

ATTACHMENT 1

Official Transcript of Proceedings

NUCLEAR REGULATORY COMMISSION

Public Meeting on the Draft Supplemental  
Impact Statement on Decommissioning of  
Nuclear Facilities

Docket Number: (not applicable)

Location: San Francisco, California

Date: Tuesday, December 4, 2001

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**Work Order No.:** NRC-129

**Pages** 1-64

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UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION  
+ + + + +  
PUBLIC MEETING  
ON THE DRAFT SUPPLEMENTAL IMPACT STATEMENT  
ON DECOMMISSIONING OF NUCLEAR FACILITIES

+ + + + +

TUESDAY

DECEMBER 4, 2001

+ + + + +

SAN FRANCISCO, CALIFORNIA

+ + + + +

The Nuclear Regulatory Commission's Public Meeting held at the Argent Hotel, Metropolitan Room 1, Second Floor, 50 Third Street, San Francisco, California, at 7:00 o'clock p.m., Chip Cameron, facilitating.

NRC STAFF and PRESENTERS:

STEWART BROWN, Office of Nuclear Materials

Safety and Safeguards, NRC

CHIP CAMERON, Facilitator, NRC

EVA ECKERT HICKEY, Pacific Northwest

National Laboratory

STEPHEN LEWIS, Office of General Counsel, NRC

MICHAEL T. MASNIK, Ph.D., Senior Project

Manager, NRR, NRC

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1 NRC STAFF and PRESENTERS:

2 DINO SCALETTI, Senior Project Manager, NRR, NRC

3 D. BLAIR SPITZBERG, Ph.D., Chief, Fuel Cycle

4 and Decommissioning Branch, Region IV

5 BARRY ZALCMAN, Chief, Environmental Section,

6 NRR, NRC

7 MIKE SACKSCHEWSKY, Pacific Northwest National

8 Laboratory

9

10 OTHERS PRESENT:

11 JACQUELINE CABASSO, Executive Director, Western

12 States Legal Foundation

13 DALE NESBITT, Board of Directors, Western States

14 Legal Foundation, Peace Action, and

15 retired engineer, Lawrence Berkeley

16 Laboratory

17 PATRICIA OLSON, TriValley CAREs, Livermore,

18 California

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A-G-E-N-D-A

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Eva Hickey . . . . . 20

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

(7:05 p.m.)

1  
2  
3 MR. CAMERON: Good evening, everyone. I  
4 just want to welcome all of you to the Nuclear  
5 Regulatory Commission's Public Meeting on a Draft  
6 Generic Environmental Impact Statement on Reactor  
7 Decommissioning.

8 My name is Chip Cameron. I'm with the  
9 Office of General Counsel at the NRC, and I'm going to  
10 serve as your facilitator for tonight's meeting. And  
11 I just want to go over three things very briefly with  
12 you before we get started.

13 First I'd like to talk a little bit about  
14 the objectives for tonight's meeting. Secondly, a few  
15 words on format and ground rules for the meeting  
16 tonight. And, lastly, I want to give you an Agenda  
17 overview so you know what to expect tonight.

18 In terms of objectives, the NRC is here to  
19 explain the findings and the evaluations that are in  
20 the NRC's Draft Generic Environmental Impact Statement  
21 on reactor decommissioning, including how that Generic  
22 Environmental Impact Statement might be used in the  
23 NRC's Regulatory Program.

24 And I should say at this point that this  
25 -- so that people are not confused -- this Draft

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1 Generic Environmental Impact Statement is being called  
2 a "Supplement," so it's a Draft Supplemental Generic  
3 Environmental Impact Statement. And the reason it's  
4 being called a Supplement is that, as you'll hear from  
5 the NRC staff, back in 1988 the NRC prepared a Generic  
6 Environmental Impact Statement on decommissioning. It  
7 covered a wider range of facilities than just nuclear  
8 power plants.

9 Now the NRC has prepared an additional  
10 analysis, and that's called the Supplement. So it's  
11 a Draft Supplemental Generic Environmental Impact  
12 Statement.

13 A second objective, in addition to  
14 providing the information to all of you on what's in  
15 this Draft Environmental Impact Statement, is to hear  
16 your comments and concerns on the material that is in  
17 the Generic Environmental Impact Statement.

18 And I want to emphasize the word "Draft."  
19 In other words, this document, the conclusions in this  
20 document are not going to be used by the NRC until  
21 comments from the public are evaluated and a final  
22 GEIS issued. So your comments are very important to  
23 us.

24 And there is a public comment period for  
25 written comments on this document, but we're here

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1 tonight to talk to you personally about it.

2           You may hear some information tonight that  
3 will help inform any written comments that you do want  
4 to make on this. But let me just emphasize that any  
5 comments that you make here tonight are going to be  
6 given the same weight as any written comments that are  
7 received.

8           In terms of the format for tonight's  
9 meeting, the format flows out of the two objectives I  
10 mentioned.

11           First we're going to have two brief  
12 presentations by the NRC and consultants working for  
13 the NRC, to give you some background on this document.

14           And after each of those presentations  
15 we'll go out to you for questions about those  
16 presentations.

17           The second segment of tonight's meeting is  
18 an opportunity for anyone who wants to give us more  
19 formal comments on the document.

20           There are some sign-up cards out there.  
21 And the purpose of those is to give us an idea of how  
22 many people want to speak. And since we sort of have  
23 a small universe here tonight, I don't think we have  
24 to worry too much about that.

25           So if you didn't sign up, when we get to

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1 that part of the meeting, if you do want to make a  
2 comment, please feel free to offer that.

3 I'm asking that people try to be concise  
4 and that we try to at least, as a guideline, keep it  
5 to between five and ten minutes in terms of your  
6 comments.

7 And I would also ask that only one person  
8 speak at a time, not only so that we can give our full  
9 attention to whomever has the floor, but we are taking  
10 a transcript. Our stenographers are here, and that  
11 will allow a clear transcript to be taken.

12 The transcript will be available, I take  
13 it, on the NRC website. And if anybody wants to  
14 request a transcript, we'll mail you one if you don't  
15 have access to the internet.

16 In terms of agenda, we're going to start  
17 with Mr. Dino Scaletti, who is right over here.  
18 Dino's going to talk about the process that has been  
19 used to prepare this particular document. Dino is the  
20 NRC's Project Manager for the preparation of this  
21 Generic Environmental Impact Statement.

22 He's been an Environmental and a Safety  
23 Project Manager at the NRC for 27 years. In fact, he  
24 has just announced his retirement, so he has about  
25 four more months, I guess, to go. But his prior

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1 experience was with the United States Navy's Landbased  
2 Nuclear Program. And he has a graduate degree in  
3 zoology and a bachelor's in electrical engineering.

4 The second presentation is going to be  
5 done by the experts that are helping the NRC to  
6 prepare this document. We have Eva Eckert Hickey  
7 right here, who is the Project Manager for the  
8 preparation of this Environmental Impact Statement at  
9 Pacific Northwest National Lab.

10 Eva is a health physicist and she not only  
11 has a background in environmental health physics but  
12 in emergency preparedness and operational health  
13 physics. She did work as an environmental engineer  
14 for the Nuclear Regulatory Commission. She has a  
15 master's degree in health physics from the Georgia  
16 Institute of Technology.

17 And I would just thank all of you who have  
18 taken the time to be with us tonight. And I would  
19 just emphasize, in addition to hearing information  
20 from the NRC and giving us comments, we have a number  
21 of people from the NRC Headquarters staff here and  
22 also from the Regional Office, our Regional Office in  
23 Arlington, Texas, the people who do inspection and  
24 enforcement. We have people here from our Office of  
25 General Counsel.

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1           Please take the opportunity to talk with  
2           them and to get their phone numbers, email addresses,  
3           and feel free to contact them if you have any  
4           questions about this project or other projects. We'd  
5           like to maintain some continuity of communication with  
6           the public. So I would encourage you to do that.

7           And one final thing. We do have something  
8           that's -- this is an evaluation form, Public Meeting  
9           Evaluation Form, that the NRC tries to get input from  
10          people on how well we did with the public meeting, how  
11          we could improve it. So they are out at the desk out  
12          there. If you would be kind enough to give us some  
13          comments, we'd appreciate that.

14          And with that I think let's turn it over  
15          to Dino for a presentation on the process, and then  
16          we'll open it up to questions from all of you.

17          Dino.

18          MR. SCALETTI: Thank you, Chip.

19          As Chip said, my name is Dino Scaletti.  
20          I'm from the NRC's Office of Nuclear Reactor  
21          Regulation. And I'd like to also thank you for coming  
22          tonight, and then take a few minutes to give you a  
23          little overview of why we're here tonight.

24          However, before we start, I'd like to ask  
25          you, request one thing. When the music starts next

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1 door, please, if you'd refrain from dancing until  
2 after the public meeting, we'd all appreciate it. It  
3 may get noisy in here, so we'll do our best to get  
4 going as quickly as we can.

5 The U.S. Nuclear Regulatory Commission was  
6 formed as a result of to the Atomic Energy Act of 1954  
7 and the Energy Reorganization Act of 1974.

8 The NRC's mission is to regulate the  
9 nation's civilian use of nuclear materials, to ensure  
10 protection of the health and safety of the public and  
11 workers, and to protect the environment. It is an  
12 independent agency made up of five commissioners and  
13 a multitude of staff.

14 The five commissioners are chosen by the  
15 president for five-year terms and the president so  
16 designates the chairman of the Nuclear Regulatory  
17 Commission.

18 The purpose of this meeting is to discuss  
19 Draft Supplement 1 of the Generic Environmental Impact  
20 Statement, or the GEIS, on decommissioning of nuclear  
21 facilities.

22 In 1988 the NRC published NUREG-0586 in an  
23 Environmental Impact Statement that evaluated the  
24 impacts of decommissioning of a whole variety of  
25 facilities, including power reactors. This Supplement

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1 addresses only permanently-shutdown nuclear power  
2 plants.

3 We will explain what the GEIS is, how it  
4 is used, and when it is used. But first I'd like to  
5 describe the process set forth in the National  
6 Environmental Policy Act, or NEPA, for developing this  
7 GEIS.

8 Then I will turn the discussion over to  
9 Eva Hickey. And she will tell you the approach for  
10 discussing the document, including defining the scope,  
11 establishing a process for environmental analysis, the  
12 format of the report, and finally the conclusions of  
13 the report.

14 We plan to keep our presentation brief  
15 because we want to give you, the public, time for your  
16 questions and comments.

17 The National Environmental Policy Act of  
18 1969 places the responsibility upon federal agencies  
19 to consider significant aspects of the environmental  
20 impact of a proposed action. It requires all federal  
21 agencies to use a systematic approach to consider  
22 environmental impacts during the decisionmaking  
23 process.

24 The National Environmental Policy Act, the  
25 NEPA process, also is structured to ensure that

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1 federal agencies will inform the public that it has  
2 indeed considered environmental concerns in the  
3 decisionmaking process and invite public participation  
4 to evaluate the process. This meeting we're holding  
5 tonight is part of that process.

6 What does NEPA require? NEPA requires  
7 that an environmental impact statement or assessment  
8 be prepared for all major federal actions.  
9 Supplements to drafts or final EISs, or environmental  
10 impact statements, are required when there are  
11 significant new circumstances or information relevant  
12 to the environmental concerns.

13 We've had several revisions to the  
14 regulations and gained considerable additional  
15 experience from actual decommissioning. The original  
16 GEIS was published in 1988, some 13 years ago. It is  
17 now an appropriate time to supplement and revise the  
18 original GEIS on decommissioning.

19 Generic EISs are allowed in cases where  
20 there is a need to address generic impacts that are  
21 common to a number of similar-proposed actions or  
22 similar facilities.

23 This process provides for the preparation  
24 of a generic environmental statement to avoid the time  
25 and the expense of repeated reviews of essentially the

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1 same material.

2 When an environmental issue has been  
3 resolved generically there is no need to conduct  
4 another detailed review of the same issue unless there  
5 is significant new information related to some aspect  
6 of that issue.

7 The NEPA process follows certain steps,  
8 and the NRC is required to follow this process, which  
9 provides consistency of all EISs prepared by all  
10 federal agencies.

11 The first step in the process is a Notice  
12 of Intent, which was published in the *Federal Register*  
13 in March 2000. The Notice of Intent informed the  
14 public that an EIS, or in this case, Supplement 1 to  
15 NUREG-0586 was going to be published.

16 A second notice was published in May of  
17 2000. Four public scoping meetings were held: In San  
18 Francisco, Chicago, Boston, and Atlanta. Scoping  
19 meetings are used early in the NEPA process to help  
20 federal agencies decide what issues should be  
21 discussed in the EIS.

22 The scoping meetings helped us define the  
23 process, proposed action, and determine any peripheral  
24 issues that might be associated with the proposed  
25 action. The public provided comments on the scope of

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1 the Supplement through mid-2000.

2           Once scoping was completed, the NRC  
3 collected data and evaluated the environmental impact  
4 associated with reactor decommissioning. The  
5 environmental evaluation addressed the impacts of the  
6 proposed action in a generic manner.

7           That is, the impacts that may occur at all  
8 or most decommissioning nuclear power plants, the  
9 alternative to the proposed action, and the impacts  
10 that could result from those alternatives are  
11 addressed.

12           Finally, we looked at mitigating measures,  
13 those measures that can be taken to decrease the  
14 environmental impact of the proposed action.

15           After the environmental evaluation was  
16 completed, a Draft Supplement to the Environmental  
17 Impact Statement, or NUREG-0586, was published for  
18 public comment on November 9, 2001. All federal  
19 agencies issue these draft EISs for public comment.  
20 Now we are having more public meetings to gather your  
21 comments on the Supplement.

22           After we gather the comments and evaluate  
23 them, we may change portions of the Supplement based  
24 upon those comments. The final EIS is scheduled to be  
25 issued in mid-2002.

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1           What exactly is a Supplement 1 to the  
2           Generic Environmental Impact Statement for  
3           Decommissioning? A Generic Environmental Impact  
4           Statement identifies the environmental impacts that  
5           may be considered generic for all nuclear reactors.

6           It defines the envelope of impacts  
7           predicted, predicting the level of impacts for a  
8           specific set of generic conditions. It also  
9           identifies the environmental impacts that need to be  
10          considered in more detail as site-specific issues for  
11          the facility.

12          Supplement 1 provides updated information  
13          on the environmental impact from decommissioning  
14          activities for permanently-shutdown nuclear power  
15          plants.

16          The original document for decommissioning  
17          was published in 1988. Therefore, it's over 13 years  
18          old. Since the original document was published, there  
19          have been new regulations related to decommissioning  
20          that were issued.

21          For example, regulations requiring the  
22          submittal of a Post-Shutdown Decommissioning  
23          Activities Report and a License Termination Plan.

24          In addition, since 1988, there has been an  
25          increase in the amount of decommissioning experience

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1 in the U.S. Currently 21 commercial nuclear reactors  
2 have permanently ceased operation. As a result, there  
3 are over 300 years of decommissioning experience  
4 resulting in much new information available regarding  
5 the environmental impacts for decommissioning a  
6 commercial nuclear power plant.

7 And, finally, there have been several new  
8 issues that were not considered in the 1988 GEIS.  
9 These include rubbleization, which in this case entails  
10 completing the decontamination of and disposing of  
11 slightly contaminated building rubble onsite, such as  
12 a way to meet the site-release criteria.

13 Another issue is partial site release  
14 which involves releasing the clean part of the site  
15 before the decommissioning is complete.

16 And, finally, entombment, which although  
17 was considered in the 1988 GEIS, it may need to be  
18 reconsidered in somewhat different form to allow for  
19 the possibility of some substantial decontamination or  
20 removal of large components prior to entombment.  
21 These new issues are addressed in the Supplement 1.

22 Supplement 1 will be used to focus the  
23 analysis of environmental impacts. It will help us  
24 determine which of these impacts are site specific and  
25 need to be considered individually for each nuclear

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1 power plant that is decommissioning and which impacts  
2 are generic and can be evaluated as part of this GEIS.  
3 And then not reviewed or evaluated every time a plant  
4 enters decommissioning.

5 This allows us to spend the time and  
6 resources that are required to focus on the impacts  
7 that are applicable for that particular site.

8 The Supplement does not preclude a site-  
9 specific look at each facility. Some issues like  
10 those related to the presence of endangered and  
11 threatened species will always be site specific and  
12 will need to be addressed separately from this  
13 Supplement.

14 Our final purpose is to determine if  
15 additional rulemaking for decommissioning is required.  
16 If so, this Supplement may support the rulemaking  
17 activities.

18 The Supplement is used throughout the  
19 entire decommissioning process. The NRC's regulations  
20 require that no decommissioning activity be performed  
21 that would result in significant environmental impacts  
22 that have not been previously reviewed.

23 This means that every time the licensee  
24 starts a new activity, they must determine if it would  
25 result in an environmental impact that was not

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1 reviewed in the Supplement, or in the site-specific  
2 final Environmental Impact Statements, or any  
3 subsequent environmental analyses that were reviewed  
4 and approved by the NRC.

5 In addition, a hard look is taken at the  
6 environmental impacts at the stage of the Post-  
7 Shutdown Decommissioning Activities Report when it is  
8 submitted and when the license termination plan is  
9 submitted.

10 Now unless you have any questions, I'd  
11 like to turn this program over to Eva Hickey.

12 MR. CAMERON: Thank you, Dino.

13 Before we go to Eva to actually talk about  
14 the substance of the document, Dino talked about the  
15 rule of the Nuclear Regulatory Commission. He talked  
16 about the process used for this Environmental Impact  
17 Statement. He mentioned the NRC's decommissioning  
18 process.

19 And are there any questions anybody has  
20 about that process before we go on? And there may be  
21 things that occur later, questions we can get to them  
22 then.

23 Yes, sir. And if you could just give us  
24 your name and affiliation, if appropriate.

25 MR. SOKOLSKY: David Sokolsky with

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1 Humboldt Bay Power Plant.

2 Will this Supplement replace entirely the  
3 previous NUREG-0586?

4 MR. SCALETTI: It will replace in entirety  
5 -- or it's a standalone document for nuclear power  
6 reactors, yes.

7 MR. SOKOLSKY: Okay.

8 MR. SCALETTI: The other facilities within  
9 -- NUREG-0586 is still applicable to those facilities.

10 MR. SOKOLSKY: All right. That was my  
11 understanding in looking at this Draft Supplement,  
12 that anything from the previous NUREG is included in  
13 the Supplement that's applicable.

14 MR. SCALETTI: That's correct.

15 MR. SOKOLSKY: So when we respond we no  
16 longer have to look at the previous issue, just this  
17 Supplement.

18 MR. SCALETTI: That is correct.

19 MR. SOKOLSKY: Okay. Thank you.

20 MR. CAMERON: Thank you, David.

21 Other questions at this point before we go  
22 on?

23 Okay. Thanks, Dino.

24 And let's go to Eva Eckert Hickey to talk  
25 about the report itself.

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1 MS. HICKEY: Thank you and good evening,  
2 everybody. We're glad to see you tonight, and we look  
3 forward to hearing your comments.

4 As Chip said, my name's Eva Hickey. I am  
5 the Project Manager Task Leader for the Pacific  
6 Northwest National Laboratory Team who is supporting  
7 the NRC in the development of the Supplement for the  
8 Generic Environmental Impact Statement, NUREG-0586.

9 We have a multidisciplinary team that has  
10 been working on this effort. I have one of the other  
11 individuals on the team here with me tonight. And  
12 we're here to answer your questions on the Supplement.

13 Before I get into my talk, I decided it  
14 was probably important to give you a couple of  
15 definitions of some words that we continue to use.  
16 And the first one is "decommissioning." And this  
17 definition comes directly out of the NRC regulations.

18 It says, "Decommissioning is... The  
19 process of safely removing a facility from service  
20 followed by reducing residual radioactivity to a level  
21 that permits termination of the NRC license."

22 And I think you will understand why this  
23 definition is important as I continue on with my talk.

24 Next I wanted to talk a second about what  
25 we mean by "generic." And we've defined this in the

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1 Supplement, but let me go over it briefly.

2 We have identified a generic impact as one  
3 where the environmental impact has been determined to  
4 apply either to all plants, or all plants with certain  
5 characteristics, all plants that may be all  
6 pressurized water reactors or perhaps all plants that  
7 sit on the ocean. And I'll talk a little bit more  
8 about those characteristics.

9 In addition, when we talk about "generic,"  
10 we also gave a significance level to an impact.  
11 That's defined in the Supplement also, and those are  
12 small, moderate, and large.

13 And also we looked at the mitigative  
14 measures from an environmental impact. Those were all  
15 the areas that we looked at in determining whether an  
16 impact was generic.

17 I wanted to talk a minute about -- backing  
18 up to when we first started talking about developing  
19 Supplement 1 to NUREG-0586. Dino has addressed a lot  
20 of these issues. But we had to determine exactly an  
21 approach, how we were going to develop the scope for  
22 this document and how we were going to determine what  
23 those environmental impacts for decommissioning were.

24 So these are all the things that we were  
25 talking about several years ago as we were identifying

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1 how we were going to put this document together. And  
2 obviously we decided we needed to determine which  
3 environmental impacts would be generic and which ones  
4 are site specific.

5 So with that in mind, in the rest of my  
6 presentation I'm going to go over how we determined  
7 the scope, give you a little bit of explanation on  
8 that, and then describe the process that we used for  
9 identifying the environmental impacts for  
10 decommissioning.

11 We'll talk a little bit about the sources  
12 of information that we used in our analysis. And then  
13 I'll give you a brief summary of the findings.

14 Now in order to keep my presentation  
15 short, I can't go into a lot of detail. So I'm going  
16 to be giving you a general overview. And I hope after  
17 my presentation, if you have specific questions on our  
18 approach or anything in the document, feel free to ask  
19 them. If not tonight, submitting written questions  
20 later would be acceptable.

21 I wanted to show you in the lifecycle of  
22 the nuclear power reactor facility where we were  
23 looking in our analysis. And you see we've got the  
24 plant construction and then licensing. And I know  
25 it's a little difficult to see, I'm sorry, but you've

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1 got it in your handout. Plant operation is either 40  
2 years or it could be an additional 20 years if there  
3 is a license renewal.

4 But where we are actually looking, as  
5 decommissioning activities that occur after the plant  
6 closes down, those activities typically occur 5 to 60  
7 years after the plant shuts down. So that's in the  
8 timeline of our analysis.

9 The scope. This was a very important  
10 upfront part of our effort, was determining what the  
11 scope of the document was.

12 First it's based on the original 1988  
13 Generic Environmental Impact Statement, NUREG-0586.  
14 So we started with that. But then we had, based on  
15 the NEPA process, scoping meetings that Dino has  
16 talked about.

17 We took the comments from the scoping  
18 meetings and we evaluated those to determine which  
19 ones were in scope and out of scope. And I want to  
20 take just a minute to try to describe how we did that  
21 evaluation process.

22 Appendix A in the Supplement discusses  
23 those comments that were considered in scope and where  
24 we addressed them in the document. And then if you're  
25 interested, there's a summary of the entire scoping

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1 process that's been published by NRC also.

2 So we would get a comment and we would  
3 look at it. And first we would try to decide whether  
4 it fit into the definition of decommissioning. And,  
5 if it did, then we considered that particular comment  
6 within the scope.

7 We also looked at whether any of the  
8 issues were those described by the Commission, the  
9 issues that the Commission asked us to look at. And  
10 Dino discussed those a bit. Rubblization was one.  
11 Partial site release was another, and entombment. So  
12 those particular issues would be considered in scope.

13 And then, I guess rather than those  
14 issues, those comments in scope, comments that might  
15 be out of scope are those that would be addressed  
16 outside of the NRC purview.

17 An example of that might be if there's a  
18 state requirement that the plant decommission back to  
19 a greenfield state, NRC does not -- because that was  
20 a state requirement, NRC would not have any overview  
21 on that.

22 And then also there's a number of issues  
23 that are looked at elsewhere in NRC's regulations and  
24 have an environmental review. For example,  
25 radiological impacts, after the termination of the

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1 license, are considered under another Generic  
2 Environmental Impact Statement for license  
3 termination. So that particular issue would not be  
4 considered in our Supplement.

5 Now if you're interested in looking, all  
6 of the activities that we considered and the issues  
7 are identified, the in-scope and out-of-scope, in  
8 Table 1-1 of the Supplement. And that's on page 1-4.

9 So now we've established our scope. We  
10 need to decide our approach. And how we did this was  
11 we looked at the decommissioning process. We  
12 identified all of the activities we saw occurring for  
13 decommissioning a nuclear reactor. And we discussed  
14 it with people: the NRC staff, and the industry. And  
15 they helped us define and come up with our list of  
16 activities.

17 Also we looked at the environmental  
18 issues. And these are some of the typical  
19 environmental issues that are addressed in the NEPA  
20 process. But, once again, we asked the NRC staff for  
21 their input and the industry's input, and we came up  
22 with our list of environmental issues we were going to  
23 look at the environmental impacts for.

24 From that we came up with a matrix. We  
25 called it Tier 1. We looked at all of the

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1 environmental issues at each activity, decommissioning  
2 activity, and tried to make an assessment of whether  
3 that activity and that issue, if there would be an  
4 environmental impact. And, if that was the case, then  
5 we put an x in our matrix.

6 If you want to look for a detailed  
7 discussion of our approach, that's in Appendix E of  
8 the Supplement.

9 Now after we did that we decided that all  
10 the nuclear power plants, there's a number of  
11 variables between them. We wanted to make sure we  
12 assessed those variables, so we put a list of those  
13 variables together. And you can see those here: Type  
14 and size of plant, decommissioning options shown. And  
15 those are all given in Table E-4.

16 We went through the matrix process again,  
17 looking at whether the variables would make a change  
18 to the environmental impact based on the activity and  
19 the environmental issue we were looking at. And we  
20 put that on another matrix.

21 From that we came up with our list of  
22 generic impacts. And we assessed whether those  
23 impacts had a small, moderate, or large significance.

24 And those impacts that weren't generic we  
25 considered site specific. And so for those particular

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1 activities, there will need to be a site-specific  
2 analysis.

3 And also I'd like to point out at this  
4 point in time any activity that we did not address in  
5 the Supplement, either because it's a technology that  
6 we didn't consider or a technology that may come down  
7 the road, those activities will need to have a  
8 site-specific analysis. We tried to be all inclusive  
9 with the current technology, but we know things will  
10 continue to change.

11 So to summarize: We looked at the scope;  
12 we put our Tier 1 matrix together. We did a fine tune  
13 on that, looking at the variability of the plants.  
14 And then we came up with our outcomes. That was our  
15 goal, to come up with those activities and issues that  
16 were considered generic and those that were considered  
17 site specific.

18 Now where did we get the data that we  
19 used. This was a very important part of the task.  
20 And my team and I, we did a very exhaustive literature  
21 search. And then we made trips to a number of  
22 decommissioning nuclear plants, ones that we  
23 considered kind of covered the gamut of the  
24 decommissioning experience. And my team and I went  
25 out and we talked to the licensees and we collected

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1 data.

2 And for those sites that -- since we  
3 couldn't go to all the plants, we requested that those  
4 sites that we didn't visit provide us with additional  
5 data. And most of those plants did. And so we had a  
6 number of facilities with actual decommissioning  
7 experience and data that we used in our evaluation.

8 So let me close with talking just briefly  
9 about the findings.

10 I believe in your handout, hopefully you  
11 got -- this is the table that's in the Supplement, and  
12 that was supposed to be handed out with the visuals.

13 We looked at -- we determined generically  
14 that these issues, Water Use and Quality, Air Quality,  
15 Ecology, Human Health, Transportation, Socioeconomics,  
16 Postulated Accidents, Aesthetics and Noise, and Land  
17 Use -- could all be considered generic, those  
18 activities under those issues.

19 And for most of them you will see that we  
20 said the impact was small.

21 Now for Socioeconomics and Postulated  
22 Accidents, you will see that we have "SMALL, MODERATE  
23 or LARGE."

24 In this case what we have is a number of  
25 items under each issue. And if you've got that table

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1 that summarizes the -- I'm sorry -- the table that  
2 summarizes our findings, you will see that in those  
3 issues under Socioeconomics, where there's -- I think  
4 there were six different issues, some of those had a  
5 small impact, some of them had a moderate, and some of  
6 them had a large.

7 And when you look in Chapter 4 of the  
8 document, it defines what small, moderate, and large  
9 for each one of those areas meant. And the same is  
10 true for Postulated Accidents.

11 These are the site-specific areas: Land  
12 Use; Aquatic and Terrestrial Ecology; Threatened and  
13 Endangered Species; Environmental Justice; and  
14 Cultural and Historical Resources.

15 Now for Land Use, Aquatic and Terrestrial  
16 Ecology, and Cultural and Historical Resources, not  
17 all of the aspects were site specific. There's only  
18 certain cases when a site-specific analysis would be  
19 needed, and we've got that written here.

20 For Land Use it's offsite activities that  
21 require major transportation upgrades.

22 Aquatic and Terrestrial Ecology, it's  
23 similar, activities that occur outside of the  
24 previously-disturbed areas. And there's no recent  
25 assessment.

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1           And the same thing for Cultural and  
2 Historical Resources, activities outside boundaries  
3 that had previously been disturbed would require  
4 site-specific analysis.

5           For Threatened and Endangered Species and  
6 Environmental Justice, those two issues require  
7 site-specific analysis.

8           And with that I will turn it back over to  
9 Chip for a minute. And then if you have any  
10 questions, I'll be glad to answer them.

11           MR. CAMERON: I just want to point out to  
12 everyone that the comment period for written comments  
13 is open until the end of the year, December 31st.  
14 They can be submitted to the Rules and Directives  
15 Branch. They can be submitted to the website address  
16 up there. And I think you all have this in your  
17 materials.

18           And Dino Scaletti, as I mentioned earlier,  
19 is a Project Manager. We also have Mike Masnik here.  
20 Feel free to contact them with any questions.

21           I think that we can go out to you for  
22 discussion now. We don't need to necessarily limit it  
23 to questions. Any questions or comments for Eva or  
24 any of the NRC staff on this.

25           And, Jackie, if you could just give us

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1 your name and affiliation.

2 MS. CABASSO: My name is Jackie Cabasso.  
3 I'm the Executive Director of the Western States Legal  
4 Foundation.

5 And I have a question for Eva which is  
6 that in reaching your findings about these impacts,  
7 these environmental impacts, the generic issues and  
8 impacts, I'm wondering what the baseline you were  
9 using was to measure those impacts against.

10 In other words, were you comparing the  
11 impacts to the site before the nuclear facility was  
12 built or during its peak operating period? And in  
13 that case were the impacts considered cumulative or  
14 standalone?

15 MS. HICKEY: Okay. Let me make sure I  
16 understand your question. You want to know what the  
17 baseline was that we were evaluating against --

18 MS. CABASSO: Um-hum.

19 MS. HICKEY: -- and then whether we looked  
20 at the impacts cumulatively.

21 MS. CABASSO: Um-hum.

22 MS. HICKEY: What we were comparing  
23 against was, we would look at the impacts that were  
24 identified in any previously-written environmental  
25 impact statements, final environmental statements that

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1 the licensee had published, and any other  
2 environmental assessment that had been conducted  
3 during the operation.

4 So we were weren't necessarily looking at  
5 the impact; we were looking at the way the impacts  
6 might change from during operation, not necessarily  
7 from the way the plant was prior to operation. So we  
8 were comparing those impacts with other environmental  
9 impact statements that had previously been written.

10 And, yes, we did look at cumulative  
11 impacts.

12 MS. CABASSO: Now just could you elaborate  
13 on that a little bit? Because what I was asking you  
14 was then cumulative impacts in terms of the plant  
15 during its operating period with the decommissioning  
16 activities added onto it, or do you mean something  
17 else?

18 MS. HICKEY: Well, we looked at it in a  
19 variety of ways. We would look at whether the impacts  
20 from all of the activities -- well, okay. The  
21 radiological was kind of an easy one to establish.  
22 The impacts from all of the activities individually  
23 and then how cumulatively the radiological impact to  
24 the environment would end up.

25 We also looked at them across the issues,

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1 so we would look at activities -- at an activity and  
2 see -- I'm sorry. I'm having a hard time describing  
3 this. But we would look at them from -- at an  
4 activity and then look at water quality and how water  
5 quality might impact potentially air quality or any of  
6 the other issues. So from that perspective we looked  
7 at it cumulatively across all the issues.

8 And then, like I said, we looked at the  
9 impacts from the environmental statements that had  
10 previously been written and how the environment might  
11 change from that point in time.

12 Do you have any other -- okay.

13 MS. CABASSO: Could I? While I have the  
14 microphone, this is just an out-of-left-field  
15 question, but there's one -- on the handout for the  
16 viewgraphs, there's one sort of orphan at the end  
17 which --

18 MS. HICKEY: Oh, yes. Thank you for  
19 bringing that up.

20 MS. CABASSO: -- and I wondered if  
21 somebody was going to talk about that.

22 MS. HICKEY: Yeah, I appreciate you  
23 bringing that up.

24 When we had our scoping meetings we talked  
25 a lot about the different options of decommissioning

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1 that are used. And I just felt like that -- even  
2 though I didn't want to go into that, I wanted to give  
3 that information and have it handy in case anybody  
4 brought up questions that related specifically to the  
5 option, SAFSTOR, DECON, or ENTOMB. And so that's --  
6 yeah, that's an orphan. Thank you.

7 MS. CABASSO: Well, I would appreciate it  
8 if you would just -- I was at the scoping meetings  
9 when those came up -- or the scoping meeting when that  
10 came up, but I'd appreciate a little review.

11 MS. HICKEY: Oh, okay.

12 MS. CABASSO: Yes, my colleague would.

13 MS. HICKEY: Let's do that then.

14 Okay. There are three options for  
15 decommissioning that NRC has described. And one of  
16 the things I'd like to point out -- well, let me  
17 discuss them separately.

18 DECON is an option where the plant would  
19 shut down and immediately start the decommissioning  
20 activities and would complete decommissioning in, say,  
21 five to ten years.

22 SAFSTOR is an option where the plant would  
23 shut down and then wait some period of time before it  
24 completes the decontamination and decommissioning  
25 activities in order -- well, there's a number of

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1 reasons, but it's typically to let radioactive decay  
2 occur. But there can be other issues, too.

3 And then ENTOMB is an option where the  
4 plant would shut down, go through some level of  
5 decontamination, and then be put in a long-term -- a  
6 stable environment, but -- and then it would have  
7 restricted access.

8 Now the way the decommissioning experience  
9 has gone is most plants have not -- and there's no  
10 plants currently, no power reactors currently doing  
11 ENTOMB. But most of the plants have not used just  
12 DECON or SAFSTOR.

13 So what we've found is that a plant may  
14 shut down and wait three to five years for either  
15 decay or some other reason, and then -- and that would  
16 be a short SAFSTOR period -- and then they'll go back  
17 and do their final decontamination and decommissioning  
18 activities.

19 So what we're seeing is that most plants  
20 are combining the two DECON and SAFSTOR options.

21 MR. CAMERON: Since we are in California,  
22 is it possible, Eva, for you or one of the NRC staff  
23 to perhaps just give us a quick summary of what  
24 nuclear power plants in California, what stage of  
25 decommissioning they're in, what options they have

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1 selected?

2 MS. HICKEY: Okay. Yeah. Rancho Seco  
3 started out, they were in SAFSTOR I think for about  
4 ten years. I can't remember. But they've now started  
5 doing some incremental decontamination. And I think  
6 now they've actually gone into the actual phase of  
7 decontamination and their decommissioning activities.  
8 I think that's true.

9 Humboldt Bay has been in SAFSTOR for many  
10 years. They came out and did some activities,  
11 removing a stack. And I think you're still in  
12 SAFSTOR. That's correct, right? Okay.

13 And then the other plant, San Onofre 1,  
14 was in SAFSTOR for a number of years. And now they  
15 are doing activity decommissioning, decontamination  
16 and decommissioning.

17 I think Mike has something he wants to  
18 say.

19 MR. CAMERON: Mike.

20 DR. MASNIK: Yeah. Mike Masnik, NRC.

21 The other thing that I just wanted to  
22 stress is that the regulations state that the licensee  
23 has 60 years to decommission the plant. The  
24 regulations don't specify how they do the  
25 decommissioning.

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1           And of course when we did the 1988 GEIS we  
2 anticipated that a licensee would pick either DECON or  
3 SAFSTOR. We didn't have much experience back then on  
4 precisely which way they would go.

5           And what we found, as Eva said, is that,  
6 depending on a number of issues: Availability of  
7 places to dispose of the waste; funding; workforce, at  
8 times they'll be actively dismantling the plant and at  
9 times they'll put the plant in storage, which  
10 according to our regulations is just fine as long as  
11 at the end of 60 years they are, in fact,  
12 decommissioned.

13           MR. CAMERON: Thank you, Mike.

14           MS. HICKEY: Do you have any more specific  
15 questions? Did I cover what you were interested in?  
16 In looking at the options, do you have...

17           MS. CABASSO: (Nods head.)

18           MS. HICKEY: Okay.

19           MR. CAMERON: And I guess just to make  
20 sure -- well, let's -- if you could just give us your  
21 name, sir?

22           MR. NESBITT: Sure. I am Dale Nesbitt.  
23 I am on the Board of Western States Legal Foundation,  
24 also active with Peace Action, and a retired staff  
25 engineer from Lawrence Berkeley Laboratory.

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1 I would like to have you expand somewhat  
2 on your definition of "small," "moderate," and "large"  
3 at this moment. I know it's in Chapter 4, which I  
4 haven't read yet. Maybe it's all there. But why  
5 don't you take the opportunity to expand on that?

6 That to me is a very untechnical term.

7 MS. HICKEY: Yes. I agree. And that's  
8 why we tried to give some definition in the document.

9 In Chapter 1, on page 1-8, we give the  
10 Council on Environmental Quality's definitions for  
11 "small," "moderate," and "large." And this is what we  
12 based our analysis on.

13 "Small" pretty much means that there's no  
14 detectable, observable changes to the environment from  
15 the activity in the issue that we evaluated.

16 "Moderate" would mean that impacts are  
17 sufficient to alter noticeably but not destabilize the  
18 attributes of the resource.

19 And then "large" would be that there would  
20 be a noticeable change to the resource.

21 I know that doesn't sound very specific,  
22 but back in Chapter 4, for every issue that we  
23 evaluated, we tried to characterize that.

24 I know the Socioeconomics is pretty well  
25 defined because those are areas where we look at the

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1 same sorts of issues for other environmental analyses  
2 that we've done. So if you take a look there, you may  
3 see the specific criteria that we used.

4 And, Mike, maybe if you could talk a  
5 little bit about the Terrestrial and the criteria, how  
6 you did your analysis for the Terrestrial Ecology.

7 MR. CAMERON: And Mike give us your full  
8 name and affiliation, please.

9 MR. SACKSCHEWSKY: Mike Sackschewsky,  
10 PNNL.

11 I prepared the Terrestrial Ecology  
12 sections. In that case and for every case for each  
13 issue, we would define what we mean by "small,"  
14 "medium," and "large" impacts.

15 In the case of Terrestrial Ecology, a  
16 small impact is one basically that you would not be  
17 able to detect any changes in the local plant, or  
18 animal populations, or community structure, or  
19 ecological functioning in the vicinity of the  
20 facility.

21 A moderate impact would be one that has  
22 some detectable changes in one of those factors, but  
23 not enough to drastically alter the functioning of it.  
24 You could see it, but they're still functioning  
25 normally.

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1           And then a large impact would be one  
2           that's causing a dramatic change in the function of  
3           the plant, plant/animal populations or ecological  
4           functions.

5           MR. CAMERON: Dale, do you have a follow  
6           up on that or... Let me get you.

7           MR. NESBITT: Well, I understand what he  
8           said. That's helpful. I'd have to go into more  
9           detail. But it seems a bit strange to me that the  
10          majority of the things are defined as "small."

11          With my experience with radiation I would  
12          not think that most of them would end up being small,  
13          but that often comes down to a matter of scientific  
14          debate and opinions.

15          MR. CAMERON: To just follow up on that,  
16          perhaps it might be useful for people to actually get  
17          an idea of what the implications of this Generic  
18          Environmental Impact Statement are.

19          If you took an impact that was labeled as  
20          "generic," can you give us an example of how would a  
21          licensee who was preparing an environmental report for  
22          decommissioning, how would one of those generic  
23          impacts be considered in their environmental report?

24          I just want to make sure that people know  
25          what the implications of labeling an impact as generic

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1 is in terms of the decommissioning process.

2 Is that clear, Eva?

3 MS. HICKEY: Well, I guess, let me give an  
4 example that I think help defines it. And the  
5 radiological examples to me are the easiest ones.

6 When a plant determines their activities  
7 and how they're going to decommission the plant, they  
8 do an assessment of the dose to the workers from all  
9 the activities.

10 One plant in particular that we looked at  
11 determined that they could not meet the guidelines in  
12 the original GEIS, the 1988 NUREG-0586, using the  
13 methods that they were going to use. So they did a  
14 chemical decontamination of their facility in order to  
15 bring the doses down so they could be within the GEIS,  
16 within the envelope of the GEIS.

17 Now they didn't necessarily have to do  
18 that, but what they would have had to do is then a  
19 separate analysis in order to explain why their doses  
20 were outside of those bounds.

21 So I hope that kind of characterizes. If  
22 the licensee looks at an activity and they fall within  
23 the boundary in that activity, they don't have to do  
24 any additional analysis. If they are outside the  
25 boundary, outside the envelope on that particular

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1 activity, then they'll have to do a site-specific  
2 analysis.

3 MR. CAMERON: So that they definitely have  
4 to take a look at each particular type of impact to  
5 see whether they're within the generic bounds that  
6 this is establishing.

7 MS. HICKEY: Right. Right.

8 Questions.

9 MR. CAMERON: Then maybe we'll have some  
10 more information from the licensee on this.

11 MR. SOKOLSKY: David Sokolsky again with  
12 the Humboldt Bay Power Plant. And I don't have more  
13 information, but I have more questions.

14 I'm a little confused because if a  
15 licensee is outside the bounds or in an area that is  
16 beyond what has been previously reviewed, we're  
17 required to submit a licensee amendment request.

18 MS. HICKEY: That's --

19 MR. SOKOLSKY: Now I'm confused, since  
20 you've got, for these different criteria, a small  
21 impact, and a moderate impact, and a large impact,  
22 what is the bounds?

23 MS. HICKEY: Okay. If we've defined  
24 something, an activity as generic, and the  
25 significance is moderate, that's our generic

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1 assessment of it. It doesn't mean that you need to  
2 make the impact small. Is that answering your  
3 question?

4 What we're saying is we expect that impact  
5 to be moderate.

6 MR. SOKOLSKY: Well, for example, with  
7 staffing and its impact on population, you give  
8 percentages that would result in either a small, a  
9 moderate, or a large impact --

10 MS. HICKEY: Right.

11 MR. SOKOLSKY: -- on the area's  
12 population. So if in our situation we have a large  
13 impact or a moderate impact, do we need to submit a  
14 license amendment request? Do we need prior NRC  
15 approval on this?

16 MS. HICKEY: If, for that particular  
17 issue, that particular aspect of the socioeconomic  
18 issue, if it states that the impact is moderate and  
19 you're small or moderate, then it's fine. If you're  
20 large, we've determined that that's not generic.

21 So you need to -- yes.

22 MR. SOKOLSKY: That makes sense, but I  
23 didn't --

24 MS. HICKEY: Okay.

25 MR. SOKOLSKY: -- and I haven't read this

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1 thoroughly. Is that criteria described in here or  
2 defined in here?

3 MS. HICKEY: You know, I think that's a  
4 good -- okay, Mike.

5 MR. CAMERON: Let's get this on the  
6 record. I think that some of these questions are  
7 raising what are actually comments. And I just want  
8 to assure people that these will be treated as  
9 comments. But I think what we're trying to do here is  
10 to figure out what's the implications of a generic  
11 finding, particularly when those generic findings  
12 might be stated in terms of "small" or "moderate."

13 MS. HICKEY: And one of the things that  
14 I'm really interested in comments from the public is  
15 -- we've tried to make this clear. And if we haven't  
16 presented it clearly, that's what we want to know, so  
17 we can go back and try to redefine it.

18 MR. CAMERON: Okay, Mike.

19 MR. SACKSCHEWSKY: Mike Sackschewsky,  
20 PNNL.

21 In partial answer to your question, the  
22 definition of a "generic" impact also includes --  
23 well, it has the three aspects

24 One, it's applicable to a number of sites.

25 Two, it has the same level of impact at

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1 each site. And then,

2 Three, after looking at it, it was  
3 determined that available mitigation measures were  
4 either technically infeasible or economically  
5 infeasible. And so therefore they're not warranted to  
6 mitigate the effects of those impacts.

7 So even if the impact is large, then it's  
8 determined that there's nothing that can be really  
9 done about that, and you're decommissioning the plant  
10 anyway. So that's partially what's answering your  
11 question.

12 And there are just a couple of issues  
13 where there are actually more than one level of  
14 impact, but that's for specific cases. And in that  
15 case you just have to determine which situation meets  
16 your case, you know, the population percentage, or  
17 whatever.

18 MR. CAMERON: Let me see if Dino or Mike  
19 want to offer anything more on this explanation, and  
20 then we'll go to Steve Lewis.

21 Dino, anything else?

22 MR. SCALETTI: No.

23 MR. CAMERON: Mike?

24 All right. Let's go to Steve, and just  
25 tell us your affiliation, Steve.

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1 MR. LEWIS: Steve Lewis, Office of General  
2 Counsel at the NRC.

3 My perspective is of course from the point  
4 of view of the regulations. It's not that the staff  
5 doesn't look at it that way, but I spend sleepless  
6 nights thinking about it that way.

7 I look at it from the point of view that  
8 under 5082, as amended in 1996, --

9 MR. CAMERON: Can you just -- I'm not sure  
10 everybody knows what 5082 is.

11 MR. LEWIS: In 1996 we updated our  
12 regulations on decommissioning of nuclear power  
13 plants. And the process that we follow is pretty  
14 exhaustively described in the GEIS Supplement that  
15 you'll be reviewing. And that is set forth in 5082.

16 And what that provides is that each  
17 licensee has to look at the existing environmental  
18 envelope, is sort of a term we put on it. And that  
19 environmental envelope is being updated in large part  
20 by this Supplement to the GEIS.

21 So a licensee now has an updated  
22 environmental envelope to look at. And I think that  
23 a licensee would then address its particular  
24 circumstances against that updated environmental  
25 envelope.

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1 MR. CAMERON: Okay. Thank you very much,  
2 Steve.

3 Do we have other questions or comments on  
4 all of this?

5 Okay. Eva, do you have anything more?

6 MS. HICKEY: No. We welcome your  
7 comments. If you want to discuss anything after this,  
8 we'd be glad to do that. If you want to offer written  
9 comments, we'd be glad to take those.

10 MR. CAMERON: Okay. Thank you very much,  
11 Eva.

12 Since the NRC is here I would ask -- well,  
13 first of all, I would ask if anybody wants to make a  
14 formal comment on the record here tonight.

15 And, secondly, I would just, since we are  
16 here, are there any other concerns that people would  
17 like to bring to the attention of the NRC. And let's  
18 go to --

19 Patricia, if you could just give us your  
20 name and affiliation for the record.

21 MS. OLSON: Chip, I wanted to make a  
22 formal comment.

23 MR. CAMERON: Oh, good. You may be more  
24 comfortable up there, but you can --

25 Oh, yeah, absolutely.

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1 MS. OLSON: Great. My name is Patricia  
2 Olson, and I'm with TriValley CAREs in Livermore,  
3 California. We appreciate the opportunity to provide  
4 input at the hearing, but we do support holding the  
5 hearings in reactor communities in California.

6 We're concerned that the use of the  
7 proceeding may be used to eliminate site-specific  
8 evaluation of local concerns. And our concern is the  
9 right of local residents will be preempted from  
10 raising concerns during the license termination plan  
11 review.

12 Now I've talked earlier with people about  
13 the scope of this hearing and to what extent the  
14 radioactive contamination levels that are permitted to  
15 be released from regulatory control for  
16 decommissioning are being used to release radioactive  
17 materials routinely.

18 From what I understand, this is not the  
19 case. But if that were in fact true, we would oppose  
20 any release of contaminated materials during  
21 decommissioning or other times.

22 I think the questions about the small,  
23 moderate, and large significant levels have already  
24 been discussed. So that's all. Thank you.

25 MR. CAMERON: Thank you very much,

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1 Patricia.

2 Dale.

3 MR. NESBITT: Okay. I had not prepared  
4 anything beforehand, so this will be ad lib. Just to  
5 add to the little background, yes, I am a mechanical  
6 engineer retired from Lawrence Berkeley Laboratory,  
7 where I had a great deal of contacts with various  
8 radioactive concerns.

9 In addition to that, it just happens that  
10 my oldest brother, who's 15, 16 years older than I am,  
11 is retired from the Atomic Energy Commission, where he  
12 was in charge of the radioactive waste facility at  
13 Hanford.

14 I have another brother who spent a good  
15 share of his career designing nuclear power plants.

16 Now when I finished the university I was  
17 certainly one of those that was convinced -- this was  
18 back in the '50s, early '50s -- that nuclear power was  
19 the wave of the future and indeed that would produce  
20 power so cheap we wouldn't have to meter it, and all  
21 that stuff.

22 Well, slowly over the years, and part of  
23 it from what I've learned from my oldest brother, I've  
24 started to learn more and more about some of the bad  
25 sides of nuclear power; and over the years became

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1 concerned of course about the nuclear weapons.

2 But what I want to address here, and it's  
3 a question, I don't have any doubt that on a technical  
4 level the work that's represented in this is very  
5 thorough and very conscientious. I have been  
6 responsible for similar things; I know how hard it is.

7 But I think that there is an overall  
8 concern, which I know that this doesn't address, and  
9 that is the vulnerability of nuclear power plants to  
10 various acts of terrorists. And I don't think it  
11 should be ignored, and I think that we should be very  
12 concerned about it.

13 Now I would be -- just as background,  
14 before September 11th, I probably felt that the  
15 SAFSTOR approach was one of the best things, to let  
16 them sit for 10, 20 years, and let the radioactive  
17 level decrease significantly before you try to  
18 disperse it.

19 I no longer think that. And yet I just  
20 heard, well, the licensees have 60 years to decide,  
21 and they can do anything they want. And I don't think  
22 that that's a danger that the public should put up  
23 with.

24 And I also feel over the years, and one of  
25 my brothers also spent a great deal -- he's retired

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1 from your facility at Hanford, and he worked on the  
2 vitrification process. And so I also know quite a bit  
3 about that.

4 But my concern here is I don't think  
5 there's any good way to treat the long-term storage of  
6 radioactive waste. I don't think Yucca Mountain is  
7 the answer, for darn sure, for various reasons.

8 Also at Lawrence Berkeley Lab the group  
9 that's the Earth science group has done the study on  
10 groundwater transportation. And I know from some of  
11 my associates there that they think it is not a  
12 satisfactory location for long-term storage.

13 But now the point I want to make, that the  
14 danger to the public from a terrorist act is a  
15 function of the total level of radiation that exists  
16 on one given site. We cannot do anything about the  
17 total level of radiation in a global sense, but  
18 through government regulations we could do something  
19 about the amount of radioactive material that is  
20 stored at any one location.

21 And I believe that that's where the very  
22 concerted effort of the Nuclear Regulatory Commission  
23 should be in the immediate future. And I'm not so  
24 much concerned about this document as it stands, but  
25 I am concerned about the overall global effects.

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1 Thank you.

2 MR. CAMERON: Thank you very much, Mr.  
3 Nesbitt.

4 Michael, do you have anything you want to  
5 add on the terrorism issue at this point?

6 Okay. Let's go to Barry. Give us your  
7 name and affiliation.

8 MR. ZALCMAN: My name is Barry Zalzman.  
9 I'm the Section Chief of the Environmental Section,  
10 overseeing a lot of this work.

11 Just to give you a little reaction on the  
12 terrorism issue. This is a very serious issue that  
13 the Agency has taken some actions on already. The  
14 events of September 11th were horrific. We understand  
15 that it's not just the Nuclear Regulatory Commission  
16 and the structures that we deal with but the entire  
17 nation's infrastructure that has gone under some  
18 significant review in the past several months.

19 The Agency is doing some things in this  
20 area. One of the things that you may not be aware of,  
21 but the chairman and the commissioners have requested  
22 a top-down review of the entire regulatory fabric  
23 dealing with security-type issues. And this is part  
24 of what our response is.

25 We've gone into a heightened alert status.

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1 Activities have changed around nuclear power plants,  
2 as they have for many of the infrastructure issues  
3 across the country. And from the actions not only on  
4 the part of our licensees but also the Agency, our  
5 Operation Center is manned continuously. And we've  
6 gone into a higher level of manning not only in  
7 Headquarters but also in our Regional Offices as well.

8 Let me address a couple of other points  
9 you had raised.

10 One of the important things to realize is  
11 this a public meeting. It's not a hearing. It's a  
12 different issue inside the Agency. So that was the  
13 earlier point. But it's our attempt to reach out to  
14 members of the public, specifically and narrowly  
15 focused on this commodity that we've worked on, this  
16 Generic Environmental Impact Statement Supplement.

17 There are other forums that the Agency  
18 makes available to the public to engage them on  
19 regulatory infrastructure issues, such as our  
20 regulatory process, and seeks public engagement on  
21 issues that may exist at a specific nuclear facility,  
22 issues that may exist within our regulatory fabric  
23 itself.

24 If there are issues where the public wants  
25 the Agency to consider a change in our regulatory

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1 process, there is a forum for that. And I would  
2 encourage you.

3 I don't think we've brought anything on  
4 the petition process. But if you'd like, we can  
5 provide you with information as to how you go about  
6 raising issues where you have a concern like this to  
7 the Agency so we can put it into the right process.

8 This document is narrowly scoped. And  
9 this is the forum that we reach out to engage the  
10 public on. This is not a required meeting.

11 We think it's very important to engage you  
12 in dialogue on issues like this, changes to the way we  
13 do our work. And Mr. Lewis raised earlier, he worries  
14 about the regulatory processes. A lot of us worry  
15 about that. That is our mission. That is our  
16 obligation. But within the context of change the  
17 events of September 11th are hitting home. We are  
18 concerned about it. My expectation is that you will  
19 see, if you pay attention to what the Agency is doing  
20 in the security area, you will be seeing some changes.  
21 It's a matter of time.

22 Thank you.

23 MR. CAMERON: Thank you very much, Barry.

24 Let me see if anybody else --

25 Mr. Nesbitt.

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1 MR. NESBITT: As a response to that, and  
2 whether or not it applies to this document at all, I  
3 realize it was outside of what was scoped for this  
4 particular document, I do not think it's outside of  
5 the scope of this particular document to have some  
6 regulations about the speed, let's say, of how the  
7 total amount of radiation on a given site was reduced.  
8 I think that would be perfectly within the scope of  
9 this document.

10 MR. CAMERON: Again, I think you've made  
11 that connection for us. And I think Barry was talking  
12 in general terms. But I think you did make that  
13 connection between the 60 years and the terrorism  
14 issue.

15 And it will be duly considered as a  
16 comment when the staff evaluates it. So I just want  
17 you to be assured of that.

18 Anybody else at this point? Jackie, and  
19 then we'll go back to you, Steve. Jackie.

20 MS. CABASSO: Yeah. This is not a formal  
21 comment, but just I understand that spent fuel is  
22 dealt with in a different GEIS. And I haven't read  
23 anything except the Executive Summary of this one so  
24 far, so I am partly speaking out of ignorance.

25 But I think I raised this concern during

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1 the scoping. The 60-year period presumes a lot of  
2 things.

3 And one of the things it presumes is that  
4 there's going to be a viable option for removing the  
5 spent fuel from the site. And I'm just wondering if  
6 anybody could talk a little bit about the relationship  
7 there, because I am one of many people who believe  
8 that Yucca Mountain is not a foregone conclusion,  
9 although probably that is not your view here, but  
10 there is significant opposition to it from some rather  
11 more powerful actors than us in the state of Nevada.

12 And, you know, I'm just wondering like  
13 what -- you know, if you can talk about that  
14 relationship, then what kinds of long-term planning is  
15 going on with the NRC in case that 60-year window  
16 doesn't work out.

17 MR. CAMERON: Again I guess is there  
18 something -- Mike, can you also address, I think  
19 Jackie was asking maybe some information about how  
20 this document does consider spent fuel storage, either  
21 pools or otherwise. But you heard Jackie's question  
22 to you.

23 DR. MASNIK: The document actually talks  
24 about long-term storage of fuel on the site. It was  
25 included in the document, even though technically it

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1 is outside the scope. And we did that because we know  
2 that there is a lot of interest in that area,  
3 obviously.

4 The history of this is quite interesting.  
5 When the Commission first started thinking about  
6 decommissioning, it was in the '70s. And the 1988  
7 GEIS and the regulations that were passed in 1988  
8 presumed at that time that spent fuel wasn't going to  
9 be a problem, and it never even addressed it.

10 And the presumption was there because we  
11 assumed that there would be a high-level waste  
12 repository and the high-level waste would be removed  
13 from the site actually during decommission.

14 Well, we all know that didn't happen. And  
15 we don't have a high-level waste repository. So what  
16 the Agency did was enact some regulations that allowed  
17 for interim storage of that spent fuel on the site.

18 Now the regulations allow for wet storage  
19 of the fuel in the spent fuel pool. And the  
20 Commission has come to the conclusion that that fuel  
21 can be safely stored onsite in wet storage for, I  
22 believe, 20 years additionally. Is it 30? Well, 30  
23 years additionally. Thirty. Thirty? Okay.

24 MR. CAMERON: Forty plus 30.

25 DR. MASNIK: Yes. Additionally, the

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1 Commission enacted some regulations that allowed for  
2 dry storage of the fuel onsite. And, in fact, a  
3 number of licensees have built these dry-storage  
4 facilities, they're called ISFSIs -- it's an acronym  
5 -- but basically the fuel is placed in a canister and  
6 then placed inside of a concrete overpack and kept  
7 onsite.

8 It remains to be seen what will happen  
9 with Yucca Mountain. There are some other options  
10 that are being explored. There may be some interim  
11 surface storage of the fuel as well. I think you  
12 probably know about it, but it is a problem and we're  
13 wrestling with it.

14 MR. CAMERON: And I believe that the  
15 document does talk about the Commission's Waste  
16 Confidence Decision. And indeed if Yucca Mountain was  
17 not -- if there was no license application for it or  
18 if the license was denied, then I think the Commission  
19 would have to go back and revisit that Waste  
20 Confidence Decision.

21 And let's go to Steve Lewis.

22 MR. LEWIS: Mr. Nesbitt, let me offer an  
23 additional --

24 MR. CAMERON: Give us your name and --

25 MR. LEWIS: Steve Lewis, Office of General

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1 Counsel.

2 Mr. Nesbitt, let me try another sort of  
3 perspective, to try to respond to your question and  
4 maybe the questions of others, too, I think.

5 (Sounds of cheers from neighboring ballroom.)

6 MR. LEWIS: I'm sure that's not for me.

7 Nothing that the Commission is doing  
8 nowadays post September 11th of this year is being  
9 done in isolation. It's extremely important that we  
10 have heard your comment today.

11 And although it's going to fall under the  
12 framework of what we have to do with or what we decide  
13 to do with respect to this document, other people in  
14 the Agency are going to be looking at what we say in  
15 this document. And they're going to be thinking about  
16 the comments that we received on this document.

17 And those other people are doing a very  
18 disciplined review that Barry Zalzman referred to  
19 previously, about this top-to-bottom review of our  
20 whole regulatory regime in light of what appear to be  
21 very changed circumstances, regarding terrorist  
22 threats.

23 And what I would encourage you to think of  
24 is that your comment is extremely important. It's  
25 important for this document. It's also important for

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1 the Commission in general because we are embarked on  
2 a really serious and intensive attempt to try to  
3 figure out what we need to do in light of the  
4 September 11th events.

5 And the last thing I will say is that the  
6 direction from the Commission includes that we look at  
7 the entirety of what might need to be done, including  
8 whether or not we need to propose any legislation;  
9 whether or not we need to change our regulations in  
10 any way.

11 So it's conceivable that although this  
12 particular document is dealing with 5082 as it  
13 currently exists, it may well be that the kinds of  
14 comments that you have offered today and that many  
15 other people are offering to us in other forums may  
16 cause us to change our regulations in a number of  
17 respects, including possibly 5082.

18 MR. CAMERON: Okay. Thanks, Steve.

19 Stu, do you have something you wanted to  
20 add? And please give us your name.

21 MR. BROWN: My name is Stu Brown. I'm  
22 with the Office of Nuclear Materials Safety and  
23 Safeguards.

24 I just wanted to address two items. The  
25 first one, I guess a comment was made about preserving

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1 hearing rights during the license termination plan  
2 submittal. The point is that this document does not  
3 do anything to impact those hearing rights at that  
4 time in the process.

5 The other comment that was made, as an  
6 example, the concern about how spent fuel would be  
7 handled relative to this document. I wanted to  
8 provide an example, the Fort Saint Vrain Facility.

9 The NRC granted that licensee a Part 72  
10 license where they were able to remove the fuel, put  
11 it into the independent spent fuel storage  
12 installation, complete decommissioning of the Part 50  
13 license, and actually terminate that license. And  
14 that's what this document would cover.

15 Again, I just wanted to provide that for  
16 clarification. Thank you.

17 MR. CAMERON: Okay. We want to thank all  
18 of you for your tolerance of the noise --

19 MR. LEWIS: Can we join the party?

20 MR. CAMERON: I think so. I'm afraid that  
21 -- or was afraid that -- we're safe in here with the  
22 doors closed, but I'm sorry for the competition.

23 Do we have any further comments at this  
24 point?

25 I would just encourage you, it may be

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1 easier to have some informal discussions with the  
2 staff after the meeting is closed, but I don't want to  
3 close it off until we see if there is any other  
4 comments or questions that we have.

5 Jackie.

6 MS. CABASSO: Just a general comment which  
7 is that I want to thank the NRC and encourage the NRC  
8 to push for more openness right now with the public,  
9 as your last comment suggested, rather than less,  
10 which is what's happening with some of the other  
11 agencies.

12 I was on a conference call today with some  
13 people who are -- other people working on Department  
14 of Energy facilities, where we've had a real problem  
15 with a shutdown of information.

16 And it was pointed out that, in a number  
17 of specific cases that we can document, public input  
18 was critical in actually significantly improving  
19 public health and safety because of discrepancies that  
20 were found in documents or perspectives that were not  
21 being recognized by the agency.

22 So I was very encouraged by what I heard  
23 tonight here. And I just want to really encourage the  
24 NRC to fight that trend and to talk to us and solicit  
25 ideas from the public.

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1           And maybe some of the things that we've  
2           been saying, like there shouldn't be anymore nuclear  
3           power because we don't know what to do with the waste,  
4           is becoming a more salient point now that needs to be  
5           really looked at from a fresh perspective. So thank  
6           you.

7           MR. CAMERON: And can we make sure that  
8           that particular comment is passed along, too, to the  
9           people at the NRC who are dealing with this issue of  
10          how much information should be available, so that it  
11          gets into a broader...?

12          Dino, Barry, you're shaking your heads  
13          yes. Okay, good. Good.

14          Patricia, anything else?

15          MS. OLSON: No.

16          MR. CAMERON: Thank you.

17          Mr. Nesbitt? You're fine.

18          Anybody? Kathy, anybody?

19          Okay. Well, again -- the EPA? No. All  
20          right.

21          Again, thank you very much for being here  
22          tonight. And one thing I forgot to mention about the  
23          so-called feedback form. It's an evaluation form of  
24          the meeting. It already has a -- it's franked  
25          already, if you want to put it in the mail. In other

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1 words, you don't have to fill it out tonight and leave  
2 it with us if you don't have time.

3 And, again, thank you. Thank you, all.  
4 I would encourage you to contact any of the NRC staff  
5 that are here, and we'll always be glad to hear from  
6 you.

7 And December 31st, written comments due on  
8 this particular Draft Supplemental GEIS. And thank  
9 you.

10 (Whereupon, the meeting was adjourned at  
11 8:36 p.m. on December 4, 2001.)

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