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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION
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PUBLIC WORKSHOP ON LICENSE RENEWAL
+ + + + +
WEDNESDAY,
OCTOBER 23, 2002
+ + + + +
ROCKVILLE, MARYLAND
+ + + + +

The workshop was held at 9:00 a.m. in the auditorium of the Nuclear Regulatory Commission, Two White Flint North, 11545 Rockville Pike, Alan Nelson of NEI moderating.

PRESENTERS:

ALAN NELSON	NEI
JENNIFER DAVIS	NRC
RICH EMCH	NRC
FRANK GILLESPIE	NRC
PT KUO	NRC
TOMY NAZARIO	NRC
BOB PALLA	BRC
KAREN PATTERSON	Tetra Tech NUS Inc.
JOHN TAPPERT	NRC

I-N-D-E-X

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

9:02 a.m.

MR. GILLESPIE: If we can get everyone to sit down. I'm not even going to wait to be introduced because I met everyone yesterday. But just in case I didn't, my name's Frank Gillespie. I'm with NRR. I'm in the Division of Regulatory Improvement Programs.

My job is to stir the pot and be the entertainment for opening up while everyone's sitting down and opening their notebooks. Was pretty much everyone here today -- here yesterday that is here today?

Yes? No?

(Chorus of "Yes's")

MR. GILLESPIE: Yes? Okay. So we'll get through this pretty quickly. Today you're talking about a program that I wish the program we talked about yesterday could meet with the same level of success and coordination.

If the program is running pretty smoothly, that doesn't mean we don't have differences, but it's a program where I think between the industry and the NRC we've managed to keep the generic fight, if you would, in the generic venue, and the plan-specific applications current with the requirements of today

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1 and the expectations of when it gets submitted.

2 That's something we need to achieve on the
3 safety side of the house. So, for the environmental
4 people that are here, you should feel good that your
5 half is probably working a little better than the
6 other half.

7 What I mean by that is the severe accident
8 stuff, there was a petition for rule-making, those
9 questions of things that you obviously don't like. You
10 think the level of detail we're asking for is too
11 much.

12 We're fighting about in the right forum,
13 in the generic forum, and the individual submissions
14 are first-class, which is allowing the staff to stay
15 on schedule.

16 Staying on schedule is a challenge because
17 we've got ten of these reviews going in-house, and
18 they're all managed and completed within the same
19 group and the same section, in John Tappert's group.

20 When the next three come in, and we
21 potentially have 14 or 15, that's going to be the few
22 that are really going to stress his group, so staying
23 on schedule will be a challenge.

24 John gave me a note and he said, "Don't
25 promise to be ahead of schedule, whatever you do." So

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1 I'm not, but I think maintaining the schedule and
2 stability is probably more important than promising
3 anything that may or may not happen.

4 So with that I do congratulate you for the
5 success you've achieved and suggest that for the
6 licensing managers and the team leaders for different
7 utilities who might be here who are not single-unit
8 sites, but who are going to go on site to site to site
9 to site, think about some of the successes in managing
10 and interfacing with the Agency we're having in the
11 environmental area, which is going very, very well,
12 and yet we can still disagree in the right forums.

13 It's forums like this, the generic forums.
14 How do we apply some of those same principles to the
15 safety side to make that, which has still kind of got
16 some real rough spots in it, that we're going to
17 smooth out.

18 Both programs are successful and we're
19 making them better. So it's not that anything's
20 broken, but we've got some more work on the safety
21 side of the house to do to reach the same level, I
22 think, of interface on this side.

23 So with that I was supposed to say
24 congratulations on doing such a good job. Any
25 lingering questions from yesterday? We kind of went

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1 about 15 minutes over. PT's going to do a final wrap-
2 up, I guess the end of today, which is a little
3 earlier than yesterday, but does anyone have anything
4 they'd like to kind of blurt out?

5 Don't feel bashful. This is the time to do
6 it. No? We're that good? Okay. So thank you, have a
7 good meeting today. Don't do anything to break what's
8 working. Only do something to fix what's broken.

9 With that, Alan are you going to at least
10 welcome everybody? Okay, thank you.

11 MR. NELSON: Thanks, Frank. I'd like to
12 welcome everybody on behalf of the industry and NEI.
13 We had a great day yesterday I think. A lot of good
14 exchange of information and some new level of interest
15 in developing a license renewal application format.
16 We're going to continue along those lines.

17 Yesterday I provided some welcoming
18 remarks, and I said that I'll come back and be your
19 facilitator, but I said that I was no Chip Cameron so
20 I wasn't sure how well I could do.

21 But lo and behold, we have the actual Chip
22 Cameron here today. So, he'll be poking me if I'm not
23 moving it along and assuring the level of interest is
24 spurred on, especially in this area.

25 So -- and one thing Chip said to me when

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1 we were at Peach Bottom, "Boy, that's a tough act to
2 follow." So I'm going to let him follow me this time
3 instead of me following someone interested in letting
4 people know about Peach Bottom and their environmental
5 impact there.

6 Enough said about that. I think the -- As
7 I said yesterday, as a lead-in from yesterday Frank,
8 I think the issue -- one of the larger issues from the
9 industry is the fact that there are about 20 to 30
10 reviewers per application.

11 Finding consistency, not only in the
12 application from our side, and that's where we're
13 challenged by the industry, to provide an application
14 that has two parts. One that meets a format, but also
15 has a consistency of quality in that application.

16 So it's really two things that we're
17 striving for. From an industry point of view, it's up
18 to each licensee to provide the quality in that
19 application.

20 What we're looking for in the NRC is to
21 assure consistency among those 20 to 30 reviewers as
22 they proceed through the review of that application.
23 With that, I certainly want to, again, welcome you all
24 and appreciate the effort that everybody has brought
25 to this.

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1 Setting up the workshop with us, and the
2 communication that we've had during the workshop, as
3 well as offline, and sometimes that's even more
4 important than some of the presentations that we have,
5 to engage and communicate.

6 I think I'll turn it over to John, I
7 guess, and we'll do some introductions around the
8 table. Maybe this time instead of just around the
9 table we can go through the whole room so that we can
10 know who's here and who they represent and so forth.

11 Okay? Thank you very much, I appreciate
12 it.

13 MR. TAPPERT: Okay, thanks Alan. My name's
14 John Tappert, and I'm the Section Chief for the
15 Environmental Section. We're the other part of license
16 renewal.

17 We don't have as many columns in our
18 tables, but I think we're an important part of the
19 process. In the environmental group, we're very proud
20 of the work that we do, and in general we think we're
21 on the same page with the industry.

22 But we also know that the way we do our
23 environmental impact statements is not the only way,
24 and perhaps not even the best way, which brings us to
25 the purpose of today's meeting, as an open exchange

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1 between us and our stakeholders about the lessons that
2 we've learned in license renewal process to date.

3 We have mostly environmental section here
4 today, and I'm hoping we can have an open and fruitful
5 exchange of information on these topics. Which brings
6 us to the agenda today.

7 We're just going to -- We have a couple of
8 brief presentations to start off with, which will set
9 the general context for our environmental reviews, and
10 then we have the more substantive discussion later on.

11 Does anyone want to add anything to the
12 agenda that we have right now? I got a phone call
13 earlier in the week from a gentleman who wanted to
14 discuss refurbishment and replacement issues, so we're
15 going to have a couple of remarks on that as well.

16 But if there's any other additions you can
17 raise them now, or we can just bring them up in the
18 general forum later. Well, that's about it. Alvin has
19 a few general, administrative remarks.

20 MR. HENRY: Hi, I'm Alvin Henry. I'm
21 Project Manager on the safety side of License Renewal.
22 I just want to let you know that for security purposes
23 you're going to have to be escorted upstairs after the
24 meeting's over.

25 So just find an NRC employee, or we'll

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1 gather you all up and take you up in groups. The
2 bathrooms are located outside in the lobby against the
3 far wall.

4 Upstairs, if you need to take a break,
5 there's two cafeterias and a convenience store for you
6 to get coffee and tea, or snacks, cookies. Also, on
7 the table outside is NRC Form 659. It's the public
8 feedback form, and we'd appreciate you filling out
9 your comments and letting us know how we did today and
10 yesterday.

11 Now we'd like to go around the room and
12 have everyone introduce themselves and their
13 affiliation. Also, before we do that, this is a
14 Category Three meeting, meaning the public is invited
15 to participate in these meetings by providing comments
16 and asking questions throughout the meeting.

17 The speakers will ask you each time or you
18 can just come to a microphone. Now, let's go around
19 the room and introduce ourselves.

20 MR. GREBEL: Terry Grebel, Diablo Canyon.

21 MR. WOODLIN: Don Woodlin, representing
22 Integrate Regulatory Affairs Group, or STARS.

23 MR. ANSELME: Todd Anselme, Wolf Creek.

24 MR. HOWEY: Neill Howey, state of Illinois.

25 MR. MEYER: John Meyer, TXU Energy.

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1 MR. WILFERD: Rodney Wilferd, Palo Verde.
2 Ms. PATTERSON: Karen Patterson, Tetra Tech
3 NUS.
4 MR. GALLAGHER: Rich Gallagher, Millstone.
5 MR. WATSON: Bill Watson, Dominion.
6 MR. THICKMAN: Stu Thickman, Dominion.
7 MR. SOMER: Steve Somer, Summer Station
8 MR. PAGLIA: Al Paglia, V.C. Summers.
9 MR. FIELDS: Jerry Fields, PPL Susquehanna.
10 MR. JOHNSON: Doug Johnson, NMC.
11 MR. COX: Alan Cox, Entergy.
12 MR. RUMBIER: Richard Rumbier, D.C. Cook.
13 MR. FRIDRICHSEN: Jan Fridrichsen, Southern
14 Nuclear.
15 MR. ADKINS: Gary Adkins, TVA.
16 MR. MEYER: Charlie Meyer, Westinghouse.
17 MR. NEWTON: Roger Newton, NMC.
18 MR. KNORR: Jim Knorr, NMC.
19 MR. HERRICK: George Herrick, Ginna
20 Station.
21 MR. WROBEL: George Wrobel, Pacific Gas and
22 Electric.
23 MR. BURKE: Patrick Burke, NMC.
24 MR. PAIRITZ: Joe Pairitz, NMC.
25 MR. SO: Dominic So, NMC.

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1 MR. MASNIK: Mike Masnik, NRC Environmental
2 Section.

3 MR. LEE: Sam Lee, NRC, License Renewal
4 Section.

5 MR. KUO: PT Kuo, NRC License Renewal and
6 Environmental Impact.

7 MR. ANAND: Raj Anand, License Renewal.

8 MR. NAZARIO: Tomy Nazario, Environmental
9 Section.

10 MS. DAVIS: Jennifer Davis, Environmental
11 Section.

12 MR. ZALCMAN: Barry Zalcmán, Environmental
13 Staff.

14 MR. TAPPERT: John Tappert, NRR.

15 MR. EMCH: Rich Emch, Environmental Staff.

16 MR. CAMERON: Chip Cameron, Office of
17 General Counsel, NRC.

18 MR. NELSON: Alan Nelson, NEI.

19 MR. HENRY: Thank you very much. The back
20 row, if they could?

21 MR. O'NEILL: R.D. O'Neill, from Winston
22 and Strawn.

23 MR. BURGESS: I'm Dan Burgess, with In-
24 Service Engineering.

25 MR. WALBERG: Lewis Walberg, Entergy.

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1 MR. STRUTH: Mike Struth with Entergy.

2 MR. NAVARRO: Carlos Navarro.

3 MR. RICHARDSON: Colby Richardson,
4 Westinghouse.

5 MR. LOCKE: Dave Locke, Entergy.

6 MR. HENRY: Did we forget anyone?

7 Thank you. There are some seats up here if
8 anyone wants to take them among the tables. Also, I
9 just want to ask again if anyone has any opening
10 remarks from the audience?

11 Okay. To remind everyone, when they make
12 a comment, please state your name and your affiliation
13 for the court reporter. It'll make her job easier.
14 With that, I'd like to introduce our first speaker,
15 Tomy Nazario.

16 MR. NAZARIO: Good morning everyone. My
17 name is Tomy Nazario. I am in the Office of Nuclear
18 Reactor Regulations, currently in the License Renewal
19 and Environmental Section. I'm currently working in
20 the H.B. Robinson License Renewal Project.

21 I'm going to spend the next ten minutes
22 pretty much discussing the environmental review
23 process. The National Environmental Policy Act, also
24 known as NEPA, was enacted in 1969 and requires
25 federal agency to use a systematic approach to

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1 consider environmental impacts.

2 This is a disclosure tool that involves
3 the public. Information is gathered to enable federal
4 agencies to make informed decisions. We then document
5 that information, and this provides us with
6 environmental impact statements, also known as EIS.

7 The environmental impact statement is
8 required for major federal actions significantly
9 affecting the quality of the human environment. The
10 Commission has determined that a supplement to the
11 generic environmental impact statement for license
12 renewal of nuclear plants will be prepared for a
13 license renewal application.

14 We also consider environmental impacts of
15 alternatives to the proposed action, including the no-
16 action alternative. Now, what this means is that we
17 make this decision not approving request and impacts
18 of constructing and operating non-nuclear facilities.

19 The decision for the standard review
20 plant. This slide describes the objective of the
21 decision for the environmental review. Basically what
22 it means is that the staff is trying to determine
23 whether or not the adverse environmental impacts of
24 license renewal for a specific plant are so great that
25 preserving the option of license renewal for energy-

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1 planning decision-makers would be unreasonable.

2 This is a lot of words, but pretty much
3 summing it up, what it means is that we're trying to
4 determine whether or not renewing the plant's license
5 for an additional 20 years is acceptable from an
6 environmental standpoint.

7 I want to emphasize, though, that the NRC
8 does not determine whether or not the plant continues
9 to operate for an additional 20 years. This decision
10 is taken by licensee, or the applicant in this case,
11 or is also regulated by state regulators.

12 Nevertheless, licensee may determine,
13 after all this procedure, that it is not economically
14 feasible to operate a plant for an additional 20
15 years.

16 This slide gives an overview of the
17 environmental review process that we work on in our
18 environmental section. First we receive the
19 application submittal by the licensee.

20 Then we issue notice of intent for the
21 scoping process, which this involves public
22 participation. After which, we carry out an
23 environmental review site audit.

24 The staff then enters a data-gathering
25 process, which includes RAIs, also known as Requests

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1 for Additional Information, and then with this
2 information we prepare a draft supplemental
3 environmental impact statement, which is then issued
4 for public comment.

5 Once that public comment is received and
6 evaluated, we submit a final supplemental
7 environmental impact statement. Next slide, please.
8 Now, our information-gathering process consists of
9 various inputs, or various sources of information.

10 Amongst these are included license renewal
11 application, as I had already mentioned, public
12 comments, and these may include concerns provided by
13 the public, because they are the ones that are aware
14 of the situation that's going on in their local
15 community.

16 Social services, which include hospitals,
17 public transportation, other public services that
18 pertain to each individual site. Permitting
19 authorities, and these may include the state
20 Department of Natural Resources, the state
21 Environmental Protection Agencies, which, as you know,
22 vary from state to state.

23 State and local agencies, and we usually
24 interview or talk to state and local agencies to
25 gather what their input is, and staff site audit, and

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1 this is pretty much staff's visit to the site.

2 We do this to become familiar with the lay
3 of the land, different properties or features that the
4 land may have from an environmental standpoint. Next
5 slide, please.

6 This pretty much sums up my presentation
7 on environmental impact statements. If you have any
8 questions or concerns, please feel free to ask at this
9 moment.

10 All right. Thank you very much. I'm going
11 to leave you with Jennifer Davis.

12 MS. DAVIS: Good morning. My name is
13 Jennifer Davis. I'm a general scientist working in the
14 Office of License Renewal and Environmental Impacts
15 programs. Today I will be talking about the purpose
16 and format of our public meetings.

17 First slide please? The purpose of our
18 meetings is to inform and solicit input from the
19 public. Next slide please. We have two types of public
20 meetings.

21 First is the scoping meeting, which is
22 held in conjunction with our site audits. The purpose
23 of this meeting is to inform the public that the NRC
24 is gathering information to prepare an environmental
25 assessment for this particular plant that is going

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1 through the license renewal process.

2 This is a forum for public, state and
3 other federal agencies to add issues and information
4 to the NRC staff for inclusion with our environmental
5 assessment.

6 The second type of meeting that we have is
7 the DSEIS meeting. DSEIS is short for Draft
8 Supplemental Environmental Impact Statement. This
9 meeting is held -- we have gone through, produced the
10 draft and this is held up there for public comment on
11 the draft itself.

12 Both meetings are Category Three, which
13 means full public involvement. Next slide, please?
14 Both meetings are held within the locals where the
15 plants are located.

16 We have several ways of notifying the
17 public about upcoming meetings. First, we issue a
18 notice within the Federal Register. We also issue a
19 meeting notice, as well as an NRC press release, which
20 goes through our office of public affairs, and it
21 depends on what region your plant is located in.

22 We also advertise in local papers. It goes
23 for both local and regional papers to get a good
24 coverage. We also distribute flyers that are posted
25 throughout the local surrounding the power plants

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1 themselves.

2 Also, the facilitator may contact within
3 the area who may have an interest. Next slide, please?
4 Our typical meeting format. All meetings are preceded
5 by a one-hour open house. This gives a chance for the
6 NRC to have a one-on-one exchange with the public.

7 We also have licensee members present. We
8 also encourage -- or, well, members of the public are
9 welcome as well as the licensee to put up a display
10 and whatnot.

11 We also have registration that goes on at
12 this time. A poster session with NRC hand-outs that
13 the public is free to pick up. We have two transcribed
14 public meetings. We have an afternoon and evening
15 session to be more accommodating to the public.

16 Next slide, please. This is a typical
17 agenda that we have for each meeting. A welcome and
18 purpose area for the facilitator. We have an overall
19 review of the license renewal process, which is
20 usually given by the Section Chief and the Safety PM.

21 We have an overview of the environmental
22 license renewal process given by the environmental
23 project manager. Then we have the public comment
24 section, where members of the public who have
25 registered to speak are allowed to do so at this time.

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1 The licensee or applicant, in this case,
2 may also speak. We also have the closing, where we
3 talk about the availability of transcripts. Usually
4 they're available through ADAMS, on our NRC website.
5 ADAMS stands for Agency-wide Documents Access and
6 Management System.

7 Next slide, please. We've received several
8 types of comments, mainly issues on threatened and
9 endangered species, terrestrial and aquatic ecology,
10 land and water use.

11 A big area is alternate power sources,
12 especially wind and solar when we have various
13 interest groups show up. Socioeconomics, especially
14 tax impacts to the local economy.

15 Other issues that do come up are mostly
16 based on current events, such as Davis Besse, the
17 Tooth Fairy study, and whatnot. Especially within
18 recent months sabotage has come up quite often.

19 Next slide, please? What do we do with
20 these comments? After the scoping meeting, we have a
21 scoping summary report that comes out. It lists all
22 the issues that were brought up at the meeting, and
23 they will -- issues that came up addressed at the
24 public meeting and we indicate which ones are
25 considered within scope and out of scope of the

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1 environmental review process.

2 Binning is a way of categorizing each
3 comment by subject, that will be answered within the
4 DSEIS or FSEIS. Out of scope comments are generally
5 referred to the appropriate NRC group.

6 You may ask, "What impacts do these public
7 meetings have on a review?"

8 We do receive issues and information which
9 have to be further answered within the draft or final
10 SEIS. Also, it does give us insight to how people
11 locally feel about the power plant. Thank you.

12 MR. TAPPERT: Does anybody have any
13 questions? Comments?

14 MR. NELSON: Yes, I have a couple of
15 questions, just to -- and it might be more pointed to
16 Chip. I'll just throw out the question, see where it
17 falls.

18 How do you focus or look to reach out for
19 groups? I know you put it in the Federal Register, and
20 then you go out and search for other interested groups
21 that might be interested in it.

22 How does that come about? Do you
23 personally call people up, or groups up, and do that?
24 I'd just like to get a better understanding of that
25 process, with regard to public meetings.

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1 MR. CAMERON: We identify particular
2 groups, and I'm going to use "groups" to describe not
3 only concerned citizens activist groups, but also
4 local chamber of commerce people, homeowners'
5 associations.

6 In other words, the broad spectrum of
7 people and organizations that might be concerned or
8 interested about license renewal. But the way we
9 identify them is first of all through discussions with
10 licensee staff, with NRC regional staff, with the NRC
11 staff who is charged with overseeing the operation of
12 that particular plant.

13 That's one thing that we do. We also rely
14 on past experience with various groups who have been
15 interested in NRC issues, generally, who might be in
16 the locality or the region where that particular
17 facility operates.

18 If those two methods don't really get you
19 what you need, then sometimes doing internet research,
20 for example, on a particular community to find out who
21 the groups are that are active in terms of
22 environmental issues would be another way to do it.

23 Then, depending on what that profile looks
24 like from those sources, I decide who should be
25 personally contacted about the meeting, to not only

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1 make sure that they know about the meeting, but more
2 importantly to find out what their issues are and what
3 their, let me use the term "style" is, so that we know
4 what to expect at the meeting.

5 To know what types of staff expertise that
6 we need to have there. For example, if we know that
7 there's going to be people there from the Tooth Fairy
8 Project, then we might want to make sure that we have
9 an added contingent of health physicists there to be
10 able to address those particular issues.

11 Does that cover --

12 MR. NELSON: Yes. What is the timing of it?
13 I mean, do you do it a couple of months before the
14 notice goes in the Federal Register? What's the
15 sequence of time?

16 MR. CAMERON: Well, usually we want to wait
17 until at least there's some notice of the meeting out
18 there, but you really need to look at giving people as
19 much advance notice as possible.

20 I know that that can be a sensitive issue
21 in terms of when people are alerted in the community,
22 but I think the bottom line for us is to be able to
23 notify people in enough time so that they have a
24 chance to prepare for the meeting, perhaps tell other
25 people in their organizations.

1 For the meeting, for example, that's
2 coming up at Ginna, the scoping meeting, we started --
3 I started -- I shouldn't try to implicate my
4 colleagues in this -- I started calling people the
5 week before last.

6 So it was approximately -- it was within
7 30 days of it.

8 MR. ZALCMAN: Alan, this is Barry Zalcman.
9 If I can add a little. Chip is telling you his
10 perspective as a facilitator for those meetings, but
11 you do need to realize that the NRC Environmental
12 Project Managers around the field very early in the
13 process begin an inter-governmental dialogue
14 explaining the purpose and need and objectives of our
15 undertaking, and what is likely to be forthcoming in
16 the months ahead.

17 So that discussion actually begins very
18 early as the application first arrives in the Agency.
19 What you have is a facilitator making sure that the
20 groundwork that is needed to have an effective public
21 meeting contemporaneously is additional work that is
22 done.

23 Be forewarned that the Environmental
24 Project Manager goes out very early, there's a scout
25 trip to make sure that we have a good understanding of

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1 the lay of the land, and who the participants are
2 going to be, at least at a governmental level, and
3 what kind of interests they anticipate as well.

4 MR. CAMERON: And I can address a great
5 comment that Barry made, because I want to emphasize,
6 as Jennifer did in her remarks, that there's many
7 different ways that notice is given.

8 Often, if the staff wants to locate the
9 best facility to have a meeting in a particular
10 community, the staff is out there very early, often
11 talking, for example, to the mayor of the community to
12 find out if their town hall or whatever is available.

13 So Barry's remarks are right on.

14 MR. MASNIK: And I think also, as Jennifer
15 mentioned, we distribute flyers in the community.
16 There's typically a press release. There is the
17 Federal Register notice. There are newspaper ads that
18 we typically issue for two or three papers in the
19 area.

20 Then we also put out a meeting notice,
21 which includes people on the service list. So in
22 addition to these others, we also have other ways to
23 contact people.

24 MR. NELSON: Thank you. I think that --
25 just to change the topic a little. I have a couple of

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1 more questions, just to -- I think that Turkey Point
2 was the first one you did the open house.

3 I'm just looking back, I think it's
4 matured since that time, and I tended to want a Peach
5 Bottom. I was just wondering how it has, in your eyes,
6 how it has matured and has it met the expectations
7 that you intended it to do.

8 To bring in people early, to ask them --
9 have them ask questions that maybe they didn't want to
10 ask in a public forum. How has that resulted in your
11 mind that the lessons learned?

12 Will you be continuing that throughout the
13 process as we go forward?

14 MR. TAPPERT: From our standpoint, I think
15 it's been very successful. Many times in our public
16 meetings it's just kind of a canned format. Sometimes
17 the discussion's a little sterile, and people may feel
18 inhibited in asking some questions.

19 Whereas in this open house we have some
20 posters, we have some informational material, and we
21 can let the staff go out and talk to the public and
22 interested stakeholders in a one-on-one format.

23 We find, particularly for people who may
24 not be well-informed on the issues, it's an excellent
25 opportunity to explain what we do and why we do it in

1 a way that perhaps we can't communicate effectively in
2 a public meeting.

3 So, I think it's been a good initiative.
4 I know there were some initial concerns on some of the
5 applicants' parts, but I think, at least in the recent
6 ones I haven't heard any of those.

7 We'd be interested to get any feedback
8 from future applicants or applicants right now what
9 their perception of it has been. At least from the
10 NRC's side, we think they're very successful.

11 MR. NELSON: Any thoughts from licensees on
12 how they've worked out? I thought the one that I
13 attended was engaging. Of course, it does leave the --
14 often provides an avenue for the press to expand on a
15 number of issues that may not even be related to the
16 environmental impact, and gives them a platform to
17 make public other issues of concern.

18 MR. CAMERON: Yes, I guess I would -- I'm
19 glad you've offered the view, Alan, that you found it
20 engaging, because I think that emphasizes a point that
21 it's not just an open house for the NRC staff to talk
22 to people, but also for licensee staff to talk to the
23 public, also.

24 From my observations, that usually
25 happens. It serves as a nice ice-breaker, so to speak,

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1 before jumping right into the meeting. I think the
2 press issue, at least in my opinion, is a little bit
3 of a red herring in the sense that if people have a
4 platform, and if they want to get to the press,
5 they're going to get to the press at that meeting,
6 regardless of whether there's an open house or not.

7 Often, if there's not that time period,
8 that space, to do what they need to do then it can be
9 disruptive to the meeting. So I think actually it may
10 facilitate getting that done and getting it out of the
11 way.

12 If you have people who have agendas going
13 to the press outside of a forum where there are
14 licensee representatives, NRC representatives at the
15 same meeting, then often you don't get other sides to
16 the story.

17 Because I know when the press does
18 interviews at the open house for the license renewal
19 meetings is that they have everybody available, and
20 they specifically go to the NRC, and I believe also
21 the licensee representatives for their views on it.

22 Now whether what actually gets in the
23 paper is going to be a balanced viewpoint, you know,
24 that's I guess in the hands of God or someone.

25 MR. NELSON: That's the luck of the draw.

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1 MR. CAMERON: Right.

2 MS. PATTERSON: Alan, can I just make a
3 comment?

4 MR. NELSON: Sure, please Karen.

5 MS. PATTERSON: I'm Karen Patterson from
6 Tetra Tech. I live in Aiken, South Carolina, so I come
7 from the Savannah River site, a permanent energy site.
8 I do a lot of public participation as the public
9 participant at Savannah River.

10 They do the same kind of information
11 meetings that NRC does, and speaking as a member of
12 the public, sometimes you come to these meetings and
13 the people, NRC and the applicant are so involved in
14 the process that you're completely confused as to what
15 they're talking about.

16 So sometimes I think we would be more
17 effective if we stepped outside and tried to approach
18 it as, 'What would an interested member of the
19 community really need to know?'

20 Rather than, you know, we throw all these
21 acronyms at them and we tell them about scoping and we
22 talk about that and they're like, 'Why am I here?'

23 You know? So sometimes I think we -- for
24 people who are involved in the process, the
25 information meeting is really good. But for people who

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1 just come in, saw the flier and come in, we may be
2 doing them a disservice, because they're lost.

3 MR. NELSON: There are two examples, I
4 guess, that I think come to mind for me. Of course,
5 you're always going to get a question on radiological
6 exposure or something to that nature.

7 I thought that an added poster that says,
8 'This is the environmental limit. This is what you get
9 from an airplane.'

10 One chart that builds on that could just
11 settle a lot of discussion, because then it puts the
12 plant in perspective with even background, everyday
13 existence, airplane, living in Colorado, you know that
14 kind of age-old comparison.

15 Another thought that I had was that -- and
16 picking up what Karen was saying -- is there were
17 people challenging the regulatory limits that are set,
18 and I don't think they understood that as experts, the
19 limits are set in which to evaluate the plant against
20 those limits.

21 And they're there arguing where those
22 limits are, but in fact you're experts, and you are
23 seeing that the plant adheres to those limits. I think
24 that in some way there's some confusion of where the
25 limits are and how you calibrate to those.

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1 MR. CAMERON: I guess I would -- From a
2 facilitator's standpoint, I always support the staff
3 in suggestions on how this information can be
4 presented more clearly, because I always cringe
5 internally when I hear something that --

6 And part of my job is to make sure that
7 the information is presented as clearly as possible,
8 and I know the staff over the experience of license
9 renewal has really tried to work on how better to do
10 that.

11 But you still have statements -- this is
12 my favorite one, and I think it came up at Peach
13 Bottom and a couple of other recent plants, and I'll
14 ask John to help me be more explicit on this.

15 There was a statement in the draft
16 environmental impact statement about this would cause
17 X number of -- 12 deaths, okay. So people at the Peach
18 Bottom meeting, if you remember Alan, and that was the
19 hard act you had to follow, they got up and said,
20 "Well that's like saying that I'm going to have a --
21 " you know, and this is not the best time in the world
22 to be talking about this, I guess, but the statement
23 was, "I'm going to get up and I'm going to shoot 12
24 people in this audience."

25 Okay, and that's the way that the citizen

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1 group community came back with that, and it was such
2 a difficult concept, statistical concept to try to
3 explain that I'm not sure that we ever really did a
4 good job on it.

5 John, you might want to -- I mean,
6 anything that we can do to try to simplify things and
7 explain these concepts better is better for everybody.

8 MR. TAPPERT: Yes, and that's one of our
9 challenges. That has come up a couple of times, and
10 we're still working on the best response to that. It's
11 with the fuel cycle, and the issue there is there's
12 very, very small doses, which is spread out over a
13 very large population of the United States, and when
14 they did the statistical analysis, they came up with
15 12 deaths over the next 100 years, I think is what the
16 number was.

17 Then, but people see, you know, "deaths",
18 "nuclear power", it's, you know, these are our
19 neighbors, these are our children. It's a tough
20 concept to communicate sometimes.

21 I mean, Karen, your point's well-taken.
22 It's hard for people who do this every day, and we're
23 trying to go out to people who may just have been
24 engaged that afternoon and try and explain what we do
25 in a meaningful manner.

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1 It's always a challenge, and we're always
2 looking for constructive feedback on that. Chip tries
3 to keep us honest. I'm sure we can try and do a better
4 job.

5 MR. MASNIK: I was just going to say, too,
6 that if you look at the transcripts from the meetings
7 from about a year and a half ago, we have tried to
8 simplify the presentation, so that it's more
9 understandable.

10 Getting away from constantly referring to
11 10 CFR and some of these other concepts which is
12 difficult for the average member of the public. But I
13 think there is still room for improvement in honing
14 the talks so that it's understandable to the average
15 member.

16 MR. ZALCMAN: This is Barry Zalcman. Karen,
17 I don't know if you've had the opportunity to come to
18 any of our public meetings where we --

19 MS. PATTERSON: Yes, I've gone to several.

20 MR. ZALCMAN: -- changed the format.

21 MS. PATTERSON: I'm sorry.

22 MR. ZALCMAN: When we originally started
23 the program, we wanted the public to have a very clear
24 understanding of what license renewal was, and the
25 role of the environmental review in that process.

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1 When the NRC has a public meeting, many of
2 the public think it's like a county council meeting
3 where it's a referendum and they're seeing public
4 input, "are you interested?", "are you in favor?"

5 This is not a referendum. NRC has
6 established a very clean, clear, circumscribed process
7 for conducting its review. Virtually -- I'm not going
8 to say all, but the overwhelming majority of the
9 comments that we receive from the public do not inform
10 the environmental review.

11 We understand that. But this represents a
12 wonderful opportunity as a platform for the public to
13 get engaged and provide us with their views, and if
14 there is a tidbit, if there is an important piece of
15 information that we haven't had the opportunity to
16 look at previously --

17 We think we did a very hard look in the
18 generic environmental impact statement, and we are
19 developing a site-specific supplement to that. If the
20 public can come up with something that really is
21 substantial, then we have a successful outcome.

22 The challenge that we had was when you
23 have a public meeting and you schedule it for two or
24 three hours, and the staff find itself presenting
25 material for an hour and a half, the pressure builds

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1 in the room.

2 Some people, and I venture to say that
3 virtually everybody in this room has some
4 understanding of why we're talking about license
5 renewal, but the public, the general public, does not.

6 The mechanism of using this open house, an
7 informal mechanism, where the individual before they
8 go into the public meeting can have some appreciation
9 of what license renewal is about, can then perhaps
10 focus their comments better.

11 Many times we've had individuals that
12 said, "Well, thank you very much. I don't have a
13 comment. I'm happy to sit in and listen."

14 Others said they saw a notice, didn't know
15 why the meeting was being held, the open house
16 provided that platform to give them the insight, and
17 the benefit of that is we've been able to reduce the
18 staff presentation and provide more time for public
19 engagement during the meeting itself.

20 We're very proud of the change in the
21 process. We think it has evolved. I think it has
22 matured. We even find our interactions with the
23 applicants during the open house is also beneficial.

24 So with that said, we understand the need
25 for the bureaucrat to have a human face on them. We

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1 need to understand the need for the public to be
2 unintimidated in providing information to the Agency.

3 The public meeting is not the only way to
4 do that. Some people would sit in on the meeting and
5 then go home and think about what they want to present
6 to the Agency.

7 So it is a change. I hope it has been a
8 beneficial change. I think the staff is comfortable
9 with the change. I think the expectation is we will
10 continue along these lines.

11 MS. PATTERSON: If I could just make one
12 more comment, just as an example. I think a lot of
13 people view a public meeting, an NRC-sponsored public
14 meeting, as their opportunity to talk about the plant.

15 They don't necessarily want to talk
16 license renewal, 'Okay it's a license renewal meeting,
17 I don't know what that means to me, but I have a
18 problem with the plant. I want to talk about it.'

19 So they come and they make their comment,
20 and correctly, if the comment is out of the realm of
21 license renewal, it goes to somebody else. But I don't
22 think NRC makes it really clear to them that this is
23 about license renewal.

24 We need those comments. We welcome other
25 comments, and somebody will get back to you on your

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1 comment, but you might not see it again in this
2 license renewal arena.

3 MR. ZALCMAN: I think we make that attempt
4 to point out that we're here to take anything that's
5 on their mind, but we have different venues where this
6 material may wind up. I think we share those --

7 MS. PATTERSON: In what -- Correct, and I
8 think that you are explaining it well to people who
9 understand the whole process, but for a member of the
10 public who comes in and wants to talk about the plant,
11 it just doesn't come across as clearly as I think it
12 could.

13 I know it's very difficult, and I'm not --
14 I don't have any answers for you, I'm just telling you
15 what I've observed.

16 MR. ZALCMAN: That is constructive
17 feedback, and I think Staff will be very sensitive to
18 that. We've got one upcoming in early November, and
19 we'll see if we can change the text just to make sure
20 the public clearly understands it.

21 MR. NELSON: I imagine that for you folks
22 that do these public meetings, and especially, you
23 know, one shoe may not fit all. Different audiences,
24 different perspectives, different localities bring in
25 different topics of interest.

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1 Being flexible to that focus, and knowing
2 that ahead of time certainly will be helpful. We're
3 not here to -- I think you've done a fine job in what
4 you're doing. We're just offering up some feedback in
5 some of the experiences we've seen as participating
6 and being part of some of those meetings, and
7 appreciate the efforts that you folks have put into
8 it.

9 I know that you take it seriously and have
10 worked toward honing in and polishing up the best
11 presentation that you can to offer the public, to get
12 the feedback that you seek.

13 I'd just like to -- Could you walk us
14 through, say, a binning of an issue. Say the Tooth
15 Fairy issue. You received that, I know you've had
16 experts at the meeting that would try to put the Tooth
17 Fairy issue in perspective for that person.

18 And by the way, from my own personal
19 experience, your public meetings, presentations,
20 workshops, et cetera, every attendee comes with some
21 sort of question, like you were saying Barry, or
22 seeking some information.

23 If they walk away and they haven't been
24 able to ask that question or at least have it answered
25 in some way whether they asked it or not, felt that

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1 the workshop or the public meeting didn't meet their
2 expectations.

3 So it's hard, often, to calibrate against
4 every individual's need that comes to these meetings.
5 I can appreciate the struggle you go through to meet
6 that need.

7 But let's just go back to the binning of,
8 say, the Tooth Fairy issue. You receive a comment.
9 Publicly, you had somebody there or have someone there
10 that may respond to that, an expert from that.

11 But now you have a comment on the record.
12 Now what do you do with it? How do you deal with it?

13 MR. MASNIK: Well, the binning activity
14 actually involves taking all the comments that we
15 receive and attempting to categorize them so that we
16 can respond to them.

17 Now with respect to the Tooth Fairy issue,
18 I think that rose to a slightly different level. There
19 was a number of inquiries in this, and in fact it
20 surfaced in a significant form in south Florida.

21 There were several months worth of media
22 coverage on this issue. So I think we recognize that
23 this was not something that we could probably dispose
24 of in a very short paragraph.

25 We took a slightly different tack with

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1 respect to Tooth Fairy in that we prepared a rather
2 lengthy and complete response to the question, and
3 actually sent it back to the researcher that raised
4 the issue.

5 But additionally placed a good bit of that
6 information in the final version of the SEIS for
7 Turkey Point. Since that time, the issue has come up,
8 I think, at Peach Bottom and at Fort Calhoun, and
9 again we've used the same information that we
10 developed in responding to it.

11 So I think -- that's a long answer to say
12 that depending on the issue and the level of public
13 concern, we may take different tacks in our response.

14 MR. ZALCMAN: Alan, this is Barry Zalcmán
15 again. If I could respond to the other point that you
16 were making, and that is the sense of satisfaction
17 that a member of the public may have that the Agency
18 was receptive to the comments raised, whether or not
19 we had successfully dispositioned a concern.

20 It may not occur with the scoping process,
21 just so that you understand. In scoping, the Agency is
22 seeking input and not entering into dialogue or
23 debate.

24 We're trying to understand if there is an
25 issue that perhaps the public may view needs to be

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1 included in the scope of our review. During the DSEIS
2 discussion, where they're trying to represent the work
3 of the Agency, and respond to public comment to help
4 inform them so if they want to make a detailed comment
5 on the record, either through the verbal presentation
6 at the meeting or through written form, that they have
7 a very clear understanding of what the basis was for
8 our work.

9 When we do have the meeting, if you track
10 what the staff is actually doing during the public
11 participation phase, we are identifying individuals
12 where it's apparent to some in the staff that perhaps
13 we didn't hit the mark directly.

14 So even after the meeting is over, the
15 staff then approaches members of the public just to
16 make sure that we've answered as fully and completely
17 as we could.

18 Perhaps not on the record, but oftentimes
19 we say, 'We will get back to you,' or, 'Somebody will
20 discuss this with you prior to departure.'

21 But that would put it back into the
22 informal mode. So I think we're really making the
23 extra step --- or taking that, just to make sure that
24 the individual who came to the meeting had a good
25 experience at the meeting, was able to access

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1 information, was able to approach the staff, was able
2 to get some questions answered, and perhaps not to
3 their satisfaction, but they understood that they had
4 a meaningful experience.

5 I think that's an important
6 characterization of what we're trying to get out of
7 these meetings. We're not there to make them happy.
8 Many people we will never make happy, but they do need
9 to understand what the Agency's mission is, and how we
10 are to accomplish our work, how licensees and
11 applicants fulfill their responsibility, and how we
12 fulfill ours.

13 MR. TAPPERT: That's a good point that
14 Barry makes, and we try to be as responsive to those
15 stakeholders on as many levels as we can, both in the
16 meeting and then, as Barry says, after the meeting.

17 The binning process is really more of the
18 formal disposition of comments, where we go back and
19 we address them either by changing the AIS or
20 otherwise dispositioning them.

21 But we don't just rely on that. We do try
22 to get back to them personally.

23 MR. NELSON: Are there any more questions?

24 Yes, please.

25 MR. FIELDS: Yes, I have a question for

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1 Jennifer. It's another sensitive issue. It deals with
2 socioeconomics, taxes in particular. Aside from the
3 economy right now, a lot of states like Pennsylvania
4 have deregulated their power industry.

5 Prior that deregulation, every utility
6 paid a certain amount of taxes and it went directly to
7 the local communities. But since then there have been
8 a lot of court cases, and we've had disagreements with
9 the local school boards, for example, as to how much
10 tax we should pay.

11 I'm just wondering how you are handling
12 that in the environmental impact statements?

13 MR. ZALCMAN: Let me try and react for
14 Jennifer. This is an evolving process. We understand
15 the deregulation of the power market is creating
16 influences in a number of areas as we perform our
17 regulatory responsibilities.

18 Circumstances are different from site to
19 site. The attempt to understand what the bases are and
20 what the particular circumstances are will try and
21 reveal that:

22 As we go through the evaluation process of
23 impacts, what would the impact be of this facility
24 shutting down under the no-action alternative, what
25 would be the impact of this facility continuing to

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1 operate and provide resources in the deregulated
2 environment, perhaps not.

3 Types of issues that you are raising in
4 Pennsylvania may not be the same in states that have
5 not pursue deregulation of the power market. So I
6 think the staff is trying to understand that and
7 represent the view as best we can.

8 But there are still utilities out there.
9 There will still be utilities out there for the
10 foreseeable future, and our regulatory framework is
11 attempting to be as robust as it can, not only to deal
12 with the utility environment and traditional return on
13 investment and tax-base situation, as well as in the
14 power-producer situation, where you have contracts to
15 produce power.

16 There may be some tax incentive, there may
17 not be some tax incentive, but each circumstance is,
18 in fact, going to be different. Now, this is evolving,
19 and as things change, we may talk a little later that
20 we have a commitment to revisit issues, present advice
21 on a periodic basis.

22 This may be one that may be entirely ripe,
23 emerging after the SEIS was issued. It may force us to
24 look at how we do our work, and may result in some
25 changes in the years to come.

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1 Our level of response, I don't think we're
2 going to get down into specifics unless there's a
3 specific circumstance that we have to deal with on the
4 specific application.

5 MR. FIELDS: Thank you.

6 MR. TAPPERT: But just going back to
7 Jenny's presentation. The point -- She was just trying
8 to characterize the typical comments that we receive
9 in these public meetings.

10 One of the most common ones we do receive
11 is from local officials, the county administrator or
12 who have you, makes a comment about how much the
13 utility means to the local economy, the tax base, and
14 what not.

15 So that was really the thrust of that.

16 MR. NELSON: There was another question.

17 Yes.

18 MR. CARLSON: Yes, John Carlson, Cook
19 Nuclear Plant. Do you make contact with the licensee
20 on a list of who you have contacted in the area for
21 the public meeting?

22 MR. CAMERON: Not as systematically as
23 perhaps we should. Usually when I talk to the licensee
24 representative and they give me some suggestions, I do
25 let them know if there's any issues that come up that

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1 they should be anticipating for the meeting.

2 Usually they know in a lot of cases who
3 they have asked to come to the meeting too from the
4 community, and I'll also touch base with those people
5 in terms of local government officials who have a
6 really busy schedule, trying to get them on to make
7 their comments at the beginning, at least, of the
8 comment session.

9 But usually if there's someone that the
10 licensee should know about who's coming to the
11 meeting, I do discuss that with them.

12 MR. CARLSON: If the staff has any
13 expertise or help they could be available for that
14 meeting. Is there a time period? Is there 30 days, 20
15 days, two weeks?

16 There's going to be -- the Tooth Fairy's
17 coming, we have nobody on staff that can respond to
18 that. I was just wondering if there was a formal
19 response, or if it's just --

20 MR. CAMERON: No, no, it isn't -- It's not
21 a formal process at all. At least the part -- Keep in
22 mind what Barry said before, and Jennifer, about all
23 the other ways that people are notified, and they're
24 asked to sign up to comment too.

25 So often the staff is getting those

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1 notifications, and they do routinely make that public
2 and share that, I think, with the licensee before the
3 meeting.

4 But my process is more -- is informal in
5 that regard. So I'll talk to the licensee, NRC staff,
6 get some suggestions. I'll usually touch base with the
7 licensee representative again after I've made contact.

8 MR. POLASKI: I'd like to comment on that
9 just a little bit. This is Fred Polaski from Exelon.
10 Just some recent experience from an applicant's
11 viewpoint.

12 I know in Peach Bottom, the issue -- The
13 Tooth Fairy Project came, and that came up fairly late
14 in the process. And though there was no formal
15 communications, there was a lot of communications
16 going on between us and the NRC.

17 In fact, we found out that the staff had
18 heard about a week before rumors of somebody coming
19 maybe, we weren't sure who. We get information
20 internally through one of our attorneys who had some
21 other contact through some other group.

22 And so I think if you set that
23 relationship up real well with your NRC Environmental
24 Project Manager, the communication just goes, because
25 it's everybody's benefit.

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1 So it doesn't need to be formal as long as
2 it's good communication and it's there.

3 MR. CAMERON: That's an excellent point.

4 MR. NELSON: I'd like to add on to Fred.
5 The industry is a partner in license renewal, the
6 applicant, the industry as a whole. Often, the utility
7 at large has outreach programs, visitor's centers, et
8 cetera that they work 365 days a year often, have home
9 pages where people can write in questions and so
10 forth.

11 So many of these questions that come up
12 even at the public meeting are questions that come in
13 day to day to the licensee. So we can certainly
14 appreciate the efforts that you guys go through in the
15 public forum to support this effort, and determine by
16 your binning process the effect it may have on the
17 impact statement.

18 I'd certainly like to thank you all for
19 the open and candid discussions. If there are any more
20 questions, we might entertain those. But I appreciate
21 the frankness that you've had with this dialogue.

22 I know that a number of licensees have
23 gone through the process, but there are also a number
24 of licensees that need to know more about this process
25 and looking forward to their own public meetings with

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1 you and they'll certainly be engaged with you in the
2 future.

3 Would it be okay if we took a ten-minute
4 break before -- unless John, you folks had some
5 closing remarks to this panel?

6 MR. EMCH: No, I think that's probably a
7 good idea, a short break. We were going to -- I wanted
8 to mention, the indication in the agenda is that when
9 we move to the next piece that Bob Palla and I were
10 going to open the discussions.

11 We're going to switch that around a little
12 bit. Karen, I think, has agreed -- she nodded a little
13 while ago -- that she's going to go first. The reason
14 we have to make this kind of change, an issue that is
15 near and dear to the SAMA process, the generic issue
16 189 is -- they're having a special meeting on that
17 this morning between research and NRR.

18 Palla is at that meeting and he's going to
19 be coming here just as quick as he can get here. So
20 we're going to switch things around a little bit. If
21 after Karen's through and we've had some discussion
22 about her stuff, if he's not here yet I'll do the
23 presentation for him.

24 That's the plan.

25 MR. NELSON: Okay.

1 MR. EMCH: Ten minutes?

2 MR. NELSON: Yes. Before we break, can I
3 just make one announcement. We're scheduled to bring
4 this session to closure around noon or thereabouts.
5 The Westinghouse Owners Group, in case you didn't
6 know, was meeting at NEI, and for those that are going
7 to be there want to realize that lunch will be served.

8 If the NRC and anybody else wants to come
9 they're welcome too, but it's not a public meeting.
10 I'm only kidding. So that will be at NEI this
11 afternoon.

12 Yes, Phil?

13 MR. RICHARDSON: The WOG and the BWOG.

14 MR. NELSON: You got it. The WOG and the
15 BWOG.

16 MS. PATTERSON: And let me just say that I
17 apologize, my presentation is not in the notebook, but
18 I brought 100 copies. They're out there on the table.
19 So if you want to pick up the presentation during the
20 break, then we won't have to break again when
21 everybody realizes they don't have it.

22 MR. NELSON: That would be great. So what
23 did we say, ten minutes. Twenty after ten, does that
24 make sense? Is that good?

25 MR. TAPPERT: I was thinking 10:15

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1 personally.

2 MR. NELSON: Okay. 10:15 then?

3 (Whereupon, the foregoing matter went off
4 the record at 10:08 a.m. and went back on the record
5 at 10:21 a.m.)

6 MR. NELSON: Can we get started? I know
7 we're waiting. Bob Palla has left the house, right?

8 Rich, you don't know if Bob is hovering
9 over somewhere, is he?

10 MR. EMCH: Just go ahead and start. We'll
11 be fine.

12 MR. NELSON: Okay. Let me introduce Karen
13 Patterson from Tetra Tech, to provide some industry
14 lessons learned and then we'll follow with either Rich
15 or Bob Palla on the SAMA issue.

16 Karen?

17 MS. PATTERSON: Thanks. I'm doubly
18 appreciative to Barry because he loaned me his
19 microphone. I'm a walker and a talker and he also
20 brought up the fact that this license renewal process
21 is evolutionary.

22 What I want to do today is go through some
23 of the lessons learned. Tetra Tech has done probably
24 20 environmental reports for license renewal and Carla
25 Logan, back in the back of the room, Constellation,

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1 has done the majority of the rest of them. So between
2 us we have a pretty good experience base for what goes
3 on in the environmental reports. And it is an
4 evolutionary process. Part of it is it just evolves
5 naturally and part of it is that things have happened.
6 Time passes and things happen.

7 The GEIS is now 8 years old or something.
8 The license renewal environmental report process is
9 four or five years old and things have happened and I
10 just want to give you kind of a synopsis of what Tetra
11 Tech has observed and in some cases how we think
12 things could be -- we could modify things to make it
13 work a little bit better.

14 Alan gave me a big lecture about
15 standardization this morning before this started and
16 so I'm a little hesitant to bring this up because this
17 is stuff that we have come up with in our license
18 renewal process that we think helps the applicant and
19 helps the NRC review, but it's certainly nothing that
20 anybody has to do.

21 The first one is because ownership of
22 these plants, particularly the deregulated plants have
23 changed so much and it's not simple anymore, if you
24 have a plant whose ownership has changed in the last
25 20 years or something, we've added a section to

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1 Chapter 1 which is just ownership. Usually, the
2 in-house lawyers have to write it because they're the
3 only ones who understand it, but we think, and
4 particularly if you have split your generating system
5 from your transmission system.

6 Another thing is NRC likes to see all of
7 the permits and registrations, operating licenses,
8 underground storage tank authorizations, all that kind
9 of stuff, so we have started to pull that together
10 into a package, a booklet that's available for
11 everybody to see. And it actually is a daunting task
12 because everybody knows that those -- we've got them
13 some place but finding them has been somewhat
14 difficult at some plants.

15 And finally, we like to put together what
16 we call a supplemental information document which
17 essentially all of the references that we use to write
18 the environmental report. It's good for several
19 reasons. One, it gives the reviewers and the
20 applicant the source that you -- the source where we
21 found the information.

22 The second thing is I have never yet done
23 an environmental report where all the sources agreed.
24 Somebody will say one environmental report says that
25 the plant was built in 1952 and the other one says it

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1 was built in 1954. Well, you've just got to pick one
2 and go with it, but it's good to know -- you've got
3 the one that you pick, so the person that reads the
4 other one says this can't be right and you can say
5 this says it is. Anyway.

6 The other thing we put in there is
7 calculation packages. This is not an engineering
8 calculation package. This is like how we calculate
9 the population density, how we do the electroshock
10 that kind of stuff, all those things that the
11 applicant needs, would need at hand during the review
12 process.

13 Next slide.

14 (Slide change.)

15 MS. PATTERSON: There are a couple of
16 things that people stub their toes on, particularly
17 early in the process and some of them are just purely
18 editorial. This one I would love to have this fixed
19 because the table, Table B1 says you need to look at
20 microbiological organisms if you have a cooling pond,
21 lake or canal or you discharge to a small river, which
22 means to me if any one of those criteria are true,
23 then you need to look at this.

24 However, in the GEIS they say cooling
25 ponds, lakes or canals and discharge to a small river

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1 and people have said but we don't have a lake that
2 discharges to a small river. Therefore, we don't need
3 to look at it and I think B1 is the right
4 interpretation, but you -- it causes people to stub
5 their toe and be a little confused about it.

6 Next slide.

7 (Slide change.)

8 MS. PATTERSON: Another thing that comes
9 up is when you look at the health effects of
10 microorganisms on workers. The GEIS seems to indicate
11 that it's just for plants that have condenser cooling
12 towers, but there's a lot of hot water at these plants
13 and it would seem to me that hot water is the criteria
14 for the micro organization go/no go thing, so it would
15 -- I think, Tetra Tech thinks that maybe if we broaden
16 the wording a little bit and include it in any kind of
17 where you have hot water, people exposed to hot water,
18 I'm not talking about discharge now. I'm talking
19 about in-plant kinds of things.

20 Next slide.

21 (Slide change.)

22 MS. PATTERSON: The GEIS has really good
23 extensive discussions of alternative power sources,
24 but time has passed and some of the discussions are no
25 longer current, particularly wind energy; solar energy

1 too, to some extent.

2 It's not appropriate any more to just
3 reference the GEIS. We, Tetra Tech, is doing a lot of
4 background work on wind stuff to keep up with it
5 because that seems to be going fast, but I think that
6 when, and I can't imagine that this was news to NRC,
7 when the GEIS gets updated, we need to reevaluate the
8 alternatives to power section and bring that up to
9 whatever is current at the time of the update.

10 Next slide.

11 (Slide change.)

12 MS. PATTERSON: Now we get into the stuff
13 that's a little bit more complex.

14 The Reg. Guide and the standard review
15 plan don't necessarily track the regulatory
16 requirements and what they ask for. This is not a bit
17 deal except that a lot of times you'll get reviewers
18 or people going down in the Reg. Guide saying this
19 needs to be in here and this needs to be in here and
20 this needs to be in here.

21 Our perspective on what goes in the
22 environmental report is just -- and I'll talk about
23 this a little bit later, but really what you're
24 focused on is analyzing your Category 2 issues. If
25 you put in things that are not relevant to Category 2

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1 issues that don't take you any place except to a dead
2 end, they don't take you to a Category 2 analysis, I
3 think you do -- it does a disservice twice. First,
4 you're like public and private recreational
5 facilities.

6 Those are just some of the things that the
7 Reg. Guide or the standard review plan says you should
8 put in your environmental report. They have nothing
9 to do with Category 2 issues. What that means is that
10 when you put the environmental report together and
11 when you put the EIS together, you spend additional
12 time and money collecting this information, which then
13 goes no place.

14 In addition, the reader and the reviewer
15 see this information and wonder why is it in here. It
16 takes them some place they don't need to go.

17 So I'm not suggesting that we change the
18 Reg. Guide at all. I'm just suggesting that we be a
19 little cognizant of evaluating the information that
20 the Reg. Guide suggests can go in a environmental
21 report and see if there really is good reason for it
22 to be in the environmental report. If not, don't put
23 it in and don't go down your check list and say this
24 is in it, this is in it, this is in it. Why isn't it
25 in the environmental report?

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1 Next slide:

2 (Slide change.)

3 MS. PATTERSON: This is one of those
4 things where deregulation has changed things. When
5 the GEIS was written, when the regs were written,
6 transmission lines were considered part of the
7 proposed -- they are connected action. The argument -
8 NEPA requires you not only to look at your proposed
9 action, but your connected action, any connected
10 actions.. Transmission lines are arguably a connected
11 action because with alpha lines you can't get the
12 power from the plant to the grid.

13 However, I'm sure there is an exception to
14 this, but most utilities now say regardless of what
15 happens to the plant, those lines will remain
16 energized, so there's also the argument that they're
17 really not a connected action. You could argue
18 they're not a connected action.. People previously
19 argue they were a connected action because they're the
20 lines that were built to connect the plant to the
21 grid.

22 I would prefer that we argue that they
23 were no longer connected actions because what you have
24 in a lot of instances in your deregulated states is
25 that the owner of the generating facility no longer

1 owns the transmission lines, so you put yourself in
2 kind of a Catch-22 position in that you have to --
3 there's three Category 2 issues that affect
4 transmission lines, threatened and endangered species,
5 culture resources and shock.

6 The applicant does the analysis on
7 transmission lines that they have no -- they don't
8 own, they don't control, they have connection with.
9 If they come up with an issue, then you have the
10 agency which is protecting the resource, expecting the
11 license renewal to be contingent on somebody doing
12 something about protecting that resource along their
13 transmission line, but the plant that's getting the
14 license renewal has no authority on that line, nor
15 does NRC have any regulatory authority on the person
16 that owns the line.

17 So it puts you in a Catch-22. It's
18 awkward for everybody and I don't know that there's
19 not -- there's not a graceful way of getting out of
20 this so we would argue that transmission lines,
21 because of the -- at least in the deregulated states.
22 And I recognize that in some states you still own the
23 transmission lines and you're still responsible for
24 them. So this is one of those deals where it's not
25 black and white and I don't know that one size fits

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1 all, but this is something we might think about in
2 those deregulated states.

3 Next slide.

4 (Slide change.)

5 MS. PATTERSON: This is a real subjective
6 topic and I get nervous when I talk about it because
7 I personally like to know a lot about the plants that
8 I'm dealing with so I ask a lot of question that could
9 be construed as looking at Category 1 issues, but I'm
10 not the NRC.

11 Our perspective is when we write the
12 environmental report, we think that the regulations
13 and NRC's responses to comments are very clear that
14 you don't have to look at Category 1 issues unless it
15 comes up as a new and significant issue. We've not
16 found any new and significant information. So we tell
17 our clients to focus on Category 2 issues, deal with
18 Category 2 issues only in the alternative and new and
19 significant information, only in the environmental
20 report.

21 If there is no new and significant
22 information associated with a Category 1 issue, then
23 to our way of thinking it's been resolved in the GEIS
24 and it's not closed as far as this license renewal
25 application is concerned.

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1 Next slide.

2 (Slide change.)

3 MS. PATTERSON: This is just -- this is
4 the third basis for argument that Cat 1s are closed,
5 so next slide.

6 (Slide change.)

7 MS. PATTERSON: The GEIS resolved the Cat.
8 1 issues. The ER is supposed to analyze the Cat. 2
9 issues and provide any new and significant
10 information.

11 The new and significant information
12 process is usually available to NRC review, but what
13 we put in the ER is strictly a statement. Yes, there
14 is new and significant information, this is it. Or no,
15 this has always been the case. No, there is no new
16 and significant information based on this review
17 process that we have used and documented.

18 Next slide.

19 (Slide change.)

20 MS. PATTERSON: What we have observed at
21 site visits is that NRC tends to focus a lot on -- not
22 a lot, particularly rad waste systems, but the
23 impression we get at these site visits is that NRC is
24 investigating Category 1 issues that they regulate as
25 opposed to really investigating delving into the

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1 things like what EPA regulates. So that could raise
2 a flat. If NRC is concerned about this, for example,
3 rad waste at this site, when it is a Category 1 issue
4 in the GEIS, is there something since the GEIS was
5 written that makes them concerned about the rad waste
6 disposal systems at the plants. I think it's a
7 perception thing more than anything else.

8 From our perspective, if there is concern
9 at NRC about, for example, rad waste disposal systems,
10 the place to address that would be in the GEIS because
11 that's not a Category 1 issue any more. It needs to
12 be changed universally, rather than addressed plant by
13 plant, I think. And I think this is just a perception
14 problem, but the perception that we have observing the
15 site visits is that NRC sometimes goes in Category 1
16 things more than we're comfortable with or raises the
17 spectra of maybe there's something there that has
18 changed since the GEIS came out to negate the GEIS's
19 -- could negate the GEIS's conclusions.

20 Next slide.

21 (Slide change.)

22 MS. PATTERSON: This is brand new,
23 essentially. I think seven or eight states have now
24 raised this issue. New York raised it with Ginna two
25 weeks ago or something. And we have -- or at least

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1 John Cudworth who I'm sure most of you know by
2 reputation has always said this was a very weak spot
3 in the GEIS, in the analysis.

4 The approach is somewhat flawed in that
5 the GEIS says -- actually, I have the quote right
6 here. It says "of course issuance of an NPDES permit
7 by state water quality agency implies certification
8 under Section 401."

9 And I think that's backwards. I think
10 you've got your 401 certification and then you get
11 your NPDES permit. And that gives -- because you have
12 your 401 certification, then your NPDES permit is kind
13 of the process by which they review that.

14 So they announce this in the GEIS. I
15 think they have the cart and the horse backwards.
16 That's the theoretical weakness. Practically, when we
17 get -- when we review NPDES permits, some states are
18 very clear and say in the permit or in a facts sheet
19 or something, this NPDES permit is linked to the 401
20 certification. Some states are very fuzzy. They
21 might talk about 401 certification, but they don't say
22 specifically this is linked to 401. And some states
23 are completely silent in their NPDES permit about
24 whether or not it has anything at all to do with a 401
25 permit.

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1 So in those cases what we do is we hang
2 our hat which is a fairly heavy hat on that statement
3 in the GEIS that starts off, of course, because we
4 have an NPDES permit we have a 401 certification. I
5 think that's something that the industry needs to
6 watch. I don't know how that's going to play out, but
7 we're certainly tracking it. It's just something that
8 we need to consider.

9 Now I have a confession that for four
10 years every time I've heard the word SAMA I have left
11 the room, so John Cudworth should be the person here
12 talking about SAMA, but he had knee surgery on Monday,
13 so he sent me in his stead:

14 I'm going to tell you everything I know
15 about our perceptions of SAMA and then I hope that
16 what I do is, the people in the audience who know more
17 about it than me can talk about it.

18 From NEPA's perspective, the SAMA analysis
19 that plants are doing now is much more rigorous than
20 needs to be done. It's more of a safety -- it's
21 focused -- of course, SAMA is safety -- but it appears
22 to be -- what am I trying to say? The point I'm
23 trying to make is NEPA, the valuation of impacts under
24 NEPA, National Environmental Policy Act, is
25 commensurate with the size of impact, therefore, if

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1 you have a large adverse impact, it requires more
2 analysis. If you have a small impact, it requires
3 less analysis. Next slide.

4 (Slide change.)

5 MS. PATTERSON: The GEIS has concluded
6 that, SAMA is a Category 2 issue which means you have
7 to look at it in the environmental report, but the
8 GEIS concluded that it was -- or the regulations
9 concluded that it has a small impact and I just want
10 to read you what it says.

11 It says "the probability of weighted
12 consequences of atmospheric release fallout onto open
13 bodies of water; releases to groundwater and societal
14 and economic impacts from severe accidents are small
15 for all plants. However, alternatives to mitigate
16 severe accidents must be considered for all plants
17 that have not considered such alternatives."

18 So it's a small impact. It's one of 21
19 Category 2 issues, but by our calculations the SAMA is
20 taking up fully a third of the time and budget used to
21 prepare and environmental report which seems kind of
22 out of kilter with the thrust of the regulation and
23 even the Reg. Guide in the Standard Review Plan which
24 I have some trouble with, I think it's overly
25 detailed, is no more detailed in the SAMA requirements

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1 than they are in any of the others.

2 Next slide.

3 (Slide change.)

4 MS. PATTERSON: NEPA requires that
5 accidents be addressed. The SAMA analysis is from the
6 Limerick decision, but if you look at the early SAMAs,
7 if you look at the Limerick SAMA and the Comanche Peak
8 and I think there was another one, they're not as
9 detailed as the SAMAs are that we're doing now. I
10 think that there's a reason that these SAMAs have
11 gotten so detailed.

12 One is that the PRA people are not --
13 don't have a lot, the benefit of a lot of NEPA
14 experience. They're in that safety and regulatory
15 frame of mind and so they don't have that NEPA
16 perspective, that NEPA frame of mind which is not as
17 rigorous as the safety and regulatory perspective.

18 Another thing is that the methodology that
19 they use is not necessarily appropriate for NEPA. And
20 finally, it's just an evolutionary process. You build
21 on what you've done before and it gets more and more
22 sophisticated and more and more complicated.

23 So I think that we -- and I say we, I
24 think that the nuclear -- everybody involved with
25 nuclear plans, has kind of created this monster,

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1 perhaps unnecessarily and certainly unwittingly.

2 Next slide.

3 (Slide change.)

4 MS. PATTERSON: Thanks. No analysis has
5 yet identified a cost beneficial SAMA in the passive
6 systems. So that makes me think two things. One, if
7 the PRA models are only looking at active systems,
8 then they're using the wrong analysis, because license
9 renewal is focused on evaluating passive systems. And
10 if the PRA model and I really don't know what they
11 look at.

12 If the PRA model looks at both active and
13 passive systems and has never found a passive system
14 SAMA, cost-effective SAMA, then it seems to me that
15 one could conclude after the number of SAMAs that have
16 been done that the passive systems are not providing
17 the significant risk and therefore severe accident
18 mitigation is not something you need to worry about in
19 what the license renewal frame covers.

20 You're fine. Go ahead. Thanks.

21 (Slide change.)

22 MS. PATTERSON: Not doing a safety
23 analysis is not an option because nuclear requires you
24 to analyze accidents. But you have to remember that
25 NEPA requires you to analyze the issue in terms of the

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1 impact that you're getting. NEPA focuses on
2 significant risks and I think that given that we've
3 not identified any significant risk in passive systems
4 yet, we could argue that there is a defensible, more
5 reasonable, less rigorous approach.

6 Next slide.

7 (Slide change.)

8 MS. PATTERSON: This is just sitting
9 around the table last week saying well, okay, what
10 would you suggest if you're saying the SAMA is not
11 working very well, what would you suggest?

12 This is just one option. I'm sure there
13 are others, but basically, look at the information
14 that goes in your PRA model, identify the components
15 that are significant, that provide significant risks
16 and if they're not passive components, your SAMA
17 analysis as far as NEPA is concerned is done.

18 (Slide change.)

19 MS. PATTERSON: Now, that's not the end of
20 what John considers to be issues with SAMA. He thinks
21 that if -- that the reason you get any cost beneficial
22 SAMAs at all is because of how replacement power and
23 clean up costs are calculated. And the other thing
24 you need to remember is that NEPA is an environmental
25 act and if you -- NEPA analyses require or expect you

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1 to look at the environmental impacts, not necessarily
2 the economic impacts. An analysis that only looks at
3 economics is not what NEPA was designed to do. It's
4 not appropriate for NEPA.

5 So the methodology that they're using for
6 SAMA is definitely an economic impact.

7 Next slide.

8 (Slide change.)

9 MS. PATTERSON: The equation of
10 calculation replacement power assumes that you would
11 have to provide power, replacement power for the power
12 that's lost from that new plant for 10 years which
13 puts it up here.

14 However, it does not account for the fact
15 that you're not operating the new plant and therefore
16 you would save some money which would bring your
17 replacement power costs down from that high level of
18 providing all your placement power.

19 The other thing is the clean up costs
20 assume that you're starting from I can't help -- I say
21 Ground Zero and I don't like to say that anymore.
22 You're starting from standing still, whereas in
23 reality the industry has put a lot of money in
24 insurance funds to pay for a cleanup cost and so
25 you're not actually starting from Ground Zero. So

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1 both of the -- if you adjusted your equations for
2 replacement power and cleanup costs, you may
3 ultimately end up with never having cost beneficial
4 SAMA. That's the last slide.

5 Do you all have questions?

6 Yes?

7 MR. GREBEL: Terry Grebel from Diablo
8 Canyon. This is a question for Alan and the NRC. It
9 seems like Karen has some fairly good comments here.
10 This is a process question. Is NEI going to be
11 providing these comments to the NRC and will the NRC
12 be processing these as potential interim staff
13 guideline issues?

14 MR. NELSON: Well, we can always submit
15 comments to the staff on process. We'll take a look
16 at it as a task force and make that consideration.

17 MR. TAPPERT: From our standpoint, I'd
18 just like to make the observation, we are planning to
19 initiate an update to the GEIS at the end of this
20 fiscal year. And certainly, a lot of those earlier
21 comments about consistency and updating the
22 information will be included in that GEIS revision
23 which will be done with an open process which we'll be
24 seeking more input from stakeholders.

25 MR. NELSON: So you're going to update

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1 that and then put it out for public comment?

2 MR. TAPPERT: They'll be scoping.

3 MR. NELSON: Sure and then we have that
4 opportunity to either do it then or -- I think by --
5 some of the comments that we've had -- you probably
6 have thought about and there may be others as well.
7 We can do it one of two ways. We can submit it or you
8 have the presentation or we can either submit it or
9 make comment to the draft GEIS that you revise. You
10 can do it one of two ways.

11 MR. ZALCMAN: This is Barry Zalcman. Let
12 me add something as we've started that topic. The
13 objective in refreshing the generic environmental
14 impact statement we think would be a delta review,
15 looking upon the experience that we have gained
16 through the license renewal process, looking at the
17 changes that may exist in the regulatory/statutory
18 environment, experience base of plants and the like,
19 we think would be free game.

20 The objective is not to start with a
21 wholesale refresh with the generic environmental
22 impact statement. We think it's a robust process. It
23 has worked. It was a hard look, but if there is new
24 information, if there have been changes since we last
25 issued the GEIS, then the staff would be very

1 receptive to looking at those and the expectation
2 would be that we would develop an addendum to the GEIS
3 reflecting changes over the experience base.

4 So again, it's not a wholesale refresh
5 with the level of effort that we put into in
6 developing the GEIS first time around, but looking at
7 changes using the GEIS as a platform, starting point
8 and then where it takes us would follow the same
9 process that we go through in developing an
10 environmental impact statement, notice of intent,
11 scoping process, public meetings, bidding process, for
12 comments, the weighing and the deliberative process.
13 Ultimately, we need to reach a final.

14 MS. PATTERSON: Bill, did you have a
15 question?

16 MR. WATSON: Yes. This is Bill Watson
17 from Dominion. I had actually three questions. The
18 first one was you had a slide that said potential
19 adverse health effects on workers due to
20 microorganisms are an issue for plants whether or not
21 they have cooling towers. And you mentioned, you said
22 hot water is the concern not just -- even in
23 circulating --

24 MS. PATTERSON: Hot water and closed --
25 you know when people get in there and clean out the --

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1 I don't know, I'm sure that there's hot water running
2 through turbines. People exposed to -- in closed
3 systems exposed to hot water, like your HVAC system,
4 that kind of thing. The service water systems. If
5 they have heat involved with them then you have the
6 potential for microorganisms. The GEIS is specific to
7 looking at plants that have cooling the big cooling
8 towers for the condenser cooling. But there are other
9 cooling systems in plants and because microorganisms
10 are not specific to those big cooling towers, you may
11 be ought to look at, in general, are your workers
12 exposed to micro organisms at any point, regardless of
13 whether they're in the big condenser towers anyplace
14 else.

15 MR. WATSON: That sort of begs the
16 question of where you draw the line. I mean you even
17 have domestic hot water heating systems and everything
18 in the plants and you're suggesting that the scope be
19 expanded to quite a large area, as compared to what it
20 looks like right now.

21 MS. PATTERSON: Right, right.

22 MR. WATSON: I understand. Okay. The
23 second question I have was you had a slide that talked
24 about Reg. Guide 4.2 and the environmental standard
25 review plan asking for information not required by

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1 51.53.

2 MS. PATTERSON: Right.

3 MR. WATSON: And then you listed some of
4 the areas?

5 MS. PATTERSON: Yes.

6 MR. WATSON: Are you continue to address
7 those areas anyway, but suggesting that --

8 MS. PATTERSON: No, we do not. We don't -
9 - when we write an environmental report, we focus on
10 information that's necessary to evaluate the Category
11 2 issues. So we do not provide like military
12 installations and public and private recreational
13 facilities, we do not provide that information in the
14 environmental report.

15 MR. WATSON: Coming from the safety side,
16 I'd like to ask the staff a question here. Is that
17 acceptable to the staff that the standard review plan
18 may request this information, but it's not supplied by
19 the applicant?

20 MR. ZALCMAN: This is Barry Zalcmán again.
21 Let me remind everybody that licensees don't write
22 environmental impact statements. They provide
23 information to assist the staff in developing its
24 recommendations and drawing conclusions. You may be
25 familiar with 51.53, the requirements for licensees,

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1 but also become familiar with 51.70 and 51.95.

2 In the end, the staff has to consider new
3 and significant information in assessing its
4 environmental conclusions and the staff is in pursuit
5 of that information. Applicants are to present what
6 they're aware of. We've gone through this exercise as
7 recently as two years ago. We recognize that there
8 was no requirement for applicants to have a process,
9 to identify new and significant information. We ask
10 you if you have a process, what is that process? What
11 have you identified?

12 To assist the staff in becoming confident
13 that the information that it's going to rely upon is
14 reliable, if you have no process and you have not
15 looked to determine that you have no new and
16 significant information, staff finds that to be
17 acceptable. We will look and we will continue to look
18 as far as is necessary so that the staff will complete
19 its work.

20 If you have a process and it is robust,
21 you have identified anything that is new and
22 significant and the staff, through its audit, a graded
23 audit, comes to peace with the issues. It does not go
24 through each of the 69 Category 1 issues. The staff
25 comes to peace with the work that applicants have gone

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1 through, that there's no new and significant
2 information, then we can truncate our review, rely
3 upon that information in drawing its conclusion.

4 So if there's information that we are
5 pursuing to judge whether or not the Category 1
6 conclusions are not clouded, then in the end relying
7 upon applicant information, information that we
8 develop through our interactions with the public,
9 information that we develop through our
10 intergovernmental dialogue, information that we pursue
11 with our technical experts doing the work, in the end,
12 we can draw the outcome of the conclusion that we
13 anticipate. So if you don't want to address that
14 information, certainly that's your prerogative, expect
15 to have questions from staff, trying to come to peace
16 with what is necessary to draw our conclusions.

17 MR. WATSON: Thank you. I appreciate the
18 answer and that also answered my third question.

19 Thank you.

20 MR. ZALCMAN: Anticipatory.

21 MR. NELSON: Thank you, Karen.

22 MS. PATTERSON: Thanks.

23 MR. TAPPERT: Bob, are you ready?

24 MR. PALLA: Did you learn anything new and
25 different in the meeting this morning on 189 that you

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1 can share with us?

2 MR. TAPPERT: Not yet.

3 (Laughter.)

4 MR. PALLA: Hi, I'm Bob Palla with the
5 Probabilistic Safety Assessment Branch of NRR. I've
6 been involved in review of SAMDAs from the early days
7 when we first did them for Limerick and Comanche Peak
8 and Watts Bar and then I've also been involved in each
9 of the SAMA evaluations performed as part of license
10 renewal for I guess we're on the fifteenth plant right
11 now and I've been personally involved in each of these
12 and I could see some people might think that the scope
13 has increased or crept a bit, but in practice, if you
14 look closely at the underlying process, it's
15 fundamentally the same.

16 We've been asking a couple questions in a
17 number of different areas to be able to better defend
18 the conclusions of our assessment and I could explain,
19 I could answer any questions that you may have in
20 those areas, but I would contend that the process has
21 been consistent, the scope has been consistent, level
22 of detail has perhaps increased a notch, but we think
23 is what's necessary to support the analysis.

24 I wanted to just share some of the
25 insights that we've had, gained through the evaluation

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1 of SAMAs. Within your handouts at the very back, I
2 believe, is located is a more detailed discussion of
3 what I'm going to be speaking about. I had presented
4 those at Amelia Island about a year ago. It pointed
5 out a number of observations and suggestions on how
6 licensees or license renewal applicants might better
7 be prepared, you know, improve the quality and
8 completeness of the environmental reports in such a
9 way that it would facilitate the review and reduce a
10 number of RAIs. So you could look at that attachment
11 in a bit more detail at your leisure. I think
12 everything in there is still valid today, so we
13 haven't changed the thrust of our reviews in the last
14 year.

15 Just briefly, as many of you may have left
16 the room when you hear "SAMA", I'll just quickly say
17 what it is. It's essentially severe accident
18 mitigational alternatives. What we do is we take a
19 hard look for additional plant features or actions
20 that would prevent or mitigate the consequences of
21 serious accidents at the plant. You can argue that
22 that's a safety-type of review, but it does have
23 environmental effects, I mean severe accidents would
24 be the most environmentally devastating events that
25 you could have at a plant, so there is a connection to

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1 environmental.

2 We look for cost beneficial improvements
3 that substantially reduce risk. The analysis and the
4 scope of the analysis includes consideration of
5 hardware, changes, procedure changes. We look at
6 things that could mitigate core damage, should it
7 occur, as well as things that could prevent core
8 damage.

9 The benefits of each of those is
10 evaluated, dollar values are assigned to reductions in
11 core damage frequency, reductions in person-rem dose
12 and we look at cost. So very much it's an economic
13 kind of an assessment to basically be able to
14 prioritize and rank the potential improvements and to
15 screen things out that don't really warrant any more
16 serious consideration. And I'll just note one final
17 thing is that the -- what we call SAMDA, initial plant
18 licensing back in the Limerick days, in SAMA, is
19 basically the same. The terminology is different, but
20 we're looking at the same thing.

21 As Barry Zalzman has indicated, the SAMA
22 review, our evaluation, it's a staff evaluation. We
23 see this as our responsibility. Our evaluation is
24 facilitated by the information that's provided in the
25 license renewal application in the environmental

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1 report.

2 I'm not here to take issue with some of
3 the claims that you may have heard and I'm not going
4 to try to defend why we do what we're doing, but we're
5 trying to do a meaningful, technically defensible
6 assessment. We don't think it's grown substantially.
7 We think that what we're doing is reasonable and
8 necessary to be able to defend the end result of the
9 analysis and assessment. It has to stand up to public
10 scrutiny and it may have to stand up to court
11 challenge as we're learning on Catawba and McGuire.
12 We have Atomic Safety and Licensing Board hearing a
13 number of contentions on those plants and they relate
14 specific to the adequacy and completeness of the SAMA
15 analysis.

16 So we want to have a product that doesn't
17 -- that will really prevent vulnerabilities of the
18 license renewal process in this area. It has to be
19 defensible. And so you may question why we ask for
20 certain information. You may think that it's not
21 necessary, but the reason we ask is, short answer, is
22 that we think it's needed to support the analysis and
23 to defend the analysis.

24 So what I'm going to do is just kind of
25 step through a number of areas. You'll find a bit

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1 more information in that handout that I alluded to in
2 the package, but I'll just try to highlight a few of
3 the issues and you could take these really as areas
4 that if you're planning to, your application, you can
5 look at these areas in advance, perhaps by including
6 additional information in these areas, avoid questions
7 and having to address it later.

8 The one thing that I'll point out at the
9 beginning, I'll point it out here, what you see on
10 this slide is I guess the most recent reviews that
11 have been completed and the ones that we're just
12 beginning. There's a total of -- I guess we're on No.
13 15 now with Summer. Of the 15 plants, we did identify
14 potential cost beneficial improvements in 5 of the 15
15 plants. So this is not an exercise in futility.
16 There actually are some substantial, improvements that
17 are worthy of consideration.

18 We don't require that they be implemented
19 as part of renewal if they're not aging-related, but
20 the approach has been to roll them over to the safety
21 side and to pursue anything that's cost beneficial
22 would be considered for possible implementation.
23 That's part of the current operating license on the
24 safety side. If you could just go to the next slide.

25 (Slide change.)

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1 MR. PALLA: The one constant in life seems
2 to be the environmental reports that we get, the SAMA
3 analysis contained in those, continues to look largely
4 the same as the very first license renewal
5 applications and not surprisingly the RAIs we issue
6 look very similar.

7 I don't know if there's really been any
8 lessons learned here or possibly there hasn't been a
9 long enough time lag to factor them in, so there might
10 be an explanation for that. But it is kind of
11 disconcerting that we have not seen the areas
12 identified in our reviews in the RAIs that we issued,
13 as we issue these RAIs. We don't see any reductions
14 in there. We'd like to at least to think that
15 applicants are looking and expecting and as a result,
16 improving, enhancing the submittals in those areas and
17 I'm hopeful that we'll start to see additional
18 improvements in these areas and that will reduce the
19 number of RAIs eventually.

20 As far as -- I'm just going to go into a
21 couple of specifics, regarding SAMA identification,
22 what we do in the SAMA review is to -- we look at the
23 risk profile of the plant. Very simply, what we're
24 trying to do in the SAMA review is identify
25 cost-beneficial improvements. So obviously what you

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1 want to do is understand where is my residual risk
2 coming from, so first step, the obvious step is to
3 look at the plant-specific risk analysis, understand
4 what are the dominant sequences, dominant failure
5 modes, the least modes and then try to identify
6 improvements that are targeted to those contributors.

7 The objective is not to generate several
8 hundred, lists of several hundred improvements and
9 then to dismiss them out of hand. You've got a PWR
10 and this particular improvement is intended for a
11 boiler, so we're going to throw that one out.

12 We've seen a large number of renewal
13 applications that have voluminous lists of
14 improvements, many of which, on their face, don't even
15 need to be included. They may have been, if they're
16 even not applicable because it's a different reactor
17 type, it could be an extremely expensive improvement
18 that has been evaluated five times previously, but for
19 some reason it's still brought in.

20 I guess my point is that we, our focus
21 with regard to SAMA identification is to identify
22 things that are specific to your plant and to your
23 risk contributors at your plant. We're not trying to
24 have each successive application include everything
25 that the last guy had, plus a few more. We're trying

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1 to get this analysis to be targeted to the risk
2 profile at the plant and this will, we think, will
3 save some effort, if you just can use the maximum
4 extent, the plant-specific PRA.

5 There's no requirement or need to
6 reiterate everything that's been looked at before and
7 rejected, perhaps many times before. There's no
8 reason to think that something that was well, way too
9 expensive before is going to suddenly become most
10 beneficial, unless you have a particular risk
11 contributor in that area.

12 Okay, second, last point on this slide
13 regarding lower cost SAMAs, we're not trying to look
14 for gold-plated systems, new trains of equipment,
15 additional pumps, things that are safety-related
16 systems. If you look at your risk profile, seriously,
17 and identify potential ways to reduce those
18 contributors, viable candidates for reducing the risk
19 could be nonsafety-related equipment, nonpedigreed
20 equipment, could be procedures. Doesn't need to be
21 hardware.

22 So we're looking to get risk reduction in
23 reasonable ways not with expensive fixes. To some
24 degree, looking at the most expensive improvements is
25 counter productive because you're just going to rule

1 out potential ways that you might have eliminated that
2 risk contributor. There might be a cheap fix that
3 eliminates 80 percent of it and that may be worth
4 doing whereas if you were going to strive to eliminate
5 the contribution completely, you might have something
6 that costs 20 times greater and you wouldn't want to
7 do that for cost reasons.

8 So the point of the last bullet there is
9 that in the search for potential improvements, one
10 should look at all viable, low cost things are fine.
11 Non-safety equipment is fine. Procedures are fine.

12 Please flip to the next slide.

13 (Slide change.)

14 MR. PALLA: One area that we have -- we've
15 looked at uncertainties, really from the very
16 beginning, if you look at like the Watts Bar SAMDA
17 review done many years ago now. The way that
18 regulatory analysis was done in the past was that
19 dollar values were assigned to the cost of the
20 enhancement, benefits were in terms of dollars were
21 also estimated and we developed a ratio of benefits
22 divided by cost and we would use \$1,000 a person REM
23 as a screening criteria.

24 Now even in the very earliest analysis,
25 what the process that we used was to screen in

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1 anything that was within a factor of 10 of that \$1,000
2 per person REM and the thinking there was to address
3 uncertainties. So the process would be screen in
4 anything within a factor of 10 and then look at it
5 more closely.

6 Perhaps you can dismiss them on both
7 engineering deterministic bases or probabilistic
8 bases, but the concept was to throw out a net and to
9 basically pull in for further assessment things that
10 would be close to being cost beneficial and we had
11 used a factor of 10 in the earliest studies, in fact.
12 So I wouldn't say that we're changing here, but what
13 we're doing in the area of uncertainties is more
14 recently to look and to consider the variation that
15 you might have in your risk estimates, core damage
16 frequency; for example, could have -- it could be a
17 factor of 3 or 5 higher or lower, so what we're trying
18 to look at in our evaluations is whether the
19 conclusions of the study are robust or whether they
20 might change if you considered the uncertainties.

21 So what we ask the applicants to do is to
22 relook at the conclusions, considering the
23 uncertainties in the analysis, both on the risk side,
24 the cost side and to try to address these
25 uncertainties, if possible, with bounding techniques,

1 but the key point here is to assure that the
2 conclusions are robust. If you're claiming that there
3 aren't any cost beneficial enhancements, that
4 conclusion should stand scrutiny and even considering
5 uncertainties in the analysis, that should be the
6 case.

7 With regard to external events, we realize
8 that most plants don't have external event PRAs. We
9 recognize that that these contributors are typically
10 addressed using margins type approaches and such
11 approaches don't give the same type of risk
12 information as a PRA and that's fine.

13 We're not requiring external event PRAs be
14 done. We're not really requiring any additional risk
15 analyses be done for SAMA, but what we do is bring to
16 bear all of the information we have in these areas, so
17 our focus in the external event area is to assure that
18 some consideration is given to the impact that
19 external events could have on the analysis, in
20 particular, there could be some SAMAs that would
21 specifically address external events and we would look
22 to things like the individual plant examination for
23 external events and improvements that were made as a
24 result of that. We may rely on that for the basis for
25 why additional improvements to address, explicitly to

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1 address external events might be needed.

2 Another facet to that is that plant
3 improvement that is largely intended to address an
4 internally initiated event could actually have
5 benefits in an external event as well, so what we try
6 to do when we look in this area is to assess if
7 there's additional benefits that should be attributed
8 to any particular SAMA because of their potential
9 contribution in external events as well.

10 And some of the applicants have used
11 approaches where they have looked at the order of
12 magnitude of external events relative to internal
13 events and have used simplified approaches such as
14 doubling the estimated benefits, the benefits
15 estimated based on internal events. They've taken
16 them and doubled them to account for potential
17 contributions of those SAMAs in external events. So
18 there's simplified techniques that you might consider
19 that might be appropriate, but the thrust of the item
20 here is that we want to have justification that
21 external events and their potential impact on results
22 have also been considered.

23 Third bullet involves the plant-specific
24 risk study and we're not using the SAMA as an
25 opportunity to go back and re-review your

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1 plant-specific PRA. The individual plant examinations
2 were reviewed already. We're using the so-called IPEs
3 as our point of reference. We're taking the staff
4 review of that to be the starting point for our
5 review.

6 In general, let me just back up. In
7 general, all of the license renewal applications in
8 the SAMA analyses, contained in those applications
9 have been based on later versions of the plant-
10 specific PRA than the IPE.

11 Generally, at least one or more revisions
12 have been made to the IPE, so what we do in this area
13 is rely on the staff's prior review of the IPE as a
14 starting point, but we try to understand how the
15 current plant PRA, the one that was used to support
16 the SAMA evaluation is different from the IPE, try to
17 understand the nature of the changes that have been
18 made and try to reach a high level of judgment as to
19 how whether that makes sense. Again, we don't do a
20 detailed review, but we do look at the delta between
21 the current PRA and the IPE.

22 And that's -- we think a reasonable and
23 adequate way to do this. We're not trying to make
24 more work than is necessary.

25 The last item here deals with PRA quality.

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1 Now recently, this is a very popular item. The more
2 we get into risk and regulation and risk-informed
3 license amendment reviews, PRA/PSA quality is an
4 increasing area of interest. In this regard, again,
5 we're not looking at the PRA in any detail, but what
6 we've been asking applicants to address is to describe
7 for us the peer reviews that have been done of their
8 plant-specific PRA.

9 Staff acknowledges that the industry peer
10 review process provides a reasonable level of comfort,
11 provides us with that comfort, if the reviews are
12 conducted and if the findings from those reviews are
13 taken into account. So we've been questioning
14 applicants about the nature of the peer reviews that
15 have been done on their plant-specific PRA and the
16 impact of the findings. Have they addressed the
17 findings? If not, do the findings impact the SAMA
18 analysis and results. So that's the thrust in that
19 area.

20 I think that that's the last item that
21 I've flagged for discussion here. As I indicated, the
22 attachment in your looseleaf binders there has some
23 additional items that you might take into account. I
24 can try to answer any specific questions you might
25 have about the SAMA, the scope of the reviews,

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1 anything you think we can be doing better.

2 MR. NELSON: Sure. Let's open it up for
3 a few questions.

4 Bill?

5 MR. WATSON: Bill Watson from Dominion.
6 I just have one question. You had a slide earlier
7 that you said for certain low cost SAMAs, we could
8 rely on lower pedigree equipment, not such extensive
9 designs that we may be looking at and if we did that,
10 I guess there's a possibility perhaps that some of the
11 SAMAs that we originally assumed to be not cost
12 beneficial could, perhaps, become cost beneficial and
13 if that's the case, do you have confidence that that
14 equipment would remain at the same pedigree it was
15 before we cited it as -- for use of the SAMA analysis,
16 or do you think at some later date it's possible that
17 would get elevated again, sort of invalidating our
18 initial evaluation?

19 MR. PALLA: Are you, well, okay. What I
20 was trying to say is when you look, when you consider
21 alternatives, consider not only some high falutin'
22 expensive system, but some low cost ways to address
23 the same risk contributors. So it might be a
24 non-safety-related pump or it could be a cross connect
25 to some other system that would be there.

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1 Are you asking about the confidence that
2 that -- or the reliability/availability of that
3 alternative versus the --

4 MR. WATSON: Actually, what I'm thinking
5 about is in the past, sometimes, we've credited
6 certain equipment again outside of the environmental
7 role, but more on the plant side for responding to
8 certain events and that equipment originally had a
9 certain pedigree, certain surveillances, maintenance
10 program, everything else. But then once it got relied
11 upon for this new program, it took on a new
12 significance and ended up having to be upgraded in
13 both and all that.

14 I wonder if we took credit for it at its
15 current surveillance PM and materials and everything
16 else, would it be able to stay there or would it
17 eventually be elevated as a result of being relied on
18 for --

19 MR. PALLA: Well, I think that's a good
20 question. There's, I guess, a couple different
21 examples that one might cite, but if this is clearly
22 identified as something that is there to let's say
23 it's there for mitigating a severe accident, there's
24 been -- there are precedence that equipment intended
25 to address severe accidents need not be

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1 safety-related. It need not become under the umbrella
2 of safety-related or be elevated in that regard.

3 If you -- I don't want to make this more
4 complicated. If you were going to go into the PRA and
5 credit it, that might be a different matter also and
6 then you might have to take whatever measures are
7 commensurate with credit that's taken in PRA. That
8 may be a certain practice that you have if something
9 is credited, then you're going to provide some
10 reasonable assurance that it's actually going to be
11 there. It's not going to be removed from the plant.
12 It's going to be generally available. So --

13 MR. WATSON: My question -- I think you've
14 answered most of it, but the only concern I have is if
15 we originally said that this is now a cost-effective
16 SAMA, all of a sudden because of that we have to do
17 more work on it, more maintenance, more -- upgrade
18 some of the equipment within the system, if we
19 recalculate it under the new circumstances, it might
20 be not cost beneficial again.

21 MR. PALLA: There are some certain
22 situations you might find yourself in, for example,
23 the staff is doing a rulemaking on risk-informed
24 treatment, special treatment and there's a process for
25 categorizing equipment, so you might find that

1 improvement to be in their terminology risk too. It's
2 nonsafety-related; but risk-significant and if you
3 went into that process, for example, and put this
4 equipment in place, you might find it in that box and
5 then you might need to do that is expected for
6 equipment in that category. So I guess you run the
7 chance of that.

8 In fact, we understand at one of the
9 plants that we were reviewing right now that they had
10 identified some potential enhancements and I guess
11 some of their engineering staff is thinking that these
12 improvements need to have a higher quality standard
13 than what the PRA people thought initially. So there
14 may be some internal conflicts you'd have to deal with
15 also.

16 But from our point of view, just from the
17 practicality of doing this type of an analysis, what
18 we wanted to do is not rule out things because we got
19 our sights set too high. We're not looking at new
20 trains of equipment and new pumps. We're looking for
21 reasonable low buck fixes to things, procedures in
22 nonsafety equipment. I guess it does introduce the
23 possibility that this nonsafety equipment somehow gets
24 elevated in its treatment. That's a possibility
25 still.

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1 MR. WATSON: Thank you.

2 MR. MAHER: Bill Maher with Exelon. Other
3 than the fact that any accident can have an
4 environmental impact, it does say in the GEIS that the
5 environment impacts dealing with severe accidents are
6 small.

7 MR. WATSON: Right.

8 MR. MAHER: And in NEPA space, much like
9 what Karen had said, the analysis that's required for
10 small impact is supposed to be commensurately small.
11 So I was wondering if you could address some of the
12 points that Karen brought out in her presentation with
13 respect to what's being asked of applicants.

14 MR. PALLA: Okay, well, I don't know what
15 one third of your environmental review effort relates
16 to in terms of resources, so I don't know if that's
17 reasonable or not, but I guess my expectation would be
18 that any license renewal applicant will already have
19 an existing risk study for internal events and will
20 have some kinds of margins analyses, at least, for
21 external events and we're not requiring that anything
22 be updated for purposes of SAMA or be expended for
23 purposes of SAMA. We're expecting that it be used.

24 Now you would have in the way that the
25 reg. analysis and cost benefit methodology is set up,

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1 the impacts or the benefits of avoiding releases from
2 the containment is expressed in terms of person-rem
3 and that needs to be determined somehow and that's
4 typically done by running some off-site consequence
5 calculations. So most licensees may not be geared up,
6 may not already have done that, may need to deal with
7 that issue as part of SAMA.

8 From the point of view analyses, our
9 thought is that you would already have a PRA that's
10 reasonably current, internal and external -- external
11 event analyses and would possibly have to do some off-
12 site consequence calculations. So that's a delta on
13 the off-site consequence calculations.

14 The other things I don't see as any new
15 resources. We're looking at using the importance
16 analyses, for example, which is basically a
17 sensitivity study using the PRA model. That kind of
18 comes along free with the PRA, so that effort is, if
19 any, is minimal also. I think what we're really in
20 that importance analysis actually would shake loose a
21 lot of the potential improvements.

22 I actually, to be honest with you, when I
23 hear people say it's taken one third of the resources,
24 that strikes me as well, it's probably a couple
25 hundred thousand dollars to do this. I don't quite

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1 understand why it is that much because you've already
2 got the risk studies. You should already know where
3 your dominant contributors are. You probably have
4 analyzed a number of potential improvements in this
5 area already. Your IPE already identified things,
6 potential improvements that you may or you may not
7 have eliminated. So --

8 MR. MAHER: I'll just give you a flavor.

9 MR. PALLA: Should I get my pencil out?

10 MR. MAHER: The PRA -- I'm sorry, the IPEs
11 and the response to the General Letter was done in
12 what time frame?

13 MR. PALLA: Early 1990s probably. And the
14 IPEs are later.

15 MR. MAHER: I believe it was in the 1980s.

16 MR. PALLA: Well, General Letter 8820 was
17 when --

18 MR. MAHER: Regardless, the off-site
19 consequences was done using that particular census.
20 I'll just pick on that one. That particular census
21 model, to use the 1988 time frame is the 1980 census
22 model. Since then we've gone through -- now since a
23 census has certified the latest census, we've gone
24 through two census iterations.

25 The current applicants you're seeing now

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1 and probably the ones you'll see in 2003 will be the
2 2000 census data. So applicants prior to this haven't
3 necessarily had to update those off-site dose
4 calculation models based on current Census --

5 MR. PALLA: I think most applicants don't
6 even have them to begin with as far as off-site
7 consequence models.

8 MR. MAHER: I'm assuming that they do. If
9 they don't, then that's even more work that they have
10 to do.

11 MR. PALLA: Right. That's the one piece
12 that I acknowledge would be new.

13 MR. MAHER: Okay. That takes a fair
14 amount of work because not only do you need to do
15 that, you also need to update what is currently as --
16 on docket as an IPE to modifications such that to the
17 point that you can do a cost-benefit analysis. Okay,
18 if you feel you need to, that's one matter.

19 MR. PALLA: You're getting into --

20 MR. MAHER: I was saying my expectation
21 was that a license renewal applicant has already done
22 that. Most licensees are maintaining their PRAs
23 current, or at least current enough that they feel
24 they're reasonable enough to make -- to make use of
25 when it comes to license amendment requests.

1 MR. PALLA: Depending on the plant and I
2 can only speak from the few that I've seen, they are
3 generally not plant-specific enough to be able to go
4 into do a cost-benefit analysis. They are generally,
5 particularly a NUREG and they do a comparative
6 analysis between a similar plant that is already
7 analyzed in NUREG and their particular plant and they
8 run a cost -- they run a benefit analysis based on
9 that. It's not plant specific.

10 So to get to the SAMA analysis that you're
11 seeing right now in applications, you're -- not to use
12 the Ground Zero term -- you're starting at Ground Zero
13 essentially and you're using inputs. It's already on
14 the docket from the IPEEE and IPE as inputs into that
15 and modifying that into a plant-specific analysis.

16 MR. NELSON: Let me ask, I can see we can
17 go on on this issue. Is this an issue that we ought
18 to have some further discussion in the future?

19 MR. KUO: Yes, we certainly will. This
20 will be a discussion among our staff here, but I agree
21 with you. I think this is an issue that we really
22 don't have a resolution today.

23 MR. NELSON: I think we've voiced what our
24 concerns are in a number of areas. Bob certainly has
25 highlighted the areas that the industry needs to focus

1 on with the multiple RAIs, but I think to carry that
2 forward, let's look to see if we can set up another
3 time frame and date to explore it a little further,
4 because certainly the time allotted, we're not going
5 to resolve the issue. It wasn't intended to resolve
6 issues, but just to make everybody aware of exchange
7 of information and concern.

8 MR. ZALCMAN: Alan, if I could for a
9 minute. This is Barry Zalzman. For those of you who
10 may be seeing SAMA for the first time, let me
11 encourage you also to go back. We did have a petition
12 from the industry dealing with this issue over the
13 past several years of the staff of the disposition of
14 that petition for a rule change dealing with SAMA.

15 And some of the very issues that you
16 continue to raise today or the same framework of the
17 issue that you had raised previously, the costs, the
18 Commission has revisited this issue more than once and
19 has passed judgment. It may be your review, but it's
20 an issue that's ripe for reconsideration by this
21 Commission again and again and again and that's your
22 prerogative.

23 The fact of the matter is this is one of
24 those evolving issues and we've had discussions on
25 this in the past. There is no doubt in my mind we

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1 will have discussions on this in the future. It's a
2 healthy exchange and I think it's important that if
3 there is an industry view that you want to share with
4 us that we have a platform for that dialogue. As PT
5 indicated, I think we are receptive to continuing with
6 the discussion in this area.

7 But do be aware, it has been raised since
8 the GEIS in 1996. This fundamental issue of the
9 impacts of severe accidents, that is one of the issues
10 that I think we're going to address in the next
11 iteration of the GEIS, a better articulation of what
12 the actual issues are, the impacts of severe accidents
13 are small. That's an issue by itself. SAMA is a
14 separate issue and that's not clear in the GEIS. So
15 we need to make something like that abundantly clear
16 in the next iteration.

17 What platform you use, whether a separate
18 initiative or in conjunction to be visited in the
19 GEIS, in any case, we will be carrying on this
20 discussion.

21 MR. NELSON: Thank you. Thanks, Bob.
22 Yes, Rich, you're our final discussion.

23 MR. EMCH: Just a moment. I'm also
24 carrying the hat of being the sort of in charge of
25 writing up kind of what we need to talk about later.

1 (Pause.)

2 We'll go through this one quickly. The
3 first issue, the reason we're bringing this up is
4 because we have found on a couple of the SAMA or a
5 couple of the reviews, a couple of the license renewal
6 applications, we found that if not -- if we don't get
7 a good jump on this issue, that this issue of
8 threatened and endangered species can become -- can
9 kind of get on the critical path for the review
10 schedule.

11 So we're suggesting here that good
12 preparation by the applicant to identify the
13 threatened and endangered species and some interaction
14 with the federal and state authorities to help you
15 make sure that you've indeed done that, identified a
16 complete list and then once you put all that
17 information in your application, we're saying for our
18 part that we need to get an earlier jump on this and
19 make sure that begin our coordination with the
20 appropriate agencies like Fish and Wildlife or
21 National marine Fisheries, early on to make sure that
22 any issues, if there are any biological assessments
23 that need to be done, for which species do they need
24 to be done, to what depth do they need to be done?
25 Sometimes, it can just be a couple of paragraphs.

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1 Sometimes it's several pages.

2 And basically, we can get those and get on
3 them and get them done so that they don't become a
4 critical path issue. So that's a very simple idea
5 there.

6 The last bullet, I'm sorry, I kind of
7 moved a little fast for you, Alvin, I'm on No. 4.

8 (Slide change.)

9 MR. EMCH: Thank you. It's hard to in a
10 site audit, it's kind of audit valuate some of these
11 kinds of environment impact issues when there's a foot
12 of snow on the ground or the lake, the pond is iced
13 over or there's no leaves, there's no blues, the
14 animals are in hibernation, whatever. You can get an
15 idea of how difficult it might be to sort of evaluate
16 the environment impact even to begin to look for
17 threatened and endangered species.

18 So for plants that are -- for applications
19 that are made during the last quarter of the calendar
20 year, this could become a potential schedule problem
21 for us and I guess it's not that we're trying to tell
22 you don't make an application at that time of year,
23 don't make -- don't delay your application or
24 whatever.

25 I guess the real message here is is that

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1 we do expect a lot of -- a fair amount of
2 communication between you and us about when you're
3 going to make your application and if you decide, if
4 you even have an inkling that you're going to change
5 that schedule that you've already discussed with the
6 NRC for when your application is going to be
7 submitted, I guess the real message is, please talk to
8 us as soon as possible so that we can flesh out issues
9 such as this and come up with a solution.

10 For instance, it's possible that we might
11 take certain things out of sequence. If we needed to
12 get -- if snow season is coming on in New York, for
13 instance, maybe the thing to do is to run the site
14 audit team up there right now in October or early
15 November to take a look before the foot of snow
16 arrives or whatever and then deal with other -- have
17 the public meeting later, deal with other issues
18 later.

19 So it's just -- the main message is if you
20 are -- let's just keep in mind that there are certain
21 times of the year when it's hard to do this kind of
22 thing and let's continue to talk about what your
23 schedule is so that we can prepare ourselves to handle
24 those kind of issues.

25 Any questions? Okay, I think that

1 completes the prepared slides and all.

2 Yes, John?

3 MR. TAPPERT: We just had that one issue
4 on refurbishment and I think Barry has got a couple of
5 things he can speak to on that.

6 MR. ZALCMAN: I'm going to take the
7 prerogative sitting here and trying to run through it
8 very quickly. This is an issue that was raised not by
9 staff. I think the kind of experience we've had to
10 date has been consistent from application to
11 application. I'll touch upon that, the notes that
12 I'll discuss.

13 I'll be very precise in the language that
14 I use. A lot of this comes out of the generic and
15 environmental impact statement, not just Volume 1
16 which is where most of the folks spend their time and
17 energy, but also in Volume 2. The appendices,
18 specifically Appendix B, there's some tables that are
19 extremely relevant to this issue.

20 First point, licensees may need to
21 undertake refurbishment, replacement or perform some
22 incremental repair of SSCs or changing O&M practices
23 to ensure that aging is effectively managed, the
24 functionality of important SSCs is maintained.

25 In addition to that, licensees may

1 undertake refurbishment and upgrade activities to
2 better ensure economic and reliable power generation
3 from the nuclear facilities.

4 Second point, such activities can result
5 in environment impact initiators. I realize this is
6 not necessarily an impact, but it is one that is a
7 precursor. If you're familiar with how the GEIS was
8 constructed we did, in fact, talk about environment
9 impact initiators and if those initiators are
10 different from those experienced in the initial
11 license term, then we may have to pursue a better
12 understanding of what the potential environment
13 impacts would be. Incremental effects are over and
14 above those expected if the facilities are simply to
15 continue to operate as present.

16 Environmental impact initiators include
17 things like work labor force size, total hours of
18 effort, occupational radiation exposure, radioactive
19 disposal, waste types, volumes and also consider costs
20 in the area of capital, labor and disposal.

21 Most importantly, license renewal rule
22 does not require any specific modification of a
23 facility and to date, all applicants have determined
24 that major refurbishment activities are not necessary
25 to continue safe operation during the period of the

1 renewed license. It's expected, and this is part of
2 the underlying basis of the staff for conclusions, in
3 the GEIS, it is expected that most plants will be
4 maintained and operated to reduce the need for all but
5 a very few major refurbishments.

6 For the purposes of the GEIS, the staff
7 considered case studies. Typical case study
8 representing the majority of the plants and
9 conservative case studies representing some, but not
10 necessarily all of the outliers. We did this to frame
11 the reasonably likely impacts that could be
12 experienced from refurbishment activities.

13 Applicants are expected to represent their
14 specific need for and the schedule of those one time
15 or recurring refurbishment activities such as those
16 that are identified in Tables B1 and B2 of Appendix B
17 of 1437.

18 That must be undertaken during the period
19 of the renewed license specifically for the renewal
20 period of 20 years.

21 It is expected that such activities are
22 started shortly after the renewed license is granted
23 and completed by the time the facility completes its
24 40th year of operation.

25 Now let me step through an example.

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1. Activities that are required to be completed to ensure
2. safe operation during the initial licensing period are
3. not considered to be refurbishment activities for the
4. purposes of license renewal. For example, and we've
5. had one of these, if the licensee determines that
6. steam generator replacement is necessary to complete
7. the initial licensing term, then replacement is not
8. considered refurbishment for the purposes of license
9. renewal.

10. If the environmental impacts of major
11. component replacement is considered and the
12. plant-specific environmental statement, environmental
13. impact statement, as we use today, for initial
14. operation, then the licensee can perform that work
15. already. If the licensee determines that the
16. replacement is necessary for the renewal period,
17. that's the 20-year period after initial licensing
18. period, then it is considered a refurbishment activity
19. and it must be addressed by the applicant in its
20. environmental report and will be considered by the
21. staff.

22. I don't know what the background is on the
23. issue that was raised by the individual from industry,
24. but we do not look behind the applicant's
25. characterization of what the refurbishment needs are.

1 You make a representation and if during the staff
2 audit we have no reason to believe that that
3 representation isn't correct, that we accept the
4 representation on the part of the applicant.

5 Any quick questions? Seeing none, we're
6 on schedule.

7 MR. NELSON: I guess I'll do a little bit
8 of a wrap up and then pass it to you, Pete.

9 MR. KUO: Yes, I just wanted to share some
10 of my thoughts with you all. We have spent a day and
11 a half talking about the license renewal issues. It
12 appears that there are still areas that we still
13 disagree. That's fine. That's okay. It just shows
14 that we still need more dialogue and that we will find
15 a way to resolve it.

16 But I do want to repeat what Frank
17 Gillespie said this morning, that license renewal
18 program is one of the successful programs in the NRC
19 and we intend to maintain it that way.

20 The purpose of this workshop, is really to
21 try to provide information to those of you that are
22 going to submit the application into 2003 and beyond,
23 and hope to provide information to provide, to have
24 you better informed in preparing the information, so
25 that you can save time and money and the staff can

1 save our resources to do more things.

2 To that end, we discussed in Day 1, you've
3 heard, we all heard actually in Day 1 some of the
4 presentations and discussions, the application format.
5 We intend to simplify the application formats so that
6 we can be more effective and efficient in doing our
7 review.

8 We also heard some of the lessons learned
9 from the past reviews and hopefully when you prepare
10 your application you can effect these lessons learned
11 into your applications.

12 We heard the discussions of several
13 specific issues such as electric cables or 10 CFR
14 54.4(a)(2) issue. These are something that I hope you
15 take into consideration when you prepare your
16 application.

17 We talked about the ISGs, other ISGs.
18 There are several ISGs have been finalized already and
19 there are still some of the ISGs are still under
20 development.

21 Again, this is something that you need to
22 consider during your application and we also talk
23 about the ISG process. That's the process that we use
24 to control the number of the ISGs so that we don't
25 treat any plant-specific issues or any issues that a

1 reviewer that is particularly concerned with as ISG.
2 So that ISG process, you know, try at least to do
3 that. If you have any question about that I would
4 like to hear from you to improving the process.

5 And we also talk about the appeal process,
6 just in case when you submit your application you have
7 an issue with the staff and you think the staff's
8 position is unjustified. You want to appeal and we
9 have a process there. Again, we are seeking feedback
10 from you as to whether this proposed review process is
11 adequate or is good for you.

12 So in Day 2, of course, we just heard
13 about the environmental review process. We heard a
14 lot of discussions and we have some homework to do and
15 I also hope that you take back these issues to think
16 about.

17 I want to share with you some Commission
18 goals or our missions. We have four goals in the
19 Commission. That is to maintain safety, to increase
20 our effectiveness and efficiency, to reduce the
21 regulatory burden for you and to increase public
22 confidence.

23 I'm sure you have the same goals. You
24 share the same goals with us. You like to maintain
25 plant safety. You like to see that the staff has

1 effectiveness and efficiency in review and you would
2 like to have your burden reduced and I also believe
3 that you also like to increase the public confidence
4 in your plant operation. So we have the same goals.

5 Also, the same goal is to get your renewed
6 license on time. So to that end, again, what we have
7 heard today and yesterday is that we tried to
8 standardize our review process. There are many ways
9 to achieve these goals, but I think standardization of
10 the review process probably is one of the better ways
11 to do it.

12 However, keep in mind, whenever there is
13 a standardization process, there is a give and take
14 kind of thing taking place. If anyone wants to really
15 pursue their own interest, say a very plant-specific
16 issues, that's okay, too. However, you have to know
17 that as soon as we start doing that, we will spend
18 more staff resources to do that and that will take
19 away the staff time from doing other things, for
20 instance, to perform the review of license renewal
21 applications.

22 And as more and more plant-specific issues
23 get raised and get reviewed by the staff, and then
24 inevitably it makes the standardization process less
25 effective and makes the staff review less efficient.

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1 So I hope you will take what you heard
2 today and go back to really taking a hard look at this
3 process that has been talked about yesterday and today
4 and if you have any questions, don't stop there. Talk
5 to your colleagues and talk to the staff. The
6 communication is the key. We are open to better
7 communications. Any time you have something you want
8 to clarify, contact our staff, whoever you think is
9 the best to answer the questions and factor into the
10 license renewal from the past review. That's the most
11 efficient way to prepare your application.

12 And also, Frank Gillespie had mentioned a
13 couple of times that provide information you think
14 necessary for the staff to understand your
15 application. Don't wait for the staff to issue RAIs.
16 If you know certain information that the staff will
17 need, please provide it in your application. Don't
18 necessarily wait for RAIs to come. That's really
19 eating our staff time.

20 As you heard also that we have been
21 directed to supply information to reduce the review
22 time from 25 months to 22 months. That will really
23 put us in a very, very tight schedule. In order to
24 achieve that goal, the staff really needs your
25 cooperation. We have to work together to achieve

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1 that. Without your cooperation, we won't be able to
2 do that, especially in view of the number of
3 applications that we are going to receive in the
4 coming years.

5 That's really what I want to share with
6 you. And finally, I thank you for coming and hope you
7 all have a good trip back home.

8 MR. NELSON: Thank you, PT. Before I
9 close, was there some comments that John wanted to
10 make about this session?

11 MR. TAPPERT: Yes. Just to echo PT's
12 sentiments. We thank everybody who came out. It was
13 a fruitful discussion and we do have some follow-on
14 items, particularly on the SAMA review. I think there
15 is still a lot of discussion that needs to be held on
16 that.

17 MR. NELSON: Thank you. On behalf of the
18 industry, when we started a day and a half ago we
19 wanted to assure ourselves that we had open and clear
20 communication and I think from that point of view we
21 certainly met the goal of the workshop. A lot of
22 topics were discussed and a lot of questions asked and
23 we have a number of areas that we need to follow up
24 on.

25 In regard to the public meetings and

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1 environment impact that we discussed today, there are
2 a number of actions like yesterday that will need to
3 follow up. We do recognize that the public meeting is
4 the NRC's meeting, but of course the industry has a
5 vested interest in that meeting.

6 Pointing to the same considerations that
7 PT had mentioned, safety, effectiveness, reduced
8 burden and public confidence, we the industry takes
9 those points very seriously. We live and operate in
10 the vicinity of these power plants and the public
11 health and the environment is our main safety goal.

12 That being said, again, there are a number
13 of areas that we will follow up on and engage on a
14 number of issues that we listed yesterday, looking
15 forward to the revision, to the GEIS and lessons
16 learned from these meetings.

17 I would like to personally thank the staff
18 and PT and your folks for the time and effort that
19 went into this to make this meeting I consider it a
20 success and will lead to future successes in other
21 areas that we need to continue the dialogue with the
22 industry and staff as well.

23 So once again, thank you and appreciate
24 the time well spent.

25 MR. KUO: Thank you.

1 MR. NELSON: Those that may need some
2 directions to NEI, why don't you touch base with me,
3 but other than that, thank you very much for
4 attending.

5 (Whereupon, at 11:56 a.m., the meeting was
6 concluded.)

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CERTIFICATE

This is to certify that the attached proceedings before the United States Nuclear Regulatory Commission in the matter of:

Name of Proceeding: Public Workshop on license
Renewal

Docket Number: N/A

Location: Rockville, Maryland

were held as herein appears, and that this is the original transcript thereof for the file of the United States Nuclear Regulatory Commission taken by me and, thereafter reduced to typewriting by me or under the direction of the court reporting company, and that the transcript is a true and accurate record of the foregoing proceedings.

15/ Rebecca Davis
Rebecca Davis
Official Reporter
Neal R. Gross & Co., Inc.