

2 COMMENT DOCUMENTS

This section provides copies of the actual letters or other documents containing public comments on the draft EISs that were submitted to DOE, including comments extracted from the transcripts of the public hearings. Table 2.1 contains an index of the comment documents by document number. Table 2.2 provides an index of comment documents by the commentors last name. Table 2.3 contains an index of comment documents by company or organization. Individual comments are denoted with vertical lines in the right margin.

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Meiners, Steve	Safety and Ecology Corporation	D0017	2-47
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Document D0001

From: Mike Driver [gizmo@brtc.net]
Sent: Tuesday, November 25, 2003 12:14 PM
To: DUF6_Ports
Cc: Vina Colley; Gai Oglesbee
Subject: Handling of DUF6 and DU4

Dear Mr. Hartman,

If there is anyone qualified to discuss the handling of DUF6 and DU4, it would be the persons who have handled it before and are now suffering from the effects of that handling.

D0001-1

Safe containment, packaging and storage of these elements, along with Health Physics monitoring radiation levels of the four types of radioactive isotopes and the study of how persons might be exposed, is being addressed by DOE better than ever before. Even before I was forced into premature disability retirement at age 49, almost six years ago, Health Physics was doing a great job of monitoring each job for "radiation concerns". I, and my co-workers have always commended the HP Dept. for exceeding their responsibilities in monitoring, surveying and overseeing each job, since about 1991, when our HP Dept. staff was increased from two persons that almost never left their office to eventually a large crew of more than 60, if my memory serves me correctly.

My concern centers around the continued claim of upper management, distributed through middle management and on down the line to Front Line Managers who still tell employees that, "This is a clean plant. The dust out in the buildings is just DUST and there is nothing in it that will hurt you. Radiation is the only concern here and it is monitored. If there was any other danger, they would tell us about it."

D0001-2

I'm sorry, but that is a outright lie. DOE and its managing subcontractors have known for generations that the dust in Process Buildings, storage buildings and the ground surrounding these buildings contains deadly elements such as Arsenic, Lead, Nickel, Silver and a long list of other deadly substances. Many of these elements are "laced" with secondary substances, such as Mercury, Zinc, Chromium and others, compounds that do not break down in the natural environment, pollution so intense that it is overwhelming.

I actually feel sorry for DOE and subcontractor managers that have inherited these problems, created years ago, but now having to be faced by persons not originally responsible for the pollution and contamination. Locally, many of these folks have been and, I consider, still are friends of mine. DOE Manager, Greg Bazzell is one of the finest men I know.

What I don't understand and remain confused about is the continued denial that these deadly elements, byproducts from the processing of nuclear material and the substances used in cleaning and maintaining the facilities, are the root cause of the cancers and other poisonings that both workers and other downwind victims suffer from.

D0001-2
(cont.)

DOE is long overdue to stop crying about potential "free-loaders" possibly getting compensation and using that excuse for not providing health care, nor paying the thousands of true victims the Congressionally appointed compensation they are supposed to be receiving. The claimed "lack of information" on applicants, lost employment and medical records is absolutely false. We, that worked in certain departments, know that the DOE and the subcontractors have stacks of records and computer files on every employee and individual that ever entered the plant.

D0001-3

I have personally seen files up to a quarter-inch thick, just on a "delivery person". On employees, with the security background checks, interviews, updates and annual physical exams, each employee has a mountain of historical records. DOE, for some reason, wants to slow the process down, thus allowing more victims to die in despair, never knowing if they could have been saved by alternative medical treatments, nor if their families received any compensation for the pain, severe loss of income and suffering.

12/11/2003

As my good friend, Rod Cook says, "I agreed to give the company a good days work for a good days pay. I never agreed to be secretly poisoned and then ignored." (Paraphrased, direct quote not at hand)

I, myself never agreed to unknowingly be exposed to elements that would kill me, nor destroy my life and ability to provide for my family, enjoy the God given wonders of Nature through activities I no longer can do, nor to have my life cut short, preventing me from watching my grandchildren grow up.

There are thousands of innocent victims all across this nation that are being systematically ignored and allowed to suffer needlessly. I implore you to take caution as you explore the methods of safe handling of these Depleted Radioactive Elements, the containers they are stored in, and remember that the byproducts, the dust and cleaning agents can be as deadly as the DU itself.

D0001-4

Blessings and thank you,
Charles M. Driver
Poisoned Disabled Worker
Paducah Gaseous Diffusion Plant

10455 Old Lovelaceville Rd.
Paducah KY 42001
270-488-3999

12/11/2003

Document D0002

DUF6 DEIS comments; by phone 1/15/2004

John Kilrod
700 S Kentucky St
Kingston, TN

I understand that there is a public meeting and public comments on the UF6 cylinder project (and that is the transferring of UF6 cylinders from K25 to Portsmouth or Paducah).

I understand that Bechtel-Jacobs has offered up a barge remedy to barge those cylinders from K25 to Paducah and/or Portsmouth or vice versa.

The one thing that concerns me is if you load barges at K25 facilities or any facilities upstream of Kingston, you will have to do some dredging to do that. If that dredging interferes or some way mucks up the residues in the bottom of the Clinch River in which there is known contaminants and it reaches the water tables and water systems in Kingston and downstream users, how is the Department of Energy prepared to reimburse or give us clean water?

This has been thought of before and has been tried before. And I think the only thing that Bechtel-Jacobs wants is a quick fix under Incentive C, not looking out for downstream users and downstream people.

- 1) So one of the things that I'd like to see is some definitive data, not comments or professional judgments, definitive data, that there is no residue disturbance that will occur in a barge transfer.
- 2) Even if there is no dredging needed wouldn't that disturb the sediment in the water and wouldn't that make it intrusive into the downstream users' water table?
- 3) I would like to know what happens if a cylinder falls off the barge, and
- 4) How would you remediate that?
- 5) How are going to protect it and provide adequate security down through the Tennessee River into Alabama and back up through Tennessee and Kentucky?

I'd like answers to those questions before I would be willing to support any kind of action that Bechtel-Jacobs would suggest. I assume they have a conflict of interest because they are going to propose the least cost alternative in order to maximize their incentive fee under incentive contract.

I would like to know about this and DOE's views.

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D0002-1

Document D0003¹

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Draft Environmental Impact Statements
For the Construction and Operation
of Depleted Uranium Hexafluoride Conversion
Facilities at the Paducah, Kentucky and
Portsmouth, Ohio Sites

- -

PUBLIC HEARING

JANUARY 7, 2004

- - -

LOCATION: Pike County YMCA
400 Pride Drive
Waverly, Ohio

TIME: 6:00

- - -

RENO & ASSOCIATES
273 LITTLE THEATRE ROAD WAVERLY, OHIO 45690
(740) 947-9001

¹Note that pages from the public hearing transcripts that do not contain comments have been omitted from this comment response volume.

1 to me random order, as I understand it. Vina Colley.

2 Ms. Colley, if you would come forward.

3 To insure that everybody has an equitable opportunity

4 to speak, I am using a timer. So when you hear that

5 little beep-beep go off, that's me, don't worry.

6 MS. COLLEY: First of all I want to

7 say that I didn't have time to write up something.

8 They said this would be a question-and-answer session

9 here at the last meeting we came to. So we weren't

10 prepared to write up anything.

11 My name is Vina Colley, and I'm

12 president of the Portsmouth Piketon Residents for

13 Environmental Safety and Security and also co-chair of

14 the National Nuclear Works for Justice.

15 We feel that the oxide conversion

16 facility was here from '57 to '78 and it was one of

17 most hazardous radiological chemical operations at

18 Portsmouth. There were high levels of transuranium

19 problems there, and the report explains that the oxide

20 conversion process was originally established as a

21 waste recovery process. We feel that the depleted

22 uranium hexafluoride plant is another process in

23 establishing waste. It will put workers and the

24 community at risk.

1 Mounting evidence of health effects of
2 the depleted uranium on humans and the environment is
3 showing up in the Gulf War, and now lawsuits have
4 started. So this is going to be another big issue
5 here if we have this conversion plant.

D0003-2

6 In 1997 the National Institution of
7 Occupational Safety and Health, NIOSH, evaluated the
8 cylinder yard and they found that there was neutron
9 exposures there. They concluded that there was
10 potential and chronic neutron exposures in the area
11 where uranium was stored, and the cylinder yard was
12 just one of the areas that neutron exposures occurred.

D0003-3

13 Documents indicated that there's
14 various slips associated with the valves on the HF
15 cylinders deactivation and the coupling welds. So
16 we're concerned that this could be a huge problem when
17 they start moving these cylinders around. We've also
18 been told that they really don't have any expertise
19 that knows how to get these cylinders moved from place
20 to place.

D0003-4

21 In 1992 there was a valve that was
22 knocked off of one of these cylinders in the yard and
23 there was an airborne plume that left the site. The
24 workers were told to stay in the building, and I

D0003-5

1 monitored it on my own radio at home but no one in the
2 community was even notified. At no time have we ever
3 had a release in this community that the alarm went
4 off to warn the community.

D0003-5
(cont.)

5 We lack stakeholder involvement here.
6 At Piketon they made a mockery of the real public
7 involvement. I'm a stakeholder, and I've not been
8 invited to one stakeholder meeting for probably a
9 couple years.

D0003-6

10 I know that they're going to keep
11 accumulating more and more waste. We had a Russian
12 scientist that came here and we did soil samples
13 off-site, and some of the community residents want
14 their land and water and things cleaned up. We found
15 radiation levels a hundred times the background level
16 and we sent some of these samples to Russia to get
17 them analyzed further.

D0003-7

18 There's a foam that's coming down
19 through Mr. West's property where his cows are grazing
20 and drinking out of these creeks and the foam has
21 little brown particles that has radiation and uranium
22 in it.

23 We scored -- double scored the
24 superfund list here at this site, and we're asking

D0003-8

1 that we do an environmental impact statement on the
2 property and the air and the releases and the
3 community health that's been affected from here.

D0003-8
(cont.)

4 There's not enough time. I wasn't
5 prepared to do this.

6 And I looked in the book and it says
7 something about mines underground where they might
8 think about doing some storage of this waste and we're
9 concerned about that.

D0003-9

10 We're also concerned about maybe
11 burning this -- heating up these cylinders again
12 because, like I said, in 1979 we lost a cylinder here
13 and we lost 24,000 pounds of uranium hexafluoride to
14 the air, to the creeks, and to this day there's never
15 been an impact statement on the health effects of this
16 cylinder. And according to the lawsuit and the
17 community residents, it's been compared to Three Mile
18 Island.

D0003-10

19 I want to remind you we do have -- that
20 there is a citizen lawsuit that's tied up in court. I
21 didn't see it anywhere in that book. I still have to
22 read it. I want to give more comments later.

D0003-11

23 But last time we came to the last
24 meeting last month they said that we would be asking

Document D0004

26

1 you questions and you would respond because they
2 couldn't answer any questions. So that's why we're
3 not prepared for this meeting tonight.

4 MR. ARMSTRONG: Thank you. Linda
5 Howell.

6 MS. HOWELL: Hello. My name's Linda
7 Howell, and I'm just a private concerned citizen with
8 some questions about some of the things that I read in
9 the EIS statement.

10 In 1995, the Defense Nuclear Safety
11 Board gave three recommendations on the cylinders, and
12 the first one was that the coating be renewed, the
13 second one was that there be steps taken to protect
14 the cylinders from the elements, and the third was a
15 study be conducted on more suitable chemical form for
16 storage. My question is: Have these things been
17 done?

D0004-1

18 Another page in the EIS stated that
19 there have been 11 breaches or holes in the cylinders
20 and nine of those were caused from mishandling.
21 Again, that shows lack of expertise in training the
22 workers to handle the cylinders. Only two were caused
23 form corrosion.

D0004-2

24 Again, from the EIS, another question

D0004-3

1 says that many of the containers no longer meet DOT
2 requirements for physical -- for transportation
3 because of the physical deterioration or because
4 documentation has been lost and some might also
5 violate more than one requirement of DOT.

D0004-3
(cont.)

6 And it said that some of the breaches
7 could go undetected for up to four years because
8 that's the period between planned inspections and, you
9 know, I'm not real familiar with nuclear handling
10 requirements and so forth, but just as a person using
11 their common sense, one would think that four years
12 between inspections shows a lack of responsibility.

D0004-4

13 And again one further question: If the
14 requirements and the criteria that they're supposed to
15 be meeting have not been done to this point, how can
16 the public be assured that those plans that are being
17 made for the facility now will be carried out to
18 specification?

D0004-5

19 And one other thing, you asked for this
20 to be submitted if we have it in writing but mine is
21 partially in shorthand. That's why I had such a hard
22 time reading it. So I can't think you can read that.

23 MR. ARMSTRONG: Thank you.

24 Last name is Minter. I'm not sure the

Document D0005

28

1 spelling of the first name.

2 MR. MINTER: Dave.

3 MR. ARMSTRONG: Dave Minter.

4 MR. MINTER: Good evening. My
5 name's Dan Minter, and I'm the vice chairman of the
6 Southern Ohio Diversification Initiative as well as
7 the worker representative of the workforce at the
8 Piketon enrichment site.

9 Regarding the conversion activity, when
10 you consider the options of these cylinders sitting
11 and having no activity, decaying, and the
12 environmental insult that they potentially might
13 cause, there was a reference to how many breaches
14 there may have been, those would continue with the
15 surveillance and maintenance process.

D0005-1

16 Ultimately the final dispossession of
17 these materials from this site and the conversion
18 process would be the best end state and removing this
19 material once and for all from the site certainly is
20 in the best interest. It must be done in a safe
21 manner both for the workforce, the public, the safety
22 and health of the community as well as the environment
23 at the site. That is clearly something that has to be
24 done.

D0005-2

Document D0006

29

1 The rest of my comments, just making
2 that comment, I do have in writing and I'll submit
3 them in writing. That was just a general statement.
4 There you go.

5 MR. ARMSTRONG: Thank you, sir.

6 MR. MINTER: I've never been so
7 brief.

8 MR. ARMSTRONG: Ms. Colley, Ms. Howell,
9 and Mr. Minter, thank you very much. Please feel free
10 if you would like at the end to come up and extend
11 your comments one on one with the court reporter.

12 Let me ask, is there anyone who has not
13 spoken that wishes to that did not sign up outside?

14 Please state your name for the record.

15 MR. JUSTICE: Sure. Thank you. T.J.
16 Justice, Governor Taft's economic development
17 representative for southern Ohio.

18 I have no specific comments on the EIS.
19 Those are, I believe, the responsibility of the Ohio
20 E.P.A. as well as possibly the Ohio Department of
21 Health. But I did want to enter as a matter of record
22 our support for both DUF₆ facilities.

23 We have worked very hard with the
24 administration in Washington to secure funding for the

D0006-1

Documents D0006 & D0003

30

1 construction of these facilities, as Dan said, to
2 responsibly dispose of the material in question here
3 as well as look at the tremendous economic impact it's
4 going to have with regard to job creation.

5 I just want the record to reflect, as
6 is evidenced by many letters which have been sent to
7 the department of the administration, our support for
8 the project, and I believe there will be a separate
9 submission coming from the Ohio E.P.A. relative to the
10 specific EIS. Thank you.

D0006-1
(cont.)

11 MR. ARMSTRONG: Is there anyone else
12 who would like to make comments that did not sign up?

13 Yes, ma'am.

14 MS. COLLEY: Since there is time
15 left over, I just wondered -- we were told that there
16 would be some experts here to answer some of these
17 questions if we ask them. I wondered if we could ask
18 some, like the person here, he talked about E.P.A. We
19 would like to know how much authority does the E.P.A.
20 really have because if they don't have authority on
21 transportation problems and releases from this plant,
22 then who does have?

D0003-12

23 MR. ARMSTRONG: What I would suggest to
24 you, I'm quite confident that the DOE folks will

1 remain here as long as they need to and I would
2 suspect the state folks' representatives will be
3 available to discuss these type of issues with you.

4 If there is anything else you wish to
5 enter into the record, Ms. Colley, I encourage you to
6 come up afterward and visit with the court reporter.

7 Is there anyone else? This is the
8 third call, so to speak, to the altar.

9 Let me remind you, please, that
10 comments can be submitted after this meeting up until
11 February the 2nd. They must be received by that date
12 either by mail, electronic mail, or fax. That
13 information on how to submit those comments are here
14 on this poster as well as on these handouts.

15 Also I would like to encourage you to,
16 if you would like to have a personal copy of these
17 statements or a CD copy, to pick those up before you
18 leave tonight or let anyone that you know of that may
19 wish to have a copy of these know they will be
20 available at the reading room.

21 I thank you for your time and your
22 attention. I have to honestly say it's probably the
23 shortest public hearing I've conducted in 20 years of
24 my existence. I believe something, though, that Dr.

1 Margaret Meade, the imminent sociologist, said that's
2 ringing true, "Never doubt that a small group of
3 people can change the world, indeed, it is the only
4 thing that ever does."

5 And I thank you for your time and your
6 attention. I appreciate your participation tonight,
7 and I encourage you to drive safely going home. Thank
8 you.

9 It is now 5 minutes to 7:00 and this
10 public hearing is officially adjourned. DOE
11 representatives and folks from the state will be
12 available for a while after this meeting.

13 MS. CHANDLER: Jennifer Chandler, I'm
14 with Southern Ohio Diversification Initiative, and we
15 want to submit these comments for public record.

16 - - -

17 (Whereupon, the proceedings were
18 concluded at 8:00 p.m.)

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R E P O R T E R ' S C E R T I F I C A T E

I hereby certify that the transcript of the proceedings and evidence contained herein are a true and accurate transcription of my stenographic notes taken by me at the time and place of the within case; that the transcription was reduced to printing under my direction; and that this is a true and correct transcript of the same.

DENISE L. SHOEMAKER, Notary Public
in and for the State of Ohio.

My Commission Expires: January 25, 2004.

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Document D0007

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UNITED STATES
DEPARTMENT OF ENERGY

PUBLIC HEARING

SUBJECT: DOE Release of DUF6 Conversion
Facility Draft Environmental
Impact Statements

DATE: January 13, 2004

LOCATION: Department of Energy
Environmental Information Center
115 Memorial Drive
Paducah, Kentucky 42001

TIME: 6:00 p.m. to 9:00 p.m.

FACILITATOR: Darryl Armstrong

REPORTED BY: Amy S. Caronongan, RPR, CSR

Registered Professional Reporters

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1324 JEFFERSON STREET PHONE: (270) 443-9631
PADUCAH, KY 42001 FAX: (270) 443-9561

21

1 other folks that have signed up. Remember, I
2 need for you to come to this microphone and
3 speak towards the court reporter.

4 Is there anyone who doesn't understand
5 how I will conduct the comment period?

6 (No response)

7 Now, the \$64,000 question of the night.
8 Is there anyone who's not willing to help me
9 conduct the comment period in a courteous and
10 mannerly method?

11 (No response)

12 Very good. Let's begin.

13 Are there any local, state, or federal
14 officials or representatives present this
15 evening that wish to make a comment at this
16 time?

17 If you would, please step up to the
18 microphone, state your name clearly.

19 MR. ORAZINE: Thank you. My name is
20 Danny Orazine. I'm the county judge executive
21 here in McCracken County. I can't speak to
22 the document, but I can speak about the
23 project, because the local civic leaders and
24 elected leaders here have long worked with DOE
25 and our other elected representatives in

D0007-1

1 Washington -- Senators McConnell and Bunning
2 and Representative Whitfield -- on this
3 project. And we very much view this as a
4 positive project for our community, and we'd
5 very much like to see and hope that you can
6 stick to the schedule that you showed on the
7 board, and construction starts in July of '04.

8 We view this as good for the community in
9 a couple of ways. It's going to clean up the
10 environment, but we also look at the economic
11 impact of building the plant and the jobs that
12 will operate the DUF6 plant.

13 I'm not going to belabor this. I don't
14 need five minutes. But we, the elected people
15 and what people we speak for in this county
16 and also the region, very much would like to
17 see this project happen. Thank you.

18 MR. ARMSTRONG: Thank you, sir. Would
19 you spell your last name for the record,
20 please?

21 MR. ORAZINE: O-R-A-Z-I-N-E.

22 MR. ARMSTRONG: Thank you.

23 Are there any other elected officials or
24 representative from the federal, state, or
25 local level that wish to speak at this time?

D0007-1
(cont.)

D0007-2

1 (No response)

2 I wanted to make sure there. I'll
3 call -- this is like church. I'll call the
4 third time. Anybody I'm missing in terms of
5 representatives or elected officials?

6 (No response)

7 Okay. Then let me introduce Vickie
8 Jurka, J-U-R-K-A.

9 MS. JURKA: Thank you for this
10 opportunity. Active Citizens for Truth is a
11 local citizens organization interested in the
12 health effects of industrial emissions in
13 their community near the Paducah Gaseous
14 Diffusion Plant. In the spring of 2003, they
15 collaborated with staff at the University of
16 Kentucky for their first mini-seminar at Heath
17 High School regarding chemicals and health.

18 During their September meeting, members
19 developed the list of health-related topics
20 for which they are seeking speakers for future
21 seminars. And from that meeting, I would like
22 to read from the minutes.

23 The health effects of chronic exposures
24 to multiple environmental contaminants:
25 Chemicals, metals, and radionuclides.

Document D0008

24

1 The second was kidney disease associated
2 with environmental contaminants found in
3 drinking water wells near Paducah Gaseous
4 Diffusion Plant.

5 The third was lung nodules: Cause,
6 short- and long-term health effects, types of
7 treatment.

8 Number four, health effects of neptunium,
9 plutonium, and beryllium, how they enter the
10 body, what organs they target, and how the
11 organs are damaged, and how they're excreted.

12 Number five, health effects of long-term
13 exposure to low levels of radiation.

14 Number six, environmental contaminants as
15 the cause of chronic diarrhea.

16 Number seven, kidney disease damage
17 associated with the exposure to radionuclides.

18 Number eight, how environmental
19 contaminants damage human blood: Chemical,
20 metal, and radionuclides.

21 The eight topics in this list concern
22 community members because they represent
23 health conditions found in the community. It
24 is my opinion that this Draft Environmental
25 Impact Statement does not adequately address

D0008-1

Documents D0008 & D0009

25

1 the health effects on an already exposed
 2 population, those living closest to the plant.
 3 This is of special concern, because expected
 4 emissions are known to target the lungs and
 5 kidneys, what was already of concern to this
 6 community.

D0008-1
(cont.)

7 I would like to say that I'm not opposed
 8 to the conversion process, but I do think that
 9 the community this time needs to be taken into
 10 account. I will be submitting written
 11 comments at a later date. Thank you.

D0008-2

12 MR. ARMSTRONG: Thank you.

13 For the record, David Mast from
 14 Congressman Ed Whitfield's office is present.

15 That's all the speakers I have signed up.
 16 However, it would be inappropriate for me to
 17 close without first asking, is there anyone
 18 who wishes to speak that has not signed up?

19 Please step to the microphone and state
 20 your name, please.

21 MR. DONHAM: Yes. My name is Mark
 22 Donham, D-O-N-H-A-M. I just have a few
 23 questions I want to put on the record. I know
 24 they won't get answered tonight, but they can
 25 possibly be addressed through the response to

D0009-1

1 comments.

2 One has to do with the marketing of the
3 hydrogen fluoride. And it gives a figure in
4 the EIS for the demand, the national demand
5 for this particular product, aqueous hydrogen
6 fluoride. And it says that there's another
7 plant in, I believe, Geismar -- is that
8 Louisiana? -- that produces the same product,
9 but it doesn't -- it gives a total amount of
10 hydrogen fluoride that it produces, but it
11 doesn't divide it up into the two different
12 kinds.

13 And then it talks about importing
14 hydrogen fluoride from Mexico, but it never
15 does say exactly how much that Louisiana plant
16 produces. And it leaves this whole question
17 about demand and whether something -- whether
18 this product can actually be sold or not. And
19 that's a huge -- that's a huge gap in knowing
20 what's really going to happen.

21 So that's something that, I think, the
22 EIS should address. I wanted -- there was one
23 paragraph in here about transuranics -- if I
24 can find the section here -- that I made some
25 notes on.

D0009-1
(cont.)

D0009-2

1 Okay. It says: The transuranic
2 contaminants that are dispersed throughout the
3 depleted uranium hexafluoride might be
4 entrained in the gaseous DUF6 during the
5 cylinder emptying operation and carried out of
6 the cylinders. These contaminants could be
7 captured in filters between the cylinders and
8 the conversion units.

9 And then it says: These filters would be
10 monitored and changed out periodically to
11 prevent buildup of transuranics. They would
12 be disposed of as low-level waste.

13 Well, that seems inconsistent, because if
14 you're going to be capturing all the
15 transuranics, and they're going to be
16 concentrated in a certain place, why would
17 that be that low-level waste then?

18 And also, I don't like this, "... might
19 be entrained in the gaseous DUF6 ..."
20 "... could be captured in filters," that's not
21 the kind of language that I like to hear when
22 I'm talking about -- when you're talking about
23 pollution controls.

24 There's also some assumptions, such as it
25 says: It is also expected that the

D0009-2

D0009-3

1 nonvolatile forms of technetium that exist in
2 the cylinders would remain in the heels --

3 MR. ARMSTRONG: Two minutes.

4 MR. DONHAM: -- or be captured in the
5 filters.

6 And then it goes on, but there's no
7 citations. There's no references to any
8 studies. You've got a bibliography that gives
9 your references, but it's extremely hard to
10 pin what reference comes from what place,
11 because there doesn't seem to be a citation
12 after the particular sentences.

13 And also, you know, I've got an ongoing
14 concern about a cumulative impact analysis,
15 similar to the previous commenter, that NEPA
16 requires a cumulative impact look of past,
17 present, and reasonably foreseeable future
18 action. And that would include everything
19 that's been going on in the past and the
20 things that you think in the future, which
21 would be all of the cleanup activities that
22 you would expect, all the decontamination.
23 And I've never seen all of that in one
24 document as far as cumulative impact. So
25 those are my comments.

D0009-3
(cont.)

D0009-4

Document D0010

29

1 MR. ARMSTRONG: Thank you.

2 Also, I acknowledge, for the record, Tim
3 Thomas from Senator Mitch McConnell's office
4 is present this evening.

5 Is there anyone else who has not signed
6 up that wishes to speak at this time?

7 Please step to the microphone and state
8 your name for the record.

9 MR. KLEBE: Thank you. My name is
10 Michael Klebe, K-L-E-B-E. I'm an engineer
11 with the Illinois Emergency Management Agency,
12 Division of Nuclear Safety. However, here, I
13 am representing this evening the Central
14 Midwest Interstate Low Level Radioactive Waste
15 Commission.

16 The commission, who recently met this
17 past December, is very concerned about the
18 transportation of low-level radioactive waste
19 within its region. Clearly, the commission
20 acknowledges that this radioactive material
21 that would be shipped from the ETTP to either
22 Portsmouth or Paducah is federal waste and is
23 not, clearly, under the commission's
24 jurisdiction. The commission is concerned
25 about its safe transport nonetheless.

D0010-1

1 Now, I admit that I have not made it
 2 through the entire Draft Environmental Impact
 3 Statement for both of the facilities to know
 4 whether or not these issues that I'd like to
 5 address this evening are included. But as
 6 part of the -- as part of the Environmental
 7 Impact Statement, I would hope that it would
 8 include the potential impacts for
 9 transportation hazards, transportation
 10 accidents, and the impacts that this would
 11 represent to local first responders, whether
 12 or not these first responders are adequately
 13 trained, adequately supplied, adequately
 14 funded to respond to a transportation accident
 15 of the 4,000-plus casts that would be shipped
 16 from the ETTP to either Portsmouth or Paducah.

D0010-2

17 I would hope that the Department of
 18 Energy would make some very specific
 19 commitments, time frames, in terms of
 20 providing the necessary support for the first
 21 responders along the path as it travels
 22 through Kentucky, not only in terms
 23 of transpor -- not only in terms of training,
 24 but also in terms of funding for equipment and
 25 necessary materials that would be needed to

D0010-3

1 respond to any sort of transportation
2 accident.

3 Obviously, along the path, the path is
4 both rural, the path is urban. Certain
5 districts, fire departments, are more
6 technically capable than others, but certainly
7 they all should be -- they all should be on a
8 relatively equal footing in terms of funding
9 and ability and training.

10 So I will look forward to completing the
11 review of the Environmental Impact Statements,
12 and will be providing written comments before
13 the deadline. Thank you very much.

14 MR. ARMSTRONG: Thank you.

15 Final call. Anyone that has not signed
16 up that wishes to speak at this time?

17 (No response)

18 If there's anyone who wishes to place
19 their comments on the record, once I adjourn
20 the formal public hearing process, you're
21 invited to do so by coming up and visiting
22 with the court reporter. If there is anyone
23 who wishes to extend their comments for the
24 record, you are also invited to come up and
25 extend those comments one-on-one.

D0010-3
(cont.)

1 The public record will remain open and
2 accept comments from the public through
3 February the 2nd, 2004. Comments that I
4 receive by this date will be included in the
5 public record. Comments received after this
6 time will be considered to the extent
7 practical.

8 If you wish to have your comments on the
9 official record after tonight, as Mr. Hartman
10 has indicated, you may send those to him by
11 mail, fax, or e-mail.

12 Ladies and gentlemen, the time is 20
13 minutes to the hour of 7:00. I want to thank
14 each of you for coming. I'm always comforted
15 when I know that there are people that are
16 willing to give up time from their families to
17 come out to a public meeting such as this.
18 Your participation has made this meeting
19 successful. We thank you for your attendance.
20 Please be safe driving home. This public
21 hearing is now officially adjourned.

22 (The hearing was concluded at 6:40 p.m.)

23

24

25

1 STATE OF KENTUCKY

2 COUNTY OF McCracken

3

4 I, AMY S. CARONONGAN, RPR, CSR, and
5 Notary Public in and for said State of Kentucky at
6 Large, do hereby certify that the above and
7 foregoing is a true, correct, and complete
8 transcript of the public hearing taken at the time
9 and place and for the purpose set out in the
10 caption hereof; that said public hearing was taken
11 down in stenotype by me and thereafter transcribed;
12 that the appearances were as set out in the caption
13 hereof.

14 I further certify that I am neither
15 attorney for, nor counsel for, nor related to, nor
16 employed by any of the parties to the action in
17 which this public hearing is taken; and further,
18 that I am not a relative or employee of any
19 representative or entity employed by the parties
20 hereto nor financially interested in the action.

21 My commission expires on June 9, 2007.

22 Given under my hand and seal of office on
23 this the 17th day of January, 2003.

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Amy S. Caronongan, RPR, CSR
Notary Public
State of Kentucky at Large

Document D0011

PUBLIC MEETING

PRESENTATION BY MR. GARY HARTMAN

SPEAKERS :

MS. BARBARA WALTON

MR. NORMAN MULVENON

MS. SUSAN GAWARECKI

MR. CHARLES FORSBERG

FACILITATOR:

MR. DARRYL ARMSTRONG

JANUARY 15, 2004

JOAN S. ROBERTS

COURT REPORTER

P.O. BOX 5924

OAK RIDGE, TENNESSEE 37831

(865-457-4027)

1 forward. Seeing none, Barbara Walton will be
2 the first speaker; who will be followed by
3 Norman Mulvenon.

4 MS. WALTON: I'm Barbara Walton and I
5 live here in Oak Ridge and I'm speaking as an
6 individual. I appreciate this opportunity to
7 comment. I think they did a good job of
8 preparing these documents and I agree with the
9 preferred alternatives. However, we have
10 somewhat been overtaken by events and the
11 decision has been made to build the centrifuge
12 base enrichment plant at Portsmouth. And
13 partly as a result of that, and partly for
14 other reasons, the cumulative impacts section
15 of the Portsmouth document, I feel, has some
16 inadequacies, which I would like to see
17 remedied in the final EIS. They refer to a
18 1977 document, a 1977 Analysis of Environmental
19 Consequences for such an action that was done
20 by U.S. Energy Research and Development
21 Administration. This is on page 5-117 of the
22 Portsmouth document. I would like to see that
23 updated. I'm assuming that there will be an
24 EIS done for the enrichment facility that will
25 be built at Portsmouth. This document does

D0011-1

D0011-2

Documents D0011 & D0012

20

1 Portsmouth document on page 3-19. In other
2 words, they have shown the Portsmouth wetlands
3 in the Paducah document. And I assume that
4 could be corrected for the final. Also, they
5 say in the document that use of an overpack is
6 most likely to ship the noncompliant cylinders,
7 but they also analyze the building of a
8 facility in Oak Ridge. I would like a more
9 definitive statement on that. They don't
10 analyze it as an alternative or give a
11 preference, it's just a general statement and I
12 would like a definite statement that that is
13 what they plan to do. It's fine that they
14 analyze more than one thing, which is what you
15 are supposed to do in an EIS. And I think that
16 covers the major points that I had. Thank you.

17 FACILITATOR: Norman.

18 MR. MULVENON: I'm Norman Mulvenon.
19 M-u-l-v-e-n-o-n. I'm a resident of the City of
20 Oak Ridge. My main theme is to thank the
21 Department of Energy finally for issuing these
22 environmental impact statements. And the
23 second thing is that I concur with everything
24 that Ms. Walton said. Barbara is very
25 meticulous in reading these documents and is

D0011-6
(cont.)

D0011-7

D0012-1

1 one of our resources in making sure that the
2 Department of Energy follows all the rules.
3 Our main theme here in Oak Ridge is that we
4 ship those cylinders out of here. We don't
5 particularly care whether they go to Portsmouth
6 or Paducah, but they are scheduled to go to
7 Portsmouth. There are some empties that have
8 been recently sent to the Nevada test site and
9 there are some partially filled cylinders that
10 are ready to go to Ohio right now. And then
11 the bulk of them are the cylinders which are
12 going to be shipped out. Our main theme is
13 that they should leave the City of Oak Ridge.
14 They present an issue with us about being able
15 to use the K-25 or ETRP site as a
16 reindustrialization site. If you were a person
17 who wanted to lease or build a building out
18 there and all you see is thousands of these
19 cylinders stacked around it, I don't think it
20 is very conducive to people wanting to actually
21 use the site. Our main theme; ship them out of
22 here. Thank you very much.

23 FACILITATOR: Thank you, sir. Anyone
24 else registered, Fred?

25 FRED: No, sir.

D0012-1
(cont.)

Document D0013

22

1 FACILITATOR: Is there anyone who has
2 not registered who would like to speak at this
3 time? Please step forward and state your name
4 for the record.

5 MS. GAWARECKI: Good evening, I'm
6 pleased to be able to speak on the EISs. I am
7 Susan Gawarecki, G-a-w-a-r-e-c-k-i, Executive
8 Director of the local oversight committee and
9 several of our stakeholder members are here
10 tonight. We follow EISs like this quite
11 closely and will issue some official comments
12 on them. I wanted to say that I concur with
13 Barbara Walton and Norman Mulvenon and
14 especially emphasize that safe and rapid
15 shipment of the cylinders out is a high
16 priority in this community. We would hope that
17 UDS would look at this for their part of the
18 shipping very early on, involve the
19 stakeholders. Do consider the option of rail
20 transportation instead of by truck. And
21 understand that you are going to have to be
22 working with a number of states and emergency
23 management organizations as well. And there
24 are good organizations already built up and a
25 lot of planning done already. And certainly,

D0013-1

Documents D0013 & D0014

23

1 we are eager to work with the company and make
2 sure that they understand what the needs of the
3 communities are. But again, we are very
4 interested in seeing those cylinders shipped
5 out in a timely and safe manner. Thank you.

D0013-1
(cont.)

6 FACILITATOR: Thank you. Is there
7 anybody else who is not registered that would
8 like to speak at this time? Please step
9 forward and state your name for the record.

10 MR. FORSBERG: Charles Forsberg,
11 F-o-r-s-b-e-r-g. Short comment; the facilities
12 should include expandable long-term storage
13 facilities for the stable Depleted Uranium
14 Dioxide waste product. The historical record
15 of the United States and other Western
16 countries is that disposal always takes longer
17 than planned. Plan ahead.

D0014-1

18 FACILITATOR: Thank you, sir. Is there
19 anyone else who would like to speak who is not
20 registered at this time? This is like church,
21 you are going to get two more calls. Anyone
22 else? Is there anyone who would like to extend
23 their comments who has already spoken? If
24 there is anyone who would like to give their
25 comments one-on-one with the court reporter

1 privately at the close of this session, she
2 will be available until the close of business
3 on this hearing which is at nine o'clock. The
4 DOE and the Argonne National Laboratory
5 representatives are available following this
6 meeting, if you would like to meet with them
7 privately one-on-one or discuss any issues with
8 them. The public record will remain open and
9 accept comments from the public through
10 February 2, 2004. Comments that are received
11 by this date will be included in the public
12 record. Comments received after this time will
13 be considered to the extent practical. If you
14 wish to have your comments on the official
15 record after tonight, you may submit written
16 comments by mail, by fax or by e-mail directly
17 to Mr. Gary Hartman with U.S. Department of
18 Energy. That information is on page five of
19 his presentation. Fred, what time is it back
20 there?

21 FRED: Quarter to seven.

22 FACILITATOR: Ladies and gentlemen, it
23 is 6:45. I want to thank each of you for
24 coming this evening. I am always comforted to
25 know that people are willing to take time away

1 from their families to come to meetings like
2 this and let their opinions be known on such
3 projects. Participation has made this meeting
4 successful and we thank you for your
5 attendance. Please be safe driving home. This
6 meeting is now officially adjourned.

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CERTIFICATE

I, JOAN S. ROBERTS, NOTARY PUBLIC AT LARGE
FOR THE STATE OF TENNESSEE AND COURT REPORTER
DO HEREBY ACKNOWLEDGE THAT THE FOREGOING TWENTY-SIX
PAGES ARE A TRUE AND CORRECT TRANSCRIPT OF THE
PUBLIC MEETING TAKEN BY ME IN THIS CAUSE ON THE 15TH
DAY OF JANUARY, 2004.

THIS THE 23RD DAY OF JANUARY, 2004.

JOAN S. ROBERTS, COURT REPORTER

Document D0015



PACE Local 5-689

PAPER, ALLIED-INDUSTRIAL, CHEMICAL AND ENERGY INTERNATIONAL UNION, AFL-CIO

Community And Workforce Questions For The Public Draft Environmental Impact Statement (ESI) Hearing January 7th, 2004 - Waverly, Ohio.

Dan Minter, President
Bill Dimit, V. Pres.

P. O. Box 467
Piketon, OH 45661

Delivery Add: 2288
Wakefield Mound Rd

PH: (740) 289-2405
FAX: (740) 289-2126

E-Mail:
paceport@zoomnet.net

- | | |
|--|----------------|
| <p>1) PL 107-206 -- Assurance that construction of both plants will be started on schedule on July 31, 2004. Further, both sites' construction must proceed expeditiously thereafter. (Section 502(c) of the Act) Meeting schedule is an environmental compliance issue.</p> | <p>D0015-1</p> |
| <p>2) Has DOE provided sufficient funds for construction of both plants for FY 05? This speaks to the question of whether statutory intent will be honored fully, or whether it will be constrained by allocation of funds in the President's budget request. Failure to meet schedule is an environmental issue.</p> | <p>D0015-2</p> |
| <p>3) PL 107-206 provides access to the \$373 million by the Secretary without need for further appropriation, by virtue of removing the fence on the expenditures of funds. This money is in account number 95X4054 in the U.S. Treasury. The GAO's Letter Report January 19, 2000 to Chairman Billy Tauzin of the House Energy & Commerce Committee regarding the use of funds for the Portsmouth Cold Standby Plan (B-286661), states that the USEC Fund is available to meet the authorized purposes of the McConnell Act (P.L. 105-204). Please explain whether and how DOE is using these funds? If not, please explain why?</p> | <p>D0015-3</p> |
| <p>4) Are there foreign ownership and control issues that are impairing the ability of the contractor and DOE to meet the statutory schedule? If so, what are the plans for resolving this potential delay?</p> | <p>D0015-4</p> |
| <p>5) Socioeconomic Impact - Will DOE direct Bechtel Jacobs to admit UDS to the Multiple Employer Pension Plan? If not, please advise how DOE will assure that UDS will provide pension continuity?</p> | <p>D0015-5</p> |
| <p>6) It appears from the supplied data that impacts no action would in fact pose greater risk to environment and public safety? This is based on decay of the containment vessels and surveillance painting potential impacts and other required up-keep activities. Is this what the EIS is stating based on a no action plan?</p> | <p>D0015-6</p> |
| <p>7) How, given the risks of a no action option and the fact that time is not an element conducive to the current method of vessel storage, provisions of Public law 105-204 and 107 -206, clear Congressional intent and 1/3 billion in available funding; why is a no action option even a proposed option under consideration?</p> | <p>D0015-7</p> |

Document D0016



1864 Shyville Road, Piketon, Ohio 45661

Southern Ohio Diversification Initiative

Phone: 740-289-3654 or 289-4861

Fax: 740-289-4591

January 7, 2004

Gary S Hartman
US Department of Energy – Oak Ridge Operations
PO Box 2001
Oak Ridge, TN 37831

Dear Mr. Hartman:

Thank you for the opportunity to comment on the US Department of Energy's Draft Environmental Impact Statement for the proposal to construct, operate, maintain and decontaminate and decommission a depleted uranium hexafluoride conversion facility at the US DOE Piketon Site. We believe that the best alternative to dealing with the DUF₆ waste at the US DOE Piketon site is to build the DUF₆ Conversion Plant, as directed by Public Laws 105-204 and 107-206, at Piketon, Ohio, to convert the material into a more stable form for use and/or disposal. We also agree that location A (former lithium hydroxide monohydrate storage area) is the best location for the facility.

D0016-1

We oppose the no action alternative and long-term storage of the cylinders and conversion products at the US DOE Piketon site. As the designated community reuse organization, SODI expects to be involved in the sale of conversion products so that revenues will be used to benefit the community and local governments that are hosting and supporting the conversion plant operations. We also oppose the construction of one conversion plant for two sites.

D0016-2

D0016-1 (cont.)

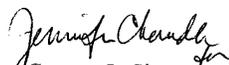
Because the DUF₆ material is chemically toxic to humans if released into the atmosphere, it is imperative that safety and health issues are given top priority to protect the workers, the community, and the environment. We do not support the transport of "repaired" or "as is" non-compliant cylinders from ETTP to Piketon. We strongly urge US DOT not to grant exemptions, but to require DUF₆ contents to be transferred from non-compliant cylinders to new or compliant cylinders prior to shipment to Piketon. Shipping and then storing non-compliant cylinders from ETTP at Piketon increases the risk of exposure to toxic chemicals to workers, the community, and the environment. We also believe that DUF₆ cylinders from ETTP should be shipped only as the Piketon inventory of DUF₆ material is safely converted and space becomes available.

D0016-3

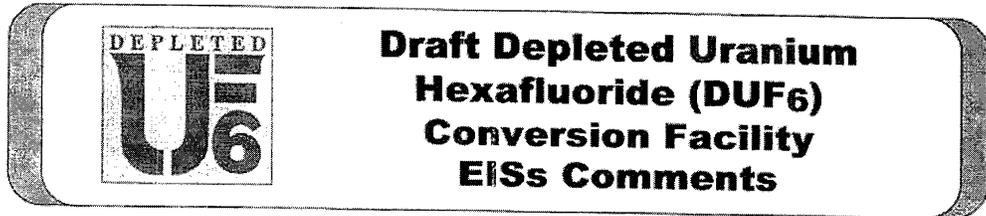
D0016-4

Please provide a written response to the SODI Board of Directors, 1864 Shyville Road, Piketon, Ohio, 45661. If you have any questions or need additional information, please contact me at (740) 289-3654.

Sincerely,


Gregory L. Simonton
Executive Director

Document D0017



This form is provided for you to submit your comments on either or both of the Draft Environmental Impact Statements for construction and operation of DUF₆ Conversion Facilities at the Paducah and Portsmouth sites. Please give this completed form to one of the meeting hosts or take it with you and mail it in. Make your comments, fold the form, tape it shut, place a stamp on the outside and drop it in the mail.

Gary Hartman
 U.S. Department of Energy
 Oak Ridge Operations
 P.O. Box 2001
 Oak Ridge, TN 37831

Comments must be received no later than February 2, 2004

OLD
HERE

Please provide this information:

FOLD
HERE

Name Steve Meiners
 Title/organization Regional Manager / SEC (Safety & Ecology Corp.)
 Mailing address 2000 McCracken Blvd.
Paducah
 State Kentucky Zip+four 42001

Please indicate if the comment is for Paducah DEIS Portsmouth DEIS Both DEISs

E-mail (I wish to receive DUF₆ Conversion Facility EISs information by e-mail at this address) smeyners@sec-tn.com

OLD
HERE

Please consider large transport in a second draft EIS for public comment. Range is more economical and safer than truck or rail transport. It is safer for the public because it involves no onboard fuel and does not place the cylinders in harms way in proximity to fuel trucks and other fuel-laden conveyances moving at high speed in opposing and cross-traversing traffic.

FOLD
HERE

D0017-1

WITHHOLDING OF PERSONAL INFORMATION
 It is DOE's practice to make comments, including names and addresses of commenters, available for public review. Individuals may request that their home address be withheld from the publicly available record, and DOE will honor such requests to the extent allowable by law. Circumstances may also arise in which DOE would withhold from the publicly available record a commenter's identity, as allowable by law.
 If you wish DOE to withhold your name and/or address, you must state this prominently at the beginning of your comment. However, DOE will not consider anonymous comments. DOE will make all submittals from organizations or businesses, and from individuals identifying themselves as representatives or officials of organizations or businesses, available for public inspection in their entirety.

Document D0018



Ohio Department of Natural Resources

BOB TAIT, GOVERNOR

SAMUEL W. SPECK, DIRECTOR

Division of Real Estate and Land Management
 Paul R. Baldrige, Chief
 1952 Belcher Drive – Bldg. C-4
 Columbus, OH 43224-1386
 Phone: (614) 265-6384

January 12, 2004

Gary S. Hartman
 U.S. Department of Energy-Oak Ridge Operations
 P.O. Box 2001
 Oak Ridge TN 37831

Dear Mr. Hartman:

The Ohio Department of Natural Resources (ODNR) has completed a review of the *Draft Environmental Impact Statement (DEIS) for Construction and Operation of a Depleted Uranium Hexafluoride Conversion Facility at the Portsmouth, Ohio, Site (DOE/EIS – 0360)*. These comments have been prepared under the authority of the Fish and Wildlife Coordination Act (48 Stat. 401, as amended; 16 U.S.C. 661 et seq.), chapters 1531 and 1533 of the Ohio Revised Code, the National Environmental Policy Act, and other applicable laws and regulations. These comments are the result of project reviews within multiple ODNR Divisions and collectively reflect ODNR's experience as a state resource management agency. These comments do not supersede or replace the regulatory authority of any local, state or federal agency nor relieve the applicant of the obligation to comply with any local, state or federal laws or regulations.

ODNR has no concerns with this proposed project. No rare or endangered species, unique natural features, state nature preserves or scenic rivers were identified within or adjacent to the project site. Additionally, ODNR does not think the proposed project will negatively impact any rare or endangered species, ODNR properties, or rare geological features outside of the project area.

ODNR appreciates the opportunity to provide these comments. If you have any questions, please call Randall E. Sanders, Environmental Administrator, at 614.265.6344.

D0018-1

Sincerely,

Paul R. Baldrige, Chief
 Division of Real Estate and Land Management

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cc. Scott Zody, Deputy Director

Document D0019

Submitted in writing at the Oak Ridge hearing on January 15, 2004.

The EIS does not describe the role of the U.S. Nuclear Regulatory ~~Commission~~ Commission (USNRC), especially in licensing the product for disposal.

Clarifying the role of various licensing agencies would be beneficial to the reader.

D0019-1

M. Janeth Haire
116 Greenbriar Ln.
Oak Ridge, TN 37830

The product of the conversion facilities is said to be U₃O₈. In fact it is a complex mixture of uranium oxides, urania. Most of the beneficial uses of depleted uranium use uranium dioxide, UO₂. I urge the Project to include provisions to fabricate UO₂.

D0019-2

M. Jonathan Haire
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37830