

# Official Transcript of Proceedings

## NUCLEAR REGULATORY COMMISSION

Title: Oyster Creek Nuclear Generating Plant  
Public Meeting: Afternoon Session

Docket Number: 50-219

Location:  
Toms River, New Jersey

Date: Tuesday, November 1, 2005

Work Order No.: NRC-691

Pages 1-138

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UNITED STATES OF AMERICA

NUCLEAR REGULATORY COMMISSION

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PUBLIC MEETING TO DISCUSS ENVIRONMENTAL SCOPING

FOR OYSTER CREEK NUCLEAR GENERATING PLANT,

LICENSE RENEWAL APPLICATION

AFTERNOON SESSION

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TUESDAY,

NOVEMBER 1, 2005

+ + + + +

TOMS RIVER, NEW JERSEY

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The afternoon session of the Public Meeting was convened at the Quality Inn at 815 Route 37 in Toms River, New Jersey, at 1:30 p.m, and the evening session convened at 7:00 p.m., F. "Chip" Cameron, Facilitator, presiding.

NRC STAFF PARTICIPATING:

- F. "CHIP" CAMERON
- RANI FRANOVICH
- MICHAEL MASNIK
- RON BELLAMY

1        NRC STAFF PARTICIPATING:    (cont'd)

2                    ALAN MADISON

3                    KEVIN WILLIAMS

4

5        SPEAKERS:

6                    TOM JACKSON

7                    MIKE MERCURIO

8                    ED FRYDENDAHL

9                    DON WARREN

10                   J. SIMONAIR

11                   ED STROUP

12                   BUD SWENSON

13                   FRED POLASKI

14                   TOM CERVASIO

15                   WAYNE ROMBERG

16                   JUDITH CAMBRIA

17                   BUD THOMAN

18                   CHIP GERRITY

19                   DON WILLIAMS

20                   NANCY ERIKSEN

21                   PAULA GOTSCH

22                   SUZANNE LETA

23                   KELLY McNICHOLAS

24                   CHRIS TRYON

25                   JAY VOUGLITOIS

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1        SPEAKERS:    (cont'd)

2                    TERRY MATTHEWS

3                    ROBERTO WEINMANN

4                    ED HOGAN, father

5                    ED HOGAN, son

6                    ROD STERLING

7                    DAVID MOST

8                    PEGGI STURMFELS

9                    JEFFREY BROWN

10                   JENNIFER M. WATLEY

11                   RON WATSON

12                   DONALD POSEY

13                   JUDY MOKEN

14                   DIANE ELENESKI

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

(1:29 p.m.)

1  
2  
3 FACILITATOR CAMERON: Good afternoon,  
4 everyone. My name is Chip Cameron. I'm the Special  
5 Counsel for Public Liaison at the Nuclear Regulatory  
6 Commission, and it's my pleasure to serve as your  
7 facilitator for today's meeting.

8 And our subject today is the NRC review  
9 and evaluation process for an application that we  
10 received from AmerGen Corporation to renew the  
11 operating license for the Oyster Creek nuclear  
12 facility. And that's what we're here to talk to you  
13 about today, specifically our environmental review  
14 process, but not only to answer questions on the  
15 process but also to take the opportunity to listen to  
16 your concerns, comments, recommendations, about the  
17 license renewal process, and specifically about what  
18 we should consider when we do the environmental  
19 review.

20 My job as facilitator is to try to help  
21 all of you have a productive meeting today, and I just  
22 want to talk for a few minutes about meeting process  
23 issues before we get on to the substance of our  
24 discussions. I'd like to give you an idea of the  
25 format we're using, talk a little bit about some

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1 simple ground rules that will help us all to have a  
2 good meeting, and to introduce the NRC staff who will  
3 be talking to you today.

4 In terms of format, we're going to do the  
5 meeting in two parts, and basically that matches up  
6 with our objectives of giving you information and  
7 listening to you. In the first part of the meeting,  
8 we're going to have two brief NRC presentations, and  
9 then we're going to go out to you for questions to  
10 make sure that we have really given you a clear idea  
11 of what our process looks at when we evaluate one of  
12 these applications.

13 After that we're going to go to the part  
14 of the meeting where we listen to you, and we'll give  
15 you an opportunity to come up to the podium here to  
16 talk to us. Or if you don't want to come to the  
17 podium, I can bring you this cordless microphone.

18 We are taking written comments on the  
19 issues, and please feel free to submit written  
20 comments. But we wanted to be here with you this  
21 afternoon to talk to you personally, and I just want  
22 to emphasize that anything we hear today will carry as  
23 much weight as a written comment.

24 In terms of ground rules, they are simple.  
25 When we get to the question period, if you have a

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1 question, just signal me and I'll bring you this  
2 cordless mike. Please introduce yourself to us, and  
3 ask your question. And I know it's hard not to wrap  
4 a comment up in a question, and that's fine, but try  
5 to keep that part of the meeting to questions, and we  
6 will be going to the comment part of the meeting later  
7 on.

8 I would ask that only one person at a time  
9 speak for two important reasons, the most important  
10 being that we can give whomever has the floor our full  
11 attention. The second reason is that our  
12 stenographer/court reporter over here, Mr. Doug  
13 Turner, I believe, can get a clear transcript. In  
14 other words, he'll know who is speaking at the time.

15 I would ask all of us to extend courtesy  
16 to different opinions that we might hear today. We  
17 usually hear different opinions, some strongly held,  
18 about license renewal applications, and I would just  
19 ask you to just respect one another's opinions.

20 In terms of the time element, I would also  
21 ask you both during questions and your comments to try  
22 to be succinct, so that we can make sure that we give  
23 everybody an opportunity to talk today. And we  
24 usually set a five-minute guideline in terms of formal  
25 comment. We don't have a whole lot of speakers today,

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1 so if you could just try to keep it in the five- to  
2 seven-minute range.

3 Usually, we find that five minutes is  
4 enough to summarize the major points that you have.  
5 And it does two things, two important things for us.  
6 One is it alerts us to issues of concern that the  
7 public has that we can start working on right away  
8 before we see any written comments, and, in fact, that  
9 the staff and our experts can come and talk to you  
10 about after the meeting. Second important function is  
11 that it gives others in the community, others in the  
12 audience, an idea of what the concerns are that people  
13 might have.

14 So I would thank all of you for being here  
15 with us this afternoon, and the NRC staff will be here  
16 after the meeting to talk to you informally about  
17 whatever issues you might have.

18 Let me introduce our speakers. First  
19 speaker is Rani Franovich, who is right over here, and  
20 she is the Chief of the Environmental Branch within  
21 our License Renewal and Environmental Review Program  
22 at the NRC. And that's in our Office of Nuclear  
23 Reactor Regulation.

24 Rani and her staff are responsible for  
25 preparing the environmental reviews not only -- well,

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1 basically on license renewal applications, but there  
2 may be other things, but basically license renewal  
3 applications. To give you an idea of her background,  
4 she has been with the agency for about 15 years.  
5 Eight of those years were in our Region II office down  
6 in Atlanta, and Rani served as a resident inspector.

7           These are the NRC staff who actually are  
8 onsite at all operating nuclear reactors to make sure  
9 that our regulations are being followed by the  
10 licensee. And she was resident inspector at Catawba.  
11 She was also the project manager for the safety review  
12 of license renewal applications at both Catawba and  
13 the McGuire plants.

14           She was also the enforcement coordinator  
15 within our Office of Nuclear Reactor Regulation, and  
16 now she is Chief of the Environmental Branch.

17           Bachelor's Degree in Psychology from  
18 Virginia Tech, and a Master's in Industrial Systems  
19 Engineering, also from Virginia Tech. So she's going  
20 to give you a welcome, a short overview of license  
21 renewal, and then we're going to go to Mr. Mike Masnik  
22 -- Dr. Masnik, who is right here.

23           Mike is the Project Manager for the  
24 preparation of the environmental review on this  
25 reactor. So he's the one who is responsible for

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1 supervising the other NRC staff that work on this, our  
2 contractors. He will be telling you about that. He  
3 works for Rani. He's in that branch.

4 And he has a Bachelor's from Cornell, and  
5 a Master's and Ph.D. from Virginia Tech in  
6 Ichthyology.

7 Okay. But he has a -- sort of an  
8 interesting, a close connection with Oyster Creek that  
9 you might be interested in. His parents had a summer  
10 house in Seaside Park, and he spent summers here until  
11 he went to graduate school. He was a park ranger at  
12 the Island Beach State Park, which I take it is close  
13 to here, during college. And he has been with the NRC  
14 in 1974, and he has worked on several issues related  
15 to Oyster Creek since then -- the shipworm issue for  
16 one, in the '70s and '80s, and the endangered sea  
17 turtles and cold shock fish kills.

18 So he has a long association with the  
19 plant, and now he is Project Manager for the  
20 environmental review.

21 And with that, I would just ask Rani to  
22 welcome all of you. Thank you.

23 MS. FRANOVICH: Thank you, Chip. Can  
24 everybody hear me pretty well? Can you guys hear me?

25 SEVERAL PARTICIPANTS: Yes.

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1 MS. FRANOVICH: Okay. I wanted to thank  
2 you all for coming out today and taking the time from  
3 your busy schedules to be here with us. It's an  
4 important meeting, an opportunity for us to share some  
5 information with you that I hope will help you  
6 understand the process that we'll be going through for  
7 license renewal on Oyster Creek, and the role you can  
8 help -- or play in helping to make sure that the  
9 environmental impact statement we prepare for this  
10 license renewal review is accurate.

11 I'd like to start off by briefly going  
12 over again the purposes of today's meeting. We'll  
13 explain the NRC's license renewal process for nuclear  
14 powerplants, with emphasis on the environmental review  
15 process. And we'll talk a little bit about the areas  
16 that we look at for that environmental review.

17 We'll also share with you the license  
18 renewal review schedule. And, really, the most  
19 important thing that we're going to do today is  
20 receive any comments you may have on the scope of our  
21 review. We'll also give you some information about  
22 how you can submit comments outside of this meeting in  
23 writing.

24 Next slide, Mike.

25 Before I describe the license renewal

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1 process, I'd like to provide some general information,  
2 just to give you a context of our review. The Atomic  
3 Energy Act gives the NRC the authority to issue  
4 operating licenses to commercial nuclear powerplants  
5 for a period of 40 years. With Oyster Creek nuclear  
6 generating station, that license will expire in 2009.

7 Our regulations also provide for extending  
8 those operating licenses for an additional 20 years,  
9 or actually what we'll do is issue a brand-new license  
10 when we approve an application for renewal. And  
11 AmerGen has requested license renewal for Oyster  
12 Creek.

13 As part of the NRC's review of that  
14 license renewal application, we'll perform an  
15 environmental review to look at the impacts on the  
16 environment of an additional 20 years of operation.  
17 The purpose of this meeting is to give you information  
18 about that process and to seek your input on what  
19 issues we should consider within the scope of our  
20 review.

21 At the conclusion of the staff's  
22 presentation, we'll be happy to answer any questions  
23 you may have and receive any comments you wish to --  
24 you may wish to share with us on the process and the  
25 scope.

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1                   We have several members of the NRC staff  
2 here, as Mr. Cameron indicated a few minutes ago, that  
3 can talk with you one on one if you still have some  
4 questions you'd like to discuss with us after the  
5 meeting.

6                   Next slide, Mike.

7                   Before I get into a discussion of license  
8 renewal, I'd like to take a minute and talk about the  
9 NRC in terms of what we do and what our mission is.  
10 The Atomic Energy Act also is the legislation that  
11 authorizes the NRC to regulate the civilian use of  
12 nuclear materials in this country.

13                   In carrying out that authority, the NRC's  
14 mission is threefold -- to ensure adequate protection  
15 of public health and safety, to protect the  
16 environment, and to provide for the common defense and  
17 security. The NRC accomplishes its mission through a  
18 combination of regulatory programs and processes such  
19 as inspections, enforcement actions, assessment of  
20 licensee performance, and evaluation of operating  
21 experience from nuclear plants across this country and  
22 internationally.

23                   Turning now to license renewal in  
24 particular, the NRC's license renewal review is  
25 similar to the original licensing process in that it

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1 involves two parts. It involves two parts -- an  
2 environmental review and a safety review. In  
3 addition, as part of the safety review, the staff  
4 carries out inspections and audits.

5 The results of the review are presented to  
6 the Advisory Committee on Reactor Safeguards, or ACRS.  
7 The ACRS is a group of nationally-recognized technical  
8 experts in nuclear safety who serve as a consulting  
9 body to the Commission. They review each license  
10 renewal application, as well as the safety evaluation  
11 report prepared by the staff. They form their own  
12 conclusions and recommendations, and they report those  
13 directly to the Commission.

14 This slide gives a big picture overview of  
15 the license renewal process. You'll see the safety  
16 review represented up here on top, and the  
17 environmental review represented down here on the  
18 bottom.

19 Next slide, Mike.

20 I'd like to start with the safety review  
21 process. You might ask: what does the safety review  
22 consider? For license renewal, the safety review  
23 considers aging management. However, the NRC also  
24 monitors and addresses current operating issues, such  
25 as security, emergency planning, safety performance,

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1 and other ongoing operating issues on an ongoing  
2 basis.

3 Under the current operating license, the  
4 NRC's regulatory oversight process deals with these  
5 current operating issues. We don't wait for a plant  
6 to come in for license renewal to address them or to  
7 require licensees to address those issues as well.

8 Because the NRC is dealing with these  
9 current operating issues on a continuing basis, we do  
10 not reevaluate them in license renewal. As I said,  
11 the safety review focuses specifically on aging  
12 management. It involves the NRC staff's review and  
13 assessment of safety information that is contained in  
14 the license renewal application. There is a team of  
15 about 30 NRC technical reviewers and contractors who  
16 are conducting the safety review right now.

17 I'd like to introduce Mr. Donnie Ashley.  
18 He is the Project Manager for the safety review. Don,  
19 if you wouldn't mind standing up. Thank you.

20 The safety review for license renewal  
21 focuses on how AmerGen will manage the aging of  
22 certain structures, systems, and components, in the  
23 period of extended operation. Some of the programs  
24 for managing aging are already in place, while others  
25 will be implemented as part of the license renewal.

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1           The safety review process also involves  
2 audits and plant inspections. These inspections are  
3 conducted by a team of inspectors from both  
4 headquarters and the NRC's Region I office. With us  
5 today from our inspection program is the Senior  
6 Resident Inspector at Oyster Creek, Mr. Marc Ferdas.  
7 Thank you, Marc.

8           We also have Dr. Ron Bellamy, his boss,  
9 from the NRC Region I office in King of Prussia,  
10 Pennsylvania. Thank you, Dr. Bellamy.

11           The results of the inspections will be  
12 documented in separate inspection reports, and the  
13 results of the staff's safety review and audits are  
14 documented in the safety evaluation report. After the  
15 safety evaluation report is prepared, it will be  
16 independently reviewed by the ACRS.

17           Next slide, please, Harriet.

18           The second part of the process involves an  
19 environmental review with scoping activities and the  
20 development of an environmental impact statement. As  
21 I've said, we're here today to receive your comments  
22 on the scope of that review.

23           We'll consider any comments on the scope  
24 that we receive at this meeting or in any written  
25 comments subsequent to this meeting. Then, in June of

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1 next year, we expect to issue a draft environmental  
2 impact statement for comment.

3 Next slide, please, Harriet.

4 So as you can see from this slide, putting  
5 all of the process back together again, the final  
6 Commission decision on whether to approve or deny the  
7 application will require a number of inputs -- the  
8 safety evaluation report, inspection reports, the  
9 final EIS or environmental impact statement, and the  
10 letter issued by the ACRS to the Commission that  
11 forwards their recommendations.

12 I'd like to point out that the yellow  
13 hexagons like this one, they indicate opportunities  
14 for public participation. This meeting is an early  
15 opportunity for public participation. We'll have  
16 another meeting to share with you the results of our  
17 draft environmental impact statement. That will be  
18 another opportunity for you to comment on our review.

19 And at this time, there is still an  
20 opportunity to request a hearing through November 14,  
21 2005. Also, the ACRS meetings are open to the public.

22 Now, I'd like to turn the presentation  
23 over to Dr. Michael Masnik, the environmental project  
24 manager, to discuss the environmental review in more  
25 detail.

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1 FACILITATOR CAMERON: Thanks, Rani. We'll  
2 go to questions after Mike is done.

3 DR. MASNIK: Thank you, Rani. My name is  
4 Michael Masnik, and I'm the Senior Project Manager on  
5 the NRC staff, and responsible for coordinating all of  
6 the activities of the NRC staff and the various  
7 environmental experts at the national labs in  
8 developing an environmental impact statement  
9 associated with the license renewal application for  
10 the Oyster Creek nuclear generating station.

11 The National Environmental Policy Act of  
12 1969 requires that federal agencies follow a  
13 systematic approach to evaluating potential  
14 environmental impacts associated with certain actions.  
15 We're required to consider the impacts of the proposed  
16 action, and also any mitigation for those impacts we  
17 consider to be significant.

18 We're also required to consider  
19 alternatives to the proposed action, including the  
20 no-action alternative. In other words, if we decide  
21 not to approve the requested license renewal, what are  
22 the environmental impacts of that decision?

23 The National Environmental Policy Act and  
24 our environmental impact statements are disclosure  
25 tools. They are specifically structured to involve

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1 public participation, and this meeting facilitates the  
2 public participation in our environmental review.

3 The Commission has determined that an  
4 environmental impact statement, or EIS, should be  
5 prepared for all license renewals. In preparing an  
6 environmental impact statement, the NRC conducts a  
7 scoping process. The purpose of the scoping process  
8 is to identify the significant issues to be analyzed  
9 in depth.

10 We are now gathering information for an  
11 environmental impact statement and are here to collect  
12 public comments on the scope of the review.

13 The staff developed a generic  
14 environmental impact statement, or GEIS, that  
15 addressed a number of issues that are common to all  
16 nuclear powerplants. The staff is supplementing that  
17 generic EIS with a site-specific EIS that will address  
18 issues that are specific to Oyster Creek. The staff  
19 also evaluates the conclusions reached in the GEIS to  
20 determine if there is any new and significant  
21 information that would change any of these  
22 conclusions.

23 As was said earlier by Rani, issues such  
24 as emergency preparedness and physical security are  
25 not considered within the scope of our license renewal

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1 review. Such issues are evaluated regularly and will  
2 continue to be evaluated regularly during the renewal  
3 term, if granted.

4 Next slide.

5 This slide shows our decision standard for  
6 the environmental review. Simply put, is a license  
7 renewal acceptable from an environmental standpoint?

8 Next slide, please.

9 This slide is similar to the slide that  
10 Rani had up a few minutes ago. It shows the timeline  
11 for the environmental review process, specifically now  
12 for Oyster Creek. We received AmerGen's application  
13 for the license renewal for the Oyster Creek nuclear  
14 station on July 22, 2005.

15 On September 22nd, we issued a Federal  
16 Register notice of intent to prepare an environmental  
17 impact statement and to conduct scoping. This started  
18 a 60-day clock defined as the scoping period, and  
19 we're within the scoping period right now. This  
20 meeting is part of that scoping process, so that we  
21 can get comments from the public to help us scope out  
22 the balance of our environmental review.

23 After the end of the scoping period, which  
24 will be November 25, 2005, we will issue a scoping  
25 summary report that will address all the comments we

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1 receive from all sources during the scoping period.

2 Now, I discovered yesterday that the date  
3 for the end of the scoping period on the NRC website  
4 schedule for Oyster Creek is in error, and the correct  
5 date for the end of the scoping period is November 25,  
6 2005. The web address has been corrected, and it was  
7 corrected today. In essence, it gives the public an  
8 additional 10 days to provide comments to the staff.

9 On October 10th through the 14th, members  
10 of the NRC staff and a team of environmental experts  
11 from Argonne National Lab and Pacific Northwest  
12 National Lab conducted the environmental site audit to  
13 help gather information on the scoping process. And  
14 if you'll remember, that was during the northeasterner  
15 we had here and the team got pretty wet spending a  
16 week outside on Barnegat Bay.

17 If in the conduct of our review we require  
18 additional information beyond what was already  
19 provided to us in the application, we will issue a  
20 request for additional information. And we plan to  
21 issue that request for additional information by  
22 December 16, 2005, if it's needed.

23 And approximately eight weeks later we  
24 expect to get an answer back from AmerGen, and then,  
25 based on the information we have in hand, we will

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1 prepare and publish a draft environmental impact  
2 statement, and we'll issue that draft environmental  
3 impact statement for public comment.

4 We envision publishing the draft EIS in  
5 June of 2006, and when the draft is published we'll  
6 have a 75-day public comment period. We have some  
7 examples of environmental impact statements on -- from  
8 previous license renewal on the back table there, and  
9 this is what they look like.

10 We plan to have another public meeting  
11 here in July 2006 to receive the comments on the draft  
12 EIS. Once we receive comments on the draft EIS, we  
13 will develop a final EIS, which we expect to publish  
14 in January of 2007.

15 Next slide, please.

16 This slide shows some of the sources where  
17 we gather our information. In addition to our site  
18 audit, we communicate with Federal, State, and local  
19 officials, as well as local service agencies. For  
20 example, for the Oyster Creek review, we've already  
21 met with representatives of the State Historic  
22 Preservation Office, the New Jersey Department of  
23 Environmental Protection, U.S. Fish and Wildlife  
24 Service, National Marine Fisheries Service, the U.S.  
25 Geological Service, and other organizations.

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1                   We've also met with local officials from  
2 Lacey Township and Ocean County. And we consider all  
3 of the comments we will receive from the public.

4                   Next slide.

5                   For the review, we've established a team  
6 made up of members of the NRC staff, supplemented by  
7 experts -- uh-oh. What happened? Supplemented by  
8 experts in various fields from Argonne National Lab  
9 and the Pacific Northwest National Lab.

10                  If you have the handout, you can follow  
11 along, and we've reprinted all of the slides. We're  
12 on slide 13.

13                  The slide gives an idea of the examples of  
14 the areas in which the experts evaluate. Some of the  
15 areas are terrestrial and aquatic ecology,  
16 archaeology, socioeconomics, radiation protection, to  
17 name a few.

18                  Let's just pause here for a second and --  
19 how long is it going to take, Bob?

20                  (Pause.)

21                  Slide 14. Okay. Next slide.

22                  This slide just recaps a couple of the key  
23 milestone dates in our schedule. As mentioned, we are  
24 currently in the scoping comment period, which ends  
25 November 25th. All comments, whether in the form of

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1 a letter or an e-mail, as well as comments received  
2 from the transcribed public meeting, will be  
3 considered.

4 We will be publishing an Oyster Creek  
5 site-specific supplement to the generic EIS. It's  
6 also called a supplemental environmental EIS, or SEIS  
7 for short. That supplement will be published and made  
8 available in June 2006. It'll have a 75-day comment  
9 period, and, after considering your comments on the  
10 draft, we'll be publishing the final form in January  
11 of 2007.

12 There's one more date that I would hope  
13 you would remember. It's not on this list, but the  
14 deadline for requesting a hearing is November 14,  
15 2005.

16 Next slide, please.

17 This slide identifies me as your primary  
18 point of contact with the NRC for the preparation of  
19 this environmental impact statement. It also  
20 identifies where documents related to our review may  
21 be found in the local area. The Lacey public library  
22 has agreed to make license renewal -- the license  
23 renewal application available for public review in  
24 addition to any correspondence the NRC has to AmerGen  
25 or vice versa.

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1           The draft environmental impact statement  
2 will also be available at the Lacey library when it is  
3 published. And all documents are or will be available  
4 on the NRC's website, which is [www.nrc.gov](http://www.nrc.gov).

5           In addition, as you came in you were asked  
6 to fill out a registration card at our reception  
7 table. If you've included your address on the card,  
8 we will mail you a copy of the draft and final EIS.  
9 If you did not fill out a card and want a copy of the  
10 draft and final impact statement for Oyster Creek,  
11 please see Harriet -- Harriet? Right here after the  
12 meeting, and she'll sign you up.

13           Next slide.

14           Now, in addition to providing comments at  
15 the meeting, there are other ways that you can submit  
16 comments for an environmental review process. You can  
17 provide written comments to the Chief of our Rules and  
18 Directives Branch at the address on the screen. You  
19 can also make comments in person, if you happen to be  
20 in Rockville, Maryland.

21           We've established a specific e-mail  
22 address at the NRC for the purpose of receiving your  
23 comments on the development of our environmental  
24 impact statement and what you think the scope of the  
25 review should be. And that e-mail address is

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1 oystercreekeis@nrc.gov. All of your comments will be  
2 collected and considered.

3 And this concludes my remarks, and thank  
4 you again for taking the time to attend this meeting.

5 At this time, I'll turn it back over to  
6 Chip.

7 (Applause.)

8 FACILITATOR CAMERON: Okay. Thank you.

9 DR. MASNIK: Thank you.

10 FACILITATOR CAMERON: Thank you, Mike.  
11 Now is an opportunity to thank Mike and Rani for  
12 boiling down a complicated process into hopefully  
13 something that was simple to understand for you. But  
14 are there questions about the process, what the NRC  
15 looks at, anything to do with license renewal?  
16 Anybody have a question?

17 Yes, sir, and if you could just introduce  
18 yourself to us, please.

19 MR. JACKSON: My name is Tom Jackson.

20 (Inaudible comment from an unmiked location.)

21 FACILITATOR CAMERON: Thank you, Mr.  
22 Jackson.

23 Mike, do you want to try to talk about is  
24 the -- the license renewal period set in our  
25 regulations, is it set by statute, because that's --

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1 that goes to the point of how that could be changed?

2 DR. MASNIK: It's a good question. When  
3 the NRC was writing the regulations for license  
4 renewal, we tried to consider what would be a  
5 reasonable renewal period. And our regulations state  
6 20 years as the maximum amount of time that a licensee  
7 can request a renewal term.

8 In fact, a licensee could request a  
9 shorter period of time if they chose to. The  
10 regulations -- well, the reason why we picked 20 years  
11 was the fact that the normal license is 40 years, and  
12 that 20 years seems to be a reasonable compromise.  
13 And if you look at the degradation of components and  
14 other systems within the plant, that was probably a  
15 reasonable amount of time for renewal of the license.

16 So it was a combination of the fact that  
17 our current licenses are granted for a 20-year -- I  
18 mean, for a 40-year period. In other words, if you  
19 came in and requested a new plant license, we would  
20 grant a license up to 40 years.

21 To change that, what you need to do is  
22 request -- there is a process within our regulations  
23 for members of the public to request a change in the  
24 regulations. I don't know the actual section of the  
25 regulations, but we certainly have the regulations

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1 here tonight, and we can -- we can get with you  
2 afterwards and tell you which portion of the  
3 regulations to look in to see the process for filing  
4 a request to change the rules.

5 FACILITATOR CAMERON: And that's called a  
6 petition for rulemaking, and it's set forth -- how you  
7 do that is set forth in 2.802 of our regulations. We  
8 can give you some more information about that. That  
9 request goes into the NRC November 3rd -- changing the  
10 regulations.

11 But as he says, the first step -- Mr.  
12 Jackson, it seems like what you're suggesting is a  
13 good -- should be a shorter period of time. Is that  
14 correct?

15 MR. JACKSON: (Inaudible comment from an  
16 unmiked location.)

17 FACILITATOR CAMERON: 2.802, petition for  
18 rulemaking, is in -- all government regulations,  
19 federal agency regulations, are in these books that  
20 are called Code of Federal Regulations. And the NRC's  
21 regulations are in Title 10 of that. And so when we  
22 talk governmentese, I guess, we say 10 CFR Part 2,  
23 2.802. What that means is Title 10 of the Code of  
24 Federal Regulations, Part 2 of Title 10, and  
25 specifically .802, petition for rulemaking.

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1           And for Mr. Jackson and anybody else who  
2           wants to know more about this, we can explain that  
3           either here today, or meet with you afterwards to  
4           discuss that. Okay?

5           Thank you, Mr. Jackson.

6           Other questions? Yes, sir.

7           UNIDENTIFIED PARTICIPANT:       (Inaudible  
8           comment from an unmiked location.)

9           FACILITATOR CAMERON: Okay. Thank you.

10          DR. MASNIK: I think you're referring to  
11          the spent nuclear fuel after it's taken out of the  
12          reactor. That fuel is stored onsite. A portion of it  
13          is stored in a spent fuel pool underwater, and a  
14          portion now is stored in dry storage in dry storage  
15          casks onsite.

16          The ultimate plan is to have that spent  
17          nuclear fuel shipped to a permanent geologic  
18          repository, and currently the government is  
19          investigating as to whether or not the Yucca Mountain  
20          site is an appropriate place to put that fuel.

21          We understand that in the near future, the  
22          NRC will be involved in reviewing an application by  
23          the Department of Energy for licensing the Yucca  
24          Mountain facility, so that that spent fuel can be  
25          shipped to that facility and permanently disposed of

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1 in a geologic repository.

2 FACILITATOR CAMERON: And, Mike, I know we  
3 don't -- we don't know when the -- or if the geologic  
4 repository is going to -- whether there's going to be  
5 a license application, how long it will take us to --  
6 whether it will be approved.

7 But could you give this gentleman an idea  
8 of -- forgetting about Yucca Mountain -- how long do  
9 we authorize spent fuel to be left onsite under our  
10 regulations? In other words, just to give you -- I  
11 think he wants an idea of the timeframe.

12 DR. MASNIK: Oh. The fuel is stored  
13 onsite, and the licensee is required during that  
14 storage period to have a license. The license  
15 requires certain surveillance requirements and certain  
16 protective measures taken to protect it from the  
17 public. As long as that fuel is onsite, it will be  
18 guarded and kept in a safe, stable condition.

19 FACILITATOR CAMERON: So, basically, we're  
20 talking indefinitely?

21 DR. MASNIK: Well, indefinitely until  
22 there is a repository or some other facility to take  
23 the fuel.

24 FACILITATOR CAMERON: Okay.

25 UNIDENTIFIED PARTICIPANT: (Inaudible

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1 comment from an unmiked location.)

2 FACILITATOR CAMERON: We've got to get you  
3 on a mike.

4 UNIDENTIFIED PARTICIPANT: How can they  
5 use Yucca Mountain when Nevada doesn't want those --  
6 if they don't want --

7 MR. MASNIK: Well, it's been a long time  
8 that the Department of Energy has been working on  
9 Yucca Mountain, it's true. And the State of Nevada  
10 has expressed some concern about the transport of them  
11 there. But the fact is that the fuel has to be stored  
12 somewhere, and right now it's being stored at the  
13 site.

14 There is another alternative that's being  
15 looked into, too, and that's -- it's called private  
16 fuel storage. It's an above-ground interim storage  
17 facility out west as well, where the fuel would be  
18 stored for an indefinite period of time, again until  
19 a geologic repository is available.

20 FACILITATOR CAMERON: And I think that  
21 some of the Nevada objections might use the term  
22 "store," which is -- as opposed to "dispose." At the  
23 Yucca Mountain site I think some of the Nevada  
24 objections are to bring all of the -- to bringing all  
25 of the spent fuel from all over the country and

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1 disposing of it.

2 UNIDENTIFIED PARTICIPANT: (Inaudible  
3 comment from an unmiked location.)

4 FACILITATOR CAMERON: Mike, I know it's  
5 hard to comment about cause and effect. But in terms  
6 of like radiation release from the spent fuel storage,  
7 can you just talk to our regulations, how we regulate  
8 releases from that?

9 DR. MASNIK: Yes. First of all, I'd like  
10 to say that the fuel is stored in a safe, stable  
11 configuration that doesn't result in significant  
12 releases of radioactivity to the environment.

13 The fuel that's in dry storage is in  
14 sealed containers, and it's at a distance far enough  
15 away from, you know, people that it doesn't pose any  
16 danger as far as health condition. Nuclear  
17 powerplants, over the last 30 years, have dramatically  
18 reduced the amount of radiation that they are  
19 releasing to the environment, and Oyster Creek is no  
20 exception.

21 And it's highly unlikely, and I certainly  
22 can talk to you afterwards, that there's any cause and  
23 effect here as far as low level radiation and the  
24 incidence of cancer in the community.

25 FACILITATOR CAMERON: Okay. Thanks, Mike.

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1 And we're going to go to some people back here. And  
2 if you could just I guess speak closer to the mike.  
3 We're having trouble back here. And we're going to go  
4 to this lady now.

5 UNIDENTIFIED PARTICIPANT: I'd like to  
6 know how many spent fuel rods are now stored onsite,  
7 and how many are we generating in a yearly process?

8 FACILITATOR CAMERON: Okay. Thank you.  
9 Mike do we have that?

10 DR. MASNIK: That's a number I don't know.  
11 I don't know if there's anyone else here -- is there  
12 anybody from the licensee that can give a ball park  
13 number?

14 FACILITATOR CAMERON: Is there anybody --  
15 what we'll do is let me ask -- I know that Pete  
16 Ressler is here. I hope I'm pronouncing that  
17 correctly. Could you respond to her later on this  
18 specific -- do you know this right off?

19 PMR. RESSLER: I don't know that right  
20 offhand.

21 FACILITATOR CAMERON: Okay. He'll get  
22 with you. And if we -- we'll get that -- we'll get  
23 that number for you. Okay? Before the end of this  
24 meeting, we'll find out.

25 UNIDENTIFIED PARTICIPANT: That would be

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1 nice.

2 FACILITATOR CAMERON: the people that do  
3 evaluate the licensing of that storage system do --  
4 for us do know those answers. They're just not here  
5 right now with us, but we will -- we will find out.  
6 Okay?

7 Yes, sir.

8 MR. MERCURIO: Mike Mercurio. I represent  
9 St. Francis Environmental Ministry. I'm also a  
10 developer.

11 This state does need nuclear power, but  
12 there is a big "but" attached to that. Is the same --  
13 demonstrated the amount of natural gas, power, and  
14 electric is being used up at a faster rate because we  
15 don't have enough, but we can build clean renewable  
16 energy.

17 A major statement is plants such as Oyster  
18 Creek is -- is there any precedent for renewal  
19 applications on any nuclear plant that's almost 40  
20 years old? And why is it just -- I'm agreeing with  
21 the gentleman with the Senator's office -- why it has  
22 to be 20 years? Most nuclear plant errors occur  
23 because of human faults, not just safety features and  
24 environmental features.

25 The point being is I am for renewing it,

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1 but on a five-year basis, not a 20-year. Everything  
2 has its life cycle. You have computers today that are  
3 disposable. Things that were built a long time ago,  
4 bridges can be found to be unsafe. Many things that  
5 man builds deteriorate, and everything has its life  
6 expectancy and it can only be estimates. the point  
7 being is I think this should be taken in five-year  
8 increments.

9 The second question is: what are the  
10 requirements of nuclear regulatory as far as encasing  
11 the spent fuel rods? Are there specific things at  
12 Yucca Mountain that they are required to do, which is  
13 we can't -- and I understand a lot of the points of  
14 spent fuel rods is not in -- is the transportation of  
15 those to Yucca Mountain.

16 FACILITATOR CAMERON: Okay. Thank you.

17 We have two questions. One, are there  
18 other plants that -- of this age that have come in for  
19 renewal? And, secondly, what happens to the spent  
20 fuel rods in terms of transport and disposal at Yucca  
21 Mountain?

22 MR. MERCURIO: What are the regulations  
23 for encasement?

24 FACILITATOR CAMERON: Okay. And, Rani, I  
25 know you can answer the first one. And we'll try to

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1 work on the second one for you.

2 MS. FRANOVICH: And I know this mike  
3 doesn't work very well, so I'll try to project so  
4 everybody can hear me. When nuclear powerplants were  
5 first built, they were licensed for a period of 40  
6 years, not based on concerns with the age of the  
7 plant. The 40-year term was based on economic and  
8 antitrust considerations.

9 Okay. When the renewal rule acknowledged  
10 and allowed for renewal for a period of 20 years, the  
11 reason is that this is a significant economic  
12 investment by the company for a turnaround, a return,  
13 and five years is just not a sufficient period of time  
14 to warrant the economic investment.

15 Something worth noting is that a nuclear  
16 powerplant can come in for renewal for 20 years, and  
17 then come in for renewal for another 20 years. There  
18 is nothing that would prohibit them from doing that.  
19 But as far as the aging of the plant, the license  
20 renewal rule provides for aging management -- the  
21 concern that you mentioned about the plant aging.

22 Systems, structures, and components that  
23 are important to safety will be managed and monitored  
24 by the licensee as required by the NRC to ensure that  
25 that aging does not result in failure of the component

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1 to perform its intended safety function. That's what  
2 the license renewal provides -- the license renewal  
3 rule provides for.

4 Does that answer your question?

5 MR. MERCURIO: Yes and no. But only  
6 because -- I know there's age management. I know  
7 there's a certain amount of age management, and I  
8 understand there's certain economics in building a  
9 structure and refurbishment.

10 I think the figure was somewhere around  
11 \$885 million to refurbish Oyster Creek, to bring it up  
12 to environmental standards -- the figure that was  
13 published in the newspaper.

14 MS. FRANOVICH: I'm not familiar with  
15 that. I don't know. You may be right.

16 MR. MERCURIO: For it to be refurbished to  
17 meet certain environmental -- so that it doesn't  
18 discharge in the water. And other maintenance factors  
19 were involved in it.

20 That points out to the cost, when you  
21 build a power generation facility, the same amount and  
22 the same accuracy --

23 MS. FRANOVICH: Part of our environmental  
24 review considers alternatives to replace that flow.  
25 The thing that we usually see is that those

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1 alternative forms of energy can't produce the same  
2 number of megawatts as a nuclear powerplant, but we  
3 will be considering alternatives in the course of our  
4 review.

5 MR. MERCURIO: Look at the new DOE --

6 FACILITATOR CAMERON: Okay. We need to  
7 get all the comments on the record here, and we still  
8 don't know -- we still don't have an answer on the  
9 second question. And we need to know -- I don't think  
10 we have -- Mike, do you -- can you just speak  
11 generally to how -- what happens to the spent fuel  
12 before it's going to be put into a repository? Then  
13 we can go to this gentleman right here.

14 DR. MASNIK: Yes. The spent fuel --  
15 currently, when it's moved into dry storage, it's  
16 placed in a sealed container that's actually welded  
17 shut, and it's hermetically sealed. And it's a dual-  
18 use canister, which allows it to be transported in  
19 that canister, so the spent fuel doesn't have to be  
20 unloaded before it's actually transported someplace.

21 And to be honest with you, spent fuel is  
22 transported across the roadways and railways of this  
23 country on a daily basis. Almost every day there is  
24 some fuel movement, so the country has a long history  
25 of moving fuel safely.

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1           As far as regulations related to Yucca  
2 Mountain, I really can't speak to that, because I'm a  
3 bit out of my area, and I don't know if there's anyone  
4 here that can. But certainly, prior to the NRC  
5 licensing that facility, there will be requirements  
6 placed on the operator, which is the Department of  
7 Energy, so that the fuel is safely stored or safely  
8 disposed of in this repository.

9           FACILITATOR CAMERON: And I think we have  
10 your address. Let's make a point to send Mr. Mercurio  
11 a description about what does happen to spent fuel.

12           We're going to move on to other people.  
13 Yes, I think we have this gentleman, and then we're  
14 going to go back in the back. Yes, sir.

15           MR. FRYDENDAHL: Good afternoon.  
16 Frydendahl, Manchester Township, Ocean County,  
17 formerly a 32-year resident of Lacey County.

18           One thing that concerns me with the  
19 numbers that are being thrown around -- that a nuclear  
20 powerplant has a 40-year given life prior to coming  
21 before the Nuclear Regulatory Commission to get  
22 permission -- be approved for a 40-year life.

23           Renewal is more accurately, it seems, a  
24 20-year. As this gentleman brought up, Senator  
25 Connors in the 9th Legislative District, which we're

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1 hearing also is -- it suggest five years.

2 Now, it seems to me -- and I think a lot  
3 of people in this room would agree with me -- that a  
4 Senator of a legislative district would have a lot  
5 more clout with getting you people to listen than just  
6 any Tom, Dick, and Harry like myself requesting that  
7 request.

8 Am I correct in stating that?

9 FACILITATOR CAMERON: Well, I --

10 MS. FRANOVICH: I think we described the  
11 process that will be used to petition the staff for  
12 rulemaking. So I'm not sure what your question is --  
13 that we acknowledge the authority of the Senator.  
14 Sure we do. But we have a process to go through, if  
15 someone believes we need to change a rule or write a  
16 new rule, and that was the process that Chip Cameron  
17 directed the gentleman to in the CFR.

18 MR. FRYDENDAHL: Yes. But, Rani, we saw  
19 on the slides that the Nuclear Regulatory Commission  
20 wants our comments, wants to make things safer and  
21 make things better. Are they listening to Senator  
22 Connors' request?

23 MS. FRANOVICH: Well, I think we're  
24 talking about two different things. The purpose of  
25 today's meeting is to solicit comment on our

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1 environmental review. If a member of the public  
2 wishes to suggest that we change a rule, that's  
3 outside the scope of this meeting. That is the  
4 petition for rulemaking process. Does that answer  
5 your question?

6 MR. FRYDENDAHL: Partially. But the  
7 second part of that question is, I don't know how many  
8 people are aware of it, but the type of reactor or the  
9 type of boiler in Oyster Creek, which is a Part I  
10 system, was deemed obsolete by the then Atomic  
11 Regulatory Commission about one year after that plant  
12 was built.

13 So we're now sitting with a plant that's  
14 40 years old, with a reactor or a boiler in there  
15 which is deemed obsolete, and now we're asking for 20  
16 more years? I don't think so.

17 (Applause.)

18 FACILITATOR CAMERON: I don't know if you  
19 want to comment on the statement about obsolete  
20 design. I think that it might be important to state  
21 that a review was -- the point is that if any member  
22 of the public comes in to us with a request to change  
23 the regulations, with a rationale for that, we're  
24 going to seriously consider that request, whether it  
25 comes from you, sir, or whether it comes from Senator

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1 Connors. Okay? I just want to make that clear.

2 Anything about the obsolescence of  
3 design --

4 MS. FRANOVICH: I'm not familiar with the  
5 information that he's referencing. I know nothing  
6 about it. But if there's something you can furnish to  
7 the staff, please do.

8 MR. FRYDENDAHL: Don't you think that you  
9 people should be aware of these things? You're coming  
10 to a meeting to bring us information, and you don't  
11 have a lot of information.

12 FACILITATOR CAMERON: Sir?

13 MR. FRYDENDAHL: I don't understand this.

14 FACILITATOR CAMERON: Sir, we're going to  
15 have to go on with other questions. We're trying to  
16 answer your question. Okay? You're making a  
17 statement, saying that the design was obsolete.  
18 That's not necessarily information that we're going to  
19 have for you, or even though, whether that's true,  
20 what that means. So we're trying to answer your  
21 question.

22 We're going to go back to this gentleman.  
23 Please introduce yourself, sir.

24 UNIDENTIFIED PARTICIPANT: (Inaudible  
25 comment from an unmiked location.)

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1 MS. FRANOVICH: I don't think we can hear  
2 him.

3 FACILITATOR CAMERON: We can't hear you,  
4 sir.

5 UNIDENTIFIED PARTICIPANT: (Inaudible  
6 comment from an unmiked location.)

7 MS. FRANOVICH: Is there a question? I'm  
8 not sure.

9 FACILITATOR CAMERON: Okay. I think he  
10 was just trying to give us information. And as I  
11 said, we're going to get that information for you on  
12 that question. Is there some -- any other questions  
13 before we -- we're going to go on, and we're going to  
14 go to this gentleman.

15 I want to make sure that we give everybody  
16 a chance at a first question before we go on to  
17 anybody for a second question. Yes, sir.

18 MR. WARREN: My name is Don Warren. I  
19 live in Shingar, which is within the 10-mile limit.  
20 I came to the last meeting, and I had a few questions.  
21 I actually brought some pictures, which I was told I  
22 was not allowed to show because they were too large,  
23 so I made sure that the pictures that I brought this  
24 time were not too large, because I think when we  
25 discuss this it's very important that people are

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1 keeping in very close perspective what exactly we're  
2 talking about here.

3 And what we're talking about here is if  
4 there is a problem with that plant, and we get a very  
5 significant release of radiation, and the consequences  
6 of that radiation are Chernobyl children. These are  
7 the children of Chernobyl. These are not statistics.  
8 These are people's children.

9 If an accident happens at Oyster Creek,  
10 these are going to be the children of our community.  
11 These are going to be the children of our community  
12 for generations to come.

13 I also have another picture here. This is  
14 the Davis-Besse reactor that was being inspected  
15 regularly by the NRC and by the licensee in Ohio. As  
16 anybody can see looking at this picture, severe  
17 corrosion is occurring on this. However, they didn't  
18 seem to think this was a problem and allowed the plant  
19 to continue to operate.

20 This plant is now old at Oyster Creek. So  
21 I think you can understand why the community here has  
22 quite a few reservations about the inspection that's  
23 going on right now at Oyster Creek. With that said,  
24 I'd like to go back to the original question that I  
25 asked at the first meeting.

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1           And considering how much -- the length of  
2 time it's been since then, and nobody has gotten back  
3 to me about this question, I would hope that you would  
4 have the information to answer this question now,  
5 because this is not a question that has come to you  
6 out of the blue. This is a question that was asked  
7 before, and I was told that I would be given an  
8 answer.

9           The question I have is that on March 1st,  
10 after restoring the main transformer and restoring the  
11 main generator to service at Oyster Creek, a power  
12 ascension was in progress when an error resulted in  
13 the loss of multiple reactor recirculation pumps,  
14 which led an operator to manually scram the reactor.  
15 I'd like to add that this was not done very well. It  
16 was not controlled well. The water level was not  
17 controlled well, and as you go on later in this report  
18 that was the conclusion of the NRC inspector.

19           It was also noted that the plant had been  
20 overpressurized. And one of the specific questions  
21 that I was asking was how many times -- from  
22 documentation that I've read, it was overpressurized  
23 10 times, the actual reactor vessel. I was asking how  
24 many times it had actually been overpressurized, so I  
25 was hoping somebody had an answer to that question for

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1 me.

2 And the second question that I had is they  
3 put out this report to talk about normal boiler loss  
4 of approximately three-quarters of a gallon per  
5 minute. Now, my question is: if you've got a reactor  
6 that's leaking, and it's considered a normal part of  
7 its operation, releasing three-quarters of a gallon  
8 per minute, where is this water going? What kind of  
9 corrosion is it producing? How is this realistically  
10 being monitored? And not just with visual  
11 inspections.

12 As we can see from Davis-Besse, it didn't  
13 work, because that reactor was so corroded through it  
14 was basically an act of God that kept it from going  
15 critical. How is this corrosion being monitored  
16 effectively? And not just with visual inspections,  
17 but actual testing of materials.

18 And also, where is this water going?  
19 Where is this being admitted? Where is this radiation  
20 going? I mean, I know it's part of normal operation  
21 of a nuclear reactor to be releasing radioactivity  
22 into the environment, and I'm concerned that this is  
23 not being properly monitored and checked, because --

24 FACILITATOR CAMERON: I'm sorry. Let's  
25 try to get some answers to your questions. Thank you.

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1 (Applause.)

2 There seem to be a bunch of questions  
3 there. Did you -- can you begin to address them?

4 DR. MASNIK: We'll start.

5 FACILITATOR CAMERON: Okay.

6 DR.MASNIK: First, the one on Chernobyl,  
7 and certainly the Chernobyl accident was a horrific  
8 accident. A Chernobyl-type plant cannot be built in  
9 this country. It would not have been built. It does  
10 not conform to our requirements. And, in fact, a lot  
11 of our efforts -- most of our efforts are to prevent  
12 that kind of an accident here.

13 Both the inspections that we do, as well  
14 as the emergency preparedness exercises that are  
15 conducted, are designed to prevent that sort of an  
16 event at Oyster Creek, or any nuclear plant in North  
17 America.

18 As far as Davis-Besse, the Davis-Besse  
19 issue was a big concern. It certainly was a wakeup  
20 call for the industry as well as the NRC. We spent a  
21 lot of time studying that. We developed a lessons  
22 learned task force. We looked at 49 recommendations.  
23 We've implemented over 40 of those already. In fact,  
24 we've implemented all but one, which is a code change  
25 to the ASME code.

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1           So there were a lot of activities that  
2 were generated because of the Davis-Besse accident,  
3 and the NRC and the industry is confident that such an  
4 event of corrosion of the reactor head will not occur  
5 again.

6           As far as overpressurization and the  
7 normal water loss, I don't know -- Ron, can you talk  
8 a little bit about that or --

9           MS. FRANOVICH: Let me give a -- let me  
10 say a couple of things real quick first. I think it's  
11 important to also remember that Davis-Besse was not an  
12 accident. No accident happened at Davis-Besse. There  
13 was degradation of the reactor vessel head. We  
14 acknowledged that, and, as Mike indicated, that was a  
15 wakeup call for the NRC and for the industry.

16           When I gave my presentation, I indicated  
17 that we use operating experience, both domestically  
18 and internationally, to improve our regulatory  
19 process. This is a great example, because now in  
20 license renewal, licensees are required to demonstrate  
21 certain things that basically reflect recent operating  
22 experience -- the cracked nozzles that led to the head  
23 degradation from boric acid corrosion being a good  
24 example of that.

25           So we integrate that operating experience

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1 into our process to ensure that licensees and  
2 applicants for license renewal address these ongoing  
3 safety issues.

4 I also wanted to mention that, with  
5 respect to what you're reading in the NRC inspection  
6 report, that's an example of our continuous process  
7 for providing oversight of these operating reactors  
8 and looking at ongoing issues and safety performance.  
9 So I don't have the details of water leakage.

10 There are inner systems. It could be  
11 leaking into another system. It could be leaking into  
12 -- it'll definitely be leaking into the containment  
13 structure. So wherever it's going is being captured,  
14 and there are requirements -- there are tech spec  
15 requirements, technical specifications, the licensee  
16 must comply with or they're required to shut down.

17 And our resident inspectors who work there  
18 40 hours a week are ensuring that they are meeting  
19 those requirements. There are a number of specific  
20 requirements that deal specifically with reactor  
21 coolant system leakage -- leakage from the vessel and  
22 the associated reactor coolant system. If they can't  
23 maintain processes and operation within those  
24 requirements, then they have to take the required  
25 action. Sometimes that is to shut down. Sometimes

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1 it's to do other things.

2 So I hope I've addressed that one. I  
3 don't know if Dr. Bellamy wants to add anything.

4 FACILITATOR CAMERON: Thanks, Rani. I  
5 think that should be helpful. Let's go to Ron, and  
6 then we're going to take a couple more questions,  
7 including this gentleman, and we're going to on to the  
8 comment part of the meeting, so we can make sure we  
9 get through that.

10 Ron?

11 DR. BELLAMY: Thanks. Let me try to  
12 address a couple of your issues. As memory serves, we  
13 believe that your number of 10 times  
14 overpressurization is correct. We do not have a  
15 number for you on --

16 MR. WARREN: (Inaudible comment from an  
17 unmiked location.)

18 DR. BELLAMY: I don't recall that issue.  
19 If it was an inspector, that was not the right person.  
20 I am the right person. Get it to me, and we will get  
21 back to you. We will get back to you on that.

22 The leakage issue is interesting. Since  
23 Davis-Besse, we have changed exactly how we look at  
24 monitored and unmonitored leakage in the claim. The  
25 licensee has come up with a very sophisticated program

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1 to check data about exactly how much leakage there is,  
2 where is the leakage, is it monitored, and is it -- or  
3 is it not monitored, and then we discuss it with them,  
4 find out exactly what the issue might be. So that's  
5 not an issue that's left on this.

6 The March 1st issue that you talk about,  
7 there were critical events. You're absolutely right.  
8 And if you go back and look at that inspection report,  
9 you'll find that that was one of the issues that we  
10 talk about with respect to the licensee's corrective  
11 action program. Did they enter those issues into  
12 their corrective action program? And what are they  
13 doing about that?

14 Since that time, they have initiated an  
15 entirely new corrective action program. We're still  
16 monitoring.

17 So I hope I have answered some of your  
18 questions. Make sure you talk to Marc about it before  
19 you leave.

20 FACILITATOR CAMERON: Okay. Great. We're  
21 going to have to go on. I'm sorry.

22 MR. WARREN: (Inaudible comment from an  
23 unmiked location.)

24 FACILITATOR CAMERON: We're going to go on  
25 to others that are signed up to comment.

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1 MR. WARREN: I know. I just wanted to  
2 clarify a question. He said Chernobyl -- that there  
3 was no Chernobyl reactor in the United States that  
4 actually experience --

5 FACILITATOR CAMERON: Sir, you can make  
6 that during the comment period.

7 MR. WARREN: My question is not about a  
8 Chernobyl --

9 FACILITATOR CAMERON: We have to go on.  
10 Thank you.

11 We're going to go to this gentleman, the  
12 gentleman back there, this gentleman, and then we're  
13 going to shift into the comment mode. Yes, sir, and  
14 please introduce yourself.

15 MR. SIMONAIR: (Inaudible comment from an  
16 unmiked location.)

17 FACILITATOR CAMERON: And you might want  
18 to speak into the microphone.

19 MR. SIMONAIR: You can mount this under  
20 a fault, and those tanks will only hold highly  
21 radioactive radiation for 10,000 years, at most. So  
22 some of this radiation doesn't go away for billions of  
23 years. Then, you've got the radiation, you've got the  
24 -- it's really hot stuff, this radiation. If they  
25 ever lose water from it --

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1 FACILITATOR CAMERON: Do you have a  
2 question?

3 MR. SIMONAIR: I'm telling you what is  
4 going to happen here.

5 FACILITATOR CAMERON: Well, when we get to  
6 the comment period, why don't you get up and tell us  
7 what the facts are. We want to try to answer  
8 questions now.

9 MR. SIMONAIR: You know this.

10 FACILITATOR CAMERON: Okay. You can --

11 MR. SIMONAIR: You know it, and you speak  
12 it, because you're dealing with a genocide.

13 FACILITATOR CAMERON: Okay. I think we  
14 understand what you're telling us.

15 MR. SIMONAIR: You don't understand.

16 FACILITATOR CAMERON: We'll come back to  
17 you. All right?

18 Yes, sir.

19 MR. STROUP: Thank you. My name is Ed  
20 Stroup. I came to learn something about this process  
21 today, and I have to tell you I think there are some  
22 people here that tried to derail the discussion. I'm  
23 interested in hearing about the license renewal  
24 process and the environmental review process, because  
25 we were under that part of the program.

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1 I feel like I've gotten a trip around the  
2 world, and a lot of -- heard a lot of things that are  
3 purportedly facts that are way far from being true.  
4 I would like to know -- are we going to be turning the  
5 attention here today to talking about the license  
6 renewal process and the environmental review process?

7 I came to hear about those things and to  
8 learn about them, and I'd like to return knowing about  
9 those things. Are you --

10 FACILITATOR CAMERON: Thank you, sir. Did  
11 you have a specific question about any of the process  
12 that the NRC staff talked about today? I mean, I've  
13 heard you saying return to the agenda. I was just  
14 wondering if you had a specific question.

15 MR. STROUP: I don't have a specific  
16 question at this time. If I do, I'll ask it later.  
17 I believe the NRC has a clear process that's  
18 documented, well-known, and it is important that we  
19 follow it. I came here today to hear from the NRC and  
20 learn more about it, and I'd like to spend some time  
21 on those subjects.

22 Thank you.

23 MS. FRANOVICH: Let me take a minute to --  
24 a quick minute to thank the gentleman. These mikes  
25 are not very good.

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1 FACILITATOR CAMERON: You have to speak  
2 up.

3 MS. FRANOVICH: We appreciate -- thank you  
4 for your patience. This is an opportunity for the NRC  
5 to answer questions that members of the public have,  
6 and sometimes they kind of go beyond the purpose of  
7 why we're here today. But we just try to accommodate  
8 interest in other areas of our regulation. So thank  
9 you for your interest, and we'll try to get back on  
10 schedule with our comments.

11 Thank you.

12 FACILITATOR CAMERON: Yes, sir. And  
13 please introduce yourself.

14 MR. CAMBRIA: Thomas Cambria. (Inaudible  
15 comment from an unmiked location.)

16 MS. FRANOVICH: I don't. I would  
17 speculate that it's the political environments that  
18 Germany finds itself in right now, but I -- I don't  
19 know how they plan to meet energy needs without  
20 nuclear in the mix. I don't know. I'm afraid I don't  
21 have an answer to your question.

22 FACILITATOR CAMERON: Okay. I'm not sure  
23 if someone else knows about that.

24 MS. FRANOVICH: Tag you after the meeting.

25 FACILITATOR CAMERON: Any other questions

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1 about the license renewal process?

2 Okay. We're going to take two real quick  
3 questions, and you're going to have to make them  
4 quick, because then we're going to move on, so that we  
5 can get an opportunity to listen to you a little bit  
6 more formally.

7 UNIDENTIFIED PARTICIPANT: (Inaudible  
8 comment from an unmiked location.)

9 FACILITATOR CAMERON: And what is the  
10 question about long term?

11 UNIDENTIFIED PARTICIPANT: (Inaudible  
12 comment from an unmiked location.)

13 MS. FRANOVICH: Yes, we're aware of that  
14 issue.

15 FACILITATOR CAMERON: And can you just  
16 tell us how the process will consider that. And this  
17 is a good point, a good example of the type of issue,  
18 because these are issues that we want to make sure  
19 that we address when we develop the impact statement.

20 Mike?

21 DR. MASNIK: Finally, a question in my  
22 area. This is a rather peculiar situation, because  
23 the plant currently has a once-through cooling system.  
24 And the State, who is responsible for regulating  
25 discharges from the facility, has proposed a new NPDES

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1 permit, which requires the licensee to take a hard  
2 look at closed-cycle cooling, which would be cooling  
3 towers, or come up with a site restoration plan to  
4 offset the reported losses of aquatic life due to  
5 operation of the facility.

6 At other facilities, we typically evaluate  
7 the current cooling design and project that out into  
8 the future during the license renewal period. In this  
9 case, because we believe that the state has taken a  
10 rather strong position in this area, and the fact that  
11 the draft permit clearly proposes closed-cycle cooling  
12 for the facility, we believe that it would be in the  
13 best interest of the public and the regulators to  
14 evaluate both closed-cycle cooling and once-through  
15 cooling.

16 So what the staff will look at is the  
17 effects of a cooling tower, as well as the effects of  
18 continued once-through operation.

19 FACILITATOR CAMERON: And that will be an  
20 analysis that will be in the draft environmental  
21 impact statement, and that will be open for your  
22 comment at another public meeting.

23 I don't think that -- to just summarize  
24 what I thought I heard about the spent fuel is that  
25 spent fuel storage at a plant, whether it's wet

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1 storage or dry storage, is governed by NRC regulations  
2 and licenses, as appropriate.

3 The national strategy as it is in the  
4 Nuclear Waste Policy Act, national legislation, is to  
5 focus on exploring one site -- that's the Yucca  
6 Mountain, Nevada site -- to permanently dispose of the  
7 stored waste.

8 The Department of Energy is in charge of  
9 doing that investigation. They were supposed to come  
10 to the NRC. We have to license that. We don't have  
11 to license it. We have to review it. They need a  
12 license from us before they can dispose of it. They  
13 have not come in with a license application yet.

14 The last I heard is that there is some  
15 legislation that might be introduced that perhaps  
16 changed the national strategy. And, Mr. Mercurio,  
17 that's -- I think we're going to have to leave it  
18 there, and I'd be glad to talk to you in more detail.

19 I'm going to give Mr. Jackson one more  
20 question, and then let's go to the public comment  
21 portion of the meeting. Mr. Jackson, it's in your  
22 hands.

23 MR. JACKSON: Again, Tom Jackson from  
24 Manahawkin. Just a quick comment on Senator Drucks.  
25 His legislative aide, Mr. Smith, just was in contact

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1 with me on the cell phone here, and they wrote letters  
2 and stuff. This gentleman here. Apparently, he  
3 didn't know the proper titles and numbers to use, and  
4 what section of the law to reference, so these letters  
5 were written but he didn't have the proper information  
6 where to direct it.

7 FACILITATOR CAMERON: Right.

8 MR. JACKSON: I didn't quite understand  
9 the gentleman, but I know that I've been told that at  
10 Hope Creek they have an atomic powerplant, and that  
11 powerplant has a cooling tower. Well, I want to know,  
12 at Oyster Creek, do we have a cooling tower?

13 FACILITATOR CAMERON: You've asked a  
14 specific question, do we have a cooling tower at --

15 DR. MASNIK: No. There is no cooling  
16 tower comparable to the cooling tower at -- that's  
17 comparable to the one at Hope Creek. There is no --  
18 it is once-through cooling. Water is heated and  
19 discharged directly into Oyster Creek.

20 FACILITATOR CAMERON: Okay.

21 MR. JACKSON: Once-through cooling at  
22 OysterCreek.

23 DR. MASNIK: That's correct.

24 MR. JACKSON: Whereas at Hope Creek it  
25 goes through a cooling tower first, and then it -

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1 DR. MASNIK: Yes. Okay.

2 FACILITATOR CAMERON: Thank you, Mr.  
3 Jackson, and thank you for those questions. We owe  
4 you some answers on a couple of things, and we're  
5 going to take care of that in various ways.

6 We're going to go to the second part of  
7 the meeting, which is to ask you to give us your  
8 comments and recommendations on what we should look at  
9 when we do the environmental review. I think we've  
10 already heard about some of those concerns.

11 It always is useful to hear what a  
12 company's rationale is behind license renewal, and I  
13 think we -- that may be particularly important this  
14 afternoon, because we have heard a couple of people  
15 talk about why isn't this shorter term, why isn't this  
16 five years.

17 So I'm going to ask two representatives  
18 from the company to talk to us, again within our  
19 guidelines, about what their vision, their rationale  
20 is, and then we're going to go to the rest of the  
21 people. We have a dozen or so people who want to talk  
22 to us, so we're going to go to that.

23 So I'm going to go to -- ask Mr. Bud  
24 Swenson from AmerGen to come up and talk to us, and  
25 then we're going to go to Fred Polaski.

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1 (Applause.)

2 And then, we're going to go to Mr. Jackson  
3 again for comment.

4 All right. This is Mr. Swenson. Mr.  
5 Swenson?

6 MR. SWENSON: Thank you. Good afternoon.  
7 My name is Bud Swenson. I'm the Site Vice President  
8 at Oyster Creek Generating Station, and I'm the one  
9 accountable for the safe and reliable operation of  
10 that facility.

11 I'd like to thank the NRC for holding this  
12 public meeting. In addition, I'd like to thank all of  
13 you for taking time out of your busy schedules to  
14 attend this important meeting. I believe it's  
15 important to our community to have this opportunity.

16 Today Oyster Creek has the longest track  
17 record of safe operations in the U.S. nuclear  
18 industry. License renewal presents an opportunity for  
19 the continued employment of 450 area residents and the  
20 continued clean, safe, reliable production of  
21 electricity to meet our ever-growing demand in the  
22 region. I'm truly pleased for the employees at Oyster  
23 Creek and for the residents of Ocean County.

24 More than 450 families, not including our  
25 security personnel, depend on our plant for their

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1 livelihood. Of these 450 employees, approximately 250  
2 are members of the International Brotherhood of  
3 Electrical Workers, Local 1289. These are good, high-  
4 paying jobs with excellent benefits. Our employees  
5 are highly skilled and dedicated, and I'm proud to  
6 work with them.

7           When I first came to Oyster Creek, a local  
8 resident told me, "Run Oyster Creek safely. Do a good  
9 job, and, most importantly, keep that plant open,  
10 because a lot of my neighbors work there." The safe  
11 operation of Oyster Creek is our top priority, and it  
12 is important for our community that we continue to  
13 operate.

14           Oyster Creek strengthens our community in  
15 so many ways. We are a significant employer and a  
16 public -- and a positive economic force in the local  
17 area. The operation of Oyster Creek adds \$52 million  
18 to Ocean County. We spend \$7.7 million on goods in  
19 Ocean County and pay \$9.2 million in sales and local  
20 taxes every year. We contribute \$234 million to Ocean  
21 County's domestic product annually, if we value the  
22 electrical production that's considered.

23           And we have led the way to \$33 million in  
24 increased output in Ocean County and \$46-1/2 million  
25 more in economic output in New Jersey itself every

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1 year.

2 In addition, Oyster Creek employees are  
3 community-minded and generous. Oyster Creek has the  
4 largest employee-run United Way campaign in Ocean  
5 County. This past year our employees raised more than  
6 \$180,000 for the United Way.

7 Our employees are involved in the American  
8 Red Cross, Juvenile Diabetes Research Foundation, and  
9 the American Cancer Society. They are Little League  
10 coaches, Girl and Boy Scout leaders, volunteer EMTs  
11 and firefighters, and PTA members. We support a  
12 variety of family and youth organizations and  
13 activities in local communities, and have donated to  
14 -- land to the community for recreational use.

15 Oyster Creek provides a tremendous  
16 environmental benefit to the community. Oyster Creek  
17 represents 20 percent of JCP&L's electricity needs.  
18 Not only do we produce nine percent of New Jersey's  
19 electricity, but we also do this with virtually no  
20 Greenhouse emissions.

21 Each year we operate Oyster Creek avoids  
22 some 7-1/2 million metric tons of carbon dioxide that  
23 would have been produced in coastal New Jersey by  
24 replacement of a coal plant. That replacement plant  
25 would produce carbon emissions equivalent to two

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1 million cars, nearly half of all the cars in New  
2 Jersey now.

3 The clean air benefits of nuclear power  
4 production are of critical importance to New Jersey,  
5 the United States, and the world as we look for  
6 solutions to the Greenhouse gas impacts.

7 In addition to the inherent environmental  
8 benefits of nuclear power, at Oyster Creek we go to  
9 great lengths to minimize our impact to the  
10 environment. We live here. We raise our families  
11 here. It's just as important to us as it is to you  
12 that we operate this plant safely and protect our  
13 natural resources.

14 Ocean County is a beautiful place to raise  
15 a family, and I'm proud to be a resident.

16 At Oyster Creek we do everything we can to  
17 protect the Barnegat Bay. We have a constant focus on  
18 planning and executing our work to minimize the impact  
19 to the environment. On a day-to-day, hour-to-hour  
20 basis, we monitor water temperatures. We regularly  
21 take water samples to ensure compliance with  
22 regulations.

23 We also coordinate any planned load  
24 reductions and shutdowns to avoid the risk to marine  
25 life. This practice is often costly, but it's

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1 essential to meet our commitment to the environment.  
2 Just this past weekend we performed a routine power  
3 reduction, and due to our environmental team there was  
4 no environmental impact.

5 At other public meetings, some raised  
6 questions about our use of chlorine. We do use  
7 chlorine to keep the plant's condenser tubes clean and  
8 improve the efficiency of the plant. However, it's  
9 virtually non-detectable by the time it gets out of  
10 the condenser, and it certainly is not toxic to fish  
11 or any other living organisms.

12 In addition, we are well below the  
13 allowable amounts of chlorine allowed by our discharge  
14 permits. Our employees are trained to do their jobs  
15 with environmental protection in mind. One practice  
16 that we are particularly proud of is our commitment to  
17 protect sea turtles that become caught in our intakes.

18 We have specific procedures in place for  
19 the safe return of all sea turtles to their natural  
20 environment. Our operators are trained to identify,  
21 to remove, and, if need be, resuscitate those turtles.  
22 When a sea turtle is found, our operators contact the  
23 Brigantine Marine Mammal Stranding Center, which  
24 recovers the sea turtle, gives it a checkup,  
25 rehabilitates it if necessary, and releases it back to

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1 the sea.

2 We also partner with Drexel University to  
3 track the number of sea turtles that are rescued from  
4 our intake canal. Oyster Creek has modified its  
5 intake structures to significantly reduce the impact  
6 on aquatic life. Fish and crabs caught in our intake  
7 screens are gently returned to the discharge canal,  
8 and we pump cool water from the intake canal to the  
9 discharge canal, diluting the warmer water coming out  
10 of the plant.

11 Oyster Creek is also involved in several  
12 environmental projects. Most recently, we purchased  
13 a boat for the Rutgers Extension Service Clam  
14 Restoration Project. The project team is working on  
15 reestablishing clam beds in the Barnegat Bay, and the  
16 boat will be used to more efficiently implement the  
17 restoration of the clam beds and other important  
18 environmental projects in the future.

19 We are a staunch protector of the South  
20 Jersey wildlife and natural resources. We support the  
21 New Jersey Audubon Society. We've donated a  
22 significant amount of money to the organization in  
23 recognition for the society's efforts to help rescue  
24 and clean waterfowl impacted by the recent oil spills  
25 in the Delaware River.

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1           Our employees are also involved in many  
2 environmental activities in the area, including the  
3 World Series of Birding, aiding the Cape May  
4 Observatory, and Ocean Nature and Conservation  
5 Society, and also the Barnegat Bay Estuary.

6           Oyster Creek is not the same plant that it  
7 was when it was first built. We've invested over  
8 \$1.2 billion in upgrades to maintain it to today's  
9 highest standards. We work hard to achieve our  
10 commitment to clean, safe, and reliable operations.  
11 We've kept this promise for 36 years, and we're  
12 committed to serving our community for another 20  
13 years.

14           Again, I want to thank the NRC for this  
15 opportunity to provide comments and for your  
16 consideration of our license renewal application.

17           Thank you.

18           FACILITATOR CAMERON: Thank you very much,  
19 Mr. Swenson.

20           We're going to go to Mr. Fred Polaski, who  
21 I believe is going to speak to some more specific  
22 issues. Fred, thank you.

23           MR. POLASKI: Thank you, Chip. My name is  
24 Fred Polaski. I am Exelon's corporate manager for  
25 license renewal. I'm responsible for the preparation

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1 and the review of the Oyster Creek license renewal  
2 application.

3 I was previously responsible for our  
4 applications which were accepted and approved by the  
5 NRC for renewal of licenses at Peach Bottom in  
6 Pennsylvania, and Dresden and Quad Cities plants in  
7 Illinois.

8 Just briefly about myself, I've been  
9 working in nuclear power for 34 years. I worked at  
10 the Peach Bottom plant for 20 years, and held a senior  
11 reactor operator license there for 13 years, spent two  
12 years working in our Limerick plant, two years working  
13 in our corporate nuclear quality assurance program,  
14 and for almost the last 10 years have worked in  
15 license renewal, both on projects within Exelon and  
16 throughout the industry.

17 Mr. Swenson spoke about reasons for  
18 renewing the license for Oyster Creek. I'd like to  
19 speak briefly about the process for preparing these  
20 license renewal applications and the amount of work  
21 and engineering effort that was put into preparing the  
22 application.

23 In 2003, AmerGen decided to pursue a  
24 license renewal application for Oyster Creek.  
25 Preparation of that application began in October of

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1 that year, and we submitted the application to the  
2 Nuclear Regulatory Commission on July 22, 2005.

3 The application, if you've seen it, when  
4 you print it out is about 2,400 pages. And when you  
5 put it in books it's about that thick, a huge amount  
6 of information, but that only represents a small part  
7 of all the work that was done in the investigation, in  
8 the engineering analysis, to prepare that application.

9 Our estimate is that the body of  
10 information, if we printed it all out, would be at  
11 least 100 times that amount of information in volume.

12 In preparation of that, we invested over  
13 40 man-years of engineering work at a cost of over \$5  
14 million in preparation of it. Once we completed our  
15 engineering work to prepare that application, AmerGen  
16 performed extensive management reviews of the  
17 application. We brought in experts from outside  
18 AmerGen for review, including some former Nuclear  
19 Regulatory Commission managers, to review application  
20 to ensure that it was complete, thorough, and  
21 accurate.

22 I'd now like to talk a little bit about  
23 the two different parts of the review. I understand  
24 that the primary subject of today's meeting deals with  
25 the environmental review, but I'd like to talk also

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1 about the safety review that we performed as part of  
2 this application.

3 What we did in that review was to perform  
4 a review of the history and the condition of all the  
5 safety equipment in the plant. We did that to  
6 determine whether the necessary maintenance was being  
7 performed on that equipment to make sure that the  
8 equipment will be able to operate it when it's needed  
9 under emergency situations, not only today but for the  
10 next additional 20 years of operation.

11 When you look back at Oyster Creek, when  
12 it was built, all of the equipment was brand new. It  
13 was thoroughly tested to make sure it would perform  
14 properly. But like anything else, equipment does age.  
15 That doesn't mean it won't work, but it does age, and  
16 there is -- certain things need to be done with it  
17 with respect to time.

18 Maintenance is performed on it. Sometimes  
19 equipment is refurbished. Some pieces of equipment  
20 may be replaced. There may be modifications done to  
21 the plant to upgrade the equipment in the plant. We  
22 reviewed all of that work to make sure that the proper  
23 maintenance is going on today, and we'll continue in  
24 the additional 20 years of operation to make sure that  
25 aging that equipment is properly managed and the

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1 equipment will operate properly.

2 We also reviewed calculations that were  
3 performed as part of the original design of the plant  
4 that were done to ensure that the plant could operate  
5 safely for 40 years. We analyzed those calculations  
6 and were able to confirm that the plant would be able  
7 to operate safely for 60 years.

8 Overall, our conclusion from our  
9 engineering review was that Oyster Creek can operate  
10 safely for another 60 years, or up to 60 years, and  
11 we'll be able to maintain its operating condition  
12 required by its design.

13 That's the same conclusion that the NRC  
14 talked about earlier as a requirement for the  
15 application. We were able to conclude that as part of  
16 our review.

17 We also took a look at the environmental  
18 impacts of continuing to operate Oyster Creek. We  
19 looked at all aspects of continued impact of the plant  
20 on the environment. If you remember, Dr. Masnik had  
21 a slide up before that showed all of the different  
22 aspects that the NRC reviews. We reviewed all of  
23 those aspects also, and provided to the NRC the  
24 conclusions of our review on all of the areas.

25 Our conclusion is that the impacts on the

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1 environment are small, and I use the term "small" in  
2 the sense that it is in the regulation, and that's  
3 that the impact will not have much impact on the  
4 environment. And not being an environmentalist, I  
5 tend to think of that more in terms that I'm more used  
6 to as an engineer whose been operating powerplants,  
7 and that the impact on the environment of continued  
8 operation with an additional 20 years will be no more  
9 significant than it is today.

10 We also took a look at part of our review  
11 and alternatives if Oyster Creek would not have its  
12 license renewed and another source of electric  
13 generation would have to be installed either here  
14 onsite or someplace else to generate 600 megawatts of  
15 electricity, and concluded that any other means of  
16 generating 600 megawatts would have more of an impact  
17 on the environment than continued operation of Oyster  
18 Creek.

19 I think one thing we need to keep in mind,  
20 though, here is that whatever we do, whether it's  
21 generating electricity, driving a car, building a new  
22 home, building a new industry, a new plant someplace  
23 for people to work, it all has impacts on the  
24 environment. And our charge in this is to make sure  
25 that we are assessing that and minimizing the impact

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1 on the environment to take all of that into  
2 consideration.

3 We did that in our review, and we  
4 concluded that the impact on the environment of  
5 continuing to operate Oyster Creek is the best  
6 alternative for continued generation of 600 megawatts.

7 In conclusion, AmerGen's management and I  
8 personally believe that Oyster Creek is a safely  
9 operated plant and can operate for an additional 20  
10 years in a safe manner. It'll provide 600 megawatts  
11 of electricity that's not only safe, but it's clean,  
12 reliable, environmentally friendly, and economical.  
13 Continued operation of Oyster Creek will benefit this  
14 community, the State of New Jersey, and our country.

15 Thank you.

16 FACILITATOR CAMERON: Okay. Thank you.  
17 Thank you, Mr. Polaski.

18 Why don't we go to Mr. Jackson, and then  
19 Mr. Stroup. Mr. Jackson, if you want to come forward,  
20 or are you staying right there?

21 MR. JACKSON: I am Tom Jackson. For 20  
22 years, I have worked as an industrial engineering  
23 technician. For the last 10 years, I have worked  
24 (Inaudible comment from an unmiked location.) in terms  
25 of working.

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1           So even as of 1981, the technology that  
2           existed then, one of the areas of from time to time  
3           was the water purification section -- (ICFUL) recovery  
4           towers, (ICFUL) recovery towers, various aspects. And  
5           when the water was discharged into the (ICFUL) River,  
6           which occurred in most of the (ICFUL) -- the by, the  
7           ocean -- (ICFUL) tanks (ICFUL) clean water as of  
8           (ICFUL).

9           Now, we had found earlier, based on  
10          (ICFUL), that both federal and state organizations  
11          (ICFUL) that the Hope Creek, New Jersey atomic  
12          powerplant (ICFUL). And now (ICFUL), we had a (ICFUL)  
13          recovery time and (ICFUL). I'm not aware of a fish  
14          kill at (ICFUL) Creek. At the Oyster Creek facility,  
15          to my knowledge, (ICFUL). But I'm aware (ICFUL) not  
16          one, but three massive fish kills.

17          We have learned today that the Oyster  
18          Creek facility still does not have (ICFUL). We have  
19          heard from two gentlemen -- this surprised me -- that  
20          they are environmentally conscious. They are  
21          conscious of (ICFUL).

22          The discharge site needs further work. We  
23          need a water cooler (ICFUL) there on the discharge  
24          site. We do not need these fish kills anymore. Part  
25          of the renewal process for this license should be a

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1 consideration of a coolant tower should be built.

2 (Applause.)

3 (ICFUL) one at Hope Creek. We need one at  
4 Oyster Creek. Thank you.

5 FACILITATOR CAMERON: Thank you very much,  
6 Mr. Jackson, for that comment directly from and I  
7 think to -- to our evaluation.

8 Now we're going to go to Mr. Ed Stroup.  
9 Mr. Stroup, would you like to join us up here?

10 MR. STROUP: Sure. Hello. My name is Ed  
11 Stroup. I live at 545 Longboat Avenue in Beachwood.  
12 I'm President of IBEW Local 1289, and I represent  
13 approximately 250 members at Oyster Creek, and a  
14 little bit over 400 at Jersey Central Power and Light.

15 On behalf of all of those employees, many  
16 of these employees play active roles in Oyster Creek's  
17 environmental program. They are committed to  
18 achieving a balance between making the megawatts that  
19 we all need and protecting the environment, and they  
20 work hard at that. When you compare nuclear with  
21 other baseload fuels, nuclear is the environmental  
22 choice without question, and Oyster Creek has more  
23 experience safely producing clean energy than any  
24 other nuclear plant in the country.

25 The employees are highly trained to

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1 operate the plant, and all of its systems, which are  
2 regularly upgraded to meet the strict operating and  
3 environmental standards. Local 1289 urges the NRC to  
4 objectively consider all of the facts about Oyster  
5 Creek within your proven review process.

6 The facts will clearly show that Oyster  
7 Creek is ready and able to produce clean power for an  
8 additional 20 years.

9 Thank you very much.

10 (Applause.)

11 FACILITATOR CAMERON: Okay. Thank you,  
12 Mr. Stroup.

13 We're going to go next to Mr. Don Warren,  
14 and then to Mr. Tom Cervasio, and then to Wayne  
15 Romberg. Mr. Warren --

16 UNIDENTIFIED PARTICIPANT: One question.  
17 Can we question that gentleman that was just at the  
18 microphone?

19 FACILITATOR CAMERON: After the meeting if  
20 you want.

21 UNIDENTIFIED PARTICIPANT: We can't ask a  
22 question now?

23 FACILITATOR CAMERON: No, because we  
24 really need to get all of you on with your ideas for  
25 us. But I'm sure he'd be glad to talk to you

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1 afterwards.

2 UNIDENTIFIED PARTICIPANT: Thank you.

3 FACILITATOR CAMERON: And is this Mr.  
4 Warren?

5 MR. CERVASIO: No. Cervasio, Tom  
6 Cervasio.

7 FACILITATOR CAMERON: Okay.

8 MR. WARREN: He can go ahead of me. That  
9 would be fine.

10 FACILITATOR CAMERON: Okay. Is that okay  
11 with you, Mr. Warren?

12 MR. WARREN: It's all right.

13 FACILITATOR CAMERON: Okay. Mr. Cervasio,  
14 go ahead, and then we'll go to Mr. Warren.

15 MR. CERVASIO: My name is Tom Cervasio.  
16 I am Chairman of EnvirowatchM, and we have a question  
17 for the Nuclear Regulatory Commission. Two-thirds of  
18 the Nuclear Regulatory Commission represents the  
19 people in the nuclear industry. By their past and  
20 present action, it appears that they represent, rather  
21 than regulate, the nuclear industry. But if they were  
22 looking out for the health, safety, and welfare of the  
23 people, it wouldn't be a question of if a license was  
24 renewed or denied, but of when.

25 The renewal should be denied for the

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1 following reasons. The New Jersey emergency planning  
2 evacuation plan will not work, so, therefore, the  
3 plant should be shut down. Presently, there is no  
4 permanent safe storage of nuclear waste, so rather  
5 than continue to produce this toxic byproduct, the  
6 plant should be shut down.

7 There is no backup power source for  
8 warning sirens around the plant. So in the event of  
9 an emergency resulting in the loss of a siren, the  
10 public would be ignorant of dangers. So, therefore,  
11 the plant should be shut down.

12 Federal law requires that licensees  
13 operating near the coast must adhere to state  
14 environmental rules. Oyster Creek does not, so,  
15 therefore, the plant should be shut down.

16 Oyster Creek's present water and intake  
17 system destroys fresh marine life. In the year 2002,  
18 the plant was fined \$50,000 for killing 5,876 fish.  
19 If the Oyster Creek plant does not construct a cooling  
20 tower, the plant will continue to contribute to the  
21 loss of habitat in the remaining estuary, so,  
22 therefore, the plant should be shut down.

23 The parent utility should be required to  
24 install state-of-the-art structural steel encasements  
25 around the spent fuel storage pool -- an above-ground

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1 storage facility. Such encasements should be able to  
2 withstand if they were hit by an airplane or a  
3 missile.

4 Furthermore, please add to the record that  
5 the Federal Government should not subsidize the new  
6 construction of nuclear plants until the problem of  
7 safe storage of nuclear waste is solved, an issue not  
8 covered by the new energy bill passed by the Congress.

9 Therefore, we ask, for the good of the  
10 people and the environment, that the NRC and the DEP  
11 deny the renewal of a license for the continued  
12 operation of the Oyster Creek nuclear plant.

13 Thank you very much.

14 (Applause.)

15 FACILITATOR CAMERON: Thank you, Mr.  
16 Cervasio.

17 We're going to go to Mr. Warren. Do you  
18 want to come up here, Mr. Warren?

19 MR. WARREN: Sure.

20 FACILITATOR CAMERON: All right.

21 MR. WARREN: Hi. Actually, I'd like to  
22 start by clarifying a couple of things. The first  
23 thing I was clarifying is the gentleman stated before  
24 that there are no Chernobyl-style plants operating in  
25 the United States. Although this is true with the

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1 graphite reactor, the one that they were operating was  
2 closed down.

3 The point is not the type of reactor. The  
4 point is the type of accident that can come from it,  
5 and that type of accident is a massive radiation  
6 release. And these are the -- this is what is going  
7 to cause a Chernobyl-like incident. It's not  
8 necessarily a fire, but if Oyster Creek -- because of  
9 its age, does have a catastrophic release of  
10 radiation, the plant in Chernobyl is only two years  
11 old. Oyster Creek has far more radiation there. So  
12 even a significant percentage of that would be  
13 catastrophic to the environment.

14 Another thing I'd like to point out is  
15 that I came to the original meeting, and I had  
16 pictures to show, and I was informed that there were  
17 certain regulations at the meeting, and the pictures  
18 that I had to show did not meet that. So I didn't try  
19 to change the regulations to meet what I was looking  
20 for.

21 I complied to the regulations. I assumed  
22 that they had reasons for it. I mean, I could imagine  
23 if everybody came in here with a big poster. So I  
24 understood why they have these regulations.

25 I also used to work as an electrician, and

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1 they have something called the electrical code, and  
2 the electrical code is established by looking at how  
3 fires and accidents have occurred in the past, and  
4 creating codes to make sure that things are built so  
5 that these don't happen in the future.

6 This is what the NRC should be doing. The  
7 NRC has a set of codes, but it seems that every time  
8 one of these plants doesn't meet these codes, they  
9 change the codes for them to comply. And this is not  
10 proper regulation. Their obligation is to keep us as  
11 safe as possible. If you're dealing with a plant that  
12 was designed back in 1962, and is already considered  
13 to be obsolete by many experts, then certainly we  
14 shouldn't be relaxing any of the regulations.

15 When Oyster Creek was found to be non-  
16 compliant with the turtle kills for their intake,  
17 speaking of environmental issues, they petitioned to  
18 have it increased -- the amount that they could kill  
19 increased. This is not responsible to the community.  
20 This is not responsible to the environment.

21 They love to say that they don't produce  
22 fossil fuels, yet the material that they use, the fuel  
23 has to be mined. There's a tremendous amount of  
24 fossil fuels that are used in the production to get a  
25 plant running and to keep it running.

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1           When you look at other alternative  
2 energies, in the case of wind, solar, and  
3 conservation, they can easily make up for it. A  
4 gentleman before asked about why Germany had switched.  
5 Germany has switched because of safety concerns and  
6 because Europe is finding that alternative energies  
7 are actually filling the gap. The technology has come  
8 of age, and it is working.

9           We are asked to renew the license for  
10 AmerGen, so that they can continue because they're a  
11 business. And I understand they wanted to continue,  
12 because they're a business, but we're a community, and  
13 we have an obligation to the community. I'm a health  
14 care provider in this community, and my obligation is  
15 to the children of this community.

16           And this is the reason why I'm here. This  
17 is the reason why I spend my days off to come here,  
18 because if I'm working in a hospital, if I can save  
19 one person's life in a year, to me that's an  
20 incredible accomplishment. Shutting this plant down  
21 has the potential to save hundreds of thousands of  
22 lives in this community for generations and  
23 generations to come.

24           This child here was not born at the time  
25 the Chernobyl accident happened. This child was born

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1 years later, and this is the legacy of nuclear power.  
2 This is what happens. This plant, on a daily basis,  
3 when everything is working fine, is releasing  
4 radiation into the environment. It's releasing it in  
5 particulate form.

6 It's contamination that stays in the  
7 environment, and it's not like going and getting an X-  
8 ray at the doctor's office where you get zapped one  
9 time and then it's gone. This stuff goes into your  
10 body, it's built into your bones in the form of  
11 strontium-90, it goes in your muscle -- and cesium-  
12 137. And the science has proven to show this.

13 There's a condition called Chernobyl  
14 heart, which develops in children having so much  
15 cesium in their heart muscle that they actually  
16 develop birth defects.

17 The point I'm trying to make here is they  
18 talk about the environmental impact. There's a  
19 tremendous environmental impact when Oyster Creek  
20 continues to operate every day. The fact that they  
21 are unwilling to spend the money for a cooling tower,  
22 which is exactly what it comes to -- everybody has  
23 seemed to look at it, including the Environmental  
24 Protection Agency, and say this is the best  
25 alternative, yet Oyster Creek is looking for the

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1 cheaper way out. This is not true community concern.

2 The issue with chlorination, constantly  
3 dumping this chlorine. For the man to make a  
4 statement that chlorine is not toxic to fish, I've had  
5 an aquarium, and one of the first things you do in an  
6 aquarium is you dechlorinate the water before you put  
7 it in, or it will kill your fish.

8 Granted, you can dilute it down to  
9 quantities that may be acceptable, but to say that  
10 it's not having an environmental impact is not -- is  
11 not correct science. Because of this, this is why I'm  
12 focusing my environmental question on, again, the  
13 leakage from the plant and the radioactivity from this  
14 leakage from this plant.

15 Without a closed loop system, this extra  
16 contamination from Oyster Creek is ending up in our  
17 environment, because these leaks aren't all going into  
18 controlled areas. These leaks are going into the  
19 recirculating cooling water area, because of the  
20 design of the plant.

21 So this is an environmental concern that  
22 I feel must be taken into consideration when deciding  
23 to issue an environmental permit for Oyster Creek in  
24 this licensing renewal.

25 Another thing I'd also like to point out

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1 -- that Oyster Creek is handing out bumper stickers.  
2 And I'd like to notice the flaw in the bumper sticker,  
3 the lack of quality control. I think this is just  
4 kind of par for the course for Oyster Creek. They  
5 can't even seem to get a bumper sticker right.

6 (Applause.)

7 FACILITATOR CAMERON: Thank you, Mr.  
8 Warren.

9 Mr. Romberg? And then, to Judith Cambria.

10 MR. ROMBERG: I don't think this is  
11 working at all. Anyway, my name is Wayne Romberg. My  
12 family and I live at 738 Fairview Lane in Forked  
13 River. That's on the south branch of the Forked  
14 River, and I live about a mile from the plant.

15 And by the way, I chose to live there. I  
16 moved here about four years ago. I'm part of the  
17 plant staff. I have a Master's in nuclear  
18 engineering. I've been doing this for 37 years.

19 I favor the licensing of Oyster Creek. As  
20 a powerplant engineer, I understand that all  
21 generation facilities have some impact on the  
22 environment, and that doesn't matter if it's solar or  
23 wind power or fossil or nuclear. It's just a fact of  
24 life.

25 Oyster Creek, as a nuclear facility, is

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1 capable of producing power for over 6,000 homes in New  
2 Jersey, day or night, wind or no wind, while it  
3 produces zero carbon emissions. In fact, we avoid the  
4 generation of carbon emissions equivalent to half the  
5 cars driven in New Jersey on a given day.

6 The employees at Oyster Creek -- and there  
7 are about 450 of them -- are highly trained and  
8 environmentally sensitive. We're a zero discharge  
9 plant. We have modified their turbine cooling water  
10 intake to be fish-friendly with soft sprays to return  
11 fish to the environment. Our intake screens are sized  
12 to be environmentally friendly. So we've changed some  
13 things over the years to make the plant more friendly  
14 to the environment.

15 We have a program that trains our  
16 operators to rescue sea turtles, and I think you heard  
17 about that earlier. When we're unsuccessful, it's  
18 generally because that sea turtle got to us injured.  
19 Boat propellers is the most frequent injury that we  
20 see. And, obviously, when it gets to us cut open from  
21 the boat propeller, it's hard to resuscitate them.

22 Our startups and shutdowns, we have worked  
23 very hard in the last couple of years to do very slow  
24 startups and slow shutdowns, because that's  
25 environmentally friendly. And since we've started

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1 doing that, we've had no fish kills as a result. The  
2 fish don't like a fast change of temperature.

3 We minimize the use of chlorine as a  
4 biocide. And by the way, all powerplants that have  
5 once-through condensers use biocide. That's -- I  
6 mean, all over the state, that's the way it is unless  
7 you've got a cooling tower, and a cooling tower is a  
8 whole different issue around economic investment and  
9 whether or not it's the right thing to do.

10 I know as a resident, I don't want a  
11 cooling tower. I'm going to have salt spray all over  
12 my car and my house, and so on. That's enough for me  
13 or my neighbors.

14 It's a well-known fact that the best  
15 fishing in the area, in Ocean County, is on Route 9 on  
16 the Oyster Creek discharge. You can go down there  
17 this afternoon and count the fishermen and count the  
18 fish they're getting. You know, I anchor my boat. I  
19 have an environmentally friendly sailboat. We anchor  
20 it in Oyster Creek. We get blue shell crabs there.  
21 We swim there. You know, we feel good about it.

22 I support the relicensing of Oyster Creek  
23 as a way to provide power for New Jersey with the  
24 least environmental impact.

25 I thank you.

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1 (Applause.)

2 FACILITATOR CAMERON: Okay. Thank you  
3 very much, Mr. Romberg.

4 We'll go next to Judith Cambria, and then  
5 we're going to go to Bud Thoman.

6 MS. CAMBRIA: How's that? Does it pick up  
7 there? No? Is it picking up?

8 FACILITATOR CAMERON: Can you hear her?

9 UNIDENTIFIED PARTICIPANT: No.

10 MS. CAMBRIA: Okay. Why not?

11 FACILITATOR CAMERON: Maybe you just  
12 need --

13 MS. CAMBRIA: How about that?

14 FACILITATOR CAMERON: Is that better?  
15 I'll tell you what, why don't you just use this.

16 MS. CAMBRIA: Why don't I use that.

17 FACILITATOR CAMERON: Okay.

18 MS. CAMBRIA: Thank you. My name is  
19 Judith Cambria. I live at 80 Windwood Drive,  
20 Manahawkin, New Jersey. However, previous to that my  
21 husband and I lived in Barnegat Light for some 15, 16  
22 years, and we looked directly across the bay at the  
23 Oyster Creek plant. So it was our very close  
24 neighbor.

25 And before I make any other remarks, I

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1 would just say that the standard thought in our home  
2 was that, if anything went wrong at the Oyster Creek  
3 plant, we would immediately pull out the largest  
4 amount of alcohol that we could find, we could consume  
5 it, because there was no way --

6 (Laughter.)

7 -- in the world we were going to be able  
8 to get out.

9 (Laughter.)

10 So I say to you, I have not -- I do not in  
11 any way pretend, when I speak to you today, that I am  
12 an expert. I have not spent a lot of time studying  
13 this in any way, shape, or form. Actually, I'm  
14 involved very much in a lot of state issues, and I am  
15 an expert in them. So I'm not speaking to you today  
16 as an expert. I'm speaking to you today as a very,  
17 very concerned individual.

18 And I think that today we're talking more  
19 about environmental impact, where we seem to get off  
20 on a lot of things, but very much environmental  
21 impact. And I do truly believe that the environmental  
22 impact on the aquatic life and overall -- not just  
23 fish, all others, has been very, very devastating.

24 And we are so overfishing, as it is out  
25 there, once they get bigger, that we need to be able

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1 to have as many possible make it to that point, and so  
2 they can become part of our food supply. So I'm very  
3 concerned about that, and I think when we talk about  
4 environmental effects, the big environmental effect  
5 that scares me, and should scare all of us, is what  
6 happens if it really goes wrong. And it worries me  
7 terribly that we're taking an old, obsolete plant and  
8 saying, "Let's put 20 more years on it."

9 The particular concern -- and this is not  
10 just here in this area, but having read about it in  
11 the newspapers -- is our utter and complete failure  
12 after all of these years to come up with any solution,  
13 reasonable solution, to what to do with the rods that  
14 are left, the things that are so completely  
15 contaminated, so heavily contaminated.

16 And we kept hearing -- you know, I'm not  
17 young, so I've been hearing for years and years and  
18 years how they're going to solve this problem. Well,  
19 we're no closer to it now than we were 30, 40, 50  
20 years ago. And what we are a lot closer to is all,  
21 and I mean all, those rods that are right up the road  
22 apiece.

23 And so I am very frightened about those.  
24 We keep adding more and more to them with no -- no --  
25 nothing in sight of getting rid of them. And I also

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1 am concerned because I think that New Jersey, if we're  
2 talking about terrorism, I think New Jersey is  
3 probably one of the highest priority targets for any  
4 terrorist in the world, because New Jersey is such a  
5 crossroads, has so many industries, so many things.

6 So as I say, I am not an expert, but I did  
7 want to share with you my concerns. And I certainly  
8 do not want my grandchildren or great-grandchildren to  
9 look anything like the picture that the gentleman  
10 showed earlier.

11 Thank you.

12 (Applause.)

13 FACILITATOR CAMERON: Okay. Thank you  
14 very much, Judith.

15 Mr. Thoman?

16 MR. THOMAN: I don't know if this is -- is  
17 this working?

18 UNIDENTIFIED PARTICIPANT: I don't think  
19 so.

20 FACILITATOR CAMERON: I think it's  
21 working.

22 MR. THOMAN: Hello? No.

23 FACILITATOR CAMERON: All right.

24 MR. THOMAN: Put this in here? All right.  
25 I'll speak out loud. Good afternoon. I'm Bud Thoman.

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1 I am a business agent for the International  
2 Brotherhood of Electrical Workers, Local 94.

3 Thank you for the opportunity to speak on  
4 behalf of our members, and I urge you to conduct a  
5 thorough review of the Oyster Creek license renewal  
6 application. You will clearly find that Oyster Creek  
7 is safe, it complies with environmental regulations,  
8 and it will continue to do so.

9 Most importantly, Oyster Creek is a  
10 critical part of the New Jersey infrastructure that we  
11 cannot afford to lose. It serves a significant  
12 portion of the demand in this region, some 600,000  
13 homes, without polluting the air. Additionally, most  
14 people in this area and around the state support the  
15 relicensing of Oyster Creek, because they understand  
16 that it is safe, and has been a good neighbor and  
17 taxpayer.

18 The continued safe, clean, and reliable  
19 operation of Oyster Creek is critical for the long-  
20 term energy stability in New Jersey, and vital if we  
21 are to reduce Greenhouse gases emissions as proposed  
22 by both the state and federal governments, while also  
23 meeting the energy demands of New Jersey consumers.

24 Oyster Creek is a non-polluting energy  
25 supplier, and that is important to our environment.

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1 It is an enormous economic engine, and it is vital  
2 that it continues to be online to meet the growing  
3 demand for electricity in New Jersey.

4 We support Oyster Creek license renewal,  
5 and we are confident that you will find it is the  
6 right thing to do as well.

7 Thank you.

8 (Applause.)

9 FACILITATOR CAMERON: Okay. Thank you  
10 very much.

11 We're next going to go to Mr. Frydendahl.  
12 We've heard from him before. He's going to speak to  
13 us, and then we're going to go to Chip Gerrity.

14 Mr. Frydendahl?

15 MR. FRYDENDAHL: Good afternoon. I'm Ed  
16 Frydendahl from Manchester, New Jersey, formerly a 32-  
17 year resident of Lacey Township, with family still  
18 residing in Berkley Township in Barnegat and in  
19 Beachwood.

20 I have one concern that bothers me, and  
21 I'd like to share it with you, and that is that I  
22 can't go up in a private plane or a small plane, or  
23 any kind of a plane and fly over Disneyland, Disney  
24 World, or -- now we'll bring it closer to home --  
25 first, Great Adventure in Jackson, because it's

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1 restricted air space.

2 Now, we've heard a lot this afternoon from  
3 both sides of the aisle, from the DEP and from the  
4 Nuclear Regulatory Commission, that you are for  
5 safety. If you are for safety, I'm going to throw a  
6 question out. Why is the air space over Oyster Creek  
7 not restricted on a sectional in this area? Can  
8 anybody answer that?

9 I've asked that at five meetings. I've  
10 gone to Congressman Jim Saxton. I've gone to  
11 Congressman Chris Smith in the 4th. I have even gone  
12 to the FAA, the Federal Aviation Administration, and  
13 asked that that space be restricted.

14 UNIDENTIFIED PARTICIPANT: Because they  
15 don't care about you. Just money.

16 MR. FRYDENDAHL: Not only that, sir --  
17 you're right part of the way. The responsibility  
18 falls back on AmerGen. They are the owner. They have  
19 to go before the FAA, not Ed Frydendahl, and get  
20 permission to close that air space off.

21 Now, let me tell you why that's important.

22 UNIDENTIFIED PARTICIPANT: Shouldn't that  
23 be federal?

24 MR. FRYDENDAHL: Let me tell you why  
25 that's important. As a former resident of Lacey

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1 Township -- and I don't know if there's anybody here  
2 from Lacey -- but I remember years back when a  
3 gentleman -- two men went out to Robert J. Miller  
4 Airpark, our local airport, took up a small plane and  
5 did some flying at low altitudes over Forked River.

6 The steeple on my church, the Forked River  
7 United Methodist Church, was crashed into with that  
8 plane. What would stop a deranged person -- and this  
9 world today certainly has enough of those, we all know  
10 -- to go out to Robert J. Miller Airpark and take a  
11 test as a pilot, and be certified, and take an  
12 airplane and crash it into that corrugated piece of  
13 metal on top which surrounds -- the shroud which  
14 surrounds the spent fuel pool.

15 This should be done before we even talk  
16 about cooling towers or fish kills. This to me is of  
17 utmost importance. I don't want to see any more fish  
18 kills. I saw enough of them. I saw striped bass  
19 three and four feet long when I lived in Lacey  
20 floating in that creek because of that plume that  
21 comes out of there, that hot water.

22 We were told before by somebody from the  
23 plant that they add cool water to it. Again, my  
24 question to the people at AmerGen -- four miles out in  
25 Barnegat Bay that plume continues to send warm water

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1 out into the bay. You can't tell me that that's not  
2 affecting the ecosystem and the environmental  
3 condition of Barnegat Bay.

4 And I don't care what kind of an engineer  
5 you are, or where you went to school, or what you  
6 studied, I'm taking it from a fisherman and an  
7 environmentalist who says that warm water should not  
8 be shot out there.

9 Is anybody in agreement with me, or am I  
10 standing here alone?

11 (Applause.)

12 Another thing that troubles me -- that  
13 seriously troubles me, I happen to have a daughter who  
14 is a teacher in the Forked River Elementary School,  
15 Lacey Township. To evacuate just Lacey Township, and  
16 I know we have residents here from Manahawkin, from  
17 Barneget Light, from Barnegat, in those areas, let's  
18 just talk about Lacey Township.

19 To evacuate every student in the Lacey  
20 school system would take 103 school buses, to get them  
21 out of there and get them up to Ocean County College  
22 or out to the Naval Air Station Lakehurst, or  
23 wherever.

24 Lacey Township currently has a fleet of 62  
25 buses. So I asked the question at an NRC meeting way

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1 back two or three years ago in Waretown. The answer  
2 that I got was, "Well, we'll get back to you, Mr.  
3 Frydendahl, and we'll tell you how we're going to  
4 supply those extra buses."

5 I have a letter from the Nuclear  
6 Regulatory Commission that says, "Two will be sent  
7 from Pinelands Regional, two will be sent from  
8 Southern Regional, one each will be sent from Stafford  
9 Township and Eagleswood Township."

10 It doesn't take a brain surgeon or a  
11 rocket scientist to realize that to get those buses  
12 from that area up to Lacey Township requires either  
13 driving north on Route 9 or driving north on the  
14 Garden State Parkway. How are you going to get them  
15 there? You're not going to.

16 And how are we, just in Lacey Township,  
17 going to get our children out of school and out to an  
18 area like the Ocean County -- I'm sorry, Ocean County  
19 College or the Naval Air Station, or wherever they're  
20 going to take them? What are we going to do? We're  
21 going to say, "Well, the powerplant is cooking away  
22 over there, and it's melting down, and the radiation  
23 is going out. Maybe we'll take the little ones first.  
24 No, maybe we'll take the high school ones first."

25 We should get an evacuation plan, and I

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1 wish to heck that Senator Connors and Assemblyman  
2 Connors and Assemblyman Rumph were here today, because  
3 there is an election coming up, and they have been  
4 working on this, but they still don't have a solution.

5 I'm going to close now, because I know  
6 there's others that want to speak. But everybody  
7 yells, "Oh, we've got to have this powerplant. We've  
8 got to generate this electricity." Let me give you a  
9 fact, folks. On the PJMD, which is the Pennsylvania,  
10 Jersey, Maryland, and Delaware grid, Oyster Creek  
11 supplies a whopping three percent of the power to that  
12 grid.

13 (Applause.)

14 Do we need that? No. Now, I understand  
15 it has been recast down to 1-1/2 percent, but I can't  
16 say that completely, but the three percent number has  
17 now been reduced to 1-1/2 percent. Paula, is that  
18 correct? Has that been verified?

19 UNIDENTIFIED PARTICIPANT: Ninety-seven  
20 percent --

21 FACILITATOR CAMERON: If you want to just  
22 finish up with your comment.

23 MR. FRYDENDAHL: So what I'm saying here  
24 is I don't want to hear that we've got to have this  
25 powerplant, it's safe and it's good and it's producing

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1 a lot of jobs, because the people of Lacey Township  
2 are not going to see any difference in their tax  
3 structure if that thing closed tomorrow.

4 The reason for that is because the tax law  
5 was passed many, many years ago that said if Oyster  
6 Creek closes, it does not have an impact on the taxes  
7 of Lacey. Let's close it, and let's get it done now.

8 Thank you.

9 (Applause.)

10 FACILITATOR CAMERON: Okay. Mr.  
11 Frydendahl, usually we don't stop in the middle to  
12 take a break to answer questions, but the security  
13 issue of -- that you bring up is obviously an  
14 extremely important one.

15 We have Mr. Alan Madison here from our  
16 staff, who may be able to share some information on  
17 the air space issue. So we'll just provide that. If  
18 you want to talk more, we can do that with you.

19 But, Alan, can you tell us about the --  
20 can you address this? He's with our Nuclear Security  
21 and Incident Response staff.

22 MR. MADISON: I'm Alan Madison. I'm Chief  
23 of Mitigative Measures and Integrated Response for the  
24 NRC in the Office of Nuclear Security and Incident  
25 Response.

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1           There is currently a notice to air  
2 mariners over all nuclear powerplants that restricts  
3 the air space 2,000 feet or lower for any flights, and  
4 requires air mariners to not loiter over the nuclear  
5 powerplant.

6           We also have engaged right now with the  
7 FAA and with NORAD our capabilities to be able to  
8 monitor that air space, to monitor the approaches to  
9 that air space, and take the appropriate action. I  
10 think you had a question at the previous meeting  
11 regarding putting a cap or completely closing the air  
12 space.

13           First of all, I'm not aware that there is  
14 currently a cap over any infrastructure, other than  
15 the -- right now the White House and the Congress.  
16 There are some restrictions, but a cap requires air  
17 cover, requires some airplanes be up there to be able  
18 to respond. You know, how large of a cap are you  
19 looking for? Well, actually --

20           MR. FRYDENDAHL: It's sectional of the  
21 area that you're flying over, sir. If I had a  
22 sectional on mid-Florida and it showed Disney World on  
23 there, on my sectional map which is a road map of the  
24 air --

25           MR. MADISON: Right.

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1 MR. FRYDENDAHL: -- it would show that I'm  
2 in a restricted area, and I'm not allowed to fly over.

3 MR. MADISON: But it's not a cap. It  
4 requires you -- it requires you to not loiter in  
5 there.

6 MR. FRYDENDAHL: No, no. It shows you not  
7 to fly --

8 MR. MADISON: There are actually flights  
9 that occur over that air space every day.

10 MR. FRYDENDAHL: As long as they over  
11 30,000 feet.

12 MR. MADISON: Correct. And that's why  
13 there's a restriction. There's a similar restriction  
14 over nuclear powerplants, and it's at a lower altitude  
15 because of the air space that a lot of them are in.  
16 We have looked at this at the Federal Government  
17 level. We continue to look at this, whether or not to  
18 put -- to put more restrictions on that air space.

19 Part of the concern is, obviously, how  
20 large of a restriction do you want to put in, and what  
21 are the impacts of that restriction.

22 FACILITATOR CAMERON: Okay. Thank you  
23 for --

24 MR. MADISON: We can go a lot further, but  
25 there are -- we continue to discuss it. We continue

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1 to look at it. Currently, we get daily reports from  
2 what the air traffic is in the area. We are -- NORAD  
3 is capable of responding within moments to interdict  
4 any aircraft that would -- that we think is  
5 appropriate to interdict.

6 And we've had some instances where we've  
7 actually been prepared to take that action. They have  
8 turned out to be benign. There has been some problems  
9 potentially with the -- an individual may be sending  
10 -- our transponder may be sending out a hijack signal  
11 when there's no real hijack, that type of thing.

12 But the actions -- we're prepared to take  
13 those actions, and we'll continue to look at it.

14 FACILITATOR CAMERON: Okay. Thanks, Alan.

15 MR. FRYDENDAHL: Thank you, sir. I'm glad  
16 it's being looked at.

17 FACILITATOR CAMERON: Thank you, Mr.  
18 Frydendahl.

19 We're going to go to Mr. Gerrity, Chip  
20 Gerrity, and then to Mr. Don Williams.

21 Mr. Gerrity?

22 MR. GERRITY: Good afternoon. My name is  
23 Chip Gerrity. I'm President of the New Jersey IBEW  
24 and represent over 35,000 IBEW members in New Jersey,  
25 and I'm here on behalf of the tens of thousands of

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1 working men and women in this region. And I'm also  
2 President of IBEW Local 94, which represents the  
3 workers at Salem and Hope Creek Generating Station.

4 I'm going to just deviate a little bit  
5 from what I have. I've worked at Salem and Hope Creek  
6 for over 16 years. I was a welder in the plant, and  
7 I have firsthand sight of watching the NRC do its job  
8 and INPO, Institute of Nuclear Power Operations, two  
9 groups that watch the plant, make sure it operates the  
10 way it's supposed to, and makes sure the workers do  
11 what is supposed to be done.

12 I can tell you as a worker that I wasn't  
13 happy with what happened at Davis-Besse, and I expect,  
14 you know, as a worker, again, for the NRC to do its  
15 job and fix the problems that happened at Davis-Besse.  
16 And as far as the relicensing, I know that the people  
17 that are inspectors in the NRC, I have a great deal of  
18 respect for. I think they are licensed. Congress is  
19 supposed to watch them, to watch them do the  
20 relicensing effort, make sure the plant is safe.

21 I can tell you that the workers do not  
22 want an unsafe plant to work in. So our position --  
23 New Jersey IBEW -- and me and President of Local 94 is  
24 that we want a safe plant to work in. I think the NRC  
25 should have the ability to do its job in its entirety

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1 and make sure that we have a safe plant when it's  
2 relicensed, and we support the relicensing overall.

3 Thank you.

4 (Applause.)

5 FACILITATOR CAMERON: Okay. Thank you,  
6 Mr. Gerrity.

7 Mr. Williams? It says here Mr. Don  
8 Williams, and then we're going to go to Mr. Mercurio.

9 MR. WILLIAMS: Hello. My name is Don  
10 Williams. I didn't know I was going to be here today.  
11 I just realized that this meeting was taking place  
12 today. Nobody asked me to come. I'm not a big shot.  
13 I don't have a bachelor's degree or anything like  
14 that.

15 I've lived at 122 Ditmar Drive for the  
16 last -- in South Toms River for the last 21 years, and  
17 last year a strange thing happened to me. I was given  
18 the opportunity to work at Oyster Creek during a  
19 shutdown. Well, I was really nervous about that. I  
20 thought, oh, what have I put myself in for? Am I  
21 doing the right thing? Is it going to be safe? I had  
22 no idea, because, like you, I had a lot of concerns.

23 Well, let me tell you, I worked at the  
24 plant from October 24th to November 25th, and I  
25 learned a lot. One thing I know for a fact, that

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1 plant is safer than Fort Knox. It's very well  
2 protected. And during the shutdown they went through  
3 -- a lot of money was spent to repair, replace, and  
4 refurbish parts that needed to be refurnished, like  
5 the turbine.

6 The turbine has a building called the  
7 turbine building, which I know now. The turbine is  
8 bigger than this whole room. Well, I saw that turbine  
9 taken apart and replaced and rebuilt from scratch, and  
10 they did an excellent job.

11 And you know what? I'm not worried about  
12 Oyster Creek anymore. I sleep very well. I tell all  
13 my friends and everybody I know, "You don't have to  
14 worry about Oyster Creek. It's safe." And anybody  
15 that's coming up with these cockeyed stories about,  
16 oh, they need water towers, no, they don't need water  
17 towers. The system they have is fine. The water  
18 flows in, and it flows out, and they do a good job.

19 And I'd like to say thank-you very much  
20 for having me here. Thank you.

21 (Applause.)

22 FACILITATOR CAMERON: We're going to go to  
23 Mr. Mercurio, and then to Mike Ford, and then we have  
24 four or five others to go to to finish up. This is  
25 Mr. Michael Mercurio. Is that correct?

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1 MR. MERCURIO: Thank you very much for  
2 this opportunity to speak. I live in Long Beach  
3 Island. I am an environmental advocate. I believe  
4 that nuclear power, if done responsibly, if we can  
5 address the issues of nuclear power, what the problems  
6 are, from something that was designed 40 years and  
7 correct those problems, it's a viable, safe  
8 alternative energy.

9 Our number one problem is not radiation  
10 from the atomic powerplant. It's how to get rid of --  
11 we have to get the Federal Government to start moving  
12 on disposal of the fuel rods. That is a major  
13 priority that's the Federal Government's  
14 responsibility that they should take on, not these  
15 people.

16 The other thing that should be addressed  
17 is the fact that the coolant -- the cooling of the  
18 water into Barnegat Bay can be very easily solved as  
19 heat recovery systems can be put in along the area,  
20 hydroponics, different areas. Forty years ago, we had  
21 a system -- we had a bay that was full of life. Today  
22 it's -- our oceans are 90 percent depleted.

23 But just to get off it, I am for it  
24 because of the simple reason that carbon emissions  
25 present more of a threat to human life on this planet

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1 right now, because of the fact of the amount that  
2 we're putting in. The United States puts 2.5 billion  
3 tons of carbon just from electric power generation  
4 through coal-fired plants.

5 So if you really want to point a finger at  
6 what's causing environmental impacts, it's pointed to  
7 the coal industry, not to the nuclear regulatory area.  
8 It's six generations, I think we have now, have been  
9 designed at nuclear plants that are safer. We just  
10 need to address the issues that are of concern for a  
11 40-year plant and correct them. And I'm for  
12 recommissioning it if those problems can be corrected.

13 Thank you.

14 FACILITATOR CAMERON: Thank you, Mr.  
15 Mercurio.

16 Mr. Ford? And then we're going to go to  
17 Nancy Eriksen. Is Mr. Ford still here? Okay. Nancy?  
18 Nancy Eriksen.

19 MS. ERIKSEN: Hi. I'm Nancy Eriksen. Can  
20 you hear me in the back?

21 UNIDENTIFIED PARTICIPANT: No.

22 UNIDENTIFIED PARTICIPANT: No.

23 MS. ERIKSEN: I don't think it's working.

24 FACILITATOR CAMERON: Try it again.

25 MS. ERIKSEN: Hello?

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1 FACILITATOR CAMERON: No? Okay. Let's go  
2 with -- okay. Why don't you just use this.

3 MS. ERIKSEN: Okay. I've worked at Oyster  
4 Creek for 24 years. I've lived in Forked River for 21  
5 years, close to the plant. I've been a resident of  
6 Ocean County for over 30 years. I'm also President of  
7 the Natural Resource Education Foundation in Ocean  
8 Township, and its mission is to educate the public,  
9 including all of the school children of Ocean County,  
10 about the environment.

11 I'm also past president of Ocean Nature  
12 Conservation Society. I'm a card-carrying member of  
13 the New Jersey Audubon and Cape May Bird Observatory.  
14 So I am an environmentalist, and I do work at the  
15 nuclear powerplant.

16 Oyster Creek has donated thousands of  
17 dollars to the New Jersey Audubon, as Bud Swenson has  
18 already said. We've also donated land from our  
19 Finninger Farm property across the street from the  
20 powerplant to Lacey Township for preservation.

21 Oyster Creek also supports me and two  
22 other members to be on the World Series of Birding  
23 every year, which is quite expensive. It's \$2,000  
24 just to sponsor us to go out and bird, and find all  
25 the endangered and threatened species around Ocean

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1 County and the State of New Jersey.

2 We also do bird surveys, and we do mammal  
3 surveys out at Oyster Creek. That information is  
4 given to the DEP, and it's compiled, and we work with  
5 the DEP if we need to.

6 We also sponsor bluebird trails.  
7 Bluebirds are no longer threatened, but they were at  
8 one time, so 10 years ago we put up a bluebird trail  
9 and we monitor that to make sure that we were able to  
10 bring that population back, which we did, not  
11 singlehandedly but we had Ocean County put up bluebird  
12 trails. We have wood duck trails, and we have a  
13 peregrine falcon tower at the plant.

14 In addition, we host various environmental  
15 meetings at the power plant, and we give people tours.  
16 So I invite you to sign up for a tour. If you're  
17 afraid of the plant, if you're afraid of spent fuel,  
18 if you don't understand what has been said here today,  
19 or at other meetings, come and take a tour. If you  
20 live in Forked River, you're right across the way, a  
21 couple of miles away. Schedule to take a tour and see  
22 how clean it is, see how environmentally friendly we  
23 are.

24 If there's a problem with an endangered  
25 species, for example, or a threatened species, such as

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1 an osprey or -- we get seals, we get all kinds of  
2 terrapins, we stop work and take care of that animal,  
3 whether it's calling other regulatory agencies, if  
4 it's calling the DEP to come in and help us, that's  
5 what we do.

6 Oyster Creek is very concerned about the  
7 environment and is a steward of the environment.

8 In closing, I'll just say that it's clean,  
9 safe, and reliable. And, again, I invite you to come  
10 and take a tour.

11 (Applause.)

12 FACILITATOR CAMERON: Thank you very much,  
13 Nancy.

14 Paula?

15 Is there someone here named Simonair?  
16 There was one card that I could not read the signature  
17 on. Well, I'll tell you what, we're going to go  
18 through -- we have three speakers left that I can  
19 decipher, and after we're through with those we'll see  
20 if -- if you signed up and you haven't been called,  
21 let me know.

22 So we're going to go to Paula Gotsch, then  
23 Suzanne Leta -- Suzanne is back there -- and then to  
24 Kelly McNicholas from the Sierra Club.

25 So do we have -- is Paula here? Oh,

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1 Paula, I'm sorry. Do you want to come up and speak?  
2 And I guess then, until we fix this problem, we'll use  
3 this.

4 MS. GOTSCH: My name is Paula Gotsch. Can  
5 you hear me back there?

6 UNIDENTIFIED PARTICIPANT: Yes.

7 MS. GOTSCH: Okay. I'm a spokesperson for  
8 Grandmothers and Mothers for Energy Safety. Our  
9 biggest concern right now is that the NRC refuses to  
10 look at the solid waste problem and the evacuation  
11 problem as a legitimate concern within the scoping  
12 process.

13 They keep saying that that's an everyday  
14 issue. We say that's an everyday issue that every day  
15 they don't take care of. So, therefore, it's a now  
16 issue, yes, but it's an ongoing issue that isn't being  
17 taken care of.

18 In terms of the nuclear waste, if anything  
19 should be considered in an environmental scoping  
20 meeting, it's that waste that is not being disposed  
21 of, that is dangerous as it sits there now. Even  
22 going to the casks, the cement casks, no one really  
23 knows how those will hold up. There is talk that 300  
24 years they will probably start leaking.

25 In terms of Yucca Mountain, even if they

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1 ever do open that up, which it looks like they won't,  
2 there will be so much nuclear waste at all of the  
3 plants that we don't even know if ours will get there.  
4 A nuclear waste dump in New Jersey, which is what  
5 we're talking about, is what will happen -- it is that  
6 way now, and it will continue to get worse the more we  
7 make.

8 How can an industry claim to be moral and  
9 community-oriented when they produce a deadly  
10 substance where there is no known disposal for  
11 anywhere on this earth? No one can find it.

12 (Applause.)

13 Somebody asked the reason that Germany is  
14 getting off nuclear, or wants to get off nuclear, as  
15 the U.K. would like to, too, since they had that  
16 terrible accident at the nuclear processing plant.  
17 The reason they're getting off it is because there is  
18 no place to dispose of this stuff. They are finding  
19 out that renewable energy is getting cheaper and  
20 cheaper, when you consider the billions of dollars  
21 that go into subsidizing the nuclear energy field.

22 And stop -- it is disingenuous for nuclear  
23 people to keep comparing the CO2 that comes from coal,  
24 as if that was the option we're all headed for. And  
25 in terms of the CO2, they are saying that now nuclear

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1 is so -- you know, that it's going to make our air in  
2 New Jersey better, and I said this at another meeting  
3 -- there are three of the worst coal producers --  
4 coal-fed plants in the Midwest that have no safety  
5 equipment on them whatsoever in terms of getting the  
6 CO2 out of their refuse there, that go to serve the  
7 uranium processing people.

8 So that -- and that CO2 comes from Ohio  
9 and Kentucky, and wherever those plants are, right  
10 into New Jersey. So we don't need to keep saying that  
11 nuclear energy does not produce CO2, because that's  
12 disingenuous.

13 All right. I'll stop there. Thank you.

14 (Applause.)

15 FACILITATOR CAMERON: Okay. Thank you,  
16 Paula.

17 We're going to hear from Suzanne Leta now,  
18 and then Kelly McNicholas, and I think we've found our  
19 mystery person.

20 (Laughter.)

21 But that'll be for later.

22 This is Suzanne. Leeta (phonetic),  
23 Suzanne Leta. Sorry, Suzanne. Oh, here.

24 MS. LETA: Hi. My name is Suzanne Leta.  
25 I work with New Jersey PIRG, New Jersey Public

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1 Interest Research Group. I work in Trenton. We're at  
2 11 North Willow Street in Trenton, New Jersey, and we  
3 represent over 25,000 citizen members here in the  
4 state.

5 And we -- we're public interest advocates,  
6 so that means that we work to protect the environment.  
7 We work to protect consumers, and we work to promote  
8 good government here in the state.

9 And I want to take just a minute to -- you  
10 know, to talk specifically about what's happening with  
11 Oyster Creek's water intake and discharge, because I  
12 think that that's a big part of the environmental  
13 scoping process. I have a few questions about that.

14 I know that DEP has jurisdiction over  
15 their water discharge permit, and I don't know --  
16 actually, I'd like to ask how much jurisdiction the  
17 NRC has over that, and whether you actually look at  
18 whether Oyster Creek is complying with the Clean Water  
19 Act, or if that is simply a matter for the DEP to  
20 consider, because it's unclear to me what is the truth  
21 in that. I mean, I know the DEP does, but I don't  
22 know what the NRC's role is in that.

23 So just to be clear in terms of Oyster  
24 Creek's water impact into the local waterways, and to  
25 Barnegat Bay, that since Oyster Creek was built in

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1 1969, the plant's operation has really resulted in  
2 very far-reaching and long-lasting environmental  
3 degradation to nearby waterways, including Forked  
4 River, Oyster Creek, and Barnegat Bay.

5 And, unfortunately, as it stands right  
6 now, the DEP's draft water permit does let the plant  
7 off the hook, and I would hope that the NRC would not  
8 do the same, if you do have jurisdiction, any type of  
9 jurisdiction over this.

10 You know, the once-through cooling system  
11 that was designed in the 1960s simply isn't sufficient  
12 to fix the problems that have been going on for so  
13 long in terms of intake and water discharge. You  
14 know, to describe -- I don't know if anyone has done  
15 this yet, so I'm going to do this -- I hopefully am  
16 not repeating what someone else has already said. But  
17 for the public's knowledge, I want to describe how the  
18 system works.

19 Essentially, the heated water -- excuse  
20 me, the -- first, the system intakes water from Forked  
21 River to cool the reactor, and then the heated water,  
22 which is then called thermal pollution, is then  
23 discharged into Oyster Creek. And the plant actually  
24 intakes and discharges over 1.4 billion gallons of  
25 water every day.

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1           The water is taken in at a speed of about  
2           1- to 2,000 cubic feet per second. That's actually  
3           the force of a medium-sized river. The chlorine  
4           levels in the water are also about 20 times the lethal  
5           level of many different types of aquatic life.

6           And there are grates over the intake  
7           system, but because the water is flushed in at such a  
8           high speed, it creates a very -- it's kind of like a  
9           giant sucking action, and that brings in an assortment  
10          of aquatic life. Some of it is small, some of it is  
11          larvae that flows right through the grate, and it's  
12          killed in the process of cooling the reactor. And  
13          that effect is called entrainment.

14          And then, larger types of aquatic life --  
15          and those include sea bass, they include white perch,  
16          they also include endangered sea turtles. Although  
17          it's great to hear that you're looking at birds,  
18          that's an endangered species that, unfortunately, you  
19          do not address.

20          Those creatures actually get pinned on the  
21          grate and often die from it and/or seriously injured,  
22          and that lethal effect is called impingement. So you  
23          have entrainment, where water is going through the  
24          system, and then you have impingement, when aquatic  
25          life is being impinged upon the grate.

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1           So in addition to that, Oyster Creek's  
2 daily thorough pollution discharge often spreads a  
3 thermal flume, and that can be over a distance of four  
4 miles across the bay. It's actually the entire width  
5 of the bay.

6           It creates a fry zone for young larvae,  
7 and the NRC has actually done studies and indicate  
8 that the thermal flume has increased the population of  
9 the tropical wood boring species that, you know, serve  
10 kind of as aquatic termites in the area.

11           So, you know, all of these problems  
12 associated with Oyster Creek's water intake and  
13 discharge system actually put it in violation of the  
14 Clean Water Act, because that specific Act requires  
15 the plant to install modern technology that actually  
16 fixes the problem, and, fortunately for us, that  
17 technology is available.

18           That technology is called a closed-cycle  
19 cooling system. There are different types of these  
20 types of systems. Oyster Creek will talk about how,  
21 you know, it will have more environmental problems  
22 than without it, but the reality is that we know --  
23 and the DEP has stated this several times -- that, in  
24 fact, it won't result in any kind of environmental  
25 problems.

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1           In fact, it will really fix the root cause  
2 of the problem, because it actually reduces the amount  
3 of water going into a system and being discharged out  
4 to the system by over 95 percent. And that's actually  
5 the way to solve that particular problem involved with  
6 Oyster Creek's environmental record.

7           So we know, again, that reduces the  
8 discharge and intake by over 95 percent, and that  
9 actually would save over 13 million fish and shellfish  
10 annually, and an estimated tens of millions of  
11 additional larvae annually.

12           Unfortunately, the DEP permit right now,  
13 it doesn't require the plant to install a closed-cycle  
14 cooling system only. Unfortunately, it gives Oyster  
15 Creek the option of restoration. If you're going to  
16 use restoration, you should use it as a penalty for  
17 violating the Clean Water Act for the past 35 years.  
18 You should not use it as an alternative to modern  
19 technology. That can actually solve the root cause of  
20 the problem.

21           And I would hope that the consideration of  
22 this particular issue, and of a closed-cycle cooling  
23 system, would be part of the NRC's environmental  
24 scoping record, and actually would look at the DEP's  
25 best professional judgment, which is stated, although

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1 it -- although it allows for restoration, if you take  
2 a look at that permit, it says specifically that  
3 closed-cycle cooling will actually fix the problem.

4 So that's the first thing I wanted to  
5 state on the record.

6 I can talk -- I've talked before about  
7 Oyster Creek's other environmental problems. I can  
8 talk about waste, I can talk about evacuation, I can  
9 talk about spent fuel and security issues. I really  
10 -- I think there are clear problems involved with the  
11 way that the NRC looks at license extensions, and,  
12 number one, they don't take a look at waste. You  
13 think of it as an ongoing issue.

14 But there's going to be 20 more years of  
15 it. And looking that far into the future,  
16 unfortunately, is not part of that process. The same  
17 thing with evacuation plans. Yes, I understand that  
18 they're reviewed annually. They're not reviewed as to  
19 what the population is going to look like 20 years  
20 down the line.

21 So, you know, I know that's not part of  
22 this review. We'll be talking about it in other  
23 reviews. But I do think that considering the public  
24 health risk that you have, if you do have a problem  
25 with that plant, that is an environmental problem

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1 overall.

2 FACILITATOR CAMERON: Suzanne, I'm going  
3 to have to ask you to summarize.

4 MS. LETA: Sure. No problem. Yes. So,  
5 you know, I guess my final question to you is, I know  
6 that there is some type of -- I think it's called a  
7 severe accident mitigation within the environmental  
8 review.

9 So I guess my final question to you -- I  
10 have two questions. The first is about what level of  
11 jurisdiction the plant -- the NRC has over the plant's  
12 water permit, if any. And, number two, how does that  
13 accident mitigation -- how that play into the  
14 environmental scoping process?

15 Thanks.

16 (Applause.)

17 FACILITATOR CAMERON: Suzanne, thank you  
18 very much.

19 Let's go to Kelly. Kelly McNicholas?

20 MS. McNICHOLAS: Hello. Good afternoon.  
21 My name is Kelly McNicholas. I'm the Conservation  
22 Coordinator for the New Jersey Chapter of the Sierra  
23 Club. I'm here representing our 23,000 members in the  
24 states.

25 I also say with fair confidence that the

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1 Sierra Club, the nation's oldest environmental  
2 organization, is the stewards of the environment, and  
3 that Exelon is not in this situation.

4 (Applause.)

5 We are actively opposing the relicensing  
6 of the plant to extend past 2009. As a club,  
7 nationally, we are opposing the siting of any new  
8 nuclear power plants. We believe for the purpose of  
9 the environmental review, I understand that it is to  
10 determine whether or not the adverse environmental  
11 impacts of the license renewal for Oyster Creek are so  
12 great that preserving the option of license renewal  
13 for energy planning decisionmakers would be  
14 unreasonable.

15 Well, to start with what the energy  
16 production is for our State, it is unreasonable for us  
17 to extend the license of this plant, when we're  
18 getting a mere 1.5 percent of our energy on the grid  
19 for it. New Jersey, along with other states, are  
20 adopting renewable energy measures, as well as  
21 efficiency measures, that are going to reduce the need  
22 of the power production currently made by the plants.

23 Additionally, there are several  
24 environmental aspects of this plant, as Suzanne Leta  
25 went in, about the cooling towers. We also support

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1 only the option of installing cooling towers at this  
2 plant, and oppose the mitigation factor of wetlands  
3 restoration. Tourism is the third largest industry in  
4 the State of New Jersey, and Barnegat Bay heavily  
5 contributes to that.

6 We need to be looking at what those  
7 factors are in determining what the harm is on  
8 Barnegat Bay by this plant, and how that's negatively  
9 impacting not just the environment but also the  
10 economy of the State of New Jersey in terms of the  
11 degradation that this plant causes to that important  
12 estuary.

13 Additionally, we know that the design and  
14 age deficiencies of Oyster Creek are well documented,  
15 and that 30 percent of the power -- of the plant  
16 equipment failures are due to age-related degradation.  
17 We also know that design standards have changed  
18 dramatically since the plant was built, and that in  
19 1985 studies have shown that the MARK I reactor is a  
20 faulty design, and that there could be a 90 percent  
21 failure rate in the case of an accident.

22 This would require the venting of pressure  
23 -- pressure buildup to avoid a meltdown of the core.  
24 If that response and the release of high pressure  
25 radioactive steam into our environment is not an

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1 environmental issue, and is not considered part of  
2 this review, I don't know what is, because I can tell  
3 you the first thing that people will be concerned  
4 about --

5 (Applause.)

6 -- if something like that were to happen  
7 would be directly their health and how directly the  
8 environmental health of their families is impacted by  
9 this plant.

10 Related to that, we know that in the case  
11 of any major nuclear accident, it could take one to  
12 four hours for plumes to travel within the 10-mile  
13 radius. However, the evacuation plan could take seven  
14 to nine at minimum. If that is not an environmental  
15 issue in terms of reducing what our exposure is to  
16 radioactivity, then I don't know what is.

17 Again, we oppose the continued extension  
18 of this license beyond 2009. I think that the  
19 environmental review needs to take things into account  
20 as to whether other federal regulations and laws are  
21 being followed. How is it that the plant can violate  
22 the Clean Water Act, yet another federal agency will  
23 approve the continued operation? I don't understand  
24 how that works.

25 So, in conclusion, thank you for the

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1 opportunity. I hope this takes a full environmental  
2 review. I am sorry I missed your presentation and  
3 look forward to hearing more than that.

4 But this needs to be broader than just  
5 whether fish die, which is something we clearly are  
6 concerned about. It needs to look at the  
7 environmental health of people who are affected in the  
8 communities as well.

9 (Applause.)

10 FACILITATOR CAMERON: Thank you very much.

11 We have three speakers left. And one I  
12 couldn't decipher is Mr. Simonair, Mr. Joe Simonair,  
13 and we're going to go to him next for his comments,  
14 and then we're going to go to Chris Tryon, and then to  
15 Mr. Jay Vouglitois. Okay?

16 All right. So we're going to go to you,  
17 Mr. Simonair. All right?

18 MR. SIMONAIR: Yes.

19 FACILITATOR CAMERON: Okay. And let's see  
20 if we can hear Mr. Simonair through this microphone.

21 MR. SIMONAIR: I hope so. For one thing,  
22 the reactor should be shut down. If it's so safe, why  
23 would they have evacuation plans to begin with? And  
24 when they get to Yucca Mountain, they put the high,  
25 long-lived radiation, they put that in Yucca Mountain

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1 in carbon steel -- in tanks that last 10,000 years,  
2 they say. And then, they say it could deteriorate in  
3 300 years, and it doesn't go away.

4 So you keep on putting more fuel rods  
5 there, more radiation. Where are you going to put it?  
6 As soon as they go there, if they go there -- they  
7 probably will -- they have to already make a --  
8 already did make plans with the Indian reservations  
9 there to put it in the land there. Radiation doesn't  
10 go away. It decays. It has to decay to go away into  
11 another element, and some of that could be short-  
12 lived, some of that could be billions of years. And  
13 you're going to be sick, and your children are going  
14 to be sick.

15 And then, what about terrorism? They  
16 don't have to fly an airplane, not with the weapons  
17 and the technology we've got today. And what about  
18 the fuel rods? They could fool with the fuel rod and  
19 put enriched uranium slugs in there, and you could  
20 have a nuclear explosion, which probably that's  
21 unlikely because it would be pretty hard to do. But,  
22 you know, these people are pretty tricky. They could  
23 do it.

24 Now, we get to this person that was  
25 talking about the reactor. It's clean, it's safe, but

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1 no carbon. But you've got three percent energy and 90  
2 percent waste, nuclear waste, which is worse. What  
3 they should be doing is cutting down on some of the --  
4 you know, some of the energy we use.

5 Did you ever hear of plow-sharing? Plow-  
6 sharing is -- this was back some years, but they still  
7 do it to a point. They used -- if you know anything  
8 about the Hiroshima bomb, a megaton is a million -- 77  
9 Hiroshima bombs, a million tons of TNT, metric tons of  
10 TNT.

11 They cut it down to -- from a megaton to  
12 150 kilotons. That's like -- a megaton is 77  
13 Hiroshima bombs, and a kiloton is 1,000 metric tons of  
14 TNT. So you add that up and explode that underground  
15 for mining. They dig down about a mile, and then they  
16 ignite these devices, and they explode for mining.

17 They get uranium, they get copper, but  
18 when they get copper they pour chemicals in there to  
19 loosen it up somehow, and it gets in the water table.  
20 There's thousands of people that -- I've been looking  
21 into this since the Hanford atomic -- when the  
22 reactors first started, when they were first -- built  
23 the first atomic bomb. And a lot of coverups --  
24 everything is safe. They told the people in the  
25 towns, "It's safe, it's safe."

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1                   Women were coming down with breast cancer,  
2                   miscarriages. Everybody was getting cancer. It was  
3                   in the water. If my memory is right, in Idaho -- I  
4                   just read this a while ago. I believe it's Idaho --  
5                   I might be wrong about that, but I got the information  
6                   home -- 97 million tons of radium -- radioactive  
7                   radium were dumped on the shore and in the water  
8                   there.

9                   Okay? You think you're safe? Nuclear  
10                  belongs in a star. We shouldn't be using nuclear at  
11                  all.

12                 Now, windmills -- I've got it right here,  
13                 too. It's been 30 years since we've had a nuclear  
14                 reactor in this country, because they're so dangerous  
15                 and people were scared. Thirty years. Our new  
16                 leadership gets in there, all business, going to have  
17                 reactors all over the world.

18                 Big mining countries, mining industries,  
19                 you know, the big uranium, copper, and all types of  
20                 things, they're going to use these nuclear devices.

21                 Yucca Mountain is on a fault. What  
22                 happens if there's an earthquake there? You've got  
23                 --Europe, they talked about that, they're closing them  
24                 down. United Kingdom, they're closing older reactors  
25                 down, but they're not too -- they're going to build

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1 one. And one in Ganola, reactors in Nufiana --  
2 however you say that name -- was another reactor shut  
3 down for good in 2004, with the second of the  
4 Chernobyl style to be closed in 2009.

5 I know that Japan is having a nightmare  
6 with their reactors. So many people are being killed  
7 that were working there, and thousands were killed  
8 from downwind from the radiation. Thousands. Like  
9 what would happen here if a container broke loose and  
10 you got radiation.

11 There's no escape. People have got to  
12 understand that. There's no escape. This is life-  
13 threatening. This is your life. This is the future  
14 gone down the drain, and it could happen anytime.  
15 Even the best conditions, that gentleman before that  
16 was up there, he said, well -- what did he say? He  
17 said it was safe. He said just CO2 gets out.

18 Damage from radiation accumulates over  
19 time, because once it's in the body it stays there.  
20 Cancer is promised.

21 Dr. John Goffman, a medical doctor and  
22 nuclear chemist, biophysicist, Arthur Templin, charged  
23 that using nuclear is risking dangerous levels of  
24 radioactivity. He said it's genocide, and genocide  
25 could be right around the corner for us.

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1 FACILITATOR CAMERON: Mr. Simonair, I want  
2 to thank you.

3 MR. SIMONAIR: Okay. I had more, but, you  
4 know --

5 FACILITATOR CAMERON: Thank you.

6 MR. SIMONAIR: -- I've got to be a  
7 gentleman.

8 FACILITATOR CAMERON: Thank you. You are.  
9 You certainly are. Thank you very much.

10 (Applause.)

11 And we have two speakers?

12 MR. SIMONAIR: I've got tons more.

13 FACILITATOR CAMERON: Chris Tryon? And  
14 then Jay Vouglitois, and then we have some information  
15 for you that we promised we'd get.

16 MS. TRYON: All right. I am not any kind  
17 of an expert. I'm just somebody who has lived in  
18 Bayville for over 30 years, and I come to these  
19 hearings and I learn a lot. It makes me very nervous  
20 what I learn, but I learn.

21 My common sense tells me that the older  
22 things get, the more likely they are to break. This  
23 applies to my refrigerator, my hot water heater, my  
24 car, and Oyster Creek nuclear powerplant. That plant  
25 is the oldest plant in the country.

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1           Its continued operation for another 20  
2 years is an experiment. It has never been done  
3 before. An experiment. And guess who the guinea pigs  
4 are? All of us who live in Ocean County, and I'm not  
5 comfortable with that.

6           That nuclear power -- any nuclear power is  
7 outdated technology. It's finished. Wind and solar  
8 are the new modern technologies. They are clean, they  
9 are safe, they are not going to hurt us, even if  
10 something goes wrong.

11           The plant has lived out its 40-year life  
12 span. Now is the time to let it die.

13           (Applause.)

14           There are too many problems with the  
15 plant, too many problems -- obsolete, unsafe design.  
16 Radiation leakage, even a small amount, accumulates in  
17 your body. Environmental problems, nuclear waste  
18 accumulation, for which there is no solution at all,  
19 impossible, laughable evacuation plan.

20           AmerGen is a private corporation. They  
21 care more for the bottom line, their profit, their  
22 corporation, than they do for our safety. And it's  
23 extremely revealing that the people here who have  
24 spoken in favor of the plant work there. They have a  
25 financial incentive to have the plant continue to

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1 operate.

2 My heart goes out to you, but I will not  
3 feel safe until that plant is closed.

4 Thank you.

5 (Applause.)

6 FACILITATOR CAMERON: Jay? Jay  
7 Vouglitois, and then I'm going to ask Rani to give us  
8 some information and close out the meeting for us.

9 Jay?

10 MR. VOUGLITOIS: Good evening. My name is  
11 Jay Vouglitois. I'm a former employee of the Oyster  
12 Creek powerplant. I was privileged to serve as an  
13 environmental scientist and as the manager of  
14 environmental affairs at Oyster Creek for some 27  
15 years.

16 I heard a couple of statements made  
17 tonight that I feel obligated to correct. One is that  
18 Oyster Creek is in violation of the Clean Water Act.  
19 That is simply not true. Oyster Creek could not  
20 operate today if it was in violation of the Clean  
21 Water Act.

22 Oyster Creek currently operates a New  
23 Jersey Pollutant Discharge Elimination System Permit  
24 that was issued by the New Jersey Department of  
25 Environmental Protection. That would not be possible

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1 if they were in violation of the Clean Water Act.  
2 That is a false statement.

3 Secondly, I heard someone say that there  
4 are far-reaching and long-lasting environmental  
5 degradation occurring due to the operation of the  
6 existing once-through cooling system.

7 Well, there was a very thorough  
8 independent evaluation of this once-through cooling  
9 system that was done prior to the issuance of the  
10 permit that I referred to a second ago. The permit  
11 was issued in 1994. Before issuing the permit, the  
12 DEP hired an independent consultant called VERSAR to  
13 evaluate all of the studies, and there were some 20  
14 years of intensive studies that were done on the  
15 cooling system at Oyster Creek. I know because I  
16 participated in many of them.

17 If I wasn't actually doing the work, I  
18 participated in the design of the studies. I oversaw  
19 the hiring of the consultants. I looked over those --  
20 their shoulders as they did the work. I'm very  
21 familiar with this work. But it's not my opinion  
22 that's important. It's the opinion of the independent  
23 expert that was hired by the New Jersey Department of  
24 Environmental Protection prior to the issuance of the  
25 current permit.

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1           That independent consultant -- VERSAR --  
2           was asked to determine if the existing once-through  
3           cooling system complied with Sections 316(a) and (b)  
4           of the Clean Water Act. Based upon the results of  
5           their review, VERSAR and the NJDEP, in the permit that  
6           they issue, concluded that the continued operation of  
7           the Oyster Creek nuclear generating station at the  
8           estimated levels of losses to representative important  
9           species populations -- and these are the losses due to  
10          the impingement and entrainment that you heard people  
11          talk about.

12                   Continued operation at those levels of  
13          losses, without modification to the intake structures  
14          and/or operating practices -- again, without  
15          modification to the intake structure, does not  
16          threaten the protection and propagation of balanced  
17          indigenous populations in Barnegat Bay. That's a  
18          direct quote from the DEP's independent consultant.  
19          It's not opinion. It's not AmerGen or Exelon's  
20          opinion.

21                   It's worth noting that VERSAR, the  
22          consultant that the DEP hired, was not shy about  
23          asking to have powerplants modify their cooling water  
24          intakes.

25                   As a matter of fact, a few months before

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1 they initiated the evaluation of Oyster Creek, they  
2 finished one up on the Salem nuclear generating  
3 station. And based upon the results of their  
4 evaluation of that cooling system, they called for a  
5 50 percent reduction in cooling water flow, which is  
6 essentially calling for backfitting, closed-cycle  
7 cooling.

8 So they weren't afraid to say that Oyster  
9 Creek needed to modify their cooling system. But, in  
10 fact, they determined the opposite -- that it didn't  
11 need to be modified. A couple of the other  
12 conclusions that they and the DEP came to, that I'd  
13 like to share with you, that are contrary to some of  
14 the assertions that were made tonight, include -- and  
15 these are direct quotes. "The losses due to  
16 impingement at the Oyster Creek nuclear generating  
17 station were of no consequence to the compliance  
18 determination." Losses due to impingement of no  
19 consequence to the compliance determination.

20 This charge affects, contrary to the fact  
21 that you heard that there is a thermal plume that goes  
22 all the way across the bay, causing all kinds of  
23 havoc, the DEP's independent consultant concluded, I  
24 quote, "This charge affects are small and localized,  
25 and have no adverse consequences to Barnegat Bay."

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1           They go on to conclude, I quote, "Based on  
2 findings summarized in this report, balance indigenous  
3 populations of Barnegat Bay are protected under Oyster  
4 Creek's current operations."

5           I quote, "Plant-related losses at the  
6 Oyster Creek nuclear generating station do not  
7 adversely impact spawning and nursery functions."

8           I quote, "Plant-related losses at the  
9 Oyster Creek nuclear generating station do not  
10 adversely affect the estuarian food web of Barnegat  
11 Bay."

12           I quote, "Plant-related losses at the  
13 Oyster Creek nuclear generating station do not  
14 adversely impact the beneficial uses of Barnegat Bay."

15           This is contrary to the comment that I  
16 heard a few minutes ago that the alleged degradation  
17 of the bay is having a negative impact on the economy.

18           These are not my conclusions. These are  
19 the conclusions of an independent expert hired by the  
20 Department of Environmental Protection.

21           Thank you very much for the opportunity to  
22 comment.

23           (Applause.)

24           FACILITATOR CAMERON: Thank you. Thank  
25 you, Jay.

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1 I'm going to ask Rani Franovich to close  
2 the meeting out for us. She does have some  
3 information on the spent fuel issue that was talked  
4 about, and we did that pass that information on to the  
5 couple --

6 MS. FRANOVICH: Yes.

7 FACILITATOR CAMERON: -- who had to leave  
8 early. I just want to remind Ron Bellamy and Mark  
9 Ferdas, our resident inspector, to talk to Mr. Warren  
10 about the overpressurization in the water issue after  
11 the meeting.

12 Rani?

13 MS. FRANOVICH: I need your mike. Can you  
14 guys hear me now?

15 UNIDENTIFIED PARTICIPANT: Yes.

16 MS. FRANOVICH: Is this better? Okay.  
17 There was a question earlier today about the number of  
18 spent fuel rods or spent fuel assemblies at the Oyster  
19 Creek site, stored at the site. And Mr. Pete Ressler  
20 of the Communications Department, with I believe it's  
21 AmerGen -- it could be Entergy -- Exelon, I'm sorry --  
22 indicated that there are 976 bundles in dry storage at  
23 the site, and 2,400 -- approximately 2,400 bundles in  
24 the pool, the spent fuel pool.

25 UNIDENTIFIED PARTICIPANT: 36. 36, I

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1 believe.

2 MS. FRANOVICH: I think there are a lot  
3 more than 36.

4 FACILITATOR CAMERON: Okay. Just keep  
5 going, Rani. Close this out.

6 MS. FRANOVICH: 180 bundles are discharged  
7 every other year. They're on a 24-month refueling  
8 cycle, so every 24 months they discharge about 180  
9 fuel bundles to the pool. Each bundle weighs  
10 approximately 600 pounds, and of that weight about 500  
11 pounds is actual uranium fuel.

12 Okay. I'd like to thank everyone for  
13 coming out again today. Your participation in this  
14 meeting is an important part of our process. One of  
15 the items you were handed when you came to the  
16 meeting, as you entered the room, was a feedback form  
17 for the NRC's public meeting.

18 If you have any suggestions on how we can  
19 improve our meeting, please fill out the form.  
20 Postage is prepaid. You can send it in to the NRC.

21 If you have any comments on the scope of  
22 the environmental impact statement that you think of  
23 after the meeting, we're accepting these comments  
24 through November 14, 2005, and, again, Dr. Michael  
25 Masnik is the point of contact for those comments.

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1                   Finally, the NRC staff and contractors  
2 will be staying for a few minutes after this meeting,  
3 if you have any additional questions you'd like to  
4 speak with us about.

5                   Thank you again for coming.

6                   FACILITATOR CAMERON: Thank you. Good  
7 job.

8                   MS. FRANOVICH: Thank you. Likewise.

9                   FACILITATOR CAMERON: It was a good  
10 meeting. Thank you.

11                   (Whereupon, the proceedings in the  
12 foregoing matter went off the record at  
13 4:32 p.m. and went back on the record at  
14 7:00 p.m.)

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