

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE**

**OAK RIDGE ENVIRONMENTAL PEACE)
ALLIANCE, NUCLEAR WATCH OF NEW)
MEXICO, NATURAL RESOURCES DEFENSE)
COUNCIL, RALPH HUTCHISON, ED SULLIVAN,)
JACK CARL HOEFER, and LINDA EWALD,)**

Plaintiffs,

v.

**JAMES RICHARD PERRY,)
Secretary, United States Department of Energy,)
and LISA E. GORDON-HAGERTY,)
Administrator, National Nuclear Security)
Administration,)**

Defendants.

**No. 3:18-cv-00150
REEVES/POPLIN**

DECLARATION OF ED SULLIVAN

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I, Ed Sullivan, hereby declare as follows:

1. I am a Plaintiff in this case. I reside in Oak Ridge, Tennessee. My home is located less than 5 miles from the Y-12 Complex, well within the 50-mile radius that the National Nuclear Security Administration ('NNSA') has recognized would be affected by the release of radiological materials from the Y-12 Complex. I served on Oak Ridge Environmental Peace Alliance's ("OREPA") Board of Directors until December 2016 and have worked with OREPA for roughly 15 years. I attend OREPA's vigils at the entrance to the Y-12 Complex. I am also a member of the Natural Resources Defense Council.

2. I am deeply concerned about existing contamination at the Y-12 Complex and about the risk of an earthquake causing a catastrophic nuclear accident at Y-12. Due to my concerns about mercury contamination from the runoff at Y-12, I avoid fishing in local streams or lakes. I am especially concerned about the prospect that an earthquake risks a nuclear accident at Y-12, especially since the Complex is located so close to my home. I worry that my wife and I could be killed in the event that such an accident were to occur, and that if I survived, the resulting radiological contamination would likely sicken my wife and me as well as contaminate the air, water, and soil, and reduce the value of my property.

3. The NNSA's refusal to prepare a new or Supplemental Environmental Impact Statement and the related violations of the National Environmental Policy Act ("NEPA") detailed in Plaintiffs' First Amended and Supplemental Complaint and summary judgment motion harm my personal interests. I am harmed by NNSA's failure to adequately address in a NEPA process the increased risk of a catastrophic collapse of aging buildings containing nuclear weaponry or components of nuclear weaponry, which would likely result in the release of

nuclear or toxic materials, placing me and other local residents in extreme peril. I am harmed by the reduced ability of the federal government to conduct necessary cleanups of legacy contamination that has accumulated over the course of decades of nuclear weapon production at Y-12. I am harmed by the deprivation of environmental information and analysis which I am entitled to receive under NEPA, and denial of the opportunity for informed public participation that is a cornerstone of the NEPA process.

4. If the court issues a decision in Plaintiffs' favor and requires additional NEPA review, this will redress my injuries by requiring the NNSA to engage in further scrutiny, informed by public comment, of the environmental and public health harms posed by Y-12, and alternatives that could be pursued that would avoid or minimize those harms.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.



Ed Sullivan

Date: 2/13/19