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DOE/INL Launches New Waste Treatment Facility

According to John Walsh, Idaho National Laboratory (INL) spokesperson's posting 7/25/08; "DOE Seeks New Contract to Disposition Waste at the Advanced Mixed Waste Treatment Project (AMWTP) The U.S. Department of Energy (DOE), Idaho Operations Office, in coordination with the Office of Environmental Management released a draft "Request for Proposal" to obtain a new contract to perform waste processing at the AMWTP at DOE's Idaho Site near Idaho Falls. The contract performance period is anticipated to be six years under a **Cost-Plus-Award-Fee** contract with performance-based incentives. The selected contractor will be responsible for performing waste processing on, and disposal of the transuranic waste and mixed low-level waste at the Idaho Site's Transuranic Storage Area (TSA)."

This TSA waste is all above ground waste and easily accessed. Apparently excluded is the larger volume of buried waste in the Subsurface Disposal Area that continues to migrate into the aquifer? [See EDI June-July 08 Newsletter on other excluded "classified" waste]

Walsh continues; "The contractor selected will be responsible for performing the work necessary to retrieve, characterize, treat (as necessary), package, and otherwise process and dispose of the estimated total of 32,500 cubic meters of waste at the waste treatment facility. The end objective is to disposition all of the waste at an appropriate disposal facility."¹

What does "treat as necessary" mean? Does it mean reverting back to the original AMWTP Environmental Impact Statement (EIS) that called for an incinerator? It must be noted that a coalition of environmental groups lead by Gerry Spence successfully challenged this EIS in U.S. Federal Court and got a settlement that forced DOE to remove incineration as a waste processing option. This March 24, 2000 Settlement Agreement states in part: "DOE and BNFL agree not to resume the regulatory

authorization process for the incinerator and evaporator units ... and a DOE conclusion, after good faith exploration of the issue with the relevant regulatory authorities that regulatory alternatives will not succeed in completely eliminating the need for incineration. Should DOE decide to resume the regulatory authorization process for the incinerator and evaporator units of the AMWTP, DOE agree to provide 90 days' advance notice to Plaintiffs' counsel of such resumption." [Case No.99 CV 1042J (D-WY)]

As one of the Plaintiffs in this lawsuit, the Environmental Defense Institute (EDI) has received no notice of resumption of regulatory authorization process for incinerator or evaporator units at the AMWTP. So what treatment does DOE plan? Repeated requests to DOE and Idaho Department of Environmental Quality by EDI for disclosure of the specific treatment type planned for AMWTP waste have not been forthcoming.

There are ambiguous statements about the exclusion in the above treatment plan for the buried waste in the Radioactive Waste Management Complex Sub-surface Disposal Area (RWMC/SDA)! EDI outlined this issue in our June-July 2008 newsletter and in more detail in our comments for the record to DOE both available at; <http://environmental-defense-institute.org>

DOE plans to "bootstrap" permitting as a "Permit Modification" onto an existing AMWTP Resource Conservation Recovery Act permit that means minimal regulatory review or public disclosure will occur. [Sec. J pg. 2] As for National Environmental Policy Act (NEPA), DOE only requires the contractor to "inform" DOE of "potential environmental impacts including any cumulative impacts from **other** proposed or ongoing actions." [Sec. J, page 5, emphasis added] Will it take another lawsuit to force DOE to conduct an Environmental Impact Statement under NEPA?

¹ For the complete DOE Request for Proposal go to; <http://e-center.doe.gov/iips/busopor.nsf/ab01585713f6214b8525645200795048/6c70858c1f8e63ec852574910061fac2?OpenDocument>

Deadly Denial: Shifting Rules Drowning Sick Nuclear Workers

Laura Frank reports 7/22/08 in the *Rocky Mountain News*: "At the height of the Cold War, hidden away in the nation's heartland amid grazing cattle and glistening cornfields, a top-secret installation bustled with hundreds of workers assembling nuclear warheads.

Denny Daily worked for 14 years as a security guard at the Iowa Army Ammunition Plant in rural Des Moines County. He had the highest level of security clearance and guarded the clandestinely named "Line 1," where the warhead work took place, and the "igloos" where the warheads were stored in earthen and concrete bunkers.

When Daily was diagnosed with prostate cancer eight years ago at age 65, he suspected that his old job had put him at risk. In 2002, he applied for federal compensation that Congress had created two years earlier for Cold War workers such as himself.

But Daily was denied. The U.S. Department of Labor, which runs the compensation program, put prostate cancer on its list of 77 conditions that it said had no known link to toxic exposure.

Sick workers came to call this the "no pay" list. They view it as another tactic that bureaucrats have devised to deny them the benefits congress intended for them. The list was issued in 2006, exactly one decade after the U.S. Department of Veterans Affairs found evidence of prostate cancer's link to toxic exposure so convincing that the VA added the cancer to its presumptive list for its own compensation program.

In other words, the veterans with prostate cancer who were exposed to certain chemicals are compensated automatically by the VA. But the cold war workers exposed to some of the same chemicals are not.

Daily and his wife, Pat, discovered this and argued with labor department officials that Daily's cancer should at least be given a closer look, rather than summarily rejected. They never heard a word back. The Dailys, who now live in Waterville, Maine, have not received any response from the labor department about the "no pay" list or on Daily's request to reopen his original claim, which he made in October of last year. "They ignored our evidence, they ignored our letters, they ignored us," Pat Daily said. "It's been a horrible, horrible trip."

The Dailys are not alone. Their attempts to negotiate the

shifting sands of government rules and regulations have left them in a quagmire of frustration and despair with thousands of other former nuclear weapons workers from around the nation.

Dodging the law

Federal law says that the process of compensating sick nuclear weapons workers must be fair and consistent, but the Bush administration's labor department has fallen short of those standards. Indeed, the department has found multiple ways around the law, sometimes just flat-out ignoring it, a Rocky Mountain News review of scores of workers' cases, government documents, program data and internal communications found.

The Rocky found a pattern of ongoing decisions and rule changes within the 8-year-old program that consistently made it more difficult for sick and dying workers or their survivors to be compensated. "There have been many individuals involved with administering or overseeing this program who have not accepted that these workers were exposed to harmful radiation," said Sen. Barack Obama, who began pushing program officials to help his constituents in Illinois long before he became the Democratic presidential candidate. "As a result, many have tried to limit the possibility of payments, even in the face of strong scientific evidence."

Through a spokesman, U.S. Sen. John McCain of Arizona, the Republican presidential candidate, decried "any waste and inefficiency" in getting benefits to deserving claimants'.

The Rocky made repeated requests during the last two months to interview labor department executive Shelby Hallmark for this series, and sent him a detailed list of the series' findings more than a month ago. DOL never delivered on repeated promises of a response.

Labor Secretary Elaine Chao was warned three years ago by a bipartisan group of powerful Senators including Obama, Hillary Clinton, Lamar Alexander and Orrin Hatch that her department was "not at liberty to modify" the law. But the labor department ignored many of the congressional concerns.

Since then, the Bush administration has been under fire for exploring how to rein in costs by cutting the number of sick workers who qualify for compensation. According to

internal e-mails, this discussion peaked in 2006 the same year that the "no pay" list was created. Hallmark was the main labor department contact for the White House Office of Management and Budget during internal deliberations on cost cutting that year.

Hallmark testified before Congress last year that the ideas to cut costs by aggressively rejecting workers from the benefits never were implemented. Critics say the same ends have been achieved by different means, such as the "no pay" list. "They have imposed their own will on this," said Richard Miller, a former union policy analyst who helped write the original compensation law and testified before Congress about the labor department's plans to cut costs. The Dailys agree. "Denny's claim shows very clearly that they did implement those (cost-cutting) plans," Pat Daily said. "It's not a coincidence."

Moving the goal posts

Included in the evidence that workers are being squeezed out of compensation:

* Labor department officials said they were trying to expedite claims when they issued the list of medical conditions that they said had "no known" links to toxic exposure in 2006. But the Rocky found multiple scientific studies that show links to at least seven of the "no-pay" listed diseases.

Some of those studies were funded by the government itself, including studies on workers at some of the weapons sites. One such study was actually sponsored by the National Institute for Occupational Safety and Health — the same agency in charge of scientific oversight of the compensation program. A NIOSH study of 12 weapons plants in 2000 found an increase risk of breast cancer, which is on the "no pay" list. And, while prostate cancer is also on the list, NIOSH's own "Pocket Guide to Chemical Hazards" lists the prostate as a cancer target for cadmium, a common bomb ingredient.

* Congress decided that the Department of Health and Human Services was taking too long to consider petitions for help from ill workers, so in 2004 it set a six-month time limit for those decisions. But the department simply changed the definition of a petition — saying it wasn't a true petition until the department "accepted" it for consideration. The department gave itself no deadline for making that decision, thereby thwarting Congress.

After congressional complaints, NIOSH changed its tune again. Now it starts the 180-day clock when it receives a petition, but it doesn't count any time spent

"revising" the petition for "deficiencies" NIOSH identifies. * While a large number of sick workers have radiation-induced cancer, many suffer from other diseases linked to toxic exposures. In both cases, sick workers must prove a link between their exposures and their illnesses, but Congress intentionally made the standard of proof lower in the case of toxic exposure than in radiation-only cases. The labor department continues to use the higher bar for both.

The law says that compensation for harm by radiation can happen only if it is at least as likely as not that radiation caused a worker's cancer. For harm done by toxic exposure, the law says it must be at least as likely as not that toxic exposure was a "significant factor in causing, contributing to or aggravating" a worker's illness. But when cancer victims claim harm by toxic exposure, the labor department still uses the higher standard of causation.

The law's requirement that compensation be fair and consistent has been thwarted by both the federal health and labor departments' changing of program rules and scientific methods midstream. The effect has been to deny compensation to more sick nuclear workers or their survivors, the Rocky found.

The bureaucracy built to implement the law gets to write its own rules about how that is accomplished a common process in Washington. But the results for sick bomb workers have been devastating, as well as occasionally ludicrous. At one point, for example, a rule writer publicly bemoaned the unfair results of a rule that he helped write.

Larry Elliott directs NIOSH's compensation work. When it appeared last year that some Rocky Flats workers would be given special status to streamline processing of their claims, he lamented what would happen to other claimants because of his agency's rule. "I hope the rest of the public understands that if a (special status) is awarded, there's going to be a group of people who aren't going to be as well off" when they try to get compensation, Elliott said then.

NIOSH had lost its argument that it could estimate radiation doses for some Rocky Flats workers. So those workers with certain cancers would be covered automatically. Workers with other cancers still had to go through a years-long process of having their total radiation doses estimated based on old records.

But Elliott's office decided that if records weren't good enough to reconstruct radiation doses for one of the automatically-covered cancers, they surely weren't good

enough for the other cancers. Those workers were out of luck.

For some of the bomb makers, this meant that the government was saying the only radiation they absorbed at their nuclear weapons plant came from chest X-rays at their annual physical. The government scientists acknowledged that those workers likely had been irradiated at higher levels, but the exposures would not be counted when it came time to determine whether they deserved compensation.

Cutting radiation estimates

Daily, the Iowa security guard, got mired in this catch-22. The White House Advisory Board on Radiation and Worker Health said that the Iowa Army Ammunition Plant was one of more than 20 sites in the U.S. where the government at times had failed to document workers' radiation exposures.

Daily's co-workers from Line 1, the top secret assembly effort where he worked, persuaded program officials that they deserved automatic aid for certain cancers because government scientists could not accurately calculate their radiation doses. But Daily wasn't eligible because of the type of cancer he had.

The government's new estimate of how much radiation Daily faced at the plant now recognizes only a fraction of the radiation he likely absorbed. The scientists recalculated Daily's radiation dose, but sure enough, the only radiation they counted for him at the nuclear warhead assembly plant was what he received from the chest X-rays he got at his annual physicals. "It's very unfair," he said.

Daily said he recognizes that prostate cancer is common in men his age, but he says he has none of the other risk factors, such as family history, obesity or smoking. When he decided to apply for federal compensation, he applied for both parts of the program. One covers radiation-induced cancers, the other any disease related to toxic exposures.

The labor department first notified Daily that it had determined that the chance of his cancer being related to his estimated radiation exposures was 37.9 percent, below the 50 percent threshold for getting compensation. After NIOSH dropped his dose estimate and counted only his chest X-rays, program officials said the chance that his cancer was caused by his work was actually only 2 percent.

Daily pinned his hopes for compensation, which includes medical coverage, on the part of the program that governs toxic exposure. But then came the 2006 rule

saying that the department could find no "readily known" link between prostate cancer and toxic exposures.

The rule was issued by program director Peter Turcic. The Dailys said they asked Turcic whether the labor department had reviewed the same evidence that led the VA to make prostate cancer automatically covered for veterans who faced chemical and radiation exposure. He didn't answer. They asked Turcic to explain the scientific sources on which he based the "no pay" bulletin. "I asked them to share their source of evidence," she said. "They wouldn't."

Earlier this year, Hallmark, Turcic's boss, defended the "no pay" list as a way to "expedite a backlog of cases." He told the Rocky then that claimants such as Daily are given 30 days to come up with their own scientific evidence that their illness is linked to toxic exposure. "Claimants still have the opportunity to come back and say, wait, what about the VA?" Hallmark said. "We're saying, 'We've searched for evidence, now, claimant, you tell us.'" "He's full of baloney," Pat Daily said. "We sent them the evidence. We sent them all the VA evidence, but they didn't look at it."

Hallmark said in an interview with the Rocky in February that he had talked to Turcic about the discrepancy between the labor department and the VA on prostate cancer. "We need to get to the bottom of why our experts are saying there's no evidence and the VA says there is," he said five months ago. Hallmark has never explained the discrepancy.

The Rocky Mountain News sent Hallmark details of its investigation of the "no pay" list last month. Less than two weeks ago, on July 10, the DOL suddenly rescinded the two-year-old list, saying that improvements to its own database of diseases linked to toxic substances — which also has existed for two years — made it obsolete.

But while the "no pay" list was publicly available, DOL's database is not. Claimants such as the Dailys cannot have all the data DOL says it will now use. Claimants can go to a DOL Web site and see a list of hundreds of toxic substances confirmed to be at certain weapons sites. And they can see a list of diseases on another Web page. But they can't know whether the government has evidence they were exposed to the substances that are linked to specific diseases, or exactly where those substances were found.

That, government officials say, would be a risk of national security. The workers and the families of those who labored under top-secret conditions to defend the

national security find that an ironic excuse. "See the game?" Pat Daily said. "They got caught with a bogus list. This does nothing but get the pressure off them. We still can't get the information that can help us."

<http://www.rockymountainnews.com/news/2008/jul/22/sick-nuclear-workers-shifting-rules-form-quagmire-/>; Also see Rocky Mt. News three part video documentary "Deadly Denial" available at: <http://rockymountainnews.com/videos/detail/deadly-denial-day-3/>

Nuclear Workers Searing Cry for Help

Laura Frank also reports in the *Rocky Mountain News* 7/26/08; "The U.S. Department of Labor, if you can believe it, refused to talk to *Rocky Mountain News* reporter Laura Frank during the investigation that led to this week's series *Deadly Denial* - her description of grotesque red tape and foot-dragging inflicted upon those who once built nuclear arms for this country and who have been struck down since with terrible diseases.

Imagine: Although tens of thousands of former Rocky Flats workers toiled for years amid some of the most dangerous substances in the world, the government won't even deign to defend how it treats them when a major media outlet in their area comes calling.

Since Labor officials won't talk to the *Rocky* directly, we can only react to the sole official defense of the department's conduct that has been forthcoming at all. It is easily disposed of. Officials say they've paid out more money to more workers or their survivors - \$4 billion and 42,000, respectively - than even the architects of the policy in the Clinton administration anticipated.

Please. Expectations from eight years ago have been exceeded in part because forecasts were intentionally low-balled. What better way to keep Congress from gagging on the cost and thus refusing to pass the program? Everyone in the know realized the figures would be higher - and yet even they weren't prepared for the flood of former workers who turned out to be sick or dying.

Never mind how many people have been awarded the promised money. The more important figure is how many have not been compensated, namely three of four sick workers or their survivors, according to the Labor Department's own statistics.

Colorado Sen. Ken Salazar this week proposed legislation to streamline the claims process as well as open records to victims and provide them with vital assistance.

The bill is an excellent start, but it doesn't go far enough. In fact, it *can't* go far enough. Dying workers are in some cases being treated like greedy pests by the federal bureaucracy not only because the law is flawed, but because the bureaucrats in charge - and we do not say this lightly - want it that way. The law never required that claimants be treated with stonewalling, midstream rule changes and arbitrary delays. It actually envisioned a process in which claimants were guided through the paperwork - one that granted them the benefit of the doubt rather than withheld it.

In other words, an adversarial culture within the Labor Department is even more at fault than the law, and will only change through top-down direction. Unfortunately, that appears unlikely for a few months at least, until a new administration arrives in Washington. Yet such a change should be the highest priority of the next labor secretary.

In the meantime, Salazar should beat the bushes on behalf of his proposal, which includes expanding the list of cancers for which victims don't have to jump through hoops to get compensation. Ideally, Congress would simply scrap the system by which the National Institute for Occupational Safety and Health combines science and guesswork - let's be honest - in determining how much radiation workers absorbed many years ago in plants whose records are suspect, palpably incomplete or even nonexistent.

In the present system's place, we'd substitute one similar to that governing uranium miners, which operates with far less red tape and anguish. Then, perhaps, the government could divert the hundreds of millions of dollars it squanders in overhead to find - and train, if necessary - enough specialists in toxic exposure to upgrade the too often ordinary treatment now extended to the many neglected civilian victims of the Cold War."

The Downwinders: Gloria's story

Terrie McArthur reports in the *Desert Valley Times* July 21, 2008; "In 1989 Mabel Mitchell published a little book called Gloria. It tells of one woman's struggle with nuclear fallout. We have been given permission to pass this story along. Many of you knew her or know of her. Many of you are related to her, went to school with her, laughed and cried with her.

Gloria Leavitt Gregerson was born in Bunkerville, NV in 1941. In 1983, her body lay in a chapel in Bunkerville after a five-year battle with acute myelogenous leukemia. That was the last of many battles with disease she waged. Gloria was a downwinder. She eventually became internationally known for her story of "Downwind Agony" and her speech before three-quarters of a million people in New York's Central Park to protest nuclear testing. She appeared in documentaries in the United States, England and Japan and became a spokesperson for more than a thousand plaintiffs in a lawsuit against the federal government.

The thread that runs through Gloria's story is one of persistence, kindness, courage and pain. And she would need all her courage to the weather the storm brought on by that bright mushroom cloud that "became a backdrop to her life." In one interview she told a news reporter, "It was brighter than noon-day sun, breathtakingly beautiful. They would let us out of class to watch the cloud come up behind the hills across the river from our school."

This is what I hear over and over again as I question old-timers about the fallout: "They let us out to watch the blast." Pain was part of Gloria's life from the time she was a young girl. At one point she remembered that she must have been in the doctor's outer room at least six times. This time would be different. Pain had been her constant companion for weeks. Her lower abdomen had felt like a "tongue of living fire." This time Dr. Conrad told her parents that he suspected she had uterine cancer.

"He must be talking about someone else," Gloria thought. "I can't have cancer. I'm too young. Only old people have cancer." Her mother tucked her in that night as if she were a young child instead of a 16-year old in the bloom of her youth. This would be the beginning of a 20-year battle with cancer — one she would eventually lose. Her medical history reads like a "broken record."

Cancer surgery 1960-1975 (1960 major surgery, cancer of female organs; 1962 major surgery for cancer; 1963 major surgery for cancer; 1963 hysterectomy; 1965 major surgery for cancer; 1967 surgery for cancer; 1969, 1970, 1973, 1975 cancer). "This was in addition to the nausea and headaches that plagued her throughout high school." Through it all Gloria did her best to live a "normal" life. She attended high school, dated, fell in love, and wished for children of her own. But the children were never to be. The damaging effects of radiation cost her that before it took her life.

Gloria's cousin Tom's memories of her are that she loved everybody and she loved Bunkerville. And then she loved Jack. They were married after a tumultuous relationship which should have alerted Gloria to what lay ahead. But she adored him. Following their marriage, Jack joined the Navy and moved to California. Gloria returned to work in Las Vegas. At one point they began adoption proceedings of a young son. But in the end, Jack divorced her and she not only lost him, she lost her son, David, as well.

What soothed her bitter disappointment and her pain was her music. Born with a talent, she sang and played piano by ear. If she heard it, she could sing it. Gloria and Larry met in the summer of 1967. Their courtship lasted only about six months. "Larry said he was attracted to Gloria because she was so alive, so beautiful and so concerned about everyone around her." "'We had a great courtship, the best kind,' he said. 'I courted her and she courted me.'" They were married January 12, 1968, in Boulder City. Larry went to school and Gloria worked. Larry graduated from optometry school and the Gregersons moved back to Boulder City. Gloria's fondest wish was to have a family and have a family she would. Together they went against counsel and adopted four children at once, two girls and two boys who had been abused by their parents and finally put into Child Haven.

It proved to be a challenge that even Larry and Gloria found often overwhelming, but they never gave up on the children. And when they did adopt them, they didn't have any idea how short Gloria's stay with them would be.

The Kennedy hearings of 1978 and 1979, at which Gloria testified were related to compensation. In 1980 the government began Congressional hearing on compensation legislation. Field hearings were scheduled in Salt Lake City in April 1981.

This is Gloria's testimony:

My name is Gloria Leavitt Gregerson. I was born in Las Vegas, Nevada and was living downwind in Bunkerville, Nevada during all the years of atomic testing.

The first blast came without warning. No one was informed it was going to happen. The flash was so bright it awakened us out of a sound sleep. We lived in an old two-story home, and when the blast hit, it not only broke out several windows, but also made two large cracks full length of the house.

After the first blast, my parents would load all of us still in our pajamas, in the car and drive to the top of a nearby

hill. From there we saw the bright flash and then a little later, the mushroom cloud. If my memory serves me correctly, it would take three to four minutes for the sound to reach us. It would follow the river and bounce back and forth between mountain ranges. It felt and sounded like an earthquake.

The radioactive cloud, as it came over, was very distinct. It always had a pinkish-orange tint to it. The cloud reached our valley between 9:00 and 10:00 a.m. It would almost always drift over our school yard.

Government officials came to our school to talk in an assembly on several occasions. This was only after several shots had been fired. They always preceded their comments with, "There's nothing to be alarmed about, nothing to worry about, but... Their cautions were: 1. Wash your car every day. 2. Wash your clothes at least twice before you wear them.

3. Spray water on trees, lawns, plants and vegetation before touching or walking on them. 4. Don't drink the local milk. (We had access to no other kind at the time.) 5. Don't worry about anything; there's nothing to harm you.

The latter caution they kept emphasizing, but why take the trouble to come all that way and take time to hold an assembly just to tell us there was nothing to worry about? We were given badges to wear and were monitored numerous times. We were never told the results of those readings, though. I remember as a young girl playing under the trees shaking the white powdered dust all over me. I thought it was fun. I also remember writing my name in the dust all over cars on numerous occasions. When I was 16 years old, it was discovered that I had cancer in my female organs. After numerous operations to remove the cancer, I finally had to have a hysterectomy two years after I graduated from high school. I have been unable to have children of my own. In my late 20s and early 30s, I had numerous operations for another type of cancer, squamous cell carcinoma.

I have adopted five children. In October 1978, I received a one-month-old baby boy. Three months later I was unable to care for my family and was hospitalized in January only to find that my blood was so low the doctor said I probably wouldn't have survived the day without the transfusions they gave me. In February 1979, my doctor referred me to a hematologist and I was diagnosed as having acute myelomonocytic leukemia. My life expectancy was three weeks.

It is horrifying to suddenly have all your hair gone one

day and your face nothing but big blistering sores. My skin would tear if I moved quickly or made an awkward move. My temperatures would keep going to highly dangerous levels, and as a result I got frostbite from the ice blankets they used to reduce my fever. My children and my family could hardly recognize me as a result of the many months of chemotherapy. I am in precarious remission now, but don't know when I'll have a relapse.

In my opinion, the government's attitude on the subject of fallout victims and atomic testing is shameful. The pain, horror and suffering brought upon innocent victims and our families are monstrous and yet we are looked upon by some as illiterate, fortune hunters because we have file suit asking for justified compensation for medical bills and termination of atomic testing. Perhaps you can understand our fear and outrage when we discover that their underground tests are venting and are still spreading radioactive fallout into the atmosphere. It is interesting, too, that they still wait for the wind to blow in our direction before permitting a test.

I have a few questions, I hope you will ponder:

1. What gives the government the right to experiment with my health and the health of my children's children?

2. Who in the government is responsible for continued testing? What type of cold-blooded men can be in charge of deliberately perpetrating the radioactive atrocity that is still taking place upon American citizens?

3. If the government has spent \$175 million studying Nagasaki and Hiroshima, why are they so reluctant to study the fallout victims in our own nation?

Government officials and scientists in the 1950s were quick and sure to point out that no harm would come from the testing. We know different now, so why is the testing still going on? To what purpose? What more could they possibly learn? If they haven't learned all they need to know, let them get their answers in some other way than by endangering the lives of all of us.

Gloria made other appearance and spoke up about nuclear testing because she felt it was her duty to her fellow man. On March 26, 1983 she succumbed to the effects of that very testing. She died of leukemia — a direct result of the nuclear fallout she played in as a child. Her legacy to us is to never forget. When our government starts talking about resuming testing again, we must speak out against it. No testing is safe. Underground testing vents and releases into the atmosphere through faults in the earth's surface.

Surely, we, too, must ask, "How much more do we need to know?" We already know from the two bombs dropped on Japan how devastating nuclear weaponry is. We know what radiation poisoning does. Gloria's story is just one of many that we will tell. She was one among many whose lives were poisoned by nuclear testing, whose children, grandchildren and great grandchildren will be touched in ways they may never understand."

Nuclear Interests Belie Offshore Drilling Proposal

Brock Vergakis reports in Salt Lake City Associated Press August 1, 2008; "A Republican proposal to begin drilling for oil off the U.S. coast includes provisions that would significantly alter the country's nuclear energy policy, potentially providing billions of dollars of profit for a nuclear waste disposal firm that the company's former lobbyist-turned-congressman has inserted into the bill.

Republicans, including President Bush, want to lift a federal ban on offshore drilling as a way to increase oil supply and lower gas prices. Recent polls suggest most Americans are in favor of lifting the ban, although Democratic leaders oppose it because of environmental concerns. Republicans had hoped to rush through a bill this week lifting the ban, but Democrats refused to allow a vote on it before their August break.

"Instead of allowing a vote on the American Energy Act, which would promote energy production, conservation and innovation to bring down fuel costs, they instead chose to simply skip town - and leave Americans on their own to pay the price," House Minority Leader John Boehner said in a statement Wednesday.

Congress reconvenes Sept. 8 and the issue is expected to remain at the forefront of the national debate on energy throughout the presidential election. The bill Boehner is pushing includes numerous energy proposals unrelated to offshore drilling. Among other things, it calls for removing congressional oversight of a fund meant to build the country's first high-level nuclear waste dump, provides federal subsidies to reprocess spent nuclear fuel and eliminates any need for new nuclear power plants to reasonably prove there will be a future disposal site for their waste.

The proposal would allow the Department of Energy to use money being saved for a permanent high-level nuclear waste disposal site in Nevada to pay for reprocessing spent

fuel, possibly setting back the already delayed the project even further.

The Yucca Mountain facility was originally supposed to open in 1998 but has been dogged by rising costs, lawsuits and political controversies. A congressional committee was recently told the best-possible opening date is now 2020 and that the price tag is expected to be \$90 billion, up from an original \$58 billion estimate.

Republican leadership's proposal is effectively the same bill introduced weeks earlier by U.S. Rep. Rob Bishop, R-Utah, a former lobbyist for Energy-Solutions Inc., a Salt Lake City-based nuclear waste disposal firm that has recently increased its donations to Bishop's campaign, other congressmen and its spending on federal lobbyists.

"If Energy-Solutions and their nuclear zealot friends in Congress are successful in pushing this agenda, they stand to make hundreds of millions, if not billions of dollars, in federal contracts doing that work," said Vanessa Pierce, executive director of HEAL Utah, a nuclear waste watchdog group.

"This is Energy-Solutions' golden goose." Energy-Solutions did not immediately respond to a request for comment and several questions from The Associated Press. Nobody in the U.S. currently processes nuclear waste, although it is done in Great Britain, France, Japan and Germany.

Energy-Solutions owns the right to technology in Great Britain that's used for reprocessing there and in 2006 won part of a \$16 million federal grant to study building a reprocessing facility in Atomic City, Idaho, Barnwell, S.C. and Roswell N.M. "If we can establish the recycling of spent nuclear fuel it will help facilitate increased use of safe, clean nuclear power, which is so important for the environment and for our nation's efforts to lessen our dependency on foreign sources of energy," CEO Steve Creamer said at the time.

Reprocessing was originally developed in the United States to build the atomic bomb, but fears of nuclear proliferation led to it being abandoned in the late 1970s. It became legal again during the Reagan administration, but it's so expensive that no companies are doing it.

The U.S. National Research Council estimated in 1996 that beginning to reprocess the country's spent nuclear fuel rods would cost at least \$100 billion. After reprocessing, about 99 percent of the high-level waste would still need to be disposed.

"This whole proposal is really just a boondoggle to make

it look like we've done something to deal with the waste issue," Pierce said. Reprocessing would also create additional low-level radioactive waste. In all likelihood, most of it would be disposed at Energy-Solutions' dump in the western Utah desert, which already takes 98 percent of the country's low-level waste.

"It's not hard to figure how Energy-Solutions has an economic benefit from this," said Don Hancock, director of the nuclear waste program at Southwest Research and Information Center in Albuquerque, N.M., which tracks energy issues in the Southwest.

"I've said to senior people at Energy-Solutions, 'If you guys really believe in reprocessing, go out and spend stock.' ... They can go ahead and do it right now. They can't do it if they need federal money to do it. They know their shareholders and the stock market won't give them money to do that. To me, that's kind of the answer as to why reprocessing doesn't work."

CORE received more than \$230,000 in donations from ExxonMobil between 2004 and 2006, according to the oil company's most recent world giving reports. Among Western lawmakers the alliance lists as its leaders, one is Utah State Rep. Aaron Tilton, a Republican. Tilton is CEO of Transition Power Development LLC, a company that wants to build at least two 1,500 megawatt nuclear power plants in the state. Energy-Solutions have donated more than \$20,000 to Tilton's conservative caucus in the past three years."

How to speak up while still obeying the law

Dr. Peter Rickards published the following Op-Ed 6/28/08 in the Idaho Times-News and Mt. Home News; "Well, after 20 years of 'public meetings' on both public and private property, being arrested for trespassing was a first for me!

I was sitting quietly in the audience for 20 minutes when Officer Belk tapped me on the shoulder and said, "You are under arrest for trespassing and battery." I asked, "Who in the world have I battered?" He said Doug McConnaughey, and off to jail in handcuffs I went. There is no charge of resisting arrest since, of course, I went peacefully. I later asked Officer Belk, "Please examine McConnaughey for any signs of violence because I never laid a hand on him." He informed me, "McConnaughey said you shoved him when he was blocking your entry to the meeting. Battery doesn't need bruising. It means you touched him without his permission." I replied, "I have not shoved anybody since the fourth grade, and I still feel guilty about that! What law allows him to block me from a meeting they

invited the public to? How can you trespass at a public meeting?"

The officer never asked me about the leafleting the nuclear company complained about, but the media coverage was accurate. I have passed out information at every meeting in 20 years. The leafleting law is clear. I cannot set up a table nor leave pamphlets on chairs without their permission, and I never have. McConnaughey told me I couldn't hand out anything. I asked, "What law stops me?" He kept stepping in my way, so I slid by him with our bellies touching like on a crowded subway.

But there is no law that says I can't carry sheets of paper with me and share vital information with my neighbors at a public meeting, just like I am free to speak with them before the meeting. I always smile and ask, "May I share this with you? These are the reasons I oppose this plant."

When I attended the Warren Buffet nuclear meeting in December, more than 400 citizens showed up. The speaker had started when I was still quietly handing out the copies to the audience. The four police officers asked for a copy for themselves!

I attended Don Gillispie's public nuclear meeting in Mountain Home the week before and passed out my handout peacefully. But I got to speak with my Elmore neighbors after the meeting, like the First Amendment guarantees Americans can do! One man asked about safety concerns. Gillispie replied, "Meltdowns are near impossible, a one-in-a-billion chance. Like a meteor hitting this building now, if you are worried about that!"

After the meeting, I explained what the government's Nuclear Regulatory Commission says are the odds of a meltdown (see www.MyIdahoEnergy.com). The NRC says the odds are "one in 17,000 under normal operations." At the modern Ohio nuclear power plant in 2002, the Davis-Besse nuclear plant had unforeseen metal cracking it never anticipated and didn't know to look for. The nickel Alloy-600 became brittle after years in the reactor and got stress cracks. That created an acid leak that ate a football-size hole in the steel containment, leaving only three-eighths of an inch left! When the nuclear engineer accidentally found it, he lied to the NRC to keep running for profit! Fortunately, somebody eventually blew the whistle on him, and he is now in jail. The NRC ranked the risk of a meltdown at "1 in 1,000 within the year"! That's why Gillispie is upset I attended his public misinformation meetings! I expected the police to laugh at the trespassing charge and ask about any alleged battery."

Editor's note: Dr. Peter Rickards is a Twin Falls podiatrist. Rickards was arrested on June 16 at the Opera Theater in Glenns Ferry. He was attending a public information meeting sponsored by Alternate Energy Holdings, which wants to build a nuclear power plant near Mountain Home.