

From: Mary Klump
To: "Christian Araguas" <CJA2@nrc.gov>
Date: 5/18/2006 2:51:58 PM
Subject: May 11th meeting notes

See attached.

(Sorry it's in Word format. I can change that easily enough, if need be.)

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Email Number: 666

Mail Envelope Properties (4603E494.HQGWDO01.TWGWPO04.200.200000B.1.72708.1)

Subject: May 11th meeting notes
Creation Date: 5/18/2006 2:51:58 PM
From: Mary Klump

Created By: MKK1@nrc.gov

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Options

Priority: Standard
Reply Requested: No
Return Notification: None
None

Concealed Subject:

No

Security:

Standard

**PUBLIC MEETING:
ANTICIPATED EARLY SITE PERMIT FOR PLANT VOGTLE**

Date: 11 May 2006
Time: 19h00 – 21h30
Location: Augusta Technical College – Burke County Campus
Attendance: Approx. 100 members of the public and approx. 35 NRC staff members

Staff Presentations:

- 1) Overview of NRC (D. Matthews)
- 2) Early Site Permit Review Process (C. Araguas, M. Notich)
- 3) Vogtle Early Site Permit Schedule (Notich)
- 4) Public Involvement (Araguas)

See attached slides for above presentations.

Question & Answer Session:

NOTE: THE FOLLOWING QUESTIONS AND RESPONSE ARE PARAPHRASED. THIS MATERIAL SHOULD NOT BE TAKEN AS DIRECT QUOTES FROM THE PARTIES LISTED. ALSO, NAMES OF THOSE POSING QUESTIONS WERE RECORDED TO THE BEST ABILITY OF THE RECORDER BUT HAVE NOT BEEN VERIFIED.

Bill Slokum (GA DNR): I need the email addresses for the NRC points of contact. I cannot see the slides from the back of the room.

Chip Cameron reads email addresses out loud.

Mary Olson (Director, SE Office of Nuclear Information and Resource Service): I appreciate the presentation. It was noteworthy in my mind. But at no point did any one talk about the time line or process for an interested party to participate in the early site permit process. Can you describe the difference between attending a hearing where you are a party versus one where you are not a party? Also, explain the multiple opportunities for hearing.

Cameron rephrases question: *How do you become a party to a hearing? If you have party status, do you keep party status In the follow-on process?*

Mauri Lemoncelli: Let me first distinguish a meeting from a hearing. A hearing is a formal judicatory proceeding before the Atomic Safety and Licensing Board. There are two portions of the hearing: (1) the mandatory, uncontested portion hearing; and, (2) the portion in which the public participates. The staff will give notice of the public hearing,

after which the public will have 60 days to participate in the contested part of the hearing. The Board will determine whether or not the member of the public will be granted party status (i.e., admitted). The prospective party must fulfill two requirements in order to be granted party status: (1) demonstration of interest (i.e., how he/she/they will be affected by the action under consideration); and, (2) demonstration of an issue of controversy.

Susan Bloomfield (citizen, Augusta, GA): I have both a question and a concern. If this license is granted and this project is built, by its very nature, there will be more nuclear waste. As I understand it, there is no way to deal with this nuclear waste. How do you pretend, shall I say plan, to deal with this nuclear waste? How is this addressed in the Early Site Permit (ESP)?

Andy Kugler: We will evaluate the impacts of the waste stored onsite during the operating lifetime of the plant. Spent fuel can be stored safely onsite for 30 years after the operating lifetime of the plant. It is the expectation that during this time a long-term waste depository site will become available.

Bloomfield: Are you talking about Yucca Mountain?

Kugler: At this point, Yucca Mountain is the site designated by Congress and being looked at by the Department of Energy.

Bloomfield: I wish that reassured me.

Cameron: The Commission has stated that Waste Confidence decision will be revisited in 2008.

Bloomfield: Wasn't there something going on that waste was stored longer onsite than was allowed? And that a law was broken?

Cameron: This is going into an issue between Department of Energy (DOE) and individual companies, dealing with the removal of waste by 1998.

Kugler: DOE was supposed to take fuel by 1998, which obviously didn't happen. This issue, however, is not one related to the safety of fuel storage. Right now, most plants store their fuel onsite in pools. Some plants move their fuel to dry casks which are stored onsite. The dry casks are massive structures which will continue to cool and protect the fuel until a depository becomes available. There is also consideration of reprocessing this fuel.

Roy Chaulkner: I'm curious as to how the current operating plant affects this process. Do you utilize the studies that were done 30-some years ago? Does this expedite the process?

Kugler: To the extent that any information is still valid, we can use this information again in the evaluation of the new plants. In most cases, however, due to the amount of time that has passed, we have to consider new information. Much of the information previously provided has changed.

Jerry Wilson: The previous approval process dealt with a particular design on a particular area of that site. Now, we have a new design and new discoveries (such as seismic faulting). All of this information needs to be re-looked at in regards to the new application. In some areas, however, the ESP review will be made easier due to the availability of such previously provided information.

Amanda Lang: Security. You are rumored to be in a war on terror. As these various nuclear sites go through drills, their performance has been abysmal and nearly half are failing. I would like to know what Southern's scores are.

Cameron: A lot of that information is not publicly available for what I think are obvious reasons.

Kugler: I cannot speak to the specific drills for Southern. In the wake of 9/11, plants have taken significant steps to further strengthen their security. Even before 9/11, these plants were very secure. Now, we are increasing sizes of security forces, group security courses, etc.

Gerry McCoy (NRC Senior Resident Inspector, Plant Vogtle): I am your local NRC representative. I go to the site each work day and spend my days watching the performance of the plant. After 9/11, the NRC did increase security and ... Southern has passed all of their tests and is fully accredited.

Matthews: All regulations will be applied to any new reactor. In addition, the Commission has requested additional security analyses of reactor designs to increase security measures. The Commission has asked for this proposed rule in October of this year. Most likely, by the time Southern submits an application, this rule will be in effect.

Bloomfield: If at any time, the company fails repeatedly security issues, will the license be revoked? Would another company take over the plant? What would happen?

Matthews: I see revoking a license as a rather draconian response. In the event of poor security-related performance, the Commission will take action, including possibly shutting the plant down.

Olson: There are some additional concerns about security. I'm glad that this meeting is off-record. We live in a time of history when weird things happen and things not used as weapons are so used. The General Accounting Office (GAO) has found that some security improvements have been made, but other measures have been relaxed in response to industry pressure. I want to commend everyone in this room for their efforts to increase security. The problem lies not with them but with their bosses. ... Southern is unique. Southern is a loaded gun pointed at the Savannah River Site. Billions of dollars in taxpayer money could be rendered useless. And now we're reloading that gun.

David Shellhorse (Columbia County Chamber of Commerce): We [Columbia County Chamber of Commerce] commend this effort. No one has spoken yet about the economic impact. Can you speak to economic impact? Also, can you speak to safeguarding the process and its objectivity from fluctuations/changes/etc in Congress?

Notich: We will examine the impact on roads/schools/transportation/etc.

Matthews: This is one application. And right now we have about 15 letters of intent. How will we get this done under pressure from Congress and from the applicants? What about the pressure of internal milestones? The budget estimates provided in response to this activity are predicated by the fact that the Commission has no intention to decrease the thoroughness of the staff's review process. We would never do less in order to meet a schedule. Budget assumptions are made to protect the quality and level of detail of our reviews.

Olson: You were speaking of your NRC budget and its funding. Right?

Matthews: Absolutely. Our work is insensitive to the budgets of DOE or the applicants.

Glenn Carroll (Georgians Against Nuclear Energy): Several questions. (1) I didn't quite understand public involvement in the environmental scoping process. My understanding is that you take comments from the public, sort through them, and then take some of these suggestions regarding which direction the Environmental Impact Statement (EIS) will take. Can you expand on this?

Kugler: During the scoping process, we ask which issues we should or should not consider. We have an Environmental Standard Review Plan (NUREG-1555), which lays out what the staff will look at during their review. In general, we have already identified all of the things that we will likely have to review. But, in some cases, there might be some unique factors or issues that we need to consider. And, this is where we hope to get some feedback from you, the public, who know the local area the best. I can provide an example of such an issue from a past review. Members of the local community highlighted the importance of water temperature and how it would affect people who choose to recreate in areas nearby the plant. After receiving this input, we then reviewed this issue, along with the Department of Health.

Carroll: (2) Concerning nuclear waste, we are behind schedule, shall we say. One of the campaigns we [GANE] run is to try to convince Southern to get out of the private fuel storage endeavor. Southern did decide to get out of the private fuel storage endeavor and is now headed toward fuel reprocessing. We are also against that. We are also concerned about across the river [Savannah River]. The 'pro-nukers' are reaching too far, when they discuss reprocessing. With reprocessing, we are talking about a whole new type of material and a whole new type of reactor. If we build an AP1000-design reactor, we are entering into this 20-year period [associated with reprocessing??] with a potentially obsolete reactor. How are we going to recover from that?

Cameron rephrases question: *This whole move to reprocessing...what effect does this have on the ESP under discussion?*

Matthews: I might correct you on one issue: breeder reactors are not an element of the current proposal being discussed.

Carroll: *Oh, yes, it is.*

Matthews: Reprocessing would not make current operating reactors obsolete. They could still utilize fuel that was made from the reprocessing process.

Carroll: *This conversation demonstrates a real unsettled / fluid situation.*

Carroll: *(3) I know that the NRC has done its best to streamline its process and to change its regulations to make it easier for a utility to enter the very long-term process of entering into nuclear. Southern Company has announced its plans to submit its COL before the issuance of the ESP. Could you comment on that?*

Wilson: Part 52 is not a streamlined process. It simply provides an additional licensing option. In regards to coincidental COL-ESPs, we do not have a specific procedure as to how this would work, so there is some uncertainty in the process.

Matthews: The ESP process benefits the NRC, not just the applicant. We get to, in effect, start work early on an issue. We have received the criticism of having a dilatory approach to reviewing license applications. In an ESP, we get our information earlier and thus are able to review the information earlier, in advance of granting the operating license.

Wilson: We are trying to prepare for an onslaught of applications. If all the applicants came in with custom COL applications, we would be swamped in regards to work load. The ESP allows us to balance out the work load a bit.

Sarah Barzac (Southern Alliance for Clean Energy): I have a number of questions:

- 1. There has been discussion about economic analysis and about how certain companies have benefited from Plant Vogtle. If you were a Georgia rate payer, however, you did not benefit. This discussion depends on who you are talking to regarding the economics. Georgia rate payers have ended up paying more.*

Cameron: Usually we only have meetings in the community around the plant. Any changes to this approach would not be a decision that would be made tonight.

- 2. The Georgia Environmental Protection Division is a state agency which monitors radiation. Their budget has been substantially reduced. Both state officials present in the room and the NRC staff should note this issue.*

- 3. I am concerned about the staff comment that "we can take this schedule to the bank..."*

Matthews: We view ourselves as stable, predictable regulator. We will never compromise safety in order to meet a review schedule.

4. *Thank you for having this preliminary meeting. Are we going to have any other meetings in any other locations? Everyone is going to pay for this plant. I live in Savannah and emergency planning potentially affects me. Will there be similar meetings at locations outside of Waynesboro?*
5. *When will the issues of the need for power and alternative energies be addressed?*

Kugler: The ESP applicant is not required to address the need for power, although they can if they choose to. If they do, we will evaluate it. It will be addressed at some point; it is just a question of whether it will be at the ESP or COL stage.

6. *Is nuclear waste going to be evaluated in the ESP? As we all know, nuclear waste has tons of components to it. AP1000 spent fuel pools only hold 10 years worth of waste, quite different from current operating plants.*

Kugler: The impact of waste storage offsite is addressed elsewhere. The EIS addresses storage onsite during operation as well as the steps involved in the fuel cycle process (i.e., transportation of material to and from the site).

7. *Does the ESP cover security concerns?*
8. *Does DOE's Risk Liability Insurance impact the ESP? Can you explain any significance it might have regarding the schedule?*

Wilson: In regards to risk insurance, the DOE has just recently issued a rule regarding this issue. An ESP does not really qualify an applicant for risk insurance. There are 9 requirements that need to be met, and an ESP would not meet two of these.

9. *The expected design specification is the AP1000. Is that stated in the ESP, and, if so, can it be changed? How would it be changed?*

Wilson: You do not have to specify a particular design, but you do need to know the type of plant(s) under consideration and their power levels. Our understanding is that Southern will specify the AP1000 design. Such a permit would not authorize anything other than AP1000.

10. *Are the ultimate costs of building the plant included in the ESP?*

Edward Ease (system operator, Plant Vogtle); What effect, if any, will our [Plant Vogtle's] operating record, safety record, and INPO record have on the issuance of this ESP?

Wilson: The decision we are making is regarding site suitability. The decision does not really involve the operating experience of the company. The issue of qualifications of the applicant to operate the plant would be under review at the time of COL.

Ashley Long (Burke County Chamber of Commerce): Welcome to everyone. We are very excited about having Plant Vogtle in our community. They are an outstanding corporate citizen. In addition to the tax base, their staff and managers provide numerous hours and much effort to help the community. What can we do to speed up the ESP process?

Matthews: We have not really tested this whole process yet. We have done portions of ESPs, but these activities are not complete. Several have just entered the mandatory hearing process. Our schedule also involves some institutional constraints, i.e., time for public notice, regulatory requirements, etc.

Cameron: The NRC has the responsibility to perform a thorough review, regardless of public opinion. From your perspective, just participate when we come out for public meetings and bring up any local issues which we might not have known about. We also use a set of experts (contractors) to help prepare the EIS. These people engage in discussion with the local community and chamber of commerce. To whatever extent possible, cooperate with these people and you will aid the process.

Matthews: All formal comments will be addressed in a thorough manner. Included in the response will be the comment's effect on the EIS or reasons why the EIS was not changed. We provide the fullest response possible to your concern.

Jimmy (Chairman of County Commission): We appreciate you coming down to these meetings. Plant Vogtle is a good neighbor. The reason we don't see a lot of local people here is because they are satisfied with things.

Andy K_____ (Columbia County Chamber of Commerce): We are so impressed with Georgia Power. We passed a resolution to approve the efforts of Georgia Power to expand its power base. Our rates here in Georgia are lower than those of neighboring states. If for any reason you don't want this plant down here in Burke County, could you move it up to Columbia County?

Lang: Will there be a procedure like this [ESP process] that a utility would need to go through to use reprocessed fuel?

Cameron: The reprocessing proposal will not have any effect on the ESP or on a COL.

Matthews: I would like to make a clarification. There would be a review at the time when a facility wanted to switch from uranium oxide fuel to MOX fuel. There would be an amendment process, accompanied by an opportunity for public comment. Most likely, however, this process would not involve an EIS.

Cameron: The NRC is not involved in the decision-making process regarding reprocessing.

Olson: Regarding the possibility of interim storage at Savannah River Site, would the NRC have a role in this process? The NRC needs to have an answer to this. I am very concerned about the thermal effect of reactors. A single reactor puts off the same heat as a 50-kiloton bomb.

Kugler: Not knowing the design, making such a comparison is a little difficult. Current plant uses cooling towers. Generally speaking, the efficiency of this type of plant is 30%. One-third of the energy produces electricity, while two-thirds of the energy is rejected as heat. Almost all of the heat is released to the atmosphere, if the plant uses cooling towers. This essentially adds moisture to the atmosphere. Most of the water is then returned to the plant in a closed-loop cooling system. Most future plants will use a closed-loop cooling system.

Bloomfield: I sincerely feel that until we have some fail-safe methods of disposing of nuclear waste, we should not build two new plants which, by their very nature, produce more waste. My daughter and grandchildren live in Columbia County. Please don't build the plant there.

Carroll: It is my understanding that any environmental issues settled during the ESP process can never be brought up again. Would this have the potential of closing a door on an environmental issue?

Kugler: Assume that we find that the environmental impacts on a particular issue are small. At the time of COL, the applicant and the NRC must re-examine these areas for any new information. If there is new information, we will evaluate it at the COL stage. If there is new information but it is not significant, then we are able, under the National Energy Policy Act, to tier off of an earlier EIS (i.e., bring forward the conclusion of an earlier EIS). If there is an issue that was not addressed by the ESP, then we will do so at the time of COL. We do not initiate independent environmental reviews on our own. That is not in our mandate. Also, we are not the only players in the environmental arena. For example, the State regulates environmental discharges into the river and atmosphere. There are other parties to get involved in particular issues.

Lang: Does anyone have a projection for the total cost of the ESP process?

Kugler: The cost on the environmental-contract-side runs around \$2 million. The staff portion of that is about 8 staff-years, or \$1.6 million. This makes for a total of \$3.6 million in regards to the NRC environmental review.

Matthews: Every hour that a staff member spends on an application is billed in turn to the applicant.