

# Official Transcript of Proceedings

## NUCLEAR REGULATORY COMMISSION

Title: Vermont Yankee Power Uprate  
Public Meeting

Docket Number: (not applicable)

Location: Vernon, Vermont

Date: Wednesday, March 31, 2004

Work Order No.: NRC-1401

Pages 1-124

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Enclosure 2

## ERRATA SHEET

The Nuclear Regulatory Commission staff has made the following corrections to the transcription provided by Neal R. Gross and Co., Inc.:

- 1) On page 61, line 20, the speaker name was changed from "Mr. Ruland" to "Mr. Richards."
- 2) On page 114, line 11, the speaker name was changed from "Mr. Ruland" to "Mr. Pelton."

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

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CAT 3 PUBLIC MEETING

VERMONT YANKEE POWER UPRATE MEETING

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WEDNESDAY,

MARCH 31, 2004

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VERNON, VERMONT

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The public meeting was held at the  
Vernon Elementary School located at 381 Governor Hunt  
Road in Vernon, Vermont, Bill Ruland presiding.

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

8:18 p.m.

1  
2  
3 CHAIRMAN RULAND: Good evening. Good  
4 evening, and thank you for coming. I'm glad to see  
5 that everybody's prepared for the meeting and brought  
6 fans, because we're all here in the room together.  
7 Okay.

8 MR. BIDWELL: Evidently, there's a Prius  
9 hybrid with its lights on out in the parking lot. I  
10 don't know if there's a bunch of people who drive  
11 them. What was that license plate number again?  
12 PNORGUM. Okay. Sorry about that.

13 CHAIRMAN RULAND: My name is Bill Ruland,  
14 and I'm with the Nuclear Regulatory Commission, and  
15 I'm the Manager in charge of the power uprate process  
16 at the NRC's headquarters in Rockville, Maryland.

17 We are holding this meeting at the request  
18 of the Vermont Senators, Leahy and Jeffords.

19 (Applause.)

20 CHAIRMAN RULAND: You're going to need to  
21 bear with us a little bit. As you know, the venue has  
22 changed dramatically. It's obvious that you folks  
23 want to talk about questions and answers, so we're  
24 going to forego most of our prepared remarks and  
25 presentation. I'm going to ask our staff to make some

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1 key points, and we're going to move quickly into  
2 questions and answers.

3           However, before we start, I have some  
4 introductions we need to make, and I'd like -- before  
5 I do that, I'd like to introduce our facilitator who  
6 will help us with this meeting. Mr. Bidwell, David  
7 Bidwell, go ahead.

8           MR. BIDWELL: Good evening, everybody.

9           (Applause.)

10           MR. BIDWELL: I was laughing to someone  
11 earlier if you know the classic chant of this is what  
12 democracy looks like. I was saying in the room as hot  
13 it was getting in there, it was starting to be this is  
14 what democracy smells like.

15           I want to thank everybody for coming out.  
16 I think this is absolutely fantastic -- huge turnout,  
17 lots of people that are here. We know that there are  
18 incredibly strong feelings about this issue, and it's  
19 my goal to help try to get those feelings and ideas  
20 out going both directions and across the way to people  
21 that are here. I have a few notes just to make sure  
22 that I explain who I am and what's going on tonight.

23           Like I said, my name is David. I work for  
24 a company called the Perspectives Group. We're a  
25 company that does lots of different kinds of public

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1 involvement processes, and we are paid by NRC, I want  
2 to make that clear up-front, but I am paid to be a  
3 neutral, which is something that I take very  
4 seriously, okay? It's true. No, listen, I get paid  
5 to run advisory boards and things like that around the  
6 country, but I like to let people know who pays me  
7 because it's important to folks.

8 Just so folks know, there is a court  
9 reporter here tonight who is documenting the meeting.  
10 That's so that the NRC understands and remembers what  
11 everyone said, they can take it back. They also will  
12 make that transcript available publicly. An important  
13 thing for him that is really going to help is that  
14 before you speak you state your name very clearly,  
15 okay, and spell it for him. And I'll try to remember  
16 with my feeble mind to remind you to do that.

17 I think everyone knows this building  
18 better than I do, so I'm not going to tell you where  
19 the restrooms are; they're out in the hall. This is  
20 going to be a long meeting, okay? Please feel free to  
21 move around as you need. If you have kids, need to  
22 walk around, do that sort of thing, that's great.

23 And just to talk a little bit about my  
24 goal and what I'm tasked with tonight, okay? It is to  
25 try to make this the most productive conversation that

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1 it can be. Now, what does productive mean? There are  
2 lots of definitions for that.

3 (Audience shouting.)

4 MR. BIDWELL: Hold on. Hold on. Okay?  
5 There are lots of definitions of that. What I want to  
6 try to do is allow NRC to talk about their process and  
7 what goes on but also for you all to provide the  
8 information to them. Just a few -- let me ask for  
9 some -- a few people here said, "Can you keep control  
10 of this?" My answer is, no. No one takes control of  
11 a meeting, okay? People decide to cooperate with a  
12 meeting. There will be lots of opportunities to talk.  
13 There is not going to be an opportunity for everyone  
14 to give a long speech, sort of like I'm doing now.

15 A couple of things that will help us get  
16 through tonight and then I'll move on and let them  
17 talk, and then we'll have a question and answer. One  
18 is please try to be as respectful as you can. That's  
19 not to say don't express yourself, please express  
20 yourself, but remember that there are diverse people  
21 in this room who have different objectives of being in  
22 this meeting, okay? So we want to try to allow an  
23 opportunity for as much dialogue as we can and have  
24 people get what they need to get out of this meeting.  
25 For some people, it's going to be getting up to date

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1 on what the issue is; for some people, it's going to  
2 be stating their position.

3 In general, if you can, keep the chit-chat  
4 with your neighbors to a minimum. That is helpful.  
5 You are very large group, and if you have just a  
6 couple dozen people who are talking, it will really  
7 make it hard for other people to hear. That doesn't  
8 mean I don't want you to talk about things if you need  
9 to discuss it with someone. There are doors all  
10 around -- over here, here, here, here, here. Take a  
11 quick step outside the room and get your strategies in  
12 order.

13 (Audience member shouting.)

14 MR. BIDWELL: You're absolutely right, and  
15 if I can get through this real quick, we're going to  
16 move on. I am going to be going around as people  
17 raise hands with the microphone. To start with, I'm  
18 glad to give you the microphone. If folks start to  
19 take long, long speeches that are keeping other people  
20 from being able to talk, then I'm going to have to  
21 start holding the microphone for you, and I don't want  
22 to do that. I think you guys are a good group. I  
23 think you can do this, and I want it to happen.  
24 Excellent.

25 And unbelievable enough, that's all I had

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1 to say. Thank you. I'm going to be walking around.  
2 Please if you have suggestions, whisper them in my  
3 ear, okay? Thank you.

4 CHAIRMAN RULAND: Thank you, David. I see  
5 some hands already raised. Okay. Like I said, give  
6 us just a few minutes to paint a picture about our  
7 process and our inspection program. We've already  
8 elected to not use our slides. I've asked my staff  
9 here to get five key points that they think that --  
10 I've asked them on short notice to make some five key  
11 points about the areas they intended to cover so we  
12 can go quickly to questions and answers. I'd ask you  
13 to bear with us a little bit while we get this done,  
14 okay?

15 The primary reason we are here at the  
16 request of the Vermont Senators, okay, is to not only  
17 describe our process briefly but to also take  
18 questions and comments and concerns from the public.  
19 We're transcribing the meeting. Pete Holland here is  
20 our transcriber, so we'll be able to capture these  
21 comments. The NRC will consider every comment that we  
22 receive. At the end of this meeting, we will publish  
23 a meeting summary. The transcript will be part of  
24 that meeting summary, and we will also put a list of  
25 what the questions and the key issues that we believe

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1 we've garnered from reading that transcript, and we're  
2 going to provide responses, and we're going to post  
3 that on our web site to give everybody an idea where  
4 we're headed.

5 Before we start, I'd like to introduce a  
6 number of folks, particularly the federal, state and  
7 local officials who are in attendance today. First,  
8 from Senator Leahy's office, Mr. Chuck Ross. Chuck?

9 (Applause.)

10 CHAIRMAN RULAND: From Senator Jefford's  
11 office, Mr. Brian Keefe.

12 (Applause.)

13 CHAIRMAN RULAND: Any other federal  
14 officials from any office? And as a matter of fact,  
15 after I do these introductions, I'm going to give them  
16 a chance to make a statement.

17 From the State of Vermont, I have Patty  
18 O'Donnell, the State Representative from Vermont.  
19 Patty?

20 (Applause.)

21 CHAIRMAN RULAND: Bill Sherman, the State  
22 Nuclear Engineer. Bill?

23 (Applause.)

24 CHAIRMAN RULAND: Bill? Bill, wave.  
25 Okay. There you are, Bill. Thank you. John Burke

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1 who is on the Public Service Board. Mr. Burke?

2 (Applause.)

3 CHAIRMAN RULAND: Several Town of Vernon  
4 selectmen, starting with the Chairman, Douglas  
5 Fletcher.

6 (Applause.)

7 CHAIRMAN RULAND: A selectmen, Peggy  
8 Farabaugh. Peggy?

9 (Applause.)

10 CHAIRMAN RULAND: And let's see, also Mr.  
11 Len Peduzzi. Len?

12 (Applause.)

13 CHAIRMAN RULAND: And before I get to ask  
14 them to make some initial statements before the  
15 meeting, let me introduce the NRC staff. Yes, sir?  
16 I'm sorry. I'm sorry. Any -- yes, sir.

17 MR. BALES: (Off Mike) I'm Bart Bales.  
18 I'm here representing --

19 CHAIRMAN RULAND: Bart? And it's Bart is  
20 your name? I will also give you an opportunity. I  
21 apologize for not asking for any other state  
22 officials. Any other state officials? State  
23 Representative Sarah Edwards.

24 (Applause.)

25 CHAIRMAN RULAND: The State Senator

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1 Jeannette White.

2 (Applause.)

3 CHAIRMAN RULAND: Anybody else? Patty  
4 O'Donnell, State Representative.

5 (Applause.)

6 CHAIRMAN RULAND: Does that sign say, "Get  
7 on with it." I'm trying, sir. The NRC staff, we have  
8 Stu Richards.

9 (Applause.)

10 CHAIRMAN RULAND: Stu has the Inspection  
11 Program. He has the oversight for the Inspection  
12 Program. We have Tony McMurtray.

13 (Applause.)

14 CHAIRMAN RULAND: Tony is our senior  
15 engineer in charge of -- that helps me manage the  
16 power uprate process. Rick Ennis who is the Senior  
17 Project Manager for Vermont Yankee.

18 (Applause.)

19 CHAIRMAN RULAND: Some other staff, let's  
20 see, Mr. Pelton, the senior resident.

21 (Applause.)

22 CHAIRMAN RULAND: Let me make sure I get  
23 all these names right. We have Omar Patel, reactor  
24 engineer.

25 (Applause.)

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1 CHAIRMAN RULAND: Don Florick, Senior  
2 Project Engineer.

3 (Applause.)

4 CHAIRMAN RULAND: Brian Holian who spoke  
5 a little -- did a great job at the first meeting.

6 (Applause.)

7 CHAIRMAN RULAND: And I think that covers  
8 the NRC staff. So I'd like now to give an opportunity  
9 for the elected representatives or their staff to make  
10 comments, starting with the Senators. So that would  
11 be, let me get this right here, Senator Leahy's  
12 representative, Mr. Chuck Ross. Do you choose to make  
13 a statement?

14 MR. ROSS: Good evening. I'm Chuck Ross.  
15 I'm the State Director for Senator Patrick Leahy, and  
16 I'd like to read a statement.

17 First, I want to thank the staff of the  
18 Nuclear Regulatory Commission for coming to Vermont  
19 and to Vernon tonight to meet with and hear directly  
20 from Vermonters about Vermont Yankee's uprate  
21 application. On behalf of Senator Leahy, we  
22 appreciate the Commission's response to our request  
23 for this meeting, and it's good to see so many  
24 Vermonters here tonight in this strong showing of  
25 public interest in this very important issue.

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1           Senator Leahy recognizes that Vermont  
2 Yankee is a significant component of our energy mix in  
3 Vermont. We are dependent upon its power, its service  
4 and its safety record. However, we need to be  
5 confident that the review of its power uprate  
6 addresses the concerns of Vermonters.

7           As you know, it has been perceived in  
8 Vermont that the NRC has already decided not to  
9 address the concerns raised by the Vermont Public  
10 Service Board. I was glad to see in the Rutland  
11 Herald today that you have not ruled us out. The  
12 Vermont congressional delegation sent a letter today  
13 to the Commission asking the NRC to address the  
14 Board's concerns. The members of the Vermont  
15 congressional delegation believe you have the  
16 authority to do this, and they urge you to address the  
17 Board's concerns as quickly as possible during your  
18 review.

19           The bottom line is that we want the NRC to  
20 do an analysis that will ensure that the plant is  
21 reliable and safe after the uprate. Irrespective of  
22 what you call the analysis, Vermonters need to be  
23 confident that the analysis is thorough and complete  
24 with respect to the issues of service and safety. It  
25 is the job of the NRC to explain, design and conduct

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1 the analysis that will allow Vermonters to have the  
2 confidence that a subsequent uprate at Vermont Yankee  
3 will be reliable and safe for the long term. Thank  
4 you very much.

5 (Applause.)

6 CHAIRMAN RULAND: Mr. Brian Keefe from  
7 Senator Jefford's office.

8 MR. KEEFE: Thank you. My name is Brian  
9 Keefe. I'm with Senator Jefford's office. I'll be  
10 prompt. I'd first like to thank the NRC for coming  
11 here to hold this meeting. I'm sure you'll hear a lot  
12 of different views on the matter before us. Safety,  
13 of course, as Chuck just said, is of paramount concern  
14 to all of us here, including Senator Jeffords, Senator  
15 Leahy and Congressman Sanders who also signed the  
16 letter that went today.

17 As Ranking Member of the Environment and  
18 Public Works Committee, Senator Jeffords has  
19 jurisdiction over the Nuclear Regulatory Commission,  
20 so we are watching this closely. We've been also in  
21 close contact, of course, with the Public Service  
22 Board and the Public Service Department. Once again,  
23 safety, reliability, these are the big issues before  
24 us today, and we look forward to a prompt response to  
25 the Public Service Board's concerns. Thank you.

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1 (Applause.)

2 CHAIRMAN RULAND: I know that John Burke  
3 from the Public Service Board would like to read a  
4 statement.

5 MR. BURKE: Thank you. My name is John  
6 Burke. I'm one of the three members of Vermont's  
7 Public Service Board. I'd like, if you would, after  
8 this meeting to deliver this letter as you return to  
9 Chairman Diaz and I'd read it to you and to the  
10 meeting now.

11 "Dear Chairman Diaz, we wrote to you on  
12 March 15, 2004 requesting that the United States  
13 Nuclear Regulatory Commission conduct its review of  
14 the proposed extended power uprate at Vermont Yankee  
15 Nuclear Power Station in a way that will provide  
16 Vermont with a level of assurance about reliability  
17 equivalent to an independent engineering assessment.  
18 We asked for this assessment because of our  
19 significant concerns with the effect that the uprate  
20 may have on the future reliability of Vermont Yankee.

21 Today, the owner of Vermont Yankee Energy  
22 Nuclear Vermont Yankee submitted a filing with the  
23 Vermont Public Service Board that included a letter  
24 from the NRC to Vermont Senator James M. Jeffords.  
25 That letter from William D. Travers, Executive

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1 Director for Operations, suggested that the NRC was  
2 planning to conduct a baseline inspection program for  
3 the power uprate rather than expanding the review.

4 It is unclear whether that letter to  
5 Senator Jeffords was intended to be the NRC's response  
6 to this Board. We have also received notice that the  
7 NRC will hold a meeting tonight in Vernon to discuss  
8 the power uprate with members of the public. At the  
9 present time, the Board has pending motions to  
10 reconsider our order approving the proposed power  
11 uprate.

12 (Applause.)

13 MR. BURKE: As a result, we cannot  
14 actively debate the issues raised in our order.  
15 However, we want to make very clear that the views  
16 expressed in our previous letter are unchanged,  
17 although we have not yet considered the pending  
18 motions for reconsideration one of which seeks a more  
19 extensive independent assessment.

20 (Applause.)

21 MR. BURKE: In particular, we reiterate  
22 our request that the NRC's review of the proposed  
23 power uprate include the following features. One, it  
24 would be independent in the same sense as the  
25 independent safety assessment of Maine Yankee, i.e. --

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1 (Applause.)

2 MR. BURKE: -- i.e. it should be performed  
3 by experts independent of any recent or significant  
4 regulatory oversight responsibility related to Vermont  
5 Yankee. Secondly, the assessment would be a vertical  
6 review of two safety-related systems and two  
7 maintenance rule non-safety systems affected by the  
8 uprate. The level of effort necessary for this work  
9 has been described to us in testimony as requiring  
10 about four experts for about four weeks. This will  
11 provide a valuable check on the reliability of the  
12 systems that are reviewed and allow for correction of  
13 any problems.

14 Third, the independent engineering  
15 assessment should be, as we believe it is expected,  
16 reviewed by the ACRS in the context of their  
17 evaluation of the power uprate.

18 We want to stress that our request is not  
19 based on a concern about the safety of Vermont Yankee.  
20 Safety is clearly an issue over which the NRC has  
21 jurisdiction and considerable expertise. Instead, our  
22 concern stems from the potential impact that the power  
23 uprate could have upon reliability, which would affect  
24 the value of Vermont to Vermont of existing purchase  
25 agreements for power from Vermont Yankee.

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1           A number of nuclear plants have undergone  
2 extended power uprates and have experienced outages or  
3 power derates. The problems that led to these outages  
4 may not have been safety-related but they have  
5 affected the output of these nuclear plants. Our  
6 request is based upon our obligation to ensure that  
7 such outages are unlikely at Vermont Yankee.

8           Because of factors that are unique to  
9 Vermont Yankee, we also do not expect that granting  
10 our request will establish precedent. As we said in  
11 our previous letter, the record evidence we have heard  
12 shows that the proposed uprate at Vermont Yankee is  
13 larger than those that have occurred at most other  
14 nuclear plants, and, moreover, Vermont Yankee is one  
15 of the older nuclear facilities.

16           Thank you very much for your consideration  
17 of this matter. Sincerely Michael Dwarkin, Chairman,  
18 David Cohen, Board Member, and myself, John Burke,  
19 Board Member."

20           (Applause.)

21           MR. BIDWELL: I just want give folks a  
22 quick reminder too that people who have prepared  
23 letters or prepared statements are handing to the  
24 folks up here so they'll be able to make sure that  
25 they're word-for-word included in the transcript of

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1 the meeting.

2 CHAIRMAN RULAND: Any other state or local  
3 officials need to make a statement?

4 MR. BIDWELL: I believe there's a  
5 gentleman over here.

6 MR. BALES: I'm Bart Bales. I am -- B-A-  
7 L-E-S. I live in the town of Gill. I am here --  
8 Gill, Massachusetts. I'm here on behalf of actually  
9 a number of elected officials who couldn't be here  
10 tonight, and I have letters from each of them in this  
11 envelope. And I wish to sort of give an overview of  
12 what we're speaking to.

13 The first person that I want to speak for  
14 is Massachusetts legislator Steven Kulik who  
15 represents a nearby district to this area. He, as I  
16 do personally, calls for an independent engineering  
17 assessment of the type called for and detailed by the  
18 Vermont State Senate resolution.

19 (Applause.)

20 MR. BALES: And such an assessment should  
21 be of the level of the assessment given to Maine  
22 Yankee in the past.

23 I also hold a letter from the Board of  
24 Selectmen of the Town of Gill, Massachusetts also  
25 calling for an independent safety assessment for the

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1 Vermont Yankee plant. I can read these into the  
2 record. I also have them written. I'd like to read  
3 just the Steven Kulik one.

4 "I write regarding the proposed uprate of  
5 Entergy Vermont Yankee Nuclear Power Plant that has  
6 been requested by its owners. As I understand the  
7 matter, Entergy has requested an uprate, which would  
8 bring its output capacity to 120 percent of the power  
9 it was originally designed for at the time of plant  
10 opening 31 years ago. Last week, the Vermont Public  
11 Service Board granted approval of that request  
12 contingent on the successful completion of an  
13 independent safety assessment.

14 I urge you to require that just such an  
15 assessment be completed before any further action on  
16 the uprate request is taken. It is critical to the  
17 health and safety of the population that an  
18 independent engineering assessment of all the plant  
19 systems at Vermont Yankee plant be completed in order  
20 to determine whether or not the systems are reliable  
21 or safe under the current standards before an uprate  
22 request is considered.

23 I represent the First Franklin District in  
24 Franklin County, Massachusetts, which borders Vernon,  
25 Vermont -- the Vernon, Vermont town where the plant is

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1 located. I strongly believe that this is a matter  
2 that greatly affects my constituency because of our  
3 close physical proximity to Vernon, regardless of the  
4 political boundaries that preclude any official role  
5 this office may play in the State of Vermont.

6           Clearly, the health and safety impact on  
7 my district would be substantial in the event of any  
8 accident, shutdown or other major event at the plant.  
9 The threat to our residents' physical well-being, job  
10 status and overall security is potentially very great.

11           I understand and was pleased to learn that  
12 my colleagues in the Vermont State Senate voted  
13 unanimously on a resolution to ask for an independent  
14 inspection with five criteria that are identical to  
15 the independent safety assessment performed in 1996 at  
16 the Maine Yankee at the request of then Governor Angus  
17 King. I strongly support their resolution that calls  
18 for an inspection that assesses the conformance of the  
19 facility" -- I'm going to give you the rest of this.  
20 It's the five points that the Vermont Senate called  
21 for identically.

22           "In light of the deep concerns about this  
23 matter shared by myself and my constituency, I  
24 strongly urge you to require that an independent  
25 assessment be completed in order to analyze whether

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1 Vermont Yankee is in compliance with current  
2 regulations, what the risks to the uprate system might  
3 include and what the full range of safety issues are  
4 currently as well as in the proposed capacity  
5 increase. Thank you for your consideration of this  
6 request."

7 (Applause.)

8 MR. BIDWELL: I'm sorry. Bill, could we  
9 have just one more quick statement here?

10 CHAIRMAN RULAND: Sure. Go ahead.

11 MR. BIDWELL: If you could introduce  
12 myself.

13 MR. O'BRIEN: Yes. My name is David  
14 O'Brien. I'm the Commissioner of the Department of  
15 Public Service and also Chair of the Vermont State  
16 Nuclear Advisory Panel. And I want to add our support  
17 to essentially what Commissioner Burke just read from  
18 the Public Service Board. Earlier today, in our  
19 meeting, we resolved unanimously as a group to support  
20 what the Board has asked for in their order to ask for  
21 the Nuclear Regulatory Commission to do an independent  
22 engineering assessment and to go further in their  
23 review.

24 (Applause.)

25 MR. O'BRIEN: Now, I know this is safely

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1 a divisive issue with respect to Vermont Yankee, but  
2 on this question of going the extra mile on a review  
3 seems to be something we all now have a consensus  
4 about, that our senators and our congressional  
5 leadership has spoken on this issue in support of the  
6 Public Service Board. The Public Service Board has  
7 spoken and you've heard from Commissioner Burke. The  
8 Vermont State Nuclear Advisory Panel today voted on  
9 this.

10 I think that, gentlemen, the NRC, with all  
11 due respect I think this is an opportunity for you to  
12 be a little flexible in your process, and I would  
13 expect that with your letter that you respond to the  
14 Board that we can look for something a little  
15 different than what we saw earlier this week. Thank  
16 you very much.

17 (Applause.)

18 MR. BIDWELL: All right. Thank you. Just  
19 a quick note in terms of process. I think it's great  
20 to support the ideas that you like. The longer the  
21 applause goes the less time it is for more people. I  
22 just want to make that an awareness. I'm not saying  
23 don't do it --

24 PARTICIPANT: People know that here. They  
25 know that. They live here. They speak regularly.

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1 MR. BIDWELL: Excellent.

2 MS. O'DONNELL: As a State Representative  
3 from this town, I think it's only fair that everyone's  
4 voice be heard. Now, I'd like it to be known strongly  
5 that although I haven't polled the Town the Vernon, I  
6 have heard from people in Guilford, and I support an  
7 independent assessment.

8 (Applause.)

9 MS. O'DONNELL: But I also want it to be  
10 known that this town strongly supports Vermont Yankee.  
11 They work here. You know, your voice can be heard  
12 when it's your turn. It's my turn now. We hear an  
13 awful lot about diversity and tolerance. Well,  
14 there's more than one opinion here. And I also want  
15 it to be known that there aren't a whole lot of people  
16 from Vernon here, for one reason. Because for 30  
17 years we've lived with this, and the Vermont way is  
18 not to be rude to people. The Vermont way is to  
19 listen to everyone's side, and I ask you, please, when  
20 you're in this town please be respectful of everyone's  
21 voice. Thank you.

22 (Applause.)

23 MS. FARABAUGH: Thank you. Peggy  
24 Farabough, F-A-R-A--B-A-U-G-H, Select person in  
25 Vernon. And thank you for giving me a chance to

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1 speak. I do live in Vernon and I feel like you're  
2 trying to shut me out. We host this town. A lot of  
3 our neighbors and friends work for Vermont Yankee.  
4 It's an integral part of our town. We understand the  
5 safety issues at Vermont Yankee. We support Vermont  
6 Yankee very largely. Over 91 percent of the people  
7 polled in Vernon support Vermont Yankee.

8 I personally do not think that we need  
9 another independent safety assessment. The NRC  
10 conducts two. I don't think that's what this meeting  
11 is about. I think this meeting is about putting any  
12 kind of a roadblock in front of the progress of any  
13 kind of a nuclear power plant. And I think that  
14 you've chosen the wrong venue for that.

15 I feel I have -- I am a mother of two  
16 children who go to school here, I live here, my  
17 children go to school right across from the plant. I  
18 have confidence in the people who are operating the  
19 plant and in the NRC and in the record of the nuclear  
20 power industry over the last many years.

21 You don't see a lot of people from Vernon  
22 here, one, because they don't enjoy this type of  
23 entertainment. And if they want to know about the  
24 issues regarding nuclear power, they will do it in a  
25 more technical forum. The other reason you don't see

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1 a lot of people from Vernon here is because when we  
2 stand up and try to speak, look at the way we get  
3 treated. There's not a lot of respect in this room.  
4 Patty was the first person who asked to get up and  
5 voice an opinion that was different from the mob's  
6 opinion, and look how you have treated her and how  
7 you've treated me.

8 So we do support Vermont Yankee, and I  
9 don't support the independent safety assessment.  
10 Thank you.

11 CHAIRMAN RULAND: Yes, let her speak.  
12 Hold on a second. Not everybody can speak all at  
13 once, and I know you folks want to ask us questions,  
14 okay. So how -- you want the Representative to speak?  
15 Go ahead. Thank you.

16 MS. EDWARDS: Thank you. My name is Sarah  
17 Edwards, I'm a Representative from Brattleboro in the  
18 House. Sarah Edwards from Brattleboro. I'm a  
19 Representative in the House in Vermont. We have a  
20 resolution right now that I have 83 members have  
21 signed from the House from all parties of the 150  
22 seats that are available in the House. And this  
23 resolution supports the ruling of the Public Service  
24 Board, and I wanted you all to know that there is an  
25 attempt to get the House backing to be on board with

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1 all the other people who have spoken tonight with  
2 regard to the uprate and to the independent  
3 engineering assessment. And I'll be testifying on  
4 this tomorrow, and I hope that I can report back to  
5 you that we're in agreement with the Public Service  
6 Board and the Department of Public Service as well as  
7 our congressional delegation. Thank you.

8 (Applause.)

9 MR. BIDWELL: Thank you all. What I want  
10 to do now is NRC would like to make a couple of  
11 points. They're key points about the assessment  
12 process and how that reflects what some of the other  
13 parties have requested. Then we want to move into the  
14 audience and make sure that you all have a chance to  
15 say why that is or is not adequate, what are the other  
16 points that you want to see and to express your views.

17 CHAIRMAN RULAND: Thank you. A number of  
18 representatives, public officials have talked about  
19 the independent safety assessment, and I see just a  
20 few signs of people urging support for an independent  
21 safety assessment.

22 As you know -- it does keep the place  
23 cool. As you know, the Senators Leahy and Jeffords --  
24 we responded, the NRC responded to Senators Leahy and  
25 Jeffords in a recent letter, and we stated why the

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1 Main Yankee independent safety assessment experience  
2 is not applicable to Vermont Yankee's power uprate  
3 application. The Senators' letters and the NRC's  
4 response mentioned the public request for Vermont  
5 Yankee to undergo the same type of ISA that was  
6 performed at Maine Yankee in 1966.

7 It is the NRC's position that the letter  
8 to the Senators does not represent the Agency's  
9 position on the Vermont Public Service Board's  
10 conditional approval of the Vermont Yankee uprate. It  
11 does not represent. As you know, we also have a  
12 letter, as a matter of fact it was dated today, from  
13 both Senators Jeffords and Leahy basically,  
14 reiterating that the PSB has not received a written  
15 response from the NRC on its independent engineering  
16 assessment request, and they're requesting the NRC to  
17 issue a letter to the Public Service Board  
18 expeditiously. The NRC staff will do that. So we are  
19 going to issue a response to the Public Service Board  
20 regarding their request. So we haven't done that,  
21 okay, but we will.

22 We've heard a lot of folks clamoring --  
23 that's probably the right word -- for an independent  
24 safety assessment. We recognize that. At this stage,  
25 our thinking is, okay, that, one, at this point that

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1 the Agency's normal oversight and uprate review  
2 process we believe appears to provide information that  
3 coincides with the PSB's concerns. And let me list  
4 them a little bit.

5 NRC and independent contractors have  
6 inspected Vermont Yankee's design and licensing basis  
7 several times since Maine Yankee's ISA. Now, there's  
8 a lot of talk about what is an independent review.  
9 Well, first of all, the NRC is an independent  
10 regulatory agency established by Congress. David  
11 Lochbaum, somebody that testified at the PSB from the  
12 Union of Concerned Scientists, argued that independent  
13 was folks that didn't have normal regulatory oversight  
14 of a plant. Well, the NRC performed such an  
15 inspection. It was called the architect engineer  
16 inspection. The NRC performed that inspection. It  
17 was not performed by the local regional office, it was  
18 run from headquarters, it was run with contractors.

19 Those folks did not have routine  
20 regulatory oversight of the Vermont Yankee Nuclear  
21 Power Plant, and if you actually looked at the  
22 independent safety assessment that you're clamoring  
23 for, the NRC ran that, a guy by the name of Ellis  
24 Merschhoff ran that assessment. It was run with NRC  
25 folks, it was run with NRC contractors, and there were

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1 some state observers. But the independent safety  
2 assessment was run by the NRC. However, Mr. Merschhoff  
3 did not report to the regional office, he reported to  
4 headquarters, he reported to the Chairman. And we've  
5 done that, okay? We have done an architect engineer  
6 inspection at Vermont Yankee, and the staff believes  
7 that not only have we done that, we continue to  
8 perform what we believe, I'm not asking you to believe  
9 it, what we believe are independent assessments of  
10 Vermont Yankee's engineering work. That's the first  
11 point I'd like to make.

12 The second point, the NRC does not issue  
13 decisions on the plant reliability specifically.  
14 However, plant reliability, we believe, is closely  
15 related to plant safety. It's not exactly the same  
16 but it's closely related. The NRC's power uprate  
17 process reviews the reliability of the modifications  
18 that the plant is performing and we consider that in  
19 our reliability review. So we do do a safety review  
20 and we examine reliability as part of that.

21 In August of this year, the NRC will  
22 conduct its every other year safety design inspection  
23 at Vermont requiring several inspectors to perform  
24 over 500 hours worth of direct inspections of 1 and 2  
25 systems. Our power uprate review process, which we're

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1 going to talk about briefly, that process examines  
2 equipment modifications and every system that is  
3 important to the safety of a power uprate. This  
4 review covers both the actual safety systems and the  
5 non-safety systems.

6 If any portion of these inspections  
7 identify a problem, we go after it. Our inspection  
8 program, we believe, is robust and it's flexible.  
9 We've shown the ability to respond to safety issues,  
10 and I believe we're going to respond again.

11 So those are our thoughts right now. We  
12 haven't responded yet to the Public Service Board, and  
13 you have my commitment that we're going to do that.  
14 Clearly, you folks are passionate about this issue,  
15 and I feel that passion. Thank you.

16 (Audience shouting.)

17 Again, let's afford the staff to make a  
18 few key points. Tony McMurtray on power uprate  
19 process.

20 (Audience shouting.)

21 MR. BIDWELL: Let me step in, okay? Hold  
22 on. Hold on. The NRC has come. They want to give  
23 the points of what their process is, and then they  
24 want to hear your reactions to that process.

25 (Audience shouting.)

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1 MR. BIDWELL: Right now we're burning  
2 time, okay?

3 CHAIRMAN RULAND: We're going to be back,  
4 okay? We are going to be back, we are going to have  
5 another meeting further on the review process. You  
6 have my promise on that, okay?

7 (Audience shouting.)

8 CHAIRMAN RULAND: We have not made up our  
9 mind.

10 MR. McMURTRAY: Good evening. My name's  
11 Tony McMurtray. Bill introduced me. I work at NRC  
12 headquarters. I just relocated to headquarters last  
13 summer. Before that I spent nine years as a resident  
14 inspector, approximately six years I was a senior  
15 resident inspector at Peach Bottom, which is down in  
16 Pennsylvania. It's a similar vintage BWR. I'm  
17 currently in the Division of Licensing Management at  
18 headquarters, and I am in charge of the overview for  
19 the power uprate process.

20 Some real quick points. Our power uprate  
21 reviews are significant licensing actions and receive  
22 a high amount of attention from the NRC Commission and  
23 senior agency management. We now have a review  
24 standard. This is our review standard. It took over  
25 two years to develop this standard. This standard is

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1 to guide the staff, utilities and public to the extent  
2 of our reviews. The plant owner must provide  
3 sufficient justification to the NRC that safety is  
4 maintained under power uprate conditions.

5 As Bill mentioned, the NRC staff reviews  
6 every system that is important to maintaining public  
7 health and safety that is impacted by the proposed  
8 power uprate. Vermont Yankee is the first plant  
9 requesting an extended power uprate that we are using  
10 this new review standard to guide the staff's NRC  
11 review.

12 And in closing, we believe that our power  
13 uprate process is a structured, robust, comprehensive  
14 process focused on safety and captures lessons learned  
15 from each uprate to improve later reviews. However,  
16 we welcome your comments on our review standard and  
17 our review process, and our web site is available in  
18 the handout, so please get them. We would have those  
19 on the slide. Thank you.

20 CHAIRMAN RULAND: Thank you, Tony. Stu  
21 Richards, you want to just briefly talk?

22 MR. RICHARDS: Very briefly, I'm Stu  
23 Richards, I'm from Washington and I'm responsible for  
24 the Inspection Program. A couple of points to make  
25 for tonight, we have a robust inspection program. I

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1 think a couple of people have mentioned that before.  
2 We do inspect the engineering at Vermont Yankee and  
3 all plants across the nation, and I think we do a  
4 pretty robust job of doing that. And as part of the  
5 power uprate process, there will be issues that come  
6 out of the technical reviews, and we'll factor those  
7 into our Inspection Program. Thank you.

8 CHAIRMAN RULAND: Thank you, Stu. And,  
9 finally, Rick Ennis, our Senior Project Manager. He's  
10 going to talk a little bit about the specific review  
11 we're doing on Vermont. Rick?

12 MR. ENNIS: My name is Rick Ennis, and I'm  
13 the Project Manager responsible for review of the  
14 power uprate for Vermont Yankee at NRC headquarters in  
15 Maryland. I'm going to give you a quick status of  
16 where we are in the review.

17 The forecast completion date of our review  
18 is January 31, 2005 and that's documented in our  
19 letter to Entergy, dated February 20. Although we're  
20 very early in the review stages, we've already  
21 provided 60 technical questions to Entergy regarding  
22 the specifics of the review, which Entergy has  
23 responded to in a letter dated January 31 2004.

24 The next major milestone in the process  
25 will be for the NRC to issue a Federal Register notice

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1 to docket acceptance of the application for review.  
2 This notice will be posted on the NRC's web site. The  
3 Federal Register notice provides an opportunity for  
4 the public to request a hearing on the proposed  
5 amendment. And based on recent changes to the NRC's  
6 regulations, the hearing process now extends the  
7 period to request a hearing from 30 days to 60 days  
8 after the notice is issued. It's expected that this  
9 notice will be issued sometime in April.

10 The public may also provide comments to  
11 the NRC regarding the proposed amendment outside of  
12 the hearing process. The staff will consider those  
13 comments during the course of the review, and this  
14 meeting is one of the opportunities for you to provide  
15 comments to us.

16 There's many technical areas that we look  
17 as part of the power uprate process, and I just want  
18 to touch on two issues that are very high focus areas  
19 at this time. Several plants have experienced  
20 problems with steam dryer cracking following  
21 implementation of a power uprate. Although the steam  
22 dryer performs a non-safety-related function, the  
23 dryer must maintain its structural integrity to avoid  
24 loose parts from entering the reactor vessel or steam  
25 lines and adversely affecting plant operation. In

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1 addition, there's also been other problems related to  
2 flow vibration issues that have caused damage to  
3 valves and pipe supports following a power uprate.

4 The steam dryer integrity and flow induced  
5 vibration issues are receiving a very high level of  
6 attention by the NRC and the nuclear industry, and  
7 these are probably the two biggest technical  
8 challenges associated with power uprates at this time.

9 Additional interaction between the NRC  
10 staff, Entergy and Entergy's contractor, General  
11 Electric, is expected on these issues. These  
12 interactions may include requests for additional  
13 information, on-site audits of General Electric and  
14 public meetings so that we receive information that  
15 demonstrates that safety will be maintained at the  
16 proposed uprate conditions.

17 As I mentioned earlier, I just want to  
18 emphasis that the NRC staff is in the very early  
19 stages of the technical review. Much more work still  
20 needs to be done before the NRC staff can come to any  
21 conclusions regarding acceptability of the Vermont  
22 Yankee request. This amendment will not be approved  
23 unless we are satisfied that safety will be assured.  
24 As Mr. Ruland mentioned, we will be back for another  
25 public meeting after we are further along in the

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1 technical review. Thank you.

2 CHAIRMAN RULAND: Thank you, Rick.

3 (Applause.)

4 MR. BIDWELL: Finally, right, the moment  
5 that you've been waiting for. Let me say just a  
6 couple more words, all right? One is please try to  
7 keep your comments to the key point just so that as  
8 many people as possible get an opportunity to talk.  
9 The school district has asked us to finish at 11,  
10 okay? So that does leave -- you've got an hour and 50  
11 minutes. The other thing is that when a question is  
12 actually posed to NRC, I ask that you let them have a  
13 couple of moments to try to answer that, all right?  
14 The questions will be fielded by Bill, and if there is  
15 a more appropriate staff person to comment on that,  
16 he'll ask them to say a couple of words, all right?

17 Many people have come up and asked me to  
18 be first. I can't let 50 people go first, but I'm  
19 going to start over here and then when he's done I'll  
20 be moving around through the room.

21 CHAIRMAN RULAND: Why don't you let Paul  
22 talk first? Paul, want to talk? Okay. Fine. Thank  
23 you.

24 MR. GUNDERSON: My name is Arty Gunderson.  
25 I'm a teacher in Burlington of math. Prior to that I

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1 had a bachelor's and master's degree in nuclear  
2 reactor operators license, and I was the Senior Vice  
3 President of a nuclear firm. I was the New England  
4 Coalition's expert witness during these hearings. In  
5 that capacity, I looked at over 100,000 documents.  
6 I'd like to share four pages with you tonight.

7 My review of non-proprietary emails and  
8 telecons provided by Entergy during the discovery  
9 process I discovered documents that seemed to indicate  
10 a disturbing pattern of collusion between Entergy,  
11 General Electric and the NRC. These same documents --  
12 I'll be quick -- these same documents also appeared to  
13 demonstrate significant efforts by high levels of  
14 General Electric to intimidate the NRC into approving  
15 its generic safety uprate evaluation report. I've got  
16 the documents here. I will give them not to the NRC  
17 tonight but to our Congressmen. Let me continue.

18 I discovered emails and telephone notes  
19 from the NRC to Entergy where the NRC said that  
20 General Electric is licensing the project on the  
21 cheap. I discovered that General Electric -- that the  
22 NRC told Entergy that G.E., quote, "assumes the staff  
23 can reach conclusions on public safety without having  
24 adequate analysis." The documents also showed, more  
25 disturbing still, that NRC told Entergy that G.E. had

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1 a piecemeal safety analysis. It gets worse.

2 The NRC then began to beg Entergy to  
3 quote, "have a heart to heart," with General Electric  
4 so that they could answer these technical questions.  
5 And, finally, the NRC told Entergy that G.E. wasn't  
6 being honest with them. Hello. You guys are the  
7 regulators, you guys are in charge. You don't have to  
8 whine to Entergy to get General Electric to do their  
9 job. It gets worse.

10 Entergy then told General Electric about  
11 this. Instead of addressing the NRC's technical  
12 concerns, General Electric dispatched its Vice  
13 President to go around the reviewers to their senior  
14 management. When that failed, the documents show that  
15 that Vice President went to the Commissioners, and --  
16 I can't believe this -- the General Electric VP let it  
17 be known that he was, quote, "going to go for their  
18 jugular." That's a curious use of words, and it  
19 reflects a dangerous level of contempt and disdain by  
20 both General Electric and Entergy for the NRC's  
21 supposed regulatory role.

22 Despite not being honest, G.E. got what  
23 they asked for. To a former insider like me, it's no  
24 surprise that the NRC would cave to this type of  
25 industry pressure. It's via closed door meetings like

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1 the ones indicated in these telecons, which I'll give  
2 to our Senators tonight, it's via closed door meetings  
3 that the NRC was persuaded by G.E. and Entergy to look  
4 the other way so that Entergy may avoid basic safety  
5 guidelines line net positive suction head. It's  
6 simple: The NRC agrees to look the other way, G.E.  
7 gets more business, Entergy gets more profits. You  
8 are not here to protect the public, you're here to  
9 protect the industry from the public.

10 (Applause.)

11 MR. GUNDERSON: I read another 99,996  
12 pages, I'm unable to discuss them in two minutes, and,  
13 unfortunately, you'll never give me the opportunity to  
14 talk to you because you're not allowing Mr. Blanch and  
15 I into the process despite the fact that we've got 70  
16 years of experience between us. We have never  
17 attempted to intimidate you, we've never attempted to  
18 go for your jugular. The NRC's outright rejection of  
19 our expertise forces us to go to Senator Jeffords and  
20 Senator Leahy with formal allegations based on this  
21 collusion which I've got the evidence for.

22 (Applause.)

23 MR. BIDWELL: All right. Thank you.

24 CHAIRMAN RULAND: Let's talk a little bit  
25 about the NRC's allegation process.

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1 (Audience shouting.)

2 CHAIRMAN RULAND: Well, let me respond.

3 MR. BIDWELL: Please let NRC respond, and  
4 then we will move to the --

5 CHAIRMAN RULAND: Let me respond.

6 (Audience shouting.)

7 MR. BIDWELL: Wait, wait, wait, wait,  
8 wait, wait, wait.

9 PARTICIPANT: That was not a question.  
10 That was not a question. Would you all agree that was  
11 not a question?

12 CHAIRMAN RULAND: Paul, could you give --  
13 do me a favor, could you give the mike to Paul,  
14 please?

15 MR. BLANCH: I'm Paul Blanch. Please give  
16 Mr. Ruland a chance to respond in a calm manner. He  
17 has a right to briefly respond to the questions.  
18 Please respect Mr. Ruland.

19 CHAIRMAN RULAND: Thank you, Paul. Thank  
20 you. First of all, this is not your mother's meeting.  
21 I'm not sure this is the kind of meeting I thought  
22 this was going to be before it started, but I  
23 appreciate -- again, I just wanted to say I appreciate  
24 the passion and the information we're getting.

25 The NRC is really here, because we're

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1 recording it, to address these issues and to address  
2 them clearly, okay? That's why we're taking the notes  
3 here for this meeting. The NRC has two processes that  
4 we use to address the very kind of issue that we heard  
5 today. Frankly, I don't know the details behind this  
6 matter, but we're going to find out. The NRC has an  
7 allegation process that we go through. We examine  
8 what the allegation is, we go out and do inspections,  
9 and we try to get to the root of the problem and try  
10 to determine it and try to take some action. If it's  
11 an allegation against NRC staff and potential  
12 wrongdoing, the NRC also has a process for that, and  
13 we have an independent Inspector General that we refer  
14 these things to. We do this frequently and all the  
15 time. It's part of the NRC culture, okay? And it's  
16 part of the NRC culture to examine these problems and  
17 look introspectively to try to understand what they  
18 are. Thank you.

19 MR. BLANCH: Thank you. My name is Paul  
20 Blanche. I have more than 35 years of nuclear  
21 experience. And just to carry on with what Bill said,  
22 I have a prepared statement. It's probably longer  
23 than I want to read and I'm going to shorten it down,  
24 but in response to the statement that Mr. Ruland just  
25 made, I've already contacted the Inspector General's

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1 Office this afternoon and turned over these issues of  
2 wrongdoing. They're contained also in my statement,  
3 and I, again, want to allow other people time to  
4 express their concerns and issues, so I'm shortening  
5 up my presentation. I have given some of the copies  
6 to the NRC and also some of the media.

7 Mr. Gunderson and I actually support VY's  
8 current nuclear power output, and if the safety  
9 concerns of Vermont's residents and those surrounding  
10 states are examined and addressed, we may even support  
11 a power upgrade at Vermont Yankee. We both believe  
12 that nuclear plants can be operated safely but only if  
13 proper reviews are conducted to today's more stringent  
14 safety requirements and if complete evaluation of the  
15 risk associated with VY's regulatory non-compliances  
16 if conducted.

17 We could support the upgrade if, and only  
18 if, the NRC and Entergy are willing to talk about  
19 nuclear safety in an open, collaborative and candid  
20 manner with us and members of the public. Tonight is  
21 not the forum for that. I was extremely troubled when  
22 I learned that the NRC, Entergy and G.E. continue  
23 negotiating nuclear safety behind closed doors as  
24 documented by Entergy in its confidential and  
25 privileged documentation of phone conversations

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1 between Entergy, the NRC, General Electric. General  
2 Electric even made veiled threats to the  
3 Commissioners. Is this regulatory agency that we rely  
4 on to assess nuclear safety when the nuclear industry  
5 can have free access to the Commissioners and  
6 influence the Commissioners with threats and  
7 intimidation? Is intimidation part of the NRC's  
8 regulatory process?

9 A few year ago Mr. Gunderson were invited  
10 by the government of the Czech Republic to review  
11 safety issues for two proposed nuclear power plants.  
12 This former Soviet state facilitated public dialogue  
13 with us in open and cordial meetings. These open  
14 forums included utility, the media, SUJB, which is the  
15 NRC equivalent, and the general public. We were even  
16 provided tours of all the nuclear facilities in order  
17 for us to more fully examine public questions and  
18 thoroughly address safety concerns.

19 Contrast as positive with the opposition  
20 contempt and disdain we have received in the U.S. from  
21 both Entergy and the NRC. We have raised significant  
22 safety issues related to Vermont Yankee. Mr.  
23 Chairman, raised them four months ago. No response.  
24 The immediate response by VY was to hold a press  
25 conference by invitation only within the plant fence

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1 for the sole purpose of personally discrediting,  
2 demeaning and slandering me. To that end, Entergy  
3 attempted to discredit my nuclear experience, diminish  
4 my educational background and imply that I was  
5 unfamiliar with NRC regulations. I'm going to shorten  
6 this up now because I'm taking too much time.

7 In my concluding statement, I just want to  
8 say that those of us involved with the technical  
9 expertise and the willingness to speak out will be  
10 involved in the safe resolution of these issues and  
11 will continue to make our voices public no matter how  
12 often you attempt to silence us. The choice is up to  
13 Entergy and the NRC, that choice being one of  
14 collaboration or a continued adversarial relationship.  
15 Thank you very much.

16 (Applause.)

17 CHAIRMAN RULAND: Thank you, Paul. Paul  
18 and I go way back. What is it the '80s, Paul?  
19 Personally, from what I have observed in the NRC, what  
20 I heard tonight is foreign. I have not seen this  
21 behavior, okay, so this is new to me. It's something  
22 that the NRC is going to treat seriously. I  
23 personally don't think I have ever tried to silence  
24 our critics. Our critics are important to me. It is  
25 what helps us make us better.

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1 I've talked to Paul on many occasions,  
2 I've talked to David Lochbaum, and sometimes what they  
3 tell us it's not nice and it's not easy to hear, but  
4 we do that, and I personally have done that. It's  
5 something we've got to take to heart. It's one of the  
6 lessons I think that the NRC tries to learn and  
7 continues to learn about listening to our critics. I  
8 think we're going to continue to do that. So next  
9 person. Mr. Bidwell?

10 MR. BIDWELL: We're going back here to the  
11 bleachers.

12 MR. DOUD: My name is Louise Doud. That's  
13 spelled D-O-U-D, not D-O-W-D, please, D-O-U-D. I live  
14 in Warwick, Massachusetts. I've come with some  
15 friends and we left many people at home because we had  
16 a cherished member of our community die yesterday and  
17 many people are not here because they're at his  
18 calling hours.

19 I want to say something about process  
20 before I ask my very brief question, which I then like  
21 to be able to respond to after I get an answer to it,  
22 which is that I think it's quite understandable the  
23 energy in this room and the outbursts since it after  
24 nine o'clock when significant openness about having  
25 members of the audience make comments finally was

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1 reached. And I want to give you that observation. I  
2 don't many people in this room have distinguished  
3 between the first hearing and the second hearing.  
4 People came because they were interested in finding  
5 out what is happening and to express their opinion,  
6 and the signs and the short responses are what most of  
7 us have had up until now. It is now 25 after nine and  
8 the meeting started at seven.

9 So I'd love to talk to you, Mr.  
10 Facilitator because I have a number of -- having done  
11 facilitation work in my own life, I have a number of  
12 suggestions. I will get on with it. My question is  
13 what was the original design life of this nuclear  
14 reactor across the road? And then I would like to be  
15 able to ask a question after I get an answer to that.

16 CHAIRMAN RULAND: The original licensed  
17 life of the plant was 40 years.

18 MR. DOUD: It was designed for 40 years.

19 CHAIRMAN RULAND: That's correct.

20 MR. DOUD: Thank you.

21 CHAIRMAN RULAND: No, no. That's the  
22 licensed life of the plant.

23 MR. DOUD: That would be the longest  
24 design life I've heard about in the early reactors.  
25 Can you get a more specific answer on that?

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1 MR. RICHARDS: Just briefly, the plant was  
2 licensed for 40 years. We have a process by which  
3 plants that can demonstrate it appropriate they can  
4 renew their license for up to 20 years. The design of  
5 each of the components is based on the original  
6 engineering that went into that component, so you  
7 can't say the plant was designed for 40 years. We  
8 licensed it for 40 years.

9 MR. DOUD: You licensed it for 40 years  
10 based on design criteria that would say that each  
11 component would last at least 40 years?

12 MR. RICHARDS: No. We licensed the plant  
13 for 40 years based on initial submittal of their  
14 licensing request recognizing that over that 40-year  
15 period of time there would be a large number of  
16 inspections that the utility would do, that we would  
17 do, that there would be inspections, maintenance,  
18 replacement of components. So it's not the  
19 expectation that you build a plant and then it lasts  
20 as built for 40 years.

21 CHAIRMAN RULAND: You had a follow-up  
22 question?

23 MR. DOUD: It's not a -- just that 32  
24 years is awfully close to that, and I'm really  
25 wondering how we can imagine a safe -- the continued

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1 safe operation with an uprate happening at the same  
2 time.

3 CHAIRMAN RULAND: I understand.  
4 Essentially, the question is how can this plant last  
5 much longer than 32 years? The NRC's requirements  
6 that the licensee must comply with requires them to do  
7 surveillance testing, requires them to do in-service  
8 inspection of all the important safety-related  
9 equipment. Licensees, as a result of that, in Vermont  
10 Yankee replace equipment if they don't meet our  
11 requirements. We don't permit licensees to operate  
12 their plant without meeting those requirements that  
13 are in place for them.

14 This Licensee, as part of their power  
15 uprate, is replacing a number of components. The  
16 plant has feedwater heaters that heat the water prior  
17 to going into the reactor. Essentially, all of those  
18 have been replaced. A number of safety pumps will be  
19 replaced, okay? So there is a number of processes  
20 that the NRC has in place to make sure that the  
21 plant's equipment operates appropriately. Mr.  
22 Bidwell.

23 MR. BIDWELL: Thank you. Let me just --  
24 one more little thing, okay? This is -- wait. This  
25 is not a hearing. It's an opportunity to have an

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1 actual answer from NRC, and that's what we're trying  
2 to provide an opportunity for.

3 MR. SHADIS: Thank you. I guarantee to  
4 make this brief. I have to disagree with you, Stu,  
5 with respect to the design life of the plant.  
6 Documents surrendered to us in this process before the  
7 Vermont Public Service Board after two orders  
8 compelling Vermont Yankee to hand over the documents  
9 reveal that, yes, they believe they have a 40-year  
10 design life, and those particular documents were  
11 signed by Jay Thayer, the CNO here.

12 So, no, they believe they have a 40-year  
13 design life, and in fact, as you know, the principal  
14 components of this plant, which will never be  
15 replaced, such as the reactor vessel, are designed for  
16 a limited number of thermal cycles. And when you put  
17 an equation to it, it turns out to be 40 years. What  
18 is going on now is an attempt to pencil away all of  
19 those original limitations.

20 CHAIRMAN RULAND: Mr. Shadis mentioned the  
21 reactor vessel. The NRC has specific requirements and  
22 a specific rule that requires those reactor vessels to  
23 meet to make sure that they're safe. Those  
24 requirements apply to Vermont Yankee, and the instant  
25 the Licensee doesn't meet those requirements the plant

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1 will be shut down. Mr. Bidwell, where are you?  
2 Hello?

3 MR. BLAZEY: I'm Colin Blazey. I'm from  
4 Windham, Vermont. I lived in Brookline, Vermont when  
5 the plant was built. My neighbor died building the  
6 plant. And the whole key issue that I don't  
7 understand in this whole uprate question is in terms  
8 of being civil, how can it be civil to continue to  
9 make more non-disposable nuclear waste? If you can't  
10 answer that simple question, what are you going to do  
11 with the waste, nothing that you can say technically  
12 can even possibly hold a candle to that major safety  
13 question.

14 (Applause.)

15 MR. BIDWELL: Does the NRC have a comment?

16 CHAIRMAN RULAND: Yes, I do. Thank you.  
17 The Licensee right now stores their fuel in the spent  
18 fuel pool. It's safe in the spent fuel pool. Okay?  
19 It's safe in the spent fuel pool. The Licensee, if  
20 they run out of capacity in that spent fuel pool, they  
21 will not be able to operate the plant any longer if  
22 they've run out of capacity. What they would need to  
23 do is apply for a license or either take -- do that or  
24 a general license to get dry cask storage. And we've  
25 given a general license for dry cask storage. We

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1 believe that's safe. We've licensed those casks.  
2 They're extremely robust devices. And I think those  
3 licenses go on for, what, 20 years? A 20-year license  
4 for those dry cask storage. I'm confident that that's  
5 a safe alternative.

6 And the Department of Energy right now, as  
7 you know, is preparing to do a submittal for the Yucca  
8 Mountain storage, so the Department of Energy is  
9 preparing the submittal, and when that submittal comes  
10 in, the NRC will review it. Mr. Bidwell, where are  
11 you?

12 MR. BIDWELL: I'm over here.

13 MR. FELDMAN: My name is Ira Feldman. I'm  
14 an emergency room doctor for Cooley Dickinson Hospital  
15 in Northampton, Massachusetts. That's about 35 miles  
16 from here and well within the zone that would be  
17 contaminated if you have a major reactor accident at  
18 this plant. I want you to know my hospital has worked  
19 very hard to look at disaster preparation and my  
20 emergency room cannot deal with the casualties that  
21 would be produced by an accident at this plant, nor  
22 can the emergency room at Greenfield or the emergency  
23 room in Keene or the emergency room in Brattleboro.

24 In the medical profession, we have a  
25 guiding principle of first do no harm, which means

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1 that before you expose the population to a technology  
2 you're obliged to prove that it's safe. I think  
3 that's a principle that ought to be applied in this  
4 situation as well. This reactor isn't safe, it's very  
5 dangerous. Ever since September 11 we have understood  
6 clearly that our nuclear power reactors are, in a  
7 sense, weapons of mass destruction which we have built  
8 and sited around our country and left there waiting  
9 for terrorists to activate, and it is time for us to  
10 understand that.

11 If we found a group of Islamic  
12 fundamentalists out in the woods building something  
13 like Vermont Yankee, we would think we had stumbled  
14 the mother of all al-Qaida plots and we would arrest  
15 them as terrorists and throw them in jail. But a  
16 nuclear power company gets to build these kinds of  
17 reactors, and now Entergy wants to make this plant  
18 even more dangerous by upgrading its production beyond  
19 what it was supposed to tolerate.

20 The very least that we can ask is that  
21 there be a complete safety (Applause.) before this  
22 happens. There should not be an upgrade here. This  
23 plant should not be upgraded. It shouldn't be allowed  
24 to operate. It should be shutdown, and we should  
25 focus all of our energy on making the containment as

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1 secure as we can around the huge pile of spent fuel  
2 rods that have already been generated so that those  
3 can't become a weapon in the hands of terrorists as  
4 well.

5 And I think it's time for the Nuclear  
6 Regulatory Commission to meet its responsibilities to  
7 protect the public, not to protect the industry it's  
8 supposed to regulate. Thank you.

9 (Applause.)

10 MR. FELDMAN: Just one thing I wanted to  
11 say: That's a comment, not a question, and I would  
12 prefer if you didn't answer so that other people have  
13 a chance to talk. Thank you.

14 MR. BIDWELL: I think that it behooves us  
15 to have an opportunity for NRC to lay out its side of  
16 the story as well. This is an opportunity -- it is an  
17 opportunity. Bill, would you like to respond? Very  
18 briefly, please.

19 CHAIRMAN RULAND: Brian, go ahead.

20 MR. KEEFE: No, just briefly, some people  
21 might not be aware of answers in that vein. Post 9/11  
22 the agency has gotten hundreds of questions about  
23 security of the plants, not just what they've done  
24 historically when we licensed them, but in the post  
25 9/11 environment, how can you continue to maintain

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1 that the plants are safe?

2 We have received those questions. There  
3 was a fax sheet that probably just 100 or 150 were  
4 available here on security, post 9/11 security orders  
5 that have been performed by the NRC.

6 Briefly, that's available there, and it's  
7 available on the Website. The NRC has done a top to  
8 bottom security review and looked at vulnerability  
9 assessments for some of the very similar issues that  
10 he's raised.

11 The NRC has the ability to issue orders.  
12 We have done issues -- we've issued orders on  
13 overtime, on access authorization and other issues.  
14 The NRC has the ability should they see  
15 vulnerabilities to issue upgrades. So that is  
16 something that at the Commission is being reviewed,  
17 and there is more information on that.

18 MR. BIDWELL: Okay. We're going to move  
19 up here.

20 MR. ALEXANDER: Thank you. My name is  
21 Peter Alexander. I'm the Executive Director of the  
22 New England Coalition.

23 (Applause.)

24 MR. ALEXANDER: First, I want to thank you  
25 folks for coming out and giving a message to these

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1 folks that they can take back to Washington. We want  
2 an independent safety assessment.

3 (Applause.)

4 MR. ALEXANDER: I also want to thank  
5 Senator McDonald for introducing Senate Resolution  
6 S.R. 21 and having the courage to steer it through and  
7 the political savvy to steer it through and to the  
8 Senate who voted unanimously for independent they call  
9 it engineering assessment, but it's a safety  
10 assessment, and it is the criteria outlined in that  
11 resolution which we believe will inform a proper job  
12 so that we can feel that the plant has been carefully  
13 and properly examined.

14 I want to read into the record the  
15 editorial that Raymond Shadis and I wrote, and it was  
16 published in today's Brattleboro Reformer. I think it  
17 says very well a lot more than what I can say in a few  
18 minutes that are given to me here.

19 I want to just say my message to you is  
20 real simple. We're not deceived. We will not accept  
21 anything less than a full, independent safety  
22 assessment at Vermont Yankee. We're not fooled by  
23 Entergy's tricks, and we're not fooled by the NRC's  
24 misrepresentations about your extended power uprate  
25 review process.

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1           Your agency left the staff of our  
2 congressional delegation with the misapprehension that  
3 your uprate review process was informed by and,  
4 therefore, by inference, was as good as the  
5 independent safety assessment conducted at Maine  
6 Yankee in 1996. That's clear. I mean, it's clearly  
7 spelled out in Jeffords' letter and Leahy's letter  
8 that that was the misapprehension they were left with  
9 after talking with your staff.

10           This misapprehension was memorialized in  
11 that letter to Chairman Nils Diaz. The very afternoon  
12 that the letter was written it found its way into the  
13 hands of Entergy, which lost no time in using it to  
14 try to deceive the Public Service Board and the  
15 Vermont legislature into thinking that the extended  
16 power uprate review process was the same as or as good  
17 as an independent safety assessment.

18           From that point on Entergy's spokespeople  
19 even co-opted the term "independent safety  
20 assessment," stating publicly and in the media that  
21 the NRC's extended power uprate review process  
22 constituted not one, but two independent safety  
23 assessments.

24           I'll just be another minute, David.

25           I want to say, David, you're a really nice

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1       guy, but I think you're a really lousy facilitator.  
2       I'm sorry.

3                       (Applause.)

4                       MR. ALEXANDER: Fortunately, the Vermont  
5       State Senate was not fooled by the letter or by  
6       Entergy's lobbyists. Jerry Morris, who used it to try  
7       to convince the legislature that an ISA was not  
8       needed, the Senate voted unanimously to pass their  
9       request for an independent engineering assessment, and  
10      they defined it properly.

11                      I think there are many people here tonight  
12      from several states around the region who resent the  
13      fact that Entergy and the NRC have been playing word  
14      games with us.

15                      (Applause.)

16                      MR. ALEXANDER: And I'll just say that's  
17      a very nice way to put it.

18                      If you want to establish even a semblance  
19      of public trust, then come clean on this devious  
20      deception. Hold your staff and Entergy Corporation  
21      publicly accountable for misleading the Senate staff,  
22      the Public Service Board, the state legislature, the  
23      people of Vermont, and all of New England.

24                      Finally, I want to let you know that as  
25      far as the New England Coalition is concerned, this

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1 process is just starting. We have dedicated ourselves  
2 to preventing this uprate, and we are confident that  
3 when an independent safety assessment is conducted at  
4 Vermont Yankee, that plant will fail miserably.

5 If you want to convince us otherwise, then  
6 give us the real thing. We want an independent safety  
7 assessment.

8 Thank you.

9 (Applause.)

10 MR. RULAND: You know, the reason we're  
11 here is to try to explain what we're doing and to take  
12 your comments, digest them, take them back with us,  
13 and that's what we're going to do. Okay.

14 I object to any accusation about the NRC  
15 misrepresenting to Congress. I was part of those  
16 phone calls. I talked personally. Okay? We did not  
17 misrepresent anything to the Senate staff, and we just  
18 didn't do that. Okay?

19 So let's just let -- I think you want to  
20 make some comments. I'd like to just go ahead, and  
21 rather than respond individually to particular  
22 comments, I'd just like to go ahead, and if we could,  
23 everybody just get a couple of minutes, make a  
24 comment, and for at least about the next half hour or  
25 so, let's just have some comments.

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1 Mr. Bidwell, are you there?

2 MR. BIDWELL: We'll see if folks have  
3 specific questions that they want a response from you.  
4 They should indicate that as well.

5 MR. RULAND: Okay. Thank you.

6 MR. DIZINSKI: My name is Peter Dizinski.  
7 I'm from the Town of Leyden, representing the Planning  
8 Board for the Town of Leyden.

9 We're well within the ten mile radius of  
10 this plant in the neighboring State of Massachusetts,  
11 and we have very little say in the internal affairs of  
12 the State of Vermont, but we are very concerned  
13 because of the dangers that this potential uprate  
14 poses to our community.

15 Number one, I'm very concerned as to why  
16 the corporation at this time is asking for -- and this  
17 I want an answer to -- an uprate on an aging plant.  
18 Is it purely for the profit motive? Is that what's  
19 behind it?

20 I can't understand how you can ask an old  
21 plant to put out more than it was designed to in the  
22 first place. I certainly can't run as fast as I used  
23 to, and I don't think any of you can.

24 The point of the matter is that as a  
25 neighboring community, we have part-time police, part-

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1 time fire department, part-time personnel in all of  
2 our offices that have to do with the public safety,  
3 and there is no way that we can be warned in time of  
4 any kind of catastrophe.

5 Many of us work in the fields of  
6 agriculture or in the woods. Far and away, we have no  
7 sirens in our town. We have the monitors that are at  
8 our homes, but we're not always there. Our police  
9 work in other towns far away. Who are we to rely on  
10 if this uprate goes through and this thing melts down?

11 Thank you.

12 (Applause.)

13 MR. RICHARDS: Just a quick response.  
14 You said you asked a question why did the company ask  
15 for an uprate. We as the NRC can't tell you why the  
16 company asked for it. Our purpose is to -- our  
17 purpose is --

18 (Participant speaking from an unmicked  
19 location.)

20 MR. RICHARDS: First of all, we'll not  
21 speculate on the company's motives. Our purpose is to  
22 take their amendment and to take a look at it from an  
23 engineering point of view and decide on whether the  
24 plant can be safely operated at the uprated power  
25 condition.

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1                   With regard to emergency planning, if  
2                   that's an issue, that should be addressed as part of  
3                   the review standard that goes along with the uprate.  
4                   It will be looked at.

5                   MR. RULAND: Thank you, Stu.

6                   MR. HOLIAN: One other comment on that.  
7                   Plants, they had some slides from the NRC about power  
8                   uprates. Some plants applied after a couple of years  
9                   for power uprate. Margins of safety were built into  
10                  original design aspects of the plan. Over the years  
11                  they have not only changed power uprates at different  
12                  levels. They've also changed some of the technical  
13                  specifications that they operate by, allow the NRC  
14                  staff to review those. The inspectors from the region  
15                  go out and change on those changes.

16                  So it's not only power uprates. It's  
17                  certain margins of safety, certain equipment  
18                  allowances for taking things out of service. They  
19                  still have technical specifications that they have to  
20                  follow. If equipment is out of service, the plant  
21                  still shuts down when those design margins cannot be  
22                  met.

23                  That's all.

24                  MR. RULAND: And if they don't make the  
25                  standards, they don't get the power uprate.

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1 Mr. Bidwell, where are you?

2 MR. JEFFRIES: Right over here.

3 MR. RULAND: Question right here. Okay.

4 Go ahead.

5 MR. JEFFRIES: My name is Dan Jeffries.

6 First of all, I would like to thank the  
7 NRC for coming to town with such excellent  
8 representation.

9 Second of all, I'd like to bring to your  
10 attention, considering the representation that is in  
11 this room tonight, that a vote was held in this region  
12 two years ago on whether Vermont Yankee should  
13 continue to operate or not, and a majority of the  
14 people in the region voted in favor of the continued  
15 operation of Vermont Yankee. I think that's  
16 important.

17 And the other thing I would point out is  
18 that as a taxpayer, I expect that the Nuclear  
19 Regulatory Commission will conduct business in  
20 accordance with its regulations, its rules, and its  
21 guidelines, and as has been stated in this room, it  
22 should not be intimidated by the people here or any  
23 other business or corporation.

24 MR. RULAND: Did you get his name? We got  
25 Dan. Okay. Thanks.

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1                   Somebody else? Mr. Bidwell, where are  
2 you?

3                   MR. BIDWELL: Over here.

4                   MR. RULAND: I think he's a pretty good  
5 facilitator.

6                   PARTICIPANT: Three minutes, five seconds.

7                   MR. RULAND: I disagree with you.

8                   Go ahead.

9                   MR. SACKS: Thank you.

10                  My name is Gary Sacks, Brattleboro,  
11 Vermont. I am not a nuclear engineer.

12                  NRC, I do not trust you to protect the  
13 safety of the state nor to be honest in your dealings  
14 with the residents of Vermont.

15                  NRC, I do not trust you nor Entergy to  
16 call this machine across the street safe without an in  
17 depth inspection like was done at Maine Yankee in  
18 1996.

19                  You said Three Mile Island was a wake-up  
20 call for the industry. That was March 28th, 1979, the  
21 same year the NRC publicly stated there's no such  
22 thing as a safe amount of radiation.

23                  Since 1979, these are some of the events  
24 that have occurred:

25                  February 11th, '81, TVA's Sequoia I plant

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1 in Tennessee, a rookie operator caused a 110,000  
2 gallon radioactive coolant release.

3 January 25th, '82, Ginna plant nearly  
4 Rochester, a steam generator pipe broke, 15,000  
5 gallons of radioactive coolant spilled, and small  
6 amounts of radioactive steam escaped into the air.

7 January 15th and 16th, Brown's Ferry  
8 Station, nearly 208,000 gallons of low level  
9 radioactive contaminated water accidentally dumped  
10 into the Tennessee River.

11 '81, '82, and '83, Salem I and II. Shall  
12 I go into all of them?

13 1996, Chairman Shirley Jackson, NRC  
14 Chairman Shirley Jackson speaking of Milstone in Time  
15 Magazine, "clearly, NRC dropped the ball. We won't do  
16 it again."

17 February 15th, 2000, New York's Indian  
18 Point II, an aging steam generator ruptured, venting  
19 radioactive steam. The NRC initially reported no  
20 radioactive material was released, but later changed  
21 their report to say there was a release, but not  
22 enough to threaten public safety.

23 Wait. Didn't the NRC in 1979 say there's  
24 no such thing as a safe amount of radiation?

25 2004, the new NRC Chairman, Nils Diaz, on

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1 Davis-Besse said the agency "dropped the ball."  
2 Again? Dropping the ball is not okay. If Three Mile  
3 Island was a wake-up call, were you asleep at the  
4 control panel during these other events or just  
5 napping?

6 The NRC fallbacks of defense in depth,  
7 redundant safety systems, alphabet soup acronyms, and  
8 color candy coated labeling systems do not help me  
9 feel more safe.

10 Entergy refuses to have public dialogues  
11 with a local community to address safety issues,  
12 saying the NRC process is where public concerns are to  
13 be addressed. How does it serve the NRC's Public  
14 Affairs Office to refuse to hold independent  
15 assessments that have been requested? At this point  
16 the entire state is lining up in that direction.

17 (Applause.)

18 MR. BIDWELL: He says the question is  
19 rhetorical.

20 I had someone that needed to leave because  
21 of a small child and I have lost her now. Oh,  
22 standing right in front of me.

23 MS. ENOCHS: Hi. My name is Amy. I live  
24 in Brattleboro. This is my son Julian. He is almost  
25 five years old. Enochs, E-n-o-c-h-s.

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1 I have a question that I would like  
2 answered by the NRC, and my son is here tonight  
3 because he has an idea, and I would like to help  
4 support him in that.

5 Hold on. Let me ask my question.

6 My question is it is correct that there  
7 have been eight uprates in the United States. Is that  
8 the correct number?

9 MR. McMURTRAY: There have been 101  
10 uprates granted.

11 MS. ENOCHS: One hundred and one uprates.  
12 And how many plants are experiencing uprated related  
13 difficulties right now? Four; is that correct? There  
14 are four plants that are experiencing difficulties.

15 So my question is if these difficulties --

16 MR. RULAND: Steam dryer issues. I think  
17 you're referring to --

18 MS. ENOCHS: Okay. They are uprate  
19 related difficulties.

20 MR. RULAND: Right. Plants that are  
21 actually plants that similar in design to Vermont  
22 Yankee, yes.

23 MS. ENOCHS: Yes.

24 MR. RULAND: Quad Cities Units I and II.

25 MS. ENOCHS: Yes, and the Dresden plant.

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1 MR. RULAND: Quad Cities Units I and II  
2 and the Dresden plant, yes, correct.

3 MS. ENOCHS: So my question is: why is  
4 the NRC even considering more uprate applications  
5 instead of looking into these four plants that are  
6 experiencing uprate related difficulties?

7 MR. RULAND: Great question. Thank you.

8 (Applause.)

9 MS. ENOCHS: And then my son would like  
10 to. My son has a comment.

11 MR. RULAND: Can I answer your question  
12 first?

13 MS. ENOCHS: Yes. I would like an answer  
14 to my question.

15 MR. RULAND: Okay. Thank you.

16 MS. ENOCHS: Thank you.

17 MR. RULAND: What you mentioned about Quad  
18 Cities concerns the NRC. It turns out I'm the project  
19 director for -- a project director at three which has  
20 oversight of the licensing of Region III plants out  
21 there in the Midwest, and Quad Cities and Dresden are  
22 in the region that I have licensing responsibility  
23 for.

24 Virtually as we speak -- well, they've  
25 probably gone home -- virtually as we speak, the NRC

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1 is in discussion with Exelon about these very matters,  
2 and we're seriously considering taking additional  
3 regulatory action. We haven't yet. We are  
4 considering it. Any of the lessons learned from those  
5 from Quad Cities will be applied to the review of  
6 Vermont Yankee.

7 As I've stated before, we haven't approved  
8 the Vermont Yankee uprate. If we have a problem with  
9 the steam dryer at Vermont Yankee than hasn't been  
10 adequately resolved to our satisfaction, we won't  
11 approve it.

12 So Quad Cities, maybe in the next week or  
13 so, if you watch our Website or give us a call, we'll  
14 let you know what we do. Okay? But it would be  
15 premature for now for us. We're having internal NRC  
16 discussions about this matter, but we are going to  
17 take some action on this.

18 We already had taken action. The licensee  
19 had sent us a letter agreeing that they wouldn't raise  
20 power above the former 100 percent power for a  
21 significant amount of their operating cycle. That's  
22 what they did. They did that at our insistence.  
23 Okay?

24 And we're going to insist that they  
25 address that issue.

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1 MR. HOLIAN: Bill just to add directly to  
2 that question, I did attend the VSNAP meeting this  
3 afternoon from, I guess, 3:30 to 6:00 or so, and I  
4 just wanted the other public to know in case VSNAP  
5 doesn't get a chance to be mentioned again, this is  
6 one of the questions that they've raised and other  
7 people have raised on the issue, is the dryer issue.

8 It has been raised in letters to the NRC,  
9 but it has been raised in that vein. It was some of  
10 the questions that went back on the time line that you  
11 didn't have. Some of you might have the slide from  
12 the time line and why the VY application wasn't  
13 accepted originally and why there were additional  
14 questions asked. The dryers were a part of that.

15 MR. RULAND: And, by the way, it is  
16 included. Vibration is included in our review  
17 standard regarding the steam dryers.

18 MS. ENOCHS: Okay. I would -- a young  
19 citizen, I would like to give Julian the time that he  
20 has waited so patiently here for tonight.

21 Do you want to tell them your idea, honey?

22 MR. ENOCHS: No.

23 MS. ENOCHS: So Julian is here tonight  
24 because he had an idea of issuing tickets to the  
25 people who are creating the pollution at the factory

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1 across the street. In our home we call it a  
2 "factory," and so Julian made a bunch of tickets, and  
3 the idea behind the tickets is that the tickets will  
4 cost Entergy so much money that they will not have  
5 enough money to keep that factory open.

6 (Applause.)

7 MR. ENOCHS: And they can one -- listen.  
8 They can -- you could pay one maybe, but then the  
9 others you can't pay because you have to use all the  
10 money to pay one.

11 MS. ENOCHS: So I --

12 (Applause.)

13 MR. RULAND: Sounds like an expensive --

14 MS. ENOCHS: So I had thought that there  
15 would be Entergy officials up here this evening, but  
16 maybe you gentlemen could pass the tickets on to the  
17 Entergy officials.

18 (Applause.)

19 MR. BIDWELL: Are you going to give them  
20 the tickets? Okay. I think he's having some  
21 difficulty relinquishing the tickets.

22 (Laughter.)

23 MR. BIDWELL: All right. I'm going to go  
24 ahead and move on here to this gentleman in the front.  
25 Then I'm going to swing around this direction.

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1 MR. SPRAGUE: Thank you.

2 My name is Edward Sprague, S-p-r-a-g-u-e.  
3 I'm a resident of the town. I live just down the road  
4 here with property bounded on two sides by Vermont  
5 Yankee.

6 Is this coming through?

7 As a resident, I've had to kind of resolve  
8 in my own mind what am I living in the midst of, and  
9 I was there when this -- I came to this place in the  
10 present house in 1955. It was a dairy farm when I  
11 moved in, and then Vermont Yankee came in in about  
12 1967-68.

13 I had my fears and trepidations, and I did  
14 some studying, and I had my own monitor checking on  
15 radiation and all of this sort of thing. I finally  
16 resolved in my own mind I'm living next to something  
17 that is really quite safe.

18 And somebody raised a question: what does  
19 the company want out of this thing? Obviously it  
20 wants profit, but more particularly, we are in need of  
21 more power. Every one of you buy electrical  
22 appliances. You bring them on line. You don't even  
23 think about where the electricity is coming from, and  
24 you'd be very upset if it was turned off.

25 Anyway, my next thing. In my own mind,

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1 this operation is a very simple process. You're going  
2 to put more water through the reactor to make more  
3 steam. You aren't changing the temperature or the  
4 pressures within the reactor. It goes on and goes  
5 through a more efficient equipment to make more  
6 electricity with less steam input, and the end result  
7 is a 20 percent increase in power.

8 It makes a lot of sense, and it has  
9 nothing to do with the age of the equipment. As long  
10 as that reactor is sound and you can put more water  
11 through it, and all you're doing is burning a little  
12 more fuel. You're putting a little more -- what?

13 All you're doing is adding a little more  
14 fuel to it to heat that additional water, and I don't  
15 see that that's any great shake.

16 Thank you.

17 (Applause.)

18 MR. BLOCK: Jonathan Block.

19 Many of you know that I've been dealing  
20 with these issues for the past 11 years, and it's very  
21 difficult to sit here all of this time listening to  
22 the NRC's comment about the availability of a public  
23 hearing while I'm the attorney that's involved in  
24 taking them to the United States Court of Appeals in  
25 the First Circuit suing them over the fact that

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1 they've just implemented new rules under which the  
2 hearing that they'll offer you will be called  
3 "informal."

4 You'll have no right to present witnesses.  
5 You'll have no right to present evidence. You'll have  
6 no right to cross examine witnesses. This is their  
7 idea of due process. It's very similar to the idea of  
8 due process that they had in Italy and in Germany in  
9 the 1930s.

10 I suggest that we need to do something  
11 about this; that this is just the beginning. You have  
12 to wake up. This is only the tip of the iceberg.

13 Today's New York Times had an article  
14 about the licensing of new nuclear power plants. This  
15 is all part of a push by the Nuclear Energy Institute  
16 and the nuclear industry. They know this is their  
17 last chance, and if people in this country don't wake  
18 up, and I mean wake up and stand up now, there's going  
19 to be nuclear power plants all over this country.

20 And when it comes time to go to the  
21 licensing hearings, you'll have absolutely no  
22 opportunity to do anything but stand there and wail.

23 (Applause.)

24 MR. BIDWELL: Just, Bill, a quick check on  
25 whether that's a correct assessment of that hearing

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1 process.

2 MR. RULAND: I'm not a lawyer. I don't --  
3 I don't want to talk right now about the hearing  
4 process. You can go to our Website, check it out.  
5 Okay? You can listen to the comments previously made  
6 by the current -- by the previous speaker.

7 What I'd like to say has to do about the  
8 safety of the plant and the comment process. The NRC,  
9 okay, it's common practice for us to address and  
10 consider every comment on the licensing action and  
11 we're going to do that. Okay? It's an informal  
12 process. It's not the formal hearing process, but it  
13 is an informal process.

14 I have a commitment from my staff to  
15 address those technical concerns. If Mr. Blanch gives  
16 us those technical concerns or Mr. Shadis, the more  
17 specific the better. We will address those.

18 Thank you.

19 And I resent any, any comparison of the  
20 NRC to some nefarious regime. I think that's  
21 completely -- that is completely out of bounds.

22 Thank you.

23 (Applause.)

24 MS. COOPER: My name is Martha Cooper, C-  
25 o-o-p-e-r. I'm from New Hampshire.

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1 I have a letter from the Mayor of Keene.  
2 Keene is the largest city in New Hampshire that's  
3 close to the plant. He says, "As Mayor of the largest  
4 and closest city in New Hampshire to Vermont Yankee,  
5 Vernon, Vermont, I humbly request that an independent  
6 safety assessment be undertaken at Vermont Yankee  
7 prior to permitting the 20 percent increase in energy  
8 producing capacity.

9 "I have recently toured Vermont Yankee,  
10 and I am very impressed with its security, its  
11 personnel, and the condition of the facility. My  
12 reason for requesting an evaluation of the plant is to  
13 assure all that Vermont Yankee is capable of safely  
14 increasing its production by 20 percent.

15 "Mayor Michael Blastos."

16 Thank you.

17 (Applause.)

18 MR. BIDWELL: And just to clarify, that  
19 was an independent safety assessment, correct?

20 Okay.

21 MR. RULAND: You'll give us the letter?  
22 Thank you.

23 MR. RIENDEAU: My name is Phillip  
24 Riendeau, R-i-e-n-d-e-a-u. I am from New Hampshire  
25 myself also.

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1           Now, my interest in this here is this  
2 meeting was called for people representing from the  
3 State of Vermont. The legislature of the State of  
4 Vermont asked the NRC to come and actually hold this  
5 meeting.

6           One thing that I noticed that's missing  
7 though is that you've got neighboring states from  
8 Massachusetts and New Hampshire who have not actually  
9 been invited to these meetings, you know,  
10 specifically. There are maybe members here  
11 representing you, but there are not representation for  
12 these states who border this nuclear plant.

13           I also think that in regards to like Mr.  
14 Alexander's comment about word games, that "uprate" to  
15 means sounds like something that you would do like  
16 increasing the price of your electricity. It's almost  
17 accepted to the public, especially the public that's  
18 not paying attention to this whole process, that  
19 calling this an "uprate" to me is just a wrong word.  
20 I mean, this is a power increase, and if you worded it  
21 in this manner, more people would probably be here  
22 than already were.

23           My question to the NRC about this: your  
24 process here seems to be almost like a double standard  
25 to me. Okay? We as the public, when we work, we go

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1 to our employers, and we're told, you know, that we  
2 have to submit to like drug tests, for instance, and  
3 it's for the good of the company, and you know, we're  
4 expected as law abiding citizens to say that if you're  
5 not doing anything wrong, why worry.

6 Well, you're saying that you're an  
7 independent assessor. Well, what is wrong with you  
8 allowing an independent assessor, independent of the  
9 NRC to look at this?

10 (Applause.)

11 MR. BIDWELL: Would you like him to  
12 respond to that?

13 MR. RIENDEAU: Yes, I would like a  
14 response to that.

15 MR. BIDWELL: He asked for a response to  
16 that, to a response to that, to the independent's  
17 question.

18 MR. RULAND: As I said earlier, when the  
19 Vermont -- when the Maine Yankee independent  
20 assessment was performed, it was performed by NRC  
21 people. Okay? It was performed with contractors that  
22 worked for the NRC. There were some state observers.  
23 Okay? That's the inspection that was performed, and  
24 we believe that we performed, while not nearly as  
25 extensive, we performed an independent assessment

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1 using the architect-engineer inspections. It didn't  
2 report to the region. It was with contractors that  
3 worked for the NRC.

4 Okay. Now, if you remember, we've gotten  
5 this letter from the Senators from Vermont asking us  
6 to exercise our authority. What I said at the  
7 beginning of this meeting was we take this seriously,  
8 and we're going to evaluate this, and that's all I can  
9 tell you.

10 MR. HOLIAN: Just to add on on the word  
11 game issues or questions, it's not our intent. We're  
12 responding to things. We know the Vermont Yankee  
13 folks and people that are interested are fully aware  
14 of the Maine Yankee ISA, the independent safety  
15 assessment. So we've been responding to those.

16 Earlier today I did rush through those  
17 slides. It has not been mentioned yet, but we have  
18 inspections that are done very two years, safety  
19 system design inspections. There is one coming up in  
20 August. It has already been discussed by both Mr.  
21 Shadis and Mr. Blanch at the PSB hearings, and they're  
22 looking at issues like that.

23 We do look at two systems every year on  
24 safety related systems. The only other item I wanted  
25 to get across that we didn't fully get across earlier

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1 is throughout this year on these baseline inspections  
2 the region can focus all of its inspections or all of  
3 the related inspections onto power uprate aspects.

4 So quite a few of our normal inspections  
5 will pick modifications that are done or systems and  
6 look at them on what they're doing with the power  
7 uprate or power increase. So I just wanted to make  
8 that clear.

9 MR. McMURTRAY: Just one minor correction.  
10 Our SSDI inspections or our safety system inspections  
11 that Brian mentioned, we do those every other year as  
12 part of our process, not every year.

13 MR. RULAND: Thank you.

14 MR. BIDWELL: Has a quick follow-up  
15 comment or question.

16 MR. RULAND: Okay.

17 MR. RIENDEAU: Yeah, once again, you know,  
18 you're really not answering the question because  
19 you're saying that you as a the NRC are doing the  
20 independent inspection. What is wrong with allowing  
21 an independent agency picked by the State of Vermont,  
22 the State of New Hampshire and the State of  
23 Massachusetts combined to go in and do this kind of  
24 thing?

25 I believe there has got to be engineers,

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1 you know, that work in the nuclear industry that are  
2 not working for the NRC at this time.

3 MR. RULAND: As I previously stated, we  
4 are going to respond to the PSB for that request, and  
5 we haven't written that answer. It's going to be at  
6 a higher pay grade than Bill Ruland. You know, we're  
7 going to talk about this, and we're going to consider  
8 it. That's all I can tell you.

9 (Applause.)

10 MR. BIDWELL: Bill, Bill, he also asked if  
11 you could follow up on the participation of  
12 neighboring states and what NRC thinks about that.

13 MR. RULAND: I talked to our public  
14 affairs guy, Neil Sheehan, who is back there, and I  
15 don't think I introduced Neil when we did the  
16 introductions.

17 Neil tells me we put advertisements in the  
18 local papers. It was open for anybody that read those  
19 advertisements. It wasn't limited to people in the  
20 State of Vermont.

21 Neil, maybe you could tell me where we  
22 placed those advertisements. I don't know, but we did  
23 try to get the word out, and I know the E-mail  
24 underground probably helped. Neil, have you got any  
25 suggestions about answer to the question?

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1 MR. SHEEHAN: Certainly. We put out a  
2 press release. We let all of the local media know.  
3 Certainly there were articles that ran in area papers  
4 letting people know. The public is always invited to  
5 attend.

6 MR. BIDWELL: He's talking about reaching  
7 out to -- I believe, sir, you're talking about  
8 reaching out to --

9 MR. RULAND: This is a good question. We  
10 got it on the record. We'll respond to this question  
11 as part of our -- as part of the meeting summary, and  
12 we'll provide you an answer. Okay?

13 MR. BIDWELL: I think that he's --

14 MR. RULAND: It doesn't sound like we have  
15 the full picture right now.

16 MR. BIDWELL: I believe that means "we  
17 need to look into that." Is that right, Bill? That  
18 means we need to look into that?

19 MR. RULAND: Yes, yes, exactly.

20 MR. BIDWELL: Because we don't know right  
21 now.

22 MR. RULAND: Thank you. Yes, we will look  
23 into that.

24 MS. BLUM: My name is Meredith Blum, B-l-  
25 u-m.

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1           And I would just like to take a quick  
2 moment to formally present to you 411 signatures from  
3 people that couldn't be here tonight because of work  
4 or family reasons. The petition basically says that  
5 "we, the undersigned, demand an independent  
6 engineering assessment be performed on the Vermont  
7 Yankee nuclear power plant. We also demand that the  
8 independent inspection will be in compliance with the  
9 Vermont State Senate Resolution SR-21."

10           (Applause.)

11           MR. CHILDS: Okay. Thank you.

12           My name is Ned Childs. I live in  
13 Dummerston, Vermont, just about exactly ten miles.

14           I first want to say in response to R&E and  
15 the G.E. revelations which I think require  
16 congressional investigation, full blown, I know the  
17 man who founded General Electric, the first president  
18 and chairman for over 30 years, Charles Albert Coffin.  
19 He was referred to in a Fortune Magazine article as  
20 the number one CEO of all time. About 1890 to 1925,  
21 he ran the company. He was a Quaker from Maine. He  
22 grew up poor, and he said he got into electricity as  
23 a successful businessman in his 40s and led the  
24 company through its dark days to greatness because he  
25 thought electricity could be a wonderful thing. It

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1 would be every man's slave.

2 I have often those Charles Albert Coffin,  
3 my great grandfather, would be amazed to see what it  
4 has become, that we have become slaves to electricity,  
5 but at his death, he was credited with being the man  
6 who more than anyone else put electricity over.

7 And he ran G.E., and I think he would be  
8 shocked and horrified.

9 Now to my point. In today's Brattleboro  
10 Reformer I hold here -- and I'll go quickly. This  
11 will go quick -- Vermont Yankee spokesman, Brian  
12 Cosgrove, if he's still here -- he was right over  
13 there -- my good friend, not colleague, is quoted. He  
14 says, "Maine Yankee was a plant that had a lot of  
15 problems, while Vermont Yankee is a nuclear plant that  
16 has always had a reputation for being well run and  
17 well maintained." Brian suggested it's apples and  
18 oranges.

19 Well, in fact, Mr. Cosgrove has misspoken.  
20 He has dissembled. He has, in fact, lied to us.

21 The fact is that in 1995, the last year  
22 before Maine Yankee was outed by a truly independent  
23 assessment run by the NRC, but under a Democrat in the  
24 White House, which that assessment resulted in an NRC  
25 official saying it would be insanity to ever restart

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1 that plant; Maine Yankee achieved a higher SALP score,  
2 systematic assessment of licensee performance, than  
3 Vermont Yankee in 1995. It was two twos and two ones  
4 to Vermont Yankee's three twos and one one.

5 Go figure. Brian, you should have checked  
6 your facts. Brian, come back over from the dark side.

7 (Laughter.)

8 MR. CHILDS: Today, March 31st, 2004, it's  
9 the 25th anniversary of Day Five at Three Mile Island,  
10 the day they figured out that the hydrogen gas bubble  
11 in the melted down core at the one year old Unit II  
12 reactor would not blow the vessel and containment  
13 resulting in a Chernobyl scale disaster in the heart  
14 of Amish country; the day they figured out that  
15 controlled releases would save the day, and local and  
16 national cancer mortality rates began to soar.

17 There never has been an honest analysis --  
18 this is the end -- of the morbidity in the known plumb  
19 zones. This was covered up, and the NRC, you guys,  
20 were then and are still complicit in this coverup.

21 By the way, last night we also learned the  
22 still molten core at the destroyed TMI Unit II reactor  
23 could go critical at any time. The China Syndrome is  
24 still a distinct possibility at Harrisburg,  
25 Pennsylvania, Peggy and Patty, wherever you are.

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1 Now, this is the end.

2 Admiral Hyman Rickover, we also learned,  
3 the progenitor of the United States Nuclear Navy,  
4 pressured then President Carter, a nuclear engineer  
5 himself, to downplay the disaster. Rickover's  
6 daughter signed an affidavit that her father made a  
7 deathbed confession to her -- that's dead man's  
8 testimony, not admissible in court -- that he had last  
9 regretted his actions which he feared would have  
10 devastated the commercial nuclear power industry and  
11 even potentially the nuclear Navy he so dearly loved.

12 Finally, last night we also learned that  
13 one research epidemiologist who worked the numbers  
14 around TMI honestly and earnestly ascertained abnormal  
15 clusters of metastatic breast cancers around nuclear  
16 communities, including Hanford, Washington, Oak Ridge,  
17 Tennessee, Harrisburg, Pennsylvania, Vernon, Vermont,  
18 and so on.

19 I do not see that adult female mammary  
20 glands are well represented tonight in either the NRC  
21 group or the Entergy group. Why is that?

22 (Applause.)

23 MR. CHILDS: I'm almost done.

24 Maybe these guys were bottle fed from  
25 birth. Now, listen, good people here. Go do a Google

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1 search on New England Coalition, Google search on New  
2 England Coalition, three words, and support the ant  
3 people in our fight against the Godzilla, this uprate,  
4 this Vermont Yankee, this travesty in a high tech  
5 disguise.

6 (Applause.)

7 MR. BIDWELL: No response needed.

8 MR. STEINBERG: I'm Alan Steinberg. I  
9 live in Putney, Vermont and work in Brattleboro.

10 And following up on what Ned said about  
11 CEOs, I'd like to just briefly read you a very short  
12 story that I think will illuminate the situation  
13 somewhat more.

14 A man I know finds himself in a meeting  
15 room at the very edge of speech. He's approaching his  
16 moment of reckoning, and he is looking for support  
17 from his fellow executives around the table.

18 Strangely, at this moment no one will look  
19 at him. The CEO is pacing up and down on the slate  
20 gray carpet. He has asked in no uncertain terms for  
21 their opinion of the plan he wants to put through. "I  
22 want to know what you all think about this," he  
23 demands, "on a scale of one to ten."

24 The CEO is testy. He makes it plain he  
25 wants everyone to say ten, and damn whether they mean

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1 it or not. He's just plain tired after all of this  
2 time of people resisting his ideas on the matter. He  
3 glares at them. He wants compliance.

4 My friend thinks the plan is terrible and  
5 that there is too much riding on this solitary ego.  
6 Everyone in the company will lose by it. He is sure  
7 also from the talk he has heard that half the other  
8 executives in the room think so, too.

9 As they go around the shamed faced table,  
10 the voices of those present sound alternatively  
11 overconfident or brittle and edgy. Most say ten. One  
12 courageous soul braves a nine and a half.

13 And my friend is the last to go. He  
14 reaches his hand toward the flame, opens his palm  
15 against the heat, and suddenly falters. Against  
16 everything he believes, he hears a mouse-like far away  
17 voice, his own, saying, "Ten."

18 Now, this story was not my own. It comes  
19 from David White, a writer who has been working in  
20 corporate America for years to try to humanize the  
21 corporate world.

22 And I tell you this story not because I  
23 think it typifies what I see at Entergy, although I  
24 believe it does. I tell it because you folks here in  
25 this room sitting in front of me probably feel it in

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1 your gut as well. We know it, and I think you know it  
2 as well.

3 You think this group is scary. We know  
4 you have to go home to Washington, and we want to say  
5 to you that any substitute, robust proposal that is  
6 anything less than a full form, vertical slice,  
7 independent assessment as far as we're concerned is a  
8 zero.

9 (Applause.)

10 MR. STEINBERG: And, you know, I do have  
11 some sympathy for your position. I realize, like I  
12 said, we're not as scary as what you need to go home  
13 to. You need to face your CEO, who needs to face his  
14 CEO, who ultimately faces a big CEO who we all know is  
15 the President of the U.S.A., whose position on nuclear  
16 power has been made abundantly clear.

17 So we invite you to go home and take the  
18 opportunity and not offer us nine and a halves and  
19 tens, but go home and hold your heads high, and say  
20 that the people here want this assessment, and that  
21 that's what you feel needs to happen as well.

22 That's what you need to be able to do to  
23 sleep at night.

24 Thank you.

25 (Applause.)

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1 MR. BIDWELL: I am told I have a yes or no  
2 question over here.

3 MR. DAVIS: I'd like to ask a question and  
4 then make a comment.

5 My name is Andy Davis. I live in  
6 Brattleboro.

7 Has any uprate related work already been  
8 undertaken at Vermont Yankee, yes or no?

9 I can't hear you.

10 MR. RULAND: You're discussing physical  
11 modifications?

12 MR. DAVIS: Has work related to the uprate  
13 begun at Vermont Yankee?

14 MR. RULAND: That's physical  
15 modifications, engineering work?

16 MR. DAVIS: Has work related to the  
17 uprate -- I'm just asking a question. I'm not a  
18 nuclear engineer.

19 MR. RULAND: Let me try to answer that  
20 question. Engineering work has begun. The licensee  
21 has done engineering work. The outage hasn't started.  
22 I don't personally know if any modifications have  
23 made. My presumption would be that the work would not  
24 actually physically begin until this outage, which is  
25 getting ready to start.

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1 Dave Pelton, you know the answer to this  
2 question?

3 MR. PELTON: I don't pretend to speak for  
4 the licensee, but I know as the senior resident  
5 inspector that the licensee had put aside work,  
6 specific changes to the plant, that were related to  
7 power uprate pending the state's approval of that. I  
8 do know that for a fact.

9 MR. DAVIS: I've read in the Brattleboro  
10 Reformer that work is going on related to the plant.

11 The problem is one where you gentlemen  
12 have confidence. It's easy to characterize people who  
13 speak out and interrupt as somehow irrational. I've  
14 been following this issue in New England for over 20  
15 years. I've been to meetings about increasing the  
16 amount of waste stored on the site. I've been told  
17 that at this meeting certain things cannot be talked  
18 about. They have to wait for this meeting.

19 The frustration in this room is a result  
20 of the process. It's not the result of people being  
21 irrational or angry. This process has led to this  
22 frustration.

23 I'm a reasonable person. I have to get up  
24 at eight o'clock in the morning. I have to be at work  
25 tomorrow morning. I've waited a long time to ask a

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1 simple question.

2 I don't trust this process. They're  
3 already working on this. That's the perception on the  
4 street in Brattleboro.

5 One other thing. This meeting could not  
6 have been designed to deepen the suspicions of  
7 reasonable middle-of-the-road people like myself any  
8 more than it has, and I'd like to know the name of the  
9 gentleman who introduced himself from Washington, D.C.  
10 in the dark blue suit. Your name?

11 MR. RICHARDS: I'm Stu Richards.

12 MR. DAVIS: Thank you.

13 When you say that you cannot speculate on  
14 why Vermont Entergy is asking for this uprate, it  
15 makes me inside really suspicious, and that's just  
16 being honest to you man to man. That's the low point  
17 of the meeting to me.

18 You must know the motivation for this.  
19 Why won't you tell it? What is the motivation for  
20 this, sir?

21 MR. RICHARDS: I'll tell you again.

22 MR. DAVIS: One hundred, over 100 of these  
23 have happened. What's the motivation?

24 MR. RICHARDS: Can I answer the question,  
25 please?

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1           Again, I don't speak for the power  
2 company. We work for a regulatory agency. If a power  
3 wants to come in --

4           MR. BIDWELL:     You need to move the  
5 microphone closer to your mouth.

6           MR. RICHARDS:    Yeah. If a power company  
7 comes in and asks for an amendment to their license,  
8 our job is not to engage in why they want to do a  
9 power uprate, why they want to make the change, as  
10 long as they address the safety aspects.

11           And I keep coming back to that because we  
12 are not a power regulatory agency. We are not in the  
13 business of trying to decide whether the State of  
14 Vermont needs power or not or how that power is going  
15 to be generated, whether it be from coal, from dams,  
16 from solar wind. Our job is if somebody wants to  
17 operate a nuclear power plant, that it be done safely,  
18 and that's our sole focus, and I will not speculate on  
19 why people make power decisions that are outside of  
20 our area of expertise.

21           MR. RULAND:     You discussed -- let me try  
22 to address your question. Let me try to address your  
23 question. The NRC has not -- we haven't approved the  
24 power uprate in spite of any amount of modifications  
25 that the company chooses to take at their own risk, we

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1 don't -- we would not and cannot and will not --  
2 permit them to exceed their current thermal license  
3 power level, period.

4           Whether they're doing modifications in  
5 anticipation or not is not the NRC's regulatory  
6 purview. If those modifications don't affect the  
7 safety of the plant at its current licensed thermal  
8 power, okay, we don't have an issue with that.

9           Now, let me address the other piece about  
10 what the company chooses to do. Most companies choose  
11 it because they're making money. Okay? That's plain  
12 and simple.

13           What I think Stu's point is trying to say,  
14 that we try to exercise a certain mental discipline on  
15 ourselves to say that our focus is safety. And I  
16 apologize for our staff if in any way we're  
17 communicating unresponsiveness because I know Stu is  
18 not trying to be unresponsive.

19           But we always try to focus on safety, and  
20 by asking a question as you did, which is a legitimate  
21 question -- and, frankly, it's a question for the  
22 company -- it, frankly, goes against our grain to talk  
23 about this because this is not our job. Our job is  
24 health and safety of the public for the use of nuclear  
25 materials. That's it.

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1 MR. HOLIAN: And, Bill, just to add on,  
2 the modifications that are planning to be made during  
3 this outage we briefly spoke to before, you know, they  
4 won't be used for the power uprate until that's  
5 approved by NRC headquarters.

6 However -- no, however, I just wanted  
7 to -- no, he mentioned that it's -- yeah.

8 MR. RULAND: Absolutely, positively, no.

9 MR. HOLIAN: No, that's clearly at the  
10 risk of the licensee. That's clearly at the risk of  
11 the licensee.

12 I did just want to make a point though.  
13 They can make a mistake during those modifications.  
14 They can replace the same pump with an identical pump,  
15 and still put the impeller in backwards. They can --  
16 those things happen.

17 Our NRC inspectors will be monitoring  
18 those modifications. I wanted to get that across.

19 MR. McMURTRAY: Let me give you one other  
20 quick example. In the power uprate application,  
21 Vermont Yankee has said they're going to need three  
22 reactor feed pumps, which they now only operate two.  
23 They're going to need three.

24 If they choose to run three feed pumps and  
25 it meets the safety requirements that the plant has,

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1 that gives them more redundancy in the feed system.  
2 So you know, that's their choice to make that  
3 modification, but they cannot increase the power level  
4 until they get our approval.

5 MR. RULAND: Yeah, let's -- I tried to.  
6 Like I said, we try to exert a certain amount of  
7 mental discipline ourselves.

8 Bill, I think you want --

9 MR. BIDWELL: Yes, I think we need to move  
10 on to the next speaker.

11 MR. RULAND: Yes. Thank you.

12 MS. CABBAGE: Hi. I'd like to thank you  
13 guys for coming tonight and having this meeting, and  
14 I really look forward to other meetings.

15 My name is Pamela Cabbage. I live in  
16 Putney, Vermont.

17 I have been to -- I don't know -- at least  
18 a dozen meetings about the uprate. I went to a  
19 meeting, as many people in this room probably did,  
20 last summer hosted by a county regional commission.  
21 There was some NRC representatives there. There were  
22 also some Entergy people there.

23 The question of why they want an uprate  
24 was specifically asked and specifically answered by  
25 Entergy that they wanted to make more money. It's

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1 real clear, and you guys can debate about it and think  
2 about the ethics of whether or not you should answer  
3 that question, but that's the bottom line.

4 At that meeting there was also quite a bit  
5 of discussion about power uprates because many of us  
6 in the community who are not nuclear engineers but are  
7 concerned about our safety didn't have the expertise  
8 to understand what an uprate was. So there was a lot  
9 of discussion about the NRC's process.

10 So in that I was led to believe, and I  
11 feel like there is some misconstruing going on  
12 tonight, that there has never been, and you can  
13 correct me if I'm wrong, an uprate application that  
14 has not been processed and implemented because the NRC  
15 works with the industry to make sure that the uprates  
16 are safe, and so they always have happened.

17 Am I wrong?

18 MR. RULAND: You're right.

19 MS. CABBAGE: Thank you.

20 I have more. That's all I need.

21 MR. RULAND: We have approved every  
22 uprate.

23 MS. CABBAGE: That's great. Could I go  
24 on?

25 MR. RULAND: Yes.

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1 MS. CABBAGE: Because there a many people  
2 who would like to talk, and I think we only have about  
3 27 more minutes.

4 I would just like to say that we in this  
5 community have fears of your collusion with the  
6 industry. Whether or not they are founded, we have  
7 really strong fears.

8 MR. RULAND: I understand.

9 MS. CABBAGE: I want to finish.

10 We also have really strong fears that this  
11 company that has only been in the community for two  
12 years is really being straightforward with us.

13 There has been a lot of local press about  
14 various things that have happened, and we don't feel  
15 like they're being straightforward and aboveboard with  
16 us.

17 So all we are asking is for this  
18 independent safety assessment. If there's not a  
19 problem with the plant, then the uprate will happen  
20 and we'll all feel confident about it. We live in  
21 this community. We live in fear of Chernobyl. We  
22 live in fear of not having a community anymore, and  
23 it's really real for us.

24 I know that it's not your job. I know you  
25 don't want to think about meltdowns. I know all of

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1 that, but if you guys just hear us, we just want this  
2 assessment. We know that you're doing your job to the  
3 best of your ability. We want a little more because  
4 there's a lot of fear in our community.

5 Thank you.

6 (Applause.)

7 MR. RULAND: Well, said. Thank you.

8 MR. BIDWELL: I do want to keep moving  
9 around to folks. Just a time warning, which is we did  
10 tell the school district that we would be out in 25  
11 minutes, and that's just out of respect of their staff  
12 that has to close up the room.

13 I know that there are a lot of people who  
14 have questions and comments that they want to make.  
15 What I would urge is that if there are specific things  
16 that would make a satisfying independent safety  
17 assessment, what exactly independent means to you,  
18 those are things that you need to communicate clearly  
19 to NRC to make sure that they understand what it is  
20 that you're really asking for.

21 MS. DAVIDSON: Hello. My name is Judy  
22 Davidson, and I live in Dummerston within the ten mile  
23 radius.

24 Okay, great. Yes, I have a lot of  
25 information here, and I'm following up on, you know,

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1 I guess it's Pamela to give you some ideas about why  
2 we here in this room have a lot of mistrust of the  
3 NRC.

4 Basically we believe that the words mean  
5 nobody really cares because although the NRC is  
6 charged with protecting the health and safety of the  
7 public, the evidence points to the NRC being more  
8 concerned with the profits of the industry than with  
9 us. The near accident at the Davis-Besse plant in  
10 2001 is a clear example of the NRC caving into the  
11 owners of the plant who complained it would be too  
12 costly to shut the plant down.

13 Finally, when the plant was shut down, it  
14 was discovered that there was a huge hole in the six  
15 inch steel reactor cap, and although the Inspector  
16 General of the NRC chastised the agency later for  
17 putting profits above the public safety and the agency  
18 set up a task force to make recommendations to prevent  
19 this kind of event again, in July of this year, the  
20 NRC promoted Stan Collins, the NRC official who was  
21 ultimately responsible for allowing the plant to stay  
22 open.

23 How can we, the public, believe that the  
24 NRC actually learns from its mistakes and is concerned  
25 about the public's trust in it if you promote somebody

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1 who so blatantly favored industry profits over the  
2 public's safety?

3 I could go on and on and on from many,  
4 many articles that write about the ways in which the  
5 industry is really in collusion with the NRC. Whether  
6 you people yourselves do that or not, there is a real  
7 perceived perception.

8 In September of 2003, the Union of  
9 Concerned Scientists sent a lengthy vote of no  
10 confidence letter to the NRC, and in this letter they  
11 deplored the safety culture of the NRC as evidenced by  
12 surveys of NRC employees themselves who reported that  
13 nearly half of the NRC's work force is reluctant to  
14 raise safety concerns and a third of those who voice  
15 safety concerns feel they have been retaliated against  
16 for doing so.

17 How do you expect us, the public, to trust  
18 the NRC management when so many workers don't?

19 And the last thing I will raise is that  
20 this September the Inspector General came out with a  
21 report on the NRC's oversight of the security at  
22 nuclear power plants, and they had many criticisms and  
23 made three recommendations, including the  
24 reinstatement of mandatory force on force testing that  
25 would be surprised, not really announced at the plant

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1 ahead of time as now happens.

2 The NRC rejected these recommendations and  
3 insisted that what they were doing was just fine. How  
4 can we, the public, be reassured when the NRC reacts  
5 so defensively and doesn't listen even to the  
6 recommendations of the Inspector General? Are you  
7 accountable to no one?

8 And I won't go through anymore, but that  
9 is why the culture, that is why the atmosphere in this  
10 room is so charged with mistrust.

11 (Applause.)

12 MR. BIDWELL: Are you ready for the next  
13 person?

14 MS. BOLLITUS: Good evening. My name is  
15 Magdaline Bollitus. I'm from West Minsterwest,  
16 Vermont.

17 There have been some people here who have  
18 said all they want is the independent safety  
19 assessment. I think that should be the very least  
20 that we get. We need that no matter what else  
21 happens, and we need that immediately

22 But I want more. I think we deserve more.  
23 I think before an uprate is considered, I think there  
24 should be absolutely documented and designed plans for  
25 what is going to happen with the waste which already

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1 exists, and if the uprate is approved, what to do with  
2 all of the waste which is going to be stuffed in the  
3 attic in two years, which is going to have to come  
4 out.

5 How can you as business people even allow  
6 a business to continue knowing that there is  
7 absolutely no solution to what to do with what their  
8 byproduct is, which in this case is radioactive toxic  
9 waste?

10 (Applause.)

11 MR. BIDWELL: If you could respond  
12 briefly.

13 MR. RULAND: Well, we're not business  
14 people. The NRC makes sure that the licensee meets  
15 their requirements. If they don't meet their  
16 standards, they have to shut the plant down.

17 If the spent fuel pool is full and they  
18 have no place to put it, they have to shut the plant  
19 down. That's our requirements because that's --  
20 because in those circumstances we believe that the  
21 plant is safe.

22 Anything more than that, then the licensee  
23 has to shut the plant down.

24 The NRC has comment and processes, and  
25 what I'd suggest you do, the NRC has what's called a

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1 2.206 process. Okay? You can request the NRC to take  
2 action. If you need some help on what this process  
3 entails, you could talk to Mr. Blanch; you could talk  
4 to Mr. Shadis; you can call my office, and we'll  
5 describe it to you.

6 You send a letter to the NRC, and we'll  
7 evaluate it. So we do afford the public that  
8 opportunity.

9 Thank you.

10 Mr. Bidwell, where are you?

11 MR. BIDWELL: Right here. Just one quick  
12 request from somebody in the audience, which is if you  
13 could please as you're leaving, to pick up your signs,  
14 pick up your trash, it will just help the school staff  
15 after the meeting.

16 MS. KATZ: Hi. I'm Deb Katz, K-a-t-z. I  
17 live in Yankee -- I live in Yankee Rowe? -- I live in  
18 Rowe, Massachusetts. I'm with the Citizens Awareness  
19 Network.

20 I think certain things need to get  
21 clarified here. You know, the Commission has made it  
22 clear that it will not require licensees to defend  
23 their sites from a post 9/11 terrorist attack, and  
24 this uprate, in fact, makes us far more vulnerable to  
25 terrorism and to an accident than ever before.

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1           They can't enlarge the size of the  
2 reactor. So what they have to do is use enriched fuel  
3 to run the reactor, and this fuel, in fact, will be  
4 hotter when they take it out. It will be hotter when  
5 it's stored in that fuel pool. It will be hotter when  
6 it's put on site in dry storage. And this, in fact,  
7 is a greater terrorist target.

8           Right now there are 35,000 curies of  
9 cesium in the pool suspended 70 feet up in the air.  
10 To put this in context, the Hiroshima bomb had only  
11 2,000 curies in it, and that did more damage than any  
12 of us can ever imagine.

13           Vermont Yankee, in case of an accident or  
14 a terrorist attack, with this uprate would release, in  
15 fact, 34 percent more radioactivity into the  
16 environment, and what's important in this and why we  
17 do this, because you know we have really been told  
18 we're acting badly tonight, is that, you know, we are  
19 afraid, but we are also suffering.

20           I live in Rowe. I come from western  
21 Massachusetts. We are, in fact, surrounded by two  
22 nuclear reactors. Greenfield has statistical  
23 significance in five different cancers. In the  
24 Deerfield River valley, we have a tenfold increase in  
25 Down Syndrome, statistical significance in numerous

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1 cancers. We have a high rate of handicapped children  
2 and learning disabled children.

3 So we're not happy. We don't feel safe  
4 just with the standard operation, let alone with the  
5 idea of an uprate and the potential for us being  
6 exposed to more.

7 I want to end on one note because the  
8 NRC's job is not just to protect the health and safety  
9 of the community. It's to provide confidence, and  
10 what you can see tonight -- and I want you to know  
11 because I've gone to these meetings all over the  
12 northeast -- is none of us have confidence in you.

13 And you know, I don't need you to answer  
14 me, but it would be good for somebody to think about  
15 this because you're just not cutting it, and to create  
16 an Oprah Winfrey kind of approach to NRC public  
17 participation is unacceptable.

18 (Applause.)

19 MR. DOYLE: Good evening, and thanks to  
20 everybody for coming out, including our friends from  
21 the NRC.

22 My name is James Doyle, and I'm a resident  
23 of Putney, Vermont. Please forgive my appearance.  
24 I'm covered in mud because a resident of Vernon was  
25 stuck in the mud out back, and I spent 45 minutes

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1 trying to push her out of the mud because no matter  
2 how much the Vernon Select Board and elected officials  
3 talk down to me, she is my neighbor.

4 (Applause.)

5 MR. DOYLE: Just had to get that off of my  
6 chest because I'm sick of being called the barbarian  
7 at the gate, since I don't live in this town.

8 The story that I just told is relevant for  
9 one other reason. Essentially what you're seeing here  
10 in this room is the people that live in this area, the  
11 human beings who are worried that their children will  
12 be born with mutations, the human beings that are  
13 worried that if Vermont Yankee melts down they will  
14 never escape.

15 They are the human beings who go out and  
16 enjoy the woods, the rivers, the lakes, everything in  
17 this area that could possibly die because this uprate  
18 may not be done properly.

19 You have a chance to do something tonight,  
20 to make a decision that you will announce whenever  
21 you're going to make it to protect that. An  
22 independent safety review is not a loss for you. It  
23 is not something that if you grant it you will have  
24 lost some sort of status. Maybe Envy won't like you,  
25 but do you know what? Not a lot of people like Envy.

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1 So it doesn't matter.

2 But if you grant this independent review,  
3 if you let an outside third party, non-NRC, non-NV  
4 party come in and look at this, if you give the public  
5 access to this regulatory oversight, then maybe, just  
6 maybe we'll start to trust you, and we'll worry a  
7 little bit less about, you know, kids born with extra  
8 heads and trees that are deforested and fish that are  
9 dying because of pollution.

10 You can't lose. You can only win. You  
11 said you're considering it. Please consider it in  
12 the terms of human beings and not corporate wages.

13 Thank you.

14 (Applause.)

15 MR. BRADEEN: Hello. I'm Harold Bradeen,  
16 spelled B-r-a-d-e-e-n. I'm the incident safety  
17 officer for the Vernon Fire Department, and I fully  
18 support the uprate based on the fact as an incident  
19 safety officer, my job is the safety of our fire  
20 fighting crew.

21 We go into that plant on a regular basis.  
22 We do a room-by-room analysis of the hazard and remedy  
23 for every single situation that we could be called  
24 into. We will be the first persons to enter that  
25 plant if Fire Brigade requests assistance.

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1 I have no hesitation in going into that  
2 plant, working with their fire brigade and knowing my  
3 men will be safe. I have full confidence in the  
4 operation and status of the plant as it is, and I feel  
5 it could easily pass whatever inspection is needed to  
6 meet the uprate.

7 I totally support the uprate. I feel very  
8 safe with the plant in my backyard. I live right  
9 across the street, up the road a little ways, and I  
10 want to see it continue and to prosper.

11 (Applause.)

12 MR. BIDWELL: I'm getting slower  
13 noticeably.

14 MS. MILLER: Thank you.

15 My name is Sunny Miller. I live in  
16 Deerfield, Massachusetts, and like many of you, I will  
17 take news back with me through our Website,  
18 traprockpeace.org (phonetic). A thousand people visit  
19 there daily or more.

20 I want to thank our colleagues in the  
21 Citizens Awareness Network and New England Coalition  
22 on Nuclear Pollution for outstanding work in educating  
23 us about our opportunities ahead. We need not only to  
24 support them financially, but let's also support their  
25 leadership by taking our own leadership.

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1 I propose to you that in the days and  
2 months ahead, we may need to form something akin to  
3 that great organization, Clamshell Alliance, in which  
4 many different kinds of citizens, realtors, state  
5 representatives, mothers, bicyclists, many, many kinds  
6 of people showed their way to help change the world,  
7 educate their neighbors, and put an end to new nuclear  
8 power.

9 Perhaps a new alliance called how about  
10 Upland, an Upland Alliance, might form with your local  
11 meetings or your constituents getting together for  
12 their teas, and to please confer by a very efficient  
13 teleconferencing call so that we can plan together, so  
14 that if the Nuclear Regulatory Commission doesn't put  
15 an end to the hazards we face, we will put an end to  
16 it together.

17 A phone number to Network (413) 773-5188,  
18 extension 3.

19 Thank you. Seven, seven, three in 413,  
20 Deerfield, Massachusetts, 773-5188, extension 3.

21 MR. STEVENSON: Yes, my name is Tim  
22 Stevenson. I live in Athens, Vermont, and work in  
23 Brattleboro.

24 The NRC process, as I understand it,  
25 largely concerns itself with the issue of safety, and

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1 one issue that has not been raised tonight that I  
2 would like to bring to your attention and get a quick  
3 answer to, we don't have an evacuation plan in this  
4 area, an evacuation plan that the citizens believe in,  
5 an evacuation plan that follows the recommendations  
6 and guidance of the literature on nuclear evacuation  
7 plans.

8 We have a plan that has been prepared by  
9 the Vermont Emergency Management group that is in some  
10 kind of limbo right now. There are towns within the  
11 emergency planning zone that have rejected this plan.  
12 Many of the citizens do not believe in it, and what I  
13 would like to know is how much weight do you give to  
14 this fact that we don't have a plan that can get  
15 citizens safely out of here should there be a nuclear  
16 emergency.

17 MR. BIDWELL: Evacuation plan.

18 MR. HOLIAN: Evacuation planning is an  
19 issue at all nuclear power plants. They are required  
20 to do an exercise every two years. The NRC does  
21 evaluate those with teams of inspections that come out  
22 and assess those.

23 So, once again, as requirements were meant  
24 earlier, it is one of our cornerstones that you looked  
25 at under that reactor oversight process. We talked

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1 about findings in security, that BY had one in  
2 security a couple of years ago, a yellow finding.  
3 Many plants have had issues with emergency  
4 preparedness, even under the reactor oversight  
5 process.

6 One of the plants when to what they call  
7 multiple degraded cornerstone, which is the fourth  
8 column over, based almost primarily on emergency  
9 preparedness findings. It was a plant in the Midwest.  
10 So it is something we inspect.

11 MR. RULAND: I'd just like to add that  
12 your comments are on the record, and you know, I'm not  
13 the emergency planning guy. We've established a new  
14 office in the Office of NRC specifically for emergency  
15 planning because we know it's particularly important  
16 to the citizens, and we'll make sure we examine your  
17 comments.

18 Go ahead.

19 MS. BURTON: Good evening. Hello. I'm  
20 Nancy Burton, and I came up here this evening with my  
21 father from Connecticut.

22 And we came up here to support the  
23 independent safety assessment and to push for a  
24 nuclear free Vermont.

25 Coming from Connecticut, we are familiar

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1 with our own Milstone, where there were resident NRC  
2 inspectors during the period of time that somehow  
3 Northeast Utilities lost two spent fuel rods. I  
4 understand they're all still looking for them.

5 We also know that Milstone is somewhat  
6 notorious for releasing radioactive radioisotopes into  
7 the air. Well, coming up here to Vermont, and given  
8 where we are tonight, here's my question. Since we're  
9 right across the street from an elementary school, I'm  
10 assuming that the Vermont Yankee nuclear power plant  
11 doesn't release radiation into the air.

12 Question: is that correct?

13 I'm being facetious, of course.

14 MR. HOLIAN: I know you are. Somebody  
15 else, I think, in the earlier meeting tried to get  
16 release off the Website. There was another comment.  
17 You might not have been here then.

18 The nuclear power plants are required on  
19 an annual basis to submit on the document so that you  
20 can access both waterborne and airborne releases.  
21 There are federal limits for those, and it is  
22 something that we inspect as part of the baseline.

23 MR. PELTON: Dave Pelton.

24 I know you've looked at the accountability  
25 in the spent fuel pool. Would you care to address

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1 that question here at Vermont -- I mean --

2 MR. HOLIAN: Well, accountability. She  
3 mentioned of Milstone plant that did have an issue  
4 with a fuel pin that was lost. There was an intense  
5 NRC inspection on that. A lot of early on shipments  
6 were made from spent fuel pools, and there was an NRC  
7 inspection report that talks about probable causes on  
8 that. There are other aspects that were related to  
9 the NRC did an inspection follow that to do a material  
10 accountability at all pools across the nation.

11 MR. PELTON: Thanks, Brian.

12 That's right, and to address that specific  
13 part of your question, just bear with me for a second.  
14 You know, myself and Beth, my other resident  
15 inspector, we did a fairly detailed review of the  
16 spent fuel at Vermont Yankee here, where I look at  
17 almost every day anyway, and we looked historically  
18 through the records from day one since they've put  
19 anything into that pit, and we validated that there's  
20 a record that all of the material they said is in  
21 there still is in there.

22 And we challenged them on a number of  
23 points to validate some areas that we didn't  
24 understand how they followed their process. We  
25 challenged them on that, and they took some action,

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1 and indeed, we did validate that.

2 MS. BURTON: I just wanted --

3 MR. RULAND: -- fully evaluated all of the  
4 inventory and that everything they say is there is  
5 right where it belongs, just to address that one  
6 point.

7 MS. BURTON: Right. Well, I'm just  
8 wondering if, in fact, you get the upgrade and there's  
9 a 34 percent increase in the radiation, there's a sign  
10 over here. Maybe everybody could turn around and see  
11 it at the end of the auditorium, Jim. "Don't be  
12 afraid to be active."

13 And I'm wondering are you suggesting the  
14 children going to this school and their children learn  
15 not to be afraid to be radioactive.

16 Thank you.

17 MR. BIDWELL: I know that there are a lot  
18 of people still who have questions and comments. I  
19 don't know where our janitor is to find out how late  
20 we can go.

21 Because a lot of people are planning on  
22 leaving at 11 o'clock, okay, I'm not saying that we're  
23 taking -- I'm not saying that we're taking no more  
24 comments. What I'm saying is because people are  
25 planning on leaving at 11 and I know that we're

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1 getting into heavy attrition here, I wanted to give  
2 Bill an opportunity to wrap up the summary of -- wait.  
3 No, no, no. Listen. This is going to be useful for  
4 you -- to wrap up the summary of where this  
5 information is going to be, what they're going to do  
6 with this information so that people -- so that people  
7 know about it.

8 MS. SCHEIDLE: Thank you very much.

9 I'm Andrea Scheidle, Putney, Vermont.

10 I really wasn't going to come tonight. I  
11 really wasn't going to come tonight, but I did, and I  
12 had a couple of things that I want to say, and the  
13 first two sound like jokes, but they have a deep  
14 meaning.

15 We have five seasons here in Vermont, and  
16 this is mud season, and there's an old story where a  
17 man sitting on the porch of his house and he sees his  
18 neighbor walking down the road, and the neighbor is up  
19 to his neck in mud.

20 And so the guy says to his neighbor, "Fine  
21 day for a walk."

22 And his neighbor says, "Walking hell. I'm  
23 riding horseback."

24 (Laughter.)

25 MS. SCHEIDLE: Problems can be a lot

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1 deeper than they initially appear on the surface.

2 There's another little story that sounds  
3 like a joke. A researcher is doing a project with  
4 fleas, and he's training the fleas to jump over a  
5 stick. And he gets the fleas, and he says, "Jump,  
6 fleas, jump," and the fleas jump over the stick.

7 And each time the flea jumps, he takes a  
8 leg off the flea, and so he takes off one leg. "Jump,  
9 flea, jump." The flea jumps over. He does this with  
10 hundreds of fleas.

11 Only there's a problem because when he  
12 gets all the legs pulled off the fleas, when he gets  
13 to the last one, the flea makes a tremendous effort,  
14 jumps over the stick with that one leg, and then he  
15 pulls the last leg off and nothing happens, and he  
16 finally publishes his results.

17 The results are: when all of the legs are  
18 pulled off fleas, they can't hear.

19 Science has a way of looking for specific  
20 outcomes that are very dangerous these days. I just  
21 came from New Zealand, which is a nuclear free  
22 country, and I watched the endangered yellow-eyed  
23 penguins coming into shore, and I watched all of the  
24 little banded shell diggers walking on the beach.

25 I grew up here. I remember when there

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1 were butterflies by the thousands, before insecticides  
2 when the apple trees sang in the springtime for all  
3 the insects that flocked around them. Something is  
4 wrong, and we all know what it is.

5 Part of it is need; part of it is greed.  
6 We have greed. We all have, many of us, more than we  
7 need.

8 You guys, I know you have a charge and  
9 it's to oversee something, and you have parameters.  
10 You're here to do that. That's your charge, and you  
11 have boundaries. You know, you can't just decide, oh,  
12 we're going to get rid of all the nuclear energy,  
13 right? Nuclear free Vermont.

14 I want a nuclear free world for my  
15 children and my grandchildren. I know you can't do  
16 that. Okay? But somewhere along the line, nuclear  
17 energy became privatized, and so you were created to  
18 oversee that. Do I understand that correctly? To  
19 oversee the private use of nuclear energy and what  
20 happens to nuclear fuel in the country.

21 MR. RULAND: Yes, yes.

22 MS. SCHEIDLE: You were created as an  
23 agency for that.

24 You are my employee. You are the employee  
25 of every person in this room. You are the employee.

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1 You are my employee via them. This is my microphone.

2 MR. RULAND: Under contract. He's under  
3 contract.

4 MS. SCHEIDLE: Okay, and I'm not -- you  
5 know, I don't want to take this away from anyone in  
6 this room who still wants to speak, but we have to  
7 trust you guys. You have to do something.

8 All over the world nature is dying because  
9 of science while science is trying so hard to make  
10 things live, but we're looking at the wrong things.  
11 Please do something. Please help us to make this a  
12 nuclear free world, not just the bombs that I used to  
13 crawl under the desk to hide from, but those little  
14 sticks that you're burying into the ground that are  
15 going to be there for centuries and centuries and  
16 centuries.

17 I want the butterflies back.

18 (Applause.)

19 MR. RULAND: Thank you. Very heartfelt  
20 comments. Thank you.

21 It's -- by the way, it's 11 o'clock.

22 MS. PEIFFER: Hi. I'm Jeannette Peiffer  
23 from Putney, Vermont.

24 And I just want to ask: has the NRC  
25 scheduled additional inspection hours for the uprate?

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1 MR. RULAND: I'm sorry. I missed that.

2 MS. PEIFFER: Has the NRC scheduled  
3 additional inspection hours for the uprate?

4 MR. RULAND: Brian.

5 MR. HOLIAN: Yes. Inspection hours start  
6 during the outage, just to watch some of those  
7 modifications. Part of it will be continuing based on  
8 the review by headquarters.

9 MR. RULAND: And we have a specific  
10 inspection to do that, yes.

11 MS. PEIFFER: How many additional hours?

12 MR. RULAND: How many hours?

13 MR. HOLIAN: Well, a large portion of  
14 baseline hours get, as I mentioned earlier, get  
15 focused on all of the modifications. So it's a --  
16 yeah, that's on the individual. We have one  
17 individual procedure that looks at certain mods and  
18 then many baseline procedures also will look at  
19 modifications.

20 MS. PEIFFER: (Speaking from an unmicked  
21 location.)

22 MR. HOLIAN: There's some additional and  
23 then there's some focused on routine inspections.

24 MR. BIDWELL: Can I ask for folks to leave  
25 as quietly as they can for the other folks that are

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1 still speaking?

2 MR. SPRITE: Hi. I'm Fred Sprite, and I'm  
3 an elective representative from the Town of  
4 Brattleboro, the same district as Sarah Edwards is  
5 from.

6 I'm acquainted with a lot of people who  
7 have or do work at Vermont Yankee, and this is  
8 definitely not about them. I have confidence in their  
9 abilities, and you guys seem like reasonable guys.

10 I used to live in Rockville, Maryland, and  
11 I know those are kind of shark infested waters down  
12 there in the D.C. area.

13 I think what's obvious is that we're here  
14 aware of the politics that are behind what we each  
15 have to do in our jobs when we're in positions like  
16 you are and like they are.

17 There seems to be a consensus of the  
18 elected representatives in three states here that a  
19 true independent safety assessment or engineering  
20 assessment, whatever you want to call it, and to me  
21 that would mean something which is answerable to and  
22 hired by people in the states, but obviously, you  
23 know, I'm not one to decide that.

24 I just feel like as a wrap-up that it's  
25 very clear that, you know, the state, our national

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1 delegations, people from Keene, people from  
2 Massachusetts have all made it very clear, and so your  
3 credibility hinges on being able to deliver that.  
4 It's not saying that you can't do a good enough job.  
5 It's saying that for the rest of us to have adequate  
6 confidence, which is a part of the equation, is that  
7 we feel safe; it's not that it -- you know, I know  
8 there was someone I know here who was an  
9 epidemiologist who studied Three Mile Island and the  
10 cancer results of that. It was a -- yeah, -- it was  
11 a 100-fold increase in rates of certain kinds of  
12 cancer.

13 She also studied some of the sites where  
14 depleted uranium was being tested, which is actually  
15 waste products from nuclear power plants that are  
16 being used for weapons in places like Iraq,  
17 Afghanistan, Kosovo, a couple of pounds of which I'm  
18 told can give, by repeated doctors, can give just  
19 about everybody on the planet cancer. And we blew up  
20 90 tons of it in Iraq in '91.

21 I think because of things like this and  
22 the cancer rates in areas where those things have been  
23 tested, our confidence in our government is poor, and  
24 it's because people in political positions -- and you  
25 guys are in political positions -- have a hard time

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1 sticking your necks out far enough.

2 I know it's hard in my position just in  
3 the minor position that I'm in. So I sympathize with  
4 you, but I'm saying that the bigger picture requires  
5 us to do so.

6 MR. RULAND: Thank you.

7 MR. SPRITE: And I ask you to.

8 MR. RULAND: The cancer studies around  
9 TMI, there have been a number of them. They have not  
10 shown, to the best of my knowledge, increased cancer  
11 rates, but we're going to get you the results of that.

12 And if you could share that with us, and  
13 we'll get that.

14 MR. SPRITE: And it's not only -- we're  
15 aware of numerous studies that have been done, but it  
16 has also gone through the court system. So it's not  
17 just the reports that we have.

18 But it continues to come up, and we  
19 continue to address that. We do have a whole section  
20 at headquarters also that deals with health effects.

21 MR. RULAND: And, you know, we've got to  
22 end this meeting right now. Okay?

23 MR. BIDWELL: We've been asked to go. I  
24 do want to encourage everyone to submit written  
25 comments. There were self-mailer written comment

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1 forms that were handed out earlier in the evening.

2 Bill, do you have a brief comment to end?

3 MR. RULAND: No, that's all right. Thank  
4 you.

5 (Whereupon, the public meeting was  
6 concluded.)

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