaho Falls, as well
6 as a member of the Idaho House of Representatives. As
7 your Representative, I serve on the Business,
8 Education, and Health and Welfare Committees. It is
9 my goal to assure that the needs of our community, as
10 well as our great state, are being met. Thank you all
11 for attending tonight, and for listening to everyone's
12 concerns and questions.

13 It is obvious you have taken time to
14 address many of our concerns in the Safety Analysis
15 Report. We appreciate the commitment to protecting
16 the public's health and safety.

17 As an eastern Idahoan and Representative,
18 I'm excited to hear that we are looking for
19 sustainable energy solutions for our future, such as
20 those provided by AREVA. The demand for electricity
21 is becoming greater, and with this demand we're
22 beginning to see prices soar. Nuclear energy offers a
23 solution to our need for reliable energy sources now
24 and in the future.

25 It is estimated the local region will see

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1 more than \$5 billion in economic impact, and 5,000 in
2 direct and indirect jobs will be created throughout
3 the United States for this contract. Additionally,
4 the Eagle Rock plant will enrich uranium for use as
5 fuel for the nuclear reactors, which today accounts
6 for 20 percent of U.S. electricity.

7 I am pleased to give my support to AREVA,
8 and agree with the NRC recommendation to issue a
9 license to AREVA to construct and operate the Eagle
10 Rock Enrichment Facility. Thank you for this
11 opportunity to speak with you tonight. Thank you.

12 (Applause.)

13 MR. SIMPSON: Good evening. I'm
14 Representative Eric Simpson from Bonneville County,
15 and I'm also the founder of the National Nuclear
16 Caucus, a bipartisan organization of pro-nuclear
17 senators and state representatives from around the
18 country.

19 During an NRC scoping meeting in June 2009
20 on the proposed Eagle Rock Enrichment Facility, I made
21 the following statement. "I am all for open debate,
22 but let's make sure it's honest debate." With that,
23 I'd like to address some misconceptions I've read in
24 Idaho's newspapers, and read on the internet about
25 this project. First, financing.

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1 AREVA was recently awarded a \$2 billion
2 loan guarantee by the Department of Energy. First, a
3 federal loan guarantee is not a taxpayer loan. It is
4 not a bailout. A federal loan guarantee allows a
5 company like AREVA to secure a loan from a lender with
6 the credit backing of the United States Government.
7 This arrangement allows a company to secure a better
8 interest rate.

9 Second, waste. In the Sun Valley area, a
10 claim was made uranium will be stored in Idaho, or
11 depleted uranium will be stored in Idaho indefinitely,
12 and the storage of the material is a danger. Not
13 true. Depleted uranium is stored safely daily
14 throughout the United States without incident. In
15 fact, companies that store this product are required
16 to regularly monitor and inspect the waste containers.

17 Depleted uranium can be deconverted to remove the
18 fluoride for use by a multitude of industries.
19 International Isotopes, an Idaho Falls-based company,
20 is planning to construct a deconversion facility in
21 New Mexico. And it was announced today, Uranium
22 Disposition Services, LLC was recently selected to
23 conduct hot functional testing of a conversion plant
24 at Paducah, Kentucky, so there are plans for the waste
25 that will be generated by this facility.

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1 Transportation of radioactive materials.
2 Concern was raised in western Idaho over the
3 transportation of uranium hexafluoride and enriched
4 uranium across Idaho's highways. Radioactive
5 materials are already transported across Idaho several
6 times a week. In fact, Idaho National Laboratory
7 contractors have shipped more than 40,000 cubic meters
8 of low-level and transuranic waste safely across Idaho
9 to out-of-state facilities during the last decade.

10 Fire. It is my understanding that AREVA
11 is currently securing an agreement for fire protection
12 at the Eagle Rock Enrichment Facility. Although a
13 wildfire is something you have to plan for, it is by
14 no means a showstopper for this project.

15 Need for an enrichment facility. At the Boise
16 hearing that I attended on Monday, those opposed to
17 this project said there is no need for additional
18 uranium enrichment. They quoted a so-called expert
19 from the Vermont School of Law who said, "The nuclear
20 renaissance is dying."

21 Now, at my count, currently there are 468
22 nuclear power plants planned around the world,
23 including 26, give or take, in the United States.
24 This does not sound like a dying renaissance to me.
25 It is important the United States continue to be a

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1 world leader in nuclear power development and
2 research. The Eagle Rock Enrichment Facility and the
3 Idaho National Laboratory will help continue this
4 nuclear renaissance.

5 Risk. At the Boise hearing, those opposed
6 asked the NRC panel if they could guarantee there
7 would be no mishaps at the Eagle Rock Enrichment
8 Facility. I came to the conclusion that even if the
9 NRC could ensure the public there would be no problems
10 at the facility, those who are opposed to this project
11 would still be opposed. After all, it's nuclear.

12 Ralph Waldo Emerson said, "As soon as
13 there is life, there is risk." Thank God we live in a
14 country where people are still willing to take some
15 risks. I have great trust in those who have proposed
16 this facility, and have considered a multitude of
17 emergency situations, and have a plan for mitigation.

18 With that, I am in support of the Draft EIS, and
19 encourage the NRC to grant the license. Thank you.

20 (Applause.)

21 MR. BARKLEY: Thank you for that comment.

22 MR. VIRGIN: My name is Wade Virgin. I'm
23 the Manager of the Idaho Department of Labor here in
24 Idaho Falls. Earlier you heard a letter written by
25 Governor Angus, or Governor Otter, excuse me. Now I'm

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1 really in trouble.

2 (Laughter.)

3 MR. VIRGIN: I would like to add my
4 support to the Governor's comments earlier. For the
5 past 35 years, I have worked in various places
6 throughout the State of Idaho with the Idaho
7 Department of Labor, which as of late has become known
8 as the Unemployment Office because we have such
9 numbers of unemployed people throughout the state, and
10 throughout the nation.

11 As I've been in these different areas, I
12 have just been -- this is almost like a dream come
13 true with the AREVA plant planning to build here. For
14 many years, I worked in Economic Development, worked
15 in unemployment and employment circles, and it is --
16 it would just be a great boost to the local economy
17 if we were able to locate AREVA here in this area.

18 Here in the Idaho Falls area, the
19 unemployment rate in the past two years has increased
20 from 2.9 percent to near 7 percent. Statewide the
21 rate hovers near 9 percent, as does the national rate,
22 which is slightly over 9 percent. Now, this may not
23 seem like a large amount to many of you, but if you're
24 part of that 9 percent, it seems like a whole lot.

25 What would AREVA do? My understanding is,

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1 and I hope my figures are correct, it would bring 800
2 to 1,000 jobs to this area for construction, with
3 several hundred other jobs coming afterwards. I spent
4 some time not long ago on the internet, and looked at
5 some of their jobs, and how well they pay. There
6 would not only be jobs, there would be secondary jobs
7 that would be brought to this area.

8 I guess I can only say, and be brief in
9 saying it, but I fully support, in fact, I strongly
10 encourage the application be approved for AREVA
11 located here in the Idaho Falls area. Thank you.

12 (Applause.)

13 MR. BARKLEY: The next three people I
14 would like to call would be Lauren Walker, resident
15 farmer of the area, Mike Hart, and finally Steve
16 Herring. Welcome, Lauren, what are you growing?

17 MR. WALKER: Potatoes.

18 MR. BARKLEY: All right.

19 MR. WALKER: I represent Walker Land and
20 Cattle Company, its owners and associates. We farm
21 thousands and thousands of acres in this valley, and
22 some of those acres are neighbors to the proposed
23 site. We are supportive of the nuclear industry.
24 Though we are, ourselves, not employed by the
25 industry, we feel that the experience that we've had

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1 is absolutely compatible with the things that we do in
2 our industry.

3 We're supportive of bringing back
4 manufacturing to the United States. We've become a
5 service-oriented country. We need to start
6 manufacturing for ourselves. Our dependence on
7 foreign energy has taught us by sad experience that
8 it's time to bring our independence home. It's a win
9 for Idaho; it's a win for the United States of
10 America.

11 (Applause.)

12 MR. HART: I'm coming up here just because
13 I've got notes. It's easier to do notes from up here.

14 I am Mike Hart. I live in Idaho Falls. I also live
15 on the planet, and that's probably the main reason I'm
16 here tonight.

17 After listening to the testimony of
18 project opponents in Boise, I want to emphasize a few
19 points. First, my big concern is that while there are
20 some valid criticisms against this project, the main
21 focus of the testimony is not really constructive
22 criticism to improve the safety or design of the
23 plant, it's really -- or to mitigate the environmental
24 impact -- it's really opposition because they oppose
25 it, and opposition to the entire nuclear enterprise.

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1 And that doesn't mean we should dismiss their
2 arguments. I would urge the NRC to review their
3 testimony for the legitimate concerns, but also pay
4 attention to the procedural trip wires, because an EIS
5 is an important legal document. It has to be done
6 well, otherwise the proposal gets caught up in court.

7 So, please do your job, listen, and pay attention to
8 the procedural trip wires.

9 So, let's jump to some of the first ones.

10 One of the concerns was that there's project clearing
11 going on before the impact statement is done. NEPA
12 requires you're not supposed to have an irrevocable
13 commitment of resources. I don't believe the site
14 clearing counts as that, so as a result, I think the
15 project can continue forward without violating that
16 NEPA precept.

17 Also, they took exception with the cause
18 and need for action. I think there's most definitely a
19 need for this, because there's a need for carbon-free
20 energy. Throughout the world, I think we've seen that
21 global warming is a significant problem that we need to
22 be paying attention to, and there's also a demand for
23 growth in nuclear energy. There's a couple of facts I
24 want to point out why we need nuclear energy, why we
25 need this particular enrichment plant.

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1 Carbon dioxide reflects, or absorbs,
2 infrared energy that does not go back out to space.
3 It makes the planet warmer. That's simply a fact.
4 Carbon dioxide is a greenhouse gas. Levels of carbon
5 dioxide have gone from 288 parts per million in 1850
6 to 369 parts per million in the year 2000. It doesn't
7 matter where it comes from. That is a greenhouse gas
8 that is increasing in concentration. But I'll give
9 you a hint as to where it's coming from: fossil
10 energy. In 1990s, we annually contribute 6.3 gigatons
11 of carbon dioxide into the atmosphere through fossil
12 combustion. That's annual, 6.3 gigatons. The concern
13 about 300,000 metric tons, 300,000 tons of total waste
14 versus 6.3 gigatons in a single year, I view the
15 problem with carbon as much more significant than the
16 problem with depleted uranium.

17 So, what is a gigaton? Why is that a
18 concern? Well, 2.3 gigatons is one part per million
19 of carbon dioxide in the atmosphere. So, every year
20 we are steadily increasing carbon dioxide. So, yes,
21 global warming is occurring. Yes, it's our fault.
22 Yes, carbon puts more of that in the atmosphere, and I
23 think nuclear energy is a stopgap that will -- is
24 worth pursuing. So, yes, there is a need.

25 Energy demands are increasing worldwide.

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1 Currently, the population of the planet is about 4.5
2 billion. By 2050, that will double, and people are
3 not less energy consumptive. Populations like China
4 and India used to be in the Third World. They have
5 bought the second world, and they've placed a firm
6 down payment on the first one. So, energy consumption
7 will go up as the population goes up, so even if
8 nuclear energy just holds its own at 15 percent, there
9 will be a need for more nuclear plants, and that means
10 there will be a need for more enriched uranium.

11 With respect to proliferation, I am a
12 member, or I was a member, of the Global Freeze
13 Movement. I'm a member of Global Zero. I don't like
14 nuclear weapons. I have concerns about proliferation,
15 but not for this project. Uranium enrichment is going
16 to occur throughout the world because there will be
17 nuclear energy throughout the world. I would like to
18 see that enrichment occur in the United States, and I
19 think if there's any place the bad guys won't find
20 enrichment technology, and proliferate nuclear
21 technology to weapons it would be right here in Idaho
22 Falls. I just don't see that technology escaping our
23 backyard.

24 (Applause.)

25 MR. HART: So, I think with respect to

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1 proliferation, the NRC probably should give credit to
2 this facility, because it will be contained, and by
3 having proliferation -- by having enrichment here,
4 there would be far fewer proliferation concerns for my
5 part. I'd much rather have the global nuclear fuel
6 cycle provided by the United States, even if we do
7 export the fuel.

8 With respect to environmental impacts, I'd
9 like to thank the NRC for listening to my scoping
10 comments about light pollution. This facility is
11 located near 20 Mile Rock, as we call it, or the lava
12 hiking trail. We use that for star parties. If you
13 go out tonight, it's the Perseid Meteor Shower peak.
14 This would be a great time to go visit a dark sky 20
15 miles from town. You can get away from the city
16 lights. I hope this facility continues to be pursued,
17 but with the idea of keeping those lights to a minimum
18 and keep that dark sky, preserve that resource.

19 With respect to the Half-Acre lava field,
20 I think it actually protects this facility's location
21 from fires, because fires, typically, are drawn by
22 wind, the wind pushes fire down wind. With a big, huge
23 lava barrier, there's less likelihood of a fire
24 hitting the grounds because it has to go through the
25 lava first.

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1 With respect to ecological impacts, sage
2 grass, I think having, and I apologize to the farmers
3 here, but I think getting the cows off the land will
4 help the sage grass, and let's just leave it at that.

5 With respect to -- let's see. I think that
6 pretty much sums it up. I think the important thing
7 is we live in a democracy. There are people who have
8 legitimate concerns about this. I think the NRC has
9 done a good job with the EIS, but I think they also
10 need to make sure it's procedurally tight, so we don't
11 spend a lot of time in court, so that this EIS moves
12 through quickly, but that means they have to do a
13 thorough and excellent job, and I would encourage them
14 to review all opposition comments, adhere to the
15 letter of the law, follow the procedure, and give us
16 an EIS that we can proceed forward with the license.

17 (Applause.)

18 MR. BARKLEY: Thank you for that comment.

19 MR. HERRING: Good evening. My name is
20 Steve Herring. I'm a Nuclear Engineer, and I've lived
21 in Idaho Falls for 31 years. During this time, I've
22 seen the Nuclear Regulatory Commission carefully
23 exercise its duty in protecting the public health
24 through their review of proposed facilities. I'd like
25 to speak in favor of the AREVA license application for

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1 the Eagle Rock Enrichment Facility, and particularly
2 on the need for that facility.

3 This facility would be an important part
4 of the nuclear fuel cycle, and a key step in providing
5 for future electricity. In building this facility,
6 AREVA will replace 60-year old technology for uranium
7 enrichment, that is, the gaseous diffusion process,
8 with the new gas centrifuge technology, which is more
9 proliferation-resistant, cleaner, and a factor of 20
10 to 50 times more energy efficient.

11 The 104 reactors in the United States
12 provide, as you've heard earlier this evening, about
13 20 percent of the total U.S. electricity, and about 70
14 percent of the carbon-free electricity. However,
15 today the U.S. has only one operating gas centrifuge
16 plant, and the last gaseous diffusion plant is in the
17 process of being decommissioned. The one gas
18 centrifuge plant in New Mexico began operation in June
19 2010, and will be capable of producing 3 million
20 separative work units per year, which is about 25
21 percent of the U.S. need for enrichment. So, the U.S.
22 is importing, from one place or another, the
23 enrichment needed for 75 percent of our nuclear
24 electricity.

25 We have seen the construction of many wind

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1 turbines in the hills east of Idaho Falls in the last
2 five years, and throughout the west. I applaud the
3 contribution that these turbines can make, though I
4 have seen very little contribution from Jackson or Sun
5 Valley, but it is important to remember that these
6 turbines, even at the best wind sites, have capacity
7 factors of only 30 to 35 percent. A nuclear reactor's
8 fuel by means of the Eagle Rock Enrichment Facility
9 will provide power with a capacity factor of above 90
10 percent; that is, they will produce 90 percent of
11 their maximum power for an average, year-round, 24/7.
12 The U.S. needs reliable, sustainable energy for the
13 decades to come, and not just when the winds blow.
14 Thank you.

15 (Applause.)

16 MR. BARKLEY: Thank you for your comment.

17 The next three people I would like to call are Dave
18 Radford, followed by Ann Rydalich, Rydalch, and she
19 already warned me in advance what her last name was.
20 Oh, my goodness. All right. And then, finally, Mayor
21 Fuhriman. Okay, Dave.

22 MR. RADFORD: Thanks, Rich. And to Steve,
23 Dave, and Thomas, welcome to eastern Idaho. It's fun,
24 I hope, for you to be here in Bonneville County.
25 Bonneville County is a million two hundred thousand

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1 acres, also is one of the three Commissioners here in
2 the county. And we were founded in 1911, carved out
3 of Bingham County. We're the fourth largest county in
4 the state. We now have six cities within our county,
5 and about 27,000 of our residents live in the
6 unincorporated areas of the county. I live east of
7 Ammon, the 17th largest city in this state, and the
8 second fastest growing city, but Idaho Falls is our
9 county seat, and I spend a lot of my time in the
10 courthouse straight east of this facility. But being
11 a fourth generation Idahoan, I've always enjoyed the
12 nuclear neighbors that we have.

13 As a young boy going to Temple View
14 Elementary, I remember my neighbors had asked my dad
15 about the people riding the bus out to the AEC site,
16 and my dad would say that's where the smart people go
17 to work, but we are optimistic and excited about
18 AREVA. The people I've met at AREVA have been
19 wonderful. They already have 7,000 employees in the
20 United States, so we're real comfortable with their
21 way of doing business here in eastern Idaho.

22 We're happy with the prospects. We're
23 optimistic about the jobs. Serving my third term, and
24 recently running for re-election for my fourth term,
25 the people that I talked to on the street, it was all

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1 about jobs, jobs, jobs. That's what they were
2 interested in, and how can we promote that, how can we
3 keep the quality of life that we have here in eastern
4 Idaho, but still further enhance our energy
5 independence? And, to me, when we develop nuclear in
6 this country, and yet we only arrive at 20 percent of
7 our power, with French getting 80 percent of their
8 power from nuclear, and we have an opportunity to
9 learn some things about getting this energy on the
10 grid, so I'm optimistic that it can eventually
11 translate to more electricity, cheaper power, a better
12 quality of life.

13 Our Planning and Zoning Administrator,
14 Steve Serr, will go through some of the priorities
15 with the Land Use Planning Act of 1966 in this state.

16 Being a political subdivision of the State of Idaho,
17 Bonneville County adopted a comprehensive plan that
18 included located nuclear growth west of -- on the
19 western side of -- Bonneville County, so we think that
20 will help expedite the process. We, as the
21 Commission, agree with the Environmental Impact
22 Statement's conclusion.

23 Historically, I serve on the Heritage
24 Commission. I think history is important, that
25 homestead, I think, could be mitigated out there.

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1 Historically, Bonneville County, my predecessors at
2 the County Commission, took very limited resources in
3 terms of property tax dollars and invested them in
4 improved roads to get out to the site 60 years ago.
5 So, historically, we've been a nuclear-friendly
6 county, and I believe that it will continue. And we
7 applaud your work, we respect your work, and we hope
8 for a great outcome for an expedited license for
9 AREVA. Thank you.

10 (Applause.)

11 MS. RYDALCH: My name is Ann Rydalch, and
12 I do answer to most anything, so that's okay. I chair
13 the Energy Natural Resource and Agriculture Policy
14 Committee for the National Foundation for Women
15 Legislators, which has headquarters in Washington,
16 D.C., and I live in Idaho Falls.

17 NFWL is a nonpartisan group of past and
18 current women elected officials, such as legislators,
19 governors, mayors, tribal leaders, county
20 commissioners, congressional women, a network
21 organized throughout the United States, as well as
22 doing work internationally. For five years as
23 Committee Chair, I've been educating elected officials
24 from throughout the nation about the importance of
25 nuclear energy. Believe me, the nuclear energy

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1 renaissance is real.

2 This Committee has passed numerous
3 resolutions regarding the importance of having a
4 balanced portfolio of energy choices, which include
5 nuclear, and stressing the importance of not relying
6 so heavily on foreign energy sources, and emphasizing
7 the importance of uranium enrichment facilities. We
8 also have passed resolutions regarding the inclusion
9 of nuclear projects in the Loan Guarantee fund
10 program, which was not included in the beginning, but
11 now Congress has acted to include nuclear projects in
12 that program.

13 We think the NRC staff, or the staff's
14 preliminary conclusion that the Eagle Rock Enrichment
15 Facility would have mostly small impacts on the local
16 environment, and that AREVA should be issued a license
17 to construct and operate this facility. I urge the
18 NRC to continue to listen to scientific facts, and to
19 disregard untruthful or scare tactic statements,
20 statements such as DOE is giving \$2 billion loan
21 guarantee, a misleading statement, because no money
22 exchanges hands. DOE is not giving AREVA the \$2
23 billion. However, by it being included in the Loan
24 Guarantee Program, AREVA and other companies in that
25 program will be able to possibly receive lower

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1 interest rates. It's like the Good Housekeeping Seal
2 of Approval.

3 Or another scare statement that building
4 this will cause further degradation of the habitat for
5 sage grouse. The truth is, the NRC preliminary
6 conclusion, as described in Chapter Four, which I have
7 read, the environmental impacts of preconstruction and
8 the proposed actions would mostly be small.

9 Our country is open to legal immigrants
10 that come here for the American Dream. Our country is
11 open to legal foreign companies that want to do
12 business in the United States. AREVA is a very
13 experienced and credible company that wants to do
14 business in the U.S.

15 As you know, nuclear power currently
16 supplies about 20 percent of the nation's electricity,
17 and surveys show over 70 percent of the public
18 throughout the nation support nuclear energy. We have
19 one company that is currently the sole U.S. supplier
20 of low-enriched uranium for nuclear fuel in the U.S.,
21 although there are some being built that may provide
22 enrichment services in the future. However, that
23 still leaves an extremely high percent of low-enriched
24 uranium that is being imported from foreign suppliers,
25 imposing reliability risks for the nuclear fuel supply

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1 to U.S. nuclear power plants.

2 National energy policy emphasizes the
3 importance of having a reliable domestic source of
4 enriched uranium for national energy security. The
5 production of enriched uranium at the Eagle Rock
6 Enrichment Facility would be equivalent to about 40
7 percent of the current and projected demand for
8 enrichment services within the U.S. Thus, still a
9 high percent of current and projected demand for
10 enrichment services that's left to fulfill.

11 I encourage you to follow the preliminary
12 recommendation that AREVA be issued a license to
13 construct and operate the Eagle Rock Enrichment
14 Facility here in Bonneville County, Idaho Falls,
15 Idaho, formerly called Eagle Rock, Idaho. As
16 Bonneville County celebrates it's 100th, centennial,
17 year in 2011, we find there is a strong historic
18 connection between the French company, AREVA, and
19 Bonneville County. Our county, Bonneville County, was
20 established February 7, 1911 by the Idaho Legislature,
21 and was named after Captain Benjamin Bonneville, a
22 French-born officer in the United States Army, who was
23 a fur trapper and explorer in the American West, and
24 is noted for his expeditions to the Oregon country,
25 and the Great Basin in the 1830s.

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1 Now, I understand this historic
2 information is not necessary for scientific
3 deliberations, but it does point out the cultural
4 sensitivity that they have as AREVA has chosen the
5 name of Eagle Rock Enrichment Facility to carry forth
6 that heritage name. Thank you.

7 (Applause.)

8 MR. FUHRIMAN: Gentlemen, thank you once
9 again for coming to Idaho Falls. We welcome your
10 presence.

11 As Mayor of Idaho Falls, and as members of
12 the City Council, we're elected to represent the best
13 interests that our city has to the best of our
14 ability, so when a proposed project like AREVA comes
15 along, it's imperative that we do everything we can to
16 exercise our due diligence in ferreting out the
17 project, itself, and making sure that it's the best
18 fit for our city and our communities.

19 It is my opinion that we have tried to
20 turn over every stone possible, as we looked into
21 AREVA, and if it would be a benefit to our community.

22 We have met with several mayors in eastern Idaho, and
23 received their endorsement on this project. Myself,
24 along with several other community leaders have
25 personally met with representatives from AREVA

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1 numerous times, not only here in Idaho Falls, but at
2 the headquarters in Bethesda, Maryland, in addition to
3 a personal visit to Paris, France to the corporate
4 office just to seek direction and information from
5 them.

6 One of the best pieces of evidence that
7 I've obtained through my personal research regarding
8 the potential environmental impacts was when I, along
9 with 24 other members of our community, 20 of those
10 being youth in our community, traveled back to
11 Pierrelatte, France, population of 13,000.
12 Pierrelatte is next door to the Tricastin Georges
13 Besse plant, which has been operational for several
14 years. I had the opportunity to personally visit with
15 many of the city and the community leaders, as well as
16 speaking with many of the citizens, themselves, in
17 regards to the Tricastin plant, and if there was any
18 residual issues that they have seen as a result of
19 having lived right next door to that plant.

20 I was able to see firsthand AREVA's
21 sustainable development philosophy of protecting the
22 environment. Through this visit, I found no evidence
23 of any negative environmental impact on their
24 community. What I saw, instead, was a vibrant and
25 beautiful city and community.

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1 I once again want to go on record one more
2 time stating that I'm personally satisfied with the
3 thoroughness and the efforts that NRC has made to this
4 point in time regarding the EIS, and endorse that
5 AREVA should be licensed to construct the Eagle Rock
6 Enrichment Facility. Thank you very much.

7 (Applause.)

8 MR. BARKLEY: All right. Thank you,
9 Mayor. The next three people I'd like to call are Don
10 Johnson of the Operating Engineers Local 370, Jim
11 Vincent, and then Beatrice Brailsford. Don.

12 MR. JOHNSON: I have been an Operating
13 Engineer for 40 years, and I've also worked at the INL
14 throughout my career. I've seen all kinds of things
15 happen with nuclear out there. And, currently, in the
16 recovery or work for CWI, and we're taking -- building
17 the buildings, and the process of cleaning up the
18 site. And I would just have to say that I represent a
19 lot of people that this job would really help. I've
20 lived here all my life. I've raised my family. I've
21 got five grandkids, and I hope that this would help
22 them in the future find employment, because God knows
23 that we all need more jobs in this state. So, I would
24 highly recommend that you accept this application.
25 Thank you.

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1 (Applause.)

2 MR. VINCENT: My name is Jim Vincent. My
3 wife Katie and I have written over 100 articles for
4 national sporting magazines. These magazines include
5 "Gray's Sporting Journal," "Fly Fisherman Magazine,"
6 "Field and Stream," "Outdoor Life," and "Harris
7 Publications." My wife and I owned a business here in
8 Idaho Falls called RIO Products International. We
9 manufacture fly lines, leaders, and tippetts with
10 worldwide sales. Currently, RIO employs 60 wonderful
11 people. We sold the business in 2005 to Far Bank
12 Enterprises, who also owns Sage Rods and Redington.

13 I'd like to thank the staff of the Nuclear
14 Regulatory Commission for holding this hearing and
15 hearing my testimony. I'm not against nuclear energy
16 if it can be made sustainable and safety concerns are
17 met. However, as yet, I'm not convinced that we need
18 this AREVA enrichment plant.

19 When I was going to college in early
20 1970s, I did uranium exploration in the Moab and
21 Monticello, Utah, area for Acerca Corporation,
22 utilizing core holes and gamma probes. My deceased
23 father, John D. Vincent, was a well-known mining
24 engineer, recipient of the AIME Man of the Year Award
25 in 1971. I believe he did consulting for AREVA in the

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1 early '70s. He was called out of retirement to advise
2 on the accident at Three Mile Island near Harrisburg,
3 Pennsylvania. He was not a radical anti-nuclear
4 energy nut. If anything, he was pro nuclear energy.

5 At the time of the Three Mile Island
6 accident, he told me had two main concerns about
7 nuclear energy; they were long-term waste disposal,
8 and worldwide reserves of uranium ore. I don't
9 believe these concerns have diminished in 30 years.

10 I have doubts with storing the waste
11 generated from this proposed enrichment plant above
12 ground, and the possible leaching of contaminants into
13 the aquifer of our state. Since the two U.S.
14 deconversion facilities are not operational, and if
15 they do become operational, they will first have to
16 process the already-existing depleted uranium waste
17 from 60 plus years of the existing waste from the 104
18 nuclear energy producing plants here in the U.S.
19 Their figures are that these are increasing to 2,000
20 metric tons per year. And, in addition, there's like
21 12 million cubic feet of low-level waste from these
22 plants. Supposedly, we have around 60,000 metric tons
23 of waste in this country that has to be -- that we
24 have to get rid of one way or another.

25 I am also -- I'm particularly concerned

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1 with the amount of water that will be used in the
2 enrichment process, and the safety of the filtration
3 system that will be utilized for the evaporation
4 process. I live downwind and downstream of the
5 proposed AREVA plant, and I have concerns about my
6 safety. As a reference, in July 2008, AREVA had two
7 accidents in France. One was a burst pipe at a plant
8 at the Romans-sur-Isere, southeastern France, an AREVA
9 subsidiary. The pipe had been broken for several
10 years. Jean-Pierre Gros of AREVA's Head of Combustion
11 said between 120 and 750 grams of enriched uranium had
12 leaked.

13 Another accident happened also July of
14 2008 at the Tricastin site near the historic southeast
15 city of Avignon; 7,925 gallons of a liquid containing
16 traces of unenriched uranium leaked from a factory run
17 by AREVA subsidiary, SOCTRI. I can't pronounce it, S-
18 O-C-T-R-I, spilling from a reservoir that overflowed.

19 The leak flowed into the ground and into the two
20 rivers, Gaffiere and Lauzon.

21 French authorities banned the consumption
22 of well water and watering of crops, as well as
23 swimming, fishing, and water sports. There's
24 preliminary evidence of higher incidents of pancreatic
25 cancer in women in the Tricastin area. France's

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1 Nuclear Safety Authority classified the Tricastin
2 accident as one on a scale of zero to seven. However,
3 there were 86 level one incidents in France in 2007,
4 and 114 in 2006.

5 My other issue is about estimates of
6 uranium throughout the world. The research I have
7 done shows that there's somewhere between 50 years at
8 the low end, and 100 years on the optimistic side.
9 Why would we utilize a technology that costs literally
10 billions of dollars to implement, with public tax
11 dollars for a loan guarantee, and I realize that it is
12 a guarantee, and Idaho tax incentives for a limited
13 time technology? Even 100 years is not very long, as
14 far as reserves.

15 My other main concern is personal. I live
16 to hunt and fish in Idaho. It is the main reason I
17 love this state. I believe my opportunities to hunt
18 and fish will be severely limited if 1,000 new
19 residents are brought into Idaho Falls to work at this
20 facility. There will be many less opportunities to
21 successfully apply for big game permits, and my
22 favorite rivers will be impacted with crowding.
23 Already, there's talk of limiting the number of boats
24 on the south fork of the Snake. I am not the only
25 resident who values Idaho outdoor activities, and

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1 sustained controlled growth for quality of Idaho life.

2 I believe many of my neighbors also live in the Idaho
3 Falls for the same reasons.

4 In conclusion, the EIS 4-136 states the
5 French company, AREVA's enriched product will be
6 shipped overseas as is their profits. I do not see
7 how this proposed project will make my country have
8 any more domestic control over our needs for enriched
9 fuel. The EIS specifies that the numbers of license
10 requests for new enriched uranium, EIS 1-6, are in
11 excess of the need for the new enriched uranium.
12 Given the potential for accidents is considerable, I
13 would urge the Nuclear Regulatory Commission to deny
14 this permit at this time. I would also like to thank
15 the Commission for hearing my testimony.

16 (Applause.)

17 MR. BARKLEY: Thank you very much for your
18 comments.

19 MS. BRAILSFORD: Thank you. My name is
20 Beatrice Brailsford. I am with the Snake River
21 Alliance. I will speak about one of the most
22 important parts of an Environmental Impact Statement,
23 the examination of the purpose and need for the
24 proposed action.

25 According to the current Draft EIS, the

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1 purpose of AREVA's enrichment factory is to meet two
2 needs, for enriched uranium to fulfill electricity
3 generation requirements, and for domestic supplies of
4 enriched uranium for national energy security. That
5 first need, enriched uranium for electricity
6 generation is undeniably true, as long as the majority
7 of nuclear reactors use low-enriched uranium fuel, but
8 the Draft EIS does not even attempt to make the case
9 that that need is not already being met.

10 Furthermore, the draft clearly
11 acknowledges that even if the nuclear renaissance
12 occurs as advertised, already planned new enrichment
13 would exceed U.S. demand by about the same amount as
14 AREVA's factory might produce.

15 The national energy security policy
16 objective AREVA's plant is supposed to meet was
17 enunciated in a 2002 letter from the DOE to the NRC.
18 The focus of that letter was not that the U.S. needed
19 a foreign company to build a plant here, but rather
20 that an American company should have a stake in U.S.
21 enrichment capacity. Eight years later, there are no
22 more nuclear reactors operating in the world, but as
23 of June, URENCO, a German company, is enriching
24 uranium in New Mexico. The NRC's efforts to ignore
25 that plant in the Draft EIS are painful to watch.

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1 At any rate, let's go back to the need for
2 domestic supplies of enriched uranium. The key word
3 here is "domestic." AREVA is owned by the French
4 government. AREVA has said the natural uranium
5 destined for its plant does, in fact, belong to the
6 American companies, but according to the Nuclear
7 Energy Institute, U.S. nuclear power plants bought 92
8 percent of the uranium from foreign sources in 2007.
9 And where is the uranium converted? According to the
10 Draft EIS, in Illinois, Canada, and overseas.

11 And, finally, the product, enriched
12 uranium. The Draft EIS tells us that all AREVA's
13 enriched uranium could, theoretically, be sold to U.S.
14 companies, but it also tells us that potential
15 customers are in Washington, South Carolina, North
16 Carolina, and overseas. Is overseas a new state? But
17 perhaps the theory will play out. AREVA has said U.S.
18 companies have already signed contracts for half its
19 projected production. Those contracts raise another
20 question, though.

21 I know the NRC has already heard concerns
22 that it has a bias towards licensing. What about
23 selling the product of a plant that doesn't even have
24 a license yet? I'd say we've gone well beyond a
25 learner's permit here.

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1 The most domestic part of the proposal is
2 that the waste will, in fact, stay here. The plant
3 would produce 320,000 tons of depleted uranium
4 hexafluoride over its licensed lifetime, and the door
5 is already ajar for the license to be extended. That
6 waste might be stored on outdoor concrete pads above
7 the Snake River Aquifer until the plant is
8 decommissioned.

9 It's worth noting that New Mexico sharply
10 limits how much and how long waste can stay at the
11 plant there. The waste has to be treated before it
12 can be disposed of. Two government-owned treatment
13 plants are under construction, over budget, and behind
14 schedule. Waste the U.S. has already accumulated will
15 take a combined 43 years to process.

16 The Draft EIS, essentially, ignores the
17 fact that the U.S. does not have guidelines on how
18 large quantities of the treated waste will be disposed
19 of, but it will most certainly be disposed of in the
20 United States. So, that's the proposal to meet the
21 need of a domestic supply of enriched uranium. A
22 uranium factory without any national purpose will
23 produce fuel for everywhere in the world but here in
24 Idaho, send its profits to France, and leave us with
25 the waste. It is as if every barrel of crude oil we

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1 imported from the Middle East and then refined here
2 would no longer be foreign oil; addiction solved.

3 I was born the same year the National
4 Reactor Testing Station was established, and I am
5 aware of the benefits it has brought. I am aware,
6 too, of the costs borne by all of Idaho. Thank you.

7 (Applause.)

8 MR. BARKLEY: Okay. Thank you. The next
9 three people I'd like to call are Rocky Deschamps,
10 Steven Serr, and Jerry Shivly. Rocky, being from
11 Philadelphia, I love calling that name.

12 MR. DESCHAMPS: Thank you. Well, I would
13 also like to welcome you to Idaho. There's a reason
14 we call it the Gem State, and I hope you find the gems
15 here. There's more than just rocks here, we have a
16 lot of great people that are gems that we call here,
17 and a lot of other things that help with that.

18 I am going to speak just a little bit, and
19 I won't take much time. I'm going to talk a little
20 bit about, I spent six years on the Bingham County
21 Planning and Zoning Commission, the last two years as
22 chairman of that Commission, and there's one area here
23 on the Environmental Impact Statement that I'd just
24 like to maybe touch just a little bit of base on, and
25 it talks about, it's anticipated the number of workers

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1 moving into the area during each phase of the proposed
2 project they call them migration workers, that might
3 have some impact on the schools, health care, law
4 enforcement, availability, cost of public utilities,
5 such as electric, water, sanitary, road, number of
6 migrating workers expected during the construction and
7 operations might impact the housing.

8 My time on the Bingham County Planning and
9 Zoning, we encourage businesses because our schools
10 are crying out, we need more students. We're actually
11 declining in our number of youth in our schools. Our
12 roads are very adequate. Our schools are adequate.
13 We have an infrastructure here in southeast Idaho
14 because we are so used to having INL, we have the
15 colleges here that can train the workers. We have the
16 high schools that are there that are ready to accept
17 anything new that we might have in this area in the
18 schools. We have multiple, multiple infrastructure in
19 place because of the INL, and the experience we have
20 with the INL out there.

21 Also, I've been involved with the supply
22 side. We have contractors in this area that are so
23 familiar with the requirements to build a facility
24 like this, that it's just -- you don't find that in a
25 lot of areas. We also have suppliers that are used to

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1 supplying the specifications, the ASTM specifications
2 that are required on a nuclear facility to do that, so
3 we are very able to take on a facility like this, and
4 take care of it, and do what we need to do.

5 The last thing that I was -- I'll just
6 touch base on, and I'll touch it very briefly, and
7 that is, is that it's too bad that in this day and age
8 that we treat nuclear power the way we do. And I've
9 gone through the Environmental Impact Statement, I
10 didn't see anything that touched on this. And the
11 only figures that I have with it, on my note here, in
12 2006, I don't have it. In 2006, there was 46 miners
13 killed in coal mining accidents. If that would happen
14 in the nuclear industry, it would be shut down so
15 fast, but coal is just left kind of as it is. So, I
16 think that we need to look at that a little bit and
17 say geez, where -- I think that 2006 is probably a
18 pretty good year. If we looked at 2009, or 2008, it
19 would even be worse, so I think we need to take in a
20 little bit of perspective, and look at that. Thank
21 you.

22 (Applause.)

23 MR. SERR: I'm Steve Serr, I'm the
24 Bonneville County Zoning Administrator. I've spoken
25 in Boise, so I'll just briefly summarize some of the

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1 comments we made there.

2 I wanted to address the issue as to the
3 suitability of this property for development of that
4 site. Again, as the Commissioner mentioned earlier,
5 this area has been zoned and designated for this type
6 of use. It's been planned that it could accommodate
7 this type of operation since 1960. So, it's been a
8 long-designated piece of property, tract of land out
9 there for this type of use.

10 I approach this as an enforcement site for
11 any facility that's built in the county. Our concern
12 in the county is making sure that things are built to
13 code, built complaint, built safe, protect public
14 health, safety, and welfare. My office, we are
15 responsible for enforcement of the building code, the
16 fire code, mechanical code, flood plain rules and
17 regulations, and we have addressed most of these
18 issues with AREVA. We've made modifications for some
19 of their design issues on what they contemplate doing
20 to try to mitigate, and make sure that the operation
21 that they're proposing out there will be a safe
22 compliant operation.

23 Some of these issues we brought up were
24 regarding fire risk. We had a meeting just yesterday
25 with the fire department to discuss fire safety issues

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1 out there, response time, what could be done for
2 defensible space surrounding the operation. We felt
3 we have addressed the needs for making that site very
4 safe and protected from any fire hazard that might
5 occur from a wildfire issue. And, also, the fire
6 district is addressing the potential increased demand
7 for fire needs, and that they have already acquired
8 land on the west side of Idaho Falls to construct
9 additional fire stations, to provide additional
10 equipment and support facilities for this type -- for
11 this plant.

12 Discussion regarding the seismic area out
13 there, we have talked about seismic conditions, what
14 the facility will need to be doing to meet safety
15 issues as far as seismic design criteria. The safety
16 issue of long-term storage was addressed, also, as to
17 the containers that will be stored on site. The
18 containers that they have on site, just to check and
19 see, they're designed for transportation containers.
20 They're able to survive an auto wreck, impact damage
21 in an auto accident. Seismic conditions on site,
22 worst case we'd have where there are outside storage,
23 if something would fall over, be a low impact on it.
24 We determined that that would not be a problem, as far
25 as damage creating an issue in a seismic event that

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1 there could be any potential leakage.

2 We've also addressed the issue that we
3 plan on doing an annual visit on site for compliance
4 with all code conditions on it, and to see if there's
5 any safety conditions out there that endanger the
6 county or the citizens of the county, to verify if we
7 see anything that's in non-compliance, we would have
8 full intention of noting that, bringing it to the
9 attention of AREVA to try to mitigate anything that
10 might be shown to be a problem in the future.

11 There were three items in the EIS that I'd
12 like to address. They noted in here, a small to
13 moderate impact on traffic conditions. We have
14 discussed with AREVA the issues on traffic. They've
15 been working with the Transportation Department. The
16 road that is constructed out there has adequate
17 capacity to handle any of the traffic flow, increased
18 traffic flows that would be created by the
19 construction and operation over the long-term
20 operation of the facility. They're well within the
21 traffic design standards, even with that increased
22 traffic flow on it. They are in the process of
23 constructing an overpass in their plans to access this
24 site. With that construction, we feel that it would
25 not be a traffic flow impediment with approaching cars

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1 coming in or out of the facility, or truck traffic.

2 There was discussion as far as potential
3 moderate impact on the facility that it could create a
4 visual impact on site. One of the very early things
5 we discussed with AREVA when they looked at the site
6 was the potential for location on the site to keep it
7 back from visual appearances to the public, and also
8 discussing what landscaping features might be
9 incorporated into it to even buffer it, to mitigate
10 any visual impacts. We discussed lighting issues,
11 treescape, approach roads, and we feel that before
12 this project would fully be built, that we would have
13 some approved mitigation plans to help eliminate any
14 of those visual impacts, so we could take that down
15 from a moderate impact to a slight impact.

16 The dust issue was one of the other issues
17 in the EIS that was mentioned, that it would be a
18 potential moderate impact. We do have a fairly
19 aggressive plan for onsite maintenance of water
20 application to construction sites to mitigate any dust
21 out from it. I feel that given what we have
22 encouraged developers to do on site during
23 construction, that that could also be minimized down
24 to a small impact, as opposed to a moderate impact.

25 Thank you for the opportunity to testify.

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1 (Applause.)

2 MR. SHIVLY: First of all, what a
3 pleasure, and what a privilege to stand before a group
4 and testify. We must live in the United States of
5 America.

6 (Applause.)

7 MR. SHIVLY: Thank you. Before I launch
8 in, it was really good to get up for just a little bit
9 just to walk up here. I'm going to invite you to do
10 the same for about 15 seconds, rub whatever hurts, or
11 shake whatever hurts. Go ahead, take 15 seconds. All
12 right. Keep your hands to yourself, please.

13 My name is Jerry Shivly, and I've lived in
14 Idaho Falls all my life. I was in junior high school
15 when the AEC came to town, and I just got to tell you
16 that there was an influx of energy that came to town.

17 Idaho Falls was about 12,000 people at that time.
18 And the influx of energy helped the schools, and it
19 helped the community, and we started coming to life.
20 We started getting diversity in Idaho Falls. We were
21 a farming community up until that time. And I think
22 what has happened has been good.

23 From that time, the last 60 years, we have
24 gone through many changes in the names for the site,
25 and they've all been good, I think. And we have --

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1 every time new people come to town, we are energized,
2 and we are building more houses, and getting people to
3 work. And that's what this is all about.

4 When I was in the legislature in 2008, we
5 talked about AREVA coming to town. And I had a chance
6 to speak to this build, and when I did there were
7 three things that I kept in mind. First of all, it
8 was going to help our nation, because we need the
9 nuclear energy. It was going to help Idaho Falls,
10 because it was going to produce jobs. And at that
11 time, even in 2008 jobs were starting to fall off.
12 And it's going to energize Idaho Falls because every
13 time new people come, they bring some of themselves.
14 And we get together and find out that we are better,
15 and that we have a better product amongst us. The
16 arts thrive, the schools thrive, and we all thrive.
17 And I am very much in favor of AREVA coming to Idaho
18 Falls. Thank you very much.

19 (Applause.)

20 MR. BARKLEY: Okay. Thank you. And I did
21 talk with a couple of people who had schedule
22 conflicts, so if you do have a schedule conflict and
23 you need to leave before too late, please let me know.

24 The next three people I'd like to call are Jeff
25 Smith, Jack Barraclough, and Robert Skinner. Jeff.

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1 MR. SMITH: Yes. Jeff Smith, Local 449,
2 IBEW. We fully support the need and the purpose of
3 this EIS. I represent some 600 members and their
4 families. We not only feel this is good for Local
5 449, but Idaho, but for America and its future. Thank
6 you.

7 (Applause.)

8 MR. BARRACLOUGH: This is wonderful to
9 see, what an audience here. Jack Barraclough,
10 Certified Professional Hydrologist, 35 years with the
11 U.S. Geological Survey, 10 years with EG&G and
12 Lockheed, and 14 years in the Idaho legislature. And
13 after failed retirement three times, I think it's time
14 to rest.

15 In high school, I decided that I wanted to
16 study Idaho's water. And I was a Navy veteran of
17 World War II, I also appreciated water. I worked in
18 12 states on different environmental problems,
19 including many years in INL as Research Project Chief
20 on the U.S. Geological Survey, and 10 years with EG&G,
21 Scientific Specialist. So, when a project like this
22 comes in my study of nuclear needs, it's just so
23 obvious that this is what we need. You can look at
24 all these things, and talk about the aquifer, but this
25 is trivial compared to the needs of this country. And

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1 some may be bothered by the French coming and doing
2 this, look back at the Revolution, we wouldn't have
3 won without the help from the French.

4 The Snake River Plain aquifer has been
5 studied more than any other spot in Idaho, so we know
6 a lot about how it performs. The Department of Energy
7 years ago decided they'd just discharge low-level
8 waste, and treat and store intermediate and high-level
9 waste, so this provided an opportunity to look at how
10 waste migrates in the aquifer, and how chemicals
11 migrate, so we studied this extensively. The
12 Geological Survey has published over 200 reports on
13 this feature. When they say that this plant is going
14 to ruin the aquifer, just read the EIS and find out
15 they're not going to discharge. And if they do, the
16 monitoring will pick it up and changes will be made.
17 So, I don't worry about this plant and what its effect
18 on the aquifer is.

19 I'm currently Director in Partnership for
20 Science and Technology. I'm also a Director in East
21 Idaho Water Rights Coalition, so I try to stay up to
22 speed with what's occurring in east Idaho. And a
23 careful review of the EIS says they have a good
24 product here.

25 During the Depression, plants would show

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1 us letterhead of a factory with dark smoke coming from
2 the smoke stack, and that meant two things. One, the
3 factory was working and there was employment going on.

4 We've learned an awful lot since then about the
5 environment, and the nuclear industry has been
6 proactive, and I've worked at every nuclear site in
7 the country, protecting the environment and mitigating
8 mistakes of the past.

9 Just as one example, about 20 or 25 years
10 ago, Bob Skinner, who is an expert on radiation, and I
11 had a debate with an audience in Twin Falls, and Bob
12 and I presented over 100 slides of different aspects,
13 and the moderator after the debate was over said,
14 Beatrice and Liz, they've shown all this data, and all
15 this information, you've shown nothing. What do you
16 have to say for that? And we kind of settled back for
17 a minute, and Liz said look at them, they're
18 government scientists, you can't trust them. We've
19 gone a long way since then, and we don't need
20 negativism, naysayers, we need positive support of
21 this excellent project that would help the world, and
22 help the country, and I strongly support this. Thank
23 you very much.

24 (Applause.)

25 MR. SKINNER: I'm Robert Skinner. I'm a

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1 long time resident of Idaho Falls, came here initially
2 in the Navy, and decided this is where I want to live
3 when I get out of the Navy, and I've been here ever
4 since. My entire adult life has been spent working in
5 and around nuclear industry, beginning in 1968 in
6 nuclear submarines.

7 I have carefully read the Draft EIS, all
8 of it I have not read totally, because it is huge.
9 You're going to put the guys that sell sleeping pills
10 out of business, I'm sure, but I would like to commend
11 the crafters of this document for their hard work and
12 diligence. I find it to be thorough, and lacking in
13 no respect technically. I am here to address the
14 technical aspects of the EIS.

15 My caution to the NRC is to take all
16 comments and evaluate them based on their technical
17 merit. The Snake River Alliance that I have heard
18 that they presented some stuff in Boise, and that was
19 based, basically, on what I think is called bad
20 science. In my working career, as Jack said, I have
21 had the opportunity to publicly debate the Snake River
22 Alliance, and other individuals from various anti-
23 nuclear organizations. I once debated Liz Paul, who
24 is one of the former directors of the Snake River
25 Alliance, as well as Bea who's in the audience, and

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1 also debated one of their friends, Peter Rickards from
2 Twin Falls, and here are some of the comments they
3 offered to the public as facts during those debates.

4 One atom of plutonium in a human lung will
5 kill you. HEPA filters will not filter uranium or
6 plutonium particles. Jackson Hole is downwind of the
7 INL. Sun Valley is downwind of INL. Mud Lake is
8 downwind of INL. Atomic City is downwind of INL, so I
9 guess their conclusion was everybody is downwind of
10 the INL. Any amount of radiation will cause cancer,
11 and the list goes on and on. The Keep Yellowstone
12 Nuclear Free group, and that's kind of an oxymoron
13 because nuclear reactions in our earth's core is what
14 keeps the earth's core hot. Anyway, they told people
15 from throughout the region that a facility at the INL
16 that incinerated mixed waste was spewing particles of
17 plutonium that made a ski hill in Jackson Hole,
18 Wyoming, radioactive, and it would soon start glowing
19 in the dark. Nothing could be further from the truth,
20 since I had the opportunity to evaluate that facility
21 for safety and operation during my working career, and
22 no plutonium was ever released to the air, but the
23 Keep Yellowstone Nuclear Free people scared enough
24 people with their propaganda that the facility was
25 ultimately shut down. Now, that kind of waste is

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1 awaiting the completion of a new facility to treat the
2 waste that works just like the facility that was shut
3 down, so what the Keep Yellowstone Nuclear Free people
4 do for safety of Americans and the wise spending of
5 tax dollars was absolutely nothing. In fact, they
6 were a hindrance to good sense and science.

7 A group like theirs published pamphlets on
8 the east coast where a food irradiator was being
9 planned that said, "The Department of Energy doesn't
10 know what to do with radioactive waste, so you're
11 going to eat it." There was a mushroom cloud over a
12 plate of food on the literature. What a preposterous
13 claim. When the group was asked for the science to
14 back up their claim, they, of course, had none.
15 Scientists across our great land that work hard and
16 formulate research documents have them peer reviewed
17 prior to being published. None of the documents
18 produced by the Snake River Alliance, Keep Yellowstone
19 Nuclear Free, or any other anti-nuclear organization
20 could ever withstand the scrutiny of peer review,
21 because the bulk of their science is bogus and based
22 on hype.

23 So, my bottom line is to encourage the NRC
24 to look closely at documents presented, and ensure the
25 comments considered are based on good science. I know

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1 the Draft EIS was reviewed by many experts many times,
2 which makes it, in my opinion, good science. As a
3 long time citizen of Idaho Falls, and one who has
4 actually consumed for many years the water that comes
5 from the Snake River clean aquifer directly under the
6 site, I would tell you that I would not endorse a
7 facility that I thought would harm the air or water.
8 My children, and my children's children live here, and
9 if anyone thinks I would let them be knowingly harmed
10 by any facility, they are sadly mistaken.

11 I believe AREVA should be issued a license
12 to construct and operate the Eagle Rock Enrichment
13 Facility at the earliest opportunity. Thank you for
14 the opportunity to express my thoughts, and thank you
15 for the Draft EIS.

16 (Applause.)

17 MR. BARKLEY: I believe at this point I
18 have called through all the elected and appointed
19 officials in state and local government. If I have
20 overlooked someone, please raise your hand. All
21 right. At this point in time I would like to call the
22 next three people, Cindy Smith-Putnam, Andrea Shipley,
23 and Jackie Flowers.

24 MS. SMITH-PUTNAM: Thank you. My name is
25 Cindy Smith-Putnam, and I'm speaking tonight in my

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1 role as Chairman of the Board of Directors of Grow
2 Idaho Falls. On behalf of our investors and the
3 members of the community in the immediate impact area,
4 we thank you for coming to Idaho Falls, and welcome
5 you back to our town.

6 Grow Idaho Falls is an economic
7 development organization, and because of the unique
8 fabric of our local and regional economy, and the
9 collection of business assets and commerce, of which
10 we are justifiably proud, we operate a very
11 collaborative community economic development strategy
12 called TEAM, and that stands for Tourism, Energy,
13 Agriculture, and Medical. The E in that acronym,
14 Energy, receives significant attention in our work.
15 And, consequently, we have been involved with the
16 Eagle Rock Enrichment Facility project for nearly
17 three years since its inception, during the site
18 selection phase which occurred in 2007. We have
19 appeared on multiple occasions to provide public input
20 as an affected stakeholder for the AREVA project, and
21 we and our investors have an intimate familiarity with
22 the project that is envisioned by AREVA in this
23 beautiful place where we live.

24 In addition to our own independent
25 research, our familiarity exists largely as a result

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1 of AREVA's own transparency, and proactive approach to
2 engaging us in dialogue to share their plans, not just
3 in the beginning, but on an ongoing basis. And now,
4 as a result of your diligence in researching and
5 producing a very thorough and comprehensive Draft EIS,
6 we know even more about the outcomes and impacts that
7 approving this license application would deliver.

8 On behalf of Grow Idaho Falls, and
9 although you and others have already done a good job
10 capturing it in the process leading up to the Draft
11 EIS, I simply cannot overstate the positive
12 socioeconomic impacts this project would bring. Even
13 now in this very early stage, we are already seeing
14 transportation improvements easing the flow of current
15 traffic along U.S. Highway 20 corridor, and that's
16 because we've asked our officials to anticipate, plan
17 for, and assess these future needs, and to address
18 them in advance. But when it comes to economic
19 development, this project's significance reaches far
20 beyond the obvious direct impact of jobs creation,
21 dramatic expansion of tax revenues for our cash
22 strapped state, infrastructure development, and the
23 multiplier effect of all of those dollars.

24 The bigger picture is this project's
25 significance to our regional and national energy

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1 future, and it is the national energy future that
2 fundamentally and absolutely requires a significant
3 reset from the status quo.

4 Currently, under the E in Energy, Grow
5 Idaho Falls has taken an active role in supporting the
6 development and expansion of green renewable sources
7 of energy. We can, we should, we have, and we will
8 continue to support the diversification of the energy
9 portfolio of our region and nation, to include
10 harnessing the power of wind, water, heat, and light,
11 to reduce the harmful effects to the environment of
12 carbon emitting sources, and to promote our national
13 security by becoming less reliant on foreign oil.

14 Increasing renewables, promoting
15 conservation, decreasing use of fossil fuels, all very
16 important, we can, and we should do all of those
17 things. And, yet, even taken together, none of that
18 is enough, not nearly enough to meet our growing
19 energy demands. Nuclear energy stands alone as the
20 best way to produce the energy we need, while at the
21 same time minimizing harmful environmental and
22 geopolitical consequences. It gives us the
23 opportunity to turn away from the practices of the
24 past toward a more stable and sustainable energy
25 future.

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1 Therefore, just as we need to be
2 independent of unstable and unpredictable sources of
3 oil, we also need to be independent of unstable and
4 unpredictable sources of enriched uranium. Simply
5 put, the Eagle Rock Enrichment Facility beautifully
6 addresses that need.

7 As your EIS shows, and like in all human
8 endeavors, the project is not wholly devoid of impact.

9 The air quality issue is an impact; yet, we are
10 mindful that land and dust issues are a normal part of
11 any major construction, and will be temporary and
12 brief in duration. Risks and impacts are an inherent
13 part of life on this planet. They cannot be avoided,
14 but they can be anticipated, and evaluated, weighed
15 and measured in comparison to their relative reward
16 and benefits.

17 What is important to maintain, as Rocky
18 said, is a sense of perspective when evaluating those
19 risks and impacts. And that is what the opponents of
20 this license approval fail to do when they engage in
21 hyperbole and misdirection bringing more heat to the
22 subject than light.

23 The office that I hold on the Board of
24 Grow Idaho Falls is an elected position, a voluntary
25 community service. In other words, working on

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1 economic development in our town and attending the
2 evening meetings of this kind are what I do for fun,
3 and for free. But for a living, and for a life, I
4 work in health care, specifically, at Eastern Idaho
5 Regional Medical Center, which is responsible for the
6 health of this community and our surrounding
7 neighborhoods. So, when I say that, the issue of
8 public health is one that's dear to me.

9 Over the past five years, approximately a
10 million and a half Americans have died from smoking,
11 automobile accidents, and alcohol-related incidents.
12 Obesity has claimed another million and a half lives
13 over the same time period. And according to the
14 Institute of Medicine's landmark report titled, "To
15 Err is Human," my own industry, health care, is
16 estimated to be responsible for the annual death of
17 nearly 100,000 people through medical errors. By
18 contrast, according to the Director of the Carlsbad
19 Environmental Monitoring and Research Center, in that
20 same period of time, the past five years, the nuclear
21 industry has produced zero deaths, and a relative
22 danger index of 0.0.

23 We support the Preliminary NRC assessments
24 regarding the potential impacts named in the Draft
25 EIS, and we agree with the findings that the impacts

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1 are small to moderate. We also find them more than
2 acceptable when viewed in relation to the positive
3 benefits this project will bring, which are neither
4 small nor moderate, but, instead massive, and
5 transformative.

6 Finally, we agree with your preliminary
7 conclusions that this project deserves to move
8 forward. We hope you will continue to rely on
9 scientific fact in making these decisions, and not be
10 swayed by emotion or opinion, and we urge you to grant
11 the license for the AREVA project in a timely manner.

12 Thank you for considering our perspective.

13 (Applause.)

14 MS. SHIPLEY: Thank you for the
15 opportunity. My name is Andrea Shipley. I'm the
16 Executive Director of the Snake River Alliance.

17 AREVA's proposed uranium enrichment
18 factory will store radioactive waste above the sole
19 source aquifer for nearly 300,000 people, impact
20 sensitive species, support transport of radioactive
21 materials into and out of Idaho, impact the Hell's
22 Half Acre national monument, support destruction of
23 the John Leopard Homestead, which has been recommended
24 for the National Register of Historical Places, enjoy
25 billions in state and federal largesse, and utilize

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1 farmland that is potentially protected by the federal
2 government. The Alliance is here to say it's not
3 worth the risk.

4 The purpose and the need for this facility
5 fails to be addressed in the Environmental Impact
6 Statement. There is already uranium enrichment in the
7 U.S., and the raw material comes from a foreign
8 source. Since the uranium that will be enriched by
9 AREVA will come from foreign sources, the licensing of
10 this facility does not create increased domestic
11 control of reliable supplies of enriched uranium,
12 Draft EIS 2-6.

13 The EIS clearly states that AREVA's
14 product will be shipped overseas; therefore, vilifying
15 the project's effects on domestic uses of enriched
16 uranium. Because AREVA is a French company, its
17 production of enriched uranium in the U.S. does not
18 actually result in domestic control of that product,
19 Draft EIS 2-17. Not to mention that the EIS claims
20 that the need for AREVA's enriched uranium will be
21 spurred by the building of a fleet of reactors.
22 Economic costs, delays, and safety issues all indicate
23 that this supposed renaissance is not only improbable,
24 but unlikely.

25 The Draft EIS assumes that depleted

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1 uranium hexafluoride will not be stored on site beyond
2 the licensed length of the facility, but the Draft EIS
3 also acknowledges that it may well apply for license
4 extension. As a matter of fact, AREVA plans to ask
5 federal regulators for permission to alter the
6 normally required procedure as it ends the
7 manufacturing of nuclear fuel on Mt. Athos Road in
8 Richland, Washington, because the company would still
9 use the site for other nuclear activities. So, what's
10 next for the Idaho facility if an extension is
11 approved?

12 The NRC must discuss the length of a
13 potential extension, and whether or not cumulative
14 waste would be allowed. This is not to mention the
15 lack of a fully developed rule on disposal of depleted
16 uranium, and no operational deconversion facilities in
17 the U.S., leaving no pathway for disposal of this
18 waste, and a line of already existing depleted uranium
19 hexafluoride waiting for deconversion.

20 Accident scenarios should be an analysis -
21 should include an analysis of the potential
22 environmental and health effects of an accident on
23 roadways in the event of a spill of the various
24 radioactive materials that will be transported to and
25 from the facility.

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1 The Draft EIS, 4-136, stretches
2 credibility in attaching greenhouse gas attributes to
3 the EREF. This reasoning in the EIS is that the
4 project should be considered a greenhouse gas sink
5 because it would produce enriched uranium for use in
6 nuclear reactors that might replace traditional coal
7 in other fossil fuel plants. By this logic, my car is
8 a GHG sink when I'm not driving it. This tertiary GHG
9 benefit is improper, particularly in light of the EIS'
10 failure to acknowledge the secondary and tertiary
11 environmental public health threats created by the
12 EREF and its operations from uranium mining to
13 disposal of reactor waste, and reactor
14 decommissioning. If the EIS credits EREF for such
15 greenhouse gas emission reductions due to its
16 contribution to nuclear reactors, it must also credit
17 EREF for the known environmental and health threats
18 that are also attributed to the same nuclear reactors.

19
20 Accidents, fire, air and water quality,
21 and the development of this land will impact several
22 species, including raptors and sagebrush obligate
23 species, Draft EIS 4-24. Sage grouse is candidate
24 species for the endangered species protection.

25 Because of an exemption in March 2010,

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1 AREVA will be allowed to start preconstruction
2 activities as early as October 2010. This
3 preconstruction exemption shows a bias towards the
4 licensee. Further, the EIS may not be in compliance
5 with the Federal Farmland Protection Act.

6 The EREF could not function without the
7 transmission line, which is critical to the proposed
8 action. The EIS is inaccurate based on the true scale
9 of ecological effects, and the problem is compounded
10 by construction of the proposed electric transmission
11 line and poles, which sage grouse are known to avoid
12 because they serve as perches for raptors. It is
13 recommended that the routes for some proposed new
14 transmission lines be part of its own NEPA process,
15 because of potential impacts to wildlife and the land.

16 In conclusion, since the only
17 justification for the facility is an asserted but
18 unsupported need for domestically produced enriched
19 uranium, which the EREF does not in any case provide,
20 a no action alternative should be chosen. Thank you.

21 (Applause.)

22 MS. FLOWERS: Good evening. I thought I'd
23 come up front. That microphone is dismal in the back.
24 My name is Jackie Flowers, and I'm here to address
25 you this evening as a resident of Idaho Falls. I want

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1 to thank you, the NRC staff, for your due diligence as
2 you evaluated the AREVA license application for the
3 Eagle Rock Enrichment Facility, and your commitment in
4 safeguarding that process.

5 This facility is proposed to be located in
6 our collective backyard. Your work has resulted in
7 identifying and evaluating potential environmental
8 impacts that our community is concerned about,
9 important topics like water resources, air quality,
10 waste management that could impact our day-to-day
11 lives, and our quality of life. You have also
12 completed important work related to safety analysis
13 report, another topic of community concern. I
14 appreciate the NRC's commitment to its primary role,
15 protecting public health and safety, as you have
16 contemplated the application before you.

17 As Idahoans look to welcoming new industry
18 in eastern Idaho, we want to know that we are doing
19 so, while maintaining the clean, safe, and healthy
20 environment we currently enjoy. We look to you, the
21 NRC staff, the experts, to conduct a thorough
22 analysis. You have completed this Draft EIS
23 investigating areas of concern as expressed by the
24 community, and we look forward to welcoming AREVA to
25 eastern Idaho.

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1 Something else this community is concerned
2 about and cares about is energy. As this country
3 grapples with visions for a sustainable energy future,
4 and energy independence, we have to take action and
5 stop the rhetoric. Nuclear energy provides 20 percent
6 of the nation's electricity. We've already heard that
7 tonight. Importantly, we've also heard it provides
8 more than 69 percent of emission-free electricity that
9 keep the lights on in this country. Let me stress,
10 base load emission-free energy. With less than 15
11 percent of the nuclear fuel supply necessary for the
12 existing nuclear energy fleet coming from a single
13 source inside this country's border, we have an energy
14 security problem that I believe rallies that of our
15 dependence on foreign oil. And this is an important
16 step towards building that independence.

17 Nuclear energy is ready now to be a
18 central part of a balanced common-sense approach to
19 clean energy diversity. I agree with the NRC staff's
20 statement that this facility will contribute to the
21 attainment of national energy security policy
22 objectives by providing an additional reliable and
23 economical domestic source of fuel for these important
24 nuclear energy facilities. I support the NRC staff
25 recommendation that due to small environmental impacts

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1 from the Eagle Rock Enrichment Facility, AREVA should
2 be issued a license to construct and operate the
3 facility.

4 Thank you for the opportunity to comment
5 on the Draft EIS.

6 (Applause.)

7 MR. BARKLEY: Thank you. At this point,
8 we're 10 minutes past the posted end time of this
9 meeting. We have 24 people who still want to speak,
10 so I will do my best to sort through as many as we
11 can. We do have a hard and fast time in which we will
12 need to vacate this room, so we'll see how many of
13 these people we can get through.

14 The next three people I would like to call
15 are Linda Martin, William Quapp, and Martin Huebner.
16 Linda.

17 MS. MARTIN: My name is Linda Martin. I'm
18 a resident of Idaho Falls. I also work in the area,
19 and I'm a member of several boards and groups. I have
20 two letters, one from the Eastern Idaho Economic
21 Development Partners, and one from the State of Idaho
22 Economic Development Association.

23 From the EIEDP, "On behalf of the EIEDP,
24 we wish to express support for the AREVA project, and
25 we represent a 13-county area surrounding the Eagle

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1 Rock Enrichment Plant location, which is in the
2 affected impact zone. We have issued previous letters
3 of support for the project. We feel confident that
4 the NRC and AREVA have addressed all necessary safety
5 and environmental concerns in the Draft EIS. We urge
6 the NRC to stay on scope, and utilize scientific
7 expertise to guide their decisions for issuance of the
8 license and permit for the EREF plant.

9 We feel that the NRC procedures for the
10 licensing process have been very satisfactory, and
11 thank you for your thoroughness." This is signed by
12 Kristen Jensen and Jolie Turek, the Co-Chairs, and
13 represents the Lost River Economic Development Agency,
14 the Bannock Development Corporation, the Custer
15 Economic Development Council, the Four County Alliance
16 of Southeastern Idaho, the Great Rift Business
17 Development Organization, the Clark County Economic
18 Development Agency, and Grow Idaho Falls.

19 "For the Idaho Economic Development
20 Association, they're grateful for the opportunity to
21 show their support for the AREVA project. IEDA
22 represents over 75 economic development professionals
23 throughout the state. We have supported the AREVA
24 project from its beginning during the site selection
25 phase with the Department of Commerce in several areas

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1 across the state, which submitted proposals.

2 We supported the legislation which
3 positioned Idaho to ultimately become the site chosen
4 for the project. This was healthy economic
5 legislation which provided earned benefits for
6 performance, not only for the AREVA project, but any
7 company that would present similar investments in
8 Idaho.

9 We appreciate the NRC's use of scientific
10 expertise to guide the decisions for issuance of the
11 license and permit for the Eagle Rock Enrichment
12 Facility. We feel that the NRC procedures for the
13 licensing process have been very satisfactory, and
14 thank you for your thoroughness." This is signed by
15 Wendi Secrist, President, and Jana Chalfant, President
16 Elect.

17 (Applause.)

18 MR. QUAPP: My name is William Quapp. I'm
19 representing myself here tonight, although some of you
20 know me for some 20 past years working at the INEL,
21 during which time I developed an expertise in depleted
22 uranium management, including understanding the risks
23 and associated management techniques of uranium
24 hexafluoride. All told, I have some 42 years of
25 background in the nuclear industry beginning in 1968

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1 with General Electric nuclear fuel design, reactor
2 design, and for much of the last 20 years, nuclear
3 waste management.

4 I bring this expertise to bear in terms of
5 critiquing the plans for the enrichment facility, and
6 as a digression, I challenge the founder of RIO, whose
7 leaders are fantastic and I've used for years, but
8 while his concerns I empathize with, I believe he will
9 finally be feeling safe once he sees this facility in
10 operation. But back to the technical merits, the
11 safety of managing depleted uranium has been well
12 established throughout the world. There are more
13 kilograms of depleted uranium being safely managed
14 with no risks throughout the world today, and it is
15 not a major risk factor to our lives. I personally
16 have two patents on using depleted uranium for nuclear
17 storage, and believe that the best destiny, in fact,
18 for depleted uranium is for the shielding of spent
19 fuel in a Yucca Mountain type of repository.

20 First of all, I commend the staff's
21 preliminary conclusions, and hope that they retain
22 those conclusions on the favorable benefit cost
23 assessment. My only disagreement with the NRC's
24 impact statements may be one of semantics. I believe
25 that the risks or impacts identified shouldn't be

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1 attributed to low and moderate, but the word should be
2 trivial. I believe those impacts are trivial compared
3 to the impacts associated with a societal continued
4 importation of foreign oil. I believe, furthermore,
5 that nuclear power can provide the indigenous energy
6 supply while employing Americans in the USA. And, in
7 fact, I believe there is no bigger impact than sending
8 our soldiers to support energy policy in countries of
9 foreign, or the Middle East. So, I support the Draft
10 EIS conclusions for the reasons that have been stated
11 therein, but for many more societal benefits, as I see
12 it, in use of safe and sensible use of nuclear power.

13 (Applause.)

14 MR. HUEBNER: NRC staff and members of the
15 audience, I'm Martin Huebner. I'm a retired but still
16 licensed Professional Nuclear Engineer. I have worked
17 in nuclear facilities from coast to coast in seven
18 different states. I held a Q clearance in 1954,
19 that's a special government clearance, and I retired
20 in 1994. I also am, or have been the president or
21 officer of a variety of technical organizations, as
22 well as environmental organizations. I'm considered by
23 some to be a hardcore environmentalist. I also have
24 held an Idaho Fishing and Hunting Guide license, and a
25 backpacking license, and I like to hunt and fish in

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1 Idaho as much as anybody.

2 Well, that said, I want to address my
3 personal and informed opinion on the adequacy of the
4 Draft Environmental Statement for AREVA's proposed
5 Eagle Rock facility. I reviewed the EIS, and I find
6 no errors or omissions in it. It is a well-crafted
7 and complete document, which should be accepted and
8 approved, as is. The impact statement has been
9 criticized unnecessarily and repeatedly by the Snake
10 River Alliance, who I have been dealing with since it
11 was founded years ago.

12 I have been to dozens of hearings on
13 nuclear issues where the professional fear mongers of
14 the Snake River Alliance beat up on the DOE or the NRC
15 with a lot of hokey criticisms. I state here and now
16 for the record, that I recommend to the NRC, as other
17 people have, diplomatically view such criticisms, but
18 you could ignore most of it.

19 You may have wondered, like I have, how
20 the Snake River Alliance comes to some of their
21 bizarre conclusions. That was explained to me a
22 couple of years ago when I went to an open meeting of
23 the Snake River Alliance in Sun Valley, and their
24 then-president explained how they do it. He said,
25 first of all, he said we -- the Snake River Alliance -

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1 - has no scientists or engineers on their staff. That
2 was painfully and obviously true then, and may still
3 be true, I don't know. If the Snake River now claims
4 to be a research organization, as it did in Boise, it
5 will be something new.

6 The president of the Snake River Alliance
7 then said, "We don't believe in the scientific
8 principle, we believe in the precautionary principle."

9 What was that? I was shocked. How in the heck can
10 the Snake River Alliance come to an intelligent and
11 meaningful conclusion on technical matters without
12 applying the centuries-old scientific principles of
13 observation, experimentation, formulation, and testing
14 hypotheses To a scientist like me, an engineer like
15 me, what that statement was was shear heresy.

16 The president of the Snake River Alliance
17 went on to explain, "The precautionary principle says
18 that in the absence of a technical consensus, the
19 burden of proof that an action will not cause harm to
20 the public or to the environment falls on those taking
21 the action." This is a quote from their victim.
22 "This principle leads to a lot of fanciful concerns,
23 such as a hypothetical failsafe trousers issue.
24 Example, Environmental Committee has decreed that the
25 human males should wear failsafe trousers in a multi-

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1 gender workplace so somebody's pants don't fall down
2 and embarrass somebody. A government organization,
3 like OSHA, we all like OSHA, right, is tasked to study
4 the problem and produced a formal recommendation.
5 Just summing it up, it measured the waist dimensions
6 and the hip dimensions of a thousand men, and then
7 decided you can make pants, or size pants so that the
8 pants will never fall down.

9 Now, they backed that up by saying the --
10 to ensure the failsafe feature of these trousers that
11 are now guaranteed not to slip off somebody's hips,
12 the wearing of a high strength leather belt with a
13 metal buckle is mandatory. Now, applying this
14 precautionary principle, a hypothetical anti-trousers
15 organization, such as the Snake River Safe Trousers
16 Coalition, would respond with criticism that the loops
17 and seams can fail, and the leather belt can have
18 undetected flaws such that the belt material would
19 deteriorate. And regarding the buckle, our coalition
20 knows of many instances of metal fatigue and failure.

21 This group continued, we recommend that,
22 additionally, human males should also appropriately
23 wear installed suspenders to keep the multi-gender
24 workplace environment totally trouser failure safe.
25 Now, like most pronouncements, based on the

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1 precautionary principle, this is utter nonsense.

2 Now, lastly, and most importantly, and
3 this is a personal opinion, in my 45 years of living
4 in Idaho, I have participated in probably 150 hearings
5 on environmental issues. These issues included
6 discussions of dams, forest clear cuts, offloaded
7 vehicles, ski areas, electrical transmission lines,
8 pipelines, back country, foot and travel,
9 establishment of wilderness areas, wildlife and
10 fishery issues, and developments of all sorts. Not
11 once did I note that there was a representative from
12 the Snake River Alliance present at these
13 environmental hearings, not once. That tells me that
14 the Alliance's environmental concerns are similar to
15 that of British Petroleum, and they're about as deep
16 as a parking lot puddle.

17 If it's true, as we previously stated in
18 Boise, that the Snake River Alliance now is a research
19 organization, that implies that maybe the Snake River
20 Alliance has dumped the precautionary principle, and
21 now embraced the facts-based scientific principle. If
22 that is not the case, I sincerely hope that Snake
23 River Alliance objectively looks at the facts, and
24 comes to the conclusion that most of us here already
25 have, that safe, reliable, economical, carbon-free

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1 nuclear power must be, and will be a vital part of
2 America's future.

3 Thank you for the opportunity to share my
4 thoughts with you.

5 (Applause.)

6 MR. BARKLEY: Thank you. Going forward,
7 we are taking comments on the Draft Environmental
8 Impact Statement on a project. I would appreciate if
9 the comments stayed on the project versus other
10 organizations in the room.

11 (Applause.)

12 MR. BARKLEY: The next three people I'd
13 like to call are Dennis Donnelly, Ken Miller, and
14 Margo Proksa. Thank you.

15 MR. DONNELLY: I'm Dennis Donnelly from
16 Pocatello. In the current EIS on page 2-27, I quote,
17 "Specifically, the range of alternatives was
18 determined by considering other ways to provide
19 enriched uranium to fulfill electricity generation
20 requirements and provide reliable and economic
21 domestic supplies of enriched uranium for national
22 energy security."

23 I would point out that this section of
24 considering alternatives assumes that it has to supply
25 enriched uranium for national energy security; that

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1 is, they assume that this plant is going to be built,
2 and it neglects the alternative of not building these
3 plants.

4 I would point out that if you build this
5 facility, it commits America, this is the unstated
6 thing, it commits America essentially to a future that
7 includes nuclear power, and all the nightmares
8 associated with it. I would like to point out that
9 there are other options that some of the nightmares
10 would be a police state in our communities, where the
11 Soviet Russians and the Germans that we already have
12 that police state. These things are so dangerous that
13 we're considering bombing Iran and the Israelis are
14 considering bombing Iran for exactly the same
15 facility. It's so dangerous. The reason is, of
16 course, that you build this facility, and then you
17 build the reactors, the reactors breed plutonium,
18 plutonium can make weapons. You can't take that away
19 once you've done it.

20 The police state is a terrible thing. The
21 rest of it has to do with the threat of military
22 attack on these facilities, on the plants. Nobody
23 seems to address that all these atomic power plants
24 are built above ground. Any kind of terrorist or
25 military attack on any one of them can take out two

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1 states, that much area. We've seen Chernobyl. We
2 know it can happen, and it has happened. Even
3 accidents can take out a large area. Right now we have
4 major problems still from Chernobyl, and everyone
5 knows it.

6 I would like to point out there are
7 alternatives that have not been considered, that I'd
8 like to mention. A couple of weeks ago, there was an
9 announcement in the "New York Times", and I followed
10 it up, and yes, it's true, there was a study in North
11 Carolina that concluded for the first time that new
12 power plants in North Carolina were cheaper to build
13 with solar power than with nuclear power. This is a
14 major crossover point that should be considered. And
15 you see there are none of the problems, there are no
16 activation products, there are no fission products,
17 there are no actinides, there is no pluming of
18 unmanageable wastes that we're casting into the future
19 for all of geologic time that require management and
20 armies to manage them. None of the problems if you go
21 with solar power, and with -- instead of nuclear
22 power. And I would urge everyone to consider
23 personally their own career options right now.

24 If we go ahead with this plant, we're
25 committing to a future that dumps unmanageable

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1 problems, and a police state on the future of this
2 country, and every country. Whereas, if we do the
3 unspoken thing, let all our aging and outdated nuclear
4 plants expire, and then use clean energy, non-carbon
5 energy for the future, and not this totally toxic
6 nuclear energy. Thank you.

7 (Applause.)

8 MR. MILLER: Commission staff, welcome to
9 Idaho. My name is Ken Miller, and I am the Energy
10 Program Director for the Snake River Alliance. And I
11 just wanted to touch -- some of my points have already
12 been covered, so I'll make this as brief as possible.

13 The Draft EIS in Section 1.3.1 suggests
14 that "as future demand for electricity increases, the
15 need for low enriched uranium to fuel nuclear power
16 plants is also expected to increase," and they're
17 citing the Energy Information Administration's Annual
18 Energy Outlook in 2009. In fact, the correlation
19 between future energy demand and the corresponding
20 future demand for low enriched uranium today is
21 speculative, at best.

22 There's been talk about nuclear as a
23 baseload power source, and as a clean alternative to
24 coal, and also gas to a degree, I suppose. It is true
25 that nuclear power has a capacity factor, as we heard

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1 earlier tonight, that does qualify it as baseload, but
2 it's not the only resource that can fill that bill.
3 The U.S. Department of Energy does not put all of the
4 nation's future energy eggs in the nuclear basket.
5 Far from it, it envisions a much more diverse energy
6 portfolio that is more reliant than ever on energy
7 efficiency, and conservation, and other truly
8 renewable baseload energy resources.

9 In Idaho, we have other baseload energy
10 resources, such as hydropower and geothermal, and our
11 utilities are working hand and glove with DOE at the
12 INL, and at the National Renewable Energy Laboratory,
13 to more efficiently integrate wind and solar into our
14 increasingly smart grid. Our region's six power plan,
15 which was adopted by the Northwest Power and
16 Conservation Council, projects that our region can
17 meet 85 percent of our new load growth over the next
18 20 years through energy efficiency, and to a degree,
19 renewable energy. The plan does not envision the
20 development of any large-scale regeneration for the
21 next 20 years, and that would include nuclear.

22 On the transmission issue, the NRC's
23 exemption that authorizes AREVA to undertake
24 preconstruction activities as not part of the proposed
25 action should not include exempting utilities'

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1 installations including transmission lines and
2 associated substations, and other utility
3 infrastructure. Installation of 80-foot tall,
4 161-kilovolt transmission lines should not be
5 considered as having cumulative impacts, as referred
6 to in the EIS, but rather direct impacts that must be
7 analyzed in the EIS. Contrary to assertions, and this
8 is in the Draft EIS 1-10, that this transmission line
9 is not considered by the NRC to be part of the
10 proposed action. EREF could not function without the
11 transmission line, which is critical to the proposed
12 action, and must be considered for its environmental
13 impacts.

14 The Draft EIS is in error when it suggests
15 at page XLV that "impacts from the construction of a
16 proposed new 161 KV transmission line, a substation,
17 and substation upgrades for the proposed EREF are
18 addressed as cumulative impacts in this EIS." This
19 action is not under NRC's jurisdiction, according to
20 the EIS, and therefore not considered by the NRC to be
21 part of the proposed action.

22 We don't believe this is a defensible
23 position. The EIS is replete with positive social and
24 economic benefits from this project. Erecting 80-foot
25 transmission towers and stringing power lines between

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1 them must be considered for their environmental
2 impacts, just as Idaho's Department of Fish and Game
3 suggests. And I'll skip through this, and the Fish
4 and Game reference is in an April 14th letter of
5 response to the NRC, which reaffirmed the threats
6 transmission lines would pose to wildlife. This is on
7 B-26, 27, and 28 in the EIS, and it challenges the
8 methodology of sage grouse and leek analysis on the
9 EIS. That's at Draft B-27. It recommends burying
10 transmission lines, and suggests that AREVA submit to
11 the NRC for review plans to mitigate for their
12 wildlife impacts.

13 The idea of burying power lines, we
14 believe, needs to be addressed in the EIS before it's
15 finalized, because we do believe -- we agree with the
16 Department of Fish and Game -- that there will
17 continue to be harmful impacts to birds, bats, and
18 other wildlife. This is especially important given
19 impacts of transmission line construction and
20 operation could also include wildlife disturbance and
21 mortality.

22 Given all of that, we believe that to
23 exempt the transmission work from -- as
24 preconstruction, and to exempt that from the EIS
25 review needs to be reassessed. And we thank you for

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1 the opportunity.

2 (Applause.)

3 MS. PROCZIN: My husband, Dennis, and I
4 appreciate the opportunity to contribute our thoughts
5 to the AREVA project. Thanks to the Snake River
6 Alliance for pressuring you to have two hearings so
7 taxpayers can give you more feedback.

8 I hesitate to read this, because I am
9 very, very tired, but I think it will entertain you,
10 so I'll read it. It's easy to understand why some
11 think AREVA would be fantastic for Idaho, the money,
12 the jobs in construction, operating, maintenance,
13 cleanup, the lofty ambitions of supporting the nuclear
14 power industry renaissance, and slowing global
15 warming. However, there are many who know the truth
16 about nuclear power from mining, to uranium
17 enrichment, and all the steps between. It's dirty,
18 dangerous, and expensive. And we think there's no
19 need for a renaissance at all, because there are wiser
20 alternatives in renewable resources.

21 We propose the following energy efficient
22 strategies to be paid for with the \$2 billion loan
23 from the feds, and whatever Idaho is throwing in. Buy
24 and install energy efficient appliances for every
25 Idahoan who needs them: hot water heaters,

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1 refrigerators, washers, and dryers, insulate Idaho
2 homes and commercial buildings that are inadequately
3 protected, more cash for clunkers, expand renewable
4 energy resource development, wind, solar, geothermal,
5 and the grid, build bike paths throughout Idaho
6 communities for everyone to use for commuting to work,
7 and to schools, and for recreation, encourage bike
8 travel by making it safe and enjoyable, get young
9 people involved in energy issues and problem solving
10 by developing an education program that encourages
11 imagination, ingenuity, and self-sufficiency that are
12 carbon-free and nuclear-free. Why not?

13 This would be an economic stimulus package
14 that would diversify the population that needs help
15 the most, the unemployed and the middle class. This
16 could have a positive and profound effect locally and
17 globally. It would create jobs for Americans, the
18 appliance manufacturers who buy raw materials like
19 steel, and delivery and installation jobs, and jobs to
20 extract recyclable materials from old appliances.
21 Jobs where they make insulation, and jobs to install
22 the insulation, jobs in manufacturing fuel efficient
23 cars, trucks, and buses, jobs in city planning to
24 route bike paths throughout their communities, and
25 jobs for road and path construction, as well as the

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1 materials for that expansion, jobs in bike
2 manufacturing, jobs in renewable energy technologies.

3 There are abundant health benefits and
4 energy savings with this plan. A healthier
5 population, because of the option to pedal around
6 town, a broader cross section of Americans who will
7 find work in their communities, and the cost of energy
8 at home and fuel for their vehicles will be reined in,
9 stress levels will drop improving everyone's attitude
10 and outlook. Other states and countries would admire
11 Idaho for its truly progressive focus on the short-
12 and long-term goals. Idaho could become a model for
13 sustainable living. Tourism would increase just
14 because people would want to see progress to believe
15 it, especially in such a scenic state.

16 In addition to these straightforward
17 suggestions for energy savings, job creation, health
18 benefits, and collective attitude adjustment, there
19 are a wealth of other positive side effects for Idaho
20 if AREVA does not build a uranium enriching plant
21 here.

22 We would not have to loan a foreign
23 company/country billions of dollars we can put to
24 better use ourselves. And we don't have to give them
25 any more money if they underestimate costs, or have

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1 technical problems they don't expect during
2 construction, or pay for cleanup after they take their
3 profits and return to France. Idaho would not be
4 responsible for the safety and cost of storing tons of
5 depleted uranium waiting patiently until the day comes
6 when someone figures out what to do with it, and where
7 to put it. Idahoans would not have to share the roads
8 with thousands of loads of toxic and dangerous
9 materials. Idahoans won't have to worry about living
10 downwind of smoke or emissions should there be a fire,
11 or terrorist attack at the facility. We don't have to
12 endanger any wildlife because of habitat destruction,
13 or lose productive farmland. We can rest assured
14 radioactive materials will not be lost in the system
15 and used for making bombs, since enrichment is a
16 proliferable technology. The Snake River Aquifer
17 would be protected from further contamination.

18 The advantages of not financing AREVA are
19 huge. U.S. energy policy must shift its attention and
20 resources to the development of carbon-free and
21 nuclear-free alternatives that are faster, cheaper,
22 and less risky. We can think outside the dirty,
23 dangerous, and expensive nuclear power box. We have
24 the legacy of nuclear age to learn from. It is simply
25 time to let go of nuclear business as usual. AREVA is

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1 a dinosaur. The future is now.

2 (Applause.)

3 MR. BARKLEY: Okay. Thank you. The next
4 three people I'd like to call are Margaret Stewart,
5 Rebecca Casper, and John Tanner.

6 MS. STEWART: Thank you to the Nuclear
7 Regulatory Commission staff for allowing me this time
8 to speak, and voicing my concerns about the proposed
9 Eagle Rock Uranium Enrichment Facility. My name is
10 Margaret Macdonald Stewart, and I've lived for 40
11 years less than 100 miles from the proposed facility.

12 I'm very deeply concerned about the inadequacies of
13 the current Draft EIS on this facility.

14 And aside from AREVA's greed, grim, and
15 very, very devastating global environmental and human
16 rights record around the world, particularly in
17 Africa, I vehemently oppose the NRC licensing of this
18 facility on grounds that the facility has not been
19 proven necessary, a huge amount of dangerous
20 radioactive waste that would be created has no
21 disposal place, the nuclear reactors that the EIS says
22 will need AREVA's product more than likely will never
23 be built. This facility will not ensure domestic
24 control over our nuclear fuel needs. The NRC allowing
25 AREVA's preconstruction activities with no advanced

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1 environmental assessment shows clear intent by the NRC
2 to license this facility. And there has been
3 inadequate addressing in the EIS of wildfire threats,
4 and transportation of nuclear material accidents.

5 And to make this a lot shorter than what I
6 had originally written because many of my points have
7 been already addressed, there has been little
8 scientific earthquake potential analysis. This Draft
9 EIS appears to be based on the unproven assumption
10 that there will be a large number of nuclear reactors
11 built needing AREVA's product. Given that we all live
12 in a globally threatened economic world, where scarce
13 monies are ever-shrinking, there are ever-present
14 reactor construction delays, safety questions
15 unanswered, and spiraling out of control costs, these
16 assumptions seem dubious, at best.

17 And it has been spoken about before that
18 preconstruction activities by AREVA are a travesty to
19 the public process of honest democracy. Allowing
20 preconstruction activities to proceed without an
21 analysis of the ensuing environmental and human
22 effects shows a clear intention by the NRC to license
23 this facility. And, to me, that appears to make a
24 total sham of the impact assessments, and also of
25 these public comments and hearings.

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1 And, finally, I need to know why a
2 complete analysis of the seismic risks of this
3 facility is being delayed until the safety evaluation
4 report. As you all know, this area has always been
5 seismically active, and the production,
6 transportation, and storage of such dangerously
7 radioactive materials in such a volatile region seems
8 irresponsible, at best.

9 Now, I've used these signs before at
10 hearings, and I use them again because geology doesn't
11 change that much. Back in -- before 1982, the U.S.
12 Building Code upon which all buildings in the U.S.
13 must adhere to, and follow their codes, shows that
14 this is the State of Idaho. Here's INEL, as it was
15 called back then, and this is a zone three potential
16 for major damage. Just after this date, INEL was
17 looking to get approval from the U.S. Congress to
18 build a nuclear facility, a very, very -- I won't go
19 into that -- but a very specific nuclear facility with
20 lots of inherent dangers, and it needed approval from
21 Congress. And, uniquely, after 1992, the potential
22 for major damage changed. And INEL is here completely
23 outside of the danger zone. And now we go to 1989,
24 and here is the potential for major damage with the
25 yellow, and the proximity for major fault system

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1 damage practically inevitable is here, and here is
2 INEL, this little island that there's no problem. So,
3 I think that we really need to look at experts and
4 science to give us this kind of information that, in
5 my book, appears to be based on politics, not on
6 science.

7 So, to conclude, I hope that AREVA has
8 something on Mother Nature, but I doubt it. And I
9 oppose the Nuclear Regulatory Commission licensing of
10 this facility on grounds that it has not been proven
11 necessary. It will create large volumes of
12 increasingly dangerous nuclear waste, for which there
13 is no scientific means of disposal, and for
14 inadequately addressing the risks of wildfires,
15 transportation, and the potential of strong seismic
16 activity at the proposed facility. Thank you.

17 (Applause.)

18 MS. CASPER: I don't care who your boss
19 is. I think it's just absolutely amazing that these
20 gentlemen can keep their eyes open, and just pay
21 attention. I'm very impressed. Thank you for your
22 time this evening, and your stamina.

23 I rise to speak as a private citizen, as a
24 parent, as a community volunteer, and a resident of
25 Idaho Falls. I don't speak as an expert in any way,

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1 but I speak maybe to go along with the science and the
2 pseudoscience tonight, just a little bit of common
3 sense. I am pleased as a community member with
4 AREVA's arrival in our community. They began giving
5 back almost immediately upon their arrival, and
6 corporate citizenship like that is nothing to be taken
7 lightly. To me, it's a sign of responsible management
8 and conscientious management, but that's just an
9 observation.

10 I also serve on what is known as the CAMP
11 Implementation Committee. I do not stand here as a
12 representative of that committee, but I have a few --
13 just a little to share, because I sit on that
14 committee. CAMP stands for the Comprehensive Aquifer
15 Management Plan. We, as a group, have been tasked
16 with coming up with a plan to manage the aquifer, the
17 water that goes in, how much goes in, how much goes
18 out, the quality of the water that's in there, and the
19 aquifer I'm speaking of, I'm sorry, is the Eastern
20 Snake Plain Aquifer.

21 The committee that uses what I believe is
22 a terrific model for its decision making, it consists
23 of stakeholders. They pull together just about every
24 stakeholder they can think of in terms of the aquifer,
25 underground pumpers, surface water irrigators, cities,

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1 counties, businesses that would be impacted. We have
2 a lot of agency members, both from state and federal
3 entities. I represent land development interests on
4 that committee, so there's a wide variety of
5 viewpoints at the table. But like any group that
6 comes together over a controversial issue such as
7 water, the group, of course, it had to form, and then
8 it stormed, and then it normed, and now we're starting
9 to really perform. But what I guess I wanted to share
10 with you about that is that we formed in April of
11 2007, we were first called together by the Governor.
12 I have, in the course of that three plus years, been
13 privy to numerous presentations, and we've deliberated
14 and questioned water safety, water quality, the
15 quantity of water we have, et cetera, from every angle
16 that we've been able to reasonably think of.

17 I can assure you that this group fully
18 understands and appreciates the role that water plays
19 in our state. We know that water is our life blood,
20 and a diminished water quality would absolutely
21 devastate the community, the economy, and basically
22 the lives of the citizenry, so, we know that it's
23 important.

24 I will tell you that at no time since
25 April 2007 has there been one official conversation or

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1 unofficial conversation that I'm aware of, of the need
2 for us, as a planning committee, to prepare to alter
3 our plan for any threats that might be posed by AREVA.

4 We were in existence before AREVA came on the scene.

5 We still are, and it's never been a problem. We've
6 more talked about climate change than we have from
7 threats of radioactivity, or anything like that.

8 I will say that we've had no discussion,
9 in my opinion, not because we've been remiss, but
10 rather because there are no threats that meet the
11 worry and action threshold. Again, we care about the
12 safety and quality of the water. We would not -- we
13 would be remiss in our duties if we didn't explore
14 every viable threat out there. And I am confident
15 that my friend Jack would have -- he spoke earlier --
16 would have told you if there were some threats.

17 One last point that I want to make. As a
18 westerner by birth, I do so love this state, and I
19 love our sense of western independence. Perhaps,
20 Commissioners, if you've traveled throughout the
21 country, maybe you've noticed the cultural difference,
22 and the little fierce independence that a lot of the
23 westerners have. I say this, and I bring this up as a
24 preference to sharing with you one more strongly held
25 opinion that I have, which is that we don't need to be

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1 babysat. I mean, of course, we're going to abide by
2 laws, and we're going to be good national citizens,
3 but I assure, and you need to know that if a problem
4 were to arise with our water quality, or with any
5 other facet of the plan, we would not, excuse me, we
6 would be on it. No one cares about our safety and our
7 health more than we do.

8 I offer my encouragement, my support, and
9 I encourage yours. And just let you know that so far
10 the impacts that I see as a citizen are all positive.

11 Thank you.

12 (Applause.)

13 MR. TANNER: I'm John Tanner. I live in
14 Idaho Falls. Several points I guess I'll speak on.
15 First, earthquakes. The entire Snake River Plain has
16 been known as an area of very low seismic activity, in
17 spite of the high seismic activity in the surrounding
18 hills and mountains. I was working at the chemical
19 processing plant when the Mt. Borah earthquake, a
20 giant earthquake struck, which caused a fault
21 displacement of about, I think over 10 feet there, but
22 we just barely felt a tremor at the chemical
23 processing plant, at the INL. And I point out how well
24 the reactors in Japan and Armenia have stood up to
25 earthquakes that have happened there. I think it was

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1 Armenia, not Azerbaijan, which is next door.

2 As far as transmission lines are
3 concerned, if we couldn't build transmission lines
4 because of environmental impacts, we certainly
5 couldn't have wind farms, because they need
6 transmission lines in spades. It is a fact that we
7 import well more than half of the enriched uranium
8 that we presently need, not that some future reactors
9 might need, but that we presently need.

10 Furthermore, we would like to shut down
11 the one remaining gas diffusion enrichment plant in
12 Paducah, Kentucky, because the gaseous diffusion is so
13 much more inefficient than gas centrifuge technology.

14 In fact, I think they use about 10 times as much
15 electricity for a given amount of separation as a gas
16 centrifuge plant does.

17 Now, okay, we could import enriched
18 uranium, but then not only the profits go abroad, but
19 the jobs, as well. I don't think that's what we want
20 to do. The question of disposal of depleted uranium I
21 suppose was left out of the Environmental Impact
22 Statement because that's not really going to be an
23 AREVA, or an Idaho problem. The depleted uranium that
24 we produce will not be in the form that's suitable for
25 disposal; that is, if the nation wants it disposed of,

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1 it will have to be shipped out of state to a
2 conversion plant to convert the fluoride form to the
3 oxide form, which, by the way, is the form that it is
4 when it's an ore. And then it will be a problem for
5 the Department of Energy, and possibly for the
6 conversion plant which will be out of state.

7 Incidentally, the one in Ohio, it is my
8 understanding, has been operating since last year, the
9 deconversion plant. It had its dedication ceremony,
10 that I know. The one in Kentucky, which had been --
11 construction started at the same time as the Ohio
12 plant -- is expected to be operational this year. So,
13 what the balance between need and capacity will be, no
14 one can say, of course.

15 As far as disposal of decayed uranium is
16 concerned, an honest comparison of the radioactivity
17 between depleted uranium and uranium ore would compare
18 equal amounts of uranium, not equal amounts of dirt.
19 And on that basis, ore is far more radioactive than
20 depleted uranium. It's simply that in the depleted
21 uranium, they've concentrated the uranium, and it
22 would make no sense to dilute it by mixing it with
23 dirt just so we can say well now it's ore. It should
24 be buried, as is, and shallow, because some day we're
25 going to need it.

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1 Now, these injections wells? were developed by
2 nuclear scientists, and engineers, and professional
3 people. And you know what they did? They put waste
4 down into the aquifer, because at the time we thought
5 that a little bit of waste wouldn't hurt anything.
6 You know, just sort of diffuses into the aquifer, and
7 won't hurt anybody. I like to compare it to just a
8 little bit of Drano, you know, you put just a little
9 Drano in your cereal, and it won't hurt you, because
10 it's just a little bit. So, they invented the
11 injection wells, and another reason that they thought
12 this was safe was because they thought that there was
13 very little movement of the water down there. And the
14 scientists, they figured that out, there's no
15 movement. But when they put microphones down into the
16 injection wells, what did you get? You had gurgling.

17 Now, still water doesn't gurgle, so they
18 concluded that there was movement of the water. And
19 the water was carrying the waste, and this was all
20 done in the name of science.

21 Another thing about the water was the
22 hearings I went to several months ago in Mountain
23 Home, again, the scientists, the nuclear scientists
24 were going to build a reactor, and they started in one
25 county, and it was disproved, and they went to another

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1 county and it was disproved. The Snake River Alliance
2 finally called this nuclear reactor Idaho's "Nomadic
3 Nuclear Reactor," which wasn't very scientific, but
4 boy, it was funny. I mean, I liked that. The
5 "Nomadic Nuclear Reactor," because nobody wanted it.
6 And the hearings from them were mainly from the
7 farmers around there. It was an agricultural area,
8 and they were scared, and they were mad, because they
9 said this nuclear reactor is going to take our water.

10 And this is the west. And a lot of fights, and
11 hangings, and range wars happened in the early west
12 over water. This is still the west, and these farmers
13 were saying we don't want this nuclear reactor here,
14 and so it was disproved, and now it's off down
15 somewhere else trying to get approval. And that is
16 stuff I've learned from the Snake River Alliance.
17 They're not -- maybe they're not scientific, maybe
18 they're not totally educated, but they have a
19 contribution to make.

20 And if you think that AREVA is going to
21 help with the aquifer, I would like to say that I
22 don't think you're being very good stewards of the
23 earth, because the gurgling of the waste in the
24 injection wells was kind of a tipoff to me that
25 there's a danger down there, that it's out of sight,

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1 out of mind. But it's there, and so much of the risk
2 involved in our discussions, and in our hearings has
3 been what about the stuff we put into the aquifer, the
4 waste going into the aquifer, the accidents, the risk?

5 What if they want to take water out of the aquifer?
6 If an emergency arose, and they needed water in the
7 name of national security, it wouldn't matter about
8 your little organizations that you have. The
9 government would come in and say this is nuclear
10 national security, and they would squash you like a
11 bug, all your little protests. Goodbye water rights,
12 because national security -- anything in the name of
13 national security, boy, that comes first. So, this is
14 not just your issue here. You know, that aquifer
15 services 300,000 people. This is Idaho's aquifer.
16 It's Idaho's water, and I'm telling you, I don't like
17 the idea of AREVA taking it, or having any access to
18 it at all. And I am in favor of the no action
19 alternative. Thank you for your time.

20 (Applause.)

21 (Off the record comments.)

22 MR. BARKLEY: David.

23 MR. HENSEL: Hello, my name is David
24 Hensel. I live in Driggs, Idaho. Thank you for giving
25 me the opportunity to talk tonight. It's been kind of

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1 odd meeting. I didn't realize that it had so little
2 to do with the EIS, but just to be -- so everyone
3 knows, I am not a proponent of nuclear power, and I
4 may be a wacko, but the reason I'm not a proponent of
5 nuclear power, one of the reasons is I don't think
6 it's a very cost-effective, or a very good energy
7 source as far as being competitive on the energy
8 market. And I don't think that's going to get a lot
9 better, and part of the reason for that is I don't
10 think as a nation we have a very good energy policy.
11 And witness the U.S. Senate being unable to pass any
12 kind of a carbon credit, or carbon tax bill this last
13 year. And I think we should give credit to both of
14 our senators from this state who played a role in
15 stopping that. And part of the reason that nuclear
16 power is not cost-effective is that we don't assess
17 carbon producers, or carbon -- energy produced by
18 carbon -- means their true cost. And I will admit
19 that both sides have been prone to hyperbole, and I
20 know that I've done that, and I asked forgiveness in
21 the past. But I do want to draw your attention to
22 that old phrase about we're going to have electricity
23 that's too cheap to meter. And I think that was a
24 little bit of propoganda. And I will try to use good
25 sources for anything that I state. But forgive me for

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1 that rant.

2 A big concern I have with nuclear power is
3 the risk of weapons proliferation. And I don't think
4 the EIS does a very good job of addressing that. The
5 Federation of American Scientists call, and I'm going
6 to quote here, "Gas Centrifuge Uranium Enrichment an
7 open road to a nuclear weapon." It is what they
8 consider breakout technology, meaning that a plant
9 that enriches uranium for nuclear power production can
10 also be used to convert uranium to a level rich enough
11 to be used in a weapon. Once the feedstock has been
12 raised to what you guys call a low-level of
13 enrichment, you're more than halfway to the point of
14 being able to produce weapons-grade uranium.

15 The gas centrifuge plants like AREVA is
16 talking about using are definitely more efficient than
17 the old methods, but they're also smaller, easier to
18 hide. They do use less electricity and less water,
19 which is a great thing, but it also means that it's
20 more difficult to detect where they're being used, and
21 where they're being used in a manner that's not
22 appropriate. And I think Iran has come up several
23 times, and it's going to be one of the flashpoints in
24 the world, and it's all about this technology that
25 we're discussing here. And I'm not worried about

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1 what's going to happen over here as far as producing
2 nuclear-grade uranium. We have other ways of doing
3 that, but I think we need to pay attention to our
4 perception with the rest of the world. The United
5 States, for better or worse, is no longer the only big
6 guy on the block. And if you look at the people that
7 have nuclear weapons now, nuclear power generation was
8 the path, whether they did it disingenuously or not,
9 to get to their nuclear weapons capabilities.

10 And maybe this is a problem that I have
11 with your EIS, but I'm not sure what the scope of what
12 you're looking at is. I think that, I don't mean to
13 be unkind, but I don't think you did a very good job
14 of looking at a very good market analysis. And here
15 I'm going to quote from the Nuclear Engineering
16 International, November 2009. And I'm assuming these
17 guys aren't appearing for Greenpeace. I mean, I don't
18 necessarily read this magazine, but if I could quote
19 once again, they talk about "enrichment requirements
20 for the world's growing fleet of nuclear power plants
21 are expected to expand significantly. Current
22 enrichment capacity on a worldwide basis is just
23 sufficient to meet those requirements." And this is
24 what I want to highlight, "but the potential pace of
25 enrichment capacity expansion is expected to outstrip

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1 the growth requirements." So, we use this language of
2 we want to be energy independent. I mean, and that's
3 sort of -- I mean, it's a meaningless term.

4 Because we pump oil out of the ground in
5 the Gulf of Mexico, doesn't mean that that oil comes
6 to my gas tank in Driggs. The oil is sold on an
7 international market, so yes, it's great that we
8 produce oil domestically, but that isn't how oil is
9 marketed. I think what you need to look at a little
10 more closely is there doesn't seem to be any
11 guarantees that the enriched uranium that this plant
12 is going to produce will be used in this country,
13 meaning there's no guarantee.

14 And then I'm also a little disappointed in
15 how you talk about the waste. And there was a
16 gentleman up here just recently that said well, that's
17 not really Idaho's problem. But I think that that's
18 kind of shortsighted way to look at it. I mean, all
19 due respect, the -- it's a problem that the nuclear
20 industry has had, and has had for the last whatever,
21 40 years, 50 years. And I think that the -- once
22 again, forgive me, but I just sort of feel like well,
23 the EIS says something is going to happen, and I don't
24 think that's an adequate way to address it. I mean, I
25 think that there should be a more concrete analysis of

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1 what's going to happen to that waste, how long it's
2 going to be here, and what the likelihood, and what
3 the cost of that's going to be.

4 So, thank you for allowing me to comment.

5 I mean, I -- oh, and one thing before I forget. One
6 thing I would specifically like to ask you to do, I
7 think you, the NRC, should produce an unclassified
8 non-proliferation assessment for this plant. And I
9 know that the talk has been well, the uranium is only
10 going to be enriched to 5 percent, so it's not a
11 proliferation risk, but that does miss the point.
12 It's a proliferable technology. And a few years ago,
13 a decade ago, or whatever, there was the
14 pyroprocessing plant that the Department of Energy was
15 going to build here. No one was saying that they were
16 going to make weapons grade plutonium, but they did
17 this assessment because the process that they were
18 doing was a proliferable technology. And I really
19 think that you should do this, and provide it in a
20 non-classified manner, and provide that to the public.

21 Okay. Thank you very much.

22 (Applause.)

23 MR. BARKLEY: Thank you very much. The
24 next three people I'd like to call are Chester
25 Motloch, Michael Lange, and Jean McKay. Is Chester

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1 here? Okay. Michael Lange, is he here? Okay.

2 MR. LANGE: Thank you, members of the
3 Commission, and for everybody for sticking around late
4 tonight. My name is Michael Lange. I currently reside
5 in Idaho Falls. I'm employed out at the INL. We're
6 currently constructing an Integrated Waste Treatment
7 Unit out there, and I've been a pipefitter for about
8 30 years now. And I'm one of the people that actually
9 builds these places. We appreciate engineers, and we
10 appreciate design artists, and we appreciate
11 regulators, but I actually do it. We actually put
12 them together. I've worked in NRC facilities from as
13 far away as Oswego, New York, Nine Mile 2, Calvert
14 Cliffs. I believe one of the last nuclear facilities
15 ever built in this country was Millstone 3 in
16 Connecticut. And I had a hot clearance to work in
17 some of the most highly radioactive workings of these
18 plants that you could possibly imagine. I also build
19 power houses, gas fired plants, and anything else that
20 provides energy.

21 I have a unique perspective. In 2002, I
22 was elected to the Montana State legislature. I served
23 there for six consecutive years, before going on to
24 lose the United States Senate race in Montana. And
25 the last four of those years, I served as the House

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1 Majority Leader, so I'm well aware of the particulars
2 of a NEPA review. I have thoroughly read this EIS,
3 and it is very professionally written. It is very
4 accurately done. It does, in fact, comply with NEPA
5 requirements, and I commend the NRC for that effort.
6 There are very few disagreements I would have. Only,
7 I guess the one I could say would be the dust
8 mitigation issue more than likely can be mitigated
9 down to a moderate level. And I believe that we do
10 that out at IWTU everyday now, so I think that's
11 pretty accurate. The rest of it looks very
12 professionally done.

13 I'd like to say one of the things about an
14 EIS, and for those that aren't familiar with NEPA,
15 it's the National Environmental Policy Act, and that's
16 the act that the federal government enacted to ensure
17 that we take concerns over environmental issues when
18 constructing a major facility, or a major impact.

19 One of the things that they don't cover in
20 NEPA is the biggest single issue of safety, of
21 building any plant in this country, whether you like
22 coal, or nuclear, whatever, and that's the quality of
23 the people that build the plant. It's the skill level
24 of the people that build the plant. It's the safety
25 training of the people that build the plant. And I

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1 can say that in Idaho, the times I've worked here, and
2 the people I worked with, you have very highly-trained
3 people, very safe people, very professional people
4 that work hard. And I can tell you from working in
5 those facilities under those rules, and the NRC
6 Commissioners would be the first to tell you, if
7 you've ever worked in a hot mockup on a nuclear plant,
8 you've got 3 R next to you about a few feet away, you
9 better be doing it right.

10 So, AREVA, notwithstanding, I don't know
11 AREVA. I've never worked for AREVA, but I trust the
12 NRC. And being -- during my time in government --
13 being what most people in Montana would consider me a
14 right-wing Republican, was also the president of a
15 labor union, I can tell you that I have confidence in
16 a few government agencies to regulate properly. One
17 of them is the NRC, so we can be thankful that we have
18 an agency that is that concerned about safety, about
19 mockups, about making sure that it's done right the
20 first time. So, that's real kudos for the Commission.

21 I would extend that to you from personal experience.

22 Finally, I would just like to say that in
23 this day and age, every day you turn on the TV, and
24 you watch fights, you watch people battling. People
25 fight over what type of energy, we fight over foreign

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1 policy, we fight over economics, we fight over
2 everything. I know I was in the middle of those same
3 fights for a long time. Then I did the smartest thing
4 I ever did, I got out. I got out of politics and went
5 back to work. And what I realized going back to work
6 was that all of us, as people, have pretty good ideas.

7 I think our heart's in the right place. And one thing
8 I don't want to see happen as a result of this
9 facility, or any other battle, is to have people go
10 out and get madder, and madder, and madder at each
11 other because we may have a disagreement, or a
12 difference of opinion on something. So, I'd just like
13 to commend all of you, being a Montana native and
14 current Idaho resident, that you have a great state.
15 And the fact that you all showed up and spent this
16 much time and this much passion about it, I think
17 shows a lot.

18 So, with that I'd like to say that I
19 believe the EIS was done well, and thank you very
20 much, Mr. Chairman.

21 MR. BARKLEY: Thank you very much.

22 MS. McKAY: I'm Jean McKay. I'm a
23 resident of Idaho Falls. I want to thank you for
24 allowing me a couple of minutes to share my comments
25 about this proposed facility. But I ask you, the

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1 Nuclear Regulatory Commission, to include in your
2 study of the potential environmental impacts the
3 record of AREVA in France, and elsewhere. And to
4 delay any exemption or approval until after such a
5 study has been completed and revealed to the public.

6 You've already heard about situations that
7 have occurred in France. The Nuclear Safety Authority
8 of France, the ASN, cited a series of frauds and human
9 negligence fraud, and ordered the closure of an AREVA
10 subsidiary. Possible legal action was also being
11 considered because of repeated leaks during 2007, 2008
12 in the site's waste water evacuation system.

13 In California, or in South Carolina,
14 sorry, a mixed oxide fuel assembly was removed from
15 the plant of Duke Energy/AREVA at Catawba facility
16 because of potentially hazardous physical changes. In
17 addition, AREVA's plans in the United States to build
18 an evolutionary power reactor, an EPR, at various
19 sites, including Idaho, have created controversy. In
20 France, as of August 2008, the construction of an
21 evolutionary power reactor by AREVA has been delayed
22 because of technical and quality control problems.
23 So, I urge you, the NRC, to include, to broaden your
24 study, evaluate these reported problems.

25 Now, I will not be put into a category of

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1 pro or con nuclear, so please don't try to do that. I
2 just want a thorough and complete report. Thank you.

3 (Applause.)

4 MR. BARKLEY: Thank you very much. Thank
5 you. We're having some fun with these microphones.
6 Sorry I had to stand there the whole time. The next
7 three people I'd like to call are Roger Turner, Larry
8 Hyatt, and Arnold Ayers. Roger.

9 MR. TURNER: Thank you. My name is Roger
10 Turner. I appreciate this opportunity to comment
11 before the Commission.

12 Last year, the DOE proposed to store the
13 government's stockpile of mercury at the INL. The
14 Idaho state officials were unified against this
15 project. The Governor's press stated, "He would do
16 anything within his power to keep the U.S. Department
17 of Energy from storing the nation's highly toxic
18 elemental mercury at the INEL." Governor Otter said
19 he would not let the federal government make Idaho its
20 mercury dump. "If they want to put it in a desolate,
21 useless place, they should put it on the Capitol
22 grounds," the Governor said.

23 So now comes a proposal to create and
24 store 350,000 tons of uranium compounds at eastern
25 Idaho. Setting aside the radiation risk, uranium

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1 compounds exhibit a similar heavy metal toxic
2 characteristics as does mercury. So, why now is there
3 support for uranium enrichment project, for which
4 there is no repository outside of Idaho? And what is
5 the science and environmental research behind the
6 endorsement of the AREVA project? Well, science and
7 environmental risks are being downplayed on this
8 proposed project, because of job creation, and
9 economic development.

10 The Draft EIS by the NRC significantly
11 errs by minimizing the human health and environmental
12 risks in the long-term and short-term storage of
13 uranium. The EIS is flawed in its apparent assumption
14 that another location will be certified for offsite
15 storage, and that the waste is categorized as low-
16 level.

17 Here is an excerpt of the EIS that is
18 directed under the title of "Public Health." "During
19 the peak operation, the proposed EREF is expected to
20 generate 1,222 cylinders of depleted uranium
21 hexafluoride annually, which would be temporarily
22 stored on an outdoor cylinder storage pad on an
23 approved type 48-Y containers before being transported
24 to a DOE-owned or private conversion facility. That's
25 their public health assessment of the project. But

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1 what facility are they referring to?

2 In fact, this is not an EIS that carefully
3 weighs the likelihood of another state stepping up to
4 accept this waste, especially if there are problems in
5 treating the uranium. This is an EIS that fails to
6 follow the NEPA requirement to analyze realistic
7 cumulative impacts.

8 We've seen these types of examples in
9 this, and the fact that no state wants a certified
10 spent nuclear fuel site to accept commercial fuel.
11 So, for now, all of these sites that create the waste
12 temporarily store this waste at their locations. And
13 this was the -- this was an enabled legislation that
14 the Nuclear Waste Policy Act established in 1982, but
15 they're still being stored temporarily.

16 So, this brings to mind the other error in
17 this EIS in assuming a need for enrichment based on
18 new nuclear power plants in the United States.
19 Unfortunately, the NRC fails to take a hard look at
20 this purported need. A nuclear power plant hasn't
21 been built in the United States for two decades. The
22 fact is, most states and power companies don't want
23 nuclear power plants with their high cost, especially
24 the high cost of spent fuel storage and cleanup.
25 Especially considering that there's no permanent

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1 repository. The emphasis may be for less nuclear,
2 given the problems with waste, and the fact the higher
3 cost that these states and power companies must
4 endure, because there isn't a permanent repository.

5 The final EIS should more carefully
6 evaluate and revise the projected need for this plant.

7 The fact is, there's not general support in the U.S.
8 for new nuclear power plants to the extent that
9 warrants this project, and other sources of enriched
10 uranium meets our needs. The EIS is also fatally
11 flawed in its assumption that a treatment facility
12 will be available to convert the depleted uranium.
13 The depleted uranium must be treated before stored.

14 In summary, the EIS fails to follow NEPA
15 guidelines with respect to evaluation of the need,
16 evaluation of the permanent and temporary storage
17 risks, and evaluation of treatment facilities for
18 depleted uranium. In summary, the EIS -- I'd like to
19 point out that if the Eagle Rock project were to be
20 reviewed under typical Idaho conservative politics, it
21 would be opposed, just as we opposed the mercury
22 project. It would be opposed, because the waste is
23 likely to remain in eastern Idaho, posing a risk to
24 the Snake River Plain Aquifer. The project goes
25 against the spirit of the BAD agreement that advocated

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1 no more waste in Idaho. It would be opposed because
2 the AREVA company has a poor environmental record,
3 especially with respect to the radioactive waste
4 handling. It would be opposed by Idahoans because the
5 AREVA company is in poor financial shape, a condition
6 that often results in shortcuts in worker safety,
7 worker benefits, and environmental protection. It
8 would be opposed because the project would transport
9 approximately 2,000 trucks of radioactive material
10 across the state highways with no financial support
11 dedicated, and provided to this state for safety, or
12 for cleanup. It would be opposed because the company
13 is dependent on taxpayers for front-end costs, because
14 of its own poor financial status. It would be opposed
15 because there may be problems in the national capacity
16 to treat this waste.

17 The State of Idaho should say no to this
18 project, and the NRC should revise the final EIS to a
19 no action alternative. Thank you.

20 (Applause.)

21 MR. BARKLEY: Thank you.

22 MR. HYATT: I'm Larry Hyatt. Thank you,
23 everyone, and representatives of the NRC.

24 I just want to make one point in addition
25 to what I said briefly in Boise, was -- that is, the

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1 issue of stewardship. As you all know, human activity
2 has results that we have to live with for years,
3 potentially hundreds, and maybe even thousands of
4 years. But it is critical in an evaluation like this
5 in terms of its environmental impact that we seriously
6 consider the year 5010. Thank you.

7 (Applause.)

8 MR. BARKLEY: Thank you. Is Mr. Ayers
9 here?

10 MR. AYERS: Yes. Good evening. I almost
11 said good morning.

12 MR. BARKLEY: Getting close.

13 MR. AYERS: Getting close, yes. My name
14 is Arnold Ayers. I stand before you as a second
15 generation nuclear engineer. There are very few of
16 us, but there are some that are around. I have been
17 associated with the Idaho National Engineering
18 Laboratory and its predecessors. I have been
19 associated with a construction management company who
20 built and designed nuclear power plants. I have been
21 involved in these facilities since my first year after
22 high school, 1958. We have shown a lot of things.

23 For one, disposal wells don't gurgle. For
24 two, we put monitors around those wells which Jack
25 Barraclough was well associated with, and instigated

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1 in the back history of his time to monitor those
2 things. And those wells worked, and those wells were
3 able to monitor what was coming out of the facilities
4 directly under the facilities, as well as outside of
5 the facilities. If AREVA is monitoring what's going
6 on, as they should do, there will be no discharges
7 that I can see that could ever come undetected from
8 those facilities, in my experience.

9 I've been involved with such things as a
10 first responder from the Three Mile Island reactor,
11 and also was associated with the retrieval, but mostly
12 with the arrival of that fuel here in INL. That puts
13 me in the prospect of knowing what's involved in
14 transportation of spent nuclear fuel. And yes, it is
15 complicated, and yes it is difficult, and yes it has
16 been solved relatively well, quite well, in fact. The
17 adequate safeguards that the NRC has put on materials
18 on shipping containers for that waste material has
19 shown itself, and has proven itself time, and time,
20 and time again.

21 You talk about associated with that,
22 another is storage of fuels. People are worried about
23 storage. Well, I've got tell you, we did the testing
24 on the storage for the spent fuels that are actually
25 being stored in power plants today, and found no

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1 discharges anywhere. If we can do it for that, I see
2 absolutely no reason why such facilities cannot be
3 developed and built for AREVA to be able to handle the
4 waste products that they have over an indefinite
5 period of time.

6 Wait a minute, we're talking waste
7 products. The reality is that that fuel has a very
8 strong potential under the right circumstances to
9 become more fuel. It's not a waste product, it is
10 actually a potential energy resource. And for those
11 things, we ought to be considering, and building this
12 facility as fast as we can build it. Thank you very
13 much, sir.

14 (Applause.)

15 MR. BARKLEY: Thank you. Okay. Thank
16 you. The final four people who have asked to speak
17 are Beth Sellars, Kaye Turner, Craig Davis, and then
18 Liz Woodruff. Beth, are you here? Is Beth here?
19 Okay, we'll move on to the next person. Kaye Turner.

20 MS. TURNER: I'm mailing mine in.

21 MR. BARKLEY: Okay. Then Craig Davis. Is
22 Craig here? Okay, Liz, you're up.

23 MS. WOODRUFF: NRC, thank you for the
24 opportunity to comment tonight. I was able to give
25 extensive testimony in Boise, so I thank you for the

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1 opportunity to spare me a couple of minutes now. I
2 will just kind of skip over the majority of what I had
3 planned, as it has been addressed. But what I really
4 do want to say is, I think it's important to recognize
5 that we are tasked tonight with providing comments
6 about the EIS, and the technical quality of the EIS.
7 And aside from the criticisms of the Snake River
8 Alliance's presentations thus far, the fact remains
9 that the scariest thing that I've seen in a long time
10 are the inconsistencies, contradictions, omissions,
11 and fundamental flaws in this Environmental Impact
12 Statement, of which the content of the Snake River
13 Alliance complaints have been very specific, and very
14 detailed, and within quotations of the EIS itself.
15 So, we don't only expect the Nuclear Regulatory
16 Commission to listen tonight, we expect you to hear
17 us, and we expect you to revise this EIS.

18 Most importantly, preconstruction cannot
19 begin in October 2010. That would be a completely
20 unacceptable outcome of these proceedings. But I did
21 want to provide further details on one aspect of the
22 testimony that I gave in Idaho, and that has to do
23 with the fact that the Draft EIS may not be in
24 compliance with the Federal Farmland Protection Act.
25 The EIS claims that the licensing of this facility is

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1 exempt from the Farmland Protection Act, since the
2 site is on private property. To quote the Draft EIS,
3 "Some of the land located within the proposed property
4 was designated as prime farmland by the U.S. Natural
5 Resource Conservation Service." This is a federal
6 designation. "Prime farmland is protected by the
7 Federal Farmland Protection Policy Act ... the intent
8 of this act is to protect prime farmland from other
9 uses as the result of Federal actions." I'm still
10 quoting from the EIS. "The Act does not apply to
11 Federally permitted or licensed actions on private
12 lands. Therefore, the Act and its designation as prime
13 farmland do not restrict land use on the proposed EREF
14 property." And this is from EIS 3-3.

15 So, from information the Alliance gathered
16 from the Idaho State USDS, we confirmed that because
17 AREVA has accepted a \$2 billion federal loan
18 guarantee, and this is a form of financial insurance
19 from the federal government with your taxpayer
20 dollars, AREVA has even been quoted as saying without
21 access to this cheap capital, they would not build
22 this facility in the U.S., so this is clearly a form
23 of financing. That the Federal Farmland Protection
24 Act absolutely applies to this license, and when the
25 NRC consulted with the USDA in Idaho, they did not

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1 share the information with that agency that there
2 would be a loan guarantee. Perhaps, it was not known
3 at that time, but it is known now.

4 Specifically, from 7 CFR, Section 258.2,
5 "Federal program means those activities are
6 responsibilities of a federal agency that involve
7 undertaking financing or assisting construction, or
8 improvements projects, or acquiring, managing, or
9 disposing of the federal lands and facilities." So,
10 simply put, this loan guarantee changes the game. And
11 this isn't a claim that you can't license the
12 facility, this is a claim that you absolutely must go
13 through the processes that fall under the Federal
14 Farmland Protection Act. It would be unacceptable to
15 do otherwise.

16 That's all I really have to say. I do
17 hope that everything that has been said regarding the
18 technical issues associated with the cumulative
19 impacts of waste are taken into consideration. And I
20 don't think there's any reason to expedite any aspect
21 of this process. As a fourth generation Idahoan, and
22 a mother of two children, I hope you'll take great
23 care in your assessment.

24 (Applause.)

25 MR. BARKLEY: Thank you very much. Okay.

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1 Thank you very much. We appreciate the statement of
2 all of you who have stayed this whole time. We did go
3 through 47 speakers this evening, covered everyone.
4 I'd like to turn it over to Dave Skeen just to wrap
5 up.

6 MR. SKEEN: Thanks, Rich. I know it's
7 been a long night, and I appreciate everybody that
8 stayed. I know it's tough to get to these meetings.

9 First, I want to thank the Red Lion Hotel
10 for allowing us to hold the meeting here, and for
11 actually allowing us to go almost two hours over our
12 allotted time. I appreciate that, but I thought it
13 was important to make sure we got everybody heard
14 tonight, so I wanted to make sure we stayed until we
15 heard everyone. I also want to thank the Idaho Falls
16 Police Department for supplying the security tonight,
17 to the officers who stayed here throughout the
18 evening, as well. And then I want to thank everyone
19 for their participation this evening.

20 I believe we heard some good comments here
21 tonight, as well as in Boise during our time out here
22 this week. The NRC believes in being as open and
23 transparent as possible in our licensing activities,
24 and it is gratifying to see the high-level public
25 involvement that we've seen in both Boise and Idaho

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1 Falls. That speaks well of the State of Idaho, I
2 believe. We feel we always make a better regulatory
3 decision when we get a large number of comments from
4 our stakeholders, and I think we've certainly got a
5 number of good comments during our time here in Idaho
6 this past week.

7 Now, we will return to Washington and
8 consider the comments that we received this week, as
9 well as others that we receive by September 13th, as
10 we work to develop our final Environmental Impact
11 Statement. We want to thank the residents of Idaho
12 for their interest in NRC's regulatory activities, and
13 for the hospitality you have shown us during this time
14 here. So, with that, I'd like to say goodnight, and
15 you should give yourselves a round of applause,
16 because you did a good job. Thank you.

17 (Applause.)

18 (Whereupon, the proceedings went off the
19 record at 11:39 p.m.)

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