

ATTACHMENT 1  
OFFICIAL TRANSCRIPT OF PROCEEDINGS  
NUCLEAR REGULATORY COMMISSION

PUBLIC ENVIRONMENTAL SCOPING MEETING FOR LICENSE  
RENEWAL AT CATAWBA 1 AND 2

AFTERNOON SESSION  
ROCK HILL, SOUTH CAROLINA

TUESDAY, OCTOBER 23, 2001

# **Official Transcript of Proceedings**

## **NUCLEAR REGULATORY COMMISSION**

**Title:** Public Environmental Scoping Meeting for  
License Renewal at Catawba 1 and 2  
Afternoon Session

**Docket Numbers:** 50-413 and 50-414

**Location:** Rock Hill, South Carolina

**Date:** Tuesday, October 23, 2001

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UNITED STATES OF AMERICA

NUCLEAR REGULATORY COMMISSION

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PUBLIC ENVIRONMENTAL SCOPING MEETING FOR

LICENSE RENEWAL AT CATAWBA 1 AND 2

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TUESDAY,

OCTOBER 23, 2001

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ROCK HILL, SOUTH CAROLINA

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The Public Meeting was held at 1:30 p.m. at Rock Hill City Hall, 155  
Johnston Street, Rock Hill, South Carolina - Mr. Chip Cameron of the NRC,  
facilitating.

PRESENT:

FRANCIS X. CAMERON

RANI FRANOVICH

JAMES H. WILSON

DOUG ECHOLS

VINCE STINE

MIKE CHANNELL

GARY PETERSON

MARGOT ROTT

DENNIS MERRILL

MARK FARRIS

- 1     PRESENT:(cont)
- 2     JANET ZELLER
- 3     STEPHEN TAYLOR
- 4     LOU ZELLER
- 5     JOHN BYRD
- 6     TIM MORGAN
- 7     DON MONIAK
- 8     MIKE BUSH
- 9     ANN BARTON
- 10    NATE BARBER

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## P-R-O-C-E-E-D-I-N-G-S

(1:32 p.m.)

1  
2  
3 MR. CAMERON: Good afternoon, everyone. I want to welcome all  
4 of you to the Nuclear Regulatory Commission's environmental scoping meeting  
5 on the preparation of an environmental impact statement on Duke Energy  
6 Corporation's application to renew the operating licenses for the Catawba  
7 Nuclear Stations.

8 My name is Chip Cameron. I'm the Special Counsel for Public Liaison  
9 at the NRC, and I'm pleased to serve as your facilitator for today's meeting.

10 I wanted to cover three items about the meeting very briefly before we  
11 get into the substance of today's presentations and discussions. And one, very  
12 quickly, I'd like to talk about the objectives for today's meetings. Secondly, I'd  
13 like to talk about the format and ground rules for the meeting. And, third, I'd  
14 just like to give you an agenda overview, so that you know what's going to  
15 happen, know what to expect at today's meeting.

16 In terms of objectives, we have two objectives, two major objectives,  
17 and one is for the NRC to explain the process that it uses for evaluating  
18 requests for a nuclear plant license renewal, such as the ones that the NRC  
19 received on the Catawba Nuclear Stations. And, specifically, we want to talk  
20 about the process that's used to review the environmental impacts of a  
21 potential license renewal application.

22 This meeting is called a scoping meeting, and scoping is a term that's  
23 used in connection with the preparation of an environmental impact statement.  
24 As many of you know, the environmental impact statement is a guide to the  
25 Nuclear Regulatory Commission to help them evaluate the license renewal

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1 application and to help them make a decision on whether the license renewal  
2 application should be granted. And scoping is a process that helps the NRC  
3 in preparing that environmental impact statement, and it helps the NRC to  
4 identify information that should be considered in the environmental impact  
5 statement, information on types of environmental impacts and also on  
6 alternatives, potential alternatives to the renewal of the license application.

7 And that brings us to the second objective for today's meeting, which  
8 is to listen to all of your comments tonight, suggestions, recommendations on  
9 what types of environmental impacts should be examined, what types of  
10 information should be considered in the preparation of the environmental  
11 impact statement.

12 We're also taking written comments on these issues, and the NRC  
13 staff in a few minutes will be telling you how to submit written comments on  
14 these issues. But we wanted to be here today with you in person to listen to  
15 you. And it may be that some of the information you hear from today, from  
16 either the NRC or others that are in the audience, that may provide information  
17 on which to base your written comments. But I would emphasize that the  
18 comments that we hear today will be factored into the decisionmaking process  
19 just as the written comments will be factored into the decisionmaking process.

20 In terms of format for today's meeting, basically, there's two parts to  
21 the meeting. The first part is going to consist of two brief presentations by NRC  
22 speakers. And then after each of those presentations, we're going go out to  
23 all of you to see if you have any questions on that presentation to make sure  
24 that you understand what the NRC's responsibilities are.

25 After we get done with the presentations and the question and answer

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1 session, we're going to go to the second part of today's meeting, and that's  
2 going to be a chance for those of you who wish to to make some formal  
3 statements to the NRC on the potential environmental impacts, potential  
4 information that should be looked at by the NRC in deciding whether to grant  
5 the license renewal applications.

6 We do have a sign-up sheet up front, sign-up cards for people who  
7 wish to speak. And if you do wish to speak and you haven't signed up, please  
8 do so, and we already have a list of people that we're going to be going to in  
9 that second part of the session.

10 This leads me to the third item that I wanted to talk about, and that's  
11 the ground rules for the meeting tonight. I want to make sure that -- or today  
12 -- I want to make sure that everybody gets a chance to talk. And I would just  
13 ask you to try to be concise in your formal remarks, and we're going to use a  
14 five-minute guideline for your formal remarks. Please try to keep your remarks  
15 to five minutes. We do have a number of speakers today. We may not take  
16 everybody in the order that they signed up, but you will have your opportunity  
17 to talk.

18 We are going to be taking a transcript of the meeting today, so if you  
19 could state your name for us and your affiliation, if appropriate, for the  
20 transcript. We don't have our court stenographer here yet, but we are doing  
21 a videotape through the town government system so that we will capture your  
22 remarks, even though the stenographer is not here yet. And I would just ask  
23 that only one person talk at a time so that we can give them our full attention  
24 and courtesy.

25 In terms of the agenda, the first NRC presentation is going to be by

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1 Rani Franovich, who is right here. And Rani is going to give us the overall  
2 context for license renewal. There is basically three parts to the license  
3 renewal process, and one is the safety evaluation that's done by the NRC staff,  
4 and they look at safety issues. And Rani's going to be talking about those.

5 The second aspect is the environmental review, and Jim Wilson from  
6 the NRC staff is right here. That will be our second presentation. He's going  
7 to talk about those. But the third aspect are any inspections that are done at  
8 the Catawba Plant in relationship to the license renewal issues. All three of  
9 those parts -- safety, environment, the inspection findings -- come together for  
10 an NRC staff decision on whether to recommend to the commissioners of the  
11 Nuclear Regulatory Commission whether to grant or to deny the license  
12 application. Rani will be talking to us about that.

13 And by way of background so that you know a little bit about Rani, she  
14 is the Safety Project Manager for the Catawba license renewal application.  
15 She has a background in human factors engineering, a bachelor's in  
16 psychology and a masters degree in industrial and systems engineering. And  
17 as a matter of fact, Rani spent six years as the Senior Resident at the Catawba  
18 Plant. All right. And she's been with the NRC ten years.

19 Now, Jim Wilson, who is going to give the second presentation, is the  
20 Environmental Project Manager on the Catawba license renewal application.  
21 And as you can imagine, Jim does have a background in environmental issues.  
22 He has a bachelor's degree in biology and a master's in zoology. He's been  
23 with the Nuclear Regulatory Commission for approximately 25 years, and he'll  
24 be coming up in a minute to talk about the environmental review process.

25 And I just -- finally, I would just thank all of you for being with us at

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1 today's meeting. The NRC has a very important decision to make in terms of  
2 renewing -- whether to renew the license, and your information is going to help  
3 them make that decision.

4 So what I'd like to do now is, I guess, Rani, we could go to you for an  
5 overview of the license renewal process.

6 MS. FRANOVICH: Sure.

7 MR. CAMERON: All right. Thank you.

8 MS. FRANOVICH: Good afternoon. For the record, I was a resident  
9 inspector at Catawba; I never was the Senior Resident.

10 As Chip indicated, I'm Rani Franovich. I'm the Project Manager for the  
11 safety review of the application for license renewal for Catawba, as well as  
12 McGuire, the sister station up near Lake Norman.

13 Before I talk about the license renewal process and the staff's safety  
14 review process, I'd like to spend a few minutes talking about the Nuclear  
15 Regulatory Commission and what we do, what our mission is. The Atomic  
16 Energy Act of 1954 authorizes the NRC to regulate the civilian use of nuclear  
17 materials. The NRC's mission is threefold: To ensure adequate protection of  
18 public health and safety, to protect the environment and to provide for the  
19 common defense and security. The NRC consists of five commissioners, one  
20 of whom is the Chairman of the NRC, and the staff.

21 The regulations enforced by the NRC are issued under Title 10 of the  
22 Code of Federal Regulations, commonly called 10 CFR in the nuclear industry.  
23 The Atomic Energy Act provides for a 40-year license term for power reactors,  
24 but it also allows for the renewal of those operating licenses. The 40-year term  
25 is primarily based on economic and anti-trust considerations, rather than safety

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1 limitations.

2 Major components were initially expected to last for up to 40 years.  
3 However, operating experience has demonstrated that some major  
4 components do not realistically last for that long, such as steam generators.  
5 For that reason, a number of utilities have replaced major components, such  
6 as steam generators. Because components and structures can be replaced or  
7 reconditioned, plant life is really determined primarily by economic factors.

8 Applications for license renewal are submitted years in advance for  
9 several reasons. If a utility decides to replace a nuclear power plant, it could  
10 take up to ten years to plan and construct new generating capacity to replace  
11 that nuclear power plant. In addition, decisions to replace or recondition major  
12 components can involve significant capital investment. As such, these  
13 decisions involve financial planning many years in advance of the extended  
14 period of operation.

15 Duke Energy Corporation has applied for license renewal under 10  
16 CFR Part 54 and requests authorization to operate the Catawba Nuclear Units  
17 for up to an additional 19 years. The current operating licenses for Catawba  
18 Units 1 and 2 will expire in 2024 and 2026, respectively. Next slide, please.

19 Now I'm going to talk a little bit about license renewal, which is defined  
20 in 10 CFR Part 54. That rule, the License Renewal Rule, defines the regulatory  
21 process by which a nuclear utility, such as Duke Energy Corporation, applies  
22 for the renewal of an operating license. Ten CFR Part 54 incorporates 10 CFR  
23 Part 51 by reference. Ten CFR Part 51 provides for the preparation of an  
24 environmental impact statement, or EIS. The license renewal process defined  
25 in 10 CFR Part 54 is very similar to the original licensing process in that it

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1 involves a safety review, an environmental impact evaluation, plant inspections  
2 and review by the Advisory Committee on Reactor Safeguards, or ACRS.

3 The ACRS is a group of scientists and industry experts who serve as  
4 a consultant body to the Commission. The ACRS performs an independent  
5 review of the license renewal application and the staff's safety evaluation. And  
6 they report their findings and recommendations directly to the Commission.  
7 Next slide, please.

8 Okay. This slide illustrates two parallel processes: the safety review  
9 process, reflected here, and then the environmental review process here.  
10 These processes evaluate two separate things. The safety review involves the  
11 staff's review of the technical information in the application for renewal. The  
12 staff assesses how the applicant proposes to monitor or manage the aging of  
13 certain components that are within the scope of license renewal. The staff's  
14 review is documented in a safety evaluation report, and the safety evaluation  
15 report is provided to the Advisory Committee for Reactor Safeguards for their  
16 review. And an ACRS report on their review of the staff's evaluation is  
17 prepared, and that's reflected here in the process.

18 The safety review process also involves two to three inspections,  
19 which are documented in NRC inspection reports. These inspection reports  
20 are considered with the safety evaluation report and the ACRS report in the  
21 NRC's decision to renew an operating license.

22 If there is a petition to intervene, and standing can be demonstrated,  
23 and an aspect within the scope of the license renewal request has been  
24 identified, then hearings may also be involved. That's reflected here.

25 At the bottom of the slide is the other parallel process for the

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1 environmental review. That's here. This involves scoping activities, the  
2 preparation of a draft supplement to the generic environmental impact  
3 statement, solicitation of public comments on the draft supplement and then the  
4 issuance of a final supplement to the generic environmental impact statement.  
5 And that document also factors into the Agency's decision on whether to renew  
6 an operating license or not.

7           During the safety evaluation, the staff assesses the effectiveness of  
8 existing or proposed inspection and maintenance activities to manage the  
9 aging effects applicable to a defined scope of passive structures and  
10 components. 10 CFR Part 54 requires the application to also include an  
11 evaluation of time-limited aging analyses, which are those design analyses that  
12 specifically include assumptions about plant life, which is usually 40 years.

13           Current regulations are adequate for addressing active components,  
14 such as pumps and valves, which are continuously challenged to reveal failures  
15 and degradation such that corrective actions can be taken to address that.  
16 Current regulations also exist to address other aspects of the original license,  
17 such as security and emergency plans. And these current regulations will also  
18 apply during the extended period of operation.

19           In August, the NRC issued a Federal Register notice to announce its  
20 acceptance of the Duke Energy application for renewal of the operating  
21 licenses for Catawba and McGuire. The notice also announced the opportunity  
22 for public participation in the process. The NRC has received two petitions to  
23 intervene, one from the Nuclear Information and Resource Service and the  
24 other from the Blue Ridge Environmental Defense League.

25           An Atomic Safety Licensing Board has been established to preside

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1 over the proceedings. In an order issued on October 4, the Commission  
2 directed the Board to decide within 90 days whether the two petitions for  
3 hearing will be granted. If a hearing is granted, the Commission has ordered  
4 the Board to set a schedule for conducting the hearing with the goal to issue  
5 a Commission decision on the license renewal application in about 30 months.

6 This concludes my summary of the license renewal process and the  
7 staff's safety review. Before I pass the microphone to Jim Wilson, are there  
8 any questions I can answer?

9 MR. CAMERON: Questions for Rani? Let's go back to Don Moniak,  
10 Blue Ridge Environmental Defense League. Don?

11 MR. MONIAK: Yes. I'm Don Moniak, with the Blue Ridge  
12 Environmental Defense League, Aiken Office. And about the renewal process,  
13 you said it's going to take 30 months. That's the target to make a decision for  
14 the Commission, so that's what, 2004?

15 MS. FRANOVICH: That's if there are hearings involved, that's correct.

16 MR. MONIAK: And on that chart, this is the second time I've seen this  
17 chart, it shows the hearings being at the end, and it implies that the people --  
18 the parties that apply for a hearing have access to all the information prior to  
19 that. But in reality, the hearing process starts just 30 days after the submittal  
20 of the -- after the Federal Register notice in August.

21 MS. FRANOVICH: Okay.

22 MR. MONIAK: So to be fair, I just want to point out that the hearing  
23 process is in place, and we do not have the advantage of the safety evaluation  
24 reports, inspections, and at this point in time, we don't have the advantage of  
25 the past ones either. I would like to know when is the Nuclear Regulatory

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1 Commission's web site going to be fully operational again?

2 MS. FRANOVICH: The answer to that question I'm not sure. I don't  
3 know if there's anybody available who might know the answer.

4 MR. CAMERON: Chris, do you have any comments on that? Can we  
5 tell people about what's going on with the web site?

6 MR. GRIMES: My name is Chris Grimes. I'm the Chief of the License  
7 Renewal and Standardization Branch, and the answer is I do not know when  
8 it will be fully operational. I do know that just within the last few days the  
9 meeting notices, the press releases and some of the routinely used information  
10 has been restored.

11 The NRC and a number of other federal agencies are reviewing the  
12 content of their web sites in order to scrub them of information that they might  
13 consider sensitive. And so there is a team in place right now that is continuing  
14 to work on that, and we hope to get the web site back very soon, because we  
15 feel very disadvantaged at not having the web site available to provide access  
16 to information. That means that we have to go back to paper and telephones.

17 MR. CAMERON: Let's see if Don has a follow-up here. And, I guess,  
18 Chris, you might have indicated that other federal agencies -- all federal  
19 agencies are going through the same process, but if you have anything to add  
20 on that, before we go to Don, why don't you let us know.

21 MR. GRIMES: Not all federal agencies. There are some federal  
22 agencies who've left their web sites up, I presume because they felt that they  
23 had already screened them for sensitive information. But there are some  
24 federal agencies who have pulled their web sites and are putting them back in  
25 pieces, like the NRC.

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1 MR. CAMERON: All right. Don, follow-up?

2 MR. MONIAK: I don't know of any other federal agency other than the  
3 Nuclear Regulatory Commission that took down its entire site, everything.  
4 Other agencies took down parts of it. In regard to that, is there information that  
5 was placed on the web site that is -- that we're never going to see again?

6 MS. FRANOVICH: I think that matter is currently --

7 MR. MONIAK: Or is that to be determined later?

8 MS. FRANOVICH: I think that matter is currently under review.

9 MR. MONIAK: Okay. My only other question was about the generic  
10 environmental impact statement. Could you give us a little more information  
11 about that in regard to what issues are now considered outside the scope of  
12 this process and when that was conducted and when it was finished?

13 MS. FRANOVICH: What I'd like to do is let Jim, perhaps, give his  
14 presentation, and perhaps in the process of giving his talk he might cover that  
15 information.

16 MR. CAMERON: Okay. Jim, you were going to -- you can try to wrap  
17 that in. If there's any further questions about that after your presentation, then  
18 we'll see if anybody has any. Anybody else have questions about Rani  
19 Franovich's overview on license renewal before we move on?

20 Okay. Thank you very much, Rani.

21 MS. FRANOVICH: Thank you.

22 MR. CAMERON: And now we're going to go to Jim Wilson,  
23 Environmental Project Manager on the Catawba license renewal application.  
24 Jim?

25 MR. WILSON: Slide 6. My name is Jim Wilson. I'm the

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1 Environmental Project Manager at NRC for the environmental review of the  
2 Duke application for license renewal at Catawba.

3 NEPA, the National Environmental Policy Act was enacted in 1969,  
4 and it requires federal agencies to use a systematic process to evaluate  
5 environmental impacts during its decisionmaking process regarding major  
6 federal actions. NEPA requires that we examine the environmental impacts of  
7 the proposed action and consider mitigation measures to reduce severe  
8 impacts.

9 NEPA requires that we consider alternatives to the proposed action.  
10 In the case of the license renewal for Catawba, it would be alternate energy  
11 sources to take the place of the plant not operating. And we are required to  
12 evaluate the impacts of those alternatives as well. Finally, NEPA requires that  
13 we disclose all of this information to the public and invite public participation to  
14 evaluate it.

15 NRC has determined that it will prepare an environmental impact  
16 statement for license renewal applications, therefore we're in the process of  
17 preparing an environmental impact statement for Catawba license renewal. As  
18 we noted in our Federal Register notice last month, we're conducting scoping  
19 to collect information that the public feels would be appropriate for us to  
20 address within the scope of the environmental impact statement that we're  
21 preparing.

22 This slide describes the objectives of our environmental review.  
23 Simply put, we're trying to determine whether the environmental impacts of  
24 operating Catawba for an additional 20 years, are they acceptable from an  
25 environmental standpoint, if license renewal is a viable option or not. Whether

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1 the plant really operates is not a decision that NRC is making by itself. We  
2 would authorize license renewal, but whether the Plant actually operates for an  
3 additional 20 years is a decision for Duke and other agencies to make.

4 This slide shows in a little bit more detail the bottom line from Rani's  
5 process slide for the environmental review. We've received an application for  
6 license renewal in June. We issued a Federal Register notice in September  
7 announcing that we're going to prepare an environmental impact statement and  
8 conduct scoping. And during the scoping period, we're having two meetings,  
9 one this afternoon and one this evening, here in Rock Hill, to receive public  
10 comments on what you think should be considered in the scope of the  
11 environmental impact statement we're preparing.

12 At the close of the scoping period, which is November 22, we'll gather  
13 up all the comments we received at this meeting or received in writing or at our  
14 web site, and we'll be putting these comments together, and we'll be issuing a  
15 report. And if you wish to receive a copy of that report, sign up, leave your  
16 mailing address in the lobby, and we'll be glad to send you one. We'll also  
17 send you a copy of the draft environmental impact statement when it's  
18 completed.

19 In the next couple of months, we're going to be conducting a review  
20 process. The next step is going to be issuing requests for additional  
21 information to get information on the docket if it's not in the original application.  
22 We expect to issue a draft environmental impact statement for public comment  
23 in about the June time frame. And that environmental impact statement is draft  
24 not because it's incomplete but because we're at an intermediate step in the  
25 decisionmaking process.

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1           Once we've issued the environmental impact statement as a draft,  
2 we'll conduct another series of public meetings here in Rock Hill to get  
3 comments from the public on that draft document. And after we gather the  
4 comments together, we may make revisions to the draft to address the  
5 comments. Next slide.

6           Part of the review process that we're undergoing in preparation of the  
7 environmental impact statement is an information-gathering process. We're  
8 going to be reviewing Duke's application, including the environmental report.  
9 We'll be talking with other federal agencies and with state agencies, both  
10 resource agencies and permitting agencies. We'll be talking with local officials  
11 and meeting with members of the public.

12           Yesterday, the staff conducted a site audit at the Catawba Nuclear  
13 Station to look at approximately 20 years of operating data, and we met with  
14 some state officials, and we've been collecting information about the Plant.  
15 Staff will be in the area for the next couple of days interviewing public officials  
16 and meeting with representatives as part of the information-gathering process.  
17 Next slide.

18           We've assembled a team of about a dozen individuals from four of our  
19 national laboratories. They have expertise in various technical and scientific  
20 disciplines. We have aquatic and terrestrial biologists, we have socioeconomic  
21 experts, we have people who are conversant with environmental justice, we  
22 have environmentalists, meteorologists, hydrologists, and all of these people  
23 will be having input into the environmental impact statement. Next slide.

24           This slide provides information on how to access the Catawba license  
25 renewal application. You can contact me directly at the phone number

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1 provided, and I'll try and answer any questions about the application, and about  
2 the staff's review. The application should be back on the web site at some  
3 point in the future, however, a copy has been placed in the Rock Hill Public  
4 Library across the street. It's available for your inspection there as well.

5 And, finally, this last slide gives details on how to submit comments on  
6 what you think ought to be the scope of the environmental impact statement  
7 that we prepare. You can send written comments to the Chief of the Rules and  
8 Directives Branch at the address provided, you can provide them in person, in  
9 Rockville at NRC headquarters or you can e-mail them to me at  
10 [catawbaeis@nrc.gov](mailto:catawbaeis@nrc.gov), a web address to collect comments from the public. Any  
11 questions?

12 MR. CAMERON: Jim, let's go to the question that Don Moniak raised.  
13 Can you explain the relationship of the generic environmental impact statement  
14 that was done on license renewal to the specific environmental impact  
15 statement that is being done on the Catawba license application?

16 MR. WILSON: I could do that, but I'm not sure that's the -- the  
17 question I thought I heard Don ask was what things are not in the scope --

18 MR. CAMERON: Well, that's tied into the generic-established -- this  
19 category. Talk about the Category 1/Category 2. I think that's what Don wants  
20 to know.

21 MR. WILSON: The NRC staff, over a period of about eight years,  
22 collected information on all the impacts that they could conceive of that might  
23 possibly occur as a result of operating a plant during a renewal period for an  
24 additional 20 years. They came up with a list of about 92 different interactions  
25 between the plant and the environment. This includes socioeconomic impacts,

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1 aquatic impacts from impingement, entrainment, heat shock, those kind of  
2 things, terrestrial impacts from transmission line right-of-way maintenance  
3 activities, radiological impacts on-site from waste handling and routine  
4 operations, and others.

5 And the staff determined that there were a number of these issues  
6 that were applicable to all plants and had about the same level of impact at all  
7 plants. And they said that it makes sense to look at these things generically,  
8 so they prepared an environmental impact statement that looked at a number  
9 of these issues generically. And the issues that didn't have a plant-specific  
10 component and applied to all plants, regardless of the design of the plant or the  
11 location of the plant, we called those Category 1 issues.

12 And we reached conclusions about the environmental impacts of those  
13 issues and documented them in an environmental impact statement, a generic  
14 environmental impact statement. We had workshops to involve the public in  
15 deciding whether we got the right issues and did we handle them correctly?  
16 We issued a draft generic environmental impact statement for comment and  
17 received public comments on the document itself, and finally issued a final  
18 document in 1996 that basically gave the staff's generic conclusions for 69 of  
19 the 92 issues, the so-called Category 1 issues.

20 When a plant, an applicant, comes in for license renewal now, all they  
21 need to do -- I say "all," it's really quite a job -- they need to go and look at each  
22 of the Category 1 issues and see if there's any new and significant information  
23 that has been developed since 1996 either at the plant or at some other  
24 location. Anything new about those issues that would cause the staff's  
25 conclusion in '96 generic environmental impact statement to be no longer valid.

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1 Applicants need a systematic process to go through and look at those  
2 issues to make sure that the conclusions are still valid, the generic conclusions.  
3 And then they have to address, in their application, each of the remaining 23  
4 issues, the plant-specific issues that depend on the siting of the plant or the  
5 plant design, whether the plant's got cooling towers or whether it's once-  
6 through or what endangered species are in the area. Those are some  
7 examples of Category 2 issues that have got to be looked at on a plant-specific  
8 basis. Does that --

9 MR. CAMERON: Jim, just we'll go and see if that answers Don's  
10 questions, but just to clarify for everybody, in terms of the comments that the  
11 NRC is asking from the public, either here today or written comments on  
12 scoping issues, all of those so-called Category 1 issues could be the subject  
13 of comment if people brought forth what they thought might be significant new  
14 information. So in other words, all of those issues are open for comment, at  
15 least.

16 MR. WILSON: We're really looking for two kinds of things: Either  
17 information that is new and significant on the identified Category 1 issues - is  
18 there new information that would call into question the staff's generic finding on  
19 that issue - or is there a 93rd issue, one that we didn't consider back when we  
20 were doing environmental impact statement identifying potential impacts? Is  
21 there a new impact out there that we ought to consider for this plant? And  
22 that's the kind of thing we're trying to get from the public at this meeting and  
23 during the scoping process - what things should be included in the scope of our  
24 environmental impact statement?

25 MR. CAMERON: Okay. Thank you. Don, did that answer your

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1 question? Do you have a follow-up?

2 MR. MONIAK: I do have one.

3 MR. CAMERON: Okay. Go ahead.

4 MR. MONIAK: I do have one follow-up. Does that include the impacts  
5 of -- where do the impacts of producing highly radioactive fuel, irradiated or  
6 spent fuel, where is that analyzed, because I understand it's not within the  
7 scope of this process?

8 MR. WILSON: High-level waste storage - spent fuel - was one of the  
9 92 issues that the staff identified as a generic issue. It's a Category 1 issue,  
10 absent significant new information. All plants have spent fuel, the impacts are  
11 similar at all plants, and they don't need to be analyzed on a plant-specific  
12 basis unless there's something new brought to the table that the staff didn't  
13 consider back in '96 when it was preparing its environmental impact statement,  
14 the generic environmental impact statement.

15 MR. CAMERON: And, Jim, just at the break, perhaps for Don or  
16 anybody else in the audience that wants the citations to the documents that  
17 went through this whole Category 1/Category 2, if we could give them that, then  
18 they might be able to go to the documents and see that. Any other questions  
19 on the environmental review aspect of the process that Jim explained, and we  
20 heard a little bit more about the background because of Don's question?  
21 Anybody else have a question on this? Yes, Janet?

22 MS. ZELLER: Could you give an example --

23 MR. CAMERON: Give your name.

24 MS. ZELLER: Who I am, okay. Janet Zeller, Executive Director, Blue  
25 Ridge Environmental Defense League. Could you give a few examples of new

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1 information, post-96 information categories?

2 MR. WILSON: No, I can't. In retrospect, think we did a real good job  
3 in the generic environmental impact statement. Although we look each time we  
4 prepare a supplement for license renewal, I don't think we've ever found  
5 something that we didn't consider four years ago, five years ago, when we  
6 issued the document or that the public didn't bring to our attention during the  
7 draft comment period on that document. So it seems to be a pretty good  
8 document that's held up. We haven't identified significant new information.

9 MS. ZELLER: Would you know one when you see it?

10 MR. WILSON: I think we would, yes. We know what the generic  
11 environmental impact statement considered. If it's not in there and it's new and  
12 significantly different - that's it - that's what we're looking for.

13 MS. ZELLER: Thank you.

14 MR. CAMERON: And when you say, no, you can't give any examples,  
15 it's because there hasn't been anything that's been brought up to date that has  
16 fallen into that category, but it's still open.

17 MR. WILSON: Yes. We've prepared, I think, five or six environmental  
18 impact statements for license renewal now, and we just haven't found any. We  
19 keep looking. We're going to look here - and you can help us look. And we'll  
20 know it when we see it.

21 MR. CAMERON: Okay. Thank you for the questions, and thank you,  
22 Jim, for the presentation and the answers.

23 We're going to go to the second segment of today's meeting, which  
24 is to give any of you who wish to an opportunity to give us some more formal  
25 comments on license renewal scoping issues. And we have three local

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1 government officials that we're going to ask to come up first, and then we're  
2 going to ask two officials from the Catawba Nuclear Station to talk about Duke  
3 Energy's license renewal application. And then we're going to go to all the rest  
4 of you who have signed up to talk today.

5 So our first speaker is going to be Mayor Doug Echols. He's the  
6 Mayor of Rock Hill, South Carolina. And I should thank him for all of us for  
7 allowing us to use these pleasant meeting facilities. Mayor Echols?

8 MAYOR ECHOLS: Thank you very much for the opportunity to speak  
9 to the Commission, and I also want to thank each of you for coming here today.  
10 I am Doug Echols, the Mayor of Rock Hill, and I've served as Mayor since  
11 1998. And prior to that, I served as a member of the Rock Hill City Council for  
12 two terms, or eight years. My family and I have resided in Rock Hill for 30  
13 years. I was on the City Council when construction was taking place on the  
14 Catawba Nuclear Plant, and I am well aware of the projected and very real  
15 energy demands of our area at that time.

16 As a citizen and as a member of city government, I can testify that the  
17 Catawba Nuclear Plant has been and continues to be a vital asset to this  
18 community. Rock Hill, through its membership in the Piedmont Municipal  
19 Power Agency, relies on Catawba to meet the energy needs of our citizens.  
20 The Plant provides this community and many other communities across this  
21 region with a safe and reliable energy source, a source we greatly need to  
22 meet the current and future needs of this community.

23 The 2000 census tells us that York County population is about  
24 166,000. We expect that population to grow by the year 2015 to 226,000  
25 people. Much of that growth will occur in Fort Mill, Rock Hill, entire York County

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1 area. Additionally, there are many economic advantages, I believe, to us  
2 having a reliable and clean source of energy. Duke Power has an excellent  
3 record of maintenance, and the nuclear generation is the cleanest way, I think,  
4 for us to address the major air quality problems which we have in the Charlotte  
5 metro area.

6 In light of recent events, relicensing, I believe, will help us reduce our  
7 dependency on foreign oil products. Furthermore, the employees of Catawba  
8 are an important part of this community. They live and work here, are active  
9 in supporting area civic, charitable and business endeavors. They volunteer  
10 in the community, they contribute financially to organizations serving Rock Hill,  
11 York County and this region. The city very much wants to continue its  
12 relationship with Catawba and supports the relicensing of the Plant to help to  
13 ensure the future of our community. Thank you for an opportunity to speak.

14 MR. CAMERON: Okay. Thank you very much, Mayor Echols. And  
15 next we're going to go to Mayor Stine, Mayor of Clover, South Carolina.

16 MAYOR STINE: I am Vance Stine, currently the Mayor of the Town  
17 of Clover. The Catawba Nuclear Station is in the Clover School District. They  
18 have been a good corporate citizen of our community. I have personally known  
19 people that worked at the Plant. I'm a lifelong resident of Clover, been Mayor  
20 since '95, but I have known Duke employees personally through the years that  
21 were involved in the building of the Plant and still involved in other aspects of  
22 running the Catawba Nuclear Station.

23 We are proud to have them as our neighbor and think that they do  
24 address the safety issues, and we hope to -- we would support them in their  
25 relicensing. Thank you.

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1 MR. CAMERON: Okay. Thank you, Mayor Stine. Next we're going  
2 to go to Mike Channell who is with the York County Office of Emergency  
3 Management.

4 MR. CHANNELL: Good afternoon. My name is Mike Channell. I'm  
5 the Emergency Management Coordinator with the York County Office of  
6 Emergency Management. Our office began working with Duke Power many,  
7 many years ago. I have been actively involved with working with them since,  
8 I believe, '92 or '93, somewhere along those lines.

9 Duke Power and Catawba, as Mayor Echols and Mayor Stine have  
10 already mentioned, have always been good citizens of York County. They're  
11 a very big asset to York County, in our view. We are constantly working with  
12 Catawba on emergency planning issues, on safety issues. We speak with  
13 them, if not daily, at least weekly on anything that may come up, any questions  
14 that anyone may have. We work very closely with their Emergency Planning  
15 Division and their Corporate Communications Division on several different  
16 issues.

17 They have not only worked with us for things that are required for  
18 them to do by NRC or by FEMA. They have also extended their assistance to  
19 us for off-site assistance with technical advice, with technical assistance, those  
20 sorts of things, with transportation incidents that may involve radioactive  
21 material or anything of that sort that may be in their field of expertise. They're  
22 a very good asset to us to be able to go to them and ask those types of  
23 questions with the level of expertise that they have there.

24 As I mentioned, they assist us a lot of times in concerns that citizens  
25 have when they call us and start to question us about the operation of the

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1 Plant. We kind of have a rule, we don't speak for the Plant. The Plant speaks  
2 for the Plant; we speak for the County. And the Plant also honors that rule. So  
3 they've always been very easy for us to refer people to them. They've always  
4 answered those questions and took the concerns of the citizens to heart and  
5 did their best to answer those questions in any way that they could.

6 On the other hand, for those questions that they have received there,  
7 questions about the County's plan that we have in writing, that we exercise  
8 every two years, that is continuously being updated as changes need to be  
9 made. They refer those folks to us, for us to answer those questions. Even  
10 though they could probably answer those questions as well as we could, we  
11 have that understanding between the two of us that they speak in their area,  
12 and we speak in ours, and it's worked very well, and I'm sure it will continue to  
13 work very well.

14 The folks that we work with there are very professional, very  
15 knowledgeable and very confident in what they do. And we feel that should  
16 anything arise there at the Plant that would involve off-site response or  
17 anything of that nature, that the cooperation between the Plant facilities and the  
18 County organizations would be more than capable of handling any type of  
19 emergency situation there. Thank you.

20 MR. CAMERON: Okay. Thank you very much, Mike. We're going to  
21 go to the two officials from Duke Energy Corporation right now, and first we're  
22 going to hear from Gary Peterson, who's the Senior Vice President at the  
23 Catawba Nuclear Site. Gary?

24 MR. PETERSON: Well, good afternoon. My name is Gary Peterson.  
25 I'm the Site Vice President, not the Senior Vice President at Catawba Nuclear

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1 Station. I appreciate the promotion. I have been in the nuclear power industry  
2 for nearly 31 years, the last six of that at Catawba. My job and my  
3 responsibility is the safe operation of that facility each and every day. Before  
4 I begin my formal remarks, however, I just want to thank the members of the  
5 community that have taken time out of their very busy schedules to come and  
6 speak on behalf of our license renewal effort.

7 Catawba Station is proud to be a member of the York County  
8 community, and I'm here today to provide information as part of our license  
9 renewal application. Following my comments, Margot Rhode, a scientist at  
10 Catawba, will speak on some of our environmental programs.

11 Our presentation today consists of three parts: First, a short  
12 background on Catawba; two, a brief description of our license renewal  
13 application; and three, a summary of the environmental report. I will go over  
14 the first of the two areas, and Margot will do the information concerning the  
15 environment.

16 Catawba Station is located on Lake Wylie, which is part of the  
17 Catawba River. It produces over 2,000 megawatts of electricity, which is  
18 enough electricity to power two cities the size of Charlotte. Catawba was  
19 designed, built and is operated by Duke Energy. Catawba has five co-owners,  
20 including North and South Carolina co-ops and municipalities, as well as Duke  
21 Energy. Catawba has provided, as you've heard, safe, reliable and economical  
22 electricity since 1985.

23 During the two decades that we have been a part of this community,  
24 our employees have worked diligently to provide a safe, reliable product,  
25 electricity, while protecting the environment. All of our employees are

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1 committed to this mission, as well as to serving the community in which they  
2 live, in which they call home.

3 You can see from some of the slides up there that we are active  
4 volunteers in the community. For 11 years, we've hosted Boy Scout  
5 encampments where our employees teach classes in electricity, crime  
6 prevention, energy, computers, electronics and communications. Over 1,000  
7 boys have attended these events at Catawba Station. Our employees are also  
8 part of the Junior Achievement Program, partnering with local schools teaching  
9 business skills, providing tutors and mentors.

10 And one thing I'm particularly proud of is each year our employees  
11 collect coats and blankets for area shelters and gather school supplies for area  
12 schools. They also volunteer hundreds of hours to United Way agencies, and  
13 every year our employees donate well over \$100,000 to area United Way  
14 agencies.

15 Catawba employees also are involved in blood drives and donate  
16 annually over 300 units of blood. And we've also hosted Women in the  
17 Outdoors and Jake's Events and partnered with local schools to create  
18 schoolyard habitats and nature trails.

19 Our license renewal application was submitted on June 13 of this year.  
20 The application is approximately 1,300 pages of technical and environmental  
21 information supported by nearly 500 engineering drawings. At Catawba, we  
22 are committed to continuously evaluating and renewing Station operations  
23 through our aggressive preventive and predictive maintenance programs and  
24 equipment and technological upgrades. Our first priority is and always will be  
25 operating the Station safely while maintaining a healthy environment. After all,

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1 this is where we live and work too.

2 In May of 2000, Duke Energy's Oconee Nuclear Station became the  
3 second nuclear station in the United States to receive a renewed operating  
4 license. And just as we did at Oconee, we've conducted a very careful and  
5 thorough evaluation of Catawba and its performance over these past 15 years.  
6 This comprehensive evaluation proved what we already knew, that Catawba is  
7 a safe, reliable and economic source of electricity. And based on the results  
8 of this evaluation, we know that license renewal is the right decision for our  
9 neighbors, our customers, the environment, Catawba's co-owners, as well as  
10 Duke Energy and its shareholders.

11 The reason for applying for license renewal at this time are  
12 straightforward. We filed a joint application with our sister station, McGuire,  
13 which allowed us to make the best use of resources of the skills and knowledge  
14 of our experienced Oconee license renewal team. As you've heard from the  
15 NRC, this license renewal process is very extensive; it takes years. We  
16 gathered and reviewed a tremendous amount of information, and we will  
17 continue to work diligently as the NRC approves this process and reviews our  
18 material for the submittal.

19 We gave careful consideration to our decision as whether to apply for  
20 license renewal. Duke Energy, as you know, has served the community for  
21 nearly 100 years. We've always been looking at new alternatives to better  
22 serve our customers. During this license renewal application process, we did  
23 look at many alternatives for providing -- for generating baseload electricity,  
24 such as conventional fossil generation, wind, solar and photocells. But when  
25 compared to the amount of electricity generated by Catawba, these alternatives

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1 were not selected because of environmental impacts, land use requirements,  
2 inadequate electricity output and, finally, cost. Using existing data and input  
3 from a variety of subject matter experts, we concluded that there would be no  
4 significant environmental impact as a result of renewing Catawba's license.

5 And as I close, I just want to say thanks to the community for the  
6 support for our many years of operation, and we look forward to many more.  
7 Thank you.

8 MR. CAMERON: Okay. Thank you, Gary. Now we're going to go to  
9 Margot Rott. And I guess since I'm promoting everybody, I should say that  
10 she's the Senior Scientist at the Catawba Nuclear Station.

11 (Laughter.)

12 MS. ROTT: Good afternoon. My name is Margot Rott, and I'm a  
13 scientist at Catawba Nuclear Station. I have a degree in biology, and I've  
14 worked at the Station for 20 years in the areas of chemistry, technical training  
15 and environmental.

16 More than 75 years ago, Duke Power became one of the nation's first  
17 electric utilities to have its own environmental program. Today we have over  
18 150 scientists, engineers, biologists and technicians, and it's our job to monitor  
19 and protect the environment.

20 The initial environmental review for Catawba was completed over 25  
21 years ago. This review established the ground work for continuous  
22 environmental monitoring, which is performed at the Station every day. As part  
23 of this license renewal, we reviewed environmental monitoring data collected  
24 over Catawba's entire operating history. We consulted with environmental  
25 regulatory and resource agencies to make sure we fully considered relevant

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1 issues.

2 As part of our environmental report, we reviewed 13 major  
3 environmental areas, which are grouped into four categories: water, plants and  
4 animals, air quality and people. We'll take a look at these areas individually  
5 starting with water. Duke Energy has conducted water testing on Lake Wylie  
6 since the early 1970s. The areas we study include water quality, water flow at  
7 Catawba's intake and discharge structures and aquatic ecology.

8 Our evaluation of historical data indicates no changes to Lake Wylie's  
9 aquatic resources as a result of Catawba's operation. Using scientific data, we  
10 concluded that our continued operation would not have an adverse effect on  
11 the Lake or River.

12 The second category we evaluated is plants and animals. As part of  
13 our study, Duke Energy worked with Dr. L.L. Gaddy, a well-known  
14 environmental scientist, to perform a study of threatened and endangered  
15 species at the Catawba site. Results of the study indicate there were no state  
16 or federally recognized threatened or endangered species identified; in fact,  
17 Catawba has a thriving population of quail, beaver, bobcats, Canada geese,  
18 osprey, deer and many other wildlife species.

19 Catawba has many ongoing environmental initiatives managed in  
20 cooperation with the South Carolina Department of Natural Resources, the  
21 South Carolina Wildlife Federation and the Wild Turkey Federation. The  
22 Catawba site is in the final stages of becoming WAIT-certified by the South  
23 Carolina Wildlife Federation, and wait, W-A-I-T, stands for Wildlife and Industry  
24 Together. Catawba hosts a butterfly garden and various other wildlife areas.

25 Based on review of our operating history and a look at our continued

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1 operation, we conclude that license renewal will not adversely affect plants and  
2 animals.

3 The third category we evaluated is air quality. Nuclear power provides  
4 about 50 percent of Duke Energy's total electric generation in the Piedmont  
5 Carolinas. And by design, nuclear power is clean air energy source. Data  
6 shows Catawba's operation has not adversely impacted the region's air quality,  
7 and there are no plans associated with license renewal that would alter the air  
8 quality.

9 I'll conclude today by discussing the people who live in the  
10 communities around our Station. Catawba has a national reputation as a well-  
11 run Station. We are committed every day to protecting the health and safety  
12 of the public and our employees. This commitment will continue for as long as  
13 we're a part of this community. In addition to being safely operated, Catawba  
14 has provided many benefits for the community. For example, Duke Energy has  
15 contributed millions of dollars in property taxes to York County. We have over  
16 1,100 employees helping maintain a strong economy in this area. Our annual  
17 payroll of over \$70 million helps support local businesses and industries. And  
18 as Gary mentioned earlier, our employees spend hundreds of hours each year  
19 volunteering for community, school, civic and church programs and projects.

20 And just on a personal note, my husband and I live in the Lake Wylie  
21 area. We're about two miles from the Station. I've been in this area for almost  
22 14 years. We love this area. We enjoy boating and swimming on Lake Wylie,  
23 we ride bikes all over this area, we consider it home, which is why I have a  
24 personal interest in this project, as well as a professional one. Thank you.

25 MR. CAMERON: Okay. Thank you, Margot. Our next three

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1 speakers, first we're going to go to Dennis Merrill, then Mark Farris and then  
2 Janet Zeller. And I'd like Dennis Merrill to come up, who is President of York  
3 Technical College. Mr. Merrill?

4 MR. MERRILL: Ladies and gentlemen, visitors with the NRC and Mr.  
5 Cameron, I thank you for this opportunity to be here. My name is Dennis  
6 Merrill. I am the President of York Technical College. I'm also the Chairman  
7 of the Rock Hill Economic Development Corporation and ex officio member of  
8 the York County Economic Development Board. And from that regard would  
9 certainly substantiate the comments that have been made regarding the  
10 economic impact of Duke Energy. But I really want to talk beyond just the  
11 economic impact, because I know that for many of us money is certainly not  
12 everything.

13 I guess I would begin by saying that York Technical College is an  
14 institution, state-supported for the purposes of higher education and continuing  
15 education, serving Chester, Lancaster and York Counties here in the upstate  
16 region of South Carolina. I've lived and worked here in the Rock Hill area for  
17 over 40 years, so I remember much of the dialogue before, during and since  
18 the construction of the Duke facility, called Catawba Station. I remember how  
19 the visitors poured into our region before to tell us what a terrible idea this was.  
20 Some of you probably have kinfolk in the area like I who remember the same  
21 sort of dialogue when the Catawba River was to be dammed, and you just can't  
22 do that.

23 Lake Wylie represented, as I recall, one of the very first efforts, part  
24 of Duke Energy, to create hydroelectricity on the Catawba River. And, of  
25 course, has contributed significantly, if not tremendously, to this whole region's

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1 development. It has become a wonderful resource for us and a wonderful  
2 resource for the whole community in regards to recreation, in regards to  
3 creating a great watershed for us and a great source of drinking water and  
4 water supply for the growth of our region.

5 And so we build on that today as we talk about the Catawba Station.  
6 And I think it's very interesting that as you review Duke's request for a permit,  
7 you'll discover, and I hope you'll give appropriate positive recognition to the  
8 record, because I don't think anything speaks more loudly than the record -- the  
9 record on Plant operation safety that has been mentioned here today, the  
10 record on the sense of environmental responsibility that has been mentioned  
11 here today, the record on employee operating and training safety, the record  
12 on participation in all of our community and civic activities.

13 Operating a nuclear reactor for commercial power production is a very  
14 serious business, and I think Duke takes that responsibility very seriously.  
15 They pledged when they came here to operate the Catawba facility as safely  
16 and efficiently as possible, and I believe the record says they have delivered.  
17 They've earned the respect and trust of our community. I'm hopeful that they  
18 will continue to provide us a clean and safe source of electric power for many  
19 years to come, and I thank you for this opportunity to speak to the issue.

20 MR. CAMERON: Okay. Thank you, Mr. Merrill. Next let's go to Mark  
21 Farris, who's the Director of the York County Economic Development Board.  
22 Mr. Farris?

23 MR. FARRIS: Appreciate the opportunity to be here. My name is  
24 Mark Farris. I'm Director of the York County Economic Development Board.  
25 I'm a native. I've been in this position for about 15 years, and lived in York

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1 County my whole life. Certainly, there are obvious benefits to having the  
2 Catawba Nuclear Station in York County, primarily the tax benefits. Of course,  
3 my job and my organization's mandate is to recruit business and industry to  
4 York County.

5 As we struggle with the tremendous growth that we've had in the  
6 County, we look back to the tax system that the State of South Carolina has  
7 provided for property taxes and for the operations of schools in South Carolina.  
8 And I won't bore you with a lot of the details, but sufficed to say that when we  
9 pay our tax bills in the State of South Carolina, 80 percent of that amount goes  
10 to our local school systems.

11 And in South Carolina, residential property is assessed at four percent,  
12 commercial is assessed at six percent, but manufacturing is assessed at ten  
13 and a half percent. So without a strong manufacturing base in the State of  
14 South Carolina, communities suffer from their school systems, primarily  
15 because that's where the schools generate the majority of their income.

16 Without a facility like this and other supporting industries, we would  
17 not have some of the highest SAT scores, if not the highest, in the State of  
18 South Carolina. Our school systems have the highest percentage of teachers  
19 with master's degrees, and then we also have the highest average teacher  
20 salary. It's tremendously beneficial to us. And at a ten and a half percent  
21 assessment, industries like Duke pay two and a half times the property taxes  
22 that our residential development does.

23 So as we look back at the growth that we're experiencing in York  
24 County, especially from a residential standpoint, we have to have supporting  
25 business in industry to account for an improved or at least just a maintained

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1 school system. A lot of people take that for granted and really don't understand  
2 the breakdown, but, for example, about a \$200,000 valuated house in York  
3 County generates about \$1,800 a year in property taxes. The average pupil  
4 expenditure is about \$5,700 per student per year. So without the makeup of  
5 business and industry, our school system certainly suffers, and that's how  
6 important it is.

7 I want to digress a minute. I'm not an environmental engineer. My  
8 degree is in political science, but I'm not elected; I want to make that clear. But  
9 I want to also talk about some of the things that we are doing in York County.  
10 Of course, my job is to develop business and industry for the County, but I'm  
11 very proud of York County in that we've had such tremendous and significant  
12 growth in all areas that we've established some pretty aggressive land use  
13 planning activities for York County. Just last night our County Council adopted  
14 a new land use plan or, actually, they just contracted for the establishment of  
15 a new land use plan.

16 But as part of that, we have a program called York County Forever.  
17 In 1999, York County won the J. Mitchell Graham Award for progressive local  
18 government initiatives. We established York County Forever, which basically  
19 has as its goal for every acre of land that's developed, commercially,  
20 residentially or industrially, a corresponding acre is put into open space  
21 preservation. It is a very innovative program, especially from South Carolina  
22 standards, and we're very proud of that program.

23 We also have established a goal to place a buffer along the Catawba  
24 River to insulate it from some of the growth and development that's occurring.  
25 And, certainly, Duke Power and Crescent Resources, an affiliate -- well, not

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1 affiliated but another development arm of Duke, has been, and will continue to  
2 be, supporters of that. So that's -- from a side standpoint, certainly, we're  
3 interested in bringing more business and industry, but I'm very proud of York  
4 County in that we do have these programs and the support of Duke Power for  
5 that.

6 They've been an excellent steward, certainly, of Lake Wylie, a  
7 tremendous resource for us from visitors and convention-related activities. We  
8 certainly place that as one of our jewels in our environmental resources, and  
9 they've been an excellent steward of Lake Wylie and the Catawba River.

10 We cannot necessarily separate the environmental from the economic  
11 when we look at the two issues, but, certainly, the Catawba Nuclear Power and  
12 the millions of dollars of revenue that's been generated from that Station has  
13 created an opportunity for York County to provide for the health, safety and  
14 welfare of our citizens to a much greater extent than we would have without it.  
15 So for that reason, we certainly support the relicensing. Thank you.

16 MR. CAMERON: Okay. Thank you. Next we're going to go to Janet  
17 Zeller, who's the Executive Director of the Blue Ridge Environmental Defense  
18 League. Janet?

19 MS. ZELLER: Thank you, Chip. My name is Janet Zeller. I am  
20 Executive Director of the Blue Ridge Environmental Defense League. Our  
21 Charlotte staffer, Katherine Mitchell, is not here today. Her offices are near  
22 Charlotte, halfway between McGuire and Catawba. We have members in York  
23 County and surrounding counties, and also members along the transport routes  
24 and near Aiken, South Carolina as well where Don Moniak heads our only, at  
25 this point, South Carolina office. We're still named for the mountains where we

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1 originated as an Episcopal church women's group in 1984.

2 I'm very pleased to be here today to speak to the people who have  
3 come to the hearing and to the Nuclear Regulatory Commission. And we will,  
4 of course, have more detailed written comments. I would like to make some  
5 general comments to begin and then hit a few specifics, and then other  
6 representatives of our organization will get into more details, such as Plant  
7 history, operations and some of the specific technical problems with an  
8 extension of the license for the Catawba Plants.

9 First, we have been a recipient of Duke Power's generosity, not from  
10 a grant or anything, but we did win the 1998 Governor's Award for clean air,  
11 and that was a program sponsored by Duke, and I know Duke does many good  
12 things for this area and for the state. But there are some real problems with  
13 describing nuclear power as clean, safe technology. It may not produce the  
14 kinds of pollution that we see from Duke's seven coal plants in North Carolina,  
15 and I'm not sure how many in South Carolina, but it does produce ionizing  
16 radiation.

17 And this ionizing radiation is legally emitted from the Catawba Plants  
18 in day-to-day operations of the Plant. You can't see it, you can't taste it, you  
19 can't feel it, but it's there, and legal emissions can cause, I think, excessive  
20 cancer deaths. In addition, ionizing radiation causes birth defects, and it  
21 causes immune disorders. So the true health impacts of nuclear power can't  
22 be looked at in terms of what your ozone levels are.

23 One of the specifics that we are looking at for the license extension is  
24 the number of people that would be projected to die an early death from cancer  
25 from the additional nearly two decades, right at two decades, or operation of

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1 the Catawba Plants. And at this point, in looking at that date, we believe that  
2 that number exceeds what is allowed under Nuclear Regulatory Commission  
3 rules.

4 The EPA -- just as an aside, a parenthetical piece here, the EPA, if  
5 you live near a chemical plant, requires that that chemical plant kill no more  
6 than one person in a million from cancer. The requirements for the Nuclear  
7 Regulatory Commission for nuclear power plants are much, much less rigid, so  
8 these can be very dangerous plants, and we want to know from the NRC just  
9 how many people in this area can be expected to die an early death from the  
10 license extension, and we will be presenting that analysis ourselves.

11 Today, we did file a motion to dismiss the licensing procedures for the  
12 license extension for the Catawba and McGuire Plants. We believe that this  
13 process is fatally flawed. One reason is that plutonium fuel use is not included,  
14 and Duke has said that it intends to use weapons-grade plutonium fuel at the  
15 Catawba and McGuire plants. Later this year, there will be a license  
16 amendment, but what this is is a fragmentation of the decisionmaking process,  
17 and we and our attorneys believe that this fragmentation, partitioning of the  
18 decisionmaking process, is an unfair regulatory burden on the public and thus  
19 violates the National Environmental Policy Act.

20 Some other problems that we have with plutonium fuel not being  
21 included is that any kinds of conclusions that the NRC would think about -- the  
22 health impacts, the safety and environmental impacts and especially security  
23 impacts -- of this license extension are simply immaterial with the prospect of  
24 using plutonium fuel. I believe that this is new information.

25 Also, on September 11 of this year, we got a dramatic presentation of

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1 new information, and this is not opportunism on the part of our organization.  
2 Since 1995, we are on the record in public hearings and in written comments  
3 and letters asking the NRC, the Department of Energy and the nuclear industry  
4 to conduct full and realistic terrorism analyses of power plant sites and of  
5 transportation. And so far that hasn't happened.

6 And in fact we believe that the ice condenser reactors at Catawba and  
7 McGuire are especially vulnerable to terrorism, because the containment walls  
8 are not thick. They're three feet thick; they're not very, very thick like the really  
9 thick containment vessels at other types of nuclear power plants. Ice  
10 condenser reactors have far more problems and I think one of our other people  
11 will address that in the day-to-day operations. But as a terrorist magnet, they  
12 pose a greater security threat. And a subsidiary of Duke has been rapidly  
13 developing the buffer zone. So the buffer zone's going away. It's not -- it's new  
14 information that the NRC needs to look at.

15 We're also looking at hot particles, and I don't know whether -- we  
16 don't have the technical capability to find them. But after Chernobyl, Russian  
17 scientists discovered hot particles that had been emitted into the environment  
18 and around the -- this was in follow-up to Chernobyl. Whether or not these  
19 plants are emitting hot particles certainly needs to be evaluated prior to any  
20 decisionmaking.

21 And one final point: Any self-respecting environmental impact  
22 statement would have alternatives. And alternatives to the licensing extension  
23 of the Catawba Plants would be the focus on safer alternative energy, ones that  
24 would not be terrorist magnets, like wind farms. Large wind farms that can  
25 exist while the farming continues, like the one in Pennsylvania, which is actually

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1 in video on our web site, have none of the problems that the Boone windmill  
2 had. And they can produce large amounts of electricity at much lower cost,  
3 and they can be up from conception all the way to production in two years. And  
4 so it seems absurd to look at extension, premature extension of the license for  
5 Catawba Nuclear Plants to the middle of this century when we have right now  
6 -- it's not futuristic -- but we have right now available safe alternatives energies  
7 that are also less costly.

8 When we pay taxes, we put a bunch of money into subsidy for the  
9 nuclear industry, more than \$70 billion of subsidy to the nuclear industry.  
10 That's not counted in your electric bill, but you pay it as taxpayers. And the  
11 next generation of nuclear power plants that Congress is actually looking at  
12 right now, I don't know why, but they are, and those plants would be modular  
13 units most probably, but they would go on the sites of licensed nuclear power  
14 plants, because nobody who doesn't have one wants one, believe me.

15 And so I thank you for your attention to our comments, and look for  
16 our written new information, Jim.

17 MR. CAMERON: Okay. Thank you, Janet. And we will be hearing  
18 from others from Blue Ridge later on in the -- during the afternoon session.  
19 The next three speakers are going to be Stephen Taylor, then Lou Zeller and  
20 then John Byrd. And I would ask Stephen Taylor, from the Palmetto Council,  
21 Boy Scouts of America. Mr. Taylor?

22 MR. TAYLOR: Thank you. My name is Steve Taylor. I'm the  
23 Executive Director and Chief Executive Officer of the Palmetto Council Boy  
24 Scouts. We're headquartered in Spartanburg and serve six upstate counties:  
25 Spartanburg, Cherokee, Union, York, Lancaster and Chester. And in that area

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1 serve approximately 8,000 youth and 2,600 adult volunteer leaders through a  
2 professional staff of nine and a support staff of four.

3 We have had for the last 11 years here locally about 2,000 scouts in  
4 York County and approximately 1,000 more in the Lancaster and Chester  
5 areas. They have been privileged to be invited to Duke Power property at the  
6 Catawba Nuclear Station for the last 11 years and accounting for 1,000 kids  
7 during that time to be taught a variety of different merit badge skills, including  
8 electricity, atomic energy, electronics safety, fish and wildlife management,  
9 environmental science, forestry, computers, amongst a variety of others.

10 Duke Power Company, and Catawba Nuclear in particular, have been  
11 good community stewards. They have been an outstanding community partner  
12 participating with us locally as well as on a regional basis. When I think about  
13 the people that I know with Duke Power Company, and in particular Catawba  
14 Nuclear Station, I know that they've taught kids first aid, they've managed the  
15 Council's web site, which was the first nationally accredited Boy Scouts of  
16 America web site in the nation. They have constructed camp shelters at Camp  
17 Bob Harden, they've managed major programs, they've provided untold hours  
18 of volunteer community service and provided support services to the scouting  
19 leaders in the surrounding areas as well.

20 As a band parent, shifting gears into just a purely personal role, I've  
21 had the privilege over the last several years of traveling throughout the state,  
22 following who is now my freshman in the Tiger Marching Band at Clemson  
23 University, but I had the opportunity to come to Clover and witness what an  
24 outstanding premier facility that the Clover School District has as a direct result  
25 of Catawba Nuclear Station being located in that area. We do not have that

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1 where I live in Spartanburg. It doesn't exist in Columbia or Charleston or  
2 anywhere else, and that's a direct benefit by having this nuclear power plant  
3 locally.

4 I'll also tell you, as a private citizen, that when I started off with the Boy  
5 Scouts many, many years ago, my first role was that of an ecology and  
6 conservation instructor in a summer camp. And so I learned firsthand  
7 experience about forestry and trees and nature and bugs and all sorts of things  
8 that kids know and like to do. And by cooperating and partnering with Duke  
9 Energy Company, we have been able to do that for many thousands of kids  
10 throughout the upstate.

11 When I look at an old Duke Energy logo and not the new fancy one  
12 that's got the red logo on it, but when you look at the old one with the lightning  
13 bolt, it has two words on it besides Duke Power, their own company name. It  
14 has "citizenship," and it has "service," and I'm just here to tell you -- and I don't  
15 own Duke Power stock, so I'm not going to make any money out of this -- but  
16 I'm just telling you, as a person who gets their electric bill on a quite regular  
17 basis, that these are good community stewards, these are good people, these  
18 are our neighbors, and these folks live here, they're conscientious community  
19 partners, and I support their relicensing efforts. Thank you.

20 MR. CAMERON: Okay. Thank you, Mr. Taylor. Next we're going to  
21 go to Mr. Lou Zeller from Blue Ridge Environmental Defense League.

22 MR. ZELLER: Thank you, Chip. My name is Lou Zeller. I'm on the  
23 staff of the Blue Ridge Environmental Defense League since 1986. I will  
24 confine my remarks today to a couple of issues regarding reactor accident  
25 containment failures, ice condenser issues and unreviewed safety questions.

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1 Hazards in nuclear plants are a combination of human and technical  
2 errors. Both type of error are noted in Nuclear Regulatory Commission's plant  
3 performance reviews of McGuire and Catawba. The plant performance reviews  
4 note shortcomings in ice condenser maintenance and inspection, corrosion of  
5 service water pipes, auxiliary feedwater pipes, the only source of water for  
6 steam generators when the main feedwater system fails, and examples of poor  
7 engineering performance.

8 The ice condensers must work during a reactor emergency, as an  
9 airbag must work during an auto accident. The Donald C. Cook Nuclear Plant  
10 with similar technology was shut down because of ice condenser problems.  
11 The functional integrity of a containment structure is necessary to mitigate or  
12 prevent the release of radioactive materials in the event of an accident involving  
13 the loss of reactor coolant.

14 Ice condenser systems are incorporated into Westinghouse  
15 pressurized water containment system designs, including McGuire and  
16 Catawba. Ice condensers maintain large banks of borated ice stored in  
17 baskets. They are constructed so that steam released during an accident will  
18 be directed through the borated ice where it is cooled and condensed. The  
19 sole function of this system is to remove heat in the containment building during  
20 an accident. This serves to reduce pressure on the containment building walls.

21 Ice condensers absorb energy and allow smaller physical containment  
22 structure to contain accidental radioactive releases from the reactors. The  
23 design pressure of this reactor is about 60 pounds per square inch. The ice is  
24 located behind a number of doors designed to open when the pressure and  
25 containment reaches a certain level above the pressure inside the ice

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1 condenser area.

2 On July 1997, McGuire Plant employees determined that ten of the 48  
3 ice condenser inlet doors and lower containment were incapable of opening  
4 and may not have opened in an accident situation. In October 1997, NRC held  
5 a pre-decisional enforcement conference. Subsequent to that, two recent  
6 Nuclear Regulatory Commission performance summaries indicate Duke's  
7 ability to assure Plant system structures and components, as required under  
8 the Code of Federal Regulations, continue to be questionable.

9 I will cite two of those. For example, in March of 2001, there was a  
10 non-cited violation for inadequate corrective actions for recurring problems with  
11 shutdown operations involving loss of letdown and/or inadvertent reactor  
12 coolant system cool-down transients. And another one occurred on December  
13 of 2000, just depth and effectiveness of the licensee's evaluation and corrective  
14 actions for failures of the standby shutdown facility diesel generator.

15 To move on to plutonium fuel and its impact on the Plant, Duke is a  
16 partner in the limited liability company of Duke, Cogema, Stone and Webster,  
17 which is under contract with the Department of Energy to perform plutonium  
18 fuel fabrication and any irradiation services in these reactors. The terms of its  
19 existing contract include requirements for the applicant to design modifications  
20 to Catawba and McGuire, to license the modifications and to amend its license  
21 to use plutonium fuel and to quality plutonium fuel use in Catawba and  
22 McGuire.

23 Under the Code of Federal Regulations, 10 CFR 51, at the operating  
24 license renewal stage, the applicant must submit an environmental report  
25 containing, quote, "a description of the proposed action, including the

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1 applicant's plans to modify the facility or its administrative control procedures  
2 as described in accordance with Subsection 5421 of this chapter. This report  
3 must describe in detail the modifications directly affecting the environment or  
4 affecting plant effluents that affect the environment," end quote.

5 Duke wrongly dismisses the requirement to analyze its plans to modify  
6 the facility for the use of plutonium fuel during the license renewal process,  
7 stating on Page 4 of its June 13 renewal application that, quote, "One potential  
8 future change to the current license basis involves the use of plutonium fuel at  
9 McGuire and Catawba. Duke is planning to submit later this year a license  
10 amendment request related to the use of MOX fuel," end quote.

11 With regard to Duke's proposed test in 2003 of plutonium fuel, lead  
12 test assemblies at McGuire and Catawba, the testing of the new fuel itself at  
13 reactors using the ice condenser system raises unreviewed safety questions,  
14 which would disallow Nuclear Regulatory Commission from proceeding without  
15 additional analyses of this matter. The potential adverse impacts of weapons-  
16 grade plutonium fuel must be evaluated now. Petitioning this decisionmaking  
17 process is a clear violation of the National Environmental Policy Act. A firm  
18 handshake cannot substitute for firm adherence to the law. Thank you.

19 MR. CAMERON: Thank you very much, Lou. Next we're going to  
20 hear from Mr. John Byrd, who's with the Lower Lake Wylie Association. Mr.  
21 Byrd?

22 MR. BYRD: Thank you, Chip. I'd like to start with a couple of  
23 announcements. First of all, our web site is operational, and it's at  
24 [www.savecatawba.com](http://www.savecatawba.com), and the Catawba refers to the River, not the nuclear  
25 plant. The second announcement I want to make is about 20 minutes ago I

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1 was promoted to senior spokesman for our association.

2 (Laughter.)

3 We're a group of people that live in the Mecklenburg part of the Lower  
4 Lake Wylie watershed. We're all within what's defined by Mecklenburg County  
5 and as of last night by the City of Charlotte, as the critical area of the Lower  
6 Lake Wylie overshed overlay buffer, which is a zoning classification to help limit  
7 the intensity of development in the area and protect water quality in the  
8 Catawba River.

9 As I say, we're in Mecklenburg, but after hearing that my property  
10 taxes are going to be only \$1,800 a year in York, I'm thinking about maybe  
11 moving across the River, because from the Mecklenburg County side, that  
12 sounds like a pretty good deal.

13 I worked at Duke Energy for 12 years, and one of the gentleman here  
14 earlier said that he believed that Wylie was one of the first generating stations.  
15 And in fact the first generating station was a dam at Indian Hook Shoals, close  
16 to the location of the present Wylie Dam. And it was built to supply power to  
17 a cotton mill here in Rock Hill. And Lake Wylie and Wylie Dam bear the name  
18 of Dr. Gail Wylie, a South Carolina physician practicing in New York, who was  
19 one of the three founders of Duke Power. So this location right here, Lake  
20 Wylie, is the birthplace of Duke Energy, which is today a \$49 billion company,  
21 or it was last year. This year, I'm sure they're considerably larger.

22 While I was at Duke, I was there for 12 years, and Duke is required by  
23 the NRC -- they operate three nuclear sites, and they're required to have at  
24 least one emergency drill for each one of those sites every year. So I had the  
25 opportunity to participate in about 20 drills, and I know a lot of the people. I've

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1 seen some of my old friends here at Duke and some of the NRC people here.  
2 And the drills are very elaborate and well-planned events, sometimes multi-day  
3 events.

4 They have -- first of all, they have their own people involved, and I'm  
5 not sure, I was never involved in the activities that actually occurred at the  
6 Plant, and Gary probably has some information on how many people were  
7 there, but from my own personal perspective, I would see sometimes as many  
8 as 200 and 300 people involved in these things, and I'm sure there were  
9 several hundred more in the Plant. And if people are concerned about terrorist  
10 activity and that sort of thing long before there was a real credible terrorist  
11 threat in this country, similar types of things were included in the drills.

12 And the people that wrote these drill scenarios, I think from sheer  
13 boredom of having to do three of them a year, came up with some pretty  
14 bizarre circumstances, and we had very weird things that would happen. We  
15 had fires, we had somebody fall off a scaffolding into a radioactive area, we'd  
16 have bomb threats, we'd have plane crashes, everything that they could  
17 imagine could go wrong.

18 And all of these -- and we would bring in agencies from NRC, FEMA,  
19 North Carolina, South Carolina, York County, Mecklenburg and Gaston for this  
20 particular plan. For the other two, there would be different local officials  
21 involved. And we would run through these drills. And almost every drill that I  
22 participated in was always carried out all the way to an evacuation order. They  
23 reached protective cover or an evacuation order, and we would -- usually my  
24 role in those drills I would play a news media person, and my job was just to  
25 cause trouble for everybody, for my co-workers and in particular sometimes my

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1 bosses, which I found to -- I looked forward to those drills; they were a lot of fun  
2 for me, because I could say some things -- well never mind.

3 We went through these drills, and they would go all the way down to  
4 an evacuation order, and we would simulate evacuation. The one group of  
5 people that did not participate in any of these drills were the people that live in  
6 the area around the Plant. Any of you who work in large office buildings know  
7 you have fire drills regularly so that people, once they practice, they know what  
8 to do. The actual emergency does not seem that much different from the drill,  
9 and they tend to follow the rules, get out quickly in an orderly way, and no one  
10 gets hurt. That's never the case in the NRC-mandated drills that Duke or any  
11 other licensee does. And, frankly, it would be just an impractical thing probably  
12 to carry out.

13 But everybody that's been involved in one of those drills knows that  
14 when -- well, first of all, no one would wait for an evacuation order; they would  
15 get out first and ask questions later. And we can make announcements to the  
16 -- turn on the sirens, make announcements on the emergency radio system.  
17 It doesn't really matter. We're doing all those -- or they were doing all those  
18 things for their own benefit to be sure they got them done, but the public was  
19 probably already scurrying out the area as fast as they could.

20 And to me, the risks of injury and death from an auto accident in a  
21 situation like this is orders of magnitude beyond the risk from any radiation  
22 exposure that might occur from -- well, from any incident that's ever occurred  
23 in the history of the North American nuclear experience.

24 Lower Lake Wylie homeowners -- it's not homeowners, Lower Lake  
25 Wylie Association was formed about a month ago in response to a rezoning

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1 petition in Mecklenburg County for a planned golf course community near Lake  
2 Wylie in the critical area of the overlay buffer, called Palisades. One of our  
3 concerns about the Palisades proposal, the site plan that's on file up at the  
4 Mecklenburg County Courthouse right now, is the traffic flow that it would  
5 create.

6 The developers have oriented the flow in and out of the development  
7 along the NC-49 area. We don't feel that -- most of the people who live in that  
8 area now don't use NC-49 at all, if they can help it. They use the Interstate 77  
9 corridor to go either north or south, whichever way -- if they're going to  
10 Charlotte or Rock Hill or points farther south.

11 And in fact, the Charlotte/Mecklenburg long-term transportation plan  
12 recognizes that fact. It envisions a hub and spoke system of feeder roads or  
13 main arteries, and it seeks to establish those as primary corridors. And the  
14 Interstate 77 corridor is a primary corridor. The light rail transit system that  
15 Charlotte is contemplating putting in would come down that very same corridor.  
16 And the intent of the highway planners and the transportation planners in  
17 Mecklenburg County is to funnel traffic to that particular spoke of the hub.

18 The Palisades Development would funnel traffic -- there's spokes  
19 coming out like this. The Palisades Development would funnel traffic into the  
20 -- what's called into the wedge between the spokes, which is very poor traffic  
21 planning, very poor highway planning. We have requested -- our Association  
22 has requested that a road system be built that would instead just turn it the  
23 other way and take it straight over to the Interstate 77 corridor, which wouldn't  
24 be that difficult to do. Okay.

25 The thing that astonishes us is that one of the two developers that had

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1 planned this Development is a subsidiary of the licensee in this process, and  
2 it appears that they gave no thought whatsoever to the evacuation and the  
3 traffic flow, as required by the NRC licensing process. So I came down here  
4 today to bring that out and hopefully your organization, your Agency, or  
5 whoever reads the record in these proceedings will lend their voice to our  
6 appeal for a more comprehensive study of this Development and more  
7 thoughtful review. Thank you.

8 MR. CAMERON: Okay. Thank you, Mr. Byrd. Our next three  
9 speakers are going to be Tim Morgan, Charles Miller and Don Moniak, and  
10 we're going to start with Mr. Tim Morgan, who's Executive Director of the York  
11 County Chamber of Commerce.

12 MR. BYRD: And Mr. Miller had to leave, and he will give you his  
13 comments in writing.

14 MR. CAMERON: Okay. Thank you very much.

15 MR. MORGAN: Once again, I'm Tim Morgan, President of the York  
16 County Chamber of Commerce, and I appreciate the opportunity to speak  
17 before you today.

18 Just last week, we attended a planning conference in the mountains.  
19 It was an economic development planning conference. And we had the  
20 pleasure of having several of our local industries who have located in this area  
21 discuss why they came here. And at the top of the list for both of these  
22 companies was quality of life. And it may sound odd to some people, but when  
23 I think of the Charlotte area that we live in, I think of Duke Energy as being at  
24 the top of that list as far as promoting a good quality of life in this area. I do  
25 this as somebody who has grown up in this area, who has seen Duke grow and

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1 develop as a company, has seen the nuclear plants develop, and also have a  
2 number of family and friends that have worked for the Company.

3 And there are three issues dealing with quality of life that I want to  
4 point out today, which I think support the license renewal effort. First of all,  
5 Duke, as it was said earlier, has a history of being a good corporate citizen  
6 here in York County. The majority of the employees live in the community.  
7 Duke employees are not only involved in most of the major community  
8 organizations, they are actively encouraged by Management to become  
9 involved in their local communities. And I want to stress this goes beyond  
10 financial involvement and includes what I would call human capital or  
11 leadership to these organizations.

12 The second item deals with the safety record, the exemplary safety  
13 record that Duke Energy has. They have a history of investing in new  
14 technology, equipment and I think, more importantly, in training their  
15 employees. They have a tremendous public education effort that we heard a  
16 little bit more about just earlier from the Boy Scouts. And I have always found  
17 that their employees are always available to come out and speak to community  
18 organizations and to answer the tough questions when issues arise.

19 And, finally, the third point that deals with quality of life deals with the  
20 need to have a dependable energy source, particularly in an area like ours that  
21 is growing. Proper infrastructure planning allows us to adequately prepare for  
22 the growth that's taken place in York County and the rest of the Charlotte area.  
23 I would argue that nuclear energy, in conjunction with hydro as well as fossil  
24 plants, will help provide a dependable and coordinated energy strategy as we  
25 move forward into the future. Thank you.

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1 MR. CAMERON: Thank you very much, Mr. Morgan. We're going to  
2 go to Don Moniak now, from Blue Ridge Environmental Defense League.

3 MR. MONIAK: My name is Don Moniak. I'm with the Blue Ridge  
4 Environmental Defense League's Aiken Office, Aiken, South Carolina, near the  
5 Savannah River Plant, Department of Energy's Savannah River Plant, where  
6 they want to build a plutonium fuel factory, also known as a mixed oxide fuel  
7 fabrication facility.

8 Right now we're in the process of going through an environmental  
9 impact statement for that facility, and neither the Nuclear Regulatory  
10 Commission nor Duke Energy believe that using the fuel at Duke Energy  
11 reactors, Catawba and McGuire, as they are contractually obligated to do if it  
12 goes forward, is within the scope of that proceeding.

13 Now we come to a proceeding to relicense the facilities, and you'd  
14 think, well, it must be within the scope of this proceeding, but, no, it's not. We  
15 have intervened in this process, and we've filed a petition to dismiss based on  
16 three criteria. The first is that they refuse to analyze the impacts of using  
17 entirely different fuel than what they're using now. The current licensing basis,  
18 as it's called, does not include mixed oxide plutonium fuel. It is for low-enriched  
19 uranium fuel that at the outset of the loading of fuel has zero plutonium.

20 Plutonium fuel will have up to six percent plutonium 239 in it, which  
21 makes reactor control more difficult by shear physics alone. To deny that is  
22 like claiming that Newton was wrong and the apple didn't fall from the tree.

23 It also involves a much hotter fuel, thermally hotter, so it's going to be  
24 more difficult to store, because there is more plutonium in there, which  
25 produces other plutonium isotopes. And it's also a very attractive fuel for theft

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1 and diversion, which is why they plan to transport it. In fact, the Department of  
2 Energy claims to not be considering any other alternative to transporting it with  
3 what's called safe secure transports, the type of semis that move nuclear  
4 weapons.

5 They're going to use the same level of protection to move this fuel that  
6 they use for nuclear weapons, even though those transports were not designed  
7 to move this fuel. They were designed to move weapons. They weren't  
8 designed to move huge fuel assemblies, and a result they're having to design  
9 a transport container to try to fit within this, and they haven't even done that yet.  
10 But they are planning to do this.

11 Duke applied for and got an exemption to the relicensing procedures  
12 back in 1999 that would allow them to apply for relicensing prior to 20 years of  
13 operation of their reactors. And they based it on the fact that McGuire 1 would  
14 have operated for 20 years as of June 2001. And this is true, that happened.  
15 But Catawba, which we're talking about now, only has 15 and 16 years of  
16 operating, respectively, nowhere near the 20 years. That's the minimum that  
17 any other company can use. Duke did not apply to get early licensing at  
18 Oconee. It did that well after 20 years of operation.

19 And one of the arguments that they used to get this 20-year rule lifted  
20 was that they have this great program of communicating between the reactors.  
21 And a year after -- not even a year after Oconee got its relicensing, they  
22 discovered this problem with -- just give me a second -- the initiation and  
23 growth of significant circumference cracks in PWR alloy 600 weldmans  
24 apparently at growth rates faster than previously modeled. So the aging  
25 program that's required to detect accelerated aging of major components that

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1 are necessary to run safely did not work in that case, nor did they relay the  
2 information to Catawba and McGuire and have them start looking at the same  
3 parts. Catawba and McGuire did not do so until the NRC told them to.

4 Another instance is that in 1997 Westinghouse and Catawba were  
5 informed that there was problems with some of the screws in the ice baskets  
6 by somebody at another ice condenser facility, Watts Bar in Tennessee, and  
7 did nothing about it. And this is an allegation that held up before the Allegation  
8 Review Board of the Nuclear Regulatory Commission. Granted it was not a  
9 major safety significance, but so what? The fact is is that they were informed  
10 of this and did nothing about it.

11 And under a real safety culture, you don't wait until something goes  
12 wrong. You don't say, "Oh, there's a one in a million chance of this happening."  
13 That's not acceptable. A real safety culture asks hard questions, whistle  
14 blowers are not treated unfairly. In fact, whistle blowers shouldn't even be in  
15 existence, because people shouldn't have to blow the whistle. They should  
16 simply say, "This is wrong, and it should be taken care of." In the instance I  
17 speak of, the person had to go under whistle blower protection.

18 The third part is there are going to be major changes to the security  
19 infrastructure around all nuclear power plants, and that's a given. The Nuclear  
20 Regulatory Commission and its partner, the Nuclear Energy Institute -- and if  
21 you don't believe they're partners, you just have to read all the literature  
22 between the two, and they do try and match up against each other. The  
23 Nuclear Energy Institute is the industry's lobbying arm. It represents all the  
24 reactors.

25 Their design basis threat at this point is several people, maybe in a

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1 jeep or a truck, maybe with some explosives, who might know part of the Plant  
2 getting inside and blasting something, a small attack. And there's experts at  
3 Sandia National Lab, within the NRC and elsewhere who have argued that that  
4 is really a pretty weak scenario. They're not arguing that the design basis  
5 threat should be an airplane crash either with a 747, because that's been  
6 argued in the past.

7 In 1968, somebody argued that there could be an attack from the  
8 Cubans down around Miami at a nuclear plant down there. In 1968, that wasn't  
9 totally unreasonable. However, it was decided, and they've lived with it ever  
10 since, that nuclear power plants do not have to provide protection against  
11 missiles, against intentional acts from outside.

12 So think about that. That means this is the only centralized source of  
13 energy which is a target to create massive environmental catastrophe, massive  
14 loss of life and it's a target according to the Pentagon in their own papers.  
15 They worry about their own soldiers and our soldiers in other countries being  
16 in a place where there's a nuclear power plant and that plant is blasted, and it  
17 releases radiation, and they're fighting in that rad zone.

18 This is reality. This could happen in Turkey, Armenia, Serbia it could  
19 have happened in with those old Russian reactors that are built -- to give  
20 industry some credit here, it's not the VVER 440s or RBMK Chernobyl types,  
21 but nonetheless three feet of cement is not going to stop the type of weaponry  
22 that is available today and what we see on September 11. And that's a given.

23 And there's legislation in Congress now to require the NRC to finally  
24 wake up and do what its own people have been saying for years that it ignored  
25 and come up with a stronger design basis threat. And this is going to add a lot

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1 to the cost of nuclear energy. We don't know how much, but we need to see  
2 what the final rules are going to be, how it's going to be implemented and then  
3 start from there again.

4 There's no hurry to do this relicensing, especially for Catawba.  
5 They're trying to fast track this right now. They're trying to fast track it so they  
6 don't have to analyze it and get their relicensing if the licensing basis involves  
7 plutonium fuel. Because if they wait three or four more years like they were  
8 supposed to, then they'll have to do that if the plutonium fuel program goes  
9 forward. Hopefully it won't.

10 If they were to pull out today and tomorrow and say, "Boy, this was a  
11 bad idea. We shouldn't be hauling plutonium through downtown Charlotte,"  
12 then we couldn't be happier. That's what I'd like to finish with. Thank you.

13 MR. CAMERON: Okay. Thank you, Don. We're going to go to Mike  
14 Bush, Ann Barton and Genevieve Polites. So, Mike? And Mike is with the  
15 Daniel Stowe Botanical Garden.

16 MR. BUSH: Hi. Thank you much. I am Mike Bush. I'm the Executive  
17 Director at the Daniel Stowe Botanical Garden. I live in Gaston County. The  
18 Garden is in Gaston County, North Carolina. I can tell you pretty clearly that  
19 it was only about a 21-minute drive today from where I work, and we're very  
20 close to where I live to the facility right here, and on the way, certainly passed  
21 the turnoff for the Catawba Nuclear Station.

22 I, as the Executive Director, much like Gary Peterson, are responsible  
23 for safety on a much different scale, certainly. I have 35 employees there, 200  
24 volunteers and 70,000 visitors a year. I can see where Catawba is most of the  
25 time from the steam contrails in the sky and realize that they are our neighbors.

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1 We have a developing botanical garden. We have 110 acres of garden open  
2 today, and that will grow into our master plan of some 450 acres. That acreage  
3 includes three miles of waterfront on Catawba Creek, which is certainly part of  
4 the Lake Wylie system here. Catawba Creek is one of the minor tributaries of  
5 the Catawba River. It comes into the Catawba River near the same point that  
6 the River's main tributary, the South Fork, comes into Catawba River.

7 I think that corporate partnerships are important. Certainly, within the  
8 community, I feel that our corporate partnership with the community is  
9 important, as myself and other staff members are involved in other community  
10 operations. It's been pleasant for me to work with the Duke Energy team at  
11 Catawba. They have certainly supported me in the questions that I have,  
12 because I'm concerned not only in the types of things that we generate at our  
13 own site for safety, public service, whether that's thrown items coming out from  
14 under a mower, some irresponsible use of chemicals, I have those concerns  
15 as well.

16 I also have concerns being in the shadow of a nuclear facility. I think,  
17 certainly, all of us have concerns, and I think that they're well-founded to be  
18 concerned, and I think we also need to put that in perspective. By listening to  
19 the comments made today, I think that we all can get a new perspective on  
20 what is available and not. I would like to think that our world hasn't changed,  
21 and I'm sure that we all would think that it has.

22 I feel confident in my continued living in the area. I'm certainly not  
23 choosing myself personally or my staff to relocate because of our location. I  
24 think that we depend on safe energy. I feel that the mention earlier of possible  
25 automobile accidents gauging in death is certainly a reality that we all live with.

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1 I also think that the concept of clean air is an important one to look at.

2 And while we can all pick at places that are necessary to improve, it's  
3 sort of the devil you know versus the devil you don't in my case, and I'm not  
4 sure that some of the things that we would be replacing with would be much  
5 better. I do think, personally, that we need to look for other alternative types  
6 of things to move into as our need for energy grows. And I'm confident with  
7 being a neighbor of the Catawba Nuclear Station.

8 I was concerned enough that I asked if I could bring my staff in whole.  
9 We left, I think, one person collecting admissions and another answering the  
10 telephone and took the other 33 of us to the nuclear site where we held a  
11 monthly meeting. We have a monthly meeting on the first Monday of every  
12 month and on October the 6th -- excuse me, August the 6th we were hosted  
13 at the Catawba Station. It was a pleasant exchange of ideas. As you might  
14 suspect, at a Botanical Garden, we're a rather eclectic group of people from  
15 avowed tree huggers to some fairly sophisticated science types and certainly  
16 folks that like to see gardens be developed and people that are community-  
17 responsible.

18 We certainly had some questions. We were inside the Plant.  
19 Somebody didn't have proper footwear, they had certainly had to search all of  
20 our records. I think my third grade teacher was called. No, probably not. But  
21 it was a very difficult thing to get into. And by stating the fact that the Plant was  
22 designed to withstand tremendous forces, both natural and unnatural, certainly,  
23 in my background as a botanist, I have no way to discern whether three feet of  
24 concrete will do something or not, based on criteria. But what we were told,  
25 certainly, was that earthquake, hurricane and commercial jetliner crash had all

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1       been tested in the laboratory-type testing to be concurrent. And it seemed  
2       pretty bizarre to me on the 6th of August that there would even be a concern  
3       for an airplane crash.

4               I must say that following the bin Laden attacks on the 11th of  
5       September, from, again, my assessment, unprofessional, from a botanist  
6       standpoint, that I had a much stronger feel for comfort having had been in the  
7       shop, having seen the tremendous amount of security that we had to go  
8       through. And we're the kind of, like I said, tree huggers that might be easy to  
9       infiltrate. Who knows who we are. We're not a bunch of four-year-olds or nine-  
10      year-olds coming from a school that would be rather harmless. I felt that they  
11      were very thorough, and I certainly had another measure of comfort saying,  
12      "Whoa, somebody was looking ahead on that one, anyway." Whether it would  
13      withstand two plane crashes at the same time, I don't know, but certainly we  
14      know that that was possible in the horror of New York City.

15             Just to sum up, I'm concerned with safety for our 35 staff members,  
16      200 volunteers and 70,000 visitors. I think that -- I'm pleased that the Catawba  
17      Nuclear Station has answered my questions. They continue to be responsive  
18      when I ask questions of them. I certainly want to be able to answer questions  
19      of our visitors when they hear the test sirens go. We're on a regular program  
20      with them so that while it's published, I certainly mention this to our staffs so  
21      that we can have our staff be aware. We have our own in-house evacuation  
22      procedures that would direct staff and visitors for any number of emergencies.  
23      I think that's prudent for any organization to do, as you need to protect your  
24      resources, which are primarily personnel.

25             I feel comfortable in continuing to have Duke Energy and the Catawba

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1 Nuclear Station my partner into the future. Thank you.

2 MR. CAMERON: Okay. Thank you very much, Mr. Bush. Let's go to  
3 Ann Barton, who's with the York County Adult Day Care Services.

4 MS. BARTON: Thank you. First of all, I'll tell you that I have lived  
5 here 30 years, and I have a client attending one of the centers, and she's lived  
6 here all her life. She's only 108. So I think it's a pretty good place.

7 I work with a non-profit community program, and we have sites in  
8 Rock Hill and York and are building in Fort Mill. I'll comment on some of the  
9 people who work for Catawba Nuclear. About eight years ago, we went to a  
10 health fair held out at Catawba Nuclear, and some of its employees made the  
11 mistake of asking me, "If you ever need anything" -- or telling me, "If you ever  
12 need anything, let us know." We needed things, and we did let them know.  
13 And I have been very blessed to find that these people repeatedly come back  
14 and try and serve the community needs. They started out with building a  
15 concrete path for wheelchair vans to unload the clients, they screened in  
16 porches at the facilities, they assisted with new renovations, and this was to  
17 meet the new DEHAC regulations, and this included safety precautions and  
18 guidelines.

19 We did have a few problems. When the projects took over a few days  
20 and they came back, some of the equipment had disappeared during the night  
21 that they left outside. So they told me that I really needed to get and build a  
22 storage building. So I said, "Okay." And together we wrote a grant, and, of  
23 course, they came back and built the building for us.

24 I think that Catawba Nuclear for us has been a very good neighbor.  
25 They are there with the know-how and the heart to get the job done in this

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1 community, and they are quite aware of the community needs, and we're proud  
2 of them. Thank you.

3 MR. CAMERON: Okay. Thank you, Ann. Let's go to Genevieve  
4 Polites. Genevieve still here? Okay. We have one final speaker for this  
5 afternoon's session, and that's Mr. Nate Barber. And while Nate is coming up,  
6 I would just point out that the NRC has some survey forms to help us evaluate  
7 how well we do in these public meetings. And if you could, they're out on the  
8 desk, and I'll leave some up here. If you could just give us some guidance on  
9 that, we'd appreciate it. And turn it over to Mr. Barber.

10 MR. BARBER: Good afternoon. I thought you were going to say while  
11 Nate finishes that piece of candy that he had just put in his mouth.

12 (Laughter.)

13 Good afternoon. My name is Nate Barber. I'm with Winthrop  
14 University. I'm a Rock Hill resident, born and raised here. Most of my work  
15 career has also been here and at Winthrop.

16 I'd just like to comment on Duke from two perspectives. And I'm quite  
17 supportive of the application for the license renewal. One is each semester  
18 when I teach the one particular class, I like to take those students to places in  
19 the community so they can see how things are made - how things work. And  
20 Duke is one of the places that we always take the students and they're always  
21 very accommodating with us. We see from that time going into the plant how  
22 much safety is stressed. I realize it is a complicated process to produce  
23 electrical energy. But I'm convinced that Duke is doing what needs to be done  
24 from a safety perspective to make sure that we are living in a safe environment  
25 and getting the power that we need.

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1           Secondly, back in May and June, I had the opportunity to go to Brazil.  
2           And, for those in the power industry, they will realize some of the problems that  
3           Brazil is up against. One of the major ones is electrical power generation. We  
4           take it for granted when we turn on the lights here and things happen. Once  
5           you spend some time in a place where that doesn't happen, you get an even  
6           greater appreciation for the fact that we have a secure power situation here in  
7           terms of it meets our needs - it helps us grow. It is an integral part of the  
8           growth and development of our area. And I think that Duke does a great job  
9           with that and I wanted to come on record that I'm in support of the relicensing  
10          effort and I think that Duke has been, and will hopefully continue to be, a good  
11          corporate neighbor.

12                        Thank you.

13          MR. CAMERON: Okay. Thank you, Mr. Barber. Now that was our final  
14          speaker for this afternoon. And I would just invite you after we adjourn today  
15          to speak informally with the NRC staff people that are here. We also have our  
16          environmental analysis team here from various places that are helping us to  
17          evaluate the environmental impacts and they're here also to talk with you if you  
18          would like. We're going to be back at 7:00 for start of the formal meeting and  
19          tonight's meeting. But we will be here at 6:00 for an informal open house. And  
20          I would just thank all of you for coming out today and for your comments that  
21          the staff and our consultants took in and will be evaluating - and there is a  
22          opportunity for written comments, also, as was pointed out.

23                        So, thank you very much.

24                        (Whereupon, the public meeting adjourned.)

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