

**Case No. 21-1162**

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**UNITED STATES COURT OF APPEALS  
FOR THE DISTRICT OF COLUMBIA CIRCUIT**

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OHIO NUCLEAR-FREE NETWORK and BEYOND NUCLEAR,  
*Petitioners,*

v.

UNITED STATES NUCLEAR REGULATORY COMMISSION and the  
UNITED STATES OF AMERICA,  
*Respondents*

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On Petition for Review of Action by the  
Nuclear Regulatory Commission

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**PETITIONERS' ADDENDUM OF STATUTES,  
REGULATIONS AND STANDING DECLARATIONS**

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**(NEPA) 42 U.S.C. § 4332( C)**

The Congress authorizes and directs that, to the fullest extent possible: (1) the policies, regulations, and public laws of the United States shall be interpreted and administered in accordance with the policies set forth in this chapter, and (2) all agencies of the Federal Government shall-

(C) include in every recommendation or report on proposals for legislation and other major Federal actions significantly affecting the quality of the human environment, a detailed statement by the responsible official on-

(i) the environmental impact of the proposed action,

(ii) any adverse environmental effects which cannot be avoided should the

proposal be implemented,

(iii) alternatives to the proposed action,

(iv) the relationship between local short-term uses of man's environment and the maintenance and enhancement of long-term productivity, and

(v) any irreversible and irretrievable commitments of resources which would be involved in the proposed action should it be implemented.

Prior to making any detailed statement, the responsible Federal official shall consult with and obtain the comments of any Federal agency which has jurisdiction by law or special expertise with respect to any environmental impact involved. Copies of such statement and the comments and views of the appropriate Federal, State, and local agencies, which are authorized to develop and enforce environmental standards, shall be made available to the President, the Council on Environmental Quality and to the public as provided by section 552 of title 5, and shall accompany the proposal through the existing agency review processes. . . .

**40 CFR § 1502.4 – Major Federal actions requiring the preparation of environmental impact statements.**

(a) Agencies shall define the proposal that is the subject of an environmental impact statement based on the statutory authorities for the proposed action. Agencies shall use the criteria for scope (§ 1501.9(e) of this chapter) to determine which proposal(s) shall be the subject of a particular statement. Agencies shall evaluate in a single environmental impact statement proposals or parts of proposals that are related to each other closely enough to be, in effect, a

single course of action.

(b) Environmental impact statements may be prepared for programmatic Federal actions, such as the adoption of new agency programs. When agencies prepare such statements, they should be relevant to the program decision and timed to coincide with meaningful points in agency planning and decision making.

(1) When preparing statements on programmatic actions (including proposals by more than one agency), agencies may find it useful to evaluate the proposal(s) in one of the following ways:

(i) Geographically, including actions occurring in the same general location, such as body of water, region, or metropolitan area.

(ii) Generically, including actions that have relevant similarities, such as common timing, impacts, alternatives, methods of implementation, media, or subject matter.

(iii) By stage of technological development including Federal or federally assisted research, development or demonstration programs for new technologies that, if applied, could significantly affect the quality of the human environment. Statements on such programs should be available before the program has reached a stage of investment or commitment to implementation likely to determine subsequent development or restrict later alternatives.

(2) Agencies shall as appropriate employ scoping (§ 1501.9 of this chapter), tiering (§ 1501.11 of this chapter), and other methods listed in §§ 1500.4 and 1500.5 of this chapter to relate programmatic and narrow actions and to avoid duplication and delay. Agencies may tier their environmental analyses to defer detailed analysis of environmental impacts of specific program elements until such program elements are ripe for final agency action.

**(AEA) 42 U.S.C. § 2239(a)(1)(A)**

(A) In any proceeding under this chapter, for the granting, suspending, revoking, or amending of any license or construction permit, or application to transfer control, and in any proceeding for the issuance or modification of rules and regulations dealing with the activities of licensees, and in any proceeding for the payment of compensation, an award or royalties under sections [1] 2183, 2187, 2236(c) or 2238 of this title, the Commission shall grant a hearing upon the request of any person whose interest may be affected by the proceeding, and shall admit any such person as a party to such proceeding.

**10 CFR § 2.309 Hearing requests, petitions to intervene, requirements for standing, and contentions.**

(a) General requirements. Any person whose interest may be affected by a proceeding and who desires to participate as a party must file a written request for hearing and a specification of the contentions which the person seeks to have litigated in the hearing. In a proceeding under 10 CFR 52.103, the Commission, acting as the presiding officer, will grant the request if it determines that the requestor has standing under the provisions of paragraph (d) of this section and has proposed at least one admissible contention that meets the requirements of paragraph (f) of this section. For all other proceedings, except as provided in paragraph (e) of this section, the Commission, presiding officer, or the Atomic Safety and Licensing Board designated to rule on the request for hearing and/or petition for leave to intervene, will grant the request/petition if it determines that the requestor/petitioner has standing under the provisions of paragraph (d) of this section and has proposed at least one admissible contention that meets the requirements of paragraph (f) of this section. In ruling on the request for hearing/petition to intervene submitted by petitioners seeking to intervene in the proceeding on the HLW repository, the Commission, the presiding officer, or the Atomic Safety and Licensing Board shall also consider any failure of the petitioner to participate as a potential party in the pre-license application phase under subpart J of this part in addition to the factors in paragraph (d) of this section. If a request for hearing or petition to intervene is filed in response to any notice of hearing or opportunity for hearing, the applicant/licensee shall be deemed to be a party.

(b) Timing. Unless specified elsewhere in this chapter or otherwise provided by the Commission, the request or petition and the list of contentions must be filed as follows:

(1) In proceedings for the direct or indirect transfer of control of an NRC license when the transfer requires prior approval of the NRC under the Commission's regulations, governing statute, or pursuant to a license condition, twenty (20) days from the date of publication of the notice in the Federal Register.

(2) In proceedings for the initial authorization to construct a high-level radioactive waste geologic repository, and the initial licensee to receive and process high level radioactive waste at a geological repository operations area, thirty (30) days from the date of publication of the notice in the Federal Register.

(3) In proceedings for which a Federal Register notice of agency action is published (other than a proceeding covered by paragraphs (b)(1) or (b)(2))

of this section), not later than:

(i) The time specified in any notice of hearing or notice of proposed action or as provided by the presiding officer or the Atomic Safety and Licensing Board designated to rule on the request and/or petition, which may not be less than sixty (60) days from the date of publication of the notice in the Federal Register; or

(ii) If no period is specified, sixty (60) days from the date of publication of the notice.

(4) In proceedings for which a Federal Register notice of agency action is not published, not later than the latest of:

(i) Sixty (60) days after publication of notice on the NRC Web site at <http://www.nrc.gov/public-involve/major-actions.html>, or

(ii) Sixty (60) days after the requestor receives actual notice of a pending application, but not more than sixty (60) days after agency action on the application.

(c) Filings after the deadline; submission of hearing request, intervention petition, or motion for leave to file new or amended contentions—

(1) Determination by presiding officer. Hearing requests, intervention petitions, and motions for leave to file new or amended contentions filed after the deadline in paragraph (b) of this section will not be entertained absent a determination by the presiding officer that a participant has demonstrated good cause by showing that:

(i) The information upon which the filing is based was not previously available;

(ii) The information upon which the filing is based is materially different from information previously available; and

(iii) The filing has been submitted in a timely fashion based on the availability of the subsequent information.

(2) Applicability of §§ 2.307 and 2.323.

(i) Section 2.307 applies to requests to change a filing deadline (requested before or after that deadline has passed) based on reasons not related to the substance of the filing.

(ii) Section 2.323 does not apply to hearing requests, intervention petitions, or motions for leave to file new or amended contentions filed after the deadline in paragraph (b) of this section.

(3) New petitioner. A hearing request or intervention petition filed after the deadline in paragraph (b) of this section must include a specification of

contentions if the petitioner seeks admission as a party, and must also demonstrate that the petitioner meets the applicable standing and contention admissibility requirements in paragraphs (d) and (f) of this section.

(4) Party or participant. A new or amended contention filed by a party or participant to the proceeding must also meet the applicable contention admissibility requirements in paragraph (f) of this section. If the party or participant has already satisfied the requirements for standing under paragraph (d) of this section in the same proceeding in which the new or amended contentions are filed, it does not need to do so again.

(d) Standing.

(1) General requirements. A request for hearing or petition for leave to intervene must state:

(i) The name, address and telephone number of the requestor or petitioner;

(ii) The nature of the requestor's/petitioner's right under the Act to be made a party to the proceeding;

(iii) The nature and extent of the requestor's/petitioner's property, financial or other interest in the proceeding; and

(iv) The possible effect of any decision or order that may be issued in the proceeding on the requestor's/petitioner's interest.

(2) Rulings. In ruling on a request for hearing or petition for leave to intervene, the Commission, the presiding officer, or the Atomic Safety and Licensing Board designated to rule on such requests must determine, among other things, whether the petitioner has an interest affected by the proceeding considering the factors enumerated in paragraph (d)(1) of this section.

(3) Standing in enforcement proceedings. In enforcement proceedings, the licensee or other person against whom the action is taken shall have standing.

(e) Discretionary Intervention. The presiding officer may consider a request for discretionary intervention when at least one requestor/petitioner has established standing and at least one admissible contention has been admitted so that a hearing will be held. A requestor/petitioner may request that his or her petition be granted as a matter of discretion in the event that the petitioner is determined to lack standing to intervene as a matter of right under paragraph (d)(1) of this section. Accordingly, in addition to addressing the factors in paragraph (d)(1) of this section, a petitioner who wishes to seek intervention as a matter of discretion in the event it is determined that standing as a matter of right

is not demonstrated shall address the following factors in his/her initial petition, which the Commission, the presiding officer or the Atomic Safety and Licensing Board will consider and balance:

(1) Factors weighing in favor of allowing intervention—

(i) The extent to which the requestor's/petitioner's participation may reasonably be expected to assist in developing a sound record;

(ii) The nature and extent of the requestor's/petitioner's property, financial or other interests in the proceeding; and

(iii) The possible effect of any decision or order that may be issued in the proceeding on the requestor's/petitioner's interest;

(2) Factors weighing against allowing intervention—

(i) The availability of other means whereby the requestor's/petitioner's interest will be protected;

(ii) The extent to which the requestor's/petitioner's interest will be represented by existing parties; and

(iii) The extent to which the requestor's/petitioner's participation will inappropriately broaden the issues or delay the proceeding.

(f) Contentions.

(1) A request for hearing or petition for leave to intervene must set forth with particularity the contentions sought to be raised. For each contention, the request or petition must:

(i) Provide a specific statement of the issue of law or fact to be raised or controverted, provided further, that the issue of law or fact to be raised in a request for hearing under 10 CFR 52.103(b) must be directed at demonstrating that one or more of the acceptance criteria in the combined license have not been, or will not be met, and that the specific operational consequences of nonconformance would be contrary to providing reasonable assurance of adequate protection of the public health and safety;

(ii) Provide a brief explanation of the basis for the contention;

(iii) Demonstrate that the issue raised in the contention is within the scope of the proceeding;

(iv) Demonstrate that the issue raised in the contention is material to the findings the NRC must make to support the action that is involved in the proceeding;

(v) Provide a concise statement of the alleged facts or expert opinions which support the requestor's/petitioner's position on the issue and on which the petitioner intends to rely at hearing, together with references to the

specific sources and documents on which the requestor/petitioner intends to rely to support its position on the issue;

(vi) In a proceeding other than one under 10 CFR 52.103, provide sufficient information to show that a genuine dispute exists with the applicant/licensee on a material issue of law or fact. This information must include references to specific portions of the application (including the applicant's environmental report and safety report) that the petitioner disputes and the supporting reasons for each dispute, or, if the petitioner believes that the application fails to contain information on a relevant matter as required by law, the identification of each failure and the supporting reasons for the petitioner's belief; and

(vii) In a proceeding under 10 CFR 52.103(b), the information must be sufficient, and include supporting information showing, prima facie, that one or more of the acceptance criteria in the combined license have not been, or will not be met, and that the specific operational consequences of nonconformance would be contrary to providing reasonable assurance of adequate protection of the public health and safety. This information must include the specific portion of the report required by 10 CFR 52.99(c) which the requestor believes is inaccurate, incorrect, and/or incomplete (i.e., fails to contain the necessary information required by § 52.99(c)). If the requestor identifies a specific portion of the § 52.99(c) report as incomplete and the requestor contends that the incomplete portion prevents the requestor from making the necessary prima facie showing, then the requestor must explain why this deficiency prevents the requestor from making the prima facie showing.

(2) Contentions must be based on documents or other information available at the time the petition is to be filed, such as the application, supporting safety analysis report, environmental report or other supporting document filed by an applicant or licensee, or otherwise available to a petitioner. On issues arising under the National Environmental Policy Act, participants shall file contentions based on the applicant's environmental report. Participants may file new or amended environmental contentions after the deadline in paragraph (b) of this section (e.g., based on a draft or final NRC environmental impact statement, environmental assessment, or any supplements to these documents) if the contention complies with the requirements in paragraph (c) of this section.

(3) If two or more requestors/petitioners seek to co-sponsor a contention, the requestors/petitioners shall jointly designate a representative who shall have the authority to act for the requestors/petitioners with respect to that

contention. If a requestor/petitioner seeks to adopt the contention of another sponsoring requestor/petitioner, the requestor/petitioner who seeks to adopt the contention must either agree that the sponsoring requestor/petitioner shall act as the representative with respect to that contention, or jointly designate with the sponsoring requestor/petitioner a representative who shall have the authority to act for the requestors/petitioners with respect to that contention.

(g) Selection of hearing procedures. A request for hearing and/or petition for leave to intervene may, except in a proceeding under 10 CFR 52.103, also address the selection of hearing procedures, taking into account the provisions of § 2.310. If a request/petition relies upon § 2.310(d), the request/petition must demonstrate, by reference to the contention and the bases provided and the specific procedures in subpart G of this part, that resolution of the contention necessitates resolution of material issues of fact which may be best determined through the use of the identified procedures.

(h) Requirements applicable to States, local governmental bodies, and Federally-recognized Indian Tribes seeking party status.

(1) If a State, local governmental body (county, municipality or other subdivision), or Federally-recognized Indian Tribe seeks to participate as a party in a proceeding, it must submit a request for hearing or a petition to intervene containing at least one admissible contention, and must designate a single representative for the hearing. If a request for hearing or petition to intervene is granted, the Commission, the presiding officer or the Atomic Safety and Licensing Board ruling on the request will admit as a party to the proceeding a single designated representative of the State, a single designated representative for each local governmental body (county, municipality or other subdivision), and a single designated representative for each Federally-recognized Indian Tribe. Where a State's constitution provides that both the Governor and another State official or State governmental body may represent the interests of the State in a proceeding, the Governor and the other State official/government body will be considered separate participants.

(2) If the proceeding pertains to a production or utilization facility (as defined in § 50.2 of this chapter) located within the boundaries of the State, local governmental body, or Federally-recognized Indian Tribe seeking to participate as a party, no further demonstration of standing is required. If the production or utilization facility is not located within the boundaries of the State, local governmental body, or Federally-recognized Indian Tribe seeking to participate as a party, the State, local governmental body, or Federally-recognized Indian Tribe

also must demonstrate standing.

(3) In any proceeding on an application for a construction authorization for a high-level radioactive waste repository at a geologic repository operations area under parts 60 or 63 of this chapter, or an application for a license to receive and possess high-level radioactive waste at a geologic repository operations area under parts 60 or 63 of this chapter, the Commission shall permit intervention by the State and local governmental body (county, municipality or other subdivision) in which such an area is located and by any affected Federally-recognized Indian Tribe as defined in parts 60 or 63 of this chapter if the requirements of paragraph (f) of this section are satisfied with respect to at least one contention. All other petitions for intervention in any such proceeding must be reviewed under the provisions of paragraphs (a) through (f) of this section.

(i) Answers to hearing requests, intervention petitions, and motions for leave to file new or amended contentions filed after the deadline. Unless otherwise specified by the Commission, the presiding officer, or the Atomic Safety and Licensing Board designated to rule on the request, petition, or motion—

(1) The applicant/licensee, the NRC staff, and other parties to a proceeding may file an answer to a hearing request, intervention petition, or motion for leave to file amended or new contentions filed after the deadline in § 2.309(b) within 25 days after service of the request, petition, or motion. Answers should address, at a minimum, the factors set forth in paragraphs (a) through (h) of this section insofar as these sections apply to the filing that is the subject of the answer.

(2) Except in a proceeding under § 52.103 of this chapter, the participant who filed the hearing request, intervention petition, or motion for leave to file new or amended contentions after the deadline may file a reply to any answer. The reply must be filed within 7 days after service of that answer.

(3) No other written answers or replies will be entertained.

(j) Decision on request/petition.

(1) In all proceedings other than a proceeding under § 52.103 of this chapter, the presiding officer shall issue a decision on each request for hearing or petition to intervene within 45 days of the conclusion of the initial pre-hearing conference or, if no pre-hearing conference is conducted, within 45 days after the filing of answers and replies under paragraph (i) of this section. With respect to a request to admit amended or new contentions, the presiding officer shall issue a decision on each such request within 45 days of the conclusion of any pre-hearing conference that may be conducted regarding the proposed amended or new

contentions or, if no pre-hearing conference is conducted, within 45 days after the filing of answers and replies, if any. In the event the presiding officer cannot issue a decision within 45 days, the presiding officer shall issue a notice advising the Commission and the parties, and the notice shall include the expected date of when the decision will issue.

(2) The Commission, acting as the presiding officer, shall expeditiously grant or deny the request for hearing in a proceeding under § 52.103 of this chapter. The Commission's decision may not be the subject of any appeal under § 2.311.

**UNITED STATES COURT OF APPEALS  
FOR THE DISTRICT OF COLUMBIA CIRCUIT**

OHIO NUCLEAR-FREE NETWORK and )  
BEYOND NUCLEAR, )

Petitioners, )

Case No.

v. )

UNITED STATES NUCLEAR )  
REGULATORY COMMISSION and the )  
UNITED STATES OF AMERICA, )

Respondents. )

\* \* \* \* \*

**DECLARATION OF PAT MARIDA, OHIO NUCLEAR-FREE NETWORK**

Now comes Pat Marida, Declarant herein, and states the following under penalty of perjury:

1) My name is Pat Marida. I am an adult citizen of the State of Ohio, not under disability and am authorized to make the within statements.

2) I am the Convenor of the Ohio Nuclear-Free Network (ONFN), an unincorporated association of about 25 nuclear weapons and nuclear power opponents who use public education, scientific advocacy and litigation strategies in Ohio’s only statewide anti-nuclear power and weapons organization. ONFN is headquartered in Toledo, Ohio.

3) Tressie Hall is a member of ONFN. Ms. Hall lives at 643 Big Run Road, Piketon, OH, 45661, which is located approximately one mile from the industrial complex at the Portsmouth

Site, also known as "PORTS" and formerly known as the Portsmouth Gaseous Diffusion Plant site.

4) Ms. Hall has designated ONFN to protect her interests in maintaining her physical health and safety, the integrity of her real and personal property, and the health and stability of the physical environment proximate to PORTS.

5) ONFN accepts Ms. Hall's designation as her representative in these proceedings.

6) Further Declarant saith naught.

3-6-2022  
Date

Pat Marida  
Pat Marida



found in a DOE air monitor in Otway, about 14 straight-line miles from PORTS.

4) The Piketon County Health Department has been conducting a cancer study of residents who live within seven miles of the plant, seeking cases of thyroid cancer, aggressive breast cancer, and multiple myeloma. Many lawsuits have been filed by residents who link their health issues to radioactive exposure from PORTS. In recent years, children living near PORTS have been diagnosed with cancer, and several have died.

5) Since 2001, the U.S. Department of Energy (“DOE”) has been decommissioning PORTS. Decommissioning has generated 2.2 million cubic yards of hazardous wastes. There are tens of thousands of cylinders full of depleted uranium, and thousands of feet of piping and compressors still caked with radioactive material. Trichloroethylene, a cancer-causing industrial chemical, contaminates on-site groundwater and Little Beaver Creek, which flows through PORTS and ultimately to the Ohio River. DOE plans to bury up to 1.3 million cubic yards of radioactive materials and chemically toxic waste onsite. There are bedrock fractures under that new landfill that could let the waste go into the groundwater, into the Scioto River, and ultimately, into the Ohio River.

6) Right now, a large radioactive industrial building at PORTS is being demolished in open air, allowing the blowing of radioactive particles and debris for miles downwind.

7) The Centrus company plans to create High-Assay Low-Enriched Uranium (“HALEU”) at PORTS, and the U-235 content will be as high as 25%, using new centrifuge technology.

8) I oppose the NRC’s permit to Centrus to manufacture HALEU because there was no public notice or participation in the decision. The existing public health dangers at PORTS have not been taken into account alongside the new HALEU project. There is a potential for theft or

terrorist use of HALEU that has not been studied.

9) I am elderly and concerned that my family members or I might be killed or sickened by continuing radiation released from PORTS either from the production of HALEU or the movement and storage of HALEU wastes. My family and I also might suffer damage to our real and personal property and its commercial value from the HALEU project.

10) I want my opposition to the HALEU project represented in court by the Ohio Nuclear-Free Network, a group of Ohio citizens. My interests will not be adequately represented unless the Ohio Nuclear-Free Network is made a full party in the court review of the NRC permit given Centrus. I hereby designate Ohio Nuclear-Free Network as my representative.

11) Further Affiant saith not.

July 29, 2021  
Date

Jessie Hall  
Tressie Hall



3) Beyond Nuclear has over 12,000 members. One Beyond Nuclear member is Vina Colley, who has designated Beyond Nuclear to intervene to protect her interests in maintaining her physical health and safety, the integrity of her real and personal property, and the health and stability of the physical environment proximate to the Portsmouth Site (aka PORTS), a U.S. Department of Energy industrial facility near Piketon, Ohio. Ms. Colley is a former PORTS nuclear worker and lives about 12 miles from the facility.

4) Beyond Nuclear accepts Ms. Colley's designation as her representative in these proceedings.

5) Further Affiant saith naught.

March 8, 2022  
Date

Kevin Kamps  
Kevin Kamps

Addendum 18

UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT

OHIO NUCLEAR-FREE NETWORK and
BEYOND NUCLEAR,
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v.
UNITED STATES NUCLEAR
REGULATORY COMMISSION and the
UNITED STATES OF AMERICA,
Respondents.
Case No.

\* \* \* \* \*

DECLARATION OF VINA COLLEY

Now comes Vina Colley. Affiant herein, and states the following under penalty of perjury:

1) My name is Vina Colley. I am an adult citizen of the State of Ohio and not under disability.

2) My residence is located at 3683 McDermott Pond Creek, McDermott, OH 45652, which is located approximately twelve (12) straight-line miles, and about fifteen (15) highway miles, from the main industrial buildings at the Portsmouth Site, also known as "PORTS" and formerly known as the Portsmouth Gaseous Diffusion Plant Site.

3) I am a retired former employee at PORTS and I coordinate two organizations, one that address health and safety effects of living near or working there, named Portsmouth-Piketon

Residents for Environmental Safety and Security (PRESS), and an advocacy group for injured former workers at PORTS named National Nuclear Workers for Justice (NNWJ).

4) I have closely followed controversies involving PORTS for decades. I am personally well aware from my employment as an electrician there of years of gaseous diffusion uranium enrichment activity at PORTS, which has caused contamination of the countryside around PORTS. In 2019, Zahn's Corner Middle School in Piketon, Ohio, located 4 miles from the industrial complex at PORTS, abruptly shut its doors soon after environmental tests showed the presence of enriched uranium on desks and other surfaces, and neptunium-237 and americium-241 in the air just outside. I also know that the transuranic isotope technetium-99 from PORTS has been found in a DOE air monitor in Otway, about 14 straight-line miles from PORTS.

5) The Piketon County Health Department has been conducting a cancer study of residents who live within seven miles of the plant, in particular seeking cases of thyroid cancer, aggressive breast cancer, or multiple myeloma. Multiple lawsuits have been filed by residents who link their health issues to radioactive exposure from PORTS and in recent years, children living near PORTS have been diagnosed with cancer, and several have died.

6) Since 2001, the U.S. Department of Energy has been deactivating and decommissioning PORTS. The half-century of enrichment has generated 2.2 million cubic yards of hazardous wastes and 415 contaminated facilities and structures. This includes tens of thousands of depleted uranium cylinders, and thousands of feet of piping and compressors still caked with radioactive material. Five plumes of trichloroethylene, a carcinogenic industrial chemical, have been found contaminating on-site groundwater and local Little Beaver Creek, which flows directly through PORTS to the Ohio River. DOE is initiating a landfill for the burial of up to 1.3 million

cubic yards of radioactive materials and chemically toxic waste, the biggest nuclear waste dump east of the Mississippi. In 2014, I noticed that DOE's own documents showed that the bedrock was fractured beneath the dump site. I gave the information to the Mayor of Piketon and the village of Piketon hired a consultant in 2017 who agreed that the DOE's own data shows bedrock fractures that could lead the waste into the groundwater, allowing seepage into the Scioto River, and ultimately, the Ohio River.

7) Presently, one of the most radioactive of the huge industrial buildings at PORTS is being demolished in open air, which allows the blowing of radioactive debris for miles downwind of the site.

8) I am familiar with the Centrus Corporation's project to create High-Assay Low-Enriched Uranium at the PORTS site, and that the degree of enrichment might be as high as 25% U-235. I also know that a new centrifuge technology is being installed at PORTS to create this new material. Prior to this time, there has not been uranium enrichment at Piketon to greater than 10% levels.

9) I oppose the NRC permit that has been granted to Centrus to manufacture HALEU because there was no opportunity for public notice about, or participation in, the licensing process. The cumulative effects of existing public health dangers at PORTS have not been analyzed alongside the new Centrus enrichment project. There is a potential for theft or terrorist use of HALEU that has not been properly investigated or considered by the NRC. A nuclear weapons proliferation study should be done before HALEU manufacturing is considered.

10) I have chronic beryllium disease, neuropathy, and chronic bronchitis and have been awarded compensation under the EEOICPA program. I am greatly concerned that I might be

killed or sickened by continuing radioactive releases from PORTS, including potential leakage either from the production of HALEU or the movement and storage of wastes generated by HALEU production. I also anticipate that I might suffer irreparable damage to real and personal property located at my residence from the HALEU project.

11) I wish to challenge in court the NRC approvals granted to Centrus, and to have my interests advanced and represented by Beyond Nuclear, a Takoma Park, Maryland nonprofit organization. My interests will not be adequately represented without the opportunity of Beyond Nuclear to participate as a full party in the court review of this license amendment proceeding on my behalf.

12) I hereby designate Beyond Nuclear as my representative in this proceeding.

13) Further Affiant saith naught.

July 23, 2021  
Date

Vina Colley  
Vina Colley