

# **Official Transcript of Proceedings**

## **NUCLEAR REGULATORY COMMISSION**

Title:                   Susquehanna Steam Electric Station,  
                          Units 1 and 2  
                          Evening Public Meeting

Docket Number:    50-387 and 50-388

Location:           Berwick, Pennsylvania

Date:                Wednesday, November 15, 2006

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Pages 1-46

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1 UNITED STATES OF AMERICA  
2 NUCLEAR REGULATORY COMMISSION

3 + + + + +

4 PUBLIC MEETING ON THE LICENSE RENEWAL PROCESS AND  
5 ENVIRONMENTAL SCOPING RELATED TO LICENSE  
6 RENEWAL OF SUSQUEHANNA STEAM ELECTRIC STATION,  
7 UNITS 1 AND 2.

8 + + + + +

9 WEDNESDAY,

10 NOVEMBER 15, 2006

11 + + + + +

12 The meeting convened at 7:00 p.m. in the  
13 Meeting Room of the Eagles Building, 107 South Market  
14 Street, Berwick, Pennsylvania.

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

6:59 p.m.

FACILITATOR RAKOVAN: I'd like to welcome all of you to the meeting.

My name is Lance Rakovan. And I am a Communications Assistant at the U.S. Nuclear Regulatory Commission or NRC as we'll be referring to it tonight.

I'm here to welcome you to the meeting tonight. It is a public meeting to discuss the license renewal process and environmental scoping for the Susquehanna Steam Electric Station license renewal application review.

I'm pleased to serve as the facilitator of the meeting tonight. And as such, I am going to be trying to keep things moving and keep things on a decent schedule.

Just to give you an idea as to the meeting tonight, how it's going to be conducted, we're essentially going to have three different parts. The first part we have a few Staff from the NRC who are going to come up and give presentations involving the license renewal process and an overview of the environmental review process.

We're asking that you hold your questions

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1 on their presentations until the end because that will  
2 be the second part of the meeting we'll open the floor  
3 up to questions and answers. If we have somebody here  
4 who can answer your question, then we'll do so. If we  
5 don't, then we'll see what we can do to get back to  
6 you with the information.

7 Once we are done asking questions, we'll  
8 move on to the third part of the meeting. We have at  
9 least two people so far that have signed up to  
10 comment. We will, of course, open the floor up to  
11 others if they'd like to comment as well. But we're  
12 asking specifically for comments on the scope of the  
13 environmental review.

14 I wanted to take a moment to define the  
15 term scoping since that's a term that's going to be  
16 tossed around a lot tonight. Scoping is a term that's  
17 used in conjunction with preparing an environmental  
18 impact statement. Basically it helps the NRC determine  
19 what should be included in the scope of the  
20 environmental impact statement that we are going to  
21 prepare. It gives us an idea of what issues we should  
22 address.

23 When you make a comment here tonight we do  
24 have a transcriber. So if you want to make a comment  
25 or ask a question, get my attention somehow. I've got

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1 a wireless microphone and I can come over to you.  
2 When it comes to the third part of the meeting when  
3 people are making comments, you can either come up  
4 here and stand at the podium or you can use the  
5 wireless mike, whatever works best for you.

6 The first time you ask a question or make  
7 a comment if you could identify yourself and let us  
8 know what group you're with, that's appropriate so we  
9 can make sure that the transcriber can get your name  
10 properly.

11 Also, please use the microphone. And we'll  
12 try to keep it one person talking at a time. Again,  
13 try to get a clear transcript of this.

14 If you could, please silence cell phones.  
15 I think we all know what a disruption that can be.

16 Also on the table on the far side there  
17 are a stack of feedback forms for public meetings. It  
18 would help the NRC a lot if you could fill it out,  
19 give us an idea of what we're doing right, give us an  
20 idea of how you think we can improve. You can either  
21 hand it to any of the NRC employees here before you  
22 leave or if you take home and drop it in the mail, you  
23 don't have to put a stamp on it or anything, and it'll  
24 get to the appropriate people.

25 We do take the public meeting forms and

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1 look at them and use that, and it will affect public  
2 meetings in the future. So that would be a great help  
3 to us if you could.

4 I'd like to introduce the two speakers for  
5 this evening. Yoiria Diaz is the Safety Project Manager  
6 for License Renewal. She has been with the NRC for  
7 about 5 years. And she has a chemical engineering  
8 degree from the University of Puerto Rico.

9 Also speaking tonight for the NRC is  
10 Alicia Mullins. She's the Environmental Project  
11 Manager. She's been with the NRC for about 5 years.  
12 Before that she was with the Fish and Wildlife Service  
13 for about 10 years. She has a degree from Gallaudet  
14 University and is a wildlife biologist.

15 With that, if there aren't any questions,  
16 I'd like to turn things over to Yoiria.

17 MS. DIAZ-SANABRIA: Good evening. My name  
18 is Yoiria Diaz, and I'm the Project Manager responsible  
19 for the review of Susquehanna Steam Electric Station  
20 license renewal application.

21 As Lance mentioned the purpose of  
22 tonight's meeting is to provide you with an overview  
23 of the NRC's license renewal review and to receive  
24 your comments on the scope of environmental review.

25 I would like to reiterate that we'll be

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1       answering your questions at the end of tonight's  
2       presentation, but hold your comments until the  
3       appropriate time.

4               Next slide, please.

5               Before I get into the discussion of the  
6       license renewal process, I'd like to take a minute to  
7       talk about the NRC in terms of what we do and what our  
8       mission is.

9               The two principal NRC's governing statutes  
10      are the Atomic Energy Act and the National  
11      Environmental Policy Act of 1969, better known as  
12      NEPA.

13              The Atomic Energy Act authorizes the NRC  
14      to regulate the civilian use of nuclear material. The  
15      specific regulations that the NRC enforces are  
16      contained in Title 10 of the Code of Federal  
17      Regulations, commonly referred to as 10 CFR.

18              The Atomic Energy Act also authorizes the  
19      NRC to grant a 40-year operating license for nuclear  
20      power reactors and allowing for renewal of this  
21      license. It is important to note that the 40-year term  
22      was based primarily on economic considerations and  
23      antitrust factors, not on safety or technical  
24      limitations.

25              The second governing statute is NEPA of

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1 1969 that established a national policy for  
2 considering the impact of Federal decision-making on  
3 the environment. In exercising its authority, the  
4 NRC's mission is threefold: To ensure adequate  
5 protection of public health and safety; to promote the  
6 common defense and security, and; to protect the  
7 environment.

8 The NRC accomplishes its mission through  
9 a combination of regulatory programs and processes  
10 such as conducting inspections, issuing enforcement  
11 actions, assessing the licensee performance, and  
12 evaluating operating experience from nuclear plants  
13 across the country and internationally.

14 One important element of our inspection  
15 program is the resident inspector. NRC has resident  
16 inspectors at all operating nuclear power plants.  
17 Their job is to carry out our safety mission on a  
18 daily basis by ensuring that these plants have  
19 acceptable safety performances and compliance with the  
20 regulatory requirements. They are considered the eyes  
21 and ears of the NRC. We have in the audience Mr. Alan  
22 Blamey, the Senior Resident Inspector of the  
23 Susquehanna plant.

24 Next slide, please.

25 The current operating license for

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1       Susquehanna will expire on July 17 of 2022 for Unit 1  
2       and March 23 of 2024 for Unit 2. On September 13,  
3       2006, PPL, the owner of the plant, submitted an  
4       application for renewal of the Susquehanna operating  
5       license for an additional 20 years.

6               Copies of the Susquehanna license renewal  
7       application are available for review in these two  
8       locations: The Berwick Public Library and the Mill  
9       Memorial Library in Nanticoke. For tonight's meeting  
10      we have copies for you to review located on the side  
11      of the room.

12             Next slide, please.

13             Two guiding principles form the basis of  
14      the NRC's approach in performing its safety review.

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

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

23             To ensure that the plant's current  
24      licensing basis is maintained during the extended  
25      period of operation, the effects of aging must be

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1 understood and addressed. The Staff conducts a  
2 rigorous review of new and existing programs and  
3 surveillance activities to determine, with reasonable  
4 assurance, that the effects of aging for certain plant  
5 structures, systems, and components will be adequately  
6 managed and monitored.

7 Next slide, please.

8 This slide lists the content of the  
9 license renewal application submitted by PPL. The  
10 staff reviews this information to verify that the  
11 aging will be effectively managed and environmental  
12 impacts are characterized and disclosed.

13 Next slide, please.

14 This is a diagram that represents the  
15 license renewal process. The top portion of the  
16 diagram shows the safety review process and the bottom  
17 the environmental. These two reviews are conducted in  
18 parallel to evaluate two separate aspects of the  
19 license renewal application.

20 The yellow starburst figures represent  
21 opportunities for public involvement. Tonight's  
22 meeting we are in the first yellow figure or the first  
23 starburst figure, which is to solicit your comments on  
24 the scope of the environmental review.

25 During the safety review, the Staff

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1 conducts audits to evaluate the adequacy of the  
2 technical information in the license renewal  
3 application. The NRC's qualified inspectors perform  
4 on-site inspections to verify that the applicant's  
5 aging management programs and activities are  
6 implemented or have been planned for implementation.  
7 Then the results are contained or documented in a  
8 safety evaluation report and inspection report.

9 The Safety Evaluation Report or SER is  
10 forwarded to the ACRS. The Advisory Committee on  
11 Reactor Safeguards, who will perform an independent  
12 review of both license renewal application and the NRC  
13 safety evaluation. The ACRS is a group of scientists  
14 and nuclear experts who serve as consulting body to  
15 the Commission. The ACRS reports their findings and  
16 recommendations directly to the Commission.

17 To perform environmental review the Staff  
18 conducts an on-site environmental audit and generates  
19 a draft and final supplement to the Generic  
20 Environmental Impact Statement.

21 In the second part of this presentation  
22 Alicia Mullins, the Environmental Project Manager,  
23 will provide an overview of the environmental process.

24 Next slide, please.

25 In summary for the safety review process,

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1 the NRC reviews the applicant's renewal application,  
2 reviews supporting documentation, and conducts on-site  
3 audits and inspections. Thereafter, the Staff  
4 documents the basis and conclusions of its review in  
5 a publicly available safety evaluation report.

6 And finally after the ACRS has completed  
7 their independent review of both the license renewal  
8 application and the safety evaluation report, offers  
9 a recommendation to the Commission regarding the  
10 proposed action to issue a renewed operating license.

11 Next slide, please.

12 Before turning the presentation over to  
13 Alicia to discuss the environmental review, I would  
14 like to mention a few important areas of NRC oversight  
15 that are separate from the license renewal review.  
16 They include emergency planning, security, and current  
17 safety performance.

18 The NRC monitors and provides regulatory  
19 oversight of activities of these areas on an ongoing  
20 basis under the current operating license, therefore  
21 we do not re-evaluate them in the license renewal  
22 review. The reason why these areas are not re-  
23 evaluated is because they are subject to ongoing NRC  
24 inspections and oversight. Any issues identified are  
25 addressed immediately under the current operating

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1 license.

2 For more information about the reactor  
3 oversight process for operating reactors, you can  
4 follow the link at the bottom of the page.

5 That concludes my presentation of the  
6 safety review process for license renewal. And now  
7 Alicia Mullins will provide a detailed overview of the  
8 environmental review process.

9 MS. MULLINS: Hi, my name is Alicia  
10 Mullins. I'm an Environmental Project Manager with the  
11 NRC. I am responsible for coordinating all the  
12 activities of the NRC Staff and various environmental  
13 experts at the DOE National Laboratory to the  
14 environmental impact statement associated with the  
15 proposed license renewal of the Susquehanna Steam  
16 Electric Station.

17 The National Environmental Policy Act of  
18 1969 requires that all federal agencies follow a  
19 systematic approach in evaluating potential impacts  
20 associated with certain actions. We at the NRC are  
21 required to consider the impact of the proposed action  
22 and also any mitigation for those impacts we consider  
23 to be significant.

24 We are also required to consider  
25 alternatives to the proposed action, in this case, the

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1 license renewal of Susquehanna and other alternatives  
2 include the no-action alternative. In other words, if  
3 we decide not to approve the license renewal for  
4 Susquehanna, what are the environmental impacts?

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

15 Simply put, what special issues should the  
16 Staff consider in preparing the environmental impact  
17 statement for Susquehanna?

18 With that framework, I want to provide an  
19 overview of an environmental review. In the 1990s, the  
20 NRC Staff developed a generic environmental impact  
21 statement or GEIS. The GEIS documented the  
22 environmental impacts of renewing the operating  
23 licenses for all the nuclear plants in the nation. As  
24 a result of that analysis, the NRC was able to  
25 determine that several environmental issues were

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1 common or similar to all nuclear power plants. The  
2 environmental impact associated with those issues was  
3 small for all issues and at all sites.

4 The NRC Staff will also review, and  
5 evaluate any new and significant information that  
6 might call into question the conclusions that were  
7 previously reached on the GEIS for those issues that  
8 were common to all power plant sites.

9 Now the NRC also concluded that there are  
10 several issues to which a generic determination could  
11 not be reached and for this issue, the NRC will  
12 prepare a site-specific supplemental environmental  
13 impact statement or SEIS. And that's why we are here  
14 today requesting your comments on the scope of the  
15 site-specific environmental impact statement for  
16 Susquehanna that will be prepared as part of the  
17 license renewal review.

18 When the review is completed, the GEIS and  
19 the site-specific environmental impact statement will  
20 be the complete record of the environmental review.

21 Next slide, please.

22 This diagram shows basically an overview  
23 of all subject matter areas that we'll be looking and  
24 we'll be evaluating on our review. You can see all of  
25 those in the handouts that you received at the

1 registration table.

2 Next slide, please.

3 So how does the public provide input for  
4 the decision making? This diagram shows all the  
5 sources of information that are used for the license  
6 renewal decision. Today, we are here soliciting your  
7 comments on the scope of the environmental review and  
8 we will consider all comments received during the  
9 scoping in developing the draft supplemental  
10 environmental impact statement. That's how comments  
11 that you provide here today will play into the overall  
12 process.

13 Also, I want to point out that there is an  
14 opportunity to request a hearing in the license  
15 renewal proceedings. The opportunity for hearing  
16 closes on January 2, 2007 and original information  
17 about the hearing process is attached in the handouts  
18 that you received at the registration table,  
19 specifically if you look at the Federal Register  
20 notice, there's the information on how to request a  
21 hearing in the proceedings.

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

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1 the scope of the environmental review.

2 Next slide, please.

3 So there are several ways you can provide  
4 your comments on the scope of the environmental  
5 review. You can provide those today at the comment  
6 period of this meeting and those, as Lance said, will  
7 carry the same weight as any other comment that you  
8 might submit in writing. If you want to provide a  
9 comment by mail, this is in your handouts. You can  
10 send your comment to the address that's listed here.  
11 You can also send us your comments on the scope to the  
12 email address that we have set up specifically for  
13 requesting your comments. It's SusquehannaEIS@nrc.gov.  
14 And you can also submit comments in person at the NRC.

15 I want to mention also that the scoping  
16 period closes on January 2, 2007 so to assure  
17 consideration of your comments we request that you  
18 provide those by January 2, 2007.

19 Next slide, please.

20 The proposed review schedule Susquehanna  
21 is still being developed and will be posted on the  
22 NRC's website when it is finalized. All these items  
23 that are highlighted in yellow are the opportunities  
24 for public involvement.

25 Right now we are in the scoping process.

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1 The scoping comment period ends on January 2, 2007.  
2 There's also an opportunity for hearing going on right  
3 now and that opportunity for hearing also closes on  
4 January 2, 2007 and this is all in that Federal  
5 Register notice, the notice of acceptance that was  
6 issued on November 2, 2006.

7 Once we receive your comments, we will  
8 develop a scoping summary report that will provide  
9 responses to all comments received and will indicate  
10 how the comments will be addressed in our review. A  
11 copy of the scoping summary report will be sent to you  
12 if you provided your address at the registration  
13 table. We are currently expecting to issue that report  
14 in February 2007.

15 Over the next year, we will develop the  
16 draft supplemental environmental impact statement and  
17 when we issue that draft SEIS, it's subject to a 75-  
18 day public comment period. The draft SEIS is usually  
19 issued for Public Comment roughly 6 to 8 months after  
20 the close of the scoping comment period and the public  
21 meeting is held in the middle of that 75-day comment  
22 period. The License Renewal Decision with no hearing  
23 or contentions has a review period of 22 months  
24 otherwise it's 30 months with a hearing.

25 As you can see the Safety Evaluation

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1 Report or SER has several actions such as the Draft  
2 SER with open items and the Final SER with dates that  
3 will be finalized later.

4 When the draft SEIS public meeting is  
5 determined we will be back in the community requesting  
6 comments from the public on that document. You will be  
7 notified of the meeting through our website and local  
8 newspapers.

9 Next slide, please.

10 This slide lists points of contact for the  
11 safety and environmental reviews. In the audience we  
12 have Evelyn Gettys, a Safety Project Manager. And  
13 Jennifer Davis, an Environmental Project Manager, who  
14 is my backup on this project.

15 If you have questions or need information,  
16 you can reach any of the persons listed here. Also,  
17 several documents like the application, the draft  
18 SEIS, when we develop that document, the scoping  
19 summary report and the final SEIS, and some other  
20 documents, will be available at these two public  
21 libraries and you can also find those documents at the  
22 NRC at the address listed at the bottom of the page.

23 If you have any problem locating any  
24 document, you can contact any of the people on the  
25 list of contact information.

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1 That concludes my remarks.

2 Next slide, please. Lance?

3 FACILITATOR RAKOVAN: Thank you, Alicia.

4 And thanks, Yoira.

5 Are there any questions now from the  
6 audience on the materials that were discussed in the  
7 presentations?

8 Eric, let me bring you the microphone and  
9 if you could introduce yourself, please?

10 MR. EPSTEIN: Eric Epstein. I'm the  
11 Chairman of Three Mile Island Alert Safe Energy Group  
12 based in Harrisburg. We have 600 members stretching  
13 from the anthracite region down in northern Maryland.

14 I have from the presentation to questions  
15 for the first speaker. I think, and I've heard this  
16 before, that the license, initial license of 40 years  
17 was based on economic and antitrust issues. So my  
18 request is are those still relevant issues?

19 MS. DIAZ-SANABRIA: Can you say the  
20 question again, please?

21 MR. EPSTEIN: The question is that I've  
22 heard you tonight and I've heard the NRC say before  
23 that the two guiding principles for the 40 year  
24 licensing of nuclear power plants was economics and  
25 antitrust provisions. Are they still applicable?

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1 MS. DIAZ-SANABRIA: Yes, they're still  
2 applicable.

3 MR. EPSTEIN: Okay. So basically what  
4 we're saying is that economic issues and antitrust  
5 issues should come into play for relicensing? If they  
6 came into play when you licensed a plant, I presumed  
7 they're still in play?

8 MS. FRANOVICH: The reason that they're  
9 still applicable is because those issues are what  
10 formulated the regs and the regs are what are still  
11 applicable.

12 FACILITATOR RAKOVAN: Rani, could you  
13 introduce yourself, please?

14 MS. FRANOVICH: Rani Franovich. I'm the  
15 Chief of the Environmental Branch that manages the  
16 Staff's review for environmental.

17 MR. EPSTEIN: So I'm not really sure I  
18 understand. I'm just asking are economic issues and  
19 antitrust issues still applicable, and you're saying  
20 the regs are driving those two issues?

21 MS. FRANOVICH: What I'm saying is that  
22 those were applicable when the regulations were  
23 developed and what we use now are the regulations  
24 themselves.

25 For license renewal what's applicable are

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1 two things. One is whether or not aging can be  
2 effectively managed during the period of operation,  
3 extended operation. And the other is the impact of the  
4 continued operation of the plant for an additional 20  
5 years on the environment.

6 MR. EPSTEIN: I guess what I'm saying, and  
7 I think you answered, is that you cannot raise an  
8 economic or antitrust issue for relicensing even those  
9 were the guiding principles for the initial licensing?

10 MS. FRANOVICH: We, the NRC, would not  
11 raise those issues. Our focus is primarily on the two  
12 things that I just said.

13 MR. EPSTEIN: Okay. So, again, if I raised  
14 an issue as a contention, you don't feel it's within  
15 the scope of relicensing?

16 MS. FRANOVICH: That would not be for me  
17 to decide.

18 MR. EPSTEIN: Okay. Well, we will raise  
19 those, but I was curious to get your response.

20 The second question is there's been no  
21 talk about the 10 percent ownership of the Susquehanna  
22 plant, which is by the Rural Electric Cooperative.  
23 It's a pretty significant chunk of change. I'm  
24 wondering what role Rural Electric Cooperative or the  
25 minority owner plays in relicensing proceeding?

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1 MS. FRANOVICH: The applicant is the  
2 entity that operates the plant. So whatever that  
3 entity is has requested license renewal. So what we  
4 refer to as the applicant is the plant operator.

5 MR. EPSTEIN: I understand that. But what  
6 I'm saying is are you saying is are you saying that  
7 then the minority owner has no role to play?

8 MS. FRANOVICH: I did not say that.

9 MR. EPSTEIN: Well, so what role do they  
10 have play? I guess my question is you have -- and we  
11 get into this a lot with PPL because decommissioning  
12 funding comes from that company and decommissioning I  
13 think probably plays a part in relicensing.

14 MS. FRANOVICH: Yes. To me the applicant,  
15 whomever that operator is, it's between them and the  
16 entities involved what whose role is. The NRC really  
17 is not engaged in making that determination.

18 MR. EPSTEIN: Yes. And it's clear to me,  
19 but I can flush that out in the hearing process.

20 MS. FRANOVICH: Okay.

21 MR. EPSTEIN: And for the second speaker,  
22 I was wondering, I think there's 47 plants that have  
23 been relicensed. And the second speaker mentioned that  
24 there was another alternative or no action alternative  
25 built into the plant. Out of these 47 plants how many

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1 other alternatives are no action alternatives have  
2 been exercised?

3 MS. FRANOVICH: Well, all were evaluated,  
4 licenses were granted.

5 MR. EPSTEIN: So the answer would be zero?

6 MS. FRANOVICH: For all of those plants we  
7 evaluated the alternative. What I'm saying is it was  
8 not exercised and licenses were issued.

9 MR. EPSTEIN: Right. Right. So it would be  
10 47 to zero?

11 MS. FRANOVICH: Well, I don't know exactly  
12 how many we've issued, but the website would have that  
13 detail.

14 MR. EPSTEIN: That's 47.

15 Thank you.

16 FACILITATOR RAKOVAN: Thank you, sir.

17 Any other questions at this time from the  
18 audience? Okay. Seeing none, we'll go ahead and move  
19 on to the comment period. I have two people that have  
20 signed up and we'll go with them in the order that  
21 they signed up. So we'll start with Eric Epstein from  
22 Three Mile Alert. You would like the other person to  
23 go first? Okay.

24 Sue, would you like to go first then? I  
25 can either bring you the mike or you can come to the

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1 podium if you will. If you could introduce yourself  
2 and then go ahead and give us your comments.

3 MS. FRACKE: Okay. My name is Sue Fracke.  
4 I live within the ten mile zone or the ten mile dead  
5 zone, as I call it of the two Susquehanna Nuclear  
6 Power Plants.

7 I'm not happy about them. I thought they  
8 were only going to be for 12 to 15 years and then all  
9 of a sudden they got higher, they can stay longer in  
10 operation. And I don't think they were that safe  
11 anyway.

12 But, I live in Sugarloaf, which is a  
13 couple of mountains away from here. And so that's  
14 pretty much, I guess, about me. And unless there's  
15 anybody that has anymore.

16 I guess it looks like mostly everybody  
17 here is industry other than Eric and my husband and I,  
18 is that true? Is there anybody else that's not  
19 industry? Oh, one person. Okay. Two. Good. Not much,  
20 but I wonder how well it was put in the newspapers and  
21 all. And any news media here? No.

22 PARTICIPANT: There was news media here  
23 from the afternoon session.

24 MS. FRACKE: Oh.

25 MS. LOPAS: And there were three ads run

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1 three days --

2 FACILITATOR RAKOVAN: Guys, we're trying  
3 to get a transcript here so things like that aren't  
4 helping. I believe the statements made was there were  
5 media representative here before. Sarah, I'm not sure  
6 what you said. Hold on, please. That's okay. Introduce  
7 yourself, please.

8 MS. LOPAS: I'm Sarah Lopas. I'm Alicia  
9 Mullins project support. And I was responsible for  
10 placing the ads in the papers.

11 MS. FRACKE: All right. Good evening,  
12 ladies and gentlemen.

13 Every year 20,000 people die of cancer  
14 from naturally occurring background radiation. You  
15 would think that this fact alone would be enough to  
16 say let us not produce anymore radiation as it will  
17 kill more people. With all our other means of making  
18 energy, especially all the various kinds of solar  
19 energy that we now have the technology to do, it makes  
20 no sense to me to use a source of energy that is  
21 dangerous and will cause more people to die of cancer  
22 and other degenerative diseases.

23 In the Federal Register December 15, 1982  
24 Part 2 by the Environmental Protection Agency, 40 CFR  
25 Part 61 on national emission standards for hazardous

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1 air pollutants, radionuclides final rule and notice of  
2 reconsideration stated "On December 27, 1979 the EPA  
3 listed radionuclides as a hazardous air pollutant. EPA  
4 determined that radionuclides are a known cause of  
5 cancer and genetic damage and that radionuclides cause  
6 or contribute to air pollution that may reasonably be  
7 incapacitating and anticipated to result in an  
8 increase in mortality or an increase in serious  
9 irreversible or incapacitating reversible illness and  
10 therefore, constitute a hazardous air pollutant within  
11 the meaning of section 112(a)(1).

12 There are three major types of long term  
13 health impacts from exposure to radiation. Cancer,  
14 hereditary effects and developmental effects on fetus  
15 such as mental retardation.

16 In addition, risk distribution from  
17 radiation from most of the sources considered for  
18 regulation show that fatal cancers occur much more  
19 frequently than nonfatal cancers and cancers generally  
20 occur more often than genetic or developmental  
21 effect."

22 It also states that "numerous studies have  
23 demonstrated that radiation is a carcinogen. It has  
24 assumed that there is no completely risk-free level of  
25 exposure to radiation to cause cancer."

1           Radiation corrodes metals such as in the  
2 pipes of nuclear power plants causing holes that  
3 constantly emit radiation in our air under the routine  
4 operation of the plants.

5           Radiation is cumulative in our bodies and  
6 the effects of exposure can sometimes take many years  
7 before showing up. And we were worried that Saddam  
8 Hussein had weapons of mass destruction.

9           Along with radioactive air pollutants, the  
10 Environmental Protection Agency reports that in 2002  
11 24,379 U.S. non-nuclear facilities released 4.79  
12 billion pounds toxins into the atmosphere. Of these  
13 pollutants, 72 million pounds were known carcinogens.  
14 We have no concept of the synergistic effects of these  
15 toxins when they are mixed with radioactive  
16 pollutants. These toxins impinge on health during your  
17 entire life, even before birth. A study in New York  
18 City shows that the genetic material in fetuses still  
19 in their mother's womb is damaged by air pollution.

20           From the Radiation and Public Health  
21 Project in Norristown, Pennsylvania they have found  
22 that current rates of infant deaths, childhood cancer  
23 and thyroid cancer all known to be effected by  
24 emissions in nuclear reactors are elevated in Luzerne  
25 County, the site of the Susquehanna Nuclear Plant.

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1 These findings and other data on local disease rates  
2 should be part of the federal decision on whether the  
3 U.S. Nuclear Regulatory Commission should approve the  
4 application of PPL Susquehanna LLC to operate the  
5 plant until 2044. The current license only allows  
6 operations until 2024.

7 This information was presented at a  
8 federal hearing today in Berwick on the application.  
9 These high disease rates should shock all Luzerne  
10 County residents and they should demand a thorough  
11 study of the health risk posed by the Susquehanna  
12 plant, said Joseph Mangano, PMH MBA of the Radiation  
13 and Public Health Project who presented the data.

14 "If radioactive emissions from the plant  
15 have been harmful, people should know this before the  
16 government decides whether or not to extend the  
17 license."

18 The 2004 county rate of white infants who  
19 died in their first month was 23 percent above the  
20 U.S. rate based on 55 deaths. In that same period 43  
21 Luzerne children under age 15 were diagnosed with  
22 cancer, a rate 38 percent above the nation.

23 Data are taken from the National Center  
24 for Health Statistics and the Pennsylvania Cancer  
25 Registry. Thyroid cancer statistics may be most

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1 alarming. In the late 1980s as the two reactors at  
2 Susquehanna were starting the Luzerne rate was 20  
3 percent below the United States. However, in 2000 to  
4 2003 the Luzerne rate was a 100 percent above, double  
5 the nation. Radioactive iodine found only in nuclear  
6 weapons and reactors seeks the thyroid gland where it  
7 kills and impairs cells leading to cancer.

8 Two large nuclear reactors have operated  
9 at Susquehanna beginning in 1982 and 1984  
10 respectively. Virtually all of the 312,000 residents  
11 of Luzerne County live within 15 miles of the plant  
12 and would be most likely to receive the greatest  
13 radiation exposures. Like all reactors, Susquehanna  
14 routinely emits gases and particles into the air and  
15 water which enters human bodies by breathing and the  
16 food chain. There are over 100 radioactive chemicals  
17 in this mix, each causes cancer and is especially  
18 harmful to fetuses, infants and children.

19 California closed down the Diablo County  
20 Nuclear Plant many years ago. Through conservation  
21 solar and other forms of energy they created over 800  
22 new jobs and lowered their rates. Nuclear power is  
23 only 19 percent of our energy in the United States.  
24 Through conservation and solar we could close down all  
25 the nuclear power plants in our country and save

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1 thousands of lives.

2 I know those little candlelights look cute  
3 at night in your windows. But they aren't really  
4 necessary. Turning them off may help save someone's  
5 life, maybe your child's. Anyway who wants nuclear  
6 power plants, and our President wants 55 more in this  
7 country, should be considered a terrorist.

8 We are also using depleted uranium bombs  
9 in Iraq. Both our soldiers and the Iraqis are being  
10 exposed. Many of the Iraqi children are getting  
11 leukemia.

12 Remember the Gulf War Syndrome? Our  
13 soldiers were exposed then, too, and many of their  
14 children had birth defects and many of the soldiers  
15 got very sick and our government didn't want to tell  
16 them why. Who is the terrorist?

17 Does everyone realize that our new plants  
18 are also becoming high level waste sites? Everyone's  
19 life is at stake here. Do what's right. Shut them  
20 down.

21 Thank you.

22 FACILITATOR RAKOVAN: Thank you very much  
23 for your comments.

24 MS. FRACKE: That's not mine.

25 FACILITATOR RAKOVAN: No, these are all

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1 mine.

2 Now --

3 MR. EPSTEIN: I was just wondering if she  
4 dropped any checks up here.

5 FACILITATOR RAKOVAN: I did not see any  
6 checks up here.

7 MR. EPSTEIN: My birthday's on the 24th.

8 First, I'd like to thank the NRC for  
9 bringing us together. Seriously, it's a lot of work,  
10 a lot of people took effort to come out tonight. And  
11 it's hard to sacrifice an evening away from your  
12 family.

13 I'd like to thank PPL, and I'll explain a  
14 little later.

15 In terms of media we've had the same  
16 problems at Three Mile Island and Peach Bottom. I'm  
17 more than happy to work with the NRC to get it to  
18 outlets that sometimes are freer, you know, get folks  
19 to attend. But nuclear is tough. We're kind of  
20 environmental orphan.

21 I have a 13 year old daughter who knows  
22 what I do and couldn't care less. But she wants to  
23 preserve the rain forest in Brazil.

24 So I'm more than happy -- what we've done  
25 in the past is work with the universities, too, at no

1 charge and help get a better turnout.

2 I'd like to commend PPL because on an  
3 issue that's not related to this we're working  
4 together on the bridge plan to avoid a substantial  
5 rate shock for customers. So right now I really can't  
6 get into it, but on the consumer and education side  
7 we're making real progress. So although my comments on  
8 the nuclear side are critical, it's a big company. I  
9 have good relationships with a lot of people there. I  
10 also serve on the Board of the Sustainable Energy Fund  
11 and have worked well, cooperatively with PPL.

12 Our perspective is different. I'm the  
13 Chairman of probably the only safe energy group in the  
14 country. A majority of my membership is Republican. So  
15 we are very moderate. And we just deal basically with  
16 the community.

17 And why I'm saying that is we have a very  
18 good relationship with workers at Three Mile Island,  
19 Peach Bottom and to some degree Susquehanna. We  
20 recognize these plants are going to operate and have  
21 some benefits, although that's not my personal choice,  
22 frankly. But it's a reality.

23 I'm saying that because Pennsylvania is  
24 primarily a coal and nuclear state. And I think we  
25 made a mistake before when we became so dependent on

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1 two sources of energy. So my plea is that we  
2 rationally evaluate relicensing and then think how  
3 we're going to meet future energy demand as we move  
4 forward.

5 My main participation with Susquehanna  
6 since the early '80s has been rate cases. I'm an  
7 expert witness on nuclear decommissioning, and I want  
8 to get to that in a minute. But probably the thing  
9 that concerns me more than anything about nuclear  
10 power has been the economics. Part of the settlement  
11 we had with PPL allowed for the company to recover  
12 2.97 billion in stranded costs, on economical costs  
13 associated with nuclear power production.

14 I'm an economist. And whether it's nuclear  
15 power, solar or wind I've always dreamed for the day  
16 that the merits would be judged by the marketplace.  
17 We're not there yet.

18 I really oppose the license extensions for  
19 a couple of reasons. Number one is we think it's  
20 premature. There's 17 years left on this license. You  
21 know, this is a very strange scenario where a license  
22 has that much time and you're going to relicense it  
23 before some of the aging and safety issues manifest,  
24 which happens in an industrial application. That's  
25 reality.

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1           Just look at Three Mile Island which  
2 obviously came on line ten years earlier. We replaced  
3 the reactor vessel head there two years ago and we're  
4 going to change out the steam generators. So there are  
5 industrial applications that are going to age that  
6 we're not going to evaluate, and I think that's a  
7 shame. I think we should wait until we get closer to  
8 the end of its initial life span.

9           In addition, I look forward to the site  
10 specific environmental impact statement. I think  
11 that's a real healthy tool, and I applaud the NRC for  
12 doing it. It really is. Because when you get shoved in  
13 some generic cookie cutter process, some individual  
14 elements get left out. For example, at TMI when we do  
15 emergency planning, we have to include the Amish.  
16 It's pretty hard to contact people that don't use  
17 phones.

18           So this community is also, you know,  
19 interesting with litter use, which is a big issue here  
20 given acid mine drainage. So I applaud the NRC for  
21 doing that and look forward to a transcript.

22           There are nine issues that we have  
23 relicensing, we'll be frank. We have been in court for  
24 four years with the Commonwealth and with PIMA  
25 regarding emergency planning for special needs

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1 populations. We have not found any evidence that  
2 remotely indicates that any of the nuclear utilities  
3 have adequate emergency planning in place for day care  
4 and nursery school.

5 And let me jump back. We lived through  
6 Three Mile Island. My sister was evacuated. It was a  
7 nightmare. It didn't work. The reason I'm telling you  
8 this is when we really took emergency planning  
9 seriously in the '80s, there really weren't a lot of  
10 day care or nursery school or elder hostel, or older  
11 facilities. So what we did at TMI was file a petition  
12 five years ago, we're still working on it but it's  
13 clear that this plant neither has the adequate  
14 resources to plan for day care and nursery school,  
15 which are a significant population. Alzheimer's homes,  
16 prison populations, essentially non-ambulatory  
17 populations.

18 And we've kind of known each other through  
19 this litigation. The Pennsylvania Attorney General has  
20 put suit at the GAO. And I think we'll win. However,  
21 I think this is a solvable problem. I've extended  
22 myself to PPL. And I think the issue for special needs  
23 populations having a transportation contract, a  
24 transportation route and a place to take the kids.  
25 Neither of those exist. That's scandalous.

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1 Scandalous.

2 The same thing exists with the hospitals.  
3 Any hospital that is within ten miles, if you ask them  
4 what is your plan in the event of an accident. Well,  
5 they're not going to move the entire population. And  
6 these are things that we can work on together to  
7 solve. But we're not going to let them go, and this is  
8 an opportunity to flush them out.

9 Two of the issues are environmental  
10 justice issues, and I feel really strongly about this.  
11 Susquehanna used to be appraised at up to \$2 billion.  
12 They have basically taken tax money out of this  
13 community. The plant now is appraised at \$56 million,  
14 which is \$18 million less than the Columbia Hospital.  
15 That's scandalous.

16 When we had a handshake deal in '99 we  
17 were told, and this is what I was told, "Eric, we're  
18 going to pay less and your communities are going to  
19 get more." The old formula was ridiculous. It was  
20 PERDA. And as soon as that occurred, and this happened  
21 at Burr Island, too, where they didn't pay their taxes  
22 for two years. The same thing has happened in this  
23 community. And I think this is an environmental  
24 justice issue.

25 All I'm asking for is a risk reward

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1 formula. If you're going to operate the plant, you're  
2 going to be profitable. Pay your fair share of taxes.

3 Financial stability is another issue we're  
4 going after. I have been involved with nuclear  
5 decommission with this company since its inception.  
6 It's a farce. It's a farce.

7 I'm going to tell you right now nuclear  
8 decommissioning costs have escalated by 553 percent  
9 from 1981 to 2003. I've cross examined your witnesses.  
10 I've done the math. Everybody knows it's a farce. In  
11 fact, you have an agreement with me right now that for  
12 every dollar over, 4 cents has to come from the  
13 shareholder. Now that's a reasonable start.

14 The problem is, and I tried to address  
15 this earlier, is 10 percent of your decommissioning  
16 comes from the Rural Electric Cooperative. You want to  
17 talk about a joke? When I cross examined their  
18 financial officer I said -- his name is Lawrence  
19 Bladen. I said "How are you planning for  
20 decommissioning?" He said "Greenfield." Greenfield  
21 is the site -- I mean, it's criminal. And that's what  
22 I'm saying, what's this other 10 percent, what's this  
23 partner doing it? It's a Rural Electric Cooperative.  
24 They have grossly under funded. So even if PPL does  
25 the right thing, it's fully funded, their partner's

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1 not even remotely close to bringing their share into  
2 play.

3 Right now -- and remember, when we first  
4 got involved with this the cost kept going up and up  
5 and up. Right now the company is estimating nuclear  
6 decommissioning at about a billion dollars. Now that's  
7 not factoring the rad waste, which is the main issue,  
8 which is going to come into play with 20 more years.

9 Again what I'm saying to you as the  
10 nuclear economists, let's think this through. Should  
11 people who didn't derive a benefit pay for the  
12 garbage? I'm a big person of equity. If you buy  
13 something, you pay for it now. If you build something,  
14 if you benefitted, you're responsible. Well, let's  
15 just be risk reward about it.

16 Safeguards and terrorism, there's not much  
17 we can do. We have a petition before the NRC for five  
18 years. Talk about lightening quick reception. At TMI  
19 we were the only plant that had a real security  
20 threat, I would say, in terms of an intruder challenge  
21 in '93. We also had a terrorist training ground in  
22 Perry County. So I think there's a lot more that can  
23 be done with safeguards and terrorism.

24 To PPL's credit I think they probably have  
25 one of the better protocols of the five plants in the

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1 state. But I would just say this: Your training force  
2 or your security is only as good as your training  
3 force. And if you continue to lay people off, force  
4 them to work overtime, it's hard to be alert.

5 Number five, and I'll leave a copy of this  
6 here, is another social issue, a social justice issue.  
7 I believe PPL's planning to uprate capacity, which has  
8 all kinds of economic impacts. They did it the last  
9 time. I think it was back in 2001 with \$120 million  
10 investment. I get their annual report. I'm a  
11 shareholder. I'm doing okay.

12 It said the 120 million in improvements to  
13 Susquehanna are expected to add earnings as soon as  
14 they go into operation. This was the same year that  
15 PPL devalued their plants and started paying less.  
16 Again, it's a risk reward formula. If you're going to  
17 operate a nuclear power plant, and we do need the  
18 energy, pay your fair share of taxes, all right.

19 Water supplies. I did talk to a gentleman  
20 from PPL. In the interest of open disclosure, we met  
21 with the Susquehanna River Basis Commission in  
22 Pennsylvania and especially the DEP is going through  
23 a statewide exercise in water use management. So a lot  
24 of what we do tonight may be moot in terms of FERC and  
25 also the Susquehanna River Basin Commission may rule.

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1 Again, in terms of open disclosure I've already stated  
2 to the Basin Commission we're going to oppose the  
3 license extension until in our view you view water as  
4 a commodity. It doesn't just evaporate. It comes from  
5 somewhere.

6 Everyday about 30 million gallons are  
7 taken from the river and not returned. That's even  
8 during a drought. That's not being a good neighbor.  
9 You know, when we're being asked to conserve water and  
10 the plant keeps churning the water, there has to be a  
11 balance. We're not saying you can't use the water, but  
12 you have to moderate your use and pay your fair share.  
13 So I think that's an issue that may not even be  
14 relevant to this particular venue, but an issue we  
15 will raise.

16 Obviously, and I've raised this before, I  
17 think there's age related problems. I would really  
18 hope that Susquehanna PPL would think about postponing  
19 their relicensing until the plant is closer to the end  
20 of its initial useful period. I mean 17 years in my  
21 mind makes no sense and it's premature.

22 And finally, we don't really have a lot of  
23 confidence in this process. As an organization we were  
24 founded in '77. We have been to the Supreme Court  
25 twice. We have litigated before the NRC almost nonstop

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1 for 30 years in just about every other venue. And as  
2 I told some of the NRC employees before, we have no  
3 confidence in the Commission or the adjudicatory  
4 process. I think the last three relicensing the first  
5 three were licensing contentions that were admitted.  
6 So that we will participate and we will be involved to  
7 the end. But I'm letting you know from the outset  
8 really since the implementation of the reactor  
9 oversight process we've seen a precipitous decline in  
10 the NRC's relationship with the communities, reactor  
11 communities. It's a shame. Because we worked hard at  
12 Peach Bottom and TMI. Against Susquehanna not as much.

13 By the way, the group I'm representing  
14 tonight is Three Mile Island Alert. Just to show you  
15 our ability to be flexible, we have settlement  
16 negotiations with PPL, with FirstEnergy, with PECO,  
17 and with Exelon. We've established radiation  
18 monitoring networks around TMI. In fact, we're the  
19 only entity, not the federal government, not the state  
20 government, the FMR, my business which is nonprofit,  
21 is the only entity in the state that does real time  
22 monitoring, gamma monitoring 24/7/365. My staff, yes,  
23 it's pro-nuclear. I got a lot of crap for that, but if  
24 you want to know how to monitor a nuclear plant, you  
25 need people who used to work there.

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1                   So we're willing to monitor it. We're  
2 willing to deal. But we're not willing to have  
3 something shoved down our throats.

4                   We have the same program in place at Peach  
5 Bottom. I've told executives at PPL we're more than  
6 willing to do it here. It takes money. Again, it would  
7 be real time gamma monitoring. In addition to that we  
8 supply free of charge KI, potassium iodine to anybody  
9 in the community. We don't believe there's an  
10 invisible lead curtain ten miles from a plant. That's  
11 bizarre, to say the least.

12                  We assist people with emergency planning.

13                  So we're here to extend ourselves. I would  
14 encourage you to go to our website. It's efmr.org.  
15 It's highly technical. It's a private business. It's  
16 not nonpartisan. We actually have people from both  
17 Peach Bottom and Three Mile Island that participate.  
18 We have good buy-in.

19                  Let me conclude by saying this doesn't  
20 have to be contentious and it doesn't have to be  
21 litigious. In all likelihood it will be, and that's a  
22 shame. Because as someone who has been through TMI,  
23 I've seen the arc where it was absolutely adversarial  
24 and ugly and acrimonious. Things got better and now  
25 we're falling off again. And that's sad, it really is.

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1 I think the people that work at the plant  
2 are your best asset. I know at TMI and Peach Bottom  
3 we're losing them. Everybody's 50 and out. I hope that  
4 doesn't happen here. I think each plant has its own  
5 historical memory, that workers are valuable. More  
6 than happy to see you hire more people, frankly.

7 And again, I'll avail myself to any  
8 settlement negotiation that we can work out that's in  
9 the best interest of everybody. If not, and I think  
10 one of the speakers said it before, you put eight  
11 months onto this as soon as there's a hearing. And  
12 this may be the first relicensing that gets heard in  
13 another venue, I'm pretty confident of that.

14 What I need to know is where do I leave  
15 copies of this, Lance? By the way, that's a cool name.  
16 As a Jewish kid we never got cool names like that. If  
17 I had my name again, it would be Lance Buck Epstein.

18 FACILITATOR RAKOVAN: I'm just not sure  
19 how to respond to that.

20 MR. EPSTEIN: And I'd be working at the  
21 plant.

22 FACILITATOR RAKOVAN: We will make sure  
23 that your document is included in terms of the  
24 transcript.

25 MR. EPSTEIN: No, no, no. My name.

1 FACILITATOR RAKOVAN: Oh, your name?

2 MR. EPSTEIN: No, no, no. How many do you  
3 need?

4 FACILITATOR RAKOVAN: Just one should do  
5 it.

6 MR. EPSTEIN: Well why don't we leave two  
7 just in case.

8 FACILITATOR RAKOVAN: Okay. Thank you.

9 That is the two people that we had signed  
10 up to give comments. Are there any other members of  
11 the public at present that would like to come and give  
12 a comment at this time? Seeing no hands, I'll turn  
13 things over to Rani Franovich to close the meeting.

14 MS. FRANOVICH: Thank you, Lance.

15 Just wanted to thank everyone for coming  
16 out and sharing your views with us, talking with us,  
17 asking questions. It's really an important part of our  
18 process to solicit information from the community.  
19 You guys live here, you know the community better than  
20 we do and so any information you can provide is  
21 certainly helpful. So thanks again for coming out.

22 Also wanted to remind everyone that the  
23 opportunity to comment on the scope of the  
24 environmental review and the opportunity to offer  
25 contentions for hearing ends January 2nd. So if you

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1 wish to participate in those two processes, please  
2 submit your comments or your contentions by that date.

3 Also wanted to remind everyone what Lance  
4 said about the public meeting feedback forms that we  
5 had at the registration table out here. I think  
6 everyone got a copy as they came in. If you have any  
7 ideas or suggestions on how we can improve our public  
8 meeting process, things we can do better, things we  
9 can do different, we would love to hear your ideas.  
10 So feel free to fill out one of those forms. And you  
11 can either give it to a member of the NRC staff, we're  
12 all wearing name tags, or you can just fold it up and  
13 drop it in the mail. Postage is prepaid.

14 And with that good night. Thanks again.

15 (Whereupon, at 7:55 p.m. the meeting was  
16 adjourned.)