

1 SUPPLEMENTAL DRAFT
2 ENVIRONMENTAL IMPACT STATEMENT

3
4 PUBLIC HEARING REGARDING
5 ROCKY MOUNTAIN LABORATORIES

6
7 Taken at City Hall
8 Hamilton, Montana
9 Thursday, January 22, 2004 at 7:00 p.m.

10 Public Comment Section from 8:00 to 9:15 p.m.

11 PUBLIC HEARING COMMENTS

12
13
14 PRESENTATION BY:

15 Dr. Marshall Bloom, Associate Director of Rocky
16 Mountain Laboratories

17 Chris Cerquone, Maxim Technologies

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19
20
21 Reported by Debra K. Price, Freelance Reporter
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LETTER 39 - PUBLIC MEETING

Chapter 5 – Response to Comments

| | <u>I N D E X</u> | |
|----|---|--------------|
| | <u>SPEAKERS:</u> | <u>PAGE:</u> |
| 1 | | |
| 2 | Ron Nichols | 5 |
| 3 | Tim West | 6 |
| | John Swanson | 7 |
| 4 | Kathleen Driscoll | 9 |
| | Rich Unger | 11 |
| 5 | | |
| | Toni Bloom | 11 |
| 6 | Columbia Pierson | 12 |
| | Doug Nation | 13 |
| 7 | Ken Strigh | 15 |
| | Vernon Weiss | 16 |
| 8 | | |
| | Dennis Daneke | 18 |
| 9 | Parnelli Sharp | 19 |
| | Laura Jackson | 21 |
| 10 | Donald Sage | 23 |
| | Larry Campbell | 24 |
| 11 | | |
| | George Risi MD | 27 |
| 12 | Jay Evans | 28 |
| | Seta Loveridge | 29 |
| 13 | Frank Westerman | 31 |
| | Dennis Barbian | 33 |
| 14 | | |
| | Joan Perry | 33 |
| 15 | Bryon Schwan | 34 |
| | Gary Jensen | 38 |
| 16 | Carol Barbian | 40 |
| | Sister Tilton | 40 |
| 17 | | |
| | Kirsten Lang | 42 |
| 18 | I. Serenity | 43 |
| | Ted Kurstettor | 44 |
| 19 | Jim Miller | 46 |
| | Doug Soehren | 48 |
| 20 | | |
| | Archeson Harden | 49 |
| 21 | Robert Sutherland | 52 |
| 22 | | |
| 23 | | |
| | Certificate of Court Reporter | 56 |
| 24 | | |
| 25 | | |

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1 THURSDAY, JANUARY 22, 2004
2 MR. BLOOM: What we're going to do now is
3 we're going to go into the normal oral comment
4 period. You know as part of the process those
5 comments, oral comments have to be recorded and
6 transcribed, so we have to do a little bit of
7 moving around here. We have a court reporter up
8 here who is going to be transcribing your comments
9 as you talk so when you come to the microphone to
10 state your name, please state it clearly. It took
11 us awhile to figure out who some people were after
12 the last meeting.
13 Again, I want to point out as you all well
14 know by now, this is not really a question and
15 answer period. This is a time for you to make
16 comments about the draft and supplemental draft, so
17 we have to turn the lights on and move a few things
18 around. I would say if there is anybody who hasn't
19 signed up yet who thinks they might want to make an
20 oral comment, please go up front and write your
21 name. If you decide later on that you want to make
22 a comment when we get through with everybody, you
23 know, you're welcome to make a comment, write your
24 name down and put a check mark. We have to keep a
25 record of everybody who comments. So I'm going to

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Chapter 5 – Response to Comments

4

1 ask you to state your name clearly so she can get
2 it and get it on the tape.

3 Everybody who comments will get a copy of
4 the final statement and comments will be videotaped
5 and transcribed as part of the record. I'd ask you
6 to come up to the microphone and make sure it's
7 on. State your name before you start your comment
8 and hold it to three minutes a comment. Ken is
9 going to have a sign letting you know when you have
10 15 minutes -- 15 seconds left. It's perfectly okay
11 to say I endorse what so and so said or something
12 like that.

13 I would ask you to be respectful of the
14 opinions of folks who might differ from you and we
15 also want you to know that you can written, e-mail,
16 fax, whatever comments will be accepted through
17 midnight on February 1 and the last slide which
18 I'll leave up through the comment period really
19 tells you how you can submit comments, oral
20 comments tonight. You can submit written comments
21 tonight, send comments by fax to that number right
22 there, send an e-mail to Valerie, be written
23 comments to Valerie at this address right here and
24 view the draft EIS right there. I'm sorry that's
25 not possible to read. So we're going to leave this

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1 slide on so we have to make a few changes in the
2 set up of the room so they're going to bring me the
3 list of the people that signed up. If you would
4 like to get a cookie or glass of punch, go ahead
5 and we'll get back together in just a second.

6 Let's get started. The first person on
7 the list is Ron Nicholas, the Ravalli County DES
8 Coordinator. It's on, Ron, you have to get right
9 close to it.

10 MR. NICHOLAS: Does that work? I can
11 leave it up here. My comment is very short, short
12 as this microphone. Before I make my comment, I
13 would like to apologize because I cannot stay and
14 neither can Charmelle Owens from Public Health. We
15 both have prior commitments. We're not leaving
16 because we don't want to listen to what anybody
17 else is saying. In conjunction we formed a comment
18 which reads and this is from our perspective, first
19 of all, we need to comment the Ravalli County
20 Commissioners, State of Montana Disaster Emergency
21 Services and State of Montana Department of Public
22 Health and Human Services have sent letters in
23 support of the Rocky Mountain Lab. The
24 commissioners are comfortable with -- the Ravalli
25 County Commissioners are comfortable with the EIS

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Chapter 5 – Response to Comments

1 and the scrutinized efforts that have taken place
2 to ensure the health and safety of Ravalli County
3 and its citizens.

4 RML has taken involved efforts to work
5 with the Ravalli County Public Health Department as
6 well as the Disaster and Emergency Services by
7 participation in the county's local planning and
8 task force committees and has included the county
9 on planning committees within the RML campus that
10 will help ensure public safety. The county is
11 pleased to be a part of a massive research
12 opportunity and opportunities that will enhance the
13 protection of the United States' citizens and feel
14 comfortable with the lab's efforts as it stands.
15 Thank you.

16 MR. BLOOM: Thanks, Ron. Next speaker is
17 Tim West.

18 MR. WEST: Thank you, Marshall. My name
19 is Tim West and I live, if you want to look in your
20 book at 3-9, chapter 3, page 3-9, I live in the
21 house directly south of noise location No. 6. I'm
22 concerned about the noise levels that this EIS
23 generates and especially the fact that no nighttime
24 noise levels were monitored. It says out of the 13
25 locations only 4 of those locations were measured

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39-1



Comment

Response

39-1 Please see Section 1.7.3 where comments on noise were addressed.

1 at nighttime. I suggest that you measure nighttime
2 levels out there, especially at location No. 5 or 6
3 at 10:30, 12:30, 2:30 and 4:30. And the guy comes
4 by in his little cart that looks like something out
5 of a James Bond movie, it's got more lights on it
6 than an airplane. If you really want to get
7 serious about your experience, put up infrared
8 cameras. Thank you.

9 MR. BLOOM: Thanks, Tim. Next is John
10 Swanson.

11 MR. SWANSON: Marshall, my name is John
12 Swanson. I worked for Rocky Mountain Labs as lab
13 chief since 1979 until I retired in 2001.
14 Currently I live a block south of the lab. I have
15 a couple comments. This has been an interesting
16 process going through this EIS. It was begun as an
17 attempt to kind of do a quick and dirty EA and it
18 was clear from the outset that that wasn't going to
19 fly. Those of us that have lived, that live near
20 the lab essentially have put up with the last
21 decade of noise, construction, increased traffic,
22 uglification of the campus, et cetera.

23 This EIS has really been an opportunity
24 for us to express some of our concerns, for several
25 years, I was very critical about the incinerator

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Chapter 5 – Response to Comments

39-2

1 noise from the lab and after about three years and
2 mainly through this EIS process, the lab finally
3 responded and did something and successfully
4 corrected that problem.

5 Now what I'm worried about is that I think
6 what we're looking at here is the beginning of
7 another ten years of construction. Certainly the
8 BSL-4 is going to take several years. There are a
9 couple other buildings and facilities that are in
10 this plan as attendant structures, yard place,
11 reception hall, the driveway or the parking lot, et
12 cetera.

13 I will also suggest that I'll bet they
14 need a new administration building to house the
15 verging number of administrators in the lab
16 sometime in the near future. My guess is there is
17 so much money available to NIH that they need to
18 put it someplace. They badly need to put it
19 someplace and it's going to be here. Now, I guess
20 my plea is that because NIH has made a good start
21 at interfacing with the neighbors and with the
22 neighborhood and with the community that because
23 we're -- if this thing goes through and probably
24 even if it doesn't go through, we're looking at a
25 prolonged period of more potential problems

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Comment

Response

39-2 Please see Section 1.7.3 where comments on noise were addressed.

1 emanating from the construction and the enlargement
2 of the laboratory.

3 I'm not at all concerned about the
4 biological risks that might be perceived to
5 eventuate from such a lab. I'm not worried about
6 that at all. I worked with infectious organisms
7 most of my life so I have a feeling that things are
8 in better shape than they've ever been and they're
9 going to be even better. What I'm worried about is
10 that when the pressure of getting the EIS passed is
11 done, the lab will kind of forget that they're part
12 of the community and they will go their merry way
13 and not pay attention to what we put up with again
14 in probably the next decade building around there.
15 Thank you.

16 MR. BLOOM: Thanks, John. This is a
17 little bit hard to read. I think it's Kathleen
18 Driscoll, okay.

19 MS. DRISCOLL: I'd just like to -- one of
20 the items like you saw on the news today was that
21 Mars, the Mars situation kind of turned cattywampus
22 on them and even though you ran all of your tests
23 and possibilities I still have -- a part of me
24 being raised in the Bitterroot here in Hamilton
25 torn that says there's always a possibility that

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39-3

1 everything can fall apart. Helps to have a person
 2 like the person previous saying that he feels
 3 comfortable with this. But I still have that in
 4 the back of my mind along with the people in town
 5 that were or are our neighbors and I would prefer
 6 that you have even more scenarios like that one
 7 where it spreads out rather than goes up and see
 8 what those possibilities are.

9 Also, I think that in good faith you
 10 should consider instead of contracting with
 11 different people in Hamilton to consider actually
 12 giving money to the infrastructure because of
 13 what's going to happen when this all starts
 14 breaking loose. You need to look at the fact that
 15 contracts are great, but people need help here.
 16 We're a pretty poor community when it comes to the
 17 average income rate and though I see a big
 18 difference when you work at the lab and have that
 19 income base and people that are here trying to keep
 20 three or four jobs going just to live here. So I
 21 would suggest maybe looking at the fact that the
 22 infrastructure needs to be pumped up for the worst
 23 scenario. Thank you.

39-4

24 MR. BLOOM: Thank you, Ms. Driscoll. Rich
 25 Unger.

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Comment

Response

39-3 Please see response to comment 11-8.

Comment

Response

39-4 Please see Section 1.7.3 where comments on community infrastructure were addressed.

1 MR. UNGER: I know safety seems to be on a
2 lot of people's minds and back when they worked on
3 Rocky Mountain spotted tick fever they had to move
4 around there. I read everything. I'm not
5 concerned with the safety. I thank the lab for
6 what they'd done. I had Rocky Mountain spotted
7 tick fever in 1950 and I have a cousin who
8 developed Lyme disease. And when I went to Vietnam
9 and one of my uncles went to Iwo Jima in World War
10 II, we both received the yellow fever vaccine that
11 was developed here. I think you're doing a good
12 job and I live on Baker Street, so I'm very close
13 to the lab and I think like the safety problem they
14 were concerned where you put a mote around the lab
15 so the ticks wouldn't escape. Now that's past and
16 you've done great work. I'd just like to thank
17 you.

18 MR. BLOOM: Thank you, Rich. Next name
19 I'm having a little trouble reading, might be Toni
20 Bloom.

21 MS. BLOOM: You were right. I guess I
22 came early enough that I got in at the beginning.
23 I would just like to say that despite my
24 connections by marriage with science that -- and
25 the lab, I have been really impressed over the last

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Chapter 5 – Response to Comments

1 year with the amount of opportunities for people
2 like me who are not scientists to learn about the
3 research of the lab, the plans for the integrated
4 research facility and the immense amount of
5 redundancy that is being built into the safety
6 issues.

7 I have been kind of looking at that as
8 someone who has two children who appear to be
9 migrating into scientific research and one of them
10 is particularly interested in public health issues
11 and infectious diseases. It is very comfortable to
12 me to know that labs like this are being built and
13 engineered so that highly infectious agents can be
14 worked on safely by the scientists who choose to do
15 so.

16 MR. BLOOM: Thank you, ma'am. The next
17 person here is a perhaps, so I'm going to give you
18 the benefit of the doubt. Columbia Pierson.

19 MS. PIERSON: Hi, everyone. I'm a painter
20 and a writer and I came to the Bitterroot Valley
21 because it seems like a sacred space. And when I
22 found out about this lab being here, I felt rather
23 sick actually and my heart dropped. And then when
24 I found out that the lab may be changed and made to
25 be even more dubious in character, I just -- I

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1 actually wept. What I'd like to see is the whole
2 facility being turned into a school for artists and
3 writers and have the whole thing moved to the
4 middle of Nevada. Thanks.

5 MR. BLOOM: Thank you, ma'am. Daryl
6 Miller didn't indicate whether he wanted to talk or
7 not, so I'm not -- I'm not sure I know who that is
8 so I guess that's a no. Doug Nation.

9 MR. NATION: Thank you for this
10 opportunity to speak. I'd like to start off by
11 saying congratulations to RML, NIAID and NIH for
12 the supplemental draft and environmental impact
13 statement. I think this version is much more
14 complete than the initial one. I think it also
15 demonstrates the commitment that RML has to the
16 concerns of the citizens of Ravalli County. I
17 thank you for the effort for doing this and, again,
18 I think you should be commended.

19 I'd like to speak -- just make a statement
20 or two on the issue at hand, whether or not we
21 should expand or approve the expansion of RML to
22 the BSL-4 lab. I've attended all of the community
23 meetings. I'm a member of the community liaison
24 group, spent a lot of time thinking about this. It
25 seems that the majority of the attackers of this

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Chapter 5 – Response to Comments

1 expansion, the folks that don't think it's just
2 such a good idea seem to concentrate on the
3 potential risk that bringing these agents into the
4 community. But I think any risk assessment, one
5 needs to look not only at the possible risk, and
6 I'm the first one to agree there is certainly a
7 potential risk involved, but one needs to look at
8 not only at the risk but the potential benefit.

9 Dr. Bloom I think mentioned some of the
10 advances in medicine that have come from
11 discoveries made in this lab. I think if we're
12 going to continue the advancement in the
13 pharmaceutical and infectious disease control and
14 treatment, we have to have these facilities. Well,
15 okay, I think most people even agree with that.
16 But the question was is Hamilton the place to do
17 it? The NIAID, the National Institute for Allergy
18 and Infectious Disease, has two campuses; one in
19 Hamilton and one in Bethesda. I think this work
20 needs to be done by the Institute for Allergy and
21 Infectious Disease. The Bethesda campus is full.

22 I think this is the place for it to be. I
23 think we as citizens of this community should be
24 proud of the work that goes on here. And my time
25 seems like it's up, so thank you again for the

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1 opportunity.

2 MR. BLOOM: Thanks, Doug. This one has
3 got a question mark by it and I think it's Ken
4 S-T-R-I-G-H. Does that involve anybody? Did I
5 spell your name correctly, sir?

6 MR. STRIGH: Strigh, yeah. First time
7 I've ever been up in the audience. I'm not a
8 talker, so excuse me. I think everybody in this
9 room realizes that we have to have an infectious
10 disease plant someplace. I think it's a good idea,
11 something that has to happen. I think these
12 diseases are getting more and more complicated,
13 harder to control and they're going to spread like
14 wildfire if we don't have these types of buildings
15 and places. I just don't think it should belong in
16 this valley. I'd hate to see something escape out
17 here and these inversions come along and keep it
18 down here in the valley and we can wipe out maybe
19 half the valley. I know I'm exaggerating a little
20 bit.

39-5

21 Mr. Bloom mentioned they have one of these
22 places near a child center over there. I just
23 don't think it's necessary to put these places in
24 this type of environment. I can't see why they
25 can't have it maybe out in the middle of the

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Comment

Response

39-5 Please see Section 1.7.3 where comments on outbreaks of agents were addressed. Also, refer to Chapter 4, Community Safety and Risk.

Chapter 5 – Response to Comments

16

1 wildlife out here and make a little city for the
2 scientists and so forth. It's just I realize we
3 have to have these places. Again, I'm not much of
4 a talker. I'm surprised I'm going as much as I'm
5 doing. I guess maybe I am a talker.

6 You know, I'm with it and I'm against it.
7 I just think there should be better places, better
8 ways of doing it. I know safety is important.
9 Senoble, they checked everything out and that
10 wasn't supposed to happen. These spaceships are
11 not supposed to blow up. They are very cautious of
12 these things. But any time mankind gets a hold of
13 something, he can mess up. Like picture me having
14 a fight with my wife and going into the lab and
15 dropping something all over or taking it home
16 maybe. I'm exaggerating again, but I hope you
17 people excuse me and I don't see the card going up,
18 please put it up.

19 MR. BLOOM: You don't have to talk for a
20 full three minutes. I think the first name of the
21 next individual is Vernon Weiss, spell it please.

22 MR. WEISS: W-E-I-S-S.

23 MR. BLOOM: Thanks, Vernon.

24 MR. WEISS: A number of carpenters, Local
25 28, and also citizens of Ravalli County, I'm going

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39-6

1 to just address two issues that we're concerned
2 with if the lab was built. One is that we'd like
3 to see it built by local residents of Montana and
4 particularly Ravalli County. One way to do that is
5 by it being built by a union contractor or at least
6 a union signatory contractor that brings down with
7 it certain restrictions on how many people you can
8 bring in from outside of this area. You can bring
9 in regular management staff and so forth and you
10 can only bring in so many of the rate filed
11 carpenters. I think that will provide a level of
12 safety beyond everything that's being done in that
13 local workers who live right here, we have many
14 members that live right in Hamilton and up and down
15 the Bitterroot, they're going both because they're
16 union members. They're highly trained and skilled
17 and also they have a vested interest in making sure
18 things are done right. If these things that are
19 being done that they feel is unsafe, if workmanship
20 is bad, they're likely to say something about it
21 and get that situation remedied.
22 The other situation that I'm concerned
23 with is our union scale is about roughly 2 percent
24 and I'll put this in a written letter -- it's
25 roughly 2 percent higher than what the prevailing

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Comment

Response

39-6

Local construction contractors would be invited to bid on the project with the goal to utilize as much local workforce as possible. Prior to bidding, prospective firms will be prequalified to ensure that the quality of work is maintained. The prequalification process will consist of relevant experience, past performance and ability to meet the security background check. The Federal Government requires, at a minimum, that labor rates are no less than the Davis Bacon Wage Rate. Use of union contractors and wages paid would be at the discretion of the firms who submit bids and are selected.

Chapter 5 – Response to Comments

18

1 scale is, the federal prevailing wage scale. A 66
2 million dollar project in Seattle or another large
3 city doesn't affect their wage scale as far as how
4 prevailing wage is figured over the next two or
5 three years. But a 66 million dollar project in
6 Ravalli County, that is two or three dollars below
7 our prevailing scale or below our carpenter scale,
8 would have a drastic affect on wages which is
9 something that's important to everybody. If this
10 is done, if it's built and it's built by union
11 carpenters here and other union trades, built by
12 local people, they'll spend that money in the
13 community. And to spend another 2 percent or 2 and
14 a half percent on the overall project is not a
15 large increase and it's something that money won't
16 be going to wherever the contractor is from. It
17 will be wages spent here in the community, spent
18 over and over again, spent at gas stations and
19 grocery stores and so forth. So that's our
20 concern, thank you.

21 MR. BLOOM: Thanks, Mr. Weiss. Dennis
22 Daneke.

23 MR. DANEKE: I'm Dennis Daneke and I work
24 for the Northwest Regional Counsel of Carpenters,
25 our office is in Missoula. We both -- my

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1 counterpart said most of what I have to say. A few
2 other things, Local 28 Carpenters Union in
3 Missoula, the Bitterroot, Flathead, it's all
4 Western Montana. Their motto is we build
5 communities, okay. We don't build houses, we build
6 communities. We're concerned that if this job does
7 not go union or at least union wages and benefits,
8 that it will cost the community 5 point some
9 million dollars in unrealized wealth. These
10 figures, bear with me, are all I could glean from
11 the EIS, so the numbers could be a little bit off.

12 One other thing I'd like to say is that
13 the EIS says sufficient numbers of qualified
14 construction workers may be hard to find. I
15 disagree. They list 659 in Ravalli County. They
16 do not list the ones who live here and travel out
17 of town because the wages are so low.

18 MR. BLOOM: Thanks, Dennis. Parnelli
19 Sharp.

20 MS. SHARP: I'm not very electrical. My
21 name is Parnelli Sharp and first of all I'd really
22 like to send out some thank yous. I'd like to
23 thank individual people who are residents that are
24 here in this room and excuse my back. And I'd like
25 to thank various and sundry groups that are also

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Chapter 5 – Response to Comments

1 represented here in this room. It shows our
2 concern and our willingness to be involved and our
3 wanting to be continued a part of this process. I
4 know that this secondary draft EIS has come out and
5 here we are again and I certainly hope that it
6 doesn't end here.

7 We are concerned and I do hope that we can
8 come up with some kind of a process, Marshall,
9 where we can help the people that are very, very
10 close neighbors. If and when this does come about,
11 there are concerns about that, very valid concerns
12 about the noise and the construction that will be
13 happening.

14 We all have concerns about safety issues.
15 And I remember Marshall making a statement one time
16 and I think I might get it right, if I don't,
17 Marshall, help me out; possibility versus
18 probability and that has stuck with me and I've
19 done a lot of thinking about that. I don't want a
20 facility like this in my neighborhood. I'm lucky
21 that I live ten miles away, but I really don't want
22 it here, but I also know the importance of doing
23 that scientific resource -- research, excuse me.
24 And so I guess if it will come, then I will support
25 it. But I also want continued involvement,

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39-7

1 Marshall. I want an opportunity to have the
2 community voice involved and possibly involved in
3 making some future decisions rather than having
4 something just kind of come out of the blue. I
5 know a lot of people feel that that has happened.
6 Thank you.

7 MR. BLOOM: Thank you. Laura Jackson.

8 MS. JACKSON: My name is Laura Jackson.
9 I've been a resident of the valley for many years.
10 My great grandparents homesteaded here and I have
11 the technical abilities like a cow.

12 MR. BLOOM: Get close to it.

39-8

13 MS. JACKSON: Okay. Several things
14 particularly about the EIS, the failure to honestly
15 consider alternatives. I understand the way it's
16 explained and it basically said that because the
17 intent is to expand and put this facility in
18 Hamilton at the Rocky Mountain Lab, therefore other
19 alternatives are irrelevant. This is a logic which
20 is way beyond me and I think it's the major failure
21 of EIS to generally consider for our benefit what
22 the options could be.

23 In particular, items that are mentioned
24 for justifying the intent to put it here and
25 therefore not considering other places are time

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Comment

Response

39-7 Please see Section 1.7.2 where comments on community participation were addressed.

39-8 Please see Section 1.7.1 where comments on the range of alternatives were addressed.

1 that it would be more expeditious to fulfill the
2 commitment to do the research because there are
3 some facilities already here; expense that compared
4 I believe 6 and a half million to a billion
5 dollars, some considerable saving and the
6 convenience and effect on scientists who would not
7 be willing to relocate who are already involved in
8 research here. These are certainly things worth
9 evaluating.

10 I think if they are considered weighty
11 enough to go ahead with this project then more
12 concern needs to be given to mitigation for the
13 neighborhood. There is a projected 20 percent
14 increase in traffic, an additional day or two of
15 incinerator time per week. The noise levels are
16 supposed to be improved and considered moderate in
17 any case. I own the house that is perhaps most
18 affected by traffic and one of the most affected by
19 noise and sitting out in that yard in the evening
20 is not a pleasant experience in terms of what it
21 was when I purchased that house many years ago
22 expecting to retire and live in it. I've already
23 lost one set of tenants during the past
24 construction. The house was then unrented for
25 quite awhile and I lowered the rent and do have

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39-9

1 tenants in it now. They are of course distressed
2 about construction and it is likely to come up.
3 A particular concern is parking. It is
4 understandable that this is a security problem. I
5 would only say that the planned construction does
6 not provide any non-secure parking which means that
7 the traffic jams will continue as people are being
8 cleared for security. This is a major flaw in a
9 plan. There should be some parking where people
10 can park and walk in. That's all I have time for.
11 Thank you.
12 MR. BLOOM: Thanks. Michael Helling.
13 MR. HELLING: I pass.
14 MR. BLOOM: Donald Sage.
15 MR. SAGE: My name is Donald Sage. I'm
16 grateful that I am able to speak. I just want to
17 say that my mother worked in Rocky Mountain Labs in
18 the '50s and with Rocky Mountain spotted fever
19 research. It was very good work for her. And so
20 Lyme disease -- my daughter this year contracted
21 Lyme disease and I was very grateful for the
22 antibiotics. So part of me is really in favor of
23 the lab, in favor of the science that supports that
24 and another part of me even after reading the EIS
25 recently in my heart I still feel really scared

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Comment

Response

39-9 Please see response to comment 31-4.

Chapter 5 – Response to Comments

1 about having these level 4 agents in the valley and
2 this beautiful town which has a lot of people that
3 I love in it.

4 So I just want to say that I appreciate
5 the lot of hard work and careful thought and care
6 that's gone into the planning process, but in my
7 heart I'm still really scared by it. Thank you.

8 MR. BLOOM: Thank you.

9 UNIDENTIFIED LADY: Can this microphone be
10 turned up? It's very difficult to hear.

11 MR. BLOOM: You really have to get right
12 up to it. Larry Campbell. Is that better? Pam,
13 is that better?

14 MR. CAMPBELL: My name is Larry -- oh,
15 that's working now.

16 MR. BLOOM: Get some earplugs.

17 MR. CAMPBELL: My name is Larry Campbell
18 and I'm going to read fast here. I appreciate the
19 opportunity provided by NEPA to comment on the
20 SDEIS and EIS, and I especially appreciate the
21 production of an SDEIS to comment on the decision
22 to supplement the previous sketching. SDEIS is
23 commendable and as a demonstration of how the
24 planning of the project could be improved to public
25 involvement. The analysis and information in this

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1 testing is however still lacking, more importantly
2 the entire framework of the analysis has been
3 skewed.

4 One of the critical legs of the NEPA
5 process is that the analysis of the decision being
6 contemplated, including a range of alternatives.
7 The reason for this is not simply a technical
8 formality, an informed decision analyzes various
9 alternatives and possibly combines parts of various
10 alternatives. The purpose and needs set out in
11 this document is tailor made for a BSL-4 lab
12 acting, existing and only existing at RML campus in
13 residential Hamilton. The only actual alternative
14 analyzed is a cut and dried plan, take it or leave
15 it. It has been a foregone conclusion which
16 alternative would be chosen from the beginning.
17 It's clear that NIH isn't going through the NEPA
18 hoops just to choose a no-action alternative. NIH
19 apparently went through the NEPA hoops entirely as
20 a formality of informing the public of what they
21 were planning to do. But I believe NEPA is meant
22 to improve the decision making by involving the
23 public, not just a mandate to inform the public
24 about a set plan.

25 Even the informational aspect of this

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1 process has been shortchanged by not analyzing the
 2 range of alternatives, neither we the public nor
 3 apparently the decision maker at NIH know what is
 4 being traded off, for example, by choosing not to
 5 build a new BSL-4 lab or an out lab at a secure
 6 location outside residential Hamilton.

7 At the last meeting Dr. Debra Wilson, NIH
 8 director of safety, agreed with my contention that
 9 distance from the community would significantly
 10 improve community safety. By not analyzing this
 11 alternative, we don't know how much that extra
 12 community safety would cost or how much community
 13 safety could be gained or given this decision that
 14 was made from the beginning how much community
 15 safety is being sacrificed to save how much money.
 16 There may be advantages over and above the improved
 17 security and public safety that could be bought by
 18 the extra cost by starting from scratch in a
 19 smarter location, like noise, parking, et cetera,
 20 maybe coordinated with Corixa, who knows. No other
 21 options were analyzed. The rationale given to
 22 dismissing all options to relocate to a less
 23 populated area -- am I done? That most of the
 24 reasons given for dismissal are not even relevant.
 25 The BSL-4 lab down in town would not require

39-10

39-11

Comment

Response

39-10 Please see Section 1.7.1 where comments on alternatives were addressed.

39-11 Please see response to comment 11-3.

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1 relocation of the staff or necessitate the
2 commissioning or closure of the RML facility as
3 stated in the document. The intellectual synergy
4 could still go on with several more specific
5 concerns.

6 MR. BLOOM: Okay.

39-12

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7 MR. CAMPBELL: I'm done? I'll send it in
8 in writing. One last thing, I wish you would build
9 a specialized hospital room here in town instead of
10 Missoula. It seems like it increases risk to put
11 somebody that's sick in the ambulance and take them
12 all the way to Missoula.

13 MR. BLOOM: Thanks. George Risi.

14 DR. RISI: Thanks, Marshall, I'm George
15 Risi and I'm a physician specializing in infectious
16 diseases in Missoula. I'm here representing St.
17 Patrick Hospital as well as the Department of
18 Emergency Medicine of St. Patrick's Hospital and
19 Division of Critical Care Medicine at both
20 institutions. The medical community of Missoula is
21 resoundingly in favor of this facility being
22 constructed here. We have reviewed the documents
23 very carefully and are very satisfied with the
24 thoroughness of the supplemental EIS that has been
25 comparatively released. They have absolutely no

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Comment

Response

39-12 Please see response to comment 11-9.

Chapter 5 – Response to Comments

28

1 concerns about the safety and I have with me
2 letters from people I mentioned supporting the
3 process going forward.

4 MR. BLOOM: Thank you, Dr. Risi. Next is
5 Jay Evans.

6 MR. EVANS: My name is Jay Evans. I'm a
7 scientist down the road here at Corixa
8 Corporation. I have a Ph.D. in nephrology and I've
9 worked at level 3 laboratories at various places
10 around the country. I must say after working at
11 these different locations and seeing how they
12 interact with the community, I must commend
13 Marshall and RML and the NIAID because they do a
14 lot for this community. They hold community poster
15 sessions telling you about the new lab, answer all
16 the public safety concerns. They have a community
17 liaison group meeting and public seminars. None of
18 the other institutions I've worked at do this or
19 have this level of involvement in the community.

20 I've reviewed the supplemental draft EIS
21 and from being a nephrology, from the safety
22 perspective, I'm a hundred percent satisfied with
23 the safety level and I have no concerns. My family
24 lives in the valley and I have two kids in the
25 local public school system and I feel they're safe

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1 even if the level 4 lab is built. Thank you,
2 Marshall and NIH.

3 MR. BLOOM: Thanks, Jay. Seta Loveridge.

4 MS. LOVERIDGE: First I'd like to thank
5 you for the chance to come and talk about the
6 proposed Rocky Mountain Lab expansion. I'd like to
7 start with a story from the first public meeting I
8 attended regarding the proposed expansion. After
9 being rushed through a brief verbal description of
10 the expansion, we were told to check out the artist
11 renditions on the finished project on our way out.
12 From all I could tell Marshall Bloom had been in
13 charge of the meeting, so I went over and attempted
14 to communicate with him. I said I felt many of the
15 locals had come to the meeting to talk about the
16 proposal and felt frustrated with the schedule that
17 did not include time or space for them. Marshall
18 scowled at me and he said and I quote, "Well, then
19 you have a problem. That's your problem."

20 Next I will quote an NIH document, "The
21 RML campus is located in rural Western Montana,
22 well removed from major population centers. The
23 location of the laboratory reduces the possibility
24 that accidental release of biosafety level 4
25 organism will lead to a major public health

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39-13

1 disaster." Written in this light it sounds like
 2 the human population of the Bitterroot Valley is an
 3 expendable population.

4 In addition to my own concerns for the
 5 human population, I'm here tonight to speak for all
 6 of us, the deer, the bears, the fish, the trees,
 7 the mountains, rivers, those who cannot come to
 8 this meeting and speak for themselves. The lab is
 9 maybe three stones throw from the largest
 10 contiguous wilderness in the lower 48.

39-14

11 As stewards of this international jewel
 12 and absolutely priceless chunk of intact earth, I'd
 13 like to hear its value is being weighed into the
 14 whole of this decision. Why allow this good
 15 neighbor to become a huge international target for
 16 evildoers and multiply local homeland security
 17 issues. Someone needed to come speak for the
 18 things wild. Think, I hope you'll agree with me.
 19 The wilderness and all who live there are not an
 20 expendable population. In the final analysis, we
 21 as a species have no right to threaten the welfare
 22 of these precious wildlands. Thank you for
 23 listening.

24 MR. BLOOM: Thanks, Seta. Next one is a
 25 maybe, Frank Westerman, Westerman, sorry.

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Comment

Response

39-13

The format of the document referred to suggests that it was a document prepared by someone to make a case for the construction of a level-4 biocontainment facility at RML in the approximate style of an NIH space justification document. It was e-mailed to the Director, Division of Intramural Research, NIAID's computer on December 13, 2000. As a matter of routine, it was filed on the computer. It was never put on letter or memo head and was never signed. There is nothing to suggest that anyone in the office further modified the document or used it in any way. It was released as part of a FOIA because it was in a folder on a computer marked Biodefense (the subject of that FOIA). NIAID, NIH does not support the ideas in the document. Please also see response to comment I-2.

39-14

Please see Section I.7.3 which addresses comments on the effects of terrorism.

1 MR. WESTERMAN: My name is Frank and I'm
2 just another flea on the dog's back. I've got 31
3 years of experience in the construction field.
4 They called me from out of state to come do tilt up
5 and do cast plate concrete on this Hamilton High
6 School. Where I came from, I did biotech work for
7 Montara in Oyster Point south of San Francisco; HMT
8 which is now a Mack store which is a disk drive
9 manufacturer. I've done cleaning room
10 manufacturing and construction and applied
11 materials in the Silicon Valley. Not to mention I
12 built with three other superintendents, an armory
13 of foremen, 13 buildings on a campus for Sun Micro
14 System which also contained clean room and vacuum
15 facilities.

16 What I'm here to stress is that there are
17 no corners cut if this comes to be. I know that
18 this has happened because I have worked for some of
19 these contractors here in Montana and I'm not
20 pointing fingers and I'm not saying anything bad,
21 but I believe that I can -- I believe I'm qualified
22 enough to say that they are less qualified, if you
23 will, to be able to perform this magnitude of
24 construction where you have potential disaster to
25 this area. It's very important that you have a

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1 contractor who's competent with skilled labor, with
2 protocol that is bullet proof in order to minimize
3 any type of destruction that can be. Whether you
4 people realize it or not, this is going to happen
5 because it's a money thing, you know, and the thing
6 about it is these people have to have it together.
7 You cannot have amateurs doing this type of thing,
8 whether it's clean rooms, whether it's filtration
9 systems that come out of this roof that I see that
10 -- those orange things, those orange trumpets that
11 I see up there. To me I see it as an -- oh, how
12 would I say, something less than what really could
13 be.

14 But I mean like again I say, it's going to
15 happen, it's a federal money job, Rocky Mountain
16 Lab is here. They're not going to go put it back
17 in the middle of Nevada. Nevada is a -- that's a
18 nuclear dump site down there by Vegas as it is, so
19 that's out of the question. And for what it's
20 worth, people, you guys got to keep an eye on the
21 contractors that come in here and do it. Right now
22 you have Standson that is going to GC it or the
23 construction manager or whether they sub it out to
24 a lesser, then that's something this community has
25 to look after.

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39



Comment

Response

39

Please see response to comment 39-6.

1 MR. BLOOM: Thanks, Frank. Dan Norman
2 didn't indicate yes or no. Dennis Barbian.

3 MR. BARBIAN: I'm Dennis Barbian.
4 Actually Doug here expressed a lot of my views so
5 I'm not going to go over that again. He did a very
6 good job. First of all, I want to thank you for
7 all the things you've done in the past in helping
8 fight infectious diseases. I think the
9 supplemental EIS is very well done. I do think
10 that we need this type of facility to counteract
11 infectious diseases. No matter where it is, you're
12 going to have some risk involved. If you are
13 living and walk across the street or driving a car,
14 you have some risk involved. I really appreciate
15 them giving the safety records and the overall
16 safety record in the last 20 years have been very
17 good. So I'm for the lab expansion and I just
18 think that we do need the facility, thank you.

19 MR. BLOOM: Thank you, sir. Joan Perry.

20 MS. PERRY: I'm Joan Perry and I'm a
21 little bit confused by the statement that Seta
22 mentioned about the risk being less of a public
23 safety -- public health issue if it's in a small
24 rural town. I've heard a lot of denials about that
25 statement and I don't see anyone taking full

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39-15

1 ownership for having said that statement. If in
2 fact a rural location is not an advantage for
3 public safety, then it seems to me far more
4 appropriate to locate it in an urban area where
5 support services are already in place. This past
6 week I know that there were a couple of gentlemen
7 from Belgium coming into Corixa. They never could
8 fly in because the inversion. I just can't help
9 but think that mother nature, it's not an
10 appropriate place for a lab and I really think you
11 guys need to take a look at other appropriate
12 places where you start from scratch with a clean
13 slate, no neighbors and just do the whole thing
14 from scratch.

15 You know my other feelings, Marshall. I
16 still think it's a done deal and I'm a little
17 frustrated to keep coming to these meetings when I
18 know it's going to happen anyway. I'm tired of it
19 and thanks again for the cookies.

20 MR. BLOOM: Thanks, Joan. Bryon Schwan.

21 MS. SCHWAN: Good evening. I'm here
22 tonight in lieu of my colleague Alex Bowman,
23 director of science and research, who could not be
24 here who has been working on this issue. We'd like
25 to thank Rocky Mountain Lab and EIS for holding

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Comment

Response

39-15 Please see response to comment 11-3.

1 this hearing. We appreciate the opportunity to
 2 provide public comment on this significant
 3 proposal. In coalition with Friends of the
 4 Bitterroot and Coalition for a Safe Lab, Women's
 5 Voices for the Earth submitted extensive comments
 6 on the original draft EIS. We are pleased that the
 7 NIH chose to release the supplemental EIS for our
 8 information. We were dismayed that our comments
 9 were simply ignored in this draft. For example, a
 10 comparison of the financial costs of the
 11 alternatives which is absolutely standard in EIS
 12 was not provided; an analysis of hazardous air
39-16 { 13 pollutants from the increased use of incinerator
 14 was not included; an inventory of toxic chemicals
 15 proposed to be used on site was not included; a
 16 calculation of potential income to the local
39-17 { 17 government from payroll taxes generated by the
 18 project was not included. There is no analysis of
39-18 { 19 the risks proposed by an accidentally infected lab
 20 worker. There is no emergency plan included in the
39-19 { 21 SDEIS. The air pollution modeling analysis on the
 22 nearby class one area was not included and analysis
 23 of the solid waste stream expected from the
39-20 { 24 proposed lab was not included. No discussion of
 25 the conflicts between the proposed project and the

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39-16 (cont. on next

| Comment | Response |
|--------------|---|
| 39-16 | Cost of alternatives is not necessarily required in all EISs. Chapter 1 of the DEIS, SDEIS and FEIS state that the expected cost of the Proposed Action is \$66.5 million. Please see Section 1.7.3 where comments on use of the incinerator and use and disposal of hazardous chemicals were addressed. Please see page 4-17 where revenue is predicted. |
| 39-17 | The effect of an infected laboratory worker on the community is addressed on page 4-7 under <i>Agent Communicability and Treatment</i> . |
| 39-18 | Please see Section 1.7.2 where comments on the emergency plan were addressed. |
| 39-19 | Additional information on waste disposal was included in Section 2.1.3. Impacts on the Class I Airshed are disclosed in section 4.7.1.1 of the SDEIS. |

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goals of the Ravalli County growth policy and that's just a few. There is a much longer list.

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These were all entirely reasonable requests. They were perfectly relevant to the scope of this EIS. However, these comments were not addressed in the supplemental EIS and, in fact, were not even acknowledged. We ask in light of the NEPA procedures that these comments be addressed in the final EIS. Substantial comments from community

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members should not be ignored. The SDEIS claims the potential risk of release of infectious agents from the level 4 lab is negligible. No matter how small of an epidemic or an incurable fatal disease in our community should not be dismissed as negligible. The potential consequences are too great to be considered negligible. Even if the risk is very small, it cannot be eliminated and it cannot be eliminated. NIH must show how it will be

39-21

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regulated. This means the NIH must clearly illustrate the plan on how a worse case scenario will be handled.

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For over a year we have been asking the emergency plan be included in the EIS process for public review. Simply stating that the plan is in progress and emergency responders feel comfortable

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Comment Response

39-20 The project would not conflict with Ravalli County Growth Policy. County officials were interviewed in August 2003 on this issue and determined that the Integrated Research Facility is within the plan.

[Response to 39-21 on following page.]

Comment Response

39-21 In the EIS, reasonable and foreseeable events were extended to worst-case situations ensuring contaminant release. These scenarios were then subjected to quantitative analysis as clearly demonstrated in the risk assessment. The results of these analyses were that no public health harm could be demonstrated. However, procedures and protocols to further mitigate the remaining infinitesimally small risks will be developed (See Section 4.2.2). These will include, but not be limited to,

- Operations and maintenance plans
- Local emergency response and notification plans
- Facility emergency response plans
- Quality assurance protocols and facility certification plans

Such detailed plans cannot be reasonably developed at this time. Details of the emergency response plan will be driven by the agents used in the research protocols to be performed. Agent-specific plans will be developed prior to the commencement of work with a particular agent. The other plans will be developed as the final design becomes available so that the specific features of the facility may be addressed in operations, maintenance, quality assurance, and certification and testing plans. Periodic reevaluation of these plans will be necessary throughout the life of the facility. New plans will be developed as the agents in use change.

1 handling the emergency event is not the same
2 thing. The EIS is the one place where the public
3 and the labs review a project and have their say
4 before it is implemented. How often the community
5 assessed the impacts of this lab without it being
6 able to see the plan that ensures the safety in an
7 emergency. From the beginning of the process, it
8 has been clear that the number one concern of the
9 community is safety. The emergency plan is the
10 document that let's the community know you have
11 seriously considered the possibility and have
12 ensured the community has the strong training and
13 equipment and other resources to handle this
14 emergency. The public clearly has a right to
15 review and comment on this information when they're
16 being asked to accept the risks being involved.
17 The emergency plan must be made publicly available
18 as part of the EIS process.

19 I don't have time to go into all the
20 concerns about the incinerator, but we are
21 concerned that the, you know, increase in the
22 incident rate will be 50 to 100 percent and on top
23 of that the hazardous emissions are not addressed
24 in this EIS. Thank you.

25 MR. BLOOM: There was one more individual

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39-22

Comment

Response

39-22

Please see Section 1.7.3 where comments on the effects of the incinerator are addressed.

1 who has indicated that he wants to sign up. Is
2 there anybody in the audience who wants to comment
3 and didn't sign up?

4 MR. JENSEN: I signed up and said yes.

5 MR. BLOOM: Oh, I'm sorry, there is. Gary
6 Jensen.

7 MR. JENSEN: My name is Gary Jensen. I
8 live three or four blocks from the lab. I'm not
9 comfortable with having people and all the other
10 bio 4 level agents in my neighborhood. I'm not
11 comfortable with those of you that are comfortable
12 with this. I think that says a lot. I mean, how
13 do you get comfortable with that?

14 I heard Dr. Bloom on the news last night
15 and he said there is "no measurable risk to the
16 community," no measurable risk, and the word we
17 often hear and it's in the latest EIS, negligible.
18 Well, I looked it up. Negligible means so trifling
19 that it may safely be dismissed. Trifling, I wish
20 he'd stop using the word negligible. Just because
21 a risk can't be measured, doesn't mean you
22 shouldn't acknowledge it and acknowledge it and
23 acknowledge it.

24 Of course any time you bring dangerous
25 pathogens into the mix, there are inherent, ever

1 present risks, that can hardly be said to be
2 negligible. We're being told we can rest assured
3 because of mitigation measures and protocols and
4 space suits and wrought iron fences and guards at
5 the gate are going to serve to turn immeasurably
6 huge risks into immeasurably trifle ones. I don't
7 buy it. We're being asked to trust science and
8 government.

39-23

9 So I find this latest draft troublesome in
10 two ways, first, the business of the negligible
11 risk. It seemed to me that any sincere analysis of
12 the risk being -- we're being asked to swallow
13 would at least mention an awareness of the
14 potential for purposeful release, either by
15 terrorist activity from the outside or by rogue
16 elements on the inside. 9/11 and the anthrax
17 release suggests this is a gross and glaring and
18 probably purposeful down play. I brought this up
19 at the very first meeting I went to and the
20 gentleman from back east was surprised that I even
21 suggested terrorism. I mean, the folks in Bethesda
22 don't even want a fence around their thing he
23 said.

24 I've got to wrap this up. But, anyway,
25 the EIS should not be a PR tool. Those in charge

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Comment

Response

39-23 Please see response to comment 38-1.

1 of the lab, I say if you are going to gamble with
2 my future and my children's future the least you
3 can do is be honest about it.

4 MR. BLOOM: Carol Barbian.

5 MS. BARBIAN: My name is Carol Barbian.
6 I'm a resident of Ravalli County. I want to go on
7 record as being in favor of the expansion of this
8 lab. I believe that it's a necessary thing that
9 needs to be done. I think there are a lot of bad
10 germs out there that need to be studied and
11 overcome. My son works at the Rocky Mountain Lab.
12 He is very enthusiastic about this expansion and
13 really wants to work in this lab. He would be
14 probably in the first line if something were to
15 happen. Now, I do not want my son to die from some
16 of these bad germs because something happened at
17 the lab, but I also do not want any of my other
18 children to die from some of these germs because
19 something was not done at the lab. Thank you.

20 MR. BLOOM: This next one I think is the
21 last name is Tilton, this is a maybe; is that
22 right? Oh, okay.

23 SISTER TILTON: That's right, Sister
24 Rafael Tilton.

25 MR. BLOOM: Sister, okay.

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Chapter 5 – Response to Comments

41

1 SISTER TILTON: Hi there. I don't think
2 66 million dollars is a whole lot of money. If the
3 NIH can put 66 million into this lab, that is I
4 just figured it out, about one-third of the average
5 incomes of the people who get average incomes in
6 this valley, which isn't a whole lot of money, if
7 they've got 66 million just lying around to put
8 into something like this. Now, they can put 66
9 million then they can put in three times that much,
10 in my opinion, and take care of some of the other
11 impacts that are as someone just said seemingly so
12 negligible.

13 I was just at the Pine board meeting last
14 night where they were talking about what would
15 happen over on Eastside Highway at Tammany Lane
16 when they put 60 new homes up on the hill and 90
17 new homes over on Marcus and what kind of lineups
18 you will have in three cars in each of those or at
19 least two because people have to go a long ways to
20 work and we're not all going to be employed here at
21 the lab. So I think that NIH ought to rethink how
22 much they ought to spend.

23 MR. BLOOM: Thank you, Sister. This next
24 person is another maybe and it's either Kirsten or
25 Kristen Lang.

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1 MS. LANG: My name is Kirsten and I'd like
2 to thank the lab and the NIH for allowing us this
3 opportunity to speak. And, of course, safety is
4 very important to me and my family and I think to
5 this community. And I think that the statement
6 that Seta read is of the utmost importance because
7 what a lot of people in this community that aren't
8 in this room realize is that we are not expendable
9 and they do not realize that not only is the lab
10 doing everything that it can to keep safety levels
11 as high as possible, but my concern is the
12 transportation of these things to the lab. How
13 many hands are these going to go to? How many
14 people are going to be in the process of all these
15 pathogens coming into this community?

16 The lab can do everything that it possibly
17 can, but it's not going to take care of the postal
18 workers and UPS and the flight attendants and
19 everybody else along the way that's going to be
20 bringing these things here. There is only so much
21 that NIH and the NA whatever acronym -- there is
22 only so much those people can do to protect the
23 people in this community, but they certainly can't
24 protect everybody else along the way. Thank you.

25 MR. BLOOM: Thank you. Next is I.

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1 Serenity.

2 MS. SERENITY: I'm also a resident of this

3 valley and I came here because of the beauty and

4 the wilderness and that it was I thought a safe

5 place. And now here we have an opportunity as

6 people to say no to something that could

7 dramatically affect this area all of our lives.

8 Obviously the government that is involved in this

9 has a game plan and a very strong one that they are

10 throwing thousands and millions of dollars into

11 just like some of these political campaigns we're

12 dealing with. They have a foregone conclusion and

13 they are trying to just make it happen. And yet

14 even though meeting after meeting we express these

15 same concerns that I've heard over and over again

16 that are not addressed here and I find it appalling

17 that your worst case scenarios would say that

18 there's no threat to this. How worse case could

19 you be considering?

20 We've talked about what if somebody flew a

21 plane -- we've got planes flying up and down this

22 valley all the time. They could easily without any

23 hesitation ram right into the Rocky Mountain Lab

24 releasing not just one, but hundreds of different

25 pathogens. I mean, all of these different

39-24

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| Comment | Response |
|--------------|--|
| 39-24 | Please see Section 1.7.3 where comments on increased threat of terrorism were addressed. |

1 scenarios have not been considered in this EIS and
2 I think we are being naive to believe that nothing
3 is going to happen if it is a negligible risk. So
4 I pray deeply that we will defeat this and that we
5 will not have level 4 pathogens in our valley.

6 Thank you.

7 MR. BLOOM: I've neglected somebody from
8 the previous page who indicated he was a maybe, Ted
9 Kurstetter. Ted, did you want to --

10 MR. KURSTETTOR: I do.

11 MR. BLOOM: Okay.

12 MR. KURSTETTOR: Actually, I don't want to
13 speak about the safety of the lab because
14 surprisingly I'm not terribly concerned about that
15 issue under conditions of the operation. I do --
16 what I want to speak about is the process that
17 brought us to the point where we are tonight. Most
18 of you are here a year and a half overdue. A year
19 and a half ago the Intermountain Citizens for a
20 Safe Lab convened a meeting in this room and they
21 invited you and they invited other representatives
22 of NIH and they invited a number of even the local
23 politicians, maybe two of whom bothered to show
24 up. You weren't here, so I can't tell you what
25 went on.

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1 A year later the same thing happened. In
2 that meeting, we had camera crew from the PBS
3 evening news and they got a pretty good shot of the
4 empty chair and sign Marshall Bloom, reserved for
5 Marshall Bloom or other members of the NIH who
6 elected not to come. Instead, the lab convened a
7 group of people called the Citizens of the Liaison
8 group, in my opinion composed of lab proponents and
9 people who were thrilled to be included in the
10 verified atmosphere of the lab and spoken to by the
11 world renowned scientists at the lab only because
12 there may be protests from people in groups to
13 which I am sympathetic and one of which I belong
14 were a couple of dissenting members flailingly
15 invited to come.

16 By means of these actions and this
17 attitude, you have increased the polarization in
18 this community. You increased the anger among
19 those who are for the lab and those who are not
20 necessarily against it, but have legitimate
21 questions that they wanted answered, not the kinds
22 of questions that you get from going to a dog and
23 pony show. So in closing, I would simply like to
24 say I hope this meeting tonight represents a true
25 change of heart. I hope it represents a

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1 willingness on the part of NIH and the lab staff to
2 really get into serious discussions with members of
3 the community who handle legitimate questions and
4 are not necessarily totally against the lab. Thank
5 you very much.

6 MR. BLOOM: Thanks, Ted. Jim Miller.

7 MR. MILLER: Jim Miller. After the
8 anthrax attacks within our country two years ago,
9 it was determined by the administration that there
10 was a need for additional BSL-4 lab space within
11 our country. There are a lot of places where BSL-4
12 labs can be constructed, but the NIH predetermined
13 that the lab would be built at Rocky Mountain
14 Laboratories in Hamilton and nowhere else. The
15 need is additional lab space, BSL-4 lab space in
16 the United States. You might even take that a step
17 further and say regionally we might need BSL-4 lab
18 space in the Western United States or even further
19 you might say space is needed in the Pacific
20 Northwest.

21 In the draft EIS, the NIH has defined
22 their purpose and need as to build the BSL-4 lab at
23 Rocky Mountain Labs and nowhere else. After the
24 anthrax attacks, the president didn't go before the
25 nation and say, gosh, we need more BSL -- we need a

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Chapter 5 – Response to Comments

1 BSL 4 at Rocky Mountain Labs. He said we need
2 additional space. Now the NIH has made this
3 incredible leap to building the lab here and
4 nowhere else and I ask myself how or why they made
5 this leap. During the first comment period on the
6 original draft many people commented that there was
7 a need to consider other locations and I've heard
8 that need reiterated here over and over. There was
9 a need to consider other alternatives rather than
10 just one alternative. The supplemental draft EIS
11 dismisses these concerns of our citizens with one
12 sentence, it doesn't meet the purpose and need
13 which is to build the lab here. That's pretty
14 obvious. The intention here is utterly
15 transparent. The defined purpose and need
16 immediately excludes every other possibility for
17 building the lab anywhere else.

18 Believe me, this was not the intent of
19 Congress and the people they represent when they
20 passed the National Environmental Policy Act which
21 governs EIS process. The heart of the
22 Environmental Impact Statement is the development
23 of a full range of alternatives. The law requires
24 that quote, "Agents shall consider a full range of
25 alternatives and shall rigorously explore and

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1 objectively evaluate all reasonable alternatives."
2 The reason for this is we can compare different
3 alternatives, we can weigh the different pros and
4 cons of the different alternatives and come to the
5 best solution for our community.

6 MR. BLOOM: All right, Jim.

7 MR. MILLER: The Rocky Mountain Lab may be
8 the best place for a BSL-4 lab, but we're never
9 going to know that because the NIH has shortcut the
10 process to a predetermined conclusion.

11 MR. BLOOM: Thanks. Now Doug.

12 MR. SOEHREN: Hear, hear. Jim says it
13 like it is and I count myself, Jim Miller and many
14 others who spoke tonight --

15 MR. BLOOM: Can you go to the microphone?

16 MR. SOEHREN: Anybody can't hear me?

17 MR. BLOOM: Doug Soehren.

18 MR. SOEHREN: I had spoken many times as
19 has Jim Miller and several others and I was
20 involved in the preparation of the considerable
21 comments that were turned in on behalf of the
22 Coalition of Concerned Citizens groups here in the
23 valley. We put a lot of time and energy into
24 analyzing the documents and analyzing the situation
25 here in the valley. Many of us have been long-time

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Chapter 5 – Response to Comments

1 residents here in the valley. We are deeply
2 concerned. We love this place and it is
3 unfortunate. I thought it was really great that
4 you've decided to revise the draft and you did come
5 out with the additional supplement. I think that
6 was smart and I was hopeful that you would address
7 all of our concerns. There isn't nearly enough
8 time for us to list all of the concerns that we
9 turned in that have not been addressed. They need
10 to be and they better be in the EIS or I think that
11 you really are on shaky ground. I think that
12 you're trying to dismiss us and we're not going
13 away. Thank you.

14 MR. BLOOM: Thanks, Doug. There is one
15 more person who signed up, Archeson Harden. Is
16 there anyone else who wants to speak after Mr.
17 Harden who didn't sign up? Okay.

18 MR. HARDEN: I'm sorry to sound like a
19 broken record here. It seems like every time they
20 give me a chance I come out and ask the same
21 questions and I never get answers, so here I am
22 again. I'm not going to thank you folks for
23 letting me be here to speak, because any time you
24 didn't have to, you have refused to listen to
25 anything I have to say. You've only let me speak

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1 when you were legally obliged to. So I'm not going
2 to be polite because I think they've been too
3 nice.

4 My concern and that nobody else seems to
5 have tackled too specifically is the issue of our
6 local infrastructure again. Your analysis of
7 whether or not we need any more improvements to our
8 infrastructure goes to ask the local EMS if they
9 feel comfortable. Well, I guess I feel
10 comfortable. You go to the hospital, well, is
11 there anything we can do for you? We're going to
12 have people down in the valley. Nothing you're
13 going to do for Marcus Daly Hospital is going to
14 make a damn difference. They're going to be
15 overwhelmed pretty immediately, so why waste the
16 money? I don't know, but that's not a very
17 scientific analysis of the needs of the community
18 if you are going to build this thing anyway.

19 It seems to me that, one -- I'm going to
20 ramble a little bit here -- the one case you didn't
21 examine in your hazards case, was that of someone
22 getting infected and going out into the community
23 and infecting other people. How would that
24 progress through the community? How many people
25 might get one of these diseases if it did get out?

39-25

Comment

Response

39-25

Please see response to comment 39-16.

39-26

1 I mean, you addressed the most illogical ones of
2 all clouds, how far would a cloud of anthrax if we
3 shook it up on the roof travel. That's not what
4 I'm afraid of. I'm afraid of someone getting it or
5 bringing it out on purpose. After all, it appears
6 that the anthrax case was an inside job of somebody
7 who was involved in the business.

8 We heard from probably -- who isn't here.
9 Now, we heard from an EMT from Atlanta, Georgia,
10 said he moved here because after working the CDC on
11 emergency drills it scared the hell out of him and
12 he wanted to get out of Atlanta. Then you go and
13 ask the local guys who don't have a clue what
14 they're facing, this guy has been doing the drills
15 and talking to the doctors and said, my God, this
16 is scary. And we talk to local guys who probably
17 don't have a clue and say, hey, what do you think?
18 I feel comfortable, sure, no problem. I don't want
19 to sound stupid, but, you know, we have people that
20 know a lot more about it and we don't seem to ask
21 them any questions. Oh, no, let's ask the guys in
22 Hamilton, Marcus Daly, how they think. It's just,
23 you know -- I'm sorry, it's not scientific and it
24 hasn't addressed my issues which I've asked over
25 and over again in writing and verbally.

Comment

Response

39-26

Please see Section 1.7.3 where comments on the risk of terrorism were addressed.

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39-27

1 Also if you are going to build it here,
2 seems to me we're not addressing other affects on
3 infrastructure. I mean, are we going to have to
4 build more roads? Does it apply to all the
5 traffic, the people coming in and out of the lab
6 all the time, you know, affect on the water supply,
7 on schools. I know you tell us there are plenty of
8 water, you told us that last summer and two weeks
9 later I notice in the newspaper the mayor was
10 telling us to cut back on water.

11 MR. BLOOM: Can you wrap it up?

12 MR. HARDEN: Once again, I have to say the
13 thing is really ugly. As a student of art history
14 and architecture, it's really an eyesore and can we
15 do something about that if you're going to slap it
16 down the middle of town.

17 MR. BLOOM: Thank you, sir. We have at
18 least one more person signed up, Bob Sutherland.

19 MR. SUTHERLAND: Thank you. My name is
20 Robert Sutherland. I live in Hamilton. I wanted
21 to address the issue of the impacts of the lab
22 expansion on infrastructure in the City of
23 Hamilton. The EIS does not do much more than state
24 what the impacts will be. I am concerned about, I
25 mean, the impacts outside the fence. That's what I

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Comment

Response

39-27 Please see Section 1.7.3 where comments on the effects of the Proposed Action on traffic, community infrastructure, and water supply were addressed.

39-28 {

1 am concerned about, the noise, the pollution, the
 2 traffic and the use of the city water and sewage
 3 treatment plan. Some of the statistics that I have
 4 read in the supplemental EIS regarding water usage
 5 and so on don't square with statistics I have seen

39-29 {

6 elsewhere. I don't know who put those together or
 7 why they used the statistics that they did, but it
 8 looks like there isn't very much credibility to
 9 them.

10 The city has given a pass up to now to the
 11 lab expansion. There has been no comment from city
 12 government regarding the impacts. It was just a
 13 good project as far as the city government has been
 14 concerned. This is the same city government,
 15 though, that has gotten itself into situations
 16 itself where they wanted to construct -- have
 17 construction projects and had to give up a lot in
 18 negotiation.

19 I can give you an example, the city bought
 20 ten acres to put a water tank on next to the
 21 existing water tank, didn't realize when they
 22 bought it that there were covenants in the deed
 23 that wouldn't permit them to build the tank there.
 24 Rather than switch that property for a more
 25 suitable site, they decided to go ahead with the

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Comment

Response

39-28

Please see Section 1.7.3 where comments on the effects of the Proposed Action on noise, air quality, water, and wastewater were addressed.

39-29

This information has been corrected in the FEIS. See section 4.4.1.1.

1 cookies left back there. If you think I may have
2 had some problems reading off your name because of
3 the writing, please come up and see me and I'll try
4 to make it legible.

5 (Public hearing concluded at 9:15 p.m.)
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