

**Official Transcript of Proceedings**  
**NUCLEAR REGULATORY COMMISSION**

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UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

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MEETING TO DISCUSS THE ENVIRONMENTAL  
SCOPING PROCESS FOR INDIAN POINT NUCLEAR  
GENERATING UNIT NOS. 2 AND 3,  
LICENSE RENEWAL APPLICATIONS

+ + + + +

WEDNESDAY,

SEPTEMBER 19, 2007

+ + + + +

The meeting came to order at 7:00 p.m. in  
The Colonial Terrace, 119 Oregon Road, Cortlandt  
Manor, New York, Lance Rakovan, Facilitator,  
presiding.

PRESENT:

- LANCE RAKOVAN, NRC
- RICH BARKLEY, NRC
- RANI FRANOVICH, NRC
- BO PHAM, NRC

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

(7:05 p.m.)

1  
2  
3 FACILITATOR RAKOVAN: If everyone would be  
4 seated, we'd like to get things started.

5 Good evening. My name is Lance Rakovan.  
6 I am a Communications Assistant at the Nuclear  
7 Regulatory Commission, or NRC. It's my privilege to  
8 facilitate tonight's meeting. The purpose of the  
9 meeting tonight is to receive your comments as to what  
10 environmental issues the NRC should consider during  
11 the review of Indian Point's license renewal  
12 application.

13 Before we get things started, I wanted to  
14 take a few moments to go through what to expect  
15 tonight, lay down a couple ground rules, and just kind  
16 of get things started in general.

17 First of all, the agenda for tonight's  
18 evening is we're going to have a quick presentation.  
19 Well, I hadn't gotten to the point that I was going to  
20 ask you to turn your cell phones off, but --

21 (Laughter.)

22 -- I might as well use that opportunity.  
23 If everyone could please silence your cell phones, put  
24 them on vibrate or turn them off, that will help  
25 moments like that from occurring through the rest of

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1 the meeting. Thank you.

2           Tonight's agenda -- as I was saying, we're  
3 going to have a brief presentation just to kind of  
4 give you some background on the topic tonight, and  
5 then essentially we're going to turn the meeting over  
6 to you. We're hoping to get your comments  
7 specifically in terms of scoping or the environmental  
8 issues that we should take into account for license  
9 renewal.

10           We are transcribing tonight's meeting, so  
11 we ask that if you are going to make a comment that  
12 you come and use a microphone, specifically the one in  
13 the center of the room. If you are going to make a  
14 comment, if you could please identify yourself and any  
15 group that you're with the first time that you speak.  
16 We have got a number of people who have signed up  
17 using the yellow cards that we had on the back sign-up  
18 table.

19           The gentleman who is kind enough to help  
20 me tonight, Rich Barkley, who is from our Region I  
21 office, is going to do his best to put those cards in  
22 order and get everybody up here and get them a chance  
23 to speak. If you haven't signed up to speak yet and  
24 you'd still like to, flag me down and I can give you  
25 one of the cards, and we can get you into the shuffle.

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1 I'm told that we have to pretty much end  
2 by 10:00 tonight, so I'm going to ask everyone who is  
3 speaking to keep your comments brief, concise, and to  
4 the point -- thank you, sir. I'll take that once --  
5 and please respect everyone's viewpoints.

6 Apparently, there was an incident during  
7 our afternoon meeting today. I did not witness it,  
8 but apparently someone was quite offended in the  
9 behavior that they received. It happened outside, not  
10 during the meeting itself, so I'm going to ask you all  
11 to help me out and realize that there are other people  
12 here who probably don't share your opinion on things,  
13 and to please respect their opinions and act  
14 respectably to them.

15 When you have the microphone and it's your  
16 commenting time, certainly say what you will, but when  
17 someone else is up there, let them speak, let them  
18 have their say.

19 Again, please be patient. We're going to  
20 try to get to everyone. When it gets to about 9:30 or  
21 so, I'm going to try to give a warning, and hopefully  
22 we'll be able to get everybody in. But I can't make  
23 any guarantees.

24 Remember, this is not the only way that  
25 you can get your comments in. If you have it written,

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1 we can take your comments right now and read it into  
2 the transcript for the meeting. The main speaker, Bo,  
3 will be going over the other ways that you can get  
4 your comments in for the environmental scoping. But,  
5 again, tonight speaking is not the only way that you  
6 can get your comments in on this process.

7 If you did speak this afternoon, we're  
8 going to try to let people who did not have a chance  
9 to speak go first. Again, I'm going to ask that  
10 everybody try to keep your comments concise, so we can  
11 get through everybody. But we're going to try to let  
12 the new people speak first tonight. So if you were  
13 here this afternoon, we ask for your understanding on  
14 that.

15 I'm going to ask, logistically, if we can  
16 keep the exits open and free of people. That way  
17 people can walk back and forth. And also, there tends  
18 to be a lot of noise in the room outside, so if we  
19 could try to keep the doors closed when people aren't  
20 coming and going, that will help everyone hear what  
21 the speaker is saying.

22 I already said the thing about the cell  
23 phones, so the only other thing that I'd like to say  
24 is there were a stack of meeting feedback forms on the  
25 table outside. If you could take a moment to fill

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1 those out, and either hand them to an NRC employee or  
2 drop them in the mail, they are free, and they will  
3 get to us. And those can give us some ideas as to  
4 what you liked about the meeting, what you didn't  
5 like, what we can hopefully fix in the future,  
6 etcetera.

7 So having said that, I will turn things  
8 over to our speaker, Bo, who has a quick presentation,  
9 and then we're going to get to the reason that we're  
10 all here -- to listen to your comments on  
11 environmental scoping.

12 MR. PHAM: Thank you, Lance.

13 Good evening, everyone. My name is Bo  
14 Pham. I am a Senior Project Manager within the  
15 Division of License Renewal at the NRC. I'm also the  
16 Lead Project Manager for conducting the review  
17 associated with the Indian Point License Renewal  
18 Application.

19 Thank you all for taking the time to come  
20 to this meeting. I hope the information we provide  
21 will help you understand the process we're going  
22 through and the role you can play in helping us make  
23 sure that our environmental review considers the  
24 relevant information.

25 In June, we held a meeting here at The

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1 Colonial Terrace to provide an overview of the license  
2 renewal review process, which includes both a safety  
3 review and an environmental review. Tonight we will  
4 describe in more detail the environmental review  
5 process associated with license renewal review.

6 But the most important part of tonight's  
7 meeting is to receive the comments you may have on the  
8 scope of the environmental review. We also will give  
9 you some information about how you can submit comments  
10 outside of this meeting, as Lance had mentioned.

11 At the conclusion of this presentation, we  
12 will be taking comments on the scope of the  
13 environmental review. And as Lance has already  
14 indicated, this meeting is being transcribed, and all  
15 comments recorded from this meeting will be reviewed  
16 and considered.

17 Next slide, please.

18 Before I get into the details of the  
19 environmental review process, I'd like to take a few  
20 minutes to recap some of the information that was  
21 presented here in June. The NRC, as a federal agency,  
22 established, by the Energy Reorganization Act of 1974  
23 -- that regulates the civilian use of nuclear  
24 material. The Atomic Energy Act authorizes the NRC to  
25 grant a 40-year operating license for nuclear power

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1 reactors.

2 This 40-year term was based primarily on  
3 economic considerations and antitrust factors, not on  
4 safety or technical limitations. The Atomic Energy  
5 Act also allows for the license renewal.

6 The National Environmental Policy Act of  
7 1969, otherwise known as NEPA, establishes a national  
8 policy for considering the impact of federal  
9 decisionmaking on the human environment. As a matter  
10 of policy, the Commission determined that reactor  
11 license renewal constitutes a major federal action for  
12 which an environmental impact statement is warranted.

13 The NRC's regulations governing nuclear  
14 safety, security, and environmental protection are  
15 contained in Title 10 of the Code of Federal  
16 Regulations, which is commonly referred to as 10 CFR.  
17 In exercising its authority, the NRC's mission is  
18 threefold -- to ensure adequate protection of public  
19 health and safety, to promote common defense and  
20 security, and to protect the environment.

21 The NRC accomplishes its mission through  
22 a combination of regulatory programs and processes,  
23 such as establishing rules and regulations, conducting  
24 inspections, issuing enforcement actions, assessing  
25 licensee performance, and evaluating operating

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1 experience from nuclear plants across the country and  
2 internationally.

3 The NRC has resident inspectors at all  
4 operating nuclear powerplants. These inspectors are  
5 considered the eyes and ears of the NRC. They carry  
6 out our safety mission on a daily basis and are on the  
7 front lines of ensuring acceptable safety performance  
8 and compliance with regulatory requirements.

9 Next slide, please.

10 Now, turning to license renewal, the  
11 Indian Point reactor units were licensed to operate in  
12 1973 and '75. For Units 2 and 3, the current  
13 operating licenses expire in 2013 and 2015,  
14 respectively. The NRC received Entergy's applications  
15 for license renewal of both units on April 30th of  
16 this year.

17 As part of NRC's review of the Indian  
18 Point license renewal application, we will perform an  
19 environmental review to assess the impacts on the  
20 environment of an additional 20 years of operation.  
21 And I'll explain that process in a few minutes. I'll  
22 also share with you the schedule for the environmental  
23 review.

24 Next slide, please.

25 License renewal involves two parallel

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1 reviews -- a safety review and the environmental  
2 review. These two reviews evaluate two separate  
3 aspects of the license renewal application. The  
4 safety review focuses on the aging of components and  
5 structures that the NRC deems important to plant  
6 safety.

7 The staff's main objective in this review  
8 is to determine that the effects of aging will be  
9 adequately managed by the applicant. The results of  
10 the safety review are documented in a safety  
11 evaluation report, or otherwise known as an SER.

12 For the environmental review, the staff  
13 considers, evaluates, and discloses the environmental  
14 impacts of continued operation for an additional 20  
15 years. The staff also evaluates the environmental  
16 impacts of alternatives to license renewal. The  
17 objective of the review is to determine if the  
18 environmental impacts of license renewal are so great  
19 that the license renewal would not be a reasonable  
20 option. The staff prepares an environmental impact  
21 statement, or known as EIS, to document this  
22 environmental review.

23 Next slide.

24 This diagram illustrates the safety and  
25 environmental review processes represented at the top

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1 and bottom of the slide. It also features two other  
2 considerations of the Commission's decision on whether  
3 or not to renew an operating license. The independent  
4 review is performed by the Advisory Committee on  
5 Reactor Safeguards, or ACRS.

6 Statutorily mandated by the Atomic Energy  
7 Act of 1954, the ACRS is a group of scientists and  
8 nuclear experts who serve as a consulting body to the  
9 Commission. The ACRS performs an independent review  
10 of the license renewal application, as well as a staff  
11 safety evaluation. They then report their findings  
12 and recommendations directly to the Commission.

13 Hearings may also be conducted concurrent  
14 with the staff's review. Interested stakeholders may  
15 submit concerns or contentions and request a hearing.  
16 If a hearing is granted, the Commission considers the  
17 outcome of the hearing process in its decision of  
18 whether or not to issue a renewed operating license.

19 Now I'm going to describe the  
20 environmental review process in a little bit more  
21 detail. Next slide.

22 The National Environmental Policy Act of  
23 1969 requires that federal agencies follow a  
24 systematic approach in evaluating potential  
25 environmental impacts associated with certain actions.

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1 We are required to consider the impacts of the  
2 proposed action and also any mitigation of those  
3 impacts that we consider to be significant.

4 We're also required to consider  
5 alternatives to the proposed action -- in this case,  
6 license renewal -- and that includes energy  
7 alternatives to proposed action, mitigating  
8 alternatives, and the no-action alternative, which  
9 would examine the environmental impacts associated  
10 with not issuing a renewed license.

11 The NRC has determined that an  
12 environmental impact statement will be prepared for  
13 the proposed license renewal of nuclear powerplants.  
14 In preparing an EIS, the NRC conducts a scoping  
15 process. The purpose of this scoping process is to  
16 identify the significant issues to be analyzed in  
17 depth.

18 We are now gathering information for an  
19 environmental impact statement and are here to collect  
20 public comments on the scope of the review. That is,  
21 what environmental impacts should the staff consider  
22 for the proposed license renewal of Indian Point?

23 The staff has developed a generic  
24 environmental impact statement that addresses a number  
25 of issues common to all nuclear powerplants. The

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1 staff is supplementing that generic EIS with a site-  
2 specific impact statement, which will address issues  
3 that are specific to Indian Point site. The staff  
4 also reexamines the conclusions reached in the generic  
5 EIS to determine if there are any new and significant  
6 information that would change those conclusions.

7 Next slide.

8 For the environmental review, we have  
9 established a team of specialists from the NRC staff  
10 and contractors who are experts in various fields and  
11 disciplines. This slide gives you an idea of the  
12 various areas that we look at during the environmental  
13 review. Some of the areas include terrestrial and  
14 aquatic ecology, environmental justice, hydrology, and  
15 radiation protection.

16 Next slide.

17 The scoping period started on August 10th  
18 when the Notice of Intent to prepare an EIS and  
19 conduct scoping was published. The NRC will be  
20 accepting comments on the scope of the environmental  
21 review until October 12th. In general, we are looking  
22 for sources of information about the environmental  
23 impact of continued operation at Indian Point that we  
24 should consider as we prepare our environmental impact  
25 statement.

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1           You can assist us in that process by  
2           telling us, for example, what aspects of your local  
3           community we should focus on, what local  
4           environmental, social, and economic aspects the NRC  
5           should examine during our environmental review, and  
6           what reasonable alternatives are most appropriate for  
7           this area.

8           These are just some examples of the input  
9           we are looking for, and they represent the kind of  
10          information we are seeking through environmental  
11          scoping process. Your comments tonight should be  
12          helpful in providing insights of this nature.

13          Next slide.

14          This slide illustrates the various  
15          considerations that are factored into a decision to  
16          issue a renewed operating license. How do we use your  
17          input? Public comments are an important part of the  
18          environmental review process. We consider all of the  
19          comments that we receive from the public during the  
20          scoping process, as well as comments received on the  
21          draft environmental impact statement that's due to be  
22          published by next summer.

23          Next slide, please.

24          Now, in addition to providing comments at  
25          this meeting, there are other ways that you can submit

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1 comments for an environmental review process. You can  
2 provide written comments to the Chief of our Rules and  
3 Directive Branch, whose address is above in the slide.  
4 You can also make the comments in person or deliver in  
5 person if you happen to be in the Rockville, Maryland,  
6 area.

7 We have also established a specific e-mail  
8 address at the NRC for the purpose of receiving your  
9 comments on the development of our draft environmental  
10 impact statement, and what you think the scope of our  
11 review should be. That e-mail address is  
12 indianpointeis@nrc.gov. All your comments will be  
13 considered -- reviewed and considered. And as Lance  
14 indicated, you can also deliver written comments to us  
15 tonight. We will add it in as part of the transcript.

16 Next slide, please.

17 This slide shows important milestone dates  
18 for the environmental review process. The Notice of  
19 Opportunity for Hearing was published on August 1st,  
20 followed by the Notice of Intent to prepare an EIS and  
21 conduct scoping. The opportunity to submit contention  
22 for a hearing closes on November 30th. Previously, it  
23 was October 1st. But in response to congressional  
24 requests, the Commission has extended it to  
25 November 30th.

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1           And if you have comments you'd like to  
2 submit outside of today's meeting, you have until  
3 October 12th, as I indicated earlier, and as  
4 highlighted on the slide, to submit those comments.

5           Next slide.

6           This slide identifies the primary points  
7 of contact within the NRC for environmental issues.  
8 It also identifies where documents related to our  
9 review may be found in the local area. The Hendrick  
10 Hudson Free Library, the Field Library, and the White  
11 Plains Public Library have all agreed to make the  
12 license renewal application available for public  
13 review.

14           When it's published for comment, the draft  
15 environmental impact statement will also be available  
16 at each library. These documents will also be on the  
17 NRC's website at the website address shown at the  
18 bottom of the page.

19           In addition, as you came in, you were  
20 asked to fill out a registration card at our reception  
21 table. If you've included your address on that card,  
22 we will mail a copy of the draft and final  
23 environmental impact statement to you.

24           This concludes my presentation, and I will  
25 turn it over -- back to Lance. But I did want to make

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1 one note. Joe, could you go back -- two slides back  
2 with the milestone dates? The dates that's indicated  
3 on the handout you may have was a previous version,  
4 and it has been changed to November 30th. On your  
5 handout that you have, it was actually October 1st.

6 Thank you, Lance.

7 FACILITATOR RAKOVAN: Thanks, Bo.

8 Before we go into the comments, I want to  
9 apologize for the heat. We're looking to get some air  
10 conditioning or something, or more of it, turned on,  
11 so that we can cool things down in here. For those of  
12 you who are standing in the back, if you wish to do  
13 so, that's great. But there are a lot of seats still  
14 open towards the front. So if you want to grab a seat  
15 before we start with the commenting, now would be a  
16 good time to do it.

17 With that, we'll go to our first speaker,  
18 who is Chris Hogan from New York State, Department of  
19 Environmental Conservation, and after Chris has a  
20 chance to talk Rich will start going through the  
21 yellow cards.

22 Mr. Hogan?

23 MR. HOGAN: Thanks, Lance.

24 Good evening. As Lance indicated, my name  
25 is Chris Hogan, and I am the Project Manager for the

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1 DEC for the relicensing of Indian Point Units 2 and 3.  
2 The purpose of my statement this evening is to clarify  
3 the Department's role in relicensing and other matters  
4 related to the facility.

5 With regard to scoping, Department staff  
6 are currently reviewing Entergy's environmental  
7 report, as well as historical information, and will be  
8 submitting written comments on the scope of the draft  
9 EIS before the close of the comment period on  
10 October 12th.

11 In addition to our participation in  
12 scoping, the Department has been designated by  
13 Governor Spitzer to take the lead for state executive  
14 agencies for the relicensing of Indian Point. Acting  
15 in this role, the Department intends to file a request  
16 for a hearing and a petition for leave to intervene in  
17 the relicensing proceeding. And at this time, the  
18 Department would like to thank NRC for extending the  
19 time period to submit those documents.

20 In their comments within scoping,  
21 Department staff will focus on the potential natural  
22 resource and aquatic impacts from the facility during  
23 an additional license term of 20 years. The  
24 Department's primary concern is the potential impacts  
25 of the once-through cooling system at the facility.

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1           The two units combined currently withdraw  
2 approximately 2.5 billion gallons of water per day  
3 from the Hudson River. This results in the  
4 impingement of fish on the intake screens and the  
5 entrainment of small fish, fish larvae, and fish eggs  
6 within the cooling system of the plant.

7           In addition, the once-through cooling  
8 system also results in a discharge of heated water,  
9 because the water is used to absorb waste heat from  
10 the operation of the generation equipment. The  
11 discharge of heated wastewater for both units is  
12 through a single discharge canal.

13           The Department is concerned with the  
14 potential thermal impacts from the discharge on the  
15 aquatic resources of the river. This information is  
16 important, because before the NRC can relicense Indian  
17 Point, the Clean Water Act requires that New York  
18 State must certify that state water quality standards  
19 will be met during the new license term. This  
20 approval is referred to as a water quality  
21 certification.

22           Based on the schedule established by the  
23 NRC, the Department anticipates receiving Entergy's  
24 application for water quality certification in  
25 approximately May 2008. Pursuant to the New York

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1 State uniform procedures regulations, the water  
2 quality certificate application will be subject to  
3 public review and comment. The Department has one  
4 year to issue, deny, or waive the certificate from the  
5 date of receipt. The Department looks forward to full  
6 participation by the public in that process.

7 In addition to the Department's role in  
8 the NRC relicensing process, there are two other  
9 matters related to the facility in which the  
10 Department has primary responsibility. Under the RCRA  
11 authority -- authority delegated to the Department by  
12 the EPA -- DEC regulates hazards waste management and  
13 remedial efforts at Indian Point, including any  
14 potential groundwater contamination.

15 In addition, as the agency that  
16 administers the environmental side of the NRC  
17 agreement state program, DEC has taken the lead for  
18 the state in the ongoing radiological groundwater  
19 investigation. Staff has been actively involved  
20 throughout this process and soon will be reviewing the  
21 completed site hydrology report and any remediation  
22 plans.

23 The Department also has jurisdiction over  
24 the wastewater discharge from the facility through the  
25 State Pollutant Discharge Elimination System, or

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1 SPDES, Program. Through the SPDES Program, the  
2 Department ensures that all discharge wastewater  
3 meets state water quality standards. In addition, the  
4 SPDES Program also allows the Department to regulate  
5 the withdrawal of water for cooling purposes.

6 The Department issued a draft SPDES permit  
7 in November 2003 and commenced the administrative  
8 process to modify the permit. The draft permit is  
9 currently the subject of an adjudicatory hearing, and  
10 the Department is awaiting a Commissioner's ruling on  
11 the appeals of the issues that should be adjudicated.

12 The draft permit currently requires  
13 Entergy to install cooling towers or equivalent  
14 technology if the facility is relicensed by the NRC.

15 That concludes my statement. If you have  
16 any questions with regard to the Department's  
17 involvement in the groundwater investigation, and the  
18 relicensing and the SPDES process, we have a table out  
19 front with two fax sheets that you can pick up. And  
20 we'll be available to answer any questions.

21 Thank you.

22 FACILITATOR RAKOVAN: Thank you, Mr.  
23 Hogan.

24 As one of the NRC's co-regulators, we  
25 wanted to make sure that he had an opportunity to just

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1 kind of outline some of their concerns and some of  
2 their perspective on the situation.

3 So with that, I guess I'll turn things  
4 over to Rich to introduce our first three speakers.  
5 We're going to try to go in blocks of three, just to  
6 give you a heads up as to, you know, that you'll be  
7 coming up or when you'll be coming up. Once you get  
8 to the microphone, if you could introduce yourself and  
9 let us know if there's any group that you're with,  
10 just so we make sure that we know who's talking on the  
11 transcript.

12 Again, I'm going to ask you to stick to  
13 about five minutes as the maximum amount of time, as  
14 we do have a number of people who are signed up. I  
15 believe Rich has a few techniques that he'll be using  
16 if you start going over the five-minute mark, and  
17 hopefully it won't get to that point, though.

18 So, Rich, why don't you go ahead and tell  
19 us who is going to be coming up first.

20 MR. BARKLEY: Okay. And at this point, I  
21 have 27 people signed up. If there are any other  
22 people who want to sign up, please let me know.  
23 According to the list here, I have three elected  
24 officials who have expressed an interest in speaking.  
25 If there are any other elected officials, please let

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1 me know. And I'd like to lead off with John Testa,  
2 the Mayor of Peekskill, and then we'll move to Frank  
3 Giancamilli, who is with Congressman John Hall's  
4 office, and then, finally, Dan O'Neill, the Mayor of  
5 the Village of the Buchanan.

6 So, John? Is John here?

7 (No response.)

8 That makes it easy. Okay. I'll say  
9 John's name until later. Maybe --

10 FACILITATOR RAKOVAN: We're not batting  
11 very well already.

12 (Laughter.)

13 MR. BARKLEY: All right. Frank, do you  
14 want to come up?

15 FACILITATOR RAKOVAN: And I think all of  
16 you heard at one point the air conditioning kick in,  
17 so hopefully that will help with the heat in here.

18 MR. GIANCAMILLI: Thank you. My name is  
19 Frank Giancamilli. I'm from the office of Congressman  
20 John Hall. The Congressman cannot be here tonight, so  
21 I will be reading a statement on his behalf.

22 I'd first like to thank the NRC for  
23 extending the deadline for submittal and for having  
24 this meeting tonight. As I'm sure the Commission can  
25 see from today's turnout, and the passion shown by

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1 Indian Point's neighbors, the environmental impact of  
2 Indian Point is critically important to the Hudson  
3 Valley and must figure prominently in the NRC's  
4 consideration of Entergy's license renewal  
5 application.

6 The environmental impact of Indian Point  
7 on public health, local resources, and water quality  
8 continues to be one of the most serious issues facing  
9 our region. Indian Point already exacts a heavy toll  
10 on our local environment in ways I will elaborate on  
11 in a moment, and presents a constant threat to the  
12 well being of its host communities.

13 When Entergy filed its license renewal  
14 application on April 30th of this year, it raised the  
15 possibility that IP 2 and IP 3 could continue to  
16 operate for another 20 years. If that is to be the  
17 case, then the relicensing process discussed here  
18 today must result in fundamental changes in the way  
19 the plant is operated and the environmental damage  
20 created by the plant is mitigated.

21 It is for that reason that I vehemently  
22 believe that the NRC must keep one fundamental fact in  
23 mind throughout this process. The relicensing of  
24 Indian Point cannot be conducted in an environmental  
25 vacuum. This process cannot be subjected to a

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1 regulatory runaround that examines some systems and  
2 excludes others.

3 If there is an incident involving an  
4 operating system, or a spent fuel pool, or another  
5 aspect of the plant, that incident will have an  
6 environmental impact on surrounding communities,  
7 regardless of whether or not the regulatory framework  
8 required them to be studied.

9 The environmental scope of the NRC's  
10 review must reflect that reality by encompassing the  
11 entirety of operations at Indian Point. With that  
12 said, I believe there are several vital issues that  
13 must be considered by the NRC as it goes about the  
14 work of creating its draft environmental impact  
15 statement, or DEIS.

16 The first and perhaps most disturbing of  
17 these issues is the continued existence of  
18 uncontrolled leaks of radioactive material from Indian  
19 Point spent fuel pools. For almost two years, Indian  
20 Point has been leaking tritium and the cancer-causing  
21 strontium-90 into the soil and water surrounding the  
22 plant. Alarmingly, it is possible that some of this  
23 material may even be making its way into the Hudson  
24 River.

25 Just two weeks ago, another pinhole-sized

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1 leak was discovered in the fuel transfer canal. The  
2 fact that these leaks have continued to disperse  
3 radioactive material for years, with no sure knowledge  
4 of their source or concrete plan to stop them, should  
5 make it clear that they constitute a significant  
6 environmental threat that must be addressed 'in this  
7 relicensing process.

8 Specifically, I believe that the spent  
9 fuel pools should be considered within the scope of  
10 the aging management review, that radiological  
11 monitoring in the Hudson should be expanded to more  
12 forms of aquatic life, and that a condition of  
13 relicensing should be a requirement that Entergy find  
14 and stop these leaks.

15 Indian Point's operations also place a  
16 great strain on the Hudson through the introduction of  
17 thermal pollution that has an undeniably negative  
18 impact on the river's ecosystem. As a result of its  
19 cooling process, Indian Point consumes billions of  
20 gallons of water a day and undermines the survival of  
21 several critical species of fish and wildlife.  
22 Clearly, this is a direct environmental impact of the  
23 plant's continued operation and warrants consideration  
24 in the DEIS.

25 Indian Point's location in New York City

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1 metro area, and at the heart of the watershed that  
2 serves New York City and Westchester, makes safety and  
3 security an issue worthy of environmental  
4 consideration as well. An incident at the plant could  
5 have catastrophic impacts on the local environmental  
6 and human wealth by rendering much of the region  
7 uninhabitable in a worst-case scenario.

8 The 2003 Witt Report declared that current  
9 radiological response plans are not adequate to  
10 protect the public, and the plan has been met with  
11 strenuous local government oppositions. Given the  
12 stakes, it is necessary and appropriate for the NRC to  
13 consider the effectiveness of the evacuation plans for  
14 Indian Point in the context of environmental  
15 conditions in human health.

16 Since this is a process with potentially  
17 long-term repercussions, the DEIS must also be  
18 prepared to look into the future. Indian Point spent  
19 fuel pools are rapidly reaching their maximum  
20 capacity. And if the plant is allowed to operate  
21 decades into the future, the impacts of continued  
22 waste storage, the shift from fuel pools to dry cask  
23 storage, and the ability of Indian Point to  
24 accommodate projected volumes of nuclear waste must be  
25 considered in the DEIS.

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1           If Indian Point is to receive a license  
2 renewal for another 20 years of operation, the  
3 communities of the Hudson Valley deserve to know that  
4 the NRC relicensing process has been thorough, open,  
5 and has guaranteed that Indian Point will operate in  
6 a more environmentally responsible manner in its next  
7 20 years than it has in its first 30. To do that, the  
8 process must encompass the full environmental impact  
9 of Indian Point on its host communities.

10           Indian Point's reactors do not operate in  
11 a vacuum, and neither should the relicensing process  
12 that will determine their future.

13           Thank you.

14           (Applause.)

15           FACILITATOR RAKOVAN: If people would  
16 rather use the front mic instead of that one, please  
17 feel free.

18           MR. BARKLEY: Okay. Dan, your choice on  
19 mics.

20           MR. O'NEILL: This one is fine. Thank  
21 you. I'll try to speak loud into the microphone. My  
22 name is Dan O'Neill. I am the Mayor of the Village of  
23 Buchanan where the Indian Point nuclear powerplants  
24 are located. I want to thank the NRC for giving  
25 myself and other members of the public to comment on

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1 the environmental impact of Indian Point.

2 It is absolutely necessary that the NRC  
3 relicensing procedure take into account the  
4 environmental impacts that Indian Point does have on  
5 not only Buchanan but the entire Hudson Valley, and,  
6 indeed, the New York City metropolitan area. Let's  
7 face it, any way that electricity is made there are  
8 going to be serious adverse environmental impacts.

9 And I'm not going to shy away from the  
10 problems that occur when Indian Point -- when nuclear  
11 power is used to make electricity. There are problems  
12 with the spent fuel pools, the leaks should not have  
13 happened, although I do want to assure everybody that  
14 there was absolutely no impact on the local water --  
15 drinking water.

16 In fact, the river water temperature  
17 increases should also be taken into account. I agree  
18 that the NRC should focus on these issues. However,  
19 you cannot look at Indian Point or nuclear power in a  
20 vacuum. You have to compare what would happen if  
21 Indian Point was not in operation. What would happen  
22 would be an increase in burning fossil fuels. This  
23 should be taken into account not only by the NRC but  
24 by the DEC. I was sad that the speaker did not take  
25 that into account, nor did Congressman Hall.

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1           Because of Indian Point, there is a  
2 reduction in the amount of fossil fuels which would be  
3 burned. That is important. Why? Because of global  
4 warming, because of the greenhouse effect, because of  
5 the impact of burning fossil fuels on fish and  
6 wildlife, because of the effect on human health in  
7 terms of asthma, emphysema, and, yes, even cancer.

8           Without Indian Point, there would be more  
9 fossil fuels burned and more of these adverse  
10 consequences. So if you add up the benefits and  
11 liabilities of nuclear power compared to burning  
12 fossil fuels, it is obvious that nuclear power stands  
13 pretty tall.

14           FACILITATOR RAKOVAN: I'm sorry. I'm  
15 going to interrupt you at this point. I'll let you  
16 continue in a second.

17           MR. O'NEILL: Sure.

18           FACILITATOR RAKOVAN: People should be  
19 free to come up to the mic and express their opinions  
20 without having people take exception to them. That  
21 was one of the things that I asked for prior to this  
22 meeting being started. When someone has the mic, they  
23 should be able to speak freely.

24           If you would like to express your opinion  
25 afterwards and hold up a sign, clap, or make some

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1 other noise if you will, then please go ahead. But  
2 please let the people have the mic, let them have the  
3 floor, and respect their opinions while they are  
4 speaking.

5 Thank you.

6 MR. O'NEILL: Thank you. Absolutely.

7 (Applause.)

8 You're right, sir. That is the American  
9 way. Absolutely.

10 Just to continue, Westchester County and  
11 the New York City metropolitan area suffer some of the  
12 worst air pollution in the country if you look at the  
13 EPA studies that are issued periodically. In fact,  
14 there are two coal-burning plants that are directly  
15 across the river from Westchester County, one of them  
16 almost directly across the river from Indian Point.  
17 Those two coal-burning plants have been in constant  
18 violation of EPA emission standards for years, and  
19 there seems to be no end in sight.

20 In addition, the so-called alternative  
21 methods of making electricity may be very viable, but  
22 they also have adverse environmental impacts. For  
23 example, the California branch of the Natural  
24 Resources Defense Council filed suit to stop the  
25 construction of a wind farm. Robert Kennedy, Jr. of

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1 the Riverkeeper opposed the wind farm in  
2 Massachusetts.

3 Solar power -- there is another  
4 alternative energy source that has problems because of  
5 the chemicals used in the photoelectric cells. So no  
6 matter what way electricity is made you have to look  
7 at the environmental impact. And I am asking the NRC  
8 and the DEC to take the impact of Indian Point in  
9 benefitting the environment of the Hudson Valley, the  
10 entire area, into account when they conduct the EIS.

11 In fact, I wish there was a federal agency  
12 assigned, like the NRC is assigned, to oversee nuclear  
13 powerplants, to oversee the operations of fossil fuel  
14 burning plants like those right across the river.

15 I thank you. And if there's any  
16 questions, I'll be glad to answer them.

17 (Applause.)

18 FACILITATOR RAKOVAN: Thank you, sir.

19 MR. BARKLEY: Okay. Thank you, Mayor. We  
20 do have three more speakers next -- Mannajo Green of  
21 Clearwater -- and she did correct me -- she is an  
22 elected official, so I apologize for not mentioning  
23 that earlier. Next, Dr. Patrick Moore of Green Spirit  
24 Strategies, and then, finally, Norris McDonald,  
25 President of the Afro-American Environmentalist

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1 Association.

2 MS. GREENE: Thank you. I'm Mannajo  
3 Greene, Environmental Director for Hudson River Sloop  
4 Clearwater, and I serve on the Town Council in the  
5 Town of Rosendale in Ulster County.

6 The NRC's primary mandate is to protect  
7 public health and safety and the environment, and,  
8 further, it is required to incorporate any new and  
9 significant information into its findings. In a  
10 democracy, the role of government, industry, and the  
11 public has to be carefully balanced. And for free  
12 enterprise to work, there have to be checks and  
13 balances, and that demands that our regulatory  
14 agencies exercise the utmost rigor and err on the side  
15 of protection, not on leniency.

16 Everything in our environment is  
17 interconnected. I ask the NRC to maintain as holistic  
18 approach as possible. They have wide discretion and  
19 should use it to be inclusive and not exclude any  
20 relevant information. Just a moment of history, and  
21 that is when these plants all over the country that  
22 have been licensed for 40 years were first licensed,  
23 they were simply licensed for 40 years.

24 About 18 years into the process they  
25 realized that, you know, they could maybe get another

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1 20 years out of their investment and prevailed upon  
2 the NRC to promulgate regulations for relicensing.  
3 However, over the recent past, or over time, the  
4 issues that can be considered in relicensing, and the  
5 public's ability to have input has been systematically  
6 narrowed.

7 This is part of a whole tendency that we  
8 see for individual and community rights to be usurped  
9 by corporate power. And it's a question of where the  
10 most money is to protect interests. But for the NRC  
11 to do its job, the more public input they have, and  
12 the more they listen to it, the more effective they  
13 will be.

14 Clearwater was here originally. We  
15 originally opposed the siting of this plant due to its  
16 location in what was then a relatively dense  
17 population, but the increase in population over the  
18 years has been -- that has exceeded our projections.

19 You can't grandfather in the site. Our  
20 congressional delegates are trying to get the laws  
21 amended, but you can use your discretionary power.  
22 You can tell your attorneys to find out how you can  
23 include information, not how you don't need to include  
24 information. And to ignore the increase in population  
25 density, the lack of viability of the emergency

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1 evacuation plan is an unacceptable form of denial.

2 And then, I think it's urgent -- I lost my  
3 place. Excuse me a second. Also, to say that  
4 radioactive material that is leaking into the  
5 groundwater and into the Hudson River is being handled  
6 by an ongoing monitoring and investigation, which is  
7 definitely necessary, but these are also symptomatic  
8 of an aging and deteriorating facility. And the  
9 leaking absolutely must be taken into consideration,  
10 and, further, it must be contained and remediated  
11 before a relicensing is allowed.

12 And then, it's also important to require  
13 that aging infrastructure be repaired and replaced,  
14 and we cannot afford a 20-year extension to be a human  
15 experiment in how far you can allow aging equipment to  
16 go before a plant is closed.

17 Alternative energy has been mentioned over  
18 and over today. Alternative energy is the  
19 alternative. By 2013 and 2015, and during the 20  
20 years thereafter, substantial increases in  
21 infrastructure for alternative energy, for renewable  
22 energy and energy efficiency, will be put into place  
23 in the Hudson Valley, and that must be reliably  
24 estimated.

25 And, finally, I have a comment. Several

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1 groups have made comments about the environmental  
2 justice implications of nuclear power. Not only is it  
3 not a clean source of power, but from its original  
4 manufacture, from the mining, from the processing,  
5 from the enrichment of the uranium, to the waste  
6 disposal, those -- all of those practices have  
7 environmental impacts, and invariably those impacts  
8 are on communities of color and Native American  
9 communities.

10 The waste nationally that is planned --  
11 radioactive waste is planned to be moved to Yucca  
12 Mountain. Now, that has never gone through, and it  
13 will be stored onsite. But that environmental justice  
14 issue really works -- definitely works both ways. And  
15 I think it's really important that that point be made.

16 Thank you.

17 (Applause.)

18 MR. BARKLEY: Okay. Thank you.

19 Dr. Moore?

20 DR. MOORE: Thank you for the opportunity  
21 to take part. My name is Patrick Moore. I am a co-  
22 founder and 15-year former Director of Green Peace.  
23 I am now Chair and Chief Scientist, Green Spirit  
24 Strategies, Limited, focused on sustainability. And  
25 I am presently an advisor to New York area.

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1           One day when I was doing my Ph.D. in  
2 ecology at the University of British Columbia I read  
3 about a little group of people meeting in a church  
4 basement in Vancouver, planning a protest against U.S.  
5 hydrogen bomb testing. I joined that group and ended  
6 up being in the planning and on the first voyage of  
7 what became Green Peace.

8           We convinced President Nixon at the time  
9 to end those hydrogen bomb tests. As a matter of  
10 fact, that was the last time the United States ever  
11 detonated a hydrogen bomb. With that victory behind  
12 us, we went on -- I went on -- to spend the next 15  
13 years full-time in the front lines of the movement  
14 around the world.

15           We got a lot of things right -- stop the  
16 bomb, save the whales, stop toxic discharge, etcetera.  
17 But I think we made one serious error -- in our  
18 enthusiasm, focused on nuclear weapons testing and the  
19 threat of all-out nuclear holocaust between the Soviet  
20 Union and the United States.

21           We made the mistake of lumping nuclear  
22 energy in with nuclear weapons, as if they were all  
23 part of the same holocaust. I think we failed to  
24 differentiate between the peaceful and beneficial uses  
25 of the technology and the destructive and even evil

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1 uses of the technology. If we banned all technologies  
2 that could be used for evil purposes, we would never  
3 have harnessed fire.

4 A car bomb is made with a car, diesel oil,  
5 and fertilizer. Is the best way to stop car bombs to  
6 ban diesel oil, fertilizer, and automobiles? No.  
7 Think of nuclear medicine for a minute. Nuclear  
8 medicine successfully diagnoses and treats millions of  
9 people every year. Many of the isotopes used in  
10 nuclear medicine come from nuclear reactors -- cobalt-  
11 60, technetium, and others.

12 I want to talk about the environmental  
13 issues. Climate change is the biggest environmental  
14 issue today. Many people have come up and made the  
15 assertion that nuclear energy is producing a lot of  
16 greenhouse gas and CO2 emissions. This is purposely  
17 misleading the public. There are many independent,  
18 full life cycle analyses of greenhouse gas emissions  
19 from all the different electricity sources.

20 Nuclear plants produce on average five  
21 grams of CO2 per kilowatt hour. Solar panels produce  
22 35 grams of CO2 per kilowatt hour, largely because of  
23 the need to extract silicon, which is a very energy-  
24 intensive process. Gas plants produce 500 grams of  
25 CO2 per kilowatt hour, 100 times as much as nuclear

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1 energy. And coal-fired powerplants produce 1,000  
2 grams of CO2 per kilowatt hour, 200 times as much as  
3 nuclear energy.

4 These are facts -- this is from the Office  
5 of Science and Technology from the Parliament of the  
6 United Kingdom. You can also Google the University of  
7 Madison, Wisconsin, that has done an independent study  
8 of full life cycle CO2 for all power generation  
9 sources.

10 Nuclear and hydroelectric are the two  
11 lowest CO2 emitters of all our technologies. That is  
12 partly why New York State is the fifth lowest per  
13 capital CO2 emitter in the country, because 45 percent  
14 of its electricity comes from either nuclear or  
15 hydroelectric. Vermont and Idaho are the lowest,  
16 because even more of their electricity is coming from  
17 either hydroelectric, as in the case of Vermont --  
18 Idaho, I mean, and a combination of hydro and nuclear  
19 in the case of Vermont.

20 I'd like to talk about fish for a sec. We  
21 were told by a member of Riverkeeper that the plant at  
22 Indian Point is killing a billion fish a year. I  
23 don't think there is a billion fish in that river.

24 (Laughter.)

25 That is a ridiculous thing to say.

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1       Meanwhile, their own leader -- Bobby Kennedy -- said  
2       recently, "Today, the Hudson River is the richest body  
3       of water in the North Atlantic Region, producing more  
4       pounds of fish per acre than any other waterway in the  
5       Atlantic Ocean north of the equator."

6                       (Laughter.)

7               That plant has been there for 35 years  
8       while the Hudson River has systematically recovered  
9       from a time when 20-mile stretches of it were dead to  
10       where Bobby Kennedy is saying it's the most productive  
11       river north of the equator in the Atlantic Ocean. I  
12       don't understand how those points jive at all.

13               Finally, I'd like to talk about air  
14       quality. The Mayor of Buchanan made it clear, and so  
15       did the National Science study -- National Academy of  
16       Science study. There has to be an alternative to the  
17       energy at Indian Point if it is shut down. It  
18       provides nearly a third of New York's power on some  
19       days, and runs the whole mass transit system. What  
20       are the alternatives to nuclear? Well, I'll tell you  
21       one thing: they're not wind and solar.

22               Wind energy has a very useful application  
23       in that when the wind is blowing you can turn off some  
24       of the gas peaking plants if you're at peak power  
25       requirements. Solar is simply too expensive and will

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1 -- unless it comes down by 10 times in price, will  
2 remain a very minor niche player.

3 But those aren't the reasons that they  
4 can't replace Indian Point. It's because they are  
5 intermittent and unreliable sources of energy by  
6 nature. The sun does not shine at night. the wind  
7 does not blow all the time, and, therefore, they  
8 cannot provide base load electricity to the grid like  
9 nuclear, hydro, and fossil fuels can.

10 The only alternative would be gas-fired  
11 plants producing 10 million tons more CO2, and it  
12 absolutely blows my mind when I hear someone from  
13 Riverkeeper, an environmental group, say the words  
14 "clean natural gas." How is 10 million tons of  
15 additional CO2 clean? And how are additional tons of  
16 sulfur dioxide, nitrous oxides, and particulate  
17 matters clean? It's absolutely logically inconsistent  
18 to on one hand say shut down Indian Point, and on the  
19 other hand say we're all worried about air pollution  
20 and climate change.

21 The only way to get -- to keep the air as  
22 clean as it is in this state is to keep Indian Point  
23 operating safely, cost effectively, and clean, just  
24 like it has been for the last 35 years.

25 Thank you very much.

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1 (Applause.)

2 FACILITATOR RAKOVAN: Thank you, sir.  
3 Since he named a few of the groups by name, I wanted  
4 to give a chance for just a 30-second rebuttal.

5 MS. SHAPIRO: Mr. Moore, unfortunately,  
6 has misrepresented himself and lied about his  
7 background, his credentials, and the truth of nuclear  
8 power. Its costs are much higher than anything else.  
9 Its fossil fuel print is equal, if not greater, and he  
10 hasn't addressed the issue of the spent fuel waste,  
11 the radioactive waste, 18,000 tons, sitting in spent  
12 fuel pools right here on the river.

13 (Applause.)

14 He also -- and I have a question for him  
15 that I'd like him to answer -- how much money has he  
16 received from the nuclear industry? He is on the  
17 nuclear payroll. He is on the payroll of the Nuclear  
18 Energy Institute --

19 FACILITATOR RAKOVAN: Ms. Shapiro?

20 MS. SHAPIRO: -- as well as --

21 FACILITATOR RAKOVAN: I promised you 30  
22 seconds.

23 MS. SHAPIRO: All right. Please answer  
24 the question.

25 FACILITATOR RAKOVAN: Thank you.

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1 MS. SHAPIRO: How much money are you  
2 making from the nuclear industry?

3 FACILITATOR RAKOVAN: Rich, who do we have  
4 next?

5 MR. BARKLEY: Norris McDonald is who we'd  
6 call next. Norris?

7 MR. McDONALD: Good evening. My name is  
8 Norris McDonald, and I'm Founder and President of the  
9 African-American Environmentalist Association. And I  
10 have to make an admission here first thing, and that  
11 is that I love Indian Point.

12 (Applause.)

13 We also, obviously, support the license  
14 renewal, but let me get down to business here. We  
15 submitted written -- a written statement for the  
16 record. We went through the entire environmental  
17 report and addressed each item. I won't try to do  
18 that now, but I will go over some of the items of  
19 interest to the members of our organization.

20 The Director of our New York office  
21 testified at the afternoon hearing and pointed out  
22 some of the environmental justice considerations that  
23 I'm going to also add to. And we will supplement our  
24 record, probably later we'll submit an electronic  
25 copy.

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1                   One thing in the environmental report that  
2 we're a little concerned about is the Section 4.22.2,  
3 and that's on environmental justice. It's a little  
4 confusing, and NRC should maybe revisit that.

5                   It states that 10 CFR Part 51 -- that  
6 Entergy isn't responsible for conducting an  
7 environmental justice analysis, yet the NRC comes back  
8 around and says that in its environmental justice  
9 review it will rely upon Entergy's environmental  
10 report to base its environmental justice review on  
11 that. That's something that NRC should look at and do  
12 something about.

13                   Also, I'd like to revisit the state, the  
14 Department of Environmental Conservation, and the  
15 water permit. The New York State Department of  
16 Environmental Conservation, environmental justice  
17 policy, states that it is the general policy of the  
18 DEC to promote environmental justice and incorporate  
19 measures for achieving environmental justice into its  
20 programs, policies, regulations, legislative  
21 proposals, and activities. This policy is  
22 specifically intended to ensure that DEC's  
23 environmental permit process promotes environmental  
24 justice.

25                   In order to reduce the levels of

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1 impingement and entrainment of Hudson River fish, the  
2 Department of Environmental Conservation's draft SPDES  
3 permit could substantially limit the ability of Indian  
4 Point 2 and 3 to generate electricity, and may even  
5 lead to the closure of the facilities. And that's our  
6 big concern. I will talk about that a little bit  
7 later.

8 Any substantial reduction in the amount of  
9 electricity generated by Indian Point 2 and 3 will  
10 spark demand for replacement electricity from nearby  
11 powerplants. Unfortunately, these powerplants are,  
12 for the most part, pollution-emitting fossil fuel  
13 plants located in New York's low income and minority  
14 communities.

15 As production of these fossil fuel plants  
16 increases, the air quality in and around these plants  
17 will further deteriorate, causing a spike in the  
18 incidences of respiratory and cardiovascular diseases  
19 in the communities where these plants are based. The  
20 draft SPDES permit, therefore, effectively places the  
21 interests of Hudson River fish eggs and larvae over  
22 the health of New York's low income and minority  
23 communities.

24 In the Bronx, which is 35.6 percent  
25 African-American and 88 percent minority, there are

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1 two powerplants. In Brooklyn, which is 36.4 percent  
2 African-American and 64.2 percent minority, there are  
3 seven powerplants. In Queens, which is 20 percent  
4 African-American and 63.2 percent minority, there are  
5 six powerplants. So you get the idea -- and I could  
6 go on for the rest of the night about the  
7 disproportionate impact in minority and African-  
8 American communities.

9 The trash transfer stations, most of the  
10 bus depots, and I'm sure hopefully NRC will look at  
11 those items. But also, within the environmental  
12 report, and in the development of the EIS, I would  
13 hope that you would spend more time looking at the  
14 benefits, the great benefits of Indian Point. That's  
15 what I love -- the great benefits. That is a fact  
16 that it's emission-free.

17 New York State is facing a SIP call, the  
18 state implementation plan, of the Clean Air Act. Most  
19 of the non-attainment areas will violate those. I get  
20 frustrated, because I have been working in the  
21 environmental community for 28 years, and the non-  
22 attainment areas, they continue to be non-attainment  
23 areas. We have to do something about that.

24 Well, by its very nature, Indian Point  
25 does something about that. So let's go more into the

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1 benefits. Indian Point will benefit the regional  
2 greenhouse gas initiative. Of course, NRC is required  
3 to conduct an environmental justice analysis due to  
4 the Presidential Executive Order 12898 passed back  
5 January 11, 1994.

6 So let's look at more of the benefits.  
7 Let's look at the benefits in terms of smog, which is  
8 our big issue. I'm a chronic acute asthmatic. I've  
9 almost died twice. Now, many people in this room  
10 would say, "Hey, you're not dead yet?"

11 (Laughter.)

12 Or would like to see me dead, and that's  
13 fine, because let's address hate and its progeny,  
14 prejudice. There's a prejudice against Indian Point.  
15 But I'll tell you what: I love Indian Point. And the  
16 main reason I love Indian Point -- and it's not about  
17 me -- it's about the four-year old child in Harlem in  
18 a high-rise apartment on a non-attainment day without  
19 air conditioning, the suffering of children from smog,  
20 and that makes me angry.

21 And I'll stand up to any hate and any  
22 prejudice for this plant, for that issue, for those  
23 children. We will be their representative. I love  
24 Indian Point.

25 FACILITATOR RAKOVAN: Thank you, sir.

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1 (Applause.)

2 I'm going to ask one more time that if  
3 people could please turn your cell phones off or  
4 silence them. There has been about a half a dozen  
5 times that they've gone off, and it's kind of  
6 disruptive. So if you could, please. Thank you.

7 MR. BARKLEY: Okay. Our next three  
8 speakers are Lisa Rainwater of Riverkeeper, followed  
9 by Jerry Kremmer of Area, and then Frank Fraley of the  
10 Mount Vernon Hospital Center.

11 MS. RAINWATER: Thanks, Rich. Lisa  
12 Rainwater, Policy Director at Riverkeeper. And I have  
13 a written statement that I can hand in for the record  
14 after I have completed my talk.

15 I'd like to first thank the NRC for  
16 granting the 60-day extension for the submittal of the  
17 petitions to intervene in Indian Point's relicensing  
18 proceedings. I'm here to address two issues tonight  
19 -- one that remains of great importance to those  
20 living in the shadows of Indian Point evacuation  
21 planning, and the other that goes to the heart of our  
22 democratic society -- the right to communicate with  
23 our government agencies without fear of intimidation  
24 and harassment.

25 Neither issue, under current NRC

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1 relicensing regulations, is taken seriously. But,  
2 nonetheless, I use this opportunity to shine a  
3 spotlight on these issues that have been left in the  
4 darkened corners of the NRC's regulatory process.

5 Emergency planning is an issue,  
6 unfortunately, that the NRC refuses to address during  
7 the relicensing process, despite significant changes  
8 in the population, roadways, and infrastructure, since  
9 the plant was originally sited in the agriculture  
10 landscape of Buchanan, New York, nearly half a century  
11 ago.

12 A 2003 report conducted by James Lee Witt,  
13 FEMA Director under President Clinton, and considered  
14 the nation's leading emergency planning expert on  
15 Indian Point's emergency evacuation plans concluded  
16 that "The current radiological response system and  
17 capabilities are not adequate to overcome their  
18 combined weight and protect the people from an  
19 unacceptable dose of radiation in the event of a  
20 release from Indian Point, especially if the release  
21 is faster or larger than the design basis release."

22 Most county officials, emergency  
23 responders, and area residents understand that, given  
24 high population density and congested road networks  
25 that characterize the New York metropolitan area,

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1 Indian Point's emergency plans are patently unworkable  
2 and unfixable. In fact, three of the four counties  
3 and the New York State emergency management office  
4 have refused to submit their annual certification  
5 letters for five years running, and yet the NRC and  
6 FEMA continue to rubber stamp a gravely flawed plan.

7           These are the concerns that I and fellow  
8 New Yorkers submitted to NRC Chairman Dale Klein  
9 beginning on May 29, 2007, in the form of an  
10 electronic action alert issued by Riverkeeper. We  
11 further requested that the NRC include emergency  
12 planning in its relicensing proceedings for Indian  
13 Point.

14           On August 7th, J.E. Dyer, Director for the  
15 Office of Nuclear Reactor Regulation, wrote a response  
16 back to me and hundreds of others explaining why the  
17 NRC will not look at emergency planning -- a topic I  
18 will return to shortly. This letter was sent to my  
19 home address and subsequently sent as a copy to every  
20 individual person who participated in the first  
21 release of our action alert -- approximately 400  
22 people.

23           It's bad enough that the NRC found it  
24 acceptable to send the letter to my Riverkeeper office  
25 and to my home address not once but four times, and

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1 violated my right to privacy by sharing my home  
2 address with hundreds of people. What's worse,  
3 however, is that the NRC deemed it appropriate to  
4 attach to every response letter a list of names and  
5 addresses of all those private citizens who sent in a  
6 letter of concern.

7 The Nuclear Regulatory Commission is a  
8 federal agency set up by Congress. Your job is to  
9 protect the public. It is not your job to harass and  
10 intimidate concerned citizens from providing you  
11 feedback on your regulatory process. We live in a  
12 democratic society. We are supposed to have a  
13 government that is open, transparent, and concerned  
14 about the public good, on a variety of issues, from  
15 the food we eat to the air we breathe to the  
16 medications we take to the entertainment we receive on  
17 television and the radio.

18 In all my years of actively participating  
19 in our democracy, and the hundreds of action alerts  
20 that I have participated in in a variety of issues --  
21 and believe it or not, just not nuclear -- not once  
22 has a federal agency or a state agency or a federal  
23 bureau or a state bureau publicly distributed the  
24 names and addresses of those who contacted them out of  
25 concern over a particular issue.

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1           There is a term for the actions taken by  
2 the NRC under Mr. Dyer's direction: citizen  
3 intimidation. If people stop coming to your meetings,  
4 if people stop submitting comments to your federal  
5 agency, if people stop raising concerns about Indian  
6 Point, the only nuclear plant in the country to be  
7 leaking strontium-90 into public waterways, a plant  
8 that has a five- to six-time emergency plant unplanned  
9 shutdown rate than any in the country, a plant that  
10 continues to have incredulous accidents, mishaps, and  
11 breakdowns, it's not because they're not afraid of  
12 Indian Point, it's because they're afraid of you.

13           But it seems that the NRC also has fears  
14 -- fears that if emergency planning were to be  
15 included in the relicensing process for Indian Point,  
16 the plant may fail the test and need to cease  
17 operation at the end of its current license.

18           In his letter to me and hundreds of  
19 others, Mr. Dyer noted, and I quote, "In adopting its  
20 regulations for license renewal, the Commission  
21 determined that the existing regulatory framework for  
22 emergency preparedness at operating reactors is  
23 sufficient, and that the staff need not review the  
24 emergency preparedness again as part of the license  
25 renewal process. The NRC generally relies on FEMA's

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1 review of emergency plans and preparedness for areas  
2 surrounding nuclear powerplants."

3 In other words, the NRC refused our  
4 request. But then again, the NRC has refused the  
5 County of Westchester's formal petition requesting  
6 that emergency planning be included. The NRC has  
7 refused the New York State Attorney General's request  
8 that emergency planning be included, and the NRC has  
9 refused the New York Hudson Valley Congressional  
10 Delegation's request that emergency planning be  
11 included.

12 But if, in fact, the NRC relies on FEMA's  
13 review of emergency plans for regions around the  
14 plant, then surely the latest news to come from FEMA  
15 is all the NRC needs to shut down Indian Point until  
16 an adequate emergency siren system is working.

17 FACILITATOR RAKOVAN: If you could please  
18 summarize.

19 MS. RAINWATER: On September 12th -- I  
20 have one more thing, and Dr. Moore --

21 (Applause.)

22 -- was able to conclude. I would prefer  
23 -- I have one paragraph. I would like to conclude.

24 FACILITATOR RAKOVAN: That's fine. Please  
25 be brief.

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1 MS. RAINWATER: I just saw the one minute  
2 remaining light there.

3 FACILITATOR RAKOVAN: Please.

4 MS. RAINWATER: On September 12th, FEMA  
5 sent a letter to New York State's Emergency Management  
6 Office in which the current emergency sirens at Indian  
7 Point are deemed unworkable. I quote, "The placement  
8 of the new sirens decreases the audibility of the  
9 existing system." Therefore, the new electronic  
10 sirens that were installed and tested by Entergy must  
11 be removed from interfering with the sound path of any  
12 existing co-located rotating siren in order to restore  
13 the existing system to its full functionality.

14 For over two years, the public has waited  
15 for a reliable emergency notification system at Indian  
16 Point. And if one is to read accurately FEMA's  
17 assessment of Entergy's installation proceedings, we  
18 have been waiting while the company has been dilly-  
19 dallying. And what penalties has Entergy faced for  
20 missing not one but three deadlines?

21 FACILITATOR RAKOVAN: I'm sorry.

22 MS. RAINWATER: A paltry \$130,000.  
23 Perhaps the NRC --

24 FACILITATOR RAKOVAN: I hate -- Miss --

25 MS. RAINWATER: -- should begin --

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1 FACILITATOR RAKOVAN: Miss? Miss? I'm  
2 sorry.

3 MS. RAINWATER: I have one sentence, and  
4 I need to -- perhaps the NRC --

5 FACILITATOR RAKOVAN: All right. All  
6 right. All right.

7 PARTICIPANT: Give her a minute.

8 MS. RAINWATER: -- should begin developing  
9 fear in the entity it is mandated to regulate and stop  
10 intimidating citizens.

11 Thank you.

12 (Applause.)

13 FACILITATOR RAKOVAN: I'd just like to  
14 remind everyone -- at the beginning of the meeting I  
15 asked people to speak -- stick to a specific  
16 timeframe, so that we could let everyone speak.

17 (Applause.)

18 I hope that I'm not being intimidating by  
19 saying this, but if you could please stick to that  
20 timeframe, it will allow us to get through people  
21 faster.

22 (Applause.)

23 Thank you.

24 MR. BARKLEY: I did -- I understood --

25 (Inaudible comment from audience member.)

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1 FACILITATOR RAKOVAN: Miss, please. I  
2 gave her the same amount of time that I've given  
3 everyone else. That's as much as we're discussing  
4 this.

5 MR. BARKLEY: Okay. Actually, I gave her  
6 about two minutes extra.

7 Jerry, go ahead.

8 MR. KREMMER: I'd like to thank the NRC  
9 for allowing us to participate in this hearing. My  
10 name is Jerry Kremmer. I'm the Chairman of the  
11 Advisory Board of the New York Affordable Reliable  
12 Electricity Alliance. We have 123 members, including  
13 the Business Council of Westchester County, the  
14 Westchester County Association, the New York City  
15 Partnership, the Building Congress of New York, 21  
16 union organizations, and a variety of community  
17 groups.

18 We were formed some four years ago,  
19 because we felt it was necessary for there to be  
20 another voice on the issue of energy sources here in  
21 this region. I'm a 23-year veteran of the New York  
22 State Legislature and have been involved with power  
23 issues probably since the early 1970s.

24 According to the NRC, this hearing is  
25 designed to give members of the public the chance to

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1 suggest environmental issues that the NRC should  
2 consider. There are many factors that NRC must  
3 consider in making its decision. We believe that air  
4 quality has to be one of the key factors in making  
5 your decision, which I noted on your chart.

6 Because Indian Point is located in New  
7 York, which has the dubious distinction of having the  
8 poorest air quality in the nation, the NRC has an even  
9 more daunting challenge. To understand the gravity of  
10 our air quality situation, one has to look no further  
11 than the EPA scorecard on air quality in this region.

12 The following areas in New York State are  
13 in violation of federal ozone standards as well as  
14 federal standards for particulate matter: the five  
15 burroughs of New York City, Long Island, three  
16 counties of the Lower Hudson Valley, including  
17 Westchester, Putnam, and Rockland. Dutchess and  
18 Orange are also in violation of federal ozone  
19 standards.

20 Additionally, the Lung Association's 2007  
21 report shows that New York's air quality continues to  
22 worsen with the New York area continuing to be the  
23 most dangerous place to breathe the air for thousands  
24 and thousands of asthma sufferers, along with many  
25 others who have respiratory illnesses.

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1 Indian Point generates 2,000 megawatts of  
2 electricity, enough to power approximately two million  
3 homes. Most important is that it generates this power  
4 without spewing harmful toxins or greenhouse emissions  
5 into our atmosphere. Two thousand megawatts is a lot  
6 of power, equal to four or five natural gas or coal  
7 burning plants. So minus Indian Point, we would need  
8 four or five fossil fuel burning plants to replace the  
9 electricity that Indian Point produces.

10 And I must point out to you, there are  
11 none in the pipeline, there's no New York State siting  
12 law, there's nothing going on, there's nothing coming  
13 downline, so we can't be cavalier about the potential  
14 for the fact that a lot of people in this room may  
15 face the possibility one day of hitting that light  
16 switch and nothing happens.

17 However, there are several issues that I  
18 think are more important as you go into this air  
19 quality. There are those who put forth the notion  
20 that we can replace Indian Point with power generated  
21 from wind turbines or solar panels. These renewable  
22 former energies are great, they're terrific, we should  
23 have them in our portfolio.

24 They have just tried to build one in the  
25 ocean off of Jones Beach, and the Long Island Power

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1 Authority has abandoned that wind project because of  
2 cost factors. So people talk about wind; you just  
3 can't do it.

4 Our mass transit system in New York City,  
5 our local hospitals, our emergency rooms, our sporting  
6 arenas, can't wait for the wind to blow and the sun to  
7 shine. They need power on demand, and Indian Point  
8 provides that for them.

9 The things that make nuclear the best form  
10 of base load power is the fact that it doesn't emit  
11 harmful pollutants, pollutants like NOX, like SOX. We  
12 hear a lot about it. People don't realize the fact  
13 that nuclear is not one of the criminal elements  
14 involved in producing it.

15 Even if the wind was blowing all the time,  
16 like it does in certain parts of the west, or the sun  
17 was out 24 hours a day, you can't get enough power to  
18 replace 2,000 megawatts. Using calculations of the  
19 amount of electricity produced from the average wind  
20 turbine in New York, it would require 1,300 wind  
21 turbines to replace Indian Point. Ironically, the  
22 same environmentalists that we mentioned earlier who  
23 runs the group that is opposed to Indian Point fought  
24 to kill the wind farm off of Martha's Vineyard. You  
25 can't have it both ways.

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1           And that project only proposed to site  
2 one-tenth of the number of turbines. Good luck on  
3 getting their support for that type of project.

4           I don't think there's an elected official  
5 in this room who appeared recently in June when I did,  
6 or who appeared tonight or is going to appear at the  
7 next hearing, who is willing to raise their hand and  
8 say, "I will willingly accept one of those five coal  
9 plants in my community, because it's the patriotic  
10 thing to do. It just ain't going to happen."

11           In closing, I request that the NRC give  
12 significant weight to the fact that without Indian  
13 Point producing 2,000 megawatts of emission-free  
14 electricity, the atmosphere in the New York City  
15 region will further degrade as fossil fuel burning  
16 plants are built to replace the enormous levels of  
17 power that Indian Point produces. The replacement  
18 power would generate 14 million tons of CO2 each year.

19           It's a sad fact that should Indian Point's  
20 energy need to be replaced, the replacement power will  
21 be paid for not just in dollars but in the health of  
22 our most vulnerable citizens -- children, senior  
23 citizens, the people we care so much about.

24           Thank you for taking this into account.

25           (Applause.)

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1 MR. BARKLEY: All right. Our next three  
2 speakers are Andy O'Connell of UWUA Local 1-2, Mark  
3 Jacobs, IBISCG -- IPSEC, I'm sorry, and Mark  
4 Cooperman.

5 MR. O'CONNELL: Good evening, everybody.  
6 My name is Andy O'Connell. I'm the Senior Business  
7 Agent for Utility Workers Union of America Local 1-2.  
8 We represent members in all of the fossil fuel SID  
9 plants in the inner city, as well as the members in  
10 the Indian Point plant. We're intimately involved in  
11 generation, transmission, and distribution of  
12 electricity.

13 I'd like to stand up here and give an  
14 eloquent speech, but it's just not my style. I'd like  
15 to -- I've heard a lot of acronyms over the years from  
16 the different agencies and Indian Point itself. Who  
17 out there knows what KISS stands for? Keep It Simple.  
18 Keep It Simple, Stupid, in military terms. That's  
19 what I'd like to do.

20 On behalf of approximately 450 members  
21 that are working at the Indian Point Energy Center --  
22 local residents from the Hudson Valley, mothers,  
23 fathers, sisters, brothers, sons, daughters,  
24 taxpayers, and voters. I'm here to offer our support  
25 for the Indian Point Energy Center, which we all know

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1 to be safe, secure, and necessary.

2 Unlike the anti-nuclear, anti-industry,  
3 naysayers who at most have toured the plant, we are  
4 the ones who tighten every bolt. We check every  
5 meter, and we run every wire and every pipe in that  
6 plant. Like my union brothers and sisters, I would  
7 not enter that facility or send other workers into  
8 that facility if it was not safe.

9 I also see that safety on a daily basis.  
10 On behalf the Utility Workers Union of America Local  
11 1-2, I ask that both the NRC and the community at  
12 large not be swayed by well-funded anti-nuclear  
13 groups, but rather look at the facts objectively when  
14 passing judgment on the plant.

15 Now, that's my prepared speech. You know,  
16 it wasn't that bad. One thing I'd like to say, I'd  
17 like to put it in layman's terms for a lot of people  
18 out there that don't fully understand what's going on  
19 and the eloquent speeches that everybody is giving.  
20 Energy or electricity is generated at 60 cycles a  
21 second. That means every 30 seconds, or 30 times a  
22 minute, the lights in this room are going off, and we  
23 don't see it.

24 Without Indian Point and the 20 percent of  
25 power that it produces, I'd like each and every one of

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1 you to go home and turn off the lights and everything  
2 that electricity runs for one out of every 10 minutes  
3 or 2.4 hours a day each and every day, because, like  
4 the gentleman before me said, there is nothing down  
5 the line that's going to replace it.

6 Thank you very much.

7 (Applause.)

8 MR. JACOBS: Good evening. My name is  
9 Mark Jacobs. I'm with the Indian Point Safe Energy  
10 Coalition. I guess we're one of the supposedly well-  
11 funded groups that is being talked about. But if  
12 anyone wants to see our budget, I think that very  
13 quickly you would see that that just isn't actually  
14 the case.

15 I'm a volunteer. I've worked on this  
16 issue as a volunteer for almost 10 years. And that's  
17 what I'm getting paid for at volunteer pay. That's  
18 nothing.

19 I want to address a number of points. Mr.  
20 McDonald brought up the issue of the environmental  
21 impact of the plant and environmental justice issues.  
22 In order to defend that point, he cited plants solely  
23 within the burroughs of New York City. But what  
24 should be very clear, and I'm sure that if he does a  
25 little more research he'll find this for himself, that

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1 were Indian Point to be shut down it would not impact  
2 at all the running of the powerplants within New York  
3 City.

4 They are still going to be required to  
5 produce 80 percent of the power, and they are still  
6 going to be importing approximately 20 percent of the  
7 power, whether Indian Point is open or closed.

8 (Applause.)

9 Let's talk about the environmental issues.  
10 The environmental impact of Indian Point has to do  
11 with the environment of Indian Point itself. What is  
12 the environment at the Indian Point nuclear  
13 powerplant? It's an environment where we have ongoing  
14 leaks, leaks that have been going on for over two  
15 years, that we don't know the source of, we don't know  
16 the extent of, we don't know when they started, we  
17 don't know more -- much more than we do know about  
18 those leaks.

19 We have a guard caught sleeping at the  
20 plant again. We have an incredible number of  
21 unplanned shutdowns. We have an owner-operator who is  
22 not ready for inspectors when they come to do an  
23 inspection at the plant. That's the environmental  
24 impact. The impact of having an environment of a  
25 plant run by Entergy in this way is a danger.

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1                   Now, we also need to look at the impact by  
2 the plant being regulated by a federal agency like the  
3 Nuclear Regulatory Commission. And Ms. Rainwater  
4 raised some really important issues about how the NRC  
5 has been doing on certain issues. I want to raise  
6 another one. I read an article recently about how the  
7 Nuclear Regulatory Commission was going to deal with  
8 the fact that the sirens still are not functioning,  
9 having missed three deadlines.

10                   Well, it isn't actually three deadlines.  
11 It's probably closer to 240 deadlines, because every  
12 day after the first deadline is when the sirens should  
13 have been ready. But the Nuclear Regulatory  
14 Commission has the ability to fine hundreds of  
15 thousands of dollars -- the owner-operator of the  
16 plant hundreds of thousands of dollars each day.

17                   Now, what was -- the quote in the recent  
18 AP article about the approach of the NRC for the  
19 sirens, Mr. Sheehan was quoted as saying that "We're  
20 going to decide about what fines to impose after they  
21 get the sirens up and running." And I called him up  
22 right away. I actually called him up as soon as I  
23 read that and got him on the phone and said, "Neil,  
24 this has got to be a mistake, because your job is to  
25 impose fines in order to get Entergy to get the sirens

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1 working. If you wait until afterwards, what incentive  
2 do they have?" And they said, "No, no, we talked  
3 about it. We know we could fine -- impose fines every  
4 day, from now until the time that the sirens are  
5 working."

6 And we all know if that were done the  
7 sirens would be up and running right away. But no,  
8 the Nuclear Regulatory Commission yet again has  
9 decided not to do its job of regulating and,  
10 therefore, the siren may be up and running in some  
11 unspecified future.

12 The issues that I want to talk about with  
13 -- directly with respect to the environment --  
14 environmental impact has to do with two or three  
15 things. First of all, the leaks -- the problem of the  
16 leaks have to be solved. It is absolutely  
17 irresponsible to consider relicensing this plant until  
18 the leaks -- the sources of the leaks are identified,  
19 they are stopped, and it's all cleaned up. That's  
20 absolutely clear.

21 In order to make sure that we don't have  
22 more leaks, you need to inspect all of the pipes at  
23 the plant. Now that's difficult. There are tens of  
24 thousands of feet of piping at that plant. But in  
25 order for the plant to be safely run, it would need to

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1 be fully inspected.

2 Now, we've heard a lot tonight about -- we  
3 heard Mr. McDonald say that Indian Point is emission-  
4 free. We've heard a number of people speaking in  
5 support of Indian Point talk about how the fossil fuel  
6 plants produce so much greater environmental impact.  
7 And in certain ways fossil fuel plants do produce more  
8 environmental impact. But what we didn't hear any of  
9 them -- these people talk about is the environmental  
10 impact of the radiation released from the plant.

11 And I'm just going to read an excerpt of  
12 a statement that Joe Mangano and myself put together,  
13 and I'm going to be submitting this part of the  
14 statement in writing, and it's fairly brief.

15 FACILITATOR RAKOVAN: Yes. Please keep it  
16 brief. You've got about half a minute left.

17 MR. JACOBS: Yes. I'll go the same seven  
18 minutes that Mr. Moore went, but then I won't go  
19 beyond that. I think that's only fair.

20 Reactors routinely release radioactivity.  
21 Persons living near Indian Point would be exposed to  
22 more of these radioactive chemicals were Indian Point  
23 to be relicensed. Historically, Indian Point has a  
24 checkered record of contaminating the local  
25 environment.

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1 Do people realize this? It released the  
2 fifth-most airborne radioactivity of 72 U.S. nuclear  
3 powerplants. Radioactivity levels in the Hudson River  
4 are over 10 times greater in this area than they are  
5 in Albany. Levels of strontium-90 in local baby teeth  
6 are the highest in any area near seven U.S. nuclear  
7 powerplants, and this amount of strontium-90, which is  
8 supposed to just have come from the bomb testing, has  
9 risen 38 percent -- 38 percent since the late 1980s  
10 after the bomb testing had long stopped.

11 This record of contamination raises health  
12 concerns, which are heightened when considering that  
13 since 2000, in the four counties closest to Indian  
14 Point, childhood cancer incidence is 22 percent above  
15 the U.S. rate. Thyroid cancer incidence is 70 percent  
16 above the U.S. rate. And cancer incidence in the six  
17 towns within five miles of Indian Point is 20 percent  
18 greater than the rest of Rockland and Westchester  
19 Counties.

20 If closing Indian Point results in  
21 decreases in cancer mortality in a way parallel to the  
22 closure of the Rancho Seco plant in California, 5,000  
23 fewer cancer deaths would occur in the next 20 years  
24 in Westchester, Rockland, Orange, and Putnam Counties.  
25 While many factors contribute to cancer risk, evidence

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1 suggests that more detailed study on Indian Point is  
2 warranted, and that the public be informed of any  
3 health risks.

4 The prudent policy would be not to grant  
5 license extension until the public better understands  
6 the extent of the threat that Indian Point presents to  
7 local public health.

8 Thank you.

9 FACILITATOR RAKOVAN: Thank you, Mark.  
10 Thanks.

11 (Applause.)

12 MR. BARKLEY: Mark Cooperman?

13 MR. COOPERMAN: My name is Mark Cooperman.  
14 I'm a resident of Cortlandt Manor, have been a  
15 resident for nearly 20 years.

16 I'd like to consider myself just an  
17 average citizen of the community, and I want to kind  
18 of speak up for us average citizens who kind of get  
19 pushed out of the way by special interest groups.

20 I support the plant. My background is an  
21 architectural background. I understand about the  
22 viability of facilities, the need for proper  
23 inspection of facilities as they age, buildings  
24 throughout New York City. I hear things about aging  
25 pipes in the nuclear plant.

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1 I would hope that the NRC does inspect the  
2 pipes and make sure that the facility is safe. My  
3 only concern is that to shut the plant down right now  
4 is going to be a big hardship on the region itself.  
5 There are no viable energy substitutions. I think  
6 back to my days coming out of college when they were  
7 building the Shoreham plant out in Long Island.

8 Long Island didn't build that plant, and  
9 now kind of they're suffering for power shortages, and  
10 don't want to let them lay cables across the Sound,  
11 nor do they want to be able to bring cables from New  
12 Jersey. So what are we going to do if we shut down  
13 the plant?

14 I have also seen, you know, people saying,  
15 "You shut down the plant, because the facilities are  
16 aging." Well, about a month ago in New York City  
17 there was a steam pipe explosion. Are we to shut down  
18 the streets of New York to guard against future steam  
19 pipe explosions? There's a certain of risk we're all  
20 going to live with.

21 I know the special interest groups try to  
22 say that they're looking out for my interest, my  
23 family's interest, my son's interest, but I'll tell  
24 you right now, without this plant, there's going to be  
25 big hardship in the area, yes.

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1           Evacuation route, issues to be raised with  
2 our other officials in Washington -- specifically, if  
3 it's not with NRC, then it will have to be with FEMA.  
4 But shutting down the plant is not going to be the  
5 answer. There is nothing at this point to replace it.

6           We -- you know, serving on local boards  
7 here in the community, we had a natural gas line that  
8 wanted to come through this pretty area -- very close  
9 to here. We had groups against it. Our homes run  
10 either on oil or gas or electric. There is no other  
11 substitution at this point. You have people that say,  
12 "Put hydrogen fuel cells" -- well, there's a problem  
13 with that at this point, and it may be a problem in  
14 the near future as well.

15           The only solution that we have in this  
16 community, in the region itself, is this plant. Close  
17 it down; you're going to be left with a gap. I've  
18 heard people say, "Gee, other facilities will fill the  
19 gap." Come here on a hundred-degree day, and most of  
20 your businesses are draining power from our grid, and  
21 so where are you going to find that extra power?

22           So basically, in conclusion, again, as a  
23 citizen of this community, for the average citizen who  
24 probably won't get up and have a voice, at least in a  
25 forum like this, listen to us as the average citizen

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1 and not as a special interest party. You turn out  
2 that plant, you're going to wind up turning out the  
3 lights on a lot of us.

4 Good night.

5 (Applause.)

6 MR. BARKLEY: All right. Our next three  
7 speakers, Maureen Ritter, Melvin Burruss of the Afro-  
8 American Men of Westchester, and then Audrey Roberts  
9 of Raging Grannies.

10 FACILITATOR RAKOVAN: I'm sorry. What was  
11 the first -- who was the first speaker?

12 MR. BARKLEY: I believe we're going to  
13 just -- I believe we're going to skip the first  
14 speaker.

15 FACILITATOR RAKOVAN: Okay. Who was the  
16 second speaker, then?

17 MR. BARKLEY: Melvin Burruss.

18 MR. BURRUSS: Again, I'm Melvin Burruss,  
19 President of the African-American Men of Westchester.  
20 I want to thank you for giving us the opportunity to  
21 voice our views also.

22 What we believe in is we want to make sure  
23 that NRC does the best job possible when they are  
24 reviewing the Indian Point and nuclear energy and how  
25 it affects our community. And there's a couple of

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1 points I just want to make.

2 One is that, as the gentleman said  
3 earlier, that the demand for electricity has always  
4 grown, will continue to grow, even as efficiencies  
5 increases and new technologies are brought online.  
6 Right now, 50 percent of our electricity comes from  
7 coal, which results in billions of tons of greenhouse  
8 gas emissions annually.

9 Now, I'm looking at two issues here. One  
10 is the health issues, because, again, I'm a diabetic  
11 victim, I'm also a cancer victim, I'm also an asthma  
12 victim. So I have a lot here. I have a real concern  
13 myself.

14 But replacing Indian Point with coal or  
15 natural gas will significantly increase airborne  
16 pollutants and toxins that are truly harmful,  
17 especially for our children, especially for our older  
18 people, especially for folks like myself.

19 The second part is Homeland Security.  
20 Nuclear power helps reduce our dependence on foreign  
21 sources of energy. Right now, gas controlled by  
22 Russia is \$6. By reducing our need to buy natural gas  
23 from abroad at expensive market rates, domestic  
24 nuclear power helps reduce our dependence on foreign  
25 energy sources and currency.

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1                   Jobs and employment -- you take away the  
2 jobs at Indian Point, we will be suffering here. You  
3 know, they pay one of the highest dollar per hour in  
4 the area. And I can look around the room here today  
5 and see how many people will be affected, how many  
6 children will be affected. You talk about educating  
7 your children and sending them to college, and making  
8 a better life for them.

9                   Jobs -- you know, I would be -- and I wish  
10 the NRC would look at the diversity at Indian Point.  
11 Are African-Americans getting their fair share of jobs  
12 in Indian Point? So we should realize how fortunate  
13 we are to have Indian Point, because it serves our  
14 needs, not only our electrical needs but our  
15 employment needs, taxes. Can you imagine how much  
16 taxes would be in the area if we weren't being  
17 subsidized by Indian Point?

18                   Indian Point and nuclear power -- nuclear  
19 power is one of the fastest-growing energy sources in  
20 the world. Why do you think Switzerland is all  
21 nuclear power? Why do you think France is all nuclear  
22 power? Why do you think China, which is one of the  
23 most pollutant countries in the world, is now with a  
24 revolution to go towards nuclear? There's a reason.  
25 It saves lives. It saves the environment. It saves

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1 our future, our world. And, of course, we always --  
2 we know about global warming and what is happening  
3 with the greenhouse effect.

4 The Arctic Ocean now -- the Arctic is  
5 depleting. We're having more floods in the coastal  
6 area, because of global warming, and that's because of  
7 more pollutants from coal. We have this plant over  
8 here in Haverscroll that's just spitting out  
9 pollutants, and Texans to come back across the river  
10 to this area.

11 You know, I wish some of these groups  
12 would go over there and tell them to shut down their  
13 coal plant or at least get it into regulation or get  
14 into requirements to help us all out.

15 So thank you for having us here, and I  
16 hope the NRC does really take a look at all of those  
17 areas, the health issues, the Homeland Security  
18 issues, and come up and do a good job as far as  
19 relicensing Indian Point, because we want it to be  
20 safe.

21 (Applause.)

22 MR. BARKLEY: Okay. Thank you.

23 MS. ROBERTS: Thank you for allowing us to  
24 come and speak with you tonight. We are the Raging  
25 Grannies and their friends of Westchester. We believe

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1 in the saying that we don't own the Earth; we are only  
2 borrowing it for our children.

3 We want to leave this area in good shape  
4 for them. Now, you can ask us what it's like to get  
5 old, and we can tell you. But there are some issues,  
6 a lot of them.

7 We have pollution, we have leaks, we have  
8 the chance of a terrorist attack, we have air quality,  
9 we have its site, we have the fact that so many people  
10 live so close, we have an evacuation plan that cannot  
11 work.

12 So as grannies, because we know about what  
13 happens when we get old, we believe that Indian Point  
14 is too old, has too many problems to keep going. We  
15 hope the NRC will be very careful with the world we  
16 will leave to our kids and to our grandkids. And now  
17 we'd like to sing a song that one of our grannies has  
18 written about Indian Point. Thank you for your  
19 tolerance.

20 PARTICIPANT: And we have copies for  
21 anyone who would like to learn the lyrics.

22 (Whereupon, a song was sung by the Raging  
23 Grannies. Sung to the tune of "My Bonnie  
24 Lies Over the Ocean.")

25 RAGING GRANNIES SINGING: Thank you, NRC,

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1 for this meeting, we know what you don't want to hear.  
2 Don't dare to extend this plant's license by even as  
3 much as one year. Yes, Entergy promises safety, but  
4 sometimes their sirens don't blow. And strontium  
5 leaks are polluting, so Indian Point has to go.

6 No nukes, no nukes, Indian Point has to go  
7 right now. No nukes, no nukes, yes, Indian Point has  
8 to go.

9 This plant is unsafe for employees, but we  
10 don't want anyone fired. Retrain them for alternate  
11 energy, and make sure that they get rehired. This  
12 plant is a terrorist target, why not use much less  
13 toxic fuels. Convert to a natural gas plant; secure  
14 those nuclear waste pools.

15 No nukes, no nukes, Indian Point has to go  
16 right now. No nukes, no nukes, yes, Indian Point has  
17 to go.

18 Once Indian Point was reviewed by an  
19 expert whose name was James Witt. He proved that  
20 evacuation by Entergy's plan was worth... nada.

21 (Laughter.)

22 Thanks, NRC, for your attention, we're  
23 glad that you all stayed awake. We care about our  
24 environment; please care for others' sake.

25 (Applause.)

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1                   Shut it down, shut it down, Indian Point  
2 is unsafe, we know. Shut it down, shut it down,  
3 Indian Point has to go.

4                   MS. ROBERTS: Thank you.

5                   (Applause.)

6                   FACILITATOR RAKOVAN: Very nice. Thank  
7 you, ladies. I think this is the first time that  
8 we're going to have lyrics read into a meeting for the  
9 transcript.

10                  (Laughter.)

11                  MR. BARKLEY: All right. Maureen Ritter,  
12 you get the pleasure of going after that act.

13                  (Laughter.)

14                  MS. RITTER: My name is Maureen Ritter.  
15 I'm a resident of Rockland County, a mother of two  
16 children, and a founding member of Friends United for  
17 Sustainable Energy. And that was a tough act to  
18 follow.

19                  I come here tonight as a former member of  
20 the Electrical Workers Union in Rockland County and a  
21 current member of the Teachers Union. And my reason  
22 for being here tonight, there are many things that are  
23 being sited among -- which are several things that  
24 fall out of the scope of the environmental siting.

25                  I have two children who I feel, along with

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1 the other children of the Hudson Valley, are very  
2 vulnerable to the fallout that occurs from Indian  
3 Point. I know that there is radiation released as a  
4 normal functioning of the plant, and that these  
5 releases used to be posted, which is now difficult  
6 information to get.

7 But the NRC seems to, in my very unlegal  
8 mind and very simple mind, seems to change the rules  
9 to fit the relicensing of this plant and others. Very  
10 frankly, this plant is my prime concern as opposed to  
11 others across the nation, but I do feel it's time to  
12 look beyond nuclear. I do feel that many of the  
13 representatives of neighborhoods of color tonight, and  
14 different organizations, have been sold in addition a  
15 false set of goods.

16 I know that Entergy does pour a lot of  
17 money into the communities, and I would like you to  
18 examine your feelings on how you will feel when  
19 Entergy wants to come in and set up maybe a nuclear  
20 storage site in your community and see how you feel  
21 about having that. I think what we're experiencing is  
22 kind of reverse racism here. So I don't think that  
23 you should buy this -- the bill of goods you're being  
24 sold.

25 Just some other things that I think that

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1 need to be looked at are the seismic issues, the fault  
2 that runs under the plant, and which has been I think  
3 entered into the record today, the security of the  
4 spent fuel pools, the -- I do believe there has to be  
5 eventual cancer studies that are done in the areas,  
6 put that to rest, and, no, environmental groups do not  
7 have the endless money that the industry and the  
8 government has.

9 We need to depend on our government and  
10 the NRC to conduct these studies. More sampling has  
11 to take place of the bones of the wildlife surrounding  
12 the plant. There are many issues to talk on that will  
13 be entered into the record, but as a mother I -- just  
14 coming here tonight, just like the gentleman who spoke  
15 from Cortlandt Manor, that I don't want Indian Point  
16 in my backyard.

17 I feel that you need to open up your -- I  
18 think you need to open up other considerations when  
19 reconsidering the relicensing. It's not something I  
20 want until I'm 90.

21 Thank you.

22 (Applause.)

23 MR. BARKLEY: Our next three speakers --  
24 Tom Johnson, the President of the Cortland Engine  
25 Company, Ms. Kahn, and then, finally, Victor Tufur of

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1 Riverkeeper. Tom, are you here? Okay, great.

2 MR. JOHNSON: Good evening. I want to  
3 talk to you and share with you briefly why I came here  
4 tonight. I'd like to thank the NRC for giving this  
5 opportunity to talk about environmental impacts as  
6 well as just the plant in general and what it means to  
7 us in greater society here in the Hudson Valley.

8 I originally come from Long Island, and a  
9 few people have -- one of my neighbors was talking  
10 about the Shoreham plant. I lived in Culmac, which  
11 was pretty far from it, but all of Long Island was  
12 averse -- very adversely impacted by the mistakes and  
13 the mishandling, weighing in by the fearmongers, of  
14 what could happen in the worst-case scenarios.

15 And when I went to college in 1987, Long  
16 Island was a vibrant place with rising home prices, a  
17 beautiful place to raise a family. And what happened  
18 in that four years, when I came home it was just a  
19 different world. The State of New York and the  
20 Governor at the time decided the best way to deal with  
21 this would be to close the plant -- it was open for a  
22 day -- and would raise everybody's rates seven percent  
23 a year for 10 years. Now, any mathematician will tell  
24 you that's about doubling your rates.

25 As soon as that deal was inked, the

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1 largest employer on Long Island, which was in Nassau  
2 County -- Grumman, Grumman made fighter planes and a  
3 lot of our fleet in the military -- they looked at the  
4 State and the Governor and said, "Sorry, we're out of  
5 here."

6 So that didn't do too well for the  
7 environment. And when I came home looking for a job  
8 from college, all my father's friends were out of  
9 work. And Long Island -- unemployment was high  
10 nationally and real estate values were dropping  
11 nationally. It was twice as bad on Long Island.  
12 There was just no opportunity. You had to hit the  
13 road. People were putting illegal basements --  
14 illegal apartments in their basements to pay their  
15 taxes. I mean, it was just not the thing to do.

16 I moved up here and a lot of my friends  
17 would come up and visit me, and I would say, "Yes, you  
18 know" -- they'd say, "What are your property taxes?"  
19 and I'd say, "Well, they're this." They'd say, "Oh,  
20 my God, we pay twice that." And I said, "Well, I have  
21 a nuclear powerplant about two miles from my house,  
22 and I'm not going to close it."

23 You see, it's more than just money. It's  
24 more than just affordability. It's safety. I am a  
25 volunteer firefighter with the Cortland Engine

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1 Company. I moved up here, and I noticed a lot of  
2 people in this community who are good, hardworking,  
3 blue collar people, much like the area I grew up in.  
4 And they can afford to live here, and, you know, in  
5 Westchester County affordable housing is -- it's kind  
6 of like jumbo shrimp. It doesn't -- you know, it's  
7 one of those words that really doesn't mean anything.  
8 But in our area, because of reasonable property taxes,  
9 working class families can afford to live here and  
10 raise a family and thrive here.

11 You know, Entergy has been very good to a  
12 lot of people in the First Responders. Not just did  
13 they help buy us equipment, equipment that was used at  
14 -- that helped on 9/11, like a cascade system, but  
15 they -- we train there on hazardous material training.  
16 And when you realize that the hazard of what's going  
17 on underneath that dome pales in comparison to most of  
18 the environmental hazards that are out there, like  
19 chlorine and mercury and all of these other things  
20 that don't have a half-life, they live forever and  
21 ever and ever and never go away.

22 The safeties that are at Indian Point are  
23 not just looked over by the government. They're not  
24 just looked over by the community. But the people who  
25 work there live in this community.

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1           One of the operators, one of the licensed  
2 operators of that plant, is the Chief of the Verplank  
3 Fire Department. They are first do if there's ever an  
4 incident on that scene. They have a fire brigade  
5 there. We all train together. They talk about  
6 inadequate emergency response. Well, I could tell  
7 you, we've trained there plenty of times. It's not  
8 inadequate.

9           We've gone over a lot of different  
10 details. We've gone through tabletops. We've looked  
11 at a lot of different scenarios to protect the public.  
12 The reality is the reaction that goes underneath that  
13 dome -- and the good doctor was talking about it  
14 earlier.

15           A lot of people didn't want to accept what  
16 he had to say, but I can tell you this. I'm not a  
17 scientist, but when I went to college I went for a  
18 biochemistry degree. And a lot of things that are  
19 done in that plant on a scale of one to -- you can't  
20 compare a nuclear bomb to a nuclear plant. There's  
21 just no basis of comparison. It's like comparing an  
22 apple to a pineapple. Yes, they're both fruit, but  
23 you wouldn't want to pick them both up and take a bite  
24 out of them.

25           What goes on in that plant is so low

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1 level, and the people that are around it, it's so low  
2 level that if they go get an X-ray, they can't go to  
3 work for two days because they'll set off all the  
4 sensors. Now, what does that tell you? That there is  
5 more radiation in a tobacco plant than there is in any  
6 of the equipment that's at Indian Point, and people  
7 smoke all the time.

8           What goes on there is not a public safety  
9 hazard. It's a steam generator. Steam is generated  
10 at 212 degrees Fahrenheit, not 20,000 degrees. The  
11 reaction that is there is safe. Yes, there are some  
12 environmental concerns, but you have to weigh out the  
13 whole preponderance of the evidence and not focus on  
14 this one leak or that one situation. You have to look  
15 at the whole picture.

16           And when you look at the whole picture,  
17 Indian Point is -- you know, people have worked there  
18 their entire adult lives. They haven't gotten sick,  
19 and they haven't died from working there. That speaks  
20 a lot more volumes than what could be. Thirty-five  
21 years is a pretty long test period for a health  
22 situation. And if people can work there, union men,  
23 carpenters, steamfitters, everybody, and they can  
24 spend their entire life there, their entire working  
25 career, and not get sick, then what are we talking

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1 about?

2 You know, in the First Responders Corps  
3 when we -- we gauge --

4 MR. BARKLEY: I'm going to have to ask you  
5 to wrap up here.

6 MR. JOHNSON: I'm wrapping up in two -- in  
7 less than a minute, in less than 30 seconds. We  
8 gauge --

9 MR. BARKLEY: Less than 30 seconds.

10 MR. JOHNSON: We gauge health and safety  
11 by sickness and death. Sickness and death at all the  
12 nuclear powerplants combined is zero, and that's the  
13 real number.

14 Thank you very much, and thank you for  
15 listening.

16 (Applause.)

17 MR. BARKLEY: Okay. Ms. Kahn?

18 MS. KAHN: Good evening. My name is Karen  
19 Kahn. I've been a resident of Westchester my entire  
20 life, and have lived in this area since 1973. My  
21 concerns are, like everybody else's, to live in a  
22 healthy environment.

23 The nuclear plant is a hot topic. It has  
24 spewn or leaked contaminated material into bedrock,  
25 which cannot be cleaned up, therefore leaving it a

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1 site that's contaminated and half-lives, as we know,  
2 forever.

3 Locally, it is also a concern for the  
4 economic situation in the community. If the plant  
5 were to move, it would definitely cause a lot of  
6 financial hardship. I don't think anybody could  
7 afford to live in this area.

8 That being said, we need to make a  
9 reasonable alternative to place -- find a plant that  
10 is in a less populated area, and make it economically  
11 worthwhile to -- since this is a business proposition,  
12 to place a plant in a less populated area, make it  
13 economically advantageous for a company to invest in  
14 transmission wires from a more isolated area, to  
15 provide us with the electricity we need.

16 We need to keep ourselves safe. Nobody  
17 here wants to have to move. We couldn't move in an  
18 emergency. Let's find some economic way to put this  
19 plant in a less populated area.

20 Thank you.

21 (Applause.)

22 MR. BARKLEY: Okay. Victor?

23 FACILITATOR RAKOVAN: I'm sorry. What was  
24 the name, Rich?

25 MR. BARKLEY: Richard Tufur from

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1 Riverkeeper. I don't think I saw Victor earlier.

2 Okay. Let me call another person.

3 FACILITATOR RAKOVAN: Do we -- yes, let's  
4 go ahead, and then Victor can go after -- who do we  
5 have up next?

6 MR. BARKLEY: Actually, a gentleman we  
7 called earlier who wasn't available, Frank Fraley,  
8 Mount Vernon Hospital Center.

9 MS. FRALEY: Good evening. My name is  
10 Frank Fraley. I'm from Mount Vernon Hospital. I'm  
11 the Vice President for Advancement. The hospital is  
12 located in Mount Vernon, New York. Our core patient  
13 population comes from the Mount Vernon area and the  
14 surrounding communities, Yonkers, Bronx, New Rochelle.

15 Our hospital has many challenges, and we  
16 are honored to be associated with Entergy. We  
17 approached them many months ago and explained the need  
18 for a new emergency department there at the hospital  
19 in lower Westchester, and they were gracious and  
20 stepped to the plate and helped us a great deal.

21 Our emergency department serves over  
22 20,000 visits a year. It is the primary care for many  
23 in that population, and the assistance of Entergy will  
24 help us a great deal.

25 There's another reason why I'm here

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1 tonight. The city of Mount Vernon is not unlike many  
2 major cities, major mid-sized cities. It's the eighth  
3 largest city in the State of New York. It has a great  
4 deal of affluence, and scattered among it are deep  
5 economic challenges.

6 Living in a modern city like that comes  
7 with the opportunity -- many opportunities and many  
8 conveniences. It also comes with significant health  
9 care challenges. The city has multiple highways  
10 running through it, alongside it. There's the Bronx  
11 River Parkway, Hutchison River Parkway, Interstate 95,  
12 Cross County Parkway, to name a few. And the city is  
13 home to a very large industrial and manufacturing  
14 population.

15 The region of this country has already  
16 been recognized by the EPA as having some of the worst  
17 air quality in the nation. It is, in fact -- it is a  
18 fact that many suffer from it -- poor air quality, and  
19 working -- our working relationship with the  
20 institution, we treat many individuals in emergency  
21 situations as a result of that poor air quality.

22 I can attest to the fact that asthma and  
23 other respiratory illnesses are very real and a very  
24 real result of fossil fuel sources. Without Indian  
25 Point, many other fossil fuel sources in the region

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1 would increase, as would the problems that I've  
2 outlined in these areas.

3 I'm proud to be a representative of Mount  
4 Vernon Hospital, and I'm proud to partner with this  
5 fine corporation. Partnering with Entergy is the --  
6 is in the best interest of the residents of Mount  
7 Vernon, and in the best interest of the patients that  
8 we serve.

9 Thank you very much.

10 (Applause.)

11 MR. BARKLEY: Thank you, sir.

12 One housekeeping item to go over.  
13 Unfortunately, someone with New York license plate NY  
14 22 is double-parked and is blocking some cars. So if  
15 you have a vehicle with NY 22 for your license plate,  
16 please move your car. Thanks very much.

17 FACILITATOR RAKOVAN: I'd like to point  
18 out that it's about 9:00, so we've got about an hour  
19 left. I think that we may be able to get through the  
20 number of yellow cards that we have left, so I'm going  
21 to ask people, again, try to keep to the five minutes  
22 or under rule, and that will allow everyone hopefully  
23 to get up and speak that we have left.

24 Rich, can you give us the next couple of  
25 people?

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1 MR. BARKLEY: Yes. And we actually have  
2 10 cards for 60 minutes.

3 Next two people, Margo Schepart of the  
4 Westchester Citizens Awareness Network, and then  
5 Marcia Gordon of the Business Council of Westchester.

6 MS. SCHEPART: Regarding relicensing, if  
7 it is the NRC's role as regulators to protect public  
8 safety, it really defies reason for them to hide  
9 behind this toilet paper roll of regulations in order  
10 to avoid considering the multitude of features  
11 surrounding Indian Point that make it totally  
12 unsuitable for relicensing.

13 We all know what they are -- the proximity  
14 to New York, the population growth, no evacuation, the  
15 history of mechanical problems, the unplugged leaking  
16 of radiological materials, ongoing unknown health  
17 effects, prime terrorist target. And it's very  
18 frustrating that every question or objection that is  
19 raised is always answered by, "Oh, that is -- that's  
20 covered on page 980, Section 3, page 6, of our  
21 rulebook, paragraph 6." It's frustrating.

22 However, if, in the interest of supporting  
23 the nuclear industry, in fact the role of the NRC is  
24 to follow the intricate series of regulations, which  
25 will never lead to any conclusions that reflect

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1 reality, then it makes sense for them to conduct  
2 themselves the way that they do.

3 Patriotism was mentioned tonight. The  
4 real patriotic thing for Americans to do is to use our  
5 good American brains to figure out a way to change our  
6 wasteful energy habits, to stop wasting what we have.  
7 We waste about 40 percent of our energy, if not more.  
8 To stop pouring billions of government dollars into  
9 dangerous forms of energy, and to use our resources to  
10 develop real, safe, clean energy that doesn't require  
11 evacuation plans.

12 That's real, safe, clean energy. And to  
13 work out the kinks of the alternate forms of power and  
14 put the resources there and get some really good  
15 results. The resources have not gone there. The  
16 resources have gone into nuclear.

17 More nuclear reactors cannot halt climate  
18 change. We would need 300 reactors in the United  
19 States to make any impact, and reactors take a long  
20 time to build -- seven to 10 years. Fossil fueled  
21 vehicles, not electricity, are the biggest problem for  
22 global warming.

23 Taking away the nuclear -- adding more  
24 nuclear power is not going to reduce the fossil fuel  
25 vehicle pollution that's adding to the asthma and

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1 other things that are creating health problems in  
2 communities. Nobody here wants filthy coal plants.  
3 Nobody. That's silly to even talk about filthy coal  
4 plants that nobody wants.

5 I've been coming to these meetings for a  
6 really long time, and this is really my point I want  
7 to make for the record. I've been coming to these  
8 meetings for a really long time, but tonight I think,  
9 with the statements of some of the speakers, I  
10 witnessed a unique event in the history of nuclear  
11 technology. I really think that as a result of some  
12 of the statements of tonight's speakers that a new  
13 radioactive isotope, in amounts clearly above  
14 regulatory concern, has been released into the  
15 environment. Bullshittium.

16 Thank you.

17 (Applause.)

18 MR. BARKLEY: All right. Again, Marcia  
19 Gordon was called. Somebody was going to act and read  
20 her statement in her absence. Sir, if you could give  
21 us your name, please.

22 MR. LAWRENCE: Not a problem. Good  
23 afternoon. I'm sorry, good evening, been here for a  
24 while. I'm Laurent Lawrence. I'm Executive Director  
25 of the New York Affordable Reliable Electricity Lines.

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1 I'm reading on behalf of our member, the Westchester  
2 Business Council, and I'll just go ahead and read  
3 this.

4 The Westchester Business -- the Business  
5 Council of Westchester is the county's largest  
6 business organization, representing nearly 1,400  
7 members ranging in size from multi-national  
8 corporations and mid-sized business to professional  
9 firms, not-for-profit organizations, and small  
10 business owners in every sector of the county's  
11 diverse economy.

12 The Business Council of Westchester  
13 advocates for Westchester's business community at a  
14 local, state, and federal level, and works to enhance  
15 economic opportunity in Westchester by addressing a  
16 broad range of public affairs and area development,  
17 economic, and business development issues that affect  
18 the growth and -- the growth of business in the  
19 community.

20 With 34,000 businesses in Westchester  
21 County, employing over 400,000 -- I'm sorry, 408,700  
22 workers with a total annual payroll of more than  
23 \$19 billion, we feel the permanent closure of the  
24 Indian Point Energy Center will cause irreparable  
25 damage to the regional economy due to the large amount

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1 of electricity, jobs, and tax -- that the site  
2 provides.

3 From Indian Point's generation of 2,000  
4 megawatts of much-needed electricity to its  
5 distribution of 356 million in payroll and local  
6 purchases to the over 50,000 -- \$50 million paid in  
7 local taxes, including sales tax, payroll tax,  
8 property tax, and state and local income tax, the site  
9 is a major economic engine that drives business to  
10 Westchester County and keeps business from running to  
11 other counties across the country.

12 We have been the economic -- we have been  
13 the economic devastation -- we have seen -- I'm sorry.  
14 We have seen the economic devastation caused by the  
15 dramatic disruption of electricity supply both in  
16 recent memory -- the blackout of 2003 -- as well as  
17 the continued hardship faced by thousands of Long  
18 Island residents who pay some of the highest utility  
19 bills in the United States because of the infamous  
20 Shoreham nuclear plant debacle.

21 Shoreham was a clear example of the needs  
22 of the few outweighing the ongoing needs of the many,  
23 and the Council does not wish to see Indian Point, to  
24 the residents running the facility, suffer the same  
25 fate.

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1           In addition, as owner and operator of  
2 Indian Point, the Entergy corporation remains a  
3 critical major employer and corporate philanthropist,  
4 donating millions of dollars to a myriad of worthy  
5 causes -- hospitals, educational institutions,  
6 regional associations, and municipalities.

7           Without their continuing service to the  
8 community, the vital investments in nonprofit programs  
9 and projects, we will see a dramatic decrease in the  
10 number of non-governmental groups and associations  
11 serving a wide variety of constituents -- hungry,  
12 homeless, elderly, children in need, sick, infirmed,  
13 etcetera.

14           For the aforementioned reasons, the  
15 Business Council of Westchester hereby supports the  
16 petition for the relicensing of the Indian Point  
17 Energy Center. We look forward to the hearing from --  
18 we look forward to hearing from you regarding this  
19 matter.

20           Sincerely, Marcia Gordon, President, The  
21 Business Council of Westchester.

22           Thank you very much.

23           (Applause.)

24           FACILITATOR RAKOVAN: Sir, did we get a  
25 copy of that, so we could include it? Okay. Thank

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1 you.

2 MR. BARKLEY: Okay. Our next three  
3 speakers -- Tom Klein of the Boilermakers  
4 Local Number 5 --

5 (Applause.)

6 Very good. Secondly, I understood a  
7 statement was going to be read on behalf of Katie  
8 Dunlap of Clearwater, and then, finally, Doris  
9 Mandolero of the Rockland County Conservation  
10 Association.

11 So, Tom, do you want to come up?

12 MR. KLEIN: Good evening. My name is Tom  
13 Klein. I represent Boilermakers Local 5. We cover a  
14 jurisdiction from Kingston, New York, to New York City  
15 and Long Island. We work in the powerplants. What we  
16 do is we built from new construction, we do  
17 maintenance work, and we do emergency repair work.

18 I really don't have too much prepared for  
19 tonight for this speech, but what I'd like to mention  
20 is that Indian Point is the safest and cleanest plant  
21 we work in, that all of the other powerhouses that  
22 we've been in are much more pollutant type and that --  
23 no, I haven't heard anyone mention tonight about the  
24 plant that's right next door, Charles Point -- it's a  
25 garbage burner. And I don't see where that's, as a

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1 pollutant -- I'm sorry, I think there's more pollution  
2 from that plant than comes from Indian Point.

3 I know the restrictions are different, but  
4 I think that the scrutiny should be both the same on  
5 them both.

6 Thank you.

7 (Applause.)

8 MR. BARKLEY: Okay. I believe you --

9 MS. MADRONERO: (Inaudible comment from an  
10 unmiked location.)

11 MR. BARKLEY: All right. We'll pass on  
12 that, then. Doris Mandolero.

13 MS. MADRONERO: Close.

14 MR. BARKLEY: Mandolero?

15 MS. MADRONERO: Dorice.

16 MR. BARKLEY: Dorice.

17 MS. MADRONERO: Madronero.

18 MR. BARKLEY: All right.

19 MS. MADRONERO: Good evening, and thank  
20 you for the opportunity to speak. I'm with the  
21 Rockland County Conservation Association, one of those  
22 very ill-funded organizations. We're all volunteers,  
23 founded in 1930.

24 Before I read the comment, I just have an  
25 observation. In a de-regulated electricity market,

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1 I'm wondering, with all these subsidies that we're  
2 hearing about going to the community, we understand  
3 that the government has great subsidies going to the  
4 nuclear industry, and I wonder how that is affected  
5 and what the considerations are in a free trade open  
6 commerce market, what the implications are, where  
7 these great subsidies are going, and why the nuclear  
8 industry seems to be getting a leg up.

9 Further, the money that we hear being  
10 passed through offered to the communities to willing  
11 takers, I wonder, is this money that is just being  
12 passed through from government subsidies than then  
13 Entergy can come out looking like the great community  
14 hero, actually using federal funding. That's  
15 something I would hope that someone is going to pursue  
16 the financial implications of a free trade,  
17 deregulated electricity market where there is fair and  
18 balanced commerce.

19 The Rockland County Conservation  
20 Association has opposed Indian Point facilities since  
21 Indian 1 was first proposed. Throughout the years of  
22 reviews and assurances of compliance and safety, our  
23 confidence in the safety of this facility has been  
24 greatly challenged by radioactive leaks, personnel  
25 literally sleeping at the switch, and failed promises

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1 to meet deadlines of a fully functioning siren system.

2 Now, we were called upon again to believe  
3 that all is safe and well with a facility that is  
4 leaking strontium-90 and tritium and has unplanned  
5 shutdowns -- otherwise, I guess accidents.

6 As recent as September 11, 2007, The  
7 Journal News reported "Feds suspend inspection at  
8 Indian Point." The Nuclear Regulatory Commission has  
9 suspended an inspection at Indian Point 3 after  
10 federal experts found plant officials unprepared to  
11 answer questions about a series of unplanned shutdowns  
12 that led the agency to lower the reactor's safety  
13 rating in April.

14 "They just didn't have the documentation  
15 we needed," said NRC regional spokesman Neil Sheehan,  
16 noting that "such suspensions are rare, but also the  
17 types of questions we were asking they did not have  
18 the answers for at this point." Again, public  
19 confidence for the safety of this facility is  
20 marginalized.

21 Further, the article reports Kathy  
22 McMullin, an Indian Point spokeswoman, said the matter  
23 was "really much ado about nothing" and wouldn't have  
24 reached the level of public notification without the  
25 current regulatory climate surrounding the plant. So

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1 she is getting a little Shakespearean on us.

2 In this particular environment, the NRC --  
3 or the abundance of caution side, as we have done on  
4 issues that on their face may not seem all that  
5 significant, she said, "It's not necessarily routine  
6 that an inspection would be postponed, but it's not  
7 that unusual either."

8 So we are to understand that the NRC has  
9 made an error in judgment, and that the postponement  
10 of an inspection because the operator of a nuclear  
11 facility was unprepared to answer questions about the  
12 operation of its own facility would not have been  
13 revealed if it were not for the regulatory climate  
14 surrounding the plant.

15 Does this infer "out of sight out of mind"  
16 is an acceptable position for a nuclear facility  
17 operator? The residents in the Hudson Valley have  
18 just been advised of the FAA's decision to increase  
19 air traffic in the region. Rockland County residents  
20 were not advised until just a few weeks before the  
21 closing period.

22 Were the FAA -- okay. Where there were  
23 few to no aircraft flying over Rockland County, we can  
24 now expect up to 600 flights per day, increasing the  
25 noise level. On average, every two to three minutes,

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1 the noise of aircraft flying overhead will be heard.  
2 Entergy's environmental review reports no foreseeable  
3 related federal projects were identified.

4 As the FAA redesigned project is a federal  
5 project, we ask that the effect of the background  
6 noise of increased air traffic might have -- what it  
7 might have on the efficacy of the emergency alert  
8 system. Specifically, was the system designed to be  
9 heard over the increased noise coming from the  
10 increased noise levels of the projected air traffic in  
11 Rockland County? That is a federal project that's  
12 approved.

13 And then, the other one is we have a  
14 desalination plant that has been proposed by United  
15 Water New York that will be placed either in Stony  
16 Point or Haverscroll, exact location yet to be  
17 determined. And we ask that, although it doesn't  
18 exist now, that it be considered in the review process  
19 because that is intended to be drinking water for over  
20 260,000 people.

21 Additionally, if at this point you suggest  
22 it's not appropriate, if it's not built, when it is  
23 built, if it is built, we would ask that there be some  
24 caveat in the system that would require an assessment  
25 of the impacts of this fugitive leakage of strontium-

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1 90 and tritium and other radionuclides that are in the  
2 Hudson River, and what the impacts would be, because  
3 the ratepayers of United Water certainly should not be  
4 paying for the reclamation of radionuclides coming  
5 from -- potentially coming from Indian Point 2 or 3.

6 Thank you.

7 MR. BARKLEY: Thank you.

8 (Applause.)

9 FACILITATOR RAKOVAN: I just wanted to  
10 make one comment. I had a gentleman pull me aside and  
11 he had already spoken, and he asked if it was okay  
12 that he would write something down to be included into  
13 the transcript, and that's definitely allowed. You  
14 can definitely do that.

15 So if you're sitting in the audience and  
16 you don't want to speak, or you've already spoken, or  
17 you just come up with an idea and you want to jot it  
18 down, we will include that as part of the transcript,  
19 just like we're doing with any of the statements that  
20 people are reading that they are submitting as written  
21 comments as well.

22 So I just wanted to get that out there.

23 Rich, who is next?

24 MR. BARKLEY: Okay. Al Samuels of  
25 Rockland Business Alliance is first, followed by Bob

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1 Seeger, the No Rights in Machinery Erectors Local  
2 1740, and then, finally, Patrick Canino of NYPIRG.

3 Mr. Samuels?

4 PARTICIPANT: Thanks, Rich. I am not Mr.  
5 Samuels.

6 MR. BARKLEY: All right. You are speaking  
7 on behalf of him.

8 PARTICIPANT: Al is up in Albany this  
9 evening for a New York State Business Council event,  
10 but he asked me to read his statement into the record.

11 The Rockland Business Association is the  
12 county's largest business organization, representing  
13 991 corporate, mid-sized, and small businesses. We  
14 are the advocates for Rockland's business community at  
15 the local, state, and federal levels, and work to  
16 enhance economic opportunities in Rockland by  
17 addressing a broad range of public affairs and area  
18 development, economic and business development issues  
19 that affect the growth of business in the county.

20 Recently, the Business Council of New York  
21 State, of which the RBA is a member, surveyed almost  
22 1,100 council members to identify top priorities for  
23 action in 2007. These members ranked the cost of  
24 doing business as their greatest concern in New York,  
25 with a special focus on energy costs. Electric rates

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1 in New York run 70 percent above the national average,  
2 and there is a clear need for more generating capacity  
3 to keep cost down, as well as a great demand to direct  
4 low cost power to employers and growth industries  
5 throughout the state.

6 Given this business climate of an ever-  
7 increasing demand for affordable, reliable, and  
8 environmentally sound power generation, the RBA  
9 believes the closure of Indian Point Energy Center  
10 would create a dramatically adverse effect on the  
11 state's energy grid and impose undue hardship upon  
12 thousands of businesses and millions of residents  
13 throughout the state.

14 Indian Point generates 2,000 megawatts of  
15 critical electricity, over \$356 million in payroll and  
16 local purchases, in addition to over \$50 million paid  
17 in local taxes. Overall, Indian Point produces over  
18 \$700 million in economic activity through the five  
19 counties surrounding the site, as well as over a  
20 billion dollars in economic activity in New York  
21 State.

22 For these reasons, we believe the facility  
23 should be relicensed. Having stated the above, we  
24 feel we would be remiss to not acknowledge that there  
25 are those in our community who oppose this action.

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1 While we sympathize with their concerns, we note that  
2 Entergy has an ongoing program to address safety -- to  
3 address issues of safety and potential terrorist  
4 threat. We encourage the company to maintain those  
5 efforts in the most aggressive manner.

6 Sincerely, Al Samuels, President, Rockland  
7 Business Association.

8 (Applause.)

9 MS. SCHEPART: And we have -- and for him  
10 to speak on our behalf, there was never a vote for the  
11 Rockland Business Association. That's his personal  
12 statement. Let the record show that.

13 FACILITATOR RAKOVAN: Okay. Let the  
14 record show that that was his own personal statement.

15 Rich, who do we have next?

16 MR. BARKLEY: Bob Seeger. There we go.

17 MR. SEEGER: Good evening. My name is Bob  
18 Seeger. I'm the Business Manager from  
19 Millwright Local 740. We are the group of people that  
20 does the steam turbines and generators that create the  
21 lights that are now blinding me.

22 The first thing I'd like to say is that  
23 I'm not a shell for anyone. I get no money from  
24 Entergy. It costs me money to belong to New York  
25 Area. I happen to believe in nuclear power, and I

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1 also believe in what New York Area does, and they are  
2 not just limited to Indian Point.

3 They are a diverse group of people that  
4 are interested in an energy plan for New York State,  
5 one that differs quite a bit with the Governor's. I  
6 don't have a prepared statement. I don't know how  
7 people find the time to have one. But I did make some  
8 notes listening to people.

9 I would like to thank the NRC for the  
10 opportunity to come up here and speak. With regard to  
11 Indian Point closing -- and I'll get this out of the  
12 way real quick -- yes, my members get jobs from Indian  
13 Point. They get paid very good salaries for working  
14 at Indian Point for approximately 43 days out of every  
15 year. Then, they go on to another powerhouse that  
16 we've probably built and do the maintenance on.

17 If Indian Point was closed, I would  
18 probably get more work out of it, because they'd have  
19 to build powerhouses to replace the 2,000 megawatts of  
20 power that come from there.

21 I have worked in Indian Point myself for  
22 the first 28 years. I worked -- the first time I  
23 worked at Indian Point was as an apprentice in 1972.  
24 Because of my size and the fact that I used to be 40  
25 pounds smaller, I could get into areas in those

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1 machines that other people couldn't get into, which  
2 meant I was right in the middle of the steam path.

3 I get a physical every year. So far, they  
4 tell me that I am perfect physical condition, other  
5 than the ice cream that I eat.

6 I think there's a great many  
7 misconceptions about Indian Point and about nuclear  
8 power. And I sit here and I sit in the back of the  
9 room, and I watch people that look like they're ready  
10 to leap at somebody that should speak positively about  
11 nuclear power. It's a very emotional issue, and I  
12 don't that emotions are going to get the job done.  
13 And I'm sure that the NRC is going to see, on an  
14 unemotional level, that Indian Point is necessary.

15 With regards to the environment, I don't  
16 think that it's just the air and the water that you  
17 have to be concerned with. If you take a look at part  
18 of the environment -- I think it's if you walk down  
19 the street, and take a look at the businesses that are  
20 supported by Indian Point, there is a delicatessen on  
21 the corner of Bleakley Avenue and 9A that has been  
22 there since the first time I came up here in 1972.

23 I'm willing to bet that if you close  
24 Indian Point you will close that delicatessen and  
25 several of the other businesses that are around the

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1 area -- machine shops, bars, restaurants, diners, that  
2 get the majority of their funding from the businesses  
3 that work with Entergy.

4 I've heard some pretty, I think, careless  
5 statements about what go on -- goes on in Indian Point  
6 as far as it being safe. I've stated here once before  
7 that the members of my local are like family to me,  
8 and I wouldn't put my family in an unsafe environment  
9 to work. To say that that place is an unsafe place to  
10 work is to tell several hundred people that work there  
11 on a daily basis that they are suicidal.

12 There are many families that have been  
13 born and raised throughout that plant. I've seen many  
14 women in that plant that were pregnant, carried their  
15 kids to term, and have very healthy children, that  
16 have gone to college, all from that one plant.

17 With regards to the coal-fired plants that  
18 are on the other side of the river that we also work  
19 in, there is a plant for those plants over there. And  
20 the plan is to close them down by the end of this  
21 year. And if you think that's a positive thing, try  
22 and think of where you're going to get the lights,  
23 where are you going to get the electric, because the  
24 same thing will happen over here. And as hot as this  
25 room was when we first started this meeting, I'm sure

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1 everybody appreciates the fact that there's electric.

2 I came up here because I'm part of the  
3 building trades of Westchester County and New York  
4 City. I'm also a resident of Dutchess County that  
5 lives 19 miles from here. I would just like to see  
6 the conversation and the dialogue take a little bit of  
7 a different turn where people talk level-headed,  
8 unemotional, and about the facts.

9 Thank you for the time.

10 (Applause.)

11 MR. BARKLEY: Okay. Thank you, Bob.

12 FACILITATOR RAKOVAN: By my watch, we're  
13 coming up on 9:30. I'd like to thank everyone who has  
14 stuck it out to this point. We're going to try to get  
15 through -- how many more speakers, Rich?

16 MR. BARKLEY: Five.

17 FACILITATOR RAKOVAN: Fire more speakers.  
18 So hopefully we can get through those within, you  
19 know, five minutes apiece or less, and get out of here  
20 on time, if not maybe even a little early.

21 MR. BARKLEY: Okay. Patrick Canino,  
22 NYPIRG?

23 MR. CANINO: Good evening. My name is  
24 Patrick Canino. I'm a member of NYPIRG, and a student  
25 at SUNY New Palz. I'm within 30 miles of Indian

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1 Point.

2 In the NRC's review of Indian Point, they  
3 must include the safety and security issues facing us  
4 today. They must use data from 2007, not the data or  
5 analysis taken from 30 years ago. The population,  
6 density, and political climate of 30 years ago has  
7 changed dramatically, and the Review Board must  
8 address these changes before considering the relicense  
9 of this plant with such an abysmal safety record.

10 I hope the Review Board takes all of these  
11 things into consideration and makes the proper choice.

12 Thank you.

13 (Applause.)

14 FACILITATOR RAKOVAN: Thank you.

15 Rich, do you want to give us the next  
16 speaker?

17 MR. BARKLEY: Yes. The next two, Barbara  
18 Homyk with Entergy and Phillip Banks with One Hundred  
19 Black Men. Barbara?

20 MS. HOMYK: I'd like to thank the NRC for  
21 letting me speak. My name is Barbara Homyk. I'm a  
22 Chemistry Specialist at Indian Point.

23 And in response to what I've heard here  
24 tonight, I just had a couple of comments. First of  
25 all, it seems as though -- the way people talk, it

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1 sounds as though we spend lots of time with the NRC  
2 and that we're buddies. Well, that isn't exactly the  
3 way, at least for people at my level. The NRC is  
4 there to regulate us. They set the rules for us, and  
5 it's not like we're friends. We do what they tell us,  
6 and we respect their judgment. So I'm hoping the NRC  
7 will give us a fair, reasonable evaluation.

8 My other comment is that I'm a mother, and  
9 I've heard other people say things about being mothers  
10 in the area. I was a chemistry supervisor at Indian  
11 Point. I actually oversaw the radiochemical analysis  
12 when I was pregnant with my older son. I was at the  
13 plant up until I was eight months pregnant, and that  
14 baby is now going to be graduating in May with Honors  
15 from Georgetown University. So it's not all bad.

16 We are careful with what we do. We know  
17 we have some problems. We're working hard to solve  
18 them, and hopefully this relicensing will come about.  
19 And I just wanted to say that I support relicensing at  
20 Indian Point as a proud employee of Entergy.

21 Thank you.

22 (Applause.)

23 MR. BARKLEY: Phillip?

24 FACILITATOR RAKOVAN: Sir, if you could  
25 just introduce yourself again once you get to the

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1 podium.

2 MR. GREEN: Hi. I'm David Green, and I'm  
3 reading the record -- reading the statement of Phillip  
4 Banks for the record.

5 I am Phillip Banks, President of One  
6 Hundred Black Men. One Hundred Black Men is an  
7 international organization founded in New York when a  
8 group of concerned African-American men began to meet  
9 to explore ways of improving conditions of their  
10 community.

11 The group eventually adopted the name One  
12 Hundred Black Men as a sign of solidarity. These men  
13 envisioned an organization that would implement  
14 programs designed to improve the quality of life for  
15 African-Americans and other minorities. Our founders  
16 were successful black men from various walks of life.

17 In 1963, the first meeting of the One  
18 Hundred Black Men, Incorporated, was held in New York  
19 City. A group of successful businessmen from a  
20 variety of social, educational, and economic sectors  
21 came together for a common purpose of making a  
22 difference in African-American communities, by making  
23 a difference in the lives of African-American youth.

24 The idea quickly caught on, and soon  
25 independent chapters began forming across the nation,

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1 until 1986 when nine individual chapters joined  
2 together to create the alliance known today as the One  
3 Hundred Black Men of America, Incorporated. Now some  
4 73 chapters and 10,000 members strong and still  
5 growing, One Hundred Black Men remains committed to  
6 its founding mission to improve the quality of life in  
7 African-American communities by improving the  
8 educational, economic, and social status of African-  
9 Americans across the entire nation.

10 The One Hundred Black Men of New York's  
11 commitment to improving the lives of African-Americans  
12 has been demonstrated with the creation of Eagle  
13 Academy for Young Men. The school is based upon a  
14 strong academic foundation with a focus on pillars of  
15 character that we believe will provide the backdrop  
16 for the success of these young men.

17 Each of the students at the Eagle Academy  
18 is provided with an adult male mentor for their four-  
19 year stint in high school. Founded in 2004, the  
20 school consistently demonstrates a high level of  
21 achievement that is a reflection of the high  
22 educational standards encouraged by One Hundred Black  
23 Men of America.

24 Beginning in the fall of 2007, the Eagle  
25 Academy will permanently expand its scope to operate

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1 as a full four-year public high school, graduating its  
2 first class in the spring of 2008. As we move  
3 forward, we are expanding this model with plans to  
4 replicate the school throughout New York City. In  
5 keeping with our mission of improving the quality of  
6 life for African-Americans, we often partner with  
7 corporate entities that are supportive of our goals.

8           Entergy Nuclear Northeast has been an  
9 ardent supporter of our initiatives. Entergy has  
10 provided us with support that will enable us to  
11 provide opportunities for educating -- for education  
12 mentoring, and small business expansion, and  
13 development throughout the New York metropolitan area.

14           We understand that Entergy is committed to  
15 improving the health, social, and economic conditions  
16 of communities of color by providing safe, affordable,  
17 reliable, and clean energy. Rising energy costs  
18 affect all communities across the U.S. and especially  
19 New York, which has some of the nation's highest  
20 energy bills. The cost of residential and  
21 transportation energy represent even larger shares of  
22 household expenditures for minority citizens.

23           The poorest and most vulnerable families  
24 are being hit the hardest by energy cost increases.  
25 The high energy costs also impact small and minority

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1 businesses and provide barriers for those who want to  
2 go into business. A recent August 12th New York Times  
3 article highlight a recent Census report indicates a  
4 disturbing trend of African-Americans moving out of  
5 the New York area. This great exodus of working and  
6 middle class African-Americans is due in part to the  
7 growing housing costs -- costs coupled with increased  
8 energy costs, making home ownership unattainable.

9 These factors negatively contribute to the  
10 quality of life for many African-Americans in New  
11 York. The One Hundred Black Men supports the creation  
12 and distribution of safe, affordable, reliable, and  
13 clean energy for not only our communities but the  
14 greater community that is New York. We believe that  
15 Entergy is a good corporate citizen, and we support  
16 any efforts to balance the delivery of safe energy  
17 with initiatives that will soften the burden of these  
18 costs on our communities and the environment.

19 Thank you.

20 (Applause.)

21 MR. BARKLEY: Okay. The final two  
22 speakers we have signed up are -- this is difficult to  
23 read, Amanda Sistein, I believe it is, with NYPIRG,  
24 and Noiva Butler with Entergy. Amanda? Sorry I  
25 butchered that name.

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1 MS. SISENSTEIN: Hi. My name is Amanda  
2 Sisenstein with NYPIRG, the New York Public Interest  
3 Research Group. I'm a Project Coordinator at the SUNY  
4 New Palz campus.

5 NYPIRG is calling for an extension of the  
6 public comment period by at least 60 days due to the  
7 numerous safety issues surrounding Indian Point,  
8 including unplanned shutdowns due to emergencies,  
9 spent fuel rod pool leaks, a complete lack of a  
10 functional evacuation plan, and, you know, system  
11 failures, and, you know, all of the other things that  
12 we've been talking about and hearing about all night  
13 long.

14 These are really, really, very, very  
15 significant concerns for not just people in the  
16 immediate areas but people as far away as New Palz who  
17 are still in the peak injury zone. So they really,  
18 really need time to express these concerns and provide  
19 meaningful comments. So again, please, you know, to  
20 extend the public comment period by at least 60 days.

21 The NRC should also expand its scope of  
22 issues beyond, you know, non-moving parts, and the  
23 review should also reflect what is happening now, the  
24 realities that we're facing now and not those of some  
25 time ago. The plant, if it is to be relicensed, we

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1 really need to see a fair and accurate review,  
2 including, you know, all of the problems that are  
3 dealing with right now, and the potential of the  
4 problems in the future.

5 So, you know, thank you very much for  
6 having this and allowing people to speak, but, you  
7 know, please do extend that public comment period.  
8 This is a very serious issue for people from many  
9 surrounding counties, and some who maybe couldn't make  
10 it. I mean, we came from about an hour and a half  
11 away, and, well, we got a little bit lost on the way.

12 So there's -- you know, for everybody who  
13 is here, there is hundreds of people who couldn't be  
14 but would have liked to be. So please keep that in  
15 mind.

16 Thank you.

17 (Applause.)

18 MR. BARKLEY: Noiva?

19 MS. BUTLER: Yes.

20 MR. BARKLEY: There you go.

21 MS. BUTLER: Good evening. My name is  
22 Noiva Butler, and I'm a proud employee of Entergy.

23 I'd like to read a statement to keep  
24 Indian Point operating. We, the undersigned,  
25 respectfully request that you renew the license for

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1 Indian Point for another 20 years of safe, reliable,  
2 and environmentally clean operation. As employees and  
3 supporters of Indian Point, we know that nuclear power  
4 remains one of the most affordable and predictable  
5 sources of energy for our region and our country.

6 There are no viable alternatives to the  
7 2,000 megawatts of power generated by Indian Point  
8 that provides electricity to power our homes, our  
9 railroads, our airport, and our business. Entergy has  
10 invested hundreds of millions of dollars in equipment  
11 upgrades and security enhancement and training to  
12 ensure that the plant can operate safely for many  
13 years.

14 Thank you. And I encourage you to sign  
15 our petition. Thank you.

16 (Applause.)

17 MR. BARKLEY: All right. Due to an error  
18 on my part, I had missed Judy Allen of IPSEC to speak.  
19 Please come up, Judy.

20 MS. ALLEN: My name is Judy Allen from  
21 Putnam Valley, member at large of IPSEC and a mother,  
22 and thank you very much to the NRC for providing this  
23 opportunity to bring to your attention the  
24 environmental impacts of continued plant operation.

25 The purpose of this hearing is to make the

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1 public aware of what the NRC includes in your  
2 environmental considerations for relicensing Indian  
3 Point for another 20 years, and what the public  
4 stakeholders think about these standards. In a few  
5 words, your standards are inadequate.

6 The first big question is: what on earth  
7 that happens at Indian Point would be beyond the scope  
8 of having potential impact on the environment? Are  
9 the ongoing leaks that migrate to the Hudson not an  
10 environmental issue? Would a terrorist attack not be  
11 a potential environmental issue?

12 Are overfilled spent fuel pools that were  
13 never intended for long-term storage not a potential  
14 environmental issue? Is the corrosion of underground  
15 piping that transports radioactive steam, which was  
16 not supposed to be radioactive, not an environmental  
17 issue? Is the vast amount of inaccessible underground  
18 piping that carries saltwater and irradiated water not  
19 a potential environmental issue?

20 Please, tell us what issues that involve  
21 Indian Point and the potential release of any  
22 radioactivity are not environmental issues.

23 You see to approach nuclear issues from  
24 the perspective of the low probabilities of release,  
25 but the probability is not zero. When you think of

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1 low probability, please, see the image of former  
2 Governor Pataki standing at a podium in August 2003  
3 with a huge regional blackout on his hands. He said,  
4 "The experts told me this couldn't happen again."

5 Any business that includes humans and  
6 machinery can have human error and mechanical  
7 malfunctions. And when radioactivity is involved, all  
8 elements are an environmental issue.

9 Thank you very much.

10 (Applause.)

11 FACILITATOR RAKOVAN: Rich, is that the  
12 last card that we have from --

13 MR. BARKLEY: That is the last one that  
14 officially signed up for this evening? Is there  
15 anybody else --

16 FACILITATOR RAKOVAN: Okay.

17 MR. BARKLEY: -- who wanted to speak this  
18 evening that had not signed on a card?

19 FACILITATOR RAKOVAN: I think we wanted to  
20 open the floor up, if you haven't had a chance to  
21 speak at the afternoon or the evening.

22 MR. RICHARDS: Thank you. I got here a  
23 little late. I wasn't quite sure the protocol of how  
24 to speak.

25 FACILITATOR RAKOVAN: That's okay. If you

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1 could give us your name and any affiliation if you  
2 have --

3 MR. RICHARDS: My name is Paul Richards.  
4 I've been a resident of Rockland County for 36 years,  
5 and I wish to speak specifically to the second item on  
6 the screen. What local environmental aspects should  
7 the NRC examine?

8 More than 25 years ago, I participated in  
9 the hearings in Bethesda on the first round when it  
10 was -- Conn Ed and New York State Power Agency were  
11 the operators. And at that time, a major issue was  
12 the seismic hazard, and that's what I wish to comment  
13 on.

14 I have been a president of the main  
15 Professional Society of Earthquake Seismologists in  
16 the United States, and I am currently on the Board of  
17 Directors of the Seismological Society of America.  
18 And in the first round, with Conn Ed and New York  
19 State Power Authority, three Commissioners  
20 participated in those hearings, and they actually  
21 voted two to one. They split on the seismic issues.  
22 One Commissioner, the one of the three who -- who  
23 voted as he did, considered the capability of the  
24 Ramapo Fault sufficiently serious to give him that  
25 vote.

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1                   So the issue for us today is: what have  
2 we learned in the 25 more or so years since those  
3 hearings? And there's a huge amount that has been  
4 learned, and the specific issue to focus on is: what  
5 is the likelihood of Indian Point 2 and 3 being  
6 exposed to ground shaking in their extended lifetime,  
7 if that's what is to be decided, greater than they  
8 have been designed to withstand?

9                   Get that wrong, and, of course, the issue  
10 is not how to -- does a nuclear powerplant function in  
11 comparison with the fossil fuel plant when they're  
12 both operating fairly well. We have heard quite a lot  
13 of speakers address that issue, but the issue is what  
14 potentially can happen if something goes seriously  
15 wrong.

16                   Thank you.

17                   (Applause.)

18                   FACILITATOR RAKOVAN: Is there anyone else  
19 who didn't get a chance to speak at either of the  
20 meetings that would like to have the floor? One last  
21 chance.

22                   (No response.)

23                   Okay. Given that we only have a short  
24 amount of time, and no other speakers that haven't had  
25 a chance to speak, I'm going to go ahead and turn the

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1 meeting over to Rani Franovich, so she can close the  
2 meeting.

3 Rani?

4 MS. FRANOVICH: Thank you, Lance. I'm  
5 Rani Franovich. I am the Branch Chief of the  
6 Headquarters Office in Rockville, Maryland, that is  
7 doing the review for the license renewal application  
8 for Indian Point Units 2 and 3.

9 And I just want to thank you all for  
10 coming to this meeting this evening. This opportunity  
11 that we have to engage with the public and hear  
12 directly from members of the public those issues that  
13 they think need to be considered by the NRC during our  
14 environmental review are a really good time for us to  
15 get some good input. We've gotten quite a bit of that  
16 today. So I appreciate your willingness to be at the  
17 meetings today.

18 I wanted to remind everybody that we will  
19 be receiving comments on the scope of the  
20 environmental review until October 12th, and also the  
21 opportunity to request a hearing has been extended to  
22 November 30th.

23 I also wanted to reiterate a point that  
24 Lance made when we opened up the meeting, that there  
25 are public feedback -- public meeting feedback forms

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1 that are located out in the lobby at the registration  
2 desk. If you can think of any way we can improve our  
3 public meetings, anything we could do differently,  
4 anything that we're doing that works well, that you  
5 want to let us know about, we'd appreciate that  
6 feedback.

7                   Feel free to fill out a form, leave it  
8 with a member of the NRC staff, or, if you prefer,  
9 take it home, think about it, and fill it out, fold it  
10 up, and put in the mail. The postage is prepaid.

11                   And with that, thank you very much for  
12 coming to our meeting tonight.

13                   (Appause.)

14                   (Whereupon, at 9:46 p.m., the proceedings  
15 in the foregoing matter were concluded.)

16

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CERTIFICATE

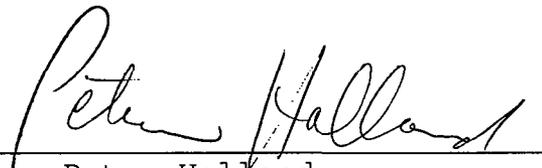
This is to certify that the attached proceedings before the United States Nuclear Regulatory Commission in the matter of:

Name of Proceeding: Indian Point License Renewal  
Public Meeting

Docket Number: (Not applicable)

Location: Courtlandt Manor, New York

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



Peter Holland  
Official Reporter  
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