

State of New Mexico
ENVIRONMENT DEPARTMENT
Hazardous Waste Bureau
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FAX COVER SHEET

Date: October 23, 2002
To: Anne Clark
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From: Steve Zappe
Number of Pages (including this cover sheet): 5

COMMENTS

Anne -

Attached are some affidavits handed to me by Deborah Reade at the conclusion of the Quarterly Meeting last week. They represent statements by Catherine Montañó and others regarding their observations of WIPP shipments. Since I have no responsibility for transportation, I figured I'd pass these along to you and let you decide how you want to deal with them. Thanks!

021029.5



Affidavit of Truth

This is a true statement, made of my own free will, of the circumstances I witnessed and experienced as described below:

On Saturday, July 13, 2002, at approximately 4:19 p.m., I was traveling in the automobile of my friend, Margy Flynn, on our way to San Jose. As we were getting onto the southbound lane of Interstate 25 Margy and I saw a truck carrying nuclear waste to the Waste Isolation Pilot Plant in Carlsbad, New Mexico, pass by the entrance ramp and continue south on I-25. There were two containers on the truck, numbered either 125 and 156 or 126 and 157. It was hard to see all the numbers because the truck was moving very fast as it passed by.

Because we did not want to be contaminated by the nuclear waste on this truck, we decided to get off the interstate at the Romeroville exit and then drove south on the frontage road. As we approached the rest area on I-25 I looked to my left, then shouted to Margy, "Oh, no, Margy! Look! There's the W.I.P.P. truck parked at the rest stop!" Right away, she turned her head to the left and also saw the truck parked at the rest stop. I do not know how long it stayed there because we continued south on the frontage road.

The trucks carrying radioactive waste to W.I.P.P. are only supposed to travel on restricted routes, at restricted times of the day, and they are not supposed to stop at places with a lot of people. It is very dangerous to stop a vehicle loaded with radioactive waste at a public rest stop where innocent people stop to rest, like Margy and I saw. This should not be allowed. The People's Rights are affirmed by our Constitutions, and public officers take oaths to uphold and defend the Constitutions. If these public officers fail to protect the Rights of the People, they are violating their oaths, vacating their positions and cannot serve in their offices any longer. They are, then, responsible and liable, personally, and can be prosecuted criminally and sued civilly for their wrongdoing.

Catherine F. Montano
Catherine F. Montano

July 22, 2002
Date

John F. Flynn
John F. Flynn, Witness

7-22-02
Date

Affidavit of Truth

I hereby affirm the statement, made of my own free will and under the circumstances I witnessed and experienced as described below:

On Saturday, July 13, 2002, at approximately 4:19 p.m., as I was getting onto the southbound lane of Interstate 25 en route to the village of San Jose, my passenger, Catherine Montano, and I saw a truck carrying nuclear waste to the Waste Isolation Pilot Plant in Carlsbad, New Mexico, pass by the entrance ramp and continue south on I-25. The truck had two containers on it, numbered either 125 and 156 or 126 and 157. It was difficult to see all the numbers as the truck was moving swiftly as it passed.

Because neither Catherine, nor I, wanted to be exposed to the nuclear contaminants on this truck, we elected to get off the interstate at the Romeroville exit and continued south on the frontage road. At approximately 4:29 p.m. Catherine shouted to me, "Oh, no, Margy! Look! There's the W.I.P.P. truck parked at the rest stop!" I immediately turned my head to the left and witnessed the truck parked at the rest stop. I do not know how long it remained there because I continued my journey to San Jose via the frontage road.

It is my understanding that the trucks carrying nuclear waste to W.I.P.P. are to travel only on specific, restricted routes, during specific, limited times of the day, and that their authorized stopping places are to be away from other motorists. Stopping a vehicle loaded with nuclear contaminants at a public rest stop frequented by unknowing and unsuspecting travelers poses a threat and danger from radioactivity to the health and well being of these innocent bystanders and should not be allowed. The Rights of Citizens are protected and upheld in the federal and state Constitutions. Public officers take oaths to uphold and defend these Constitutions. If they do not act in accordance with the Rights of the Citizens, these public officers have violated their oaths, vacated their positions and can no longer serve in their offices. Further, they can and will be held responsible and liable for their actions and will face criminal prosecution and civil suit under the law.

Margy Flynn
Margy Flynn

7-22-02
Date

Jennifer White
Jennifer White, Witness

7/22/02
Date

2002

I Lawrence M. Montano hereby
testify that I have met WIPP trucks
traveling Northbound on New Mexico Hwy. 84
on several occasions. I believe I once
saw a truck traveling Southbound with
two tanks. Dates are between June 10, 2002
and July 22, 2002.

Lawrence M. Montano

Witness: Stephen G. Bush 7-22-02

July 22, 2002

I, Julie A Baca, hereby testify that my husband Joseph P. Baca, Jr and myself were traveling back from Colorado Springs, CO on March 3, 2002 when we passed approximately 4-6 W.I.P.P. trucks carrying two containers per truck. We traveled on I-25 the whole way leaving Colorado Springs at around 12 noon and arriving in Las Vegas, NM at around 4:30 p.m. We passed the last truck around Wagon Mound, NM. At the time I was 2 months pregnant.

Julie A. Baca



Witness

