

# Official Transcript of Proceedings

## NUCLEAR REGULATORY COMMISSION

Title: System Energy Resources, Inc. ESP  
Limited Appearance

DOCKETED  
USNRC

September 12, 2006 (1:35pm)

Docket Number: 52-009-ESP

OFFICE OF SECRETARY  
RULEMAKINGS AND  
ADJUDICATIONS STAFF

Location: Port Gibson, Mississippi

Date: August 28, 2006

Work Order No.: NRC-1231

Pages 1-78

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TEMPLATE = SECY-032

SECY-02

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

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ATOMIC SAFETY AND LICENSING BOARD

LIMITED APPEARANCE

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In the Matter of :  
SYSTEM ENERGY RESOURCES, INC. : Docket No. 52-009-ESP  
(Early Site Permit for Grand :  
Gulf ESP Site) :

-----X

Monday, August 28, 2006

First Floor Courtroom

City Hall

1005 College Street

Port Gibson, Mississippi

The above-entitled matter came on for Grand  
Gulf Limited Appearance Session, pursuant to notice, at  
6:00 p.m.

BEFORE:

LAWRENCE G. McDADE, Administrative Judge

Panel Chair

NICHOLAS G. TRIKOUROS, Administrative Judge

RICHARD E. WARDWELL, Administrative Judge

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P R O C E E D I N G S

JUDGE McDADE: First of all, let me introduce myself. My name is Lawrence McDade. And with me are Judge Wardwell and Judge Trikouros. We have been appointed as the Atomic Safety and Licensing Board to inquire into the application of System Energy Resources, Inc. for a reactor site at Grand Gulf Nuclear Power Station in Clairborne County here in Mississippi.

Now, what we are going to do today is have the limited appearance session. This is an opportunity to allow you to talk to us and to raise concerns that you have about the application that has been submitted. And let me explain a little bit about who we are and what we're going to be doing.

We are an independent organization. The Nuclear Regulatory staff does not work for us, and we do not work for them. And we have been charged with making independent determinations on various safety and environmental issues prior to the application being acted upon.

What has happened so far is an application has been submitted. That application is reviewed by the Nuclear Regulatory Commission staff; they prepare various documents based on their analysis of the application. Those documents consist of a safety evaluation report,

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1 looking at the safety aspects of the application, and an  
2 environmental impact statement, looking at the potential  
3 environmental impact of the proposed action.

4 We then review the safety evaluation report and  
5 the environmental impact statement; we also review the  
6 application. Based on that, we will conduct the hearing.  
7 What we normally do is -- we will submit written questions  
8 to the Applicant and to the Nuclear Regulatory Commission  
9 staff telling them the kinds of information that we want  
10 them to present to us at a hearing.

11 And we will have a hearing later this year,  
12 probably in the middle part of November. After we have  
13 completed our review of the applicable documents and  
14 submitted our questions to the staff and the Applicant and  
15 they have an opportunity to respond in writing back to us,  
16 we can then schedule the hearing and specifically who  
17 we're going to have testify in the hearing and about what.

18 Now, this particular session is not part of  
19 that hearing. The people who speak here today are not  
20 going to be under oath. It is not evidence as part of the  
21 hearing, but what it does do is allow you to express your  
22 concerns and your interest in this matter so that we than  
23 can follow up on it as a board and that we are more in an  
24 inquisitorial than an adjudicative function here and that  
25 we have an opportunity to ask questions.

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1           And to the degree that you raise questions that  
2 we think are relevant and need to be answered, we will  
3 then go ahead and do that as part of our hearing. So it's  
4 an opportunity for you to explain to us what concerns you  
5 about the proposed application.

6           Now, what is it that we need to do? We have to  
7 determine first of all whether or not in granting this  
8 license it would be harmful to either the common defense  
9 or security or to the health and the public safety;  
10 specifically, we have to make sure that the regulations  
11 promulgated by the Nuclear Regulatory Commission have been  
12 followed in this particular case and whether -- taking  
13 into consideration the site criteria contained in Nuclear  
14 Regulatory Commission regulations at 10 C.F.R. Part 100,  
15 can a reactor be constructed and operated at this site  
16 without undue risk to the health and to the public safety.

17           Now, that's basically what our job is with  
18 regard to safety aspects; we also have an obligation with  
19 regard to the environmental aspects. There is a statute,  
20 the National Environmental Policy Act, that's generally  
21 referred to as NEPA, and we need to ensure that the  
22 regulations underneath that have been followed by the  
23 Applicant and by the Nuclear Regulatory staff, who do have  
24 obligations under that statute.

25           We also have to ensure that the Nuclear

1 Regulatory Commission has followed its own regulations  
2 regarding environmental issues, which are found at 10  
3 C.F.R. Part 51, but then we also have to make an  
4 independent judgment: We have to independently consider  
5 the final balancing among the competing factors with a  
6 view to determining appropriate action.

7 What does that mean? Well, I think what it  
8 means is: After weighing all the alternatives, we have to  
9 determine whether or not the early site permit should be  
10 issued, whether it should be denied or whether or not it  
11 should be conditioned to protect the environmental values  
12 that are significant.

13 So that's basically what we're going to be  
14 doing. And anything that you all can tell us that will  
15 help us in our job: That's what we hope to get out of  
16 this hearing today.

17 Now what I would ask -- we've got a number of  
18 people who've signed up to speak. And the people who pre-  
19 registered we will call in order. If there's anybody who  
20 hasn't signed up to speak and they wish to, they can still  
21 sign up with Libby at the table outside.

22 So I'm going to call people in order. What we  
23 want to do is to give everybody a chance to talk, so we  
24 would ask people to try to keep their talk to about five  
25 minutes and not go considerably over. We're not going to

1 be overly draconian here; we should be able to get to  
2 everybody who wants to speak here. Our law clerk, Ms.  
3 Wolf, will notify you when there's about one minute left.  
4 So again, if you could, please try to keep it within those  
5 parameters.

6 A couple of things. First of all, if you all  
7 have cell phones -- and almost everybody has cell  
8 phones -- if you could, please turn them off now or at  
9 least turn them on to a vibrating function. And if you're  
10 wanting to have a conversation, go outside. Likewise,  
11 we'd like to make sure that there's not a lot of talking  
12 among you all while somebody is up here trying to speak  
13 and trying to get across their point and what's important  
14 to them to us. Then if they can't be heard, then that  
15 sort of makes this not really as valuable as it might  
16 otherwise be.

17 Now, there is a court reporter here. There  
18 will be a transcript of this hearing. That transcript  
19 will be available on the Nuclear Regulatory Commission  
20 website.

21 Also, for any of you individuals who do not  
22 choose here to speak, you can also make a written limited  
23 appearance statement. And the address will be as outside.  
24 It's also listed in the Federal Register notice that  
25 notified you all that we were going to have the hearing

1 today. Basically, you would send it to the Adjudication  
2 staff at the Nuclear Regulatory Commission in Washington,  
3 D.C., with a CC to me as the chairman of the licensing  
4 board. And that would go through Ms. Wolf, who is the law  
5 clerk.

6 That said, I don't think there are any other  
7 things that we need to handle before we get started. The  
8 important thing is not for you to hear from us, but for us  
9 to hear from you. And first of all, a James Miller, the  
10 county administrator has indicated that he wishes to  
11 speak.

12 Is Mr. Miller here?

13 MR. MILLER: Yes, sir.

14 JUDGE McDADE: Mr. Miller, please.

15 MR. MILLER: What -- do I use this here?

16 JUDGE McDADE: If you could, step up to the  
17 microphone. You can face whichever way you want, sir. We  
18 can hear you.

19 MR. MILLER: Okay.

20 JUDGE McDADE: It's your preference.

21 MR. MILLER: I would get the dubious  
22 distinction of breaking the ice.

23 (Laughter.)

24 MR. MILLER: Good evening. I'm the county  
25 administrator for Claiborne County. My name is James

1 Miller, and I represent the Claiborne County Board of  
2 Supervisors. And I welcome the opportunity to come before  
3 you distinguished gentlemen to make some comments about  
4 this process as it relates to Claiborne.

5 I think the issue that we want -- that I want  
6 to express to you is the issue of, I guess, the foresight  
7 and the vision that has been taken by the Claiborne County  
8 Board of Supervisors back in 2003. And I will be very  
9 short, because -- and I have prepared a statement here  
10 that I want to leave with you as part of the record that  
11 will further go into what we have done. And it's  
12 documented. I'll be very brief.

13 The Claiborne County Board of Supervisors  
14 realized back in 2003 that we needed to shore up our  
15 telecommunications infrastructure in the county. Having  
16 said that, they put forth an aggressive position to hire a  
17 consultant to come in to do an assessment of the  
18 technological infrastructure for the county.

19 We understood that or -- we had heard by way of  
20 the grapevine that there was a strong possibility that  
21 Entergy was going to obtain the building third unit out at  
22 Grand Gulf. Having said that, we also understood how  
23 important it was to have the concept of inoperability  
24 present in our community. I guess the Nuclear Regulatory  
25 Commission has also said that they need to look at

1 communication as it relates to disasters -- both natural  
2 disasters and man-made disasters -- in any given  
3 situation.

4 Having said that, the Board put forth an  
5 aggressive study to look at that, to look at our  
6 technological infrastructure. We are in the first stages  
7 of implementing the recommendation that came out of this  
8 study.

9 And what I would like to do because -- I know  
10 time is of the essence here, but I would like to leave  
11 here the Bible, if you will, of our technological  
12 infrastructure. And I would like to have this introduced  
13 into the record, please. And at any given point in time,  
14 you all can look at it and make an assessment.

15 I think that we have done a good job here in  
16 this county of a plan to address the need of making sure  
17 that the responding agencies in our community can have a  
18 seamless communication network in place that would allow  
19 for the safe evacuation in the event of an accident or an  
20 incident, not just around the nuclear power plant, but  
21 also around hurricanes, floods and what have you.

22 I think best practices and lessons learned here  
23 in this community and in the state -- this is what --  
24 tomorrow's the anniversary of Katrina. So you know what  
25 came out of that recommendation. I guess I'll go on and

1 talk about how agencies that were supposed to respond to a  
2 natural disaster were not able to talk to each other. And  
3 we understand here in this community how important that is  
4 in the overall scheme of things.

5 And if we are going to be the first community  
6 to have a nuclear power plant built in our community in 30  
7 years, we want to make sure not only that our physical  
8 infrastructure is up to par, but we also want to make sure  
9 that our telecommunications infrastructure is up to par,  
10 i. e., that is why we, the Board of Supervisors, at the  
11 direction of the county administrator's office, were given  
12 the responsibility of putting this in place. And we have  
13 aggressively pursued that.

14 We are talking with the city and the school  
15 system, as well as the county. We want to make sure that  
16 all of the responding agencies and all governmental  
17 entities in this community are able to talk and communicate  
18 in case of a disaster in our community, whatever that  
19 disaster might be. All right?

20 So having said that, I will conclude my  
21 comments here, but I would like, gentlemen, to introduce  
22 this into the record if I can, please.

23 JUDGE McDADE: Thank you very much, sir.

24 MR. MILLER: Thank you, sir. It was a  
25 pleasure.

1 JUDGE McDADE: Thank you.

2 Next Mayor Arnold is indicated.

3 Your Honor?

4 MS. ARNOLD: Good afternoon. First I just want  
5 to welcome everybody here to this meeting here. I'm here  
6 to talk to you and to tell you about the city's support of  
7 a new facility at Grand Gulf. I wouldn't be standing up  
8 here telling you that I support something if I felt in any  
9 way that it would endanger or harm this community in any  
10 way.

11 I'm a lifelong resident of this community. And  
12 I'm here to support Grand Gulf for a lot of reasons, not  
13 just the jobs and not just the money that they send into  
14 this community, but because Grand Gulf Entergy is a good  
15 cooperative citizen in this community. Grand Gulf not  
16 only sits out there, but they put their people, their  
17 manpower and their money, you know, where they talk.

18 Grand Gulf Entergy -- I keep saying Grand Gulf  
19 Entergy because I think of them, you know, as two, but  
20 it's really just one, Entergy, because they're the one  
21 who's applying for the license here. They commit to this  
22 community with their people. They come up and they serve  
23 on various boards here. They serve the chamber. They're  
24 committed to the school system here, and I'm pretty sure  
25 that the superintendent may talk a little bit about that.

1 But they're a good cooperative citizen for this  
2 community. We don't feel at all in any danger because of  
3 Grand Gulf being down there. Let's face it. Nuclear  
4 energy is one of the safest types of energy around. It's  
5 smell-less. It's odorless. It's vapor. You know, that's  
6 what you see that comes out in that big puff down there.

7 Is it a danger to this community at some point?  
8 Who knows? I could walk out this door right now and fall  
9 into a danger. We don't know. But the thing of it is:  
10 When I look at Entergy and the need for the energy in this  
11 United States of America and in this world, I would choose  
12 nuclear energy over natural gas and many other types of  
13 energy that we have in this community.

14 So me, Amelda, the mayor, and this community --  
15 we are in complete support of the new power plant at Grand  
16 Gulf, Unit 3. We're in complete support of it. I can't  
17 say that enough. I just want to know when are you going  
18 to say yes and grant a license to let them build a plant  
19 now. We're ready for it.

20 But also, within our communication with the  
21 county, we know we have some shortcomings. But Entergy  
22 has worked with us from the very beginning, and we meet  
23 monthly to discuss where we're going and where Entergy is.  
24 They've got a time line that they're going by. They keep  
25 us informed on everything that they're doing, and that's

1 good for this community.

2 And they also go to bat for this community.

3 They're talking with the powers that be of this state to  
4 make sure that the county and city are able to provide the  
5 services and to put things in place in case there is a  
6 disaster.

7 We've got a long laundry list that Entergy is  
8 working with us and the state on, and I appreciate and I  
9 applaud them for that. They don't have to do it. They  
10 could just say, Well, we're going to put this here. They  
11 don't have to inform us on anything, but they do. And  
12 we -- you know, that's one of the reasons that we support  
13 them. They don't hide anything from us -- I don't think.

14 But, you know, I'm just here to say I support  
15 it. I'm 100 percent behind it, and so is my board. And I  
16 just want to thank you for the opportunity to come and  
17 address you. Thank you.

18 JUDGE McDADE: Thank you.

19 Okay. The next speaker is the superintendent  
20 of the Claiborne County Schools, Ms. Kilcrease.

21 DR. KILCREASE: Kilcrease.

22 JUDGE McDADE: Kilcrease. I'm sorry, ma'am.

23 DR. KILCREASE: Good afternoon.

24 JUDGE McDADE: Good afternoon.

25 DR. KILCREASE: It's an honor to be here this

1 afternoon, but I must say early on that my field is  
2 education and I leave the nuclear power to Grand Gulf.  
3 However, I am here to speak on behalf of the partnership.  
4 The entity it has formed with the Claiborne County Public  
5 School District has been astronomical. We have the  
6 support of Grand Gulf Nuclear.

7 And I would like to say this, that if you hear  
8 today about public education in the state of Mississippi,  
9 you hear at all times of the shortage of teachers and the  
10 lack of resources. Well, we have limited resources here  
11 in Claiborne County, but to me, a lack of highly qualified  
12 teachers -- that's not a problem that the Claiborne County  
13 Public School District has.

14 And the reason is that it is not a problem?  
15 Because the Grand Gulf Unit 2 that's there now, based upon  
16 the tax base that it generated when it first came,  
17 provided us the opportunity to have a local supplement  
18 that has our teachers second to the highest paid in the  
19 state of Mississippi, which means it's easy for us to  
20 recruit highly qualified teachers and teacher assistants,  
21 so much to the point that we have two Level 5 school  
22 districts -- I'm sorry -- two Level 5 schools and one  
23 Level 4 school. That's based on test scores.

24 Now, am I worried about the safety of our  
25 children and all the other children that I'm responsible

1 for evacuating should the need arise? And that's all of  
2 the students that are in private day-cares, private  
3 schools, public day-care, Alcorn University, as well as  
4 the Claiborne County Public School District. Am I  
5 concerned about the safety issue there? No, am not. And  
6 why I am not concerned about it? I'm not concerned about  
7 it because we have a plan.

8 We have a state-adopted crisis management plan,  
9 plus we have a plan of action should we have to evacuate.  
10 I don't foresee the need to have to evacuate. However,  
11 there has been a time that there was a gas leak at one of  
12 the schools -- that has been some years ago -- when we had  
13 to dismiss school.

14 So my point that I'm making here is this: Even  
15 though we realize the financial benefits that another unit  
16 would have toward the Claiborne County Public School  
17 District in promoting the vision of the superintendent and  
18 the board of education, I would not stand here before you  
19 if I thought having a Unit 3 would in any means compromise  
20 the safety, the health and the well-being of the  
21 stakeholders of Claiborne County. Thank you.

22 JUDGE McDADE: Thank you, ma'am.

23 Next is James Johnston of the Chamber of  
24 Commerce of Port Gibson-Claiborne County.

25 Sir?

1 MR. JOHNSTON: Good evening. I'd like to bring  
2 my notes with me if you don't mind.

3 It is the opinion of the Board of Directors of  
4 the Chamber of Commerce that the operations of the Grand  
5 Gulf Nuclear Station since the plant went online in July  
6 of 1985 have been near exemplary. In fact, during the  
7 plant's 21 years of operation, I nor many chamber members  
8 cannot recall an incident at Grand Gulf.

9 Safety has always been introduced foremost  
10 prior to it meeting its customers' demands for  
11 electricity, almost a quarter of that which comes from  
12 nuclear plants. Nuclear facilities are among the most  
13 fortified and protected facilities in the United States;  
14 yet all nuclear plants have increased security measures  
15 since 9/11.

16 Chamber members believe that the employees at  
17 Grand Gulf are prepared to handle and to respond to a  
18 plant emergency, whether caused by nature, people or  
19 equipment failure. Thank you.

20 JUDGE McDADE: Thank you, sir.

21 Robert Gage.

22 (Pause.)

23 JUDGE McDADE: Mr. Gage.

24 (Pause.)

25 JUDGE McDADE: Good evening, sir.

1 MR. GAGE: Good evening. How're you doing?  
2 I'm Robert Gage, and I live here in Port Gibson. I'm CEO  
3 of River Hills Bank. I'll be very short. There's a big  
4 crowd, and a lot of other people want to speak tonight,  
5 too.

6 I just really wanted to advise the committee  
7 that I've lived her all my life, I'm about 51 years old,  
8 and I've been here ever since the nuclear plant was built  
9 and lived her during the construction phase. I want to  
10 say that I think that the safety record has been exemplary  
11 here in the county. The maintenance that they have has  
12 been exemplary. I think the coordination that they've had  
13 with the local people -- not only with the people, but  
14 also with the law enforcement and other areas has been  
15 very good.

16 We've had absolutely no ill effects from the  
17 plant here. I think that they maintain a very good  
18 operation down there, and we're very pleased to have it  
19 here. And I whole-heartedly support their application for  
20 the licenses here. I do think that they have done an  
21 extremely good job of keeping to all the safety standards,  
22 including everything that had to be done and rerun for the  
23 Homeland Security plan. I think that they run a first-  
24 class opportunity.

25 So I just wanted to come tonight to express my

1 support of Entergy and their application process here.  
2 And I do believe they're very safe and very secure. Thank  
3 you.

4 JUDGE McDADE: Thank you, sir.

5 Ruth Pullen.

6 MRS. PULLEN: I'm here tonight to address  
7 several issues, and a couple of them are issues that you  
8 mentioned when you were speaking earlier: One, Can a  
9 reactor be operated at this site without harm to the  
10 public, and; Two, the National Environmental Policy Act.

11 First of all, I believe that this EIS is not  
12 consistent with the National Environmental Policy Act,  
13 which I'm going to refer to as NEPA from now on. The  
14 intent of NEPA is to identify all significant  
15 environmental effects before a major federal action  
16 occurs, and I think that an ESP would fall under that  
17 qualification. And I also think that the scope of the EIS  
18 is too narrow and the EIS process is too segmented.

19 My primary concern or one of them is that the  
20 EIS does not address the effects of a terrorist attack or  
21 a severe accident at the plant. Even though the 9/11  
22 Commission has stated that attacks on nuclear power plants  
23 were discussed by al-Qaeda, I know that the NRC  
24 Commissioner has decided that this did not be addressed, I  
25 think, because of probability issues. But I think that

1 was a mistake.

2 And I think the first issue that should be  
3 covered is not the construction on the site. I think the  
4 first issue that should be covered is, Is this site  
5 appropriate for another nuclear power plant? And I  
6 believe that it isn't, because I think another plant will  
7 increase the possibility of a terrorist attack.

8 Now, why would terrorists select Port Gibson,  
9 which is not, you know, a high economic area as compared  
10 to New York? Well, first of all, this site is two miles  
11 from the Mississippi River. And an accident or an act of  
12 sabotage at this facility, with its 20 years of stored  
13 nuclear waste above ground, could contaminate the  
14 Mississippi River and the Gulf of Mexico. And I think  
15 these are environmental impacts that need to be addressed.

16 A severe accident at this plant would be  
17 disastrous for the communities downstream. They get their  
18 drinking water from the river. The river is a major  
19 commercial transportation artery; it's used for shipping  
20 large amounts of cargo, both upstream and downstream.

21 There's an extensive industrial corridor in  
22 Baton Rouge that could possibly have to be closed down.  
23 The contamination of the vital wetlands that provide  
24 nurseries for larval and other developmental stages of  
25 fish and shrimps -- it could devastate the seafood

1 industry. The tourist industry could be affected.

2 And so I think the economic consequences of a  
3 severe accident, whatever the cause, could affect not only  
4 the region, but the entire country, which is just the type  
5 of effects that were accomplished with 9/11.

6 So at this point, I'd like to present some  
7 information from an article that I read. It was a United  
8 Nations Institute for Disarmament resource. They had a  
9 forum on nuclear terrorism. And the title of this  
10 document was, "The Implications of 11 September for the  
11 Nuclear Industry." First I want to read some of the  
12 credentials of the author of this document.

13 Let's see. He has published on the safety of  
14 nuclear systems, irradiated fuel and nuclear weapons  
15 transport, insurance risks and risk management, on  
16 decommissioning of large-scale nuclear facilities,  
17 radioactive emissions and discharges and the safety of  
18 nuclear reactor propulsion units and the sea, as well as  
19 advised several governments on nuclear-related issues. So  
20 I think his credentials are pretty good.

21 Now, this is a ten-page document, and I'm not  
22 going to read it all. I would like to submit it for the  
23 record.

24 JUDGE McDADE: That would be fine.

25 MRS. PULLEN: But I would like to read some of

1 it.

2 JUDGE McDADE: Before you do, if you could,  
3 just give us the name of the article and where we -- where  
4 it's published.

5 MRS. PULLEN: Okay. Well, the name of the  
6 article is "The Implications of 11 September for the  
7 Nuclear Industry." And it -- you can go to the -- I don't  
8 know if I have the URL on the document, but you can go to  
9 the United Nations Institute for Disarmament Research.  
10 And if you just search for the title of this document,  
11 you'll be able to find it.

12 Okay. Now, this is the conclusion. At the end  
13 of the document, he talks about land-based and aerial  
14 attacks: "Most nuclear plants worldwide were designed and  
15 constructed without direct concern for a terrorist attack.  
16 These plants are huge, complex structures housing  
17 sophisticated processes that could rapidly degrade to  
18 chemical and nuclear instability.

19 "Forceful interference with the physical  
20 containments and the safety and control systems of a  
21 nuclear plant by terrorist action could result in a  
22 massive release of radioactivity into the environment,  
23 spreading for tens if not hundreds of kilometers from the  
24 nuclear site. The resulting human suffering could be  
25 immense, at a Chernobyl scale.

1 "The social and economic consequences could  
2 vastly outstrip the impact of the terrorist events of 11  
3 September. That said, there is little that can be done to  
4 strengthen the defense of these plants against terrorist  
5 attack."

6 And I think that this needs to be considered  
7 initially and in the siting of this plant. This is an  
8 international expert talking about safety and threats from  
9 terrorists.

10 I don't know. How much time do I have left?

11 THE CLERK: You have a few more minutes.

12 MRS. PULLEN: Okay. Well, then I would like to  
13 just address one more thing, if I could. I'll skip a lot  
14 of what I have here.

15 But I know several people here have talked  
16 about how there have been no problems at this plant. And  
17 there was actually a statement by an Entergy  
18 representative in The Clarion Ledger Sunday stating that  
19 there have not been any problems at this plant.

20 And I would just like to read -- this is just  
21 one indication instance, but I would like to read this  
22 February 22, 2000 notice of violation against Grand Gulf  
23 One by the Nuclear Regulatory Commission. It is a  
24 Severity Level Three problem, and I'm just going to  
25 briefly read from here, and then I'll stop.

1 "The safety significance of these violations is  
2 that the HPCS diesel generator, if called upon, would not  
3 have been able to perform its intended safety function for  
4 approximately 74 days." That's a significant length of  
5 time, I think. "The HPCS diesel generator is the  
6 independent on-site power supply for the emergency core  
7 cooling system and is the only source of emergency HC  
8 power for plant safety equipment during a station  
9 blackout."

10 Now, I'm sure that this situation has been  
11 rectified, but I think it's an indication of the kind of  
12 problems that you can have at these plants, and I think  
13 they need to be considered first. And I think that's a  
14 function of the environmental impact statement.

15 JUDGE McDADE: Thank you, ma'am.

16 MRS. PULLEN: Okay. Let me give you -- I have  
17 more copies of this. Do you need more than one?

18 JUDGE McDADE: One is fine.

19 MRS. PULLEN: If anyone else wants a copy of  
20 this document, I have some.

21 JUDGE McDADE: Okay. The next speaker is  
22 Melissa Kemp.

23 MS. KEMP: Hi. My name is Melissa Kemp, and  
24 I'm speaking on behalf the Public Citizen. I'm an  
25 organizer here in the south and southeast and have done a

1 lot of research on both nuclear power technologies and  
2 renewable technologies. And I graduated from Princeton in  
3 2002.

4 We've been involved in this ESP process since  
5 2003, when Entergy announced it, but we haven't been  
6 involved just, you know, from Washington and out of  
7 Washington. We've been involved with the local NAACP and  
8 the Mississippi Sierra Club. So I just wanted to start --  
9 I mean I know we're all here to talk about the building of  
10 the one or two new reactors at the Grand Gulf site.

11 As we reach the end of this process, this ESP  
12 process, this is kind of one of the last big meetings  
13 before we expect the board and the Commission to make a  
14 decision about this. And I think we've come to this point  
15 where we feel pretty dissatisfied and pretty frustrated  
16 with what we consider to be the insufficiency of NRC's  
17 review, particularly its draft and final environmental  
18 impact statement. And I'm going to go -- there's, you  
19 know, three things in particular, though, that stand out  
20 about this.

21 I just want to preface this with -- we've heard  
22 a lot already this afternoon or this evening of, you know,  
23 what people believe is safe and believe is good. And I'd  
24 just like to say that it's not what about people believe;  
25 it's really about what is. It's -- really the issue --

1 why we're here is, you know, Is this proposal in  
2 compliance with NEPA? And what does that mean?

3 That means, you know, are the ways -- security  
4 issues being fully evaluated, and have the alternatives  
5 been fully evaluated? That's what I'm going to talk  
6 about.

7 So the first thing is: The security issues  
8 related to this ESP process have not been fully evaluated.  
9 In particular, you know, the draft and final EIS failed to  
10 evaluate any environmental impacts from a terrorist  
11 attack. And I know that Ms. Pullen just mentioned this a  
12 little bit ago. But -- so there's no -- right now, at  
13 this point, NRC has said it's too speculative to consider  
14 such an impact. And therefore, they're not -- you're not  
15 mandated to evaluate such as, What would the impact or  
16 consequences be of such an attack.

17 And I'd just like to mention that, you know,  
18 not only do we object to that, but, in June -- in early  
19 June, there was a court decision, which I'm sure you have  
20 heard of, in the 9th District Circuit Court of Appeals  
21 actually ruling on this exact issue. And it referenced it  
22 in the context of a spent fuel storage installation that  
23 was being proposed in California. And if I could, I'll  
24 just read a quote from that.

25 The court found not in favor of NRC. And

1 actually, you know, it said the NRC had to evaluate the  
2 environmental impacts of a terrorist attack and,  
3 regardless of probability, people had a right to know what  
4 the consequences were if such an attack were to happen.

5 And they said, "And so, concluding, we also  
6 recognize that the NRC's position that terrorist attacks  
7 are remote and highly speculative, as a matter of law, is  
8 inconsistent with the Government's efforts and  
9 expenditures to combat this type of terrorist attack  
10 against nuclear facilities."

11 So we think that that case will probably set a  
12 precedent for other licensing proceedings, and we think  
13 that it would be well advised in the case of Grand Gulf to  
14 include an evaluation of the consequences of a terrorist  
15 attack in the ESP process.

16 The next thing is really the issue of waste and  
17 the question of, you know, Is waste addressed? Has it  
18 been addressed? In all of these documents -- the draft  
19 and the final EIS -- have they talked about waste? How  
20 much waste is at Grand Gulf now, and what's going on with  
21 it? What's going to happen to it? I'd just like to say  
22 that, you know, we have a lot of concerns that this issue  
23 is not addressed. It's just not addressed in the ESP.

24 There is a section that says, "Radioactive  
25 Waste," but what it says -- and I can quote. It simply

1 says the waste will be buried, and the environmental  
2 impacts or the -- I'm sorry -- the waste will be buried,  
3 and it will not be released into the environment." We do  
4 not see evidence that a waste solution has arrived; in  
5 fact, we see a lot of evidence to the contrary. Yucca  
6 Mountain is not opening any time soon. It was expected to  
7 open in 1998. Right now, the expected date is 2017.

8 More importantly, besides the incompetence and  
9 problems of the Department of Energy, is simply that, you  
10 know, Yucca Mountain is not a good site for burying waste.  
11 There may be a good site for burying waste, but Yucca  
12 Mountain is definitely not that site. You know, the  
13 geologic and hydrologic problems of that site have been  
14 well documented. And, you know, recently, just this last  
15 year, there was a whole bunch of attention to the  
16 scientific fraud that went on in terms of the hydrology of  
17 that site.

18 So in this ESP process, we have said we have  
19 a -- you have confidence the waste problem is solved and  
20 is going to be dealt with. And so there has been no room  
21 for analysis of the consequences of the waste, either at  
22 Yucca Mountain or, you know, a city on site here -- here  
23 in Port Gibson. And we think that such analysis is  
24 essential to really let people know what it is we're  
25 talking about here.

1           We are going to have this waste sitting here in  
2   Port Gibson for, you know, who knows? Ten, 20, 50 years?  
3   And I think that the consequences of that should be  
4   evaluated. That is -- one of the most significant impacts  
5   of nuclear reactors is the production of waste, both high-  
6   level and low-level.

7           And the third thing is NRC's review of  
8   alternatives in both the draft and final environmental  
9   impact statement. Under NEPA, you know, they have been  
10  charged to evaluate impacts by waste and security, but  
11  they've also been charged to evaluate the alternatives.  
12  What is best? What has the least impact? What else can  
13  we do?

14           And basically, NRC has concluded that renewable  
15  technologies are unviable replacements for a new nuclear  
16  facility at the ESP site, but I would take strong, strong,  
17  strong objection to that conclusion. And reviewing that  
18  analysis was, you know, pretty amazing. You know, it's  
19  really -- it's a very minimal analysis. It underestimates  
20  Mississippi solar and wind potential. It relies on  
21  generic EIS for renewal -- for license renewals from the  
22  late '90s. It has a lot of inaccurate information about  
23  technology and about cost.

24           It also has a very limited understanding of  
25  space issues for renewable technology. There's this

1 concept that, you know, we're going to have to cover up  
2 these massive numbers of fields, massive amount of land  
3 for solar, and massive environmental impact of tearing up  
4 all this land, or we're going to have to cover up  
5 everything with wind turbines, and that the only -- you  
6 know, that there's no concept that solar panels could be  
7 completely incorporated into buildings and, in fact, would  
8 be. That is the complete intention.

9 We're not talking about a centralized solar  
10 plant. We're talking about a decentralized large number  
11 of solar panels incorporated into already-built  
12 structures. There's also a lot of misunderstanding about  
13 what can provide the solar power, and not a full or  
14 complete discussion of intermittent C or A ability and how  
15 those things can be addressed.

16 And, you know, we agree that -- I'm going to  
17 quote the NRC -- the analysis of alternatives should be  
18 based on those power-generation technologies that are  
19 technically reasonable and commercially viable. But NRC's  
20 review has not met this standard. I'm going to mention a  
21 few specific examples, and then I'm going to conclude my  
22 remarks.

23 For example, NRC asserts that only certain  
24 parts of the U. S. have sufficient solar radiation and  
25 solar energy to make it a viable source or viable

1 contributor to base-load power. That is incorrect. I  
2 mean I think Mr. Gunter was -- he was speaking about a  
3 friend of his in Maine who has a pretty large installation  
4 of photovoltaic panels -- and they're not of the next  
5 generation; they're previous generation -- which provide a  
6 large chunk of his power.

7 The alternatives section in the EIS also  
8 asserts that Mississippi does not have sufficient wind  
9 resources to use large-scale turbines. But this is based  
10 on minimal mapping and what has -- what mapping has been  
11 done since the Stanford study from 2003, which shows  
12 actually Mississippi having at least two 4-class and 5-  
13 class offshore wind sites off the coast.

14 They also -- the Stanford study goes on to  
15 conclude that the Gulf of Mexico has a potential bounty of  
16 coastal offshore wind energy, much more than was  
17 previously believed. And that includes Louisiana, the  
18 Florida panhandle, Texas, although Texas has different  
19 structures that probably wouldn't be, you know, as  
20 compatible with Mississippi's as it currently stands.

21 You know, it also has a lot of commentary about  
22 cost. At first -- it says in the beginning that cost is  
23 not an issue here and we're really here to, you know,  
24 evaluate environmental impacts. But it does have a  
25 diatribe about costs and that solar is very expensive --

1 it's impractically expensive. And again, as we feel,  
2 there are sections of land and technological, you know,  
3 resources -- availability and functional capacity. I  
4 really think that needs to be re-examined.

5 There was a big article about two weeks ago  
6 announcing a company in California -- this was already  
7 announced by the University of Johannesburg in South  
8 Africa last year. A German company picked up that  
9 product. But there are thin-filmed solar panels that have  
10 been past the prototype pilot production phase and are now  
11 in full production and are backed by some big investors,  
12 like the founders of Google.

13 We're talking the thin-filmed solar panels, not  
14 silicone based, that are one-fourth to one-fifth the cost  
15 of current, you know, silicone conventional panels. And  
16 that's something that I think needs to be considered and  
17 needs to be updated in this type of alternative analysis  
18 before we just continue on to conclude that this area of  
19 the country -- in fact, this country as a whole needs to  
20 build new nuclear power plants.

21 THE CLERK: If you could, wrap it up, please.

22 MS. KEMP: Sure.

23 I think that actually pretty much does it. I'd  
24 just like to say that, you know, we're strongly opposed to  
25 building this plant in Grand Gulf. We think there are

1 much better alternatives, both for the sustainability of  
2 this country, for dealing with climate change, for  
3 producing the least amount of pollution and waste we can,  
4 and for benefitting this county.

5 I mean right now, they get 30 percent of the  
6 tax revenue from the plants that exist. They should get  
7 100 percent. But really, there's a whole different like,  
8 you know, type of business and type of way of producing  
9 electricity that they could have here, jobs they could  
10 have and businesses they could have that could benefit  
11 them as much or more than Entergy presently does. And  
12 that's what we're here to strongly advocate for. Thank  
13 you.

14 JUDGE McDADE: Thank you.

15 Okay. Mr. Paul Gunter.

16 MR. GUNTER: I appreciate the opportunity. My  
17 name is Paul Gunter, and the I'm director of the Reactor  
18 Watchdog Project for Nuclear Information and Resource  
19 Service. And we were -- well, we are an intervener, along  
20 with NAACP and Claiborne County and the Sierra Club of  
21 Mississippi and Public Citizen.

22 And I'm here tonight to -- basically, I'd like  
23 to address the security contention that we submitted to  
24 the board. It was and remains our concern that the NRC  
25 has not adequately considered the security implications,

1 with particular concern toward aircraft. And we addressed  
2 that specifically in our contention by proffering that the  
3 application by System -- Entergy did not adequately  
4 evaluate the consequence of aircraft and, more  
5 specifically, did not look at the EIS in context of  
6 putting the reactor containment below grade.

7 The board denied that specific contention,  
8 basically relying on the Commission order of December 18,  
9 2003, which has been referenced here tonight as being too  
10 speculative and remote. Now, we have heard that we have  
11 a -- we now have a precedent law case through the 9th  
12 Circuit that was issued on June 2, 2006 that -- basically,  
13 the court's finding is that it's unreasonable for NRC not  
14 to consider or not to provide the public with a hearing  
15 with regard to security contentions.

16 And what I'd like to do tonight is read into  
17 the record, which we will also submit by e-mail to you  
18 all, a specific document that is referenced in our  
19 original filing. But we're going to submit the entire  
20 document to you in follow-up.

21 And it -- the document is a technical  
22 memorandum, NUREG/CR-2859. It was prepared by Argonne  
23 National Laboratory, and it's entitled "Evaluation of  
24 Aircraft Crash Hazards, Analysis for Nuclear Power  
25 Plants." And it was published as a public document by the

1 U. S. Nuclear Regulatory Commission in June of 1982.

2 And in effect, what it does is -- well,  
3 specifically, what it does is it provides risk analysis  
4 that regard siting and design of reactors, both issues  
5 which are germane to your decision with regard to the  
6 environmental or -- the early site permit. And it is a  
7 particularly disturbing document in context of the post-  
8 9/11 reality.

9 And, for example, for the record, the document  
10 states, quote, "The major threats associated with an  
11 aircraft crash are impact loads resulting from the  
12 collision of aircraft with power plant structures and  
13 components and the thermal and/or over-pressure effects  
14 which can arise due to the ignition of fuel carried by the  
15 aircraft." That seems to be pretty obvious, but, again,  
16 this is a technical evaluation by Argonne National Labs.

17 The technical memorandum goes on to state,  
18 quote, "It appears that for all U. S. plants currently  
19 under construction," which would include Grand Gulf One,  
20 "it was then found that it is not necessary to require  
21 containment designs to take the impact of large  
22 commercial-trip aircraft."

23 Again, I -- it's disturbing that this  
24 represents a vulnerability that is here today. It's more  
25 disturbing that the public has been denied the opportunity

1 to raise these identical concerns in the context of siting  
2 and design of nuclear reactors, particularly at Grand  
3 Gulf.

4 Another quote for the record tonight, which  
5 supplements our security contention: "Aircraft Crash  
6 Opens Possibilities Where There Will be No Way to Shut  
7 Down the Reactor" -- that's on page 52 -- "Where,  
8 furthermore, the core will most probably be headed for  
9 serious damage, if not total meltdown. Core meltdown  
10 without the availability of electrical power would  
11 probably result in containment over-pressurization and the  
12 release of radioactivity to the environment far in excess  
13 of 10 C.F.R. 100 guidelines."

14 The report goes on to say, quote, "It is  
15 possible to envision a chain of events that involves non-  
16 hardened plant systems" -- I'll leave out what they  
17 identify -- "which could lead to severe consequences."  
18 Another quote: "The crash of a large aircraft with  
19 resulting projectile impacts, fuel spillage and fire  
20 explosion scenarios suggests that multiple initiating  
21 events may also be possible."

22 At page 80, it, the report, states, "The  
23 combination of fire, explosion and impact damage has  
24 received little but highly superficial attention."

25 THE CLERK: Mr. Gunter, if you could, conclude

1 your comments.

2 MR. GUNTER: Thank you.

3 These are -- this supplement to our contention  
4 we believe deserves full public hearing in context of the  
5 siting of an additional reactor in Port Gibson. We  
6 believe that the 9th Circuit Court and their conclusions  
7 that it is unreasonable to deny the public a hearing under  
8 the National Environmental Policy Act and the  
9 environmental impact statement support our efforts to have  
10 this public hearing. Thank you.

11 JUDGE McDADE: Thank you, sir.

12 A mister, I believe, Louie Miller.

13 MR. MILLER: I'm Louie Miller; I'm the state  
14 director for the Mississippi chapter of the Sierra Club.

15 As one of the petitioners, we strongly object  
16 to the ruling. We feel like it's absolutely absurd under  
17 the current scenarios that this world faces regarding  
18 terrorism. In no way should that have been excluded from  
19 the process.

20 And I don't want to be redundant here, but, as  
21 a petitioner, I feel compelled to bring this up again in  
22 the voice of someone who is a native Mississippian and has  
23 lived here all of his life and remembers when Grand Gulf  
24 One was called Grand Goof -- as a rate taxpayer -- for a  
25 variety of reasons in getting it up online and numerous

1 things that have happened since then. So I just want to  
2 make sure that that is on the record.

3 The recent court decision/ruling that ruled  
4 that the NRC must evaluate the environmental impacts of a  
5 terrorist attack. The NRC has refused to do that under  
6 this, even despite the, I think, very excellent arguments  
7 that were raised.

8 It has already been mentioned here, but, in  
9 June of 2006, the United States Court of Appeals for the  
10 9th Circuit ruled that the NRC acted unreasonably in  
11 declining to assess the environmental impact of a  
12 terrorist attack in its environmental review of a license  
13 application for the radioactive waste storage facility in  
14 California. This may well set a precedent for other  
15 licensing proceedings, including this one.

16 I don't need to elaborate on what Ms. Pullen  
17 and Ms. Kamp and others have said about the consequences  
18 of the locations of these reactors -- and its proximity to  
19 the Mississippi River -- and the total and complete  
20 shutdown of that river that would occur from such a  
21 devastating attack, and the consequences of what would  
22 result from something, which makes this -- you know, why  
23 would Port Gibson be a target-rich environment? I think  
24 that answers that question in no uncertain terms.

25 I'd like to go on to say that one is -- well,

1 from what we understand, that -- the building of these new  
2 reactors is not necessary to meet Mississippi's  
3 electricity needs. In fact, we were told four years ago  
4 in this very building that these commercial plants have  
5 had nothing to do with meeting Mississippi's electrical  
6 needs and this power would be exported.

7 And I just want to make sure that the people  
8 from the press who are here tonight understand that, as  
9 well. This has nothing to do with the rate payers and  
10 providing supply and demand for Mississippi's needs.

11 Let me go on to say that we have an objection,  
12 as well, to the new licensing process in the NRC review.  
13 The NRC has created a new licensing scheme which  
14 arbitrarily separates the approval of new nuclear reactors  
15 into two processes: The ESP, Early Site Permit, and the  
16 combined Construction and Operating License, or COL as  
17 it's referred to.

18 Under the licensing system, designs to, quote,  
19 "Provide stability in the licensing process or to meet  
20 environmental impact analysis," have been deferred to the  
21 COL stage. And if the ESP is approved, the issues it  
22 covers are considered resolved for up to 20 years without  
23 further analysis.

24 The U. S. Environmental Protection Agency has  
25 expressed concern about these changes to the licensing

1 process. The 20-year horizon under the proposed ESP does  
2 not take into consideration unforeseen population growth  
3 and additional factors on the air and water resources.

4 I just want to say that typically an action  
5 which has not occurred within five years of an EIS  
6 requires a re-evaluation to determine whether significant  
7 changes have occurred and whether a supplement EIS is then  
8 required.

9 THE CLERK: Mr. Miller, if you could, conclude.

10 MR. MILLER: Okay. We'll submit the rest of  
11 the comments into the record. But, you know, I think, as  
12 we've said in the past, what's driving this process is the  
13 lobbyists and the money, and looking at the subsidies that  
14 this industry has received under the 2005 bill that was  
15 signed into law under President Bush makes this industry  
16 viable again. Otherwise, it would not. Thank you.

17 JUDGE McDADE: Thank you, sir.

18 Avery Rollins.

19 MR. ROLLINS: Thank you, and good evening. I  
20 want to address also the security issues. I'm retired, a  
21 former FBI agent with 30 years of service. During the  
22 latter part of my service, I supervised and investigated  
23 international and domestic terrorism. I was for 20 years  
24 a certified bomb technician. After retirement and after  
25 9/11, I took a project with the Transportation Security

1 Administration wherein I did security assessment for  
2 inland river ports all over the United States and gave  
3 reports as to the failures in security systems.

4 My specific concern regarding Grand Gulf is  
5 there is no way for me as a private citizen to evaluate  
6 security procedures in place and to come away with a  
7 satisfied feeling that appropriate security precautions  
8 have been taken to prevent terrorist attacks.

9 I should also say that I currently teach  
10 courses at the Mississippi Law Enforcement Training  
11 Academy in domestic and international terrorism. And I  
12 feel that as a private citizen I am as current on  
13 international terrorism affairs as certainly anyone in  
14 this state.

15 I would ask that some method be found whereby a  
16 private citizen such as myself would have access to  
17 whatever planning there is, security procedures in place  
18 and what avenues are being taken to prevent potential  
19 terrorist attacks. And having worked in that arena for  
20 decades, I feel that this represents a greater threat than  
21 many of the people in this room realize.

22 And I understand that a lot of precautions are  
23 being taken, but I have been there long enough that I'm  
24 not going to take a "Trust me" from anyone. Thank you  
25 very much.

1 JUDGE McDADE: Thank you, sir.

2 A. C. Garner.

3 MR. GARNER: I'm going to submit mine in  
4 writing.

5 JUDGE McDADE: Okay. Thank you, sir.

6 Mike Thibodeaux.

7 MR. THIBODEAUX: It's Thibodeaux. Thibodeaux  
8 is French, and I'm from south Louisiana. And very --  
9 about half of the capacity of this plant at Grand Gulf is  
10 assigned to Louisiana, about 20 percent to New Orleans and  
11 to Entergy/Louisiana. The environmental impact statement  
12 is -- for alternative sites, it fails. And this impact  
13 statement fails miserably, because it's not only  
14 alternative sites, but it says, "Alternative  
15 technologies." What else is out there that can produce  
16 the same need or -- satisfy the same need to the public?

17 One of the most wasteful products that we do --  
18 that Entergy does is the burning of natural gas.  
19 Entergy's fleet is about 26 percent, versus 80 percent  
20 efficiency through co-generation. This is -- a Department  
21 of Energy study that came out in about 1990 says that we  
22 in southwest Louisiana and part of Mississippi and Alabama  
23 have many refineries and the waste product of co-  
24 generation is electricity, that these people don't use the  
25 energy and that it can be put to the grid at a voided

1 cost. The voided cost is the exact price that Entergy  
2 should get for this plant.

3 What they're asking the public is -- to do is  
4 to pay half the cost, and then they would put up about  
5 half the cost. But they would sell the price as emerging  
6 power at the highest price to the highest bidder. That's  
7 not fair. It violates the public trust and anti-trust.  
8 No other facility that they're competing against on the  
9 open market gets half their costs subsidized. It's not  
10 fair.

11 FERC has a 206 investigation into transmission  
12 congestion on the Entergy system. Entergy is purposefully  
13 congesting their system and not investing into  
14 transmission upgrades. In their statements, they say that  
15 there is -- no transmission would be needed. If you're  
16 increasing 1,000 megawatt power on this facility that's  
17 producing power on the grid -- and we don't need any  
18 transmission upgrade?

19 And at the same time, the state and local --  
20 Louisiana has two studies and is continuing a third on  
21 transmission constraints and has ordered Entergy to make  
22 the investments, not only in Louisiana, but in Arkansas,  
23 where they're constrained on transmission, which is anti-  
24 competitive and anti-trust actions.

25 So what corrective actions can you require of

1     Enterger? And that's what the public needs to know. Why  
2     do we have a need for this power plant when there's 18,000  
3     megawatt hours of excess capacity on the Enterger system?  
4     That is before we consider any new facility or any new co-  
5     generation. What public citizenry says is, Let's meet our  
6     needs through renewable energy, and we would have zero  
7     waste.

8                 This environmental impact statement also fails  
9     to recognize that Enterger is using our drinking water to  
10    cool this facility. It is on the Mississippi River. It  
11    can use surface water and should be required, as other  
12    plants do, to use the surface water to cool this  
13    facility -- to the public's drinking water.

14                I believe that there's -- again, you're  
15    affecting the poorest people. The local, small farmers  
16    cannot drill their wells as deep as Enterger. And they're  
17    bankrupting our local farmers, who are going out of  
18    business, because the water is being wasted. They cool it  
19    one time, and throw it away. This is thermal pollution  
20    that they're asking us to pay for. They're only using a  
21    very small percentage of the energy that's being produced  
22    or used, and we're just heating up the atmosphere with the  
23    rest.

24                We should have zero -- and the technology is  
25    there -- and Louisiana just had a big newspaper -- where

1 the governor has helped to approve a power facility that  
2 will have zero pollution -- near-zero pollution. That's  
3 what you should ask of Entergy: Zero pollution. If we  
4 have the technology to do it, why not the best? Why are  
5 we asking the people to do the worst?

6 THE CLERK: Sir, if you could, conclude.

7 MR. THIBODEAUX: Yes.

8 Louisiana and Mississippi are the least  
9 efficient states. The two things that we must do is to  
10 improve the efficiency and the conservation effort. The  
11 205 Energy bill that gave is the tax subsidies for power  
12 plants also gives is tax subsidies to improve the  
13 efficiency of our state, local, federal and commercial  
14 buildings, and that's what this panel needs to consider.  
15 Thank you.

16 JUDGE McDADE: Thank you, sir.

17 Jan Hillegas.

18 MS. HILLEGAS: Good evening. I'm Janet  
19 Hillegas from Jackson, Mississippi. And I'm here  
20 primarily as a private citizen, but I'm also on the state  
21 executive committee of the Green Party of Mississippi.  
22 And we have a pamphlet which explains our position, and  
23 I'll just outline that.

24 It talks about the fact that a better energy  
25 future is possible without nuclear energy. And

1 specifically spells out objections to the nuclear waste  
2 problem, that corporate welfare is bad business, that  
3 nuclear accidents are forever and the national security  
4 nightmare that other people have already talked about.  
5 I'll leave this with you.

6 As a private citizen -- I am not a scientist.  
7 I'm not an expert or a specialist in these things, but as  
8 a person who tries to pay attention to the things going on  
9 around me, I am concerned that the decision seems to have  
10 been made that this plant can go forward and that it's  
11 okay to have a nuclear power plant here in spite of the  
12 existence of the New Madrid earthquake fault or the  
13 probability of hurricanes increasing. With the tornadoes  
14 such as did crack -- you perhaps know -- the cooling tower  
15 of the existing plant back -- I think it was before it  
16 went online. A tornado hit a crane under the cooling  
17 tower and took a big chunk out of it.

18 I don't know if you know that -- at least the  
19 last time that I was here, the escape route for anyone who  
20 happens to be on the other side of the plant on that road  
21 is back past the plant. This is not safety. And I also  
22 wonder about the impact on the environment of this  
23 community, which also includes the human environment, of  
24 another plant which, like this one, would probably employ  
25 mostly white people and mostly people who live outside of

1 this county.

2 Now, I also saw the statement that was in the  
3 newspaper from one of the officials of Grand Gulf, saying  
4 that Grand Gulf has been in operation for over 20 years;  
5 we've never had any problems with our operation here, and  
6 the public knows our safety record. Well, even without  
7 being an expert, I went to the NRC site -- I did some of  
8 this a year or two ago -- and found several event reports.  
9 I don't know if these were reported to the community or  
10 not. I don't know if the newspaper carried them.

11 I don't know whether it was mentioned so that  
12 the people who live here know that there were things that  
13 are called only reportable incidents. And I have the  
14 dates of some of these, February 11, 2005, for instance.  
15 The feed-water system was lost. A subsequent reactor ran  
16 on low-reactor water.

17 Now, I can't explain all these things to you.  
18 I admit that. And please don't ask. But if it's  
19 reportable, it's certainly above somebody's idea of what's  
20 a safe thing to happen and what needs to be reported  
21 because it's kind of problematic with one respect or  
22 another. These are all called non-emergencies.

23 But August 28, 2003, the emergency operations  
24 facility for Grand Gulf was lost when power was removed  
25 from the facility and the EOF diesel generator failed to

1 start. April 11, 2005: An inadvertent single emergency  
2 siren activation. April 28, 2005, inboard and outboard  
3 secondary containment isolation valves were declared  
4 inoperable and closed.

5 THE CLERK: Ma'am, if you could, conclude.

6 MS. HILLEGAS: Okay.

7 April 29, 2005 -- I'm sorry. That's similar to  
8 the other one. There are also reports on the site about  
9 things that happened to components or equipment that  
10 pertain to Grand Gulf and a lot of other plants: Over-  
11 stressed condition on single failure proof crane trolleys,  
12 January 7, 2005. A potential to exceed low-pressure  
13 technical specifications safety limit, and several things  
14 like this.

15 So I'm concerned, for one thing, about whether  
16 we're getting the truth as the public, most particularly  
17 for the people who live closer to here than I do, but  
18 Jackson is not really very far from here. And if we're  
19 downwind from something that happens here, we could be  
20 very much affected by it.

21 And I was glad to hear earlier people talking  
22 about the board of supervisors and others working to solve  
23 the problem of communications and emergency management.  
24 But what I want to know is -- this plant has been  
25 operating all this time. They have one fire station in

1     this county -- and all these things are not in place that  
2     need to be in place.

3             What kind of irresponsibility does it mean has  
4     been going on all this time such that these things have  
5     not been taken care of? And I think that's a very  
6     important factor that needs to be taken into account by  
7     anyone who's looking at these things.

8             JUDGE McDADE: Thank you, ma'am.

9             David Bailey?

10            MR. BAILEY: Thank you for the opportunity to  
11     come in and talk to you, for the NRC and their review, for  
12     Entergy working with the NRC and for your review. I live  
13     next-door. I'm a nuclear engineer. I'm a nuclear  
14     scientist, and I've worked in the aerospace and nuclear  
15     industry for about 17 years, designing nuclear reactors  
16     and -- in the aerospace industry.

17            As a private citizen and entrepreneur, I still  
18     support nuclear energy because it's very -- inherently  
19     safe. Uranium occurs at .71 percent in enrichment of  
20     Uranium 235. Grand Gulf was enriched to -- initially to  
21     3.17 percent. To handle that, you need over 90 percent  
22     enrichment.

23            It's inherently safe. If something happens to  
24     the plant, it will inherently shut itself down because of  
25     the design of the water. And if you heat the water up, it

1 will be less dense, with less neutrons going to  
2 thermalization and less neutrons going to create more  
3 reaction. So it will inherently shut the reactor down.

4 Entergy -- the United States needs to become  
5 self-sufficient in oil and other resources. It's time  
6 that the United States resumed their leadership role in  
7 the world and showing the rest of the world what's  
8 available and what needs to be done as far as our energy  
9 solution.

10 Engineers have worked for many years trying to  
11 make nuclear energy safe. Back in the late '70s, I was  
12 involved with the design of Grand Gulf Unit One. It was  
13 designed to handle a direct hit of a Boeing 747 -- back in  
14 the late '70s.

15 Entergy -- the engineering community and the  
16 NRC are ahead of most problems, but there are significant  
17 things that you need to consider. And I think it's time  
18 that the United States resumed its leadership role. Thank  
19 you.

20 JUDGE McDADE: Thank you, sir.

21 MR. BAILEY: And I live next-door.

22 (Laughter.)

23 JUDGE McDADE: Okay. I'm not really sure here  
24 about the pronunciation. Karen Wilbery?

25 MS. WIMPILBERG: Wimpilberg.

1 JUDGE McDADE: Okay.

2 MS. WIMPILBERG: Thank you. I'm Karen  
3 Wimpilberg. It's a hard name. And I live on  
4 Fontainebleau Drive. And so it takes me an hour just to  
5 tell people how to spell everything and get it all down,  
6 which is always difficult. Anyway, my name is Karen  
7 Wimpilberg, and I live at 27 Fontainebleau Drive in New  
8 Orleans, Louisiana. I am one of the founders and the  
9 current board president of the Alliance for Affordable  
10 Energy, founded in 1985.

11 The Alliance is an educational public entity.  
12 It's a non-profit membership organization dedicated to  
13 creating a fair, affordable and environmentally  
14 responsible energy policy for our state and the nation.

15 The Alliance has a long history of involvement  
16 with the Grand Gulf Nuclear Power Plant, because we rate  
17 payers in Louisiana, you know, are paying for the Grand  
18 Gulf plants, just like Mississippi and Arkansas are --  
19 and, of course, New Orleans, separately, and now Texas.  
20 So that's why we've gotten involved.

21 With the leadership of the late Gary Groesch,  
22 one of our founders and our executive director for 16  
23 years, we intervened in the rate cases involved with the  
24 original building of the nuclear power plants on this  
25 site. Through our interventions and lawsuits, we and the

1 press calculate we have saved rate payers of New Orleans  
2 alone at least \$1 billion that would have been charged to  
3 them since 1985. That's not just because of Grand Gulf,  
4 but all other things, too.

5 Our lawsuit establishing the improved costs  
6 associated with the building of the existing power plant  
7 here resulted in a finding of \$465 million on behalf of  
8 ratepayers.

9 The processes for a public review and input at  
10 that time were accessible for the rate payers and  
11 taxpayers who were to actually bear the economic burden,  
12 more accessible for the interveners, who would try to  
13 evaluate and weigh the costs and benefits, and more  
14 accessible for the press, which would report the debates.

15 In other words, though the obstacles remain,  
16 the process was ultimately marked as "transparent" and,  
17 therefore, more democratic. But that has drastically  
18 changed.

19 So even though our office and much of our  
20 archives were lost to Katrina and Rita, I have driven four  
21 hours today, on the eve of the first anniversary of  
22 Hurricane Katrina, for this rare public hearing date, a  
23 time when all local press are focusing on how little real  
24 leadership support and empathy has emerged in the effort  
25 to address the worst natural disaster to ever hit the

1 United States.

2 What that means for the future of our nation,  
3 the Earth and, of course, New Orleans? That's -- they're  
4 doing that today, but not here. And we tell them to come  
5 here for these things, because of our history and dealing  
6 with it.

7 But today is also my birthday. And while I  
8 would, for emotional and psychological reasons, like to be  
9 in New Orleans and attend some of the evaluating,  
10 remembering and honoring events, I choose to be here  
11 commenting on what is a very strong by our national  
12 leaders, a \$250 million subsidized push, to force us to  
13 pay for another enormous economic boondoggle, as the cover  
14 of Forbes Magazine called Grand Gulf One more than 15  
15 years ago.

16 As a personal comment, I choose to be here also  
17 for the future of my country, my state and beloved city of  
18 New Orleans, but also for my children, Alex, his wife  
19 Ashley, Anna, my daughter, and my two-so-far grandchildren  
20 Ella and Davis. Their future is at stake.

21 THE CLERK: Ma'am, if you could, conclude your  
22 comments.

23 MS. WIMPILBERG: I would like a little extra  
24 time because I'm representing an organization, and it's my  
25 birthday. May I have some more time as a birthday

1 present, please?

2 (Laughter.)

3 MS. WIMPILBERG: Their future is at stake less  
4 so at this time, because they are not poor and are white,  
5 but at state just the same. Their safety, their economic  
6 future and their quality of life are innately tied to how  
7 and whether our government and society choose to view,  
8 with protect and provide opportunities for all of its  
9 citizens.

10 With all that said, we believe the Alliance has  
11 standing on this issue today. We have four points.

12 One, we wish to register our very strong  
13 opposition to the new licensing process and the reviews  
14 that emerged from it thus far. Two, the NRC should at  
15 least change from 20 years to five the amount of time it  
16 considers these environmental issues to be resolved. And  
17 under that, too many EIS analyses have been arbitrarily  
18 deferred to the combined Construction and Operation  
19 License, COL.

20 What if a significant change should occur in  
21 those 20 years, such as, say, a terrible hurricane, which  
22 causes over 250,000 people or 110,000 rate payers to  
23 simply disappear from the ranks of Entergy's customer base  
24 and, therefore, its projected income? These are current  
25 statistics only from its New Orleans subsidiary. I do not

1 have the figures for Mississippi, Louisiana -- the rest of  
2 Louisiana, or Texas. And they were all -- we were all  
3 affected by these hurricanes.

4 There's the early safe process. And may I  
5 remind you that Entergy incorporated has been given \$250  
6 million of taxpayer money just to go through this stage?

7 That -- this process does not have room to  
8 account for emergencies such as Hurricanes Rita and  
9 Katrina. However, the utilities have been promised \$2  
10 billion of taxpayer monies in risk insurance to pay for  
11 delays in construction, should they be allowed to move to  
12 that stage?

13 Now, one of their subsidiaries has been nearly  
14 annihilated by the storm. And because of SEC rules in  
15 place to protect shareholders, not ratepayers, Entergy can  
16 only blend at a reasonable rate up to \$200 million to its  
17 subsidiary for its restoration. Would the NRC expect any  
18 remaining ratepayers to bear the burden of the cost of any  
19 new billion-dollar nuclear power plants they approve  
20 should there be another such disaster?

21 JUDGE McDADE: Okay. Ma'am, excuse me if you  
22 could. How much longer do you think it's going to take  
23 you?

24 MS. WIMPILBERG: Oh, it's probably going to be  
25 another two minutes, because I just want to --

1 JUDGE McDADE: Make it no longer --

2 MS. WIMPILBERG: Really, my main point --

3 JUDGE McDADE: Make it no longer than that,  
4 because everybody else wants to get a chance to speak, as  
5 well. And you can augment what you have to say by  
6 submitting it in writing, as well.

7 MS. WIMPILBERG: Yes. I certainly will. And I  
8 would have done that had I known that was the way I could  
9 do it; I thought I had to appear in person. So thank you.

10 My point being that this is not considered in  
11 the EIS statement: That the prospect that Entergy's  
12 ratepayers actually won't be here to pay the bills and the  
13 ones that are here will have -- get all the cost laid on  
14 them is a very iffy question given the state of things in  
15 our country now in terms of weather, et cetera. And  
16 should there be any other kind of disaster, what would  
17 happen?

18 Did the -- does the NRC ever help, you know,  
19 us, DEC, the SEC or the congress to support Entergy in  
20 retrieving or restoring its losses in case of a disaster?  
21 That is another question that we have.

22 And I wanted to say that in fact, in a joint  
23 Scientific American article 15 years ago, the Electric  
24 Power Research Institute and Amory Lovins' Rocky Mountain  
25 Institute found that it would be cheaper to save 39 to 59

1 percent of all electricity used in the U. S. than to pay  
2 to run coal-fired or nuclear power plants and deliver that  
3 same power to customers.

4 There is tremendous research on this kind of  
5 thing: Saving energy. And this is what makes energy more  
6 affordable. We have not invested in energy efficiency in  
7 this country at all, and we need to start doing that.

8 The fourth point that I was going to make is  
9 that nuclear waste and security risks have not been  
10 adequately addressed in this new licensing process. And  
11 we think that's a fatal mistake.

12 In conclusion, the Alliance for Affordable  
13 Energy stands ready to help all parties, including  
14 ourselves, to reach a better understanding of what it  
15 means to bring about affordable energy for this country  
16 and the world. Thank you.

17 JUDGE McDADE: Thank you.

18 MS. WIMPILBERG: And I'd also like to submit  
19 this article.

20 JUDGE McDADE: Just give that to Ms. Wolf.

21 Okay. I believe that Phil Sergeant --

22 MR. SEGREST: Segrest.

23 JUDGE McDADE: Sir?

24 MR. SEGREST: Segrest.

25 JUDGE McDADE: Thank you.

1 MR. SEGREST: I'm Phil Segrest, and I live on  
2 the other side of city hall from where David Bailey  
3 lives. I am a local citizen. My family goes back to  
4 1812 in the county. And I say that primarily because most  
5 of the people who are detractors and -- to the nuclear  
6 power plant who have spoken today did not say where they  
7 were from. I noticed three did, but they weren't local.

8 I think the local people is mostly behind Grand  
9 Gulf. And Grand Gulf One certainly has been an economic  
10 boon to this county. Anybody who doesn't think so ought  
11 to look at our neighboring counties, say, Jefferson to the  
12 south. How many people out of Jefferson County come to  
13 Claiborne County for work? And I don't think I know of  
14 anybody -- and I know a lot of people in this county --  
15 most of them, in fact -- that go to Jefferson to work.

16 So the draw to this county, because of the  
17 nuclear power plant -- and I'm not saying all those people  
18 work at the nuclear power plant. They work here because  
19 of the infrastructure that the nuclear power plant has  
20 drawn to the area.

21 I don't know. This is probably the fourth or  
22 fifth meeting I've been to where NRC has held hearings.  
23 And people still haven't gotten over the tax on Grand Gulf  
24 One. The tax going away from Claiborne County was  
25 certainly not the fault of the NRC. It was not a fault of

1     Entergy. It was not a fault of the local government. It  
2     was the state government that took it away from us. And  
3     if people want to complain about that, they need to go to  
4     the state government and complain and quit bringing it up  
5     at a meeting relative to a new Grand Gulf, which, you  
6     know, we'll have a whole new avenue of addressing for  
7     taxes.

8             I think there's one other area that I feel  
9     compelled to talk about, because one of the people who  
10    talked before me mentioned that the county had one fire  
11    department. That is totally wrong, and very incomplete.

12            The county itself has five fire departments.  
13    In addition, there's a city fire department and there's a  
14    fire department at Alcorn. There are a total of seven in  
15    this county. They're all looking at upgrading. In fact,  
16    the board has bent over backwards to be supportive of the  
17    fire departments needs in the past year. And a lot of  
18    things are happening in the means of communication and in  
19    the areas of new apparatus. And we're presently training  
20    about 30 volunteers to supplement the combined paid and  
21    volunteer fire department.

22            So people need to -- you know, if they're going  
23    to come talk about our county, they need to get their  
24    facts straight and come talk to you about it from a  
25    straight standpoint. I think, with that, I'll leave it.

1 Thank you.

2 JUDGE McDADE: Thank you, sir.

3 Okay. A Henry Nicholas.

4 MR. NICHOLAS: Thank you so very much. Like  
5 the gentleman before me, I'm a resident of Claiborne  
6 County. And I'm a part of a family that is one of the  
7 largest families in Claiborne County. My baby brother is  
8 one of the first employees of the now-nuclear plant here,  
9 and he has convinced me on all occasion that it is  
10 entirely safe.

11 But I'm here to suggest that if we look at  
12 reality, then we must ask these questions: Are nuclear  
13 plants a greater danger to the American citizen than the  
14 threat of AIDS? Or is nuclear energy a greater threat to  
15 Port Gibson than the threat of the lack of opportunity?  
16 Port Gibson suffers greatly, not from the fear of another  
17 nuclear plant, but the fear of the lack of economic  
18 opportunity that still exists in the county.

19 And all of the people I talk to -- and I'm  
20 talking to them daily. They are not concerned about  
21 whether it's coming or not; they want to know when and how  
22 soon. They desire to participate if they can in the 3,000  
23 jobs that will come as a result of it -- or the more than  
24 400 permanent jobs that will be generated as a result of  
25 it.

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1           So these are real opportunities. And when you  
2 weigh the upside versus the downside, it is in my humble  
3 opinion that the upside would be that Claiborne County  
4 would be best served if the new facility was here. Our  
5 biggest fight -- and it should be -- is fighting very hard  
6 to make sure it ends up here and not someplace else.

7           It's no -- I am not of the opinion that it's  
8 not going to be built. It is where it's going to be  
9 built. And since I'm from a large family in this county  
10 and my baby brother tells me -- he drives by my house  
11 every day on his way to work. And he has not had a moment  
12 of fear. So I'm here to urge the judges to endorse this  
13 idea. It is the right time, and I believe Claiborne  
14 County is the right place. Thank you so very much.

15           JUDGE McDADE: Thank you, sir.

16           A Frank McCune.

17           (Pause.)

18           JUDGE McDADE: Fran McCune.

19           DR. McCUNE: Thank you very much. How much  
20 time do I have, five minutes?

21           JUDGE McDADE: Five minutes.

22           DR. McCUNE: I would like Your Honors' consent  
23 to extend -- provide these remarks and submit them to you  
24 in writing.

25           JUDGE McDADE: That would be fine, sir.

1 DR. McCUNE: Thank you.

2 My name is Frank McCune; I'm a surgeon and  
3 physician here in the area. My family has been in the  
4 area since 1865.

5 The -- I am serving presently as the Medical  
6 Director of Jefferson Comprehensive Medicine in Fayette;  
7 I'm also on the medical staff there. I am a member of the  
8 Citizens Corps and also the Claiborne County/Jefferson  
9 Healthcare Delivery Coalition. I'm a Persian Gulf War --  
10 a major in the United States reserve, and I was in the  
11 Persian Gulf with the Southern Corps in Operation Desert  
12 Storm.

13 I've got a couple of fundamental issues. As a  
14 trauma surgeon, I've seen real disasters and I've seen  
15 real disaster plans with the United States military in the  
16 Persian Gulf. We are nowhere near where we were in '90 in  
17 Jefferson County. Now, some people don't have the  
18 problems of looking at patients who come in and having to  
19 deal with distraught families. Everybody's not going to  
20 get out at the same time. Bet that. Everybody's not  
21 going to go.

22 When I first got to the theater, the first  
23 person that I attended or helped to attend was an  
24 orthopedic surgeon who had a myocardial infarction while  
25 trying to pin a hip on an Iraqi. So we don't go who's

1 going down, and we don't know when they're going to go  
2 down. I mean half the supervisors may go down when they  
3 get the news that it's time to evacuate. So I'm betting  
4 that I'm going to have to stay.

5 Now, the problem that I have -- there's two.  
6 That didn't bother me when I first became acquainted with  
7 Grand Gulf One, but since Grand Gulf One, we've had  
8 Katrina and we've had 9/11. The emergency plan for  
9 Jefferson County has not been updated since '94.

10 Now, in 2003, Project MATERT, Mississippi Anti-  
11 Terrorism and Emergency Response Training program, was --  
12 came to Jefferson County and was conducted. And they  
13 talked about what we needed to be able to do in the event  
14 of a terrorist attack. Now, obviously, this was a MEMA  
15 project, a Mississippi state project, so that it has  
16 credibility. It tells us what -- it tells me and medical  
17 staff people -- I'm on the medical staff at Jefferson  
18 County -- what we need to be able to do.

19 Now, as I understand it, Jefferson County is  
20 the first responding county. I have friends who are on  
21 the staff at Adams County, who is supposed to be our host  
22 county. They don't have a plan, either. If anything  
23 would happen, we would be only 25 percent ready for  
24 medical response, and that is much, much lower than we  
25 were for Persian Gulf I.

1           The '94 plan says that, "The following have  
2   been identified as the most significant hazards in the  
3   county" -- this is the '91 emergency preparedness plan --  
4   "tornadoes, severe weather, floods, transportation  
5   accidents, hazardous medical and chemical accidents and  
6   energy emergencies." Now, the Jefferson County Medical  
7   Services District of Civil Defense places my hospital and  
8   my clinic as main points of contact for medical  
9   emergencies.

10           THE CLERK: Sir, if you could, conclude your  
11   comments.

12           DR. McCUNE: I'll conclude.

13           We have in our hospital an X-ray machine, lab  
14   equipment, chemical analysis machine, drug machine,  
15   culture count and EKG machine. And that's all we have.  
16   In 1980, I was on the staff at Clay County Hospital -- the  
17   same building as then. And about six or seven months  
18   ago -- or maybe a year -- I went and talked to the  
19   administrator to find out whether or not things had  
20   changed significantly since I left in 1980, and I get a,  
21   No. And so, in conclusion, there have been promises made,  
22   and they have not been kept.

23           I would -- I have a radio show. And I'll be on  
24   there tomorrow night talking about Dr. Bristow and what  
25   would have happened if anybody had seen Dr. Bristow at

1 Alcorn go down. What would have been his chances of  
2 survival? And I -- it doesn't look good.

3 So I'm not here to argue about whether or not  
4 the reactor needs to come in or does not need to come in,  
5 but I think that we need to build a medical infrastructure  
6 that at least is comparable to what we had in the Persian  
7 Gulf in '90. I think the people deserve that. And it's a  
8 matter of money. We're going to have to have money to do  
9 it. Obviously, Jefferson County doesn't have enough  
10 money, but I think that if Jefferson County is not  
11 protected, it's going to mean that there will be a gap in  
12 the chances of survival for the entire region. Thank you.

13 JUDGE McDADE: Thank you, Doctor.

14 Ray Perryman.

15 (Pause.)

16 JUDGE McDADE: Mr. Perryman.

17 MR. PERRYMAN: Good evening. I'm Ray Perryman;  
18 I'm a supervisor with Jefferson County. Some of the  
19 questions that we have here -- we're really not  
20 questioning, but we would like to have to be addressed.  
21 When we attended the public hearing in 2005, we went on  
22 the record to be notified of any meeting that affects the  
23 county, to be acknowledged. We have only received one e-  
24 mail concerning Grand Gulf Two, and that was for tonight's  
25 meeting. We requested follow-up information on the

1 meeting held here last June on the 28th and have not  
2 received it.

3 To my knowledge, no one from MEMA or FEMA has  
4 contacted anyone on the board of supervisors to update us  
5 on the emergency plan in Jefferson County. And of  
6 significant concern in Jefferson County is the proximity  
7 to Grand Gulf nuclear power station.

8 Jefferson County is located in ten-mile cone of  
9 Emergency Plan Zone and a 50-mile radius of Grand Gulf.  
10 And being as the Nuclear Regulatory Commission provided  
11 the site and license, when the Jefferson County  
12 Comprehensive Emergency Plan has not been looked at for 11  
13 years, this has done proved to me that, Well, we're  
14 violating FEMA guidelines concerning emergency  
15 preparedness exercises and evacuation criteria in 66 F.R.  
16 47526 and 67 F.R. 20580.

17 Under Section 12148, FEMA is charged with the  
18 responsibility to work with the state and local government  
19 and to provide incentive to stimulate various  
20 participation in civil emergency preparedness, mitigation,  
21 response and recovery programs. Section 2104, FEMA  
22 regulation, and the case law of Atomic Safety and the  
23 Licensing Appeal Board, ALB 935, provide regulatory  
24 guidelines regarding offsite planning and preparedness for  
25 a response to a situation requiring urgent action.

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1           And 210 C.F.R. Part 50 states that the licensee  
2 shall demonstrate that the state and local officials have  
3 the capability to give the public notification of  
4 decisions promptly on being informed by the licensee of  
5 any emergency condition, and the public notification  
6 system shall have the capability to essentially complete  
7 the initial notification of the public within the plume  
8 exposure pathway within about 15 minutes.

9           Can this be possible when Jefferson County and  
10 Fayette do not even have warning sirens and their  
11 emergency response plan is 11 years out of date?

12           I would like to get permission to put this in  
13 writing and issue it to you at a later date.

14           JUDGE McDADE: That would be fine, sir. Thank  
15 you.

16           MR. PERRYMAN: Thank you.

17           JUDGE McDADE: We have a Joe Smith.

18           DR. SMITH: Good evening. My name is JoAnn  
19 Cullen Smith. I'm a lifelong resident of Claiborne  
20 County. And today, I am acting in behalf of the citizens,  
21 as a citizen and resident of this county. I'm an  
22 educator, also, in Claiborne County. And I wrote my stuff  
23 down so I could be quick and try to cover everything.

24           But I wanted to say this. I trusted and hoped  
25 that before I could give my little statement to you -- you

1 said, Everyone who has spoken -- that we would all be  
2 listening, because there was some valuable information  
3 that was presented to us. And it really needs to be taken  
4 to heed, and especially for those of you who are not from  
5 Claiborne County.

6 And we heard some amazing stuff like -- for  
7 example, all that came to my mind was, Danger, danger for  
8 the people who live in Claiborne County and the  
9 surrounding areas such as Jefferson County, because I can  
10 remember very vividly when, many, many years ago, I worked  
11 at Bechtel Power Corporation. I was down there the night  
12 that the crane knocked the big chunk out of the cooling  
13 tower. And I said, This is supposed to be a thick wall;  
14 what happened.

15 The serious question that has been addressed  
16 today: Should Claiborne County accept one more nuclear  
17 power plant or reactor. Entergy is requesting an early  
18 site permit pending with the U. S. Nuclear Regulatory  
19 Commission to build a second reactor for its Grand Gulf  
20 nuclear station.

21 To my understanding, Entergy has stated the  
22 second reactor would increase its customer base in  
23 Mississippi, Louisiana and Arkansas and would decrease the  
24 rising cost of natural gas and create new jobs in this  
25 community. As a citizen in Claiborne County, I believe

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1 that before we can move forward, there is an issue that  
2 must be addressed.

3 The current nuclear power plant resides in  
4 Claiborne County; therefore, the initial tax dollars must  
5 be brought back to the people of this county. Mr. U. S.  
6 Nuclear Regulatory Commission, help us amend this piece of  
7 your legal legislation. This question cannot be  
8 overlooked, and it must be addressed before we can move  
9 forward.

10 Mr. NRC, gentlemen, I submit to you, Where have  
11 you heard of a property residing in a particular county  
12 share tax base with 45 other servicing counties? I say to  
13 you it has never been done in the history of the United  
14 States of America. Claiborne County has been singled out.

15 Then the argument can be made, just when you  
16 have 30-plus casinos in the state of Mississippi, then we  
17 shall introduce a bill to share their revenues. I'm not  
18 proposing or advocating that. I'm simply suggesting that  
19 as an illustration of, How ludicrous for this to have  
20 happened to Claiborne County and that it was done  
21 deliberately and ignoring the constituency of this  
22 majority-Black community.

23 The ultimate judge sits up high, and he looks  
24 down low. Now who would have thought we would have had a  
25 9-1-1, as has been stated? Come on, folks. This is

1 America. Who would have thought Katrina last year would  
2 have created all the havoc that happened?

3 The bottom line: America is not as safe as it  
4 used to be, and we should stop pretending we are the  
5 police of the world. There are other countries at the top  
6 of their games, too.

7 You say this current nuclear power plant is  
8 safe. I made a call to the state health department some  
9 years ago; I was told by then the Dr. Thompson, the state  
10 health official, it was not cancer that was the Number One  
11 killer in Claiborne County, but it was heart disease.  
12 What prompted me to check? Several children in the  
13 Hermanville community in Claiborne County became diagnosed  
14 with cancer and eventually died.

15 For some time, I began to think only Blacks  
16 were being stricken down with cancer, because we had so  
17 many folks who were coming down with cancer, until one day  
18 I was at the post office and I ran into a white female;  
19 she in the past had long, flowing, beautiful hair. All  
20 that was gone. It was up in a scarf. And I asked. I  
21 said, Girl, what happened to your hair? And she said,  
22 Right now, I'm taking chemo.

23 So guess what? I'm really convinced now that  
24 something is going on about having a nuclear power plant  
25 in the area. Most people would share the following

1 concerns: The risk factor of going to war and becoming a  
2 major target. Especially the proposal of a second nuclear  
3 reactor. That's reality, folks. It's no joke.

4 Now, if you can show me where you can say that  
5 we are ultimately going to be safe here in Claiborne  
6 County and the surrounding area, then I'm all in favor,  
7 because it's not all about the dollar bill. The health  
8 factor? The belief that cancer is on the rise? I have no  
9 supporting data, because the chief of the health  
10 department in the state says it's not, but it's heart  
11 disease. But you can't prove that by me, because of what  
12 other people show.

13 A commitment for a job trail? This time  
14 around, most people commute right now. They commute from  
15 outside. They come in, they work, they get their pay  
16 check, and they go right back out. And I submit to you,  
17 Mr. NRC, if you all are here and you all are the watchdog  
18 and you're supposed to be trying to help make this a  
19 better place, you help us in Claiborne County introduce a  
20 piece of legislation to correct the wrong that has been  
21 done in Claiborne County. I thank you.

22 JUDGE McDADE: Thank you.

23 And the last person we have signed up is a  
24 Robert Butler.

25 Mr. Butler? Is Mr. Butler here?

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1 MR. BUTLER: Good afternoon. Most of you that  
2 live in Claiborne County might know that I am Robert  
3 Butler and I am the president of the NAACP. I kind of got  
4 here a little late, and I hope you all excuse me. I had  
5 to get a grand-daughter married, and I just got back from  
6 Huntsville. She's happy, and I'm broke.

7 (Laughter.)

8 MR. BUTLER: But I came to respond to some  
9 things that was concerning the citizens in Claiborne  
10 County and members of the NAACP. I was listening a little  
11 while ago to some information that was being passed on  
12 about being in what we call delusion with the group for  
13 the night, being in disagreement. We're not all in  
14 disagreement maybe, but we are in disagreement as to  
15 whether or not we see eye to eye on the possibility of a  
16 nuclear power plant.

17 I've represented the NAACP for the past two  
18 years as president. And most of our organization's  
19 members voiced the opinion that we were in favor of the  
20 plant being reinstated or a new plant coming in, but we  
21 were not in favor of it coming the way it came before.  
22 And I heard a young man say earlier today that the problem  
23 we had with the nuclear power plant was more a state  
24 problem than with the Nuclear Regulatory people, but I  
25 don't know.

1 I'm not good at dealing with the political side  
2 of these things. But those of us who live here in  
3 Claiborne County and probably are going to die here in  
4 Claiborne County -- we properly would like to let it be  
5 known that we don't want the plant to come in under the  
6 same conditions, but we don't have any problems or any  
7 qualms with what a nuclear power plant could do. It's  
8 just the matter of the state taking funds out and making a  
9 law especially for Claiborne County.

10 Now, the NAACP is not in favor of that law.  
11 And we have to say it. And you can't tell us we can't say  
12 it, ladies and gentlemen. If we say we don't like that  
13 law, we can say that. You know, I wish we all would  
14 understand that we can disagree. We can disagree.

15 I'm a veteran. I went back to the war back --  
16 but not like the young men over there now, but I was in  
17 this war. So don't call me unpatriotic. We love our  
18 country, too, but we're looking out for the welfare of our  
19 people here in Claiborne County.

20 It's all right for people from outside the  
21 county to come in and voice their opinions, but we in  
22 Claiborne County have to live with what we have going on  
23 around here. If it's good, we benefit. If it's bad, we  
24 suffer the conditions. You understand?

25 So the NAACP is in favor of the plant coming in

1 and everything, but we're still working close with the  
2 supervisors and community leaders to make sure that funds  
3 from this plant will be different than they were in the  
4 beginning plant. We insist on that. Thank you.

5 JUDGE McDADE: Thank you, sir.

6 Okay. That concludes the individuals who have  
7 signed up to speak.

8 MR. PULLEN: Excuse me. I signed up, but my  
9 name was not called.

10 JUDGE McDADE: Why don't you come up and speak?

11 MR. PULLEN: Okay.

12 JUDGE McDADE: What's your name, sir?

13 MR. PULLEN: Tom Pullen.

14 JUDGE McDADE: Okay, sir.

15 MR. PULLEN: Thank you. Perhaps my wife's name  
16 and mine got congealed into one person's.

17 My name is Tom Pullen, and I'm from Byram,  
18 Mississippi, over near Jackson. And I'd just like to say  
19 a couple comments.

20 First, I would like to say that I certainly  
21 agree with many of the previous speakers who have  
22 expressed their concerns with the adequacy of the  
23 environmental impact statement that has been done. I  
24 won't repeat all that they have said, but I believe there  
25 are a number of omissions in that the document does not

1 address many of the issues clearly in the way that it  
2 should and, because of that, is not in keeping with the  
3 spirit of the National Environmental Policy Act.

4 I would like to raise one issue that I don't  
5 think has been addressed with reference to the NEPA  
6 process. And this is the issue of full involvement of the  
7 public and all the potential parties that may be affected  
8 by this proposed project.

9 The Grand Gulf site, as you know, is situated  
10 on the Mississippi River, right on the border of  
11 Mississippi and Louisiana. There are a lot of people  
12 across the river in Louisiana who will be affected by this  
13 plant and who live within a 25 or 50 or 75 miles, and  
14 there have been to my knowledge no public meetings in  
15 Louisiana, and very little effort to communicate with the  
16 people across the river and to give them easy  
17 opportunities to participate in this process. And I think  
18 that is a serious omission in the process that has been  
19 taken for this whole business.

20 Now, in conclusion, I would like to just say a  
21 couple words about leadership. A nuclear engineer brought  
22 this up earlier, and I certainly agree with him in that I  
23 believe the United States should be showing a great deal  
24 of leadership in terms of the energy situation.  
25 Unfortunately, that is not the case, and it has not been

1 the case for 20 or 30 years.

2 We've had successive administrations in  
3 Washington who have just not taken a very proactive  
4 approach when dealing with this issue. It has been  
5 particularly poor under the Bush administration.

6 And really, the reason we're here tonight is  
7 because of all of this poor leadership. Had better  
8 leadership been going on, I don't think we would be  
9 standing here tonight talking about the need for a nuclear  
10 power plant or whether it's a good idea or not a good  
11 idea; it would be clear that we didn't need nuclear  
12 plants. And I know that's not really what you're here to  
13 hear tonight, but I thought it's something I should say.

14 We need greatly leadership at the Washington  
15 level to deal with all of the issues surrounding energy  
16 and to get us on the path of using renewable energy, as  
17 many other countries are doing. I think it's appalling  
18 that the United States, as I have read just recently, is  
19 something like ten years behind the country of Brazil when  
20 it comes to things like producing energy from fuel -- bio-  
21 fuel and that type of thing.

22 So we've got a lot of catching up to do, and we  
23 need to get on with it. Thank you.

24 JUDGE McDADE: Thank you, sir.

25 I believe that does conclude everybody who has

1 signed up to speak. I want to thank you all for coming.  
2 I want to thank the speakers particularly for the sharing  
3 of what they had with us. We've certainly heard a number  
4 of different opinions, some general, some very specific,  
5 that we will take into consideration as we proceed towards  
6 the hearing in this case and then towards making the  
7 ultimate decision by the Board.

8 Again, I want to thank you all for being here.  
9 This concludes our meeting for this evening.

10 THE CLERK: For anyone who wanted to submit a  
11 written limited appearance statement, there are a couple  
12 of copies here of the Federal Register notice the Board  
13 issued that has the address you need to send it to. You  
14 need to send a copy both to the office of the secretary,  
15 as well as to the licensing board.

16 There are also a few extra copies of the press  
17 release that has the same information. So if you want to,  
18 pick one up. Otherwise, you can find it on NRC's website,  
19 www.nrc.gov. You either do a search for prior Commission  
20 orders or press releases, and you'll be able to find it.

21 JUDGE McDADE: Thank you.

22 (Whereupon, at 8:25 p.m., this limited  
23 appearance meeting was concluded.)  
24  
25

CERTIFICATE

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

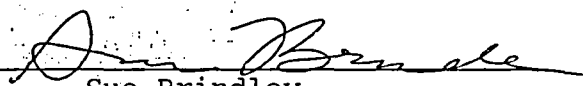
Name of Proceeding: Limited Appearance

System Energy Resources, Inc.

Docket Number: 52-009-ESP

Location: Port Gibson, Mississippi

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

  
Sue Brindley  
Official Reporter  
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