

DOCKETED
USNRC

'85 DEC 30 A11:27

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

OFFICE OF SECRETARY
DOCKETING & SERVICE
BRANCH

Before

John H. Frye, III
Administrative Judge

In the Matter of:)
)
)

SEQUOYAH FUELS CORPORATION)

(Sequoyah Facility))
)
)
_____)

Docket NO. 40-8027 *MLA*

ASLBP No. 85-513-03-ML

OUTLINES OF TESTIMONY BY
NATIVE AMERICANS FOR CLEAN ENVIRONMENT

OUTLINE OF NATIVE AMERICANS FOR
CLEAN ENVIRONMENT TESTIMONY

TABLE OF CONTENTS

OUTLINE

INTRODUCTION	2
TESTIMONY ON SAFETY EVALUATION REPORT	3
TESTIMONY ON DECOMMISSIONING OF CIMARRON FACILITY	4
TESTIMONY ON TORNADO FREQUENCY	5
TESTIMONY ON ENVIRONMENTAL DATA	6
TESTIMONY ON AMENDMENT ENVIRONMENTAL ASSESSMENT	7
TESTIMONY ON PORT ROAD BRIDGE DATA AND CORRECTIVE ACTION	8

INTRODUCTION

The following outline of testimony is limited in scope and depth due to the wholly inadequate time allowed NACE to review the voluminous documents generated by SFL and the NRC and the rulings by the presiding ALJ which have severely and improperly restricted the matters to be considered at the hearing. Additionally, the denial of a formal hearing at which cross-examination may be conducted has also violated NACE's rights to a full and fair hearing.

OUTLINE OF NATIVE AMERICANS FOR CLEAN ENVIRONMENT
TESTIMONY ON SAFETY EVALUATION REPORT

I. The Safety Evaluation Report fails to adequately address Kerr-McGee's historical unwillingness and inability to: adequately organize and maintain an administrative structure of minimal qualification utilizing proper administrative practices; maintain adequate and accurate records of internal and external exposures and to control same; educate its hourly workforce on the occupational perils associated with employment at its facilities; maintain adequate containment of source material and accurate inventory record; properly protect the environment from adverse impact of its activities; properly operate its facilities with due regard to ALARA; properly decommission its existing facilities in a timely and safe manner.

II. The proposed SFC facility will create an undue risk to the health and safety of the public.

OUTLINE OF NATIVE AMERICANS FOR CLEAN
ENVIRONMENT TESTIMONY ON DECOMMISSIONING
OF CIMARRON FACILITY

I. SFC's parent corporation demonstrated the following:

1. The original decommissioning plan contained in the Cimarron facility was wholly inadequate to achieve the decommissioning of the plant.

2. The grossly negligent manner in which the facility was operated caused the plant to become so highly contaminated that the decommissioning of the facility is far more extensive, time consuming, expensive and dangerous to the workforce and public than contemplated when the facility was licensed.

3. Because of the inadequacies of the original plan and the manner in which the plant was operated, the decommissioning of the plant is years behind schedule with the most dangerous difficult and expensive portion of the process remaining.

TESTIMONY OF NATIVE AMERICANS FOR CLEAN
ENVIRONMENT AND TORNADO FREQUENCY

The official records of the National Weather
Service Severe Storm Service will be offered.

TESTIMONY OF NATIVE AMERICANS FOR CLEAN
ENVIRONMENT ON ENVIRONMENTAL DATA

1. The cumulative environmental impacts of the existing and proposed plants create an excessive risk to those residing in the vicinity of the site and justify the no action option being selected.

TESTIMONY OF NATIVE AMERICANS
FOR CLEAN ENVIRONMENT ON AMENDMENT
OF ENVIRONMENTAL ASSESSMENT

1. The Assessment ignores the high uncertainties created by the single demand source for the product of the facility in light of the current budgetary restraints being contemplated by Congress and the Reagan administration. The no action alternative is the preferred option especially since the proposed facility will not have a significant impact on socioeconomic conditions.

2. The uncertainty over availability of disposal sites for UF₄, especially the proposed on-site nuclear waste dump, is inadequately considered by the Assessment and SFC.

3. The individual doses of radionuclides caused by the proposed facility are excessive and will harm the health of the exposed individuals.

TESTIMONY OF NATIVE AMERICANS
FOR CLEAN ENVIRONMENT ON
PORT ROAD BRIDGE DATA

1. SFC's response to NRC concerns over elevated uranium concentrations in sediment at the Port Road Bridge is inadequate and insufficient to correct this condition.

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing has been served upon the following persons:

Office of the Secretary
U.S. Nuclear Regulatory
Commission
ATTN: Docketing and
Service Branch
1717 H Street, N.W.
Washington, D.C. 20555

Administrative Judge
John H. Frye, III
Atomic Safety and
Licensing Board
U.S. Nuclear Regulatory
Commission
Washington, D.C. 20555

Barbara Stanford, Ph.D.
Chair
Arkansas Peace Center
217 West 8th Street
Little Rock, AR 72201

Jessie Deerinwater
Native Americans for A
Clean Environment
Client Council
P.O. Box 212
Marble City, OK 74945

Pat Costner
Staff Scientist
National Water Center
22 Kansas Street, Box 458
Eureka Springs, AR 72632

Robert D. Kellogg, Esq
Staff Attorney
Oklahoma State Dept.
of Health
P.O. Box 53551
Oklahoma City, OK 73152

Stephen H. Lewis, Esq.
Assistant Chief Hearing
Counsel
Office of the Executive Legal
Director
U.S. Nuclear Regulatory
Commission
Washington, D.C. 20555

Marjorie A. Spees
Corresponding Secretary
Citizens' Action for a Safe
Environment
P.O. Box 54675
Tulsa, OK 74155

Charles A. Gourd, Ph.D.
CoChair
Citizens' Action For A
Safe Environment
HC 73, Box 295
Park Hill, OK 74451

Bill M. Summers, Mayor
Town of Gore
P.O. Box 181
Gore, OK 74435

Wayne Phillips, Mayor
City of Webbers Falls
P.O. Box 216
Webbers Falls, OK 74470


Peter J. Nickles, Esq.
Covington & Burling
P.O. Box 7566
Washington, D.C. 20044

Richard A. Murphy
Executive Vice Pres.
Sallisaw Chamber of
Commerce
P.O. Box 251
Sallisaw, OK 74955

Ed Henshaw
Route #1
Vian, OK 74962

J. C. Stauter, Director
Nuclear Licensing & Regulation
Kerr McGee Corporation
Kerr-McGee Center
Oklahoma City, OK 73125

DATED this 27th day of December, 1985.


JAMES A. IKARD