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PUBLIC MEETING TO DISCUSS  
LICENSE RENEWAL PROCESS AND  
ENVIRONMENTAL SCOPING FOR  
JAMES A. FITZPATRICK NUCLEAR POWER PLANT

Held  
Thursday, October 12, 2006  
7:00 p.m.

Town of Scriba Municipal Building  
42 Creamery Road  
Oswego, New York

Transcript of Proceedings

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P R O C E E D I N G S

7:04 P.M.

1  
2  
3 MR. HOFFMAN: All right, I think we'll go  
4 ahead and get started tonight.

5 Good evening. My name is Steve Hoffman.  
6 I'm a Senior Project Manager with the Nuclear  
7 Regulatory Commission or NRC as we refer to it.

8 I'd like to welcome you here today to the  
9 NRC's public meeting. The subject of the meeting here  
10 tonight is to discuss the license renewal application  
11 for Entergy's license renewal application for the  
12 James A. FitzPatrick Nuclear Power Plant.

13 I'm going to serve as your facilitator  
14 tonight, hopefully to ensure that we all have a  
15 productive meeting tonight. And before we get  
16 started, I'd like to kind of lay out what the meeting  
17 process is going to be so you know what to expect.

18 First, we're going to discuss the format  
19 of the meeting. We'll follow that up then with some  
20 simple ground rules for how we're going to conduct the  
21 meeting, and finally, I'll introduce the presenters,  
22 the NRC staff who will be making presentations.

23 Regarding the format, it's going to be a  
24 two-part meeting. At the beginning, we're going to  
25 have two NRC staff make presentations to give you some

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1 background on the license renewal process and  
2 specifically more detail on the environmental review  
3 process.

4 The second part of the meeting is really  
5 why we're here. We want to hear from you guys. We  
6 want to hear what comments you might have to help us  
7 with our review. We also want to make sure that you  
8 guys have a good understanding of how the license  
9 renewal process is going to work and what's involved  
10 in it.

11 You're going to hear the term scoping  
12 meeting used. Scoping is a term that's used in  
13 conjunction with preparing environmental impact  
14 statements. Essentially what that does is it helps  
15 the NRC determine what should be in the scope of the  
16 environmental impact statement that we're going to  
17 prepare, what kind of issues need to be addressed and  
18 what alternatives might need to be considered.

19 The staff is going to talk a little bit  
20 later about -- we're taking written comments right now  
21 in the scoping process, but I want you to know that  
22 any comments you make tonight will carry the same  
23 weight. We're having the meetings being transcribed,  
24 so the comments tonight will have that same level of  
25 consideration.

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1           As far as the ground rules go, after the  
2 presentations, we're going to have a brief session  
3 where you can ask questions on the process, make sure  
4 if you need any clarifications, need any additional  
5 information on the process, we'll discuss that. I do  
6 request that you hold your comments to the formal  
7 comment period that will then follow. During the  
8 formal comment period we've got a couple of people  
9 that are pre-registered to speak. I'll call them up  
10 one at a time because we want only one person speaking  
11 so that we can get a clear transcript and also so that  
12 Peter Holland over here knows who is speaking at the  
13 time for the transcript.

14           Comments tonight are important to the  
15 staff for two reasons. It gives us kind of a heads up  
16 as to what the issues are so that we can kind of start  
17 thinking about them and also if necessary we can talk  
18 with you more to get further information from you as  
19 to what issue you might have.

20           The other thing is by making your comments  
21 tonight it also lets other people in the audience  
22 understand that -- and know what other issues might be  
23 of concern to people. So with that, you're first  
24 going to hear from Maurice Heath. He is the Safety PM  
25 who is going to be involved in the review of the

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1 safety portion of the license renewal application.  
2 He's going to give you an overview of the license  
3 renewal process and that will be followed then by Sam  
4 Hernandez who is the Project Manager, responsible for  
5 the environmental review and he'll go into more detail  
6 then on the environmental process and the request for  
7 scoping comments.

8 With that, we'll start with Maurice.

9 MR. HEATH: Thank you, Steve. Good  
10 evening. My name is Maurice Heath. And like Steve  
11 said I am the Project Manager responsible for the  
12 review of the FitzPatrick license renewal application.  
13 The NRC considers public involvement in, and  
14 information about our activities to be a cornerstone  
15 of strong, fair regulation of the nuclear industry.

16 The purpose of tonight's meeting is first  
17 to describe the NRC's license renewal process; second,  
18 to describe the safety and environmental review  
19 processes; third, to share with you the license  
20 renewal review schedule for FitzPatrick; and fourth,  
21 to discuss your opportunity to comment on the scope of  
22 our environmental review.

23 At the conclusion of this evening's  
24 presentation, the NRC staff will be happy to answer  
25 any questions and receive any comments that you might

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1 have on our process and the scope of our review.  
2 However, the staff will ask you to limit your  
3 participation to questions only and hold your comments  
4 until the appropriate time during the course of this  
5 meeting. Once all questions are answered, we can  
6 begin to receive any formal comments that you have on  
7 the scope of our environmental review.

8 Before I get to the discussion of the  
9 license renewal process, I would like to take a minute  
10 to talk about the NRC in terms of what we do and what  
11 our mission is.

12 The Atomic Energy Act and Energy  
13 Reorganization Act authorized the NRC to regulate the  
14 civilian use of nuclear material. In exercising its  
15 authority the NRC's mission is threefold: to ensure  
16 adequate protection of public health and safety, to  
17 protect the environment, and to promote the common  
18 defense and security.

19 The NRC accomplishes its mission through  
20 a combination of regulatory programs and processes  
21 such as conducting inspections, issuing enforcement  
22 actions, assessing licensee performance, and  
23 evaluating operating experience from nuclear plants  
24 across the country and internationally. A  
25 representative of our inspection program is here

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1 today. Mr. Doug Dempsey is the NRC Resident Inspector  
2 stationed at the FitzPatrick plant. In case you  
3 didn't know, the NRC has resident inspectors at each  
4 of the commercial nuclear power reactor sites. These  
5 inspectors carry out the safety mission of the NRC on  
6 a daily basis and are on the front lines of ensuring  
7 conformance to NRC regulations.

8 The Atomic Energy Act authorized the NRC  
9 to grant a 40-year operating license for nuclear power  
10 reactors and allowed for license renewal. It is  
11 important to note that this 40-year term was based  
12 primarily on economic factors and antitrust  
13 considerations, as opposed to safety or technical  
14 limitations.

15 The National Environmental Policy Act of  
16 1969, otherwise known as NEPA, defined a national  
17 policy for the environment and established the basis  
18 for considering environmental issues in the conduct of  
19 federal activities.

20 The specific regulations that the NRC  
21 enforces are contained in Title 10 of the Code of  
22 Federal Regulations, which is commonly referred to as  
23 10 CFR.

24 The current Operating License for the  
25 FitzPatrick Nuclear Power Plant will expire on October

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1 17, 2014. By letter dated July 31, 2006, Entergy,  
2 owner of the plant, submitted an application for the  
3 renewal of the FitzPatrick Operating License for an  
4 additional 20 years.

5 A copy of the FitzPatrick license renewal  
6 application is available for review at your local  
7 libraries. At the Penfield Library, SUNY of New York  
8 in Oswego and the other is at the Oswego public  
9 library in downtown Oswego.

10 Two guiding principles form the basis of  
11 the NRC's approach in performing the safety review.

12 The first principle is that the current  
13 regulatory process is adequate to ensure that the  
14 licensing basis of all currently operating plants  
15 provides and maintains an acceptable level of safety.

16 The second principle is that the current  
17 plant-specific licensing basis must be maintained  
18 during the renewal term in the same manner, and to the  
19 same extent, as during the original license term.

20 To maintain the plant current licensing  
21 basis, the effects of aging during extended period of  
22 operation are given special attention through the  
23 license renewal process. Additional programs and  
24 surveillance activities are required for managing the  
25 effects of aging on certain plant structures, systems,

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1 and components.

2 The FitzPatrick license renewal  
3 application submitted by Entergy contained numerous  
4 assessments, analysis, and drawings. The application  
5 also contained an environmental report. Essentially,  
6 the application contains the following information:

7 Integrated Plant Safety Assessment, which  
8 the Applicant describes and justifies the methods used  
9 to determine the systems and the structures within the  
10 scope of license renewal and the structures and  
11 components subject to aging management review.

12 Time-Limited Aging Analysis, which  
13 includes the identification of the component and an  
14 explanation of the time-dependent aspects of the  
15 calculation or analysis.

16 And then the Final Safety Analysis Report  
17 Supplement, which provides a summary description of  
18 programs and activities for managing the effects of  
19 aging for the period of extended operation.

20 Technical Specification Changes is also a  
21 part of the application. However, it's not applicable  
22 to FitzPatrick.

23 And lastly, the Environmental Report. In  
24 evaluating the information in this report the staff  
25 conducts on-site audits; collects formal comments from

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1 the public; and consults with other local, state and  
2 federal agencies.

3 The first thing to notice is that the  
4 license renewal process consists of both a safety  
5 review shown at the top and an environmental review  
6 shown on the bottom. The safety review produces a  
7 safety evaluation report. You can find it on the  
8 chart here. The environmental review produces an  
9 environmental impact statement.

10 During the safety review, the NRC staff  
11 evaluates technical information in the license renewal  
12 application to verify, with reasonable assurance, that  
13 the plant can continue to operate safely during the  
14 period of extended operation. It focuses attention on  
15 aging management. The technical evaluation is  
16 documented in a safety evaluation report.

17 This safety evaluation report is forwarded  
18 to the Advisory Committee on Reactor Safeguards or  
19 ACRS. The ACRS is a group of scientists and nuclear  
20 industry experts who serve as a consulting body to the  
21 Commission. The ACRS performs an independent review  
22 of the license renewal application and the NRC staff's  
23 safety evaluation. Then the ACRS reports their  
24 findings and recommendations directly to the  
25 Commission.

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1           In addition, plant inspections are  
2 conducted by a team of NRC inspectors who verify that  
3 the Applicant's license renewal program, including  
4 supporting activities, are implemented consistent with  
5 the application that was submitted.

6           The NRC Office of Nuclear Reactor  
7 Regulation reviews the Applicant's renewal application  
8 and supporting documentation and conducts on-site  
9 audits. The review results in a safety evaluation  
10 report that documents the basis and conclusions of the  
11 NRC staff's safety review. The SER is also publicly  
12 available. In addition, as part of the overall NRC  
13 license renewal review process, a team of specialized  
14 inspectors travel to the reactor site to verify that  
15 the aging management programs have been or are ready  
16 to be implemented.

17           The Advisory Committee on Reactor  
18 Safeguards providing an independent review of the  
19 license renewal application and the staff's safety  
20 evaluation report. The Committee offers a  
21 recommendation to the Commission after it has  
22 completed its review.

23           I would like to highlight activities that  
24 are separate from the license renewal process. They  
25 include security, emergency planning, and current

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1 safety performance. The NRC monitors and provides  
2 regulatory oversight of these issues on an ongoing  
3 basis under the current operating license. The NRC  
4 addresses these current operating issues on a  
5 continuing basis. Thus, we do not re-evaluate them in  
6 the license renewal process. For more information  
7 about the oversight process for operating reactors,  
8 you can follow the link at the bottom of the page.

9 I'd like to thank you for this time for  
10 the safety portion of our presentation and I'd like to  
11 bring on our Environmental Project Manager, Sam  
12 Hernandez. Thank you.

13 MR. HERNANDEZ: Hi, my name is Sam  
14 Hernandez. I'm an environmental project manager for  
15 the NRC. I am responsible for coordinating all the  
16 activities of the NRC staff and various environmental  
17 experts at the Lawrence Livermore National Laboratory  
18 to prepare an environmental impact statement  
19 associated with the proposed license renewal of the  
20 FitzPatrick Nuclear Power Plant.

21 The National Environmental Policy Act of  
22 1969 requires that all federal agencies follow a  
23 systematic approach in evaluating potential impacts  
24 associated with certain actions. We at the NRC are  
25 required to consider the impact of the proposed action

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1 and also any mitigation for those impacts we consider  
2 to be significant.

3 We are also required to consider  
4 alternatives to the proposed action, in this case, the  
5 license renewal of FitzPatrick and other alternatives  
6 include the no-action alternative. In other words, if  
7 we decide not to approve the license renewal for  
8 FitzPatrick, what are the environmental impacts?

9 The NRC has determined that an  
10 environmental impact statement or EIS, will be  
11 prepared for any proposed license renewal of nuclear  
12 plants. In preparing an environmental impact  
13 statement, the NRC conducts a scoping process. The  
14 purpose of the scoping process is to identify any  
15 important issue and information to be analyzed in  
16 depth during the review. We are now in the scoping  
17 process for FitzPatrick and are here today gathering  
18 information and collecting public comments on the  
19 scope of our review.

20 Simply put, what special issues should the  
21 staff consider in preparing the environmental impact  
22 statement for FitzPatrick?

23 In that framework, I want to provide an  
24 overview of an environmental review. In the 1990s,  
25 the NRC staff developed a generic environmental impact

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1 statement or GEIS. The GEIS documented the  
2 environmental impacts of renewing the operating  
3 licenses for all the nuclear plants in the nation. As  
4 a result of that analysis, the NRC was able to  
5 determine that several environmental issues were  
6 common or similar to all nuclear power plants. The  
7 environmental impact associated with those issues was  
8 small at all sites.

9 The NRC staff, in our review, will also  
10 evaluate any new and significant information that  
11 might call into question the conclusions that were  
12 previously reached in the GEIS.

13 Now the NRC also concluded that there are  
14 several issues to which a generic determination or  
15 conclusion could not be reached and for these issues,  
16 the NRC will prepare a site-specific environmental  
17 impact statement or SEIS. And that's why we are here  
18 today requesting your comments on the scope of the  
19 site-specific environmental impact statement for  
20 FitzPatrick.

21 When the review is completed, the GEIS and  
22 the site-specific environmental impact statement will  
23 be the complete record of the environmental review.

24 Next slide. This diagram shows the  
25 subject areas that we'll be looking and we'll be

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1 evaluating on our site-specific environmental impact  
2 statement for FitzPatrick.

3 Next slide, please. So how does the  
4 public provide input for the decision making? This  
5 diagram shows some of the inputs that are used for the  
6 license renewal decision. Today, we are here  
7 soliciting your comments on the scope of the  
8 environmental review and we will consider all comments  
9 received during the scoping in developing the draft  
10 supplemental environmental impact statement.

11 Also, there is an opportunity to request  
12 a hearing right here at the bottom. The opportunity  
13 for hearing closes on November 20, 2006 and additional  
14 information about the hearing process is attached in  
15 the handouts that you received at the registration  
16 table, specifically if you look at the Federal  
17 Register notice, there's the information on how to  
18 request a hearing in the proceedings.

19 Now I would like to clarify that the  
20 hearing opportunity and the public comments on the  
21 scope of the environmental review are two different  
22 processes. Today, we will consider your comments for  
23 the scope of the environmental review.

24 Next slide. So how do you provide your  
25 comments? You can do it here during our comment

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1 portion of the meeting. If you are not ready to  
2 provide a comment today, you can send us your comment  
3 via regular mail. Or you can also send your comment  
4 via email. The special address that we had set up in  
5 the NRC for receiving comments on the scoping of  
6 environmental review for FitzPatrick, the address is  
7 FitzPatrickEIS@nrc.gov. Also you can deliver your  
8 comments in person if you wish to.

9 I want to give you some information about  
10 the overall review schedule. All this information is  
11 provided in your handouts, so I won't bore you going  
12 over all of them, but all of these items in yellow are  
13 the opportunities for public involvement. Right now  
14 we are in the scoping process. The scoping process  
15 closes on November 14, so if you want to send any  
16 comment regarding the scope of the review, you have  
17 until November 14 to send that to us.

18 Also now, we have a hearing opportunity.  
19 That one closes on November 20. As I told you  
20 earlier, there's more detailed information in your  
21 handout about that process.

22 We expect to issue a scoping summary  
23 report in March of '07. In that report we will have  
24 the summary of all the issues that were brought up  
25 during scoping. After that, we expect to publish the

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1 draft environmental impact statement in June of '07  
2 and that document will be up for public comment for 75  
3 days, public comment period and we'll have another  
4 meeting here to request your comments on that  
5 document. We expect to have that public meeting in  
6 July '07.

7 After that, we anticipate issuing the  
8 final supplemental environmental impact statement in  
9 January '08.

10 Next slide. Some additional information,  
11 if you have any question about what was said here  
12 today or any information to help submit your comments,  
13 you can call any of the people listed on this slide.

14 Also, we have several of the documents  
15 like the environmental report, the application that  
16 the Applicant submitted and we'll be sending the  
17 scoping summary report, the draft environmental impact  
18 statement and the safety evaluation report and the  
19 final supplemental environmental impact statement to  
20 the local public libraries so you can also find those  
21 documents there. And you can also go to the NRC  
22 website and find information. If you have any problem  
23 locating any documents in the NRC website, you can  
24 call anyone of us and we'll make sure you get a copy  
25 of what you're looking for.

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1 That concludes my remarks. Thank you.

2 MR. HOFFMAN: All right. Thank you, Sam.  
3 Thank you, Maurice.

4 The focus of the meeting is to solicit  
5 your comments on the environmental scoping, but before  
6 we do that we're going to take a brief period here to  
7 see if anybody has any questions, any clarifications  
8 they need.

9 If anyone has any -- do you have a  
10 question? Okay.

11 If you could state your name and any  
12 affiliation, if it's applicable.

13 MR. DELLWO: Tom Dellwo and Citizens  
14 Awareness Network. It's kind of just a basic  
15 question. I'm not really sure. Is this meeting  
16 taking comments about safety and environment or just  
17 environment?

18 MR. HERNANDEZ: We're taking comments on  
19 the scope of the environmental review, so just  
20 environmental review.

21 MR. DELLWO: Just environmental review,  
22 not safety.

23 MR. HERNANDEZ: We'll provide information  
24 about the safety process, if you have any question.

25 MR. DELLWO: And will there be an

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1 opportunity for public comment about safety?

2 MS. FRANOVICH: Hi, Tom. The reason we  
3 solicit comments on the scope of our environmental  
4 review is because it's done under NEPA and so it  
5 provides an opportunity for the public for comment.

6 The safety review is not under NEPA and so  
7 there is no opportunity to comment on the staff safety  
8 review.

9 MR. DELLWO: Okay.

10 MR. HOFFMAN: Any other questions? Then  
11 we'll go into the more formal comment period.

12 We have two people registered. Tim Judson  
13 had requested to make comments. Again, state your  
14 name, affiliation, if it's appropriate.

15 We normally try to limit this to five  
16 minutes. We only have two signed up. I don't think  
17 we need to be that strict tonight.

18 That's fine. Wherever you're comfortable.

19 MR. JUDSON: I'm curious how many people  
20 in the audience tonight are not employees of NRC or  
21 Entergy. Half a dozen or so?

22 Well, it's a little bit hard to know  
23 necessarily what to say at these meetings for a number  
24 of reasons. One is that you know the NRC in passing  
25 its regulations on license extensions like that has

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1 basically ruled out almost any issue that the public  
2 would care about for mattering what decision the NRC  
3 makes about a relicensing application.

4           You can't raise issues of nuclear waste  
5 because they have what they call the Waste Confidence  
6 Rule which means that because the Federal Government  
7 has a law that says they're going to make a nuclear  
8 waste dump, that the public doesn't need to be  
9 concerned about how much waste is being generated and  
10 stored in their communities, even though we're already  
11 20 years behind on a waste dump as it is and it  
12 doesn't look like it's going to happen any time in the  
13 near future, unless Congress overrides many, many laws  
14 to jam this thing through.

15           You're not allowed to raise issues of  
16 security or terrorism because the NRC's official  
17 stands on security and terrorism is that terrorism is  
18 too speculative a risk to calculate what the actual  
19 possibility of it is. And so their security  
20 regulations as they stand are sufficient to protect  
21 the nation's reactor communities.

22           Not allowed to raise generic questions  
23 about nuclear safety and how you feel about having a  
24 nuclear power plant in your community, that if it did  
25 melt down, would basically cause the evacuation or

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1 permanent resettlement of the entire population of  
2 your community.

3           So that doesn't leave us with a whole lot.  
4 And you know basically what's been laid out is a  
5 process by which the NRC is going to make a decision  
6 about whether this power plant should operate for an  
7 extra 20 years, even though no nuclear power plant has  
8 ever run to this point in history for more than 40  
9 years on the basis of paper pushing and on the basis  
10 of bureaucracy.

11           So there's really very little the public  
12 can contribute to this process, unless of course, the  
13 Federal Courts step in which may happen very soon  
14 because the Federal Court branch out in California has  
15 ruled that the NRC has to consider terrorism and  
16 security issues as part of any kind of licensing  
17 process. And the NRC is now appealing that to the  
18 Supreme Court. So we may or may not be able to raise  
19 any issues that matter in this process.

20           So I guess mostly what I wanted to talk  
21 about is reality in terms of what happens here. And  
22 basically NRC's entire regulatory process at this  
23 point is based on whether or not the companies that  
24 own the power plants tell the truth. And so the  
25 question is why should we believe what Entergy says?

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1 What basis do we have to believe that they're telling  
2 us the truth about the inspections they're going to  
3 undertake, about the current status of all of these  
4 aging components inside the reactor, about their  
5 policies for ensuring that workers can report safety  
6 problems.

7 And the truth of the matter is there isn't  
8 a whole lot of ground to stand on there. CAN today  
9 just submitted some documents to the NRC through their  
10 public petition process. We have obtained  
11 transcripts, documents in which Entergy managers at  
12 FitzPatrick were interviewed by NRC investigators in  
13 a case of retaliating against a whistle blower named  
14 Carl Patrickson who lives in Mexico, New York, and  
15 transcripts of court proceedings under the Department  
16 of Labor where Carl Patrickson had brought a law suit  
17 against Entergy claiming discrimination. And in these  
18 two sets of transcripts, three managers at FitzPatrick  
19 including the two top executives at the time can't  
20 seem to get their stories straight about what they  
21 knew and when they knew it.

22 In one case, with the NRC, they admitted  
23 knowing that he had reported a nuclear safety problem  
24 before they fired him and six months later, in the  
25 courtroom with the Department of Labor they said they

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1 didn't know. And it's really hard to see how those  
2 two things can both be true.

3           So there's a real issue here about whether  
4 Entergy tells the truth and in terms of granting a  
5 company blanket permission to operate a reactor for an  
6 extra 20 years, what basis do we have to know that  
7 they're going to follow through on their promises and  
8 in fact, that the things that they're telling us about  
9 the plant are true.

10           And we believe that this whole process  
11 needs to stop until three things happen. One is that  
12 NRC investigates these statements that Entergy  
13 management is making; and two, that NRC investigates  
14 FitzPatrick and makes sure that workers are not  
15 threatened and retaliated against for reporting safety  
16 problems and not only that, but the workers don't feel  
17 as though they're going to be afraid to report safety  
18 problems. And lastly, Entergy needs to put Carl  
19 Patrickson back to work because what has happened  
20 since his case, he won his case by the way with the  
21 Department of Labor, even though the management at  
22 Entergy claimed that they didn't know that he had  
23 reported a safety problem. Even then, the Department  
24 of Labor found that he had been blatantly  
25 discriminated against. But he's still not back to

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1 work.

2 And since then, all three of the managers  
3 whose testimony is in question have been promoted at  
4 Entergy. Ted Sullivan, who used to be the site vice  
5 president is now site vice president at Vermont  
6 Yankee, so he's been transferred to another plant at  
7 the same position. One of the managers has been  
8 transferred to corporate headquarters in White Plains  
9 with a higher position. And the other manager has  
10 been promoted within FitzPatrick to a higher position  
11 there.

12 So our neighbors and our community members  
13 who work at these plants have seen one person who  
14 reported a nuclear safety problem fired and not given  
15 his job back even though the Court said that he should  
16 and the three people who are most closely involved in  
17 that firing have all been promoted. What are they  
18 supposed to believe?

19 And I'm submitting the documents that  
20 we've submitted to the 2.206 process to support these  
21 claims.

22 MR. HOFFMAN: All right, thank you, Tim.

23 Tom Dellwo?

24 MR. DELLWO: I'm going to be a little less  
25 long-winded because I don't know that much about it,

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1 as much as Tim, but I just would like to echo what Tim  
2 said and support him and really encourage the NRC to  
3 take what he said seriously. He's done a lot of  
4 research. I've watched him do it. I live with him.  
5 He stays up late at night. He does a lot of work.  
6 He's really studied this stuff and this is a serious  
7 issue. And if he's taking it this seriously, then  
8 that means that you should be too.

9 But I'd like to highlight something that  
10 he didn't mention, focusing on Carl Patrickson once  
11 more. The issue that Carl raised and this is  
12 something that you do want to take into consideration  
13 in the scope of your investigation into the  
14 environmental impact of Entergy. Carl Patrickson  
15 raised an issue ,before he was fired, with the  
16 emergency service water pumps. I don't know that much  
17 about the technical details of it. He does. He's an  
18 engineer. From what he says, essentially if a certain  
19 problem isn't fixed there, that they will --that they  
20 could, it could result in the emergency service water  
21 being shut off and not being able to -- not being able  
22 to be used in the event of a meltdown. So there  
23 wouldn't be enough water to cool the plant down in the  
24 event there was a problem there.

25 He raised this concern and to my knowledge

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1 nothing has been done about it, according to what I've  
2 been able to find out, according to what Tim has been  
3 able to find out. That has obvious impacts in the  
4 environment. If there's something -- it may be more  
5 in the safety. I'm just going to add it in now  
6 because I'm not going to get the opportunity to talk  
7 about it in the safety portion, but that's something  
8 that you should really look into. It's the emergency  
9 service water pump rooms. Check that out. Find out  
10 if the problem that Carl raised and documentation  
11 should be there. He definitely sent the documentation  
12 to NRC. He raised the concern with NRC.

13           So you guys have the documentation. You  
14 can check into that. That would have an impact on the  
15 environment if there was a meltdown, if there wasn't  
16 any cooling water that could get to the plant to cool  
17 it down. That would definitely have an impact on the  
18 environment. So that's something that should be taken  
19 into account and to my knowledge, nothing has been  
20 done about that to this date.

21           So not only is Carl not at his job any  
22 more doing what he did best which is finding out  
23 what's wrong with the plant and reporting safety  
24 violations when he sees them, so not only do we not  
25 have somebody on the job there, keeping track, making

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1 sure things are going well, but the problem that he  
2 raised before he left hasn't been fixed. So I think  
3 that's something that should be taken into  
4 consideration and once again, I'd really like you to  
5 take what Tim says seriously. He knows what he's  
6 doing. He's a stand up guy.

7 Thank you.

8 MR. HOFFMAN: Thank you, Tom. That's the  
9 two speakers who preregistered. Is there anyone else  
10 who wanted to make comments tonight?

11 Okay, well, I'm going to ask Rani  
12 Franovich who is the Branch Chief for the  
13 Environmental Branch that is responsible for the  
14 review to give the closing.

15 MS. FRANOVICH: Thank you, Steve. I just  
16 wanted to add that we really appreciate you guys  
17 coming out because the public's participation in this  
18 process really is very important to us. We get a lot  
19 of good information from the public on the scope of  
20 the environmental review and we'll take that under  
21 consideration as appropriate to the environmental  
22 review.

23 Some of the other issues that were brought  
24 up, the concern about retaliation to workers for  
25 raising safety concerns. That is something that we

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1 have very strict rules against, the 2.206 position is  
2 the one that's being utilized. That's the appropriate  
3 venue for that concern. And so you're on the right  
4 process for that.

5 Some of the other things that were  
6 mentioned as far as whether Entergy can or cannot be  
7 trusted, the NRC does not review and approve any  
8 application based on trust. Our motto is you trust  
9 and you verify. So rest assured, whatever information  
10 we get from Entergy in their application we will  
11 verify for accuracy and completeness.

12 Another thing that was brought up was the  
13 Ninth Circuit Court decision. That is something the  
14 NRC hasn't decided what it's going to do with, so what  
15 was said about it appealing is not the case.  
16 Actually, that decision has not yet been made and the  
17 decision really involves what you consider under NEPA  
18 in your environmental impact statement. It's not that  
19 the NRC is not looking at security now, we are. The  
20 question is whether or not we look at it in our  
21 environmental reviews. And that's what needs to be  
22 determined.

23 Aside from that, thank you all for coming  
24 here tonight. I wanted to indicate that we have NRC  
25 public meeting feedback forms that are in the back in

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1 the hallway. I think you may have gotten a copy as  
2 you came in. If there's a way that we can conduct  
3 these public meetings better in the future, serve the  
4 public better, please fill out a form, let us know  
5 how. Send it to us or you can just leave it on the  
6 table.

7 I wanted to remind everyone that the scope  
8 of the environmental review is something we're taking  
9 comments on until November 14th and the opportunity  
10 for hearing closes on November 20th. And with that,  
11 the NRC staff will be around for a few minutes after  
12 the meeting, so feel free to come and talk with us  
13 about any questions you might have about I guess  
14 anything in general. Thank you.

15 MR. HOFFMAN: Thank you, Rani. Okay.

16 (Whereupon, at 7:41 p.m., the public  
17 meeting was concluded.)

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