

RAS 10724

# Official Transcript of Proceedings

## NUCLEAR REGULATORY COMMISSION

Title: Palisades Nuclear Generating Station  
Limited Appearance Public Hearing

Docket Number: 50-255-LR; ASLBP No.: 05-842-03-LR

Location: South Haven, Michigan

DOCKETED  
USNRC

November 9, 2005 (4:10pm)

Date: Thursday, November 3, 2005

OFFICE OF SECRETARY  
RULEMAKINGS AND  
ADJUDICATIONS STAFF

Work Order No.: NRC-693

Pages 1-76

NEAL R. GROSS AND CO., INC.  
Court Reporters and Transcribers  
1323 Rhode Island Avenue, N.W.  
Washington, D.C. 20005  
(202) 234-4433

UNITED STATES OF AMERICA

+ + + + +

BEFORE THE NUCLEAR REGULATORY COMMISSION

+ + + + +

Before the Atomic Safety and Licensing Board

+ + + + +

NUCLEAR MANAGEMENT COMPANY  
PALISADES NUCLEAR GENERATING STATION

Regarding the Renewal of Facility Operating  
License No. DPR-20 for a 20-Year Period

Docket No. 50-255-LR  
ASLB No. 05-842-03-LR

LIMITED APPEARANCE

THURSDAY

NOVEMBER 3, 2005

+ + + + +

1555 PHOENIX ROAD  
SOUTH HAVEN, MICHIGAN

+ + + + +

The above-entitled matter commenced pursuant to  
Notice before Ann Marshall Young, Dr. Anthony Baratta, Dr.  
Nicholar Trikouros, Administrative Judges.

NEAL R. GROSS (202) 234-4433

P R O C E E D I N G S

(5:30 P.M.)

1  
2  
3 ADMIN. LAW JUDGE YOUNG: I'm the chair of the  
4 licensing board.

5 To my left is Dr. Anthony Baratta one of the  
6 technical judges. And to my right is Nicolas Trikouras the  
7 other technical judge. And I'm the legal judge.

8 We are here to hear your statements. They are  
9 going to be on the record. We would ask everyone as you  
10 speak to spell your name for the court reporter so we can  
11 make sure we get them right.

12 We do have your list, your sign up list but  
13 based on my own handwriting I know sometimes you can't  
14 always read the handwriting signatures so if you would do  
15 that that would be helpful.

16 There was one person and it may be the last  
17 person who signed up, Chuck, are you the person that has a  
18 class, we'll let you go first because you emailed me  
19 earlier and we said we'd let you do that.

20 So I think everybody knows it's five minutes  
21 per person. And if you have, before we got started someone  
22 asked about written materials. If you have any written  
23 materials Debra Wilfar, law clerk, will get them from you  
24 and make sure they're placed in the record with the  
25 transcript of tonight's session.

NEAL R. GROSS (202) 234-4433

1           So all right. Go ahead. And if you could tell  
2 your last name again --

3           MR. JORDAN: Jordan.

4           ADMIN. LAW JUDGE YOUNG: I can't read it.

5           MR. JORDAN: Jordan. (J-o-r-d-a-n).

6           ADMIN. LAW JUDGE YOUNG: Okay. Thank you very  
7 much.

8           MR. JORDAN: Chuck Jordan. I represent the Van  
9 Buren County Greens and the West Michigan or the Michigan  
10 Greens, excuse me. And I just wanted to say that we are  
11 against re-licensing the Palisades Plant because it is old.  
12 And like I said before with an old car something is sooner  
13 or later going to go wrong with it and you can keep fixing  
14 it and fixing it but sooner or later it can't be fixed.

15           And when a nuclear reactor goes it's a little  
16 more catastrophic than losing a car or being stuck on the  
17 highway.

18           The other issue is the waste. There's still no  
19 way to know what's going to happen with the waste. It is a  
20 serious issue and nobody wants it in their backyard.

21           If we do send it the Indian Reservation in Utah  
22 I think it is, you're still responsible for transporting  
23 it. All right.

24           I don't have many illusions about whether we're  
25 going to be able to stop the re-licensing of, of Palisades.

1 I do think that it takes something like the Katrina to get  
2 the government, get peoples' attention. It seems like it  
3 will take a catastrophe before people wake up and  
4 understand if we keep re-licensing these plants they could  
5 be catastrophic.

6 Thank you.

7 ADMIN. LAW JUDGE YOUNG: Thank you. Kathy  
8 Barnes. And you have very good handwriting. It's (B-a-r-  
9 n-e-s).

10 MS. BARNES: Yes. With a K.

11 I've lived in Michigan for all my life which is  
12 56 years, well, actually 52 years I've lived in Michigan.  
13 And I have swum in Lake Michigan ever since as early as I  
14 remember.

15 And when I was a little kid you could drink the  
16 water. Sometimes it was a little fishy but it was still  
17 just regular water. When I got to be a teenager I could  
18 taste a little chemical taste in the water.

19 But as time goes on there's, the water quality  
20 is becoming poorer and poorer. This year my granddaughter,  
21 my daughter and I went swimming in Lake Michigan and they  
22 were in the water longer than I was. They both got rashes.  
23 And I got a slight rash. I wasn't in it but maybe five  
24 minutes and I, I had a rash.

25 What it was was there was algae floating in the

1 cold water and in all my years of, you know, being a  
2 naturalist and being, you know, aware of the environment  
3 I've never seen algae grow naturally in cold water.

4 So this is something new to me and the fact  
5 that it was stinging and the fact that it left bumps and a  
6 rash is kind of strange also.

7 This is a map here I'd like others, there's  
8 three of them here one for each of you. This is 82 hours  
9 after Chernobyl and this map here shows the soil deposition  
10 of the radioactive elements and how far it traveled in 82  
11 hours.

12 Italy here is about, less than, about an inch  
13 maybe. Italy, I'm just wondering how big is Michigan. If  
14 something happened at Palisades how, how much would be  
15 affected besides Michigan. You've got Canada and you've  
16 got Ohio, Indiana. I mean you could fit, imagine if the  
17 yellow part was Lake Superior that's maybe the size of it  
18 here.

19 So we're talking about something that could  
20 affect more than one country. This is something that if,  
21 if something happened at Palisades I probably wouldn't be  
22 able to talk anymore because I would be wiped out.

23 Probably the first thing that would die would  
24 be my beautiful animals. And then when I went outside I  
25 would be exposed and I would die.

1 All of the fresh water here that is so precious  
2 would be gone. Our, our soil that grows so many crops  
3 would be gone. When this man that sat here and I don't  
4 know what his name is or his position said that, let me  
5 see. The risk is acceptable. There's no way. That risk,  
6 any risk when you're dealing with nuclear energy is not  
7 acceptable.

8 The production of atomic energy initially was a  
9 good concept but as we have found out it's not a failsafe.  
10 It causes nuclear waste, it causes degradation of  
11 environment. It causes cancer pockets. It, it extends way  
12 beyond this location. It extends to all the places that  
13 Consumer Energy has done undercover dumping etcetera,  
14 etcetera.

15 So there's a lot more people than just the  
16 South Haven population that is exposed and it's a huge  
17 problem.

18 Consumers Energy recently came out with this  
19 green generation program. I signed up for it. They  
20 guaranteed me a hundred percent of my energy was coming  
21 from the wind. What they're doing as they are starting to  
22 realize that wind energy is a good deal and they are  
23 investing in wind generation systems with Mackinaw Pow Wind  
24 Generation and other companies. They're building grids and  
25 they're putting up windmills.

1           If you re-license this nuclear power plant you  
2 will be, you will be undermining this effort. If you  
3 don't, this, this is something that they will be doing and  
4 they are starting to do it.

5           It says here over 50 percent of responders to  
6 their survey said they would be highly likely to enroll in  
7 a renewable energy program. Only, over 50 percent. And  
8 that's what they said would you be willing to pay a little  
9 bit more. And I pay probably \$4 a month more for wind  
10 energy but to me it's worth it for the investment and for  
11 our future.

12           ADMIN. LAW JUDGE YOUNG: Let me just, you've got  
13 about a minute more and --

14           MS. BARNES: Okay.

15           ADMIN. LAW JUDGE YOUNG: -- I want to make sure  
16 everyone has time to talk so.

17           MS. BARNES: For sure, okay, thank you.

18           ADMIN. LAW JUDGE YOUNG: Thank you.

19           MS. BARNES: So my premises is this. It's not  
20 needed. They should make a transition out of this big  
21 problematic thing which they are hugely liable for if  
22 something happens. The use of seelets and the cracking of  
23 this plant you can't just keep operating something and say  
24 well, we'll, we'll see what happens, we'll make up a, we'll  
25 make up a plan, we'll take care of the problems as they, as

1 they occur. That's not good enough. There is no risk  
2 acceptable.

3 I met a man who worked for Consumers Energy  
4 Palisades. He now works out of state. He says he would  
5 never work in Michigan again. He says, I said well do you  
6 see Cook for ten years covered up the fact they didn't have  
7 a, a functioning coolant system. I said is, are they  
8 covering up stuff at Palisades? He said no, they don't  
9 cover it up he says they just don't report it.

10 And he says it's slipshod. They don't report  
11 things. He says they keep everybody in the dark.

12 And I think that's probably the case and  
13 there's a million reasons to not re-license it. And I  
14 thank you for your time. God bless everybody.

15 ADMIN. LAW JUDGE YOUNG: Thank you. Corinne  
16 Carey.

17 MS. CAREY: I brought a few props today because  
18 this is such an exciting time in general, week actually.  
19 And I felt we had to take advantage of that.

20 Now this little report we used earlier in the  
21 week but it certainly fits here. Oops, this overlays.

22 Because it doesn't take any more nuclear bombs  
23 to do what is happening because of the nuclear materials we  
24 are manufacturing. The nuclear plants in their little bit  
25 of permissible emissions. But that's like being a little

1 bit pregnant. It doesn't stop there.

2 And the possibility of course of a 20 year  
3 extension for Palisades, this is too close. It's just  
4 plain not sensible. Well, now I thought I had this figured  
5 here I don't know.

6 Well, yes, no is not a nice thing but it  
7 happens. Oh, I know.

8 Okay. There is another prop I brought and it's  
9 this one because 20 more years of the nuclear plant is  
10 constructing another 20 more years of radioactive waste.  
11 And I know that when we were here a month or so ago when we  
12 asked well, how many casks are there now was over 5000  
13 Hiroshima bombs in radioactivity sitting on the shore right  
14 over here at the plant. You can see them from the beach.

15 And we asked how many casks are there now.  
16 Nobody seemed to know. Not the people from Washington or  
17 the people from regional Chicago or even the local people.  
18 Eventually we found out there's 25 which when you say one  
19 cask has the equivalent of 120 Hiroshima bombs and there  
20 they sit and they're sitting on these pads that are like a  
21 garage footing and they are sitting on the singing sands.

22 Now this afternoon you were talking it and I do  
23 want to give you some material about that so you'll all  
24 have it.

25 The singing sands only happen in about four

1 places in the world. They are round like babes. And they  
2 act like walking on babes and that's why they squeak.

3 But should that earthquake fault across the  
4 south, the southern edge of Michigan get activated which it  
5 has on occasion then the effect of those babes like sands  
6 with the pads on them and the casks on the pads could be  
7 catastrophic.

8 Now we have to think of these things.  
9 Especially now with what we've seen of the hurricane  
10 situation that things happen that we didn't plan. And who  
11 knows, maybe in the 10,000 years or so that the casks are  
12 designed supposedly to last, we will have global warming  
13 here and we will have hurricanes here.

14 So another 20 years of adding to that  
15 radioactivity doesn't make any sense at all.

16 Actually on Halloween some 20 years ago it was  
17 the public release by Carl Sagan and others of the nuclear  
18 winter concept. That was from explosion of nuclear bombs.  
19 But it's just, it's happening the same, slowly from  
20 radioactivity from other sources including of course the  
21 depleted uranium ammunition being used, we are using all  
22 over the world thinking it's not going to go here to us.

23 ADMIN. LAW JUDGE YOUNG: You've got about a  
24 minute more.

25 MS. CAREY: Okay. Now there is, okay, they, oh,

1 I got it here somewhere.

2 Nuclear was definitely a wrong turn. But the  
3 addition of another 20 years of operation and over 10,000  
4 Hiroshimas at that point like the cask number four that  
5 hasn't been unloaded in 11 years because it didn't work to  
6 simply reverse the process as we were told at the time.

7 So the radioactive waste that's with us is non  
8 transportable. How are we going to get it out of those  
9 casks. And how are we going to reload it into something  
10 that can ride on a train or a truck that's going to go from  
11 city to city to city to city until it gets to someplace.  
12 And there is no place where it can go.

13 And as you know Yaka Mountain has been put  
14 under litigation and therefore we were told that we  
15 couldn't even discuss the radioactive waste when it comes  
16 to this extension of Palisades.

17 ADMIN. LAW JUDGE YOUNG: You're going to need to  
18 wrap up.

19 MS. CAREY: Okay. It was put under on, on,  
20 under litigation because it was deliberately falsified  
21 information.

22 So what we need to do is to take care of the  
23 air, water, soil for me and my five grand kids and theirs  
24 and theirs and theirs for thousand of years and yours.

25 ADMIN. LAW JUDGE YOUNG: Thank you.

1 MS. CAREY: Oh, these are some of the letters of  
2 people that agree.

3 ADMIN. LAW JUDGE YOUNG: You're welcome to turn,  
4 hand those up here if you like. While we're waiting for  
5 the next person it just occurred to me some of you weren't  
6 here for the earlier oral argument. But we did discuss  
7 some alternative means of bringing issues to the attention  
8 of the Commission.

9 And so you may want to contact Mr. Lodge here  
10 to get more information on that as time goes on.

11 The next person on the list is Ken Richards.

12 Or today contact the NRC as well but he might  
13 be able to explain on a local basis the alternatives.

14 Go ahead, Mr. Richards.

15 MR. RICHARDS: Hello, my name is Ken Richards.  
16 That's Richards (R-i-c-h-a-r-d-s).

17 And I live approximately three miles from the  
18 Palisades Nuclear Power Plant next to the South Haven  
19 Municipal Airport which has gone through security upgrades  
20 since the 9/11, 2001 terrorist attacks because of its close  
21 proximity both to the Palisades and the Donald C. Cook  
22 Nuclear Power Plants.

23 This concern I share mainly because of the way  
24 the highly irradiated spent fuel assemblies are stored at  
25 the Palisades Plant site. The high level containment is

1 not so much a worry for me because it was designed and  
2 constructed to withstand such a possible catastrophe.

3           Whereas the dry storage casks, many placed  
4 right on the shoreline 150 yards from Lake Michigan were  
5 not. I doubt very much they could withstand such an attack  
6 as 9/11 or the Oklahoma City Federal bombing.

7           A large boat instead of a truck. Even an  
8 accidental passenger jet crash.

9           Still this is a remote concern for me unlike  
10 the operation of Palisades Plant itself. The re-license to  
11 operate an additional 20 years from a shutdown date in 2011  
12 which was already an extension because power plant  
13 operators argued successfully that the plant took much  
14 longer than expected to start up with a million problems  
15 encountered at the time, years in fact. So the extension  
16 was extended.

17           I remember more than ten years back when the  
18 dry casks were first put in place when the decommissioning  
19 date was the late 90s. The Palisades, then Palisades would  
20 turn into a nuclear waste dump which is pretty much what  
21 with the dry cask storage and all of the obsolete highly  
22 irradiated equipment such as the original steam generator  
23 still stored at the site within its mortuary does now.

24           All of this highly irradiated material was  
25 supposed to be transferred to someplace such as Yaka

1 Mountain or the Squaw Valley Indian Reservation. But here  
2 in South Haven and Culvert area we've been hearing  
3 solutions such as these since the plants were built.  
4 Nothing has ever come of any of it but the fuel pools  
5 filling up the double design capacity and now these cut  
6 rate dry cask storage placements.

7 Much of this radioactive material has half  
8 lives going thousands of years. With all the transport  
9 problems along with our nation's inability to find and  
10 construct a final storage site I believe we here in these  
11 communities will be the caretakers of all this dangerous  
12 waste and to shut down plants themselves for many  
13 generations to come.

14 Of course there are many around here who need  
15 and depend on these jobs. Plenty of job security here.  
16 Still we are literally talking about forever as we know it.  
17 Looking through history this is not a good thing. Our  
18 economy can come and go right along with its ability to  
19 care for something so lethal.

20 Thousands of years whole civilizations come and  
21 go. What are they going to do with this radioactive  
22 legacy.

23 One thing we the public have heard from the  
24 beginning this was supposed to be cheap electricity and now  
25 we are hearing the same argument again. Yet I don't see

1 its supporters figuring in the cost of caring for all this  
2 radioactive waste for the eons it will take to radiate  
3 itself into harmless material. They just keeping insisting  
4 there'll be some site to take it soon. Yet soon or  
5 anything like it never happens. We're stuck with it.

6 Another concern is the plant's reactor pressure  
7 vessel. The last time I worked for Palisades Nuclear Power  
8 Plant during the refueling shutdown during the first Golf  
9 War, to put a date on it, they were examining the reactor  
10 vessel for embrittlement and found some at critical points.

11 So the operators began to practice the placing  
12 all long stored stainless steel fuel assemblies at these  
13 critical places to sop up radiation and keep it from  
14 harming the vessel further.

15 Now correct me if I'm wrong but as I have  
16 always understood it fuel rods must be removed when spent  
17 because they become more not less radioactive and unstable  
18 because of their three years in the reactor. Still this  
19 practice goes on.

20 ADMIN. LAW JUDGE YOUNG: And if you could wrap  
21 up in about a minute.

22 MR. RICHARDS: All right. Still this practice  
23 goes on, okay.

24 ADMIN. LAW JUDGE YOUNG: Thank you.

25 MR. RICHARDS; Like the cut rate storage casks I

1 feel the operators always put immediate profits ahead of  
2 public and plant safety. All too often when matters like  
3 these come to public light they are always just explained  
4 them away just as they are doing now hoping to re-license a  
5 38 year old plant which I have seen the inside of and can  
6 tell is showing its age in a lot of places.

7 I feel the reactor must be replaced before any  
8 consideration of re-licensing is considered along with a  
9 permanent underground mortuary for all these dry casks to  
10 be constructed and put to use soon.

11 As I, as I mentioned I and many of my family  
12 members have worked in this nuclear industry since the  
13 plants were first constructed back in the early 70s. My  
14 father has, I have a cousin who worked at Cook most of his  
15 adult life and he does today.

16 I'm not out to get these nuclear power plant  
17 people. I just wish they would operate more responsibly.  
18 This is dangerous stuff and they behave as if somebody is  
19 out to get them when honest people come forward with honest  
20 concern.

21 I hope you judges will be more enlightened. I  
22 do realize our present federal government, state legislator  
23 are backing this re-licensing attempt, and I acknowledge  
24 there is 13 billion allocated for nuclear power development  
25 in the current energy bill. Three billion just to fight

1 the industry's opponents in court.

2 There's a lot of money involved. The fact is  
3 Palisades is the largest employer. So it is more, so it is  
4 more than just profits, also wages at stake here which puts  
5 anyone critical of the plant's operation on the wrong side  
6 of many a fence.

7 Still even though it's a lot of money it is  
8 still a lot of radiation to keep up with which will not be  
9 spend long after the money is.

10 Thank you for giving me this opportunity to  
11 share with you my concerns for this important issue. Pleas  
12 take a long hard look at its realities and put public  
13 safety first. Thank you.

14 ADMIN. LAW JUDGE YOUNG: Thank you, sir.

15 Mr. Kevin Camps.

16 MR. CAMPS: Thank you. My name is Kevin Camps  
17 and I work as a nuclear waste specialist at Nuclear  
18 Information and Resource Service in Washington, D.C. which  
19 is one of the intervening organizations with contentions in  
20 this proceeding.

21 And I'm thankful for this opportunity to speak.

22 I'm originally from Kalamazoo, Michigan, was  
23 born and raised and lived most of my life in Kalamazoo.  
24 I've only been in Washington for six years working at  
25 Nears.

1                   And I became involved with Palisades back in  
2 1993 when the irradiated fuel surge pool filled and dry  
3 casks were first installed on the beach, just the 150 yards  
4 from the water of Lake Michigan.

5                   And I worked as a volunteer in Kalamazoo trying  
6 to watchdog the Palisades Nuclear Power Plant. And after  
7 what seemed like beating my head against the wall for six  
8 years in this neck of the woods I decided to try it in  
9 Washington, D.C. at the federal level.

10                  But always at my heart even though I work on a  
11 national level now Palisades is, is the closest to my heart  
12 because this is my home.

13                  And my ancestors, and the reason I'm giving  
14 this background is that the Kalamazoo Gazette, my hometown  
15 newspaper recently accused this intervention as being an  
16 outside agitation. So I just wanted to set the record  
17 straight.

18                  My ancestors came here in 1849 on the Dutch  
19 side and 1860 on the Irish side. But and I'm proud of that  
20 and my family has been lake huggers ever since. We've  
21 lived along the lakeshore hugging the lakeshore all these  
22 years. And it's a choice of words, a conscious choice of  
23 words to hug the lake because we love the lake. It's  
24 sacred, it's precious, it's irreplaceable.

25                  But there are others who have lived here much

1 longer than Native Americans and we do have contentions  
2 that involve Native Americans and the impacts of Palisades  
3 on their culture, their spirituality and their well being.

4 The two main issues that I wanted to address  
5 are, are two of our strongest and most important  
6 contentions and that is the embrittlement of the reactor  
7 core as well as the dry cask storage.

8 The significance of embrittlement is the  
9 reactor vessel is so brittle that like a hot glass under  
10 cold water it could rupture in an emergency. And with a  
11 troubled history of containment at Palisades that  
12 catastrophic radiation release could find its way into Lake  
13 Michigan and the surrounding area.

14 The NRC's own report on the consequences of a  
15 severe accident entitled Crack Two which was published in  
16 1980 put the dollar damage at 52.6 billion dollars that  
17 could result from a catastrophic accident at Palisades.  
18 This is unadjusted for inflation.

19 One thousand cancer deaths in the first year,  
20 7000 injuries in the first year alone. And then over the  
21 course of time 10,000 cancer deaths resulting from a  
22 catastrophic radiation release.

23 And given the recent biological effects of  
24 ionizing radiation report which again as was mentioned  
25 today reaffirmed that no matter how small the dose of

1 radiation health damage can be expected from it.

2 I think that those numbers of deaths and  
3 injuries and in addition that economic damage is, is low  
4 balling it.

5 And I just wanted to say that this region the  
6 reason that my family has lived here for so long is because  
7 it's so beautiful and it's also such a rich part of this  
8 country in terms of the fruit that's grown here, the grapes  
9 and the wine, the tourism, the heart of the economy here  
10 which really is the life blood of our communities in this  
11 entire region of the state and in surrounding states.

12 And a severe accident at Palisades would wipe  
13 that all, would wipe it all out. And what's so ironic for  
14 the Native Americans is that they have lived here forever.  
15 They've lived here for at least 10,000 years. So they have  
16 perhaps more than any of us a right to a say in this  
17 proceeding.

18 The second issue I really wanted to focus on is  
19 the dry cask storage.

20 Our expert witness, Dr. Ross Landsman, a  
21 recently retired NRC inspector from Region III in Chicago  
22 has been trying within the NRC since 1993 to raise serious  
23 concerns about dry cask storage at Palisades.

24 The first dry cask storage pad at Palisades he  
25 pointed out in an earthquake situation could result in

1 casks finding their way into Lake Michigan or being buried  
2 in the sand. Either of which could cause a catastrophic  
3 radiation release into the lake.

4 Unfortunately for 12 years he was ignored  
5 largely entirely on that. He did have a part to play in  
6 Palisades deciding that it would move those casks from that  
7 older pad to the newer pad just installed in 2004. Moving  
8 those older casks as well as additional casks that will be  
9 installed as time goes on on this newer pad which is more  
10 inland. The --

11 ADMIN. LAW JUDGE YOUNG: Just, I don't want to  
12 interrupt you but you've got about a minute.

13 MR. CAMPS: Okay.

14 ADMIN. LAW JUDGE YOUNG: If you'd wrap up, we've  
15 got a lot of people.

16 MR. CAMPS: The problem is that the new pad as  
17 well is in violation of NRC earthquake regulations. And  
18 Dr. Landsman now that he's retired wants to continue to be  
19 involved in this because he knows what the dangers are.  
20 He's raised them for so long and he just wants the NRC to  
21 do its job.

22 And that raises the issue of waste at  
23 Palisades. If this 20 year license extension is granted  
24 there's going to be 20 more years of waste at Palisades  
25 with nowhere to go, stored indefinitely on the lakeshore

1 which is the source of drinking water for 35 million people  
2 downstream.

3 So cost benefit analysis was raised as an issue  
4 today. What is the cost of risking the future of the Great  
5 Lakes Basin with this dangerous plan. And that's why we  
6 call for its shutdown and replacement with safer, cleaner,  
7 cheaper alternative sources of electricity such as wind  
8 power for which there is tremendous potential in this very  
9 region.

10 And we do hope that these strong contentions  
11 will be heard by the board.

12 Thank you very much.

13 ADMIN. LAW JUDGE YOUNG: Thank you. LeRoy  
14 Wolins. Did I pronounce that right?

15 MR. WOLINS: My name is LeRoy Wolins. I live in  
16 South Haven. And I have been a participant in protests  
17 against the Palisades Plant for years. And I'm here again  
18 today to remind you that all those casks out on the lake  
19 the best thing anyone could do with them at this point is  
20 to rearrange them off the concrete slabs into one big word  
21 spelled out on the beach with their lengths, help.

22 Maybe somebody in an airplane or a spaceship  
23 going by will see our call for help and send us a plan like  
24 the people from Palisades were promising us that they'd  
25 have ready three years into, into whatever.

1                   But that is about all those casks can do would  
2                   be good is call for help.

3                   I talked here in the beginning of September  
4                   about our historic lack of memory caused in Chicago when  
5                   they drilled one pile to fix a bridge on the Chicago River  
6                   and had forgotten that there were tunnels under the entire  
7                   Loop and the pile driver put the pile through the tunnel  
8                   roof, flooded the entire Loop all the basements, all the  
9                   technical stuff, shut down the Loop for a week, cost over a  
10                  billion dollars in damage, closed all the commodity markets  
11                  that depended on the electricity through those basements.

12                  That is what happened in Chicago.

13                  What would happen with the storage of all this  
14                  nuclear waste is far far beyond anything that happened to  
15                  Chicago. And I would advocate that we get that help sign  
16                  out on the beach quick, get somebody to see it and, and  
17                  give us a plan on what to do with it.

18                  I don't know what to do except to stop making  
19                  more of it. And that's what a 20 year extension is. It's  
20                  20 years more of manufacturing death.

21                  I was with some Russian retired generals and  
22                  admirals I was showing around the country a few years ago  
23                  in the 80s and we got to Washington for their send off home  
24                  and the word came out about Chernobyl and these gentlemen  
25                  who were all toughen veterans and I mean really toughen

1 veterans they were all crying at the airport in Washington  
2 hearing what had happened to their homeland because the  
3 Soviet government was careless with nuclear power. And we  
4 must not be careless with nuclear power.

5 All the slogans we've heard and everything  
6 forget it. Shut the thing down at the, at the, at the  
7 present date scheduled. Shut it down now if you can. But  
8 for heaven's sake shut it down.

9 Thank you.

10 ADMIN. LAW JUDGE YOUNG: Thank you, sir. (W-o-  
11 l-i-n-s). I could read his handwriting very easily as  
12 well.

13 And then Paul Gunter.

14 MR. GUNTER: Are you calling me down for --

15 ADMIN. LAW JUDGE YOUNG: Yes.

16 MR. GUNTER: Okay.

17 ADMIN. LAW JUDGE YOUNG: (G-u-n-t-e-r.) And in  
18 LeRoy is it the capital R?

19 MR. WOLINS: Yes.

20 ADMIN. LAW JUDGE YOUNG: Okay. (L-e-R-o-y).

21 MR. GUNTER: Thank you, Judge Young. My name is  
22 Paul Gunter. I'm director of the reactor watchdog project  
23 for Nuclear Information and Resource Service in Washington.

24 And my family also is here in Michigan only on  
25 the, the Detroit side. But, you know, what I wanted to do

1 in my brief is to say a few words about what we're not  
2 allowed to talk about today in the proceeding. And the  
3 crisis in public confidence that a very real issue of  
4 security and terrorism and what that has done.

5 Now, Judge Young, you are quite familiar with  
6 the Cataba McGuire licensing proceeding which we were  
7 involved in and we were quite hopeful when the licensing  
8 board certified --

9 ADMIN. LAW JUDGE YOUNG: Judge Baratta was also  
10 one.

11 MR. GUNTER: Yes, sir, thank you. And we were  
12 quite hopeful when the, when the Board certified to the  
13 Commission some 14 contentions on security that were filed  
14 with regard to that license renewal application.

15 In I believe it was December 18<sup>th</sup>, 2002 the  
16 Commission came back with an order saying essentially that  
17 we were disallowed from raising security contentions about  
18 the, the security risks associated with extending an  
19 operating license of --

20 ADMIN. LAW JUDGE YOUNG: You're talking about  
21 the license renewal. I stand corrected. I was thinking  
22 about the more recent case but.

23 MR. GUNTER: Okay.

24 ADMIN. LAW JUDGE YOUNG: Thank you. Go ahead.

25 MR. GUNTER: The, but the fact is what I wanted

1 to do right now was first of all just to, for the, for the  
2 matter of the public here and for a matter of the record  
3 the, the issue of security has some very real environmental  
4 impacts.

5 Most recent, well, let's go by the number one  
6 a, the National Commission on Terrorism just a few years  
7 ago in its study of the September 11<sup>th</sup> attack its report  
8 originally documented that Al Qaeda had planned to highjack  
9 ten aircraft. And two of those ten aircraft were to be  
10 directed against nuclear power stations in this country.

11 So clearly the national commission has  
12 identified that nuclear power stations around this country  
13 are on the target list for, for terrorism.

14 More recently the National Academy of Sciences  
15 in an April 2005 report on the safety and security of  
16 commercial spent nuclear fuel storage systems documented  
17 that, that, that in, in their study which was, which was  
18 publically released that, that the fuel pools are of  
19 particular concern because of their large inventories of  
20 radioactivity and that in fact they're much more vulnerable  
21 than, than perhaps the reactor vessels themselves because  
22 they're in auxiliary buildings that are less protected and  
23 in fact some of the, as in the Mark I reactors have  
24 elevated storage systems that are up in the roof of the  
25 reactor building outside containment.

1           So but, but what they did identify is that  
2           there is a vulnerability. And that there is significant  
3           risk that was also identified by the, a, a, a January 2001  
4           pre 9/11 NRC study that said that an aircraft could  
5           penetrate a fuel pool.

6           And that, the fact is is that the, the  
7           consequences of a nuclear fuel fire are far reaching. They  
8           are, it, the national chamy study put it in hundreds of  
9           miles, tens of thousands of deaths and the NRC study put it  
10          at, as far as 500 miles with 20, 27,000 deaths.

11          And these are, these are publically available  
12          studies and reports about the vulnerability that still  
13          exists today but that our due process has essentially been  
14          taken away that we can, where we could address these very  
15          real concerns in a licensing proceeding that could  
16          potentially have some, some mitigating or at least to  
17          recognize the environmental consequence that, that, that  
18          exists there.

19                 But in fact the --

20                 ADMIN. LAW JUDGE YOUNG: Just about one more  
21          minute, okay.

22                 MR. GUNTER: Certainly.

23                 ADMIN. LAW JUDGE YOUNG: I hate to cut you  
24          off --

25                 MR. GUNTER: That's fine.

1 ADMIN. LAW JUDGE YOUNG: -- all of you, but I  
2 do have --

3 MR. GUNTER: I understand. But as it is right  
4 now the public crisis the, you know, the crisis in public  
5 confidence deepens. And the, the licensing board has an  
6 opportunity to look at the issues that are presented to you  
7 today and to make some effort towards restoration of public  
8 confidence.

9 But in the long run we do need to be looking at  
10 these, these very real security issues.

11 And right now there is not only with the  
12 security issue but the emergency planning issue there's a,  
13 this, this same crisis in public confidence has been  
14 recognized by the inability to evacuate populations on the  
15 Gulf Coast in a timely fashion even with three days notice.

16 But the security issue raise, raises some very  
17 fast breaking events that we wouldn't have three days  
18 advanced notice.

19 Thank you.

20 ADMIN. LAW JUDGE YOUNG: Thank you. Alice Hirt.  
21 You were also here earlier.

22 MS. HIRT: Yes. I've been all day and I want to  
23 say that we thank you for coming here to listen to our  
24 concerns.

25 And sometimes I'm quite skeptical of the

1 process but I want to say that I feel that you have  
2 listened to us today and have taken our concerns seriously.  
3 And I, we really do appreciate that.

4 I, as I said I'm Alice Hirt. I live in  
5 Holland, Michigan. I'm a wife, a mother and a grandmother.  
6 And I am also someone who lives within the 50 mile radius  
7 of the plant so I qualify as a legal intervenor in this  
8 case.

9 Over the past several months since we filed to  
10 intervene many individuals and many groups have joined this  
11 opposition effort. At this point we have at least 22  
12 groups who have said we oppose this license extension.

13 That doesn't sound like a whole lot of groups  
14 but if you count the number of people that those groups  
15 represent it is well over 200,000 Michigan residents.

16 I'd like to name just a few of those groups.

17 The Michigan Chapter of the Sierra Club.  
18 Alliance for the Great Lakes. Clean Water Action.  
19 Michigan Environmental Council, which represents tens of  
20 thousands of people in Michigan.

21 Michigan Citizens For Water Conservation.  
22 Michigan Land Trustees. Public Interest Research Group in  
23 Michigan, Purjam. And the West Michigan Environmental  
24 Council.

25 And that's just a few of the 22.

NEAL R. GROSS (202) 234-4433

1 Believe me, as Chuck Jordan said, I know what  
2 it means to be getting older and things don't work exactly  
3 right all the time. And as he said the same thing is true  
4 for a nuclear power plant but of course the stakes are much  
5 higher.

6 Palisades has a troubled history which really  
7 speaks for itself. We should really be demanding the  
8 immediate closure of this plant solely based on its level  
9 of embrittlement. Instead we are merely saying Consumers  
10 don't push the envelope. This plant has passed  
11 embrittlement standards set in 1983 any number of times.

12 Palisades is as we said today the poster child  
13 for embrittlement across the country.

14 As concerned citizens we have to ask you,  
15 Consumers Energy, how do you have the gall to ask for 20  
16 year license extension. You don't really know the exact  
17 amount of copper and nickel in the metal of the reactor  
18 vessel. You don't really know how much embrittlement has  
19 actually occurred.

20 And you don't really know how dangerously close  
21 the reactor vessel is to a pressurized thermal shock  
22 accident.

23 Two things are certain. Kevin Camps already  
24 stole my thunder because he talked about the Crack Two  
25 report.

1                   In 1982 the NRC report to Congress that in a  
2 melt down and a large scale radiation release from  
3 Palisades would cause 1000 fatalities, 7000 injuries in the  
4 first year, 10,000 cancer deaths over time and 52.6 billion  
5 in property damages. Those are 1982 numbers.

6                   And second of all the Beer Report that was  
7 mentioned today that it is absolutely established that  
8 there is no safe threshold for radiation levels. Any  
9 amount will cause cellular damage.

10                  ADMIN. LAW JUDGE YOUNG: If you could wrap up in  
11 about a minute.

12                  MS. HIRT: These dire predictions have driven us  
13 to oppose this license extension request. Unfortunately it  
14 appears at times that the Nuclear Regulatory Commission is  
15 more concerned with Consumers Energy's recalculations of  
16 the numbers to make everything look fine than with the  
17 reality itself let alone the concerns of the public.

18                  It appears to us that the regulatory process is  
19 not especially user friendly to the public and in fact  
20 defers to owners and operators of these nuclear plants  
21 while it ignores public outcry.

22                  Palisades is living on borrowed time as we are  
23 also because we are its close neighbors. We cannot and  
24 will not sit idly by and wait for the surely and inevitable  
25 catastrophic accident to happen. We must not allow this

1 plant to be re-licensed for another 20 years.

2 Thank you.

3 And I'm speaking on behalf --

4 ADMIN. LAW JUDGE YOUNG: Thank you.

5 MS. HIRT: -- of at least 200,000 people in --

6 ADMIN. LAW JUDGE YOUNG: That's a lot in my  
7 book.

8 MS. HIRT: I thought it was. Thank you.

9 ADMIN. LAW JUDGE YOUNG: Thank you. (H-i-r-t),  
10 correct? Thanks.

11 Okay. Mr. Michael Keegan, and that's  
12 K-e-e-g-a-n, is --

13 MR. KEEGAN: Yes.

14 ADMIN. LAW JUDGE YOUNG: -- that right? And  
15 did you have a first initial that I --

16 MR. KEEGAN: Michael, I had trouble getting the  
17 pen to work.

18 ADMIN. LAW JUDGE YOUNG: Oh, okay.

19 MR. KEEGAN: It was a technological failure.  
20 Those things occasionally occur.

21 ADMIN. LAW JUDGE YOUNG: Okay.

22 MR. KEEGAN: I appreciate the opportunity,  
23 Judges, to be here. I did feel that we were heard today,  
24 time will tell. But also a cynical mind from 25 years of  
25 tracking the nuclear industry and one, one side I feel like

1 we're merely here today to punch a dance card that we've  
2 had those meetings, we've punched that ticket.

3 I'd like to tell you a little story, I hope  
4 it's not too boring. Back in the early '90's, Consumers  
5 Power indicated they were going to move towards dry cask  
6 storage.

7 We began to organize in the community and we  
8 had some rallies near the plant. In one summer we had a  
9 rally right next to the plant and after our rally was done,  
10 about 50 of us wanted to go over towards the dunes and have  
11 a little picnic and we saw some college kids on the path  
12 and we said, is there a dune, is there a path to a dune  
13 that we can overview and, and see the lake from?

14 And they said, well, there used to be a dune  
15 there last year, but it's gone. Earlier we discussed  
16 Singing Sands a bit. Singing Sands are subject to  
17 blowouts, massive erosion, all up and down the coast.

18 Because I think back in my earlier years when I  
19 used to come over to Lake Michigan and play, houses were  
20 falling into the lake, not far from here. Not far south,  
21 not far north. It is a real concern.

22 So consumers proceeds and we, the good  
23 intervenors try to follow protocol. We've dealt with  
24 Michigan, we were able to get the Attorney General of the  
25 State of Michigan to present our argument in Federal Court,

1 in the Sixth Appellate Court in Cincinnati.

2 We first had to go to the District Court in, in  
3 Western Michigan on May 4th, 1993. We tried to get a  
4 temporary restraining order to prevent the loading. The  
5 Judge docketed it for May 6th to have a preliminary  
6 hearing.

7 On May 5th the NRC, the utility produced a  
8 document, the unloading procedure. We were essentially  
9 arguing there is no procedure for unloading. That's what  
10 we argued on May 4th. Dated May, on May 4th. On May 5th  
11 the utility presented a document, unloading document.

12 On May 6th we go to court, the Judge says well,  
13 here's this unloading procedure. The NRC says it's okay,  
14 it's going to work. The utility says it's okay, this is  
15 their unloading procedure. Because there's not irreparable  
16 harm, I'm not going to issue the injunction. Besides,  
17 you're in the wrong court, you need to be in the Appellate  
18 Court. Thank you, have a nice day.

19 A year and a half later we get to go to the  
20 Appellate Court. Of course, they proceeded to load  
21 immediately. Now the thing's unloaded. The fourth cask  
22 they loaded had cracks in it and needed to be unloaded.

23 At the Appellate Court, after a long  
24 presentation and long deliberation, the ruling came back  
25 that we were to go through exhausted administrative

1 procedures through a 2206 process, thank you very much, go  
2 through that process.

3 Dr. Mary Sinclair, an eminent scholar on these  
4 issues researched this and lo and behold, no cask have ever  
5 been unloaded anywhere.

6 ADMIN. LAW JUDGE YOUNG: One minute, okay?

7 MR. KEEGAN: Okay. And the configuration of  
8 these casks are such that you can't get to the casks that  
9 were loaded, you're going to have to pull all the other  
10 casks out of there to get to a problematic cask.

11 There would be a radioactive steam release, it  
12 would have to be done in a fuel pool. It's never been  
13 done. Yet they proceed to load more.

14 My point is we go ahead with 20 years life  
15 extension, you got 20 years additional casks on that pad  
16 which is faulty and you have dunes that are subject to  
17 blowing out and blowing on top of those casks.

18 You're setting up a disaster. Not necessarily  
19 you. I hope that folks here, our contentions, they're real  
20 and that's my statement.

21 So, thank you very much.

22 ADMIN. LAW JUDGE YOUNG: Thank you very much.  
23 Ms. Jane Trotter, T-r-o-t-t-e-r, is that right? Or is it  
24 Trutter?

25 MS. TROTTER: Trotter.

1 ADMIN. LAW JUDGE YOUNG: O, T-r-o-t-t-e-r?

2 MS. TROTTER: T-r-o-t-t-e-r.

3 ADMIN. LAW JUDGE YOUNG: Okay.

4 MS. TROTTER: And I was not able to be hear  
5 earlier today so you have an advantage. You know who I am  
6 but I don't know who you are, so.

7 ADMIN. LAW JUDGE YOUNG: Well for those people

8 --

9 MS. TROTTER: So I would really appreciate --

10 ADMIN. LAW JUDGE YOUNG: -- who just came in,  
11 I'm Ann Marshall Young, I'm the chair of the licensing  
12 board. This is Dr. Anthony Baratta who is one the  
13 technical --

14 MS. TROTTER: And how do we spell it?

15 ADMIN. LAW JUDGE YOUNG: B-a, you go ahead.

16 ADMIN. LAW JUDGE BARATTA: B-a-r-a-t-t-a.

17 MS. TROTTER: B-a-r-a-t-t-a. Okay.

18 ADMIN. LAW JUDGE YOUNG: And I'm going to let  
19 Judge Trikouros introduce himself and spell his own name.

20 ADMIN. LAW JUDGE TRIKOUROS: It's Trikouros,  
21 T-r-i-k-o-u-r-o-s. Nicholas.

22 MS. TROTTER: k-o-u-r-o-s. And your first name  
23 again?

24 ADMIN. LAW JUDGE TRIKOUROS: Nicholas.

25 MS. TROTTER: Ah, good Irish name.

1 ADMIN. LAW JUDGE YOUNG: And we are limiting  
2 people to five minutes to make sure everybody has a chance  
3 to talk.

4 MS. TROTTER: That's fine. I will take off my  
5 watch and we will begin.

6 ADMIN. LAW JUDGE YOUNG: All right.

7 MS. TROTTER: My name is Jane Trotter. My  
8 address is 28095 Palisades Park, Michigan. And I also come  
9 from Northbrook, Illinois. Both of these communities  
10 drink, take our drinking water directly from Lake Michigan.

11 So I am here not just as an onsite member but  
12 also as someone whose entire real estate equity is tied up  
13 on both sides of the lake with the quality of the water.

14 And I, my purpose is not to come here and say  
15 please save my property values, but it can't be ignored.  
16 The property values are there.

17 One of my biggest challenges is, is to come in  
18 front of you and realize that you've heard lots of people,  
19 you've heard lots of things today. I don't have a funny  
20 hat, I don't have any props. I know that you have to  
21 listen to what is best for the majority and any one person  
22 speaking is only a minority.

23 I'm going to be very careful not to have a "not  
24 in my backyard" kind of an attitude. But the fact is, this  
25 is my backyard. And, and I would like to ask you if you

1 know what it's like to live with iodine pills in your  
2 kitchen next to the basil and the oregano, because I do.

3 And what it's like to live with a Geiger  
4 counter that you have to check the batteries on, because I  
5 do. What it's like to live every time the siren goes off  
6 and it's not the first Saturday of every month and to have  
7 your heart sit in your throat and watch your watch, because  
8 I do. And this is not a good way to proceed.

9 Silly us, we believed the power company all  
10 those years ago when they said it was only going to be to  
11 the first time and then the second time we figured we could  
12 deal with it, that amount of time.

13 My children represent the fifth generation of  
14 our family that has come to this community. And I would  
15 like to hope that we'll have many more generations and that  
16 they'll have all of their fingers and toes in the right  
17 places.

18 So this isn't about money, it's about heritage.  
19 And I guess you can say in some ways I'm an indigenous  
20 person. They took the name from our plant, from our  
21 community who just celebrated their centennial this summer.

22 I think the last, the thing is, my biggest  
23 concern, our biggest concern is that we have not ever heard  
24 anything straight or anything really true that we knew that  
25 we could ever believe from any public speaker from

1 Palisades in our entire life, bar none.

2 I've been there at 2:00 in the morning when  
3 they decided to bleed the steam. And when I was six months  
4 pregnant and somehow was able to get through to a public  
5 service officer on the phone who said, oh, no, this is  
6 routine maintenance, at 2:00 in the morning. When it  
7 sounded like literally a jet plane was coming through our  
8 front door.

9 And I said, you know, I'm six months pregnant,  
10 if I need to leave you better tell me now. Oh, no, routine  
11 maintenance. And then the next day at Fred's up at the end  
12 of the road, all the guys were working, coming off shift  
13 and, and talking over coffee and it was not routine  
14 maintenance, something sprung a leak and they had to shut  
15 down the reactor quickly and they had to bleed the steam  
16 quickly.

17 So these are the kinds of things you realize  
18 when you live there. You know that it's a no fly zone, but  
19 I can tell you there are planes over that plant all day,  
20 every day. There may be little ones, but they're there. I  
21 know exactly when the coast guard flies by and I can tie to  
22 the minute, two times a day. And if, if I can figure this  
23 out, other people can figure this out.

24 So, there are a lot of issues here. But  
25 mostly, I want to ask all three of you personally to, to

1 realize that this is your opportunity, which we fairly  
2 rarely have in our lives, to make a difference.

3 And I want to ask you to help us get over our  
4 cynicism. I was told before I came here today, don't even  
5 bother because this is, they've already made up there minds  
6 and this is big interests and money talks louder than  
7 little people.

8 And unfortunately my whole life long that's  
9 been my experience so far. But, you know, we just put Rosa  
10 Parks to rest today. One person can make a difference.  
11 You are three people and you can make a difference.

12 And I will just ask you one question, ten years  
13 from now, if something goes wrong at that plant, which are  
14 you going to regret more, that you approved it or that you  
15 disapproved it?

16 Thank you.

17 ADMIN. LAW JUDGE YOUNG: Thank you. One thing  
18 I'd like to mention before we go to the next person and  
19 that is I don't know whether you're able to come tomorrow  
20 but we are going to continue the oral argument tomorrow  
21 morning and people are welcome to come and listen and watch  
22 what happens tomorrow.

23 MS. TROTTER: Okay. Thank you.

24 ADMIN. LAW JUDGE YOUNG: Mary Ann Middaugh,  
25 you'll, I think it's, well it's Mary and then Ann, A-n-n

1 and then M-i-d-d-a-u-g-h.

2 MS. MIDDAUGH: Mid-aw.

3 ADMIN. LAW JUDGE YOUNG: Mid-aw. Thank you.

4 Sorry to mispronounce it.

5 MS. MIDDAUGH: My name is Mary Ann Middaugh.

6 And the people of southwest Michigan voted to have me  
7 represent them in the Michigan legislature for six years,  
8 the maximum allowed under our constitution.

9 I served as chair of the House, Energy and  
10 Technology Committee when electric restructuring was  
11 passed.

12 During our hearings and other deliberations it  
13 was clear that Michigan needs nuclear energy. And Michigan  
14 needs the Palisades plant as it generates enough  
15 electricity for 500,000 of Michigan's residents.

16 Because Michigan is a peninsula, we are limited  
17 in the amount of energy we can import for contiguous areas.  
18 Our committee looked at the environmental and safety record  
19 of this plant and the record of how the nuclear management  
20 company dealt with any problems that arose.

21 The record is excellent on both counts and we  
22 as elected officials were kept apprised of all activities  
23 of the plant.

24 Palisades employs about 600 employees with a  
25 payroll of about \$60 million. We very much need the jobs

1 that Palisades provides to this area. These employees are  
2 not only responsible while at work, but they are also a  
3 very real asset to this area of the state.

4 They are involved in their churches, schools,  
5 families and communities. Palisades is also a good  
6 corporate neighbor. They pay a great deal of taxes to area  
7 governments and are very supportive of the community and  
8 work together to make this area of the State a good place  
9 to live and raise a family.

10 This is evident from the numerous letters and  
11 resolutions of support of re-licensing of this plant from  
12 area governmental bodies.

13 I add my voice of support for re-licensure of  
14 this clean air electric generating plant. Thank you.

15 ADMIN. LAW JUDGE YOUNG: Thank you. Dennis  
16 Palgen, P-a-l, you can spell it for us.

17 MR. PALGEN: P-a-l-g-e-n.

18 ADMIN. LAW JUDGE YOUNG: Thank you.

19 MR. PALGEN: Pronounce pal-gin.

20 ADMIN. LAW JUDGE YOUNG: Pal-gin. Thank you.

21 Dennis C. Palgen?

22 MR. PALGEN: Yes. My name is Dennis Palgen and  
23 I am the clerk for Covert Township. And as most of you  
24 know, or all of you know, Covert Township enjoys the  
25 neighbor of the Palisades Nuclear Plant.

1           They've been there since 1971 and they have  
2           been good neighbors. And when we talk about neighbors, we  
3           talk about people that are living within these communities  
4           that worked at this plant, that managed the plant. And I  
5           think that that's important to point out as well.

6           If we had safety issues at that plant that were  
7           of grave concern, I think these people would probably not  
8           be in this, in this particular area. I think that's  
9           important to point out.

10          Mary Ann talked about some things that were  
11          part of my discussion as well, but I'd like to talk about a  
12          letter that we wrote to Washington D.C., the Division of  
13          Administrative Services, Office of Administration, U.S.  
14          Nuclear Regulatory Commission.

15          And this was written by our supervisor, Wayne  
16          Rendell who could not be here tonight. So I'd just like to  
17          comment on a couple of these paragraphs that he wrote  
18          because revenue I think is important as well in addition to  
19          being a good neighbor.

20          Funding for the Covert Township ambulance, Fire  
21          Department and Police Department is through a voted milage  
22          for each department. Currently the tax revenue from  
23          Consumer's Energy plus Palisades Nuclear Plant is roughly  
24          60 percent of the total taxes collected.

25          If we as a township and as a people were to

1 lose this revenue today, they would have to shut down or  
2 drastically reduce the services they provide to the  
3 community and a lot of the people in this room, perhaps.

4 The tax revenue for Palisades Nuclear Plant  
5 also helps fund the township's water system as well as our  
6 general fund. The revenue lost to either of these would  
7 also mean either reduce services and/or a raise in taxes.

8 But I think more importantly or as equally  
9 important is again the good neighbor standpoint. We've had  
10 wonderful relationship with them, someone mentioned steam  
11 release. We get a call from Palisades Nuclear Plant if in  
12 fact there's a maintenance situation going on there and  
13 they let us know that we have a steam release and you know,  
14 we get calls from our residents or whatever.

15 And that has not been the case. We don't have  
16 a bunch of scared residents in Covert. We have people in  
17 Covert that are very happy that the plant is there. We  
18 certainly as a Township are very happy. We strongly  
19 support the license renewal for the year 2011 through 2031.

20 Thank you very much.

21 ADMIN. LAW JUDGE YOUNG: Thank you. Can you  
22 spell the name of your township?

23 MR. PALGEN: Covert.

24 ADMIN. LAW JUDGE YOUNG: C-o-v-e-r-t?

25 MR. PALGEN: C-o-v-e-r-t, yes.

1 ADMIN. LAW JUDGE YOUNG: Thank you.

2 MR. PALGEN: You're welcome.

3 ADMIN. LAW JUDGE YOUNG: Michael Martin?

4 MR. MARTIN: I wasn't sure the last two  
5 speakers for 10,000 years there will be some  
6 decommissioning going on so there will be plenty of  
7 employment.

8 I realize the architects of these plants have  
9 pretty good idea that they were not going to be too cheap  
10 to meter and that there would have to be some economies and  
11 construction and amongst these would be on the reactor  
12 vessel, which is solid steel and up to a foot thick.

13 And that one of the economies in this would be  
14 in the grade of steel. It's turned out to be essentially  
15 old cars melted up which had imperfections that caused some  
16 of the problems found at Three Mile Island and Davis  
17 Bessie, due to radiological and boron and one thing or  
18 another.

19 And as Mr. Richards pointed out earlier, we  
20 already have the steam generator and probably other systems  
21 buried at Palisades and these are million dollar projects,  
22 I'm sure. And if we looked in another 20 years we can  
23 expect a lot of other expensive maintenance not counting  
24 accidents and so forth.

25 Therefore, it seems totally too expensive to

1 keep on. In the light of what we have seen before and what  
2 we'll see in the future especially in the light of wind and  
3 solar and other energies that are useful and could be  
4 tapped almost immediately.

5 Thank you.

6 ADMIN. LAW JUDGE YOUNG: Thank you. Wade Gade,  
7 is it? Wade, G-a, I think it's G-a, you'll have to, you  
8 must be a Doctor. I'm sorry. Just if you could spell your  
9 last name?

10 MR. ADAMS: I'm not an M.D. My name is Wade  
11 Adams. I'm here with my wife from Kalamazoo, Michigan,  
12 some 40 miles to the east of here. My way of background  
13 received a PhD in physical chemistry from the University of  
14 Michigan. I've worked as a scientist in the academic world  
15 and the corporate world for 35 years.

16 I'm here because I'm concerned. In the early  
17 70's, we lived at Edgewood -- in Maryland, not far from  
18 Three Mile Island, really a rather short distance. That  
19 plant seemed perfectly safe.

20 As you know, in 1979 came very, very close to a  
21 serious meltdown at that facility. So that has always had  
22 a very lasting affect in my mind.

23 Now without question, the conditions under  
24 which that reactor has been and so far as I can tell,  
25 consumers has changed a lot of equipment at that plant and

1 upgraded. But that reactor remains there and without  
2 question, it has undergone fatigue and tempering that make  
3 it much less able to withstand any shock that could come  
4 some 38 years later.

5 In terms of release of radioactivity and so on,  
6 I don't believe I've ever received any information as to  
7 what I should do. On a nice windy day, I'd probably be  
8 receiving radiation in Kalamazoo within an hour being only  
9 40 miles away.

10 I was glad to hear the other lady say about  
11 having iodine tablets available. How many people in this  
12 vicinity know that? I really wonder.

13 Billions are being spent on Homeland Security  
14 but are we really more secure? The people of Covert  
15 Township may feel safe, but the last time I visited New  
16 Orleans, the people there seemed to be, feel safe too. And  
17 look what has happened to them.

18 As far as the storage of the waste on the  
19 shores of Lake Michigan, it should never have been allowed.  
20 And certainly storing more there should never be allowed.

21 Until this country has a place to store this  
22 waste, there should not be any more loose waste generated.

23 If you're a terrorist and you're thinking where  
24 could I have an impact, would I impact a nuclear reactor on  
25 the Pacific or the Atlantic, well I think there's a lot of

1 fresh water right here and it's a valuable resource.  
2 You're gambling by allowing this registration to go  
3 forward, without question.

4 So, in summary, I have to strongly oppose the  
5 extension of the licensing for another 20 years, which  
6 would make this plant near the end of its term, nearly 60  
7 years old.

8 So, I urge you to look at this carefully and,  
9 and to reject this on the basis that our economy, the true  
10 economy in this area requires it more. What we need in  
11 this country is more decentralization of power production.

12 And the State needs to change the laws to allow  
13 that and consumers needs to permit that in the air  
14 corporate plan. So please reject this licensing extension  
15 of the Palisades plant.

16 Thank you.

17 ADMIN. LAW JUDGE YOUNG: Thank you. Lee Ann  
18 Johnson.

19 MS. JOHNSON: I don't really have anything new  
20 or scientific or exciting in any way to offer. I just, I  
21 live in Kalamazoo as well. And I saw the wind in the waves  
22 today, I was thinking again, particularly, boy, it wouldn't  
23 take that, take long to travel would it?

24 And as I could have considered these things and  
25 in doing so, and particularly the lack of available storage

1 for spent and in doing so, reject the continuation of the  
2 licensing. Thank you.

3 ADMIN. LAW JUDGE YOUNG: Thank you. And then I  
4 think the next person was Mr. Jordan who's already left.  
5 Beth Anderson.

6 MS. ANDERSON: Hello. My name is Beth  
7 Anderson. I was born in this, in South Haven in 1963.  
8 This morning on the radio someone, a representative of the  
9 nuclear power plant said that we weren't interested, it was  
10 just people from out of town coming in. And that's not  
11 true.

12 But like someone said before, there's a lot of  
13 people in this town that don't feel that they could fight  
14 this. You know, that plant has been producing waste almost  
15 my entire life. And it will be doing it right into my  
16 retirement if this is extended.

17 And everyone talks about cask number four being  
18 defective. What does that mean exactly? Is it leaking,  
19 are we receiving radiation? I wish that you would close it  
20 down. Thank you.

21 ADMIN. LAW JUDGE YOUNG: Thank you. Jeanice or  
22 Jeanice, M-u --

23 MS. MORGAN: Morgan.

24 ADMIN. LAW JUDGE YOUNG: Morgan? I'll let you  
25 spell your name for the court reporter.

1 MS. MORGAN: Jeanice, J-e-a-n-i-c-e, Morgan.

2 ADMIN. LAW JUDGE YOUNG: M-o-r-g-a-n?

3 MS. MORGAN: Yes.

4 ADMIN. LAW JUDGE YOUNG: Okay. Thank you.

5 MS. MORGAN: I never stood up for anything, so  
6 this is my first time. I'm local. I moved to South Haven  
7 from Bloomingdale which is just a little bit out of South  
8 Haven. We moved up here from Chicago in '77.

9 So basically my stuff is just kind of common  
10 sense thing. I was never good in science, don't know much  
11 about nuclear. You know, I've been following this for a  
12 while.

13 I'm up here because it's near and dear to my  
14 heart. The job thing, it seems to me you're going to have  
15 to have jobs to maintain the waste that's there.  
16 Unfortunately we can't get rid of that right now.

17 The building's going to have to be maintained.  
18 If we have wind power, we're going to have to have jobs for  
19 people, you know, to, to build the wind mills.

20 I thought about the cancer thing. My mother  
21 has had cancer, my sisters had cancer, grandfather, we've  
22 all been around this area. Mother-in-law, grandmother-in-  
23 law. My mother-in-law used to swim down by Palisades.  
24 They removed a seven and a half pound tumor out of her  
25 stomach.

1 I've heard a lot about the Homeland Security.  
2 Once again, common sense here tells me, you know, what can  
3 they do test for the windmill, you know. Homeland  
4 Security, this would be a great way to ensure us that this  
5 is going the right way.

6 Hospitals in this area, it seems to me they're  
7 pretty small, you know, they, are they equipped if there's  
8 a disaster? It seems to me we have schools all around  
9 Palisades. If, once again, if there's a disaster we don't  
10 even have a hospital big enough for the children around the  
11 plant if something bad happens.

12 Even if you're somebody that's not trying to  
13 stop nuclear power, something like that, it seems to me if  
14 you have a building that is old and embrittled, you have  
15 the problem with leakage, you wouldn't want no more to  
16 rebuild that or put money into it for 20 more years if you  
17 don't have to. Then you want to ignore the levies down in  
18 New Orleans. You know, I mean, nobody wants this disaster  
19 to happen. They didn't want it to happen down there.

20 It seems to me that common sense would tell  
21 you, you know, we could stop that. I work in this area,  
22 I'm a retail person, it's a big tourist area.

23 I've also been down at the State Park when  
24 tourists said, well what is that down there? Well that's  
25 the nuclear power plant, you know.

1 I've worked at X-18 where several people coming  
2 into our town ran up and said it looks like there's a fire,  
3 call the police, there's something blowing down there, you  
4 know. No, that's the power plant.

5 It seems to me if we're going to thrive as  
6 being a tourist community, we need to make a cleaner,  
7 safer, better environment. That seems to be what our town  
8 is thriving on right now.

9 I'd love to be reassured or somebody please  
10 tell me that there is no poison coming into our water, into  
11 our air. Like I said, I'm not very smart when it comes to  
12 that stuff, but just, in layman's terms, if somebody could  
13 produce some papers or some numbers that would be for real  
14 and more convincing than what I've seen.

15 As far as the good neighbor thing goes, it  
16 seems to me once again the common sense thing, if you have  
17 a neighbor that has waste leaking out into their yard, you  
18 might adore that neighbor but, you know, you're not going  
19 to want to live by that.

20 If you have a neighbor that has the equivalent  
21 of so many Hiroshima bombs in their back barn, you don't  
22 want to live by that, you want to turn them in for it or  
23 you know, hey, I like you but, sorry, you got to go, you  
24 got to clean this up, you know.

25 So the good neighbor thing, I've been a low

1 gull, I'm not a seagull, I think that it would be great if  
2 you guys could just stop this and let's go for a cleaner  
3 energy.

4 Thank you.

5 ADMIN. LAW JUDGE YOUNG: Thank you. Barbara  
6 Geisler. G-e-i-s-l-e-r. That's pretty clear.

7 MS. GEISLER: That's right. I have been  
8 thinking about why we're even here. Perhaps when this  
9 plant was built, there was a certain naivety about what we  
10 were getting into. But it's so clear now that it was a bad  
11 investment on the part of everybody.

12 And I thought, well, how can this be that we're  
13 considering re-licensing one of the oldest and most  
14 embrittled plants? And then I started thinking about  
15 Detroit and the recent announcement that Delphi is letting  
16 thousands of people go.

17 And how Detroit continued to ignore the warning  
18 of, again, the early '70's that we were very vulnerable in  
19 terms of oil and it might be a good idea to have energy  
20 efficient cars and what did we get? We got SUV's and  
21 people went for it.

22 And a lot of people can be convinced that  
23 nuclear power is absolutely necessary. But there's no  
24 future, just as there isn't for the SUV. We're running out  
25 of oil. We're on the other side of oil. Geologists will

1 tell you that who work for the oil industry. There has to  
2 be something different. You can even see it in their ads.

3 So instead of seeing those clean energy ads  
4 that nuclear people put out, I'd like to see we're  
5 investing in alternative energy, we know we need to change.  
6 We're going to have wind.

7 10, 15 years ago I heard a woman from  
8 Washington who worked on energy issues say, you could have  
9 nothing but wind around the Great Lakes, perfect.

10 Now, we're into nuclear now, aren't we? And we  
11 can't perhaps shut the plants down tomorrow. But certainly  
12 no re-licensing and certainly consumers should be, not  
13 dragging its heels but working on what will be needed for  
14 the future.

15 I worked in San Francisco for 20 years,  
16 although I grew up in Barion County. And I was involved in  
17 corporate life and I know how difficult it is to keep your  
18 job unless you're showing a profit for the next few months.

19  
20 And unfortunately, our society is set up that  
21 way. It's my feeling that the only way any industry will  
22 change is if there is legal pressure and if the public  
23 pushes on the legal establishment to serve the public, to  
24 serve the citizens.

25 This is how change comes about. And I'm

1 pleading with you to be part of that legal system which  
2 serves the public for the future. Not for now, for the  
3 future. Because it's clear that for our children and  
4 grandchildren there will need to be something other than  
5 nuclear power.

6 Their job will be guarding the waste. They'll  
7 need something else for energy. Thank you.

8 ADMIN. LAW JUDGE YOUNG: Thank you. Maynard  
9 Kauffman. M-a-n-a-r-d?

10 MR. KAUFFMAN: M-a-y-n-a-r-d, yeah. And I'm  
11 speaking in behalf of Michigan Land Trustees which is one  
12 of the intervening organizations, and as a member of its  
13 board of directors, I'll say a little bit more about that  
14 later.

15 But I have three very brief points to make this  
16 evening. The first is that I haven't heard that Murphy's  
17 law has been repealed. And as long as Murphy's law stand,  
18 which says that if anything can go wrong it will, I think  
19 we're on dangerous ground with this old nuclear plant in  
20 our area. The embrittled core makes the risk ever so much  
21 greater.

22 The second observation is that the application  
23 to extend the license for another 20 years at Palisades is,  
24 it seems to me, not rurally primarily about the production  
25 of electricity, rather it seems to me this is an effort on

1 the part of investors of a large energy company to make  
2 more money. This is the way the world works. We're not  
3 naive in southwest Michigan.

4 So nuclear power is one kind of argument but  
5 the nuclear industry is quite another. The fact is, right  
6 now, according to my reading and I do a lot along energy  
7 lines, the, the fact is that currently wind power is about  
8 half the cost per kilowatt hour of nuclear power. And Lake  
9 Michigan is a prime source for wind.

10 So, and as for jobs, well, it is true that  
11 Palisades provides jobs in this area, but it is also true  
12 that vastly more jobs could be provided for the people in  
13 this area with a combined program of renewable energy along  
14 with programs for conservation of energy, better insulated  
15 houses and the whole thing that we remember from the '70's  
16 we did have for a brief time.

17 As I said, I'm speaking in behalf of Michigan  
18 Land Trustees, which is an organization that started back  
19 in 1976 with the intention of preserving land for people to  
20 raise food on and to help to make that land more accessible  
21 to them.

22 This nuclear plant places this, this point has  
23 been made by others here, this very precious and unique  
24 land here in southwestern Michigan at risk so that a few  
25 people can make more money, that's the way I see it.

1           And I think this is another democratic process.  
2       While I do appreciate the chance to say a piece here in  
3       opposition to the re-licensing, I think if we were really  
4       going to be democratic about this, we should have a  
5       referendum on the nuclear power industry, to see how much  
6       longer we really want to continue it. That's my  
7       suggestion. Thank you.

8           ADMIN. LAW JUDGE YOUNG: Thank you. Mr. Philip  
9       Micklin. M-i-c-k-l-i-n, is that right?

10          MR. MICKLIN: Yes, it is. I'm from Kalamazoo,  
11       so I'm not an outsider. I think Kalamazoo should certainly  
12       be considered in the range of any plume that might result  
13       from a catastrophic accident at Palisades.

14          I've lived in Kalamazoo for 36 years. I  
15       wasn't, as some of the people that have spoken, born here,  
16       but I feel like a native.

17          A little historical information because it does  
18       relate to this. I'm not an expert in nuclear power. I'm  
19       not a nuclear engineer, but back in the 1970's I became  
20       extremely interested in the nuclear fuel cycle. And I read  
21       all that I could find ADC publications, NRC publications,  
22       when that agency was created and I actually published a  
23       peer reviewed article on high level waste management in the  
24       bulletin of the Atomic Scientist in 1974.

25          And I did because I felt it was worthwhile.

NEAL R. GROSS (202) 234-4433

1 Looked particularly into risk analysis. And there are  
2 many, there are many, there are benefits, certainly, I  
3 won't deny that, from nuclear power. And I understand  
4 perfectly well the statements of former representative  
5 Middaugh and the manager, County manager or City manager  
6 from Covert Township about the economic benefits of nuclear  
7 power.

8 But I think you need to very carefully consider  
9 in risk analysis and I'm sure, as the experts, as the  
10 experts you are aware of this, that it's a very treacherous  
11 field. It's a particularly treacherous field because it  
12 involves the problem of rare but extremely, extremely  
13 serious accidents.

14 The so-called Poison curve problem, the  
15 statistical distribution and it has a long, long tale,  
16 going way out of very rare events.

17 And I'm not a statistician, but I understand  
18 something about mathematics. And in looking at studies  
19 that were done, and I'll admit I have not looked at them,  
20 the ones that have been done in the last 15 years, but I  
21 don't think things have really changed that it's very, very  
22 hard to estimate the probabilities of these very rare  
23 events.

24 And as you well know what they used was kind of  
25 analysis that says here's all the parts in the nuclear

1 power plant. And the probability of failure of this piece  
2 and that piece and another piece is so much and you do some  
3 multiplication and in other mathematical approaches and you  
4 come up with those famous figures on the probability of an  
5 extremely serious accident.

6 But what did we learn, even back in the 1970's  
7 and early 1980's? That the real problem in this sort of  
8 analysis was not the mathematics but trying to figure out  
9 all of those accident pathways.

10 And what happened at Three Mile Island, as you  
11 well know, it was the, one of those "incredible accidents,  
12 a strange series of events" that no one had thought of.  
13 That didn't lead to a catastrophic accident, but it  
14 certainly came very, very close, there's no way around  
15 that.

16 Chernobyl and the Soviet Union, a different  
17 situation, I know Russian reactors, they're different. But  
18 still, nobody had thought of the crazy set of circumstances  
19 that led to that.

20 So, in considering whether to re-license this  
21 plant, I think you must take this along with the other  
22 problems, such as the waste problem and casks, very, very  
23 seriously.

24 And to me, for that reason, even though I admit  
25 there are benefits to nuclear power, it's taking such a

1 chance. Plant will be as I remember 40 years old in 2011,  
2 60 years old in 2031.

3 As these plants get older, just like old  
4 airplanes, there's more possibilities for a whole set of  
5 strange circumstances to happen that could lead to a very  
6 serious accident.

7 And you have a Judge on your panel there and I  
8 would say that we can use a criminal law analogy here. And  
9 that is in criminal cases before juries, the governing  
10 principal is beyond a reasonable doubt, and I would say  
11 that if you can't, in good conscience that it is beyond a  
12 reasonable doubt that the re-licensing for 20 extra years  
13 of this plant is not going to lead to a very serious  
14 accident, you really shouldn't do it.

15 I think it's playing Russian Roulette. And let  
16 me close by saying that it's 2005. The license is valid  
17 2011, seems to me there's plenty of time to figure out how  
18 to shut this plant down carefully. How to correct for the  
19 economic problems it may, and I stress may cause. And I  
20 think that is the very safest course to take.

21 Thank you very much.

22 ADMIN. LAW JUDGE YOUNG: Thank you. Jim  
23 Brisky, B-r-i-s-k-y?

24 MR. BRISKY: Hello; glad to be here. I worked  
25 as an iron worker building Palisades, and at that time I

1 didn't realize what I was doing, but it wouldn't have made  
2 any difference anyway because I would have been replaced.  
3 But I have a lot of questions, and some of it is just like,  
4 what does Japan and France do with their waste? You never  
5 hear a thing. How come in France almost all their nuclear  
6 power plants are the same? In the United States almost  
7 every one is different. I mean, that just doesn't make  
8 sense on keeping the up and for repairs and everything  
9 else.

10           And, I don't know what kind of world we're  
11 leaving our kids and grandkids. And I've went through  
12 quite a bit of stuff with politicians and I think the  
13 biggest problem on this, I think that big business is blown  
14 in the ears of the congressmen and tell them what to do,  
15 it's all about money.

16           I, one, for one instance, I was raised in upper  
17 Michigan, I did iron work for 20 years, and we found out,  
18 and I know for a fact that the federal government let the  
19 iron ore mines dump the -- in Lake Superior for 20 years,  
20 and they polluted it with asbestos. Now, most of the  
21 city's along the lake had to drill wells, and the same  
22 thing is with this nuclear stuff. There's no guarantee  
23 that there won't be an accident, and why are you taking a  
24 chance of polluting the big, fresh water? If that got  
25 polluted, just imagine that alone, just what, I mean, it

1 just don't make sense.

2 And there isn't any plant that's 100 percent, I  
3 don't care what you say, and I just hope that you people in  
4 good conscience vote it down. Thank you.

5 ADMIN. LAW JUDGE YOUNG: Thank you. Jason  
6 Carter?

7 MR. CARTER: Hello, and thank you for letting  
8 everybody talk. I've been a Kalamazoo area resident for  
9 the past 29 years. I was on a trip recently and I had a  
10 dream that I had come home and one of my friend's fathers  
11 and I were driving in a car and we drove up to a nuclear  
12 power plant that was installed in my backyard, going back  
13 to the backyard somebody else has said. I wondered about  
14 the significance of that dream when I heard that the  
15 renewal was coming up for the Palisades renewal.

16 I think it's a great risk to everybody within  
17 the Great Lakes Water Basin, which encompasses, I think the  
18 number was 35 million people. There's groups as far away  
19 as Ontario that are in opposition to the renewal. I think  
20 it's old equipment that's, at least needs to be updated or  
21 reassessed if there's going to be a renewal. Proof of  
22 that, well not proof, but I'm, I wonder about it because  
23 there have been death threats on employees that work at the  
24 plant, trying to keep them, their mouths quieted down.

25 The biggest problem I have with it is the

NEAL R. GROSS (202) 234-4433

1 casks, although an earthquake isn't something I foresee  
2 happening immediately, it is in violation of the NRC's  
3 code. I think the biggest problem would be a sand blow.  
4 These happen somewhat frequently. I've heard it's more of  
5 a when situation than if they can block the ventilation in  
6 the vents, causing a catastrophic event, and contaminating  
7 that would reach through the Great Lakes and that would get  
8 to a lot more people than the people in my immediate area,  
9 it would affect Chicago and Wisconsin, Canada, all the  
10 Great Lakes.

11 I think the benefits versus the risks are  
12 something that we should take into consideration. You  
13 know, for risk, we're thinking about the environmental  
14 devastation that's going to last for so long, we're  
15 thinking about the human lives, the 10's, there's a  
16 10,000's range. I think we should definitely weigh those  
17 risks when we're thinking about this. I think it's a very  
18 great that it's even coming up for renewal, or that we have  
19 a chance not to.

20 Yeah, and I think that we have a responsibility  
21 being in the region of the largest fresh water reservoir in  
22 the world, I think it is, 20 percent, I think a  
23 responsibility comes with that. Yeah, and I think that, my  
24 opinion on it is better safe than sorry, and if we're safe,  
25 we're going to be a lot safer, and if we're sorry we're

1 going to be really sorry. Thanks.

2 ADMIN. LAW JUDGE YOUNG: Thank you. There's  
3 another Carter, Drew, is it Drew Carter?

4 MR. CARTER: She decided not to talk.

5 ADMIN. LAW JUDGE YOUNG: Pardon?

6 MR. CARTER: She decided not to talk.

7 ADMIN. LAW JUDGE YOUNG: Okay, okay. We'll  
8 consider that you spoke for her. Cecilia Seabury, S-e-a-b-  
9 u-r-y?

10 MS. SEABURY: That's correct.

11 ADMIN. LAW JUDGE YOUNG: C-e-c-i-l-i-a?

12 MS. SEABURY: Yes. I live here in Covert, and  
13 I'm going to start by telling you from 1943 til 1945 I  
14 survived the American bombing on my hometown. I even  
15 survived friendly fire in the form of one of our own German  
16 -- and 62 years later, I'm still here, maybe a little --  
17 but nevertheless, I'm strong. I lived in Benton Harbor  
18 from '48 til '60, which is much closer to --

19 For the last 25 years I've lived Covert  
20 Township, eight miles from Palisades. I have informed  
21 myself of the plant, of it's record and so forth, and I  
22 must tell you that eight miles, living from there, I am not  
23 afraid, nor are my family, nor do I fear members of my  
24 Lion's Club or other groups in Covert Township express any  
25 fear of living that close.

1                   So I'm, I'm just, I'm not going to take much  
2                   time, I'm just going to let you know that Mary Ann Middaugh  
3                   and Dennis Palgen, the Clerk of Covert Township pretty much  
4                   said it all, gave you all the statistics, and I totally  
5                   concur with what they had to say, and we do need Palisades'  
6                   extension, and we need nuclear power. Thank you.

7                   ADMIN. LAW JUDGE YOUNG: Thank you. Randall  
8                   Chisnell, C-h-i-s-n-e-l-l.

9                   MR. CHISNELL: It's Randon.

10                  ADMIN. LAW JUDGE YOUNG: Randy, R-a-n-d-y?

11                  MR. CHISNELL: Randon, R-a-n-d-o-n.

12                  ADMIN. LAW JUDGE YOUNG: Oh, thank you, R-a-n-  
13                  d-o-n, thank you.

14                  MR. CHISNELL: Just got here from Kalamazoo, so  
15                  I haven't had a lot of time to collect my thoughts, I am a  
16                  resident of Kalamazoo. There's a lot of so many different  
17                  things that I've heard. One, talking about the, real  
18                  quickly about the risk, that's a really kind of an  
19                  interesting thing. I was thinking about something that I  
20                  caught myself doing that was, felt kind of bad about myself  
21                  is, with New Orleans, at one time we were thinking 10,000  
22                  people had died, then later we found out, well, it was more  
23                  like 2,000. I don't know, how many of you were like  
24                  relieved? I was relieved, oh, only 2,000 people, and then  
25                  I said, well wait a minute, what am I thinking? Why is

1 2,000 people acceptable and 10,000 not?

2 So when we talk about oh, well, you know, what  
3 are the risks, well, maybe only 1,000 people will be killed  
4 right away if there's a big disaster, well, that's okay,  
5 that's acceptable. Which 1,000, who chooses? So anyway,  
6 they're all, you can run the numbers, statistics and that,  
7 but I'm thinking, hmm, I don't know. I think zero is  
8 acceptable and I think one is not, and I think anything  
9 above one is not. That's my opinion.

10 We fairly know the history of nuclear power  
11 plants in this country and around the world. I don't know  
12 if anyone brought up Fermi in Detroit, but that was another  
13 close call that a lot of people don't know about because it  
14 was covered up, but there's a good book called, "We Almost  
15 Lost Detroit" which is worth reading about that, another  
16 set of circumstances that people can predict.

17 But I think, I want to take a different  
18 direction, and maybe nobody else has done this, or maybe  
19 they have, because I came a little late. But I'm thinking,  
20 can we look at this situation and go, hey, here's an  
21 opportunity to say, you know what, all these plants have  
22 been built around the same time. They're all coming up for  
23 renewal, this kind of conversation, these kind of things  
24 are going to be going on all over the country. And instead  
25 of saying, yeah, okay, we've decided that we're just going

1 to offer, we're going to throw it another 20 years and send  
2 it off to another generation, let them deal with, and we  
3 have already talked about all the problems with that.

4 Can we look at this opportunity as an  
5 opportunity to say, you know what, we chose to shut down  
6 this plant, we chose to take the risk for our community and  
7 our people, we said, hey, we're going to go ahead and,  
8 yeah, we can make some more money, yeah we can maybe make  
9 it work, maybe the risk isn't so bad and everything, but we  
10 said, you know, maybe in our community we lead the country  
11 instead of being followers, we say, let's shut this plant  
12 down. Let's shut this down, let's take that risk, and  
13 let's really try to move toward the future and let's be an  
14 example of what, of what we can do, what we want to do all  
15 over the world.

16 Instead of just following -- and saying, well,  
17 this is what everybody's doing, this is kind of where the  
18 money goes, this is where the, the penny pushers say the,  
19 you know, number crunchers say it's got to be. You know,  
20 can we be a little visionary here and say, you know, let's  
21 be an example, let's shut this down, let's, yeah, it's  
22 going to take time, it's going to cost money, I know it  
23 costs more money to shut it down than it does to renew it,  
24 so that's an issue.

25 But, you know, let's look at the long term, and

1 let's look at what an example we can be. We're always  
2 talking about, oh, you know, we want to show, you know,  
3 we're Americans, we want to be a good example, we're from  
4 Michigan, we want to be a good example, we're this, we're  
5 that. We're always so happy to show how good a people we  
6 can be. So here's an opportunity to be right here, to be a  
7 leader, to be visionary, to look at the big picture and  
8 say, you know, let's, let's do something positive, and  
9 let's not follow everybody else, but let's lead.

10 So, that's, that's my take on it tonight.  
11 Thank you for letting me speak.

12 ADMIN. LAW JUDGE YOUNG: Thank you. Catherine  
13 Sugas, S-u-g-a-s, is that right?

14 MS. SUGAS: Yes.

15 ADMIN. LAW JUDGE YOUNG: And it's Catherine  
16 with a C, C-a-t-h-e-r-i-n-e?

17 MS. SUGAS: Yes.

18 ADMIN. LAW JUDGE YOUNG: I just first of all  
19 want to say thank you for this opportunity to hear the  
20 voice of the community, and I, I think that all the points  
21 have been made about the dangers of this plant, about the  
22 dangers of nuclear power. There's never been a proven way  
23 to dispose of the waste. There's never been a way that has  
24 been found that has been truly safe.

25 I want to make a stand here for my family, my

NEAL R. GROSS (202) 234-4433

1 friends, I have not one friend who does not oppose the, the  
2 operation of this plant to continue into the future. These  
3 plants were not made to last this long. The radiation is  
4 making the case, I mean, it's just, it's dangerous, and the  
5 risk to not only our community, but to the entire  
6 population around the Great Lakes, my friends that live up  
7 in Traverse City and Charlevoix, it's a huge risk.

8 And I just ask, now, for you to look in your  
9 hearts, and to have compassion and to have even mercy when  
10 you make this decision, and think about the human cost.  
11 There's many other ways for us to make money. We can, we  
12 can learn to be sustainable in this country. Please, think  
13 of our families. Thank you.

14 ADMIN. LAW JUDGE YOUNG: Thank you. I think,  
15 we only have one other person who's signed up, and that's  
16 Dale Lewis, the Mayor of South Haven?

17 MR. LEWIS: Thank you, I got here a little late  
18 because I was busy doing some other things. I'm amazed at  
19 all the exaggerations that I have heard since I've been  
20 here tonight, the exaggerations of the risk of atomic  
21 power. The radiation from coal fire plant is much higher  
22 than the radiation that comes out of the Palisades Plant.  
23 The people that drove here tonight, and I presume most of  
24 them drove here tonight, had more risk of being in an  
25 accident, of being hurt, than they have from atomic power

1 plant, Palisades.

2 The economy of this area is greatly dependent  
3 upon Palisades. We have many workers that work down there  
4 from South Haven area. The, as I said, the economy, this  
5 hotel probably would not have been built if it hadn't been  
6 for Palisades Power Plant because of the workers that  
7 specially come when they're refueling.

8 I just want to impress upon you that the people  
9 behind me are not speaking for the majority of the people  
10 in South Haven. If we ran a --

11 ADMIN. LAW JUDGE YOUNG: Go ahead.

12 MR. LEWIS: If we ran a referendum --

13 ADMIN. LAW JUDGE YOUNG: Ma'am; you spoke  
14 earlier, so let's let him speak now.

15 MR. LEWIS: If we ran a referendum in South  
16 Haven, I'm sure it would pass by a real large margin to  
17 keep Palisades. And if, I understand that the Cook Nuclear  
18 Plant was given a 20 year, what do you call it, re-  
19 commission?

20 ADMIN. LAW JUDGE YOUNG: Renewal.

21 MR. LEWIS: Renewal; and that's what this is  
22 about. The Palisades plant has had a much better record, I  
23 think the record the Palisades plant over the years has  
24 been much, has been one of the best in the nation. I'm  
25 sure the people behind me would close down every nuclear

1 plant in the United States, and if we did that, well, I  
2 want to know if they'd turn off their lights, because we  
3 wouldn't have enough power to run our, our electrical  
4 appliances at --

5 So, if you can renew Cook Nuclear Plant, you  
6 surely can renew Palisades plant, which is so important to  
7 this area, and has a much better record than most nuclear  
8 plants in the United States. And I don't expect to be  
9 applauded when I turn around and go back to my seat. I  
10 expect to be booed. Thank you.

11 ADMIN. LAW JUDGE YOUNG: Thank you. There's  
12 nobody else, we don't have anyone else's name on the list.  
13 Is there anyone else here who wanted to speak but didn't  
14 manage to sign up? Okay, there's one person back in the  
15 back. Come on up, sir.

16 MR. GUMP: Boy, that's a long walk. My name is  
17 Joel Gump, I live near Bloomingdale, Michigan which is  
18 about 12 miles downwind of the Palisades plant. I'm a  
19 retired chemical engineer, I have been involved in the  
20 design and operation of chemical plants and refineries,  
21 I've also been involved with manufacturing equipment that  
22 went into nuclear plants.

23 And, as I recall, and I frequently went out to  
24 San Jose, California at General Electric's plant out there  
25 and talked to the engineers dealing with our product lines,

1 and it was my impression at that time that the nuclear  
2 power plants that were licensed were licensed for 20 years,  
3 with a renewal license of 20 years, giving a life on 40  
4 years on which the economic decision to go with a nuclear  
5 power plant was made by the companies that decide to build  
6 them. And here we now are talking about extending this to  
7 another 20 years, for a life of 60.

8 If, in designing a chemical plant or a  
9 refinery, you posed the problem of, or you posed the  
10 possibility of building a plant that was going to last for  
11 60 years, you would be laughed out of the room. This was  
12 simply not conceived of or thought of in deciding on the  
13 economics of building a plant. And here we are with a  
14 plant that is going to be 40 years old in, I guess 5, 6  
15 years from now, thinking about, and with acknowledged --  
16 problems in the reactor, and the reactor that cannot be  
17 repaired, and extending that for 20 years and with it  
18 increasing the possibility of something going wrong.

19 I've listened to this argument tonight about  
20 tax dollars that are going to be lost and jobs that are  
21 going to be lost. For goodness sakes, if something happens  
22 to this plant in the next 20 years, what difference are  
23 those tax dollars and those jobs going to make? This has  
24 nothing to do with the argument to maintain this plant for  
25 another 20 years. We have to deal with the safety that's

1 involved to this community, the immediate community, and to  
2 the community downwind of this plant. Because anything  
3 that happens in South Haven is going to have a direct  
4 impact on anything east of here.

5 I can only ask that in considering this  
6 licensing, think about the age of the plant, think about  
7 how you would feel driving around in a 60 year old car, or  
8 a 60 year old any piece of machinery, and how that would,  
9 how you would feel safe in doing that, and deny this  
10 application for a 20 year extension. They've got six years  
11 in which they can go ahead as was pointed out by an earlier  
12 speaker and find another way of generating power in this  
13 community, and finding work for the people that will be  
14 displaced if that plant cuts down. And as far as the  
15 immediate tax laws, I'm sure that can be solved as well.  
16 Thank you very much.

17 ADMIN. LAW JUDGE YOUNG: Thank you. I'd just  
18 like to say I appreciate, I think we all appreciate  
19 everyone coming out tonight and doing your part as citizens  
20 to take part in matters of interest to the public.  
21 Tonight's our time to listen to you. It sounds as though  
22 you've got a lot of interested people here. I hope you  
23 communicate with each other.

24 I would encourage everyone to go to the NRC  
25 website if you would like to follow the progress of this

1 case. All the documents relating to it, including our  
2 decision based on today's oral argument, will be placed on  
3 the public record in the NRC Adams System. The NRC website  
4 I think you can get to by just going to NRC.org. There is  
5 a public document --

6 ADMIN. LAW JUDGE BARATTA: Gov.

7 ADMIN. LAW JUDGE YOUNG: Gov, I'm sorry, gov,  
8 pardon me, NRC.gov, there is a public documents room, and  
9 somewhere on that website, I believe there's an 800 number  
10 that you can call to get assistance in locating documents  
11 if you do have trouble finding them on the website.

12 I know that --

13 MS. BARNES: I --

14 ADMIN. LAW JUDGE YOUNG: Yeah, just a second --  
15 go ahead.

16 MS. BARNES: I was wondering if I could have  
17 like a half a minute to speak.

18 ADMIN. LAW JUDGE YOUNG: Yeah, just a second,  
19 let me, I just wanted to say; one of the things listening  
20 to you has said to me is that we've been listening to you  
21 tonight, but I do feel a responsibility to try to explain  
22 what we do, how we do that, is in the orders that we issue.  
23 And so, when you do go to the website, once we issue an  
24 order, it will then be put in the Adams System on the  
25 website and you can go and read that and see what we do and

1 see what our reasons are for it.

2 And, we will be deliberating on that and trying  
3 to do that within the next, I don't, I can't give a date  
4 certain, but I do encourage you to, to watch for that, and  
5 hopefully that will provide explanation for whatever it is  
6 that we, as a Licensing Board, do in this proceeding.

7 Now, let's see, you are?

8 MS. BARNES: Kathy Barnes.

9 ADMIN. LAW JUDGE YOUNG: Kathy Barnes, the  
10 first person, you want another half minute? Go ahead.

11 MS. BARNES: Just a short, short, short, short  
12 time. I wanted to make a short talk to people here. This  
13 is such an issue with the community. I see a division in  
14 your community. Some want nuclear power to exist, some  
15 realize the dangers and want it shut down. This company,  
16 Consumers Energy, which you say has benefitted your  
17 community by taxes, should not be dependent on nuclear  
18 energy.

19 There's this thing here, Green Generation, in  
20 this booklet, this is their, their program. They say how  
21 beneficial wind energy is, they're also promoting small  
22 hydroelectric and landfill gasing -- something with natural  
23 gas energy initiative.

24 There's going to be plenty of jobs here, the  
25 commissioning of a nuclear power plant takes more workers

1 than to run it. Also, if you can imagine living under the  
2 shadow of a windmill that's not going to kill you, but you  
3 don't have to worry about it blowing up or radiating your  
4 environment or contaminating your drinking water, boy, your  
5 energy bills should go down, not up, you'd have a much  
6 healthier and better community.

7 So I don't think you should consider Consumers  
8 Energy as having to have nuclear power to exist here. This  
9 is a program I would say everybody should join, and  
10 supposedly 100 percent of my energy bill -- windpower --  
11 out of it -- not to re-license them, but make them be good.  
12 Thank you.

13 ADMIN. LAW JUDGE YOUNG: Thank you, Ms. Barnes.  
14 You started this off, and we'll end with you. I thank you  
15 all for coming out, and again, if you want to come tomorrow  
16 to observe the proceedings, feel free to do so. We'll be  
17 starting at 9:00 o'clock tomorrow morning.

18 (Whereupon, at 7:25 p.m., the meeting  
19 was adjourned.)

20

21

22

23

24

25

CERTIFICATE

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

Name of Proceeding: Palisades Nuclear Generating Station

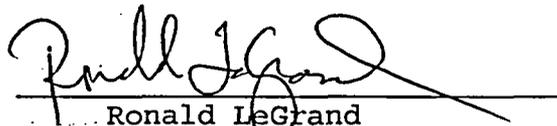
Limited Appearances Public Hearing

Docket Number: 50-255-LR

ASLBP No.: 05-842-03-LR

Location: South Haven, MI

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

  
Ronald LeGrand  
Official Reporter  
Neal R. Gross & Co., Inc.

**NEAL R. GROSS**  
COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701.

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)