

Mr. Andrew Griffith
Associate Deputy Assistant Secretary, Fuel Cycle Technologies
U.S. Department of Energy
Office of Nuclear Energy
1000 Independence Ave., SW
Washington D.C. 20585

May 21, 2017

Re: DOE Deep Borehole Nuclear Waste Field Test, Otero County New Mexico. Also known as the “Salt Basin Deep Borehole Research Project” or Otero DBFT, or DBFT, Contractor is TerranearPMC (TPMC), Contract # DE-NE0008613

Dear Mr. Griffith,

I live, work and play in the area affected by the Project. I am informed. I oppose this project. DOE does not seem interested in my opposition or that of my neighbors.

I am a stakeholder in the area impacted by “Salt Basin Deep Borehole Research Project” (Project). I own property, businesses and a home in this affected area.

The Department of Energy (DOE) is disingenuous in its dealings with the public in the affected community. DOE has failed to honor commitments, failed to enforce its contract provisions surrounding this Project. DOE has failed to address citizen concerns, failed to attend local public meetings and failed to answer written citizen concerns. Failed to provide contact information. We stakeholders hear a deafening silence from DOE when we ask for transparency or have questions.

DOE claims to be interested in “public support” (quoting the contract for the Project). As a public relations ploy, DOE has claimed that future nuclear waste dumps will employ “consent based siting”. Catchy name, “consent based” and it is so far, far from the truth. The DBFT is claimed to be a “test” and no “consent based” siting is needed (according to contractor TPMC). Yet throughout the contract, its provisions require “public support”. Stakeholders have asked DOE if this is a prelude to a nuclear waste dump. DOE has not answered. Your Associate Deputy Assistant Secretary, Fuel Cycle Technologies, Mr. Andrew Griffith publicly stated that:

“There's no expectation that any radioactive waste would ever be placed in that field test. In fact, we said that it would not be part of the fuel test; however, going forward, it doesn't necessarily preclude it.”

By contract the Project must have “public support”. DOE could then use this “public support” to later justify initial community “consent”. This incremental community consent process might be justifiable, if the process was truly open and transparent, and the public truly informed. However, it is not and the public has been intentionally kept in the dark.

The evidence shows that DOE is intentionally looking the other way while public support is “measured” (by undocumented methods) and looking the other way while contract provisions are violated, violated in such a manner as to falsely show support for the Project and ignore or minimize public opposition. Further, the DOE Idaho Operations Contracting Officer, Ms Olson has failed to monitor the process and contract provisions leaving the contractor to proceed with little (no) oversight. The contractor will benefit financially if the Project can show public support. With little DOE oversight the potential for misrepresentation of support is high, and likely in my view. Note that this poor

oversight is doubtlessly intentional on DOE's part, as it aids DOE's pressing need for nuclear waste disposal. Evidence of DOE bias is found in DOE's failure to accept the US Nuclear Waste Technical Review Board's recommendations, including the one suggesting transparent discussion of the path to a nuclear waste site. Further evidence of malfeasance and disingenuousness is DOE's failure to define measurements for both "community support" and for "consent". There are no guidelines, no measures of what constitutes consent or public support. More pointedly there is no way to demonstrate "non-support". These flaws are not accidental. DOE has known about them since the public consent based siting meetings. DOE has chosen to use terms like consent and support knowing they have no definition in this process. In my world this is called lying.

DOE was made aware of these failures in my March 2017 letters, but DOE has known about these issues for years. DOE chose to continue the false language. DOE chose not to respond or correct Project deficiencies.

Based on the above facts the Otero DBFT process is obviously a sham. The Contract provisions, claims of "public support" and "consent based siting" are all shams. They are public lies told to a national audience for political cover. The local, disadvantaged, rural community has little real input. DOE plans to subject them to nuclear programs no matter actual community "public support" or "consent". Again this conclusion is not wild pie in the sky but is based on actual Contract performance, lack of DOE oversight, the "zero" local DOE participation, the "zero" DOE response to issues raised by locals, the past DOE contract performance and my first hand experience with this Project. All of these failures reinforce the conclusion that this is a phony process.

I request that DOE start this process over because of flaws in the project design and implementation. I recommend that DOE actively monitor project contractor performance and step in immediately when contract provisions are not met. I recommend that DOE follow suggestions from the US Nuclear Waste Technical Review Board concerning transparency. I suggest that DOE begin to be an active participant in local community outreach and that DOE directly address questions concerning measurement of "consent" and "support". DOE should fully address how "public support" might segue into consent and then into a nuclear waste site. I could go on and on. DOE should actually honor the fine words it espouses. DOE should take responsibility for transparency and openness. Further, DOE must consider environmental justice as it has focused on imposing the burden of likely nuclear waste disposal on the rural, poor while excluding populated affluent areas.

The DBFT project is poorly constructed, poorly implemented and poorly managed and should be redesigned and begun afresh.

While you are measuring public support (however that is done) please know that I activity oppose this project.

Sincerely,

A handwritten signature in black ink that reads "Walt Coffman". The signature is written in a cursive, slightly slanted style.

Walt Coffman
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