

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
AIKEN DIVISION

SAVANNAH RIVER SITE WATCH, TOM)
CLEMENTS, THE GULLAH/GEECHEE SEA)
ISLAND COALITION, NUCLEAR WATCH)
NEW MEXICO, and TRI-VALLEY)
COMMUNITIES AGAINST A RADIOACTIVE)
ENVIRONMENT,)

Plaintiffs,)

v.)

UNITED STATES DEPARTMENT OF)
ENERGY, JENNIFER GRANHOLM, in her)
official capacity as the Secretary, The)
NATIONAL NUCLEAR SECURITY)
ADMINISTRATION and JILL HRUBY,)
Administrator,)

Defendants.)

No. 1:21-cv-01942-MGL

**DECLARATION OF
IDAHO CLEANUP PROJECT
MANAGER, MARK C. BROWN,
IN SUPPORT OF DEFENDANTS'
RESPONSE BRIEF**

I, Mark C. Brown , make the following Declaration pursuant to the provisions of 28 U.S.C. § 1746.

1. I am employed by the Department of Energy (DOE) at the Idaho National Laboratory (INL) Site in Idaho Falls, Idaho, as Manager, Idaho Cleanup Project. I have served in this capacity since March 2024. Prior to this assignment I was Deputy Manager, Idaho Cleanup Project and Assistant Manager for Nuclear and Safety Performance from 2008 thru March 2024.

2. The INL was established in 1949 as the National Reactor Testing Station. Its original mission was to develop civilian and defense nuclear reactor technologies. The INL is one of the seventeen DOE labs spread across the country. It is today primarily a nuclear energy research laboratory. Its current mission is to discover, demonstrate, and secure innovative nuclear energy solutions, and other clean energy options and critical infrastructure.

3. The Idaho Cleanup Project at the INL Site is responsible for treating, storing, and dispositioning a variety of radioactive and hazardous wastes; removing and dispositioning targeted buried waste; removing or deactivating unneeded facilities; and managing and ultimately removing various forms of waste from the INL Site.

4. As the Manager of the Idaho Cleanup Project, I am the Senior Executive responsible for the safe operation of all Office Of Environmental Management facilities, activities, and operations at the INL Site. Since joining the Idaho Cleanup Project in 2008, I have been in various senior leadership positions with direct oversight responsibility of Nuclear Operations. These positions included interfacing with the National Defense Nuclear Facilities Safety Board (DNFSB) and implementation of all DOE Order requirements pertaining to these areas. I have worked closely with DOE Headquarters and our contractor partners to ensure that DNFSB recommendations are evaluated and implemented in accordance with established implementation plans at the Idaho Cleanup Project.

5. I am familiar with the DNFSB Technical Report, dated September 2020, “Potential Energetic Chemical Reaction Events Involving Transuranic Waste at the Los Alamos National Laboratory,” and the INL 2018 event discussed therein, and the corrective measures implemented in response thereto.

6. The direct cause of the 2018 INL event was that the uranium within a drum initiated an exothermic reaction from the mixing of waste containing reactive uranium with additional parent drum containing legacy waste material during the repackaging process. This exothermic reaction led to the over pressurization of that drum, which in turn led to expulsion of three other drums over the span of several hours. Because of the age of the legacy material, DOE was unable to

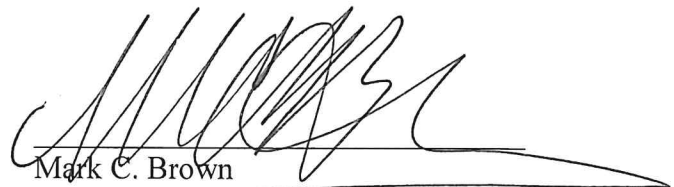
have a complete understanding of its chemical constituent make-up; this inability contributed greatly to the 2018 INL event described in the 2020 DNFSB Technical Report.

7. The 2018 INL event had nothing to do with waste that resulted from current pit production because INL plays no role in the production of plutonium pits.

8. Certainly, DOE took seriously the DNFSB concerns raised in the 2020 Technical Report. Indeed, on March 30, 2021, the Secretary of Energy transmitted DOE's response to questions raised by the DNFSB in the 2020 Technical Report. (See Exhibit 1 attached hereto.)

I declare under penalty of perjury, pursuant to 28 U.S.C. 1746, that the foregoing is true and correct to the best of my knowledge, information, and belief.

Executed this 3rd day of June, 2024.


Mark C. Brown
Manager, Idaho Cleanup Project