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Environmental Impacts from the Proposed
MOX Fuel Fabrication Facility

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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

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PUBLIC MEETING TO PROVIDE COMMENTS
ON THE NRC EVALUATION OF ENVIRONMENTAL
IMPACTS FROM THE PROPOSED MIXED OXIDE
FUEL FABRICATION FACILITY

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THURSDAY, SEPTEMBER 19, 2002

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CHARLOTTE, NORTH CAROLINA

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The Public Meeting was held at the Charlotte-
Mecklenburg Government Center, 600 East Fourth Street,
Charlotte, North Carolina, at 7:05 p.m., Francis
(Chip) Cameron, Facilitator, presiding

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I-N-D-E-X

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Speaker Tim Harris 7

Questions and Answers 16

Speaker Dave Brown 31

Audience Remarks 35

Closing 78

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

(7:00 p.m.)

1
2
3 MR. CAMERON: Good evening, everyone. My
4 name is Chip Cameron. I am the special counsel and
5 public liaison at the Nuclear Regulatory Commission
6 and it is nice to see all of you tonight, and I would
7 like to welcome you to the NRC's public meeting. Our
8 topic tonight is the NRC's Environmental Review
9 Process on its decision making on the application for
10 a construction authorization for a mixed oxide, MOX,
11 fuel fabrication facility and it is my pleasure to
12 serve as your facilitator tonight, and in that role I
13 would like to try to assist all of you in having a
14 productive meeting. Usually, I like to cover three
15 items in the meeting process before we get to the
16 substance of the discussions. First of all, why are
17 we here? What are the objectives of the meeting?
18 Second of all, the format and ground rules of
19 tonight's meeting and third, the agenda for the
20 meeting so that you have an idea of what to expect.
21 In terms of objectives, the NRC staff is going to go
22 into detail on this but, very simply stated, our first
23 objective is to clearly explain to you what are the
24 processes for evaluating this request for a
25 construction authorization and, specifically, the

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1 environmental review process of the NRC decision
2 making process. Second objective, and a most
3 important objective, is to get your comments, your
4 advice on some of the implications for our
5 environmental review from some recent changes to the
6 Department of Energy's National MOX Program and the
7 NRC staff will be telling you more about that in a few
8 minutes.

9 The format for the meeting matches those
10 two objectives. The first part of the meeting is
11 going to be devoted to providing you information on
12 the NRC's process and is going to answer questions
13 that you might have about that process. The second
14 part of the meeting is going to be hearing some more
15 formal comments from all of you on the NRC
16 Environmental Review. In terms of the ground rules
17 for the meeting, if you have a question when we go on
18 to the question and answer, just signal me, and I will
19 bring you this talking stick and please give us your
20 name and affiliation. Rebekah is our stenographer
21 tonight and we are taking a transcript so we that we
22 have a record of everything that is said tonight, and
23 I would ask you to let's only have one person speaking
24 at a time to not only have a clean transcript, but
25 also to be able to give our full attention to whomever

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1 has the floor at the moment. Third ground rule is I
2 would you to the extent that you can to try to be
3 concise in your comments and questions we have a lot
4 of material to cover, we have a number of people who
5 want to talk tonight. This is a issue of concern, I
6 know a complicated issue, so it is hard to be concise
7 sometimes, but if you could just try to do that then
8 we could meet the goal of making sure that everybody
9 has a chance to talk tonight. And during the public
10 comment part of the meeting as a guideline, I am going
11 to ask that everyone try to limit their comments to
12 five minutes and that is not a hard and fast rule, it
13 is guideline to go for a little bit and see how much
14 time we have. Please try to keep it to five minutes.
15 In terms of agenda for tonight's meeting we are going
16 to first start with the presentation on the NRC's
17 Environmental Review Process and we are going to ask
18 Mr. Tim Harris to do that for us. Tim is the project
19 manager for the Environmental Review on this MOX fuel
20 fabrication facility, and he is in the environmental
21 and performance assessment branch in the NRC's office
22 of nuclear materials safety and safeguard. He has
23 been with the agency for about nine years and has been
24 involved in various activities, uranium recovery, low
25 level waste deconditioning, and now he is on the mixed

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1 oxide fuel project and Tim has a Bachelor's Degree is
2 Civil Engineering. We will then go on to you for
3 questions on that Environmental Review Process and
4 after we have answered those, we are going to go to a
5 description of the changes and the Department of
6 Energy's National MOX Program and the implications
7 that might have to our environmental review. And to
8 the present that for us, we are going to have Mr. Dave
9 Brown and Dave has been with the agency for about two
10 years. Before that he was with West Valley project
11 and he is on the special projects and inspection
12 branch at the NRC, again the same office of nuclear
13 material safety and safeguards. Dave's branch is
14 responsible for doing the safety evaluation of a
15 construction authorization request, and Tim Harris is
16 going to explain how to safely review any
17 environmental review come together as a basis for the
18 NRC's decision on whether to grant or whether to deny
19 the construction authorization request. After Dave is
20 done, we will go onto you for questions again and then
21 we are going to go public comment. This -- a few
22 points on relevance, not all of the questions that
23 will come up will fit squarely in the agenda items
24 that we are talking about so we may defer those and
25 put those up in the parking lot here, so to speak, we

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1 will come back and answer them before the night is
2 over. Second point on relevance is that this is a big
3 project, there are lots of issues here, we are going
4 to focus on the NRC's responsibilities tonight. We'll
5 try to give you information that are outside of our
6 responsibilities to the extent that we can, especially
7 if it has implications for what we do. But we do want
8 to try to focus on getting the information to you by
9 far our particular responsibilities. I would just
10 thank you all for being here tonight to help us with
11 this decision. I did want to introduce the deputy
12 division director, Bill Reamer, who is here. He is
13 one of our senior managers back at the agency. Bill's
14 division is overseeing the MOX project as well as
15 other efforts so, with that, I would just ask Tim to
16 come up and give us the first presentation and then we
17 will try to answer your questions.

18 TIM HARRIS: Thanks Chip. Good evening.
19 I would also like to welcome you to the meeting on
20 NRC's Environmental Review for the proposed mixed
21 oxide fuel fabrication facility. I would like to
22 thank you for taking the time to come out tonight. I
23 know we all we lead busy lives and look forward to
24 hearing your views and thanks for taking the time to
25 come and share them with us. This meeting is one of

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1 a series of meetings that we have been having on the
2 NRC environmental review for the proposed project.
3 The purpose of tonight's meeting is to solicit your
4 views of specifically on the alternatives that should
5 be considered in the environmental impact statement,
6 I'll go into more details in just a minute. As Chip
7 said the two presenters and myself and Dave Brown.
8 You have copies of the slides which include their
9 phones numbers and e-mail address. Please feel free
10 to call us if you have questions after the meeting or
11 e-mail us. As Chip said, I am responsible for the
12 environmental review and Dave is involved in the
13 license review. As I said, the purpose of tonight's
14 meeting is to get your comments specifically on
15 changes that were made by DOE and how those might
16 effect the alternatives that are currently considered
17 by NRC in preparation of the draft environment impact
18 statement. Before we get your comments, we will give
19 your some background information on the NRC's role,
20 what are the specific authority roles in the project,
21 also the environmental review process which is what we
22 talked about with the -- given the alternatives which
23 are going to be described in a little bit more detail.
24 As Chip said also, we are going to talk about the
25 licensing decisions and how the environmental piece in

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1 the decision evaluation leading to the decision making
2 process.

3 Also, I would like to put a plug in for the
4 feedback forms which I believe Betty gave you. Your
5 comments are important not only tonight but how we do
6 in the meeting. We want to hear was the meeting
7 really successful, was it a good place to come to, we
8 consider those very heavily in planning our future
9 meetings. Because of DOE's changes we have decided to
10 delay issuance of the draft environmental impact
11 statement. Originally that was planned to be public
12 in February of this year. DOE announced the changes
13 right around the first of the year so we decided to
14 delay issuance. You should have gotten a register
15 notice announcing the delay and we had two questions
16 in there, and those are the questions that we are
17 going to focus on here tonight which are: given that
18 the DOE has cancelled plans to be the immobilization
19 facility should we, the NRC still consider that when
20 drafting our environmental impact statement, and are
21 there any other reasonable alternatives that weren't
22 identified during scoping that we can also consider as
23 a result of these changes. In the Federal Register
24 notice we gave a comments period of August 30th that
25 we would receive written comments, and the comments

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1 that we hear tonight we will factor into that
2 decision. We have also decided to extend the comments
3 period to September 30th, so that if you go home, and
4 have some additional comments you can e-mail those and
5 we will consider those as well. I would also like to
6 add that the September 30th date is a little bit
7 fuzzy. Anything that we received after that date we
8 do consider it based on when we can. Congress in its
9 Defense Authorization Act of 1999 specifically gave
10 NRC a role in this project. NRC was given the
11 licensing authority for this facility, so our role in
12 the project is to make a decision on whether or not
13 the license for the proposed mixed oxide fuel
14 fabrication facility that would be constructed on the
15 Savannah River site. NRC is an independent government
16 agency and our mission is the protection of the public
17 health and safety and the environment, and the
18 commercial uses of radioactive material. Our role is
19 different from the Department of Energy's. The
20 Department of Energy's role in this project relates to
21 implementation of nuclear non-proliferation policies,
22 including the distribution of surplus weapons grade
23 plutonium. DOE made changes to their national program
24 and the reason we are here tonight is to get your
25 input on how those changes might affect our

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1 environmental review and Dave, as Chip noted, will
2 give you a brief explanation of those changes. At our
3 last meeting, one of the feedback we got back from
4 some of the feedback forms were that people didn't
5 really understand NRC's decision making process and
6 the differences between environmental review and
7 safety review. So I would like to spend a little bit
8 of time going through that proposal and let you know
9 how the environmental impact statement is used to
10 guide NRC in it's decision making process.
11 Specifically, the NRC has two decisions to make.
12 Those are listed in the middle of the slide here. The
13 first is whether or not to authorize construction of
14 this facility, and the second is whether or not to
15 authorize the operational license of the site. Duke
16 COGEMA Stone & Webster which is the applicant for this
17 project submitted a environmental report back in
18 December of 2000. They also submitted a construction
19 authorization request in February, 2001. Due to
20 changes in the DOE report, which Dave is going to talk
21 about, Duke, COGEMA, Stone & Webster submitted a
22 revised environmental report and that was provided to
23 the NRC in July 2002. NRC is currently reviewing
24 these documents. The first is the environmental
25 impact statement, which documents their environmental

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1 review, and I will describe that process in a little
2 more detail to give you a feel for how that feeds into
3 the environmental impact statement. NRC will also
4 prepare a safety evaluation and the safety review is
5 on the bottom of the slide the NRC's action and the
6 safety and environment report. That report focuses on
7 the safety assessment of design basis for the proposed
8 MOX facility. So the safety evaluation deals with
9 safety and the environmental impact statement gives
10 the environmental impacts of the proposed action and
11 also alternatives to that proposed action. NRC will
12 use the final environmental impact statement and the
13 safety evaluation report for the construction
14 authorization request as a basis for deciding whether
15 or not we will allow construction of the proposed MOX
16 facility. That would be the decision right in the
17 middle of the slide. We anticipate making that
18 decision in September, 2000. DCS also plans to submit
19 a license application and the current anticipated date
20 is October, 2003. We again would review that
21 application and prepare a second safety evaluation
22 report. The safety evaluation report for the
23 operating application and also an environmental impact
24 statement would be used to support the decision of
25 whether or not the license is issued. There are also

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1 two opportunities for hearings, we didn't want to
2 clutter up the slide, but there are two opportunities
3 for hearing, and John Hull, general counsel is here to
4 answer any questions about the hearing process. So
5 the purpose of the slide is to show you how NRC uses
6 the EIS in the decision making process. We summarize
7 there will be a single environmental impact statement
8 that will be used to support both the decision to
9 construct -- whether or not to construct the facility
10 and then again whether or not to license the facility.
11 Now I would like to describe the Environmental Impact
12 Statement process. The National Environmental Policy
13 Act requires that government agencies prepare
14 environmental impact statements for major federal
15 actions, such as the potential licensing of the MOX
16 facility. As I stated, the Environmental Impact
17 Statement presents impacts for the proposed action,
18 which in this case is the construction and operation
19 of the proposed MOX facility along with reasonable
20 alternatives to that proposed action. We are
21 currently considering the immobilization and will able
22 identify various (indiscernible) in the process and
23 another No Action alternative which would be continued
24 storage. The focus tonight's meeting is how we should
25 consider the immobilization alternative and the No

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1 Action Alternative in our Environmental Impact
2 statement given the changes the DOE has made
3 announcing that they are no longer planning to
4 construct the facility. Note that the shaded areas
5 are areas for public participation, and we consider
6 this a very important part of the environmental impact
7 statement process. We want to hear from the public,
8 your views and your concerns. You received an
9 environmental handout sheet that published a Notice of
10 Intent to prepare a environmental impact statement and
11 that was published in February-March, 2001. We
12 completed our scoping process and had meetings on it
13 in this very room last May to solicit your views on
14 the scope of environmental impact statement. I will
15 describe that in just a minute. We are in the process
16 of completing our environmental review which will
17 include a request for initial information to the
18 applicant. This information is deemed most necessary
19 to complete their analysis and these requests are made
20 public. You will find the draft environmental impact
21 statement in February of 2003 is currently planning a
22 45 day comment period. We will hold public meetings
23 on the draft, that is to solicit your views on the
24 draft environmental impact statement and try to have
25 those in March 2003 so we can come again in March to

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1 listen to your views and solicit your views. If you
2 provided your name to Betty and signed up with your
3 mailing address we will mail you a copy. Like I said,
4 we plan to issue that in February so at the end of
5 February or early March you should be getting a three
6 inch thick package in the mail. Lastly, public
7 meetings or written comments we will revise our final
8 environmental impact statement and like I said from
9 the previous slide, that will be used to support their
10 decision on whether or not to allow construction of
11 the proposed MOX facility. The purpose of scoping is
12 to gather state holder input for alternatives that
13 should be considered in an environmental impact
14 statement and to get input on resource areas that are
15 significant to the public and should be considered in
16 an environmental impact statement. We held scoping
17 meetings in north Augusta and Savannah and also in
18 Charlotte, and we received an addition to the comments
19 of those meetings and received a written and e-mail
20 comments, quite a lot of comments, and the scoping
21 process was summarized in a report that was issued in
22 August of 2001. And if you didn't get a copy of this
23 scoping process report I think Betty has a few copies
24 on the table if you would like to pick one up. If she
25 runs out, I don't think she will, but if you would

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1 like to get a copy you can always e-mail or call me.
2 I think the scoping process was very successful and I
3 think that can be attributed to the public's
4 involvement; we received a lot of comments. I think
5 Mary, at least to my recollection, was the first
6 person that proposed the immobilization No Action
7 Alternative. I think that was good that we had the
8 public involvement to listen and back out here
9 tonight. So just to summarize the next steps in the
10 environmental impact environmental review, we plan to
11 issue a draft in February 2003, hold public scoping
12 meetings and solicit public comment in March and
13 consider those comments and finalize the document in
14 August of 2003. And that concludes my brief summary
15 of NRC's role in the decision making process in the
16 environmental impact statement. I'll be happy to
17 answer any questions.

18 CHIP CAMERON: Thank you very much. Okay,
19 let's go to Peter. If just everybody could tell us
20 your name and affiliation.

21 PETER SIPP: My name is Peter Sipp and I'm
22 with GANE. Tim, can you please show us the first
23 slide again, because I did not get a chance to quite
24 hear all of the names and phone numbers.

25 TIM HARRIS: You got copies of the slide

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1 here on the handout.

2 PETER SIPP: Okay, thanks very much.

3 TIM HARRIS: Sure.

4 CHIP CAMERON: Okay, great. Peter's
5 question raised a question I have. The comment period
6 is basically being extended to September 30 and that
7 people know where to submit written comments.

8 TIM HARRIS: I think you can get the
9 addresses I have here for Mike Lesar of the NRC's
10 Washington DC Bureau.

11 CHIP CAMERON: Also e-mail and fax, I
12 guess you had several comments on that. And any
13 comments that you make tonight they will be treated
14 with the same weight as the written comments because
15 we do have a transcript. Other questions on the
16 environmental review process? Let's go to Janet.

17 JANET ZELLER: Thank you, Chip. I'm Janet
18 Zeller, Blue Ridge Environmental Defense League.
19 Right now immobilization is dead in the water. If we
20 spend a lot of time making recommendations and doing
21 analyses on immobilization how is the NRC going to
22 revive it, if you think our arguments have merit.

23 TIM HARRIS: Revive it in a sense of -- I
24 don't think we can revive in a sense of -- if the
25 Department of Energy does something. We can use

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1 alternatives in their environmental impact statement
2 to consider whether or not to stop their licensing.

3 CHIP CAMERON: To clarify that, the first
4 decision that the NRC has to make is whether to
5 include it as an alternative.

6 TIM HARRIS: Currently, it's been
7 identified by the public area scoping process. We use
8 the scoping report for several considerations, now
9 (indiscernible) has canceled that part of the surplus
10 distribution program, and that is why we are out here
11 tonight is to solicit your views on should we still
12 consider it, how we should consider it differently.

13 CHIP CAMERON: And if we did consider it,
14 the impact would be on our decision on the
15 construction authorization request rather than
16 anything directly on the DOE program.

17 TIM HARRIS: Correct.

18 CHIP CAMERON: Correct.

19 JANET ZELLER: If NRC agrees with a lot of
20 the organizations across the country that
21 immobilization is a better alternative, then you
22 wouldn't allow the project to be authorized, the fuel
23 factory project?

24 TIM HARRIS: The environmental impact
25 statement looks at the environmental impacts of the

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1 proposed action and the construction and operations
2 and also alternatives and that comparison is used in
3 the decision making process.

4 MARY OLSON: I have two questions, but
5 first I want to acknowledge that they are about things
6 you haven't covered and say that what we have covered
7 seemed pretty clear, and I appreciate the dialogue
8 that has been going on and I know that we are focusing
9 on the construction and authorization but, we are also
10 in a (indiscernible) process that law gives the public
11 at least some understanding that all of the federal
12 action really in some way needs to be addressed under
13 the National Environmental Policy Act. And there are
14 two parts of this programs that I haven't heard how
15 they will be addressed underneath NEPA. The first is,
16 the second half of this lie, where we see the
17 operation safety and evaluation report and the NRC
18 licensing decision on operations, and yet our final
19 EIS is prior to even beginning that process; that's
20 one questions. The second questions is when and how
21 you will have the environmental impact statement on
22 the environmental impacts of MOX use in reactors.
23 Because the Department of Energy really only waived
24 that plan to make soup, Clam Chowder and did not do
25 anything else to the reactor (indiscernible) on this

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1 region. Now we try to bring into license renewal for
2 the four MOX reactors that are under contract and the
3 licensing board agreed with NRC that there are a lot
4 of questions about when and how the environmental
5 impact statement is going to happen and then your top
6 brass said well we side with Duke we are not going to
7 do that now, but they didn't tell us when and how it
8 is going to happen. So I don't know that you have the
9 answer, but that is my question.

10 CHIP CAMERON: Two questions you got them.

11 TIM HARRIS: Okay. The first part of your
12 question was we are going to consider the operational
13 impacts in our environmental impact statement to
14 include, construction impacts and operational impacts
15 so --

16 MARY OLSON: You are not going to change
17 a thing?

18 CHIP CAMERON: We need to catch that on
19 the transcript.

20 TIM HARRIS: The second part of the
21 question is that the scoping summary report states
22 that we are going to consider reactor use has an
23 indirect impact on drafting our environmental impact
24 statement. There is also going to be another
25 opportunity or legal review that will be prepared by

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1 the Nuclear Regulatory Commission if and when we do
2 request an amendment for the license to use the
3 proposed MOX fuel in a reactor. The license is
4 required and as part of that --

5 MARY OLSON: Do you follow me?

6 CHIP CAMERON: Do you want to talk on, go
7 ahead

8 MARY OLSON: I failed to say to my name is
9 Mary Olson, and I am the Director of the Southeast
10 Office of Nuclear Information and Resource Service.
11 My final one comment. It would seem to me that if you
12 heard that the EIS now is going to consider of all of
13 the operations prior to an operation safety evaluation
14 and report so that just doesn't make sense to me.
15 They are just never going to change a thing. The
16 other piece of it is there will be a NEPA review if
17 Duke applies for use of MOX and their reactors if Duke
18 applies. So if Duke does not apply does this EIS
19 consider a MOX fuel factory construction alternative
20 scenario in which there are no reactors to use the
21 MOX? I mean we have been told that MOX usage in
22 reactors from the highest level of NRC is uncertain.
23 Well it's true we are going to intervene on that
24 licensing process no matter what. But, you know, what
25 happens if you say they build it and they will come,

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1 but if they build it and they don't come and there
2 aren't any reactors and so you just have a MOX fuel
3 factory producing MOX and nowhere to send it, which we
4 see periodically in Europe and then they scurry around
5 to find customers and fake it. But you know this is
6 a real question, that we are being told that there may
7 not be a NEPA process because there may not be use,
8 then you have a scenario, that's production, but no
9 use.

10 CHIP CAMERON: Mary are you suggesting --
11 I think Tim has some answers for some of that -- but
12 I just want to make sure that we know, are you
13 suggesting that an alternative that could be looked at
14 in the environmental impact statement is that there
15 may be a possibility that there may be no reactors who
16 want to use the fuel?

17 MARY OLSON: Correct.

18 CHIP CAMERON: Okay. I just wanted to
19 make sure that we are clear --

20 TIM HARRIS: -- we have to use impacts of
21 technology that's available at this time in our draft
22 of our environmental impact statement, then we would
23 review more use in reactors -- application. And I
24 think that another point that you were concerned about
25 is, what happens if in the license application things

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1 change and we would look at that information to see if
2 the -- before we make a licensing decision to see if
3 there are any changes that would change the
4 environmental impact statement.

5 MARY OLSON: So that's a second licensing?

6 TIM HARRIS: Correct.

7 CHIP CAMERON: The implication of what you
8 are saying, Tim, is that if there were changes that we
9 might consider preparing a supplemental EIS.

10 TIM HARRIS: Correct.

11 CHIP CAMERON: Do you want to ask one
12 more?

13 MARY OLSON: Does the public have any
14 opportunity to initiate that, or does NRC staff in
15 their great wisdom deem it appropriate?

16 TIM HARRIS: I think it is part of the
17 hearing process, you will certainly get an opportunity
18 for public intervention as part of the licensing
19 application process.

20 CHIP CAMERON: The public can always
21 suggest, feel free to suggest to the commission and
22 staff that something be done even if it is not part of
23 any formal process. Any other questions, comments.

24 BILL MAHOOD: I hear two versions of how
25 it turned out that Duke Power is the only company that

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1 is now participating in this idea of actually using
2 MOX fuel to generate electricity. I understand that
3 originally there were 20 some power companies
4 approached about it and that it boiled to a Virginia
5 company and Duke. I think that the Virginia Company
6 was either dropped out or eliminated and the two
7 versions that I hear about this are, A, was that
8 nobody but Duke would touch it with a ten foot pole,
9 and, B, that only Duke was qualified to use the fuel.
10 And possibly both of those things are wrong, but that
11 is what I have been hearing.

12 TIM HARRIS: I don't know if I can answer
13 that. All I know is that originally there was
14 Virginia Power and the Duke Energy reactors, one of
15 them was Surrey and the Virginia Power Company
16 (indiscernible).

17 CHIP CAMERON: Is there any further
18 information that anybody else on the staff can offer,
19 that wouldn't just be speculation? Okay. Let's go to
20 his gentleman back here. Yes sir. Please state your
21 name.

22 DENNIS SPRING: Dennis Spring. I am not
23 affiliated with anyone. I am just a citizen here in
24 Charlotte for 24 years and I have a family here and I
25 would like to keep us all healthy. The question I

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1 have about the process here is that under the public
2 comment section, what can the NRC do to improve
3 getting the word out about these meetings and the
4 opportunities to comment because you rarely things
5 about it in the newspaper. It wasn't in today's paper
6 or on the six o'clock or eleven o'clock news. So I
7 have a feeling that more people would be at these
8 meetings and giving more comments as listed on the
9 slide.

10 TIM HARRIS: That is why we are here.

11 DENNIS SPRING: I mean is there money in
12 the budget for advertising?

13 TIM HARRIS: We advertise in Sunday's
14 newspaper, we also issued press releases. We relied
15 to some extent on the environmental groups to solicit
16 public interest. If you have some suggestions, we
17 would be happy to hear how we can better -- we realize
18 that the general public has, doesn't always read the
19 Federal Registry. So if you have some suggestions, we
20 would be happy to hear them.

21 DENNIS SPRING: Put it in the paper on the
22 day that it is going to happen. On the front page of
23 the paper on the day that it is going to happen. Have
24 it on the six o'clock news on the night before. We
25 all now about the ball games, right? We always know

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1 when Monday Night Football games are going to happen,
2 because they advertise on Sunday.

3 TIM HARRIS: Thank you.

4 CHIP CAMERON: Thank you.

5 GREGG JOCOY: Thank you very much Chip.
6 My name is Gregg Jocoy, that's G-r-e-g-g J-o-c-o-y,
7 and I here representing the York County Greens of York
8 County, South Carolina. I just want to make sure, Tim
9 that I understand what was said. There is a
10 possibility, no matter how vague or small it may be,
11 that the Nuclear Regulatory Commission will authorize
12 the construction of a plan to make plutonium fuel
13 without a destination for that fuel, locked down and
14 rock solid, before that plan goes into operation. In
15 other words, you guys may say, yes you can build a
16 facility that admits plutonium and uranium together to
17 make plutonium fuel, but we don't know with absolute
18 certainty that anyone is going to use it. I would
19 like to know if my understanding is accurate, and if
20 so, I would like to ask you a follow up question.

21 TIM HARRIS: I think that is true, there
22 are some uncertainties with things, we are currently
23 evaluating what has been proposed. There are some
24 contractual things that DOE has to do and some others
25 that have not occurred yet. So you are correct that

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1 regard. But to the extent that we have provided the
2 environmental impact of what is proposed and what is
3 foreseen, we are doing that.

4 GREGG JOCOY: Okay, I guess my next
5 question would be, just how stupid do you think we are
6 too believe that the NRC would authorize the
7 construction of a plant to create a fuel that you
8 don't have a market for means that you are going to be
9 forced to create a market for that product after
10 investing billions of dollars in the project. So, I
11 guess the question I would ask is why are we here?

12 TIM HARRIS: I think there is a proposal
13 at hand to have a market. Duke Energy has discussed
14 with the Department of Energy the use of the fuels at
15 the Catawba Plant and at the McGuire plant.

16 CHIP CAMERON: I believe you had a follow
17 up, then I will ask you a question later. Are you
18 suggesting that the NRC should not grant the
19 inspection authorization unless it had some assurance
20 that the products are going to be used, is that what
21 you are saying?

22 GREG JOCOY: I think it's the cart before
23 the horse question to a certain extent. It seems to
24 be that you create this product without a demand that
25 is already in existence, that then forces you into

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1 creating a demand for it. Which means that it is a
2 self-fulfilling prophecy and it begins to make me
3 wonder if this is not a charade. If it is, let me
4 know, I've got other things to do with my time.

5 TIM HARRIS: I don't think it is a
6 charade.

7 CHIP CAMERON: Okay.

8 TIM HARRIS: And we're happy that you're
9 here.

10 SHERRY LORENZ: My name is Sherry Lorenz
11 and tonight I am representing the Fort Mill Citizen's
12 Action Group and I am also a member of the Sierra
13 Club; a long time member of the Sierra Club. I would
14 like to chime in with the gentleman who just left the
15 room. I was looking around when the meeting started
16 and I was surprised at the thin crowd. That's usual.
17 Charlotte has an almost one million population, and
18 here we have just a handful of people. I get the
19 feeling sometimes, and tell me if I am wrong, that
20 maybe Duke Power and the NRC would like to keep these
21 meetings the best kept secret in town. Could that be
22 a possibility?

23 TIM HARRIS: I would say no, that is not
24 a possibility. We are here tonight to hear your views
25 specifically on how immobilization should be

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1 considered in drafting the environmental impact
2 statement. If you have some suggestions on how we
3 could a better job on conducting the meetings and we
4 will be happy to hear them. But, we are not required
5 to have this meeting, we want to hear your views.

6 CHIP CAMERON: We do take suggestions
7 about how to improve notice, for example. Someone
8 said we will give you a list of community
9 organizations and we will notify them. We want as
10 many people who are interested in the subject as
11 possible.

12 TIM HARRIS: In fact, Chip, we sent out an
13 invitation flyer to people who attended the last
14 meeting. We probably sent out 100 invitations to
15 people to try and get them to come out.

16 SHERRY LORENZ: I think that the radio
17 would be wonderful. What about 107.9, The Bob and
18 Sheri Show, just about the whole town listens to it.
19 I am sure you can afford to advertise on that channel
20 and you will reach a large population. I talk to
21 people about this in all walks of life and nobody has
22 a clue. They have no idea what I am talking about.
23 I am also a member of Toast Masters Club and the
24 speech I gave last time, I gave at the club recently
25 just to see how long it was, a Toast Masters speech is

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1 supposed to be five to seven minutes, it turned out to
2 be 10 minutes, which was too long. In any case, Toast
3 Masters has a large group of professionals, most of
4 them are teachers, lawyers, doctors, and educated
5 people. In our group, we have about 20 to 30 people
6 in every meeting and not one of them, not one of them,
7 knew that this issue or any meeting or anything at
8 all, and that is a problem.

9 CHIP CAMERON: We will be glad to -- if
10 you give us -- we are always trying to improve notice,
11 but we will begin to, if you give us the names of
12 organizations we will send them notice in advance time
13 to people who care to come to the meeting. Let me see
14 if there is anyone else who has questions or comments.
15 Let's go to this gentleman back here, then we will
16 come back up here. Yes sir.

17 WILSON HOPKINS: My name is Wilson Hopkins
18 and I
19 work at Catawba Nuclear Station. I do want to say
20 this
21 morning the public broadcasting announced it; I heard
22 it about seven o'clock.

23 CHIP CAMERON: Thank you.

24 BILL MAHOOD: I would just like to confirm
25 the experience of the lady across the aisle that I've

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1 found time and time again that notice of these
2 meetings aren't until the last minute or simply not
3 enough notice at all. I am convinced that the NRC has
4 faithfully attempted to put out press releases in time
5 for the public to attend. If something is happening
6 here in the Charlotte area to stop the information
7 from getting to the public and is it not getting to
8 the public, the last NRC meeting I attended I heard
9 about it on television approximately 20 minutes before
10 the meeting happened.

11 CHIP CAMERON: Okay. Well we are
12 listening to the comments that you are making and we
13 will try to do a better job and apparently the word
14 gets out on some channels sometimes and we just need
15 to make sure that we do a --

16 TIM HARRIS: Get the feedback form and
17 take that home and if you have some suggestions and
18 state what you have. Thank you.

19 CHIP CAMERON: Okay. Let's go to Dave
20 Brown and hear a little bit about the changes in the
21 DOE program. Thank you very much, Tim.

22 DAVE BROWN: Thanks Chip. I would just
23 like to take a little bit of time and summarize the
24 changes to the DOE surplus plutonium program. What I
25 will be talking to you about are the changes and the

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1 environmental impacts that were described in Duke
2 COGEMA Stone & Webster's environmental report that
3 they revised in July. The first changes that we have
4 discussed, is the cancellation of the plutonium
5 immobilization plant. This plant has been part of
6 DOE's, what they call the hybrid approach. They were
7 to immobilize some of the plutonium and turn the rest
8 into MOX fuel. As it was the DOE has decided to
9 cancel that program for budgetary reason, so I will
10 get into how that effects the NRC's environmental
11 review resulting from the plutonium (indiscernible)
12 now subject to the MOX facility. I want to talk about
13 New Waste Solidification Building as proposed by DOE
14 to handle the liquid waste from two plants that are
15 associated with them MOX facility, the MOX facility
16 itself and the pit disassembly and conversion
17 facility. The pit disassembly and conversion facility
18 will be designed to take (indiscernible) and plutonium
19 and convert them to plutonium oxide powder and then
20 the plutonium oxide will be absorbed into the MOX
21 oxide fuel facility. The program had been set up that
22 about 8.4 metric tons of plutonium would have gone to
23 the Plutonium Immobilization plant. About 25.6 metric
24 tons would have gone to the MOX facility. There are
25 from the US Confederation Agreement that was reached

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1 September 2000. Of the 8.4 metric tons that would
2 have gone to PIP there are two tons that DEO have said
3 would not be suitable for use at the MOX facility.
4 So what's left is really 6.4 metric tons that would
5 have gone to the immobilization as to the MOX. That's
6 what we are referring to Alternate Feedstock that this
7 material could come to the MOX facility from other
8 sources other than through the pit disassembly and
9 conversion facility. The consequence of having
10 received this material, the MOX facility would have to
11 undergo some design changes to accommodate. The other
12 changes that I will talk about is the New Waste
13 Solidification Building. The purpose of this facility
14 is to treat four liquid waste streams from two from
15 the mixed oxide fuel plant and two from the pit
16 disassembly and conversion facility. The Waste
17 Solidification Building would be at the pit
18 disassembly and conversion facility. On the back of
19 your handout there is a site plan that shows the
20 relative locations of the two facilities. We've got
21 these changes and now let's look at what the
22 environmental impacts are associated with that. The
23 DCS in their July revision to the environmental report
24 described that in order to accommodate this alternate
25 feedstock operation plant they need to add some steps

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1 to the process because the alternate feedstock has
2 some impurities in it. It would require about 10
3 percent more floor area, the alternate feedstock has
4 more chloride in it that would have to be removed.
5 That process would generate chlorine gas that would
6 have emission to the facility. Also the processing of
7 alternate feedstock would change the nature of the
8 waste it produces. For example, a volume of low level
9 liquid radioactive waste generated from the MOX
10 facility would be about 60 percent higher than any
11 additional impurities in that waste, associated with
12 processing alternate feedstock. The MOX facility also
13 generates a liquid high alpha activity waste which
14 means the waste is generated from purifying the
15 plutonium that is sent to the waste facility for
16 disposal; that waste would contain silver. Silver is
17 used in the MOX facility a proposed use to be used to
18 help dissolve plutonium oxide, which is a step and
19 there would be more volume then as well. With respect
20 to the Environmental Impacts as described by DCS of
21 the Waste Solidification Building. This building was
22 part of it's process of receiving the liquid waste,
23 will solidify that waste and transfer any waste, would
24 be prepared for shipment to the Waste Isolation Pilot
25 Plant in Mexico. So that we are looking at the

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1 capacity for ways to isolate the plant and how waste
2 generates the MOX impact. There are also two other
3 waste treatments produced, one is produced by the MOX
4 facility, and one to be produced by the pit
5 disassembly and conversion facility and solidified as
6 low level waste that can be disposed of at the
7 Savannah River Site, near the area where we have a
8 permanent low level waste site. DCS looked at the
9 construction related impacts at the waste
10 solidification building's new facility in it's
11 proposal they would look at, that sort of thing
12 associated with building a plan. Also operational
13 impacts. Things like, we looked at air, liquid
14 effluents, and radioactive exposure to workers. DCS
15 also looked at potential accidents that could occur at
16 the waste solidification building that would have
17 environmental impacts. At this point, I will take any
18 questions.

19 CHIP CAMERON: Thanks Dave. Are there
20 questions for Dave on possible environmental
21 implications and what that might mean in terms of the
22 NRC; the environmental impact.

23 GREGG JOCOY: Just one real quicky
24 question. Can you describe for us what this waste
25 solidification process is. I have read about plants

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1 that pour concrete into radioactive liquid and leave
2 it in South Carolina for perpetuity. Is that what you
3 are talking about?

4 DAVE BROWN: For the low level liquid
5 radioactive waste that has been processed, the process
6 would be to use cement, solidify it and be disposed of
7 either at the Savannah River Site or another
8 appropriate low level waste site.

9 CHIP CAMERON: Thanks for your question.
10 Other questions on changes? Mary?

11 MARY OLSON: The first question is what
12 happens to the two tons that was going to go the
13 immobilization and is not considered part of the MOX
14 program.

15 DAVE BROWN: At this point, I am not aware
16 that the Department of Energy has decided what to do
17 with those two tons.

18 MARY OLSON: But they are out of NRC's
19 authority?

20 DAVE BROWN: Yes. It would be out of our
21 authority. They would not be coming to the site.

22 MARY OLSON: Okay. So the NRC only looks
23 at the mixed oxide fuel plant in terms of the
24 operation. Is that right?

25 DAVE BROWN: We do look at the

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1 transportation of plutonium that would be coming for
2 the purpose of the MOX fuel; there would be
3 consideration for that.

4 MARY OLSON: Okay. Do you look at the Pit
5 Disassembly and Conversion Facility, like for
6 instance, have they built that yet?

7 DAVE BROWN: No, they haven't build that
8 yet. But, yes we are considering it.

9 MARY OLSON: In that -- I'm sorry. So the
10 waste solidification building is a part of that,
11 right? The Pit Disassembly Conversion and Waste
12 Solidification Building?

13 DAVE BROWN: Yes, they are all on the same
14 site. The purpose of the waste solidification
15 building is to treat waste from the Pit Disassembly
16 and Conversation Facility and the MOX.

17 MARY OLSON: My last question, I will put
18 two together here, does DOE have to do an
19 environmental impact statement on the Pit Disassembly
20 or on the Waste Solidification, and I heard through
21 the grapevine that the amount of high alpha activity
22 waste that you are mentioning, just the americium
23 along would make something like 30 billion smoke
24 detectors as sort of a yard stick and that is a hell
25 of a lot of americium. So like, you are kind of

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1 considering it in your EIS but I mean, does DOE have
2 to do an EIS too?

3 DAVE BROWN: At this point, we are
4 focusing on the scope of the EIS -- you know, that
5 where we consider impacts of the Pit Disassembly and
6 Conversion Facility. Your comment to regard to the
7 amount of smoke detectors, yes there is a large
8 number, the amount of americium (indiscernible)
9 proposed to process is like 80,000 curries.

10 CHIP CAMERON: Just a couple of
11 clarifications. I may not understand this, but there
12 was no DOE plan to turn the americium into smoke
13 detectors. This is just an example. I don't want
14 people to think that that's what's going on. But in
15 terms of the DOE environmental impact
16 responsibilities, we did hear last night that there
17 was a Department of Energy Federal Register notice in
18 terms of environmental reviews -- I mean Dave, or can
19 anyone from the NRC give Mary some information on
20 that.

21 DAVE BROWN: I think the Department of
22 Energy's has early this year decided to cancel the
23 plutonium immobilization plant. It has also issued a
24 record of decision to cover to address that. That
25 record of decision was issued in April 19, 2002.

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1 MARY OLSON: DOE has just issued a notice
2 of intent to (indiscernible) the process on making new
3 plutonium pits. Talking about and getting rid of the
4 plutonium pits, now they are going to make some new
5 ones. I understand that are considering lots of
6 different sites, but Savannah River Site is one of the
7 site being considered. So what happens if they use
8 the Pit Disassembly and Conversion Facility to
9 generate plutonium oxide for weapons as well as MOX?
10 What is NRC -- how are you all going to handle that in
11 terms of NEPA, regulatory authority, materials?.
12 Working with DOE and having clear lines of
13 communication, I mean as far as I have heard you don't
14 even have a MRU. So what if it is dual purpose
15 facility needing two factories?

16 DAVE BROWN: If I understand your
17 question, there's no proposal for use at this facility
18 for uses like that. We are aware that DOE will, I
19 think, start the building process on the proposal for
20 a pit manufacturing facility, but at this time, we
21 don't have any information that would change the scope
22 of our environmental review; there's been no decision
23 on that.

24 CHIP CAMERON: Thank you Dave. Are there
25 questions on this? Yes sir.

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1 ROCKY EVANS: I'm Rocky Evans. The
2 question I have is TRU waste, what is that? That is
3 one question. The second is, what is low level waste?
4 What exactly is that and what is the ramification in
5 the environment?

6 TIM HARRIS: I will do my best to answer.
7 The first question TRU stands for trans uranium waste,
8 and that's --

9 MARY OLSON: Heavier than uranium.

10 TIM HARRIS: -- heavier than uranium.
11 Thanks, Mary. It is typically (indiscernible). It is
12 generally more hazardous than (indiscernible). As far
13 as the specific question about environmental --

14 CHIP CAMERON: What are the environmental
15 impacts of low level waste and what exactly is low
16 level waste. Is that what your question is?

17 ROCKY EVANS: What exactly is low level
18 waste, is it radioactive or is it --

19 DAVE BROWN: Low level waste is
20 radioactive material, that became moderately
21 contaminated or in some cases, highly contaminated
22 material. It ranges from protective clothing, like
23 tyvex that people use that are contaminated that
24 people are throwing away as radioactive trash. Low
25 level waste is also things like heat resins, can be

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1 highly radioactive. So the spectrum of low level
2 waste is quite large. Things that not very
3 radioactive to things that like heat resins that are
4 radioactive. There are procedures and policies of the
5 regulations on how to dispose of that material safely.

6 CHIP CAMERON: I think we have a follow
7 up.

8 ROCKY EVANS: One more question. You take
9 the 6.4 tons of plutonium to the plant, the MOX. I
10 guess, how much waste will there be produced from the
11 --

12 DAVE BROWN: How much of the waste is
13 attributable to that alternative feedstock, is that
14 your question?

15 ROCKY EVANS: I guess what I am trying is
16 you are trying to get rid of 6.4 tons of plutonium.
17 How much waste in this TRU low level is left over or
18 created or -- I'm not sure what I'm trying to ask, do
19 you understand what I am trying to ask.

20 DAVE BROWN: Let me see if I can
21 understand your question. I don't have the answer, I
22 simply don't know what the volumes are or --

23 MARY OLSON: Go back one slide.

24 DAVE BROWN: What I've given you is kind
25 of a relative of numbers here, how much more than what

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1 was proposed before, but in terms of gallons --

2 CHIP CAMERON: Is that because the -- that
3 is a detail that we don't have with us or that is a
4 detail that no one knows how much waste is going to be
5 reduced either in volume or curries or whatever?

6 DAVE BROWN: We have the information, but
7 I don't have it right in front of me --

8 UNIDENTIFIED: It keeps going up.

9 CHIP CAMERON: We do need to get you on
10 the transcript if you want to make a remark.

11 JANET ZELLER: I just wanted to say that
12 whatever effort is made to the amount of waste is
13 sitting down there, you know, by next week is going to
14 be greater, because it keeps going up in geometrical
15 and so you know at some point we are going to have to
16 have a real answer.

17 CHIP CAMERON: Let's go to this gentlemen
18 over here.

19 WALLACE EVANS: **(Due to the public address**
20 **system and Mr. Evan's location in the audience many of**
21 **his comments were indiscernible.)** I'm Wallace Evans,
22 the father of this fellow here. The thing that I
23 think ought to happen is that we burn it up. Because
24 of that I would like to bring up some points here.
25 This is a much greater thing than just the part of

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1 Duke Energy. It goes into how much uranium we will
2 use, how are we going to use it what we (discernable)
3 electricity, all those things. I'll tell you how to
4 do it. First, you go in and take all of your
5 (indiscernible) energy of breather reactors and let
6 breather reactors burn up all of your nuclear waste.
7 That should satisfy these people over here about
8 nuclear waste, you would just go through the plutonium
9 and burn it all up, and you elide put out nothing.
10 The only thing is produces it makes heat. So you burn
11 all of that stuff up and (indiscernible) and once you
12 get that done you take this electricity that puts out
13 low heat or waste -- or low gases (indiscernible) or
14 coal, or gas anything -- you take that and make
15 hydrogen and you make hydrogen with fuel cells, and
16 these fuel cells will make hydrogen out of electricity
17 -- I mean oxygen -- and you take the hydrogen and use
18 it in various ways in fuel cells that burns oxygen
19 (indiscernible) hydrogen. Use that in cars, any kind
20 of transportation, airplanes -- I could go into this
21 in detail with you on how it goes but I've taken my
22 time (indiscernible). But once you get all of that
23 done you're putting out nothing but water fumes. No
24 more of this stinky stuff and no more noise
25 (indiscernible). You put everything (indiscernible)

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1 and that ought to satisfy this group over here. It's
2 not waste. Oxygen can be used for various things.
3 You can put the oxygen into rivers and lakes and all
4 the places (indiscernible). You can go down to New
5 Orleans and put it out into the ocean there.
6 (Indiscernible) little critters that down there that
7 live off the runoff from the fertilizers
8 (indiscernible) and they can live off of seven tenths
9 of (indiscernible) so (indiscernible) oxygen in
10 (indiscernible) 100 miles and 140 miles
11 (indiscernible) Gulf Coast that have no fish in it
12 (indiscernible). Well, anyway, you can this in sewage
13 plants to get rid of the smell and (indiscernible) and
14 make it work better. I could go on with this for an
15 hour if you want me to, but I'll (indiscernible) but
16 all this people are talking about shouldn't be.
17 (Indiscernible) use any excuse they can to get out of
18 using nuclear power, but someday we'll pay for it.

19 CHIP CAMERON: Thank you. Thank you sir.
20 You have certainly given the NRC some alternatives to
21 think about in the environmental impact statement.
22 Thank you very much for that. Are there any other
23 questions on the DOE, the changes in the DOE program
24 and the environmental implications before we get into
25 some of the public comment and I think we have already

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1 sort of gotten into that with those ideas. Anybody
2 else? Okay, Mary you have another question here.
3 Then I am going to ask Tim to come up and frame those
4 two questions.

5 MARY OLSON: Both the waste isolation
6 power plant and this (indiscernible) supposedly gotten
7 into waste after the radiation of MOX fuel leaking
8 potentially (indiscernible) as possible sites -- but
9 both of those sites have certain natures and processes
10 and definitions of ways and impacts on transportation,
11 we know agreements have been worked out on -- and will
12 be worked out so my question is is whether the process
13 in terms of those assumptions where this waste will
14 go.

15 DAVE BROWN: At this point, the two things
16 that we are going to look at are as those -- the
17 bulletin up there -- deposal and what I mean by that
18 are as follows. Would the DCS produce more waste
19 would it go to the waste isolation pilot plant would
20 be considered in the environmental impact statements.
21 With regard to the transportation disposal, yes, the
22 radium and MOX fuel.

23 CHIP CAMERON: Thank you, Dave. Tim, do
24 you just want to frame the two questions as just sort
25 of the lead into the public comment, we are going to

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1 start out with Sherry Lorenz, our first speaker.

2 TIM HARRIS: Sure Chip, thanks. As I
3 mentioned in the beginning, what we are hear tonight
4 to talk about are alternatives in our environmental
5 impact statement and how the changes in the Department
6 of Energy might affect their considering various
7 alternatives. Again, the two questions were how
8 should we consider the immobilization of plutonium
9 instead of using the proposed MOX facilities since we
10 have cancelled that program, does the public still
11 want us to consider that alternative. The next
12 question is whether or not there are any additional
13 alternatives that weren't identified the last time
14 during scoping. Some things for us to think about.
15 Again, we are going to hear your comments today, this
16 evening, if you want to go home and write some
17 comments, we will accept them until September 30.
18 Thank you for taking your time to come.

19 CHIP CAMERON: Tim, just to make sure
20 people understand what no action alternative is can
21 you give a little explanation of what a no action
22 alternative is.

23 TIM HARRIS: Basically, the environmental
24 impact statement is a proposed action, the proposed
25 action is the construction of the mixed oxide fuel

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1 fabrication facility. The National Environmental
2 Policy Act says you have to look at alternatives, as
3 the bare minimum you have to look at the no action
4 alternative, in this case it would be not to license
5 the facility. So one of the no action alternatives
6 that we described earlier we were talking the
7 alternatives to continue storage of the plutonium
8 after recycling, and another no action alternative NRC
9 would not license a facility, what would happen is
10 another no action alternative brought by the public is
11 no immobilizing. So the question is how the publics
12 want us to consider that.

13 CHIP CAMERON: Okay, thank you very much.
14 Sherry would you like to come up and join us.

15 SHERRY LORENZ: My question is NRC saying
16 they're only going to consider a total of two
17 alternatives. No action and MOX and the question is
18 what should that no action be? Is there a possibility
19 of more than two alternatives being considered?

20 TIM HARRIS: I think the answer is yes.
21 I think that is what the second question is. Are
22 there things that weren't identified during scoping
23 because of the changes that you think we should
24 consider.

25 SHERRY LORENZ: Would you consider more

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1 than one alternative?

2 TIM HARRIS: Yes. Right now --

3 SHERRY LORENZ: I am trying to understand
4 why there would only be two scenarios, whether you're
5 considering the possibility of more than two
6 scenarios.

7 TIM HARRIS: When we did the scoping
8 process which I described, there was actually three
9 alternatives that were identified. Those were
10 summarized in the scoping seminar. They were proposed
11 action, no action and continued storage, and no action
12 at all. So it is -- if we didn't anything right now,
13 we could draft the environmental impact statement and
14 consider three alternatives. So the question is
15 should we still consideration immobilization as an
16 alterative and are there other things because of
17 changes in the DOE -- so it is a possibility.

18 CHIP CAMERON: Thank you very much, Tim.
19 Let's go to Janet.

20 JANET ZELLER: Thank you, and I appreciate
21 the opportunity to speak tonight. My name is Janet
22 Zeller I am the executive director of the Blue Ridge
23 Environmental Defense League. We have four offices in
24 North Carolina, including Charlotte, and also a new
25 office in Augusta, Georgia, right across from the

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1 Savannah River Site and an office in Aiken. I want to
2 provide some critique tonight on the environmental
3 report as revised. First of all, the environmental
4 report does not adequately evaluate the adverse health
5 impacts from the plutonium fuel factory. Everyone
6 knows that high amounts of radiation causes cancer,
7 that is generally expected as true by everybody. But,
8 one of the things that is consistently underestimated,
9 by Duke COGEMA, Stone and Webster, by the Department
10 of Energy and by the Nuclear Regulatory Commission is
11 the affects of low dose radiation and those cancer and
12 other health impacts. I think that in light of recent
13 huge studies, done by Dr. John Gofman that there needs
14 to be a complete reevaluation of health impacts of
15 fuel factories. Let me explain this a little bit. In
16 1999, Dr. Gofman released a study that was -- it was
17 1940-1990 it encompassed all of the mortality across
18 the whole nation, Dr. Gofman is not only a medical
19 doctor he is the holder of two patents for the removal
20 of plutonium from irradiated fuel, so he is an expert
21 at nuclear chemistry in addition to be a medical
22 doctor. But his conclusion is that high amounts of
23 radiation is the leading cause of heart disease in
24 this country and elsewhere, and there is absolute
25 evaluation of the health impact of heart disease,

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1 there is a way underestimation of the cancer impact in
2 the environmental report. If you read the
3 environmental report carefully, you see an amazing
4 admission by the Duke COGEMA Stone and Webster, they
5 do admit that the overall dose of -- from the new
6 plutonium fuel factory, if this happens, could be an
7 increase of 2.6 percent in death to the public and
8 they call that small, but they compare it to all of
9 the radiological impacts of the huge Savannah River
10 Site. So our point is 2.6 percent of a large number
11 is a large number and so this is not either small,
12 it's certainly not reasonable or acceptable. So look
13 at it again NRC. I want to say also that especially
14 this whole business that that much additional exposure
15 at 9.98 person for transport, that these things are
16 justified by the weapons reduction component by the
17 non-proliferation of nuclear weapons -- and of course,
18 when Duke first out with this whole idea in the
19 newspaper and TV here, they were using the term,
20 "swords into plow shares". Well in May of this year
21 the Department of Energy announced that they were
22 going to go back to plutonium pit reduction and on
23 September 13, 2002, just very recently, they
24 identified this Savannah River Site as a potential
25 site for that plutonium pit reduction. So any

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1 perceived benefit of this facility and comparing a
2 small acceptable 2.6 percent increase in dose, I mean
3 that just doesn't make sense because you are not
4 comparing anything. There is no benefit at all
5 anymore to the plutonium fuel factory. So that whole
6 thing needs to be looked again. I did want to say
7 that there was a really poor job in the environmental
8 report of evaluating the current situation, the
9 current health of the people in Aiken and Barnwell
10 County. Both counties have higher mortality rates
11 than the average in South Carolina. In fact, Barnwell
12 County -- and these are the two counties that are
13 within a 10 miles radius -- in Barnwell County it is
14 9.8 percent greater than the average in South
15 Carolina. So people are dying like flies in Barnwell
16 and Aiken already, and so to assume that the Savannah
17 River Site and it's radiological effects are not part
18 of that picture is pretty naive, I think. So I do
19 want to say that I am submitting some stuff on heart
20 disease in these two counties. Heart disease is the
21 leading cause of death, and cancer is the second one,
22 and in fact in Aiken County heart disease kills more
23 people annually than pneumonia, Alzheimer's, stroke,
24 accidents, and anything else. So finally, we really
25 would like to have a true health evaluation in the

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1 environmental review process. Of all of the options
2 that are on the table now, which immobilization is
3 unfortunately is not one, we certainly support the no
4 action alternative. Just doesn't make any sense with
5 no piece dividend, no swords into plow shares, to
6 expose more people in counties that are already
7 suffering from heart disease and cancer, the two
8 leading effects of radiation.

9 CHIP CAMERON: Thank you Janet. Mary
10 Olson.

11 MARY OLSON: My name is Mary Olson, and I
12 am the director of the Southeast Office of Nuclear
13 Information and Resource Service. We are a nationally
14 based organization with headquarters in Washington, DC
15 and now being able to affiliate with information
16 service on energy. I must say that these meetings
17 come at quite a good moment. There's just been two
18 months ago of plutonium fuel being rejected by Japan
19 because the documents were falsified as to whether it
20 had qualify inspection or not. The Japanese are very
21 meticulous people, they caught this fiction that they
22 never expected, they refused to use this MOX fuel and
23 it has spent two months on the high seas. It was
24 challenged in many ports, many countries to have it in
25 their waters, and it just about back in Britain in

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1 British nuclear fuels. Is struggling as a British
2 energy for any kind of financial stability because
3 nobody wants MOX fuel, they are only using it become
4 their own governments are making the fuel at plutonium
5 reactors in France and Belgium and places like that.
6 So, we're talking about something that really is a
7 world perspective, is something that should not be
8 growing, as a matter of fact it should be cut back and
9 should be stopped now when it comes to the United
10 States. I want to respond directly to the questions
11 that the NRC has raised and appreciate the additional
12 meetings that are being held for the public to give
13 comments to these questions, I think it is very
14 important. I also want to support all of the comments
15 that were just made by Janet Zeller, who is with the
16 Blue Ridge Environmental Defense League; very vital.
17 But before I do that, I want to say that the Nuclear
18 Regulatory Commission must ensure that there is a full
19 legal process on the use of MOX fuel in the nuclear
20 reactors in this community. We were rejected during
21 the consideration of license renewal but the atomic
22 state licensing board agreed with us that there are a
23 lot of questions that have to do with the impact of
24 MOX fuel on that licensing renewal and the impact of
25 these reactors on MOX fuel use. There are no

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1 guarantees, whatsoever, that the legal process is
2 going to happen unless the public demands it and even
3 then there are loopholes that the NRC may utilize
4 again to push away these questions because they go
5 straight to the heart of the matter which is the
6 question of these reactors, their safety and the
7 impact on the health of this community. Plutonium,
8 even the Department of Energy has acknowledged is far
9 more deadly than uranium and I am going to come back
10 to that point. But why are our tax dollars being used
11 to even consider making these reactors more dangerous.
12 So, yes, the no action alternative must be considered.
13 Keeping the plutonium where it is right now sparing
14 the communities on transport routes, including my own
15 community of Asheville, North Carolina, where
16 plutonium shipments are coming to already from,
17 Colorado, Atlanta, Augusta, and all of the cities in
18 between, sparing them the possibility of a terrorist
19 attack or other accident that would happen to the
20 shipments. No actions must be considered. And I also
21 endorse the consideration of the immobilization, but
22 I urge the NRC at this point, to break free from DOE's
23 previous scenarios and instead to do a reference
24 scenario because more and more of the communities that
25 are hosting the plutonium now are advocating that it

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1 not be moved. So if it is going to be immobilized
2 let's consider an immobilization scenario that
3 wouldn't necessarily have to be the Savannah River
4 Site. In the spectrum of alternatives that must be
5 considered, I mentioned we should look at what MOX has
6 produced and know if the reactor actually uses it. We
7 were told by the top levels of the Nuclear Regulatory
8 Commission that it is not clear that Duke Energy is
9 going to MOX fuel. Okay, it is not clear, what if
10 nobody uses it. Well, Frank Barhemlet (phonetic) of
11 Princeton and others that have advocated building a
12 MOX fuel factory for exactly that purpose, they
13 prospect MOX. And use that in immobilization, why not
14 consider that. Then another set of alternatives I
15 want to bring up I already mentioned in question and
16 answer, the Department of Energy has declared that
17 they are going to start turning plutonium oxide into
18 new pits, new guts for new bombs I'm sure the many
19 usable tactical use and the bunker buster bombs and
20 the bombs in space and all those bombs that everyone
21 seems to think are a good idea now, we've been
22 categorically opposed in any production of these
23 bombs, but the fact is that NRC will do it and the
24 long run picture is where are they going to get
25 plutonium oxide to make those bombs. If MOX becomes

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1 simply the waste disposal alternative for new levels
2 of production, doesn't the NRC have a responsibility
3 to consider all of the environmental impacts of new
4 nuclear weapons production. I have to say that I feel
5 sorry, I feel sorry for every single individual,
6 including some of my esteemed colleagues who have been
7 involved in the plutonium disposition program, because
8 I think that every single last one of them including
9 NGO's, and Duke and even NRC have been patsies.
10 Patsies to career bomb makers who wanted to make bombs
11 all along, but couldn't have nice dinner conversation
12 about making new bombs during the Clinton
13 administration, so you had to start talking about to
14 purifying fuel oxide for MOX. And plain and simple
15 that is all they wanted. So good luck Duke in keeping
16 your tax dollars for MOX because we are going to fight
17 you every step of the way. The next little comment,
18 then I will be done in just a moment, is the timing of
19 this meeting again. The question of increasing the
20 lethal destructive capacity of reactors in the event
21 of either an accident or, heaven forbid, a malicious
22 act to disrupt them. We have been told that MOX is
23 swords into plow shares, but this past week, European
24 press ran excerpts of an interview from Al Qaeda
25 operatives stating that in fact US nuclear reactors

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1 were the original targets considered and that plan has
2 simply been tabled for now. I am not going to take
3 the to read the excerpts from this short account of
4 what an accident or an attack would be like, but it is
5 on the back table out there and it needs to be added
6 for the record because it is a very graphic account
7 and I think people deserve to know that it is not
8 pretty if you hit a reactor with an airplane or even
9 the conventional bomb or even a biological attack that
10 would be the population to their knees in a short
11 period of time. So, or even an attack on the grid
12 nearby a station blackout is not a pretty picture. So
13 the point here is simply this, every single individual
14 -- and I applaud the NRC hiring guys who are actually
15 excited about this program and it is really fun to
16 come to these meetings because they are still excited
17 about it and they want to do a good job. However,
18 there is a personal responsible issue from everybody
19 in considering that we are talking about making not
20 swords into plow shares, but dirty bombs pointed at
21 ourselves already in this community twice as deadly if
22 we put plutonium in there and why are we even
23 considering this program at all. Thank you.

24 CHIP CAMERON: Please submit that for the
25 record.

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1 MARY OLSON: These two articles. Thank
2 you.

3 CHIP CAMERON: Sherry, you want to come on
4 up?

5 SHERRY LORENZ: My name is Sherry Lorenz
6 and I represent the Fort Mill Citizen's Action Group
7 and also the Sierra Club. I am sitting here listening
8 in this nice air conditioned room and every thing
9 looks so clean and bright. We are civilized people
10 aren't we. Then these gentlemen sit here in nice
11 clothes with this computer and this -- whatever you
12 call it -- slide thing. Technical talk, things like
13 environmental impact, new waste solidification
14 building, liquid low level waste, liquid high alpha
15 activity waste, beautiful smart technical words. A
16 lot of the lay people don't even understand this. It
17 is your job and you have to say something. Accidental
18 releases to the environment, no action alternative,
19 sounds so intelligent. Really, you should read no
20 more plutonium, no more uranium, no more poisons, no
21 more unnecessary misery and ailments, no action
22 alternative. What in the world does that mean. These
23 are just fancy words. These people spend a lot of
24 thinking up, making them up. The true definition of
25 these words is all of what is going on in the

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1 plutonium and uranium issue is insanity, pure
2 insanity. You can choose the most fancy words and
3 have the best computer, the nicest group, the best
4 suits on, and it all amounts to one thing only, we are
5 talking about poisons that kill, give people cancer
6 and whatnot, and they want to sell it to us like this
7 a great thing. We will take care of it, bad things
8 won't happen. That is not the truth. One day we will
9 have an accident and their families and my families
10 their children and my children will cry and get sick.
11 What then? Do I knock on their door and ask for help
12 for medications and doctors to stay alive, no. I
13 don't even know where they live. So, all I have to
14 say is tonight is simple, all this fancy jargon and
15 talking is not getting us anywhere. Let's just speak
16 simply instead. Let's stop the insanity. You know as
17 I know, we all know that these poisons, whatever they
18 are called, are getting us nowhere. They are just
19 bringing us misery and death. Thank you very much.

20 CHIP CAMERON: Thank you Sherry. Next we
21 are going to going to Peter Sipp here.

22 PETER SIPP: First I want to thank the NRC
23 staff for leaving things open to be discussed and
24 listening to what we have to say. Our chance to say
25 what is really important to us means a lot. So I want

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1 to ask Chip -- I want to ask Tim a question.

2 CHIP CAMERON: You want to use your time

3 --

4 PETER SIPP: Well, it's an easy one.

5 CHIP CAMERON: With the immobilization
6 would that be possibly 100 percent of the plutonium or
7 6. something tons, if you go back to immobilizing?

8 TIM HARRIS: If we talk about the
9 quantities, the current proposal is for 34 million
10 tons. So the immobilization alternative analyzed the
11 same amount that we used for MOX fuel.

12 PETER SIPP: So, okay, thank you. So now
13 that I know that, I would love to -- I would really
14 consider going to work for because there is no jobs
15 and less waste. Is there any -- over 40 millions of
16 liquid waste that passes through the US now
17 threatening the water table. The water table is not
18 small. It goes all the way underneath Georgia into
19 Alabama, it is huge, and if that gets spoiled, we are
20 in trouble. So, I want to you to please consider
21 immobilizing, because I have a conscience. I want to
22 comment to that gentleman over here that talks about
23 how we should use the waste. Well, there's a ship in
24 -- that's parked in the mud in Charleston, South
25 Carolina, and the name of it is the NS Savannah. It

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1 was commissioned in 1959 and decommissioned in 1971
2 and it was decommissioned because according to the
3 (indiscernible) of National Action and Defense code it
4 couldn't compete with the oil price, it costs too much
5 to operate; that is why there is only one ever built.
6 So, nuclear power just costs too much to operate, it
7 is that simple. If the Bush Administration has its
8 way with more nuclear reactors by 2010, okay, after
9 those reactors die, then 2070 are you going to have
10 more? There's going to be so much scrap buying and so
11 much of that, where is it going to be put? The United
12 States what are we going to do with all of it -- the
13 decommissioned stuff. Where's it going to go? So I
14 can understand why Duke wants to use this MOX because
15 it is money in their pocket. So that when these
16 people retire, they can get dividends every month.
17 That's out of your's and my pocket. It's not okay.
18 You can't point -- when the steamboat caboose was
19 driving the trains, then the diesel locomotives came
20 along -- boom. Steam locomotives stopped; it was
21 over. There was no subsidies for people that worked
22 to maintain them and make parts for them and then it
23 was over, period. That is the way nuclear power needs
24 to be. It needs to be over, period. It costs too much
25 to operate, we need to get to the idea of immobilizing

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1 because it is just wrong. Thank you very much.

2 CHIP CAMERON: Thank you Peter. Let's go
3 to Gregg.

4 GREGG JOCOY: I want to start of by
5 basically endorsing that Pete said. Each and every
6 one of you guys did have to leave your families and
7 fly here or drive here to bring us your listening
8 ears, and there is some appreciation for that, it is
9 very sincere and very heartfelt. But I also as I
10 prepare to read this statement I want you to
11 understand when I say the things that I am about to
12 say they're directed at what I consider to be a
13 monster, okay. We start from fundamentally different
14 perspectives on the whole concept of nuclear energy.
15 So with that in mind, here are my comments. My name
16 is Gregg Jocoy. I am here today to represent the York
17 County Greens. Unlike many of the others who are here
18 today we are not experts in nuclear issues. We are
19 learning day by day, website by website e-mail by e-
20 mail what is going on in the nuclear industry in York
21 County and Aiken areas and we are appalled at what we
22 find.

23 The idea that Duke Energy, which has been
24 implicated in the fleecing of California rate and tax
25 payers last summer, would be given the responsibility

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1 to undertake such a program is problematic. We are
2 further outraged at the NRC would take seriously the
3 proposition that we should choose power generators so
4 close to our homes and use them in this risky
5 experiment. To add insult to injury, the federal
6 government is using this plutonium fuel process to
7 line the pockets of identifiable corporations in the
8 process. Not only Duke but the fiscally challenged
9 Stone and Webster and the French concern with the
10 dubious record of compliance COGEMA, are also
11 questionable as partners in such a risky enterprise.

12 There is clear evidence that a terrorist attack
13 or accident that resulted in a release at one of these
14 plants would be twice as harmful as the current
15 situation. While we would prefer the closing of each
16 of these and all other nuclear power station around
17 the planet, as soon as it can be safely accomplished,
18 we think it is particularly aggrevious that our
19 taxpayer money will be used to put our families and
20 communities in harm's way. As I said before, we are
21 not experts, but average citizens trying to lookout
22 for our communities. We are not blind to the fact
23 that Duke is involved in the development in the land
24 along the lakes to host their power plants. The fact
25 that local governments have no effective way to empty

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1 this area in the event of a release means that there
2 is no excuse for the continued operation.

3 How dare you use our taxpayers dollars to do
4 this. These power plants are ice cooled and are
5 unsafe with any fuel. How dare you tell our people
6 that we are not going to get an effective evacuation
7 system, that we are not going to get higher security
8 such as encapsulation of waste material. That we are
9 not going to get full value for our families in the
10 event of an accident. That we are not going to get
11 any consideration of immobilization and permanent
12 removal of plutonium from the biosphere, but we have
13 to pay you guys to boot?

14 We believe that the people of York County and
15 the people of the Aiken are being put in danger to
16 make profits for Duke COGEMA Stone and Webster, their
17 top executives and the top shareholders. We think
18 that it is obscene that these companies would do this
19 to us and believe that the people of the areas
20 affected are waking to the dangers we are being asked
21 to bare, and to the lack of benefits to anyone but the
22 companies that stand to make undeserved profits.

23 This is a bad plan and should be stopped. There
24 is no way that a serious examination of nuclear power
25 as a concept will stand up to scrutiny. Since the

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1 idea of splitting of atoms to boil water is so stupid
2 on it's face, it is difficult to find common ground
3 with the plutonium fuel project. There is pretty much
4 nothing that the companies involved nor the NRC can
5 say which would be likely to persuade to the York
6 County Greens that a nuclear power plant is a good
7 idea, much less one that will be expected to use a
8 fuel that it is not designed to use.

9 Finally, the Green party is founded on ten key
10 values. One of those key values is peace and non-
11 violence. The Augusta Chronicle has published an
12 article in which an industry spokesperson announced
13 that there were plans being made which might bring a
14 plant to the Savannah River Site to fill plutonium
15 pits. These pits represent another step to the
16 rearming of the United states with a new generation of
17 unholy nuclear weapons.

18 Again, how dare you put our communities, our
19 families in danger, by making our state the heart of
20 nuclear weapons industry. Do you think we don't
21 realize that nothing good can come from our being the
22 merchants of war. Your plans to turn our people into
23 cogs in the military industrial complex which is
24 rejected by anti-globalization and labor activists are
25 an affront to everything we believe the United States

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1 should represent. Again, for this, you want our tax
2 dollars.

3 Let's be clear, we want nuclear power
4 plants shutdown, we want new sources of electric
5 generation to be funded. We want resources made
6 available so average people can prepare for a time
7 when the cost of electricity better reflects its real
8 costs. Yet, the idea that the NRC would give the time
9 of day to an environmental impact study that doesn't
10 address serious health effects on the target
11 community, with the exception of an inadequate job of
12 addressing cancer is astounding. The people on the
13 NRC staff have been requested to address these issues
14 but chose not to move. Why? It cannot be for time,
15 for finding the answers to the questions would take
16 less time than there is available before they must
17 move on this issue. It can't be cost, for a full
18 evaluation of this project, complete with fair funding
19 of groups in opposition to the applicants at the
20 applicants' expense would not represent even a tiny
21 fraction of the cost of any of these programs. The
22 only conclusion we can come to is these questions are
23 not being answered out of fear for what the answers
24 might be. We don't believe that nuclear power will
25 survive serious analysis and that the plutonium fuel

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1 plant is totally unacceptable.

2 CHIP CAMERON: We are going to go next to
3 -- is it Kathryn Koppers?

4 KATHRYN KUPPERS: I am not used to
5 speaking on a microphone. My name is Kathryn Koppers
6 and I am going to make a brief statement on behalf of
7 the Charlotte Area Green Party. It is very brief.
8 Then after that, I may make a couple of comments on my
9 reaction to this hearing. The Charlotte Area Green
10 Party is opposed to the use of MOX fuels in Duke power
11 plants. We strongly support the safe storage of
12 contaminated waste in currently storage sites. We
13 fear that storing of MOX fuels at area Duke Power
14 facilities will be significantly more dangerous than
15 the current burning of uranium fuels, and that the use
16 of MOX fuels will only produce more contaminated waste
17 rather than serving to recycle the uranium waste on
18 hand already. We suspect that this newly generated
19 plutonium waste is intentionally being produced to
20 supply materials to make new nuclear weapons. From
21 this comes a question and two requests. First, we
22 want to know how the Department of Energy can justify
23 paying Duke Power to use this fuel. Secondly, we
24 would like Duke Power to be required by the Department
25 of Energy to develop alternative sources of energy,

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1 not encourage (indiscernible). Finally to call on
2 private citizens, businesses and government agencies
3 to make serious efforts to reduce the consumption of
4 power in order that the area's electricity needs can
5 be met without resorting to expansion of the nuclear
6 power industry. That is the statement. As I said,
7 it's very brief. One comment I have about this
8 hearing. I keep hearing that they wanted to get the
9 message out. I know that can't be true, that can't be
10 true. You are not going to get message out by
11 contacting the NGO's who don't have any budget for
12 advertising. The Charlotte Area Green Party has
13 practically no budget for advertising. We know about
14 it, how do we get the word out. You all have the
15 money and it is your responsible to get the word out
16 to the general public, not just the organizations. I
17 am also a little bit disturbed because my impression
18 is is that the NRC is acting as a screen between the
19 public and the Department of Energy.. Long ago you
20 painted a screen; a block. I feel that is where the
21 power is and not really talked about. Thank you.

22 CHIP CAMERON: Did I miss anybody who
23 signed up and who wanted to talk? Did you sign and I
24 missed it. Well come up and let us know who you are.
25 I apologize.

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1 MEREDITH McLEOD: I am not used to
2 speaking in front of crowds very much, so bear with
3 me. I currently reside in Sikes County and am a forth
4 generation North Carolinian. I am basically am just
5 here tonight as a concerned citizen. My two main
6 points about whether we should start the facility or
7 should we license the facilities. My main concerns
8 include transportation. I think that the thousands of
9 miles that shipments of the materials across over any
10 of international lands and waters is a really bad idea
11 and I will define it. I think that all the
12 complicated science that I couldn't really understand
13 tonight is pretty much a smoke screen for what's
14 slated for our state, and I think there are two
15 stakeholder groups here, there is an environmental and
16 -- I don't think we're as far apart as we may seem to
17 be. I think what everybody might want for their
18 health and for their families needs to be considered.
19 In addition, I think nuclear power is a bad idea. I
20 think that there are better alternatives, including
21 global energy are alternatives. I think there are
22 some costs that -- Janet talked about some of the
23 health costs and specific costs to the community need
24 to be considered. It is not just building a facility,
25 it is not just operating a facility, it is not just

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1 public relations. We have to think about health
2 costs. And lastly, I think that shareholders of Duke
3 Power that has business in North Carolina or citizens
4 that can afford to have in shares in Duke Power, I
5 think they really want what's right for their
6 families. They want health and safety and health and
7 safety for their future children. I hope to have
8 children eventually some day and I hope to raise them
9 in this state, and I hope it's a safe place for me to
10 do so. Thank you.

11 CHIP CAMERON: Thank you very much. I am
12 sorry that I missed you. We do have Mr. Nesbit, who
13 is going to speak to us now.

14 STEVE NESBIT: Good evening. My name is
15 Steve Nesbit and I am the mixed oxide fuel project
16 manager for Duke Power. This meeting tonight concerns
17 mixed oxide fuel fabrication facility that's planned
18 for Savannah River Site in South Carolina. Although
19 Duke Power is not involved in the development and
20 licensing of that facility, we are the operators at
21 the McGuire and Catawba Duke Power reactors; reactors
22 that will ultimately use the MOX fuel that's produced
23 at the facility. Therefore, I would like to make a
24 few comments tonight about MOX fuel project in general
25 and also about this environmental impact statement.

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1 The purpose of the MOX fuel project is to dispose of
2 surplus United States weapons grade plutonium, while
3 Russia does the same with their surplus weapons grade
4 plutonium. Using plutonium as MOX fuel is an
5 effective means of disposing this plutonium. MOX fuel
6 destroys much of the plutonium and degrades the
7 remainder of the plutonium so that it is not longer
8 attractive for use in nuclear weapons. A few people
9 would prefer to see other things done with the
10 plutonium. For example, one alternative is mentioned
11 is immobilization. However, immobilization does not
12 destroy the usable plutonium. Immobilization does not
13 isotopically degrade the plutonium. The National
14 Academy of Science and Study in 2000 included that
15 immobilization unlike MOX fuel has not shown been
16 shown to meet the spent fuel standard for plutonium in
17 this position. Therefore, the MOX fuel project is an
18 essential part of the important national security
19 initiative to help prevent the spread of nuclear
20 weapons by disposing of weapons grade plutonium in the
21 United States and even more important in Russia. MOX
22 fuel is a proven technology. There are decades of
23 experience safely fabricating the use of MOX fuel
24 worldwide. Currently there are dozens of reactors in
25 Europe that are using mixed oxide fuel and it performs

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1 as well as the conventional grade uranium. Before
2 Duke uses any MOX fuel, that is the McGuire Catawba
3 Nuclear Power reactors, we must apply for and receive,
4 at a minimum, to our nuclear regulatory commission
5 reactor operating licenses. The licensing process
6 provides for a thorough and independent review of all
7 safety and environmental issues associated with MOX
8 fuel use. It also provides ample opportunity for
9 public participation. It would be unnecessary and
10 premature for this MOX fuel fabrication facility
11 environmental impact statement to address in great
12 detail the impacts of MOX fuel use. As I pointed out,
13 these impacts will be addressed in a comprehensive
14 manner as part of the reactor operator license
15 process. Duke Power and the McGuire Catawba Nuclear
16 Stations are proud to be the power to the Piedmont of
17 the Carolinas, and we are proud to be participating in
18 this program that will help make the world a safe
19 place. Thank you for the opportunity to provide these
20 comments tonight.

21 CHIP CAMERON: Thank you very much, Steve.
22 Again, my apologizes to you and Meredith for missing
23 you on this sheet. Anybody else who didn't get a
24 chance to sign up who wants to make any comments at
25 this time. Yes, Mr. Mahood do you want to join us up

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1 here?

2 BILL MAHOOD: There are some to be
3 perfectly glib that nuclear energy is obsolete. It is
4 simply obsolete. It is creating more problems than it
5 solves when there are many better ways for immediately
6 providing for better electricity.

7 CHIP CAMERON: Yes sir.

8 WALLACE EVANS: **(Due to the public address**
9 **system and Mr. Evan's location in the audience most of**
10 **his comments were indiscernible.)** Plutonium is
11 already been -- in the United States. There is one
12 other thing about this, you're going to make it
13 impossible for the United States to balance its budget
14 or to do anything. (Indiscernible) oil and gas
15 (indiscernible) make it possible for them to supply
16 us. This past year we were using 72 percent of our
17 oil, gas and --import. Sending oil (indiscernible) to
18 a country that will not (indiscernible) increase their
19 fuels.

20 CHIP CAMERON: Thank you very much.
21 Meredith, did you have something?

22 MEREDITH MCLEOD: I would like to know if
23 you are going to put the transcript of this on the
24 website?

25 WALLACE EVANS: One other thing --

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1 CHIP CAMERON: Mr. Evans, we are going to
2 have more on here, we're still in the middle of doing
3 something here. And we will put the transcript on the
4 website so people can look at the transcript. Make it
5 brief, please.

6 WALLACE EVANS: I had a friend that worked
7 in the plant in Oak Ridge. He designed the equipment
8 and worked there for a good many years from before the
9 war -- really before the war-- but anyway he -- I
10 haven't seen him for thirty years, but he actually
11 said (indiscernible) held it in his hand and was
12 amazed at the weight of it, and he's living today and
13 it doesn't hurt him; he's just fine. (Indiscernible)
14 and he's eighty-eight. I'm eighty-nine.

15 CHIP CAMERON: Thank you very much, Mr.
16 Evans.

17 GREGG JOCOY: Can I ask kind of a
18 technical question, super simple?

19 CHIP CAMERON: Sure.

20 GREGG JOCOY: E-mail is for the comments
21 it is the tehnrc.gov, which I believe is Tim Harris'
22 address, but the mail would be Mike Lesar?

23 CHIP CAMERON: Yeah, and I'm glad you
24 pointed this out, Gregg. If you fax it, put it to Tim
25 Harris' attention because of written comments it is

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1 more the traditional formal system, they usually come
2 in through Mike Lesar, who is chief of our Rules and
3 Directives branch, that is why there is a difference
4 there. Thank you for pointing that out, there might
5 have been confusion, elsewhere. We do have some time
6 left, we have people, staff here, not only from both
7 sides of the MOX project, environmental safety, but we
8 also have people have the office of general counsel,
9 people here from our nuclear reactor regulation office
10 that deals with the fuel and the plan and other NRC
11 staff. I would just encourage you to take the time to
12 chat with them personally. Find out how to get in
13 touch with them, how you get information and maybe we
14 can spend the rest of time doing that. Unless there
15 is any burning -- there is something burning and it's
16 right here.

17 MARY OLSON: We are dealing with the
18 proposal to burn weapons grade plutonium into
19 reactors, and as far as I know, no one has ever done
20 that in the world before. So what is the database
21 that is being used for this scenario, because there
22 was this great report that was put out on MOX fuel by
23 a bunch of my colleagues, it is an alternative report
24 on the environmental and the (indiscernible),
25 unfortunately, he's deceased now. It was so wonderful

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1 I was getting into the MOX issue and there was this
2 great report, and they told me no, no, no, you can't
3 use that, the data is all different because this is
4 the active grade MOX and you are going to be dealing
5 with weapons grade MOX. So I never used that great
6 report because it was told by the authors that it
7 wouldn't apply, so what are you all using?

8 CHIP CAMERON: Tim, are you going to deal
9 with that one, and at the same time in light of
10 Meredith's suggestion, tell people where to tune into
11 the website so they can find the transcript.

12 TIM HARRIS: Actually the website is on
13 the agenda, so you have that website. I could talk in
14 part of that, Mary, then maybe Bob Martin can talk
15 about the other part. Bob will correct me if I am
16 wrong, but I think you are right, I don't think
17 anybody has used weapons grade plutonium in a reactor.
18 What we want to do in working at the reactors these
19 impacts is to look at the situation that is out there,
20 including the stuff by the Department of Energy,
21 including the stuff was done by (indiscernible) at
22 NCI, including the National Academy. Our intent right
23 now is not to any analysis and use whatever
24 information is out there currently.

25 CHIP CAMERON: Bob, do you want to answer

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1 that?

2 ROBERT MARTIN: It is widely recognized
3 that there are differences in weapons grade plutonium
4 and so called reactor grade plutonium. This has been
5 recognized for instance by the NRC in their fuel
6 qualification design report that they publish in
7 previous years. It is recognized by NRC ongoing
8 research program that we have a description of which
9 is in the Department of Record, it describes the
10 several major areas of the fuels we've collected our
11 information on these effective uses. So while we do
12 not have application at this time in the industry to
13 respond to whether the use of MOX reactors there are
14 things that are ongoing within the agency to address
15 this.

16 MARY OLSON: (**Speaks without a microphone;**
17 **indiscernible.**)

18 ROBERT MARTIN: Are you talking about the
19 environmental impact of the fuel fabrication facility?

20 MARY OLSON: Weapons grade versus --

21 ROBERT MARTIN: That is something that Tim
22 --

23 TIM HARRIS: Mary, I'm sorry I thought
24 your question was directed towards on reactive use.
25 The impact of weapons grade plutonium has been put in

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1 an environmental report which has been provided to the
2 applicants. Estimation of those impacts that we are
3 doing and we are going to review that information and
4 then it will be specifically for the weapons grade
5 plutonium.

6 CHIP CAMERON: Okay. The third use
7 doesn't need any further clarifications on this. Why
8 don't you help me end the discussion of that. Do you
9 have a question?

10 SHERRY LORENZ: I would like to make a
11 comment.

12 CHIP CAMERON: Make it short, please.

13 SHERRY LORENZ: To the gentlemen from Duke
14 Power I did not expect anything less from you. You
15 are on Duke Power's payroll. And in Europe they do
16 not use the MOX --

17 CHIP CAMERON: Sherry, I don't want to get
18 involved in a debate between the audience, please.
19 Thank you. Thank you all for coming out tonight.
20 Thank your for questions and your comments, and I'll
21 have Bill Reamer, as our senior analyst official to
22 close the meeting.

23 BILL REAMER: Let me reiterate Chip's
24 thank yous for coming. Chip, thank you for another
25 excellent job tonight. Our goal here is ultimately is

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1 a environmental analysis, environment impact statement
2 that adequately addresses the impacts of this proposal
3 that considers a reasonable scope for alternatives and
4 those impacts. We really need the help of everyone in
5 this room to get there. That is why we had the
6 meeting tonight that is why we will have meetings in
7 the spring, hopefully, next summer we will produce the
8 document that we all agree meets with success. There
9 was another objective tonight which I think was to
10 continue our dialogue between the NRC and the people
11 in this room. It is important for you to understand
12 our role, it is important for us to understand your
13 concerns. I think that if you could take away tonight
14 is to do your best to understand what our role is in
15 the project, because if you can understand that we can
16 understand your concerns. We have really the best
17 chances for success here, cooperating together to get
18 that objective which I said is our objective which a
19 full and fair assessment of the impacts of this
20 project. I too was concerned about the comments
21 people made about the notices for the meeting. I know
22 that everyone here came because they thought it was
23 important to be here. I don't think anyone should
24 feel that that importance is less because there aren't
25 a lot of people here. But if we can contribute in

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1 some way to at least do a better job so that there are
2 more people who really are concerned about this will
3 know about the opportunities to come I would like to
4 do that. Several people have tonight said if there --
5 ideas that you want to give us, the public feedback
6 forms are a way to do it. I would like to see us in
7 a meeting next year and hand you our handout or do a
8 slide stating exactly what we did. The public notices
9 of meetings in advance to try to get the most opinions
10 that we can get. Some of you will be here at that
11 meeting the next time and you may have some comments
12 on that and if we keep working at this we will have
13 everyone here who really cares enough to come. So
14 again, thanks very much. I look forward to our next
15 meeting with you. I hope you will be here as well.

16 CHIP CAMERON: Thank you.

17 (WHEREUPON, the meeting was concluded.)
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19
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21
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