



April 7, 1994

DATE

40-8027  
7.5. APR 1994

### ROUTING AND TRANSMITTAL SLIP

TO: (Name, office symbol, room number, building, Agency/Post)	Initials	Date
1. Mr. Jim Shepherd Division of Low-Level Waste Management & Decommissioning Office of Nuclear Materials, Safety, and Safeguards U.S. Nuclear Regulatory Commission OWFN - Mail Stop 5E4 Washington, D.C. 20555		

**Remarks:**

RE: Letter from SFC that we discussed FYI.

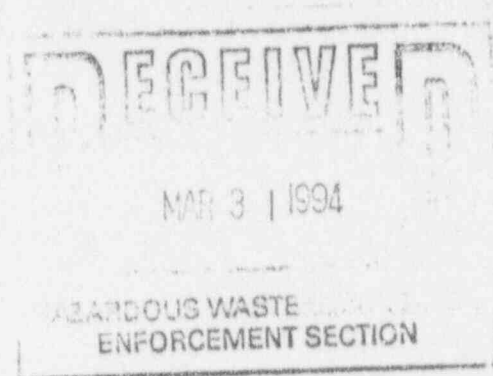
Hebert

DO NOT use this form as a RECORD of approvals, concurrences, dis-osals, clearances and similar actions

<b>FROM:</b> RCRA Enforcement Branch, Technical Section (6H-CX)	Room No. - Bldg. <i>Cubicle 10.126</i>
<i>Michael A. Hebert</i>	Phone No. <i>(214) 655-8315</i>

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PDR ADDCK 04008027  
C PDR

NL10



March 28, 1994

RE: 9439-E

Mr. Mike Hebert (6H-CX)  
RCRA Enforcement Branch  
U. S. Environmental Protection Agency  
1445 Ross Avenue, Suite 1200  
Dallas, TX. 75202-2733

RE: Sequoyah Fuels Corporation  
RCRA § 3008(h) Administrative Order on Consent  
U. S. EPA Docket No. VI-005-(h)93-H  
EPA I. D. No. OKD051961183

Dear Mr. Hebert:

You recently inquired on what community relations programs Sequoyah Fuels Corporation (SFC) has conducted which would have provided an opportunity for the organization, Native Americans for a Clean Environment (NACE), to gain information on activities under the referenced Consent Order.

As we discussed on the phone SFC has been active in making presentations to the public as shown in our recent Progress Reports. We are willing to accommodate any group in the area which is interested in scheduling such a presentation.

There have been two publicly announced presentations by SFC since the Consent Order was issued. Announcements came by publication in the local newspapers. On 8/30/93 a presentation was conducted at the Carlile School Building which was attended by about 34 citizens, including one NACE member, Ed Henshaw, a former SFC employee who lives about one mile south of the facility. Mr. Henshaw, to our knowledge, is the only member of NACE who lives within the local area to SFC. On 10/4/93 the Gore Lion's Club hosted a presentation which was attended by 18 citizens with no known NACE members in the audience.

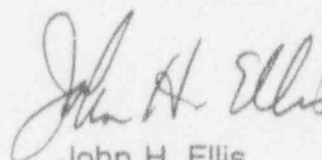
In addition, SFC has a "Citizens Advisory Committee" (CAC) which was formed in 1992. This committee consists of the mayors or their representatives from the towns/cities of Gore, Webbers Falls, Vian, Sallisaw, Warner and Muskogee. The purpose of the committee is to provide a forum which keeps the local leaders informed and to answer their questions concerning the status and plans of SFC during the decommissioning process. Additional information pertaining to the CAC is attached.

Prior to the last CAC meeting on September 17, 1993 SFC called Lance Hughes at NACE headquarters in Tahlequah, Oklahoma to invite him to the meeting. Mr. Hughes was not in so a message was left. He did not attend the meeting or return SFC's call, but we did receive the attached letter. SFC responded to his letter with an invitation in writing (also attached) to meet with us to discuss any concerns NACE might have. They have not responded to our offer.

I have also included with this letter two articles concerning NACE as an organization. I believe the articles provide some insight into the nature of their position regarding SFC which EPA should be made aware. NACE has not demonstrated any willingness to work with SFC constructively to resolve concerns they may have. Additionally, we do not believe that NACE represents the majority sentiment in the local communities.

If you or any other personnel within EPA wish to discuss this matter further please give me a call.

Sincerely,



John H. Ellis  
President

JHE/TB: jf

Enclosures



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P.O. Box 1671 • Tahlequah, OK 74465 • (Office) 918-458-4322 • (FAX) 918-458-0322

November 30, 1993

Mr. John Ellis  
President  
Sequoyah Fuels Corporation  
P.O. Box 610  
Gore, OK 74435

RE: SFC's "Citizens Advisory Committee"

Greetings Mr. Ellis,

I recently became aware that there is a Citizens Advisory Committee for Sequoyah Fuels. This information was included in letters to Judge Gleason from Maurice Axelrad, dated November 3 and November 9, 1993. The subject of the Citizens Advisory Committee was discussed in the context of SFC inviting NACE to a meeting.

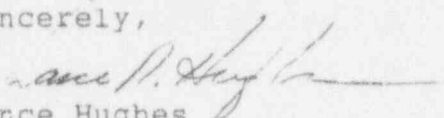
A review of our telephone logs documents a call from Ms. Pam Bennett on September 14 at 2:00 pm. A review of my appointment calendar shows September 13 - 15 at Western Hills Lodge attending an inter-tribal conference, September 16 - 19 in project negotiations with the University of Michigan and September 20 - October 7 on official travel. Therefore, if the September 14 call from Ms. Bennett was in reference to an invitation to attend the Advisory Committee, my apologies for not being available to either take or return the call.

Since the references to NACE's invitation to the Advisory Committee is not from any direct communication, I am now curious if the invitation was to observe a meeting or to participate in the Committee's work. In any event, NACE is always open to dialouge, a review of relevant issues and any attendant work. Could you please inform me of the composition of the Advisory Committee, when it was formed and any stated purpose/goal of the Committee. Additionally, could you clarify SFC's interest in past or future interactions between the Committee and NACE.

Mr. John Ellis  
November 30, 1993  
Page 2

Thank you for your time and interest. I hope to hear from you soon regarding this matter.

Sincerely,

  
Lance Hughes  
Director

January 17, 1994

Mr. Lance Hughes  
Director  
Native Americans For A Clean Environment  
P.O. Box 1671  
Tahlequah, OK 74465

Dear Mr. Hughes,

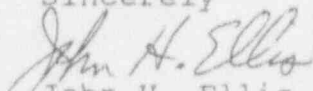
I am sorry we were unable to make contact with you concerning the SFC Citizen's Advisory Committee meeting. At this meeting, which was held on September 17, 1993, I presented a brief overview of SFC's current status and our plans for decommissioning the facility. My plan was to invite you to observe the meeting and to answer any questions you might have had on the presentation.

I have attached a copy of the charter of the SFC Citizens Advisory Committee and a listing of the current members. It is SFC's intent that the committee be made of of designated representatives from the communities in the vicinity of SFC's facility.

I wish to take this opportunity to invite you to meet with me and members of the SFC staff for the purpose of presenting concerns you may have relative to decommissioning the SFC facility. We would also be very much interested in any suggestions you might have on how to resolve these concerns. I believe that this long needed dialogue between us would permit many issues to be reviewed and perhaps resolved outside of the hearing room, allowing both organizations to utilize their resources more effectively.

I look forward to your acceptance of my invitation.

Sincerely

  
John H. Ellis  
President, SFC

## CITIZENS ADVISORY COUNCIL - CHARTER

### I. POLICY

It is Sequoyah Fuels Corporation's policy to provide open, honest and timely information to interested individuals and organizations regarding SFC's operation. Accordingly, SFC has developed an information mechanism to determine issues that concern local citizens and to solicit their assistance in disseminating important information to local communities.

### I. PURPOSE

The purpose of the Citizens Advisory Council is to develop and nurture a program for involving the local communities, through Council membership, in SFC's community relations programs. In working together SFC and the Council can respond more reliably to local citizen concerns and provide more open and prompt information to the local communities.

### III. SCOPE

The scope of the program includes all SFC operations that potentially affect the well-being of the local communities, including public information; decisions affecting the local area, and/or planned or unplanned impacts on the surrounding environment or public health and safety.

### IV. IMPLEMENTATION

A seven (7) member Citizens Advisory Council shall be established and shall include one member each from the cities of Gore, Vian, Webbers Falls, Sallisaw, Muskogee, and Warner, and one at-large member from an organization selected by the six city representatives on the council.

The Council shall meet once each month at a location to be designated by SFC Executive Staff member. The meeting location is subject to change with a majority vote of CAC members. A member of SFC's Executive Staff shall attend and chair each meeting. Time shall be allotted at each meeting to discuss important events at the Sequoyah Fuels facility and to receive feedback from the community members.

Council membership shall run for a term of one year and shall be staggered so that membership changes are made gradually.

The cost of providing the meeting place, any meals, or other expenses, which might be incurred to conduct the meeting, shall be born by Sequoyah Fuels Corporation.

CITIZENS ADVISORY COUNCIL MEMBERS

CITY

MEMBER

Gore

Betty Rhode  
Gore City Council  
P.O. Box 37  
Gore, OK 74435  
489-2622

Warner

Troy Duncan, Mayor  
P.O. Box 458  
Warner, OK 74469  
463-2921

Ed Tatum (Alternate)  
Member of City Council  
463-2444

Webbers Falls

Jewell Horn, Mayor  
P.O. Box 179  
Webbers Falls, OK 74470

Vian

Buford Martin, Mayor  
P.O. Box 33  
Vian, OK 74962  
773-8110

Sallisaw

Mike Tubbs  
Fire Dept.  
Environmental Compliance  
P.O. Drawer C  
Sallisaw, OK 74955  
775-6241

Muskogee

Dr. Frank Borovetz  
City Council Member  
Rt. 1 Box 1000  
Warner, OK 74469  
VP Financial Affairs,  
Connors State College  
463-2931



# SFC GOALS FOR CAC

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- Provide a mechanism for the flow of information between SFC and the local communities, in addition to that which is mandated by regulatory agencies
- Encourage and provide for local community involvement in decommissioning decisions
- Generate active support for SFC decommissioning activities
- Generate support for future SFC business opportunities

COFFEES WITH CONSCIENCE • ENVIRONMENTAL JOBS • RADON: A REAL THREAT?

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THE  
ENVIRONMENTAL  
MAGAZINE

February 1994  
Volume V, Number 1  
\$3.95/\$4.50 Canada

4<sup>th</sup> Anniversary  
Issue

## TIMBER!

### The Battles Move East

Dirty History  
Nuclear Power:

SEQUOYAH  
TREES STORY

JOHN FONDA

On Population  
Intelligence



A black and white photograph of a chain-link fence. A sign is attached to the fence, with the words "THE DIRTY HISTORY OF THE NUCLEAR WASTE" visible. The sign is partially obscured by the fence's mesh. The background is dark and indistinct.

# **THE Dirty History**

**The Sequoyah Fuels plant looked like an ordinary factory on the Oklahoma prairie. But it processed radioactive uranium with little regard for its workers or the environment. Until local Cherokee people took on the giants of the nuclear industry — and won.**

*Photographs by Elizabeth Beasley*

SECURITY

FACILITY

**T**he date is January 4, 1986. The scene is the Sequoyah Fuels Plant at Gore, Oklahoma near the confluence of the Illinois and Arkansas Rivers, 75 miles southeast of Tulsa. At approximately 11:30 A.M. an over-filled cylinder of uranium fluoride gas being heated in a steam chest suddenly ruptures, sending a cloud of toxic smoke boiling into the air. James Neil Harrison, age 26, standing 20 feet above the cylinder, is enveloped by the hissing cloud. His lungs fill with fluid; he gasps frantically for air. No emergency supply of oxygen is on hand, so fellow workers race eight miles to a nursing home in the town of Vian for a canister. Many critical minutes after the eruption, with oxygen finally being administered, Harrison is loaded into a car and taken 11 miles to a hospital in Salisaw. Unfortunately Kerr McGee (KM), the plant's owners, never had a contingency plan, so the hospital is unequipped to handle Harrison. The stricken man is driven another 10 miles to Sparks regional medical center in Fort Smith, Arkansas. Soon after he arrives, as doctors work over him, James Harrison, half African-American, half Cherokee Indian, nicknamed "Chief" by his fellow workers, is pronounced dead.

**R**obert S. Kerr, first as governor of Oklahoma and then as U.S. Senator, provided key political connections in the 1950s and 60s that enabled KM to become the largest uranium producer in the country by 1970. With yearly revenues of over \$3.5 billion, KM was one of the nation's major energy conglomerates, heavily involved in oil drilling, coal mining, chemical production and timber cutting. Historically, the company's regard for worker safety ranked far down the priority list. Indian uranium miners on the Navajo Reservation in the 1950s—non-unionized and earning \$1.60 an hour—were not told that their work could cause lung cancer. In 1974, Karen Silkwood, a worker at a KM nuclear fuel rods facility near Crescent, Oklahoma, died under mysterious circumstances while driving to deliver evidence of KM safety violations to a *New York Times* reporter. Her story became a Hollywood movie, but at first James Harrison's death hardly seemed to attract notice.

Officials at Sequoyah Fuels and KM headquarters in Oklahoma City attempted to blame the workers. Richard Pereles, director of corporate communications, told the press that the procedures used by the workers at the time of the lethal release were contrary to company guidelines. James Everett of the Nuclear Regulatory Commission (NRC), in a statement printed in *The New York Times*, described

**“A study found that 307 of the 429 senior personnel at the Nuclear Regulatory Commission come from private corporations with contacts in the nuclear industry.”**

the safety concerns as “minimal” since “only one person... had been killed.”

The workers replied that they had permission from their shift supervisor to heat the overloaded cylinder. A maintenance mechanic, who worked at the plant for 11 years, added that this procedure was frequently used. But it wasn't easy for the workers to voice their complaints. The plant was the biggest employer in the region, the primary meal ticket for hundreds of families. Moreover, the workers had no union, since KM was notoriously hostile to labor organizations.

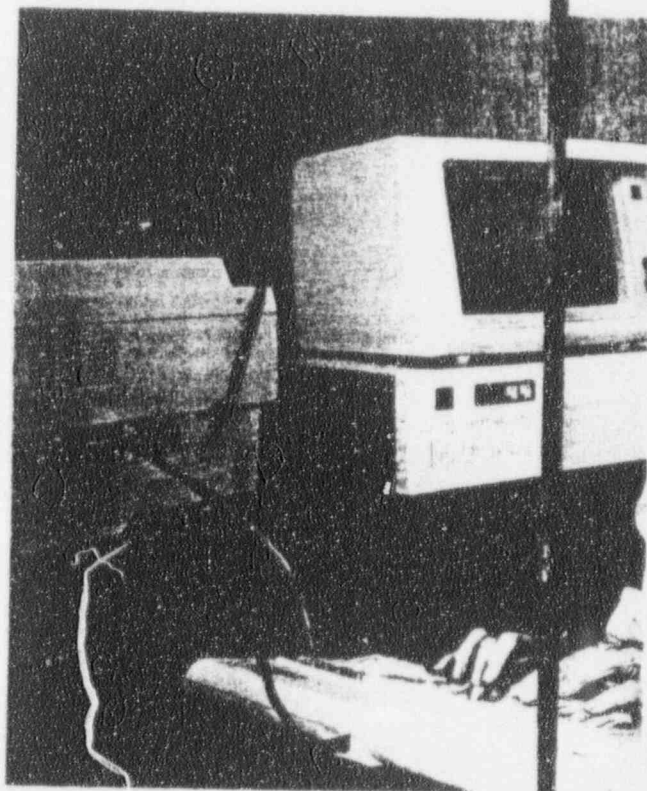
An embarrassing string of accidents dating to the plant's opening in 1970 now came to light: uranium spills, airborne discharges, excessive disposal of contaminated material into wells underlying the plant. The rumble of protest swelled in volume, tentatively among the workers, louder out in the community. Gradually, it became apparent that, in the heart of eastern Oklahoma, at the confluence of

*Jessie Deer-in-Water founded Native Americans for a Clean Environment in 1985 and worked so hard she lost her job.*

two important rivers, among land that originally had been set aside for displaced Cherokee Indians from Georgia and the Carolinas, a highly toxic industry was operating without proper surveillance or controls.

When Jessie Deer-in-Water, a beautician working in Vian, heard that Sequoyah Fuels had applied for a permit to increase the amount of waste they were already injecting into their wells, she stood up at a public hearing to request that the permit be denied. After she gathered 1,000 signatures on petitions from a population of 1,500, Sequoyah Fuels woke up to the fact that a most determined individual was beginning to make a racket outside the factory gates. The company turned on the heat; convenience stores carrying Jessie's literature and pamphlets were forced to pull them.

In 1985, Jessie Deer-in-Water founded Native Americans for a Clean Environment (NACE) with 11 other core members. Wilma Mankiller, who later became principal chief of the Cherokee Nation, helped Jessie obtain funding. The pressure in those early days was intense; eventually she lost her job at the beauty shop. Nonetheless, she kept at the task—raising money, attending public hearings, ferreting out information—until 1989 when, burned out by the workload, she finally left NACE. “It was hard,” she admits today. Her warm face, normally animated with bright humor, smooths out into a solemn expression. “We paid our bills whatever way we could. We gave concerts, wrote newsletters, sold T-shirts. Our



biggest enemy has been the veil of secrecy behind which the nuclear industry operates. Until the mid-80s most people around here thought the plant was some kind of oil refinery. Before I started in on this, I was ignorant too." Her face darkens. "The worst of it was the fact that every day I learned something about the world I didn't really want to know."

**W**inding out of the hills onto the lush bottomlands of the Arkansas River, you can easily see Sequoyah Fuels, sometimes from several miles away. Between the trees it flashes into view, with a stack or two standing over the branches—a compact, square complex of industrial architecture, neat, clean, geometrically exact. From a distance it looks like a state-of-the-art factory anywhere in North America—a pleasant place where workers manufacture furniture or even chocolate candy. It's only when you get up close and see the eight-foot-high wire fence topped with triple strands of barbed wire and hear the grating, insect-like hum of the machinery that you begin to wonder what really goes on behind the walls.

The plant cost \$20 million to build; tucked inside its unassuming exterior was an array of sophisticated equipment designed to convert uranium oxide (yellowcake) into uranium hexafluoride (UF<sub>6</sub>)—step three of the nuclear fuel conversion cycle. (Only one other plant in the U.S. does the same work.) Transforming uranium ore into nuclear war-

heads or nuclear energy was a complicated process. First the ore was mined and sifted into a granulated powder, then milled into the dough-like yellowcake. At Sequoyah Fuels, the yellowcake was heated to liquid form, UF<sub>6</sub>, then drained into cylinders to solidify again. The cylinders were then sent to plants in Paducah, Kentucky, and Portsmouth, Ohio where the UF<sub>6</sub> was enriched with uranium 235 for the fabrication of nuclear weapons, fuel pellets and radiological medicines.

The primary waste at the Sequoyah facility is a liquid sludge called raffinate. Properly treated, it loses as much as 95 percent of its radioactivity. But in 1969, KM requested permission to dispose of

**"Everybody's got to die, and I'd rather die eating steak than beans."**

untreated raffinate by injecting it into wells reaching deep into the limestone below Gore. The Atomic Energy Commission (AEC) granted them this license, although later regulators refused to renew it because the porous limestone wasn't holding the raffinate. KM then got permission to pour the raffinate into two storage ponds with a combined capacity of 25 million gallons. Three years later in 1974, monitors showed that the raffinate in the ponds was leaking into the groundwater, but the Nuclear Regulatory Commission, which replaced AEC, waited until 1984 to decide that excess liquid should be removed from the storage ponds.

For years NRC also allowed KM to routinely discharge other radioactive waste into a drainage ditch which flowed into the Illinois River, a few hundred yards above its confluence with the Arkansas. And in 1976 it allowed the plant to experiment with using raffinate as farm fertilizer so long as the food wasn't consumed directly by humans, a program that still continues. At first, the raffinate burns or kills all vegetation in the fields. Within a year or two, some crops grow back. According to NACE, raffinate is sprayed from tanker trucks, producing an arc 45 feet high that gets carried by the wind onto public roads and private property. Family pets, ornamental shrubs and trees, and cattle have reportedly died.

Squirrels have suffered when oak trees beside the treated fields ceased producing acorns.

Pam Bennett, spokesperson for Sequoyah Fuels, defends the program. "This is a fertilizer application program, not a raffinate program," she insists. "Before it is applied, the raffinate is tested at least three times. Constant samples taken from fields treated by this method have revealed no negative effects. There is nothing intrinsically bad about the program. Unfortunately, negative public perception has clouded the issue."

**I**n 1987, KM sold Sequoyah Fuels to General Atomic (GA) Corporation of San Diego, a shadowy company with ties to countries and institutions that operate in the murky penumbra of the high-tech international energy business. It is privately owned by two brothers from Denver, Neal and Kinden Blue. Since acquiring GA from Chevron in 1986, they have branched off into different pursuits, most notably the manufacture of modular water-cooled nuclear reactors, targeted for developing overseas countries. Rumors regarding shady deals such as the acquisition of idle South African uranium mines and the laundering of ore through Russia and Europe to U.S. markets drift off the company like a bad odor. Friends in high places, such as former Secretary of State A. Haig, a member of an advisory committee, have helped catapult General Atomic into direct competition with megacorps such as Bechtel and Westinghouse Electric.

Secrecy, sleight-of-hand, and obfuscation—the three-headed Cerberian dog of the nuclear power industry—have guarded the portals to its inner workings since the beginning. Hatched under the tightest security imaginable, the consequences of the Manhattan Project in 1945 surprised everyone, including the people most intimately involved. The Atomic Energy Acts of 1946 and 1954 allowed private industry to tap into this astounding new energy source. The result was a cozy alliance between the federal government and corporate enterprise; a study found that 307 of the 429 NRC senior personnel come from private corporations with contacts in the nuclear industry. With everyone on both sides bedding down on the same mattress, it has been difficult to identify the enemy. In the wake of the accident that killed James Harrison, the NRC fined KM \$310,000, which hardly made a dent in its profit margin. →

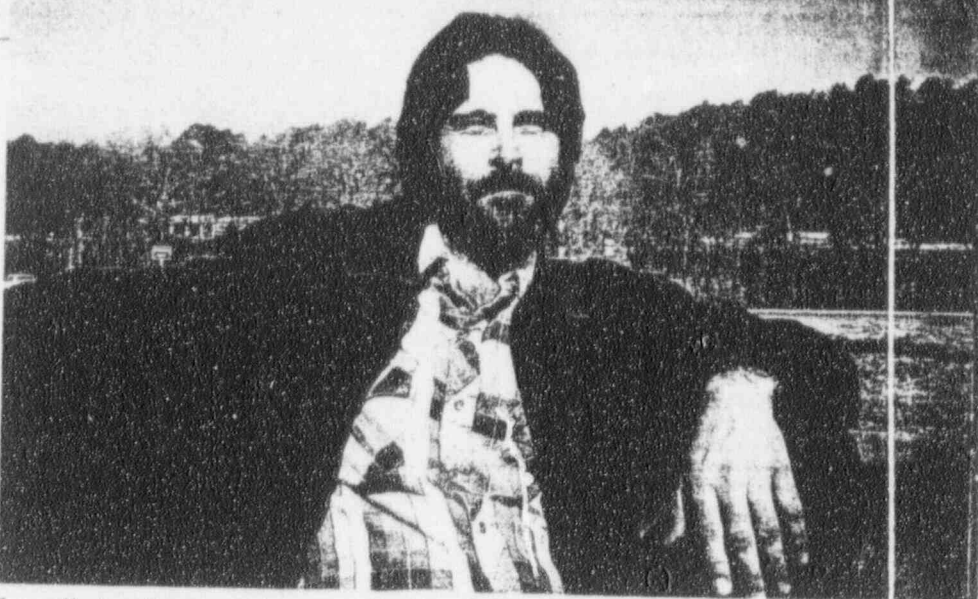


**T**he house where Ed Henshaw lives has been in the family since 1877. It's comfortable, roomy, built of wood, with a porch that wraps around the sides. Once it sat on the spot now occupied by Sequoyah Fuels. Reluctantly, knowing the plant would be a boon to their local economy, Ed's family sold the land to KM in 1969. The location was ideal: 50 miles from the nearest urban center, close to a railroad and Interstate 40, beside a plentiful supply of water. Both the Arkansas and Illinois Rivers had helped the fortunes of Ed's family, before any bridges in the area were built, the family operated a ferry service across the two rivers.

Ed's house was moved a mile and a half south, and he went to work at the plant as a laborer, carrying containers of milled yellowcake off the trains and trucks. Things went smoothly at first—the job was steady, the money was good, the community began to prosper. Then Ed started noticing irregularities. The workmanship inside the plant was shoddy. Valves leaked, there were yellowcake spills, airborne uranium levels sometimes reached critical proportions. The company burned contaminated trash out in the open. And Ed was bothered that the NRC always seemed to call ahead before sending an inspection team onto the premises, giving plant managers plenty of time to clean up and repaint.

By the early 1980s, so much raffinate had been pumped down the well that some of it began surfacing in nearby streams and ponds. When the company tried to close a road near the plant to install a new dump site, Ed spoke up. "The effects of radiation exposure don't show up until way down the line," he says. A sturdy, foursquare man, he sits solidly in a straightbacked chair at the kitchen table of his ancestral house, his feet planted firmly on the floor. "Local hunters and fishermen began to report some oddities. Fish without eyes. A two-headed bird. A nine-legged frog, which I actually saw. I decided it was time to get involved."

He started digging into Sequoyah's history. The managers resisted at first, stonewalling his request for documents. Then, to dampen his enthusiasm, they deluged him with paper. "I read every scrap they gave me," he says. "Then I stood up in meetings, I asked tough questions, I became openly confrontational. The company's behavior was arrogant and irresponsible. They manipulate the regulatory agencies whichever way they want." Ed



*Lance Hughes, director of Native Americans for a Clean Environment, dropped out of school in the seventh grade but has made himself an expert on nuclear pollution.*

quit the company in 1984. Today he works for the Forestry Division of the Oklahoma Department of Agriculture.

In 1987 NACE conducted a health survey of homes within a 10-mile radius of the plant. The results, evaluated by the International Institute of Concern for Public Health in Toronto, were disturbing. Ninety-eight percent of the 350 houses polled reported some kind of cancer or birth defect. When Jessie Deer-in-Water

Creek Indian ancestry, Lance dropped out of school in the seventh grade. His father worked on the oil rigs, and his family migrated all over the state. Despite a lack of formal education, Lance—now 38 years old, bearded, with a gentle voice and easygoing manner that masks a steely resolve to get things done—brings an encyclopedic knowledge to bear on the problems of nuclear pollution.

In August 1990, workers excavating a storage pit at Sequoyah Fuels found themselves waist-deep in a pool of contaminated water. They requested protective equipment, but their supervisors told them to quit complaining and get back to work. The plant's environmental manager told an NRC official that she had no idea why the water was so yellow. "Maybe a big dog pissed in it," she reportedly said. The official wasn't amused; later tests found that the yellow water contained 35,000 times the level of uranium deemed tolerable to human exposure by the NRC. An investigation also revealed that the contamination in the pit had been brought to the attention of the Sequoyah Fuels management two weeks before the incident, but that the management had delayed notifying the NRC. (Under NRC regulations, it should have been reported within 24 hours.) The new owners, General Atomics, seemed much like the old ones.

Like a sluggish bear hibernating in a deep cave, the NRC began to wake up to its responsibilities as a bonafide regulatory agency. NACE zeroed in on NRC's cavalier disregard for Sequoyah's excesses. "We needed to clarify the problem," Lance Hughes says, "and the problem was as much NRC's lack of action as it was Sequoyah's chronic habit of pollution." With

**“Local hunters and fishermen began to report some oddities. Fish without eyes. A two-headed bird. A nine-legged frog.”**

tried to explain the meaning of these statistics to members of the community, she ran into a solid wall of denial. The president of the Vian State Bank in her home town told her bluntly, "At the risk of my own grandchild's life, I want to keep Sequoyah Fuels operating in this county." The man's wife died a couple of years later of cancer. A worker at the plant told Jessie, "Everybody's got to die, and I'd rather die eating steak than beans."

Lance Hughes became director of NACE in 1990. A native Oklahoman of

the Cherokee Nation Tribal Government, NACE petitioned the NRC to revoke Sequoyah Fuels' license. In October 1991, after a 14-month probe of the yellow water incident, the NRC shut down the plant, citing routine violations of safety standards and cover-up of serious environmental problems. After losing \$1.5 million a day during this shutdown, Sequoyah Fuels resumed operations in April 1992, albeit under 24-hour NRC surveillance. But two months later, the NRC rejected the petition from NACE and the Cherokee Nation, saying that revocation of its license "would be an excessively harsh and unwarranted remedy."

Sequoyah Fuels recruited new management and instituted new safety procedures. But on November 17, 1992, a batch of volatile chemicals mixed out of sequence sent a nitrogen dioxide plume creeping through the plant and out into the countryside. The plant's utter lack of preparedness to deal with this emergency indicates how little the company had really learned in the six years since the accident that killed James Neil Harrison. According to an investigation released by NACE in September 1993, the workers hadn't followed written procedures for mixing the chemicals, they had entered the contaminated area without the proper respiratory equipment, and the on-site airhorn had failed to sound.

But the gravest regulatory violation was Sequoyah Fuels' failure to warn the public outside the gates by blaring its off-site alarm as the toxic plume drifted towards the town of Gore. (NACE later learned that plant authorities sent inspectors with detection devices chasing after the plume by car in a bizarre Keystone Cops caper to learn its precise toxic content!) Because the alarm was silent, people who might have taken shelter suffered injuries from the toxic release.

Fully awake and growling with righteous indignation, the NRC ordered the plant to halt production temporarily. Sensing the worst, Sequoyah Fuels president Joe Sheppard ruefully remarked, "You can commit a lot of sins with respect to the Nuclear Regulatory Commission, but if they lose confidence in your management process, that's a kind of a mortal sin." On November 21, 1992, the company announced the decommissioning of the plant in June 1993; the long, nasty, unpleasant war appeared to be over.

Or was it? A new struggle is brewing over the cost of "decommissioning" the facility. On February 16, 1993, Sequoyah

**"Ninety-eight percent of the 350 houses polled within a 10-mile radius of the plant reported some kind of cancer or birth defect."**

Fuels presented a preliminary plan contending that radiation levels around the plant are minimal enough to dispose of the wastes on site.

The proposal angered Lance Hughes. "Sequoyah Fuels is trying to duck responsibility on the cleanup. NACE has sponsored an independent hydrological report indicating that there are currently 91,252 pounds of uranium in the soil and groundwater on the 85-acre site, as opposed to the 21,000 pounds touted by Sequoyah Fuels. They think they can bury it on site, but we won't let them do that. Once it's



*Pame Kingfisher, who grew up near the Hanford Nuclear Reservation in Washington, moved to Oklahoma only to discover similar problems. She is on the board of Native Americans for a Clean Environment.*

out of sight, it's out of mind. That's the way it's always been with the nuclear industry."

Pam Bennett disagrees. "Sequoyah Fuels does not represent a threat to the off-site community. The impact of the waste generated by the plant in both the soil and water can be confined to the premises. Sequoyah Fuels is committed to eastern Oklahoma. We want the plant to stay in the area. We are working on several alternative proposals, such as retooling the plant to convert depleted DOE uranium into a more benign form."

Local people differ over Sequoyah Fuels' plans. Ed Henshaw says, "I'd like to see them bulldoze the place, level it, and have Sequoyah get out and never come back." But Lance Hughes replies, "It's our mess, and we certainly don't want it trucked off into somebody else's backyard. Our job now is to keep the liability squarely on the corporations. The parties responsible have to keep the waste above ground. It needs to be stored in concrete or glass bunkers until our technology comes up with a method for disposing of it properly."

Estimates of the cleanup cost have risen from the first rockbottom figure of \$750,000—"That amount doesn't even begin to define the problem," sniffs Jessie Deer-in-Water—to \$21.5 million. No doubt the cost will inflate a lot more. No doubt, too, the federal government will help Sequoyah Fuels and General Atomics avoid paying too much in penalties. "Think about it," says Lance Hughes. "The federal government created the nuclear industry in the 1940s. They invited private companies to participate. They did little or no policing while the companies manufactured tons of life-threatening carcinogens. Now, with the aid of government grants, the same companies are being encouraged to develop cleanup technologies, which they can sell to their subsidiaries, other companies, and foreign markets. Who inevitably will bear the burden of the cost? The taxpayer, of course." His sensitive face registers anguish and disgust. "Meanwhile, out here in the boonies, people are dying prematurely of cancer, we got fish in the rivers that nobody wants to eat, and babies are being born with bad kidneys and lungs."

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# Environmental Groups Discuss

## Affects of Uranium Plants

"No one is going to protect your home except you. Continue talking to your neighbors, friends and elected officials. This enrichment facility (the LES uranium enrichment plant planned for Claiborne Parish) is the most important case in nuclear industry right now. All eyes are on Homer," said Lance Hughes, director of Native Americans for a Clean Environment (NACE).

Hughes spoke to a group of CANT (Citizens Against Nuclear Trash) members and other interested persons at a banquet held in Homer Sept. 28.

CANT was formed locally to oppose the construction and operation of the Claiborne Enrichment Center at the Forest Grove and Center Springs Communities near Homer.

Hughes resides near Gore, Okla., a community that is home to the Sequoyah Fuels Corporation's (SFC) uranium processing facility--a plant closed after 23 years of operation "because it poses a threat to our lives and our environment," Hughes said.

The NACE director explained that the SFC facility is "one step below the facility proposed for Homer" in the

uranium enrichment process between the uranium mine and power plant.

"We had an accident last year (at the SFC plant)--one of many, many, many accidents in the past few years. We knew the government had not correctly investigated the accident so we did our own investigation of the November, 1992 accident," Hughes told those in attendance.

"We are releasing our report out of Homer to try to educate people based on our long-term experience with the NRC (Nuclear Regulatory Commission) and the nuclear industry.

"Last November, there was an accident and 20,000 gallons of nitric acid on 8,000 pounds of uranium were released, which produced a large nitrogen dioxide cloud. As employees watched the large cloud leave the facility, they evacuated the facility and watched it contaminate parts of Gore. They chose not to blow the siren that would warn the public.

"In 1986, a uranium hexafluoride cylinder exploded--killing one worker and contaminating 100 people off-site people travelling the highways," Hughes said.

He continued, "So the U.S. Commerce Department dragged the NRC and Sequoyah Fuels before the House Subcommittee on government operations and after a lengthy discussion, they demanded SFC put off-site sirens to protect us.

"They demanded SFC have an emergency plan, demanded they seal the control room of the facility--the place where they conduct all emergency responses.

"So they wrote up a plan, they said they sealed the control room and they installed sirens.

"In fact, the control room was never sealed, the emergency plan was just lies on a piece of paper and even though they put up the sirens, they never blew them. Thirty-four people went to the hospital or doctors. They had bleeding eardrums, blisters on their eyes and this was one of the nicest accidents they ever had," Hughes stated.

"In 23 years of operation, we have over 140,000 pounds of uranium that has leaked into our groundwater. It will never come out and it's migrating toward our river which is owned by

the Cherokee Nation. The company has also contaminated public lands owned by the Corps of Engineers.

"There are large amounts of arsenic, nitric fluoride and a lot of chemicals I can't even pronounce in our water. After a health study was conducted, we believe we have an 80% cancer rate.

"It's so unbelievably high that nobody will do anything about it so it's up to us to raise \$500,000 so we can get professional medical doctors to do a study.

"We have extensive mutated wildlife from all the uranium that's been put in the water. Frogs and fish are extremely deformed.

"We also have an unusually high rate of genetically mutated babies that are born here--babies born without eyes, without ears, with their feet on backwards."

Hughes continued, "They say it's not because of the facility, but it's the only industry we have."

According to the guest speaker, SFC records show that about a ton of uranium is released into the air every

year from the plant.

"This facility (SFC) has been closed three times by the government, which is highly unusual. Everytime they've closed it, from anywhere to a month to up to a year, they've reopened it and said it's safe now, but it's never been safe."

He explained that the community around the plant--about a 10 square mile area--is an old Cherokee Indian community. "It will never be the same. Those that haven't died have moved away. There are only two or three residents that still live there--whose families have been there for generations."

He said if the enrichment facility near Homer is built, the NRC will oversee it. "The regional office in Dallas will oversee it--the same office that oversaw our plant. The very same inspectors.

"These inspectors have had 23 years to regulate our facility and they still can't do it," Hughes said.

"I read the other day, they're sending these inspectors to a school to learn how to regulate an enrichment facility because they've never done it--because there has never been a privately owned facility in this country."

Hughes said NACE has filed lawsuits against the U.S. government because of contamination caused by the plant. "We've conducted health studies and we also filed child abuse charges against the EPA (Environmental Protection Agency).

"They were letting women that were nine months pregnant go into that facility to pick up their husbands from work and babies were born with convulsions," Hughes said.

"We (the NACE group) spend about 70 percent of our time on our problems at home and the rest of the time we try to share our information with others.

"I have traveled all over the United States; Canada and to many European countries and everywhere I go the problem is the same--people are dying from the nuclear industry--people are being exposed to radiation," Hughes said.

He stated that he went to Austria last year to a uranium hearing that was attended by people from all over the world who reside near uranium facilities.

"For one week we listened to people tell stories of what has happened to them because of the uranium facilities in their area."

Hughes said there was a nuclear physicist from Chernobyl who attended the hearings. "He was only given about three weeks to live but he came and brought his oxygen tank so he could tell us what really happened ;

Chernobyl. We saw photos and samples of crops. Wheat crops are now 10 times bigger than they were before the accident."

The NACE director said after an enrichment plant begins operations, it may take from 10 to 20 years before problems began to show up and it will take from 40 to 60 years to clean up SFC.

"Educate yourself and continue to talk to people. The key to beating this thing (stopping the construction and operation of Claiborne Enrichment Center) is education," Hughes told those attending the banquet.

Rupert Richardson, president of the National NAACP said "environmental racism" is a universal problem. "It won't stop at the Claiborne Parish line," she said adding, "I don't want to have stories to tell like Lance has."

Nathalie Walker, an attorney with the Sierra Club National Defense Fund, told those at the meeting, "If this facility comes to this area, there will be toxic pollution, there will be accidents and the NRC doesn't have the regulating framework or resources to protect you."

Concerning the license to construct and operate Claiborne Enrichment Center, Ms. Walker said the proceeding has been going on for several years.

"The NRC has asked LES for more information and LES is not doing a good job of giving information to the NRC. The information is incomplete."

She said a hearing has been set for the license on Dec. 27, 1994 and "the hearing can take days, weeks and then they will issue an opinion on whether the license should be issued. The NRC has been known to spend years issuing an opinion," she said.

Ms. Walker also said that LES has already spent about \$30 million in the three years since the license application was submitted to the NRC.

"CANT has shown LES that they aren't going away. CANT's support is continuing to grow throughout the country," Ms. Walker said.

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