

Official Transcript of Proceedings
NUCLEAR REGULATORY COMMISSION

Title: Public Scoping Meeting for the Environmental Impact Statement (EIS) for the Proposed Termination of NRC Materials License SUB-1435 for the Jefferson Proving Ground Depleted Uranium Impact Area in Jefferson County, Indiana

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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION (NRC)

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PUBLIC SCOPING MEETING

The Livery Stable
309 Broadway Street
Madison, Indiana 47250

* * * * *

December 3, 2014

PANEL MEMBERS:

- Cheryl Hausman, Facilitator
- Marissa Bailey
- Lydia Chang
- Varughese Kurian
- Stephen Lemont
- Jean Trefethen

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

(7:01 p.m.)

1
2
3 MS. HAUSMAN: Good evening everyone. I
4 would like to welcome you and thank you for participating
5 in the Public Scoping Meeting to provide comments for
6 the NRC's Environmental Impact Statement for the
7 proposed termination of NRC Materials License SUB-1435
8 for the Depleted Uranium Impact Area at the Jefferson
9 Proving Ground.

10 My name is Cheryl Hausman and I'm going to
11 be your facilitator for the meeting this evening. My
12 role as a facilitator is to help the meeting run
13 smoothly, to ensure that everyone has a chance to speak
14 who would like to, and to keep us on time. And at this
15 time, would the NRC staff like to introduce themselves.

16 MR. LEMONT: My name is Steve Lemont and
17 I'm a Senior Environmental Project Manager with the
18 Nuclear Regulatory Commission in its Environmental
19 Review Branch; and I am the Project Manager for the
20 environmental review and the Environmental Impact
21 Statement for the Army's proposed license termination
22 request.

23 MS. CHANG: Hi, I'm Lydia Chang. I'm the
24 Chief of the Environmental Review Branch within NRC
25 headquarters.

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1 MS. BAILEY: Good evening. My name is
2 Marissa Bailey. I'm the Director of the Division of
3 Fuel Cycle Safety, Safeguards, and Environmental Review
4 at the U.S. Nuclear Regulatory Commission.

5 MR. KURIAN: Hi, good evening. My name is
6 Varughese Kurian. I'm with the Materials
7 Decommissioning Branch in the Nuclear Material Safety
8 and Safeguards Office. Currently, I'm the Project
9 Manager for the safety review part and I'm also a health
10 physicist.

11 MS. TREFETHEN: My name is Jean Trefethen
12 and I work in the NRC headquarters in the Environmental
13 Review Branch, and I am the backup Project Manager for
14 this project.

15 MS. HAUSMAN: Thank you. This is a
16 Category 3 Public Meeting to encourage active
17 participation and information exchange with the NRC and
18 members of the public to obtain comments for the EIS.

19 The NRC invites and encourages members of
20 the public to present oral and written comments on the
21 appropriate scope of issues and the content of the EIS.

22 Before we begin the official meeting, I
23 would like to go over a few ground rules for the meeting.
24 First of all, I'd like to let everybody know that the
25 meeting is being transcribed, and I ask that you keep

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1 any background noise or sidebar conversations to a
2 minimum so that the transcriber can produce an accurate
3 recording of the meeting. And we do have a security
4 officer present at the meeting this evening. The
5 security officer is a standard practice and is here for
6 everyone's safety.

7 Please be respectful of others during the
8 meeting and we'll ensure that all the participants who
9 have a question or want to make a comment can be heard
10 and have the time to do so. Also, please turn off all
11 electronic devices or put them on vibrate. If you need
12 to take a call we certainly understand that but ask that
13 you step outside in the lobby to make the call so that
14 the audience can hear the proceedings and the
15 transcriber can obtain an accurate recording.

16 The restrooms are located just outside in
17 the lobby area, and there are two exits from the room.
18 And if we have to evacuate for any reason, please follow
19 the instructions from the security officer.

20 The agenda for the meeting includes a
21 presentation by NRC staff to present an overview of the
22 NRC's role and mission, license termination and safety
23 review process, and the environmental review for the EIS
24 process.

25 Following the presentation we will take

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1 time to answer questions from the audience and then open
2 the floor for general comments. Please keep your
3 questions and comments relevant to the topic this
4 evening.

5 Hopefully, everybody has signed in and
6 registered for the meeting and received copies of the
7 agenda and slides and a feedback form. If you haven't
8 signed in, feel free to do so and fill out a blue card
9 or yellow card at the registration desk.

10 When it is time for the public comment
11 period, please use the microphone. We have a microphone
12 in the center of the room, and that way everybody can
13 hear you and the transcriber can record the information
14 correctly.

15 The NRC is always looking to improve our
16 meetings and your feedback is important to us. There
17 are some postage-paid public meeting feedback forms
18 available, and you can fill one out today and give it
19 to any NRC staff member or drop it in the mail. The forms
20 are for providing feedback on this meeting and are not
21 for presenting comments on the EIS or on the Army's
22 license termination request. Are there any questions
23 about the logistics of the meeting?

24 Okay. At this time I'm going to turn the
25 meeting over to Marissa Bailey.

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1 MS. BAILEY: Thank you, Cheryl. Good
2 evening. Let me introduce myself again. I'm Marissa
3 Bailey, I'm the Director of the Division of Fuel Cycle
4 Safety, Safeguards, and Environmental Review at the NRC,
5 and I'd just like to take this opportunity to welcome
6 you to our Public Scoping Meeting on the Environmental
7 Impact Statement for the Jefferson Proving Ground
8 Depleted Uranium Impact Area.

9 I'd also like to take this opportunity to
10 thank you for taking the time to come here this evening
11 and give us your comments in terms of the scope of our
12 Environmental Impact Statement. Public input, public
13 participation is a very important part of our regulatory
14 process, and I really do appreciate you being here
15 tonight to take part in this.

16 Within my division is the Environmental
17 Review Branch and the staff in the Environmental Review
18 Branch will be working on NRC's license termination
19 review and, in particular, the environmental review and
20 Environmental Impact Statement.

21 So we've traveled here this evening to hear
22 your comments associated with the scoping of our
23 Environmental Impact Statement, EIS, for the proposed
24 termination of the NRC materials license for the
25 Jefferson Proving Ground Depleted Uranium Impact Area

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1 here in Jefferson County, Indiana.

2 Currently, the present license allows the
3 U.S. Army to keep up to 80,000 kilograms of depleted
4 uranium, or approximately 176,000 pounds of depleted
5 uranium, on site at the Depleted Uranium Impact Area.

6 In our presentation today, we'll be
7 discussing the Army's proposal for terminating the
8 license and NRC's process for reviewing the Army's
9 request.

10 We would like to hear from people in the
11 Jefferson Proving Ground area so that we can ensure we
12 hear from as many potentially affected stakeholders as
13 we can before we start the work on the EIS.

14 We encourage and welcome your comments, and
15 I can assure you that we take each and every comment from
16 stakeholders very seriously. The NRC's job is to
17 protect public health and safety and the environment by
18 thoroughly reviewing each license application we
19 receive, such as the proposed license termination that
20 we are here to discuss today, before we decide whether
21 to grant an applicant's or licensee's request.

22 We understand that in the audience tonight
23 there are stakeholders who may oppose the Army's
24 proposed approach for license termination, as well as
25 those who may support it. I want to assure you that

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1 we want to hear from both sides this evening.

2 However, I would like to remind you that the
3 purpose of this meeting is to gather comments for the
4 scoping of our EIS. We want to know what important
5 information and issues we need to consider and analyze
6 in our Environmental Impact Statement.

7 We are also aware that there are many other
8 issues that both sides may want to discuss with us, so
9 if you have any questions or issues to discuss on other
10 matters, the NRC staff will be here to talk with you after
11 the meeting.

12 We want to hear from as many of you as
13 possible about environmental issues related to the
14 proposed license termination in the time that we have
15 allotted this evening. So I would appreciate if you
16 could focus your comments only on the matters related
17 to the appropriate scope and content of our
18 Environmental Impact Statement that we will be
19 preparing. Otherwise, we may not be able to get to
20 everyone who wants to speak tonight.

21 Again, we do treat all comments we receive
22 the same, whether the comment was made by one person or
23 by 100 people. We give each comment we receive the same
24 careful consideration during the preparation of the
25 Environmental Impact Statement.

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1 The NRC will consider all oral and written
2 comments we receive here tonight, as well as those that
3 we receive via letter or through the Federal Rulemaking
4 Website, and that's regulations.gov, by December 18,
5 2014.

6 The EIS, combined with the NRC's safety
7 review of the Army's license termination request, will
8 result in an NRC licensing decision to either approve
9 the license termination request or to disapprove it. At
10 this point, I would like to emphasize that we are very
11 early in the process of reviewing the Army's application
12 and we have not made any decisions at this point.

13 So with that, I'd like to briefly touch on
14 the objectives of tonight's meeting.

15 First, I will talk about the NRC's roles and
16 responsibilities, and then Lydia Chang will provide an
17 overview of the NRC's license termination and review
18 process. Stephen Lemont will then provide an overview
19 of the NRC's environmental review and Environmental
20 Impact Statement, or EIS, and the process for that in
21 the license termination request.

22 We hope to do all this in the 30 minutes or
23 so that we have and then turn the meeting over to Cheryl
24 again so that she can conduct a brief question and answer
25 period and then orchestrate getting your comments

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1 regarding the appropriate scope and content of the EIS
2 from as many of you as we can this evening.

3 So first let me talk about the NRC's
4 mission.

5 The NRC is an independent Federal agency,
6 and we are responsible for regulating all civilian uses
7 of nuclear material. Specifically, the NRC's mission
8 is to license and regulate the nation's civilian use of
9 radioactive materials, to protect public health and
10 safety, promote the common defense and security, and to
11 protect the environment.

12 Many of you probably know that we regulate
13 power reactors as well as research reactors, but we also
14 regulate byproduct nuclear materials for use in medical
15 applications, such as the treatment of cancer or
16 hyperthyroidism, for industrial and commercial
17 applications such as the use of radioactive material in
18 radiography devices or gauges to measure thickness of
19 paper.

20 We also regulate source and special nuclear
21 material by regulating uranium recovery facilities that
22 mill uranium, fuel cycle facilities that convert, enrich
23 and fabricate uranium fuel for use in nuclear power
24 reactors, and de-conversion facilities that process
25 depleted uranium hexafluoride from the uranium

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1 enrichment facilities for disposal.

2 Depleted uranium, which is the material
3 that we're concerned with in this application, is the
4 leftover from the uranium enrichment process and is
5 considered source material. Depleted uranium is
6 uranium with a percentage of uranium-235 isotope that's
7 lower than 0.7 weight percent contained in natural
8 uranium.

9 This slide shows just some of the things
10 that the NRC regulates. As I mentioned earlier, we
11 regulate nuclear reactors; commercial nuclear power
12 plants; research and test reactors; nuclear fuel
13 facilities; medical, academic and industrial uses of
14 radioactive material; the decommissioning of these
15 facilities and sites; as well as the transport, storage
16 and disposal of radioactive materials and waste.

17 In addition, we also have responsibility
18 for the physical security of nuclear material to protect
19 it from sabotage, from attacks, as well as theft and
20 diversion.

21 Our regulated community includes about 100
22 operating reactors, over 2000 materials licensees,
23 about 10 nuclear uranium recovery licensees, and about
24 13 fuel cycle licensees.

25 The Jefferson Proving Ground Depleted

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1 Uranium Impact Area proposed license termination falls
2 within the NRC's nuclear waste regulatory area, and we
3 are evaluating whether we can terminate the license and
4 remove the facility from NRC oversight.

5 With respect to the NRC's primary
6 functions, the NRC's regulations are designed to protect
7 both the public and occupational workers from radiation
8 hazards. Our primary responsibilities include
9 establishing rules and regulations; issuing licenses;
10 providing oversight through inspection, enforcement and
11 evaluation of operating experience; conducting research
12 to provide support for regulatory decisions; and also
13 responding to emergencies.

14 As part of our regulatory licensing
15 process, we also conduct environmental reviews;
16 particularly, the Environmental Review Branch is
17 involved with environmental reviews covering, for
18 example, uranium recovery and milling, uranium
19 enrichment, fabrication of fuel for use in reactors,
20 storage of spent fuel, and nuclear facility
21 decommissioning.

22 Now let me just talk briefly about what we
23 don't do. Again, our focus is on the civilian uses of
24 radioactive material and regulating that, so we don't
25 promote or build nuclear facilities; we don't promote

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1 or develop nuclear technology. We're not operators or
2 owners of nuclear power plants or other nuclear
3 facilities. We don't regulate nuclear weapons,
4 military reactors or space vehicles. Our focus is
5 solely on civilian uses. And we don't regulate
6 naturally occurring radioactive material and radiation
7 producing machines such as X-ray machines.

8 Openness and transparency is very important
9 to us. It's one of the NRC's values. We place nuclear
10 regulation or we view nuclear regulation as the public's
11 business and, as such, we believe that it should be
12 transacted as openly and candidly as possible to
13 maintain and enhance the public's confidence.

14 Stakeholders will have many opportunities
15 to participate in the regulatory process before issuance
16 of a license, construction permit, early site permit,
17 design certification, combined license, license
18 amendment, or license termination. To continue its
19 practice of communicating clearly and frequently on
20 operating plant and materials activities, the NRC holds
21 meetings with the public or other external stakeholders
22 both in the vicinity of the nuclear facility and at its
23 headquarters or regional offices, just like this public
24 scoping meeting.

25 In addition, documents and correspondence

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1 related to our licensing activities, with the exception
2 of some security related information as well as
3 proprietary and sensitive information, are made
4 available to the public through the agency's public web
5 site.

6 So open communication is key and public
7 involvement is critical in conducting the NRC's
8 regulatory and environmental review process, and you'll
9 hear more details on this in the environmental overview
10 later in the presentation.

11 The NRC engages in active communication
12 with stakeholders to ensure meaningful stakeholder
13 participation and to ensure mutual understanding and to
14 ensure timely response to your comments.

15 We will continue to coordinate with a wide
16 array of Federal, Tribal, State, and local authorities
17 on issues related to the regulatory and licensing
18 process.

19 So why are we here this evening? As part
20 of the regulatory and licensing termination review
21 process for projects like the Jefferson Proving Ground
22 Depleted Uranium Impact Area, the NRC conducts safety
23 and environmental reviews. The NRC's environmental
24 reviews are required by the National Environmental
25 Policy Act of 1969, or NEPA.

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1 The environmental review for the Jefferson
2 Proving Ground projects involves the NRC staff preparing
3 an Environmental Impact Statement in accordance with
4 NRC's regulations in Title 10 of the Code of Federal
5 Regulations, Part 51, as well as our applicable NRC
6 guidance.

7 As I mentioned previously, NRC's licensing
8 process is open and transparent and we are interested
9 in hearing from you. Your input in the EIS is vital.
10 Your comments will be used in developing the appropriate
11 scope and content of the Environmental Impact Statement.

12 Again, I'd like to repeat we have just
13 started the license termination review process for the
14 Jefferson Proving Ground Depleted Uranium Impact Area
15 and no decision has as yet been made. That is
16 specifically why we're here -- to listen to you and for
17 you to help us to inform the licensing process and, in
18 particular, the Environmental Impact Statement in
19 support of this process.

20 So thank you and I'd like to now turn it over
21 to Lydia.

22 MS. CHANG: Good evening. Again, my
23 name is Lydia Chang. I'm the Chief of the Environmental
24 Review Branch in the Office of Nuclear Material Safety
25 and Safeguards.

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1 Today I'm going to discuss NRC's license
2 termination review process and also the safety review
3 process which, along with the environmental review, is
4 part of the license termination review process for the
5 Army's request to terminate the NRC materials license
6 for the Jefferson Proving Ground Depleted Uranium Impact
7 Area.

8 However, before I will start presenting the
9 license termination process, I will go into a little bit
10 of detail on the background of the historic information
11 on the project site.

12 This map shows the regional location of the
13 Jefferson Proving Ground and the Depleted Uranium Impact
14 Area. Jefferson Proving Ground is located in
15 Jefferson, Jennings and Ripley Counties in southeast
16 Indiana.

17 The installation boundaries are shown here
18 in the gray area, right there, and the Depleted Uranium
19 Impact Area is located entirely within the Jefferson
20 Proving Ground boundary as shown in this tiny little red
21 area. The whole gray area is about 55,000 acres, but
22 the Depleted Uranium Impact Area is only about 2,000
23 acres.

24 It's really useful to understand the
25 background and history of the Jefferson Proving Ground

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1 and the Depleted Uranium Impact Area in order to put into
2 perspective the license termination project.

3 Jefferson Proving Ground was established in
4 1941 on approximately 56,000 acres in rural southeastern
5 Indiana and operated until about 1995. The Army tested
6 about 24 million conventional munitions from 1941 to
7 about 1995. So they tested 24 million conventional
8 rounds of munitions, and they were fired from the firing
9 ground based on 268 gun positions; and of the amount of
10 24 million convention munitions that they fired,
11 approximately 1.5 million were un-detonated rounds and
12 that still remain in Jefferson Proving Ground.

13 In addition, there are unexploded ordnance
14 of 2 to 3 million rounds of live detonators, primers,
15 and fuzes as a result of the Army munition testing.

16 From 1984 to 1994, about 220,500 rounds of
17 depleted uranium projectiles were test fired into 2,080
18 acres of the Depleted Uranium Impact Area north of the
19 firing line. Presently, there's about 162,000 pounds
20 of depleted uranium that still remain in the area, along
21 with a very high density of unexploded ordnance.

22 Because of the presence of depleted
23 uranium, the Army is required to have an NRC license for
24 the material.

25 On September 30, 1995, Jefferson Proving

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1 Ground was closed under the Defense Authorization
2 Amendments and Base Realignment and Closure Act of 1988,
3 also known as the BRAC, or the Base Closure. In May of
4 2000, an MOU was entered between the U.S. Army, U.S. Air
5 Force, and also the U.S. Fish and Wildlife Service. In
6 June of 2000, the U.S. Army and Fish and Wildlife Service
7 established the Big Oaks National Wildlife Refuge at the
8 Jefferson Proving Ground north of the firing line under
9 a Memorandum of Agreement with the U.S. Army.

10 The Army retains the land ownership and the
11 Indiana Air National Guard uses a portion of the land,
12 approximately 1,038 acres of the area, as an
13 air-to-ground bombing training range; and out of an
14 amount of 1,000 acres, 988 are the primary training range
15 and 50 acres are for position guided munition target
16 practice.

17 The Big Oaks National Wildlife Refuge
18 contains approximately 51,000 acres of land which also
19 includes the Depleted Uranium Impact Area right in the
20 middle of it.

21 Approximately 24,000 acres of the land is
22 restricted for access because of the high density of
23 unexploded ordnance and also because of the depleted
24 uranium.

25 This map kind of illustrates some of the

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1 activities that the Jefferson Proving Ground contains.
2 In this green and orange area was the total acreage of
3 the Jefferson Proving Ground, 56,000 acres or so. Right
4 here is the Indiana National Air Guard's range practice
5 area. This is a conventional area and then there's a
6 tiny area right here for the 50 acres of target practice,
7 guided target practice.

8 And this orange area is basically south of
9 the firing line. This whole line is a firing line the
10 Army used to use to test fire the munitions, so all the
11 munitions would be fired from the south to the north
12 direction. So this area really does not have any
13 unexploded ordnance or any firing of the ordnance in the
14 past, so it's called a cantonment area. It's basically
15 the infrastructure to support the range operations in
16 the past.

17 The little red area is the only area that
18 has depleted uranium, and it was only fired from this
19 tiny little area from three fire lines, and the center
20 line had the highest population of fire in the past. I
21 think it's more than 90 percent of the fired rounds were
22 fired from the center line within the red area. And it's
23 only the red area that has depleted uranium.

24 The Army's proposed license termination:
25 On August 28, 2013, the Army submitted a license

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1 amendment application which included both a
2 Decommissioning Plan and also the Environmental Report
3 to the NRC.

4 The application requested the NRC to
5 terminate their material license for the Jefferson
6 Proving Ground Depleted Uranium Impact Area under the
7 restricted conditions in accordance with NRC Regulation
8 10 CFR 20.1403. Those are the criteria for license
9 termination under restricted conditions. And when we
10 say restricted conditions, that means the access to the
11 area would be limited by the Army for the purpose of
12 protecting individuals against undue risk and from the
13 exposure to radiation or radioactive material.

14 The Army has indicated that because of both
15 the hazards and expenses to clean up the Depleted Uranium
16 Impact Area due to the high density of the unexploded
17 ordnance, they are proposing in this license amendment
18 to terminate the license without removing any depleted
19 uranium or unexploded ordnance in place while
20 maintaining the institutional control in the area.

21 The institutional control the Army has
22 proposed is to have physical access restriction, so they
23 will fence around the area and then also have the
24 security warning signs. They will have legal control
25 of the property. The Army will continue to be the

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1 property owner and they also have some administrative
2 control restricting public access and hunting. And there
3 are some hunting prohibitions as well.

4 The Army and the Fish and Wildlife Service
5 and also the Air Force have prepared public access plans
6 on how to implement some of the restrictions. For
7 example, deer hunting is only available in November for
8 about 6 to 9 days. Turkey hunting is only available
9 around April to May for about 15 days. Fishing is
10 available from April to October around 5 to 10 days in
11 a month. So they are limited on the frequency and also
12 the area. As I said, the whole Jefferson Proving Ground
13 is about 56,000 acres and 24,000 of the acres are not
14 accessible to the public at all.

15 So even though the Army provided the license
16 application in August 2013, they provided additional
17 information earlier this year in January and, as a result
18 of that information, the NRC has reviewed it and the NRC
19 has determined that it's acceptable for a detailed
20 evaluation. So on February 6th, NRC has accepted the
21 application for detailed technical review and, as part
22 of the NRC regulation, we are required to let people know
23 that we have this application in hand, that we have to
24 do a licensing action.

25 So on April 28th of this year, NRC published

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1 in the Federal Register a notice of receipt of the Army's
2 application, and has solicited comments and also to
3 provide an opportunity to request a hearing or petition
4 to intervene.

5 The comment period was due to NRC by May 28,
6 2014 and the request for hearing or petition to intervene
7 were required to file by June 27, 2014. So far, we have
8 not gotten any comments or hearing requests.

9 If there were requests for a hearing or
10 petition to intervene, they may have resulted in a
11 judicial type of hearing by the NRC Atomic Safety and
12 Licensing Board Panel. The granting of such a hearing
13 would depend on the specific contention and whether the
14 petitioner has standing.

15 Here is a flow diagram of the NRC license
16 termination review process. We basically have a
17 parallel process. On the top it's a technical review,
18 so the technical staff which Varughese and also Lifeng
19 are here representing the NRC from the technical review
20 perspective, they will be doing different scenarios and
21 they will be reviewing the NRC submission.

22 And then on the bottom is the environmental
23 review process; that's the purpose of this scoping
24 meeting.

25 The finding of the technical review will be

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1 documented in a Safety Evaluation Report, known as an
2 SER, and the environmental review basically started with
3 this scoping meeting and then, based on your input and
4 also based on our review, collecting information and
5 evaluation, we will be preparing a draft Environmental
6 Impact Statement.

7 That draft Environmental Impact Statement
8 will be made available for public review and comment and
9 then, as a result of the public comment, we will finalize
10 the EIS in addressing the comments received and also in
11 finalizing the EIS.

12 Of course, the Safety Evaluation Report and
13 also the Final EIS will be fed into the decision makers
14 in making the decision whether we should either approve
15 or deny the Army's license termination request. And if
16 the NRC does receive a late filing for contention or a
17 late filed hearing request on this license termination
18 review process, and if they are admitted by the NRC's
19 Atomic Safety and Licensing Board Panel, then hearings
20 may be held in the future.

21 As I mentioned, the NRC safety review will
22 be documented in a Safety Evaluation Report;
23 specifically the Safety Evaluation Report for this
24 project, would document NRC's staff evaluation of the
25 radiological consequences of the Army's proposed action

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1 and determine if the action can be accomplished safely.

2 The NRC will also evaluate the Army's
3 proposed action to ensure that it meets all the
4 requirements within the NRC's regulation in 10 CFR
5 20.1403, the criteria for license termination under
6 restricted conditions.

7 In reviewing the Army's Decommissioning
8 Plan, the NRC staff would use the NRC review guidance
9 in NUREG-1757, Consolidated Decommissioning Guidance.
10 Those guidance are all available within the NRC web site,
11 so if you want to take a look to see what we're looking
12 for you should do so.

13 This slide presents an overview of the key
14 requirements for the 10 CFR 20.1403 for the license
15 termination under the restricted conditions. I won't
16 go through the details here, but what's important is that
17 the site must meet all the requirements in 10 CFR 20.1403
18 in order for us to consider to accept the Army's proposal
19 to terminate their license for restricted conditions.

20 Two other things I kind of want to discuss
21 about this slide that's related to the unit of radiation,
22 those millirem per year. In here, we kind of indicated
23 25 millirem, 100 millirem and also 500 millirem per year.
24 Radiation doses are normally measured in rem.
25 Radiation dose limits set by NRC regulations are very

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1 small so we usually use millirem. One millirem equals
2 one one-thousandth of a rem. Millirem per year means the
3 total radiation dose received by an individual over a
4 year.

5 This slide shows 25 mrem, 100 mrem and 500
6 mrem. Let's put that into perspective. Most of us
7 normally receive about 360 mrem per year just from
8 background alone. About 300 mrem per year is from natural
9 sources such as cosmic radiation, naturally occurring
10 radiation sources in the environment such as radon, or
11 even bananas or nuts that you eat. The other 60 mrem
12 come from man-made sources such as X-rays, nuclear
13 medical procedures, smoke detectors, or TV sets.

14 25 mrem per year is less than the natural
15 radiation level in our own body. Our own body actually
16 has about 40 mrem per year of radiation. 100 mrem is
17 less than the radon level in the average household, which
18 is about 200 mrem per year. 500 mrem is less than the
19 level of radiation from a medical CAT scan which is about
20 1000 mrem.

21 The NRC license termination preliminary
22 review schedule: NRC has accepted for review the Army's
23 application. Earlier this year, on February 6th, we
24 published a notice in the Federal Register for an
25 opportunity to request hearing and petition for

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1 intervening. That was back in April 8th of this year.

2 And for the environmental review, we
3 published in the Federal Register for intent to prepare
4 an EIS earlier in November and the EIS scoping meeting
5 comment period from November 3rd to December 18th. And,
6 usually, the safety review takes about 18 months to
7 complete and the environmental review takes about 24
8 months to complete.

9 So the earliest decision will probably be
10 sometime in late 2016 or longer, depending on what kind
11 of comments we get and what kind of information we have,
12 and depending on the budget resources.

13 Here are the opportunities for public
14 involvement. For the EIS, we have the scoping meeting
15 right now so if you have any comments, any concerns,
16 please speak up so we can consider those in our
17 evaluation.

18 We are also going to have another public
19 comment period once we have the Draft EIS, and that will
20 be another opportunity for you to provide your comments
21 on the EIS. And we will definitely have another public
22 meeting to discuss that.

23 Again, Mr. Varughese is the Project Manager
24 for the technical review perspective and then Steve
25 Lemont is the environmental review Project Manager.

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1 So now we turn it over to Steve to go over the
2 Environmental Impact Statement process.

3 MR. LEMONT: Okay. Well again, I'm Steve
4 Lemont and I'm NRC's Senior Environmental Project
5 Manager for the environmental review and Environmental
6 Impact Statement, or what we call the EIS process. I'm
7 being assisted by Jean Trefethen at the end of the table
8 who you were introduced to earlier, and we also have
9 experienced subject matter experts on our team from our
10 contractor, the Center for Nuclear Waste Regulatory
11 Analyses, or The Center for short, and they're located
12 in San Antonio, Texas; and some of the staff from the
13 Center are present here tonight.

14 So in this part of the presentation, I'm
15 going to discuss the environmental review and EIS
16 process in somewhat more detail. As Lydia mentioned
17 earlier, along with the safety review, this is part of
18 the overall license termination review process for the
19 Army's request to terminate the NRC license for the
20 Jefferson Proving Ground Depleted Uranium Impact Area.

21 So the NRC environmental review for this
22 project is going to be documented in an Environmental
23 Impact Statement, or EIS; and some of you may know what
24 an EIS is and perhaps some of you don't.

25 An EIS could be defined as a comprehensive

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1 document that provides decision makers and the public
2 with a detailed and thorough evaluation of significant
3 environmental impacts of a proposed action and
4 alternatives to the proposed action.

5 An EIS provides sufficient evidence and
6 analysis of impacts to support NRC's Record of Decision
7 and its final licensing action.

8 The NRC's EIS for the proposed license
9 termination at Jefferson Proving Ground will be prepared
10 in accordance with the NRC's regulations in 10 CFR Part
11 51 and also NRC's guidance in our document NUREG-1748,
12 which is titled Environmental Review Guidance for
13 Licensing Actions Associated with NMSS Programs; and
14 NMSS stands for our Office of Nuclear Material Safety
15 and Safeguards.

16 So this next slide provides a schematic of
17 all the pieces of the environmental review process, and
18 I'll just go over these briefly.

19 As was mentioned earlier, we received the
20 applicant's license application, which included an
21 Environmental Report and a Decommissioning Plan. That
22 was back in August of 2013. At that time, the staff
23 began to perform an acceptance review of the entire
24 license application and then we accepted the
25 Environmental Report.

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1 Now let me emphasize that the acceptance of
2 the application, Decommissioning Plan, and
3 Environmental Report is not an approval of those
4 documents. It is merely the determination by the NRC
5 staff that the Army has provided sufficient information
6 for us to begin our own detailed safety and environmental
7 reviews of what the Army is proposing to do. So it's
8 really just the very beginning, pre-decisional part of
9 the process.

10 So once we accepted the Environmental
11 Report and the rest of the application, we decided that
12 we were going to do an Environmental Impact Statement
13 as part of the license termination review; and on
14 November 3rd of this year, we issued a Federal Register
15 notice of intent to prepare an Environmental Impact
16 Statement and to conduct a scoping process.

17 And so being here and with that Federal
18 Register notice, we initiated a scoping process and the
19 scoping process actually includes two parts. One of
20 them is the scoping meeting that we're here for tonight
21 where we ask you to submit or actually provide us with
22 oral comments on what you believe the appropriate scope
23 and content of the EIS should be. And if any of you have
24 brought written comments with you today, we'll be glad
25 to accept those as well.

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1 But you also have another opportunity to
2 comment, and that is up until December 18th when the
3 scoping comment periods ends. You can also submit
4 written comments to the NRC, so that would be after this
5 meeting, and I'll talk a little later about exactly how
6 you can do that.

7 At the end of the scoping process, which I
8 mentioned ends on December 18th of this year, we will
9 publish a Scoping Summary Report that provides the
10 information that we gleaned from the scoping process
11 about what important issues need to be addressed in the
12 Environmental Impact Statement.

13 Now another part of the early environmental
14 review process involves engaging consulting agencies,
15 and what that means is that first of all, by Federal law,
16 we have to consult with the U.S. Fish and Wildlife
17 Service and also with the Indiana State Historic
18 Preservation Office about potential impacts to
19 threatened and endangered species, in the case of Fish
20 and Wildlife Service, and impacts to historic properties
21 in the case of the State Historic Preservation Office.
22 And we've already initiated that process.

23 In addition to this, we've also sent
24 requests for information and comments to a number of
25 other Federal and Indiana State resource agencies and

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1 other governmental agencies as well as private sector
2 organizations. And also, if we learn that any Native
3 American Tribes might be potentially affected by this
4 project, we'll be consulting with them as well.

5 As we complete this process here and we go
6 through the collection of information, we're going to
7 review all the data and information we collect, which
8 includes the Army's Decommissioning Plan and
9 Environmental Report. We will be independently
10 verifying and reviewing all of the information that the
11 Army has provided, in addition to any supplementary
12 information that we might obtain from the Army and any
13 information that we also collect independently. And we
14 will use that to identify and analyze potential
15 environmental impacts of the Army's proposed action and
16 of other reasonable alternatives to the proposed action.

17 All of this information will be documented
18 in a Draft Environmental Impact Statement document,
19 which will be issued for public comment. We'll have a
20 public comment period somewhat similar to the scoping
21 period where people can submit written comments, but
22 we'll also have another public meeting after the Draft
23 EIS is issued where we can all assemble here again. We'll
24 have a presentation on the findings of the Draft EIS and
25 we'll solicit your comments on that at that time as well.

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1 We'll then revise the Draft EIS after
2 considering all of the public comments received. That
3 will result in the preparation of a Final EIS, which will
4 include a recommendation on the Army's application of
5 whether to approve or disapprove and that will
6 ultimately result, along with the safety review, in the
7 NRC's final licensing action.

8 So again, I don't know how many of you have
9 seen an EIS, but it includes a number of sections; and
10 these are most of the chapters that we would expect to
11 include in the EIS for this particular project. And
12 other chapters may be identified based on this scoping
13 process.

14 The Introduction would include a brief
15 description of what the Army proposes to do, for which
16 the NRC license termination under restricted conditions
17 would be required. And it would also describe the
18 purpose for and need for the Army's proposed action.

19 In the second chapter, we'd be looking at
20 Alternatives. We would provide a detailed description
21 of the Army's proposed action and also of reasonable
22 alternatives to the proposed action that could also
23 accomplish the purpose and need.

24 We also describe other alternatives considered but
25 eliminated from consideration, and we would compare the

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1 potential environmental impacts of selected
2 alternatives with those of the proposed action.

3 In the Affected Environment section, we
4 would describe the baseline environmental conditions at
5 the Depleted Uranium Impact Area and vicinity at the time
6 the license application was submitted to the NRC.

7 In the Environmental Impacts section, we'll
8 discuss the potential environmental impacts of the
9 proposed action and reasonable alternatives, and I'll
10 be talking a little more about that. And those impacts
11 are based on the baseline conditions that we describe
12 in the Affected Environment section.

13 In the Mitigation Measures section, we'll
14 identify proposed measures that could reduce potential
15 adverse impacts or enhance beneficial impacts.

16 In the Environmental Measurements and
17 Monitoring section, we'll describe the major components
18 of the Army's monitoring programs as applicable for
19 releases of constituents to the environment; and,
20 finally, in the Benefit-Cost Analysis, we would describe
21 the major benefits and costs of the proposed action.

22 I'd like to give you a little more
23 information now on the EIS scoping process itself, which
24 is of course the main reason we're here today. EIS
25 scoping is an early and open process and it's designed

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1 to accomplish a number of things: to determine the range
2 of issues, alternatives and potential environmental
3 impacts to be considered in the EIS; to identify the
4 significant issues related to the proposed action and
5 to solicit input from the public and governmental and
6 private sector agencies and organizations so that the
7 analysis can be more clearly focused on issues of genuine
8 concern. And although we're looking at those things
9 ourselves, we very much depend on the public to provide
10 us input because you folks are here, you live with this
11 thing, and you are most familiar with the types of issues
12 and environmental concerns related to the site and to
13 concerns that you yourselves have.

14 The principal goals of the EIS scoping
15 process are to ensure that important issues and concerns
16 are identified early and that we properly study them;
17 that we identify all the alternatives that need to be
18 examined in the process; that we identify the
19 significant issues to be analyzed and, with that, we
20 eliminate unimportant issues from detailed
21 consideration; and then, very importantly, that we
22 identify public concerns.

23 There are two alternatives that we've
24 identified thus far that we know we're going to consider
25 in the Environmental Impact Statement. One of those is

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1 the No-Action Alternative, and the No-Action
2 Alternative is an alternative that has to be considered
3 in all environmental impact statements.

4 Under the No-Action Alternative for this
5 project, the license would remain in effect; depleted
6 uranium and unexploded ordnance would remain in place
7 in the Depleted Uranium Impact Area; and the Army would
8 continue institutional controls to minimize
9 unauthorized entries and would also continue its
10 semi-annual Environmental Radiation Monitoring
11 program.

12 And I'd like you to note that the No-Action
13 Alternative in an EIS serves as a baseline for comparison
14 with other alternatives.

15 The other alternative we'll be looking at
16 is the Army's Proposed Action. In that case, the NRC
17 would terminate the license subject to the Army's
18 commitment to maintain institutional controls in the
19 Depleted Uranium Impact Area; the depleted uranium and
20 unexploded ordnance would continue to remain in place;
21 and concurrent with license termination, the Army would
22 discontinue implementation of its present monitoring
23 program.

24 What we're looking for in our own study and
25 what we're hoping to get from you today and through the

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1 scoping comment process are other alternatives that we
2 should consider in the Environmental Impact Statement
3 in addition to these two.

4 I spoke earlier about environmental
5 impacts, and the EIS will identify and evaluate
6 potential environmental impacts of the proposed action
7 and reasonable alternatives.

8 And what we do is we look at those impacts
9 by review areas, or what we sometimes call resource
10 areas. So, for example, we'd be looking at the impacts
11 of the proposed action and alternatives on such resource
12 areas or review areas as land use, geology and soils,
13 water resources which would include surface water and
14 groundwater, ecological resources such as plant and
15 animal life, air quality, public and occupational health
16 and also environmental justice. And environmental
17 justice involves evaluation of potential
18 disproportionate adverse impacts to any minority and low
19 income populations. And other review areas may be
20 identified through the EIS scoping process.

21 So I mentioned earlier that I would tell you
22 how to provide scoping comments. One way, as I
23 mentioned earlier, is to provide oral or written
24 comments at this meeting today. Another way, after
25 this meeting, is to go to the Federal Rulemaking site

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1 at the web site shown here
2 (<http://www.regulations.gov>), search for Docket ID
3 NRC-2014-0097, and when you get there you'll see
4 instructions for how to upload written comments to that
5 web site which the NRC then takes off and I get for our
6 consideration.

7 You can also mail comments to Ms. Cindy
8 Bladey in our Office of Administration at the NRC at the
9 address shown here, also showing that Docket ID number
10 in the subject line of your comment. And again, as we
11 mentioned previously, the scoping comment period, that
12 is when we can accept comments, will end on December 18,
13 2014. So please keep that in mind.

14 If you want additional information on this
15 project outside of what you're hearing today, especially
16 if you want really detailed information, of course you
17 can ask questions after our presentations. We'll be
18 here after the meeting also to answer questions if you
19 have any. But after this meeting, you can go to the
20 Federal Rulemaking Web site that I mentioned earlier,
21 to the web site shown, searching for the NRC Docket ID,
22 and you'll find a number of documents there that discuss
23 the project.

24 If you have problems with internet access
25 or if you don't like the internet, you could contact the

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1 NRC's Public Document Room, and they could either help
2 you with the internet access or they could provide you
3 with copies of the documents that we have.

4 Getting back to the internet option, the NRC
5 has an Agencywide Documents Access and Management
6 System, or ADAMS for short; and that contains many
7 documents related to this particular project and to
8 Jefferson Proving Ground.

9 We've also set up an information repository
10 of all of the major documents right here in the Madison
11 Branch of the Jefferson County Public Library, which I
12 guess is only about a block away from here.

13 You can also find documents on this project
14 and on all kinds of things that NRC does in the NRC's
15 general public web site at www.nrc.gov, and then you can
16 contact Varughese Kurian who's the overall licensing and
17 safety review Project Manager at the phone number or
18 email address shown here, or you can contact me, Steve
19 Lemont, also at the phone number and email address
20 provided.

21 So that concludes our presentation, and I'm
22 going to turn it back to Cheryl to start our question
23 and answer period.

24 MS. HAUSMAN: Thank you, Marissa, Lydia
25 and Steve.

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1 The NRC would like to provide an opportunity
2 to answer questions or provide clarifications on the
3 presentation you have just heard. So we'll take about
4 15 minutes for a brief Q&A period.

5 This is the part of the meeting where you
6 have an opportunity to ask questions on the material
7 which has just been presented. If you have a question,
8 please raise your hand or step up to the microphone,
9 introduce yourself by name, and mention any organization
10 affiliation if you would like to. Please keep your
11 questions brief and relevant to the topic so we can get
12 to as many of them as possible.

13 Sir, please step up the microphone. You
14 can use the microphone right there.

15 MR. RICHARDSON: My name is Larry
16 Richardson. I'm a property owner downstream from the
17 Proving Grounds in the little town of Dupont; and I'm
18 wondering, you spoke of the Army doing monitoring and
19 I would presume that no unusual things are going to be
20 leaving the proving ground or herds of hunters are going
21 in and taking their shovels and digging things up.

22 But I would presume that maybe they would
23 do monitoring of chemicals that would dissolve in the
24 water that might have developed radioactivity or uranium
25 itself. I don't know the [inaudible] uranium oxide.

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1 But who is going to -- you say the Army has
2 been doing these monitoring, and I presume that one of
3 them would be of the water quality. If the Army doesn't
4 do it any more, is anyone going to be doing it? That
5 was my question specifically.

6 MR. LEMONT: Okay. The Army's proposal
7 for license termination is that their monitoring program
8 would end. Okay? And that monitoring would not
9 continue.

10 Now that's something that the NRC is going
11 to have to evaluate. We're going to have to determine
12 if that particular approach is in line with our
13 regulations and in fact protects the public health and
14 safety.

15 But what the Army has also done is they've
16 done modeling studies to look years into the future, so
17 based on what they know about the hydrology and geology
18 of the site which they studied extensively, and also
19 based on the monitoring results that they've collected
20 over several years, they've been able to predict what
21 types of concentrations would be coming downstream and
22 off the base, and we're also going to be evaluating that
23 modeling to determine if in the future they can meet our
24 regulatory requirements and thereby protect public
25 health and safety.

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1 MR. RICHARDSON: So the answer is no one
2 will be monitoring this. The projections are what you
3 accept that nothing will change from what they say the
4 projections are?

5 MR. LEMONT: Well, we're going to
6 determine if we're going to accept those, and we're going
7 to determine if in fact it would be allowable for the
8 monitoring to end.

9 MR. RICHARDSON: Oh, I see.

10 MR. LEMONT: We could determine something
11 else.

12 MR. RICHARDSON: Okay. So you could
13 require the people retiring the license to participate
14 -- your agency does not do monitoring?

15 MR. LEMONT: No, we don't.

16 MR. RICHARDSON: Okay. So it would be
17 part of the license termination if you felt monitoring
18 would be necessary?

19 MR. LEMONT: If we thought it would be
20 necessary, that is a possibility; and that would be an
21 alternative that we would look at.

22 MR. RICHARDSON: Thank you very much,
23 Stephen.

24 MS. HAUSMAN: Before we move into the
25 actual public comment period is there anybody--

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1 MR. HILL: I have a question.

2 MS. HAUSMAN: Sir?

3 MR. HILL: Good evening. Thank you. My
4 name is Richard Hill. I'm the past president of Save the
5 Valley and currently a member of Save the Valley. I'm
6 a member of the Executive Committee of the Hoosier
7 Chapter of the Sierra Club, and I was also the JPG
8 co-chair for the Restoration Advisory Board, community
9 co-chair.

10 I have just a couple of questions. One of
11 them is really quick. Has there ever been a site
12 decommissioned or had their license terminated under
13 restricted conditions like this one?

14 MR. LEMONT: No.

15 MR. HILL: I didn't think that there were,
16 but there could have been one I didn't know about. Okay.
17 I just wondered about that.

18 And then the other is just kind of an
19 off-shoot of this gentleman, the gentleman that just
20 spoke. I'm having a hard time wrapping my head around
21 what alternatives can be, and I'm not going to ask you
22 what those could be. But it seems like it's either to
23 terminate the license, which would stop monitoring and
24 continue with institutional controls or to require the
25 Army to keep the license and that would keep things, the

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1 monitoring and institutional controls in place.

2 I don't know if you can even -- I guess could
3 there be other kinds of alternatives? I can't see the
4 possibility of having the license terminated with
5 conditions because if it's terminated then you guys
6 don't have any control over conditions or anything.

7 Or could it be the license renewed perhaps
8 with some less stringent monitoring I guess? That's my
9 question I guess.

10 MR. LEMONT: That could be a possibility.

11 MR. HILL: Could be a possibility. Okay.
12 Thank you very much.

13 MR. LEMONT: Are there any other
14 questions?

15 MR. HALL: My name is James Hall. I'm a
16 resident here in Madison. I've got a few questions and
17 I'll rattle one off and you can answer if it's possible.
18 Who will conduct the EIS? Will the NRC or a contractor?
19 Who pays for the EIS? Is the licensee asking for the
20 EIS or the NRC? Will the applicant have input on the
21 EIS and the documents that were submitted from the
22 applicant, the environmental documents that you're
23 reviewing; will those be substituted into your EIS as
24 relative, depending on the legitimacy or the accuracy
25 you find in those?

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1 And you were talking about the hydrology,
2 the groundwater hydrology maps; are those available
3 anywhere to the public that they've submitted to you as
4 part of their environmental documents?

5 MR. LEMONT: For my benefit and bad
6 memory, could you repeat each part of that question
7 individually and I'll take them in turn.

8 MR. HALL: Okay. Who will conduct the EIS?

9 MR. LEMONT: Okay. The EIS is going to be
10 conducted by the Nuclear Regulatory Commission. It
11 will be the NRC's document. I'm the Project Manager for
12 that. However, we will be assisted in that by a
13 contractor, the Center for Nuclear Waste Regulatory
14 Analyses. However, we take part in preparation of the
15 document. We fully review what our contractor
16 provides, so it goes through technical reviews, it goes
17 through legal reviews, and it's issued as the NRC's
18 document.

19 MR. HALL: Okay. Will you pay for the EIS
20 or does the applicant pay for the EIS?

21 MR. LEMONT: Okay. Well that's an
22 interesting question. This is what we call a fee-based
23 project in the NRC lingo.

24 MR. HALL: Okay.

25 MR. LEMONT: But what it means is this. I

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1 mean the NRC is appropriated funds by Congress to do this
2 EIS. Okay? Not specifically. We get a bunch of
3 funds and we tell them we need to do all this and they
4 give us money. So we're using that money to pay our
5 staff and our contractor to do the EIS. The applicant,
6 or the Army, then has to pay us. We bill them
7 periodically, but that money does not go to the NRC, it
8 goes to the Department of the Treasury, so they're
9 reimbursing the Government.

10 MR. HALL: They don't directly pay for the
11 EIS though.

12 MR. LEMONT: That's right. And we are
13 doing that EIS independently, which I think relates to
14 your next question.

15 MR. HALL: Yes, the second question, would
16 the applicant have input on the EIS?

17 MR. LEMONT: Okay. The EIS is partially
18 based on the Environmental Report and Decommissioning
19 Plan that the applicant provided. Okay? However, and
20 I think this relates to another one of your questions,
21 we do not take those documents and slap a cover on it
22 that says this is the NRC's EIS. We independently
23 review and verify all parts of the Environmental Report
24 and the Decommissioning Plan.

25 We will no doubt ask the applicant for

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1 supplementary information, either clarifications or
2 additional information we need, and we will collect our
3 own supplementary information, but this EIS will be our
4 own document.

5 MR. HALL: Yes.

6 MR. LEMONT: So I mean there's input in the
7 sense that they provide it as the initial basis, but they
8 will not be telling us what to write.

9 Now, I will say that when the Draft EIS is
10 issued, it will be issued for public comment; and at that
11 time, just as the public can comment on it, so can the
12 Army and so they have input in that respect. But we can
13 also choose to accept or reject those comments.

14 MR. HALL: Okay. So that kind of got back
15 to one of my other questions. So like if the detail say
16 or the risk analysis that they provided you in their
17 closing documents wasn't detailed enough or didn't have
18 enough information on fake transport from animals and
19 things of that nature, you could do additional analysis?

20 MR. LEMONT: Right. Or we could ask them
21 for additional information, you know, or we could do it
22 all over again because we just didn't like the way they
23 did it. I'm not saying that there's anything wrong with
24 what they've done, but this is typical of our process
25 for any project.

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1 MR. HALL: Okay. And then last question
2 I didn't ask before since you said this, is there a
3 timeline for approving the application?

4 MR. LEMONT: There's no specific timeline
5 set, but as Lydia pointed out, the EIS is sort of the
6 rate limiting step. An EIS of this type is expected to
7 take about 24 months. That timing could be affected by
8 whether or not we get funding, by other priorities of
9 our agency, by how long the Army might take to respond
10 to our requests. There are a number of factors, but
11 typically it's 24 months; and so we're expecting that
12 we may be able to have a licensing decision by late 2016,
13 but it could be--

14 MR. HALL: There's nothing in the CFR that
15 specifically says you have to have it within 36 months
16 or something of that nature?

17 MR. LEMONT: There's nothing that has been
18 prescribed at this point, no.

19 MR. HALL: Okay.

20 MR. LEMONT: But we usually strive for
21 that kind of a schedule.

22 MR. HALL: Right. Thank you very much.

23 MR. LEMONT: You're welcome. Yes?

24 MR. MOORE: I didn't have a question until
25 now. I just was listening to Mr. Richardson and I

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1 suppose he said he lived in Dupont or someplace like
2 that. Is your contractor going to go and visit him and
3 look at the creek that crosses his farm, and look and
4 see if there's any shells in there, or try to do any
5 testing like that?

6 I guess I'm saying will they actually visit
7 on the ground and look at it or just take the studies,
8 and we've had 25 years of studies. I don't know if
9 anybody's actually walked out there and looked at what
10 is, because it changes your whole perspective to
11 actually go out there and see shells on the ground
12 instead of just reading about them.

13 MR. LEMONT: Your name?

14 MR. MOORE: Oh I forgot. Mike Moore. I
15 worked out there for 20 years so I can just look and I
16 can see the shells lying on the ground because I walked
17 through it. And I represent the JPG Heritage
18 Partnership which is a group of people that used to own
19 farms at the Proving Ground and were asked to leave, and
20 also employees.

21 So we've been looking at this for 20 years,
22 and we just want to know, study after study that comes
23 out, pound after pound of paper, if anybody goes out
24 there and looks at it. That's all I was asking.

25 MR. LEMONT: Well, as part of our review

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1 of the Army's documentation, we'll see what they've done
2 as far as that. But as part of our review, we would be
3 doing a detailed site visit of the Depleted Uranium
4 Impact Area and environs, which would include areas
5 outside the installation. And we would try to look for
6 things like that.

7 MR. MOORE: Well, that would be great.

8 MR. LEMONT: Especially since you bring
9 it up now, but typically we do look off site.

10 MR. MOORE: Okay.

11 MR. LEMONT: Other questions? Yes?

12 MS. CHAPO: Hello, my name is Sherry Chapo
13 and I'm a resident here of Jefferson County. I live
14 downstream on Big Creek. Our farm is there. So we have
15 the potential to be impacted by any type of contamination
16 that could migrate through all the tributaries, and
17 there's lots of creeks in our area.

18 So that's my one concern, that monitoring
19 needs to continue indefinitely until we can determine
20 that it is no longer a risk. And I know that's what your
21 job is, to review these and to see what that is.

22 And I guess my other question is you're the
23 regulatory body to look over this. Who's the
24 enforcement? Who looks over the Army to make sure that
25 they're doing what they're supposed to do, and what

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1 happens if there is an issue that comes up with that?

2 MR. LEMONT: Well, the Army still has to
3 -- you know, even if the Army is no longer a licensee
4 they still have to meet the NRC's regulations. In other
5 words, if they say they're going to do something
6 according to our regulation 20.1403, you know, whether
7 a person is a licensee or not, if they're handling
8 radioactive materials they have to meet our regulations.

9 MS. CHAPO: Who's the enforcement if they
10 are not? Who is the strong-arm that goes in and says
11 this is a penalty for not doing this? Are you able to
12 assess or you're just the regulatory? Who's the
13 enforcement arm to make sure?

14 MR. LEMONT: The NRC has an enforcement
15 arm, so we enforce our regulations.

16 MS. CHAPO: So if someone has a concern,
17 that would go through you, and you would regulate, and
18 you would also enforce anything that would come through
19 with that?

20 MR. LEMONT: Yes.

21 MS. CHAPO: Next question and this has
22 come up several times tonight. It's about budget
23 concerns between the Army and the NRC. You're both
24 Federal agencies. What happens with budget concerns if
25 your funding is cut? Does that mean that this project

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1 could get kicked down or could it just be eliminated
2 because there's no resources to deal with it?

3 MR. LEMONT: Well, could you elaborate?
4 Do you mean if the funds are cut for us to do our review
5 of the license termination?

6 MS. CHAPO: Well, several times it said it
7 would depend on -- funding is a contingency on everything
8 I've heard here. So how does funding affect you being
9 able to do your job and having the Army do what they're
10 supposed to do or what they promised to do?

11 MR. LEMONT: Well, let me say this. I mean
12 until we complete our safety and environmental reviews,
13 no matter how long that might take if we are affected
14 by funding, the license remains in effect and the Army
15 has to continue to meet license conditions including
16 monitoring. So it would be no different than if they
17 had never come to us to ask for the license termination.

18 MS. CHAPO: So it doesn't affect the outcome
19 of this; it may affect the timeline that it takes you
20 to do this?

21 MR. LEMONT: Yes, that's right. And we
22 don't anticipate that it's going to take an inordinate
23 amount of time. I mean we just bring this up now
24 because, as you know, the way Congress works and so forth
25 that they've sometimes held up Federal funds; and we

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1 work right down to what we call a Continuing Resolution
2 where we have the same funding level that we had last
3 year but only up to a certain date. Okay? Until Congress
4 goes and says okay, you can't get more money.

5 And we never know what's going to happen
6 with that. So for example this project right now is not
7 fully funded. We have enough money to carry us through
8 for several months and typically we do get the money to
9 allow us to continue, but we're never certain about how
10 much that's going to be.

11 MS. CHAPO: And so the Federal Government
12 another agency may determine where the priority of that
13 funding would go in the event that--

14 MR. LEMONT: It could happen, yes. But as
15 I say it really doesn't affect this project except for
16 the overall timing of our final decision.

17 MS. CHAPO: And the modeling that you
18 talked about that the Army has provided for this, my
19 concern is that there's never been a precedent for
20 another site that several of you call the cantonment
21 area, the impact area, tiny or small.

22 MR. LEMONT: Well, it's small in
23 comparison to the rest of the installation.

24 MS. CHAPO: Sure. But the impact or
25 potential impact on us as being citizens here is much

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1 larger, so I just want you to be careful in stipulating
2 that that word small is to the area and not to the
3 potential impact here, because I kind of took exception
4 with that.

5 MR. LEMONT: And what you're saying is
6 very well taken and exactly right. The size of this area
7 has nothing to do with our determination of the level
8 of impact. And as far as the modeling is concerned and
9 any precedents, I mean the type of modeling that was used
10 is the kind of modeling that's typically used for many
11 other sites for a wide variety of constituents.

12 So as long as the Army plugged in the right
13 numbers, which we're going to have to determine, then
14 this modeling would be just as valid for this site under
15 its conditions as for any other site with other chemical
16 constituents and other hydrologic characteristics.

17 MS. CHAPO: The comparisons that they're
18 pulling up on those would have been from other sites that
19 you're pulling off of actual history that you can go back
20 on? Or this is just a scientific equation guesstimating
21 what's going to happen in the future?

22 MR. LEMONT: Well, I mean these models
23 have been in effect for a long time. They're long
24 tested, they are verified, you know, they're verified
25 and so the scientific community is reasonably confident

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1 that these models provide an accurate representation of
2 what's going on. And I would also say that if the Army
3 did this correctly, they should be modeling very
4 conservatively. So in other words, they should be
5 overestimating what the effect should be. Okay?

6 So in other words, you say well gee it's
7 probably going to be a lot less than what we estimated,
8 but if what they estimated still falls below the NRC's
9 radiation dose requirements and other requirements,
10 then we have a reasonable assurance that we're probably
11 going to be in good shape. But we're going to have to
12 look at that very carefully.

13 MS. CHAPO: Okay, well thank you very
14 much.

15 MR. LEMONT: You're welcome. Anything
16 else? I love to answer questions as you can see.

17 MS. HAUSMAN: I want to get to a couple of
18 people who filled out the yellow comment cards. Mr.
19 Richard Herring?

20 MR. HERRING: I think most of the
21 questions were answered actually with the handouts and
22 discussion. Steve Lemont did a real good job there on
23 that. Thank you.

24 MS. HAUSMAN: Okay. Thank you. Robin
25 Henderson? Or Stephanie Hellman?

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1 MS. HELLMAN: See, I'm always the short
2 one. The main question I had has already been answered
3 about how accessible is this report going to be, and
4 you've said it's going to be very accessible so that's
5 good. I'm going to tell all my friends. I'm going to
6 tell them too how to get in contact with you because they
7 didn't come tonight.

8 I would just like to say this is such a
9 fabulous area out there. You have to go see it. I teach
10 photography classes out at Big Oaks and it's incredible,
11 and when you go you have to watch the video and where
12 to go and where not to go, don't touch this don't touch
13 that.

14 And the modeling -- this stuff is all
15 encased, right? The unexploded ordnance is in shells
16 and it's when that deteriorates what's inside will be
17 released.

18 Anyway, I did want to say go there, it's a
19 fabulous place, we've got to do something to ensure the
20 safety and make it not entirely accessible but
21 accessible. And I'm sorry that the meeting started so
22 late because there was a woman here with her kids and
23 it would have been nice for them to have been able to
24 see some of the process of this. Thank you for being
25 here. I'm sure I'll think of more later, but now I know

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1 how to find you.

2 MR. LEMONT: Okay. And again you can
3 submit written comments through December 18th.

4 MS. HELLMAN: Okay. Thank you.

5 MR. LEMONT: Thank you.

6 MS. HAUSMAN: Mark Amick?

7 MR. AMICK: Hi, my name is Mark Amick. I'm
8 the Director of the Indiana Department of Environmental
9 Management Southeast Regional Office which is located
10 in Seymour, Indiana, and I'm here to make remarks on
11 behalf of the Indiana Department of Environmental
12 Management (IDEM).

13 IDEM does have a continuing concern with the
14 remaining contamination on this site and its impact in
15 making a significant portion of Indiana's land unusable
16 for any purpose.

17 While the challenges with remediating the
18 project are large, it's hoped that at some point in the
19 future technology will be developed that will have the
20 ability to help us clean up and make that a reality so
21 that larger portions of the property can be more
22 beneficially utilized. That's it. Thank you.

23 MR. KNOUF: I do have a question that
24 Stephanie kind of made me think about it. Oh my name
25 is Ken Knouf, K-n-o-u-f. And I'm not sure when you folks

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1 came in, today or yesterday.

2 MR. LEMONT: Monday.

3 MR. KNOUF: Monday. So I'm presuming
4 then that everybody has been up range, you've already
5 kind of gotten a first feel for that. That's important
6 from a taxpayer perspective that you see firsthand; and
7 I'm sure you experienced what Stephanie said, it really
8 is an interesting area, a beautiful area, and we
9 certainly want it maintained as a refuge operation for
10 the long-term future and we're going to count on you
11 folks to help.

12 MS. HAUSMAN: Nicholas Ellis?

13 MR. ELLIS: Hi, my name is Nick Ellis. I'm
14 a lifetime resident of Jefferson County and I appreciate
15 you being here.

16 Many of the things or concerns I had were
17 answered and covered and I guess you're mainly
18 interested in the scope of the project. In Slide 29,
19 you listed some examples, the land use, geology, soil,
20 water resources, ecology resources, the air quality,
21 public and occupational health, and environmental
22 justice. Those are examples. Are those considered in
23 all environmental reviews or is that just a menu that
24 you can pick and choose from?

25 MR. LEMONT: Those and other resource

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1 areas are considered in all environmental impact
2 statements but, as I mentioned, as part of the EIS
3 scoping process we want to determine what are the issues
4 and affected environmental resource areas of genuine
5 concern. So I listed those as examples because, based
6 on our preliminary evaluation, we believe that those are
7 ones we definitely have to look at.

8 But there are others that we may be looking
9 at based on our own determinations or based on what we
10 learn from this meeting today or other scoping comments
11 that we receive until December 18th.

12 MR. ELLIS: So it's important for us, the
13 citizens here living in the community, to communicate
14 that to you the concerns.

15 MR. LEMONT: It is.

16 MR. ELLIS: I think all of the examples
17 that you have there are relevant and are pertinent to
18 the issue out there.

19 If this is decommissioned, or I don't know
20 what the technical term is, but if there's no longer
21 monitoring out there and we're going to rely on modeling
22 projections into the future, I think it's important that
23 built into that decision, and I don't support that
24 decision, I would support further monitoring; but if
25 that's the direction it goes, is there any plans for

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1 verification that the model is correct say 20, 30 years
2 down the road? As these shells decompose further, the
3 likelihood of contaminants breaking out of that
4 contained shell mass increases, the likelihood of the
5 dust being conducted downstream, the air quality
6 downwind, that increases.

7 So I mean if we're not verifying that in 20
8 years, 30 years, 50 years, 100 -- and these things are
9 potentially a risk all the way out, I guess into the
10 billion year mark -- how would we know in the future that
11 the model was correct or the model was incorrect?

12 MR. LEMONT: I mean and that's something
13 we're going to have to be looking at.

14 MR. ELLIS: Thank you. I appreciate it.

15 MS. HAUSMAN: Other comments or questions?

16 MR. HILL: We're doing the yellow cards
17 now, right?

18 MS. HAUSMAN: Yes.

19 MR. HILL: Okay. Hello again, my name is
20 Richard Hill. I do live within 10 miles, maybe 7,
21 something like that of the DU area. Again, I'm the past
22 president of Save the Valley, a former community
23 co-chair of the JPG Restoration Advisory Board, and a
24 member of the Executive Committee of the Hoosier Chapter
25 of the Sierra Club. And I have just a few brief comments

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1 and I'll probably submit some more written ones later.

2 I'm not 100 percent sure that all of my
3 comments tonight fit exactly into the scoping process,
4 but I think that they're close enough and I'm going to
5 be real brief anyway. Okay.

6 Given that the area is contaminated enough
7 to warrant permanent restriction of human use, it does
8 seem prudent to many of us to continue some kind of
9 monitoring, even if it's just on an annual basis,
10 especially in my opinion right now of the water and
11 sediment in Big Creek where it exits the area and also
12 where it exits JPG in general.

13 It's been brought up that with the long
14 timeline that we're looking at for this stuff to be out
15 there, as far as we know right now it's going to be
16 forever, that some of my perceptions may be off, but I
17 think we need to err on the side of safety there.

18 Another concern would be -- we also would
19 really like to see a way to keep the public in the loop
20 on the institutional controls -- the signage and
21 blockades of the roads in the DU area. Sure, I think
22 we can trust the Army to keep those up and the Wildlife
23 Service keep an eye on them for the next two or three
24 hundred years. But then after that, you know, maybe
25 everybody will forget about it. So I don't know what

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1 kind of mechanisms there might be, some kind of community
2 stewardship group, I don't know. I'm just kind of
3 thinking through this right now.

4 And I think that, again, being that it is
5 deemed not fit for human use into perpetuity, that the
6 public needs to be continually in that loop of knowing
7 that and having it well known and posted and that sort
8 of thing.

9 And then, finally, for my brief comments
10 tonight given the chemical metal toxicity of the DU,
11 from what I've read that's reported to be much greater
12 than its radiological hazard; there just needs to be a
13 full consideration of that. And I haven't worked out
14 in my mind exactly what that would be, but it definitely
15 needs to be considered.

16 All right. I think that's it. Thank you.

17 MS. HAUSMAN: Thank you. Does anybody
18 else have a question or a comment? Going once. Twice.
19 And done. Okay. With that we will close the meeting.
20 The NRC staff will be available after the meeting for
21 approximately 30 minutes if you wish to make a comment
22 to anybody in particular; and also for openness and
23 transparency, the transcript of this meeting will be
24 public available on NRC's web page.

25 Thank you all for coming.

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1 (Whereupon, the Public Scoping Meeting of
2 the NRC having been concluded, went off the record at
3 8:34 p.m.)
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