

U.S. DEPARTMENT OF ENERGY

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

PUBLIC HEARING

MARCH 4, 2010

5:30 P.M.

NORTH AUGUSTA MUNICIPAL CENTER
100 GEORGIA AVENUE
NORTH AUGUSTA, SOUTH CAROLINA

LINDA ROBINSON, FACILITATOR

PANEL MEMBER:

DAVID LEVENSTEIN, U.S. DEPARTMENT OF ENERGY

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1 Lee Poe: I think since the DOE has
2 been assigned the responsibility for this project
3 that the EIS should include disposal, mercury
4 disposal, not storage only, not short-term storage.
5 Forty years is short-term. I think that that
6 should happen, and I realize it's not in the draft,
7 but it should be in the final EIS.

8 Another independent one. I think the
9 EIS should consider equity for whoever is selected
10 as the recipient of this responsibility.

11 I guess another one is, I have -- I'm
12 still uncomfortable with hearing DOE come up
13 with the -- they are picking up the responsibility
14 for ten times the mercury that they now have, if I
15 read that statement correctly, and that should be
16 fairly very clearly elucidated.

17 I have one more comment, and that
18 comment is, from listening tonight to the
19 description of the accident analysis, I have to
20 tell you, I question whether or not you've done an
21 accident analysis. It sounds -- it sounds too much
22 like an: Oh, yeah, that feels pretty good to me so
23 let's just assume that it's acceptable.

24 I will go back and look, David, and I
25 will -- I assure you that I will take the EIS CD

1 that you gave me and look at the accident analysis.
2 I did not do that yet, but I would expect to find
3 that it doesn't quite treat as I think an EIS
4 should treat the accident analysis, the
5 consequences and the risks from these accidents.
6 Thank you.

7 RICHARD GEDDES: I've been inspired.
8 My name is Richard Geddes. I did sign the other
9 thing so you have the spelling and address out
10 there.

11 I have a few comments, a few short
12 comments, I guess. There is a law that gives DOE
13 the responsibility. Section five of that law
14 says -- the first sentence basically says: Not
15 later than January 1, 2010, the Secretary of Energy
16 shall designate a facility or facilities of the
17 Department of Energy for this purpose.

18 Well, my guess is the department says
19 it's okay to break the first part of that law, they
20 haven't met the January 1, 2010, and they consider
21 it okay to break the second part of that law, the
22 second part because I do not see that the Andrews,
23 Texas, or the Hawthorne sites meet the definition
24 of a facility of the Department of Energy.

25 I notice your slide up there. It

1 says -- on several where you have the sites you say
2 five DOE sites, a commercial site and an Army site.
3 My comment is, I don't believe your selections
4 comply with the requirements of the law.

5 Also, you know that I had previously in
6 the earlier facility meeting, suggested that the
7 Department consider some buildings in the F area at
8 SRS, which I believe are the best existing
9 buildings in the country for this purpose. Looking
10 through the draft, I find some fine print buried
11 back there that says the Department says those
12 buildings are in use and not available.

13 Well, as I noted in my comments, they
14 are in use for some temporary storage for
15 construction supplies.

16 Now, these buildings are special
17 purpose buildings built to handle high density
18 materials, meet the protection requirements,
19 nonflammable. They meet your needs. There are
20 prior analyses for them. They have rail access, et
21 cetera, et cetera.

22 A higher and best use of these
23 buildings would be for the -- or the taxpayers'
24 investment would be for mercury storage, not for
25 some temporary storage of construction supplies.

1 In fact, I just happened to read the
2 site's brand-new ten-year plan today, and it says
3 those buildings have no further use and after 2014
4 they are scheduled to be demolished. So I do not
5 think that's a valid answer that says they're not
6 available for this purpose.

7 Let's see. In comparing your slides
8 with the map on page three -- wait a minute --
9 slide three, the map of where mercury is, and slide
10 seven of potential sites, you'll notice that SRS is
11 a logical choice because the sources are in the
12 east, SRS is in the east, and all the other sites
13 are in the west, and for those of you who are
14 concerned about transportation, the way to minimize
15 risk in transportation is to locate it at SRS.

16 I'd also like to point out your slide
17 nine, which says here's existing facilities. It
18 says Idaho's got some, a couple other places. You
19 fail to recognize that SRS has some. In fact, SRS
20 has got the best facility -- existing facilities in
21 the country.

22 Your comments about the 11/14
23 procedures on how to manage and surveil this
24 material in storage, you would find those are
25 almost identical to the way we have managed and

1 stored uranium in these same buildings for the last
2 50 years with weekly inspections, et cetera.

3 Again, just a final -- to summarize
4 that, SRS has facilities, has a history of managing
5 material like this. It's a preferred site from a
6 location standpoint and I dispute your choice of
7 Andrews, Texas, being a preferred site,
8 particularly when I don't believe it complies with
9 the law that requires it to be a DOE site. That's
10 all.

11 LEE POE: I guess I would like to --
12 and it's as much a question as anything else. Rick
13 kind of touched on it. Well, I don't know if it's
14 a question. If it is, then fine, we can do it at
15 the end, but if it needs to be a comment...

16 If I understood you correctly, Nevada
17 has the largest inventory of mercury at this point
18 in time. The question was: If it turns out that
19 Nevada has the bulk of the mercury then I think
20 Nevada ought to be considered as a location for
21 this facility, for this action, and that -- you
22 know, that's the -- you know, it depends on his
23 answer. If he tells me, I didn't say that, then
24 okay, I'll back away from Nevada because I couldn't
25 care less whether Nevada gets it or not.

1 I will comment -- I'll make a comment
2 now. DOE needs to be better about fulfilling their
3 requirements than we have seen in this area. You
4 know, we've got two or three things going on around
5 here, and one that really sits in my craw mostly is
6 high-level waste going to the Yucca Mountain. DOE
7 has promised it and we spent billions of dollars to
8 make that happen and all of the sudden we take --
9 we give in to political pressure. That's what I
10 mean.

11 Now, I think that's -- I think that's a
12 travesty. Now, I would agree with Rick probably
13 that storage at SRS might be good. With the DOE
14 background that I've had with this thing, I don't
15 think DOE can be trusted. So I'm expressing that
16 concern on trust. You need to develop and build
17 the trust.

18 We've also got the depleted uranium
19 that Rick was talking about that we are one-third
20 of the way sending it out there and all of the
21 sudden they say, oh, we can't take it anymore.

22 RICHARD GEDDES: Get the waste control
23 specialists out.

24 LEE POE: Yeah. So, you know, I'm
25 concerned and I would oppose taking it to SRS if we

1 don't have better understanding between the
2 stakeholders and DOE, and I'm just burned over
3 DOE's commitment to doing the right thing. So I
4 don't know how you'd write that as a comment,
5 but...

6 (The comments session was concluded at
7 7:13 p.m.)

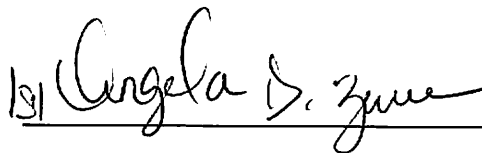
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1 CERTIFICATE OF REPORTER
2

3 I, Angela D. Zuver, Court Reporter and
4 Notary Public for the State of South Carolina at
5 Large, do hereby certify that the foregoing
6 transcript, pages 1 through 10, is a true,
7 accurate, and complete record.

8 I further certify that I am neither
9 related to nor counsel for any party to the cause
10 pending or interested in the events thereof.

11 Witness my hand, I have hereunto
12 affixed my official seal this 12th day of March,
13 2010 at Lexington, Lexington County, South
14 Carolina.

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18 _____
19 Angela D. Zuver, Court Reporter

20 My Commission expires

21 July 2, 2014
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