

1 GLOBAL NUCLEAR ENERGY PARTNERSHIP  
2 PROGRAMMATIC ENVIRONMENTAL IMPACT STATEMENT

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7 PUBLIC MEETING HELD  
8 ON DECEMBER 1, 2008  
9 AT 7:00 P.M.

10 LUTHER F. CARSON FOUR RIVERS CENTER  
11 PADUCAH, KENTUCKY

12 FACILITATED BY: MR. BARRY LAWSON

13  
14 PRESENTED BY: MR. DAN STOUT  
15 DIRECTOR OF NUCLEAR FUEL RECYCLING

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19  
20 REPORTED BY: AMY S. CARONONGAN, RPR, CSR (IL)

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

2 MR. LAWSON: Good evening and welcome to  
3 this public hearing on the draft Programmatic  
4 Environmental Impact Statement for the Global  
5 Nuclear Energy Partnership. The National  
6 Environmental Policy Act requires the  
7 preparation of an environmental impact statement  
8 for this project for the Department of Energy's  
9 Office of Nuclear Energy.

10 Although the initial 2007 scoping process  
11 -- and the meeting was held here in Paducah --  
12 had specific aspects related to potential  
13 facilities at actual candidate locations, this  
14 draft PEIS is only looking at seven options  
15 related to a close or open systems as general  
16 approaches without particular projects or sites.  
17 If site-specific proposals are subsequently  
18 considered, they will be separate EISs for those  
19 proposals.

20 My name is Barry Lawson. It is my pleasure  
21 to serve as the moderator for this hearing. My  
22 role is to ensure that the hearing runs on  
23 schedule and that everyone who wishes has an  
24 opportunity to speak. I am not an employee of  
25 the Department of Energy, nor am I an advocate

1 for any party or position. And I am going to  
2 ask for your cooperation in making this a fair  
3 and respectful session.

4 I trust that each of you has had an  
5 opportunity to look over the displays in the  
6 back of the room. And at the registration  
7 table, you should have received a hard copy of  
8 the presentation, and it is a convenient place  
9 to take notes during the briefing that will  
10 follow in a few minutes.

11 There are three purposes for tonight's  
12 meeting and hearing. The first, of course, is  
13 to provide information on the content of the  
14 draft Programmatic Environmental Impact  
15 Statement, or PEIS, and on the National  
16 Environmental Policy Act, or NEPA, which governs  
17 that process.

18 The second purpose is to answer questions  
19 on the proposed PEIS and NEPA, and the third,  
20 most importantly, is to receive and record your  
21 formal comments on the draft PEIS. And the  
22 agenda for tonight's meeting reflects these  
23 purposes.

24 We will begin in a few minutes with a  
25 presentation by Daniel Stout regarding the draft

1 PEIS. Mr. Stout is the director of nuclear fuel  
2 recycling in the office of nuclear energy.

3 To answer your questions after this  
4 presentation, project staff will continue to be  
5 available at the displays during recesses and  
6 afterward. They can discuss the contents of the  
7 printed materials on the displays and, of  
8 course, Mr. Stout's presentation.

9 Following that presentation, we will recess  
10 for a very short period so that we can set up  
11 for taking your comments and that you may pursue  
12 further questions with the project staff.

13 I'm sure most of you are familiar with the  
14 facility, which is a gorgeous facility. We're  
15 very pleased to be here. If you're looking for  
16 restrooms and you don't know where they are, if  
17 you go out this door and immediately take a  
18 left, they are on the left.

19 Once we reconvene for the formal hearing, I  
20 would ask you to please turn off your pagers and  
21 telephones -- or cell phones, sorry. The court  
22 reporter will be available to receive your  
23 comments at that time and any suggestions that  
24 you have regarding the draft PEIS. All of your  
25 comments will be transcribed and made part of

1 the official and permanent record.

2 So at this point, it's my pleasure to  
3 introduce to you Daniel Stout, who will discuss  
4 the background of the project and purpose and  
5 the basic elements of the draft PEIS document.

6 Mr. Stout?

7 (A presentation was made by Mr. Stout.)

8 (A brief recess was taken.)

9 MR. LAWSON: Okay. It's now time to  
10 receive your formal comments on the scope of  
11 the -- scope of the actual PEIS. This is your  
12 opportunity to let the department know what you  
13 would like to see addressed or questions that  
14 you have regarding the draft document. Our  
15 court reporter is here to receive them, and her  
16 name tonight is Amy Caronongan.

17 Let me review a few ground rules for the  
18 formal comments. These are listed on the sheet  
19 which is available when you came in and  
20 displayed on large board in the back of the  
21 room.

22 Please step up to this microphone right  
23 here to my left when your name is called,  
24 introduce yourself, and provide an  
25 organizational affiliation if you feel it's

1           appropriate.  If you have a written version of  
2           your comments, please provide a copy to either  
3           me or to Amy after you've completed your  
4           remarks.

5           Also, please give us any additional  
6           attachments or exhibits to your statements that  
7           you would like to have entered as part of the  
8           transcript.  Each of these will be labeled and  
9           submitted for inclusion in the formal record.

10           I will call two or three names at a time.  
11           The first is the speaker and the other two  
12           people will be on deck.  We only have five  
13           speakers so far, so there won't be too much of  
14           that.

15           In view of the number of people, I am going  
16           to say we will have five minutes per person.  
17           Obviously, with only five people scheduled to  
18           speak in a relatively small crowd, if you want a  
19           little bit more than five minutes, I'm not going  
20           to argue with you.  If you feel that you'd like  
21           to take much longer than that, I would ask you  
22           to yield after five minutes and come back after  
23           other people have had a chance to speak.

24           I'll let you know when you roughly have a  
25           minute or so left.  So that when I give you the

1 signal, if you could conclude your comments as  
2 quickly and gracefully as possible, I would  
3 appreciate that.

4 And, also, remember if you do have a longer  
5 statement, you can either come back after other  
6 people have spoken or to make your comments --  
7 put your comments in written form and submit it.

8 Dan Stout will be here and serving as the  
9 hearing officer for the Department of Energy  
10 during the comment period, and he will not be  
11 responding to any questions or comments during  
12 that session.

13 And it's at my discretion to call recess if  
14 necessary or appropriate. And I will tell what  
15 I will probably do is, after we have the five  
16 speakers that are listed and anybody else who  
17 wants to speak right then, we'll have a recess  
18 until somebody else says that they would like to  
19 speak or if somebody new comes in and would like  
20 to speak at a later time. I'll take people for  
21 a reasonable period of time. And then if it  
22 looks like we're not going to have any other  
23 speakers, I will have final comments and then  
24 adjourn the meeting.

25 I should also ask, Ms. Caronongan, would

1           you be willing, if there's anybody who would  
2           like to give private testimony during recess  
3           rather than giving it in front of a live group,  
4           would you be willing to take that?

5           THE REPORTER: Yes.

6           MR. LAWSON: Appreciate that.

7           Okay, great. Okay. I have -- the first  
8           person on my list is John Anderson. And  
9           Mr. Anderson will be followed by James Harper  
10          and John Blair.

11          MR. ANDERSON: Thank you, sir. My name is  
12          John Anderson. I am a staff person for the  
13          Paducah uranium plant asset utilization task  
14          force that is chaired by McCracken County Judge  
15          Executive Van Newberry and Mayor William F.  
16          Paxton, Paducah.

17          We support the closed fuel cycle. Although  
18          DOE has removed all facility siting decisions  
19          from the PEIS, achieving energy independence  
20          from foreign energy remains vital for both our  
21          country's security and our national economy.  
22          One step in achieving energy independence is  
23          increasing a portion of the United States'  
24          electrical power that comes from nuclear plants  
25          above the current 20 percent level.

1           The core of GNEP concept remains valid.  
2           When a used fuel rod is removed from a nuclear  
3           power plant, we've seen that we only get about  
4           5 percent of the fuel in the nuclear fuel rod.  
5           And in recycling that, you get energy from the  
6           remaining 95 percent rather than throwing or  
7           storing that energy away.

8           France and other countries that are already  
9           recycling uranium from nuclear fuel rods have  
10          demonstrated recycling plants have positive  
11          economics and can be operated safely.

12          The federally owned land at the plant site  
13          and the plant's trained nuclear work force would  
14          make, we feel, Paducah, McCracken County, an  
15          attractive work site for either a nuclear power  
16          plant or a plant that carries out some form of  
17          the fuel rod recycling activities.

18          The impact of having such a plant here,  
19          which would replace Paducah Gaseous Difficult  
20          Plant when it's closed, would be an important  
21          part to this community. This issue is  
22          particularly pertinent to Paducah since the  
23          plant was on the short list for closed sites the  
24          reprocessing facility.

25          Same side, the potential benefits in

1 Paducah, the United States must increase its  
2 capacity for nuclear power production, including  
3 reprocessing of nuclear fuel. Therefore, again,  
4 we support the closed nuclear fuel.

5 MR. LAWSON: Thank you, sir.

6 MR. ANDERSON: Yes, sir.

7 MR. LAWSON: Our next speaker is James  
8 Harper. Mr. Harper will be followed by John  
9 Blair and Mark Donham.

10 MR. HARPER: My name is James Harper. I  
11 represent the organization on We the People of  
12 the United States of America. It sounds like we  
13 are a big organization. There's 80 of us. But  
14 to get you familiarized with what we do,  
15 if -- like Mr. Dan Stout, we come and listen to  
16 him. This is the first meeting I've ever been  
17 to here, by the way.

18 We're not troublemakers. I worked as a  
19 power operator when -- through my life. At that  
20 time, Mr. Walter Cronkite -- now, I speak my  
21 own.

22 First of all, I want to congratulate you  
23 for this presentation. Very good. I thank you  
24 for coming down here and taking your time. I  
25 commend you. I learned a lot tonight.

1           The reason we formed this organization was  
2 a night at about 1:00 or 2:00 in the morning. I  
3 was in the 532 building at Paducah Gaseous  
4 Diffusion Plant. Come 161,000 volts down around  
5 132. That's when the reactor at Three Mile  
6 Island.

7           They said it was an accident. Now, I  
8 disagree. They flew Mr. Walter Cronkite. I  
9 respected that man up until this time. He was  
10 on the site the next morning. If people that  
11 worked at this plant see the condensate that  
12 comes out of building towers -- Mr. Cronkite  
13 said he frightened the people of Harrisburg,  
14 Pennsylvania, to death.

15           He said, ladies and gentlemen, if that is  
16 uranium, that's plutonium. He won a big award  
17 for that. I don't like my -- I speak my word.  
18 It was him and a bunch more antinuclear people  
19 that got this country -- we've upgraded that  
20 plant. I worked in the power division.

21           Mr. Clyde Hopkins ramrodded that program.  
22 We were supposed to finish it in six and a half  
23 years. By the grace of God, I believe in -- I  
24 believe in higher power. Mr. Hopkins did, too.  
25 Have to take one minute for Mr. Hopkins. He

1       said, You can bring your Bibles out here. I'm  
2       not talking about religion. I didn't read the  
3       Bible.

4               He said every morning at 6:00 I've been in  
5       the theater. He said, Get this thing -- program  
6       finished. He said, We will -- this country be  
7       in line to build another hundred reactors. We  
8       had 105 operating nuclear reactors. There have  
9       not yet since then one put on line because of  
10      bad publicity from people that cared more about  
11      themselves than they did about their own people  
12      like you and me.

13              The liberal press denied us the right to  
14      have cheap electricity. They give us the right  
15      to pay \$4 for gasoline. I support nuclear  
16      energy 100 percent.

17              And about four million people that I have  
18      to go to my satellite to an independent station.  
19      It's called Free Speech. Anybody got a  
20      satellite, they ought to watch Free Speech. It  
21      sounds like it's free. You don't get anything  
22      free, ladies and gentlemen. They'll lead you  
23      like, you know, when you're boy, you like candy.  
24      But after they give you a little bit of candy,  
25      they start switching to what they are really all

1 about. They're about -- they would like to  
2 overthrow this government. But I still watch it  
3 because you need to watch the negative things as  
4 of the plus.

5 My grandfather told me --

6 I've got one minute left. One minute left?

7 MR. LAWSON: Just one minute exactly.

8 MR. HARPER: My grandfather was 101 years  
9 old when he passed away. Born at Land Between  
10 the Rivers. I thought he was the dumbest man in  
11 the world. I shouldn't say that about him. He  
12 was very smart. He couldn't write his name.

13 And I went to my grandfather's well. My  
14 brother came home this Thanksgiving. With that  
15 engineering degree, I photographed that well,  
16 and they run it in the Paducah paper. I had to  
17 take two of them. My brother about crippled up.

18 But he predicted -- I remember we had a  
19 tractor that came out. I said, Grandpa -- he  
20 stayed with us after Grandmother -- my  
21 grandmother died.

22 I said, The day of the horse and mule is  
23 over.

24 He said, That's correct. [Inaudible]. But  
25 he said you'll see a day acoming that it will

1 be -- equipment will be invented, invented that  
2 will run people off. He was talking about the  
3 lead.

4 Said, your dad's got -- we drank well water  
5 there, well water. And he said, I got to find a  
6 well. See, we live at Land Between the Rivers.  
7 We finally found that well.

8 And he taught me one thing in life: Be  
9 honest as you can. He taught me something that  
10 no engineer ever taught me, no professor in  
11 college. He could make a plus and minus. He  
12 said you can be negative, or you can be a plus.  
13 He said everything in this universe is a plus  
14 and minus.

15 And I thought -- I was 16 years old. I  
16 said, here I am, I'm taking chemistry. He just  
17 don't know about this stuff, didn't know a  
18 thing. Take a care battery, plus and minus. A  
19 nuclear reactor, fuel cells is a plus and minus.  
20 And our lives are plus and minus.

21 If the people of this country will get  
22 behind, involved, one person -- the gentleman  
23 here, you could get -- say what you're here for.  
24 And when the people speaks -- that's what we  
25 call it, We the People, the politician listens.

1           And I'm glad to be here. I'm glad to see  
2 everyone here. Don't know you, but I thank you  
3 for your time and for you giving me the  
4 opportunity to express my opinion for the  
5 presentation. Thank you very much.

6           MR. LAWSON: Thank you, Mr. Harper.

7           Our next speaker is John Blair and then  
8 Mark Donham and Gary Vander Boegh.

9           MR. BLAIR: I may go over the five minutes.  
10 Should I yield now or wait until I've gone over?

11          MR. LAWSON: How much --

12          MR. BLAIR: I don't know. There's so much  
13 to discuss. I just as soon go to the end if  
14 that's okay.

15          MR. LAWSON: Well, I can't be sure it'll be  
16 the end. That's the problem.

17          MR. BLAIR: Okay. I'll go ahead and start.

18          MR. LAWSON: Take five or six minutes now,  
19 and then we'll come back.

20          MR. BLAIR: That works.

21                 My name is John Blair. I'm here  
22 representing the group Valley Watch out of  
23 Evansville, Indiana. Valley Watch partially  
24 formed over nuclear issues back in the late '70s  
25 and early '80s. We've been actually a

1 corporation since 1981. Our purpose is to  
2 protect the public health and environment of the  
3 lower Ohio River Valley, which is loosely  
4 defined as some place the Evansville side of  
5 Paducah to someplace the Evansville side of  
6 Louisville. Even though we're an Indiana group,  
7 we use guideposts in Kentucky.

8 I think a little bit of history is  
9 appropriate for the context of discussing this  
10 hearing tonight. One of them has to do with the  
11 fact that every phase of the nuclear process has  
12 required huge levels of regulation, which have  
13 been generally managed by the public. It's also  
14 demanded huge levels of federal subsidies, which  
15 have been demanded by the people who are wanting  
16 to make a lot of money from nuclear energy.

17 That includes enrichment. Enrichment  
18 brought some problems. The first problems that  
19 I'm really familiar with are the two problems  
20 with the horrible coal emissions from the Kyger  
21 Creek Plant in Portsmouth, Ohio, and the Clifty  
22 Creek Plant in Madison, Indiana. Those two  
23 facilities, as well as the Shawnee Plant,  
24 originally, I think, was designed to provide  
25 power to the enrichment facility here. And

1 Kyger Creek and Clifty Creek were designed to  
2 provide the power for the one in -- the  
3 enrichment plant in Portsmouth.

4 Both of those communities that had  
5 enrichment facilities have been wrought with  
6 problems. And when I read things in the  
7 national press about the billion dollar cleanup  
8 that's being required here in Paducah to clean  
9 up the mess that was created by Martin Marietta,  
10 Union Carbide, and whoever the one owning the  
11 facility or leasing the facility now might be,  
12 it's just almost appalling to me that certain  
13 community leaders and that sort of thing in this  
14 region would be wanting more of the same.

15 The level of sickness and ill health that  
16 has come from that enrichment plant are second  
17 to none. Mitch McConnell even ran about the  
18 health problems with that plant in his  
19 commercials to get re-elected saying he provided  
20 healthcare for these workers who couldn't get  
21 any answers. That's kind of sad.

22 But, specifically, as far as this draft  
23 PEIS is concerned, I think that it diminishes  
24 many of the risks by minimizing the  
25 environmental impacts of reprocessing and by not

1 providing full proliferation risks or life cycle  
2 cost analysis for this Global Nuclear Energy  
3 Partnership of 25 countries, including the  
4 United States.

5 Furthermore, it overstates the need of  
6 reprocessing by exaggerating projections of  
7 increased U.S. nuclear power production capacity  
8 in the future. And, finally, the no-action  
9 alternative supports funding for the advanced  
10 fuel cycle initiative, which conducts research  
11 for reprocessing. Instead of the preferred or  
12 no-action alternatives, the final program EIS  
13 should support the establishment of a hard  
14 non-site storage of nuclear waste until we  
15 actually solve the problem.

16 And ladies and gentlemen, this problem is  
17 my age. I was born in 1946, and I remember back  
18 in early time being told by my teachers in  
19 elementary school about the wonders of the  
20 nuclear electricity and its commercial  
21 application versus its military application. We  
22 had all seen what happened with military  
23 application with nuclear energy.

24 But I remember vividly my -- it was  
25 probably in the 3rd grade -- my teacher

1 standing up and saying, well, yes, we know that  
2 there's a -- we don't know quite what to do  
3 about handling this nuclear waste that we're  
4 creating that we created through the Manhattan  
5 Project and through the early stages of  
6 commercial development. But it's just around  
7 the corner, so don't worry about it, kids. The  
8 next time we have a drill where we have to duck  
9 under other desk because of the civil defense  
10 drill because the nuclear problems in the world,  
11 don't worry about that waste because it's not  
12 nearly as big a problem as the Russians dropping  
13 a nuke on us. So I didn't.

14 And I remember -- fast forward ahead for 18  
15 years or maybe not quite that enough, 14 years.  
16 And I was in college, and I was taking a public  
17 utilities class. And I was one of those people  
18 who thought -- who bought into the idea that  
19 nuclear energy was so cheap it wouldn't even  
20 have to be metered, which is what we were told.

21 And I remember raising my hand in this  
22 public utilities class and saying, Why can't we  
23 just build steam pipes under our highways so we  
24 don't have to use all that salt in the winter?  
25 It's so cheap we don't have to meter it. I

1 thought, you know, nukes were here. This was in  
2 like 1967 or so. And it was -- it was -- I was  
3 a mindless blob bringing up an idea like that  
4 because, as I grew older and as I got involved  
5 in these issues with Valley Watch and other  
6 things, I found out that there's a price to pay  
7 in almost every instance.

8 The Marble Hill Plant was my first --  
9 actually, my second big round because  
10 originally, they wanted to use the Hoosier  
11 National Forest as a nuclear waste site. What  
12 was called the energy research and development  
13 administration, which was the predecessor to the  
14 Department of Energy, had chosen a series of  
15 sites to investigate for possible nuclear waste  
16 site. One of them was in Perry County in  
17 Southern Indiana.

18 And I saw that, you know, hey, wait a  
19 minute. We don't need a nuclear waste site in  
20 southern Indiana. You know, how is that going  
21 to be good for economics, our environment or  
22 anything else, particularly our health?

23 And I held a forum in opposition to that,  
24 and, lo and behold, we won that battle pretty  
25 quickly because even ERDA recognized that

1 southern Indiana wasn't exactly the place you  
2 wanted to put a nuclear waste site.

3 So then I got involved in the Marble Hill  
4 Plant. Well, the Marble Hill Plant was one of  
5 those victims that the gentleman who spoke  
6 before me talked about. And, frankly, with all  
7 due respect -- I don't know if he's still here.  
8 But with all due respect, Walter Cronkite wasn't  
9 the issue at Three Mile Island, but I've heard  
10 that said before from people in the industry.  
11 Oh, Walter Cronkite was the worst thing that  
12 happened out at Three Mile Island because he  
13 misinformed the people.

14 I guess he misinformed the people about the  
15 hydrogen bubble that was sitting there in the  
16 dome getting ready to explode and cause havoc.  
17 Three Mile Island is real. That was a  
18 Chernobyl. And I realize that Chernobyl doesn't  
19 use the same kind of process that we do in  
20 American. And thank God we haven't had any  
21 problems -- the Davis-Besse Plant almost had a  
22 problem with -- a problem with boron, you know,  
23 rusting -- the caustic nature or whatever it was  
24 of boron that almost breached the containment  
25 building at the Davis-Besse Plant in Toledo.

1           You know, the list goes on and on. The  
2 process -- the problems with Rocky Flats, the  
3 problems with Fernald in southern Ohio, with  
4 Browns Ferry. You know, the problem are there.

5           But I'm not here to indict the whole  
6 nuclear energy issue; although, it would be easy  
7 to indict. I'm here to talk about this program  
8 EIS for reprocessing. Reprocessing was told to  
9 go away in the United States. Jimmy Carter, who  
10 was one of our biggest nuclear proponents,  
11 decided not to use reprocessing. He decided not  
12 to use the breeder reactor. And he wisely made  
13 those decisions even though his energy secretary  
14 James Schlesinger was a huge proponent of going  
15 forward with nuclear energy.

16           Well, in that same period of time, Marble  
17 Hill was being built. It was originally  
18 predicted to cost \$700 million, and it was  
19 announced a 2,200 megawatt plant, \$700 million  
20 in 1973. When we went through the hearings in  
21 1977, the plant cost had risen to \$1.4 billion.  
22 And when they shut it down, the Indiana Public  
23 Service Commission, said, We're not going to  
24 allow you to recover costs on this plant. They  
25 had spent \$2.8 billion, and it was only

1           20 percent complete. Do the math. That was 30  
2           years ago. Are we going to be able to afford  
3           new nuclear power now?

4           The contractor we have with Yucca Mountain  
5           says we have to take the waste there. Oh,  
6           that's another subject. The federal government  
7           has to assume the liability and the stewardship  
8           of that waste into perpetuity.

9           Well, 250,000 years, which is the time that  
10          it takes for some plutonium -- and each light  
11          water reactor produces enough nuclear waste to  
12          create 40 bombs every year on 1,000 megawatt  
13          reactor.

14          So you have 250,000 years, and you have  
15          these reactors continuing to pump out this  
16          plutonium. Now, I doubt very seriously -- I'm  
17          being sarcastic here -- that there's ever going  
18          to be in the next 240,000 years some despot in  
19          this world that decides to use nuclear material  
20          in a nefarious way. That doesn't make any  
21          sense.

22          You know, the security reasons alone --

23               MR. LAWSON: Mr. Blair?

24               MR. BLAIR: I'm about ready to wrap up.

25               MR. LAWSON: Really? Because if you want

1 more time, I can have you come back.

2 MR. BLAIR: Okay. Well, I just want to go  
3 back to why we're here.

4 In March 2001, nuclear energy was dead, but  
5 we had just installed into office -- the Supreme  
6 Court had just installed a new president and his  
7 vice president who was a real energy buff.

8 The nuclear industry came to Richard  
9 Cheney, and said, Don't leave us out of your  
10 energy plan. Don't leave us out. Please, don't  
11 leave us out. And he didn't.

12 And now we're here discussing reprocessing,  
13 which is -- it's kind of like clean coal. It  
14 has no real bearing in science, or it's never  
15 been proven on a scale that is sufficient. And  
16 one of the things that we all need to remember  
17 is that those 104 nuclear plants that are  
18 operating in the United States are half of the  
19 nuclear plants operating in the world. So all  
20 this talk about, oh, the rest of the world's  
21 going to nukes is not exactly the truth. We  
22 have half of it.

23 So as far as this thing is concerned, I've  
24 handed in some things, but there's one more  
25 point that I want to make. Right on the very

1 cover sheet or in the introduction of the EIS --  
2 I can't remember if it's the cover sheet or the  
3 introduction -- it talks about how DOE is  
4 projecting a 1.1 to 1.3 increase in electrical  
5 consumption into the future, an increase in  
6 electrical consumption in the United States at  
7 that level.

8 Well, The Street Journal -- and I'll submit  
9 this as part of my comments. The Wall Street  
10 Journal just published this story. This was  
11 last week, "Surprise Drop in Power Use Delivers  
12 Jolt to Utilities." One of these things here,  
13 "American Electric Power, which owns utilities  
14 operating in 11 states, saw total electricity  
15 consumption drop 3.3 percent in the same period  
16 from the prior year."

17 There's something called price elasticity  
18 of demand. If we go down with clean coal and  
19 nuclear plants instead of reasonable things that  
20 don't have the externalized cost of ill health  
21 and environmental construction connected with  
22 them, we will do much better as far as keeping  
23 the cost of electricity down than a program  
24 that's going to raise nuclear -- the cost of  
25 nuclear energy is going to be so high that

1 nobody will be able to afford it. And talk  
2 about price elasticity of demand at that point,  
3 we'll have to quit consuming because nobody'll  
4 be able to pay their bills.

5 So the DOE had better get their assumptions  
6 correct for this period, this quarter of 2008,  
7 and for the next ten years look at what's going  
8 to happen. Are we going to be in a recession or  
9 depression for ten years? This whole program  
10 will be out the window? Why are we even wasting  
11 our time?

12 You know, it's nice to generate a document  
13 with 960 pages, and I'm sure some people made  
14 some very good money off of producing that  
15 document. But come on, this is not real, and we  
16 shouldn't even have to be here. Thank you.

17 MR. LAWSON: Okay. Thank you, Mr. Blair.  
18 Next speaker is Mark Donham, and he would be  
19 followed by Gary Vander Boegh.

20 MR. DONHAM: My name is Mark Donham,  
21 D-O-N-H-A-M. I know how you court reporters  
22 like to have names spelled.

23 I was here for the original hearing -- I  
24 don't know when it was, a year ago maybe -- on  
25 the scoping when there were a certain number of

1           cites that were proposed, and testified.

2           One of the things that is a pet peeve of  
3 mine -- and maybe, before I get into that, I  
4 should say that, in my opinion, this is -- I  
5 don't know why this is being rushed -- well, I  
6 do, but it seems ill-advised to be doing this at  
7 the end of an administration, especially,  
8 probably the most -- one of the most, if not the  
9 most discredited administrations in the history  
10 of our country who is, as we speak, rushing  
11 regulation, anti-environmental regulations in  
12 these last weeks of their administration through  
13 to try to get them in place. It's gutting the  
14 Endangered Species Act, trying to gut NEPA. Has  
15 worked hard to gut all kinds of environmental  
16 laws. So here we are in the final throes of  
17 this failed administration proposing this just  
18 massive waste of public money.

19           DOE itself has one of the worst NEPA  
20 records in the history of NEPA, and so there's a  
21 huge credibility problem. Part of that is this  
22 whole purpose of need. I mean, it's really  
23 laughable. And there is case law that says that  
24 you can't manipulate purpose and need in order  
25 to limit the alternatives, and that's exactly

1           what's being done here.

2           I mean, you say the purpose and need is to  
3           build these plants, so, therefore, the only  
4           alternatives are to build these plants. And  
5           that's not really what the purpose and need is.  
6           The purpose and need is to do something with the  
7           waste that's stored, and that's a much bigger  
8           issue than reprocessing. And it would involve  
9           other alternatives, such as improving the  
10          containment where they stand right now. So I  
11          think there's a NEPA problem with the purpose  
12          and need.

13          Now, back to this. One of my real pet  
14          peeves with people and, with all due respect,  
15          the speaker and with his PowerPoint presentation  
16          saying that nuclear power is somehow good for --  
17          to counter global warming, that is just false.  
18          It's untruth. It's a deception. It's a lie.

19          And as Mr. Blair pointed out, there is two  
20          coal-fired plants to run the facility of  
21          Portsmouth. He didn't mention the Joppa Steam  
22          Plant, which -- and the Shawnee Steam Plant run  
23          a facility here.

24          You start with mining the ore, and then it  
25          goes to Canon City, Colorado, where it's milled.

1       It's then shipped in trains to Metropolis,  
2       Illinois, where it's fluorinated, then shipped  
3       across the river. All of these things are all  
4       fueled by carbon. And how can you then -- after  
5       it goes through all of these -- and that's not  
6       even the last. You know, Paducah's not the last  
7       place it goes. It has to go to a fabrication  
8       facility, and then you've got all the waste  
9       disposal at every single facility.

10       Every one of those, the overwhelming  
11       majority of that is carbon based to drive that  
12       whole process. And so to -- you know, how you  
13       can stand up in front of the public and say that  
14       you're not generating carbon because you've got  
15       one standalone plant that's part of an entire  
16       cycle that is pouring carbon into the  
17       atmosphere. And there is no easy way that we're  
18       going to get out of that. So that is just  
19       false.

20       This thing about -- I wondered if you read  
21       your own -- you know, when you were going  
22       through your PowerPoint presentation, if you  
23       read your own -- let me see if I can find that.

24       Okay, here. This was the one that I  
25       wondered if you realized what you were reading.

1           You said, "Support domestic and international  
2           expansion of nuclear energy production," and  
3           then turn around the very next thing and say  
4           "Reduce nuclear proliferation and risks."

5                     And the two are totally opposite of each  
6           other. You're taking this nuclear material and  
7           putting it all over the world, and you're going  
8           to be reducing the risk of proliferation? I  
9           don't understand that. That is a false  
10          assumption.

11                    I don't have much more to say except that I  
12          think this is a colossal waste of money. It is  
13          not -- there's no such thing as a closed cycle.  
14          You're going to be creating waste. You've even  
15          got it on your own drawing there. You've got  
16          "closed cycle," and then you've got the little  
17          arrow that goes off to the repository. Well,  
18          that's not closed.

19                    And once, again, it's manipulating the  
20          words to say something that it doesn't mean.  
21          And there's -- for example, the plan in New  
22          York, the one reprocessing plant that has  
23          already been built and got shut down after six  
24          years and created, what, 600,000 gallons of  
25          high-level waste, that cost taxpayers how many

1           billions, and I don't think it's still cleaned  
2           up.

3           So this is a bad idea. It needs to be  
4           dropped before you waste any more money, and,  
5           hopefully, the new administration will have the  
6           sense to do that. Thank you.

7           MR. LAWSON: Thank you, sir. Our next  
8           speaker is Gary Vander Boegh. I think we have  
9           one other speaker.

10          Jackie, do we? This is it?

11          MR. VANDER BOEGH: I appreciate Mr. Stout  
12          coming to Paducah also. I'm Gary Vander Boegh,  
13          Commonwealth Environmental Services vice  
14          president. I spoke at the original GNEP  
15          meeting. Had quite a bit of -- quite a crowd  
16          and a pretty good turnout.

17          I'm really not opposed to nuclear energy.  
18          I guess what I'm opposed to is the lack of  
19          compliance with the environmental regulations.  
20          I'm a former Lockheed Martin project manager. I  
21          won't go into the Bechtel Jacobs or the  
22          prior -- or the additional contractors I worked  
23          with.

24          But if you Google my name, that's Gary  
25          Vander Boegh, two separates names, V-A-N-D-E-R,

1 capital B-O-E-G-H. And I was a 14-year project  
2 manager at DOE, decorated with the two  
3 president's awards, and I'm proud of that, under  
4 Lockheed Martin.

5 Once the administration changed to a  
6 self- -- or a management -- an integrated  
7 contractor, I looked around at some of my fellow  
8 workers and was amazed and appalled that  
9 suddenly the environmental regulations didn't  
10 mean anything.

11 And I guess what perturbs me is, if we go  
12 down the trail of nuclear energy and we do it  
13 all according to the books and the regulations,  
14 then that -- you know, that sounds like it'll  
15 really do a great job, but who's there to police  
16 DOE and some of their contractors.

17 And again, you know, I've got friends that  
18 are contractors. And I know the pressure  
19 they're put under. No matter what we say at  
20 these meetings, it never sinks in that there's a  
21 lack of compliance by, especially, this last  
22 administration.

23 Now, I know there's things that are  
24 changing, and perhaps for the best regulatorily,  
25 but as Mark just pointed out, I'm hearing all

1 kinds of stories that are coming out of these  
2 last-minute decisions by the President to really  
3 wipe away the regulatory strength.

4 Now, I really -- my primary job was to get  
5 into environmental programs and work to help the  
6 communities and other areas. But ironically, I  
7 started helping the sick workers in the Energy  
8 Employee Occupational Illness Program Act, under  
9 that program. DOE managed it for four years,  
10 and I think they paid in this community like  
11 four people, which is atrocious. And what  
12 you're going to -- if you look at the  
13 presentations I've made to the city  
14 commission --

15 You know, I really hate it that our city  
16 manager just walked out of the meeting prior to  
17 the public comments. That kind of says it all.  
18 There's nobody here -- I'm a close friend of  
19 Judge Van Newberry and Bill Paxton, and, you  
20 know, people have to be informed. And when you  
21 see them disappear out of the audience about the  
22 time the public gets up, that kind of tells it  
23 all.

24 DOE themselves have been concerned.  
25 James Rispoli, I met with him about a year ago.

1           And they're not getting public comments. I'm  
2           part of that presentation where he was in  
3           Paducah. And right prior to that, you know,  
4           somebody from DOE decided to slam -- you know,  
5           close the door on me, and that's why I've got a  
6           cane, but you can't close that door on me to  
7           stop me.

8           Now, I look around the audience and I see  
9           friends of mine that worked at the plant, Bill  
10          Holsapple, Gary Hobb, Charlie Martin. These are  
11          workers that know what they have to do.

12          Now, when I made a presentation to DOE  
13          recently -- or excuse me, not recently, back in  
14          2006, it was with a close friend of Mitch  
15          McConnell right beside -- right before me. And  
16          that man stepped before those cameras in Paducah  
17          at the Citizens Advisory Board meetings, which  
18          nobody -- you're looking at the sole person that  
19          goes to the Citizens Advisory Board Meetings.  
20          And it's a shame that we don't have more public  
21          involvement, but I understand why, because I'm a  
22          project manager.

23          My environmental compliance record was 100  
24          percent, perfect for 14 years, but you can't say  
25          that anymore after I'm gone.

1           Now, that presentation will be coming to a  
2 federal court in Paducah in about two months,  
3 let's say. But what I'm really concerned about  
4 is there's nothing being done to really address  
5 how is DOE going to comply when they haven't  
6 complied in the past. I brought the issues  
7 forward, and I guess I'm a propo- -- everybody  
8 says, you know, gosh, nuclear industry, you  
9 know, they're getting a bad rap. I don't think  
10 they would have a bad rap if they would do what  
11 they say they would do and handle the materials  
12 like they would handle them -- you know,  
13 supposed to handle them.

14           I'm a waste project manager, former  
15 Lockheed Martin project manager. I proposed the  
16 \$14 million disposal facility on the north side  
17 of the plant. I would not do something at that  
18 plant, and that caused my termination. That's  
19 called whistleblower retaliation. Google my  
20 name, and I'm a whistleblower by DOE's  
21 definition. I was a concerned employee by the  
22 form I filled out. They called me the  
23 whistleblower.

24           I'm proud to be a whistleblower now.  
25 Because at least I can look out there, and all

1           those employees out at the plant right now, they  
2           know Gary Vander Boegh is not going to put up  
3           this with kind of stuff. I'm going to bring  
4           compliance back whether DOE likes it or not.

5           Now, there's a change in administration,  
6           and they know -- Senator Durbin met with me, in  
7           mid August. And when you have Senator Durbin  
8           involved -- and you know who the other senator  
9           is -- was in Illinois. It is now  
10          President-elect, Obama. I want to tell you,  
11          when these people around the room have done  
12          things that maybe they're not proud of, then I  
13          would say that, you know, when you get into a  
14          situation where DOE is proposing a additional  
15          facilities or, you know, GNEP and recycling  
16          plutonium, I look at the -- well, I've already  
17          been out there and interviewed -- Mr. Harper  
18          just happens to be one of my clients or  
19          claimants for the sick worker program.

20          The stories that all these sick workers are  
21          bringing, there's a equipment brought in in the  
22          early '50s, '51. There were workers -- I went  
23          to the hospital today for a little therapy  
24          session. Had a worker sit down next to me, and  
25          in five seconds, he told me about being told to

1 clean equipment parts that came out of Oak Ridge  
2 in 1951. That's amazing because DOE  
3 themselves -- Greg is the only -- Greg, is there  
4 anybody else from DOE except the gentleman right  
5 here? No.

6 So you won't see Reinhard Knerr here. You  
7 won't see Bill Murphie. You won't see Rachel  
8 Blumenfeld. I was one of their project managers  
9 out there, but I would not violate the  
10 environmental regulations. I can't. I don't go  
11 to jail for these people.

12 But what is amazing to me is the sick  
13 workers that come to this program. They're the  
14 legacy, and it's amazing, and Gary and Charlie  
15 and everybody in this community knows them. You  
16 can't go anywhere without seeing them. These  
17 workers had something happen to them.

18 I called Mitch McConnell's office about two  
19 months ago, two and a half months ago, and I got  
20 Scott Raab and another young lady on the phone  
21 and explained that I wanted you to listen to  
22 this -- this fellow that was on the line. Had  
23 that three-way call set up. He rode to work in  
24 the early '50s, '53, '54, '52, during the  
25 construction. F.H. McGraw never existed

1 according to the DOE. They existed. Charlie  
2 knows they existed.

3 And when you look at the workers and you  
4 interview -- this man was 90 years old on  
5 August 16th, and he told them -- gave them 20  
6 names just that fast of his coworkers. I  
7 couldn't write them down fast enough. Every one  
8 of them died of cancer. So when you look at the  
9 one to the ten to the minus six and all that  
10 cancer risk, it's not matching what's out there  
11 in this community.

12 If there's anybody in the audience that  
13 says that a risk assessment program is being run  
14 properly, you can't look at the risk assessment  
15 and say, that this is all you have to affect the  
16 workers. What you're actually seeing is people  
17 by the droves that are now calling me as the  
18 vice president of Commonwealth Environmental  
19 Services -- that's  
20 [www.commonwealthenvironmentalservices.com](http://www.commonwealthenvironmentalservices.com). Look  
21 at the website. You're seeing realtime feedback  
22 from people that have been poisoned.

23 And what's amazing is if you can't get DOE  
24 and DOL -- because not DOL has inherited this.  
25 If you can't get DOE to admit there's that toxic

1 chemicals at that plant, radionuclides in the  
2 ditches that are already being -- already being  
3 presented to the U.S. EPA, I mean, it doesn't  
4 take a rocket scientist, although, I wish I  
5 could say I was one. All you have to do is look  
6 at their own reports.

7 Gary Holland works for a subcontractor that  
8 went out there right after I brought all this up  
9 to the news media, and they identified a lot of  
10 areas around the plant in the districts,  
11 radioactive, hits all over, PCB.

12 And when I submitted that -- when I gave  
13 these testimonies in front of DOL hearing  
14 officers, they started -- plaintiffs started  
15 getting their money. Before these ditches were  
16 pristine clean, but we know they're not clean.  
17 They're published all over the nation, all over  
18 the world, how contaminated they are.

19 But there are 3,007 -- EPA 3,007 report  
20 said different. There's contaminants in the  
21 ditches. If you worked in the ditches and  
22 everybody says it looks fine to me, but they die  
23 right after that.

24 And so I just want everybody to know if you  
25 come into this program and you do it right, that

1 would be the first time anybody's ever done  
2 anything right out there. You know, I get tired  
3 of interviewing poor, sick workers and, yes,  
4 there's -- I get paid for doing this. But  
5 I'm -- every one of them would pay me double if  
6 the law would allow for what I'm able to do for  
7 them.

8 So I'm just saying if you move that GNEP  
9 project out there, then realize you're moving it  
10 into an area that I've already identified to the  
11 authorities that had DOE waste outside the  
12 plant, like all the workers there from '51 to  
13 '75 knew the waste was there. We found the  
14 waste. We've been photographing waste and put  
15 it right out there where everybody could see it.

16 DOE said, hey, don't send my -- I don't  
17 want to send any of my people out there to take  
18 pictures of it. And whatever you do, don't you  
19 go with Vander Boegh out there with a rad  
20 detector. Now, why wouldn't they let Vander  
21 Boegh take their rad -- take their rad HP  
22 technician, the only one at their site, which,  
23 by the way, they don't have one now, according  
24 to the last meeting at the Citizens Advisory  
25 Board.

1           John's not here, and Buz has already left.  
2           He's now -- from city commissioner, he's now  
3           moved to a DOE spokesperson at these CAB  
4           meetings. I don't know really how he -- you  
5           know, Buz is a good friend, but I don't think  
6           Buz knows about radionuclides out in ditches.

7           But if there are any there, then I could  
8           say that's why we need to go ahead and put GNEP  
9           out there, because it appears to me that we want  
10          to put -- proposing GNEP out there is just going  
11          to expose a bunch more workers, going to be  
12          potential clients, I guess. But if you got  
13          plutonium all over the area out there,  
14          neptunium -- by the way, that plutonium was on  
15          the record in the plant's records.

16          It's in the equipment. Gary knows it. I'm  
17          sure all of them know it. It's in the plant  
18          equipment, so it didn't come in on feed stock  
19          alone. It came in on the equipment brought from  
20          K25. That's the testimony.

21          And you know, the reason I know that is my  
22          dad was chief of the guard force at F.H. McGraw.  
23          He wrote the procedures that brought the  
24          equipment in, and his guards checked it in. And  
25          he's still living. The thing is these people

1 are not gone away. They're out there testifying  
2 every day. I've gone over my limit, but I  
3 usually only get four minutes in a DOE public  
4 meeting anyway.

5 MR. LAWSON: Making up for lost time.

6 MR. VANDER BOEGH: And they're usually a  
7 little more blunt. At least I got a better  
8 audience here.

9 MR. LAWSON: All right. You have one  
10 minute.

11 MR. VANDER BOEGH: Usually, they don't give  
12 me that.

13 But anyway, I'm just trying to point out  
14 that there is better ways to do this. And I  
15 really appreciate the public input, but I'd like  
16 to see more. Once you make the input, where  
17 does it go from there? Down the black hole,  
18 like the DOL sick worker program. Once you fill  
19 out the paperwork, everybody knows you're going  
20 to go down to Florida and be kicked out.

21 What's amazing to me is if you already have  
22 the contaminants on site -- I heard this man  
23 right here bring up -- I've been involved in the  
24 environmental cleanup. For the life of me, I  
25 can't figure out why in the hell aren't we

1 cleaning something up? You know, we're not  
2 cleaning anything up. You can look at the work  
3 that we're doing.

4 For 14 years I was a solid waste landfill  
5 manager over that project and designed a  
6 facility to save \$60 million for the taxpayers,  
7 but I wasn't qualified to continue because I was  
8 a whistleblower. Amazing.

9 So, you know, I just appreciate you coming  
10 in. Love the opportunity to step up here and  
11 let everybody in the community -- but there's a  
12 fear of retaliation at the plant. You know, I  
13 told Jay Rispoli this. I think he resigned here  
14 recently. He's no longer at DOE. But Secretary  
15 Bodman knows it.

16 And until people are allowed to come  
17 forward like Secretary Richardson in front of me  
18 and about 50 other people at the Kevil office,  
19 admitted that there was something wrong that  
20 happened, and it was bad. Until you have  
21 honesty like that, people are not coming  
22 forward. They look at me to bring this forward  
23 because I'm the project manager that's been  
24 there and done that. I'm proud of what I did,  
25 by the way, and he thanked me for what I did. I

1 appreciate the opportunity.

2 And that's Vander Boegh, Amy.

3 MR. LAWSON: Thank you, sir. Is there  
4 anybody else here who would like to speak at  
5 this time?

6 (No response.)

7 Okay. As I announced earlier, I am going  
8 to call for a recess. And we will be here for a  
9 while, certainly, an opportunity for you to  
10 discuss or ask questions as you would like. And  
11 if any of you or anyone else who comes in would  
12 like to speak, just get in touch with me. I'll  
13 bring the hearing back into order.

14 MR. BLAIR: I didn't finish that last point  
15 as much as I'd like to. I'd like to say  
16 something else.

17 MR. LAWSON: Okay. Before you do, let me  
18 say, when I do call a recess, if you decide to  
19 leave, I want to thank you very much for coming  
20 out. And especially those who have made  
21 statements, I appreciate that. I'm not pushing  
22 you out. I hope that you would stay and get in  
23 on more discussion. We may open it up again.

24 Mr. Blair, would you like to have a couple  
25 minutes?

1           MR. BLAIR: Thank you for affording me this  
2 opportunity. What I -- the point that I really  
3 wanted to make at the end of what I was saying  
4 was that this is such an incredibly long-term  
5 issue. You know the 250,000 years that I was  
6 talking about, plutonium has a halflife of  
7 24,000 years. It takes ten halflives for it  
8 decay to a level that's considered safe.

9           The conditions that have existed in the  
10 last 60 years since we've had nuclear waste on  
11 hand have changed. You know, when the Manhattan  
12 Project occurred, I remember seeing something in  
13 Popular Mechanics and the RAND Corporation that  
14 showed a possible home computer. The picture  
15 was taken in 1954. It had a steering wheel  
16 about this size. It was depicting a home  
17 computer possibility at some point in the  
18 future. It was a 1954 dream.

19           Things have changed so rapidly that for us  
20 as a society to even attempt to make  
21 decisions -- to be so arrogant, I should say, as  
22 to make decisions today that are going to impact  
23 generations that we can't even conceive may  
24 exist, especially in light of the other kind of  
25 climactic and global problems we have, you know,

1           it's just arrogance.

2           And you know, it's nice to plan ahead, but  
3           I think it was Barry Commoner that suggested  
4           that maybe we should have a nuclear priesthood  
5           to oversee this, where people would become  
6           nuclear jesuits or something, that they would  
7           say, okay, we're going to have this sect that  
8           will protect us from our nuclear waste into  
9           perpetuity. Well, I don't think there's anybody  
10          here that's willing to join that sect.

11          And until that -- until those people come  
12          forward and commit all their future generations  
13          to protecting us from the problem of plutonium  
14          proliferation, you know, to have a discussion  
15          about reprocessing a fuel that actually creates  
16          more plutonium, it's just arrogant. And  
17          especially in light of better alternatives that  
18          we have to get to the same amount of energy  
19          generation that this sort of thing will provide.

20          So I just wanted to make that point a  
21          little more, that we're talking about something  
22          that's so broad, it's geological time that we're  
23          dealing with here, and I don't think that any  
24          human being on the face of the earth today has  
25          the capability of making a decision today that

1 will impact the people that are here a quarter  
2 million years from now. Thank you.

3 MR. LAWSON: Thank you, sir.

4 Okay. We'll take a recess of an  
5 indeterminate length. It won't be more than 20,  
6 25 minutes, if we don't have anybody else who  
7 would like to speak. You are certainly welcome  
8 to stay around and discuss. This hearing is now  
9 recessed.

10 (A brief recess was taken.)

11 MR. LAWSON: If I may have your attention,  
12 please. We do not have anybody else who has  
13 asked to speak, and I think I've given a  
14 reasonable amount of time. So in a minute, I'm  
15 going to adjourn this meeting.

16 Once again, I just want to thank everybody  
17 for their participation and especially those who  
18 given comments. I realize that takes some time  
19 to prepare those and sometimes takes guts to  
20 stand up in front of the public. We very much  
21 appreciate that.

22 I do want to remind you that you may submit  
23 comments on the PEIS until the comment period  
24 closes. And this is now December 16, but I have  
25 it on good authority that that's likely to be

1 extended, but I don't know how long. Mr. Stout  
2 said earlier just keep track of the website for  
3 that information.

4 I want to thank very much our court  
5 reporter, Amy Caronongan, for her work this  
6 evening. And I want to thank the people who  
7 made it possible for us to be in this wonderful  
8 facility. Thanks again. And feel free to  
9 continue the conversation as you like. This  
10 hearing is now adjourned.

11 (The hearing was adjourned at 8:50 p.m.)

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