

UNITED STATES OF AMERICA
DEPARTMENT OF TRANSPORTATION
SURFACE TRANSPORTATION BOARD

+ + + + +

SAN LUIS & RIO GRANDE RAILROAD
PETITION FOR A DECLARATORY ORDER
FD 35380

+ + + + +

Thursday
February 17, 2011

+ + + + +

Our Lady of Guadalupe Parish Hall
6631 County Road 13
Conejos, Colorado

+ + + + +

10:00 a.m.

BEFORE:

MATTHEW BORNSTEIN, ESQ.
STB Office of Proceedings

ALSO PRESENT:

PHILLIS JOHNSON-BALL

Deputy Director

STB Office of Environmental Analysis

395 E Street, SW

Washington, DC 20423

FREDERICK MILLER, ESQ.

STB Office of Proceedings

395 E Street, SW

Washington, DC 20423

CONTENTS

SPEAKER	PAGE
Introduction.5
Procedural Questions.	10
Public Comments:	
Stephane Atencio.	17
John D. Heffner	18
Matthew Abbey	33
Bret Rogers	35
Dave Cook	53
Stephane Atencio.	54
John D. Heffner	71
Michael Trujillo.	73
Lawrence Gallegos	79
Richard Winters	84
Andrea Guajardo	88
Javi Guajardo	101
Michael Trujillo.	102
Alice Trujillo.	112
Demetrio A. Valdez.	123
Ron Hope.	126
Joe Mestas.	133
Faustin Martinez.	138
Alfonzo Abeyta.	141
Clyde Archuleta	147
Steven Butler	152
Michael Sisneros.	154
Rogelio Briones	157
Michele Trujillo.	160
Lauren Karlskin	167
Marian Naranjo.	170
Martha Abeyta	174
John Eland.	179
Joni Arends	182
Aaron Abeyta.	196
Maria Schmitz	217
Emily Lutringer	222
Eric Lutringer.	228
John Sandoval	237
Marsha Barela	242

CONTENTS (CONT.)

Public Comments: (cont.)

Colin Austin.244
Gil Arnold.255
Jared Lujan260
Dan Romero.261
Harold Abeyta263
Elizabeth Somora.267
Jean Archuleta.269

Adjourn

P R O C E E D I N G S

(10:09 a.m.)

1
2
3 MR. BORNSTEIN: My name is Matthew
4 Bornstein. I'm an attorney in the Office of
5 Proceedings of the Surface Transportation
6 Board. I'll be leading today's public
7 meeting.

8 Assisting me is Phillis Johnson-
9 Ball, the deputy director of the Office of
10 Environmental Analysis at the Surface
11 Transportation Board, and Fred Miller, who is
12 also an attorney in the Office of Proceedings.

13 Now, the Surface Transportation
14 Board is a federal agency that regulates the
15 freight railroad industry, and we're here
16 today concerning a petition for a declaratory
17 order filed by the San Luis & Rio Grande
18 Railroad.

19 Now, what's going to happen is
20 certain materials are loaded onto trucks at
21 Los Alamos, New Mexico, and they are brought
22 up to Antonito, where they'll be loaded on to

1 railcars, and then SLRG will take those
2 railcars to Walsenburg, where they'll be
3 handed off to the Union Pacific Railroad, and
4 then UP will take them to their final
5 destination, which is Clive, Utah.

6 Now, the heart of SLRG's petition
7 is the question of whether or not the Conejos
8 County Land Use Code is applicable to the
9 SLRG's operations in Antonito.

10 And we're here today for this
11 public meeting to gather your oral comments
12 about SLRG's petition. So this is a very
13 informal process. What's going to happen is
14 first we're going to allow the government
15 officials the courtesy of speaking first if
16 they so wish, and then we will ask that the
17 railroad speak if it so wishes, and its
18 consultants at EnergySolutions, and then after
19 that we'll just march down the list of
20 speakers, and Fred will call your name, and
21 then you'll come up and speak.

22 So when you're called to come up

1 and speak, say your -- spell your name and say
2 it into the microphone so the court reporter
3 can hear it, and then give your statement.
4 And don't be afraid; I'm not going to ask you
5 a bunch of questions; you're not going to be
6 asked questions by anyone in the audience
7 either, for that matter.

8 And I ask you to all be respectful
9 of one another. You can just get up there and
10 speak. So then you can get up and give your
11 statement.

12 And similarly, just as I won't be
13 asking you questions, I won't be entertaining
14 any questions about the substance of the
15 arguments or their merits. We're here to
16 collect these oral comments and set them down
17 in a transcript, and then the transcript will
18 be taken to Washington, and the Board members,
19 who are the decision makers here, they will
20 read the transcript when they're making their
21 final decision.

22 It sounds like some of you also

1 have written materials that you would like to
2 file, and Fred here will explain how that
3 works, because we're not going to be taking
4 any written materials here.

5 And the point of having it
6 filed -- I know it might sound sort of
7 bureaucratic, but it's fair -- or it's more
8 fair that way, because then everybody gets an
9 opportunity to look at what you've filed.

10 So, Fred, will you please explain
11 that?

12 MR. MILLER: Sure.

13 There are two means of filing.
14 One is what we call e-filing, where you can do
15 it online at the Board's website. The website
16 is, for those of you who need it,
17 www.stb.dot.gov. On that website you can also
18 find all of our decisions related to this
19 matter, and the information I'm about ready to
20 read, which was part of our August 12, 2010,
21 decision. You can find the decisions by their
22 what we call service date or by their docket

1 numbers or the title of the case as well.

2 If you want to file in traditional
3 paper format, through the mail, you can just
4 send original and ten copies to the Board.
5 Make sure you note the docket number, which is
6 FD 35380, and the address is Surface
7 Transportation Board. We're at 395 E, as in
8 Edward, Street; that's Southwest, and the city
9 is Washington, DC; zip code 20423.

10 In addition, you also need to
11 serve one copy on the railroad's
12 representative. That's Mr. John D. Heffner,
13 H-E-F-F-N-E-R, and he's at 1750 K Street;
14 that's Northwest; Suite 200, Washington, DC
15 20006.

16 And that's the way, if you have
17 any written comments or anything else you'd
18 like to give, you can send that up through the
19 mail that way, or, like I said, through our
20 website.

21 With that, I'll turn it back over
22 to Matt.

1 MR. BORNSTEIN: Okay. So I think
2 that's it, so are there any questions about
3 how today's meeting will proceed? If so, just
4 shout them out.

5 VOICE: [inaudible]

6 MR. BORNSTEIN: Or could you come
7 to the podium and speak if you have a
8 question. I'm sorry.

9 MS. GUAJARDO: Andrea Guajardo,
10 Conejos County Clean Water, and it's a
11 procedural question on submittals. Lucy
12 Marvin had said we could turn in stuff on a
13 thumb drive today.

14 And I know on your electronic
15 submission the maximum is 10 megabytes, so we
16 have a lot of -- like for us to copy the hard
17 submissions that we have and serve 10 copies
18 is going to be incredibly --

19 PARTICIPANT: Use the cordless
20 one.

21 MS. GUAJARDO: Okay. This one?
22 Is that better?

1 MR. BORNSTEIN: Wait one second.
2 Court Reporter, can you hear her
3 as she's speaking?

4 COURT REPORTER: Yes.

5 MR. BORNSTEIN: Okay. Good. I'm
6 sorry.

7 MS. GUAJARDO: From the top?

8 MR. BORNSTEIN: Yeah, from the
9 top. That's great.

10 MS. GUAJARDO: Okay. Back to the
11 question.

12 Andrea Guajardo with Conejos County Clean
13 Water. This question is procedural on the
14 submissions. Lucy Marvin had told us we could
15 submit a thumb drive today, because to submit
16 electronically, your max is 10 megabytes, and
17 it's hard for us to copy 10 pages of like a
18 hundred-page PowerPoint and serve 10 copies to
19 the Board and then one copy to Mr. Heffner.

20 So I'm just wondering, is it
21 acceptable to submit that thumb drive today if
22 we have it on a thumb drive?

1 MR. BORNSTEIN: Well, can you
2 submit several, I guess, volumes of evidence,
3 like part 1, part 2, part 3? Can you e-file
4 it that way?

5 MS. GUAJARDO: Yeah, we could do
6 that. Is that acceptable? Just to break it
7 up --

8 MR. BORNSTEIN: That would be
9 acceptable.

10 MS. GUAJARDO: -- the 10
11 megabyte --

12 MR. BORNSTEIN: I mean it's
13 just --

14 MR. MILLER: That would be fine.

15 MS. GUAJARDO: Okay. We'll do
16 that, then.

17 MR. BORNSTEIN: Right. Okay.
18 Great. Great.

19 MS. GUAJARDO: Thank you so much.

20 MR. BORNSTEIN: No, sure. Thank
21 you.

22 So all right. Well, let's get --

1 MR. MILLER: Any other --

2 MR. BORNSTEIN: Oh, I'm sorry.

3 Yes.

4 (No response.)

5 MR. BORNSTEIN: So no more

6 questions? Okay.

7 Oh, all right. In the back you

8 have a question?

9 MS. ARENDS: Good morning, my name

10 is Joni Arends.

11 PARTICIPANT: You have to turn it

12 on.

13 MR. MILLER: Yes. Sorry.

14 MR. BORNSTEIN: Yes, there's a

15 thing on the side that --

16 MS. ARENDS: Okay. Thank you.

17 Good morning. My name is Joni

18 Arends.

19 MR. BORNSTEIN: Good morning.

20 MS. ARENDS: I'm with the

21 Concerned Citizens for Nuclear Safety. I'm

22 wondering, is there a deadline for submitting

1 the comments?

2 MR. BORNSTEIN: There's no
3 deadline, but sooner rather than later --
4 within the next several weeks, let's say; even
5 sooner than that probably would be good.

6 It doesn't have to be tomorrow,
7 but it would be great if it's in, let's say,
8 like the next week or two.

9 Do you think that sounds about
10 right?

11 MR. MILLER: Yeah, because we want
12 to be able to have all the information
13 available and prepared for the Board members
14 as soon as possible. So if there is going to
15 be written versions of the comments people are
16 giving today, we would want that as soon as
17 possible so that could be used in making --
18 for the Board to make their decision.

19 MS. ARENDS: Do you have a
20 schedule for when the Board is going to meet?

21 MR. BORNSTEIN: No, but the Board
22 is -- will be considering this -- the petition

1 and the material -- the comments submitted on
2 it, and it will render a decision as soon as
3 it can. That's that.

4 MS. ARENDS: So would we --

5 MR. BORNSTEIN: But there's no
6 statutory deadline, so --

7 MS. ARENDS: By March 1?

8 MR. BORNSTEIN: Well, there's no
9 statutory deadline, and the Board will
10 consider this matter, and I can't give you a
11 date certain as to when a decision would be
12 rendered.

13 But if you get your evidence in in
14 the next week or two, that would be wonderful.
15 And with your evidence, if you -- a petition
16 asking that we accept it would be good also.

17 MS. ARENDS: Thank you.

18 MR. BORNSTEIN: Mr. Heffner, you
19 have a comment or a question?

20 MR. HEFFNER: A question.

21 MR. BORNSTEIN: Could you come to
22 the podium, please?

1 (Pause.)

2 MR. HEFFNER: Okay. I just would
3 like to have a reasonable amount of time to
4 read through whatever is submitted and
5 respond, if appropriate.

6 MR. BORNSTEIN: You can file a
7 reply comment to the materials that are
8 submitted. That's okay.

9 MR. HEFFNER: That would be fine.
10 I would say probably at the utmost -- at the
11 outset -- at the outside, no more than 20
12 days, maybe closer to 10.

13 MR. BORNSTEIN: Okay. That's --
14 let's just split the difference and say 15.

15 MR. HEFFNER: Okay. Very well.

16 MR. BORNSTEIN: And so just so the
17 Board has a complete record before it, please
18 try to get your comments in in the next week
19 or two so that then -- so then the railroad
20 can file a reply to that. That's the most
21 fair way of doing it.

22 And then the Board will look

1 through all of those materials when it's
2 making its decision.

3 (Pause.)

4 MR. BORNSTEIN: I don't think
5 there's any more questions.

6 How about this? How about you
7 have to file all your comments by March 1, and
8 then the railroad will file its reply to those
9 comments by March 15, just so we have sort of
10 a streamlined process here that's smooth and
11 gives everyone a certainty as to what's going
12 on. Okay?

13 So the -- are there any elected
14 officials who would like to speak first? As
15 a courtesy we allow you all to speak first.

16 And if you don't choose to use
17 that courtesy, you can speak a little bit
18 later.

19 (Pause.)

20 MR. ATENCIO: Good morning.

21 MR. BORNSTEIN: Good morning.

22 What's your name, for the record?

1 MR. ATENCIO: Stephane Walter
2 Atencio. I'm a Conejos County Attorney, and
3 on behalf of the Conejos County
4 Commissioners --

5 MR. BORNSTEIN: Could you spell
6 that real quick? I'm sorry. She needs it for
7 the transcript.

8 MR. ATENCIO: Conejos County
9 defers their comments until the railroad, Mr.
10 Heffner, makes his. We'd like to follow his
11 comments.

12 MR. BORNSTEIN: Okay. That's
13 fine. So I guess that's it for the government
14 officials as to right now as to the courtesy.

15 So, Mr. Heffner, I ask that you,
16 if you wish, to get up and make your statement
17 on behalf of the railroad.

18 (Pause.)

19 MR. HEFFNER: Good morning.

20 MR. BORNSTEIN: Good morning.

21 MR. HEFFNER: Good morning to
22 everybody here in Conejos County. I want to

1 thank you very much for supplying me --

2 MR. BORNSTEIN: And could you
3 spell your name, for the record

4 MR. HEFFNER: Oh, certainly. John
5 D. H-E-F-F-N-E-R.

6 MR. BORNSTEIN: Thank you.

7 MR. HEFFNER: And I want to thank
8 you folks for supplying me with some more
9 winter; I thought we were through with that,
10 but I guess not.

11 As some of you -- and tell me if
12 everybody can hear me in the rear?

13 (Pause.)

14 MR. HEFFNER: My name is John
15 Heffner, and I'm the lawyer representing the
16 San Juan and -- excuse me -- the San Luis &
17 Rio Grande Railroad before the Surface
18 Transportation Board in these proceedings.

19 And I'd like to thank all of you
20 for coming to this hearing this morning and
21 expressing your views. My client, San Luis-
22 Rio Grande, is a fellow citizen in this county

1 and wants to be a good neighbor, and it's a
2 key part of the area's infrastructure.

3 I'm sure all of you have heard
4 President Obama talk repeatedly about
5 infrastructure, and I want to emphasize the
6 railroad is a part of that infrastructure; it
7 is a very important local asset.

8 Now, that said, I want to put what
9 is going to be said here in the proper
10 context. And the issue before the Board is
11 whether the Clean Railroad Act amendment to
12 the Interstate -- to the ICC Termination
13 Act -- I should explain to you that the law
14 that governs economic regulation of surface
15 transportation, especially railroads, is
16 called the ICC Termination Act, or ICCTA.
17 We'll just call it the Act.

18 But the issue before the Board is
19 whether the Clean Railroad Act amendment to
20 the ICCTA applies here, and that in turn
21 depends upon the question of whether the bags
22 and the containers used to transport the

1 contaminated dirt, the cargo, the commodity,
2 constitute original shipping containers under
3 the law.

4 So there's a very, very narrow
5 issue, and very simply it is whether what I
6 call the vessels, the sealed bags and the
7 sealed containers used to transport the
8 commodity, constitute original shipping
9 containers under the law.

10 If they constitute original
11 shipping containers, then preemption applies.
12 You don't apply to the Board for preemption.
13 What we've done here is ask the Board to
14 decide a question.

15 I'll wait a second. Thank you,
16 sir.

17 MR. BORNSTEIN: Right. And it'd
18 be nice if everyone put their cell phones on
19 vibrate or airplane mode or just turned them
20 off so that we can keep rolling here.

21 MR. HEFFNER: Thank you.

22 So the question is, are these bags

1 and containers original shipping containers,
2 and if they are, then preemption applies.

3 In other words, federal
4 transportation law takes precedence over state
5 or local regulation, and the only issue then
6 becomes whether the preemption that would
7 apply here would trump local licensing and
8 permitting laws.

9 It would be the same as if the
10 commodity being transported were steel beams
11 or corn or soybean oil or automobiles.

12 Now, if they are original shipping
13 containers, that ends the inquiry, and I think
14 even the county would concede, under those
15 circumstances, that federal transportation
16 law -- in other words, the ICCTA -- preempts
17 those state and local laws.

18 Unfortunately, the Clean Railroads
19 Act, while it uses the term original shipping
20 container, it doesn't define the term, and
21 there is no regulation that I can find that
22 defines the term.

1 But I will try to give you some
2 insight, in a few minutes, into what Congress
3 had in mind when they enacted this provision.

4 Now, none of the public comments
5 that I've seen shed any light on that
6 definition. No member of the public who has
7 submitted at least written comments to date --
8 I can't address oral comments, because I
9 haven't heard them yet -- appears to have any
10 scientific or technical or legal or
11 legislative expertise on this crucial issue of
12 what is an original shipping container or even
13 what is contaminated dirt.

14 And our colleagues from
15 EnergySolutions will opine on those two
16 issues. They are the experts.

17 But let's talk for a minute about
18 legislative history. And I have read the
19 legislative history. The provision here was
20 authored by Senator Frank Lautenberg of New
21 Jersey, and he wrote that provision to deal
22 with two very specific issues that seem to

1 plague -- and that's probably the best word I
2 can use -- plague the northeastern part of the
3 country.

4 The first of those situations
5 deals with waste processing facilities,
6 typically processing either hazardous waste --
7 things like toxins and PCBs and carcinogens of
8 various sorts -- municipal solid waste, trash,
9 and what's called construction and demolition
10 debris.

11 There are companies in the
12 northeast that collect this stuff, and
13 unfortunately some of those companies -- and
14 I don't know why certain types of organized
15 crime seem to have a proclivity for going into
16 the trash business, but some of these
17 collection facilities, shall we call them,
18 want to avoid the application of some very
19 useful state and local regulation, including
20 regulations that are intended to prohibit
21 organized crime from getting in the trash
22 collection business.

1 And they thought by finding a
2 loophole, by taking the two or three railroad
3 tracks that serve their facility, the sidings,
4 maybe a small railroad yard, and having them
5 deemed a railroad by the Surface
6 Transportation Board, they could then enjoy
7 the same preemption rights that real
8 railroads, including my client, enjoy.

9 And this is one of the two reasons
10 why Senator Lautenberg wrote that provision:
11 He wanted to prevent some trash collection
12 site in northern New Jersey from applying to
13 the STB to get a railroad license -- railroad
14 operating authority, so that when Union County
15 or Bergen County or Hudson County came along
16 and tried to say, Oh, you have to comply with
17 our land use laws, they could say, No, we
18 don't.

19 So that was one situation. The
20 other situation involved a handful of New
21 Jersey short-line railroads; one or two in
22 particular. I remember seeing a presentation

1 where this particular short-line railroad had
2 a huge pile of track that apparently was very
3 near a power line and posed obvious dangers in
4 terms of, you know, maybe starting a fire.

5 So I think Senator Lautenberg
6 wanted to address that type of situation. I
7 doubt if Senator Lautenberg walked into this
8 room right now and heard the presentations
9 that all of you are going to see -- all of you
10 are going to make and he went out and saw the
11 EnergySolutions San Luis & Rio Grande
12 facility -- I doubt he would say, That's what
13 I had in mind; that's what I wanted to
14 prevent. So I offer that to you for what it's
15 worth.

16 Now, in closing my part of the
17 presentation, I would like to emphasize that
18 my client is not a rogue railroad, as some
19 have termed it. I believe San Luis & Rio
20 Grande has been in existence going back to
21 about 2003.

22 It was started by RailAmerica,

1 which is a short-line holding company. They
2 bought and/or leased the lines from the Union
3 Pacific; these are former Rio Grande railroad
4 lines. They've been around since I have no
5 idea; probably the beginning of the 20th
6 century, starting out maybe as a narrow-gauge
7 railroad, and then they were converted to
8 standard gauge, operated by the Rio Grande.

9 Rio Grande was acquired by
10 Southern Pacific. Southern Pacific was
11 acquired by Union Pacific. These lines were
12 not making the type of financial contribution
13 that the Union Pacific wanted them to make, so
14 they sold them to a newly formed subsidiary of
15 the -- of RailAmerica.

16 RailAmerica in turn sold them to
17 my client, Iowa Pacific Holding Company and
18 its subsidiary Permian Basin. Permian Basin
19 operates -- currently operates six short-line
20 railroads in the western half of the country,
21 including this one and several, believe it or
22 not, in Great Britain.

1 So it is a legitimate short-line
2 railroad that hauls freight and also has some
3 passenger operations. It is a well run, safe
4 small business dedicated to serving this
5 community. It's the very type of small
6 business that President Obama talks about. It
7 represents jobs, industrial development, and
8 tax revenues.

9 I should also note that rail
10 transportation is not only safer than truck
11 transportation. I decided not to fly to
12 Alamosa because I don't like small planes; at
13 least I don't like riding in them, so I flew
14 to Albuquerque and rented a car and drove up.

15 And once I passed -- I'm trying to
16 remember the town in New Mexico; it began with
17 an E -- once I passed that point, virtually
18 all the vehicles I encountered on the highway
19 were trucks.

20 If you really care about your
21 safety, you don't want this freight moving by
22 truck; you want it moving by rail.

1 So rail is the only form of
2 transportation, other than maybe water
3 carrier, that is green, it's environmentally
4 friendly, it's energy saving, it uses little
5 land, and it's low cost.

6 Now, before I close I just want to
7 mention one other thing. I know there is a
8 parallel proceeding in federal court involving
9 application of the National Environmental
10 Policy Act. That case involves the Energy
11 Department. The STB is not the Energy
12 Department. These are two totally separately
13 matters.

14 So, this is not --

15 MR. BORNSTEIN: And that is
16 correct. That's true, yes.

17 MR. HEFFNER: Yes, this is an NEPA
18 case. And, in fact, the petition for
19 declaratory order is not a licensing case.
20 NEPA applies in the STB context where you are
21 seeking a license to construct or abandon a
22 rail line or do things like merge railroads,

1 like when the Union Pacific merged with --
2 really acquired, the Southern Pacific. So
3 there is no NEPA issue here. That's in the
4 other case.

5 I'd be happy to answer any
6 questions. I'll be around for the entire
7 hearing, and I appreciate your attention. And
8 thank you for the opportunity to speak.

9 MR. BORNSTEIN: Thank you, Mr.
10 Heffner.

11 Now apparently we have two other
12 representatives of San Luis & Rio Grande
13 Railroad.

14 MR. MILLER: First is Mr. Steve
15 Butler.

16 (Pause.)

17 MR. BORNSTEIN: Do you want to
18 speak as a citizen or do you want to speak as
19 the railroad?

20 PARTICIPANT: As a citizen.

21 MR. BORNSTEIN: Okay. Well, then
22 you can speak later.

1 And, Mr. Abbey, are speaking as a
2 citizen, or are you speaking as the railroad?

3 MR. ABBEY: The railroad.

4 MR. BORNSTEIN: Okay. Well, then
5 come on up and tell us.

6 MR. ABBEY: The little switch on
7 the side?

8 MR. BORNSTEIN: Yes. And just
9 spell your name for the court reporter.

10 MR. ABBEY: Mathew W. Abbey, M-A-
11 T-H-E-W, Abbey, A-B-B-E-Y, general manager,
12 San Luis & Rio Grande Railroad.

13 Thank you for making the trip out
14 here to the Valley to spend time with us. We
15 all appreciate it.

16 San Luis & Rio Grande Railroad is
17 a small short-line railroad within a small
18 short-line railroad holding company. We're
19 pretty excited the places we operate and the
20 things we get to do, but the fact of the
21 matter is, we are a small business with little
22 installations around the country.

1 We operate in the Valley a
2 friendly, safe short-line, fully in compliance
3 with all applicable regulations. We are a 286
4 K compliant certified railroad in its
5 entirety, and we operate solid class 2
6 mainline trackage throughout.

7 Our recent -- we had two recent
8 surprised, unannounced, unescorted FRA
9 inspections. One focused on the training and
10 certification of our train and engine crew,
11 and the other one focused on the mechanical
12 and condition of our equipment. These were
13 the two most recent ones. They also did an
14 overview of our drug and alcohol program.

15 The locomotives, one was missing a
16 warning sticker, and the other one needed some
17 sweeping inside the cabinets. The drug and
18 alcohol program and all of the training and
19 certification for all the fine engine crew
20 came back with zero violations, zero defects,
21 zero comments.

22 So we run a very clean operation.

1 And we operate a very compliant operation, and
2 a very tight operation. And it's a family
3 business atmosphere with seven of my regular
4 full-time crew being residents of Conejos
5 County.

6 In fact, there's even a nice
7 article about our training school in this
8 morning's Valley Courier, if you happen to
9 pick it up. We are ahead of the FRA's
10 requirements for conductor certification and
11 training. Those final rules are expected to
12 be released later this year, and we are
13 training to the expected standards already.

14 We operate this railroad,
15 nevertheless, at a financial net loss. It's
16 not a small loss, but it's not overwhelming.
17 Because we're part of a larger corporation,
18 we're supported by our other railroads.

19 Here's our problem. Our dollars
20 and cents problem is that there isn't enough
21 freight in Conejos County, or in -- out in Rio
22 Grande County, to justify our current level of

1 service. We operate three trains a day -- or,
2 excuse me, three trains a week, freight trains
3 to Conejos County. There's enough volume here
4 to justify one.

5 Our conundrum is that if we adjust
6 our schedule to maximize efficiency and change
7 it to one day a week, we place two employers
8 in Conejos County in serious jeopardy, Harbor
9 Light Plant and Colorado Water.

10 And so because this is type of
11 business we are, we continue to eat these
12 losses and look for ways to enhance business
13 on the line and protect the shippers. It
14 would be very easy to try and reduce the
15 service down here, or try and to otherwise
16 escape these losses.

17 We have burned about as much cash
18 as the scrap value for the railroad
19 maintaining the service level. This is who we
20 are.

21 On top of that, we'd also
22 jeopardize the viability of the San Luis

1 Central Railroad in Monte Vista, and a whole
2 host of agricultural concerns in the Valley.
3 Right now the local fertilizer and chemical
4 companies are filling their tanks, and we're
5 bringing in a dozen loads of fertilizer a week
6 to support agriculture here. We also haul
7 grain for Coors, potatoes out.

8 So I guess the point is there will
9 be lots of comments made today, I'm sure,
10 about the type of people or the type of
11 business we are. But these are the facts,
12 they're a matter of the public record here,
13 and in our FRA records as well. And I thank
14 you again for taking the time out to come
15 listen to the issue.

16 MR. BORNSTEIN: Thank you.

17 Okay. Next we have Bret Rogers
18 from EnergySolutions.

19 MR. ROGERS: Good morning.

20 MR. BORNSTEIN: Good morning. I
21 saw you gave the card to the court reporter so
22 she has the name. So, okay.

1 MR. ROGERS: Can you hear me okay
2 with this?

3 MR. BORNSTEIN: Yes. Go to town.

4 MR. ROGERS: My name is Bret
5 Rogers. I am with EnergySolutions. We are
6 the company that met with the railroad, the
7 SLRG Railroad over a year ago now to transload
8 containers that were packaged at the Los
9 Alamos site in New Mexico to shipments to our
10 Clive disposal site in Utah.

11 I've been with the company
12 since -- with EnergySolutions since 1999, and
13 I have been overseeing the waste management
14 activities for our licensed disposal facility
15 in Clive, Utah.

16 I appreciate the opportunity to
17 speak, and to talk about the operation, the
18 process, what we've done over the last year to
19 try and come up with a workable solution for
20 the community, as well as satisfying the needs
21 of our client, who is the Department of
22 Energy, as well.

1 Our mission at EnergySolutions, we
2 are the company that cleans up these
3 contaminated sites. We are the company that
4 created the contamination. So our mission is
5 to protect the public and the environment by
6 managing radioactive waste from various
7 contaminated sites throughout the country and
8 providing safe disposal of the waste at our
9 licensed disposal facility in Clive, Utah.

10 There's a few key points that I
11 want you to have to consider as you evaluate
12 the specific issue here, and that is the
13 railroad's right to perform the transload.

14 One is that these containers, when
15 they are packaged at the Los Alamos site, the
16 generator site, they remain sealed until they
17 are received at our Clive disposal site in
18 Utah. They are not opened at any point along
19 the way. They are offered up for
20 transportation and the DOT regulations under
21 49 CFR, the Department of Transportation
22 regulations, regulate the safe management of

1 this material.

2 Another point that I'll talk about
3 is that the transload facility, when you think
4 about transloading sometimes you might have
5 visions of bulk waste or bulk product being
6 transferred, which is happening to the north
7 and south of this facility with product. This
8 is not happening, or proposed to happen at
9 this facility. These are containers that are
10 leaving from a truck and being put into a
11 railcar.

12 What I'd like to talk about a
13 little bit is just to help make sure it's
14 clear on the type of waste that we're dealing
15 with. We deal with radioactive waste. It's
16 waste that is contaminated with radionuclides
17 from various different means.

18 And specifically with the
19 Department of Energy there's research that is
20 done, and over the last decades what they had
21 been doing is disposing of it on site. The
22 Clive facility is located about 80 miles west

1 of Salt Lake City, out in the desert.

2 It's very suitable site conditions
3 for the disposal of this type of material.
4 Specifically, there is less than about seven
5 inches of precipitation a year there in the
6 desert, the clay is impermeable.

7 And so when the Department of
8 Energy and the state of Utah looked at
9 disposal facilities in the region, there were
10 29 sites that were identified, and this
11 location in Clive, Utah was selected as the
12 most suitable site for this type of material.

13 And thus, after the Department of
14 Energy moved about five million cubic yards of
15 tailings from a downtown site in Salt Lake
16 City to the Clive disposal facility, it later
17 then was privatized and we sought after an NRC
18 license for disposal of radioactive material.

19 So the type of material that we
20 receive is contaminated soil, dirt, and
21 contaminated debris. So when people are using
22 gloves or safety glasses or personal

1 protective clothing in handling this material,
2 then that is also the type of debris and
3 material that we take in.

4 If you're going to be taking down
5 a building and decommissioning it, then it
6 would be that type of material as well. So
7 it's debris and soil is primarily what we
8 receive at our Clive facility.

9 I want to point out that in the
10 submittal we made as part of the SLRG
11 submittal, we provided pictures and
12 photographs of the actual waste loading at the
13 LANL site in New Mexico.

14 And just to make sure it's clear,
15 because when people hear the words radioactive
16 or nuclear, a lot of times they think of
17 oozing, gooing green waste, and in this case
18 we're talking about soil and dirt that is
19 packaged and then shipped to our Clive
20 facility.

21 The type of equipment that is used
22 to package this material is heavy equipment,

1 front-end loaders, backhoes, there are
2 operators there that operate the equipment.
3 Typically what they're dressed in is steel-
4 toed shoes, safety glasses, gloves, you know,
5 they're not in moon suits and they're handling
6 it as though it were a clean up.

7 And obviously there are controls
8 in place, there are surveys that are done to
9 make sure that the material is surveyed and
10 deconned off any of that clothing that is
11 continued to be used on the project.

12 In the submittal you can take a
13 look at the photographs of the containers that
14 are also used. All containers that are used
15 comply with the Department of Transportation
16 regulations. And depending on the
17 radioactivity and different hazzards, then the
18 Department of Transportation has higher
19 standards for the type of package.

20 So if I were shipping something
21 that was class C or a very high activity type
22 waste, typically that requires a much more

1 robust shipping container. If I'm shipping
2 something that would be considered non-DOT
3 regulated, or at levels that are extremely
4 low, then the standards for those types of
5 containers are much less because of the safety
6 issues involved with shipping those.

7 For every container that we use,
8 however, when it's shipped to our Clive
9 disposal facility, we require that the
10 generator package the material in at least the
11 minimum standards of the DOT regulations.

12 So even if it did not meet or did
13 not require to be packaged in one of those
14 packages, we have a requirement in our waste
15 acceptance criteria and in our license that
16 says it must be packaged. And the purpose of
17 those packages is to prevent the release of
18 any of that material during transportation.

19 We have certificates of
20 conformance from the vendors that provide
21 those packages that basically do the analysis
22 of the design, the construction of the

1 material that's used for the package, testing
2 of it to make sure that it does, in fact, meet
3 the, and comply with, the DOT regulations, and
4 those are the types of packages that are used.

5 Sometimes they're soft-sided
6 containers, sometimes they can be what are
7 called inter-modal containers that are metal
8 and have rigid sides, but, again, to
9 emphasize, at no time during transportation is
10 the waste allowed to be exposed, or those
11 packages allowed to be opened until they reach
12 the licensed disposal facility.

13 The transportation route, once the
14 waste is packaged at the LANL site in these
15 containers which meet the DOT requirements,
16 then they are put onto a truck, a conveyance,
17 that then leaves the LANL site. Once the
18 waste is placed into that shipping
19 container -- and the reason why I emphasize
20 this, Mr. Heffner also talked about it, that
21 is the original shipping container.

22 It's put into the container, the

1 container is closed up, the container then
2 goes onto a truck conveyance. Every shipment
3 has a manifest required under the Department
4 of Transportation regulations that describe
5 the contents of what is being shipped.

6 That original sealed shipping
7 container then gets taken to the transload
8 facility where it is then taken off the
9 railcar, again emphasizing the waste is not
10 exposed, the package is not opened. It is
11 then placed into a large metal gondola with a
12 hard lid and then that conveyance, that rail
13 conveyance is then shipped by rail to the
14 Clive disposal facility.

15 At our Clive disposal -- one point
16 to note also is that the transload facility,
17 which is located in Conejos County, is located
18 outside the Antonito city limits. It's about
19 half a mile south of the city limits there as
20 you come into town.

21 Sometimes we use those inter-modal
22 containers as well, we use heavy equipment to

1 transload the containers, cranes, to be able
2 to do that and put them into the railcars.
3 There are conditions, you know, obviously
4 safety conditions for crane operations. If
5 it's a stormy day, if it's windy. We have
6 conditions there if the wind was above --
7 exceeded 25 miles an hour, that we could not
8 perform the operation.

9 Again, the purpose of our company
10 is to clean these sites, to protect the public
11 and environment as we take it to our Clive
12 facility, and safety is utmost important to
13 us. That's our reputation. We don't work if
14 we are not safe.

15 Just to talk a little bit about
16 our Clive facility, what's interesting to note
17 is at LANL the waste is excavated, it's put
18 into a package, and then it stays in that
19 package till you reach the Clive disposal
20 site. It's interesting to note, at the Clive
21 disposal site we basically take the material
22 and then empty it out of the package.

1 So at that point when it is
2 received at the licensed facility, the soil
3 comes out, or the debris comes out of the
4 package and we compact it into soil lifts.
5 And we do that so that we can meet compaction
6 requirements and maintain the integrity of our
7 disposal cell. So the waste is taken out of
8 the package once it reaches Clive, Utah.

9 Just to take a second and explain
10 to you some of the DOT differences in
11 classifications, you'll hear sometimes class
12 7 material, or sometimes you'll hear class A,
13 B, and C. So I wanted to just take a minute.

14 Under the DOT regulations, there
15 are specific requirements for shipping
16 different classes of waste, such as poisonous
17 material, flammables, oxidizers, compressed
18 gasses, explosives, and there's also a class
19 for radioactives.

20 So when you talk about explosives,
21 that's a class 1; compressed gasses, class 2;
22 flammable liquids and solids, class 3 and 4.

1 So you go down the list until you reach
2 radioactive, which is class 7. Before that,
3 poisons are a class 6. So each of those
4 classes have specific requirements on how you
5 package that material.

6 You'll also hear about class A, B,
7 and C waste, and that has more to do with the
8 disposal. The class 1, 2, 3, 4, 5, 6, 7 has
9 do more with the transportation.

10 Just to give you an idea of the
11 relative classification, the material that was
12 shipped from LANL is what we call class A
13 material. And most of it, for that matter,
14 was considered non-DOT regulated because it
15 was so low in activity.

16 If you take a look at one of the
17 isotopes that the NRC regulates, and you look
18 at classification, what would be considered
19 class C concentrations would be 4600
20 microcuries per cubic centimeter. Comparing
21 that to class B would be 44 curies per cubic
22 meter. And class A, which is what we can take

1 at our facility would be one microcurie per
2 cubic centimeter.

3 So you've got a difference of one,
4 44, and 4600 relative to the classifications
5 for that specific isotope. If it were non-DOT
6 regulated, you would be down at .00043 curies
7 per cubic meter to make that a non-DOT
8 regulated shipment. So I just wanted to give
9 you a relative understanding of the how the
10 hazard that we're dealing with here.

11 As EnergySolutions, we also
12 operate several transload facilities already
13 throughout the country. We have several
14 clients throughout the country, DOE sites
15 where we take waste, put it in a package,
16 transload it from truck to rail and ship it to
17 Clive. So this is a practice that is
18 currently being done.

19 Once it's in transportation, DOT
20 regulates that material and so we're doing
21 that, as a matter of fact, today in several
22 different facilities.

1 I want to point out what we are
2 not doing, to be very clear. We're not
3 opening or storing containers at the transload
4 facility. We are not handling containers that
5 exceed class A limits, since that's what our
6 facility can receive, can only receive.

7 We are not handling any other
8 types of waste at the transload facility that
9 would be outside of the DOT class 7 for
10 radioactive, class 9, or non-regulated,
11 meaning it does not require any kind of DOT
12 regulation.

13 We're not doing any kind of waste
14 processing. You can look to the north of
15 facility, you can look to the south, and you
16 can see both product being put into railcars,
17 containers there without packages. We're not
18 handling bulk material, we're not taking waste
19 out of packages.

20 You can also look at the US
21 Department of Pipeline and Hazardous Materials
22 Safety Administration's statistics. Mr.

1 Heffner commented on the safety, which is
2 really the main focus of our client as we ship
3 this material.

4 Shipping by truck from statistical
5 purposes, there's much more hazmat incidences
6 by truck than there are by rail. And so we've
7 looked at that as well, and that's one of the
8 major factors as to why we are shipping, and
9 continue to ship, most of our waste that we
10 receive at our Clive facility by rail.

11 The last thing I wanted to talk
12 about in conclusion is, over this last year we
13 feel like we have had and made several efforts
14 to work with the community, and we'll continue
15 to do so. We have had the Department of
16 Energy involved, we've had obviously the
17 railroad involved, we've had many of the
18 community leaders involved in several
19 discussions over the last year to try and come
20 to an agreeable solution on how to make this
21 work while we address the community concerns.

22 We suspended operations back at

1 the end of 2009 when we understood that the
2 community was -- had concerns about the
3 transloading operations at that time. We
4 began discussions with community officials to
5 understand what they would like us to do.

6 We submitted a land use permit for
7 administrative review, which was denied, was
8 rejected. At that time we then entered into
9 negotiations, or what we call the settlement
10 agreement, with the county officials to
11 basically say, Okay, if these concerns, this
12 is how we will address those and mitigate
13 those concerns.

14 And we actually had a settlement
15 agreement in place. It was denied at a public
16 meeting by the commissioners, but several
17 weeks of effort were made in doing that to
18 address the specific concerns.

19 Then Congressman Salazar, the
20 former Congressman Salazar at the time also
21 requested another public meeting where he
22 organized a task force. And so we agreed,

1 along with the railroad, the Department of
2 Energy, to sit on that task force and, again,
3 try and discuss the issues and come up with an
4 agreeable solution.

5 Out of that meeting we agreed that
6 we would then submit a land use permit,
7 EnergySolutions, for a special use review
8 process. And went through that process, went
9 through the public comment period, and again
10 was denied approval of that application.

11 So we have felt like we have made
12 every effort along the way continuing to agree
13 to those conditions that we put forth
14 initially in trying to resolve concerns and
15 questions.

16 And so part of our discussion with
17 them during that time was, you know, we always
18 have the ability to go -- the railroad has the
19 federal right to do it, we don't give up that
20 right, and told them that this is where we
21 would probably end up if we could not come to
22 an agreeable solution, and so here we are

1 today.

2 And so that's the last option that
3 we have with the railroad to be able to do
4 that and have the interpretation from the
5 Surface Transportation Board.

6 So we appreciate, again, the
7 opportunity to be a part of this process. It's
8 been beneficial for us to really be involved
9 with the community concerns. When the Surface
10 Transportation Board rules, EnergySolutions
11 intent is to continue to work with the
12 community.

13 You know, we feel it's the best
14 practice to make sure that we try and resolve
15 and address those issues as we move forward.
16 So thank you for your time.

17 MR. BORNSTEIN: Thank you very
18 much.

19 Okay. Mr. Dave Cook from Alcon
20 Construction.

21 MR. COOK: Dave Cook, D-A-V-E C-O-
22 O-K. It's been deemed that Los Alamos clean

1 up their site down there by the government.
2 And as a private contractor to transload the
3 material here at Antonito, it just doesn't
4 make sense to me why we're being shut down and
5 stopped when we meet all the federal
6 regulations.

7 And as long as we meet those
8 federal regulations and all the transload
9 operation meets that, I just don't understand
10 why we're being shut down. And I guess that's
11 my comment.

12 MR. BORNSTEIN: Okay. Thank you
13 very much.

14 Mr. Atencio?

15 MR. COOK: Thank you.

16 MR. BORNSTEIN: Thank you.

17 MR. ATENCIO: Thank you.

18 MR. BORNSTEIN: Thank you.

19 MR. ATENCIO: Is this the right
20 mike?

21 MR. BORNSTEIN: If it's working,
22 it's the right mike.

1 MR. ATENCIO: Is this it? All
2 right.

3 The first thing I'd like to do is
4 update the Board on what has occurred with
5 regard to the county since our public comment
6 was filed on October 12 for 2010. On November
7 4 of 2010, the County Commissioners conducted
8 a public hearing on the application for
9 special use permit filed by EnergySolutions
10 for their truck-to-rail transloading facility.

11 At the conclusion of that public
12 hearing, with the consent of the applicant,
13 who is the representative of the owner, the
14 public hearing was continued to December 6.
15 And on December 6, the County Commissioners
16 rendered their decision, which was to deny the
17 application.

18 Again, I would point out to the
19 Board that the applicant was EnergySolutions.
20 The owner of the property is the railroad.
21 But the application was filed with the consent
22 of the railroad.

1 I hope the Board will recognize
2 the fine line which the railroad is attempting
3 to walk in distinguishing their activities
4 from those of EnergySolutions. And keep in
5 mind that EnergySolutions was acting on behalf
6 of the railroad with regard to the
7 application.

8 I know in the brief there's
9 discussion of, as a courtesy or as a good
10 community member, something along those lines.
11 Don't believe it. The bottom line is if they
12 applied for a permit, they did so with the
13 consent and authorization of the railroad.

14 With regard to that decision on
15 December 6 of 2010, Conejos County entered
16 Resolution Number C2010-47, which denied the
17 application. And I will submit a copy as a
18 written comment. But the application was
19 denied on three grounds.

20 First, the application fails to
21 comply with the standards of Conejos County
22 Land Use Code, Section 5.500.A.3 which

1 addresses water quality protection, because
2 the applicant failed to present sufficient
3 evidence that the proposed use of the property
4 will not cause significant degradation of the
5 quality for surface or ground water resources.

6 Again, we ask the Board to
7 recognize that the subject property, the
8 facility, is located less than 300 feet from
9 the San Antonio River.

10 More importantly, the applicant
11 acknowledged that leaks and spills of material
12 may occur as a result of the proposed use of
13 the property. And such leak or spill of
14 materials proposed to be handled at the
15 property will result in contamination of
16 surface and ground water resources. I won't
17 read the rest of it.

18 Number two, the second ground for
19 denial, was that the application failed to
20 comply with the standards of the Land Use
21 Code, Section 5.500.A.9, which deals with
22 compatibility with adjacent uses, land uses,

1 and that it will not result in an adverse
2 impact on adjacent land.

3 And there was significant
4 testimony with regard to the detrimental
5 effect on property values and the uses of
6 property in the adjoining area, which includes
7 residential property adjacent to the facility,
8 downwind of the facility, downstream of the
9 facility.

10 The third ground was failure to
11 comply with the standards of Land Use Code,
12 Section 5.500.B.2 which deals with nuisances,
13 and the Board specifically found that these
14 conditions, actions or lack of action would
15 cause conditions where are detrimental to the
16 health, safety, comfort or welfare of the
17 public, or that cause or tend to cause injury
18 to persons exposed to those conditions or that
19 tend to cause damage to the property.

20 And again, this was primarily
21 premised on the fact that the applicant
22 acknowledges that leaks and spills of this

1 material may occur.

2 Conejos County stands on its
3 public comments filed on October 12 of 2010.
4 But I would like to point out a few things,
5 emphasize some points that I think the
6 railroad is not properly addressing.

7 We do agree, the country does
8 agree that the primary issue here is whether
9 or not the Clean Railroad Act applies.
10 Contrary to Mr. Heffner's statement, the
11 county does not concede that if the Clean
12 Railroad Act does not apply, that preemption
13 applies.

14 As you will see in our public
15 comment, there are two sections, one which
16 points out that the Clean Railroad does apply,
17 the second section addresses the fact that the
18 county regulations are not preempted.

19 The Clean Railroad Act was
20 intended to address these kinds of facilities.
21 In our opening statement, the county quotes
22 what little legislative history there is, and

1 we do quote Senator Lautenberg.

2 But I would like to point out what
3 he said in introducing the bill. And I quote,
4 "Mr. President, I rise today to reintroduce
5 legislation that will close an egregious
6 loophole in federal law. Currently this
7 loophole permits solid waste management
8 facilities operated near railroads to go
9 unregulated, free from meeting any minimum
10 standards, level of safety, health or
11 environmental standards.

12 "Basically this loophole prevents
13 state or local law from regulating the
14 operation of these facilities on property
15 owned or controlled by railroads. These
16 unregulated facilities present an imminent
17 threat to public health and the environment."

18 I quote, "My chief concern is the
19 lawful management of solid waste facilities.
20 If a solid waste management facility is to be
21 operated on rail property, it must be
22 regulated like any other such facility.

1 "The threat posed by unregulated
2 waste management facilities operating on
3 property owned or controlled by railroads are
4 so great that a broad and diverse coalition of
5 public and private sector entities have been
6 formed to oppose these rogue operations.
7 Responsible management of solid waste requires
8 safeguards to protect public health and the
9 environment."

10 So, again, the basic intent of the
11 Clean Railroad Act is to regulate solid waste
12 facilities on railroad property. That is the
13 basic intention, that is the premise and the
14 purpose of the law, is to allow state and
15 local regulation.

16 I quote from the STB, Ex Parte
17 docket Number 684, Docket Number EP 684, "The
18 purpose of the Clean Railroads Act is to
19 establish that solid waste rail transfer
20 facilities, as defined in Section
21 10908(e)(1)(H) must now comply with all
22 applicable federal and state requirements

1 respecting pollution prevention and
2 abatement, environment protection and
3 restoration, and protection of public health
4 and safety, including laws governing solid
5 waste, to the same extent as any similar solid
6 waste management facility."

7 Further quote, "The Clean
8 Railroads Act leaves all other regulation of
9 solid waste rail transfer facilities to the
10 states."

11 It is absolutely clear, with
12 regard to the intention of the law, with
13 regard to the language of the law, and with
14 regard to the interpretation by STB that this
15 is a facility that is to be regulated by the
16 states and their local governmental
17 subdivisions, such as the county.

18 As Senator Lautenberg said,
19 they're trying -- this was an intention to
20 prevent rogue operations. And with all due
21 respect to the railroad and Mr. Heffner,
22 please consider that these -- if not -- if the

1 railroad is not a rogue operation, they
2 engaged in rogue activities at the very least
3 because when this activity began, the railroad
4 not only failed to alert the county, obtain
5 permissions or authorities from the county,
6 permits, or the state. They actually failed
7 to obtain the necessary federal permit to use
8 the highway access.

9 I would also point out that
10 despite the fact the railroad relies
11 significantly on their intention to comply
12 with the edicts of certain courts in terms of
13 dealing with subcontractors, make note of the
14 fact that the agreement with Alcon was not
15 entered into until March 26 of 2010, well
16 after these operations commenced in 2009.
17 That is a rogue activity.

18 I would also point out the
19 railroad didn't even own the property at the
20 time. It wasn't until 2010 that they acquired
21 title to the property. There's no proof of
22 the lease, the terms of the lease of any sort.

1 One other point, a huge gaping
2 hole in the argument of the railroad is what
3 role does EnergySolutions play. Because from
4 the county's perspective, we've been dealing
5 with EnergySolutions. They're the ones on the
6 site, they're the ones discussing what the
7 facility is going to be, how things are going
8 to be handled, transport. All these
9 settlement discussions, the railroad has been
10 part of it as well.

11 But there is nothing in the record
12 addressing the relationship between
13 EnergySolutions and Alcon, or EnergySolutions
14 and the railroad, or the three of them.

15 I do agree with Mr. Heffner and
16 the railroad's position that the issue here is
17 whether or not these activities and this
18 location is exempt from the Clean Railroad Act
19 because we are dealing with sealed original
20 shipping containers. That's the issue here.

21 That's the real question here,
22 what is a sealed original shipping container?

1 Because the Clean Railroad Act does not define
2 it. The STB draft regulations, and I assume
3 they're still draft form, do not address the
4 issue.

5 In this particular case, we ask
6 that the STB recognize that the material that
7 is proposed to be transloaded here is not a
8 regular commodity. It's not. Don't let
9 anybody fool you. It is toxic, radioactive,
10 and hazardous.

11 And that's the biggest concern
12 that we have here. This -- you know, we're
13 talking here about radioactive waste, we're
14 talking the legacy of the Manhattan Project.

15 And in our brief we address the
16 position of the railroad where, in effect,
17 they say that the characterization of this
18 solid waste does not meet the standards of the
19 Clean Railroad Act.

20 But, again, in our brief we point
21 out in three different instances -- there's
22 three different ways you can interpret this

1 material to comply with 10908, either under
2 (e)(1)(G), (e)(1)(B), or (e)(1)(D). This is
3 radioactive, toxic and hazardous material, and
4 therefore the question of whether or not it is
5 a sealed original shipping container is even
6 more important.

7 What we have a representation by
8 the railroad that it is sealed. What, in
9 fact, occurs is the material is placed in a
10 plastic bag. Okay. And what they called
11 sealed is that it is closed. What we're
12 talking about is an inter-modal, a metal box
13 that is closed. That's what the railroad says
14 is a sealed container, because it is closed.

15 What the county is saying is
16 because, especially because it is radioactive,
17 it is hazardous, it is toxic to people, the
18 land and the water, that -- and because the
19 law does not define this term, it is within
20 the purview of the county to determine whether
21 or not a closed metal box is to be considered
22 sealed. And of course the county's position

1 is, these are not sealed original shipping
2 containers.

3 I would point out on page 8 of the
4 brief that in their own exhibits,
5 EnergySolutions admits that these plastic bags
6 and the inter-modals will be subject to
7 invasion by free liquid accumulation. And
8 their proposal to address this is to use kitty
9 litter. Toxic, hazardous materials subject to
10 free liquid accumulation at the site, 300 feet
11 from the river, and the proposal is kitty
12 litter to solve the problem.

13 This is not the same as a regular
14 commodity, and we believe that it is important
15 for the STB to consider that fact and render
16 its decision in light of the materials that
17 are being shipped. Okay. This is different
18 than just a regular trash dump. We're talking
19 about material that can ruin a waterway and
20 land and who knows the health issues that can
21 be created to the public.

22 More importantly -- well, not more

1 importantly, but also of great concern is the
2 fact that if the STB allows this facility, we
3 are not, the county is not going to be dealing
4 with just EnergySolutions in the future.

5 Everything that's been said here is a
6 representation by EnergySolutions of what they
7 propose to do and what they intend to do
8 voluntarily apparently.

9 There's no requirement, there's no
10 law, there's no regulation, there's no written
11 agreement. This is just what they're
12 proposing to do.

13 But we're talking about using this
14 facility for who knows how long and by whom.
15 Who else is going to be shipping solid waste
16 to this facility? And what terms and
17 conditions will be applied to them?

18 What we are saying is, the STB
19 much allow the county to regulate this
20 facility because granting the request by the
21 railroad in effect allows the railroad to make
22 its own determination with regard to what

1 constitutes a sealed original shipping
2 container. The railroad gets to decide on an
3 ad hoc basis, depending upon which customer is
4 shipping and what manner.

5 As a practical matter, I could say
6 a taped cardboard box is a sealed shipping
7 container. Is that adequate for shipping
8 radioactive waste? I think not.

9 The railroad argues about safety,
10 and the issue of safety of truck
11 transportation versus rail transportation. We
12 agree as a county. This is a safety issue.

13 But our concern is the safety of
14 our water and the safety of our land and the
15 safety of our people, because this is the
16 location that they're proposing to handle
17 toxic dirt bags. And when they fall, they're
18 on our land, they're in our water, and they're
19 affecting our people. It is a safety issue.

20 With regard to the federal suit,
21 this will be discussed by others, the
22 plaintiffs in the case. I would point out and

1 ask the STB to consider the fact -- the
2 significance of the fact that the Department
3 of Energy has not yet even filed an answer to
4 the complaint, or the petition.

5 They have instead requested, and
6 there was a stipulated extension of time.
7 They haven't even answered the complaint yet,
8 so they can have additional time to settle the
9 matter. That's significant.

10 But I would also consider -- ask
11 the STB to consider this, if the federal
12 complaint is found to have merit, or if the
13 matter is settled by DOE in recognition of the
14 merit of that complaint, this issue is moot.
15 At the very least this issue is not ripe if,
16 in fact, the railroad is required to have the
17 NEPA study.

18 Finally, I would ask the STB to
19 take into consideration the fact that despite
20 the representations of EnergySolutions with
21 regard to their safety record and their
22 intention to limit the materials that will be

1 transloaded at this facility, the Clive, Utah
2 facility was recently cited by the Utah
3 regulatory agencies for no less than 24
4 violations, exceeding the material
5 classifications allowed at the facility.

6 We are concerned as a county what
7 is going to be shipped out of Los Alamos.
8 There are certain representations made, but
9 that's it; representations that they will
10 limit to certain materials.

11 If there is nothing more than
12 that, the very least that can be afforded to
13 the county to protect its citizens, land, and
14 water, is the ability to regulate this
15 activity in light of the fact that the
16 legislation does not provide sufficient
17 guidance. Thank you very much.

18 MR. BORNSTEIN: Thank you.

19 Mike Trujillo?

20 Mr. Heffner, you have a question?

21 MR. HEFFNER: Yes, sir. Only
22 about one or two minutes.

1 MR. BORNSTEIN: Come on up to the
2 podium real quick.

3 PARTICIPANT: Excuse me. Are you
4 going to offer rebuttal --

5 MR. BORNSTEIN: No, he's not going
6 to offer a rebuttal.

7 MR. HEFFNER: Apropos of the
8 comments regarding the transaction agreements
9 between Alcon -- am I on the mike or not?

10 MR. MILLER: You're on the mike.

11 MR. HEFFNER: Okay. Between Alcon
12 and EnergySolutions and the railroad, this
13 material --

14 MR. BORNSTEIN: Did you have a
15 procedural question, Mr. Heffner?

16 MR. HEFFNER: Basically I would
17 like to move to strike that comment. That
18 could have been submitted earlier.

19 MR. BORNSTEIN: Well, no, no, this
20 is a public meeting to gather comments, and so
21 we're not entertaining motions to strike.

22 MR. HEFFNER: Excuse me.

1 MR. MILLER: Show respect --

2 (Applause.)

3 MR. BORNSTEIN: All right.

4 Everyone stop clapping and stop -- calm down,
5 calm down.

6 MR. HEFFNER: We will file a
7 motion to strike at the appropriate time of
8 that comment. Thank you.

9 MR. BORNSTEIN: You're free to
10 file a motion.

11 Okay. So where were we. Mike
12 Trujillo?

13 MR. TRUJILLO: My name is Mike
14 Trujillo. That's M-I-K-E T-R-U-J-I-L-L-O.
15 I'm representing a couple of entities here
16 today, the town of Antonito, and more
17 specifically the CCWI.

18 Mine's more of -- some of the
19 comments that were made today, mine's more a
20 history kind of how the railroad has come in
21 and we've been able to work with the railroad
22 in all practical applications, and we do see

1 that there is, a struggling railroad.

2 But let's kind of go back a step
3 here to when it was that we had a classic
4 railroad that was for the Denver and Rio
5 Grande Railroad line, which is the classic
6 depot that you see in the downtown area. The
7 development of that was kind of our premise
8 between discussions between us and the
9 railroad.

10 Upon that, there was a donation
11 that we were going to give to the railroad,
12 and they were doing to fix it for a set
13 amount, and I'm not sure of the figure now,
14 but they were going to restore that depot for
15 us, and they just wanted a certain percentage
16 of land south of that.

17 At that point, it led into what in
18 turn turned into what is called an industrial
19 park development idea where this idea of this
20 toxic waste material was subject to discussion
21 at some of our meetings. And this facility
22 was going to take place six miles outside of

1 town -- or three miles outside of town.

2 There was discussion also to take
3 the rail line all the way into New Mexico to
4 help collect perlite. And at that time we had
5 a good working relationship with the railroad,
6 and it wasn't till recently that we kind of,
7 as an entity, as the town of Antonito, saw
8 some poor business practices.

9 We're not here to jeopardize jobs
10 as an entity. We are here to actually promote
11 that idea. Unfortunately, we also would like
12 to have the STB understand that there are
13 those poor business practices. For instance,
14 one of them being the stockpiling of lumber
15 cars and perlite cars in the town city limits.

16 And the assumption that the
17 railroad contains -- or maintains that they
18 are preempted, they are interpreting the law
19 of the STB continuously. They fly under that
20 banner and say that, We can stockpile these
21 cars because it's part of our economic goal
22 viability. And so we have disagreements

1 there.

2 Other disagreements that we have
3 is we've asked them to clean up the perlite
4 and the red rock that are right by our depot,
5 literally 200 meters from where our depot
6 sits. Those comments were made with, Well,
7 it's the land owner's responsibility because
8 they are overflowing our perlite cars.

9 So these are the things that we
10 are dealing with, and when another entity
11 comes into town and says that they are going
12 to be moving radioactive material through, the
13 red flags go up and how are they going to
14 maintain that. There's been no good business
15 proposal.

16 Steve Atencio alluded to that.
17 What is it that we are preempting here?
18 There is no business proposed.
19 EnergySolutions -- we've dealt with guys as
20 well -- they are very thorough, very good at
21 what they do. Unfortunately, they don't have
22 a contract with the railroad right now.

1 So the preemption that we are
2 going to be giving the railroad here is vague.
3 Mr. Heffner referred to steel and some of the
4 other administrators of the railroad have
5 referred to agriculture, so we're preempting
6 all kinds of different things that could be
7 potential there. Even potentially class A if
8 it needs to come through here.

9 There is not mitigation plan,
10 there is no -- they tell us they will clean it
11 up, but there has never been a proposed
12 mitigation plan to us. What is the procedure?

13 As a public official, we are
14 responsible for our fire department, we
15 take -- we wear many hats, we're responsible
16 for our first responders, our police
17 department, our fire department. They're not
18 trained in this new commodity that's going to
19 be coming through the town of Antonito.

20 Yet they say, Well, come to these
21 seminars, we will train you; get on the
22 website, we will train you. This, as I

1 understand it, should be a proposal in a good
2 business plan. There is no clear picture as
3 to what the railroad really wants. They want
4 a declaratory order for what? There are no
5 current contracts out there.

6 EnergySolutions does a good job,
7 but they are not obligated to this entity
8 right now. Like Mr. Atencio said, it's a
9 promise. And with that promise, we have no
10 foreseeable future for what this thing's going
11 to look like, how it's going to impact what
12 we're trying to -- what our vision is, what
13 we're trying to do in the town of Antonito.

14 And so that's what our concern is,
15 do they have a good mitigation plan, are they
16 practicing good business with the local, what
17 they call neighbors? And at this point, not
18 necessarily. We don't want to see the
19 railroad suffer. However, it's almost like we
20 would ask them at this point to have that
21 common practice of letting us see what those
22 plans are, helping us and sit with us at the

1 table as to what is it exactly that they
2 perceive this thing to be.

3 And if it's just to save their
4 rail line, to save two jobs, and put the
5 community at risk, that's not a good business
6 plan. And so I thank you for your time and I
7 hope that they address the concerns at the STB
8 with this issue. Thank you.

9 MR. BORNSTEIN: Thank you very
10 much.

11 Steve McCarroll?

12 MR. BORNSTEIN: Okay. Are there
13 any other commissioners that -- or elected
14 officials that wish to speak?

15 In the back. Come on up.

16 MR. GALLEGOS: My name is Lawrence
17 Gallegos. That's spelled Lawrence, L-A-W-R-E-
18 N-C-E and G-A-L-L-E-G-O-S. I'm the Conejos
19 County Clerk, as well as a rancher, so I'm
20 kind of wearing two hats here.

21 I just wanted to mention a couple
22 of things. And I have concerns as a private

1 citizen because I own property in ranch
2 downstream on the San Antonio River. But I'm
3 also a public official. And I, you know,
4 understand that we need to have jobs here in
5 the county too.

6 But there's a couple of things
7 that really concern me about the railroad, and
8 the way they've approached things. And just
9 hope that they're not using the possibility of
10 the jobs that do depend on them that are here
11 at the perlite mines and stuff like that as
12 kind of a threat that if they don't get
13 preemption that we're going to lose those jobs
14 too, because we really need those. But I
15 really think that we need to be looking at
16 what's best for the whole community.

17 Mr. Heffner mentioned about the
18 containers and them being original containers
19 as part of it, and that it all comes down to
20 that one position. And I don't know if that
21 would really make the Board's decision on that
22 one case, but I have some questions about

1 that.

2 Because, you know, they are
3 shipped by truck in these plastic containers,
4 and then when they're transloaded, they're put
5 into a different container. So it's like
6 they're a different container.

7 And I was wondering if the
8 container -- the plastic container are so safe
9 that why are they put into a different
10 container on the railroad. If it was really
11 that safe, it seems to me that they could just
12 put them on a flat-bed car on the railroad and
13 be used at that same type of position.

14 And the reason I say is because,
15 you know, they chose a spot there on the --
16 for their transload facility that is so close
17 to the San Antonio River. And there's a lot
18 of people that depend on that river for their
19 livelihood that -- me included, my family
20 included, that we have land downstream.

21 And if these containers need to be
22 put in a stronger container in order to be

1 shipped by rail, does that mean that if
2 something went wrong, that if they were
3 dropped or something, that it would be --
4 being so close to the river, that if there was
5 an incident, that we'd get some of that
6 hazardous waste into the river and it could
7 affect so many people downstream.

8 And I also wanted to mention that,
9 you know, if they -- I think, me personally,
10 if preemption is granted to them, I think that
11 would be one of really the worst case scenario
12 for the community here because then there
13 would be actually no regulation on them at
14 all.

15 And I think the risks would
16 actually go up, especially right there on
17 the -- being so close to the river, as opposed
18 to if they did go through the local
19 regulations and followed the local
20 regulations.

21 And I do understand, and at this
22 point the county has denied the land use

1 special use permit for EnergySolutions.

2 However, if the Board did rule that they still
3 had to follow land use regulations, it doesn't
4 meant that they couldn't come back and
5 reapply.

6 Because it is actually the
7 railroad that owns the property and, you know,
8 they could still reapply and have other --
9 address any of the issues that the
10 commissioners did have.

11 So it's not like if -- to just go
12 ahead and either they get preemption or -- and
13 it's over with and it's not going to happen,
14 there's still the possibility that they could
15 reapply and follow different regulations.

16 It would be my hope that they
17 would consider not doing a transload facility
18 so close to the river where the risks are
19 higher for contamination of the water. And
20 I'm not too sure big plastic bags is the right
21 container to be shipping hazardous waste. So,
22 thank you.

1 MR. BORNSTEIN: Thank you.

2 Who's next? Are there any other
3 commissioners or local representatives that
4 wish to speak.

5 (No response.)

6 MR. BORNSTEIN: No. Okay. Well,
7 then we'll hop on the list here. Richard
8 Winters.

9 MR. WINTERS: You got any
10 instruction on how to work these mikes too?

11 I'm not a speaker or anything, but
12 I just want --

13 MR. BORNSTEIN: Is it working?

14 MR. WINTERS: My name is Richard
15 Winters, and it's W-I-N-T-E-R-S. I'm a
16 concerned citizen and a member of Conejos
17 County Clean Water.

18 Does it work or not?

19 (Pause.)

20 MR. WINTERS: Okay. I became
21 involved when people I grew up with from
22 Antonito contacted me and asked if I could

1 find out what was being loaded in special
2 train cars by the San Antonio River south of
3 town.

4 They told me they had asked the
5 people that were at the loading site what the
6 material was, and were told that they could
7 not say what the material was.

8 I went down to the loading site
9 and saw a crane that was being used to load
10 the bags into the train cars, a chain link
11 enclosure, and an office trailer. I didn't
12 see any personnel there at that time so I went
13 into Antonito and started asking around. The
14 gossip in town was that the material was
15 radioactive waste from Los Alamos Labs. I
16 went to the courthouse and asked land use, as
17 I figured a permit had to have been issued in
18 order for this to be happening.

19 I was told that a company named
20 EnergySolutions and the railroad had just set
21 up and started loading the radioactive
22 material without any notice to the land use

1 office.

2 On December 11, 2009, I attended a
3 loading transfer demonstration at the transfer
4 site south of Antonito. Drivers from Hittman
5 Trucking showed up with sacked dirt
6 contaminated with PCPs and depleted uranium
7 from Los Alamos.

8 The demonstration proceeded with a
9 crane lifting the sacks from the open flat-bed
10 semi-trailers that had arrived untarped at the
11 site. As the crane lifted the sacks, I
12 noticed water dripping off the bottom of the
13 sacks as they were being loaded in specialized
14 railroad cars. I got closer to the trailers
15 and saw that the bags were sitting in pools of
16 dirty water.

17 I was bothered by this, as the so-
18 called supersacks were supposed to be sealed
19 and waterproof. At the next meeting at the
20 Conejos County Courthouse, I questioned
21 EnergySolutions representatives as to the
22 integrity of their supersacks.

1 I asked them if we filled a
2 supersack with water, would we get any
3 leakage. I was told they were not hauling
4 water. I took this to mean that their
5 supersacks were not sealed. When they were
6 asked why they were not using sealed metal
7 containers, they said it was not cost
8 effective.

9 When were warned by other groups
10 from New Mexico that if we allowed this
11 loading to continue, that the radiation and
12 chemical levels could be increased above the
13 stated levels without our knowledge. This
14 appears to be true, as an article appeared on
15 January 29, 2011 titled, EnergySolutions
16 Violates Radioactivity Permit, in the Valley
17 Courier newspaper.

18 Please do not preemption, do not
19 risk our land, our people and our future
20 generations. And thank you.

21 MR. BORNSTEIN: Thank you.

22 Andrea Guajardo.

1 MS. GUAJARDO: Good morning. My
2 name is Andrea Guajardo, A-N-D-R-E-A G-U-A-J-
3 A-R-D-O. I'm one of the founding board
4 members of the citizens non-profit group
5 Conejos County Clean Water.

6 And on behalf of the group I would
7 like to thank you, the Surface Transportation
8 Board staff, for traveling to Conejos,
9 Colorado to hear comments from all interested
10 parties regarding the proposed transfer of
11 radioactive, hazardous and toxic waste within
12 250 feet of Rio San Antonio, a headwaters
13 tributary to the Rio Grande. Welcome.

14 I am a native of Antonito. I left
15 the Valley when I was 17 and I went to school
16 at the School of Mines in Colorado. I studied
17 engineering, and I worked as a waste water
18 consultant through my 20s, and I did that
19 contract while my husband was in grad school.
20 So my background is project -- mechanical
21 engineering with an emphasis in waste water
22 mitigation.

1 Please let this comment serve as a
2 supplement to the concerns CCCW has submitted
3 electronically via the Board's website
4 originally on October 12, 2010, subsequently
5 supplemented on November 5, 8, 23 and December
6 8.

7 We would like to official
8 apologize for not submitting comments via the
9 accelerated schedule proposed by SLRG in its
10 original petition submitted to the Board.
11 This requested that public comment be
12 submitted by June 10, 2010.

13 It was not due to lack of interest
14 in the petition. Rather it was that we did
15 not know it was an electronic forum to submit
16 comments. We were waiting in Denver for a
17 hearing on June 10, 2010.

18 It has taken a short amount of
19 time to come up to speed on the parallel
20 proceedings at the local, state and federal
21 levels that surround this proposal.

22 CCCW would also like to thank you

1 for your patience, since we do not have the
2 funds to secure a railroad attorney. CCCW
3 operates entirely on donations and small
4 grants. And that includes donated time from
5 pro bono attorneys in our federal complaint in
6 district court.

7 The Board declared this petition
8 to have novel issues and specifically asked
9 for public comments pertaining to the
10 container and the waste, but not limited to
11 those two items.

12 I will be discussing in detail the
13 lift pack IP1 bag. Paktek is the
14 manufacturer, not EnergySolutions. And I will
15 also be discussing an additional item
16 pertaining to the ripeness of this petition.

17 Based on your rules, I will be
18 submitting our letters of support through your
19 mail format or electronically. And the
20 additional items that we promised for the
21 Board to review, I'll also submit those
22 electronically.

1 As originally stated in the
2 October 12 comments submitted by CCCW, we
3 assert the containers are neither original,
4 nor sealed, to constitute original containers.
5 We do know the definition of original
6 containers does not explicitly exist in the
7 Clean Railroad Act of 2008, 49 USC Statute
8 10501(c)(2), 10908 through 10910, otherwise
9 I'll call that CRA from now on. And we further
10 understand there is sparse case law to aid in
11 that definition.

12 I will qualify why the technical
13 specifications of the bag and the procedures
14 that EnergySolutions and the SLRG implement
15 while using the bag are a risk to health and
16 environment in Conejos County and therefore
17 are not an original container as described in
18 the CRA, since the intention of the CRA was to
19 protect health and environment according to
20 Senator Lautenberg.

21 While the SLRG submitted in its
22 response October 27, 2010 the certificates of

1 conformance for the bag, they did not address
2 the issue that the specific standards the bag
3 is in conformance with do not require that the
4 bag be impermeable. Please reference 49 CFR
5 173.410 and .411 and ISO Standard 1496-1.

6 EnergySolutions representatives
7 have confirmed the bag is not waterproof at
8 local public hearings. As described in the
9 October 12 comments submitted by CCCW, the bag
10 is being used outside its intended design
11 application. The bag was designed as a liner
12 to be used in conjunction with a metal
13 dumpster.

14 As an example of the questionable
15 procedures that are implemented by
16 EnergySolutions and SLRG, please reference
17 manifests from the demonstration of the
18 radioactive, hazardous and toxic waste
19 transfer -- I'll submit those
20 electronically -- held south of Antonito on
21 December 14, 2009.

22 According to the manifest, the bag

1 was loaded with radioactive, hazardous and
2 toxic waste on December 2, 2009 at Los Alamos
3 National Laboratory, known as LANL, loaded
4 onto a flat-bed truck, not a metal dumpster
5 truck, and transferred to rail on December 14,
6 2009. The waste left Antonito on December 22,
7 2009, and arrived in Clive, Utah at the
8 commercial radioactive waste dump operated by
9 EnergySolutions on January 6, 2010.

10 One manifest was obtained from
11 David Rhodes, Department of Energy supervisor,
12 ERPD&T team environmental projects office
13 during task force discussions, and the other
14 manifest is a picture that was taken the day
15 of the demonstration.

16 You can cross reference the
17 picture and the manifest to confirm the day of
18 the demonstration, and also use those two
19 submittals to confirm that while Conejos
20 County officials stopped the transfer in
21 November of 2009, that does not account for
22 the discrepancy in transit time from the

1 estimated seven days that EnergySolutions
2 anticipated the trip would take from Antonito
3 to Clive.

4 There's referenced in here that
5 I'll just submit electronically, because I
6 don't want to read through all the references.
7 It actually took over 30 days. They
8 anticipated it would take seven.

9 The radioactive, hazardous and
10 toxic waste that sat on the rail in November
11 as a result of EnergySolutions complying with
12 the county's request to stop transfers took
13 even longer than 30 days to arrive at the dump
14 in Utah. So please reference this one data
15 point for the rest of my discussion concerning
16 the free liquid accumulation in the bag.

17 The bags sat loaded for 12 days on
18 the ground in Los Alamos. This allowed time
19 for the radioactive, hazardous and toxic
20 contaminated soil to sit on the ground. Since
21 the soil is being excavated, as Bret attested
22 to earlier, the water holding capacity is low

1 at that time -- the compaction is low. The
2 permeability of water through the soil is
3 rapid and the porosity is large.

4 This means the radioactive,
5 hazardous and toxic contaminated water that
6 exists naturally in the soil had 12 days, due
7 to gravity, to migrate through the soil to
8 pull liquid accumulation at the bottom of the
9 bag.

10 After 12 days the soiled water
11 holding capacity is high due to the compaction
12 of the soil under its own weight. Compaction
13 is also high. Permeability is low and
14 porosity is small, meaning the liquid free
15 accumulation at the bottom of the bag would
16 have to undergo some mechanical aeration
17 forces to redistribute it through the soil.

18 At that point in time, the
19 contaminated water had anywhere from 15,000
20 pounds of soil to 24,000 pounds of soil, which
21 is the maximum capacity of the bag, exerting
22 a downward static force on it. This means the

1 moisture again would need to be mechanically
2 aerated to move away from the permeable seam.
3 And as EnergySolutions just said, once the bag
4 is loaded it is not mechanically disturbed.

5 During discussions with the vendor
6 of the bag, Paktek -- Paktek is the vendor --
7 the seams of the bag are where the bags are
8 most permeable. We know that radionuclides
9 dissolve in water -- and they put a reference.

10 To remove dissolved radionuclides
11 from water, ion exchange, coupled with reverse
12 osmosis filtration is needed. In our case,
13 the only barrier from our health and
14 environment to the radioactive, hazardous and
15 toxic contaminated water is the bag, which is
16 neither ion exchange, nor reverse osmosis
17 filtration. Therefore, the contaminated water
18 that permeates the seams of the bag is
19 radioactive, hazardous and toxic.

20 On December 14, 2009, when the
21 compromised bags were loaded on the flat-bed
22 truck, the contaminated water was allowed to

1 pool beneath the bags in transit from Los
2 Alamos to Antonito, and did not have the
3 approximately 1.5 hours -- which is the
4 approximate transit time, assuming a 60 per
5 hour rate of travel south to Antonito -- I'm
6 sorry, north to south of Antonito -- for the
7 water to push back against the compacted soil
8 to the top of the bag.

9 Due to the velocity profile
10 created around the flat-bed truck, due to
11 Bernoulli's principle, the bags are protected
12 from air pressure behind the cab of the flat-
13 bed truck, and not submitted to forces to
14 overcome the downward static pressure exerted
15 on the contaminated water.

16 Therefore, the contaminated water
17 was allowed to drip off the flat-bed trucks in
18 transit to Antonito and at the transfer site.
19 It is a site, it is not a facility. It is a
20 piece of land right next to the river.

21 Additionally, in the future, while
22 parked behind the chain link fence, the bag

1 will have up to 10 days to drip off the flat-
2 bed truck and migrate to the San Antonio
3 River.

4 Additionally, as asserted during
5 the public hearing before the Board of County
6 Commissioners on November 4, 2010, Bret
7 Rogers, senior vice president of
8 EnergySolutions, asserted the bag will tear in
9 temperatures where the water freezes, or 32
10 degrees Fahrenheit. The average temperatures
11 in Antonito, Colorado fall well below the
12 freezing temperature of water consistently,
13 and I also included a reference for that.

14 The bag is designed to be in
15 constant motion in a metal dumpster, not be
16 loaded and left on the ground for 12 days,
17 loaded on a flat-bed truck where the bags are
18 allowed to leak, and parked near a river
19 behind a chain link fence where the bags are
20 allowed to leak into a river.

21 Additionally, in the common
22 extreme cold temperatures that exist here, the

1 bags can rip and then allow the radioactive,
2 hazardous and toxic soil to fall to the
3 ground. The bags are not designed to protect
4 health and environment, but rather are
5 designed to line a metal dumpster.

6 So of course we feel the Clean
7 Railroad Act applies. That was a question
8 posed to the Board in the response submitted
9 by SLRG on October 27, 2010, what was CCCW's
10 position.

11 The bag is our focus since the
12 inter-modal metal dumpsters cannot be used in
13 every situation of loading the radioactive,
14 hazardous and toxic soil, as asserted many
15 times in task force discussions and public
16 hearings. Please see our October 12, 2010
17 comment for in depth discussion of the inter-
18 modal bins.

19 Aside from these specific areas
20 the Board wanted to hear public comment on, I
21 would like to address the area of ripeness for
22 a ruling on this petition from the Board at

1 this time. The SLRG in its response October
2 27, 2010 to the Board did not address whether
3 contracts are presently in place. Presently
4 the campaign described in the petition is
5 over. It was completed in July.

6 Furthermore, to be in honor of the
7 theme created around waste, this site is not
8 eligible to receive federal waste, and we've
9 contested that in federal court. As is part
10 of the public record, there has been
11 discussions to how to resolve that complaint
12 that was filed by CCCW, CCNS and SLVEC.

13 The SLRG has created an odd
14 situation where it is petitioning the Board
15 for a preemptive declaratory order when the
16 proposed transfer site is unapproved at the
17 federal level for use. Until a site specific
18 NEPA process occurs, this plan is premature.
19 There is no federal authorization. The
20 petition is not ripe for ruling.

21 At this time, please just let me
22 reiterate for the public record, I will be

1 submitting the letters in support of our site
2 specific NEPA process. There are
3 approximately 300. A letter that was
4 circulated on our behalf along the front range
5 of Colorado where this waste will be traveling
6 on the Union Pacific Railroad, there were
7 seven activist groups who signed on to that.

8 And additionally, there was a
9 resolution in opposition to this waste
10 transfer passed by the San Miguel County
11 Commissioners, and I will also submit those
12 electronically.

13 I thank you profusely for your
14 time and careful consideration of these
15 matters. Have a safe trip back to Washington,
16 DC.

17 MR. BORNSTEIN: Thank you.

18 Javi Guajardo.

19 MR. GUAJARDO: Hi. My name is
20 Javi Guajardo, and I asked my mom if I could
21 speak, and she said yes. And I drew this
22 picture, and protect our house.

1 (Applause.)

2 MR. BORNSTEIN: Thank you.

3 Michael A. Trujillo.

4 MR. TRUJILLO: My name is Michael
5 A. Trujillo, T-R-U-J-I-L-L-O. Sincerely from
6 my heart I want to start by welcoming
7 everybody that's in here. I really appreciate
8 all of you that came, despite the issues that
9 you're -- what side you're on or whatever the
10 case might be.

11 There are two things I'd like for
12 you to know about me. First of all, I'm a
13 United States Marine Corp combat veteran,
14 disabled in Vietnam 100 percent. The second
15 thing I want you to know about me is that I
16 was a building inspector for the city of
17 Alamosa back in the '80s for almost a seven-
18 year period of time.

19 What you're about to hear are
20 comments relating to that position, and that
21 position's perspective. My comment addresses
22 the safety of the railroad. Throughout the

1 last year, personally we all have constantly
2 heard about how safe the railroad is.
3 However, a two-mile walk from the proposed
4 transloading site will indicate that this is
5 not necessarily true.

6 I will speak particularly to the
7 condition of the bridges, the irrigation ditch
8 system, the bridges over the irrigation
9 ditches; the materials used for construction,
10 the culverts, the railroad crossings, the
11 wetlands, and maintenance.

12 I have submitted and will submit
13 in the future, prior to the deadline,
14 approximately 100 photos depicting the
15 condition of all that I stated. Along with
16 these photos will be descriptive captions
17 relating to the condition.

18 The site was a former agricultural
19 loading site belonging to the Middlemass
20 Group, and as you know, recently purchased by
21 the railroad, SL&RG. I choose it as a
22 starting point. I have contended the

1 following based on my personal observation and
2 on my photos.

3 Bridges, briefly. Obviously heavy
4 timber construction. Appears to be consistent
5 of the construction throughout. This fact
6 leads to a classification called Type 5, and
7 various building codes which basically speaks
8 to the ability to lend easily to possible
9 fire, possibly by an act of God, lightening,
10 a deliberate act of sabotage, a terrorist act,
11 or some instance of spontaneous combustion.

12 A common belief is that creosote
13 is a preservative and an antiseptic; and it
14 is. That can't be argued. However, creosote
15 is also highly combustibile. One would
16 conclude that in the past history of the
17 railroad, that some structural fires did
18 indeed occur.

19 Heavy timber carries a loading
20 distinction when isolated, can be determined
21 by engaging any structural code book.
22 Collectively, the loading distinction

1 increases. Not one single railroad bridge
2 even figures to carry this distinction.

3 Consequently, none of the bridges,
4 except this area, the Colorado Department of
5 Transportation's bridges, carry any maximum
6 loading information.

7 Structural still throughout,
8 mostly, and notably, riveted steel I-beams
9 have not been sanded, have not been primed, or
10 have not been painted. It can be easily seen
11 in some of the photos that I have submitted
12 that oxidation has occurred. Fasteners,
13 mostly commonly 19 -- or 9/16 inch diameter
14 bolts and nuts have oxidized to the point to
15 make maintenance at least difficult.

16 Concrete is minimally used. And
17 when it is generally at areas such as at the
18 San Antonio Bridge adjacent to the
19 transloading facility, or the previous
20 Middlemass Group agricultural loading site,
21 there's minimal use here.

22 There is one great fissure, or

1 break, at the basalt rock, or the bedrock, if
2 you will, at the San Antonio River railroad
3 crossing, and the photo clearly depicts the
4 view, particularly at the bottom south view.

5 Furthermore, catwalks not
6 apparently incorporated for structural
7 purposes, nevertheless have a safety feature
8 in that vertical risers have been constructed
9 with long top horizontal members to possibly
10 keep workmen or innocent passersby from
11 falling into the river.

12 Two cases depicted in photos
13 suggest that several wood members are missing,
14 such as at the San Antonio River Bridge, or
15 absent such as the steel truss bridge over the
16 Conejos River. And no such structures occur
17 at the Conejos River overspill bridge.

18 Furthermore, at least one of the
19 bridges, in particular the one situated at
20 Conejos County Road G.5, about 35 feet due
21 north, and Colorado State Highway 285 is
22 undersized. A photo of this bridge depicts

1 severe stress on both horizontal and vertical
2 members.

3 Furthermore, the heavy timbers
4 base support system comes into contact with
5 the irrigation bed, and when the ditch is
6 charged, this is submerged in water. Clearly,
7 rotting can be seen at this particular bridge.

8 Railroad ties, briefly. The
9 consistency of the condition of the eight-inch
10 ties, eight-inch railroad ties is that they
11 are at best in poor condition. Some ties
12 carry a different dimension, like nine inches,
13 seven and a half inches, eight and a half
14 inches.

15 Several of the photos submitted,
16 or that will be submitted, depict various
17 cracks on the soft wood material. Creosote,
18 once again, a known wood preservative, appears
19 to be -- to have leached out of the members.

20 And many ties are secured with
21 metal stays that appear to be too far to the
22 edge and that several of the cracks appear to

1 be at these locations. This seems to suggest
2 that pre-boring did not occur to help
3 alleviate the dilemma of this major structural
4 defect.

5 While it can be argued that cracks
6 are commonplace, then what is the reasoning
7 for replacing any ties at all?

8 Culverts, briefly. The use of
9 corrugated steel culverts is a major safety
10 issue. Several submitted photos depict the
11 absence of screens or any other apparatus
12 which would serve to keep the units free of
13 debris. This distinction carries major
14 importance if there is a measured amount of
15 water that must reach a particular destination
16 from a particular point.

17 The culverts depicted in photos
18 carry no load bearing or design
19 specifications. Except for a visual by
20 workmen, there is no way of knowing sometimes
21 where they are located.

22 Railroad crossings, briefly.

1 Railroad crossings are a major safety issue.
2 Photos depict the absence of safety devices
3 that would warn of an oncoming train. Audio
4 devices simply do not exist.

5 There are no lights that could
6 warn of an oncoming train during dark hours,
7 or at night time, or any type of mechanical
8 device between the tracks to buffer or
9 actually cater to public crossings, an
10 indication of such a crossing's occurrence.

11 Several of the municipalities
12 receive various complaints by citizens on a
13 weekly basis that relate to railroad
14 crossings, one problem or another.

15 Maintenance, briefly. There is
16 apparent poor maintenance throughout.
17 Described by a GPS here, location, records
18 have been recorded of various citizens'
19 complaint regarding this dilemma. Clean-up
20 requests fall on deaf ears.

21 The obvious reasons for
22 maintaining tracks cannot be overemphasized,

1 not to mention that perlite blows
2 unpredictably into neighbors' residences. A
3 common occurrence is perlite left standing in
4 the area adjacent to the proposed transloading
5 site.

6 Over at Colorado Highway 285 and
7 Conejos County Road J, a felled sign is
8 indicated in a photo. While this photo, when
9 you look at it, can draw some chuckles, the
10 apparent lax maintenance can be seen.

11 The attempt to repair one segment
12 of the railroad shows possible used material,
13 and no apparent suggested engineering design,
14 no indication that an inspector went out there
15 to inspect the work, et cetera.

16 Wetlands, briefly. For a two-
17 month stretch beginning at the point of
18 origin, that being the San Antonio Bridge due
19 north, the terrain takes on a wetlands
20 appearance in the form of abundant willows and
21 some cattails. These plants are the first
22 tell tale signs that a wetland exists.

1 This is the area where previous
2 derailments have occurred. Do we know the
3 maximum load bearing for the soil at the
4 wetlands? No.

5 One can only conclude that we are
6 attempting to move nuclear waste on an early
7 19th Century rail that has not been properly
8 kept up in the initial two miles that take it
9 and its proposed nuclear waste over two major
10 bridges and six irrigation ditches.

11 Please see also in my submittal
12 that the record indicates that in the last
13 four years of incidences on this line were due
14 to maintenance failure. Thank you.

15 MR. BORNSTEIN: Thank you.

16 (Pause.)

17 MR. BORNSTEIN: Alice Trujillo.

18 Also, I just wanted to let you
19 know, we'll do a few more people and then
20 we'll have a small lunch break; I guess like
21 a half hour. So let's do a couple more folks
22 and then we'll take a little break. Okay?

1 MS. TRUJILLO: My name is Alice
2 Trujillo, A-L-I-C-E T-R-U-J-I-L-L-O. I'm a
3 member of Conejos County Clean Water. I want
4 to thank you, STB members, for coming to hear
5 our concerns. Your presence gives me a
6 feeling of hope.

7 I begin with a contention that our
8 Conejos County Land Use Code exists to protect
9 the people from any dangers to land, health
10 and life. Regulation helps the citizens feel
11 some measure of safety. Local laws are more
12 cognizant of what is needed to ensure safety
13 and should not be preempted.

14 For me the driving force in this
15 issue has been fear. Fear of the unknown.
16 Fear of lenient regulation, or no regulation
17 at all.

18 Initially, the news of
19 transferring and subsequently transporting any
20 concentration of nuclear waste was alarming
21 because I firmly agree with the National
22 Academy of Sciences that there is no safe dose

1 of radiation.

2 Cell physiology is so intricate
3 that any subtle changes are cumulative and the
4 threshold of exposure can lead to a myriad of
5 cellular complications resulting in many
6 different types of maladies, cancer being at
7 the forefront.

8 So what is to be done to calm this
9 fear? Transparency is the only solution. Yet
10 we have seen none of this. What is in those
11 bags? We know that all low-level waste can
12 include anything, except irradiated fuel out
13 of the reactor.

14 After some research in the short
15 amount of time given, I have found that the
16 information provided to us about the danger of
17 PCBs and the various radionuclides did not
18 match the severity of the effects of the very
19 substances of concern that the SL&RG list in
20 their petition to this Board. The safety
21 measures taken did not protect anyone from
22 these same effects; in some cases there were

1 no safety measures.

2 What I have found is the opposite
3 of transparency. Initial copies of manifests
4 were not given to the CCCW when we asked for
5 them. The presentations given to the public
6 were condescending and deluded in their
7 explanation. Any good business comes prepared
8 to answer any and all questions when it asks
9 a governing entity the right to proceed.

10 Where is the business plan that
11 describes what the proposed transfer facility
12 will look like? And where are the designs of
13 the structures that will be built to protect
14 the river from runoff?

15 Where is the study that provides a
16 baseline for soil and water before possible
17 contamination? Where are the placards so that
18 the public knows that this is an area that
19 might be compromised?

20 Where are the studies that
21 describe how a slow moving river will protect
22 itself if it should be compromised? Where is

1 the study that indicates how every irrigation
2 ditch over which the trains travels will be
3 protected? Where are the notices to ranchers
4 who irrigated land might be negatively
5 impacted?

6 Where are the notices to all towns
7 and cities en route of this transport? Where
8 is a detailed mitigation plan? Where are the
9 trained men and women who will help in the
10 clean up of any possible spills? Where do any
11 of the involved entities confirm what is being
12 transported, and how they will contain nuclear
13 energy?

14 Nationwide we are not the only
15 group that is asking questions. Citizens from
16 the state of Utah, home to EnergySolutions'
17 waste site, have appealed for a moratorium in
18 disposing of depleted uranium, DU. This is
19 one of the radionuclides that is included in
20 a listing on one of the packages on a truck
21 trailer.

22 The study done by this group

1 showed how the classification of A, B, and C
2 levels for low-level waste has changed since
3 1981. In 1981, the concentration of depleted
4 uranium that could be transported to a place
5 like Clive, Utah had to be less than .05
6 microcuries per cubic centimeter.

7 Anything above this was to be
8 taken to places like WHIPP in Carlsbad, New
9 Mexico. But due to the need of -- for more
10 disposal sites, the standard was changed.
11 What happened is that the NRC, the Nuclear
12 Regulatory Commission, was only responsible
13 for commercial waste, and the amounts of
14 depleted uranium generated in these places
15 were too small and deemed "safe".

16 So DU was removed from the
17 classification system. By default, DU fell
18 under the A categorization and the
19 concentration was not regulated. Therefore
20 they ignored a very large, very concentrated,
21 very risky waste stream that was being
22 generated by the Department of Energy.

1 Furthermore, this group pointed
2 out that the NRC does not regulate the DOE,
3 and so this last entity moves DU waste
4 conveniently labeling it A.

5 The HEAL group studies maintain
6 that the concentration of the depleted uranium
7 that Utah stands to get from the DOE will be
8 over 10 times the concentration the draft
9 tables would have considered unsuitable for
10 shallow land burial.

11 When EnergySolutions tells us that
12 it only accepts class A waste, where DU is
13 concerned, class A indicates a waste that is
14 super -- has a super range of toxicity. So
15 the answer to the question, What is in those
16 bags, is not definitive. Where DU is
17 concerned, not regulated.

18 This group also emphasized -- the
19 HEAL group -- the fact that DU has the unique
20 property of becoming hotter, more radioactive
21 and more hazardous over time.

22 This was found to be true of a

1 shipment of DU that was headed to Clive from
2 Savannah Valley in December of 2009. That
3 shipment was placed in storage until safety
4 parameters were achieved.

5 In December of 2010,
6 EnergySolutions sought an extension on DU
7 performance assessment. And I quote, "Despite
8 pressure from some environmental groups, the
9 NRC recently decided against reclassifying DU
10 as a hotter waste", a move which would have
11 changed disposal requirements.

12 This last, again, is in support of
13 my premise that we are moving to more lenient
14 regulation, if regulation at all outside of
15 the local level.

16 On January 26, 2011, the media
17 informed us that some of the waste shipped to
18 Clive was reported as not compliant to
19 regulations set by the receiver,
20 EnergySolutions.

21 To quote Christopher Thomas of the
22 Healthy Environment Alliance of Utah, "The

1 allegations indicate a troubling pattern. For
2 a company the size of EnergySolutions to make
3 such serious and repeated errors over the last
4 two years with something as dangerous as
5 nuclear waste, breeds deep distrust of
6 anything else the company says."

7 What escapes me is, that as the
8 waste was sent to Clive, many citizens were
9 exposed to these non-compliant shipments, and
10 how were they informed and/or protected. Low-
11 level nuclear waste does not imply low-level
12 risk.

13 On February 7, New Mexico's
14 Channel 13 ran a news piece, Dangerous Digs.
15 This clip showed a dig that resulted in
16 contamination of workers in one of the clean
17 up sites at Los Alamos. Whoever is cleaning
18 up the Manhattan Project was not -- area --
19 was not there when the contamination happened.
20 So they are not truly aware without some
21 intense analysis what they are digging into.

22 By admission of DOE

1 representatives, they say, If it's safe, we'll
2 leave it there. So the obvious deduction is,
3 if it is not safe, it will be moved. So I ask
4 again, Will this be moved through here, and
5 how will we know what will be in those bags?

6 Another particular troubles me is
7 that the clean up is set to be done by 2015.
8 Other nuclear clean up activities in the US
9 are conducted on sites where the project has
10 been completed, subsequently cleaned up, and
11 closed.

12 Los Alamos is a facility that
13 continues to operate. This entity will be
14 generating waste ad infinitum. This waste is
15 headed to one receiving site or another they
16 learn to mitigate their waste on site. Will
17 the transfer site in Conejos County be part of
18 that scenario? I suggest that rather than
19 playing shell games of now we'll hide it here,
20 or now we'll hide it there, that they mitigate
21 it on site.

22 Nobody wants to be regulated when

1 it comes to disposal of DU. It is now common
2 knowledge that an industrial park was proposed
3 south of Antonito, south beyond the last
4 perlite refinery. Regulations were part of
5 that plan.

6 Given this, why was this so-called
7 solid waste transfer facility site, which was
8 going to be part of the industrial park, move
9 so quickly 250 feet from the San Antonio
10 River? It seems that the stimulus funds were
11 the motivating factor.

12 This was a decision made in the
13 moment with no planning for the environment or
14 the people. The Conejos County Land Use Code
15 was never followed. Waste shipments were made
16 before any sort of approval from anyone was
17 given.

18 In summary, due to the unknowns,
19 as far as what is being shipped, and who is
20 regulating those shipments, I feel that there
21 is a legitimate fear that is warranted by this
22 activity of transferring nuclear waste.

1 The health issue is the biggest
2 concern because of these unknowns. We do not
3 know to what we are being exposed. Not only
4 do we put the community in direct proximity to
5 this waste at risk, we put all citizens en
6 route at risk.

7 Remember that the final shipment
8 that arrived at the Conejos County facility
9 south of Antonito on December 14, 2009 left
10 the same facility on December 22, arrived in
11 Clive on January 6, 2010. Where were these
12 gondolas? How long at each site? How many
13 people exposed? No regulation, big health
14 hazard.

15 Now having thought through all of
16 this, I ask what shipments are we talking
17 about here and now? The last campaign is
18 over. What doors do we open for exposure to
19 more radioactive substances if preemption is
20 granted? Why should this be the gateway that
21 exposes all of Colorado through which this
22 train travels? Why aren't these other

1 citizens involved in this decision? When do
2 we inform them and ask their permission to be
3 exposed?

4 This rail line has created an odd
5 situation where the railroad is petitioning to
6 preempt local laws, local land use laws when
7 the proposed transfer site is unapproved at
8 the federal level. Until NEPA occurs, this
9 plan is premature and not ripe for ruling.
10 Thank you again.

11 MR. BORNSTEIN: Thank you.

12 Demetrio A. Valdez.

13 MR. VALDEZ: Hello. My name is
14 Demetrio A. Valdez. I live at 4489 State
15 Highway 285, Antonito, Colorado. Our ranch
16 borders the west boundary of the property of
17 the transload site.

18 I'm a fifth generation resident of
19 the Valley. We have always fought for and
20 guarded our land and water because our very
21 survival depends on it. My ancestors received
22 this land as a land grant, the Conejos Land

1 Grant from Spain.

2 I spent over 30 years through
3 selective breeding developing cattle that have
4 less than 1 percent fat and are hardy enough
5 to be raised organically. Our ranch has never
6 had any chemical fertilizers, chemical weed
7 killers, or any other chemical products
8 applied to it. Our ranch is certified
9 organic, and we want to keep it that way.

10 My Native American ancestors are
11 turning over in their graves concerned that
12 their sacred lands and rivers might get
13 contaminated with PCBs and radioactive waste.

14 The toxic transfer station that is
15 being proposed is wrong. We the citizens of
16 Conejos County receive no benefit, not even
17 jobs. According to internal documents of
18 EnergySolutions and the railroad, the train is
19 running at 40 percent of capacity. In short,
20 if they did haul Los Alamos National
21 Laboratory waste, the railroad would not
22 require additional man hours. Therefore their

1 argument of economic development is undermined
2 by their own analysis and documents.

3 It will cause property values to
4 drop. I checked with a realtor, no one wants
5 to buy land next to a toxic transfer station.
6 I certainly don't want to live across the
7 highway from one.

8 We are for responsible development
9 in our area. There is a projected solar zone
10 project for properties southeast of Antonito.
11 This is a green development Obama wants. This
12 would give the railroad and Alcon a lot of
13 business. We fully support it. Secretary Chu
14 and Secretary Salazar can count on our
15 cooperation.

16 You, the Surface Transportation
17 Board, have our thanks for coming to listen to
18 our concerns. We appreciate your efforts.
19 The land is our legacy for future generations.
20 We want to leave it better than we found it.
21 Thank you.

22 MR. BORNSTEIN: Thank you.

1 Let's take a 30 minute break for
2 lunch, and so we'll reconvene at about 12:55.

3 (Whereupon, a short recess was
4 taken.)

5 MR. BORNSTEIN: Okay. We're going
6 to reconvene now. So let's all sit down and
7 get settled quietly.

8 (Pause.)

9 MR. BORNSTEIN: Okay. We're back
10 on the record now. So our next speaker is Rob
11 Hope -- or Ron, excuse me Ron Hope.

12 MR. HOPE: Ron, sir.

13 MR. BORNSTEIN: What is it? Well,
14 here, come on up and tell us about it.

15 MR. HOPE: Ma'am, did you get the
16 last name, Hope? H-O-P-E. I hope you did.

17 This microphone has a bass sound.
18 So can you hear me without the mike?

19 MS. JOHNSON-BALL: Well, to hear
20 in the back.

21 MR. BORNSTEIN: And also the court
22 reporter -- it feeds into her system --

1 MR. HOPE: Okay.

2 MR. BORNSTEIN: -- if you speak
3 from the microphone.

4 MR. HOPE: My name is Ron Hope.
5 My wife Joan and I are native Texans -- and
6 that's my good looking wife over there in the
7 blue. (Whistles.)

8 (Laughter.)

9 MR. BORNSTEIN: Okay.

10 MR. HOPE: We lived and worked in
11 the Houston area for over 20 years. After
12 visiting Antonito every summer for almost 10
13 years, we chose to build our retirement home
14 in the city of Antonito in November of 2009.

15 During our working career in
16 Houston, in 1983 we formed a company known as
17 Instrument Services Incorporated. Our chief
18 product was the sales, service of combustible
19 and toxic gas monitoring instrumentation.

20 Prior to the involvement of OSHA,
21 many accidents and spills claimed the lives of
22 numerous people. The Texas City, Texas

1 explosion was a classic example of what can
2 occur when there is no monitoring or oversight
3 mandated.

4 Now to the point, I will use
5 hydrogen sulfide gas as an analogy to nuclear
6 waste. It can kill you without any warning.

7 OSHA determined that the TLV,
8 threshold limit value, of hydrogen sulfide be
9 set at 10 ppm, that's parts per million.
10 Concentrations above 20 ppm can begin to kill
11 your sense of smell. After short term
12 exposure to 50 ppm, one doesn't smell the gas.
13 At 100 ppm, you're in serious trouble. At
14 what point of exposure to radiation am I in
15 serious trouble?

16 H₂S is generally found in oil well
17 sites, sometimes called sour gas, pumping
18 stations and storage tank facilities where oil
19 is present. It is also found in the paper
20 industry, and is a byproduct of the pulp mill
21 process.

22 International Paper Company,

1 Temple Paper, Louisiana Paper and many other
2 plants are now required to have both
3 stationary and personnel monitoring devices
4 active. They are also required by OSHA to
5 have those devices checked daily and
6 recalibrated on a regular basis.

7 All active remote well sites,
8 pumping stations and storage facilities are
9 required to have H2S monitoring capabilities
10 with data transmission to a central control.

11 What type of monitoring and
12 telemetry our planned for the site at
13 Antonito?

14 In general operations, hydrogen
15 sulfide gas is released and spilled. The
16 radioactive waste that will be offloaded in
17 Antonito for rail shipment is, as I understand
18 it, is not a liquid nor gas. If that is
19 accurate, then any product or waste that is
20 spilled will not be dissipated into the
21 atmosphere, but most likely will be absorbed
22 by the soil.

1 In summary, we did not invest in
2 our retirement home in Antonito to find out
3 that a very quiet business arrangement has
4 been made to offload radioactive waste less
5 than a mile from our residence.

6 While we did bring our tombstone
7 from Huntsville and purchased cemetery plots
8 in a very nice cemetery in the hills northeast
9 of town, we have no desire to die of radiation
10 sickness because of an accidental spill.

11 Reflecting back to my experience
12 in the petrochem industry, all of the spills,
13 releases, explosions at Dow Chemical, Rohm and
14 Haus, EI Dupont, Exxon, Mobil, Celanese,
15 Phillips, Marathon, and a long list of other
16 companies were accidents. No one did them
17 intentionally; they were accidents.

18 The Cumbres & Toltec Railroad,
19 which is listed on the federal national
20 historic sites, is within a stone's throw of
21 the proposed site. What impact can be
22 expected when tourists find out that they are

1 boarding the train just a stone's throw away
2 from a radioactive waste transfer site?

3 Taking it one step further, what
4 happens when an accident occurs at that
5 transfer site? One does not have to be a
6 rocket scientist to figure out how fast the
7 word will spread. Would you come to Antonito
8 to ride the Cumbres & Toltec train if a
9 radioactive accident occurred just a stone's
10 throw from the station? I don't think so.

11 I do not want any type of dirty
12 soil, or radioactive waste anywhere near my
13 home or community. We chose Antonito because
14 of its beauty, culture and history.

15 In Houston, Texas we had
16 pollution, toxic gas releases, refinery fires
17 and promises by the participant to do better
18 in the future. Trust us, we know what we are
19 doing, was a standard industry answer. I
20 don't believe anyone who says, No accident
21 will happen. We have it under control.
22 Trust.

1 Sooner or later a mistake will be
2 made and an accident will occur. No H2S gas
3 to be dissipated in the atmosphere, but a
4 dirty dirt spill to be cleaned up.
5 Personally, I don't believe anyone who says,
6 This is just low-level dirty dirt.

7 The road from Española, New Mexico
8 to Antonito is not the greatest in the best of
9 weather. The Chama River flows along part of
10 this road. One truck off the road spells
11 disaster for the Valley just south of Oho
12 Caliente, New Mexico.

13 Security. Let me clear on this.
14 I do not want to be accused of being a
15 terrorist, but again, it doesn't take a rocket
16 scientist to figure out this one.

17 No security on site location,
18 radioactive waste being offloaded from a truck
19 and placed on a railcar, easy access via foot
20 or car, readily not visible at night from the
21 highway. Simple. Access some C-4, attach it
22 to the containers, instant dirty bomb; instant

1 meeting with Allah and the 71 or 72 virgins.

2 Please, do not allow this
3 radioactive or dirty dirt to come through
4 Antonito. The county doesn't want it here,
5 and Joan and I do not want it here. Thank you
6 for letting me present this.

7 MR. BORNSTEIN: Thank you.

8 Joe Mestas.

9 MR. MESTAS: That's Joe, common
10 spelling, J-O-E, M-E-S-T-A-S. I am a former
11 commissioner here in Conejos County, a
12 concerned citizen, local resident.

13 I have been part of this mess
14 since day one. We were at conference in
15 Colorado Springs when I got a phone call that
16 there was something going on at this site,
17 people had looked into it, they were
18 transloading nuclear waste and so forth.

19 I contacted the land use office,
20 asked them to look into it. When they
21 contacted me back, we got a hold of the hazmat
22 team, state patrol, DOT. Of course there was

1 no type of permits or anything else in place,
2 so I asked that they stop it. And so they
3 did.

4 When we came back we found out the
5 railroad didn't even own this land; it was
6 land that was owned by a local person.

7 And after they were stopped,
8 that's when all negotiations and everything
9 else started. That's when they decided to
10 purchase the land, the railroad purchased the
11 land. EnergySolutions started going for
12 permits and so forth. And Salazar,
13 Congressman Salazar created a task force to
14 study the whole thing.

15 There was never a negotiation
16 agreement. There was an agreement to
17 negotiate. Obviously if there would have been
18 an agreement, we wouldn't be here today.

19 Now, I find it kind of odd -- and,
20 by the way, thank you for coming all the way
21 from Washington, DC, traveling thousands of
22 miles. I wish you'd take the time to travel

1 the mile and a half and look at the site
2 itself.

3 I think everything else has been
4 pretty well covered as far as proximity to the
5 river, the proximity to the residences.

6 I think since you've been here
7 this morning, you've seen that in this county
8 you've been through all four seasons in a
9 matter of a couple of hours.

10 (Laughter.)

11 MR. MESTAS: And we talk about
12 these bags. These are plastic bags. They do
13 not hold water, so that means they do not keep
14 water out. Okay. And again, like I said,
15 you've seen all four seasons. What happens
16 when these bags are on a truck for an hour and
17 a half, two hours through a rain storm, and
18 then they get here and they start dripping?

19 It's unfortunate that we're
20 looking at a law that was created by Abraham
21 Lincoln in the 1800's about preemption. I
22 guess it had its use and purpose at that time

1 when the country was developing. I think
2 today it's being abused.

3 And I would ask that you go back
4 to your Board and emphasize this fact
5 because -- I congratulate Mr. Heffner on his
6 presentation and interpretation of what the
7 Act actually says. I think that his
8 interpretation of it is probably influenced by
9 a paycheck. I hope that your Board looks at
10 it objectively. Okay?

11 And he mentioned coming all the
12 way from Espasola. This is true. But every
13 one of them trucks buys groceries here, buys
14 tires here, buys fuel here, lives here.
15 That's economic development. Not one crane
16 operator, three people sitting there. That's
17 economic development for an area. Them people
18 spend their money here.

19 As far as the railroad, I think
20 the safety issues with bridges and so forth
21 have been expressed. I think Mr. Trujillo has
22 several photos that definitely identify some

1 real problems. The bridge, the very first
2 bridge that they're going to cross is --
3 potential to collapse at any time.

4 It's unfortunate that the railroad
5 has their own safety inspector. Talk about
6 letting the fox into the hen house.

7 I think that you folks need to
8 look at this and look at it very well. This
9 is not about helping the community. This is
10 about money. This is about the railroad, and
11 I mean they stood here and they said it, if
12 they don't do this, what they're doing today,
13 hauling perlite and red rock, does not
14 substantially pay for their efforts.

15 One thing that's kind of
16 interesting, San Luis & Rio Grande Railroad is
17 talking about tourism down here. And every
18 now and then you see one of the passenger cars
19 come down. There might be one, there might be
20 10 people in it. That's good. That's good.

21 But what are them people going to
22 say when they realize that the car that's in

1 front of them and the car that's behind them
2 is hooked up to a bunch of nuclear material
3 that there's a potential for a spill? As a
4 passenger in one of them cars, I wouldn't be
5 too happy.

6 I think that the STB sitting in
7 Washington, DC, I think they need to get out
8 and start doing some site visits. And I
9 emphasize to you, a mile and a half. You've
10 traveled thousands of miles to get here, take
11 15 minutes and go a mile and a half and look
12 at the actual site. Thank you.

13 MR. BORNSTEIN: Thank you for your
14 comments.

15 Faustin Martinez.

16 MR. MARTINEZ: My name is Faustin,
17 F-A-U-S-T-I-N, Martinez, M-A-R-T-I-N-E-Z. And
18 I'd like to thank you for coming down. I'm a
19 rancher in a neighboring county, and I
20 wouldn't have been able to afford to go to
21 Washington. So sure appreciate that.

22 MR. BORNSTEIN: Well, thank you

1 all for your hospitality.

2 MR. MARTINEZ: I ranch in a
3 neighboring county, and I live there; it's
4 Alamosa County to the north. And we
5 definitely don't want this nuclear waste going
6 through our community, and I don't care what
7 anybody says, an accidental spill is going to
8 happen.

9 The other thing that is
10 unacceptable is they set it up right next to
11 the San Antonio River. Being a rancher, I've
12 utilized the irrigation water throughout the
13 Valley all these years.

14 The San Antonio dumps into the
15 Conejos, the Conejos dumps into the Rio
16 Grande, it travels in Colorado, goes into New
17 Mexico, goes into Texas, we deliver water down
18 there because of the Rio Grande compact, and
19 even Mexico has a call on some of that water.
20 So we're contaminating a bunch of area and a
21 lot of people get affected.

22 We've got two aquifers here in the

1 Valley, we've got the unconfined and then we
2 go deeper we've got the confined aquifer. If
3 we poison those aquifers, this Valley will be
4 not good for anybody to live in. You know,
5 the water is the lifeblood of everything.

6 One of the things that I've never
7 seen -- I've been to a few meetings down here,
8 but I've never seen them come with how
9 tests -- how will it -- how will this stuff
10 affect our plants, our vegetables, our crops
11 here in the Valley? And what about cattle,
12 how is it going to affect them? I grow hay
13 and have cattle.

14 And those things need to come out
15 so we can kind of understand what we're
16 dealing with really. Right now we don't know
17 what we're up against. And thank you for your
18 time, and sure appreciate it.

19 MR. BORNSTEIN: Thank you very
20 much.

21 Alfonso Abeyta.

22 MR. ABEYTA: Alfonzo Abeyta, A-L-

1 F-O-N-Z-O, Abeyta, A-B-E-Y-T-A. They've
2 covered about everything that I was going to
3 say, but let me bring up a couple of things
4 that I've heard from both sides.

5 Los Alamos -- the Department of
6 Energy was required to clean Los Alamos
7 because rainfall, snowfall, and all this
8 contaminated dirt was flowing in with the
9 drainage into the Rio Grande. That was their
10 purpose why they were trying to clean Los
11 Alamos -- or are cleaning Los Alamos. Because
12 in the '40s they buried all of their waste in
13 different sites. So now the rain is
14 contaminating the Rio Grande.

15 They also mentioned that the
16 site -- there is also mention that from Los
17 Alamos, the safest thing was the railroad.
18 Well, they have to travel 100 and something
19 miles via truck from Los Alamos, in open
20 canvas containers. That's also been
21 mentioned.

22 The road between Española and

1 Antonito is heavily traveled by trucks, mainly
2 trucks with hay feeding cattle in New Mexico
3 and in Texas.

4 There's antelope, elk, deer in
5 that route, and there's probably been more
6 accidents in hitting livestock and elk and
7 deer by the truckers, which have spilled their
8 hay and all that, because at night -- most of
9 them travel at night, some of them during the
10 day.

11 Of course that's a safety issue.
12 If those trucks took off to Clive, Utah from
13 the site, they had already saved 100 miles or
14 better that they have to travel through these
15 dangerous areas.

16 Now I'm going to talk a little bit
17 about the environment. You've mentioned the
18 San Antonio River is a tributary to the Rio
19 Grande, which we were trying to keep all this
20 waste flowing into the Rio Grande from Los
21 Alamos, so they're transporting it right next
22 to a river source.

1 That river source -- we also have
2 the San Antonio River, the Conejos River that
3 the railroad has to go through, the La Jara
4 Creek, the Alamosa Creek, and all the ditches
5 that irrigate east of 285 -- the railroad.
6 These are all tributaries to the Rio Grande

7 In the last 10 years we've had
8 derailments between here and Walsenburg. In
9 the last year we've had two derailments that
10 spilled perlite up -- going up La Veta Pass,
11 which I think some of you came through there.

12 All the Culebra River, or Creek or
13 whatever it is, goes right next to that
14 derailment that also is a tributary to the
15 Rio Grande. What if that accident would have
16 carried some of this radioactive PCB material?
17 The safety is there.

18 And I also want you to consider
19 that we all follow federal laws, as you
20 probably know, and are citizens here, we have
21 to meet the Environmental Impact Statements
22 and all of that.

1 Our county had -- was forced to
2 close two county dumps because of the
3 environment, which one of those county dumps
4 that they closed is less than a mile and a
5 half from where they're trying to their
6 transport station, or loading docks.

7 We had to meet federal regulations
8 on EPA. So we, the citizens, have to pay more
9 to just get rid of just normal every day
10 trash, garbage, whatever you want to call it.

11 I'm going to go back to the
12 derailment. We had a derailment less than a
13 mile from here about five years ago, maybe a
14 little longer, but it's in that proximity of
15 time. They spilled two cars loaded with
16 perlite, and this is all in the wetland
17 portion of it.

18 Why was a derailment happened
19 there? It's because the ground gave up
20 because of the moisture, because during
21 spring, runoffs from our mountains fill all of
22 these borrow pits with water that are all

1 contributory; it lands up in the Rio Grande.
2 If you go there today, you will still see
3 traces of perlite where that derailment took
4 place.

5 Now let's go a little further. We
6 go up to La Veta, going up La Veta Pass they
7 had a derailment last year, last summer that
8 spilled also perlite, which also was next to
9 a contributory to the Rio Grande. What if
10 that would have been radioactive material?

11 The safety of the railroad is a
12 question mark here. And I believe this Board
13 I'm talking to should take consideration that
14 the county commissioners did not approve the
15 permits, that we've been here opposing this
16 transfer station for these same reasons.

17 Because we know that the railroad,
18 and it's not a fault of the railroad that has
19 it now, but that railroad was built for the
20 narrow gauge in the late 1800s. And as Mike
21 Trujillo mentioned, and he has pictures of
22 them, none of that inner structure has been

1 improved.

2 And the derailments anywhere from
3 here to Walsenburg will all affect wetlands,
4 because from the wetlands that we're talking
5 about, we have wetlands coming off La Veta
6 that go into the Rio Grande, those waters go
7 into Smith Reservoir, Sanchez Reservoir, and
8 that's used for recreation, for irrigation,
9 for whatever.

10 From this end we have duck refuges
11 south -- I mean east of La Jara and that is
12 also wetlands. That supports all the water
13 for our ducks, geese, whatever we have as far
14 as fishing.

15 So the wetlands to us is very
16 important. We want to maintain them as our
17 federal government has put emphasis of how
18 important they are for our future, for our
19 grandkids, for our kids, and for the future
20 generations.

21 So I feel that the county
22 commissioners made the right decision to keep

1 the local and the state governments in force,
2 instead of a preempt regulation that was
3 passed in the late 1800s.

4 And thank you again to your time.

5 I want you to consider this very heartily
6 about we all follow federal regulations by
7 keeping our wetlands and our waters clean.

8 MR. BORNSTEIN: Thank you.

9 Clyde Archuleta.

10 MR. ARCHULETA: My name is A.

11 Clyde Archuleta, C-L-Y-D-E A-R-C-H-U-L-E-T-A.

12 The reason I'm here today is I'm a concerned
13 citizen of Colorado actually. I was born in
14 Alamosa, Colorado, raised in Leadville,
15 Colorado. I've been around railroads too for
16 quite a long time.

17 My father-in-law, my past father-
18 in-law, he's dead now, he worked for the
19 railroad on top of Tennessee Pass in Colorado;
20 it's on the Continental Divide. So I'd been
21 around him because I was in love with his
22 daughter, even before I married her, so I hung

1 out there quite a bit. But I've seen what can
2 happen with train wrecks, and things like
3 that.

4 And here in the San Luis Valley,
5 we've already had one river that was -- I'm
6 going to say poisoned and ruined, and that was
7 the Alamosa River. You go up the Canyon, you
8 look at that reservoir from the Summitville
9 mine, and, ah, what are we doing to our land,
10 this water. That is the life system, the
11 water.

12 And again, like was mentioned by
13 the speaker right before me, the water --
14 everywhere you cross here in the Valley, all
15 that water is going to dump into the Rio
16 Grande. From the Rio Grande, that water is
17 going to go all the way down to the Gulf of
18 Mexico.

19 We've already had an incident in
20 the Gulf of Mexico, and look how long it took
21 to clean it up. Look how many people it
22 affected.

1 And I remember when first heard
2 this, or read about it, about this incident
3 going on. It reminded me of a book by Rudolfo
4 Anaya in the '70s, and it talked about the
5 very incident that is going on right now, this
6 transporting of nuclear waste.

7 And again, it's the same kind of
8 scenario. Here the company -- because this
9 company said -- or one of the speakers, the
10 younger gentleman, said that they've been in
11 business since 2003, and that they're not
12 making money, blah, blah, so they depend on
13 this. And it seems like the plans were
14 already made to ship this waste before the
15 public was even alerted or anything.

16 And everything I wanted to say has
17 almost already been said. But there a few
18 things I wanted to reiterate. Railroads have
19 had a reputation of being bullies and taking
20 advantage of people all the way back to Jesse
21 James' days, and further.

22 Another thing I didn't hear about

1 in all this, what if there is an accident, are
2 there plans in effect to deal with any kind of
3 disaster that might happen? That's a big
4 concern of mine.

5 And how fast will whoever's
6 responsible for the clean up react? Because
7 we do live in an area that's not going to
8 affect just us, again, but it's going to
9 affect everybody down the river, I mean along
10 the Rio Grande all the way down to the Gulf of
11 Mexico, and there also.

12 And again, like another gentleman
13 mentioned earlier, there was an incident in
14 the Valley Courier that the shipments were
15 over the desired -- or regulated limit.

16 And it is true, most of us
17 citizens in Conejos County weren't aware of
18 what was going on with this nuclear waste
19 shipment. We weren't alerted, advised, had
20 the right to make some kind of comment about
21 this. So to me this, from the very beginning
22 on the railroad side, and whoever else is

1 involved with the railroad, it was a shady
2 deal.

3 If you're going to be honest, be
4 honest, be up front with your citizens. We
5 live here. We do, we all live here, and we're
6 concerned. Most people like that, well,
7 they'll come and they'll leave, as was
8 mentioned earlier. But, no, we live here, we
9 have to deal with whatever happens.

10 Again, infrastructure, and it was
11 mentioned by President Obama, but you've seen
12 it. You've seen it. We have not put money
13 back into our infrastructure to really do the
14 kinds of things we're doing like right now.
15 If you're going to do it, do it safely. Do it
16 safely, if you are going to do it.

17 And, well, I'm going to end for
18 now before I get excited. Thank you,
19 gentlemen, for coming down and listening to
20 us.

21 MR. BORNSTEIN: Thank you very
22 much.

1 Steven But?

2 MR. BUTLER: Good afternoon. My
3 name is Steven Butler, S-T-E-V-E-N B-U-T-L-E-
4 R. I actually do work for the railroad here,
5 and I live in Conejos County. I'm a fairly
6 new resident here.

7 And I see a lot of emotion, a lot
8 of passion from fellow citizens concerning
9 this issue. And it seems to, you know, one of
10 the greatest issues is the water. But yet,
11 being a new resident here, I see you guys put
12 tens of thousands of gallons of fertilizer,
13 pesticides, herbicides on the ground, which
14 goes into the rivers, goes into the Rio
15 Grande.

16 And you don't seem to have a
17 concern about that that you do about the
18 potential for this other product that has got
19 very limited exposure to the ground. And I
20 guess that seems to be my concern, that, you
21 know, you raise issues about this, but yet you
22 don't raise issues about the products that you

1 guys use to maintain your living.

2 MR. BORNSTEIN: Oh, wait.

3 (Pause.)

4 MR. BORNSTEIN: Thank you.

5 Did you get that?

6 COURT REPORTER: Parts of it,
7 because he was facing away from the
8 microphone.

9 MR. BORNSTEIN: Oh dear.

10 COURT REPORTER: We'll do the best
11 we can.

12 MR. BORNSTEIN: Okay. Thank you.

13 Okay. Linda Taylor.

14 MR. MILLER: Is there an Orlinda
15 Taylor -- or no --

16 PARTICIPANT: She left.

17 MR. BORNSTEIN: Okay.

18 PARTICIPANT: She left at lunch.

19 PARTICIPANT: Maybe she'll come
20 back --

21 MR. MILLER: Okay.

22 MR. BORNSTEIN: Okay. That'll

1 work.

2 Michael Sisneros.

3 MR. SISNEROS: Good afternoon. My
4 name is Michael Sisneros, M-I-C-H-A-E-L,
5 Sisneros, S-I-S-N-E-R-O-S.

6 First off, I want to publically
7 take the time to thank our county
8 commissioners for taking the stance that they
9 did and listening to the community. Mr.
10 Mestas, John, is present, Mr. McCarroll's not
11 here, and those that I may have I forgot, I
12 want to thank them publically for taking their
13 stance that they did.

14 I want to thank you folks that
15 traveled this long distance. I agree with Mr.
16 Martinez, I couldn't afford to go all the way
17 to Washington, DC, and I assume there's a
18 great majority here that couldn't either. So
19 thank you for coming.

20 First off, I want to start -- I've
21 heard -- everyone has said things that I
22 wanted to say, but one thing that hasn't been

1 said, and it's based on my observation, that
2 those are -- that those that are pro waste
3 facility, they're not from here. They may
4 live here, but from here definitely not.

5 It's easy to say something like
6 this is good when you don't have to stay
7 around to be around it. So I think the Board
8 should take that into consideration. I know
9 I see that. It's easy to be for it, again --
10 saying it again, if you're not from here. And
11 that's what I'm seeing.

12 I have another question, and I
13 know this has been asked before publically in
14 meetings, why not Santa Fe? That seems to be
15 the most logical route for this waste, you
16 know, through the Lamy railhead site, to go
17 through there.

18 But I'll tell you why, because
19 those people in Santa Fe, they have money.
20 You know, that's why they didn't even -- this
21 didn't even -- where we're at today, that
22 didn't even occur in Santa Fe, because they

1 have money to fight them off.

2 Okay. Moreover, I want to bring
3 up the fact of a socio-economic factor. The
4 people here in Antonito and Conejos County
5 tend to be people of color, people of Indio-
6 Hispanic decent, and throughout the course of
7 United States, at least the Native Americans
8 have been pushed around. It's been documented
9 that they can do that, you know, and we are
10 people that have been pushed around, being
11 people of Indio-Hispanic decent.

12 I like to think that they pick on
13 people of color, people with money, and I
14 think those were criteria that were used to
15 pick this place as opposed to a more affluent
16 community like Santa Fe. And in that, that's
17 basically I have to say.

18 I want to thank everyone that came
19 and voiced their opinion, and I guess I'll
20 leave it there. Thank you.

21 MR. BORNSTEIN: Thank you.

22 Rogelio Briones?

1 PARTICIPANT: That's not bad.

2 MR. BORNSTEIN: Was I close? You
3 get a shot to correct it here, so.

4 MR. BRIONES: Now I know why
5 the -- I think in sixth grade they told me, I
6 think Rogelio translates to Roger, and I'll
7 go, I'll take it.

8 (Laughter.)

9 MR. BORNSTEIN: Could you spell
10 that for the court reporter?

11 MR. BRIONES: Yes. My name is
12 Rogelio Briones, R-O-G-E-L-I-O, Briones, B-R-
13 I-O-N-E-S, son of Briones.

14 I'd like to welcome you to this
15 sacred land. We have Mt. Blanca, Tsisnaajini,
16 which is sacred to the Hopi People and to the
17 Din, Navajo People. We have the San Luis
18 lakes that are sacred to the San Juan Pueblo
19 People. Ohkay Owingeh, that is their place of
20 emergence.

21 In pre-Colombian times, this
22 Valley was a valley of peace. When cultural

1 groups entered the valley, they put aside
2 their differences and laid down their weapons;
3 they came in peace.

4 So this is sacred. I think the
5 Mathew alluded to that. And you can see how
6 beautiful it is: pure oxygen, beautiful
7 clouds, and the sky.

8 So we are here to protect the land
9 and, by extension, since humans are part of th
10 landscape, we are here to protect humans.

11 I am the treasurer and secretary
12 and past president of Sociedad Proteccion
13 Mutua de Trabajadores Unidos, known as the
14 SPMDTU. Our regional headquarters are on the
15 sixth block of Main Street in Antonito. This
16 organization was founded in 1900, November 26,
17 1900. That's an amazing thing, that at that
18 time people -- the Indio-Hispanic people of
19 color, the original inhabitants of this area,
20 united and stood up to fight overt racism, to
21 protect their families, to protect property,
22 land and water, to protect their culture and

1 the language.

2 And it was the coming of the
3 railroad at the turn of the 20th century that
4 transformed the economy of the area from a
5 trade and barter economy to a cash economy.
6 So the original inhabitants of these
7 communities were forced to enter the labor
8 market basically to become indentured
9 servants. And the railroad came into
10 Antonito, and all the businesses obviously
11 were owned by outside people, not the locals.

12 So here we are, 111 years later,
13 and we're fighting the same nemesis. The
14 railroad is trying to abuse its perceived
15 power under the guise of law.

16 But we're fighting for more
17 than -- you know, we're protecting the
18 environment again at this time. But it's more
19 than that. You saw Javier. If you allow this
20 to happen, for all this poison to come in from
21 the Manhattan Project, the bombs that were
22 dropped at Hiroshima and Nagasaki on innocent

1 people, now they want to take that same poison
2 and poison our community -- our land and our
3 community and Javier and his children, and
4 their children, for future generations.

5 So all I can -- you know, all I
6 can ask is it's more than improving the
7 economy of the county. We're talking about
8 future generations will be impacted.

9 And, you know, people are saying,
10 Well, what's the relationship between the
11 railroad, EnergySolutions, and Alcon. It's
12 very simple: greed. Therefore I ask you to
13 consider wisely and to make the right
14 decision. Thank you for your time.

15 MR. BORNSTEIN: Thank you.

16 Michele Trujillo.

17 MS. TRUJILLO: Greetings, Surface
18 Transportation Board and staff. Thank you for
19 arranging this hearing and for coming to our
20 community to hear our concerns. I greatly
21 appreciate this opportunity to speak to you
22 about my concerns.

1 My name is Michele Terese
2 Trujillo, and I am a member of Conejos County
3 Clean Water, Incorporated. I have been a
4 resident of Antonito, Colorado for the
5 majority of my 39 years of life, with the
6 exception of leaving home to go to college in
7 northern Colorado.

8 One of my concerns is about the
9 causes that radioactive and toxic hazardous
10 waste has on life, since, according to Dr.
11 Carl Morgan, there is no safe level of
12 exposure to ionizing radiation, that the risk
13 of malignancy is zero.

14 For 20 years I have worked with
15 people who have disabilities. I understand
16 the obstacles and hardships that people with
17 disabilities experience. As a professor of
18 special education, my students and I study the
19 causes of disabilities, and in the majority of
20 cases, within the 12 disability categories,
21 teratogenic factors such as environmental
22 toxins, lead to disability, including

1 intellectual disabilities, learning
2 disabilities, emotional behavioral disorders,
3 chromosomal abnormalities, and heart defects,
4 to name a few.

5 It is not only my passion to show
6 others how to work effectively with students
7 who have disabilities, but it is my job to
8 highlight how to prevent disabilities, which
9 is to avoid contact with and ingestion of
10 teratogens.

11 Another concern I have is how
12 factors within low socio-economic environments
13 also contribute to the increased rate of
14 disabilities. Living in impoverished areas
15 increases the risk of disabilities developed
16 among children. Currently there are 535
17 students with disabilities throughout the San
18 Luis Valley. Conejos County and the San Luis
19 Valley as a whole can be described as
20 communities of low economic status.

21 When the combine the occurrence of
22 having radioactive toxic waste transported

1 consistently through impoverished communities,
2 I believe that rates of disabilities will
3 increase.

4 This is supported by the Nuclear
5 Information and Resource Services, NIRS, which
6 includes a partial list of non-cancer health
7 effects of human exposure to radiation,
8 including Downs Syndrome, hydrocephalus,
9 microcephaly, cleft palate, epilepsy, genetic
10 mutation, chromosomal aberrations, spinal
11 defects, congenital malformation.

12 The increased occurrence of
13 disability isn't my only concern. I believe
14 terminal illness and death which results from
15 exposure to radioactive and hazardous waste is
16 a major concern, and is an example of the
17 negative impacts of environmental and social
18 injustice.

19 Our community health should be
20 priority. It is a valid concern. However,
21 when I have discussed my concern with various
22 members from the involved corporations, they

1 have minimized and invalidated the points I
2 have made on more than one occasion. I
3 believe the individuals of these corporations
4 have become desensitized to the health risks
5 of this radioactive waste.

6 The following statistics from the
7 NIRS should be used to inform all of us about
8 the negative impacts of radiation. They
9 include 500 percent increase in incidents of
10 testicular and ovarian cancer in children on
11 Navajo reservations in uranium mining areas;
12 500 percent increase in bone cancer in
13 children affected by uranium.

14 Two hundred percent increase in
15 each of the following non-cancer affects,
16 miscarriage, infant death, congenital defects,
17 genetic abnormalities, and learning
18 disabilities; 500 percent increase in birth
19 defects when compared to the national average.

20 Four hundred percent increase in
21 lung cancer in the general population within
22 the plume of the Three Mile Island accident

1 releases; 600 percent increase in leukemia of
2 children whose fathers were exposed to certain
3 amounts of radiation prior to conception.

4 In addition to these statistics is
5 the following quote that comes from a 2003
6 study by D.J. Strom of the Department of
7 Energy stating, "The health impacts that come
8 from the lowest dose radiation syndrome that
9 can result in death is the hematopoietic
10 syndrome. It results in what is commonly
11 termed bone marrow death.

12 The hematopoietic syndrome is
13 characterized by granulocytopenia,
14 thrombocytopenia, hemorrhage, infection, and
15 electrolyte imbalance. After acute
16 irradiation, death, if it occurs from
17 hematopoietic syndrome, will take place within
18 60 days. If irradiation occurs at lower dose
19 rates, survival may be longer.

20 I am aware of the difficulties
21 associated with disability and illness.
22 Throughout my young adulthood I had dealt with

1 difficult health issues, which have impacted
2 my quality of life, probably due to pesticides
3 and other toxins in the environment.

4 Although I have strived to be a
5 healthy person through my life choices, I have
6 struggled with having had five surgeries
7 within the last 10 years for my condition.

8 (Pause.)

9 MS. TRUJILLO: My most recent
10 surgery was this past April. I have been
11 unable to recover in peace because this
12 radioactive waste issue has impacted my being.
13 I want to be healthy. I want to be in power
14 of what I expose myself to.

15 I want my loved ones and neighbors
16 to have a safe place to live without their
17 mental, physical and spiritual health being
18 compromised, without toxins plaguing their
19 quality of life and their happiness.

20 This is simply what I pray for,
21 that our community be safe from harm, that we
22 may have the choice of not having exposure to

1 hazardous material, which will ultimately hurt
2 us and future generations.

3 We do not need any more barriers
4 that stifle us, more inequities to battle
5 against because of social and environmental
6 injustices. Dear God, please help us strive,
7 give us strength, and protection. Please hear
8 my prayer. Thank you.

9 MR. BORNSTEIN: Thank you for
10 sharing with us.

11 Lauren Karlskin.

12 MS. KARLSKIN: Hello. My name is
13 Lauren Karlskin. I work at --

14 MR. BORNSTEIN: Is that on?

15 MR. MILLER: Try the other --

16 (Pause.)

17 MS. KARLSKIN: Does that work?

18 MR. BORNSTEIN: That sounds good.

19 MS. KARLSKIN: Okay. As I was
20 saying, my name is Lauren Karlskin. I work at
21 Our Lady of Guadalupe Parish. I have been a
22 resident here for the past eight years with my

1 little girl. But I've lived here most of my
2 life. Although I've traveled and lived in
3 different areas, I've always been drawn back
4 to this place. It's home.

5 I view this town, this valley as a
6 small haven, a paradise hidden in the
7 mountains. And to those of you who are
8 unfamiliar with this place, I hope you get the
9 opportunity to experience its beauty.

10 In my time here, I've become
11 familiar with the area and its harsh elements.
12 I've experienced all four seasons in one day,
13 as I'm sure you can see by the example
14 outside. The weather here is very
15 unpredictable.

16 I stand before you now asking you
17 to consider, to ponder momentary the route the
18 train will take to Clive, Utah, the land it
19 will cross, the hazardous waste it will carry,
20 the agriculture, the water sources, the steep
21 mountains, the worn down bridges, the weather,
22 the condition of the train tracks and its

1 history of past derailments.

2 Hauling hazardous waste through
3 this town, across the middle of the state,
4 jeopardizes the health and livelihood of our
5 people. The condition of the soil and the
6 water sources alone are a life line. We
7 depend upon the land for survival.

8 And when I think of what the train
9 has gotten themselves into, working with
10 hazardous toxic material, requires a great
11 deal of care and caution. When I see the way
12 the train has handled past jobs, I have to ask
13 myself, Is this a task they are truly prepared
14 for.

15 This is not an ideal place to
16 transfer and haul this type of waste. It's
17 unsafe. Each night I pray to God, I ask Him
18 to protect us. But I know that God works
19 through people. So I ask you, all those of
20 the STB, please protect us. Protect our
21 people from this. Thank you.

22 MR. BORNSTEIN: Thank you.

1 Marian Naranjo.

2 MS. NARANJO: My name is Marian,
3 M-A-R-I-A-N, Naranjo, N-A-R-A-N-J-O. Good
4 afternoon, buenas tardes, and [speaking Tewa].
5 This is a word of my Tewa language which is
6 asking permission to speak.

7 Do I have your permission?

8 MR. BORNSTEIN: Yes, you do.

9 MS. NARANJO: Thank you. My home
10 is Khapo Owingeh, Santa Clara Pueblo, which is
11 located in the Jemez Mountains. Our headwater
12 is three air miles from Los Alamos National
13 Laboratory. We can trace our ancestry to the
14 cave dwellings there, through the Four Corners
15 area not far from here, and our place of
16 emergence.

17 This area for millennia has been a
18 sacred place to our people, our Tewa people.
19 Our ancestral knowledge was based on the
20 Jemez, which is a dormant volcano. Our
21 traditional knowledge knows the sacredness of
22 the elements of radiation, of uranium. We

1 grew up knowing the sacredness of these
2 powerful, natural occurring elements.

3 For hundreds and thousands of
4 years our Hispanic people, we have learned to
5 live together, our lifestyles for this time,
6 this long period of time, for time immemorial,
7 and our time of coming together, our lifestyle
8 has been of the land. We are land-based
9 people, and we have been self-sufficient for
10 that long of a time.

11 In the short 65-plus years, not
12 even one century, has the nuclear industry
13 come here and the whole concept of it coming
14 was a total opposite of what our beliefs and
15 our culture is about, which is about giving
16 thanks to life. Splitting of that atom was a
17 total opposite in destruction, and it's a hard
18 concept to understand and to grasp.

19 At some point, we feel that we are
20 victims of this. Our Santa Clara tribe is a
21 core tribe, meaning that we have -- our tribal
22 council has agreements with the laboratory,

1 and this has been a short period of time, but
2 only two years has it been a very real
3 government-to-government relationship.

4 And it's because of the
5 environmental justice issues of this nuclear
6 industry, not only here in our place, but
7 Savannah River where there's the poor whites
8 and the blacks. Twenty-four Native
9 reservations there are nuclear sites on or
10 near our places in this country.

11 One of the issues that we deal
12 with, and it's a very sad thing to have to
13 say, is that during the Manhattan Project, our
14 education system and our government, our media
15 has said that these devices, this splitting of
16 the atom and these bombs were dropped on
17 people in Japan. This is not true. Hispanic
18 and Native people from New Mexico, Tularosa
19 and surrounding communities, the Trinity site,
20 was the first detonation. It was to our own
21 United States people.

22 And this has to be something to

1 re-educate our whole country. It wasn't over
2 there; it was down the road. And we are
3 feeling the effects. And the sad part of it
4 is that this country has not compensated any
5 of these people. And you would not believe
6 the suffering of all these cancers that my
7 sister had talked about in those areas.

8 In our area, we already know that
9 our sole source agua, underground water, is
10 tainted because of unlined trenches and pits
11 that the Manhattan Project has and continues,
12 you know, to store there this waste. We have
13 a terrible problem on what to do with this
14 waste.

15 And the industry keeps on doing
16 this research and continuing the pits, the
17 cores in Los Alamos and bringing that
18 Manhattan Project, you know, farther out,
19 branching out.

20 Even though I am a member of Santa
21 Clara Pueblo, Khapo Owingeh, my great-
22 grandmother was raised a few blocks from here.

1 I'm very tied to this community in my
2 bloodline. My father worked at -- about 70
3 miles from Clive, Utah. I was born on an Army
4 base, Tod Park, Tooele, Utah.

5 So I feel that in this room, not
6 only my ancestry, but the problems that we are
7 witnessing and victims of is here in this
8 room. And there are so many issues that I
9 would love to express, but mostly I'm here in
10 support of la gente, mi familia de la tierra,
11 the people, my family of the land. Thank you.

12 MR. BORNSTEIN: Thank you.

13 Martha Abeyta.

14 MS. ABEYTA: My name is Martha
15 Abeyta, M-A-R-T-H-A A-B-E-Y-T-A. These
16 remarks that I will present to you today are
17 not my remarks. I am very pleased and happy
18 and proud to present them to you. They come
19 from a lady that used to be from this area,
20 her name is Virginia Trujillo.

21 These remarks, I think, reflect
22 the sentiments of a lot of the people that are

1 here today. I will begin by reading them to
2 you.

3 "These remarks come to you from a
4 distance of more than 1,000 miles and from
5 several generations ago. I am alluding to a
6 time when the train, or el tren, as it was
7 called by us, the Hispanics, figured
8 positively, benevolently, and even iconically
9 in the lives of people from villages like
10 Ortiz, where we were born, La Jota, San
11 Antonio, San Rafael, La Isla, and Conejos to
12 mention a few.

13 "As I said earlier, I was born and
14 raised in Ortiz, a tiny hamlet, a mini valley
15 within a valley, accessible by only one road,
16 the only indicator that entire generations had
17 lived and left their antepasados in the
18 cemeteries flanking that sole road.

19 "As a child of seven, going up and
20 then down the road was the closest thing that
21 I would know of a roller coaster hill until
22 later at Disneyland several decades later.

1 But going over that small hill, la mesita, to
2 come into Antonito once or twice a month was
3 like stepping into our own Disney World.
4 Antonito was Main Street with its barber shop,
5 pharmacy complete with a soda fountain, its
6 post office and five-and-ten-cent store.

7 "But topping everything was the
8 magic of el tren. It engaged our imagination
9 on all levels: the whistle to announce its
10 arrival, and then the precipitous, ponderous
11 engine pulling a string of boxcars loaded with
12 mysterious cargo.

13 Even when the train was nowhere to
14 be seen, we had the station and the traques.
15 Yes, that is what is the Hispanized version of
16 railroad tracks: Los traques, even as they
17 quietly waited for the train, conjured up the
18 remote exotic places still beyond our reach.

19 "This imagination extended into
20 the past as well. Hadn't our Grandmother
21 Anita recounted stories of boarding the train
22 to Santa Fe where she continued her education

1 at Loretto Academy? And we were sure that it
2 was on one of these same tracks that
3 Grandfather Donicio had shipped his lambs to
4 northern markets.

5 "As children we had a sense of
6 what historians had already noted, that the
7 history of Antonito could not be told without
8 noting the importance of the railroad.

9 "But that was then, and this is
10 now. Now it seems that el tren has had a
11 different mission thrust upon it. From all
12 the information that this organization has
13 made available, one conclusion is undeniable.
14 The train, it appears, is willing to abrogate
15 its role of benefactor in the life of the
16 communities it serves.

17 "Now el tren would be transporting
18 a cargo capable of delivering death to live
19 forms too numerous to catalogue. What would
20 a child call this cargo? Perhaps a child
21 would this cargo dirty dirt since it can never
22 be entirely washed clean. Or thinking of soil

1 becoming airborne, he may utter the phrase,
2 Killer dust.

3 "I do not possess the scientific
4 knowledge to truly appreciate the various
5 levels of death dispensing capabilities of
6 nuclear waste. If this new cargo is capable
7 of quietly and surreptitiously disrupting the
8 life process in manners still unforeseen, and
9 for eons of time beyond our imagination, is
10 all I need to know. Is there anything as
11 definitive and final as death?

12 "But to return to el tren, I would
13 hope that it thrives, but only as a viable
14 economic enterprise that continues to bring
15 real well being to all communities within its
16 reach. My heartfelt wish, that when the train
17 blows -- when the whistle blows, it conjures
18 up sweet dreams that follow us into the day
19 and nightmares that you can't wake up from.
20 Thank you."

21 MR. BORNSTEIN: Thank you.

22 Joni Arends.

1 MR. ELAND: Hello. My name is
2 John Eland. I'm the executive director of the
3 Alamosa County Economic Development
4 Corporation.

5 The Alamosa County Economic
6 Development Corporation wishes to express its
7 support for the San Luis & Rio Grande Railroad
8 in its proposal to operate rail-to-truck
9 transload facility.

10 The economic impact of the
11 railroad on Alamosa and the San Luis Valley
12 includes providing support for valid
13 businesses to move goods and materials,
14 attracting tourists to the community who stay
15 in our hotels, eat in our restaurants, shop in
16 our retail stores, and employing 35 people
17 with good paying jobs. In addition, there are
18 another 150 directly dependent jobs.

19 The railroad's ability to maintain
20 contracts to move freight by rail will help
21 keep this valuable community asset in the San
22 Luis Valley. We fear that the erosion of

1 their ability to move freight by rail will
2 have long term detrimental consequences for
3 Alamosa and the entire San Luis Valley.

4 Businesses that count on the
5 railroad for movement of goods and materials
6 account for 495 jobs in an area where jobs are
7 precious. If these companies cannot move
8 their goods and materials by rail, it could
9 jeopardize those businesses and the jobs of
10 their employees.

11 If the railroad cannot support
12 freight in the Valley, the scenic railroad arm
13 of the railroad may also be at risk. Tourism
14 is a big part of the San Luis Valley economy.
15 Hotels, restaurants, retail stores depend on
16 tourism dollars. While we have many
17 attractions, the scenic railroad on its own
18 drew 21,000 tourists in 2010.

19 The loss of jobs from the railroad
20 would mean additional hardships on families in
21 the Valley with little hope of transferring to
22 other employers. If they were to find other

1 employment, it would certainly not be at a
2 comparable wage rate.

3 The railroad is an economic
4 development asset in our community. We point
5 to the railroad as a way to move goods and
6 materials for existing, as well as prospective
7 companies considering moving into the Valley
8 and is a quality of life asset.

9 Retaining rail service to our
10 community is particularly important from the
11 twin perspectives of energy independence and
12 environmental conservation. Transporting
13 freight by rail consumes less than oil -- less
14 oil than truck transportation and produces
15 fewer pollutants.

16 We urge you to permit the SLRG's
17 proposal -- proposed operation of a truck-to-
18 rail transload facility. Thank you.

19 MR. BORNSTEIN: Thank you.

20 PARTICIPANT: Did you call Joni
21 Arends?

22 MR. MILLER: Yes, we're going to

1 call --

2 MR. BORNSTEIN: Okay.

3 PARTICIPANT: Can you clarify his
4 name, the one who just spoke?

5 MR. MILLER: John --

6 MR. BORNSTEIN: What's your name
7 again? Who just spoke.

8 MR. ELAND: I'm sorry. John
9 Eland.

10 MR. BORNSTEIN: Eland. Okay.

11 And please say your name for the
12 court reporter.

13 MS. ARENDS: Yes. My name is Joni
14 Arends. It's J-O-N-I A-R-E-N-D-S.

15 Good afternoon. I am the
16 executive director of Concerned Citizens for
17 Nuclear Safety. Our organization is based in
18 Santa Fe, New Mexico. We are a non-
19 governmental organization that formed in 1988
20 to address community concerns about the
21 transportation of waste from Los Alamos
22 National Laboratory, similar to the waste that

1 we're discussing today to the then proposed
2 waste isolation pilot plant.

3 The plan at that time was to ship
4 the waste down St. Francis Drive through the
5 center of town. Many of the issues that are
6 being raised here and in the community are the
7 same that we raised 23 years ago.

8 Try this one? Okay.

9 MR. BORNSTEIN: I thought you were
10 on too. Sorry.

11 MS. ARENDS: Okay. Oh, that's
12 much better.

13 MR. BORNSTEIN: Court reporter,
14 could you hear what the first part -- what she
15 just said before? Okay.

16 MS. ARENDS: I was a co-founder of
17 the organization in 1988. Because of
18 community concerns about transportation issues
19 in other locations in New Mexico, I ended up
20 going to law school. And I am a member of the
21 New Mexico Bar.

22 I recently participated in over 40

1 days of negotiations with respect to the
2 proposed New Mexico Environment Department
3 hazardous waste permit for the laboratory, or
4 Los Alamos National Laboratory. I spent 15
5 days over a six-week period of time
6 participating in the formal administrative
7 hearing.

8 I'm letting you know these things
9 because I want to let you know my expertise
10 and our knowledge about these kinds of issues,
11 about Los Alamos National Laboratory.

12 CCNS participated in the --
13 providing comments to the New Mexico
14 Environment Department on the compliance order
15 on consent, which is the subject of the waste
16 that's being dug up and being proposed to be
17 shipped.

18 CCNS appreciates that the Surface
19 Transportation Board heard the request of the
20 community and has taken the extraordinary step
21 to hold a public meeting in Conejos County
22 today. We are concerned, however, that the

1 issues may not ripe because there is not
2 current -- there are not current contracts for
3 the proposed truck-to-rail transfer work.

4 In the alternative, our comments
5 will focus on the fact that the Clean Railroad
6 Act exemptions for industrial and
7 institutional waste do not apply to this San
8 Luis & Rio Grande Railroad for the LANL waste
9 streams. Based on our knowledge of the waste
10 streams that are being addressed under the
11 March 1, 2005 New Mexico Environment
12 Department compliance order on consent with
13 the Department of Energy and with LANL, CCNS
14 will provide the Board further information
15 that the industrial and institutional waste
16 exemptions will not apply to any possible
17 future waste streams either.

18 In our comments today we provide
19 the following information about LANL waste
20 streams that were proposed for truck-to-rail
21 transfer operations in Antonito, Colorado.

22 So LANL proposed three different

1 waste streams. Two were from a site called
2 Technical Area 39, the third is from a waste
3 dump for PCBs in the bottom of Los Alamos
4 Canyon, and that site is called Site
5 Management Area, or SMA 2.

6 So I'm going to talk about the --
7 first I'm going to talk about LANL in general.
8 So LANL is an industrial facility currently
9 located on 40 square miles on the Pajarito
10 Plateau in north central New Mexico. It is
11 divided into 48 separate technical areas.

12 In 2008, DOE reported that LANL
13 structures contained about 8.6 million square
14 feet, comprising about 952 permanent
15 buildings, including specialized facilities
16 that had been built and maintained over the
17 years of operation, 373 temporary structures,
18 trailers, and transportables, and 897
19 miscellaneous structures such as sheds and
20 utility building, such as meteorological
21 towers, water tanks, manholes and electrical
22 transformers. And this is cited in the final

1 Environmental Impact Statement for LANL in
2 2008.

3 In the Environmental Impact
4 Statement for 1979, the Department of Energy
5 described LANL as: in January 1943, a war time
6 laboratory was established at Los Alamos, New
7 Mexico. Its sole mission was the development
8 of a fission bomb. This project culminated in
9 the first detonation of the first atomic bombs
10 in 1945.

11 Since then the primary mission of
12 the Los Alamos Scientific Laboratory -- the
13 name of the facility then -- has continued to
14 be nuclear weapons research and development,
15 including the first thermal nuclear bomb.

16 However, expansion of laboratory
17 efforts has incorporated numerous programs to
18 develop peaceful uses of nuclear energy in
19 such areas as fission reactors, space,
20 technology, controlled thermonuclear
21 reactions, and medical and biological
22 applications, geothermal and solar energy

1 resources, and the use of superconductor
2 technology for energy storage and
3 transmission. The four major research program
4 areas are national security, energy, bio-
5 medical, and environmental and physical
6 research.

7 So again, that's from the final
8 Environmental Impact Statement in 1979. And
9 I'm citing these two documents in order to
10 demonstrate that this waste is generated from
11 industrial activities.

12 The Department of Energy described
13 its plans to ship an estimated 1500 cubic
14 yards for solid soil, debris waste from the
15 three LANL sites in its supplemental analysis
16 site-wide Environmental Impact Statement for
17 continued operation of LANL. And that was in
18 October 2009.

19 They did not inform the community
20 about these proposed activities. There was no
21 information provided. This was a supplement
22 analysis that was not released for public

1 comment. So two of the three waste dumps are
2 located at Technical Area 39, which is a test
3 area for high explosives. It's located in the
4 southeastern portion of LANL. Explosive
5 testing continues today as part of the nuclear
6 weapons program.

7 The TA 39 solid waste management
8 units, or SWMUs -- and I'm sorry to use so
9 many acronyms -- were used as dumps for
10 industrial waste, or "routine waste", such as
11 "equipment, chemical, oils animal tissue,
12 chemical treatment sludge, cement paste, hot
13 cell waste", which is high -- hot cell waste
14 is waste where they use the lead gloves to
15 handle the radioactive materials -- "and
16 classified materials" that are contaminated
17 with radionuclides, heavy metals and toxic
18 chemicals.

19 And this is from a report from
20 1977 that's about the history and
21 environmental siting of Los Alamos near
22 surface land disposal facilities.

1 This report also talks about an
2 experiment that they did, because what the lab
3 did in the early days, is they would bury
4 cardboard boxes. And so in the early '60s
5 when plastics came out, they determined that
6 they would do an experiment to find out if
7 cardboard boxes held the waste better when
8 it's buried in unlined pits, trenches and
9 shafts, or whether if they lined the cardboard
10 with the plastic bag, which disposal method
11 would use -- would secure the waste for a
12 longer period of time.

13 And of course they found out that
14 if they put the waste in a plastic bag, that
15 it -- and then in the cardboard box, that it
16 would be secure for a longer period of time.

17 And a 1997 LANL report describes
18 the solid waste management unit, TA 39001-A as
19 a landfill with two burial pits that operated
20 between 1953 and 1975 -- or, excuse me, 1979.

21 And the quote is that, "The pits
22 were used for disposal materials consisting of

1 debris from firing sites, empty chemical
2 containers, and office waste. Hazardous and
3 radioactive materials that may have been
4 disposed of in pits before 1976 include lead,
5 silver, copper, brass, iron, steel, thallium,
6 cadmium, mercury, beryllium, thorium-232,
7 natural and depleted uranium, PCB contaminated
8 oils, high explosives and solvents."

9 The same report describes the
10 other landfill at TA 39 as being, "Consisting
11 of three pits that operated between the late
12 1960s and May 1, 1989. The area was used for
13 disposal of materials containing debris from
14 firing sites, empty chemical containers and
15 office waste. Waste from other sites may have
16 been disposed there.

17 "Site personnel indicated that
18 large stainless steel targets (one to two feet
19 in diameter and two feet long) were buried on
20 site. These targets were used in the dual
21 stage gas gun apparatus located in Building TA
22 39-69 and captured plutonium projectiles.

1 Before disposal, the targets were
2 decontaminated and the resultant waste was
3 disposed of at another dump that is not the
4 subject of this proceeding.

5 "Hazardous and radioactive
6 materials disposed of in the area before 1976
7 probably include lead, silver, copper, brass,
8 iron, steel, thallium, cadmium, mercury,
9 beryllium, thorium-232, natural and depleted
10 uranium, PCB contaminated containing oils,
11 high explosives and solvents."

12 I'm providing these quotes to
13 demonstrate that this waste was industrial
14 waste, and therefore the Clean Railroad Act
15 exemptions do not apply to the proposed waste.

16 The third site is the Los Alamos
17 Site Management Area 2, and it's described as
18 a location of a former septic tank that was
19 installed in 1945 and served the HT and FP
20 Buildings. The septic tank outfall discharged
21 into Los Alamos Canyon. The outfall area is
22 known as Hillside 140.

1 HT Building was used to heat treat
2 and machine natural and enriched uranium. FP
3 Building was a foundry for non-radioactive and
4 non-ferrous metals.

5 In 1975, 30 years later, the
6 septic tank, its inlet and outlet lines and
7 surrounding soil were removed. In 1995, 40
8 years later -- no, 50 years later, soil and
9 elevated concentrations of total uranium was
10 removed from the upper and lower slopes of
11 Hillside 140. And this is from their
12 application to EPA for an individual storm
13 water permit.

14 So it is clear that the
15 contaminated soils from this Site Monitoring
16 Area 2 were from "manufacturing and industrial
17 and research and development processes and
18 operations, such as machining natural and
19 enriched uranium and foundry activities.
20 Waste from LA, Los Alamos Site Management Area
21 2 meets the definition of industrial waste
22 under the Clean Railroad Act, Section

1 10908(e).

2 And I do want to note that the
3 PCBs in that soil were the highest levels
4 found on the Los Alamos site. They were
5 38,000 times the human health standard.

6 The waste at this third -- the
7 waste and contaminated soils that were
8 generated at LANL were from institutional
9 activities, and that is the same Clean
10 Railroad Act section

11 LANL is an institutional
12 government-owned, government-contracted
13 facility, a GOCO. The historical record
14 demonstrates that office waste, described as
15 "material discarded by non-manufacturing
16 activities at the government facility" or
17 "material discarded by other similar
18 establishments or facilities" was disposed of
19 at the sites at TA 39.

20 The office waste clearly meets the
21 definition of institutional waste. And
22 these -- we provide cites for two different

1 reports.

2 As clearly demonstrated, the
3 exemptions under the Clean Railroad Act for
4 industrial and institutional waste do not
5 apply to the LANL waste streams that were
6 proposed for the truck-to-rail transfer
7 activities in Antonito. And we reiterate that
8 whatever waste streams will be brought
9 forward, we will be able to provide
10 information from the historical records
11 showing -- demonstrating that these wastes are
12 from institutional and industrial activities
13 at the laboratory.

14 And we will provide copies in
15 our -- of the reports that are cited in our
16 comments, like we'll submit the title page and
17 the pertinent pages for the record
18 electronically to you all by the March 1
19 deadline.

20 Thank you for your consideration
21 of our comments. And we are so grateful that
22 the Board took these issues very seriously and

1 came out to this area to hear the comments of
2 the people. Thank you.

3 MR. BORNSTEIN: Thank you for
4 speaking.

5 Aaron Abeyta?

6 MR. ABEYTA: My name is Aaron
7 Abeyta, A-A-R-O-N last name is A-B as in boy
8 E-Y-T-A.

9 I have some extemporaneous
10 comments as well as some prepared comments for
11 the Board and its representatives here today.
12 Before I begin, I'd like to thank you all for
13 coming down here. We really appreciate it.

14 In no particular order, I wanted
15 to address some issues which have already been
16 brought up, and perhaps a new perspective or
17 a new spin on them.

18 But specifically I wanted to talk
19 about some the semantic games that the
20 opposition, or the railroad and
21 EnergySolutions are playing in regard to what
22 they are dubbing the facility, which of course

1 is a dubious way of talking about a chain link
2 fence and a site. And essentially it's just
3 this patch of ground 250 feet from the river.

4 They're also claiming that they
5 wish to be good neighbors, and in this claim
6 you would assume that a good neighbor would
7 not show up in the middle of the night with a
8 waste stream for Los Alamos National
9 Laboratory without alerting anybody, without
10 following public process, without alerting the
11 community members in any sort of public way.

12 If that is a good neighbor, then I
13 don't want neighbors like that, obviously. A
14 good neighbor, of course, would not bring
15 waste into a community that they propose, and
16 therefore claim, to be a part of.

17 In this same vein, however, they
18 are painting us, Conejos County Clean Water,
19 and anybody that's opposed to this railroad
20 facility as being the villains here. They're
21 painting us in a light that we're the iceberg
22 to their Titanic, and that they are the

1 lifeboats that are essentially circling the
2 victims in the water and offering us a helping
3 hand, lifting us from poverty, lifting us from
4 circumstances which are presumably beyond our
5 control.

6 And they claim that they'll be
7 providing jobs. Their own internal documents
8 indicate that one to three jobs will be
9 created. There was a gentleman earlier who
10 spoke for Alcon Construction, the crane
11 operator, those would be the three jobs that
12 would be created. They would be created only
13 for the crane operator.

14 Their own internal documents
15 refute their claims of economic viability and
16 economic growth. The train is currently
17 operating at 40 percent of capacity, which we
18 understand is a major concern, but their own
19 internal documents indicate that even with the
20 waste streams coming in from Los Alamos, and
21 this is separate just from the danger of those
22 waste streams, that even with those waste

1 streams they would still be operating at 40
2 percent of capacity.

3 Thus, the jobs already in
4 existence would still be in existence. No new
5 jobs would be created in regard to this.

6 So essentially we do live in a
7 poor community. That part is true. We have
8 suffered long and hard because of our poverty,
9 because of our isolation. But we're not being
10 offered a life raft here. It would be akin to
11 a drowning victim being offered an umbrella
12 to stay dry. That's the way I look at it
13 anyway. And in a non-secular way, it's as
14 though we're saying that we're thirsty and
15 we're being offered a sponge soaked in
16 vinegar.

17 And in that same vein, this
18 history, which many people have alluded to,
19 Mr. Briones being one of them, this history is
20 a history of exploitation. This is a history
21 of loss. It is a culture not of accepted
22 loss, but of obvious loss. It is almost

1 ingrained in our consciousness that our water
2 rights and our land rights were stolen from
3 us.

4 And they weren't stolen in the
5 typical Jesse James fashion of let's show up
6 with, you know, with a six shooter and just
7 hold people at gun point, although that may
8 have happened as well.

9 This public process is a breath of
10 fresh air, because water rights, land rights,
11 and any other exploitation that took place in
12 this valley and this community happened
13 because people were not involved in a public
14 process.

15 And a good neighbor would not do
16 that. A good neighbor would not exploit their
17 neighbors by simply coming in and not
18 involving them in the process. And that's the
19 way it's been for centuries. Public notices
20 are not made available. Literature is just
21 filled with rhetoric and talking points which
22 don't address the true concerns of the

1 community.

2 On several occasions we've
3 expressed concerns with the education process
4 and coming up to speed. And we've been told
5 essentially to go to the website and teach
6 ourselves. That is a matter of public record.

7 The railroad has indicated that
8 they want to help clean up the community, yet
9 they are one of the biggest polluters of this
10 community. You can look at the tracks.
11 There's piles of perlite.

12 In this very same building, not a
13 mere 10 feet from where I now stand, Ed Ellis
14 and the railroad representatives indicated
15 that they would, if need be, clean up that
16 waste with a spoon. He turned to one of his
17 representatives and told his representative to
18 get on that to make sure that that waste is
19 cleaned up. It sits there today.

20 I want to also address briefly the
21 infrastructure of the railroad, which Michael
22 A. Trujillo talked about, and you will get his

1 presentation with photo evidence. They talk
2 about safety. Many people have alluded to the
3 derailments, of perlite, of barley,
4 derailments that didn't result in spills.
5 This summer alone there was reported seven
6 derailments, one major spill.

7 The infrastructure was not part of
8 the railroad's, as they put it, surprise
9 inspection. They cited them for not having a
10 warning placard on a locomotive. For not
11 sweeping the area properly. But the tracks
12 themselves, which sit on a wetland, all of
13 which drain into the Rio Grande, are
14 deteriorated. They are in a bad, bad way.
15 They are unsafe, especially for this
16 particular type of waste.

17 And people are trying to make a
18 lot of faulty comparisons here to fertilizer
19 versus nuclear waste. And we admit that many
20 things are dangerous. Anything in the water
21 is dangerous that is not fish, that is not
22 natural aquatic life. However, we do not drop

1 fertilizer bombs on countries, we do not drop
2 chlorine bombs on countries.

3 I have the very favorable
4 distinction of teaching at Adams State
5 College, and in that capacity I teach many
6 veterans, many of whom have participated in
7 Desert Storm, Operation Iraqi Freedom, and
8 other campaigns like Afghanistan and Somalia,
9 et cetera.

10 And if you go to any veteran and
11 you mention depleted uranium to them, one of
12 the first words from their mouths will be tank
13 busters. It's heavier than lead and it's used
14 as an anti-tank weapon. And you ask them, Are
15 you allowed to go near those tanks once
16 they've been shelled by depleted uranium?
17 Their answer invariably, without exception,
18 will always be, Absolutely not.

19 My point here, while maybe not a
20 direct parallel, is that depleted uranium is
21 not as benign and not as safe and not as
22 semantically -- you know, easily put into a

1 category of dirty dirt. It is a very, very
2 dangerous component. It is a major part of
3 our war complex. It is used to kill people.
4 It is used to inflict pain, damage and loss.

5 It would make zero sense to bring
6 in such material on a rickety train track in
7 an already socio-economic depressed community
8 that has no first responders trained in the
9 clean up of this particular material.

10 Essentially you are asking us to risk our
11 health, to risk the legacy of this community,
12 to risk our way of life on essentially a
13 gamble that the track will hold.

14 I attest to you it is my strong
15 opinion that the track will not hold. And the
16 many derailments and spills are a testament to
17 that.

18 I have a prepared statement as
19 well, which is perhaps a little bit more
20 creative, I hope. It's a letter to the
21 Surface Transportation Board from the
22 confluence of a very old river, ghosts, and a

1 few brief moments of light.

2 I apologize in advance. I
3 struggled in the pit of my soul to tell my
4 brain, Be positive before the entire world
5 begins to think that you live in the saddest
6 place in the universe. Tell them how your
7 people have survived for generations, their
8 lives held together by an ancient dialect of
9 Spanish, Nahuatl, English, and even a small
10 teaspoon of French here and there.

11 Tell them how your abuelita would
12 fry you an egg on a winter morning, how the
13 puela would pop and sizzle while your young
14 heart filled with how much you loved her. I
15 want to tell you all these things at great
16 length, but alas, I cannot.

17 Sometimes in the predawn we see
18 the ghosts as they move up and down Main
19 Street, malnourished doppelgangers intent on
20 their morning bottle. There is no buoyancy in
21 their stride, in their lives. Their failures
22 and their pain were predicted before they were

1 born.

2 We can spot them. The oncoming
3 brokenness of being that is my gente. We have
4 become the weathermen of damaged things, able
5 to spot the low pressure fronts above the San
6 Juans, the shifting jetstream of prosperity,
7 the storm that is forming off the coast of
8 some distant place over some ocean that most
9 of these ghosts will never see.

10 We name their thin and frail
11 bodies so that our children will know them, so
12 that they may avoid the gravity that holds
13 them in their orbits of failure.

14 Look, mijo, that one is a waste of
15 God-given talent, that one is a bum. That
16 one, mijo, he could shoot the basketball, but
17 his name is acid now, drugs, mijo, the acid
18 fried his brain. And that one, the one on the
19 corner, his legs bowed like a harp placed in
20 front of mirror, that one was beaten with a
21 bat. And that one, his father never loved
22 him. And that one over there is just like his

1 father. Yes, mijo, sometimes prison is
2 hereditary.

3 And that one, your classmate, be
4 nice to him. His mother was driving home one
5 night, the pass was so icy. I'm going to tell
6 you something, mijo, our secret, please do not
7 tell your friends; they will just make fun of
8 him. When he drinks, which is always, he
9 takes his mother's high school ID out of his
10 wallet and he stares at it. Be nice to that
11 one, mijo. I don't know why God has done that
12 to him.

13 And so we name and continue to
14 name them. Their stories are our warning.
15 And here's a small truth that makes the
16 subject of this letter nearly impossible. I
17 have named only a few of them.

18 It's an easy assumption that
19 ghosts are so visible, they're on the main
20 drag, they have been so long we cannot know if
21 the gutted buildings they lean up against need
22 their thin bodies to remain standing or if the

1 reciprocal is true.

2 People drive through and they make
3 the easy assumption that everyone makes when
4 looking at broken and abandoned things, this
5 place is poor. The assumption itself is not
6 incorrect. But I'm going to offer that the
7 assumption is so rarely benign or born of
8 winged things that might make a positive
9 difference. Poverty has always been the
10 excuse for exploitation, the knife sharpened
11 against the benevolent idea that help is being
12 offered.

13 At the south end of town, there
14 are black railcars owned by a multimillion
15 dollar multinational company that calls
16 themselves EnergySolutions. The black
17 gondolas wait on the tracks like tumors. They
18 have been there over a year. Patient as only
19 nuclear gondolas can be. Their hollow bellies
20 waiting for the cargo of nuclear waste from
21 Los Alamos National Laboratory.

22 To the north of the black

1 gondolas, the Rio San Antonio flows over an
2 ancient skull of volcanic rock, and I imagine
3 that the rock remembers its fiery birth, holds
4 it, cool now, a heart of pain that keeps the
5 river flowing.

6 You see, there are so many ghosts
7 that we keep alive, all of them passed down to
8 us, hereditary markers where we store pain,
9 loss, humility, humiliation, as well as the
10 small crumb of love we keep in our vast heart
11 of longing.

12 It's funny -- no, it's sad. Our
13 resilience is our pain. We too, like the
14 bedrock of the river, were born in the shadow
15 of an ancient volcano, our land was stolen,
16 and then our water, our language was next.

17 A young boy sincerely asks me what
18 I think of the black railcars. I tell him
19 that I expected them all along. I mean this.
20 Most everyone believes that they just arrived
21 one day, and that is technically correct.
22 They did appear without an announced warning.

1 But we have all been instructed by our loss.

2 Mijo, remember how they stole our
3 water? It will become their habit. So I tell
4 the boy, They already took the land and water;
5 now they are coming for our health. This is
6 the story of conquest. Every genocide has its
7 railcars.

8 As I began this letter, I could
9 not shake an image. It is still with me. And
10 though I cannot find it on the internet, I see
11 it there in my brain permanent as memory will
12 allow. Primo Levi called her the Hiroshima
13 school girl.

14 She was one of the 150,000
15 vaporized, her shadow burned permanently into
16 a wall. I find images of other shadows, a man
17 who was waiting for a bank to open, the shadow
18 of leaves, the shadow of handrails, but I
19 cannot find that girl's shadow.

20 Los Alamos calls it legacy waste.
21 This is their way of saying that the uranium,
22 PCBs, and radon are the byproduct of a heroic

1 endeavor that ended the second World War.
2 They make it a point in the public meetings to
3 tell us of its origins. You see the
4 implication: It is our duty as patriots to
5 accept what the Department of Energy sends us,
6 because this waste, this legacy waste, saved
7 American lives.

8 I want to remind you that more
9 Americans died in Hiroshima and Nagasaki than
10 in the attacks of 9/11. But that would be a
11 futile rebuttal to their jingoistic rhetoric.
12 They don't care about Americans, past or
13 present. Nuclear waste is money. Plutonium
14 pits are money. Exploratory drilling is
15 money. The entire war complex is money.

16 Make no mistake, it is so
17 difficult to be resilient when every force of
18 nature seems intent on your destruction.
19 Nuclear has become synonymous with three
20 things: poverty, people of color, and greed.

21 The gondolas wait for their cargos
22 250 feet from the river. The cargo arrives on

1 flat-bed trucks, the waste is soft-sided
2 containers dubiously called supersacks,
3 glorified water-resistant tarps. They are
4 loaded onto the gondolas by crane.

5 Any accident or spill would within
6 minutes, if not seconds, end up in the river,
7 the town's water supply, the lifeblood of the
8 acequias east of town, the water that blooms
9 our fields, waters our animals and makes us
10 whole.

11 Those ghosts, the ones I spoke of
12 earlier, they have begun to write. They are
13 finally asking to be heard. The town park is
14 filled with their tags and graffiti. They
15 announce their life in black paint. I believe
16 in symbols: the empty swings, the tagged
17 slides. Their anger is palpable, their
18 abandonment complete for generations.

19 EnergySolutions and the railroad
20 tell us the waste shipments will bring
21 economic viability to Antonito. Their own
22 documents tell us that one to three jobs will

1 be created, and through the course of
2 campaigns, one to eight deaths can be
3 expected.

4 They want to ship the waste in
5 perpetuity. That's a fancy word for forever.
6 But we knew that before they opened their
7 mouths. They see our ghosts, our beaten park,
8 the worn sidewalks of despair. They see how
9 we take every failure, cut it open, weigh and
10 measure the vital organs, always looking for
11 the source, the failed motor that caused the
12 living host to succumb to his aching life and
13 thus conquer it by dying.

14 They see these things and
15 therefore view our poverty as weakness. They
16 see our fallen things and imagine it must mean
17 complacency and apathy. Put a different way,
18 they believe we won't fight back.

19 I mentioned earlier that our
20 resilience is our pain. But I've ridden
21 myself of that assumption. Instead, I see how
22 our survival is our resilience.

1 We will never bounce back to our
2 original form as the definition of the word
3 resilience implies. Those days are gone,
4 absent as a brief push of wind here then gone.
5 No, I suppose our survival, and therefore our
6 resilience will depend entirely on how long we
7 wish to fight.

8 And what of those ghosts, those
9 walking frailties of bone and poverty. I
10 think of the town park overrun with graffiti
11 and broken bottles. A question emerges, why?

12 225,000 people died in Hiroshima
13 and Nagasaki, their deaths were dropped on
14 them with a parachute tethered to an atomic
15 bomb. Their deaths were the result of genius
16 minds working at evil intent.

17 Antonito is in Colorado. We are
18 culturally, linguistically, religiously,
19 spiritually and emotionally tied to the people
20 and places of northern New Mexico.

21 Those 225,000 lives disappeared in
22 an instant of demon wind and heat. And I have

1 heard how all of the radiation entered into
2 the sky, how the wind brought it across the
3 Pacific.

4 You see, I don't want to be too
5 melodramatic here, but I think you can see
6 where I'm going with this. There must have
7 been souls on that wind. Souls looking for
8 the source of their destruction.

9 I'm not entirely naive. I don't
10 buy into a whole lot of hocus pocus, but I
11 don't believe in northern New Mexico and
12 southern Colorado are some of the poorest
13 places in the country simply because they are
14 isolated. Can you imagine the weight of
15 225,000 deaths, how heavily that weighs on
16 even the potential for resilience?

17 I realize this letter is getting
18 long. Perhaps you are tired. I will not be
19 long in finishing.

20 I think I should tell you that all
21 is not death and poverty. I want you to know
22 that I love my hometown. There are brief and

1 brilliant moments of light in the sun through
2 a kitchen window, neighbors that always wave
3 as they pass, a herd of sheep as they emerge
4 from the trees into meadow, and a river that
5 forgets the sins we have committed against it.

6 The memory of my abuelita frying
7 me an egg on a winter morning, two kids just
8 barely in love holding hands as they walk down
9 Main Street, a football team that takes the
10 field in autumn and brings hope where none had
11 previously resided.

12 Yes, there are great storehouses
13 of beauty, each made manifest by some small
14 gesture or action. I want you to know that
15 the gondolas have moved in over a year. We
16 are resilient enough to fight. We are in a
17 great struggle of will and determination
18 versus millions and millions of dollars.

19 But we know, despite our losses,
20 despite our ghosts, that the river is our
21 home, that the river makes our home possible,
22 that the river, it's many moods and flows, is

1 the truest metaphor. It teaches us how to be.

2 And at its lowest, when she
3 appears dry and weak, we know beneath the rock
4 of volcanoes and distant pressures, that the
5 river still flows invisible, subterranean,
6 toward a confluence of hope, a place where it
7 emerges from the earth sweet and cold, perhaps
8 flowing into a greater river which flows
9 towards a greater river and so on.

10 Our own resiliency born there upon
11 the ripples and currents, our lives complete,
12 our ghosts smiling up at the passing earth as
13 the river carries them. Thank you.

14 MR. BORNSTEIN: Thank you.

15 Maria Schmitz.

16 MS. SCHMITZ: Hello. Maria, M-A-
17 R-I-A, Schmitz, S-C-H-M-I-T-Z.

18 Welcome. And I know this is a
19 whole different terrain to what Washington, DC
20 is. Different types of people, different type
21 of culture, and a different type of attitude
22 and atmosphere. So I hope you enjoy yourself

1 and everything else.

2 First of all, when I read in 2009
3 that the CEO and the management group for the
4 San Luis & Rio Grande Railroad was seeking a
5 \$10 million stimulus grant, it perked my ears.
6 And I said, What gives? How can a private
7 railroad seek \$10 million worth of stimulus
8 money?

9 Shortly after that in Antonito we
10 had the black gondola cars. And I'm asking
11 people, what gives, why the black gondola
12 cars. Nobody knew. No answers were found.

13 Then in October, if you remember,
14 John, we had a meeting and found out about
15 EnergySolutions and about their CEO management
16 group. Nothing was filed with our Conejos
17 County land use administrator, no permits were
18 present.

19 And it really saddens me that here
20 is an organization that is supposed to be
21 great entrepreneurs in the Midwest, Chicago,
22 Illinois, and they have presented no business

1 plan, they have no means or modes or methods
2 of what they were going to do with Los Alamos
3 dirty dit coming into our town, our county.

4 This idea was not promulgated in
5 just a few months. This idea was thought out
6 by EnergySolutions, by the CEO maybe two to
7 three years before 2009. But yet they took
8 the people of Antonito and Conejos County for
9 granted that we were that stupid, that we
10 would not realize what was going on behind
11 closed doors?

12 It saddens me that they abuse our
13 intellect, that they abuse our elected
14 officials, and it saddens me even more that
15 they come in and say, We have a solution to
16 the economic problems of Conejos County. They
17 don't.

18 That railroad may take the perlite
19 and the red dirt out, but what are they
20 saying, We will employ three people? Dave
21 Alcon is from Alamosa. They're not local
22 people. But yet here sits the Cumbres and

1 Toltec State Railroad, owned by the states of
2 Colorado and New Mexico, for 40 years this
3 year it will have run.

4 This past year we had 29,000
5 people ride that railroad. Even with the
6 burning of the Lobato trestle. Prior to
7 that, in the last six, seven years, we have
8 had 40,000 tourists, and even years more
9 riding this railroad. A few years back we
10 even had 50,000 ride.

11 And yet this railroad, SL&RGW is
12 hurting the Cumbres and Toltec. What happens
13 if there is, like Mr. Hope said, a spill?
14 What happens to all these tourists? Are they
15 going to come to ride? No, they're not. We
16 had a deficit of our ridership because of the
17 Lobato trestle. The media put it out, but
18 they forgot to say, We're still running.

19 That railroad employs 100 people.
20 Locals. The concession here is a local
21 entity. And yet you're thinking that this
22 railroad is going to come and save us? We are

1 sitting on a gold mine and we are ignoring
2 which is the true railroad. The true railroad
3 is our tourist railroad. Yes, our tourist
4 railroad that has been running 40 years.
5 Forty years.

6 And what does the CEO and the
7 management group say? They are the important
8 asset. They are the solution to the economic
9 deprivation of Conejos County.

10 Surface Transportation Board, I
11 really want you to think, think before you
12 make your decision. The life line is not the
13 SL&RGW -- or, I'm sorry, the San Luis & Rio
14 Grande Railroad, it used to be -- the life
15 line is the Cumbres and Toltec. You give them
16 access to letting EnergySolutions bring in
17 waste then, you're going to kill this town.

18 Because, like Mr. Hope said, we
19 only sit a mile from their supposed docking
20 site. Only a mile. We're not only talking a
21 few thousand people, citizens of Conejos
22 County and Antonito, we're talking of a lot of

1 people who come through. A lot of people.
2 And this next year more numbers and more
3 numbers.

4 I want you to really stop to think
5 before you make that decision. Who is more
6 important here, a railroad that employs three
7 people and brings in garbage. Is that
8 neighborly, like Mr. Abeyta said? Stop to
9 think, what is the life line. It's not
10 EnergySolutions, not SLRG for this county.

11 If you do not realize it, the
12 Cumbres and Toltec State Railroad is North
13 America's longest and highest narrow gauge
14 mine. Are you going to take that away from
15 us? That's all I have to say. Thank you.

16 MR. BORNSTEIN: Thank you.

17 Emily Lutringer.

18 MS. LUTRINGER: Yes, I'm Emily
19 Lutringer. That's E-M-I-L-Y, last name L-U-T-
20 R-I-N-G-E-R. And I am not from here
21 originally. I grew up on the East Coast just
22 in the suburbs of New York City, and I moved

1 here a few years ago.

2 The main reason that I chose to
3 move here was because I wanted to live close
4 to the land and be close to nature. And so
5 that's what my brother and I are doing. We're
6 working on building a straw bale house and
7 we're trying to start a small organic farm.

8 And this whole issue is in direct
9 contradiction to everything that we're trying
10 to do. And even though I'm not originally
11 from here and have only been here a few years,
12 this is my home. And these people are my
13 family. And I belong here and this is my --
14 I feel connected to this place very, very
15 deeply. And it means a lot to me. I run the
16 Antonito food bank, so I'm very involved in
17 the community.

18 And I also -- even though we
19 are -- apparently our house is not technically
20 an adjacent property, we are less than 100
21 yards from the transloading facility. It is
22 in direct line of sight and directly -- we're

1 directly upwind of it, meaning that we -- my
2 house is going to be the first house hit with
3 an spill.

4 We also own 35 acres along the San
5 Antonio River, and that is also one of the
6 first properties that would be hit by -- if
7 there was any kind of spill. So this is very,
8 very important to me personally because it
9 directly affects my life and my well being.

10 As it stands, they are supposed to
11 be having dust control methods, which are not
12 in place. We have severe, severe dust
13 problems. It's been said that they would not
14 do any transloading when the winds were over
15 25 miles an hour, but I honestly don't see how
16 that's going to be possible in terms of a
17 business perspective, because we have winds
18 over 25 miles an hour a lot.

19 And in the spring, it's every day
20 for months. And are they just going to shut
21 down their whole operation for months while we
22 have these, you know, springs winds? I really

1 doubt that they will follow through with that,
2 despite what they say.

3 Also, there's the other issue that
4 it's right over the river. That's a big deal.
5 That just contaminates everything. If just a
6 little bit gets in there, it's -- how are you
7 going to contain that? How are you going to
8 clean that up? And kitty litter? Really? I
9 thought that was kind of funny.

10 But I think -- just a second here,
11 I have some notes on here that I wanted to
12 talk about. So I guess my -- ideally I don't
13 want it coming through here at all. I think
14 a lot of people feel that way. However, I
15 think that if it does have to come through
16 here, I do understand that it's ultimately
17 safer to transport it on rail versus, you
18 know, on trucks. That makes sense.

19 But the facility itself is not
20 safe. As has been said, the tracks are in
21 very poor repair, the bridges are in poor
22 repair, the roads in poor repair, it's all

1 dirt and gravel roads. There's no -- the
2 signs -- we have like our railroad signs are
3 just, you know, wooden stakes in the ground.
4 There's no lights, there's no audio, there's
5 no anything to signal that a train is coming
6 through town. It's very poor quality.

7 The dust control is a big issue.
8 And so I think that what's happening is that
9 I don't think they even realize how big of a
10 project this is really is. We need our roads
11 repaired, we need the tracks all repaired, we
12 need dust control measures, like maybe huge
13 dust control measures put in place, as well as
14 water protection.

15 It's just, it's a huge project
16 that they're trying to take on and then shove
17 all that stuff under the rug. I don't see how
18 that is, you know, possible or feasible.

19 I think if there still needs to be
20 a transloading solution -- I mean transloading
21 facility in the area, it needs to be far away
22 from town, it needs to be far away from the

1 river. I mean that's just common sense. Why
2 would you put it right near town, right near
3 people's homes, and right over the river? I
4 mean that affects so many people's lives and
5 the environment, and this is a really
6 important environmental area, as has been said
7 previously.

8 I know a lot of times people come
9 through here and think it's not much to look
10 at and there's not really anything here. But
11 the biodiversity here is huge, and we are an
12 extremely sensitive environment with lots of
13 different species that are unique and endemic
14 to this area, as well as all the cultural
15 history that's here.

16 So I just -- I think that if this
17 is going to go through, it is not -- the way
18 that they're planning to go through with it at
19 this point is -- seems to me just moronic.
20 There is no sense in it at all, and they're
21 really putting a lot of people's lives and the
22 planet in a lot of danger just because they

1 want to take some shortcuts and squash the
2 little guy. So thank you.

3 MR. BORNSTEIN: Thank you.

4 I'm going to step away for just a
5 moment, and Fred is going to run things while
6 I'm away, so.

7 MR. MILLER: Next we have Eric
8 Lutringer.

9 MR. LUTRINGER: Hello. Is this
10 on? Everyone can hear me? Okay. My name is
11 Eric Lutringer. That's E-R-I-C L-U-T-R-I-N-G-
12 E-R.

13 I am Emily Lutringer's brother,
14 and we moved here several years ago as she had
15 said. We grew up in the suburbs of New York,
16 in Connecticut in Fairfield County. We come
17 from a wealthy area of the United States. Not
18 necessarily that we are rich, but our family
19 has -- we grew up financially secure.

20 With that though, our father, he
21 had the opportunity to travel the world as an
22 international lawyer working with different

1 countries, the UN, and highly respected in New
2 York City as a mediator right.

3 With his success, he never bought
4 Porsches and million dollar houses. Instead
5 he gave us a good education, and he brought us
6 to countries like Peru and Ecuador and brought
7 us into the Amazon to live with tribes and get
8 to know these actual humans that are living in
9 the moment. They're not concerned about their
10 paychecks, they're not concerned about
11 globalization, of everything else going on.
12 They're really living to be who they are.

13 After traveling to many places
14 like that, we came to the Valley -- well, my
15 sister discovered it, and after visiting
16 myself, I don't -- I haven't another place
17 with a sense of that real tribal humanism
18 that's there.

19 This valley, from what I
20 understand, is the valley of energy solutions
21 for thousands of years, by natives, by the
22 community members, people who have come, then

1 left, then they come back. This place is so
2 special spiritually, energy-wise. It's very
3 community based. I have never found that
4 anywhere else.

5 Our residence is within 100 yards
6 of the train cars on the tracks that stand
7 there right now. They have been there for a
8 year. It is my understanding that there's
9 still nuclear waste, or residue of nuclear
10 waste in those. Directly upwind from our
11 house.

12 Every time I walk out of my house
13 I see that. Every time I look out my window
14 I see that. The wind blows by about 90 miles
15 an hour. My family is immediate danger of
16 this, and has been for the past year.

17 I feel physically threatened by
18 this situation in a place where I feel very
19 safe. The people of the Valley have accepted
20 us with loving arms, and I that's the utmost
21 appreciation I could ever imagine. I know in
22 places on the East Coast people don't accept

1 people as easily, and elsewhere.

2 I respect EnergySolutions for
3 trying to tackle an ecological crisis that I
4 would never even approach, the job is too big
5 for me to fathom. But I see more ecological
6 disasters that come from this.

7 I hear a lot of pain from the
8 people who have lived here, and their
9 ancestors have lived here for thousands of
10 years. There's nothing I want more than to
11 see these proud people be happy.

12 This is their land, and as I see
13 it, this is our land, everyone's land. People
14 ask me, Where are you from? I don't speak
15 Spanish very well, but I like to say el soy
16 del mundo, which means I am from the world.
17 We're all from this world. We're all human
18 beings trying to get through this.

19 And this is, I think, a great
20 opportunity through this situation to approach
21 these problems in our current world. This is
22 not just Antonito's problem, this is a world

1 issue. Nuclear proliferation, everything, it
2 goes all the way up, you know, all the way
3 through all races, I think, all over the
4 world.

5 This represents to me a big
6 struggle in humanity. It's not just -- you
7 know, if Antonito can get through this
8 successfully, I'm afraid some other small town
9 will have to deal with this too. Some other
10 community will have to be approached by this
11 problem.

12 I cannot deny that Los Alamos is a
13 mess by all this. They did not ask for it,
14 and we're not asking for it.

15 I cannot fully represent the
16 people of the Valley, but the fact that they
17 have welcomed us and tried to help us get
18 ourselves established here is just a beautiful
19 thing.

20 I feel like the railroad and
21 EnergySolutions is bringing in something that
22 is poisoning us. Not -- there'll always be

1 some things, but it's hard to keep a place
2 with open doors when there's people knocking
3 them down all the time.

4 And that door was opened for us,
5 and that is the best respect I have ever
6 received. I really, really love the Valley.
7 I cannot see Antonito having this transfer
8 facility and ever being the same again. And
9 the whole valley for that matter. Like I said
10 before, this valley is the valley of energy
11 solutions, and it has been for thousands of
12 years because the natives have done that.
13 They've proven that, they've lived that.

14 The solution is not to bring
15 waste, a byproduct of energy that our modern
16 world somehow condones as a -- or approves as
17 a good source of energy. There's no safe way
18 to dispose of nuclear waste, and we all know
19 that. That's why we're having this
20 discussion, because it wasn't disposed
21 properly, and it can never be disposed
22 properly.

1 The sun is a giant nuclear
2 reactor. We're playing with the sun's powers.
3 We're playing with everything that is outside
4 of our control. This valley has a solar power
5 plant. This valley has lots of wind powered
6 generation. This valley has lots of great
7 options for energy solutions, real energy
8 solutions, not a corporate name that parades
9 around bringing waste into other communities.

10 With the train cars upwind from
11 our house, that is direct immediate threat to
12 me and my loved ones. They have remained
13 there for a year. I don't even see the issue
14 of going further than today, if those train
15 cars are still there, that is a threat to me
16 and my family and this community, and the
17 river which goes all the way through America
18 down to Mexico to the Gulf of Mexico. May I
19 remind us of the recent disaster in the Gulf.
20 This is all connected. We are all connected.

21 The energy solution is not
22 bringing another disaster upon us. I do not

1 feel like this will ever work in Antonito.
2 The people here are very proud, intelligent,
3 bright, loving people. They're educated,
4 they're smart, they're funny, they're
5 everything I've ever wanted to be a part of in
6 a community. And there's absolutely no
7 solution for EnergySolutions to do this, to be
8 here.

9 I cannot live in a place where
10 there's nuclear waste 100 yards upwind of me.
11 Anyone who has lived here for more than six
12 months knows the dust gets everywhere in this
13 wind. You can have a perfectly sealed
14 container, that wind will somehow get that
15 dust in there. It happens.

16 In a bomb shelter, you can
17 probably open it up and find dust if you
18 haven't been in there in a year. Not because
19 of settling, just because the wind will find
20 a crack and push it through. There's no safe
21 barrier between nuclear waste and mother
22 nature. It will blow that dust into my house,

1 as it's probably been doing for the past year.

2 My life is in danger, my loved
3 ones are in danger as of this very second.
4 When I go back home, less than a few miles
5 from here, I have to drive by those cars into
6 my driveway, get out, see them, get back
7 inside my house. I can see them from my
8 bedroom window every time I wake. The wind
9 just whips right through there.

10 There's literally a direct line.
11 And there's nothing I can do about that, I
12 cannot hide from nuclear waste that's being
13 blown at me at 90 miles an hour.

14 We just learned that plastic
15 causes cancer. How long have we been using
16 plastic for? You know, everything that we've
17 been using, we're just going to figure out 30,
18 40 years from now that it's just going to hurt
19 us more. There's all these new diseases
20 coming out from all these great inventions
21 we've had over the past 60 years. But we're
22 only going to learn how much that has hurt us.

1 And I could definitely say,
2 because my health is at risk, that there is no
3 way that this is going to happen in Antonito.
4 Over my dead body.

5 (Applause.)

6 MR. BORNSTEIN: Thank you.

7 Kent Holtcamp. He's gone? All
8 right.

9 (Pause.)

10 MR. BORNSTEIN: John Sandoval

11 MR. SANDOVAL: Thank you folks for
12 coming here today. We appreciate you coming
13 all the way from DC to listen to some of the
14 concerns that we have.

15 One of the things I just want to
16 mention, just for the record is, of course,
17 Mr. McCarroll, who's one of the commissioners,
18 had an operation, which allowed him to only be
19 here for a few hours. I was in a car accident
20 yesterday, which is just -- I've got a
21 headache that is just killing me, so we have
22 staggered the commissioner's representation to

1 be here throughout this process. So we just
2 wanted to make that record clear for those to
3 know.

4 One thing I want you folks to
5 know, as representatives of the STB, is that
6 I am neither for nor against it. And that's
7 very, very important because one of the things
8 that you folks are here to do is to decide at
9 some point ultimately whether preemption
10 applies or does not apply.

11 And back in the 1800s when they
12 discussed this preemption law, it was because
13 states, counties and municipalities were not
14 in favor of the railroad. They passed the
15 preemption law to allow the west and other
16 parts of the country to be settled.

17 Why is that important here?
18 Because we, as a county, as they stated
19 earlier, Steve Atencio, who represented us,
20 why the original application was denied was
21 because several unmitigatable -- or things
22 that were not clear whether they were

1 mitigatable or not. So we looked at that
2 whole process, and the decision was made based
3 upon -- and you have that as part of your
4 record.

5 So how does that apply here? I'm
6 neither for nor against it because what we're
7 here deciding is preemption going to allow
8 folks to go around the local law or state law.
9 So I'm here to represent to the STB that we
10 look at that neither for nor against, but will
11 look at all sides. That's what this all is
12 about.

13 They were granted preemption back
14 in the 1800s because they were not going to be
15 open-minded to do that. And we will be open-
16 minded and so we ask you, leave that in that
17 in the local hands.

18 One of the issues -- which I would
19 like to say that Bret and Colin, they have
20 worked great with Conejos County as far as
21 communication going through, some of the
22 meetings, and we believe have been forthright.

1 However, one of the issues that we
2 had was, in the event that we allowed this
3 process to go through, could the things that
4 we made as part of a condition for
5 EnergySolutions transfer to the railroad? We
6 were not sure of that.

7 So listen to the conditions, or
8 some of the things that folks spoke about
9 today, like Mr. Trujillo spoke about the
10 bridge, culverts and whether the track was or
11 was not in disrepair. There was some folks
12 that spoke about whether or not it was a
13 sealed container, or was it with seals, was it
14 able to get the product from point A to point
15 B.

16 So there are concerns that maybe
17 might not directly affect EnergySolutions, but
18 we felt strongly as a community, or as the
19 decision making body that there were still
20 uncertainties that we weren't aware of.

21 So we just want to reiterate to
22 the STB that we believe that there are folks

1 in this area that are smart enough and have
2 the ability to research some of these things
3 to give everybody a fair and open hearing, and
4 be respectful like you've seen today.

5 You've seen unrest all over the
6 Middle East. It's because they don't trust
7 their forms of government. You folks are
8 representation of our government in
9 Washington, and we are once again believing
10 that the system is working. Part of that
11 system is allowing you folks, as
12 representatives of the STB, and the STB
13 ultimately in DC that let have our say.

14 And if ultimately we decide that
15 it's not going to work, let it be for
16 conditions that were unmitigatable, if that is
17 even a word, but unmitigatable or things that
18 are going to allow us to make what's in the
19 best interest of our folks here.

20 Thank you for coming again. I
21 will be -- I've got -- I will be unable to
22 stay, but thank you. Appreciate it. I know

1 it's tough for you folks to sit here through
2 all this. Thank you again.

3 MR. BORNSTEIN: Thank you very
4 much.

5 Marsha Barela.

6 MS BARELA: First I want to thank
7 you for allowing us to speak to you. And my
8 name is Marsha Barela, M-A-R-S-H-A B-A-R-E-L-
9 A.

10 Okay. I just wanted to let you
11 know that the last time I spoke to anybody
12 from -- to any other representatives from
13 EnergySolutions, I asked if they were aware of
14 how many times this train had derailed. They
15 seemed like they were quite surprised, and
16 they were even more surprised to learn that
17 the train had derailed a couple of weeks
18 before that.

19 This train has a history of
20 derailling. It's derailed right outside of
21 town on a couple of occasions that I can
22 remember. And the one time that it took a

1 while to clean up, it was right off the
2 Conejos River, and it was near the residences,
3 cattle ranchers, they've got their cattle
4 there on the land.

5 The train has also derailed on La
6 Veta Pass and the cargo still lies at the
7 bottom of the pass because it's inaccessible
8 to trucks. This is also close to a water
9 source.

10 And the one thing that I haven't
11 heard is that the train has been struck by
12 trucks in Alamosa. A couple of years ago we
13 had a bad accident. A potato truck hit the
14 train going through Alamosa and it was a train
15 carrying passengers. One of the train cars
16 actually started on fire and the people were
17 running away from the fire.

18 And another one not too long ago
19 occurred by La Jara, and what happened there,
20 a semi hit the train. And we know that the
21 train goes by here, but you don't always have
22 the warning. There's one place in Alamosa

1 that has the arm that comes down, the lights
2 and everything, but that's the only place I
3 can think of. People do not always know that
4 the train's coming through.

5 And we've just been very fortunate
6 that when they did get hit, or when they did
7 derail, they were only hauling perlite and red
8 rock. And I'd like you to think about that
9 when you're making your decision. We aren't
10 the safest place to have the nuclear waste
11 going through. Thank you.

12 MR. BORNSTEIN: Thank you.

13 Colin Austin.

14 MR. AUSTIN: We'll see if this
15 works. Is that the right microphone.

16 MR. BORNSTEIN: Yes.

17 MR. AUSTIN: Or is it that one?

18 MR. MILLER: There you go. There
19 you go. That's good.

20 MR. AUSTIN: There we go. First
21 of all, I appreciate the opportunity to
22 address the team today, and thank you for

1 coming here to Antonito to listen to the
2 community's discussion.

3 The obvious comment is it's clear
4 the events around the transload capability are
5 somewhat emotional. And it's easy to see how
6 facts can get hidden behind the emotion and
7 the rhetoric that goes around some of that
8 emotion.

9 But it's important to bring us to
10 back to what today is about, and that is it
11 comes down the railroad's federal right to
12 perform transload operation. This is not a
13 solid waste facility. It is a pure transfer
14 of a container from a truck to rail. And I
15 will come back to that.

16 And the thing that is important to
17 say, and I appreciate some of the community
18 recognizing it, EnergySolutions is being
19 driven to do the right thing for the
20 community. And, in fact, we have a CEO that's
21 been post now for over a year who is focused
22 on our company being a company that an be

1 trusted.

2 Obviously in the business that
3 we're in is we're very familiar with the
4 emotional effect of using words like nuclear,
5 radioactivity, radiation, and it's very easy
6 then to get caught up in the emotion. Again,
7 I come back to it's all about approved
8 containers that are being transferred from one
9 mode of transport to another, i.e. truck to
10 rail.

11 And one of the things that we as
12 EnergySolutions may have done is cloud the
13 issue by trying to accommodate too much some
14 of the issues that have been raised. And, in
15 fact, suspending operations and that type of
16 thing.

17 And the interesting thing is, had
18 we just moved forward under the rights we
19 believe we had, I think the community would
20 have seen an operation that is very simple,
21 very low risk, and is consistent with standard
22 transportation.

1 There is a few things that I
2 probably need to address. The phrase has been
3 used, shipping in plastic bags. It is
4 important to state the bags in question are
5 woven material outer containers with an
6 internal liner. Therefore it's not just a
7 plastic bag, and water does not go in and out
8 of that bag.

9 There was a reference to the bag
10 being a liner for metal containers.
11 Unfortunately, that reference is associated
12 with a patent that exists for closure of
13 containers. And that patent was referring to
14 a different container, not the containers that
15 are being used here.

16 Also important to highlight,
17 thousands of containers of this type have been
18 shipped across the country, and many of them
19 have been delivered to Clive, Utah. Now
20 that's being done under many different
21 regulators, in different locations with their
22 perceptions of what is a risk relative to the

1 regulations, and no concerns have been raised
2 about these containers to shop this type of
3 material.

4 And I have to address the
5 contamination of the outside of the
6 containers. These containers are surveyed,
7 confirmed not have contamination on the
8 outside container at the point it leaves.
9 That survey is independently verified. When
10 the containers arrive at their destination,
11 they are surveyed and independently verified.
12 That verification is overseen by state
13 regulators.

14 So the discussion about water
15 being on the containers as they were seen in
16 the demonstration in December, it was snowing,
17 there was quite bit of snow and water on the
18 road, and there was water on the truck from
19 the distance from Los Alamos to Antonito.

20 The next one's an interesting one,
21 and that is the reference that there's no
22 written agreement between the entities looking

1 to do transportation and the community -- the
2 commissioners. I try not to get too personal
3 on this, because I've been somewhat heavily
4 involved since the outset in terms of
5 attempting to work with the community.

6 We did actually submit an
7 administrative review permit, and we believe
8 fully compliant with the code. We did have
9 that permit application rejected, rejected on
10 the basis that this is a solid waste transfer
11 facility. Again, I will come back.

12 Negotiated agreements was referred
13 to earlier. We spent a substantial amount of
14 time working with the community, listening to
15 the issues that the community raised, and we
16 believe within a negotiated agreement document
17 we addressed everything that had been raised
18 by the community and by the commissioners
19 representing that community.

20 And that agreement was developed
21 in a 14-page document that lists a number of
22 features, that if we were just to choose to

1 do, that regulatory compliance would not be
2 available to the community.

3 The important thing in that
4 agreement, it specific stated if we don't
5 comply with the agreement, that operations
6 could be halted by the community through the
7 commissioners.

8 And Bret Rogers indicated we
9 participated in a task force set up by the
10 Congressman. We participated with the
11 intention that we were to reach an agreement
12 on how a transload station could be operated
13 at Antonito.

14 What we agreed to do to ensure
15 that community input not just with the
16 commissioners, but through the community, that
17 that input could be achieved. We agreed to do
18 a special use permit application. Not
19 required by the application process, we added
20 into that application all of the commitments
21 we made in the negotiated settlement.

22 Even if the commissioners chose to

1 reject that settlement, we put back on the
2 table all of the conditions that we were
3 willing to commit to over and above that which
4 would be necessary to comply with the
5 community requirements.

6 The comment has been made that the
7 commitments we were making were only promises.
8 Both in the negotiated settlement document and
9 in the special use permit application, we
10 committed that we would allow the agreement to
11 transfer with the title of the property. That
12 agreement then became institutionalized in
13 perpetuity with the land.

14 That's a lot more than a promise.
15 That is a written documented commitment legal
16 enforceable, which the community has control.
17 So you can gather, I have to stress, there has
18 been a lot of attempt to go beyond what we
19 believe is necessary under the legal
20 requirement to make sure that we address the
21 needs and concerns of the community.

22 Solid waste transfer facility. I

1 did say I'd come back to that. That phrase
2 has been used a lot today. Solid waste
3 transfer facilities, I think you're probably
4 well aware, are facilities where you take
5 material out of something, handle it, and then
6 put it into something else.

7 This is not a solid waste transfer
8 facility. And the transfer facilities are a
9 lot to do what Mr. Heffner was talking about
10 earlier, to prohibit the retention of
11 materials on an area of land and to allow
12 operations to take place that shouldn't take
13 place. This, again, is purely taking a
14 container, DOT-qualified container from a
15 truck to a railcar.

16 The statement's been made in many
17 different ways, we don't know what will happen
18 in the unlikely event of an incident. The
19 hazmat team from Colorado actually came and
20 presented to the commission and to the public
21 about their role in incidents and the nature
22 of what it is that we were actually

1 performing.

2 They are hazmat trained
3 professionals, and one of the key elements of
4 DOT regulations is classification determines
5 in the event of an incident, how a response
6 will take place, and the responders are trying
7 to deal with that.

8 So beyond the processes and
9 systems that EnergySolutions and the railroad
10 were implementing, there is the natural
11 capabilities of the response teams. So to
12 suggest that people do not know what to do is
13 obviously somewhat in error.

14 Agreements between the parties not
15 clear and whether they exist. Just as a
16 matter of record, the agreements between the
17 operating parties is actually part of the STB
18 submission and available at any time, and
19 actually was submitted to the county as a
20 record for the county.

21 So what does it really come down
22 to? We're not obviously here to talk about

1 Clive, were not here to talk about the
2 different types of material that might be
3 transported by different entities, and we're
4 not here to discuss what are the businesses
5 and why businesses are in particular
6 operation.

7 What we're really looking at is
8 EnergySolutions is transporting material in
9 approved containers in accordance with permits
10 and regulations and the legal framework under
11 which transportation takes place.

12 The regulations are set up to
13 ensure that the public are protected from the
14 risks presented by transportation and we, with
15 the railroad, would be fully compliant with
16 those regulations

17 The material that is being
18 transported is the lowest classification for
19 radioactive waste. Therefore it is at the
20 very bottom end of any form of risk curve.
21 And I think Bret earlier an excellent job of
22 trying to explain that in numerical terms.

1 The railroad has a federal right
2 to perform a transload operation. And I have
3 to say at the end of this, and that is
4 EnergySolutions, I believe, has gone beyond
5 what many would consider reasonable to address
6 the concerns that the community has raised.
7 And that's really all I wanted to say, apart
8 from I really appreciate the opportunity to
9 present to yourselves.

10 MR. BORNSTEIN: You should have
11 gone with the other EnergySolutions person,
12 but, okay.

13 Gil Arnold.

14 MR. ARNOLD: My name is Gil
15 Arnold, G-I-L A-R-N-O-L-D. Thanks for
16 traveling so far, and giving me an opportunity
17 to extemporize.

18 I'm fifth generation Colorado. My
19 family are front ranchers and grocers. And I
20 was attracted to this region because of
21 relatives who settled up here about 40 years
22 ago.

1 I'm a veteran of the war in
2 Vietnam, and in that war I was contaminated
3 and wounded. But probably the most serious
4 thing I've had to deal with is the affects of
5 Agent Orange.

6 My father was one of the very
7 first officers in the Air Force's missile
8 command. And when he retired from that, he
9 worked as a researcher at the Sandia
10 Institute. Following retirement from that, he
11 lived with cancer for the rest of his days.
12 And in his dying days, his greatest grief was
13 for his contribution to warfare and weapons.

14 My oldest is a life lone pacifist,
15 and an industrial designer and ethicist who
16 consults to NASA and occasionally to the
17 institutes that shape management of Los
18 Alamos. I have been steeped in warfare,
19 weapons and contaminants virtually all of my
20 life.

21 My first career was in
22 construction. I was a superintendent of civil

1 construction for about 20 years. And we were
2 faced with a number of contaminants, asbestos,
3 sulfides, chlorines, chlorine dioxides, many
4 of which were incredibly toxic and lethal.

5 And in every case, over time, we
6 found ways -- we and communities found ways to
7 engineer around all of the threats that were
8 presented by these materials. Now there are
9 still byproducts and problems with all of
10 these things, but there was a serious effort
11 made by proponents to do their best.

12 Now, it looks to me as if we're
13 dealing with a group of amateurs, following my
14 attending these hearings. They have
15 essentially told us that we lack technical
16 expertise and that we lack enough information
17 to effectively deal with what we're presuming
18 to deal with. In fact, that was stated this
19 morning.

20 Now like the railroad lawyer, I'll
21 take a moment to rebut. And that is, I
22 believe false. There are probably more

1 advanced degrees having coffee on Main Street
2 Alamosa in the mornings, than there are having
3 coffee in the board rooms of our proponents of
4 this project. And I think that needs to be
5 remembered by the people who are discussing
6 this.

7 I've been dealing with cancer for
8 quite a few years now. And I retired to this
9 area where -- to a piece of property through
10 which runs the Rio San Antonio. So you can
11 imagine my dismay, my anger and my irritation.
12 I mean it's just -- you know, I've lost a lot
13 of sleep over this.

14 Now, until the proponents can
15 start making some sense and show some respect
16 for this community, I submit that they are
17 going to go absolutely nowhere. This is the
18 tightest, most unified community I've ever
19 worked with.

20 And when I say worked with, that
21 leads to a discussion of my second career,
22 which was as a land use negotiator

1 representing First Nations communities in the
2 far north, industries, and commercial
3 fisheries, and guide outfitting associations.

4 And through that, I learned that
5 the natural resources and the traditional
6 endeavors that they support far outstrip the
7 wealth represented by a \$5 billion mineral
8 resource, or in this case a two-bit railroad.

9 This railroad is small potatoes
10 compared to -- this railroad and the project
11 it presumes to put in front of us, is
12 absolutely small potatoes compared to what
13 this community produces on an annual basis,
14 and has for many, many hundreds of years.
15 Thank you.

16 MR. BORNSTEIN: Thank you.

17 Is Orlinda Taylor here?

18 PARTICIPANT: No, she never
19 returned.

20 MR. BORNSTEIN: Okay. So if
21 anyone hasn't spoken already and would like to
22 speak, just come up to the podium and say what

1 you have to say.

2 (Pause.)

3 MR. LUJAN: Hi. My name is Jared
4 Lujan, and I'm a resident of Antonito,
5 Colorado. This topic about --

6 MR. BORNSTEIN: Wait, wait, wait.
7 Say it again, your name's what?

8 MR. LUJAN: Jared Lujan.

9 MR. BORNSTEIN: Spell that please.

10 MR. LUJAN: J-A-R-E-D L-U-J-A-N.

11 MR. BORNSTEIN: Okay. Great.

12 MR. LUJAN: This topic about the
13 nuclear waste that they have brought to our
14 community by use of train is not only unjust,
15 but unethical. Not only are the people that
16 live in Antonito at risk, but it is one of the
17 most controversial and frustrating issues
18 going on in Antonito right now.

19 I do not think that it is right
20 that they have brought their waste to our
21 community just because their community is
22 already full of it. I cannot even express to

1 you how I feel about this because if I were to
2 express how I feel about this, I wouldn't even
3 be able to read it to you.

4 I really don't want to see no more
5 carts full of waste in our county anymore, and
6 I'm saying that as the younger generation of
7 this town. I don't want to see it go to crap
8 because, like I said, I think everybody would
9 appreciate it if they would take it back.

10 Because I know if I do something
11 wrong, I always have to pay a consequence,
12 there's always a consequence. But why aren't
13 they paying the consequences for what they do,
14 you know what I mean? That's all I have to
15 say.

16 MR. BORNSTEIN: Thank you very
17 much.

18 MR. ROMERO: Good afternoon. My
19 name is Dain Romero. That's D-A-I-N R-O-M-E-
20 R-O.

21 I've lived here in Antonito all my
22 life, and I really care about this town. And

1 there's a lot of talk about uranium waste
2 being transported through the town, which is
3 what this meeting is about.

4 The radioactive waste which is
5 planned on being hauled through Antonito is
6 extremely dangerous. It can cause cancer and
7 genetic mutations. Not only that, but it
8 could travel thousands of miles in just a few
9 days, even in just a slight breeze.

10 If it was spilled in Antonito, it
11 would last longer than 80,000 years and still
12 be toxic. So ask yourself, do you want --

13 MR. BORNSTEIN: Step up to the
14 mike. Step up -- sorry. The court reporter
15 can't hear you. Keep going.

16 MR. ROMERO: So ask yourself, do
17 you want radioactive waste on your property,
18 in your water system, or in your food? I have
19 young family members that reside in Antonito
20 also, including my three year old niece. Do
21 you want your children, your grandchildren and
22 all their children to be exposed to the

1 radioactive byproducts that can be left. You
2 need to start thinking of the future
3 generations.

4 As a town, we cannot allow this
5 radioactive waste to be transported through.
6 And also, if we give in now, what else would
7 they want to transport in the future? Thank
8 you.

9 MR. BORNSTEIN: Thank you very
10 much.

11 MR. ABEYTA: Can you hear me now?

12 MR. BORNSTEIN: Yes.

13 MR. ABEYTA: My name's Harold
14 Abeyta. I just want to say a couple of words.
15 First, thank you for all of you being here and
16 listening to our concerns.

17 Can you guys hear me?

18 VOICE: Yes, we can hear you.

19 MR. ABEYTA: I was born here in
20 Conejos, right over there (indicating). If
21 you can see the window, you can see my house.
22 We've been there for generations, I guess five

1 generations, all my ancestors being born here
2 in Conejos County.

3 The oldest church is right here,
4 Colorado. Mom and dad and all of them were
5 born here in Conejos; so was I. I'm a
6 veteran, Korean veteran, post-war in Germany
7 occupation. And yet I was in the Air Force
8 and I went all over the world about three
9 times. And I was a jet mechanic, plus other
10 things that I cannot say that I've been in the
11 service, top secret.

12 But I can say that I came back to
13 live in Conejos County, back where I was born.
14 Yet I've been a politician. I was a former
15 assessor here in Conejos County, I was a
16 former mayor in Antonito. I've been serving
17 the community over 20 as a board trustee in
18 Antonito off and on. I was veterans counselor
19 at Adams State College for the Vietnam era.
20 I was an educator, politician, and a
21 statesman.

22 And I thank very much you three

1 who've been representing something that's real
2 serious to Conejos County. I give a lot of
3 flak and I appreciate very much Conejos'
4 water, clean water. Really I appreciate your
5 committees, your efforts, and your
6 thoughtfulness.

7 I used to be a little bit against
8 them -- or not against -- or for having the
9 railroad, EnergySolutions here. But I was
10 looking for employment, because I've been
11 here, and about 80 percent of our kids has to
12 leave Conejos County to get a reasonable job.

13 But I really honor them for being
14 here and talking against the railroad, and
15 I'll tell you why. In the 1880s, in the
16 middle of the 1880s, in 1860s, 1848, this
17 place was here already as a settlement.
18 Before San Luis Guadalupe, but they were
19 recorded because they had a mayor and all of
20 that.

21 But those people were against
22 bringing a railroad through here. This would

1 be Alamosa right now. Instead, the railroad
2 had to go that way because the people here
3 guts enough to say no. And that's what I
4 think these people are doing now: No, we
5 don't need them, not EnergySolutions.

6 I recall when I was in Germany and
7 got educated right after the war, and I figure
8 this company, call it EnergySolutions --
9 Hitler had what you call Final Solution. And
10 that right there alone made me think twice, is
11 this going to be final? I'm not saying that
12 you guys have the final word on it. I'm
13 saying that you have the right to tell us if
14 it's going to go through or not.

15 I appreciate very much as a
16 citizen, or even all of the groups that are
17 here that spoke, they said the truth. They
18 actually came up with their heart and tears
19 telling you, Hey, please, find another final
20 solution someplace else; maybe someplace else
21 that wants it.

22 I know Mr. Alves pretty good, too.

1 I'm a board trustee, and like our mayor, Mike,
2 we have our differences, but we always stick
3 together in the final solution of our times.

4 So I'm asking all of you, now
5 think twice and find out what is the
6 consequences if something happens, and that's
7 what they've been trying to give a message to
8 all of you.

9 I feel sorry, and I wouldn't want
10 to be in your shoes for a simple reason, I've
11 been in choosing different kind of solutions,
12 but this is important for Conejos County. And
13 I really appreciate all these people backing
14 up and saying, Hey, find a different solution,
15 please. Thank you.

16 MR. BORNSTEIN: Thank you.

17 MS. SOMORA: My name is Elizabeth
18 Somora. That's E-L-I-Z-A-B-E-T-H, and Somora,
19 S-O-M-O-R-A. I'm 14 years old. I've had a
20 lot of experience with my grandfather. He
21 used to work with radioactive things, and it's
22 left him with a lot of side effects.

1 One of them is memory loss, and
2 his children have had birth defects,
3 miscarriages and they all have memory loss
4 also, and even cancer. Their kids have
5 diseases to where they can't walk or speak.
6 And they're getting worse.

7 And if you transport this through
8 our town, if there's a spill, then it's our
9 generation. We don't want to deal with this,
10 and you shouldn't bring to our town. Thank
11 you.

12 MR. BORNSTEIN: Thank you.

13 So is that it?

14 Oh, you already spoke actually,
15 you can't --

16 MR. LUTRINGER: Oh, I can't make
17 any statement?

18 MR. BORNSTEIN: No. Sorry.

19 MR. LUTRINGER: Okay.

20 MR. BORNSTEIN: Okay. So that's
21 it. Oh, we have one more. Sorry.

22 MS. ARCHULETA: My name is Jean

1 Archuleta. And I don't live right here in the
2 town of Antonito; I live about 22 miles west.
3 Why I came here, unlike a lot of people here
4 that have been here for generations and
5 generations and generations, I came here
6 because I had been visiting this area for many
7 years, and the reason that we, my husband and
8 I and our young grandchild, now longer living
9 with us, moved out here was because we felt
10 that we had a better quality of life here.

11 You had the clean water, you had
12 beautiful land, the people here were
13 wonderful. We were greeted and treated very
14 well.

15 I moved from Gallup, New Mexico,
16 and from Gallup, I don't need to tell you, in
17 those surrounding areas, the Bisti Badlands
18 and all those areas, they have something
19 called uranium mining. And we had had enough
20 of that. I don't need to tell you what
21 uranium mining means.

22 When I came here, you were in a

1 land where there -- in a place where there are
2 generations of railroad people here. They
3 know all the dangers of running a railroad.
4 Nothing is ever for sure on a railroad.

5 They also know how in New Mexico,
6 Los Alamos has done quite a bit of ruining of
7 the lands there. Coming from New Mexico I
8 have read a lot of that. So to me, when all
9 this started here, not only were they sneaky
10 and then we caught on, but on top of that it
11 was also the type of waste that was being
12 taken out of here and brought back and through
13 and all of this other stuff.

14 So to me I am losing the type of
15 life that I came to look for, that I found
16 here. I would like to have generations of
17 young people come to this place and enjoy it
18 as much as I have for the last 10 years of my
19 life here. I would not like to see strange
20 things -- strange babies being born, as well
21 as everything else.

22 And nobody is ever going to

1 convince me at this point in my life that a
2 little bit is all right. We're not country
3 bumpkins here. We're a little bit smarter
4 than that.

5 Secondly, when we have people up
6 there, what they call The Canyon, these are
7 people that shop here in this area. They
8 came, they have homes up there, they come and
9 shop over here. I don't think very many of
10 them are going to spend their hundreds of
11 dollars in these little towns that depend on
12 that kind of income coming -- on that for
13 their income, because this is a very depressed
14 area to begin with.

15 You start having people that are
16 over there that are doctors, lawyers, and all
17 these fancy names and titles and what have
18 you, they're not going to be spending their
19 money in this town. This town's going to dry
20 up. They're not going to want to come over
21 here and drink the water, they're not going to
22 want to come over here and eat the food.

1 This thing is a very big factor
2 for everyone in this valley. And I think if
3 you ever have toured it, the Sangre de Cristos
4 are the most beautiful mountains in the whole
5 wide world. I hope you will take into
6 consideration everything that these people
7 have been fighting for for many generations.
8 Thank you.

9 MR. BORNSTEIN: Thank you very
10 much.

11 Well, I think that's it. Thank
12 you all very much for coming out today, and
13 for expressing yourself. The comments are all
14 set down in the transcript. And the Board
15 members will look at that when they're making
16 their final decision.

17 And we will post the transcript on
18 the website as soon as we can. If you want an
19 unofficial copy, I think you can contact the
20 court reporter, then they can move things a
21 little bit faster then, although it's an
22 unofficial copy.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22

So thank you all very much. And
off the record now.

(Whereupon, at 4:02 p.m., the
hearing was concluded.)

A				
Aaron 3:22 196:5,6	12:6,9	195:3	58:2,7 105:18	52:4,22
abandon 29:21	acceptance 42:15	acting 56:5	110:4 223:20	agreed 51:22 52:5
abandoned 208:4	accepted 199:21	action 58:14	adjoining 58:6	250:14,17
abandonment	230:19	216:14	Adjourn 4:22	agreement 51:10
212:18	accepts 117:12	actions 58:14	adjust 34:5	51:15 63:14 68:11
abatements 62:2	access 63:8 132:19	active 129:4,7	Administration's	134:16,16,18
Abbey 3:7 31:1,3,6	132:21 221:16	activist 101:7	49:22	248:22 249:16,20
31:10,10,11	accessible 175:15	activities 36:14	administrative	250:4,5,11 251:10
aberrations 163:10	accident 131:4,9,20	56:3 63:2 64:17	51:7 184:6 249:7	251:12
Abeyta 3:16,21,22	132:2 143:15	120:8 188:11,20	administrator	agreements 72:8
4:17 140:21,22,22	150:1 164:22	193:19 194:9,16	218:17	171:22 249:12
141:1 174:13,14	212:5 237:19	195:7,12	administrators	253:14,16
174:15 196:5,6,7	243:13	activity 41:21	77:4	agricultural 35:2
222:8 263:11,13	accidental 130:10	47:15 63:3,17	admission 119:22	103:18 105:20
263:14,19	139:7	71:15 121:22	admit 202:19	agriculture 35:6
ability 52:18 71:14	accidents 127:21	actual 40:12	admits 67:5	77:5 168:20
104:8 179:19	130:16,17 142:6	138:12 229:8	adulthood 165:22	agua 173:9
180:1 241:2	accommodate	acute 165:15	advance 205:2	ah 148:9
able 14:12 45:1	246:13	ad 69:3 120:14	advanced 258:1	ahead 33:9 83:12
53:3 73:21 138:20	account 93:21	Adams 203:4	advantage 149:20	aid 91:10
195:9 206:4	180:6	264:19	adverse 58:1	air 97:12 170:12
240:14 261:3	accumulation 67:7	added 250:19	advised 150:19	200:10 256:7
abnormalities	67:10 94:16 95:8	addition 9:10 165:4	aerated 96:2	264:7
162:3 164:17	95:15	179:17	aeration 95:16	airborne 178:1
Abraham 135:20	accurate 129:19	additional 70:8	affect 82:7 140:10	airplane 21:19
abrogate 177:14	accused 132:14	90:15,20 124:22	140:12 146:3	akin 199:10
absence 108:11	acequias 212:8	180:20	150:8,9 240:17	Alamos 5:21 36:9
109:2	achieved 118:4	additionally 97:21	affluent 156:15	37:15 53:22 71:7
absent 106:15	250:17	98:4,21 101:8	afford 138:20	85:15 86:7 93:2
214:4	aching 213:12	address 9:6 23:8	154:16	94:18 97:2 119:17
absolutely 62:11	acid 206:17,17	26:6 50:21 51:12	afforded 71:12	120:12 124:20
203:18 235:6	acknowledged	51:18 53:15 59:20	Afghanistan 203:8	141:5,6,11,11,17
258:17 259:12	57:11	65:3,15 67:8 79:7	afraid 7:4 232:8	141:19 142:21
absorbed 129:21	acknowledges	83:9 92:1 99:21	afternoon 152:2	170:12 173:17
abuelita 205:11	58:22	100:2 182:20	154:3 170:4	182:21 184:4,11
216:6	acquired 27:9,11	196:15 200:22	182:15 261:18	186:3 187:6,12
abundant 110:20	30:2 63:20	201:20 244:22	agencies 71:3	189:21 192:16,21
abuse 159:14	acres 224:4	247:2 248:4	agency 5:14	193:20 194:4
219:12,13	acronyms 189:9	251:20 255:5	Agent 256:5	197:8 198:20
abused 136:2	act 20:11,13,16,17	addressed 185:10	ago 36:7 144:13	208:21 210:20
Academy 112:22	20:19 22:19 29:10	249:17	175:5 183:7 223:1	219:2 232:12
177:1	59:9,12,19 61:11	addresses 57:1	228:14 243:12,18	248:19 256:18
accelerated 89:9	61:18 62:8 64:18	59:17 102:21	255:22	270:6
accept 15:16 211:5	65:1,19 91:7 99:7	addressing 59:6	agree 52:12 59:7,8	Alamosa 28:12
230:22	104:9,10,10 136:7	64:12	64:15 69:12	102:17 139:4
acceptable 11:21	185:6 192:14	adequate 69:7	112:21 154:15	143:4 147:14
	193:22 194:10	adjacent 57:22	agreeable 50:20	148:7 179:3,5,11

180:3 219:21 243:12,14,22 258:2 266:1 alarming 112:20 alas 205:16 Albuquerque 28:14 alcohol 32:14,18 Alcon 53:19 63:14 64:13 72:9,11 125:12 160:11 198:10 219:21 alert 63:4 alerted 149:15 150:19 alerting 197:9,10 Alfonso 140:21 Alfonzo 3:16 140:22 Alice 3:13 111:17 112:1 alive 209:7 Allah 133:1 allegations 119:1 alleviate 108:3 Alliance 118:22 allow 6:14 17:15 61:14 68:19 99:1 133:2 159:19 210:12 238:15 239:7 241:18 251:10 252:11 263:4 allowed 43:10,11 71:5 87:10 94:18 96:22 97:17 98:18 98:20 203:15 237:18 240:2 allowing 241:11 242:7 allows 68:2,21 alluded 76:16 158:5 199:18 202:2 alluding 175:5 alternative 185:4 Alves 266:22	amateurs 257:13 amazing 158:17 Amazon 229:7 amendment 20:11 20:19 America 1:1 234:17 American 124:10 211:7 Americans 156:7 211:9,12 America's 222:13 amount 16:3 74:13 89:18 108:14 113:15 249:13 amounts 116:13 165:3 analogy 128:5 analysis 2:14 5:10 42:21 119:21 125:2 188:15,22 Anaya 149:4 ancestors 123:21 124:10 231:9 264:1 ancestral 170:19 ancestry 170:13 174:6 ancient 205:8 209:2,15 Andrea 3:12 10:9 11:12 87:22 88:2 and/or 27:2 119:10 anger 212:17 258:11 animal 189:11 animals 212:9 Anita 176:21 announce 176:9 212:15 announced 209:22 annual 259:13 answer 30:5 70:3 114:8 117:15 131:19 203:17 answered 70:7 answers 218:12	antelope 142:4 antepasados 175:17 anticipated 94:2,8 antiseptic 104:13 anti-tank 203:14 Antonio 57:9 80:2 81:17 85:2 88:12 98:2 105:18 106:2 106:14 110:18 121:9 139:11,14 142:18 143:2 175:11 209:1 224:5 258:10 Antonito 5:22 6:9 44:18 54:3 73:16 75:7 77:19 78:13 84:22 85:13 86:4 88:14 92:20 93:6 94:2 97:2,5,6,18 98:11 121:3 122:9 123:15 125:10 127:12,14 129:13 129:17 130:2 131:7,13 132:8 133:4 142:1 156:4 158:15 159:10 161:4 176:2,4 177:7 185:21 195:7 212:21 214:17 218:9 219:8 221:22 223:16 232:7 233:7 235:1 237:3 245:1 248:19 250:13 260:4,16 260:18 261:21 262:5,10,19 264:16,18 269:2 Antonito's 231:22 anybody 65:9 139:7 140:4 197:9 197:19 242:11 anymore 261:5 anyway 199:13 apart 255:7 apathy 213:17	apologize 89:8 205:2 apparatus 108:11 191:21 apparent 109:16 110:10,13 apparently 26:2 30:11 68:8 106:6 223:19 appealed 115:17 appear 107:21,22 209:22 appearance 110:20 appeared 87:14 appears 23:9 87:14 104:4 107:18 177:14 217:3 Applause 73:2 102:1 237:5 applicable 6:8 32:3 61:22 applicant 55:12,19 57:2,10 58:21 application 24:18 29:9 52:10 55:8 55:17,21 56:7,17 56:18,20 57:19 92:11 193:12 238:20 249:9 250:18,19,20 251:9 applications 73:22 187:22 applied 56:12 68:17 124:8 applies 20:20 21:11 22:2 29:20 59:9 59:13 99:7 238:10 apply 21:12 22:7 59:12,16 185:7,16 192:15 195:5 238:10 239:5 applying 25:12 appreciate 30:7 31:15 36:16 53:6 102:7 125:18 138:21 140:18	160:21 178:4 196:13 237:12 241:22 244:21 245:17 255:8 261:9 265:3,4 266:15 267:13 appreciates 184:18 appreciation 230:21 approach 231:4,20 approached 80:8 232:10 appropriate 16:5 73:7 approval 52:10 121:16 approve 145:14 approved 246:7 254:9 approves 233:16 approximate 97:4 approximately 97:3 101:3 103:14 April 166:10 Apropos 72:7 aquatic 202:22 aquifer 140:2 aquifers 139:22 140:3 Archuleta 3:17 4:19 147:9,10,11 268:22 269:1 area 58:6 74:6 99:21 105:4 110:4 111:1 114:18 119:18 125:9 127:11 136:17 139:20 150:7 158:19 159:4 168:11 170:15,17 173:8 174:19 180:6 186:2,5 189:2,3 191:12 192:6,17,21 193:16,20 196:1 202:11 226:21 227:6,14 228:17
--	---	---	---	--

241:1 252:11 258:9 269:6 271:7 271:14 areas 99:19 105:17 142:15 162:14 164:11 168:3 173:7 186:11 187:19 188:4 269:17,18 area's 20:2 Arends 3:22 13:9 13:10,16,18,20 14:19 15:4,7,17 178:22 181:21 182:13,14 183:11 183:16 argued 104:14 108:5 argues 69:9 argument 64:2 125:1 arguments 7:15 arm 180:12 244:1 arms 230:20 Army 174:3 Arnold 4:14 255:13 255:14,15 arrangement 130:3 arranging 160:19 arrival 176:10 arrive 94:13 248:10 arrived 86:10 93:7 122:8,10 209:20 arrives 211:22 article 33:7 87:14 asbestos 257:2 aside 99:19 158:1 asked 7:6 76:3 84:22 85:4,16 87:1,6 90:8 101:20 114:4 133:20 134:2 155:13 242:13 asking 7:13 15:16 85:13 115:15 168:16 170:6	204:10 212:13 218:10 232:14 267:4 asks 114:8 209:17 assert 91:3 asserted 98:4,8 99:14 assessment 118:7 assessor 264:15 asset 20:7 179:21 181:4,8 221:8 Assisting 5:8 associated 165:21 247:11 associations 259:3 assume 65:2 154:17 197:6 assuming 97:4 assumption 75:16 207:18 208:3,5,7 213:21 Atencio 3:6,9 17:20 18:1,2,8 54:14,17 54:19 55:1 76:16 78:8 238:19 atmosphere 33:3 129:21 132:3 217:22 atom 171:16 172:16 atomic 187:9 214:14 attach 132:21 attacks 211:10 attempt 110:11 251:18 attempting 56:2 111:6 249:5 attended 86:2 attending 257:14 attention 30:7 attest 204:14 attested 94:21 attitude 217:21 attorney 5:4,12 18:2 90:2 attorneys 90:5	attracted 255:20 attracting 179:14 attractions 180:17 audience 7:6 audio 109:3 226:4 August 8:20 Austin 4:12 244:13 244:14,17,20 authored 23:20 authorities 63:5 authority 25:14 authorization 56:13 100:19 automobiles 22:11 autumn 216:10 available 14:13 177:13 200:20 250:2 253:18 average 98:10 164:19 avoid 24:18 162:9 206:12 aware 119:20 150:17 165:20 240:20 242:13 252:4 A-A-R-O-N 196:7 A-B 196:7 A-B-B-E-Y 31:11 A-B-E-Y-T-A 141:1 174:15 A-L 140:22 A-L-I-C-E 112:2 A-N-D-R-E-A 88:2 A-R-C-H-U-L-E... 147:11 A-R-D-O 88:3 A-R-E-N-D-S 182:14 A-R-N-O-L-D 255:15 a.m 1:16 5:2 <hr/> B <hr/> B 46:13 47:6,21 66:2 116:1 240:15 babies 270:20	back 9:21 11:10 13:7 26:20 32:20 50:22 74:2 79:15 83:4 97:7 101:15 102:17 126:9,20 130:11 133:21 134:4 136:3 144:11 149:20 151:13 153:20 168:3 213:18 214:1 220:9 230:1 236:4,6 238:11 239:13 245:10,15 246:7 249:11 251:1 252:1 261:9 264:12,13 270:12 background 88:20 backhoes 41:1 backing 267:13 bad 157:1 202:14 202:14 243:13 Badlands 269:17 bag 66:10 90:13 91:13,15 92:1,2,4 92:7,9,11,22 94:16 95:9,15,21 96:3,6,7,15,18 97:8,22 98:8,14 99:11 190:10,14 247:7,8,9 bags 20:21 21:6,22 67:5 69:17 83:20 85:10 86:15 94:17 96:7,21 97:1,11 98:17,19 99:1,3 113:11 117:16 120:5 135:12,12 135:16 247:3,4 bale 223:6 Ball 5:9 bank 210:17 223:16 banner 75:20 Bar 183:21 barber 176:4 Barela 3:25 242:5,6 242:8	barely 216:8 barley 202:3 barrier 96:13 235:21 barriers 167:3 barter 159:5 basalt 106:1 base 107:4 174:4 based 90:17 104:1 155:1 170:19 182:17 185:9 230:3 239:2 baseline 114:16 basic 61:10,13 basically 42:21 45:21 51:11 60:12 72:16 104:7 156:17 159:8 Basin 27:18,18 basis 69:3 109:13 129:6 249:10 259:13 basketball 206:16 bass 126:17 bat 206:21 battle 167:4 beams 22:10 bearing 108:18 111:3 beaten 206:20 213:7 beautiful 158:6,6 232:18 269:12 272:4 beauty 131:14 168:9 216:13 becoming 117:20 178:1 bed 97:13 98:2 107:5 bedrock 106:1 209:14 bedroom 236:8 began 28:16 51:4 63:3 210:8 beginning 27:5 110:17 150:21
--	---	--	---	--

begins 205:5	253:8 255:4	99:20,22 100:2,14	79:9,12 84:1,6,13	111:20,22 126:1
begun 212:12	big 83:20 122:13	113:20 125:17	87:21 101:17	breath 200:9
behalf 18:3,17 56:5	150:3 180:14	136:4,9 145:12	102:2 111:15,17	breeding 124:3
88:6 101:4	225:4 226:7,9	155:7 160:18	123:11 125:22	breeds 119:5
behavioral 162:2	231:4 232:5 272:1	184:19 185:14	126:5,9,13,21	breeze 262:9
beings 231:18	biggest 65:11 122:1	195:22 196:11	127:2,9 133:7	Bret 3:8 35:17 36:4
belief 104:12	201:9	204:21 221:10	138:13,22 140:19	94:21 98:6 239:19
beliefs 171:14	bill 60:3	258:3 264:17	147:8 151:21	250:8 254:21
believe 26:19 27:21	billion 259:7	267:1 272:14	153:2,4,9,12,17	bridge 105:1,18
56:11 67:14	bins 99:18	boarding 131:1	153:22 156:21	106:14,15,17,22
131:20 132:5	bio 188:4	176:21	157:2,9 160:15	107:7 110:18
145:12 163:2,13	biodiversity 227:11	Board's 8:15 80:21	167:9,14,18	137:1,2 240:10
164:3 173:5	biological 187:21	89:3	169:22 170:8	bridges 103:7,8
212:15 213:18	birth 164:18 209:3	bodies 206:11	174:12 178:21	104:3 105:3,5
215:11 239:22	268:2	207:22	181:19 182:2,6,10	106:19 111:10
240:22 246:19	Bisti 269:17	body 237:4 240:19	183:9,13 196:3	136:20 168:21
249:7,16 251:19	bit 17:17 38:13	bolts 105:14	217:14 222:16	225:21
255:4 257:22	45:15 142:16	bomb 132:22 187:8	228:3 237:6,10	brief 56:8 65:15,20
believes 209:20	148:1 204:19	187:15 214:15	242:3 244:12,16	67:4 205:1 214:4
believing 241:9	225:6 248:17	235:16	255:10 259:16,20	215:22
bellies 208:19	265:7 270:6 271:2	bombs 159:21	260:6,9,11 261:16	briefly 104:3 107:8
belong 223:13	271:3 272:21	172:16 187:9	262:13 263:9,12	108:8,22 109:15
belonging 103:19	black 208:14,16,22	203:1,2	267:16 268:12,18	110:16 201:20
beneath 97:1 217:3	209:18 212:15	bone 164:12 165:11	268:20 272:9	bright 235:3
benefactor 177:15	218:10,11	214:9	borrow 144:22	brilliant 216:1
beneficial 53:8	blacks 172:8	bono 90:5	bothered 86:17	bring 130:6 141:3
benefit 124:16	blah 149:12,12	book 104:21 149:3	bottle 205:20	156:2 178:14
benevolent 208:11	Blanca 157:15	borders 123:16	bottles 214:11	197:14 204:5
benevolently 175:8	block 158:15	born 147:13 174:3	bottom 56:11 86:12	212:20 221:16
benign 203:21	blocks 173:22	175:10,13 206:1	95:8,15 106:4	233:14 245:9
208:7	bloodline 174:2	208:7 209:14	186:3 243:7	268:10
Bergen 25:15	blooms 212:8	217:10 263:19	254:20	bringing 35:5
Bernoulli's 97:11	blow 235:22	264:1,5,13 270:20	bought 27:2 229:3	173:17 232:21
beryllium 191:6	blown 236:13	Bornstein 1:21 5:3	bounce 214:1	234:9,22 265:22
192:9	blows 110:1 178:17	5:4 10:1,6 11:1,5	boundary 123:16	brings 216:10
best 24:1 53:13	178:17 230:14	11:8 12:1,8,12,17	bowed 206:19	222:7
80:16 107:11	blue 127:7	12:20 13:2,5,14	box 66:12,21 69:6	Briones 3:18
132:8 153:10	board 1:3 5:6,11,14	13:19 14:2,21	190:15	156:22 157:4,11
233:5 241:19	7:18 9:4,7 11:19	15:5,8,18,21 16:6	boxcars 176:11	157:12,12,13
257:11	14:13,18,20,21	16:13,16 17:4,21	boxes 190:4,7	199:19
better 10:22 125:20	15:9 16:17,22	18:5,12,20 19:2,6	boy 196:7 209:17	Britain 27:22
131:17 142:14	19:18 20:10,18	21:17 29:15 30:9	210:4	broad 61:4
183:12 190:7	21:12,13 25:6	30:17,21 31:4,8	brain 205:4 206:18	broken 208:4
269:10	53:5,10 55:4,19	35:16,20 36:3	210:11	214:11
beyond 121:3	56:1 57:6 58:13	53:17 54:12,16,18	branching 173:19	brokenness 206:3
176:18 178:9	83:2 88:3,8 89:10	54:21 71:18 72:1	brass 191:5 192:7	brother 223:5
198:4 251:18	90:7,21 98:5 99:8	72:5,14,19 73:3,9	break 12:6 106:1	228:13

brought 5:21 195:8 196:16 215:2 229:5,6 260:13,20 270:12	buy 125:5 215:10 buys 136:13,13,14 byproduct 128:20 210:22 233:15 byproducts 257:9 263:1	capabilities 129:9 178:5 253:11 capability 245:4 capable 177:18 178:6 capacity 94:22 95:11,21 124:19 198:17 199:2 203:5	case 9:1 29:10,18 29:19 30:4 40:17 65:5 69:22 80:22 82:11 91:10 96:12 102:10 257:5 259:8 cases 106:12 113:22 161:20 cash 34:17 159:5 catalogue 177:19 categories 161:20 categorization 116:18 category 204:1 cater 109:9 cattails 110:21 cattle 124:3 140:11 140:13 142:2 243:3,3 catwalks 106:5 caught 246:6 270:10 cause 57:4 58:15,17 58:17,19 125:3 262:6 caused 213:11 causes 161:9,19 236:15 caution 169:11 cave 170:14 CCCW 89:2,22 90:2 91:2 92:9 100:12 114:4 CCCW's 99:9 CCNS 100:12 184:12,18 185:13 CCWI 73:17 Celanese 130:14 cell 21:18 46:7 113:2 189:13,13 cellular 113:5 cement 189:12 cemeteries 175:18 cemetery 130:7,8 center 183:5 centimeter 47:20 48:2 116:6	central 35:1 129:10 186:10 cents 33:20 centuries 200:19 century 27:6 111:7 159:3 171:12 CEO 218:3,15 219:6 221:6 245:20 certain 5:20 15:11 24:14 63:12 71:8 71:10 74:15 165:2 certainly 19:4 125:6 181:1 certainty 17:11 certificates 42:19 91:22 certification 32:10 32:19 33:10 certified 32:4 124:8 cetera 110:15 203:9 CFR 37:21 92:4 chain 85:10 97:22 98:19 197:1 Chama 132:9 change 34:6 changed 116:2,10 118:11 changes 113:3 Channel 119:14 characterization 65:17 characterized 165:13 charged 107:6 checked 125:4 129:5 chemical 35:3 87:12 124:6,6,7 130:13 189:11,12 191:1,14 chemicals 189:18 Chicago 218:21 chief 60:18 127:17 child 175:19 177:20,20	
	C				
built 114:13 145:19 186:16	C 5:1 41:21 46:13 47:7,19 116:1	captions 103:16 captured 191:22 car 28:14 81:12 132:20 137:22 138:1 237:19 carcinogens 24:7 card 35:21 cardboard 69:6 190:4,7,9,15 care 28:20 139:6 169:11 211:12 261:22 career 127:15 256:21 258:21 careful 101:14 cargo 21:1 176:12 177:18,20,21 178:6 208:20 211:22 243:6 cargos 211:21 Carl 161:11 Carlsbad 116:8 carried 143:16 carrier 29:3 108:13 217:13 carries 104:19 108:13 217:13 carry 105:2,5 107:12 108:18 168:19 carrying 243:15 cars 75:15,15,21 76:8 85:2,10 86:14 137:18 138:4 144:15 218:10,12 230:6 234:10,15 236:5 243:15 carts 261:5	captions 103:16 captured 191:22 car 28:14 81:12 132:20 137:22 138:1 237:19 carcinogens 24:7 card 35:21 cardboard 69:6 190:4,7,9,15 care 28:20 139:6 169:11 211:12 261:22 career 127:15 256:21 258:21 careful 101:14 cargo 21:1 176:12 177:18,20,21 178:6 208:20 211:22 243:6 cargos 211:21 Carl 161:11 Carlsbad 116:8 carried 143:16 carrier 29:3 108:13 217:13 carries 104:19 108:13 217:13 carry 105:2,5 107:12 108:18 168:19 carrying 243:15 cars 75:15,15,21 76:8 85:2,10 86:14 137:18 138:4 144:15 218:10,12 230:6 234:10,15 236:5 243:15 carts 261:5	called 6:22 20:16 24:9 43:7 66:10 74:18 86:18 104:6 128:17 175:7 186:1,4 210:12 212:2 269:19 calls 208:15 210:20 calm 73:4,5 113:8 campaign 100:4 122:17 campaigns 203:8 213:2 cancer 113:6 164:10,12,21 236:15 256:11 258:7 262:6 268:4 cancers 173:6 canvas 141:20 Canyon 148:7 186:4 192:21 271:6	built 114:13 145:19 186:16 bulk 38:5,5 49:18 bullies 149:19 bum 206:15 bumpkins 271:3 bunch 7:5 138:2 139:20 buoyancy 205:20 bureaucratic 8:7 burial 117:10 190:19 buried 141:12 190:8 191:19 burned 34:17 210:15 burning 220:6 bury 190:3 business 24:16,22 28:4,6 31:21 33:3 34:11,12 35:11 75:8,13 76:14,18 78:2,16 79:5 114:7,10 125:13 130:3 149:11 218:22 224:17 246:2 businesses 159:10 179:13 180:4,9 254:4,5 busters 203:13 Butler 3:17 30:15 152:2,3

children 160:3,4 162:16 164:10,13 165:2 177:5 206:11 262:21,22 268:2	102:16 127:14,22 222:22 229:2 civil 256:22 claim 197:5,16 198:6 claimed 127:21 claiming 197:4 claims 198:15 clapping 73:4 Clara 170:10 171:20 173:21 clarify 182:3 class 32:5 41:21 46:11,12,18,21,21 46:22 47:2,3,6,8 47:12,19,21,22 49:5,9,10 77:7 117:12,13 classes 46:16 47:4 classic 74:3,5 128:1 classification 47:11 47:18 104:6 116:1 116:17 253:4 254:18 classifications 46:11 48:4 71:5 classified 189:16 classmate 207:3 clay 39:6 clean 10:10 11:12 20:11,19 22:18 32:22 41:6 45:10 53:22 59:9,11,16 59:19 61:11,18 62:7 64:18 65:1 65:19 76:3 77:10 84:17 88:5 91:7 99:6 112:3 115:10 119:16 120:7,8 141:6,10 147:7 148:21 150:6 161:3 177:22 185:5 192:14 193:22 194:9 195:3 197:18 201:8,15 204:9 225:8 243:1 265:4	269:11 cleaned 120:10 132:4 201:19 cleaning 119:17 141:11 cleans 37:2 Clean-up 109:19 clear 38:14 40:14 49:2 62:11 78:2 132:13 193:14 238:2,22 245:3 253:15 clearly 106:3 107:6 194:20 195:2 cleft 163:9 Clerk 79:19 client 19:21 25:8 26:18 27:17 36:21 50:2 clients 48:14 clip 119:15 Clive 6:5 36:10,15 37:9,17 38:22 39:11,16 40:8,19 42:8 44:14,15 45:11,16,19,20 46:8 48:17 50:10 71:1 93:7 94:3 116:5 118:1,18 119:8 122:11 142:12 168:18 174:3 247:19 254:1 close 29:6 60:5 81:16 82:4,17 83:18 144:2 157:2 223:3,4 243:8 closed 44:1 66:11 66:13,14,21 120:11 144:4 219:11 closer 16:12 86:14 closest 175:20 closing 26:16 closure 247:12 clothing 40:1 41:10 cloud 246:12	clouds 158:7 Clyde 3:17 147:9 147:11 coalition 61:4 coast 206:7 222:21 230:22 coaster 175:21 code 6:8 9:9 56:22 57:21 58:11 104:21 112:8 121:14 249:8 codes 104:7 coffee 258:1,3 cognizant 112:12 cold 98:22 217:7 Colin 4:12 239:19 244:13 collapse 137:3 colleagues 23:14 collect 7:16 24:12 75:4 collection 24:17,22 25:11 Collectively 104:22 college 161:6 203:5 264:19 color 156:5,13 158:19 211:20 Colorado 1:13 34:9 88:9,16 98:11 101:5 105:4 106:21 110:6 122:21 123:15 133:15 139:16 147:13,14,15,19 161:4,7 185:21 214:17 215:12 220:2 252:19 255:18 260:5 264:4 combat 102:13 combine 162:21 combustible 104:15 127:18 combustion 104:11 come 6:21,22 10:6 15:21 31:5 35:14	36:19 44:20 50:19 52:3,21 72:1 73:20 77:8,20 79:15 83:4 89:19 126:14 131:7 133:3 137:19 140:8,14 151:7 153:19 159:20 165:7 171:13 174:18 175:3 176:2 219:15 220:15,22 222:1 225:15 227:8 228:16 229:22 230:1 231:6 245:15 246:7 249:11 252:1 253:21 259:22 270:17 271:8,20 271:22 comes 46:3,3 76:11 80:19 107:4 114:7 121:1 165:5 244:1 245:11 comfort 58:16 coming 19:20 77:19 112:4 125:17 134:20 136:11 138:18 146:5 151:19 154:19 159:2 160:19 171:7,13 196:13 198:20 200:17 201:4 210:5 219:3 225:13 226:5 236:20 237:12,12 241:20 244:4 245:1 270:7 271:12 272:12 command 256:8 commenced 63:16 comment 15:19 16:7 52:9 54:11 55:5 56:18 59:15 72:17 73:8 89:1 89:11 99:17,20
---	---	---	--	--

102:21 150:20 189:1 245:3 251:6 commented 50:1 comments 3:5 4:10 6:11 7:16 9:17 14:1,15 15:1 16:18 17:7,9 18:9 18:11 23:4,7,8 32:21 35:9 59:3 72:8,20 73:19 76:6 88:9 89:8,16 90:9 91:2 92:9 102:20 138:14 184:13 185:4,18 195:16,21 196:1 196:10,10 272:13 commercial 93:8 116:13 259:2 commission 116:12 252:20 commissioner 133:11 commissioners 18:4 51:16 55:7 55:15 79:13 83:10 84:3 98:6 101:11 145:14 146:22 154:8 237:17 249:2,18 250:7,16 250:22 commissioner's 237:22 commit 251:3 commitment 251:15 commitments 250:20 251:7 committed 216:5 251:10 committees 265:5 commodity 21:1,8 22:10 65:8 67:14 77:18 common 78:21 98:21 104:12 110:3 121:1 133:9 227:1	commonly 105:13 165:10 commonplace 108:6 communication 239:21 communities 159:7 162:20 163:1 172:19 177:16 178:15 234:9 257:6 259:1 community 28:5 36:20 50:14,18,21 51:2,4 53:9,12 56:10 79:5 80:16 82:12 122:4 131:13 137:9 139:6 154:9 156:16 160:2,3,20 163:19 166:21 174:1 179:14,21 181:4,10 182:20 183:6,18 184:20 188:19 197:11,15 199:7 200:12 201:1,8,10 204:7 204:11 223:17 229:22 230:3 232:10 234:16 235:6 240:18 245:17,20 246:19 249:1,5,14,15,18 249:19 250:2,6,15 250:16 251:5,16 251:21 255:6 258:16,18 259:13 260:14,21,21 264:17 community's 245:2 compact 46:4 139:18 compacted 97:7 compaction 46:5 95:1,11,12 companies 24:11 24:13 35:4 130:16 180:7 181:7	company 27:1,17 31:18 36:6,11 37:2,3 45:9 85:19 119:2,6 127:16 128:22 149:8,9 208:15 245:22,22 266:8 comparable 181:2 compared 164:19 259:10,12 Comparing 47:20 comparisons 202:18 compatibility 57:22 compensated 173:4 complacency 213:17 complaint 70:4,7 70:12,14 90:5 100:11 109:19 complaints 109:12 complete 16:17 176:5 212:18 217:11 completed 100:5 120:10 complex 204:3 211:15 compliance 32:2 184:14 185:12 250:1 compliant 32:4 33:1 118:18 249:8 254:15 complications 113:5 comply 25:16 41:15 43:3 56:21 57:20 58:11 61:21 63:11 66:1 250:5 251:4 complying 94:11 component 204:2 compressed 46:17 46:21 comprising 186:14	compromised 96:21 114:19,22 166:18 concede 22:14 59:11 concentrated 116:20 concentration 112:20 116:3,19 117:6,8 concentrations 47:19 128:10 193:9 concept 171:13,18 conception 165:3 concern 60:18 65:11 68:1 69:13 78:14 80:7 113:19 122:2 150:4 152:17,20 162:11 163:13,16,20,21 198:18 concerned 13:21 71:6 84:16 117:13 117:17 124:11 133:12 147:12 151:6 182:16 184:22 229:9,10 concerning 5:16 94:15 152:8 concerns 35:2 50:21 51:2,11,13 51:18 52:14 53:9 79:7,22 89:2 112:5 125:18 160:20,22 161:8 182:20 183:18 200:22 201:3 237:14 240:16 248:1 251:21 255:6 263:16 concession 220:20 conclude 104:16 111:5 concluded 273:4 conclusion 50:12 55:11 177:13	Concrete 105:16 condescending 114:6 condition 32:12 103:7,15,17 107:9 107:11 166:7 168:22 169:5 240:4 conditions 39:2 45:3,4,6 52:13 58:14,15,18 68:17 240:7 241:16 251:2 condones 233:16 conducted 55:7 120:9 conductor 33:10 Conejos 1:13 6:7 10:10 11:12 18:2 18:3,8,22 33:4,21 34:3,8 44:17 56:15,21 59:2 79:18 84:16 86:20 88:5,8 91:16 93:19 106:16,17 106:20 110:7 112:3,8 120:17 121:14 122:8 123:22 124:16 133:11 139:15,15 143:2 150:17 152:5 156:4 161:2 162:18 175:11 184:21 197:18 218:16 219:8,16 221:9,21 239:20 243:2 263:20 264:2,5,13,15 265:2,3,12 267:12 conference 133:14 confined 140:2 confirm 93:17,19 115:11 confirmed 92:7 248:7 confluence 204:22 217:6
--	--	--	---	---

conformance 42:20 92:1,3	consistency 107:9	80:18,18 81:3,21	continuing 52:12 173:16	272:19,22
congenital 163:11 164:16	consistent 104:4 246:21	87:7 91:3,4,6	continuously 75:19	cordless 10:19
congratulate 136:5	consistently 98:12 163:1	132:22 141:20	contract 76:22 88:19	core 171:21
Congress 23:2	consisting 190:22 191:10	191:2,14 212:2	contractor 54:2	cores 173:17
Congressman 51:19,20 134:13 250:10	constant 98:15	246:8 247:5,10,13	contracts 78:5 100:3 179:20 185:2	corn 22:11
conjunction 92:12	constantly 103:1	247:14,17 248:2,6	contradiction 223:9	corner 206:19
conjured 176:17	constitute 21:2,8 21:10 91:4	248:6,10,15 254:9	Contrary 59:10	Corners 170:14
conjures 178:17	constitutes 69:1	containing 191:13 192:10	contributaries 143:6	Corp 102:13
connected 223:14 234:20,20	construct 29:21	contains 75:17	contributory 142:18 143:14 145:1,9	corporate 234:8
Connecticut 228:16	constructed 106:8	contaminants 256:19 257:2	contribution 27:12 256:13	corporation 33:17 179:4,6
conquer 213:13	construction 24:9 42:22 53:20 103:9 104:4,5 198:10 256:22 257:1	contaminated 21:1 23:13 37:3,7 38:16 39:20,21 86:6 94:20 95:5 95:19 96:15,17,22 97:15,16 124:13 141:8 189:16 191:7 192:10 193:15 194:7 256:2	Contrary 59:10	corporations 163:22 164:3
conquest 210:6	consultant 88:18	contaminates 225:5	contributaries 143:6	correct 29:16 157:3 209:21
consciousness 200:1	consultants 6:18	contaminating 139:20 141:14	contribute 162:13	corrugated 108:9
consent 55:12,21 56:13 184:15 185:12	consults 256:16	contamination 37:4 57:15 83:19 114:17 119:16,19 248:5,7	contribution 27:12 256:13	cost 29:5 87:7
consequence 261:11,12	consumes 181:13	control 129:10 131:21 198:5 224:11 226:7,12 226:13 234:4 251:16	control 129:10 131:21 198:5 224:11 226:7,12 226:13 234:4 251:16	council 171:22
consequences 180:2 261:13 267:6	cont 4:8,10	controlled 60:15 61:3 187:20	control 129:10 131:21 198:5 224:11 226:7,12 226:13 234:4 251:16	counselor 264:18
Consequently 105:3	contact 107:4 162:9 272:19	controls 41:7	control 129:10 131:21 198:5 224:11 226:7,12 226:13 234:4 251:16	count 125:14 180:4
conservation 181:12	contacted 84:22 133:19,21	controversial 260:17	control 129:10 131:21 198:5 224:11 226:7,12 226:13 234:4 251:16	counties 238:13
consider 15:10 37:11 62:22 67:15 70:1,10,11 83:17 143:18 147:5 160:13 168:17 255:5	contain 115:12 225:7	conundrum 34:5	control 129:10 131:21 198:5 224:11 226:7,12 226:13 234:4 251:16	countries 203:1,2 229:1,6
consideration 70:19 101:14 145:13 155:8 195:20 272:6	contained 186:13	conveniently 117:4	control 129:10 131:21 198:5 224:11 226:7,12 226:13 234:4 251:16	country 24:3 27:20 31:22 37:7 48:13 48:14 59:7 136:1 172:10 173:1,4 215:13 238:16 247:18 271:2
considered 42:2 47:14,18 66:21 117:9	container 22:20 23:12 42:1,7 43:19,21,22 44:1 44:1,7 64:22 66:5 66:14 69:2,7 81:5 81:6,8,8,10,22 83:21 90:10 91:17 235:14 240:13 245:14 247:14 248:8 252:14,14	converted 27:7	control 129:10 131:21 198:5 224:11 226:7,12 226:13 234:4 251:16	county 1:13 6:8 10:10 11:12 18:2 18:3,8,22 19:22 22:14 25:14,15,15 33:5,21,22 34:3,8 44:17 51:10 55:5 55:7,15 56:15,21 59:2,11,18,21 62:17 63:4,5 66:15,20 68:3,19 69:12 71:6,13 79:19 80:5 82:22 84:17 86:20 88:5 91:16 93:20 98:5 101:10 106:20 110:7 112:3,8 120:17 121:14 122:8 124:16
considering 14:22 181:7	containers 20:22 21:2,7,9,11 22:1,1 22:13 36:8 37:14 38:9 41:13,14 42:5 43:6,7,15 44:22 45:1 49:3,4 49:17 64:20 67:2	conveyance 43:16 44:2,12,13	control 129:10 131:21 198:5 224:11 226:7,12 226:13 234:4 251:16	

133:4,11 135:7 138:19 139:3,4 144:1,2,3 145:14 146:21 150:17 152:5 154:7 156:4 160:7 161:2 162:18 179:3,5 184:21 197:18 218:17 219:3,8,16 221:9,22 222:10 228:16 238:18 239:20 253:19,20 261:5 264:2,13,15 265:2,12 267:12 county's 64:4 66:22 94:12 couple 73:15 79:21 80:6 111:21 135:9 141:3 242:17,21 243:12 263:14 coupled 96:11 Courier 33:8 87:17 150:14 course 66:22 99:6 133:22 142:11 156:6 190:13 196:22 197:14 213:1 237:16 court 7:2 11:2,4 29:8 31:9 35:21 90:6 100:9 126:21 153:6,10 157:10 182:12 183:13 262:14 272:20 courtesy 6:15 17:15,17 18:14 56:9 courthouse 85:16 86:20 courts 63:12 covered 135:4 141:2 co-founder 183:16 CRA 91:9,18,18 crack 235:20 cracks 107:17,22 108:5	crane 45:4 85:9 86:9,11 136:15 198:10,13 212:4 cranes 45:1 crap 261:7 created 37:4 67:21 97:10 100:7,13 123:4 134:13 135:20 198:9,12 198:12 199:5 213:1 creative 204:20 Creek 143:4,4,12 creosote 104:12,14 107:17 crew 32:10,19 33:4 crime 24:15,21 crisis 231:3 Cristos 272:3 criteria 42:15 156:14 crops 140:10 cross 93:16 137:2 148:14 168:19 crossing 106:3 crossings 103:10 108:22 109:1,9,14 crossing's 109:10 crucial 23:11 crumb 209:10 cubic 39:14 47:20 47:21 48:2,7 116:6 188:13 Culebra 143:12 culminated 187:8 cultural 157:22 227:14 culturally 214:18 culture 131:14 158:22 171:15 199:21 217:21 culverts 103:10 108:8,9,17 240:10 Cumbres 130:18 131:8 219:22 220:12 221:15 222:12	cumulative 113:3 curies 47:21 48:6 current 33:22 78:5 185:2,2 231:21 currently 27:19 48:18 60:6 162:16 186:8 198:16 currents 217:11 curve 254:20 customer 69:3 cut 213:9 C-L-Y-D-E 147:11 C-O 53:21 C-4 132:21 C2010-47 56:16 <hr/> D D 3:6,9 5:1 9:12 19:5 66:2 dad 264:4 daily 129:5 Dain 261:19 damage 58:19 204:4 damaged 206:4 Dan 4:16 danger 113:16 198:21 227:22 230:15 236:2,3 dangerous 119:4 119:14 142:15 202:20,21 204:2 262:6 dangers 26:3 112:9 270:3 dark 109:6 data 94:14 129:10 date 8:22 15:11 23:7 daughter 147:22 Dave 3:8 53:19,21 219:20 David 93:11 day 34:1,7 45:5 93:14,17 133:14 142:10 144:9 168:12 178:18	209:21 224:19 days 16:12 94:1,7 94:13,17 95:6,10 98:1,16 149:21 165:18 184:1,5 190:3 214:3 256:11,12 262:9 DC 2:17,22 9:9,14 101:16 134:21 138:7 154:17 217:19 237:13 241:13 de 158:13 174:10 272:3 dead 147:18 237:4 deadline 13:22 14:3 15:6,9 103:13 195:19 deaf 109:20 deal 23:21 38:15 150:2 151:2,9 169:11 172:11 225:4 232:9 253:7 256:4 257:17,18 268:9 dealing 38:14 48:10 63:13 64:4 64:19 68:3 76:10 140:16 257:13 258:7 deals 24:5 57:21 58:12 dealt 76:19 165:22 dear 153:9 167:6 death 163:14 164:16 165:9,11 165:16 177:18 178:5,11 215:21 deaths 213:2 214:13,15 215:15 debris 24:10 39:21 40:2,7 46:3 108:13 188:14 191:1,13 decades 38:20 175:22 December 55:14,15	56:15 86:2 89:5 92:21 93:2,5,6 96:20 118:2,5 122:9,10 248:16 decent 156:6,11 decide 21:14 69:2 238:8 241:14 decided 28:11 118:9 134:9 deciding 239:7 decision 7:19,21 8:21 14:18 15:2 15:11 17:2 55:16 56:14 67:16 80:21 121:12 123:1 146:22 160:14 221:12 222:5 239:2 240:19 244:9 272:16 decisions 8:18,21 declaratory 1:6 5:16 29:19 78:4 100:15 declared 90:7 decommissioning 40:5 deconned 41:10 decontaminated 192:2 dedicated 28:4 deduction 120:2 deemed 25:5 53:22 116:15 deep 119:5 deeper 140:2 deeply 223:15 deer 142:4,7 default 116:17 defect 108:4 defects 32:20 162:3 163:11 164:16,19 268:2 defers 18:9 deficit 220:16 define 22:20 65:1 66:19 defined 61:20
---	---	---	--	--

defines 22:22	184:14 185:12,13	describes 114:11	129:3,5 172:15	219:19 226:1
definitely 136:22	187:4 188:12	190:17 191:9	dialect 205:8	dirty 86:16 131:11
139:5 155:4 237:1	211:5	descriptive 103:16	diameter 105:13	132:4,6,22 133:3
definition 23:6	depend 80:10	desensitized 164:4	191:19	177:21 204:1
91:5,11 193:21	81:18 149:12	desert 39:1,6 203:7	die 130:9	219:3
194:21 214:2	169:7 180:15	design 42:22 92:10	died 211:9 214:12	disabilities 161:15
definitive 117:16	214:6 271:11	108:18 110:13	difference 16:14	161:17,19 162:1,2
178:11	dependent 179:18	designed 92:11	48:3 208:9	162:7,8,14,15,17
degradation 57:4	depending 41:16	98:14 99:3,5	differences 46:10	163:2 164:18
degrees 98:10	69:3	designer 256:15	158:2 267:2	disability 161:20
258:1	depends 20:21	designs 114:12	different 38:17	161:22 163:13
del 231:16	123:21	desire 130:9	41:17 46:16 48:22	165:21
deliberate 104:10	depict 107:16	desired 150:15	65:21,22 67:17	disabled 102:14
deliver 139:17	108:10 109:2	despair 213:8	77:6 81:5,6,9	disagreements
delivered 247:19	depicted 106:12	despite 63:10 70:19	83:15 107:12	75:22 76:2
delivering 177:18	108:17	102:8 118:7	113:6 141:13	disappeared
deluded 114:6	depicting 103:14	216:19,20 225:2	168:3 177:11	214:21
Demetrio 3:14	depicts 106:3,22	destination 6:5	185:22 194:22	disaster 132:11
123:12,14	depleted 86:6	108:15 248:10	213:17 217:19,20	150:3 234:19,22
demolition 24:9	115:18 116:3,14	destruction 171:17	217:20,21 227:13	disasters 231:6
demon 214:22	117:6 191:7 192:9	211:18 215:8	228:22 247:14,20	discarded 194:15
demonstrate	203:11,16,20	detail 90:12	247:21 252:17	194:17
188:10 192:13	depot 74:6,14 76:4	detailed 115:8	254:2,3 267:11,14	discharged 192:20
demonstrated	76:5	deteriorated	difficult 105:15	discovered 229:15
195:2	depressed 204:7	202:14	166:1 211:17	discrepancy 93:22
demonstrates	271:13	determination	difficulties 165:20	discuss 52:3 254:4
194:14	deprivation 221:9	68:22 216:17	dig 119:15	discussed 69:21
demonstrating	depth 99:17	determine 66:20	digging 119:21	163:21 238:12
195:11	deputy 2:13 5:9	determined 104:20	Digs 119:14	discussing 64:6
demonstration	derail 244:7	128:7 190:5	dilemma 108:3	90:12,15 183:1
86:3,8 92:17	derailed 242:14,17	determines 253:4	109:19	258:5
93:15,18 248:16	242:20 243:5	detonation 172:20	dimension 107:12	discussion 52:16
denial 57:19	derailing 242:20	187:9	Din 157:17	56:9 74:20 75:2
denied 51:7,15	derailment 143:14	detrimental 58:4	dioxides 257:3	94:15 99:17
52:10 56:16,19	144:12,12,18	58:15 180:2	direct 122:4 203:20	233:20 245:2
82:22 238:20	145:3,7	develop 187:18	223:8,22 234:11	248:14 258:21
Denver 74:4 89:16	derailments 111:2	developed 162:15	236:10	discussions 50:19
deny 55:16 232:12	143:8,9 146:2	249:20	directly 179:18	51:4 64:9 74:8
department 1:2	169:1 202:3,4,6	developing 124:3	223:22 224:1,9	93:13 96:5 99:15
29:11,12 36:21	204:16	136:1	230:10 240:17	100:11
37:21 38:19 39:7	describe 44:4	development 28:7	director 2:13 5:9	diseases 236:19
39:13 41:15,18	114:21	74:7,19 125:1,8	179:2 182:16	268:5
44:3 49:21 50:15	described 91:17	125:11 136:15,17	dirt 21:1 23:13	dismay 258:11
52:1 70:2 77:14	92:8 100:4 109:17	179:3,6 181:4	39:20 40:18 69:17	Disney 176:3
77:17,17 93:11	162:19 187:5	187:7,14 193:17	86:5 132:4,6	Disneyland 175:22
105:4 116:22	188:12 192:17	device 109:8	133:3 141:8	disorders 162:2
141:5 165:6 184:2	194:14	devices 109:2,4	177:21 204:1	dispensing 178:5

disposal 36:10,14 37:8,9,17 39:3,9 39:16,18 42:9 43:12 44:14,15 45:19,21 46:7 47:8 116:10 118:11 121:1 189:22 190:10,22 191:13 192:1	251:15 documents 124:17 125:2 188:9 198:7 198:14,19 212:22 DOE 48:14 70:13 117:2,7 119:22 186:12 doing 16:21 38:21 48:20 49:2,13 51:17 74:12 83:17 131:19 137:12 138:8 148:9 151:14 173:15 223:5 236:1 266:4	dozen 35:5 Dr 161:10 draft 65:2,3 117:8 drag 207:20 drain 202:13 drainage 141:9 draw 110:9 drawn 168:3 dreams 178:18 dressed 41:3 drew 101:21 180:18 drilling 211:14 drink 271:21 drinks 207:8 drip 97:17 98:1 dripping 86:12 135:18 drive 10:13 11:15 11:21,22 183:4 208:2 236:5 driven 245:19 Drivers 86:4 driveway 236:6 driving 112:14 207:4 drop 125:4 202:22 203:1 dropped 82:3 159:22 172:16 214:13 drove 28:14 drowning 199:11 drug 32:14,17 drugs 206:17 dry 199:12 217:3 271:19 DU 115:18 116:16 116:17 117:3,12 117:16,19 118:1,6 118:9 121:1 dual 191:20 dubbing 196:22 dubious 197:1 dubiously 212:2 duck 146:10 ducks 146:13	due 62:20 89:13 95:6,11 97:9,10 106:20 110:18 111:13 116:9 121:18 166:2 dug 184:16 dump 67:18 93:8 94:13 148:15 186:3 192:3 dumps 139:14,15 144:2,3 189:1,9 dumpster 92:13 93:4 98:15 99:5 dumpsters 99:12 Dupont 130:14 dust 178:2 224:11 224:12 226:7,12 226:13 235:12,15 235:17,22 duty 211:4 dwellings 170:14 dying 213:13 256:12 D-A-I-N 261:19 D-A-V-E 53:21 D.J 165:6	eat 34:11 179:15 271:22 ecological 231:3,5 economic 20:14 75:21 125:1 136:15,17 162:20 178:14 179:3,5,10 181:3 198:15,16 212:21 219:16 221:8 economy 159:4,5,5 160:7 180:14 Ed 201:13 edge 107:22 edicts 63:12 educated 235:3 266:7 education 161:18 172:14 176:22 201:3 229:5 educator 264:20 Edward 9:8 effect 58:5 65:16 68:21 150:2 246:4 effective 87:8 effectively 162:6 257:17 effects 113:18,22 163:7 173:3 267:22 efficiency 34:6 effort 51:17 52:12 257:10 efforts 50:13 125:18 137:14 187:17 265:5 egg 205:12 216:7 egregious 60:5 EI 130:14 eight 107:13 167:22 213:2 eight-inch 107:9,10 either 7:7 24:6 66:1 83:12 154:18 185:17 el 175:6 176:8 177:10,17 178:12
E				
e 2:16,21 5:1,1 9:7 28:17 66:2,2,2 earlier 72:18 94:22 150:13 151:8 175:13 198:9 212:12 213:19 238:19 249:13 252:10 254:21 early 111:6 190:3,4 ears 109:20 218:5 earth 217:7,12 easily 104:8 105:10 203:22 231:1 east 143:5 146:11 212:8 222:21 230:22 241:6 easy 34:14 132:19 155:5,9 207:18 208:3 245:5 246:5				

231:15 Eland 3:21 179:1,2 182:8,9,10 elected 17:13 79:13 219:13 electrical 186:21 electrolyte 165:15 electronic 10:14 89:15 electronically 11:16 89:3 90:19 90:22 92:20 94:5 101:12 195:18 elements 168:11 170:22 171:2 253:3 elevated 193:9 eligible 100:8 Elizabeth 4:18 267:17 elk 142:4,6 Ellis 201:13 emerge 216:3 emergence 157:20 170:16 emerges 214:11 217:7 Emily 3:23 222:17 222:18 228:13 emotion 152:7 245:6,8 246:6 emotional 162:2 245:5 246:4 emotionally 214:19 emphasis 88:21 146:17 emphasize 20:5 26:17 43:9,19 59:5 136:4 138:9 emphasized 117:18 emphasizing 44:9 employ 219:20 employees 180:10 employers 34:7 180:22 employing 179:16 employment 181:1	265:10 employs 220:19 222:6 empty 45:22 191:1 191:14 212:16 en 115:7 122:5 enacted 23:3 enclosure 85:11 encountered 28:18 endeavor 211:1 endeavors 259:6 ended 183:19 211:1 endemic 227:13 ends 22:13 energy 29:4,10,11 36:22 38:19 39:8 39:14 50:16 52:2 70:3 93:11 115:13 116:22 141:6 165:7 181:11 185:13 187:4,18 187:22 188:2,4,12 211:5 229:20 233:10,15,17 234:7,7,21 EnergySolutions 6:18 23:15 26:11 35:18 36:5,12 37:1 48:11 52:7 53:10 55:9,19 56:4,5 64:3,5,13 64:13 67:5 68:4,6 70:20 72:12 76:19 78:6 83:1 85:20 86:21 87:15 90:14 91:14 92:6,16 93:9 94:1,11 96:3 98:8 115:16 117:11 118:6,20 119:2 124:18 134:11 160:11 196:21 208:16 212:19 218:15 219:6 221:16 222:10 231:2 232:21 235:7 240:5,17 242:13	245:18 246:12 253:9 254:8 255:4 255:11 265:9 266:5,8 energy-wise 230:2 enforceable 251:16 engaged 63:2 176:8 engaging 104:21 engine 32:10,19 176:11 engineer 257:7 engineering 88:17 88:21 110:13 English 205:9 enhance 34:12 enjoy 25:6,8 217:22 270:17 enriched 193:2,19 ensure 112:12 250:14 254:13 enter 159:7 entered 51:8 56:15 63:15 158:1 215:1 enterprise 178:14 entertaining 7:13 72:21 entire 30:6 175:16 180:3 205:4 211:15 entirely 90:3 177:22 214:6 215:9 entirety 32:5 entities 61:5 73:15 115:11 248:22 254:3 entity 75:7,10 76:10 78:7 114:9 117:3 120:13 220:21 entrepreneurs 218:21 environment 37:5 45:11 60:17 61:9 62:2 91:16,19 96:14 99:4 118:22 121:13 142:17	144:3 159:18 166:3 184:2,14 185:11 227:5,12 environmental 2:14 5:10 29:9 60:11 93:12 118:8 143:21 161:21 163:17 167:5 172:5 181:12 187:1,3 188:5,8 188:16 189:21 227:6 environmentally 29:3 environments 162:12 eons 178:9 EP 61:17 EPA 144:8 193:12 epilepsy 163:9 Equador 229:6 equipment 32:12 40:21,22 41:2 44:22 189:11 era 264:19 Eric 3:24 228:7,11 erosion 179:22 ERP&T 93:12 error 253:13 errors 119:3 escape 34:16 escapes 119:7 Esperanza 132:7 136:12 141:22 especially 20:15 66:16 82:16 202:15 ESQ 1:21 2:19 essentially 197:2 198:1 199:6 201:5 204:10,12 257:15 establish 61:19 established 187:6 232:18 establishments 194:18 estimated 94:1	188:13 et 110:15 203:9 ethicist 256:15 evaluate 37:11 event 240:2 252:18 253:5 events 245:4 everybody 8:8 18:22 19:12 102:7 150:9 241:3 261:8 everyone's 231:13 evidence 12:2 15:13,15 57:3 202:1 evil 214:16 Ex 61:16 exactly 79:1 example 92:14 128:1 163:16 168:13 excavated 45:17 94:21 exceed 49:5 exceeded 45:7 exceeding 71:4 excellent 254:21 exception 161:6 203:17 exchange 96:11,16 excited 31:19 151:18 excuse 19:16 34:2 72:3,22 126:11 190:20 208:10 executive 179:2 182:16 exempt 64:18 exemptions 185:6 185:16 192:15 195:3 exerted 97:14 exerting 95:21 exhibits 67:4 exist 91:6 98:22 109:4 253:15 existence 26:20 199:4,4
---	---	--	--	---

existing 181:6	272:13	120:12 121:7	180:20	54:5,8 60:6 61:22
exists 95:6 110:22 112:8 247:12	extemporaneous 196:9	122:8,10 155:3	family 33:2 81:19 174:11 223:13	63:7 69:20 70:11 89:20 90:5 100:8
exotic 176:18	extemporize 255:17	179:9 181:18	228:18 230:15	100:9,17,19 123:8
expansion 187:16	extended 176:19	186:8 187:13	234:16 255:19	130:19 143:19
expected 33:11,13 130:22 209:19 213:3	extension 70:6 118:6 158:9	194:13,16 196:22	262:19	144:7 146:17
experience 130:11 161:17 168:9 267:20	extent 62:5	197:20 223:21	fancy 213:5 271:17	147:6 245:11 255:1
experienced 168:12	extraordinary 184:20	225:19 226:21	far 107:21 121:19	feeding 142:2
experiment 190:2,6	extreme 98:22	233:8 245:13	135:4 136:19	feeds 126:22
expertise 23:11 184:9 257:16	extremely 42:3 227:12 262:6	249:11 251:22	146:13 170:15	feel 50:13 53:13 99:6 112:10
experts 23:16	Exxon 130:14	252:8	226:21,22 239:20	121:20 146:21
explain 8:2,10 20:13 46:9 254:22	e-file 12:3	facing 153:7	255:16 259:2,6	171:19 174:5
explanation 114:7	e-filing 8:14	fact 29:18 31:20	farm 223:7	223:14 225:14
explicitly 91:6	E-L-I-Z-A-B-E-... 267:18	33:6 43:2 48:21	farther 173:18	230:17,18 232:20
exploit 200:16	E-M-I-L-Y 222:19	58:21 59:17 63:10	fashion 200:5	235:1 261:1,2 267:9
exploitation 199:20 200:11 208:10	E-R 228:12	63:14 66:9 67:15	fast 131:6 150:5	feeling 112:6 173:3
Exploratory 211:14	E-R-I-C 228:11	68:2 70:1,2,16,19	Fasteners 105:12	feet 57:8 67:10 88:12 106:20
explosion 128:1	E-Y-T-A 196:8	71:15 104:5	faster 272:21	121:9 186:14 191:18,19 197:3 201:13 211:22
explosions 130:13	F	117:19 136:4	fat 124:4	116:17
Explosive 189:4	faced 257:2	156:3 185:5	father 147:17 174:2 206:21	felled 110:7
explosives 46:18,20 189:3 191:8 192:11	facilities 24:5,17 39:9 48:12,22	232:16 245:20	207:1 228:20	fellow 19:22 152:8
expose 166:14	59:20 60:8,14,16	factor 121:11 156:3 272:1	256:6	felt 52:11 240:18 269:9
exposed 43:10 44:10 58:18 119:9	60:19 61:2,12,20	factors 50:8 161:21 162:12	fathers 165:2	fence 97:22 98:19 197:2
122:3,13 123:3	62:9 128:18 129:8	162:12	father-in-law 147:17	fertilizer 35:3,5 152:12 202:18 203:1
165:2 262:22	186:15 189:22	facts 35:11 245:6	fathom 231:5	fertilizers 124:6
exposes 122:21	194:18 252:3,4,8	Fahrenheit 98:10	fault 145:18	fewer 181:15
exposure 113:4 122:18 128:12,14	facility 25:3 26:12 36:14 37:9 38:3,7	failed 57:2,19 63:4 63:6 213:11	faulty 202:18	field 216:10
152:19 161:12	38:9,22 39:16	fails 56:20	Faustin 3:15 138:15,16	fields 212:9
163:7,15 166:22	40:8,20 42:9	failure 58:10 111:14 206:13 213:9	favor 238:14	fiery 209:3
express 174:9 179:6 260:22 261:2	43:12 44:8,14,16	failures 205:21	favorable 203:3	fifth 123:18 255:18
expressed 136:21 201:3	45:12,16 46:2	fair 8:7,8 16:21 241:3	FD 1:7 9:6	fight 156:1 158:20 213:18 214:7 216:16
expressing 19:21	48:1 49:4,6,8,15	Fairfield 228:16	Fe 155:14,19,22 156:16 176:22 182:18	fighting 159:13,16 272:7
	50:10 55:10 57:8	fairly 152:5	fear 112:15,15,16 113:9 121:21 179:22	figure 74:13 131:6 132:16 236:17
	58:7,8,9 60:20,22	fall 69:17 98:11 99:2 109:20	feasible 226:18	
	62:6,15 64:7 68:2	fallen 213:16	feature 106:7	
	68:14,16,20 71:1	falling 106:11	features 249:22	
	71:2,5 74:21	false 257:22	February 1:10 119:13	
	81:16 83:17 97:19	familia 174:10	federal 5:14 22:3 22:15 29:8 52:19	
	105:19 114:11	familiar 168:11 246:3		
		families 158:21		

266:7	183:14 186:7	121:15	117:22 125:20	frying 216:6
figured 85:17	187:9,9,15 203:12	following 104:1	128:16,19 134:4	fuel 113:12 136:14
175:7	204:8 218:2 224:2	164:6,15 165:5	190:13 194:4	full 260:22 261:5
figures 105:2	224:6 242:6	185:19 197:10	218:12,14 230:3	fully 32:2 125:13
file 8:2 9:2 16:6,20	244:20 256:7,21	256:10 257:13	257:6,6 270:15	232:15 249:8
17:7,8 73:6,10	259:1 263:15	food 223:16 262:18	founded 158:16	254:15
filed 5:17 8:6,9	fish 202:21	271:22	founding 88:3	full-time 33:4
55:6,9,21 59:3	fisheries 259:3	fool 65:9	foundry 193:3,19	fun 207:7
70:3 100:12	fishing 146:14	foot 132:19	fountain 176:5	funds 90:2 121:10
218:16	fission 187:8,19	football 216:9	four 111:13 135:8	funny 209:12 225:9
filing 8:13	fissure 105:22	force 51:22 52:2	135:15 164:20	235:4
fill 144:21	five 39:14 144:13	93:13 95:22 99:15	168:12 170:14	further 62:7 91:9
filled 87:1 200:21	166:6 263:22	112:14 134:13	188:3	131:3 145:5
205:14 212:14	five-and-ten-cent	147:1 211:17	fox 137:6	149:21 185:14
filling 35:4	176:6	250:9 264:7	FP 192:19 193:2	234:14
filtration 96:12,17	fix 74:12	forced 144:1 159:7	FRA 32:8 35:13	Furthermore 100:6
final 6:4 7:21 33:11	flags 76:13	forces 95:17 97:13	frail 206:10	106:5,18 107:3
122:7 178:11	flak 265:3	Force's 256:7	frailties 214:9	117:1
186:22 188:7	flammable 46:22	forefront 113:7	framework 254:10	futile 211:11
266:9,11,12,19	flammables 46:17	foreseeable 78:10	Francis 183:4	future 68:4 78:10
267:3 272:16	flanking 175:18	forever 213:5	Frank 23:20	87:19 97:21
finally 70:18	flat 97:12 98:1	forgets 216:5	FRA's 33:9	103:13 125:19
212:13	flat-bed 81:12 86:9	forgot 154:11	Fred 5:11 6:20 8:2	131:18 146:18,19
financial 27:12	93:4 96:21 97:10	220:18	8:10 228:5	160:4,8 167:2
33:15	97:17 98:17 212:1	form 29:1 65:3	FREDERICK 2:19	185:17 263:2,7
financially 228:19	flew 28:13	110:20 214:2	free 60:9 67:7,10	F-A-U-S-T-I-N
find 8:18,21 22:21	flowers 209:1	254:20	73:9 94:16 95:14	138:17
85:1 130:2,22	flowing 141:8	formal 184:6	108:12	F-O-N-Z-O 141:1
134:19 180:22	142:20 209:5	format 9:3 90:19	Freedom 203:7	
190:6 210:10,16	217:8	formed 27:14 61:6	freezes 98:9	G
210:19 235:17,19	flows 132:9 216:22	127:16 182:19	freezing 98:12	G 5:1 66:2
266:19 267:5,14	217:5,8	former 27:3 51:20	freight 5:15 28:2	Gallegos 3:10
finding 25:1	fly 28:11 75:19	103:18 133:10	28:21 33:21 34:2	79:16,17
fine 12:14 16:9	focus 50:2 99:11	192:18 264:14,16	179:20 180:1,12	gallons 152:12
18:13 32:19 56:2	185:5	forming 206:7	181:13	Gallup 269:15,16
finishing 215:19	focused 32:9,11	forms 177:19 241:7	French 205:10	gamble 204:13
fire 26:4 77:14,17	245:21	forth 52:13 133:18	fresh 200:10	games 120:19
104:9 243:16,17	folks 19:8 111:21	134:12 136:20	fried 206:18	196:19
fires 104:17 131:16	137:7 154:14	forthright 239:22	friendly 29:4 32:2	gaping 64:1
firing 191:1,14	237:11 238:4,8	fortunate 244:5	friends 207:7	garbage 144:10
firmly 112:21	239:8 240:8,11,22	Forty 221:5	front 101:4 138:1	222:7
first 6:14,15 17:14	241:7,11,19 242:1	forum 89:15	151:4 206:20	gas 127:19 128:5
17:15 24:4 30:14	follow 18:10 83:3	forward 53:15	255:19 259:11	128:12,17 129:15
55:3 56:20 77:16	83:15 143:19	195:9 246:18	fronts 206:5	129:18 131:16
102:12 110:21	147:6 178:18	fought 123:19	front-end 41:1	132:2 191:21
137:1 149:1 154:6	225:1	found 58:13 70:12	frustrating 260:17	gasses 46:18,21
154:20 172:20	followed 82:19	113:15 114:2	fry 205:12	gateway 122:20

gather 6:11 72:20 251:17	Gil 4:14 255:13,14	7:4,5 8:3 10:18 14:14,20 17:11	76:14,20 78:1,6 78:15,16 79:5	141:14 142:19,20 143:6,15 145:1,9
gauge 27:8 145:20 222:13	girl 168:1 210:13	20:9 24:15 26:9 26:10,20 40:4	88:1 114:7 127:6 137:20,20 140:4	146:6 148:16,16 150:10 152:15
geese 146:13	give 7:3,10 9:18 15:10 23:1 47:10	64:7,7 68:3,15 71:7 72:4,5 74:11	152:2 154:3 155:6 167:18 170:3	179:7 185:8 202:13 218:4
general 31:11 129:14 164:21 186:7	48:8 52:19 74:11 125:12 167:7 221:15 241:3	74:14,22 76:11,13 77:2,18 78:10,11	179:17 182:15 197:5,6,12,14	221:14
generally 105:17 128:16	263:6 265:2 267:7	80:13 83:13 121:8 126:5 133:16	200:15,16 229:5 233:17 244:19	grandfather 177:3 267:20
generated 116:14 116:22 188:10 194:8	given 113:15 114:4 114:5 121:6,17	134:11 137:2,21 139:5,7 140:12	261:18 266:22	grandkids 146:19
generating 120:14	gives 17:11 112:5 218:6,11	141:2 142:16 143:10 144:11	goods 179:13 180:5 180:8 181:5	grandmother 173:22 176:20
generation 123:18 234:6 255:18 261:6 268:9	giving 14:16 77:2 171:15 255:16	145:6 148:6,15,17 149:3,5 150:7,8	goozing 40:17	grant 123:22 124:1 218:5
generations 87:20 125:19 146:20 160:4,8 167:2 175:5,16 205:7 212:18 263:3,22 264:1 269:4,5,5 270:2,16 272:7	glasses 39:22 41:4	150:18 151:3,15 151:16,17 175:19	gossip 85:14	granted 82:10 122:20 219:9 239:13
generator 37:16 42:10	globalization 229:11	176:1 181:22 183:20 186:6,7	gotten 169:9	granting 68:20
genetic 163:9 164:17 262:7	glorified 212:3	207:5 208:6 215:6 219:2,10 220:15	governing 62:4 114:9	grants 90:4
genius 214:15	gloves 39:22 41:4 189:14	220:22 221:17 222:14 224:2,16	government 6:14 18:13 54:1 146:17	granulocytopenia 165:13
genocide 210:6	go 36:3 47:1 52:18 60:8 74:2 76:13	224:20 225:7,7 227:17 228:4,5	172:14 194:16 241:7,8	grasp 171:18
gente 174:10 206:3	82:16,18 83:11 136:3 138:11,20	229:11 234:14 236:17,18,22	governmental 62:16 182:19	grateful 195:21
gentleman 149:10 150:12 198:9	140:2 143:3 144:11 145:2,5,6	241:15,18 243:14 244:11 258:17	governments 147:1	gravel 226:1
gentlemen 151:19	146:6,6 148:7,17 154:16 155:16	260:18 262:15 266:11,14 270:22	government-cont... 194:12	graves 124:11
geothermal 187:22	157:7 161:6 201:5 203:10,15 227:17	271:10,18,19,20 271:21	government-own... 194:12	gravity 95:7 206:12
Germany 264:6 266:6	227:18 236:4 239:8 240:3	gold 221:1	government-to-g... 172:3	great 11:9 12:18,18 14:7 27:22 61:4 68:1 105:22
gesture 216:14	244:18,19,20 247:7 251:18	gondola 44:11 218:10,11	governs 20:14	154:18 169:10 173:21 205:15
getting 24:21 215:17 268:6	258:17 261:7 266:2,14	gondolas 122:12 208:17,19 209:1	GPS 109:17	216:12,17 218:21 231:19 234:6
ghosts 204:22 205:18 206:9 207:19 209:6 212:11 213:7 214:8 216:20 217:12	goal 75:21	211:21 212:4 216:15	grad 88:19	236:20 239:20 260:11
giant 234:1	GOCO 194:13	good 11:5 13:9,17 13:19 14:5 15:16	grade 157:5	greater 217:8,9
	God 104:9 167:6 169:17,18 207:11	17:20,21 18:19,20 18:21 20:1 35:19	graffiti 212:14 214:10	greatest 132:8 152:10 256:12
	God-given 206:15	35:20 56:9 75:5	grain 35:7	greatly 160:20
	goes 44:2 139:16,17 143:13 152:14,14		grandchild 269:8	greed 160:12 211:20
	232:2 234:17 243:21 245:7		grandchildren 262:21	green 29:3 40:17 125:11
	going 5:19 6:13,14		Grande 1:5 5:17 19:17,22 26:11,20	greeted 269:13
			27:3,8,9 30:12 31:12,16 33:22	Greetings 160:17
			74:5 88:13 137:16 139:16,18 141:9	grew 84:21 171:1 222:21 228:15,19

grief 256:12	G-I-L 255:15	180:20	166:17 169:4	77:3 80:17 136:5
groceries 136:13	G-U-A-J 88:2	hardy 124:4	194:5 204:11	252:9
grocers 255:19	G.5 106:20	harm 166:21	210:5 237:2	Heffner's 59:10
ground 57:5,16,18	H	Harold 4:17 263:13	healthy 118:22	held 92:20 190:7
58:10 94:18,20	habit 210:3	harp 206:19	166:5,13	205:8
98:16 99:3 144:19	half 27:20 44:19	harsh 168:11	hear 7:3 11:2 19:12	Hello 123:13
152:13,19 197:3	107:13,13 111:21	hats 77:15 79:20	36:1 40:15 46:11	167:12 179:1
226:3	135:1,17 138:9,11	haul 35:6 124:20	46:12 47:6 88:9	217:16 228:9
grounds 56:19	144:5	169:16	99:20 102:19	help 38:13 75:4
group 88:4,6	Hall 1:12	hauled 262:5	112:4 126:18,19	108:2 115:9 167:6
103:20 105:20	halted 250:6	hauling 87:3	149:22 160:20	179:20 201:8
115:15,22 117:1,5	hamlet 175:14	137:13 169:2	167:7 183:14	208:11 232:17
117:18,19 218:3	hand 198:3	244:7	196:1 228:10	helping 78:22
218:16 221:7	handed 6:3	hauls 28:2	231:7 262:15	137:9 198:2
257:13	handful 25:20	Haus 130:14	263:11,17,18	helps 112:10
groups 87:9 101:7	handle 69:16	haven 168:6	heard 20:3 23:9	hematopoietic
118:8 158:1	189:15 252:5	hay 140:12 142:2,8	26:8 103:2 141:4	165:9,12,17
266:16	handled 57:14 64:8	hazard 48:10	149:1 154:21	hemorrhage
grow 140:12	169:12	122:14	184:19 212:13	165:14
growth 198:16	handling 40:1 41:5	hazardous 24:6	215:1 243:11	hen 137:6
Guadalupe 1:12	49:4,7,18	49:21 65:10 66:3	hearing 19:20 30:7	herbicides 152:13
167:21 265:18	handrails 210:18	66:17 67:9 82:6	55:8,12,14 89:17	herd 216:3
Guajardo 3:12,12	hands 216:8 239:17	83:21 88:11 92:18	98:5 160:19 184:7	hereditary 207:2
10:9,9,21 11:7,10	happen 5:19 6:13	93:1 94:9,19 95:5	241:3 273:4	209:8
11:12 12:5,10,15	33:8 38:8 83:13	96:14,19 99:2,14	hearings 92:8	heroic 210:22
12:19 87:22 88:1	131:21 139:8	117:21 161:9	99:16 257:14	Hey 266:19 267:14
88:2 101:18,19,20	148:2 150:3	163:15 167:1	heart 6:6 102:6	Hi 101:19 260:3
guarded 123:20	159:20 237:3	168:19 169:2,10	162:3 205:14	hidden 168:6 245:6
guess 12:2 18:13	252:17	184:3 191:2 192:5	209:4,10 266:18	hide 120:19,20
19:10 35:8 54:10	happened 116:11	hazmat 50:5	heartfelt 178:16	236:12
111:20 135:22	119:19 144:18	133:21 252:19	heartily 147:5	high 41:21 95:11
152:20 156:19	200:8,12 243:19	253:2	heat 193:1 214:22	95:13 189:3,13
225:12 263:22	happening 38:6,8	hazzards 41:17	heavier 203:13	191:8 192:11
guidance 71:17	85:18 226:8	headache 237:21	heavily 142:1	207:9
guide 259:3	happens 131:4	headed 118:1	215:15 249:3	higher 41:18 83:19
guise 159:15	135:15 151:9	120:15	heavy 40:22 44:22	highest 194:3
Gulf 148:17,20	220:12,14 235:15	headquarters	104:3,19 107:3	222:13
150:10 234:18,19	267:6	158:14	189:17	highlight 162:8
gun 191:21 200:7	happiness 166:19	headwater 170:11	Heffner 3:6,9 9:12	247:16
guts 266:3	happy 30:5 138:5	headwaters 88:12	11:19 15:18,20	highly 104:15
guttled 207:21	174:17 231:11	HEAL 117:5,19	16:2,9,15 18:10	229:1
guy 228:2	Harbor 34:8	health 58:16 60:10	18:15,19,21 19:4	highway 28:18 63:8
guys 76:19 152:11	hard 10:16 11:17	60:17 61:8 62:3	19:7,14,15 21:21	106:21 110:6
153:1 263:17	44:12 171:17	67:20 91:15,19	29:17 30:10 43:20	123:15 125:7
266:12	199:8 233:1	96:13 99:4 112:9	50:1 62:21 64:15	132:21
G-A-L-L-E-G-O-S	hardships 161:16	122:1,13 163:6,19	71:20,21 72:7,11	hill 175:21 176:1
79:18		164:4 165:7 166:1	72:15,16,22 73:6	hills 130:8

Hillside 192:22 193:11	honor 100:6 265:13	229:8	imagination 176:8 176:19 178:9	107:13,14
Hiroshima 159:22 210:12 211:9 214:12	hooked 138:2	humiliation 209:9	imagine 209:2 213:16 215:14 230:21 258:11	incidences 50:5 111:13
Hispanic 156:6 171:4 172:17	hop 84:7	humility 209:9	imbalance 165:15	incident 82:5 148:19 149:2,5 150:13 252:18 253:5
Hispanics 175:7	hope 3:14 56:1 79:7 80:9 83:16 112:6 126:11,11,12,15 126:16,16 127:1,4 127:4,10 136:9 168:8 178:13 180:21 204:20 216:10 217:6,22 220:13 221:18 272:5	hundreds 171:3 259:14 271:10	immediate 230:15 234:11	incidents 164:9 252:21
Hispanized 176:15	Hopi 157:16	hundred-page 11:18	immemorial 171:6	include 113:12 164:9 191:4 192:7
historians 177:6	horizontal 106:9 107:1	hung 147:22	imminent 60:16	included 81:19,20 98:13 115:19
historic 130:20	hospitality 139:1	Huntsville 130:7	impact 58:2 78:11 130:21 143:21 179:10 187:1,3 188:8,16	includes 58:6 90:4 163:6 179:12
historical 194:13 195:10	host 35:2 213:12	hurt 167:1 236:18 236:22	impacted 115:5 160:8 166:1,12	including 24:19 25:8 27:21 62:4 161:22 163:8 186:15 187:15 262:20
history 23:18,19 59:22 73:20 104:16 131:14 169:1 177:7 189:20 199:18,19 199:20,20 227:15 242:19	hot 189:12,13	hurting 220:12	impacts 163:17 164:8 165:7	income 271:12,13
hit 224:2,6 243:13 243:20 244:6	hotels 179:15 180:15	husband 88:19 269:7	impermeable 39:6 92:4	incorporated 106:6 127:17 161:3 187:17
Hitler 266:9	hotter 117:20 118:10	hydrocephalus 163:8	implement 91:14	incorrect 208:6
hitting 142:6	hour 45:7 97:5 111:21 135:16 224:15,18 230:15 236:13	hydrogen 128:5,8 129:14	implemented 92:15	increase 163:3 164:9,12,14,18,20 165:1
Hittman 86:4	hours 97:3 109:6 124:22 135:9,17 237:19	H-E-F-F-N-E-R 9:13 19:5	implementing 253:10	increased 87:12 162:13 163:12
hoc 69:3	house 101:22 137:6 223:6,19 224:2,2 230:11,12 234:11 235:22 236:7 263:21	H-O-P-E 126:16	implication 211:4	increases 105:1 162:15
hocus 215:10	houses 229:4	H2S 128:16 129:9 132:2	implies 214:3	incredibly 10:18 257:4
hocus 215:10	Houston 127:11,16 131:15	ICC 20:12,16	imply 119:11	indentured 159:8
hold 133:21 135:13 184:21 200:7 204:13,15	hours 97:3 109:6 124:22 135:9,17 237:19	ICCTA 20:16,20 22:16	importance 108:14 177:8	independence 181:11
holding 27:1,17 31:18 94:22 95:11 216:8	house 101:22 137:6 223:6,19 224:2,2 230:11,12 234:11 235:22 236:7 263:21	iceberg 197:21	important 20:7 45:12 66:6 67:14 146:16,18 181:10 221:7 222:6 224:8 227:6 238:7,17 245:9,16 247:4,16 250:3 267:12	increased 87:12 162:13 163:12
holds 206:12 209:3	hours 97:3 109:6 124:22 135:9,17 237:19	iconically 175:8	importantly 57:10 67:22 68:1	increases 105:1 162:15
hole 64:2	hours 97:3 109:6 124:22 135:9,17 237:19	icy 207:5	impossible 207:16	incredibly 10:18 257:4
hollow 208:19	hours 97:3 109:6 124:22 135:9,17 237:19	ID 207:9	impooverished 162:14 163:1	independently 248:9,11
Holtcamp 237:7	hours 97:3 109:6 124:22 135:9,17 237:19	idea 27:5 47:10 74:19,19 75:11 208:11 219:4,5	improved 146:1	indicate 103:4 119:1 198:8,19
home 115:16 127:13 130:2 131:13 161:6 168:4 170:9 207:4 216:21,21 223:12 236:4	houses 229:4	ideal 169:15	improving 160:6	indicated 110:8 191:17 201:7,14 250:8
home 115:16 127:13 130:2 131:13 161:6 168:4 170:9 207:4 216:21,21 223:12 236:4	Houston 127:11,16 131:15	ideally 225:12	inaccessible 243:7	indicates 111:12 115:1 117:13
homes 227:3 271:8	HT 192:19 193:1	identified 39:10	inaudible 10:5	indicating 263:20
hometown 215:22	Hudson 25:15	identify 136:22	inch 105:13	
honest 151:3,4	huge 26:2 64:1 226:12,15 227:11	ignored 116:20	inches 39:5 107:12	
honestly 224:15	human 163:7 194:5 231:17	ignoring 221:1		
	humanism 229:17	Illinois 218:22		
	humanity 232:6	illness 163:14 165:21		
	humans 158:9,10	image 210:9		
		images 210:16		

indication 109:10 110:14	injustice 163:18	62:12,19 63:11	ionizing 161:12	246:14 249:15
indicator 175:16	injustices 167:6	70:22 91:18	Iowa 27:17	260:17
Indio 156:5	inlet 193:6	250:11	IP1 90:13	item 90:15
Indio-Hispanic	inner 145:22	intentionally	Iraqi 203:7	items 90:11,20
156:11 158:18	innocent 106:10	130:17	iron 191:5 192:8	it'd 21:17
individual 193:12	159:22	inter 99:17	irradiated 113:12	I-beams 105:8
individuals 164:3	input 250:15,17	interest 89:13	irradiation 165:16	I-O-N-E-S 157:13
industrial 28:7	inquiry 22:13	241:19	165:18	i.e 246:9
74:18 121:2,8	inside 32:17 236:7	interested 88:9	irrigate 143:5	
185:6,15 186:8	insight 23:2	interesting 45:16	irrigated 115:4	J
188:11 189:10	inspect 110:15	45:20 137:16	irrigation 103:7,8	J 110:7
192:13 193:16,21	inspection 202:9	246:17 248:20	107:5 111:10	James 149:21
195:4,12 256:15	inspections 32:9	internal 124:17	115:1 139:12	200:5
industries 259:2	inspector 102:16	198:7,14,19 247:6	146:8	January 87:15 93:9
industry 5:15	110:14 137:5	international	irritation 258:11	118:16 122:11
128:20 130:12	installations 31:22	128:22 228:22	Isla 175:11	187:5
131:19 171:12	installed 192:19	internet 210:10	Island 164:22	Japan 172:17
172:6 173:15	instance 75:13	interpret 65:22	ISO 92:5	Jara 143:3 146:11
inequities 167:4	104:11	interpretation 53:4	isolated 104:20	243:19
infant 164:16	instances 65:21	62:14 136:6,8	215:14	Jared 4:15 260:3,8
infection 165:14	instant 132:22,22	interpreting 75:18	isolation 183:2	Javi 3:12 101:18,20
infinitum 120:14	214:22	Interstate 20:12	199:9	Javier 159:19
inflict 204:4	Institute 256:10	inter-modal 43:7	isotope 48:5	160:3
influenced 136:8	institutes 256:17	44:21 66:12 99:12	isotopes 47:17	Jean 4:19 268:22
inform 123:2 164:7	institutional 185:7	inter-modals 67:6	issue 20:10,18 21:5	Jemez 170:11,20
188:19	185:15 194:8,11	intricate 113:2	22:5 23:11 30:3	jeopardize 34:22
informal 6:13	194:21 195:4,12	introducing 60:3	35:15 37:12 59:8	75:9 180:9
information 8:19	institutionalized	Introduction 3:3	64:16,20 65:4	jeopardizes 169:4
14:12 105:6	251:12	invalidated 164:1	69:10,12,19 70:14	jeopardy 34:8
113:16 163:5	instructed 210:1	invariably 203:17	70:15 79:8 92:2	Jersey 23:21 25:12
177:12 185:14,19	instruction 84:10	invasion 67:7	108:10 109:1	25:21
188:21 195:10	Instrument 127:17	inventions 236:20	112:15 122:1	Jesse 149:20 200:5
257:16	instrumentation	invest 130:1	142:11 152:9	jet 264:9
informed 118:17	127:19	invisible 217:5	166:12 223:8	jetstream 206:6
119:10	integrity 46:6	involved 25:20	225:3 226:7 232:1	jingoistic 211:11
infrastructure 20:2	86:22	42:6 50:16,17,18	234:13 246:13	Joan 127:5 133:5
20:5,6 151:10,13	intellect 219:13	53:8 84:21 115:11	issued 85:17	job 78:6 162:7
201:21 202:7	intellectual 162:1	123:1 151:1	issues 23:16,22	231:4 254:21
ingestion 162:9	intelligent 235:2	163:22 200:13	42:6 52:3 53:15	265:12
ingrained 200:1	intend 68:7	223:16 249:4	67:20 83:9 90:8	jobs 28:7 75:9 79:4
inhabitants 158:19	intended 24:20	involvement	102:8 136:20	80:4,10,13 124:17
159:6	59:20 92:10	127:20	152:10,21,22	169:12 179:17,18
initial 111:8 114:3	intense 119:21	involves 29:10	166:1 172:5,11	180:6,6,9,19
initially 52:14	intent 53:11 61:10	involving 29:8	174:8 183:5,18	198:7,8,11 199:3
112:18	205:19 211:18	200:18	184:10 185:1	199:5 212:22
injury 58:17	214:16	in-law 147:18	195:22 196:15	Joe 3:15 133:8,9
	intention 61:13	ion 96:11,16	239:18 240:1	John 3:6,9,21,25

9:12 19:4,14 154:10 179:2 182:5,8 218:14 237:10 Johnson 5:8 JOHNSON-BALL 2:12 126:19 Joni 3:22 13:10,17 178:22 181:20 182:13 Jota 175:10 Juan 19:16 157:18 Juans 206:6 July 100:5 June 89:12,17 justice 172:5 justify 33:22 34:4 J-A-R-E-D 260:10 J-O-E 133:10 J-O-N-I 182:14	kind 49:11,13 73:20 74:2,7 75:6 79:20 80:12 134:19 137:15 140:15 149:7 150:2,20 224:7 225:9 267:11 271:12 kinds 59:20 77:6 151:14 184:10 kitchen 216:2 kitty 67:8,11 225:8 knew 213:6 218:12 knife 208:10 knocking 233:2 know 8:6 10:14 24:14 26:4 29:7 41:4 45:3 52:17 53:13 56:8 65:12 80:3,20 81:2,15 82:9 83:7 89:15 91:5 96:8 102:12 102:15 103:20 111:2,19 113:11 120:5 122:3 131:18 140:4,16 143:20 145:17 152:9,21 155:8,13 155:16,20 156:9 157:4 159:17 160:5,9 169:18 173:8,12,18 175:21 178:10 184:8,9 200:6 203:22 206:11 207:11,20 215:21 216:14,19 217:3 217:18 224:22 225:18 226:3,18 227:8 229:8 230:21 232:2,7 233:18 236:16 238:3,5 241:22 242:11 243:20 244:3 252:17 253:12 258:12 261:10,14 266:22	270:3,5 knowing 108:20 171:1 knowledge 87:13 121:2 170:19,21 178:4 184:10 185:9 known 93:3 107:18 127:16 158:13 192:22 knows 67:20 68:14 114:18 170:21 235:12 Korean 264:6	87:19 97:20 112:8 112:9 115:4 117:10 121:14 123:6,20,22,22,22 125:5,19 133:19 134:5,6,10,11 148:9 157:15 158:8,22 160:2 168:18 169:7 171:8 174:11 189:22 200:2,10 209:15 210:4 218:17 223:4 231:12,13,13 243:4 251:13 252:11 258:22 269:12 270:1 landfill 190:19 191:10 lands 124:12 145:1 270:7 landscape 158:10 land-based 171:8 language 62:13 159:1 170:5 209:16 LANL 40:13 43:14 43:17 45:17 47:12 93:3 185:8,13,19 185:22 186:7,8,12 187:1,5 188:15,17 189:4 190:17 194:8,11 195:5 large 44:11 95:3 116:20 191:18 larger 33:17 late 145:20 147:3 191:11 Laughter 127:8 135:10 157:8 Lauren 3:19 167:11,13,20 Lautenberg 23:20 25:10 26:5,7 60:1 62:18 91:20 law 20:13 21:3,9 22:4,16 60:6,13	61:14 62:12,13 66:19 68:10 75:18 91:10 135:20 159:15 183:20 238:12,15 239:8,8 lawful 60:19 Lawrence 3:10 79:16,17 laws 22:8,17 25:17 62:4 112:11 123:6 123:6 143:19 lawyer 19:15 228:22 257:20 lawyers 271:16 lax 110:10 leached 107:19 lead 113:4 161:22 189:14 191:4 192:7 203:13 leaders 50:18 leading 5:6 leads 104:6 258:21 Leadville 147:14 leak 57:13 98:18,20 leakage 87:3 leaks 57:11 58:22 lean 207:21 learn 120:16 236:22 242:16 learned 171:4 236:14 259:4 learning 162:1 164:17 lease 63:22,22 leased 27:2 leave 120:2 125:20 151:7 156:20 239:16 265:12 leaves 43:17 62:8 210:18 248:8 leaving 38:10 161:6 led 74:17 left 88:14 93:6 98:16 110:3 122:9 153:16,18 175:17 230:1 263:1 267:22
<hr/> K <hr/> K 9:13 32:4 Karlskin 3:19 167:11,12,13,17 167:19,20 keep 21:20 56:4 106:10 108:12 124:9 135:13 142:19 146:22 179:21 209:7,10 233:1 262:15 keeping 147:7 keeps 173:15 209:4 Kent 237:7 kept 111:8 key 20:2 37:10 253:3 Khapo 170:10 173:21 kids 146:19 216:7 265:11 268:4 kill 128:6,10 204:3 221:17 Killer 178:2 killers 124:7 killing 237:21	<hr/> L <hr/> la 143:3,10 145:6,6 146:5,11 174:10 174:10 175:10,11 176:1 193:20 243:5,19 lab 190:2 labeling 117:4 labor 159:7 laboratory 93:3 124:21 170:13 171:22 182:22 184:3,4,11 187:6 187:12,16 195:13 197:9 208:21 Labs 85:15 lack 58:14 89:13 257:15,16 lady 1:12 167:21 174:19 laid 158:2 Lake 39:1,15 lakes 157:18 lambs 177:3 Lamy 155:16 land 6:8 25:17 29:5 51:6 52:6 56:22 57:20,22 58:2,11 66:18 67:20 69:14 69:18 71:13 74:16 76:7 81:20 82:22 83:3 85:16,22			

legacy 65:14 125:19 204:11 210:20 211:6	166:19 168:2 169:6 171:16 177:15 178:8	linguistically 214:18	livelihood 81:19 169:4	locomotives 32:15
legal 23:10 251:15 251:19 254:10	181:8 199:10 202:22 204:12	link 85:10 97:22 98:19 197:1	lives 127:21 136:14 175:9 205:8,21 211:7 214:21 217:11 227:4,21	logical 155:15
legislation 60:5 71:16	212:15 213:12 221:12,14 222:9 224:9 236:2 256:14,20 261:22 269:10 270:15,19 271:1	liquid 67:7,10 94:16 95:8,14 129:18	livestock 142:6	lone 256:14
legislative 23:11,18 23:19 59:22	lifeblood 140:5 212:7	liquids 46:22	living 153:1 162:14 213:12 229:8,12 269:8	long 54:7 68:14 106:9 122:12 130:15 147:16 148:20 154:15 171:6,10 180:2 191:19 199:8 207:20 214:6 215:18,19 236:15 243:18
legitimate 28:1 121:21	lifeboats 198:1	list 6:19 47:1 84:7 113:19 130:15 163:6	load 85:9 108:18 111:3	longer 94:13 144:14 165:19 190:12,16 262:11 269:8
legs 206:19	lifestyle 171:7	listed 130:19	loaded 5:20,22 85:1 86:13 93:1,3 94:17 96:4,21 98:16,17 144:15 176:11 212:4	longest 222:13
lend 104:8	lifestyles 171:5	listen 35:15 125:17 237:13 240:7 245:1	loaders 41:1	longing 209:11
length 205:16	lift 90:13	listening 151:19 154:9 249:14 263:16	loading 40:12 85:5 85:8,21 86:3 87:11 99:13 103:19 104:19,22 105:6,20 144:6	look 8:9 16:22 34:12 41:13 47:16 47:17 49:14,15,20 78:11 110:9 114:12 133:20 135:1 137:8,8 138:11 148:8,20 148:21 199:12 201:10 206:14 227:9 230:13 239:10,11 270:15 272:15
lenient 112:16 118:13	lifted 86:11	listing 115:20	loads 35:5	looked 39:8 50:7 133:17 239:1
lethal 257:4	lifting 86:9 198:3,3	lists 249:21	Lobato 220:6,17	looking 80:15 127:6 135:20 208:4 213:10 215:7 248:22 254:7 265:10
letter 101:3 204:20 207:16 210:8 215:17	lifts 46:4	literally 76:5 236:10	local 20:7 22:5,7,17 24:19 35:3 60:13 61:15 62:16 78:16 82:18,19 84:3 89:20 92:8 112:11 118:15 123:6,6 133:12 134:6 147:1 219:21 220:20 239:8,17	looks 136:9 257:12
letters 90:18 101:1	light 23:5 34:9 67:16 71:15 197:21 205:1 216:1	Literature 200:20	locals 159:11 220:20	loophole 25:2 60:6 60:7,12
letting 78:21 133:6 137:6 184:8 221:16	lightening 104:9	litter 67:9,12 225:8	located 38:22 44:17 44:17 57:8 108:21 170:11 186:9 189:2,3 191:21	Loretto 177:1
let's 12:22 14:4,7 16:14 23:17 74:2 111:21 126:1,6 145:5 200:5	lights 109:5 226:4 244:1	little 17:17 29:4 31:6,21 38:13 45:15 59:22 111:22 142:16 144:14 145:5 168:1 180:21 204:19 225:6 228:2 265:7 271:2 271:3,11 272:21	location 39:11 64:18 69:16 109:17 132:17 192:18	Los 5:21 36:8 37:15 53:22 71:7 85:15 86:7 93:2 94:18 97:1 119:17 120:12 124:20 141:5,6,10,11,16
leukemia 165:1	limit 70:22 71:10 128:8 150:15	live 123:14 125:6 139:3 140:4 150:7 151:5,5,8 152:5 155:4 166:16 171:5 177:18 199:6 205:5 223:3 229:7 235:9 260:16 264:13 269:1,2	located 38:22 44:17 44:17 57:8 108:21 170:11 186:9 189:2,3 191:21	
level 33:22 34:19 60:10 100:17 118:15 119:11 123:8 161:11	limited 90:10 152:19	live 123:14 125:6 139:3 140:4 150:7 151:5,5,8 152:5 155:4 166:16 171:5 177:18 199:6 205:5 223:3 229:7 235:9 260:16 264:13 269:1,2	location 39:11 64:18 69:16 109:17 132:17 192:18	
levels 42:3 87:12,13 89:21 116:2 176:9 178:5 194:3	limits 44:18,19 49:5 75:15	live 127:10 168:1 168:2 175:17 231:8,9 233:13 235:11 256:11 261:21	located 38:22 44:17 44:17 57:8 108:21 170:11 186:9 189:2,3 191:21	
Levi 210:12	Lincoln 135:21		located 38:22 44:17 44:17 57:8 108:21 170:11 186:9 189:2,3 191:21	
license 25:13 29:21 39:18 42:15	Linda 153:13		located 38:22 44:17 44:17 57:8 108:21 170:11 186:9 189:2,3 191:21	
licensed 36:14 37:9 43:12 46:2	line 26:3 29:22 34:13 56:2,11 74:5 75:3 79:4 99:5 111:13 123:4 169:6 221:12,15 222:9 223:22 236:10		located 38:22 44:17 44:17 57:8 108:21 170:11 186:9 189:2,3 191:21	
licensing 22:7 29:19	lined 190:9		located 38:22 44:17 44:17 57:8 108:21 170:11 186:9 189:2,3 191:21	
lid 44:12	liner 92:11 247:6 247:10		located 38:22 44:17 44:17 57:8 108:21 170:11 186:9 189:2,3 191:21	
lies 243:6	lines 27:2,4,11 56:10 193:6		located 38:22 44:17 44:17 57:8 108:21 170:11 186:9 189:2,3 191:21	
life 112:10 148:10 161:5,10 166:2,5			located 38:22 44:17 44:17 57:8 108:21 170:11 186:9 189:2,3 191:21	

141:19 142:20 170:12 173:17 176:16 182:21 184:4,11 186:3 187:6,12 189:21 192:16,21 193:20 194:4 197:8 198:20 208:21 210:20 219:2 232:12 248:19 256:17 270:6 lose 80:13 losing 270:14 loss 33:15,16 180:19 199:21,22 199:22 204:4 209:9 210:1 268:1 268:3 losses 34:12,16 216:19 lost 258:12 lot 10:16 40:16 81:17 125:12 139:21 152:7,7 174:22 202:18 215:10 221:22 222:1 223:15 224:18 225:14 227:8,21,22 231:7 251:14,18 252:2,9 258:12 262:1 265:2 267:20,22 269:3 270:8 lots 35:9 227:12 234:5,6 Louisiana 129:1 love 147:21 174:9 209:10 215:22 216:8 233:6 loved 166:15 205:14 206:21 234:12 236:2 loving 230:20 235:3 low 29:5 42:4 47:15 94:22 95:1,13 119:10 162:12,20	206:5 246:21 lower 165:18 193:10 lowest 165:8 217:2 254:18 low-level 113:11 116:2 119:11 132:6 Lucy 10:11 11:14 Luis 1:5 5:17 19:16 19:21 26:11,19 30:12 31:12,16 34:22 137:16 148:4 157:17 162:18,18 179:7 179:11,22 180:3 180:14 185:8 218:4 221:13 265:18 Lujan 4:15 260:3,4 260:8,8,10,12 lumber 75:14 lunch 111:20 126:2 153:18 lung 164:21 Lutringer 3:23,24 222:17,18,19 228:8,9,11 268:16 268:19 Lutringer's 228:13 L-A-W-R-E 79:17 L-U-J-A-N 260:10 L-U-T 222:19 L-U-T-R-I-N-G 228:11	76:14 117:5 146:16 153:1 179:19 maintained 186:16 maintaining 34:19 109:22 maintains 75:17 maintenance 103:11 105:15 109:15,16 110:10 111:14 major 50:8 108:3,9 108:13 109:1 111:9 163:16 188:3 198:18 202:6 204:2 majority 154:18 161:5,19 makers 7:19 making 7:20 14:17 17:2 27:12 31:13 149:12 240:19 244:9 251:7 258:15 272:15 maladies 113:6 malformation 163:11 malignancy 161:13 malnourished 205:19 man 124:22 210:16 management 36:13 37:22 60:7,19,20 61:2,7 62:6 186:5 189:7 190:18 192:17 193:20 218:3,15 221:7 256:17 manager 31:11 managing 37:6 mandated 128:3 Manhattan 65:14 119:18 159:21 172:13 173:11,18 manholes 186:21 manifest 44:3 92:22 93:10,14,17	216:13 manifests 92:17 114:3 manner 69:4 manners 178:8 manufacturer 90:14 manufacturing 193:16 Marathon 130:15 march 6:19 15:7 17:7,9 63:15 185:11 195:18 Maria 3:23 217:15 217:16 Marian 3:20 170:1 170:2 Marine 102:13 mark 145:12 markers 209:8 market 159:8 markets 177:4 married 147:22 marrow 165:11 Marsha 3:25 242:5 242:8 Martha 3:21 174:13,14 Martinez 3:15 138:15,16,17 139:2 154:16 Marvin 10:12 11:14 match 113:18 material 15:1 38:1 39:3,12,18,19 40:1,3,6,22 41:9 42:10,18 43:1 45:21 46:12,17 47:5,11,13 48:20 49:18 50:3 54:3 57:11 59:1 65:6 66:1,3,9 67:19 71:4 72:13 74:20 76:12 85:6,7,14 85:22 107:17 110:12 138:2	143:16 145:10 167:1 169:10 194:15,17 204:6,9 247:5 248:3 252:5 254:2,8,17 materials 5:20 8:1 8:4 16:7 17:1 49:21 57:14 67:9 67:16 70:22 71:10 103:9 179:13 180:5,8 181:6 189:15,16 190:22 191:3,13 192:6 252:11 257:8 Mathew 31:10 158:5 Matt 9:22 matter 7:7 8:19 15:10 31:21 35:12 47:13 48:21 69:5 70:9,13 135:9 201:6 233:9 253:16 matters 29:13 101:15 Matthew 1:21 3:7 5:3 max 11:16 maximize 34:6 maximum 10:15 95:21 105:5 111:3 mayor 264:16 265:19 267:1 Ma'am 126:15 McCarroll 79:11 237:17 McCarroll's 154:10 meadow 216:4 mean 12:12 82:1 87:4 137:11 146:11 150:9 180:20 209:19 213:16 226:20 227:1,4 258:12 261:14 meaning 49:11
	M			
	machine 193:2 machining 193:18 magic 176:8 mail 9:3,19 90:19 main 50:2 158:15 176:4 205:18 207:19 216:9 223:2 258:1 mainline 32:6 maintain 46:6			

95:14 171:21 224:1 means 8:13 38:17 95:4,22 135:13 219:1 223:15 231:16 269:21 meant 83:4 measure 112:11 213:10 measured 108:14 measures 113:21 114:1 226:12,13 mechanic 264:9 mechanical 32:11 88:20 95:16 109:7 mechanically 96:1 96:4 media 118:16 172:14 220:17 mediator 229:2 medical 187:21 188:5 meet 14:20 42:12 43:2,15 46:5 54:5 54:7 65:18 143:21 144:7 meeting 5:7 6:11 10:3 51:16,21 52:5 60:9 72:20 86:19 133:1 184:21 218:14 262:3 meetings 74:21 140:7 155:14 211:2 239:22 meets 54:9 193:21 194:20 megabyte 12:11 megabytes 10:15 11:16 melodramatic 215:5 member 23:6 56:10 84:16 112:3 161:2 173:20 183:20 members 7:18 14:13 88:4 106:9	106:13 107:2,19 112:4 163:22 197:11 229:22 262:19 272:15 memory 210:11 216:6 268:1,3 men 115:9 mental 166:17 mention 29:7 79:21 82:8 110:1 141:16 175:12 203:11 237:16 mentioned 80:17 136:11 141:15,21 142:17 145:21 148:12 150:13 151:8,11 213:19 mercury 191:6 192:8 mere 201:13 merge 29:22 merged 30:1 merit 70:12,14 merits 7:15 mesita 176:1 mess 133:13 232:13 message 267:7 Mestas 3:15 133:8 133:9 135:11 154:10 met 36:6 metal 43:7 44:11 66:12,21 87:6 92:12 93:4 98:15 99:5,12 107:21 247:10 metals 189:17 193:4 metaphor 217:1 meteorological 186:20 meter 47:22 48:7 meters 76:5 method 190:10 methods 219:1 224:11 Mexico 5:21 28:16	36:9 40:13 75:3 87:10 116:9 132:7 132:12 139:17,19 142:2 148:18,20 150:11 172:18 182:18 183:19,21 184:2,13 185:11 186:10 187:7 214:20 215:11 220:2 234:18,18 269:15 270:5,7 Mexico's 119:13 mi 174:10 Michael 3:10,13,18 102:3,4 154:2,4 201:21 Michele 3:19 160:16 161:1 microcephaly 163:9 microcurie 48:1 microcuries 47:20 116:6 microphone 7:2 126:17 127:3 153:8 244:15 middle 169:3 197:7 241:6 265:16 Middlemass 103:19 105:20 Midwest 218:21 migrate 95:7 98:2 Miguel 101:10 mijo 206:14,16,17 207:1,6,11 210:2 mike 54:20,22 71:19 72:9,10 73:11,13 126:18 145:20 262:14 267:1 mikes 84:10 mile 44:19 130:5 135:1 138:9,11 144:4,13 164:22 221:19,20 miles 38:22 45:7 74:22 75:1 111:8	134:22 138:10 141:19 142:13 170:12 174:3 175:4 186:9 224:15,18 230:14 236:4,13 262:8 269:2 mill 128:20 millennia 170:17 Miller 2:19 5:11 8:12 12:14 13:1 13:13 14:11 30:14 72:10 73:1 153:14 153:21 167:15 181:22 182:5 228:7 244:18 million 39:14 128:9 186:13 218:5,7 229:4 millions 216:18,18 mind 23:3 26:13 56:5 minded 239:16 minds 214:16 mine 148:9 150:4 221:1 222:14 mineral 259:7 mines 80:11 88:16 mine's 73:18,19 mini 175:14 minimal 105:21 minimally 105:16 minimized 164:1 minimum 42:11 60:9 mining 164:11 269:19,21 minute 23:17 46:13 126:1 minutes 23:2 71:22 138:11 212:6 mirror 206:20 miscarriage 164:16 miscarriages 268:3 miscellaneous 186:19 missile 256:7	missing 32:15 106:13 mission 37:1,4 177:11 187:7,11 mistake 132:1 211:16 mitigatable 239:1 mitigate 51:12 120:16,20 mitigation 77:9,12 78:15 88:22 115:8 Mobil 130:14 modal 99:18 mode 21:19 246:9 modern 233:15 modes 219:1 moisture 96:1 144:20 mom 101:20 264:4 moment 121:13 228:5 229:9 257:21 momentary 168:17 moments 205:1 216:1 money 136:18 137:10 149:12 151:12 155:19 156:1,13 211:13 211:14,15,15 218:8 271:19 monitoring 127:19 128:2 129:3,9,11 193:15 Monte 35:1 month 110:17 176:2 months 219:5 224:20,21 235:12 moods 216:22 moon 41:5 moot 70:14 moratorium 115:17 Morgan 161:11 morning 13:9,17 13:19 17:20,21
--	---	--	--	---

18:19,20,21 19:20 35:19,20 88:1 135:7 205:12,20 216:7 257:19 mornings 258:2 morning's 33:8 moronic 227:19 mother 207:4 235:21 mother's 207:9 motion 73:7,10 98:15 motions 72:21 motivating 121:11 motor 213:11 mountains 144:21 168:7,21 170:11 272:4 mouths 203:12 213:7 move 53:15 72:17 96:2 111:6 118:10 121:8 179:13,20 180:1,7 181:5 205:18 223:3 272:20 moved 39:14 120:3 120:4 216:15 222:22 228:14 246:18 269:9,15 movement 180:5 moves 117:3 moving 28:21,22 76:12 114:21 118:13 181:7 Mt 157:15 multimillion 208:14 multinational 208:15 munido 231:16 municipal 24:8 municipalities 109:11 238:13 mutation 163:10 mutations 262:7 Mutua 158:13	myriad 113:4 mysterious 176:12 M-A 31:10 217:16 M-A-R-I-A-N 170:3 M-A-R-S-H-A 242:8 M-A-R-T-H-A 174:15 M-A-R-T-I-N-E-Z 138:17 M-E-S-T-A-S 133:10 M-I-C-H-A-E-L 154:4 M-I-K-E 73:14 <hr/> N <hr/> N 5:1 Nagasaki 159:22 211:9 214:13 Nahual 205:9 naive 215:9 name 5:3 6:20 7:1 13:9,17 17:22 19:3,14 31:9 35:22 36:4 73:13 79:16 84:14 88:2 101:19 102:4 112:1 123:13 126:16 127:4 138:16 147:10 152:3 154:4 157:11 161:1 162:4 167:12,20 170:2 174:14,20 179:1 182:4,6,11 182:13 187:13 196:6,7 206:10,17 207:13,14 222:19 228:10 234:8 242:8 255:14 260:3 261:19 267:17 268:22 named 85:19 207:17 names 271:17	name's 260:7 263:13 Naranjo 3:20 170:1 170:2,3,9 narrow 21:4 145:20 222:13 narrow-gauge 27:6 NASA 256:16 national 29:9 93:3 112:21 124:20 130:19 164:19 170:12 182:22 184:4,11 188:4 197:8 208:21 Nations 259:1 Nationwide 115:14 native 88:14 124:10 127:5 156:7 172:8,18 natives 229:21 233:12 natural 171:2 191:7 192:9 193:2 193:18 202:22 253:10 259:5 naturally 95:6 nature 211:18 223:4 235:22 252:21 Navajo 157:17 164:11 near 26:3 60:8 98:18 131:12 172:10 189:21 203:15 227:2,2 243:2 nearly 207:16 necessarily 78:18 103:5 228:18 necessary 63:7 251:4,19 need 8:16 9:10 80:4 80:14,15 81:21 96:1 116:9 137:7 138:7 140:14 167:3 178:10 201:15 207:21	226:10,11,12 247:2 263:2 266:5 269:16,20 needed 32:16 96:12 112:12 needs 18:6 36:20 77:8 226:19,21,22 251:21 258:4 negative 163:17 164:8 negatively 115:4 negotiate 134:17 negotiated 249:12 249:16 250:21 251:8 negotiation 134:15 negotiations 51:9 134:8 184:1 negotiator 258:22 neighbor 20:1 197:6,12,14 200:15,16 neighboring 138:19 139:3 neighborly 222:8 neighbors 78:17 110:2 166:15 197:5,13 200:17 216:2 neither 91:3 96:16 238:6 239:6,10 nemesis 159:13 NEPA 29:17,20 30:3 70:17 100:18 101:2 123:8 net 33:15 never 77:11 121:15 124:5 134:15 140:6,8 177:21 206:9,21 214:1 229:3 230:3 231:4 233:21 259:18 nevertheless 33:15 106:7 new 5:21 23:20 25:12,20 28:16 36:9 40:13 75:3	77:18 87:10 116:8 119:13 132:7,12 139:16 142:2 152:6,11 172:18 178:6 182:18 183:19,21 184:2 184:13 185:11 186:10 187:6 196:16,17 199:4 214:20 215:11 220:2 222:22 228:15 229:1 236:19 269:15 270:5,7 newly 27:14 news 112:18 119:14 newspaper 87:17 nice 21:18 33:6 130:8 207:4,10 niece 262:20 night 109:7 132:20 142:8,9 169:17 197:7 207:5 nightmares 178:19 nine 107:12 NIRS 163:5 164:7 non 182:18 non-cancer 163:6 164:15 non-compliant 119:9 non-DOT 42:2 47:14 48:5,7 non-ferrous 193:4 non-manufacturi... 194:15 non-profit 88:4 non-radioactive 193:3 non-regulated 49:10 non-secular 199:13 normal 144:9 north 38:6 49:14 97:6 106:21 110:19 139:4 186:10 208:22
---	---	--	--	--

222:12 259:2 northeast 24:12 130:8 northeastern 24:2 northern 25:12 161:7 177:4 214:20 215:11 Northwest 9:14 notably 105:8 note 9:5 28:9 44:16 45:16,20 63:13 194:2 noted 177:6 notes 225:11 notice 85:22 noticed 86:12 notices 115:3,6 200:19 noting 177:8 novel 90:8 November 55:6 89:5 93:21 94:10 98:6 127:14 158:16 NRC 39:17 47:17 116:11 117:2 118:9 nuclear 13:21 40:16 111:6,9 112:20 115:12 116:11 119:5,11 120:8 121:22 128:5 133:18 138:2 139:5 149:6 150:18 163:4 171:12 172:5,9 178:6 182:17 187:14,15,18 189:5 202:19 208:19,20 211:13 211:19 230:9,9 232:1 233:18 234:1 235:10,21 236:12 244:10 246:4 260:13 nuisances 58:12 number 9:5 56:16	57:18 61:17,17 249:21 257:2 numbers 9:1 222:2 222:3 numerical 254:22 numerous 127:22 177:19 187:17 nuts 105:14 N-A-R-A-N-J-O 170:3 N-C-E 79:18 <hr/> O <hr/> O 5:1 Obama 20:4 28:6 125:11 151:11 objectively 136:10 obligated 78:7 observation 104:1 155:1 obstacles 161:16 obtain 63:4,7 obtained 93:10 obvious 26:3 109:21 120:2 199:22 245:3 obviously 41:7 45:3 50:16 104:3 134:17 159:10 197:13 246:2 253:13,22 occasion 164:2 occasionally 256:16 occasions 201:2 242:21 occupation 264:7 occur 57:12 59:1 104:18 106:16 108:2 128:2 132:2 155:22 occurred 55:4 105:12 111:2 131:9 243:19 occurrence 109:10 110:3 162:21 163:12	occurring 171:2 occurs 66:9 100:18 123:8 131:4 165:16,18 ocean 206:8 October 55:6 59:3 89:4 91:2,22 92:9 99:9,16 100:1 188:18 218:13 odd 100:13 123:4 134:19 offer 26:14 72:4,6 208:6 offered 37:19 199:10,11,15 208:12 offering 198:2 office 1:22 2:14,20 5:4,9,12 85:11 86:1 93:12 133:19 176:6 191:2,15 194:14,20 officers 256:7 official 77:13 80:3 89:7 officials 6:15 17:14 18:14 51:4,10 79:14 93:20 219:14 offload 130:4 offloaded 129:16 132:18 Oh 13:2,7 19:4 25:16 153:2,9 183:11 268:14,16 268:21 Ohkay 157:19 Oho 132:11 oil 22:11 128:16,18 181:13,14 oils 189:11 191:8 192:10 okay 10:1,21 11:5 11:10 12:15,17 13:6,16 16:2,8,13 16:15 17:12 18:12 30:21 31:4 35:17	35:22 36:1 51:11 53:19 54:12 66:10 67:17 72:11 73:11 79:12 84:6,20 111:22 126:5,9 127:1,9 135:14 136:10 153:12,13 153:17,21,22 156:2 167:19 182:2,10 183:8,11 183:15 228:10 242:10 255:12 259:20 260:11 268:19,20 old 204:22 262:20 267:19 oldest 256:14 264:3 once 28:15,17 43:13,17 46:8 48:19 96:3 107:18 176:2 203:15 241:9 oncoming 109:3,6 206:2 ones 32:13 64:5,6 166:15 212:11 234:12 236:3 one's 248:20 online 8:15 oozing 40:17 open 86:9 122:18 141:19 210:17 213:9 233:2 235:17 239:15 241:3 opened 37:18 43:11 44:10 213:6 233:4 opening 49:3 59:21 open-minded 239:15 operate 31:19 32:1 32:5 33:1,14 34:1 41:2 48:12 120:13 179:8 operated 27:8 60:8 60:21 93:8 190:19 191:11 250:12	operates 27:19,19 90:3 operating 25:14 61:2 198:17 199:1 253:17 operation 32:22 33:1,2 36:17 45:8 54:9 60:14 63:1 181:17 186:17 188:17 203:7 224:21 237:18 245:12 246:20 254:6 255:2 operations 6:9 28:3 45:4 50:22 51:3 61:6 62:20 63:16 129:14 185:21 193:18 246:15 250:5 252:12 operator 136:16 198:11,13 operators 41:2 opine 23:15 opinion 156:19 204:15 opportunity 8:9 30:8 36:16 53:7 160:21 168:9 228:21 231:20 244:21 255:8,16 oppose 61:6 opposed 82:17 156:15 197:19 opposing 145:15 opposite 114:2 171:14,17 opposition 101:9 196:20 option 53:2 options 234:7 oral 6:11 7:16 23:8 Orange 256:5 orbits 206:13 order 1:6 5:17 29:19 78:4 81:22 85:18 100:15 184:14 185:12
---	---	--	---	---

188:9 196:14	overrun 214:10	paint 212:15	26:1 65:5 106:19	124:13 186:3
organic 124:9	overseeing 36:13	painted 105:10	107:7 108:15,16	194:3 210:22
223:7	overseen 248:12	painting 197:18,21	120:6 196:14	PCPs 86:6
organically 124:5	oversight 128:2	Pajarito 186:9	202:16 204:9	peace 157:22 158:3
organization	overspill 106:17	Paktek 90:13 96:6	254:5	166:11
158:16 177:12	overt 158:20	96:6	particularly 103:6	peaceful 187:18
182:17,19 183:17	overview 32:14	palate 163:9	106:4 181:10	people 14:15 35:10
218:20	overwhelming	palpable 212:17	parties 88:10	39:21 40:15 66:17
organized 24:14,21	33:16	paper 9:3 128:19	253:14,17	69:15,19 81:18
51:22	Owingeh 157:19	128:22 129:1,1	parts 128:9 153:6	82:7 84:21 85:5
organs 213:10	170:10 173:21	parachute 214:14	238:16	87:19 111:19
origin 110:18	owned 60:15 61:3	parades 234:8	pass 143:10 145:6	112:9 121:14
original 9:4 21:2,8	134:6 159:11	paradise 168:6	147:19 207:5	122:13 127:22
21:10 22:1,12,19	208:14 220:1	parallel 29:8 89:19	216:3 243:6,7	133:17 136:16,17
23:12 43:21 44:6	owner 55:13,20	203:20	passed 28:15,17	137:20,21 139:21
64:19,22 66:5	owner's 76:7	parameters 118:4	101:10 147:3	148:21 149:20
67:1 69:1 80:18	owns 83:7	Parish 1:12 167:21	209:7 238:14	151:6 155:19
89:10 91:3,4,5,17	oxidation 105:12	park 74:19 121:2,8	passenger 28:3	156:4,5,5,10,11
158:19 159:6	oxidized 105:14	174:4 212:13	137:18 138:4	156:13,13 157:16
214:2 238:20	oxidizers 46:17	213:7 214:10	passengers 243:15	157:17,19 158:18
originally 89:4	oxygen 158:6	parked 97:22 98:18	passersby 106:10	158:18 159:11
91:1 222:21	O-K 53:22	part 8:20 12:3,3,3	passing 217:12	160:1,9 161:15,16
223:10		20:2,6 24:2 26:16	passion 152:8	169:5,19,21
origins 211:3	P	33:17 40:10 52:16	162:5	170:18,18 171:4,9
Orlinda 153:14	P 5:1	53:7 64:10 75:21	paste 189:12	172:17,18,21
259:17	Pacific 6:3 27:3,10	80:19 100:9	patch 197:3	173:5 174:11,22
Ortiz 175:10,14	27:10,11,13,17	120:17 121:4,8	patent 247:12,13	175:9 179:16
OSHA 127:20	30:1,2 101:6	132:9 133:13	patience 90:1	196:2 199:18
128:7 129:4	215:3	158:9 173:3	Patient 208:18	200:7,13 202:2,17
osmosis 96:12,16	pacifist 256:14	180:14 183:14	patriots 211:4	204:3 205:7 208:2
outer 247:5	pack 90:13	189:5 197:16	patrol 133:22	211:20 214:12,19
outfall 192:20,21	package 40:22	199:7 202:7 204:2	pattern 119:1	217:20 218:11
outfitting 259:3	41:19 42:10 43:1	235:5 239:3 240:4	Pause 16:1 17:3,19	219:8,20,22 220:5
outlet 193:6	44:10 45:18,19,22	241:10 253:17	18:18 19:13 30:16	220:19 221:21
outset 16:11 249:4	46:4,8 47:5 48:15	Parte 61:16	84:19 111:16	222:1,1,7 223:12
outside 16:11 44:18	packaged 36:8	partial 163:6	126:8 153:3 166:8	225:14 227:8
49:9 74:22 75:1	37:15 40:19 42:13	participant 10:19	167:16 237:9	229:22 230:19,22
92:10 118:14	42:16 43:14	13:11 30:20 72:3	260:2	231:1,8,11,13
159:11 168:14	packages 42:14,17	131:17 153:16,18	pay 137:14 144:8	232:16 233:2
234:3 242:20	42:21 43:4,11	153:19 157:1	261:11	235:2,3 243:16
248:5,8	49:17,19 115:20	181:20 182:3	paycheck 136:9	244:3 253:12
outstrip 259:6	page 3:2 67:3	259:18	paychecks 229:10	258:5 260:15
ovarian 164:10	195:16	participated	paying 179:17	265:21 266:2,4
overcome 97:14	pages 11:17 195:17	183:22 184:12	261:13	267:13 269:3,12
overemphasized	pain 204:4 205:22	203:6 250:9,10	PCB 143:16 191:7	270:2,17 271:5,7
109:22	209:4,8,13 213:20	participating 184:6	192:10	271:15 272:6
overflowing 76:8	231:7	particular 25:22	PCBs 24:7 113:17	people's 227:3,4,21

perceive 79:2	perpetuity 213:5 251:13	188:5	plaguing 166:18	35:8 37:18 38:2
perceived 159:14	person 134:6 166:5 255:11	physically 230:17	plaintiffs 69:22	40:9 44:15 46:1
percent 102:14 124:4,19 164:9,12 164:14,18,20 165:1 198:17 199:2 265:11	personal 39:22 104:1 249:2	physiology 113:2	plan 77:9,12 78:2 78:15 79:6 100:18 114:10 115:8 121:5 123:9 183:3 219:1	49:1 55:18 59:4 60:2 63:9,18 64:1 65:20 67:3 69:22 74:17 78:17,20 82:22 94:15 95:18 103:22 105:14 108:16 110:17 128:4,14 171:19 181:4 200:7 203:19 211:2 227:19 238:9 240:14,14 248:8 271:1
percentage 74:15	personally 82:9 103:1 132:5 224:8	pick 33:9 156:12,15	planes 28:12	108:16 110:17 128:4,14 171:19 181:4 200:7 203:19 211:2 227:19 238:9 240:14,14 248:8 271:1
perceptions 247:22	personnel 85:12 129:3 191:17	picture 78:2 93:14 93:17 101:22	planet 227:22	pointed 117:1
perfectly 235:13	persons 58:18	pictures 40:11 145:21	planned 129:12 262:5	points 37:10 59:5 59:16 164:1 200:21
perform 37:13 45:8 245:12 255:2	perspective 64:4 102:21 196:16 224:17	pile 26:2	planning 121:13 227:18	poison 140:3 159:20 160:1,2
performance 118:7	perspectives 181:11	piles 201:11	plans 78:22 149:13 150:2 188:13	poisoned 148:6
performing 253:1	pertaining 90:9,16	pilot 183:2	plant 34:9 183:2 234:5	poisoning 232:22
period 52:9 102:18 171:6 172:1 184:5 190:12,16	pertinent 195:17	Pipeline 49:21	plants 110:21 129:2 140:10	poisonous 46:16
perked 218:5	Peru 229:6	pit 205:3	plastic 66:10 67:5 81:3,8 83:20 135:12 190:10,14 236:14,16 247:3,7	poisons 47:3
perlite 75:4,15 76:3 76:8 80:11 110:1 110:3 121:4 137:13 143:10 144:16 145:3,8 201:11 202:3 219:18 244:7	pesticides 152:13 166:2	pits 144:22 173:10 173:16 190:8,19 190:21 191:4,11 211:14	plastics 190:5	police 77:16
permanent 186:14 210:11	petition 1:6 5:16 6:6,12 14:22 15:15 29:18 70:4 89:10,14 90:7,16 99:22 100:4,20 113:20	placard 202:10	Plateau 186:10	Policy 29:10
permanently 210:15	petitioning 100:14 123:5	placards 114:17	play 64:3	politician 264:14 264:20
permeability 95:2 95:13	petrochem 130:12	place 34:7 41:8 51:15 74:22 100:3 116:4 134:1 145:4 156:15 157:19 165:17 166:16 168:4,8 169:15 170:15,18 172:6 200:11 205:6 206:8 208:5 217:6 223:14 224:12 226:13 229:16 230:1,18 233:1 235:9 243:22 244:2,10 252:12 252:13 253:6 254:11 265:17 270:1,17	playing 120:19 196:21 234:2,3	pollutants 181:15
permeable 96:2,8	pharmacy 176:5	placed 43:18 44:11 66:9 118:3 132:19 206:19	please 8:10 15:22 16:17 62:22 87:18 89:1 92:4,16 94:14 99:16 100:21 111:11 133:2 167:6,7 169:20 182:11 207:6 260:9 266:19 267:15	polluters 201:9
permeates 96:18	Phillips 130:15	places 31:19 116:8 116:14 172:10 176:18 214:20 215:13 229:13 230:22	Plato 186:10	pollution 62:1 131:16
Permian 27:18,18	Phillis 2:12 5:8	plague 24:1,2	play 64:3	ponder 168:17
permission 123:2 170:6,7	phone 133:15		playing 120:19 196:21 234:2,3	ponderous 176:10
permissions 63:5	phones 21:18		please 8:10 15:22 16:17 62:22 87:18 89:1 92:4,16 94:14 99:16 100:21 111:11 133:2 167:6,7 169:20 182:11 207:6 260:9 266:19 267:15	pool 97:1
permit 51:6 52:6 55:9 56:12 63:7 83:1 85:17 87:16 181:16 184:3 193:13 249:7,9 250:18 251:9	photo 106:3,22 110:8,8 202:1		plum 164:22	pools 86:15
permits 60:7 63:6 134:1,12 145:15 218:17 254:9	photographs 40:12 41:13		plume 164:22	poor 75:8,13 107:11 109:16 172:7 199:7 208:5 225:21,21,22 226:6
permitting 22:8	photos 103:14,16 104:2 105:11 106:12 107:15 108:10,17 109:2 136:22		plutonium 191:22 211:13	poorest 215:12

portion 144:17 189:4	practice 48:17 53:14 78:21	257:8	192:7 235:17 236:1 247:2 252:3 256:3 257:22	profusely 101:13
posed 26:3 61:1 99:8	practices 75:8,13	presently 100:3,3	problem 33:19,20 67:12 109:14 173:13 231:22 232:11	program 32:14,18 188:3 189:6
position 64:16 65:16 66:22 80:20 81:13 99:10 102:20	practicing 78:16	preservative 104:13 107:18	problems 137:1 174:6 219:16 224:13 231:21 257:9	programs 187:17
position's 102:21	pray 166:20 169:17	president 20:4 28:6 60:4 98:7 151:11 158:12	procedural 3:4 10:11 11:13 72:15	prohibit 24:20 252:10
positive 205:4 208:8	prayer 167:8	pressure 97:12,14 118:8 206:5	procedure 77:12	project 41:11 65:14 88:20 119:18 120:9 125:10 159:21 172:13 173:11,18 187:8 226:10,15 258:4 259:10
positively 175:8	precedence 22:4	pressures 217:4	procedures 91:13 92:15	projected 125:9
possess 178:3	precious 180:7	presumably 198:4	proceed 10:3 114:9	projectiles 191:22
possibility 80:9 83:14	precipitation 39:5	presumes 259:11	proceeded 86:8	projects 93:12
possible 14:14,17 104:8 110:12 114:16 115:10 185:16 216:21 224:16 226:18	precipitous 176:10	presuming 257:17	proceeding 29:8 192:4	proliferation 232:1
possibly 104:9 106:9	predawn 205:17	pretty 31:19 135:4 266:22	proceedings 1:22 2:20 5:5,12 19:18 89:20	promise 78:9,9 251:14
post 176:6 245:21 272:17	preempt 123:6 147:2	prevent 25:11 26:14 42:17 62:20 162:8	process 6:13 17:10 36:18 52:8,8 53:7 100:18 101:2 128:21 178:8 197:10 200:9,14 200:18 201:3 238:1 239:2 240:3 250:19	promised 90:20
post-war 264:6	preempted 59:18 75:18 112:13	prevention 62:1	processes 193:17 253:8	promises 131:17 251:7
potato 243:13	preempting 76:17 77:5	prevents 60:12	processing 24:5,6 49:14	promote 75:10
potatoes 35:7 259:9 259:12	preemption 21:11 21:12 22:2,6 25:7 59:12 77:1 80:13 82:10 83:12 87:18 122:19 135:21 238:9,12,15 239:7 239:13	previous 105:19 111:1	properties 125:10 224:6	promulgated 219:4
potential 77:7 137:3 138:3 152:18 215:16	preemptive 100:15	previously 216:11 227:7	property 55:20 57:3,7,13,15 58:5 58:6,7,19 60:14 60:21 61:3,12 63:19,21 80:1 83:7 117:20 123:16 125:3 158:21 223:20 251:11 258:9 262:17	proper 20:9
potentially 77:7	preempts 22:16	pre-boring 108:2	proclivity 24:15	properly 59:6 111:7 202:11 233:21,22
pounds 95:20,20	premature 100:18 123:9	pre-Colombian 157:21	produces 181:14 259:13	properties 125:10 224:6
poverty 198:3 199:8 208:9 211:20 213:15 214:9 215:21	premise 61:13 74:7 118:13	primarily 40:7 58:20	product 38:5,7 49:16 127:18 129:19 152:18 240:14	proposal 67:8,11 76:15 78:1 89:21 179:8 181:17
power 26:3 159:15 166:13 234:4	premised 58:21	primary 59:8 187:11	products 124:7 152:22	propose 68:7
powered 234:5	prepared 14:13 114:7 169:13 196:10 204:18	primed 105:9	professionals 253:3	
powerful 171:2	present 2:10 57:2 60:16 128:19 133:6 154:10 174:16,18 211:13 218:18 255:9	Primo 210:12	professor 161:17	
PowerPoint 11:18	presence 112:5	principle 97:11 127:20 165:3 220:6	profile 97:9	
powers 234:2	presentations 25:22 26:17 136:6 202:1	prior 103:13 127:20 165:3 220:6		
ppm 128:9,10,12 128:13	presented 218:22 252:20 254:14	priority 163:20		
practical 69:5 73:22		prison 207:1		
		private 54:2 61:5 79:22 218:6		
		privatized 39:17		
		pro 90:5 155:2		
		probably 14:5 16:10 24:1 27:5 52:21 136:8 142:5 143:20 166:2		

197:15	proximity 122:4 135:4,5 144:14	81:4,9,12,22 96:9 122:4,5 146:17 151:12 152:11 158:1 190:14 202:8 203:22 213:17 220:17 226:13 227:2 251:1 252:6 259:11	R 5:1 152:4 races 232:3 racism 158:20 radiation 87:11 113:1 128:14 130:9 161:12 163:7 164:8 165:3 165:8 170:22 215:1 246:5	181:9,13,18 225:17 245:14 246:10
proposed 38:8 57:3 57:12,14 65:7 76:18 77:11 88:10 89:9 100:16 103:3 110:4 111:9 114:11 121:2 123:7 124:15 130:21 181:17 183:1 184:2,16 185:3,20,22 188:20 192:15 195:6	public 3:5 4:10 5:6 6:11 23:4,6 35:12 37:5 45:10 51:15 51:21 52:9 55:5,8 55:11,14 58:17 59:3,14 60:17 61:5,8 62:3 67:21 72:20 77:13 80:3 89:11 90:9 92:8 98:5 99:15,20 100:10,22 109:9 114:5,18 149:15 184:21 188:22 197:10,11 200:9 200:13,19 201:6 211:2 252:20 254:13	putting 227:21 p.m 273:3	radioactive 37:6 38:15 39:18 40:15 47:2 49:10 65:9 65:13 66:3,16 69:8 76:12 85:15 85:21 88:11 92:18 93:1,8 94:9,19 95:4 96:14,19 99:1,13 117:20 122:19 124:13 129:16 130:4 131:2,9,12 132:18 133:3 143:16 145:10 161:9 162:22 163:15 164:5 166:12 189:15 191:3 192:5 254:19 262:4,17 263:1,5 267:21	RailAmerica 26:22 27:15,16 railcar 38:11 44:9 132:19 252:15 railcars 6:1,2 45:2 49:16 208:14 209:18 210:7 railhead 155:16 railroad 1:5 5:15 5:18 6:3,17 16:19 17:8 18:9,17 19:17 20:6,11,19 25:2,4,5,13,13 26:1,18 27:3,7 28:2 30:13,19 31:2,3,12,16,17 31:18 32:4 33:14 34:18 35:1 36:6,7 50:17 52:1,18 53:3 55:20,22 56:2,6,13 59:6,9 59:12,16,19 61:11 61:12 62:21 63:1 63:3,10,19 64:2,9 64:14,18 65:1,16 65:19 66:8,13 68:21,21 69:2,9 70:16 72:12 73:20 73:21 74:1,4,5,9 74:11 75:5,17 76:22 77:2,4 78:3 78:19 80:7 81:10 81:12 83:7 85:20 86:14 90:2 91:7 99:7 101:6 102:22 103:2,10,21 104:17 105:1 106:2 107:8,10 108:22 109:1,13 110:12 123:5 124:18,21 125:12 130:18 134:5,10 136:19 137:4,10 137:16 141:17
proposing 68:12 69:16	publically 154:6,12 155:13	<hr/> Q <hr/>		
prospective 181:6	Pueblo 157:18 170:10 173:21	qualify 91:12		
prosperity 206:6	puela 205:13	quality 57:1,5 166:2,19 181:8 226:6 269:10		
Proteccion 158:12	pull 95:8	question 6:7 10:8 10:11 11:11,13 13:8 15:19,20 20:21 21:14,22 64:21 66:4 71:20 72:15 99:7 117:15 145:12 155:12 214:11 247:4		
protect 34:13 37:5 45:10 61:8 71:13 91:19 99:3 101:22 112:8 113:21 114:13,21 158:8 158:10,21,21,22 169:18,20,20	pulling 176:11	questionable 92:14		
protected 97:11 115:3 119:10 254:13	pulp 128:20	questioned 86:20		
protecting 159:17	pumping 128:17 129:8	questions 3:4 7:5,6 7:13,14 10:2 13:6 17:5 30:6 52:15 80:22 114:8 115:15		
protection 57:1 62:2,3 167:7 226:14	purchase 134:10	quick 18:6 72:2	radioactives 46:19	
protective 40:1	purchased 103:20 130:7 134:10	quickly 121:9	radioactivity 41:17 87:16 246:5	
proud 174:18 231:11 235:2	pure 158:6 245:13	quiet 130:3	radionuclides 38:16 96:8,10 113:17 115:19 189:17	
proven 233:13	purely 252:13	quietly 126:7 176:17 178:7	radon 210:22	
provide 42:20 71:16 185:14,18 194:22 195:9,14	purpose 42:16 45:9 61:14,18 135:22 141:10	quite 147:16 148:1 242:15 248:17 258:8 270:6	Rafael 175:11	
provided 40:11 113:16 188:21	purposes 50:5 106:7	quote 60:1,3,18 61:16 62:7 118:7 118:21 165:5 190:21	raft 199:10	
provides 114:15	purview 66:20	quotes 59:21 192:12	rail 28:9,22 29:1,22 44:12,13 48:16 50:6,10 60:21 61:19 62:9 69:11 75:3 79:4 82:1 93:5 94:10 111:7 123:4 129:17 179:20 180:1,8	
providing 37:8 179:12 184:13 192:12 198:7	push 97:7 214:4 235:20	<hr/> R <hr/>		
provision 23:3,19 23:21 25:10	pushed 156:8,10			
	put 20:8 21:18 38:10 43:16,22 45:2,17 48:15 49:16 52:13 79:4			

143:3,5 145:11,17 145:18,19 147:19 150:22 151:1 152:4 159:3,9,14 160:11 176:16 177:8 179:7,11 180:5,11,12,13,17 180:19 181:3,5 185:5,8 192:14 193:22 194:10 195:3 196:20 197:19 201:7,14 201:21 212:19 218:4,7 219:18 220:1,5,9,11,19 220:22 221:2,2,3 221:4,14 222:6,12 226:2 232:20 238:14 240:5 253:9 254:15 255:1 257:20 259:8,9,10 265:9 265:14,22 266:1 270:2,3,4	138:19 139:11 ranchers 115:3 243:3 255:19 range 101:4 117:14 rapid 95:3 rarely 208:7 rate 97:5 162:13 181:2 rates 163:2 165:19 reach 43:11 45:19 47:1 108:15 176:18 178:16 250:11 reaches 46:8 react 150:6 reactions 187:21 reactor 113:13 234:2 reactors 187:19 read 7:20 8:20 16:4 23:18 57:17 94:6 149:2 218:2 261:3 270:8 readily 132:20 reading 175:1 ready 8:19 real 18:6 25:7 64:21 72:2 137:1 172:2 178:15 229:17 234:7 265:1 realize 137:22 215:17 219:10 222:11 226:9 really 28:20 30:2 50:2 53:8 78:3 80:7,14,15,21 81:10 82:11 102:7 140:16 151:13 196:13 218:19 221:11 222:4 224:22 225:8 226:10 227:5,10 227:21 229:12 233:6,6 253:21 254:7 255:7,8 261:4,22 265:4,13	267:13 realtor 125:4 reapply 83:5,8,15 rear 19:12 reason 43:19 81:14 147:12 223:2 267:10 269:7 reasonable 16:3 255:5 265:12 reasoning 108:6 reasons 25:9 109:21 145:16 rebut 257:21 rebuttal 72:4,6 211:11 recalibrated 129:6 recall 266:6 receive 39:20 40:8 49:6,6 50:10 100:8 109:12 124:16 received 37:17 46:2 123:21 233:6 receiver 118:19 receiving 120:15 recess 126:3 reciprocal 208:1 reclassifying 118:9 recognition 70:13 recognize 56:1 57:7 65:6 recognizing 245:18 reconvene 126:2,6 record 16:17 17:22 19:3 35:12 64:11 70:21 100:10,22 111:12 126:10 194:13 195:17 201:6 237:16 238:2 239:4 253:16,20 273:2 recorded 109:18 265:19 records 35:13 109:17 195:10 recounted 176:21 recover 166:11	recreation 146:8 red 76:4,13 137:13 219:19 244:7 redistribute 95:17 reduce 34:14 reference 92:4,16 93:16 94:14 96:9 98:13 247:9,11 248:21 referenced 94:4 references 94:6 referred 77:3,5 249:12 referring 247:13 refinery 121:4 131:16 reflect 174:21 Reflecting 130:11 refuges 146:10 refute 198:15 regard 55:5 56:6 56:14 58:4 62:12 62:13,14 68:22 69:20 70:21 196:21 199:5 regarding 72:8 88:10 109:19 region 39:9 255:20 regional 158:14 regular 33:3 65:8 67:13,18 129:6 regulate 37:22 61:11 68:19 71:14 117:2 regulated 42:3 47:14 48:6,8 60:22 62:15 116:19 117:17 120:22 150:15 regulates 5:14 47:17 48:20 regulating 60:13 121:20 regulation 20:14 22:5,21 24:19 49:12 61:15 62:8 68:10 82:13	112:10,16,16 118:14,14 122:13 147:2 regulations 24:20 32:3 37:20,22 41:16 42:11 43:3 44:4 46:14 54:6,8 59:18 65:2 82:19 82:20 83:3,15 118:19 121:4 144:7 147:6 248:1 253:4 254:10,12 254:16 regulators 247:21 248:13 regulatory 71:3 116:12 250:1 reintroduce 60:4 reiterate 100:22 149:18 195:7 240:21 reject 251:1 rejected 51:8 249:9 249:9 relate 109:13 related 8:18 relating 102:20 103:17 relationship 64:12 75:5 160:10 172:3 relative 47:11 48:4 48:9 247:22 relatives 255:21 release 42:17 released 33:12 129:15 188:22 releases 130:13 131:16 165:1 relies 63:10 religiously 214:18 remain 37:16 207:22 remained 234:12 remarks 174:16,17 174:21 175:3 remember 25:22 28:16 122:7 149:1
--	--	---	---	--

210:2 218:13 242:22 remembered 258:5 remembers 209:3 remind 211:8 234:19 reminded 149:3 remote 129:7 176:18 remove 96:10 removed 116:16 193:7,10 render 15:2 67:15 rendered 15:12 55:16 rented 28:14 repair 110:11 225:21,22,22 repaired 226:11,11 repeated 119:3 repeatedly 20:4 replacing 108:7 reply 16:7,20 17:8 report 189:19 190:1,17 191:9 reported 118:18 186:12 202:5 reporter 7:2 11:2,4 31:9 35:21 126:22 153:6,10 157:10 182:12 183:13 262:14 272:20 reports 195:1,15 represent 232:15 239:9 representation 66:7 68:6 237:22 241:8 representations 70:20 71:8,9 representative 9:12 55:13 201:17 representatives 30:12 84:3 86:21 92:6 120:1 196:11 201:14,17 238:5 241:12 242:12	represented 238:19 259:7 representing 19:15 73:15 249:19 259:1 265:1 represents 28:7 232:5 reputation 45:13 149:19 request 68:20 94:12 184:19 requested 51:21 70:5 89:11 requests 109:20 require 42:9,13 49:11 92:3 124:22 required 44:3 70:16 129:2,4,9 141:6 250:19 requirement 42:14 68:9 251:20 requirements 33:10 43:15 46:6 46:15 47:4 61:22 118:11 251:5 requires 41:22 61:7 169:10 research 38:19 113:14 173:16 187:14 188:3,6 193:17 241:2 researcher 256:9 reservations 164:11 172:9 reservoir 146:7,7 148:8 reside 262:19 resided 216:11 residence 130:5 230:5 residences 110:2 135:5 243:2 resident 123:18 133:12 152:6,11 161:4 167:22 260:4 residential 58:7	residents 33:4 residue 230:9 resilience 209:13 213:20,22 214:3,6 215:16 resiliency 217:10 resilient 211:17 216:16 resolution 56:16 101:9 resolve 52:14 53:14 100:11 resource 163:5 259:8 resources 57:5,16 188:1 259:5 respect 62:21 73:1 184:1 231:2 233:5 258:15 respected 229:1 respectful 7:8 241:4 respecting 62:1 respond 16:5 responders 77:16 204:8 253:6 response 13:4 84:5 91:22 99:8 100:1 253:5,11 responsibility 76:7 responsible 61:7 77:14,15 116:12 125:8 150:6 rest 57:17 94:15 256:11 restaurants 179:15 180:15 restoration 62:3 restore 74:14 result 57:12,15 58:1 94:11 165:9 202:4 214:15 resultant 192:2 resulted 119:15 resulting 113:5 results 163:14 165:10	retail 179:16 180:15 Retaining 181:9 retention 252:10 retired 256:8 258:8 retirement 127:13 130:2 256:10 return 178:12 returned 259:19 revenues 28:8 reverse 96:11,16 review 51:7 52:7 90:21 249:7 re-educate 173:1 rhetoric 200:21 211:11 245:7 Rhodes 93:11 rich 228:18 Richard 3:11 84:7 84:14 rickety 204:6 rid 144:9 ridden 213:20 ride 131:8 220:5,10 220:15 ridership 220:16 riding 28:13 220:9 right 12:17,22 13:7 14:10 18:14 21:17 26:8 35:3 37:13 52:19,20 54:19,22 55:2 73:3 76:4,22 78:8 82:16 83:20 97:20 114:9 139:10 140:16 142:21 143:13 146:22 148:13 149:5 150:20 151:14 160:13 225:4 227:2,2,3 229:2 230:7 236:9 237:8 242:20 243:1 244:15 245:11,19 255:1 260:18,19 263:20 264:3 266:1,7,10 266:13 269:1	271:2 rights 25:7 200:2,2 200:10,10 246:18 rigid 43:8 Rio 1:5 5:17 19:17 19:22 26:11,19 27:3,8,9 30:12 31:12,16 33:21 74:4 88:12,13 137:16 139:15,18 141:9,14 142:18 142:20 143:6,15 145:1,9 146:6 148:15,16 150:10 152:14 179:7 185:8 202:13 209:1 218:4 221:13 258:10 rip 99:1 ripe 70:15 100:20 123:9 185:1 ripeness 90:16 99:21 ripples 217:11 rise 60:4 risers 106:8 risk 79:5 87:19 91:15 119:12 122:5,6 161:12 162:15 180:13 204:10,11,12 237:2 246:21 247:22 254:20 260:16 risks 82:15 83:18 164:4 254:14 risky 116:21 river 57:9 67:11 80:2 81:17,18 82:4,6,17 83:18 85:2 97:20 98:3 98:18,20 106:2,11 106:14,16,17 114:14,21 121:10 132:9 135:5 139:11 142:18,22 143:1,2,2,12
--	--	---	---	--

148:5,7 150:9 172:7 197:3 204:22 209:5,14 211:22 212:6 216:4,20,21,22 217:5,8,9,13 224:5 225:4 227:1 227:3 234:17 243:2 rivers 124:12 152:14 riveted 105:8 road 1:13 106:20 110:7 132:7,10,10 141:22 173:2 175:15,18,20 248:18 roads 225:22 226:1 226:10 Rob 126:10 robust 42:1 rock 76:4 106:1 137:13 209:2,3 217:3 244:8 rocket 131:6 132:15 Rogelio 3:18 156:22 157:6,12 Roger 157:6 Rogers 3:8 35:17 35:19 36:1,4,5 98:7 250:8 rogue 26:18 61:6 62:20 63:1,2,17 Rohm 130:13 role 64:3 177:15 252:21 roller 175:21 rolling 21:20 Romero 4:16 261:18,19 262:16 Ron 3:14 126:11,11 126:12 127:4 room 26:8 174:5,8 rooms 258:3 rotting 107:7 route 43:13 115:7	122:6 142:5 155:15 168:17 routine 189:10 Rudolfo 149:3 rug 226:17 ruin 67:19 ruined 148:6 ruining 270:6 rule 83:2 rules 33:11 53:10 90:17 ruling 99:22 100:20 123:9 run 28:3 32:22 220:3 223:15 228:5 running 124:19 220:18 221:4 243:17 270:3 runoff 114:14 runoffs 144:21 runs 258:10 R-I-A 217:17 R-I-N-G-E-R 222:20 R-O 261:20 R-O-G-E-L-I-O 157:12 R-O-M-E 261:19	81:11 101:15 103:2 112:22 116:15 120:1,3 161:11 166:16,21 203:21 225:20 230:19 233:17 235:20 safeguards 61:8 safely 151:15,16 safer 28:10 225:17 safest 141:17 244:10 safety 13:21 28:21 39:22 41:4 42:5 45:4,12 49:22 50:1 58:16 60:10 62:4 69:9,10,12 69:13,14,15,19 70:21 102:22 106:7 108:9 109:1 109:2 112:11,12 113:20 114:1 118:3 136:20 137:5 142:11 143:17 145:11 182:17 202:2 Salazar 51:19,20 125:14 134:12,13 sales 127:18 Salt 39:1,15 San 1:5 5:17 19:16 19:16,21 26:11,19 30:12 31:12,16 34:22 57:9 80:2 81:17 85:2 88:12 98:2 101:10 105:18 106:2,14 110:18 121:9 137:16 139:11,14 142:18 143:2 148:4 157:17,18 162:17,18 175:10 175:11 179:7,11 179:21 180:3,14 185:7 206:5 209:1 218:4 221:13 224:4 258:10	265:18 Sanchez 146:7 sanded 105:9 Sandia 256:9 Sandoval 3:25 237:10,11 Sangre 272:3 Santa 155:14,19,22 156:16 170:10 171:20 173:20 176:22 182:18 sat 94:10,17 satisfying 36:20 Savannah 118:2 172:7 save 79:3,4 220:22 saved 142:13 211:6 saving 29:4 saw 26:10 35:21 75:7 85:9 86:15 159:19 saying 66:15 68:18 155:10 160:9 167:20 199:14 210:21 219:20 261:6 266:11,13 267:14 says 42:16 66:13 76:11 119:6 131:20 132:5 136:7 139:7 scenario 82:11 120:18 149:8 scenic 180:12,17 schedule 14:20 34:6 89:9 Schmitz 3:23 217:15,16,17 school 33:7 88:15 88:16,19 183:20 207:9 210:13 Sciences 112:22 scientific 23:10 178:3 187:12 scientist 131:6 132:16 scrap 34:18	screens 108:11 sealed 21:6,7 37:16 44:6 64:19,22 66:5,8,11,14,22 67:1 69:1,6 86:18 87:5,6 91:4 235:13 240:13 seals 240:13 seam 96:2 seams 96:7,18 seasons 135:8,15 168:12 second 11:1 21:15 46:9 57:18 59:17 102:14 211:1 225:10 236:3 258:21 Secondly 271:5 seconds 212:6 secret 207:6 264:11 secretary 125:13 125:14 158:11 section 56:22 57:21 58:12 59:17 61:20 193:22 194:10 sections 59:15 sector 61:5 secure 90:2 190:11 190:16 228:19 secured 107:20 security 132:13,17 188:4 see 26:9 49:16 59:14 73:22 74:6 78:18,21 85:12 99:16 111:11 137:18 145:2 152:7,11 155:9 158:5 168:13 169:11 205:17 206:9 209:6 210:10 211:3 213:7,8,14,16,21 215:4,5 224:15 226:17 230:13,14 231:5,11,12 233:7 234:13 236:6,7
--	---	---	---	---

244:14 245:5 261:4,7 263:21,21 270:19 seeing 25:22 155:11 seek 218:7 seeking 29:21 218:4 seen 23:5 105:10 107:7 110:10 113:10 135:7,15 140:7,8 148:1 151:11,12 176:14 241:4,5 246:20 248:15 segment 110:11 selected 39:11 selective 124:3 self-sufficient 171:9 semantic 196:19 semantically 203:22 semi 243:20 seminars 77:21 semi-trailers 86:10 Senator 23:20 25:10 26:5,7 60:1 62:18 91:20 send 9:4,18 sends 211:5 senior 98:7 sense 54:4 128:11 177:5 204:5 225:18 227:1,20 229:17 258:15 sensitive 227:12 sent 119:8 sentiments 174:22 separate 186:11 198:21 separately 29:12 septic 192:18,20 193:6 serious 34:8 119:3 128:13,15 256:3 257:10 265:2	seriously 195:22 servants 159:9 serve 9:11 10:17 11:18 25:3 89:1 108:12 served 192:19 serves 177:16 service 8:22 34:1 34:15,19 127:18 181:9 264:11 Services 127:17 163:5 serving 28:4 264:16 set 7:16 74:12 85:20 118:19 120:7 128:9 139:10 250:9 254:12 272:14 settle 70:8 settled 70:13 126:7 238:16 255:21 settlement 51:9,14 64:9 250:21 251:1 251:8 265:17 settling 235:19 seven 33:3 39:4 94:1,8 101:7 102:17 107:13 175:19 202:5 220:7 severe 107:1 224:12,12 severity 113:18 shadow 209:14 210:15,17,18,19 shadows 210:16 shady 151:1 shafts 190:9 shake 210:9 shallow 117:10 shape 256:17 sharing 167:10 sharpened 208:10 shed 23:5 sheds 186:19 sheep 216:3	shell 120:19 shelled 203:16 shelter 235:16 she'll 153:19 shifting 206:6 ship 48:16 50:2,9 149:14 183:3 188:13 213:4 shipment 44:2 48:8 118:1,3 122:7 129:17 150:19 shipments 36:9 119:9 121:15,20 122:16 150:14 212:20 shipped 40:19 42:8 44:5,13 47:12 67:17 71:7 81:3 82:1 118:17 121:19 177:3 184:17 247:18 shippers 34:13 shipping 21:2,8,11 22:1,12,19 23:12 41:20 42:1,1,6 43:18,21 44:6 46:15 50:4,8 64:20,22 66:5 67:1 68:15 69:1,4 69:6,7 83:21 247:3 shoes 41:4 267:10 shoot 206:16 shooter 200:6 shop 176:4 179:15 248:2 271:7,9 short 89:18 113:14 124:19 126:3 128:11 171:11 172:1 shortcuts 228:1 Shortly 218:9 short-line 25:21 26:1 27:1,19 28:1 31:17,18 32:2 shot 157:3 shout 10:4	shove 226:16 show 73:1 162:5 197:7 200:5 258:15 showed 86:5 116:1 119:15 showing 195:11 shows 110:12 shut 54:4,10 224:20 sickness 130:10 side 13:15 31:7 102:9 150:22 267:22 sides 43:8 141:4 239:11 sidewalks 213:8 sidings 25:3 sight 223:22 signal 226:5 signed 101:7 110:7 significance 70:2 significant 57:4 58:3 70:9 significantly 63:11 signs 110:22 226:2 226:2 silver 191:5 192:7 similar 62:5 182:22 194:17 similarly 7:12 simple 132:21 160:12 246:20 267:10 simply 21:5 109:4 166:20 200:17 215:13 sincerely 102:5 209:17 single 105:1 sins 216:5 sir 21:16 71:21 126:12 Sisneros 3:18 154:2 154:3,4,5 sister 173:7 229:15 sit 52:2 78:22 94:20 126:6 202:12	221:19 242:1 site 25:12 36:9,10 37:15,16,17 38:21 39:2,12,15 40:13 43:14,17 45:20,21 54:1 64:6 67:10 85:5,8 86:4,11 97:18,19 100:7,16 100:17 101:1 103:4,18,19 105:20 110:5 115:17 120:15,16 120:17,21 121:7 122:12 123:7,17 129:12 130:21 131:2,5 132:17 133:16 135:1 138:8,12 141:16 142:13 155:16 172:19 186:1,4,4 191:17,20 192:16 192:17 193:15,20 194:4 197:2 221:20 sites 37:3,7 39:10 45:10 48:14 116:10 119:17 120:9 128:17 129:7 130:20 141:13 172:9 188:15 191:1,14 191:15 194:19 site-wide 188:16 siting 189:21 sits 76:6 201:19 219:22 sitting 86:15 136:16 138:6 221:1 situated 106:19 situation 25:19,20 26:6 99:13 100:14 123:5 230:18 231:20 situations 24:4 six 27:19 74:22 111:10 200:6
--	---	---	---	--

220:7 235:11	156:3 162:12	somewhat 245:5	231:15	spill 57:13 130:10
sixth 157:5 158:15	204:7	249:3 253:13	sparse 91:10	132:4 138:3 139:7
six-week 184:5	soda 176:5	Somora 4:18	speak 6:17,21 7:1	202:6 212:5
size 119:2	soft 107:17	267:17,18,18	7:10 10:7 17:14	220:13 224:3,7
sizzle 205:13	soft-sided 43:5	son 157:13	17:15,17 30:8,18	268:8
skull 209:2	212:1	soon 14:14,16 15:2	30:18,22 36:17	spilled 129:15,20
sky 158:7 215:2	soil 39:20 40:7,18	272:18	79:14 84:4 101:21	142:7 143:10
sleep 258:13	46:2,4 94:20,21	sooner 14:3,5 132:1	103:6 127:2	144:15 145:8
slides 212:17	95:2,6,7,12,17,20	sorry 10:8 11:6	160:21 170:6	262:10
slight 262:9	95:20 97:7 99:2	13:2,13 18:6 97:6	231:14 242:7	spills 57:11 58:22
slopes 193:10	99:14 111:3	182:8 183:10	259:22 268:5	115:10 127:21
slow 114:21	114:16 129:22	189:8 221:13	speaker 3:2 84:11	130:12 202:4
SLRG 6:1 36:7	131:12 169:5	262:14 267:9	126:10 148:13	204:16
40:10 89:9 91:14	177:22 188:14	268:18,21	speakers 6:20	spin 196:17
91:21 92:16 99:9	193:7,8 194:3	sort 8:6 17:9 63:22	149:9	spinal 163:10
100:1,13 222:10	soiled 95:10	121:16 197:11	speaking 6:15 11:3	spiritual 166:17
SLRG's 6:6,9,12	soils 193:15 194:7	sorts 24:8	31:1,2 170:4	spiritually 214:19
181:16	solar 125:9 187:22	sought 39:17 118:6	196:4	230:2
sludge 189:12	234:4	soul 205:3	speaks 104:7	split 16:14
SLVEC 100:12	sold 27:14,16	souls 215:7,7	special 52:7 55:9	splitting 171:16
SL&RG 103:21	sole 173:9 175:18	sound 8:6 126:17	83:1 85:1 161:18	172:15
113:19	solid 24:8 32:5 60:7	sounds 7:22 14:9	230:2 250:18	SPMDTU 158:14
SL&RGW 220:11	60:19,20 61:7,11	167:18	251:9	spoke 182:4,7
221:13	61:19 62:4,5,9	sour 128:17	specialized 86:13	198:10 212:11
SMA 186:5	65:18 68:15 121:7	source 142:22	186:15	240:8,9,12 242:11
small 25:4 28:4,5	188:14 189:7	143:1 173:9	species 227:13	266:17 268:14
28:12 31:17,17,21	190:18 245:13	213:11 215:8	specific 23:22	spoken 259:21
33:16 90:3 95:14	249:10 251:22	233:17 243:9	37:12 46:15 47:4	sponge 199:15
111:20 116:15	252:2,7	sources 168:20	48:5 51:18 92:2	spontaneous
168:6 176:1 205:9	solids 46:22	169:6	99:19 100:17	104:11
207:15 209:10	solution 36:19	south 38:7 44:19	101:2 250:4	spoon 201:16
216:13 223:7	50:20 52:4,22	49:15 74:16 85:2	specifically 38:18	spot 81:15 206:2,5
232:8 259:9,12	113:9 219:15	86:4 92:20 97:5,6	39:4 58:13 73:17	spread 131:7
smart 235:4 241:1	221:8 226:20	106:4 121:3,3	90:8 196:18	spring 144:21
smarter 271:3	233:14 234:21	122:9 132:11	specifications	224:19
smell 128:11,12	235:7 266:9,20	146:11 208:13	91:13 108:19	springs 133:15
smiling 217:12	267:3,14	southeast 125:10	speed 89:19 201:4	224:22
Smith 146:7	solutions 229:20	southeastern 189:4	spell 7:1 18:5 19:3	square 186:9,13
smooth 17:10	233:11 234:7,8	southern 27:10,10	31:9 157:9 260:9	squash 228:1
sneaky 270:9	267:11	30:2 215:12	spelled 79:17	St 183:4
snow 248:17	solve 67:12	Southwest 9:8	spelling 133:10	staff 88:8 160:18
snowfall 141:7	solvents 191:8	soy 231:15	spells 132:10	stage 191:21
snowing 248:16	192:11	soybean 22:11	spend 31:14 136:18	staggered 237:22
soaked 199:15	Somalia 203:8	so-called 121:6	271:10	stainless 191:18
social 163:17 167:5	someplace 266:20	space 187:19	spending 271:18	stakes 226:3
Sociedad 158:12	266:20	Spain 124:1	spent 124:2 184:4	stance 154:8,13
socio-economic		Spanish 205:9	249:13	stand 168:16

201:13 230:6	stating 165:7	stipulated 70:6	strike 72:17,21 73:7	89:15 90:21 92:19
standard 27:8 92:5	station 124:14	stockpile 75:20	string 176:11	94:5 101:11
116:10 131:19	125:5 131:10	stockpiling 75:14	strive 167:6	103:12 195:16
194:5 246:21	144:6 145:16	stole 210:2	strived 166:4	249:6 258:16
standards 33:13	176:14 250:12	stolen 200:2,4	Strom 165:6	submittal 40:10,11
41:19 42:4,11	stationary 129:3	209:15	strong 204:14	41:12 111:11
56:21 57:20 58:11	stations 128:18	stone's 130:20	stronger 81:22	submittals 10:11
60:10,11 65:18	129:8	131:1,9	strongly 240:18	93:19
92:2	statistical 50:4	stood 137:11	struck 243:11	submitted 15:1
standing 110:3	statistics 49:22	158:20	structural 104:17	16:4,8 23:7 51:6
207:22	164:6 165:4	stop 73:4,4 94:12	104:21 105:7	72:18 89:2,10,12
stands 59:2 117:7	status 162:20	134:2 222:4,8	106:6 108:3	91:2,21 92:9
224:10	Statute 91:7	stopped 54:5 93:20	structure 145:22	97:13 99:8 103:12
stares 207:10	statutory 15:6,9	134:7	structures 106:16	105:11 107:15,16
start 102:6 135:18	stay 155:6 179:14	storage 118:3	114:13 186:13,17	108:10 253:19
138:8 154:20	199:12 241:22	128:18 129:8	186:19	submitting 13:22
223:7 258:15	stays 45:18 107:21	188:2	struggle 216:17	89:8 90:18 101:1
263:2 271:15	STB 1:22 2:14,20	store 173:12 176:6	232:6	subsequently 89:4
started 26:22 85:13	25:13 29:11,20	209:8	struggled 166:6	112:19 120:10
85:21 134:9,11	61:16 62:14 65:2	storehouses 216:12	205:3	subsidiary 27:14
243:16 270:9	65:6 67:15 68:2	stores 179:16	struggling 74:1	27:18
starting 26:4 27:6	68:18 70:1,11,18	180:15	students 161:18	substance 7:14
103:22	75:12,19 79:7	stories 176:21	162:6,17	substances 113:19
state 22:4,17 24:19	112:4 138:6	207:14	studied 88:16	122:19
39:8 60:13 61:14	169:20 238:5	storing 49:3	studies 114:20	substantial 249:13
61:22 63:6 89:20	239:9 240:22	storm 135:17	117:5	substantially
106:21 115:16	241:12,12 253:17	193:12 203:7	study 70:17 114:15	137:14
123:14 133:22	steel 22:10 41:3	206:7	115:1,22 134:14	subterranean
147:1 169:3 203:4	77:3 105:8 106:15	stormy 45:5	161:18 165:6	217:5
220:1 222:12	108:9 191:5,18	story 210:6	stuff 10:12 24:12	subtle 113:3
239:8 247:4	192:8	strange 270:19,20	80:11 140:9	suburbs 222:22
248:12 264:19	steep 168:20	straw 223:6	226:17 270:13	228:15
stated 87:13 91:1	steeped 256:18	stream 116:21	stupid 219:9	success 229:3
103:15 238:18	step 74:2 131:3	197:8	subcontractors	successfully 232:8
250:4 257:18	184:20 228:4	streamlined 17:10	63:13	succumb 213:12
statement 7:3,11	262:13,14	streams 185:9,10	subdivisions 62:17	suffer 78:19
18:16 59:10,21	Stephane 3:6,9	185:17,20 186:1	subject 57:7 67:6,9	suffered 199:8
187:1,4 188:8,16	18:1	195:5,8 198:20,22	74:20 184:15	suffering 173:6
204:18 268:17	stepping 176:3	199:1	192:4 207:16	sufficient 57:2
Statements 143:21	Steve 30:14 76:16	Street 2:16,21 9:8	submerged 107:6	71:16
statement's 252:16	79:11 238:19	9:13 158:15 176:4	submission 10:15	suggest 106:13
states 1:1 62:10,16	Steven 3:17 152:1,3	205:19 216:9	253:18	108:1 120:18
102:13 156:7	stick 267:2	258:1	submissions 10:17	253:12
172:21 220:1	sticker 32:16	strength 167:7	11:14	suggested 110:13
228:17 238:13	stifle 167:4	stress 107:1 251:17	submit 11:15,15,21	suit 69:20
statesman 264:21	stimulus 121:10	stretch 110:17	12:2 52:6 56:17	suitable 39:2,12
static 95:22 97:14	218:5,7	stride 205:21		Suite 9:14

suits 41:5	surface 1:3 5:5,10 5:13 9:6 19:17 20:14 25:5 53:5,9 57:5,16 88:7 125:16 160:17 184:18 189:22 204:21 221:10	S-I-S-N-E-R-O-S 154:5	142:16 186:6,7 196:18 202:1 225:12 253:22 254:1 262:1	188:2
sulfide 128:5,8 129:15	sulfides 257:3	S-O-M-O-R-A 267:19	talked 43:20 149:4 173:7 201:22	telemetry 129:12
summary 121:18 130:1	summary 121:18 130:1	S-T-E-V-E-N 152:3	talking 40:18 65:13 65:14 66:12 67:18 68:13 122:16 137:17 145:13 146:4 160:7 197:1 200:21 221:20,22 252:9 265:14	tell 19:11 31:5 77:10 110:22 126:14 155:18 205:3,6,11,15 207:5,7 209:18 210:3 211:3 212:20,22 215:20 265:15 266:13 269:16,20
summer 127:12 145:7 202:5	surgeries 166:6	T	talks 28:6 190:1	telling 266:19
Summitville 148:8	surgery 166:10	TA 189:7 190:18 191:10,21 194:19	tank 128:18 192:18 192:20 193:6 203:12	tells 117:11
sun 216:1 234:1	surprise 202:8	table 79:1 251:2	tanks 35:4 186:21 203:15	temperature 98:12
sun's 234:2	surprised 32:8 242:15,16	tables 117:9	taped 69:6	temperatures 98:9 98:10,22
super 117:14,14	surreptitiously 178:7	tackle 231:3	tardes 170:4	Temple 129:1
superconductor 188:1	surround 89:21	tagged 212:16	targets 191:18,20 192:1	temporary 186:17
superintendent 256:22	surrounding 172:19 193:7 269:17	tags 212:14	tarps 212:3	ten 9:4
supersack 87:2	survey 248:9	tailings 39:15	task 51:22 52:2 93:13 99:15 134:13 169:13 250:9	tend 58:17,19 156:5
supersacks 86:18 86:22 87:5 212:2	surveyed 41:9 248:6,11	tainted 173:10	tax 28:8	Tennessee 147:19
supervisor 93:11	surveys 41:8	take 6:1,4 40:3 41:12 45:11,21 46:9,13 47:16,22 48:15 70:19 74:22 75:2 77:15 94:2,8 111:8,22 126:1 132:15 134:22 138:10 145:13 154:7 155:8 157:7 160:1 165:17 168:18 213:9 219:18 222:14 226:16 228:1 252:4,12,12 253:6 257:21 261:9 272:5	Taylor 153:13,15 259:17	tens 152:12
supplement 89:2 188:21	survival 123:21 165:19 169:7 213:22 214:5	taken 7:18 44:7,8 46:7 89:18 93:14 113:21 116:8 126:4 184:20 270:12	teach 201:5 203:5	teratogenic 161:21
supplemental 188:15	survived 205:7	talk 20:4 23:17 36:17 38:2,12 45:15 46:20 50:11 135:11 137:5	teaches 217:1	teratogens 162:10
supplemented 89:5	suspended 50:22		team 93:12 133:22 216:9 244:22 252:19	Terese 161:1
supply 212:7	suspending 246:15		teams 253:11	term 22:19,20,22 66:19 128:11 180:2
supplying 19:1,8	SW 2:16,21		tear 98:8	termed 26:19 165:11
support 35:6 90:18 101:1 107:4 118:12 125:13 174:10 179:7,12 180:11 259:6	sweeping 32:17 202:11		teaspoon 205:10	terminal 163:14
supported 33:18 163:4	sweet 178:18 217:7		technical 23:10 91:12 186:2,11 189:2 257:15	Termination 20:12 20:16
supports 146:12	swings 212:16		technically 209:21 223:19	terms 26:4 63:12 63:22 68:16 224:16 249:4 254:22
suppose 214:5	switch 31:6		technology 187:20	terrain 110:19 217:19
supposed 86:18 218:20 221:19 224:10	SWMUs 189:8			terrible 173:13
sure 8:12 9:5 12:20 20:3 35:9 38:13 40:14 41:9 43:2 53:14 74:13 83:20 138:21 140:18 168:13 177:1 201:18 240:6 251:20 270:4	symbols 212:16			terrorist 104:10 132:15
	syndrome 163:8 165:8,10,12,17			test 189:2
	synonymous 211:19			testament 204:16
	system 103:8 107:4 116:17 126:22 148:10 172:14 241:10,11 262:18			testicular 164:10
	systems 253:9			testimony 58:4
	S-C-H-M-I-T-Z 217:17			

testing 43:1 189:5	thanks 125:17 171:16 255:15	205:5 209:18	128:8	267:3
tests 140:9	theme 100:7	214:10 215:5,20	thrives 178:13	tiny 175:14
tethered 214:14	thermal 187:15	221:11,11 222:4,9	thrombocytopenia 165:14	tired 215:18
Tewa 170:4,5,18	thermonuclear 187:20	225:10,13,15	throw 130:20 131:1 131:10	tires 136:14
Texans 127:5	thin 206:10 207:22	226:8,9,19 227:9	thrust 177:11	tissue 189:11
Texas 127:22,22 131:15 139:17 142:3	thing 13:15 29:7 50:11 55:3 79:2	227:16 231:19	thumb 10:13 11:15 11:21,22	Titanic 197:22
th 158:9	102:15 134:14	232:3 244:3,8	Thursday 1:9	title 9:1 63:21 195:16 251:11
thallium 191:5 192:8	137:15 139:9	246:19 252:3	tied 174:1 214:19	titled 87:15
thank 12:19,20 13:16 15:17 19:1 19:6,7,19 21:15 21:21 30:8,9 31:13 35:13,16 53:17 54:12,15,16 54:17,18 71:17,18 73:8 79:6,8,9 83:22 84:1 87:20 87:21 88:7 89:22 101:13,17 102:2 111:14,15 112:4 123:10,11 125:21 125:22 133:5,7 134:20 138:12,13 138:18,22 140:17 140:19 147:4,8 151:18,21 153:4 153:12 154:7,12 154:14,19 156:18 156:20,21 160:14 160:15,18 167:8,9 169:21,22 170:9 174:11,12 178:20 178:21 181:18,19 195:20 196:2,3,12 217:13,14 222:15 222:16 228:2,3 237:6,11 241:20 241:22 242:2,3,6 244:11,12,22 259:15,16 261:16 263:7,9,15 264:22 267:15,16 268:10 268:12 272:8,9,11 273:1	141:17 149:22 154:22 158:17 172:12 175:20 232:19 238:4 243:10 245:16,19 246:16,17 250:3 256:4 272:1	254:21 258:4 260:19 261:8 266:4,10 267:5 271:9 272:2,11,19	tierra 174:10	Tod 174:4
	things 24:7 29:22 31:20 59:4 64:7 76:9 77:6 79:22 80:6,8 102:11 140:6,14 141:3 148:2 149:18 151:14 154:21 184:8 202:20 205:15 206:4 208:4,8 211:20 213:14,16 228:5 233:1 237:15 238:7,21 240:3,8 241:2,17 246:11 247:1 257:10 264:10 267:21 270:20 272:20	thinking 177:22 220:21 263:2	ties 107:8,10,10,11 107:20 108:7	today 5:16 6:10 10:13 11:15,21 14:16 35:9 48:21 53:1 60:4 73:16 73:19 134:18 136:2 137:12 145:2 147:12 155:21 174:16 175:1 183:1 184:22 185:18 189:5 196:11 201:19 234:14 237:12 240:9 241:4 244:22 245:10 252:2 272:12
	think 10:1 14:9 17:4 22:13 26:5 38:3 40:16 53:16 59:5 69:8 80:15 82:9,10,15 131:10 135:3,6 136:1,7 136:19,21 137:7 138:6,7 143:11 155:7 156:12,14 157:5,6 158:4 169:8 174:21	third 58:10 186:2 192:16 194:6	tight 33:2	today's 5:6 10:3
		thirsty 199:14	tightest 258:18	toed 41:4
		Thomas 118:21	till 45:19 75:6	told 11:14 52:20 85:4,6,19 87:3 157:5 177:7 201:4 201:17 257:15
		thorium-232 191:6 192:9	timber 104:4,19	Toltec 130:18 131:8 220:1,12 221:15 222:12
		thorough 76:20	timbers 107:3	tombstone 130:6
		thought 19:9 25:1 122:15 183:9 219:5 225:9	time 16:3 31:14 35:14 43:9 51:3,8 51:20 52:17 53:16 63:20 70:6,8 73:7 75:4 79:6 85:12 89:19 90:4 93:22 94:18 95:1,18 97:4 100:1,21 101:14 102:18 109:7 113:15 117:21 134:22 135:22 137:3 140:18 144:15 147:4,16 154:7 158:18 159:18 160:14 168:10 171:5,6,6,7,10 172:1 175:6 178:9 183:3 184:5 187:5 190:12,16 230:12 230:13 233:3 236:8 242:11,22 249:14 253:18 257:5	tomorrow 14:6
		thoughtfulness 265:6	times 40:16 99:15 117:8 157:21 194:5 227:8 242:14 264:9	Tooele 174:4
		thousand 221:21		top 11:7,9 34:21 97:8 106:9 147:19 264:11 270:10
		thousands 134:21 138:10 152:12 171:3 229:21 231:9 233:11 247:17 262:8		topic 260:5,12
		threat 60:17 61:1 80:12 234:11,15		topping 176:7
		threatened 230:17		total 171:14,17 193:9
		threats 257:7		
		three 25:2 34:1,2 56:19 64:14 65:21 65:22 75:1 136:16 164:22 170:12 185:22 188:15 189:1 191:11 198:8,11 211:19 212:22 219:7,20 222:6 262:20 264:8,22		
		threshold 113:4		

totally 29:12	tracks 25:3 109:8	195:6 233:7 240:5	42:18 43:9,13	tribes 229:7
tough 242:1	109:22 168:22	245:13 249:10	44:4 47:9 48:19	tributary 88:13
toured 272:3	176:16 177:2	251:11,22 252:3,7	53:5,10 69:11,11	tried 25:16 232:17
tourism 137:17	201:10 202:11	252:8	88:7 125:16	Trinity 172:19
180:13,16	208:17 225:20	transferred 38:6	160:18 181:14	trip 31:13 94:2
tourist 221:3,3	226:11 230:6	93:5 246:8	182:21 183:18	101:15
tourists 130:22	trade 159:5	transferring	184:19 204:21	trouble 128:13,15
179:14 180:18	traditional 9:2	112:19 121:22	221:10 246:22	troubles 120:6
220:8,14	170:21 259:5	180:21	249:1 254:11,14	troubling 119:1
towers 186:21	trailer 85:11	transfers 94:12	Transportation's	truck 28:10,22
town 28:16 36:3	115:21	transformed 159:4	105:5	38:10 43:16 44:2
44:20 73:16 75:1	trailers 86:14	transformers	transported 22:10	48:16 50:4,6
75:1,7,15 76:11	186:18	186:22	115:12 116:4	69:10 81:3 93:4,5
77:19 78:13 85:3	train 32:10 77:21	transit 93:22 97:1,4	162:22 254:3,18	96:22 97:10,13
85:14 130:9 168:5	77:22 85:2,10	97:18	262:2 263:5	98:2,17 115:20
169:3 183:5	109:3,6 122:22	translates 157:6	transporting	132:10,18 135:16
208:13 212:8,13	124:18 131:1,8	transload 36:7	112:19 142:21	141:19 181:14
214:10 219:3	148:2 168:18,22	37:13 38:3 44:7	149:6 177:17	243:13 245:14
221:17 226:6,22	169:8,12 175:6	44:16 45:1 48:12	181:12 254:8	246:9 248:18
227:2 232:8	176:13,17,21	48:16 49:3,8 54:2	traques 176:14,16	252:15
242:21 261:7,22	177:14 178:16	54:8 81:16 83:17	trash 24:8,16,21	truckers 142:7
262:2 263:4 268:8	198:16 204:6	123:17 179:9	25:11 67:18	Trucking 86:5
268:10 269:2	226:5 230:6	181:18 245:4,12	144:10	trucks 5:20 28:19
271:19	234:10,14 242:14	250:12 255:2	travel 97:5 134:22	97:17 136:13
towns 115:6 271:11	242:17,19 243:5	transloaded 65:7	141:18 142:9,14	142:1,2,12 212:1
town's 212:7	243:11,14,14,15	71:1 81:4	228:21 262:8	225:18 243:8,12
271:19	243:20,21 260:14	transloading 38:4	traveled 138:10	truck-to 181:17
toxic 65:9 66:3,17	trained 77:18	51:3 55:10 103:4	142:1 154:15	truck-to-rail 55:10
67:9 69:17 74:20	115:9 204:8 253:2	105:19 110:4	168:2	185:3,20 195:6
88:11 92:18 93:2	training 32:9,18	133:18 223:21	traveling 88:8	true 29:16 87:14
94:10,19 95:5	33:7,11,13	224:14 226:20,20	101:5 134:21	103:5 117:22
96:15,19 99:2,14	trains 34:1,2,2	transmission	229:13 255:16	136:12 150:16
124:14 125:5	115:2	129:10 188:3	travels 115:2	172:17 199:7
127:19 131:16	train's 244:4	transparency	122:22 139:16	200:22 208:1
161:9 162:22	transaction 72:8	113:9 114:3	treasurer 158:11	221:2,2
169:10 189:17	transcript 7:17,17	transport 20:22	treat 193:1	truest 217:1
257:4 262:12	7:20 18:7 272:14	21:7 64:8 115:7	treated 269:13	Trujillo 3:10,13,13
toxicity 117:14	272:17	144:6 225:17	treatment 189:12	3:19 71:19 73:12
toxins 24:7 161:22	transfer 61:19 62:9	246:9 263:7 268:7	trees 216:4	73:13,14 102:3,4
166:3,18	86:3,3 88:10	transportables	tren 175:6 176:8	102:5 111:17
Trabajadores	92:19 93:20 97:18	186:18	177:10,17 178:12	112:1,2 136:21
158:13	100:16 101:10	transportation 1:2	trenches 173:10	145:21 160:16,17
trace 170:13	114:11 120:17	1:3 5:5,11,13 9:7	190:8	161:2 166:9
traces 145:3	121:7 123:7	19:18 20:15 22:4	trengle 220:6,17	174:20 201:22
track 26:2 204:6,13	124:14 125:5	22:15 25:6 28:10	tribal 171:21	240:9
204:15 240:10	131:2,5 145:16	28:11 29:2 37:20	229:17	truly 119:20
trackage 32:6	169:16 185:3,21	37:21 41:15,18	tribe 171:20,21	169:13 178:4

trump 22:7	172:2 186:1 188:9	undermined 125:1	110:2	94:14 115:16
truss 106:15	189:1 190:19	undersized 106:22	unregulated 60:9	116:5 117:7
trust 131:18,22 241:6	191:18,19 194:22 216:7 219:6	understand 51:5 54:9 75:12 78:1 80:4 82:21 91:10 129:17 140:15 161:15 171:18 198:18 225:16 229:20	60:16 61:1	118:22 142:12 168:18 174:3,4 247:19
trusted 246:1	two-bit 259:8	understanding 48:9 230:8	unrest 241:5	utility 186:20
trustee 264:17 267:1	two-mile 103:3	understood 51:1	unsafe 169:17 202:15	utilized 139:12
truth 207:15 266:17	type 26:6 27:12 28:5 34:10 35:10 35:10 38:14 39:3 39:12,19 40:2,6 40:21 41:19,21 81:13 104:6 109:7 129:11 131:11 134:1 169:16 202:16 217:20,21 246:15 247:17 248:2 270:11,14	unescorted 32:8	unsuitable 117:9	utmost 16:10 45:12 230:20
try 16:18 23:1 34:14,15 36:19 50:19 52:3 53:14 167:15 183:8 249:2	types 24:14 42:4 43:4 49:8 113:6 217:20 254:2	unethical 260:15	untarped 86:10	utter 178:1
trying 28:15 52:14 62:19 78:12,13 141:10 142:19 144:5 159:14 202:17 223:7,9 226:16 231:3,18 246:13 253:6 254:22 267:7	typical 200:5	unfamiliar 168:8	update 55:4	
Tsisnaajini 157:15	typically 24:6 41:3 41:22	unforeseen 178:8	upper 193:10	V
Tularosa 172:18	T-H-E-W 31:11	unfortunate 135:19 137:4	upwind 224:1 230:10 234:10 235:10	vague 77:2
tumors 208:17	T-R-U-J-I-L-L-O 73:14 102:5 112:2	unfortunately 22:18 24:13 75:11 76:21 247:11	uranium 86:6 115:18 116:4,14 117:6 164:11,13 170:22 191:7 192:10 193:2,9,19 203:11,16,20 210:21 262:1 269:19,21	Valdez 3:14 123:12 123:13,14
turn 9:21 10:12 13:11 20:20 27:16 74:18 159:3	U	Unidos 158:13	urge 181:16	valid 163:20 179:12
turned 21:19 74:18 201:16	ultimately 167:1 225:16 238:9 241:13,14	unified 258:18	USC 91:7	valley 31:14 32:1 33:8 35:2 87:16 88:15 118:2 123:19 132:11 139:13 140:1,3,11 148:4,14 150:14 157:22,22 158:1 162:18,19 168:5 175:14,15 179:11 179:22 180:3,12 180:14,21 181:7 200:12 229:14,19 229:20 230:19 232:16 233:6,9,10 233:10 234:4,5,6 272:2
turning 124:11	ultimate 167:1 225:16 238:9 241:13,14	Union 6:3 25:14 27:2,11,13 30:1 101:6	use 6:8 10:19 17:16 24:2 25:17 42:7 44:21,22 51:6 52:6,7 55:9 56:22 57:3,12,20 58:11 63:7 67:8 82:22 83:1,3 85:16,22 93:18 100:17 105:21 108:8 112:8 121:14 123:6 128:4 133:19 135:22 153:1 188:1 189:8 189:14 190:11 218:17 250:18 251:9 258:22 260:14	valuable 179:21
Twenty-four 172:8	umbrella 199:11	unique 117:19 227:13	uses 22:19 29:4 57:22,22 58:5 187:18	value 34:18 128:8
twice 176:2 266:10 267:5	UN 229:1	united 1:1 102:13 156:7 158:20 172:21 228:17	Utah 6:5 36:10,15 37:9,18 39:8,11 46:8 71:1,2 93:7	values 58:5 125:3
twin 181:11	unable 166:11 241:21	units 108:12 189:8		vaporized 210:15
two 8:13 14:8 15:14 16:19 23:15,22 25:2,9,21 29:12 30:11 32:7,13 34:7 57:18 59:15 71:22 79:4,20 90:11 93:18 102:11 106:12 110:16 111:8,9 119:4 135:17 139:22 143:9 144:2,15 164:14	unacceptable 139:10	universe 205:6		various 24:8 37:6 38:17 104:7 107:16 109:12,18 113:17 163:21 178:4
	unannounced 32:8	unjust 260:14		vast 209:10
	unapproved 100:16 123:7	unknown 112:15		vegetables 140:10
	uncertainties 240:20	unknowns 121:18 122:2		vehicles 28:18
	unconfined 140:1	unlined 173:10 190:8		vein 197:17 199:17
	undeniable 177:13	unmitigatable 238:21 241:16,17		velocity 97:9
	undergo 95:16	unofficial 272:19 272:22		
	underground 173:9	unpredictable 168:15		
		unpredictably		

vendor 96:5,6	visiting 127:12	139:5 143:18	217:19 241:9	193:20,21 194:6,7
vendors 42:20	229:15 269:6	144:10 146:16	wasn't 63:20 75:6	194:14,20,21
verification 248:12	visits 138:8	147:5 154:6,12,14	173:1 233:20	195:4,5,8 197:8
verified 248:9,11	Vista 35:1	154:20 156:2,18	waste 24:5,6,8	197:15 198:20,22
version 176:15	visual 108:19	160:1 166:13,13	36:13 37:6,8 38:5	198:22 201:16,18
versions 14:15	vital 213:10	166:15 184:9	38:14,15,16 40:12	202:16,19 206:14
versus 69:11	VOICE 10:5	194:2 197:13	40:17 41:22 42:14	208:20 210:20
202:19 216:18	263:18	201:8,20 205:15	43:10,14,18 44:9	211:6,6,13 212:1
225:17	voiced 156:19	211:8 213:4 215:4	45:17 46:7,16	212:20 213:4
vertical 106:8	volcanic 209:2	215:21 216:14	47:7 48:15 49:8	221:17 230:9,10
107:1	volcano 170:20	221:11 222:4	49:13,18 50:9	233:15,18 234:9
vessels 21:6	209:15	225:13 228:1	60:7,19,20 61:2,7	235:10,21 236:12
Veta 143:10 145:6	volcanoes 217:4	231:10 237:15	61:11,19 62:5,6,9	244:10 245:13
145:6 146:5 243:6	volume 34:3	238:4 240:21	65:13,18 68:15	249:10 251:22
veteran 102:13	volumes 12:2	242:6 261:4,7	69:8 74:20 82:6	252:2,7 254:19
203:10 256:1	voluntarily 68:8	262:12,17,21	83:21 85:15 88:11	260:13,20 261:5
264:6,6		263:7,14 267:9	88:17,21 90:10	262:1,4,17 263:5
veterans 203:6	W	268:9 271:20,22	92:18 93:2,6,8	270:11
264:18	W 31:10	272:18	94:10 100:7,8	wastes 195:11
viability 34:22	wage 181:2	wanted 25:11 26:6	101:5,9 111:6,9	water 10:10 11:13
75:22 198:15	wait 11:1 21:15	26:13 27:13 46:13	112:20 113:11	29:2 34:9 57:1,5
212:21	153:2 208:17	48:8 50:11 74:15	115:17 116:2,13	57:16 66:18 69:14
viable 178:13	211:21 260:6,6,6	79:21 82:8 99:20	116:21 117:3,12	69:18 71:14 83:19
vibrate 21:19	waited 176:17	111:18 149:16,18	117:13 118:10,17	84:17 86:12,16
vice 98:7	waiting 89:16	154:22 196:14,18	119:5,8,11 120:14	87:2,4 88:5,17,21
victim 199:11	208:20 210:17	223:3 225:11	120:14,16 121:7	94:22 95:2,5,10
victims 171:20	wake 178:19 236:8	235:5 238:2	121:15,22 122:5	95:19 96:9,11,15
174:7 198:2	walk 56:3 103:3	242:10 255:7	124:13,21 128:6	96:17,22 97:7,15
Vietnam 102:14	216:8 230:12	wants 20:1 78:3	129:16,19 130:4	97:16 98:9,12
256:2 264:19	268:5	120:22 125:4,11	131:2,12 132:18	107:6 108:15
view 106:4,4 168:5	walked 26:7	266:21	133:18 139:5	112:3 114:16
213:15	walking 214:9	war 187:5 204:3	141:12 142:20	123:20 135:13,14
views 19:21	wall 210:16	211:1,15 256:1,2	149:6,14 150:18	139:12,17,19
villages 175:9	wallet 207:10	266:7	155:2,15 161:10	140:5 144:22
villains 197:20	Walsenburg 6:2	warfare 256:13,18	162:22 163:15	146:12 148:10,11
vinegar 199:16	143:8 146:3	warn 109:3,6	164:5 166:12	148:13,15,16
Violates 87:16	Walter 18:1	warned 87:9	168:19 169:2,16	152:10 158:22
violations 32:20	want 9:2 14:11,16	warning 32:16	173:12,14 178:6	161:3 168:20
71:4	18:22 19:7 20:5,8	128:6 202:10	182:21,22 183:2,4	169:6 173:9
Virginia 174:20	24:18 28:21,22	207:14 209:22	184:3,15 185:7,8	186:21 193:13
virgins 133:1	29:6 30:17,18	243:22	185:9,15,17,19	197:18 198:2
virtually 28:17	37:11 40:9 49:1	warranted 121:21	186:1,2 188:10,14	200:1,10 202:20
256:19	78:3,18 84:12	washed 177:22	189:1,7,10,10,13	209:16 210:3,4
visible 132:20	94:6 102:6,15	Washington 2:17	189:13,14 190:7	212:7,8 226:14
207:19	112:3 124:9 125:6	2:22 7:18 9:9,14	190:11,14,18	243:8 247:7
vision 78:12	125:20 131:11	101:15 134:21	191:2,15,15 192:2	248:14,17,18
visions 38:5	132:14 133:4,5	138:7,21 154:17	192:13,14,15	262:18 265:4,4

269:11 271:21 waterproof 86:19 92:7 waters 146:6 147:7 212:9 waterway 67:19 water-resistant 212:3 wave 216:2 way 8:8 9:16,19 12:4 16:21 37:19 52:12 75:3 80:8 108:20 124:9 134:20,20 136:12 148:17 149:20 150:10 154:16 169:11 181:5 197:1,11 199:12 199:13 200:19 202:14 204:12 210:21 213:17 225:14 227:17 232:2,2 233:17 234:17 237:3,13 266:2 ways 34:12 65:22 252:17 257:6,6 weak 217:3 weakness 213:15 wealth 259:7 wealthy 228:17 weapon 203:14 weapons 158:2 187:14 189:6 256:13,19 wear 77:15 wearing 79:20 weather 132:9 168:14,21 weathermen 206:4 website 8:15,15,17 9:20 77:22 89:3 201:5 272:18 weed 124:6 week 14:8 15:14 16:18 34:2,7 35:5 weekly 109:13	weeks 14:4 51:17 242:17 weigh 213:9 weighs 215:15 weight 95:12 215:14 welcome 88:13 157:14 217:18 welcomed 232:17 welcoming 102:6 welfare 58:16 went 26:10 52:8,8 82:2 85:8,12,16 88:15 110:14 264:8 weren't 150:17,19 200:4 240:20 west 38:22 123:16 238:15 269:2 western 27:20 wetland 110:22 144:16 202:12 wetlands 103:11 110:16,19 111:4 146:3,4,5,12,15 147:7 we'll 6:19 12:15 20:17 50:14 84:7 111:19,20,22 120:1,19,20 126:2 153:10 195:16 244:14 we're 5:15 6:10,14 7:15 8:3 9:7 31:18 33:17,18 35:4 38:14 40:18 48:10,20 49:2,13 49:17,18 54:4,10 65:12,13 66:11 67:18 68:13 72:21 75:9 77:5,15 78:12,13 80:13 126:5,9 135:19 139:20 140:15,17 146:4 151:5,14 155:21 159:13,16 159:17 160:7	181:22 183:1 197:21 199:9,14 199:14,15 220:18 221:20,22 223:5,7 223:9,22 231:17 231:17 232:14 233:19 234:2,3 236:17,21 239:6 246:3,3 253:22 254:3,7 257:12,17 271:2,3 we've 21:13 36:18 50:6,16,17 64:4 73:21 76:3,19 100:8 139:22 140:1,2 143:7,9 145:15 148:5,19 201:2,4 236:16,21 244:5 263:22 WHIPP 116:8 whips 236:9 whistle 176:9 178:17 Whistles 127:7 whites 172:7 whoever's 150:5 who've 265:1 wide 272:5 wife 127:5,6 willing 177:14 251:3 willows 110:20 wind 45:6 214:4,22 215:2,7 230:14 234:5 235:13,14 235:19 236:8 window 216:2 230:13 236:8 263:21 winds 224:14,17,22 windy 45:5 winged 208:8 winter 19:9 205:12 216:7 Winters 3:11 84:8 84:9,14,15,20 wisely 160:13	wish 6:16 18:16 79:14 84:4 134:22 178:16 197:5 214:7 wishes 6:17 179:6 witnessing 174:7 women 115:9 wonderful 15:14 269:13 wondering 11:20 13:22 81:7 wood 106:13 107:17,18 wooden 226:3 word 24:1 131:7 170:5 213:5 214:2 241:17 266:12 words 22:3,16 40:15 203:12 246:4 263:14 work 45:13 50:14 50:21 53:11 73:21 84:10,18 110:15 152:4 154:1 162:6 167:13,17,20 185:3 235:1 241:15 249:5 267:21 workable 36:19 worked 88:17 127:10 147:18 161:14 174:2 239:20 256:9 258:19,20 workers 119:16 working 54:21 75:5 84:13 127:15 169:9 214:16 223:6 228:22 241:10 249:14 workmen 106:10 108:20 works 8:3 169:18 244:15 world 176:3 205:4 211:1 228:21 231:16,17,21,22	232:4 233:16 264:8 272:5 worn 168:21 213:8 worse 268:6 worst 82:11 worth 26:15 218:7 wouldn't 134:18 138:4,20 261:2 267:9 wounded 256:3 woven 247:5 wrecks 148:2 write 212:12 written 8:1,4 9:17 14:15 23:7 56:18 68:10 248:22 251:15 wrong 82:2 124:15 261:11 wrote 23:21 25:10 www.stb.dot.gov 8:17 W-I-N-T-E-R-S 84:15
Y				
yard 25:4 yards 39:14 188:14 223:21 230:5 235:10 Yeah 11:8 12:5 14:11 year 33:12 36:7,18 39:5 50:12,19 102:18 103:1 143:9 145:7 208:18 216:15 220:3,4 222:2 230:8,16 234:13 235:18 236:1 245:21 262:20 years 111:13 119:4 124:2 127:11,13 139:13 143:7 144:13 159:12 161:5,14 166:7 167:22 171:4,11				

172:2 183:7	201:13 270:18	167 3:19	2003 26:21 149:11	27 91:22 99:9 100:2
186:17 193:5,8,8	10:00 1:16	17 1:10 3:6 88:15	165:5	285 106:21 110:6
219:7 220:2,7,8,9	10:09 5:2	170 3:20	2005 185:11	123:15 143:5
221:4,5 223:1,11	100 102:14 103:14	173.410 92:5	2008 91:7 186:12	286 32:3
228:14 229:21	128:13 141:18	174 3:21	187:2	29 39:10 87:15
231:10 233:12	142:13 220:19	1750 9:13	2009 51:1 63:16	29,000 220:4
236:18,21 243:12	223:20 230:5	179 3:21	86:2 92:21 93:2,6	
255:21 257:1	235:10	18 3:6	93:7,21 96:20	3
258:8 259:14	101 3:12	1800s 145:20 147:3	118:2 122:9	3 12:3 46:22 47:8
262:11 267:19	102 3:13	238:11 239:14	127:14 188:18	30 94:7,13 124:2
269:7 270:18	10501(c)(2) 91:8	1800's 135:21	218:2 219:7	126:1 193:5
yesterday 237:20	10908 66:1 91:8	182 3:22	2010 8:20 55:6,7	236:17
York 222:22	10908(e) 194:1	1848 265:16	56:15 59:3 63:15	300 57:8 67:10
228:15 229:2	10908(e)(1)(H)	1860s 265:16	63:20 89:4,12,17	101:3
young 165:22	61:21	1880s 265:15,16	91:22 93:9 98:6	32 98:9
205:13 209:17	10910 91:8	19 105:13	99:9,16 100:2	33 3:7
262:19 269:8	11 86:2	19th 111:7	118:5 122:11	35 3:8 106:20
270:17	111 159:12	1900 158:16,17	180:18	179:16 224:4
younger 149:10	112 3:13	1943 187:5	2011 1:10 87:15	35380 1:7 9:6
261:6	12 8:20 55:6 59:3	1945 187:10 192:19	118:16	373 186:17
Z	89:4 91:2 92:9	1953 190:20	2015 120:7	38,000 194:5
zero 32:20,20,21	94:17 95:6,10	196 3:22	20423 2:17,22 9:9	39 161:5 186:2
161:13 204:5	98:16 99:16	1960s 191:12	21,000 180:18	189:2,7 191:10
zip 9:9	161:20	1975 190:20 193:5	217 3:23	194:19
zone 125:9	12:55 126:2	1976 191:4 192:6	22 93:6 122:10	39-69 191:22
\$	123 3:14	1977 189:20	269:2	39001-A 190:18
\$10 218:5,7	126 3:14	1979 187:4 188:8	222 3:23	395 2:16,21 9:7
\$5 259:7	13 1:13 119:14	190:20	225,000 214:12,21	
0	133 3:15	1981 116:3,3	215:15	4
00043 48:6	138 3:15	1983 127:16	228 3:24	4 46:22 47:8 55:7
05 116:5	14 92:21 93:5 96:20	1988 182:19 183:17	23 89:5 183:7	98:6
1	122:9 267:19	1989 191:12	237 3:25	4:02 273:3
1 12:3 15:7 17:7	14-page 249:21	1995 193:7	24 71:3	40 124:19 183:22
46:21 47:8 66:2,2	140 192:22 193:11	1997 190:17	24,000 95:20	186:9 193:7
66:2 124:4 185:11	141 3:16	1999 36:12	242 3:25	198:17 199:1
191:12 195:18	147 3:17	2	244 4:12	220:2 221:4
1,000 175:4	1496-1 92:5	2 12:3 32:5 46:21	25 45:7 224:15,18	236:18 255:21
1.5 97:3	15 16:14 17:9	47:8 93:2 186:5	250 88:12 121:9	40s 141:12
10 3:4 10:15,17	138:11 184:4	192:17 193:16,21	197:3 211:22	40,000 220:8
11:16,17,18 12:10	15,000 95:19	20 16:11 127:11	255 4:14	411 92:5
16:12 89:12,17	150 179:18	128:10 161:14	26 63:15 118:16	44 47:21 48:4
98:1 117:8 127:12	150,000 210:14	257:1 264:17	158:16	4489 123:14
128:9 137:20	1500 188:13	20s 88:18	260 4:15	4600 47:19 48:4
143:7 166:7	152 3:17	20th 27:5 159:3	261 4:16	48 186:11
	154 3:18	200 9:14 76:5	263 4:17	49 37:21 91:7 92:4
	157 3:18	20006 9:15	267 4:18	495 180:6
	160 3:19		269 4:19	5

5 3:3 47:8 89:5
 104:6
5.500.A.3 56:22
5.500.A.9 57:21
5.500.B.2 58:12
50 128:12 193:8
50,000 220:10
500 164:9,12,18
53 3:8
535 162:16
54 3:9

6

6 47:3,8 55:14,15
 56:15 93:9 122:11
60 97:4 165:18
 236:21
60s 190:4
600 165:1
65-plus 171:11
6631 1:13
684 61:17,17

7

7 46:12 47:2,8 49:9
 119:13
70 174:2
70s 149:4
71 3:9 133:1
72 133:1
73 3:10
79 3:10

8

8 67:3 89:5,6
8.6 186:13
80 38:22 265:11
80s 102:17
80,000 262:11
84 3:11
88 3:12
897 186:18

9

9 49:10
9/11 211:10
9/16 105:13
90 230:14 236:13

952 186:14

C E R T I F I C A T E

This is to certify that the foregoing transcript

In the matter of: San Luis and Rio Grande Railroad
Petition for a Declaratory Order

Before: STB

Date: 02-17-11

Place: Conejos, CA

was duly recorded and accurately transcribed under
my direction; further, that said transcript is a
true and accurate record of the proceedings.



Court Reporter

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701