



PUBLIC COMMENTS SUBMITTED VIA LINE COMMISSION WEBSITE
Week of December 3, 2012

Mr. Jim Banholzer P.O. Box 10039 Ketchum, ID 83340

(208) 720-2196 smavo@cox.net This is an important subject I have been passionate about for many years and I would like to submit my public comment in three parts. Here is part one:

Thank you.

We need whistleblowers

Idaho Mountain Express December 17, 2008

It's disheartening to see factories that churn out the most hellacious waste in the world plopping down into Idaho lava fields, set up high-paying jobs, and then become integrated into the area via churches, spirited Little League ball teams and 4-H clubs. When something dreadful occurs at a nuclear site, often our culture covers it up.

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Whistleblowers are terrified of repercussions, being shunned by society and worse. Few want to be known as killing the goose with the golden eggs, even if they are speckled with plutonium. Three years ago, right before Christmas, there was a news splash at the Los Alamos, N.M., laboratory. Five workers were exposed to the highly carcinogenic PU-239. It took several days before this information came out to the public. Then it was through the Project on Government Oversight that co-workers coughed this up to, rather than their own trusted government and contractor.

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Ironically, of all the jobs I've labored on, the rules insisted that every accident, no matter how small, be reported even if it's a cut from a piece of paper as tiny and insignificant as America's Constitution.

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It's not right that our best men juggling the most dangerous element under the sun should be skittish about reporting disasters that hold far-reaching ramifications. After all, would not the open reporting of near catastrophes aid in preventing similar events? The same season as the 2005 Los Alamos incident, some Department of Energy spokespersons drove over to Sun Valley, claiming they care about the environment and their grandchildren. If this is true, then they should invite aspiring scientists to join a contest designing foolproof, double-blind whistleblower systems. A Rube Goldberg category could be included to generate interest among innovative high schoolers who (for the past eight years) have had more open dialogues than the highest levels of our own government.

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Unlike the exposed workers whose health benefits will likely be terminated once they are let go, the winner could receive a lifetime POGO magazine subscription.

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Simpson all wet about nuclear energy
Times News
June 08, 2009 11:00 pm

It's disconcerting to read Rep. Mike Simpson touting the most dangerous element under the sun (Idaho Statesman, May 31) as the best green option in the energy debate. Mr. Simpson says, "France learned long ago that nuclear energy is safe, abundant and cheap."

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While it is true that France uses more than 80 percent nuclear power for electricity, there is a big brouhaha going on over there about some enormous problems this has brought. For instance, where do you think the elite French are trying to lay their insidiously deadly toxins to rest for millennia? Why it's being shoveled into poor people's backyards, of course. Much like the Three Mile Island skeleton core transported to radiate here in meager Idaho's National Lab.

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While he claims nuclear energy is safe, perhaps Mr. Simpson does not realize that a uranium leak last summer in one of France's nuclear plants led to a fishing, swimming and well-water drinking ban in two Vaucluse rivers. How would he feel if we found ourselves forced to forbid recreational boating, fishing and simple splash-splashing in our Snake?

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At the conclusion of Rep. Simpson's argument he asks, "Who wants their grandmother's kidney dialysis machine to rely on wind energy on a calm day or solar energy when the sun is not shining?" This is preposterous fear mongering. Naturally, concerned relatives would want reliable backup generators available for such important concerns. And currently some inspired scientists are developing innovative products that run off both solar and wind power and only need charged every four days.

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Instead of greenwashing Grandma with putrid plutonium promises, perhaps she would rather see us funding her grandchildren's colleges with more research and development departments to augment what safe, abundant and inexpensive sun and wind can generate for us, and the lifesaving machines we rely upon.

Mr. Richard Newcomb 1401 Gwen Dr. Pocatello, ID 83204

(208) 237-1186 idahonewk@gmail.com Please STRONGLY consider Thorium based reactor research and development. INL is the logical location for related engineering. Thorium reactors have solid win/win benefits. <http://energyfromthorium.com/>

Mr. Dale Ewersen PO Box 24 Bellevue, ID 83313

(208) 788-0148 dale@life-savings.com The state of Idaho should expand employment opportunities through the Idaho National Laboratory and also protect the Eastern Snake Plain Aquifer.

Mr. Leah Osborn 16837 Bates Creek Oreana, ID 83650

(208) 834-2334 bluewind@me.com REJECT.....recommendation of the Technology Subcommittee, chaired by the CEO of Battelle, that Idaho endorse INL becoming the pilot nuclear waste dump for the region... REJECT..... false premise that INL's only future is dependent on more nuclear waste coming to Idaho... The public must have participation in LINE Commissioners discussion to narrow down the recommendations that go to the Governor....Thank you for this opportunity to comment. Leah Osborn

Ms. Dawn Schuldenfrei 685 E. Bridgewater Ct. Boise, ID 83706

(208) 922-6701 drcotter72@gmail.com To Whom It May Concern:

I am writing in regards to the LINE Commissions recent progress report to Governor Otter. I absolutely do not want Idaho becoming a nuclear waste dump for the region! I have a family, with young kids, and have no desire for any, let alone more, nuclear waste in the state where we live and play. Please do not endorse any more nuclear waste in our state.

Mr. Mark M Giese 1520 Bryn Mawr Ave Racine, WI 53403

(262) 637-1503 m.mk@att.net  Please reject the recommendation of the Technology Subcommittee, chaired by the CEO of Battelle, that Idaho endorse INL becoming the pilot nuclear waste dump for the region.

 Please protect the threatened funding for INL's cleanup program by protecting the legal agreements that support it, such as the Superfund agreement and the 1995 Settlement Agreement.

 Please reject the false premise that INL's only future is dependent on more nuclear waste coming to Idaho.

 Please allow public participation in and access to the LINE Commission's discussion to winnow down the recommendations that go to the Governor.

Mr. James Reed 4799b River Rd. Buhl, ID 83316

(208) 543-0987 jamescreed@mindspring.com It is an imparative that we continue to hold parties to their agreements for clean up at INEL. The LINE commission should take time for more public comment and involmnet in any discussions of waste coming into Idaho. All discussions should be made public. I was on the train tracks in the 80's and will be back again if necessary. (with my children) Thank you....

James Reed

Mr. BRAD BAKER 1334 PONDEROSA DR. moscow, ID 83843-9445

(208) 883-3715 bbaker@uidaho.edu NO TO IMPORT OF MORE NUCLEAR WASTE INTO IDAHO

Ms. Trina Pettingill 2356 Mesa Idaho Falls, ID 83401

(208) 523-9215 trina.pettingill@inl.gov I am very much in favor in changing the Federal and State agreement on storing waste in Idaho. The Department of Energy has a very good track record of storing waste. It would create jobs here in Idaho and help our economy.

Mr. Allen Jackson 440 University rive Pocatello, ID 83201

(208) 478-6876 jakalle@isu.edu I strongly reject the recommendation of the Technology Subcommittee that Idaho endorse INL becoming the pilot nuclear waste dump for the region. It is clearly false that INL's only future is dependent on more nuclear waste coming to Idaho

There must be public participation in the Line Commission's discussion of the recommendations that go to the Governor.

Funding for the clean up is essential to support the Superfund agreement and the 1995 Settlement agreement.

Dear Jeff,

You might recall I urged at the last public meeting of the LINE Commission that public comment be made available for broad review. It's a way of helping people learn what their neighbors think about an issue, and I would say makes the conversation/dialogue more robust. An excellent example of the BRC (brc.gov), which posted everything it received for everyone to see. Another example is the Idaho Interim Energy Committee.

Will the LINE Commission web site let people see what others are saying?

Best,

Beatrice Brailsford
Snake River Alliance
Box 425
Pocatello, ID 83204
208/233-7212
bbrailsford@snakeriveralliance.org

Mr. John Rigg 3613 Red Oak Drive Boise, ID 83703

(208) 386-9849 jrigg@q.com It is all well and good we can get a few jobs with nuclear waste. But let's really innovate and look for a source of energy that is not going to leave us with a legacy of waste that is poisonous to life. We can keep nuclear waste off the aquifer that waters a large portion of Idaho and still lead the world in energy research.

Mr. Cody Bloom 1517 East ridge Drive Apt 59 Pocatello, ID 83201

(208) 244-2684 bloocody@isu.edu Idaho should not accept more nuclear waste into the INL. Transportation of nuclear waste over Idaho's scenic landscape is not worth the monetary gains that Idaho would receive. Idaho is an agricultural state with farmers and ranchers making up the bulk of the economy. Introducing more nuclear waste into the INL only exacerbates the potential of a nuclear release into the environment threatening the most precious resource of our state and our world, WATER. Governor Otter needs to hold to his agricultural roots and fight for farmers and ranchers in the area. If we have no access to water because of a toxic release into the environment we have no agriculture. Idaho and Governor Otter should stand firm against any nuclear waste entering our state. Holding to the 1995 agreement negotiated by Republican Phil Batt will ensure that nuclear waste will leave our state completely by 2035. If we renegotiate the 1995 agreement Idaho runs the risk of being the next Fukushima or Chernobyl. Idaho is too good to waste, Governor Otter. Please be the Governor of Idaho and stop nuclear waste from coming into our wonderful scenic state.

Ms. joanie fauci 2944 hillway dr boise, ID 83702

(208) 631-4748 joanie4c@yahoo.com Dear Governor Otter and LINE Commission members,

I am writing to express my hope that you will reject the technology subcommittee's recommendation to turn Idaho into a nuclear waste site. We have been through this before. Please stand firm and continue to reject accepting more nuclear waste into Idaho. We already have too much nuclear waste here. And it's sitting right on top of our aquifer. It is dangerous stuff and we do not need any more! Here or anywhere. I really wish we could stop producing it, worldwide. But I know that's asking a lot right now. But, even so, there is no reason to allow any of the waste that is produced elsewhere to come here. Until and unless a permanent nuclear waste repository gets created, that waste will end up just sitting here in Idaho. It has potential to leak, explode, release poisonous gases, and more. INL can have a future in many other technologies besides nuclear waste. It should not be held captive as a facility that will only see growth if it accepts nuclear waste. The engineers that do and can, in the future, work there are quite smart and deserve better jobs than that. And they are out there. Let's bring better jobs to INL than nuclear waste!

Ms. brandie redinger 2115 n 34th boise, ID 83703

(208) 345-2704 brandiemuseyoga@gmail.com Please protect idaho from becoming a nuclear waste dump. I grew up in Idaho Falls, I am not a foreigner to this long standing problem and how Idaho has been seen as just "hick" enough to accept the waste of our nation over our water supply. The Governor is being reckless with our public health.

Sincerely

Brandie Redinger

Mr. Steve Laflin 4137 Commerce Circle Idaho Falls, ID 83401

(208) 524-5300 slaflin@intisoid.com In regard to the progress report on Subcommittee recommendations I have the following comments.

Under Safety and Environment - I think item 4 misses the mark. CAES mission clearly does not address groundwater issues. While a worthwhile subject it is better handled by another office or state agency.

Under "infrastructure" - I'd suggest removing item 6 for the pedestrian crossing. This seems too far down in the weeds for this level of a report.

Infrastructure item 13 - I don't think road construction is an immediate need. Would be secondary to increased industry migration to the state and something to be hopefully considered in the future as required.

Under National and Global Landscape - I believe the state needs to work closely with an organization such as the Partnership for Science and Technology (PST) to help provide strong support for energy sector business development leading towards the construction of a major energy project, or relocation of a major energy sector engineering or component manufacturing firm to Idaho. The PST would also be able to continue to play an influential role in addressing the actions and recommendations developed from the LINE commission and expanding strategic partnerships with science and technology related institutions and organizations such as IACI, area universities, and regional economic development organizations in order to build a statewide and regional network.

Mrs. Mary Lou Peterson 3127 E 650 N Menan, ID 83434

(208) 569-2289 mirjam_eloisa@yahoo.com As a small business owner in Idaho Falls, I fully support the INL. After reading the proposed recommendations, I would like to add the following:

1. I support bringing in nuclear waste from other states to be treated at the AMWTP and then shipped to the WIPP or another permanent disposal facility.
2. There is no reason to not bring spent nuclear fuel to the WIPP for semi-permanent dry storage until a permanent storage facility could be sited and built. By the time a permanent storage facility is built, we might even have the technology to reprocess the spent fuel into other usable materials. Storing these materials could provide high-paying Idaho jobs building the dry storage casks as well as providing the actual storage. Accepting the spent fuel in more than just research quantities should be dependent on the storage casks being built in Idaho.
3. Traffic on the highway to the INL is an issue, but instead of widening the highway, why not put in a demonstration high-speed rail system? 400 miles per hour between Idaho Falls and the Site would make the commute much shorter and could even support another potential Idaho business spin-off - high speed rail.
4. The INL should be at the forefront of designing and manufacturing small modular reactors. There should be a demonstration project with a reactor built out on the Site to supply power to the local Eastern Idaho grid. Idaho should fight with DOE to make sure the small modular reactor work is centered in Idaho, not in South Carolina or New Mexico.

From: Peter Rickards [<mailto:nifty1@cableone.net>]

Sent: Thursday, December 06, 2012 10:19 PM

To: vailarth@isu.edu; dnellis@uidaho.edu; markrudin@boisestate.edu; jeffery.sayer@commerce.idaho.gov; Mayor External; nsmall@shoshonebannocktribes.com

Subject: Draft report public comment Re: Public Comment To LINE Commission 6/29 meeting- Cyber terrorism & plutonium nanoclusters say NO to more nuclear waste & projects

IDAHO FAMILIES FOR THE SAFEST ENERGY

To the LINE Commission on your draft report:

At the Twin Falls meeting, I complained LINE was refusing to address the documented safety problems and misinformation I showed you below in our group's LINE June meeting comments.

Mr Sayer replied they would indeed answer our issues in their draft report, but that was just another broken promise from the State officials and INL. As we predicted, no answers were given by the Commission. LINE refused to even mention meltdowns, let alone issue a report on the economic impact of a cyber-terrorism meltdown requested. LINE only detailed the economic impact of INL, and experimental Small Module Reactors.

LINE also refused to address our documents showing the Judge's wording we lost the "all means all" lawsuit that Idahoans were told we won. In fact, on page 14, you falsely brag the Settlement deal mandates "All transuranic waste will be removed from the state no later than Dec. 31, 2018."

That is just a lie which LINE decided to repeat, refusing to correct it. On page 16 you declare the buried waste clean up a "success story." While we documented to you 90% of the plutonium will remain buried, and "all" now means 10% removal, on page 22 you decided to continue the lie Butch won the all means all lawsuit deceptively saying "Two modifications to the Settlement Agreement have allowed continuation of Navy operations beyond 2035, and clarified what is meant by removal of "all" transuranic waste. The Settlement Agreement continues to provide the framework and requirements that must be met to protect the state."

So lobbyist Andrus brags to LINE we won, and "all means all." You praise Cecil, and call the badly broken promise a success. Otter's agreement to remove only 10% of the plutonium, instead of all the plutonium is what you call a "clarification of what all means."

It is treason to lie about protecting our children and our water. If Otter, LINE, and INL lie about winning the "all means all" lawsuit, Idahoans should understand they lie about the word "safe," and will lie about eventual removal of waste. Butch now brags Idaho will never be a waste repository, but in fact, he already made us a permanent plutonium dump.

We documented the INL expects the buried waste cap to leak flood water. We asked you address DOE's Dr Soderholm's devastating work showing plutonium nanoclusters move easier with water than DOE claims. You refused to mention Dr Soderholm's work, and endorse using the cap that will leak, bragging how great the cap is on page 37.

When I caught the nuclear speaker in Twin Falls lying to you about transportation and storage safety, I offered to further share DOE documents on that. You refused, but recommend "safety meetings" and a "safety officer" with a straight face.

On page 39 you show how ignorant you are about how devastating a meltdown at the planned full scale nuclear reactors would be. You refuse to inform Idahoans that the "safety plan" for a meltdown is immediate evacuation and impoundment of crops. That is the documented bottom line, that INL gambles everybody's farm, every day. Your recommendation pretends first responders are going to protect families, farms, and water saying "16. First Responder Training is important to ensure cities and states are protected against radiological threats and that responders are proficient in threat mitigation. The state should advocate for INL to provide first responder training regionally to hospitals, medical facilities and industrial sites."

No doubt, Butch wants to import more nuclear waste for the money. The full plutonium removal promised would provide over \$13 BILLION in "good paying jobs" that you worship throughout the report.

My offer to debate INL before you still stands, as offered since 1988. John Grossenbacher is afraid to debate me because I use DOE documents to prove John lies. DEQ also refuses to debate me, but I am ready, willing , and able to continue doing their job, to protect Idaho families.

Time to come clean and apologize for being the LYIN" Commission. Idaho is too great tpo evacuate.

Sincerely...Peter Dr. Peter Rickards DPM 969-0682

On Thu, Jun 28, 2012 at 2:49 PM, Peter Rickards <nifty1@cableone.net> wrote:

IDAHO FAMILIES FOR THE SAFEST ENERGY

Dear LINE Commission members,

1) Please consider DOE's Dr Soderholm's work below on how easily plutonium nanoclusters move with water. This totally contradicts the present CERCLA decision that leaves 90 % of the buried plutonium over our water supply. Please recommend Atty Gen Wasden correct the flawed CERCLA decision to leave the near ton of billions of plutonium particles, and open the new plutonium dump, ICDF.

2) Please study the STUXNET worm that destroyed Iran's nuclear infrastructure and centrifuges. As Homeland Security admits, nuclear power plants and the DOE are subject to daily attempts of cyber terrorism. Please recommend that gambling we can stay one cyber-step ahead of foreign enemies and disgruntled employees is a reason to NOT pursue nuclear power. It is best for defense to have widespread wind and other non-meltdown energy sources. Only nuclear power can force the evacuation of Idaho. Idaho is too great to evacuate.

In order not to repeat history, you must understand the broken promise to remove all the buried plutonium. Governor Otter and DEQ have misinformed the public, claiming they won the "ALL means ALL" Court case, and now claiming "INL has constantly followed through on its promises." I will use the Judge's quotes to prove the State KNEW all NEVER meant ALL, and they have intentionally misinformed Idaho families.

In the ultimate "fox guarding the hen house" moment, Idaho's nuclear Oversight Director Burke declared in media, "INL has constantly followed through on its promises." (4/27 -Times-News) That bold re-writing of history is approved by and repeated by Governor Otter. Meanwhile your Commission ponders inviting even more orphaned spent fuel into Idaho, just for the money.

How do Governor Otter and Gallatin lobbyist Cecil Andrus sweep over a ton of loose plutonium particles under Idaho's rug? Why does media allow them to incorrectly declare they succeeded to "get the waste out" and pretend they won the "all means all" legal dispute? This really is not so hard to understand. I quote the Judge's words below to show you what the media has misreported for decades. I quote the details Otter, Batt, and Andrus agreed to, leaving 90% of the billions of plutonium particles dumped, and opening a new plutonium dump onsite.

I detail exactly where DOE avoids the dangers of problems with plutonium colloids moving with water. They actually admit they expect the water barrier cap to fail. They admit they must make up estimates on colloids because they have no real data. They also admit if they removed all our acres of plutonium contaminated waste as promised, it would overflow the WIPP dump in New Mexico. This is not what Idaho was promised, and not what DEQ or politicians admit when they call the new plan "safe," and a "promise kept." I have more details, but here is a short summary of key statements and where to find them...Peter

Dr. Peter Rickards DPM Spokesman for Idaho Families For The Safest Energy 969-0682

ROD <http://ar.inel.gov/images/pdf/200810/2008100100495TUA.pdf> This is the final Record of Decision for the over a ton of scattered buried plutonium particles, billions of particles in each pound.

In response to a public comment doubting the cap over the plutonium will work to stop water, the DOE responds they do NOT expect the barrier to work either! From page 136 or webpage 156/197

"Response: The remedial action objective is to inhibit migration into the vadose zone and aquifer to meet the remediation goal of reducing infiltration to keep aquifer concentrations from exceeding MCLs. Objectives and goals are **so formulated because completely "preventing any water from reaching the waste zone" is neither necessary nor achievable over time.**"

Colloids, or microscopic bits of clay can carry plutonium, even in sluggish aquifers. DOE's Dr Kersting found plutonium colloids moved over 1 mile at the slow aquifer at Nevada Test Site in 1997. (In the below document webpage 37/50 "a well-known study at the Nevada Test Site (Kersting et al. 1999) has been frequently cited as evidence for processes that can result in rapid migration of plutonium,".

Here is the INL colloid paper used to superficially address, then dismiss DOE's Dr Kersting and the unknowns of colloids, to avoid a full clean up. Colloids are dismissed, even though the DOE guesses over 80 lbs of scattered plutonium particles will move as colloids! (2.2 lbs per kilogram)
<http://ar.inel.gov/images/pdf/200405/2004051900569GSJ.pdf> (Pu is short for plutonium)

From Abstract summary Page iii or webpage 3/50

"As a colloid, particulate PuO₂ could be transported more rapidly than soluble species of plutonium and therefore must be considered in evaluating the potential for groundwater contamination by plutonium."

Page 1 or webpage 9/50

"Because records of waste shipments to the SDA did not include detailed information about physical and chemical forms of individual waste components, and because direct field data are not available, estimates were derived for these quantities using ancillary information and scientifically defensible methods. Of particular concern is the fraction of plutonium in the form of PuO₂ (plutonium oxide) particles and the potential for this fraction to be mobilized by infiltrating water."

Page 7 or webpage 15/50

2.1 Assumptions

A series of engineering estimates were developed because of the absence of direct measurements of colloidal-size plutonium in waste streams sent to the SDA. **Each estimate involves assumptions that affect the final estimate.**

Page 21 or webpage 29/50

"For the best estimate, a total of 41.87 kg of plutonium is in the transportable particulate range, with 11.29 kg from the 1954-1963 era and 30.58 kg from the 1964-1970 era. For the 95% upper confidence limit, a total of 55.53 kg of plutonium is in the transportable particulate range, with 13.99 kg from the 1954-1963 era and 41.54 kg from the 1964-1970 era."

Page 26 or webpage 34/50

"While development of models for predicting colloid transport has progressed, gaps in knowledge make it difficult in this case to apply existing models to the question of PuO₂ transport."

Feasibility study <http://ar.inel.gov/images/pdf/200706/2007061400254TUA.pdf>

Here is one key reason DOE does not want to remove all the acres of plutonium waste at INL, because it would overflow the New Mexico WIPP facility! From page 4-67 or webpage 278/285

"Currently, WIPP is the only facility that can receive transuranic waste for disposal. Total capacity of WIPP as currently designed is 175,600 m³ (229,676 yd³); **WIPP may not have sufficient capacity to receive 242,000 drums or 50,000 m³ (66,000 yd³) of potentially acceptable waste from the SDA**, necessitating that Congress modify the WIPP Land Withdrawal Act. In addition, WIPP is expected to be filled to capacity by the year 2034. **The retrieval component of this alternative would last until the year 2037, which could pose a problem if WIPP is filled to capacity by the year 2034.**"

Here are the references as I wrote them to Gov Otter & DEQ, who have not replied...Peter

Date: Thu, May 24, 2012 at 10:30 AM

Subject: Request to Governor and DEQ to stop misinforming Idahoans by claiming INL keeps their promises- Please come clean to protect our water from plutonium

To: Butch Otter <jon.hanian@gov.idaho.gov>, rbartlett@gov.idaho.gov, susan.burke@deq.idaho.gov

Cc: fpriestley@idahofb.org, brad.little@lgo.idaho.gov

Dear Governor Otter and INL Oversight Director Burke,

We wrote to you last September asking you correct the DEQ website claim the new 2008 nuclear deal removed "most" the buried plutonium. Because we documented 90% of the dumped plutonium will remain buried, while you open a new plutonium dump for future projects, DEQ did delete the misleading incorrect wording. Director Burke claimed it was an innocent oversight and even thanked us for pointing out the misinformation.

(Post-Register: 9/30/11) "**The original wording was incorrect because the roughly 7,500 cubic meters of waste that must be removed represents only a small percentage of the disposal area's buried waste.**" & "...simply were poor choices of words and not a deliberate attempt to mislead the public, said Susan Burke, the state's INL oversight coordinator. "It was a complete error on our part, and I'm happy (Rickards) pointed it out," Burke said. "There's no intent to put any misinformation out."
<http://www.postregister.com/story.php?accnum=1064-09302011&today=2011-09-30>

However, detailed below, Director Burke is again misinforming the public, claiming "INL has constantly followed through on its promises." This needs public correction please, since both INL and Idaho politicians have clearly broken their promises, which we document below quoting the Court ruling. Since the Governor must approve of any Departments media comments, it is clear this lie is what you are directing her to say.

In fact, Governor Otter, to justify your LINE Commission, now considering importing more spent fuel, your Executive Order falsely claims "binding agreements between the State of Idaho and INL, have guided successful cleanup efforts of legacy waste at the site." Found at http://gov.idaho.gov/mediacenter/execorders/eo12/eo_12_01.pdf

Please explain why you are claiming you and INL keeps your promises when it is clear from years in Court you are all breaking your promises.

The 4/27/12 Times-News, (full article below) declared the public now trusts INL, since they keep their promises, stating:

"We delivered on our commitments," Bugger said. "We've done what we've said we would do and that's helped change the attitude."

INL has constantly followed through on its promises, said Susan Burke, INL coordinator for the Idaho Department of Environmental Quality."

The 1995 ad sent to every Idaho household from Lockheed, Batt, Andrus, Otter, and all, claimed the deal would "Say NO to leaving waste over the aquifer" and "Get The Waste Out." In fact, you just repeated your false "get the waste out" claim yesterday in the Couer d'Alene Pres bragging "It was a landmark beginning to a process that culminated in 1995 with Governor Phil Batt's crafting of a historic agreement with the Navy and the U.S. Department of Energy to get the waste out of Idaho." You falsely called this broken promise "a testament to state's rights."

How does "get the waste out" & "ALL means ALL" translate to leaving 90% buried, opening new dumps, and getting praise for keeping promises and being "successful"?

http://www.cdapress.com/news/local_news/article_f139f9b4-a52a-11e1-aed3-001a4bcf887a.html

This is clearly intentional lying, trying to convince Idahoans that the promise to remove all the cancer causing plutonium, made in 1970, and repeated since 1995, has been kept. This is now clearly so you can welcome new nuclear experiments, like the plutonium-238 production cluster, and full scale nuclear reactors, that will also bury plutonium on site, in this flood zone. The first new dump is called ICDF, and more are planned.

In our September letter, we also asked you to post for the public DOE's Dr. Soderholm's devastating work on how easily plutonium nanoclusters move with water, but that has not been done. Her great work reveals the danger of leaving so much plutonium, yet you continue to ignore this DOE document. To be clear, we share this again below.

http://www.anl.gov/Media_Center/News/2008/news080422.html

Scientists discover how the structure of plutonium nanocluster contaminants increases risk of spreading

ARGONNE, Ill. (April 22, 2008) — For almost half a century, scientists have struggled with plutonium contamination spreading further in groundwater than expected, increasing the risk of sickness in humans and animals. " & "Models have been based on the free-plutonium model, creating discrepancies between what is expected and reality."

Why do you continue to ignore DOE's Dr. Soderholms discoveries, which could be used under the CERCLA law to demand the full removal of ALL plutonium, as promised, and provide over \$13 Billion in Idaho jobs? That is more job money than the dangerous experiments you prefer, so why not come clean please?

The incorrect news article claimed the Judge ordered "ALL" buried plutonium waste be removed. That is simply NOT true, yet it is misreported repeatedly in Idaho media for over a decade.

Here is the direct quote from the Judge's ruling. He clearly understood Idaho agreed to leave half the buried plutonium by changing the definition of transuranic waste, despite their repeated claims "all means all." **The Judge shows you politicians KNEW "all" NEVER meant ALL. Now YOU are removing only 10% of the buried plutonium, and claiming INL keeps their promises!!!** You are clearly lying, aren't you? Isn't it treason to endanger our children's health, our water, and intentionally misinform Idaho families?

From page 9 of the Court ruling after the Judge read the State negotiation notes:

"In arriving at the definition of transuranic waste, the State sought repeatedly to include alpha low-level waste in the definition.

(Trever, pp. 22, 53-82). Idaho was particularly concerned about alpha low-level waste being removed because of future projects proposed by DOE at INEL which had the potential for alpha low-level waste to be stored at INEL permanently." &

"Late in the negotiations, the State ceded the point and alpha low-level waste was taken out of the final definition thereby removing any obligation upon the United States to remove alpha lowlevel waste from INEL."

So the judge only ordered HALF the buried plutonium waste be removed. You politicians and DEQ have been faking this fight for over a decade. You didn't even enforce removing the HALF you agreed too! 90% of the plutonium will remain buried, while T-N's reports DEQ and INL have kept their promises and everyone now trusts INL. Idahoans are depending on you to tell the truth.

Please respond and please admit you have been intentionally lying to Idaho families about protecting our water. Please use DOE's Dr. Soderholm's work to force the full removal of the legacy plutonium waste that Idaho has been promised for so long.

Sincerely , Dr. Peter Rickards D.P.M.
Idaho Families For The Safest Energy
208-969-0682

Chuck Broschious - Executive Director
Environmental Defense Institute
<http://www.environmental-defense-institute.org/>
Troy, Idaho 83871-0220 Phone: 208-835-5407
Email: edinst@tds.net

Here are the Court's words in full context. See page 9/34 on state ceding and allowing plutonium to remain, and allowing new projects to dump plutonium onsite

http://www.gpo.gov/fdsys/pkg/USCOURTS-idd-1_91-cv-00054/pdf/USCOURTS-idd-1_91-cv-00054-0.pdf

"a) Drafting History - Alpha Low-Level Waste and Transuranic Waste Definition:

This definition was a contested point in the negotiations. In arriving at the definition of

transuranic waste, the State sought repeatedly to include alpha low-level waste in the definition. (Trever, pp. 22, 53-82). Idaho was particularly concerned about alpha low-level waste being removed because of future projects proposed by DOE at INEL which had the potential for alpha low-level waste to be stored at INEL permanently. (Trever, pp. 22, 55-82, 166-68). This is consistent with Idaho's efforts throughout these negotiations to expand the waste subject to removal from INEL. (Frei, p. 155; Urie, pp. 182-83; Trever, pp. 9-

12, 53-82). On the other hand, the United States was insistent that transuranic waste be defined as in the EIS which excluded alpha low-level waste. Late in the negotiations, the State ceded the point and alpha low-level waste was taken out

of the final definition thereby removing any obligation upon the United States to remove alpha lowlevel waste from INEL.

13 (Grumbly, pp. 47-49; Trever, pp. 81).

Quoting DEQ stats and the 2008 "new deal" specifics...

From <http://www.deq.idaho.gov/inl-oversight/oversight-agreements/1995-settlement-agreement.aspx>

How much nuclear waste was at the INL before the Settlement Agreement was signed?

According to Idaho's INL Oversight Program, there were 261 metric tons of heavy metal from spent fuel, 65,000 cubic meters of stored transuranic wastes, another 62,000 cubic meters of buried transuranic waste, SNIPPED

On page 6/43 at http://www.deq.idaho.gov/media/550373-implementation_agreement_2008.pdf

V. TRANSURANIC RETRIEVAL VOLUME

A. DOE shall retrieve not less than 6,238 cubic meters of Targeted Waste from within that portion of the Subsurface Disposal Area identified in Appendix D attached hereto or areas immediately adjacent to those areas within retrieval enclosures constructed pursuant to this Agreement. SNIP

http://magicvalley.com/news/local/state-and-regional/the-public-opinion-tide-is-turning-for-idaho-national-laboratory/article_d6e0a035-1710-58ba-815c-a33ef2919be1.html

Nuclear Waste Cleanup Continues

The Public Opinion Tide Is Turning for Idaho National Laboratory Story

The Public Opinion Tide Is Turning for Idaho National Laboratory

By Kimberlee Kruesi - kkruesi@magicvalley.com Magicvalley.com | Posted: Friday, April 27, 2012 2:00 am

At a Glance: INL Cleanup

The Idaho National Laboratory, managed by the U.S. Department of Energy, is now in its 17th year of nuclear waste cleanup following a court settlement with the state of Idaho. A look back:

1995 • Settlement agreement reached between the state of Idaho, U.S. Navy, and DOE that requires DOE to meet certain waste cleanup obligations. Among them:transuranic waste stored at INLmust leave the state of Idaho by 2018.

2006 • Amid a dispute over the terms of the agreement, a federal judge rules that the DOE must remove all buried waste from the INL site.

2008 • Due to definition disputes of “all,” the state agrees to a new deal that allows DOE to seal and leave in place some waste in specific areas.

2012 • By the end of this year, 900,000 gallons of radioactive liquid waste stored at INL should be treated and removed.

Mishaps Pause Some INL Progress

The Idaho National Laboratory has attracted headlines this month for another matter — safety issues at its research and development facilities.

About 800 workers at the Materials and Fuels Complex are spending two weeks evaluating mistakes made during two accidents last week. Among them, a 3,000-pound piece of a metal shutter shield fell from a crane near an employee.

The mishaps weren't on the cleanup side, but it has faced its own occasional setbacks. Also last week, retrieval of transuranic waste resumed after a nearly two-year hiatus. The work suspension came in 2010 after about 20 workers were exposed to radioactive waste when a plywood box broke open, though site managers said the doses were below acceptable levels. A new contractor, a consortium led by Babcock and Wilcox and URS Corp., has since taken over the contract for the transuranic waste from former contractor Bechtel BWXT Idaho.

— Wire reports

IDAHO FALLS • As the Idaho National Laboratory prepares to take on another nuclear waste project, officials also hope they're making just as much headway on gaining the public's trust.

Starting next month, contractors at the Idaho National Laboratory will begin treating 900,000 gallons of radioactive liquid waste, then shipping it out of the state. The project is the latest step in a multi-decade effort to remove nuclear waste from INL and the state, laid out in a 1995 court settlement involving the U.S. Department of Energy, the U.S. Navy and Idaho officials.

The liquid waste is currently being stored in underground tanks that were built during the Cold War for spent nuclear fuel reprocessing. The DOE received approval to open a new \$570 million facility to treat the spent fuel, said Rick Craun, the project's federal director.

It matters to residents of the Magic Valley because the tanks are positioned a few hundred feet above the Eastern Snake Plain Aquifer, a major source of southern Idaho drinking water, said Brad Bugger, spokesman for DOE.

“We've never had a leak in those tanks but now that we're no longer reprocessing the spent fuel, we want to get it all out,” Bugger said.

The DOE has completed more than 950 milestones tracking the course of the cleanup, including unearthing almost three acres of buried waste and dismantling more than 2 million square feet of buildings contaminated with radioactivity.

There's still quite a bit of waste left to remove, but Bugger said spreading word of INL's current accomplishments helps establish a certain amount of trust among regulators and the public.

"We delivered on our commitments," Bugger said. "We've done what we've said we would do and that's helped change the attitude."

INL has constantly followed through on its promises, said Susan Burke, INL coordinator for the Idaho Department of Environmental Quality. DEQ oversees INL's activities for the state and monitors water and air quality near the facility.

"It just seems logical that you're going to build up confidence with the public if you do what you say you're going to do," she said.

DEQ will always be a regulator first when it comes to INL, Burke said. But she noted the two organizations have moved closer to a partnership.

"I think it's mostly been done in keeping us aware on how it's going over there and what they're thinking on how they're approaching something," Burke said. "There's room for discussion on some things."

Beatrice Brailford from the Snake River Alliance, a nuclear watchdog organization, praised DOE's efforts.

"In the early days of the cleanup, people had some wacky ideas on how to get rid of waste," she said. "But they've remained vigilant in making progress and I'm pretty pleased with that."

http://magicvalley.com/news/local/state-and-regional/the-public-opinion-tide-is-turning-for-idaho-national-laboratory/article_d6e0a035-1710-58ba-815c-a33ef2919be1.html#ixzz1tYmUwcqI