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OCT 11 2001

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24 MR. BENEZET: My name is Louie Benezet. I

25 live in Pioche. I'm also representing a local ad hoc

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1 group we call the Citizens Nuclear Information Committee

2 which was formed to work with -- try to get additional

3 information out of the county's nuclear waste program.

4 Since about 1995, when the city and county

5 adopted resolutions supporting some sort of nuclear

6 waste transportation facilities in Lincoln County,

7 citizens have expressed their concerns about this

8 direction the county is taking, and a number of

9 political actions have been taken by us and eventually

10 most recently the formation of the CNIC. Before that

11 what was done was a recall effort against a county

12 commissioner.

13 There was an effort to circulate a survey

14 which as the testimony that Marge Detarz gave you showed

15 overwhelmingly that Lincoln County citizens were not in

16 favor of Yucca Mountain and probably would not support

17 the kind of initiatives that the city and county were

18 trying to take to develop transportation facilities

19 through Lincoln County.

20 Subsequently we got a ballot measure on in
21 1998 which asked citizens whether they would support or
22 oppose transportation of nuclear waste through our towns
23 and communities and on our highways.

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24 All these efforts were capped off also I
25 think in '99 by approaching the county commissioners.

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1 By then we had formed the CNIC, and we asked the county
2 commissioners to review the old resolution which they
3 passed back in '95 inviting the DOE to place these
4 facilities in Lincoln County and to come up with a new
5 resolution which would reflect the attitude of the
6 citizens as we felt we had sought to clarify, and as the
7 result was a new resolution which was adopted by the
8 county last year in which they -- or it might have been
9 in January this year, I can't recollect the exact date,
10 but in which they stated that they would seek to
11 minimize the transportation of nuclear waste over
12 highways in Lincoln County, but they continued to ask
13 for benefits for the county in the event that they could
14 not prevent such transportation through the county.

15 However, it has been my take on the thing
16 that the mayor of Caliente and the group that supports

17 him have still been more or less behind the scenes
18 working to encourage the placement of an intermodal
19 facility in Caliente and the use of highways in Lincoln
20 County or all routes.

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21 I know he believes that this is justified not
22 only in trading economic development in Lincoln County,
23 but going along with what he perceives to be a thrust,
24 political thrust, to keep nuclear waste out of the Las
25 Vegas Valley.

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1 My view that I have -- and I have expressed
2 it many times -- is we support the citizens of Lincoln
3 County and in general support the positions that have
4 been taken by the State of Nevada in opposing the Yucca
5 Mountain project altogether and in not stopping at this
6 time to quibble over exactly how nuclear waste would be
7 transported, since last fall my effort and that of
8 others has been to try to bring some higher level of
9 accountability to the committee which oversees our
10 nuclear waste funds.

11 We currently receive about three quarters of
12 a million dollars annually. One of the problems that I
13 have noted has been that most of the people on the

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14 committee that oversee this funding, which is actually
15 an advisory body to the county commissioners but
16 composed of eight members, four representing Caliente
17 and four representing the county, they call themselves
18 the Joint City County Impact Alleviation Committee,
19 JCCIAC, and they have met for many years, usually once a
20 month, usually in Caliente.

21 But I have observed from following their
22 meetings over several years that there seems to be a
23 lack of reporting to the citizens who attend the
24 meetings like myself as to exactly how the funding is
25 being used by the committee members and the staff and by
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1 the county commissioners.

2 And in an effort to try to make this more of
3 an important process I requested first of all that the
4 vouchers that get turned in by the nuclear waste
5 consultants, primarily Robison & Seidler, Intertech
6 Services, Incorporated, and Jason Pittle, be circulated
7 to all the committee members so they could have some
8 knowledge exactly how a good portion of this money is
9 being spent.

10 I have been totally unsuccessful in getting

11 even this issue on the agenda, although I requested it
12 many, many times, going back to last September.

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13 The other thing I requested was that some
14 process be initiated by the JCCIAC to require and to
15 facilitate the reporting on trips and meetings and so
16 forth which are done with the use of the funds that are
17 provided by the DOE. I had the same lack of success.

18 The final answer I received was that on all
19 of our agendas there is a slot where travel reports can
20 be given, which I commented yeah, but the travel reports
21 aren't given.

22 There have been, for example, at least four
23 trips to Washington, D.C. this year by Robison Seidler
24 and by various county commissioners and the mayor which
25 despite my request for report have not been reported at
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1 the open public meetings of the JCCIAC.

2 They also have not been reported to the
3 county commissioners.

4 So, therefore, I -- we're talking about a
5 substantial amount of money, and I'm wondering exactly
6 how the money is being used.

7 In the past I felt it might be -- might have

8 been being used for illegal lobbying activities as are
9 made as -- as defined under the Nuclear Waste Act and
10 for activities related -- that could be considered
11 illegal use of the funds for coalition building efforts.

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12 For example, I know that the county is a --
13 has used some of its funds to be a member and to support
14 the activities of the Energy Communities Alliance and
15 that Paul Seidler of Robison Seidler is I believe on the
16 transportation committee of the Energy Communities
17 Alliance.

18 None of this, however, is disclosed or
19 discussed in our meetings locally here. I have gotten
20 this information from studying the vouchers that get
21 turned in by Robison Seidler, which I have one of them
22 with me today, which is the most recent one to come out,
23 and I was just reviewing it and I find there is a page
24 missing, but as usual there are large areas in these
25 vouchers that don't explain themselves.

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1 For example, August 29th, Lincoln County
2 update meetings and outreach issues and travel, \$840.
3 It's also evident later on in the meeting that there was
4 a trip taken to Washington, D.C.

5 But, again, there will be a JCCIAC meeting 552343
6 tonight. I will once again request a report on the trip
7 to Washington in September. I hope I get an answer. If
8 it's anything like the results I have had in the past, I
9 will get none.

10 So to wrap this up -- well, to say one more
11 thing. In reviewing these vouchers I have come to a
12 conclusion that a lot of funding that is going into the
13 county is being used to support activities unrelated to
14 nuclear waste, not only possibly lobbying efforts in
15 favor of nuclear waste facilities, but also things
16 totally unrelated to nuclear waste.

17 A lot of the efforts of Robison Seidler
18 involve meetings with county commissioners, meetings in
19 Mesquite where they're proposing a large land sale which
20 is going to happen tomorrow. Robison Seidler was
21 authorized informally by the county commissioners to
22 represent them on a pro bono basis, but I actually
23 believe they're just billing their hours to the nuclear
24 waste program.

25 So to sum up what I have to say, I am of the

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1 opinion that there should be an investigation of the use

2 of the funds by the JCCIAC and by the county
3 commissioners and the mayor of Caliente, an
4 investigation carried out by your Inspector General.
5 Thank you.

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17 Mr. Benezet, you want to introduce something?

18 MR. BENEZET: Yes.

19 MR. LUPTON: So if you'll state your name

20 again.

21 MR. BENEZET: Lou Benezet. I'll continue my

22 remarks.

23 First of all, I want to introduce to the

24 record a copy of a survey that was conducted by Lincoln

25 County citizens back in 1995 in response to the move by

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1 the city and county to encourage nuclear waste

2 facilities be located in Lincoln County.

3 This information I believe was already

4 introduced to you last week in Marge Detarz's testimony,

5 but she wanted to provide you with a copy of her survey

6 or the survey that she and I helped circulate and many

7 other citizens helped circulate and the results which

8 show rather overwhelming opposition to Yucca Mountain

9 from the county at large.

10 Okay. So this document is entitled "Citizens

11 of Lincoln County Nuclear Waste Survey Completed as of

12 April 5th, 1995."

13 And since I'm here I would like to make
14 another remark, and that is that the -- of course, a lot
15 of stir was made about the way in which this series of
16 hearings for the site recommendation were being
17 conducted.

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18 The issue has been raised numerous times and
19 I agree that this series of meetings should not have
20 been commenced until after a Final Environmental Impact
21 Statement had been released by the Department of Energy.

22 I was one of those who contributed I believe
23 to the scoping process on that effort and I contributed
24 comments to the draft environmental impact statement. I
25 have no way of knowing whether the issues that I raised
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1 were addressed in any way, and that applies to everybody
2 else that put their time and effort into this.

3 And I think until a document can be released
4 by the DOE that finalizes the environmental impact
5 process that you're not ready to submit a site
6 recommendation to Congress and to the President.

7 Also I have some concerns about the way that
8 the current additional hearings are being conducted.
9 There has been insufficient notice as evidenced by the

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10 lack of turnout here in Lincoln County. I believe you
11 had three people that showed up. I don't know how many
12 people actually testified for the record, but the
13 announcement -- the only announcement that we in Lincoln
14 County received was an article in the Lincoln County
15 Record newspaper which appeared -- the paper was on the
16 streets or was being distributed as of the time that the
17 meeting commenced.

18 They don't get the paper circulated
19 throughout the county until well into the afternoon on
20 Thursday, and your meeting started at 3:00. Okay. So
21 after the meeting most people found out about the
22 meeting that had already taken place and the meeting
23 that is taking place now.

24 I, unfortunately, cannot attend more than a
25 short portion of this -- of your meeting here today

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1 because for whatever reason it was scheduled to conflict
2 with another nuclear waste meeting which is going on
3 right now and that is the city and county joint impact
4 alleviation committee meeting. It's a very important
5 meeting. They're going to set the budget for three
6 quarters of a million dollars which will be spent by us

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7 and our consultants over the next year and I need to be
8 there.

9 Again, the timing should have been sufficient
10 for people to adjust their schedules and to figure out a
11 way so that you can maximize the opportunity for the
12 public to be involved in this process. And once again
13 it's not worked out that way.

14 There was some other comment I wanted to make
15 and I'm trying to remember what it was. I guess I'll
16 have to let that go for now.

17 MR. LUPTON: If it comes back to you, Lou,
18 and you get back, we'll certainly take it into the
19 record. Thank you very much.

20 MR. BENEZET: Yes, I do remember now. I do
21 remember now.

22 MR. LUPTON: Fine.

23 MR. BENEZET: That was simply to use a moment
24 of this time to encourage those people that are here
25 right now to take the next step of actually getting your
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1 comments and concerns onto the record.

2 The rather informal process in which this
3 particular meeting is being held and the one last week

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4 has a tendency to discourage people from actually
5 submitting their comments and concerns for the record
6 because they come into the room, they get an opportunity
7 to casually discuss their concerns and they come away
8 feeling, well, you know, these guys are the experts, I
9 am not, maybe I shouldn't say anything.

10 I know that at least one person of the three
11 who was here last week, according to what Marge
12 reported, by the time it came to being on the record, he
13 said: Well, I've become convinced my comments are not
14 relevant.

15 I feel that everybody's comments are
16 relevant. The more comments, the better for the
17 Secretary of Energy and for the president and congress.

18 Thank you.