

**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 JACK CARL HOEFER**

## **DECLARATION OF JACK CARL HOEFER**

I, Jack Carl Hofer, hereby declare as follows:

1. I am a Plaintiff in this case. I am a resident of Knoxville, Tennessee. My home is located roughly 5 miles from the Y-12 Complex, well within the 50-mile radius that the National Nuclear Safety Administration (“NNSA”) has recognized would be affected by the release of radiological materials from the Y-12 Complex. I am a retired teacher who has been an active supporter of Oak Ridge Environmental Peace Alliance (“OREPA”) for roughly a decade. I regularly attend OREPA’s vigils at the Y-12 Complex entrance and also attend other OREPA events, such as public hearings related to activities at Y-12.

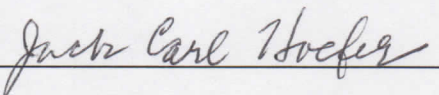
2. I am profoundly concerned about existing contamination at the Y-12 Complex and about the risk of an earthquake causing a catastrophic nuclear accident at Y-12. At personal expense, I filter the water for my home because of the fear of exposure to contamination from the nearby Y-12 Complex. I have also ceased harvesting watercress from local waterways due to contamination from Y-12. I am also profoundly concerned about an earthquake triggering a nuclear accident at Y-12, especially since the Complex is so near my home, and I worry that such an accident could kill or sicken me or my family.

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 the threat of a catastrophic collapse of aging buildings containing nuclear weaponry or components of nuclear weaponry, resulting in the release of nuclear or toxic materials, placing me and other local residents in extreme peril. I am also 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 also harmed by the deprivation of environmental information and analysis to 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.



Jack Carl Hoefler

Date: 16 Feb 2019