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DEPARTMENT OF ENERGY
OFFICE OF NUCLEAR ENERGY

Global Nuclear Energy Partnership (GNEP)
Programmatic Environmental Impact Statement

Office of Nuclear Energy
U.S. Department of Energy

Public Hearing and Invitation to Comment
November 18, 2008

7:43 p.m.

ENMU-Roswell Occupational Technology Center
20 West Mathis
Roswell, New Mexico

BEFORE: Mr. Barry Lawson

REPORTED BY:

Mary Abernathy Seal, RDR, CRR, CCR 69
Bean & Associates, Inc.
Professional Court Reporting Service
500 Marquette, Northwest, Suite 280
Albuquerque, New Mexico 87102

(1446D) MAS

1 MR. LAWSON: Okay, shall we get started?
2 Thank you. It's now time to receive your formal
3 comments on the proposed piece. This is your
4 opportunity to let DOE know what you would like to
5 see addressed in the draft document that perhaps has
6 not been brought out up to this point.

7 A court reporter will transcribe your
8 statement, and our court reporter tonight is Mary
9 Seal, who is sitting in the front row up here. Let
10 me review a few ground rules for the formal
11 comments. These are listed on the sheet that was
12 available to you and were displayed on a board in
13 this room. When I call your name, if you would
14 please step to the microphone over here to my left.
15 Introduce yourself and provide an organizational
16 affiliation where you feel it's appropriate. If you
17 have a written version of your statement, please
18 provide a copy to the court reporter or to me after
19 you have completed your remarks. And also please
20 give the reporter any additional attachments to your
21 statement that you wish to have entered into the
22 transcript and into the formal record.

23 I will call two or three names at a time.
24 The first is the speaker that's coming up, and the
25 others who will immediately follow. In view of the

1 number of people who have signed up, have an
2 interest in speaking, I'm going to confine public
3 statements to five minutes. I will let you know
4 when you have a minute left, and I would ask you to
5 complete your comments as gracefully and as quickly
6 as possible.

7 Now, as your time -- let me put it this
8 way. If you wish to make additional comments, there
9 are two ways to do that. One would be to make them
10 in a written form, which you can submit tonight, or
11 submit after this, or you can wait until everyone
12 else has had his or her first opportunity to speak
13 and then come back for five more minutes, if you
14 choose.

15 Mr. Golub will be sitting over there, and
16 he'll be serving as the hearing officer for the
17 comment period, and he will not be responding to any
18 questions or comments that may be made during the
19 session. Finally, it's my discretion to call
20 recesses, if necessary, from time to time,
21 especially to give the court reporter a break, if we
22 have a lot of speakers. These will be short and I
23 would ask you not to roam too far away. Also, if we
24 do call a recess or if we go through this list
25 lickety-split and we have some time, if any of you

1 would like to give private testimony during a recess
2 to the court reporter, she's very willing to do
3 that. So if you prefer not to speak in front of a
4 live group but to give testimony nevertheless, you
5 may do that when we break.

6 Okay. So we're ready to begin. And our
7 first speaker is George Peterson. And Mr. Peterson
8 will be followed by John Paphan and Frank McKinnon.

9 MR. PETERSON: Hi. My name is George
10 Peterson. I'm a member of the Roswell School Board,
11 although tonight I am not representing the school
12 board, so don't get the wrong idea.

13 Sixty days is not enough time for
14 comments. You know, if someone has to digest this,
15 you know, we need -- I think a lawyer or two would
16 have to be called in. That's ridiculous.

17 The people here in Roswell do not want
18 this here. I will make flyers and let all the
19 parents know in our school district what radiation
20 will do to them and their children. It's just a way
21 for the rich to get richer and the poor will get the
22 shaft again like we always do in Roswell. We don't
23 want nuclear fuel from Russia or wherever to be
24 reprocessed here on our aquifer. Once they pollute
25 our water, they'll just up and move. Well, what

1 about those who can't move? We currently have water
2 pollution right here in Roswell. And who's cleaning
3 that up right now? Nobody. And once that pollution
4 hits our aquifer, we're done for in Roswell.

5 The companies responsible for this water
6 pollution -- they're out of business, you know, 20
7 years ago, you know. They're gone. So we're stuck
8 with it. The taxpayers will have to foot the bill,
9 like we always do, because these companies are never
10 punished. They're not accountable. I think we need
11 a lot more research on this matter instead of
12 rushing it through this past few months, but I know
13 a good place where we could put it. There's a ranch
14 in Crawford, Texas, where we could put it.

15 MR. LAWSON: Thank you, Mr. Peterson, our
16 next speaker is John Paphan. Mr. Paphan. And he
17 would be followed by Frank McKinnon, and then
18 Stephen Fleming.

19 MR. PAPHAN: Good evening. My name is
20 John Paphan. I'm a resident of Roswell, and back
21 when they had the first scope meeting here about
22 putting a reprocessing plant out east of Roswell, a
23 number of us got together and we formed a group
24 called the Concerned Citizens of Roswell, and we got
25 busy and got people out -- or tried to organize

1 opposition to the site that was proposed, called the
2 Gandy Marley site, which would be 40 miles east of
3 Roswell, and we were motivated by the fact that this
4 facility was something new, something untested,
5 waste -- nuclear waste was going to be transported
6 to this facility. We didn't know how exactly it
7 would be transported, and nobody could really tell
8 us how it would be transported. And we saw a
9 dangerous situation in the offing. We realized that
10 there could be an accident in a facility like this.
11 There can always be an accident. They're just
12 waiting to happen. And it could be a hazard.
13 Radioactivity is something you can't see, you can't
14 smell, and you don't know it's there until you have
15 already been damaged by it.

16 Those were some of the reasons that we
17 were motivated to oppose this. Now we're talking
18 about generic sites, not real sites, but if it's
19 from a generic site, you only get generic radiation
20 and generic damage to your body.

21 But I also wanted to say that this time
22 period for the comments should be extended, and I
23 think it should be extended to 120 days or maybe
24 more. We're going through a period right now,
25 transition between two administrations. We've got a

1 recession on our hands, and this is not cheap to put
2 in these facilities. It costs billions and billions
3 of dollars. We don't know how much it might cost.
4 It might cost more than AIG. And we have to be a
5 little careful about how we spend our money at this
6 time, but we also need to be concerned about the
7 health and welfare of our communities. We know that
8 other facilities of this type, like Sellafield in
9 England have been environmental disasters, they have
10 had radioactive emissions, fires that -- and
11 emissions that were put into the oceans. Even the
12 lobsters were radioactive.

13 And around the world, in Japan and other
14 countries that have tried this type of thing, they
15 have found it wasn't really as efficient or as
16 effective as they had hoped it would be. It cost a
17 lot of money. They ended up with a lot of plutonium
18 that could cause proliferation of nuclear weapons,
19 and they have enough plutonium, some of these
20 countries, to make hundreds of bombs. And we had an
21 initiative in this country 30 years ago to stop
22 nuclear proliferation, and this program encourages
23 it. And for those reasons, I'm opposed to the
24 project and I hope that other people will feel the
25 same. Thank you.

1 MR. LAWSON: Thank you, sir. Our next
2 speaker is Frank McKinnon. Mr. McKinnon will be
3 followed by Steve Fleming and then Alan Dobson.

4 MR. MCKINNON: My name is Frank McKinnon.
5 I'm an educator, businessman, and I'd much rather be
6 picking my guitar than dealing with this. A lie is
7 a lie, even if you are just repeating the words of
8 the current president of the United States, when you
9 say that nuclear power is clean, safe, and
10 emissions-free. According to the European
11 Parliament, 2001, nuclear fuel reprocessing, as
12 they're trying to do here, as they have done in
13 Sellafield, and in France, is several thousand times
14 more dangerous than a nuclear power plant. And the
15 emissions from a nuclear waste reprocessing plant
16 and a nuclear power plant are quite dangerous.
17 According to the United States Library of Medicine,
18 there are at least 24 different types of highly
19 toxic materials that are released as emissions from
20 nuclear power plants and from nuclear waste
21 reprocessing plants. I have made a list of these on
22 a document that is entitled "Amended Revision of
23 Motion to Disqualify Judge Judith Herrera," who was
24 appointed by President Bush and Pete Domenici to
25 move their agenda, and this is part of their agenda.

1 And the list of those toxic materials, Mr. Gandy,
2 are on that amended revision that you will be served
3 fairly soon.

4 Okay. Telling a lie, using taxpayer
5 dollars to defraud the people of the United States
6 of America is a high crime. Okay? I would prefer,
7 like I said, to be picking my guitar, and I would
8 prefer for Gandy and Marley and Energy Solutions,
9 and even all these other fellows that are joining
10 in, to find a way to get you guys out of trouble,
11 because you're digging a hole right now, and I wish
12 you'd stop. We don't want to sacrifice southeastern
13 New Mexico so that the uranium and nuclear industry
14 bigwigs can get rich. We don't want that. Thank
15 you very much.

16 MR. LAWSON: Thank you, sir. The next
17 speaker is Stephen Fleming, and then Alan Dobson and
18 Tom Jennings.

19 MR. FLEMING: Howdy. My name is Stephen
20 Fleming. I'm a resident here in Roswell and have
21 been for a number of years. And I, like a lot of
22 other people that have spoken before me, am
23 concerned about our livelihoods and our quality of
24 life here in the Pecos Valley. I wish, I really
25 wish, that we were here with all this displays and

1 computer-aided kind of presentations and whatnot to
2 discuss how we were going to build a solar farm here
3 in the Pecos Valley or how we were going to build
4 some windmills, generate some alternative ways of
5 making energy with all the resources that we're
6 blessed with here; how we were going to revitalize
7 our water infrastructure and make sure there's going
8 to be plenty of water down the road.

9 But instead, we're talking about this
10 still, this vampire that won't seem to die, and
11 continues a life spending taxpayers' money
12 needlessly, I think, pursuing a chimera that,
13 somehow or other, people in this part of the state,
14 which I guess is not considered the cute part, are
15 supposed to host this contraption that's going to
16 solve all the problems of all the nuclear industries
17 in the world, and we're going to be lucky enough to
18 have all that stuff trucked in here and cooked up.

19 Well, I think that's just a crazy idea,
20 and I didn't really have a lot to say, and I didn't
21 think I was going to speak today. They just told me
22 that if I didn't speak, my protest wouldn't be
23 lodged officially. So I just would like to say, I
24 protest, and I think that modern science, modern
25 technology, and the world in general have a lot more

1 to offer than this crazy scheme. Thank you.

2 MR. LAWSON: Thank you, sir. The next
3 speaker is Alan Dobson, followed by Tom Jennings and
4 Jeff Neria.

5 MR. DOBSON: Good evening. My name is
6 Alan Dobson, and I'm with Energy Solutions. And I'm
7 the senior vice president responsible for fuel cycle
8 and spent fuel management within that company. And
9 during last year I spent quite a number of days and
10 evenings in this part of the world, presenting and
11 giving more information about what Energy Solutions
12 and Gandy Marley and our other partner in
13 New Mexico, North Wind, would propose to do if the
14 site that we submitted for the siting study was
15 indeed selected.

16 Well, Mr. Golub has told you, of course,
17 that the Department is not at this point ready to
18 make a decision on a specific site, but we would
19 like to say for the record that Energy Solutions
20 does support the Department of Energy's initiative
21 to increase the scope of the PEIS. And by that I'm
22 talking about the various options for closing the
23 fuel cycle he enumerated earlier this evening.

24 Some of you have talked about issues
25 associated with closing the fuel cycle,

1 reprocessing, and I can certainly speak from a very
2 personal standpoint about doing just that. As some
3 of you know, I was actually born -- I was actually
4 working on one of the facilities that's been
5 mentioned this evening, Sellafield, and I chose to
6 live very close by that facility, and I raised my
7 family by that facility, and they are healthy, and
8 they and all of their friends and all of the other
9 people in that region are indeed healthy.

10 And the gentleman mentioned the shellfish
11 issue. He talked about lobsters. When I was at the
12 Sellafield site, we used to do something called a
13 critical group analysis, and that is the way that
14 radiation dose is tracked. In the critical group
15 was a shellfish eater who lived on a houseboat in
16 the town of Whitehaven, which has a sea harbor, and
17 he used to eat about two quarts of shellfish a day
18 on average. That person is no longer in the
19 critical group for those facilities. He died of old
20 age about seven years ago. And when I say old age,
21 I do mean old age.

22 But moving on, the issue facing the United
23 States and the issue facing everybody is about being
24 able to supply the energy needs of the United
25 States, and it doesn't matter. It's about safe,

1 clean, reliable energy, and it doesn't matter
2 whether it's from wind or solar or nuclear or gas or
3 coal. The United States requires the energy and
4 Energy Solutions believes that nuclear power will
5 continue to play a very important part in providing
6 the energy of the United States.

7 We've already heard tonight that there are
8 about 60,000 tons of spent nuclear fuel generated
9 from today's power stations. We have to deal with
10 that, and if we want to continue to take the benefit
11 from nuclear power -- and I personally and my
12 company certainly believe that we should do -- then
13 we need to do something other than just disposing of
14 that spent fuel in a hole in the ground called Yucca
15 Mountain.

16 And closing the fuel cycle makes it
17 possible to do that. And Energy Solutions will
18 continue to work to support efforts to do that.
19 Since we last met in Roswell, Energy Solutions and
20 others have done work that have analyzed what it
21 would take to do this closing of the fuel cycle.
22 And we've presented a case and it's been approved
23 and shared with utilities to do the closing of the
24 fuel cycle. As we said 18 months ago, this will not
25 be done with taxpayers' dollars. It will either be

1 done by the utilities because they want to take the
2 service, or it won't be done at all. Thank you.

3 MR. LAWSON: Thank you, sir. Our next
4 speaker is Tom Jennings. After Mr. Jennings, Jeff
5 Neria and Rachel Koehler.

6 MR. JENNINGS: Good evening, ladies and
7 gentlemen, and thank you for the opportunity to
8 speak and say my peace tonight. Tom Jennings from
9 Roswell, New Mexico. I'm a native, and Mr. Dobson,
10 it's nice for you to come here and say something,
11 because I was here in the Civic Center the last time
12 you spoke, and you said some disparaging things
13 about me after I spoke, which was inappropriate
14 under the terms of this moderated opportunity like
15 we had 18 months ago or so. And I think you owe me
16 an apology, because I didn't have an opportunity to
17 stand up and say things because I abided by the
18 rules of this moderated opportunity.

19 And he is from England, and Energy
20 Solutions is here to dump the world's nuclear waste
21 here, not just the United States'. This isn't just
22 for the United States. It's to bring this stuff
23 from all over the world to our little community out
24 here. If it's such a good deal, why don't you put
25 it in your backyard? It's a good deal? Put it in

1 your backyard, not in our backyard. (Applause)

2 And you know, that's inappropriate, as
3 well. We're not supposed to have any applause or
4 anything. You know, I take exception that the
5 moderator, Mr. Lawson, I think that you ought to
6 moderate this.

7 MR. LAWSON: I will. Don't worry.

8 MR. JENNINGS: But you know, 30 years ago,
9 when I sat in here with CARDS, that was Citizens
10 against Radioactive Dumping, and I listened to how
11 they -- the DOE, the Department of Transportation,
12 the Department of Energy, said, "By God, if we let
13 this in here, there will never be another facility
14 like this. There will never be any more dumps. It
15 will be the only one. It will only be low-level, or
16 moderate-level."

17 Now he's talking about high-level?

18 Extremely dangerous? I think that was the words.

19 Dangerous waste. And they're putting it in our
20 backyard. You know, I'm a businessman. I'm in the
21 oil business. I'm in the energy business, and I own
22 minerals proximate to this site. Is that -- and all
23 the wells are drilling out there -- some of the most
24 valuable minerals in the state are being drilled in
25 this area. \$2,000 or \$3,000 or \$4,000 an acre. I

1 know. I watch it. I'm surprised they're drilling
2 holes all around there. And it's 26 miles from the
3 Pecos River, as I look at my topo map -- and if you
4 look at the topo map and you look at the topography,
5 you can see if there's an accident out there and it
6 spills, and there's -- by God, if we get some rain,
7 we're due for a little and I'm sure that the Gandys
8 and Marleys would like rain out there -- where does
9 that water go? It goes right down dip, right --
10 follows the topography, 26 miles to the Pecos River,
11 one of the biggest watersheds in our country. I'm
12 sure that the people of Carlsbad find that a little
13 disconcerting.

14 You know, we have to watch what we do with
15 our country, because water is valuable. He lives by
16 the seaside. They have these nuclear facilities
17 placed by the seaside because they demand a huge
18 amount of water to operate them. We have very
19 sparse water.

20 And I don't know what's happening, but
21 something's -- I don't know. There's something
22 going on with the mike.

23 All right. And I think we ought to be
24 careful with what happens. We were assured this
25 would never happen, yet it's going to happen. We

1 don't need this waste. We need to shut the door on
2 this and any other facilities in this part of the
3 state, as was promised by the DOE, by the Department
4 of Transportation, the Department -- and now they're
5 going back on their word, and I think they ought to
6 be held accountable for what they told us 25 or 30
7 years ago, because it's inappropriate, because
8 they're not -- you know, I'm not going to say he
9 lied to us, but I'm going to say it's untruthful,
10 it's misrepresenting what we were promised 25 or 30
11 years ago.

12 You know, I have been, you know -- and
13 they talked about Sellafield, and the mayor talks
14 about going over there. I read his article, about,
15 oh, it was such a beautiful place. Did he happen to
16 tell you it had been shut down for a couple of
17 years? Had it been shut down? Yeah. Yeah, it's
18 been shut down. It's such a beautiful place to
19 live, they shut the thing down because it's so safe.

20 MR. LAWSON: Mr. Jennings, one more
21 minute, please.

22 MR. JENNINGS: Thank you. You know, if
23 you could do nothing else, sit here and think about
24 it. If it's such a beautiful place, why did they
25 shut it down? Why did the mayor come back here and

1 say, "Oh, this is a great place. This is a
2 beautiful facility."

3 Yeah. It was shut down at the time when
4 he was there. We checked it out. We know what
5 happened. And you know, what's going on? Why would
6 they tell us it's a beautiful place when it's shut
7 down? That ought to tell you something, if they
8 shut the place down. I don't think it's so safe.
9 They don't shut them down if they're unsafe (sic).

10 So I think we all ought to think about
11 what's going on here, because it inures to all of
12 our benefit, and especially our kids. I have little
13 kids, and I'm not planning on going anywhere, but
14 sure enough, you'll probably be gone. You'll
15 probably go home to see your family and your
16 friends, you'll put it here, you'll put the waste
17 from the rest of the world here, and you'll be
18 "Hasta luego." But we probably won't see you again.
19 Thank you.

20 MR. LAWSON: Thank you. The next speaker
21 is Jeff Neria, to be followed by Rachel Koehler and
22 Don Hancock.

23 MR. NERIA: Hello. My name is Jeff Neria.
24 I was born in Roswell and I have lived here for 21
25 years. My predecessors who spoke before me I think

1 expressed all of my concerns more emphatically and
2 probably more eloquently than I could, so I'm just
3 here to add my objection to this initiative to the
4 record. Thank you.

5 MR. LAWSON: Thank you. Then I would call
6 Rachel Koehler. Then Don Hancock, and Alfredo
7 Dominguez.

8 MS. KOEHLER: Hi, I'm Rachel Koehler and
9 I'm running for president. I'm just kidding. Has
10 anybody ever heard of Erin Brockovich? Anyone ever
11 watch that movie? When I moved to Roswell, which
12 was a year ago, it said on the New Mexico sign "The
13 Land of Enchantment." It should have said "The next
14 toilet of the United States of America."

15 So I just wanted to say, when did you
16 decide to sell your soul to the devil? Yeah.
17 That's right. So I just want to know, when do you
18 take advantage of the weak and the poor? Because in
19 my opinion, I may be young, I may be hopeful, but
20 there is a ton of sun and wind in Roswell. It's
21 almost disgustingly so. And I think that there are
22 a lot less risks of using that, and if I had a
23 government subsidy to put solar panels on my house,
24 I would do it. I would drive a Prius, which is
25 Toyota, and I think that there are a lot of other

1 things that we can do.

2 So I work with a lot of ranchers, and I
3 know we're in a 16-year drought here. I'm not from
4 here, but when people get desperate, they do
5 desperate things. And I know the gas prices are
6 going down, and there are oil wells that are drying
7 up, and when that happens, you don't walk away from
8 the people that gave to you all those years. So I
9 just wanted to say that. Don't sell yourself short.
10 Think long. Appreciate it.

11 MR. LAWSON: Thank you. Don Hancock and
12 then Alfredo Dominguez.

13 MR. HANCOCK: I'm Don Hancock with
14 Southwest Research and Information Center in
15 Albuquerque. And I saw many of you, like
16 Mr. Dobson, the other sort of outsider here tonight,
17 I also spent quite a bit of time here 18 months, 21
18 months ago, when we went through the scoping process
19 and the siting process. And I want to congratulate
20 you who are here tonight and continuing your
21 opposition, because that's important.

22 As was said, there were 14,000 comments,
23 scoping comments. This document does a pathetic
24 job. It can't even summarize how many people were
25 for, how many were against, how many were for

1 particular sites or not. But by my count, the vast
2 majority of people in Roswell were opposed. That's
3 been the case tonight, again. The vast majority of
4 people at most of the 11 sites around the country,
5 in fact, were opposed.

6 And so you might say, "Well, what did we
7 accomplish?"

8 Well, you accomplished several things. As
9 was mentioned in the presentation, they had to
10 change their plans pretty dramatically. Those of
11 you who were here in February of 2007 for the
12 scoping were told that the draft would be out, and
13 the final -- that final document in the record of
14 decision that we talked about tonight -- you were
15 told in February of 2007 that that would all happen
16 by June of 2008. Did it happen? No. And you all
17 were part of that, and so I congratulate you for it.

18 Unfortunately, the Department of Energy
19 did get the idea that they couldn't go forward as
20 they wanted to back in February of 2007, and we
21 shouldn't even be here at all tonight. There is no
22 reason for this document, and we'll submit a lot
23 more detailed comments, but let me just give you a
24 couple of the highlights.

25 To do an environmental impact statement,

1 the first thing the law says you have to have is a
2 proposal, a federal government proposal to do what's
3 called a major federal action. So what is the
4 government's proposal? They had a proposal in
5 February of 2007 and it collapsed. They couldn't do
6 it. There was too much opposition both by people
7 here, people around the country, and people in
8 Congress, who said, "No, we're not going to fund you
9 to do that."

10 As Mr. Dobson just said again, the
11 industry tells us that they can do it without
12 taxpayer dollars. What have they done in the last
13 21 months, other than get money to do studies from
14 the federal government, from the Department of
15 Energy? They have not gone forward. Why? Because
16 there's no economics behind this expansion of
17 nuclear power they're talking about. In this entire
18 document there is not any discussion whatsoever of
19 the cost of any of those alternatives that they
20 showed you. Yet they tried to say in the
21 presentation this would be sustainable nuclear
22 energy? How can you say anything sustainable when
23 you have no idea of how much it's going to cost?
24 That's not sustainability. So they don't have a
25 proposal.

1 One of my favorite parts of this document
2 is page -- the first sentence on page 7-1 of the
3 document, the part about the global -- global
4 nuclear energy partnership, the global part, the
5 international part. They say, "At this time the US
6 Department of Energy, DOE, has no specific proposals
7 for the international component of the global
8 nuclear energy partnership."

9 So they have no proposal, which means you
10 can't be doing an environmental impact statement.
11 So why are we here? Why are they doing this? Well,
12 some folks in the Department of Energy want to do
13 it. Some contractors are making some money.
14 Unfortunately, we have to spend a lot of time and
15 effort ourselves to tell not so much this Department
16 of Energy, but the next administration and the next
17 Department of Energy again what you all have told
18 them before and what you're telling them again
19 tonight, and I encourage people who don't want to
20 speak tonight to send in comments because it's the
21 next administration that's got to make the decisions
22 about what to do, to see if there is actually a
23 proposal.

24 Now, insofar -- so there's no global
25 proposal. Insofar as there's a US proposal, this

1 expansion of nuclear power -- well, what is the
2 federal government's role in that? This document
3 doesn't tell us. It should. The only role that has
4 been identified so far -- and again, isn't discussed
5 here -- is for the federal government to spend
6 unlimited amounts of money, apparently, to subsidize
7 this nuclear power expansion. None of that is
8 discussed in this document. Not any of it.

9 So you say, what's going on here? As
10 Southwest Research and Information Center said in
11 our comments, scoping comments, we said that "An
12 adequate draft programmatic environmental impact
13 statement would include a comprehensive description
14 of the proposed action." Well, they can't do that
15 because they don't have a proposed action. "A
16 technically adequate environmental impact analysis."
17 Well, if you don't know what you're going to do, can
18 you do a technically adequate environmental impact
19 analysis? No. "And a searching discussion of the
20 reasonable alternatives and a genuine no action
21 alternative."

22 Well, they haven't done any of those,
23 either. And the other thing that the National
24 Environmental Policy Act requires is that there be a
25 public process, and they talked about that. As I

1 said, their description of the 14,000 comments they
2 got the last time is pathetic. This time, they
3 haven't made the references available. Some of them
4 are on line and available. The rest of the thing
5 that's on line when you go to the website is a list
6 of the references, and if they're not available, you
7 get to call them up or write them to ask for hard
8 copies of the references that are not available.
9 Well, three weeks ago, I asked for hard copies of
10 three documents. So far I have gotten one.

11 MR. LAWSON: Mr. Hancock.

12 MR. HANCOCK: And yes, Barry, I know
13 you're about to cut me off.

14 MR. LAWSON: I'm going to suggest, we have
15 one other speaker, and if you'd like to come back,
16 you could go on.

17 MR. HANCOCK: Okay. Let me say a couple
18 of things because people may have better things to
19 do than listen to me. So this is not a reasonable
20 public process that they're doing, either. Now,
21 several people have mentioned -- and I appreciate
22 that -- about extending the comment period. Sixty
23 days is clearly not enough. My organization is one
24 of 47 national and local organizations that two
25 weeks ago sent a letter to Secretary of Energy

1 Bodman asking for a 120-day extension of the comment
2 period and giving reasons for it. I'm including
3 that letter in the record tonight. We renew the
4 request for it. Among the reasons, among the many
5 reasons we said we needed one is an essential part
6 of this process is the nonproliferation analysis
7 that we're told the National Nuclear Security
8 Administration is doing, and there's a
9 representative here who wishes that document was
10 out, but it's still not out.

11 So part of what we're supposed to analyze
12 in the public process still as of today isn't
13 available. We don't know when it's going to be
14 available. So you know, we need to have more time
15 to look at that document to analyze this one, and
16 for people to comment, so that the next
17 administration, which has got to decide what to do,
18 knows what people actually think.

19 I have a lot more to say, but I'm sure
20 there are other people who have good things to say,
21 too, so I will stop. But I will submit this letter
22 that's already been submitted to the Department of
23 Energy for the record. We do expect and hope that
24 soon the Department of Energy will make a correct
25 decision and extend the comment period at least.

1 Thank you.

2 MR. LAWSON: Thank you. Okay, the last
3 speaker I have on my list is Alfredo Dominguez.

4 MR. DOMINGUEZ: My name is Alfredo
5 Dominguez. I live here in Roswell, New Mexico. And
6 looking over this draft statement, which is this
7 one, which is this one right here, which I haven't
8 read yet, because I just saw it today, I did scan in
9 this on the Internet, but both the summary and the
10 draft say that the site -- it's not site-specific,
11 but on the handouts, they also say that it was not
12 site-specific, but if you go to a closed fuel cycle
13 you're going to increase the volume of waste, not
14 decrease it.

15 And also when you start processing these
16 highly radioactive fuel rods, you're going to create
17 millions of gallons of liquid radioactive waste and
18 other -- that's going to have to be dealt with. And
19 you're also going to be dealt with whatever was in
20 the fuel rods that's now plutonium transuranic
21 materials. You're going to have to dispose of those
22 geologically, also. There's no estimate as to how
23 much volume that's going to cause.

24 And then reading on the draft summary,
25 that's where I'm getting my information from, at

1 some page, F64, section 7-2, it also says on the
2 same page, "The recycling is perceived by some as
3 creating a huge risk for nuclear proliferation,"
4 which is exactly opposite of what they told us on
5 the handout here. So not everybody believes that
6 this will provide or diminish the risk of
7 proliferative -- nuclear proliferation, which means
8 that people would have access to highly radioactive
9 transuranic materials such as plutonium.

10 And also, on the public hearing agenda on
11 page 8, it says that the volume would go down of
12 radioactive waste when, in fact, the volume of
13 highly radioactive waste would go up if the closed
14 fuel cycle is pursued. Also, there was not enough
15 time for the general public to learn about this
16 information, read it, digest it, and present really
17 a coherent analysis of this. So again I ask that
18 they provide more time for the comment period.
19 Thank you.

20 MR. LAWSON: Thank you, sir. Is there
21 anyone else who has not signed up but who would like
22 to speak?

23 MR. McKINNON: I didn't use my five
24 minutes. Could I have 30 more seconds?

25 MR. LAWSON: Just for the record, if you

1 would give your name again.

2 MR. McKINNON: My name is Frank McKinnon.

3 I have one more comment that I believe should be
4 made, since this is our response officially. The
5 behavior of the gentlemen that are trying to bring
6 this nuclear waste reprocessing plant and nuclear
7 waste burner reactor to southeastern New Mexico is
8 perceived as a threat of bodily injury, of damage to
9 property, and of death to people here in
10 southeastern New Mexico and to people who care, or
11 that other people care about here. This was brought
12 to the attention of these gentlemen in a petition
13 with 1,136 signatures of people here in southeastern
14 New Mexico that their behavior is perceived as a
15 threat of injury, damage to property, and death.
16 And it's not only a threat from the people, Gandy
17 Marley, living here, but this is a threat crossing
18 state lines, through the Internet, through TV,
19 through the US Postal Service. Please put that as
20 my statement on record. Thank you.

21 MR. LAWSON: Thank you. Before I call a
22 recess, is there anyone else who would like to
23 speak? Yes, sir. One of the things I'd like to
24 remind people here is, this is a meeting basically
25 for comments on the PEIS, so I would hope that we

1 can focus on that, rather than going back and forth
2 between personalities.

3 MR. McKINNON: Are you insinuating that I
4 was going anywhere else?

5 MR. LAWSON: No, I didn't say anything.
6 I'm just saying that the meeting is on the PEIS.

7 MR. McKINNON: That's what I was talking
8 about. This is the behavior that I was talking
9 about. Okay. This meeting is the behavior I was
10 talking about.

11 MR. LAWSON: Fine.

12 MR. McKINNON: Okay.

13 MR. DOBSON: My name is Alan Dobson, and
14 just for the record, I am a legal resident of the
15 United States, and I have lived here for many years.
16 If this region were fortunate enough to be the site
17 of a recycling center, I would be absolutely
18 delighted to relocate to this region.

19 But I actually just want to share some
20 information and tell people where they can get some
21 information with regard to what has actually been
22 proposed by industry, where issues such as the
23 volume of waste, whether or not the amount of liquid
24 waste is created and how much liquid waste is
25 created, and what happens to it, about the

1 proliferation issues, et cetera, all of that is
2 certainly available on the Department of Energy
3 website in the summary reports published by Energy
4 Solutions when it completed deployment studies. And
5 again, as a matter of record, as we discussed the
6 last time I was in Roswell, the Sellafield
7 facilities are actually operational, and they were
8 operational at the time and they're still
9 operational today.

10 MR. LAWSON: Thank you, sir.

11 At this point, I'm going to call for a
12 recess. We're not over yet. If anybody would like
13 to speak, they certainly can sign up to do so, so I
14 will get information about that. In the meantime,
15 you're certainly welcome to stay, ask questions,
16 discuss with friends, neighbors, or with the staff
17 any aspects which you would like to, and I will call
18 the hearing back into session, if there is somebody
19 who says that they would like to speak.

20 Now, typically in a situation like this,
21 some people take the opportunity to leave. If you
22 do, I want to thank you very much for your time and
23 coming. For those of you who have spoken, I
24 appreciate your comments and I'm sure the Department
25 of Energy does, as well.

1 You're certainly encouraged to stay
2 around, and if there are no speakers, any additional
3 speakers, after half an hour or so, it's my
4 discretion to be able to call an end to the hearing.
5 But you're certainly welcome to stay around, and if
6 anyone would like to make a formal comment, you're
7 certainly encouraged to do.

8 So for those of you, as I mentioned
9 earlier, who would prefer to give oral testimony but
10 do it in private, Mary Seal, the court reporter,
11 will be pleased to take your comments in private
12 during the recess. This hearing is now recessed.

13 (Recess from 8:31 p.m. to 8:54 p.m.)

14 MR. LAWSON: It's now nearly half an hour
15 since we closed. There has not been anyone else who
16 has come to speak, so in a second, I will adjourn
17 this hearing.

18 But before I do, I would just like to
19 thank everybody who came for their participation,
20 especially to those who prepared comments and took
21 the time to present them this evening. Also, to
22 remind you that as of now, at least the comment
23 period ends on December 16th, and I urge you to get
24 your comments in. I understand that there's a
25 request for extension, but that has not been made

1 yet.

2 Finally, I'd like to thank our court
3 reporter, Mary Seal, for her work. I would also
4 like to mention that our next meeting in New Mexico
5 is on Thursday night, in Los Alamos, with an open
6 house at 6:00 and a meeting at 7:00, and I think
7 that will do it. This meeting is now adjourned.

8 (The proceedings concluded at 8:55 p.m.)

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1 STATE OF NEW MEXICO

SS

2 COUNTY OF BERNALILLO

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4 REPORTER'S CERTIFICATE

5 I, MARY ABERNATHY SEAL, New Mexico
6 Certified Shorthand Reporter, DO HEREBY CERTIFY that
7 I did administer the oath to the witness herein
8 prior to the taking of this deposition, and that I
9 did report in stenographic shorthand the proceedings
10 set forth herein, and the foregoing is a true and
11 correct transcription of proceedings.

12 I FURTHER CERTIFY that I am neither
13 employed by nor related to any of the parties or
14 attorneys in this case, and that I have no interest
15 whatsoever in the final disposition of this case in
16 any court.

17

18 Mary Abernathy Seal
19 Certified Court Reporter #69
20 License expires: 12/31/08

(1446D) MAS

21 Date taken: November 18, 2008

Proofread by: KW

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