

U.S. DEPARTMENT OF ENERGY

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DRAFT LONG-TERM MANAGEMENT AND STORAGE OF ELEMENTAL  
MERCURY  
ENVIRONMENTAL IMPACT STATEMENT

PUBLIC HEARING

Monday, February 25, 2010

5:30 p.m.

Shilo Inn, O'Callahan's Convention Center,  
780 Lindsay Boulevard, Idaho Falls, Idaho

Linda Robinson, Facilitator

PANEL MEMEBER:

William Levitan, U.S. Department of Energy

Reported by: DiAnn Erdman Prock

CSR SRL 963, CCR, RPR



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F O R M A L   C O M M E N T   S E S S I O N  
I N D E X

NAME	PAGE	LINE
WILLIE PREACHER	4	3
ERICK NEHER	6	17



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1 (WHEREUPON, the formal comment session  
2 proceeded at 6:52 p.m. as follows:)

3 \* \* \* \* \*

4 MS. ROBINSON: Okay. This is now the  
5 beginning of your opportunity to present formal  
6 comments on this draft environmental impact  
7 statement.

8 The court reporter is DiAnn Prock, and  
9 her objective is to produce a complete and an  
10 accurate record of comments, and she'll put them in  
11 a transcript which will appear later on in the  
12 client EIS.

13 It will help if we keep it quiet, but  
14 you all are already very good at that tonight.

15 I'll call the speakers in the order of  
16 which they registered. I have three.

17 MR. LEVITAN: I would like -- I don't  
18 know if Mr. Preacher is first on your list -- I  
19 don't know, Willie, if you were going to make a  
20 comment, but if you are, I'd appreciate, Linda, if  
21 you would allow him to go first --

22 MS. ROBINSON: Please, Sir, do come  
23 forward.

24 MR. LEVITAN: -- as he has a meeting at  
25 7:30.



1 MS. ROBINSON: He's going on the record.

2

3 WHEREUPON,

4 WILLIE PREACHER was called forward to  
5 present public comments and the following  
6 proceedings were had:

7

\* \* \* \* \*

8

9 MR. PREACHER: My name is Willie  
10 Preacher, and I'm a member of the Shoshone Bannock  
11 Tribes, and with the ROD that's going to be signed,  
12 the tribe is extremely grateful that Texas is going  
13 to be taking this elementary mercury.

14 There's been a lot of issues that have  
15 been going on with the INL, which is out here,  
16 particularly transportation and the safety aspects  
17 of our aboriginal treaty right areas that we have  
18 had at one time and we still use and occupy the  
19 area.

20 One of the main issues that we wanted to  
21 discuss and convey to DOE when they were here last  
22 is to find an alternate site instead of the INL.

23 And I know that hasn't been quite  
24 decided yet, but let's hope they go with the ROD and  
25 their decision and take it to Texas, and the tribes



1 are okay with that here.

2 The other question I think I had was in  
3 Texas, are there other tribes in Texas that may be  
4 affected by this site?

5 MR. LEVITAN: There are not, Willie.  
6 There are no tribes in that area.

7 MR. PREACHER: And with that, that's all  
8 I needed to say.

9 MS. ROBINSON: Thank you, sir. And  
10 since I didn't have your name here, would you leave  
11 your spelling with one of the ladies at the desk  
12 because we want to get it spelled right.

13 MR. LEVITAN: Thanks.

14 MS. ROBINSON: Thank you so much.

15 We invite you to give your full name and  
16 your organization, if you are representing one, and  
17 if there needs to be a spelling for the court  
18 reporter to get it right, you can do that, too.

19 The people who have signed up, I think  
20 you have your spellings. Okay? At least of your  
21 names.

22 Once everyone who has signed up to speak  
23 has spoken, I will then open the floor to anybody  
24 who is inspired to speak, so you will have an  
25 opportunity. Or even if someone already spoke, you



1 can come back.

2 If you have an extremely long comment,  
3 like pages and pages, I would ask that you summarize  
4 it here, and then you're invited to turn it in in  
5 its entirety, and the entire thing will be included  
6 as your comments, and you will turn that in either  
7 to me or at the front desk, but I guess people might  
8 not want to hear an hour or so.

9 Okay. Let us begin. The first person,  
10 and I'm going to name the next one so that you'll  
11 know that you're going to be the next one up if  
12 you'll get ready.

13 Erick Neher first followed by Bruce  
14 LaRue.

15 Erick?

16

17 WHEREUPON,

18 ERICK NEHER, was called forward to present  
19 public comments, and the following proceedings were  
20 had:

21

\* \* \* \* \*

22

23 MR. NEHER: Sure. My name is Erick  
24 Neher. I'm representing the State of Idaho and the  
25 Idaho Department of Environmental Quality.



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1 MS. ROBINSON: I'm sorry. Can you all  
2 hear? I can barely.

3 MR. NEHER: Is this on?

4 MS. ROBINSON: It was on.

5 MR. NEHER: I'll speak up a little  
6 louder.

7 My name is Erick Neher. I represent the  
8 Idaho Department of Environmental Quality. I have  
9 just a few brief comments, and I want to submit some  
10 formal written comments from our director's  
11 office.

12 To begin, DEQ and the State of Idaho are  
13 appreciative of the thoroughness of the draft  
14 Mercury EIS and are supportive of the preferred  
15 alternative proposed by IDP for storage of the  
16 mercury at the WCS facility in Texas.

17 Furthermore, DEQ is appreciative of the  
18 significant progress that has been made at clean-up  
19 of the legacy waste at the INL, and believes that  
20 storage of mercury at the INL would be contrary to  
21 the vital progress and to the INL's primary energy  
22 mission.

23 Finally, DEQ believes that the Texas WCS  
24 facility, a commercial operation specifically  
25 designed to receive and store hazardous waste, is the



1 best alternative as the facility is already well  
2 characterized and proven suitable for long-term  
3 storage, and is permitted already for receipt of and  
4 waste management activities.

5 With that, I'd just like to provide my  
6 written comments.

7 Over here?

8 MS. ROBINSON: Thank you, sir. I'll  
9 take it.

10 MR. NEHER: Okay. Thank you.

11 MS. ROBINSON: Thank you very much.

12 MR. LaRUE: I thought that was the  
13 sign-in sheet. I don't have any comment.

14 MS. ROBINSON: Okay. Great.

15 Willie Preacher we already had. So --  
16 that was Willie, correct?

17 MR. LEVITAN: Right. Absolutely.

18 MS. ROBINSON: And that's all the people  
19 who have signed up to speak tonight.

20 Would anybody else now like to make a  
21 comment?

22 (No audible response.)

23 MS. ROBINSON: Okay. Well, then, that  
24 is the case.

25 I thank you all for coming to express



1 your opinions and to learn. Thank you all for  
2 coming.

3 Do we have a speaker?

4 (No audible response.)

5 MS. ROBINSON: I'll let Mr. Levitan make  
6 closing remarks.

7  
8 (Whereupon, the public hearing concluded  
9 at 8:30 p.m.)

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REPORTER'S CERTIFICATE

STATE OF IDAHO )  
 ) ss.  
COUNTY OF BONNEVILLE )

I, DiAnn Erdman Prock, CSR, CCR, RPR, a  
duly commissioned Notary Public in and for the State  
of Idaho, do hereby certify:

That I took down in Stenotype all of the  
proceedings had in the before-entitled matter at the  
time and place indicated, and that thereafter said  
Stenotype notes were transcribed into typewriting at  
and under my direction and supervision, and the  
foregoing transcript constitutes a full, true and  
accurate record of the proceedings had.

I further certify that I have no interest  
in the event of the action.

WITNESS my hand and seal this 3rd day of  
March, 2010.

1st DiAnn Erdman Prock

DiAnn Erdman Prock  
Idaho CSR SRL 963, CCR, RPR  
Notary Public in and for  
the State of Idaho

My Commission Expires: 11-14-2013



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