

# Official Transcript of Proceedings

## NUCLEAR REGULATORY COMMISSION

Title: Indian Point License Renewal  
Public Meeting: Afternoon Session

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Me

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 1:30 p.m. in The  
Colonial Terrace, 119 Oregon Road, Cortlandt Manor,  
New York, Lance Rakovan, Facilitator, presiding.

PRESENT:

LANCE RAKOVAN, NRC

RANI FRANOVICH, NRC

BO PHAM, NRC

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P R O C E E D I N G S

[1:32 p.m.]

MR. RAKOVAN: Good afternoon, everyone. My name is Lance Rakovan. I am a communications assistant with the EDO's office at the Nuclear Regulatory Commission, and it's a privilege to act as one of your facilitators for today's meeting. I also have Mr. Rich Barkley who is from our Region One office near Philadelphia, helping me out today. So I appreciate the help, Rich.

Welcome to NRC's public meeting to discuss the environmental scoping process for the Indian Point license renewal application.

The purpose of today's meeting is to listen to you and to receive your comments as to what environmental issues the NRC should consider during their review of Indian Point's license renewal application.

To start things off, I just of wanted to go through what to expect from this afternoon's meeting. I'll go through a couple ground rules and then I'll go ahead and turn things over to our presenter.

Just for those of you who aren't familiar with the term scoping, it's a term that we're going to

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1 throw around a lot today probably. It basically  
2 harkens back to what I just said the purpose of the  
3 meeting was.

4 We're trying to figure out what to include  
5 in the scope of the environmental review of the  
6 license renewal process. So if you hear that term,  
7 that's all we're talking about.

8 Today's agenda. Basically, we've got a  
9 fairly quick presentation on the license renewal and  
10 environmental review processes, and then essentially  
11 we're going to open the meeting up to listening to  
12 your comments.

13 We're going to try to just let you have  
14 the mike. We ask that you keep it down to a few  
15 minutes for your comments, if you would. We've got  
16 quite a few people signed up to speak and we'd like to  
17 try to get through everyone.

18 We're going to try to avoid answering  
19 questions in the public meeting format. We have a  
20 number of NRC staff here, and since the purpose of the  
21 meeting is to get your comments specifically, if you  
22 have some questions we'd be more than happy to step  
23 out in the backroom, answer your questions after the  
24 meeting, step out during the meeting, even, if you'd  
25 like to do that, and try to handle them there.

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1 But again, what we're going to try to do  
2 is keep the main body of the meeting for, is  
3 essentially to listen to you, not for us to talk.

4 We do have somebody who is going to be  
5 transcribing the meeting for us today, so that we can  
6 take your comments and have them written down and be  
7 able to go through them after the meeting.

8 As such, we're going to ask that if you  
9 speak, you come and use the center microphone when  
10 it's your turn to comment. If you could identify  
11 yourself and any group that you're with when you start  
12 talking, that will help us get you on the transcript  
13 and know exactly who you are.

14 If you're speaking in the crowd, or if you  
15 want to say something in the crowd real quick, flag me  
16 down to get my attention and I'll try to bring the  
17 mike to you, but again, we'd like to keep that as  
18 infrequent as possible and allow the person who has  
19 the mike to have the floor.

20 And again, it's very important that we  
21 have one person speaking at a time so we can get a  
22 clear transcript of the meeting.

23 I want to stress that speaking here today  
24 is not the only way that you can get your comments in  
25 on this process. If you do not make it to the mike or

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1 you don't say everything that you want to say while  
2 you're up there, we will take written comments and  
3 have them read directly into the transcript for the  
4 meeting. And then also our main speaker will be going  
5 over the other ways that you can get your comments in  
6 on this process.

7 We're going to do our best to get to  
8 everyone today, so again, if you could, please be  
9 respectful of the other speakers and try to keep your  
10 comments concise, to the point, so we can make sure  
11 that we try to get as many people up here as possible.

12 If you did not sign up to speak, using one  
13 of the yellow cards at the table outside when you  
14 walked in, flag me down when someone else is speaking  
15 and I'll bring one over to you. This gives us a  
16 record of who spoke and more specifically it lets us  
17 know how to spell your name, so we can make sure that  
18 it's properly reflected in the transcript.

19 Other than that, if everyone could silence  
20 your cell phones or your pagers, to make sure that  
21 doesn't disrupt the meeting.

22 Also on the back table, there was a stack  
23 of public meeting feedback forms. If you could take  
24 a minute just to fill those out, either hand it to an  
25 NRC employee or drop it in the mail. It's free. That

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1 really gives us an idea of how we can improve these  
2 public meetings. Or whether you just liked it so  
3 much, that we did it perfectly, that's okay to say  
4 too. Having said that, I feel like I've talked to  
5 long, so I'm going to go ahead and turn things over to  
6 Mr. Bo Pham, who is going to give a brief  
7 presentation, and then we're to go and turn the  
8 meeting back to commenting.

9 MR. PHAM: Thank you, Lance. Next slide,  
10 please.

11 Good afternoon, everyone. My name is Bo  
12 Pham. I'm a senior project manager at the Nuclear  
13 Regulatory Commission in the Division of License  
14 Renewal, and I'm also the lead project manager for  
15 conducting the review associated with the Indian Point  
16 license renewal application.

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

23 In June, we had a meeting here at the  
24 Colonial Terrace to provide an overview of the license  
25 renewal process, which includes both a safety review

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1 and an environmental review.

2 Today, we will describe in more detail,  
3 the environmental review process associated with the  
4 license renewal review, but the most important part of  
5 today's meeting is to receive any comments that you  
6 may have on the scope of the environmental review.

7 We will also give you some information  
8 about how you can submit the comment, as Lance said,  
9 outside of this meeting.

10 At the conclusion of this presentation, we  
11 will be taking comments on the scope of the  
12 environmental review.

13 As Lance has already indicated, this  
14 meeting is being transcribed and all comments recorded  
15 from the meeting will be reviewed and considered.

16 Before I get into the details of the  
17 environmental review process, I'd like to take a few  
18 minutes to recap some of the information that was  
19 presented here in the June meeting.

20 The NRC is a federal agency established by  
21 the Energy Reorganization Act of 1974. It regulates  
22 the civilian use of nuclear material. The Atomic  
23 Energy Act authorizes the NRC to grant a 40 year  
24 license for nuclear power reactors.

25 This 40 year term was based primarily on

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1 economic consideration and antitrust factors, not on  
2 safety or technical limitations. The Atomic Energy  
3 Act also allows for license renewal.

4 The National Environmental Policy Act of  
5 1969, otherwise known as NEPA, establishes a national  
6 policy for considering the impact of federal decision  
7 making on the human environment.

8 As a matter of policy, the Commission  
9 determined that reactor license renewal constitutes a  
10 major federal action, which an environmental impact  
11 statement is warranted.

12 The NRC's regulations governing nuclear  
13 safety, security, and environmental protection, are  
14 contained in Title 10 of the Code of Federal  
15 Regulations, commonly referred to as 10 CFR.

16 In exercising its authority, the NRC's  
17 mission is threefold. To ensure adequate protection  
18 of public health and safety, to promote the common  
19 defense and security, and to protect the environment.

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

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1 and internationally.

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

9 Now turning back to license renewal, the  
10 Indian Point reactor units were licensed to operate in  
11 1973 and 1975. For units 2 and 3, the current  
12 operating licenses expire in 2013 and 2015,  
13 respectively.

14 The NRC received Entergy's application for  
15 license renewal for both units on April 30th of this  
16 year.

17 As part of the 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 for an additional 20 years of operation.  
21 And I'll explain that process more in a few minutes.  
22 I'll also share with you the schedule of the  
23 environmental review. Next slide, please.

24 License renewal involves two parallel  
25 reviews, the safety review and the environmental

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1 review. These two reviews evaluate two separate  
2 aspects of the license renewal application. The  
3 safety review focuses on the aging of components and  
4 structures, that the NRC deems important to plant  
5 safety. The staff's main objective in this review is  
6 to determine that the effects of aging will be  
7 adequately managed by the applicant.

8 The results of the safety review are  
9 documented in a safety evaluation report, otherwise  
10 known as a SER. For the environmental review, the  
11 staff considers, evaluates and discloses the  
12 environmental impacts of continued plant operation for  
13 an additional 20 years.

14 The staff also evaluates the environmental  
15 impacts of alternatives to license renewal.

16 The objective of the review is to  
17 determine if the environmental impacts of license  
18 renewal are so great, that license renewal would not  
19 be a reasonable option.

20 The staff prepares and environmental  
21 impact statement, otherwise known as an EIS, to  
22 document its environmental review. Next slide,  
23 please.

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.

2 It also features two other considerations  
3 in the Commission's decision on whether or not to  
4 renew an operating license.

5 The independent review is performed by the  
6 Advisory Committee on Reactor Safeguards, or ACRS,  
7 statutorily mandated by the Atomic Energy Act of 1954.

8 The ACRS is a group of scientists and  
9 nuclear experts who serve as a consulting body to the  
10 Commission.

11 The ACRS performs an independent review of  
12 the license renewal application as well as the NRC  
13 staff safety evaluation. They then report their  
14 findings and recommendations directly to the  
15 Commission.

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

22 Now I'm going to describe the  
23 environmental review process in a little bit more  
24 detail. Next slide, please.

25 The National Environmental Policy Act of

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1 1969 requires that federal agencies follow a  
2 systematic approach in evaluating potential  
3 environmental impacts associated with certain actions.  
4 We are required to consider the impact of the proposed  
5 action and also any mitigation for those impacts, that  
6 we consider to be significant.

7 We're also required to consider  
8 alternatives to proposed action, in this case it's  
9 license renewal, and that includes energy alternatives  
10 to the proposed action, mitigation alternatives, and  
11 the no action alternative, which we examine the  
12 environmental impacts associated with not issuing a  
13 renewed license.

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

21 We are now gathering information for an  
22 EIS and are here to collect public comments on the  
23 scope of the review, that is, what environmental  
24 impacts should the staff consider for the proposed  
25 license renewal of Indian Point?

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1           The staff has developed a generic EIS that  
2 addresses a number of issues that are common to all  
3 nuclear power plants. The staff intends to supplement  
4 that generic EIS with a site-specific EIS, which will  
5 address issues that are specific to the Indian Point  
6 site.

7           The staff also reexamines the conclusions  
8 reached in the generic EIS to determine if there's any  
9 new and significant information that would change  
10 previous conclusions. Next slide, please.

11           For the environmental review, we have  
12 established a team of specialists from the NRC staff  
13 as well as contractors who are experts in various  
14 fields and disciplines. This slide gives you an idea  
15 of the various areas we looked at during the  
16 environmental review.

17           Some of the areas include terrestrial and  
18 aquatic ecology, environmental justice, hydrology and  
19 radiation protection. Next slide, please.

20           The scoping period started on August 10th  
21 when the Notice of Intent to prepare and EIS and  
22 conduct scoping was published.

23           The NRC will be accepting comments on the  
24 scope of the environmental review until October 12th.  
25 In general, we're looking for source of information

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1 about the environmental impact of continued operation  
2 at Indian Point, that we should consider as we prepare  
3 our environmental impact statement.

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

11 These are just some of the examples of the  
12 input we're looking for, and they represent the kinds  
13 of information we are seeking through the  
14 environmental scoping process.

15 Your comments today should be helpful in  
16 providing insights of this nature. Next slide,  
17 please.

18 This slide illustrates the various  
19 considerations that are factored into a decision to  
20 issue a renewed operating license. So how do we use  
21 your input today? Public comments are an important  
22 part of the environmental review process.

23 We consider all the comments that we  
24 receive from the public during the scoping process as  
25 well as comments received once the staff issues the

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1 draft environmental impact statement. Next slide,  
2 please.

3 Now in addition to providing comments at  
4 this meeting, there are other ways that you can submit  
5 comments for our environmental review process.

6 You can provide written comments to the  
7 Chief of our Rule and Directives Branch, whose address  
8 is on the slide above. You can also make comments in  
9 person if you happen to be in Rockville, Maryland.

10 We've also established an e-mail address  
11 at the NRC for the specific purpose of receiving your  
12 comments on the development of our draft environmental  
13 impact statement and what you think the scope of our  
14 review should be.

15 That e-mail address is Indian  
16 Pointeis@nrc.gov.

17 All of your comments will be collected,  
18 reviewed, and considered, and as Lance had mentioned,  
19 during this meeting, if you have written comments or  
20 written speeches that you would like us to consider,  
21 we will take them and enter them as part of the  
22 transcript. Next slide, please.

23 This slide shows important milestone dates  
24 for the environmental review process. The Notice of  
25 Opportunity for Hearing was published on August 1st,

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1 followed by the Notice of Intent to prepare an  
2 environmental impact statement and conduct scoping.

3 The opportunity to submit contention for  
4 our hearing closes on November 30th. That was  
5 previously October 1st, but in response to a  
6 congressional request, the Commission has extended  
7 that date to November 30th.

8 And if you'd like to have comments, that  
9 you would like to submit outside of today's hearing,  
10 you have also until October 12, as highlighted on the  
11 slide, to submit those comments.

12 This slide identifies the primary points  
13 of contact within the NRC for the environmental  
14 review.

15 It also identifies where documents related  
16 to our review may be found in the local area. The  
17 Hendrick Hudson Free Library, the Field Library, and  
18 the White Plains Public Library, have all agreed to  
19 make the license renewal application available for  
20 public review.

21 When it is published for comment, the  
22 draft environmental impact statement will also be  
23 available at each library.

24 These documents will also be on the NRC's  
25 Web site at the Web address shown at the bottom of the

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1 page.

2 In addition, as you came in, you were  
3 asked to fill out a registration card at our reception  
4 table. If you've included your address on that card,  
5 we will mail a copy of the draft and final EIS to you.

6 This concludes my presentation and I will  
7 turn it back to Lance. Thank you.

8 THE COURT: Thanks, Bo. To start off the  
9 speakers today, we have Chris Hogan from the New York  
10 State Department of Environmental Conservation.

11 MR. HOGAN: Thanks, Lance. As he  
12 indicated, I'm Chris Hogan and I am the project  
13 manager for the New York State Department of  
14 Environmental Conservation for the relicensing of  
15 Indian Point's units 2 and 3. Department staff are  
16 currently reviewing Entergy's environment report as  
17 well as historical information and will be submitting  
18 written comments on the scope of the draft  
19 supplemental EIS before the close of the comment  
20 period on October 12th, 2007.

21 The purpose of my statement today is to  
22 clarify the department's role in the relicensing and  
23 other matters related to the facility.

24 Now, in addition to our participation in  
25 scoping, the department has been designated by

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1 Governor Spitzer to take the lead for the state  
2 executive agencies for the relicensing of Indian  
3 Point. Acting in this role, the department intends to  
4 file a request for a hearing and a petition for leave  
5 to intervene in the relicensing proceeding, and the  
6 department would like to thank NRC at this time for  
7 the extension to submit those documents.

8 In their scoping comments, department  
9 staff will be focusing on the potential natural  
10 resource and aquatic impacts from the facility during  
11 an additional license term of 20 years.

12 The department's primary concern is the  
13 potential impacts of the once-through cooling system  
14 at the facility. The two units combined currently  
15 withdraw approximately 2.5 billion gallons of water  
16 per day from the Hudson River.

17 This results in the impingement of fish on  
18 the intake screens and the entrapment of small fish,  
19 fish larvae, and fish eggs within the cooling system  
20 of the plant.

21 In addition, the once-through cooling  
22 system also results in a discharge of heated water,  
23 because the water is used to absorb waste heat from  
24 the operation of the generation equipment.

25 The discharge of the heated waste water

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1 for both units is through a single discharge canal.

2 The department is concerned with the  
3 potential thermal impacts from the discharge on the  
4 aquatic resources of the river. This information is  
5 important because before the NRC can relicense at  
6 Indian Point, the Clean Water Act requires that New  
7 York State must certify that the state water quality  
8 standards will be met during the new license term.

9 This approval is referred to as a water  
10 quality certification. Based on the schedule  
11 established by the NRC, the department anticipate  
12 receipt of Entergy's water quality cert application in  
13 approximately May 2008.

14 Pursuant to New York State uniform  
15 procedures regulations, the water quality certificate  
16 application will be submit to public review and  
17 comment.

18 From the date of submission of the water  
19 quality cert application, the department has one year  
20 to issue, deny or waive the certificate.

21 The department looks forward to full  
22 participation by the public in that process.

23 In addition to the department's role in  
24 the NRC relicensing process, there are two other  
25 matters related to the facility in which the

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1 department has primary responsibility.

2 Under the RCRA authority delegated to the  
3 department by the EPA, DEC regulates hazardous waste  
4 management and remedial efforts at Indian Point,  
5 including any potential groundwater contamination.

6 In addition, as the agency that  
7 administers the environmental side of the NRC  
8 agreement state program, DEC has taken a lead for the  
9 state in the ongoing radiological groundwater  
10 investigation. Staff have been actively involved  
11 throughout this process and will be reviewing the  
12 soon-to-be-completed site hydrology report and any  
13 remediation plans.

14 The department also has jurisdiction over  
15 the wastewater discharge from the facility through the  
16 state pollutant discharge elimination system or SPDES  
17 program.

18 Through the SPDES program, the department  
19 ensures that all discharges of wastewater meet state  
20 water quality standards.

21 In addition, the SPDES program also allows  
22 the department to regulate the withdrawal of water for  
23 cooling purposes. The department issued a draft SPDES  
24 permit in November 2003 and commenced the  
25 administrative process to modify the permit. The

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1 draft permit is currently the subject of an  
2 adjudicatory hearing and the department is awaiting a  
3 commissioner's ruling on the appeals of the issues  
4 that should be adjudicated. The draft permit  
5 currently requires Entergy to install cooling towers,  
6 or equivalent technology, if the facility is  
7 relicensed by the NRC.

8 If you would like additional information  
9 on the department's responsibilities with regard to  
10 Indian Point, we have a table in the lobby. We have  
11 two fact sheets that cover the groundwater remediation  
12 and our role in the relicensing process and we'd be  
13 happy to talk to you about either.

14 Thank you for the opportunity to speak.

15 MR. RAKOVAN: With that, I will turn  
16 things over to Rich Barkley to--he's going to be  
17 taking the yellow cards that you filled out, either  
18 prior to coming tonight--or this afternoon, or when  
19 you came today. If anyone hasn't filled one out, I  
20 have some blank ones right here, so if you'll raise  
21 your hand, I could bring one to you right now, if you  
22 wish to speak. Rich is going to try to get everyone  
23 up there, and again, I think Mr. Hogan did an  
24 excellent job of keeping things quick, to the point,  
25 and keeping to a couple minutes which was great. If

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1 everyone could try to follow that, we'd really  
2 appreciate it.

3 And if you want to come up to the center  
4 mike, that'd be great. if you want to use the podium  
5 mike as well, that'd be fine. So with that, i'll turn  
6 it over to Rich.

7 MR. BARKLEY: Okay. Thank you, Lance. At  
8 this time, we have 23 people who have signed up to  
9 speak. Some of them have not made it clear, whether  
10 they want to speak in the afternoon or in the evening.  
11 So some of the people that I call may or may not be  
12 here. Those people who do not respond now, I'll put  
13 in the pile for this evening.

14 Again, I would like you to limit your  
15 comments to five minutes. I will give you a visual  
16 cue at one minute and then try to prompt you at the  
17 end of your time to turn over to the next speaker,  
18 given the sheer number of people we have to speak.

19 The first three speakers I'm going to  
20 call, I'm going to ask one person to respond to the  
21 microphone at a time, but I'm going to call three  
22 names up to keep people kind of on cue.

23 The first three people have asked to  
24 speak, first is Taylor Palmer, the second is Manajo  
25 Green and the third one is James Knubel.

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1 MR. PALMER: Good afternoon. My name is  
2 Taylor Palmer. I'm representing Congresswoman Nita  
3 Lowey. I'm actually not going to make a a statement.  
4 We just wanted to have a quick question answered.  
5 This might be something the NRC wants to answer  
6 behind, but essentially the question that we have for  
7 today, we wanted to, first of all, thank the NRC for  
8 granting the extension on the intervening petitions.  
9 That was very important to the congresswoman, for one,  
10 and it will allow proper evaluation of all these  
11 environmental impact statements and everything that  
12 needs to be considered for Indian Point.

13 My one question for the NRC today deals  
14 with, as we know, as many, as the parties have  
15 mentioned today, numerous events have occurred at  
16 Indian Point, several of which have in the last month  
17 alone. Specifically as the DEC just mentioned, the  
18 leak in the spent fuel pool.

19 These recent missteps and violations are  
20 an obvious safety problem for the local residents, and  
21 the one question I actually have is how will the  
22 operational safety and the operational status of the  
23 sirens, together with all these other factors,  
24 including the leak of the spent fuel pool, especially  
25 the performance indicator change from green to white

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1 for the plant operations, factor in the relicensing of  
2 Indian Point Facility 2 and Indian Point 3?

3 MR. RAKOVAN: As I said when we started  
4 the meeting, we're going to try to keep this more to  
5 comment. So I think Roni Franovich was going to step  
6 out and go over that with you, if that's okay.

7 MR. PALMER: Yeah. We just wanted to make  
8 sure that the question was presented in front of you,  
9 so that it could be--

10 MR. RAKOVAN: Okay, and it's in the  
11 transcript, so--

12 MR. PALMER: We appreciate it.

13 MR. RAKOVAN: Thank you.

14 Rich.

15 MR. BARKLEY: Manajo is coming this  
16 evening. Jim Knubel.

17 MR. KNUBEL: Good afternoon. My name is  
18 Jim Knubel. I live in Putnam Valley. I'm a member of  
19 New York Area which is an association of businesses,  
20 labor leaders, and individuals that support the  
21 relicensing of Indian Point.

22 I'd like to start by thanking the men and  
23 women that work at Indian Point for the continued safe  
24 operation of that unit.

25 In looking at the scoping of the unit, I

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1 guess I would ask that the NRC consider the study that  
2 was done by the National Academy of Science, which  
3 says that even with Indian Point, there's going to be  
4 a major shortfall of electricity for southeast New  
5 York, and then it gives eight conditions which have to  
6 be met, so that the possibility of closing Indian  
7 Point can exist.

8 I will note that since the report was  
9 issued, not one of those conditions have been met.

10 I also think that in looking at the  
11 environmental impact, you've got to look at the  
12 totality of the input, including all the key  
13 alternatives, which I think the NRC already mentioned,  
14 including the impact of not running the plant. I  
15 think you have to look at air quality, water quality,  
16 aesthetics, the economy, employment, taxes, cost and  
17 reliability of power, and all of those factors as well  
18 as the water quality issues have to be addressed.

19 In addressing the issue of the water  
20 quality, I do think it's interesting that there's a  
21 plethora of data on the Hudson River, so I don't think  
22 there's an issue as far as data concerning the quality  
23 of the water in the river.

24 I do think it's interesting, hearing from  
25 the state, that the quality of that river--I mean, the

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1 fish stocks are at all-time highs, except in certain  
2 key species, a couple species. It's interesting, if  
3 you're against the plant the species are down because  
4 of the plant, but if they're up, it's not because of  
5 the plant. I don't think you can have it both ways.

6 And the last thing I will say is I think  
7 the NRC needs to stick to the template that they've  
8 used in other plants. I see a lot of political  
9 pressure to the NRC, to try to change the process from  
10 a template that's been used at 40 some odd other  
11 plants, used successfully, and I am disappointed,  
12 actually, that they've extended the comment period and  
13 the period for intervention, and there was no basis  
14 given for that, just people want more time.

15 I think that's just a method to extend the  
16 cost and the time of this whole process, and I don't  
17 appreciate kibitzing from the audience, and so thank  
18 you very much. I appreciate your efforts.

19 MR. : [Off-mike remark]

20 MR. RAKOVAN: Sir, we're not getting this  
21 on the--if you're going to ask a question here, let me  
22 give you the mike real quick, please make it quick,  
23 and please respect other people's views.

24 MR. MARTINELLI: I just would like to ask  
25 this gentleman, A, who pays his paycheck, and two, I'd

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1 like to point out to him, because he said he did not  
2 appreciate the extension of time, one reason for that  
3 extension of time, as a clarification, was the fact  
4 that the department at Entergy sent a FOIA request  
5 letter to us telling us that they would not be able to  
6 fulfill their obligations under FOIA until October  
7 27th, which meant that documents absolutely necessary  
8 to review the Entergy LRA were not and will not be  
9 available until 26 days after the original deadline  
10 for filing of our contentions.

11 MR. RAKOVAN: Thank you for the  
12 clarification. Rich, our next speaker.

13 MR. BARKLEY: Okay. The next three  
14 speakers we're going to have up are Elizabeth Segal,  
15 Gary Shaw, and then Phil Musegaas.

16 MS. SEGAL: Hi. Good afternoon,  
17 everybody. My name's Elizabeth Segal. I live in  
18 Tarrytown, New York, which is about 13 miles from the  
19 Indian Point plant, and first of all, I want to say  
20 that obviously I think all the environmental concerns  
21 are tremendously important, and I'm very grateful that  
22 serious consideration of them is a part of this  
23 process.

24 And I know that that's the focus of this  
25 meeting, but I'm going to be very brief because that

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1 isn't what I want to speak to.

2           What I want to speak to is just as a  
3 citizen of this area, I know, cause I was also at the  
4 meeting in June, I'm following this as closely as I  
5 can, that the relicensing process is limited, as I  
6 understand it, to looking at aging equipment and these  
7 environmental issues, and that as things currently  
8 stand, that means a lot of other concerns that people  
9 have about whether Indian Point should continue to  
10 exist just don't fall under this process.

11           And I've also heard, often from the NRC,  
12 that many of them are dealt with on an ongoing basis,  
13 but some of them, for example, the issue of the  
14 population density and the road networks, and so  
15 forth, which by just not even, like up for  
16 reconsideration, although I also know that some  
17 legislators are requesting that they be put back in  
18 the equation, and I, for one, find it extremely  
19 frustrating that that's not part--like this is this  
20 great opportunity to ask ourselves, is this really,  
21 given all of our needs, and all the pluses and minuses  
22 and the risks involved, is this really the best thing  
23 for us here, to have this plant in this dense  
24 population area?

25           So I feel frustrated that that's not

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1 currently part of the conversation going on and  
2 hopeful that it will be.

3 MR. RAKOVAN: Thank you very much for your  
4 comments.

5 MR. SHAW: My name is Gary Shaw and I live  
6 less than six miles from Indian Point. I work as a  
7 designer of market research projects and a data  
8 analyst, so I'm very familiar with the use of  
9 benchmarks and action standards.

10 I spend considerable energy to ensure that  
11 the metrics in my research, that are used as the basis  
12 for business decisions, are well-defined and  
13 consistent with established protocols.

14 That's one of the reason that I'm so  
15 concerned about the NRC's evaluations of Indian Point  
16 and the relicensing process overall.

17 One of the terms that the NRC uses  
18 repeatedly is "reasonable assurance" and this term is  
19 used in evaluations of a range of operations and  
20 systems but it's not at all clearly defined.

21 A primary example of this is the Agency's  
22 approval of the Indian Point emergency evacuation  
23 plan, after James Lee Witt issued a report that the  
24 plan was, quote, inadequate to protect the public from  
25 an unacceptable dose of radiation. Unquote.

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1                   On a Friday in July 2003, FEMA, under the  
2 infamous Michael Brown, approved the evacuation plan  
3 and that judgment was quickly accepted by the NRC,  
4 saying the plan provided reasonable assurance that it  
5 would be effective. Ironically, on that very day, all  
6 the major roadways in Westchester were jammed through  
7 the entire day because of a single accident on the  
8 George Washington Bridge during the morning rush hour.

9                   I still wonder how the NRC defined  
10 reasonable assurance for that ridiculous judgment.

11                  When I think of that day, I have a mental  
12 image of those traffic jams happening while Indian  
13 Point's sirens wailed. That is the sirens that were  
14 working that day.

15                  Now the NRC is considering extending the  
16 operating licenses of Indian Point's Units 2 and 3 for  
17 20 more years beyond their expirations in 2013 and  
18 2015, respectively, and will cite reasonable assurance  
19 that the plants will remain safe and environmentally  
20 benign for that 20 year extension.

21                  We know that there are an undetermined  
22 number of leaks of radioactive elements into the  
23 environment and that the sources of those leaks remain  
24 uncertain.

25                  Consequently, there are no known plans to

1 stop the leakage. Especially disturbing is that large  
2 sections of pipes are not accessible to inspection,  
3 and the only way for the NRC to evaluate whether those  
4 pipes have corroded or will remain viable for 20 more  
5 years is to dig test wells, and declare that there is  
6 not currently a leak at that site, at that time.

7 And since Indian Point 1 has been  
8 nonoperational for decades, and that plant is leaking,  
9 with no plan for stopping the leakage, wouldn't the  
10 discovery of additional leaks at some point in the  
11 future simply mean that we have more uncorrectable  
12 problems?

13 If the NRC is not capable of stating how  
14 many linear feet of piping are inaccessible, or how  
15 many 35 year old welds are inaccessible, and where  
16 each of them is located, how will they define  
17 reasonable assurance that those pipes and welds will  
18 be viable until the years 2033 and 2035?

19 Since we already know that this is the  
20 only nuclear plant in the country leaking Strontium 90  
21 and Cesium 137, wouldn't that information be  
22 important?

23 We also know that prior test wells found  
24 concentrations of contamination many times the EPA  
25 level for drinking water, but since the leaks are not

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1 currently going into known drinking water sources, the  
2 NRC has dismissed them as nonhazardous.

3 I would like to know what specific  
4 radiological readings would define an unacceptable  
5 level that is not going directly into a known drinking  
6 source.

7 In other words, if the NRC cannot provide  
8 a well-defined set of metrics, how can they establish  
9 standards that must be met to warrant 20 additional  
10 years of operations for this aging and leaking  
11 facility?

12 We've already seen the NRC's idea of  
13 reasonable assurance. With the potential danger of  
14 radiological contamination, how can we accept this  
15 Agency's judgments if they cannot define their  
16 standards and prove the validity of their metrics?  
17 Thank you.

18 MR. RAKOVAN: Thank you, sir.

19 Rich, do you want to--sir, if you could  
20 introduce yourself again, just so we know who you are.  
21 It's been three people, so--

22 MR. MUSEGAAS: I'm Philip Musegaas. I  
23 represent Riverkeeper. We just have some very brief  
24 comments today. Then we'll be filing detailed written  
25 comments by the October 12th deadline.1

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1 Indian 1's cooling system sucks in 2.5  
2 billion gallons of Hudson River water a day,  
3 discharges an enormous thermal plume that damages the  
4 Hudson River ecosystem, and the intake of cooling  
5 water kills a billion fish a year. This is  
6 established in New York State studies, in  
7 Riverkeeper's own studies. It's an established fact.  
8 This plant has a negative impact on Hudson River  
9 fisheries.

10 One of the only fish species that's doing  
11 well in the river is striped bass and that's because  
12 all the other species are being destabilized. So I  
13 just wanted to clarify that point in response to an  
14 earlier comment.

15 The NRC must conduct an accurate  
16 scientific assessment of these impacts on Hudson River  
17 fish populations that relies on the most current  
18 scientific studies, which show conclusively, that many  
19 critical fish species in the Hudson are harmed and  
20 negatively impacted by Indian Point's operation.

21 The NRC cannot rely on Entergy's renewal  
22 application to prepare the draft environmental impact  
23 statement. Entergy, in fact, is relying on outdated  
24 industry-funded studies that say there is no  
25 significant impact on the Hudson River from their

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1 operations. This is flatly untrue.

2 My second comment. Nuclear waste is  
3 piling up at Indian Point because the Yucca Mountain  
4 waste dump will probably never open for decades, and  
5 who knows how long.

6 Why won't the NRC examine the  
7 environmental impacts of this problem during the  
8 relicensing review? Indian Point's spent fuel pools  
9 are virtually full, and the Indian Point 1 and Indian  
10 Point 2 pools have been leaking nuclear waste into the  
11 Hudson River for years.

12 How long will nuclear waste be stored on  
13 the banks of the Hudson River? This is a basic  
14 fundamental question that needs to be answered before  
15 they relicense this plant, and the NRC is refusing to  
16 answer it. In fact they don't know the answer. This  
17 is a problem that has to be addressed.

18 The NRC only looks at coal and natural gas  
19 plants as reasonable alternatives under NEPA to  
20 replacing Indian Point's energy output in their  
21 environmental impact studies.

22 Why does the NRC refuse to consider a  
23 combination of renewable energy such as wind, solar,  
24 geothermal, combined with conservation and clean  
25 natural gas to replace Indian Point as a National

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1 Academy of Sciences study suggests and lays out a road  
2 map for?

3 The problem is the NRC is relying on a  
4 very outdated 1996 generic environmental impact  
5 statement that does not reflect the realities of  
6 today's world. It does not reflect 9/11, does not  
7 reflect the advances in renewal energy, does not  
8 reflect the failure of Yucca Mountain to open in any  
9 foreseeable timeframe.

10 As a matter of fact, this generic EIS,  
11 which I hope the NRC explained a little bit in the  
12 introduction, it was passed in 1996. It was required  
13 under the NRC regulations to be updated every ten  
14 years. So far, it hasn't been updated.

15 We're unable to get an answer, clearly,  
16 from the NRC, as to when there might be an update to  
17 this GEIS, and so in fact they're relying on nearly 12  
18 year old data to support this limited environmental  
19 review, and we don't think that's acceptable. That's  
20 it. Thank you.

21 MR. BARKLEY: Okay. Our next three  
22 speakers are Lloyd Douglas, followed by Glenn Rickles  
23 and then Michael Otis.

24 Lloyd.

25 MR. DOUGLAS: Good afternoon. My name is

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1 Lloyd Douglas. I'm the owner of a small minority  
2 business consulting firm. We do minority and women-  
3 owned business opportunities. I'm also representing  
4 an association of minority and women entrepreneurs.

5 Entergy has been partnering with us in  
6 terms of creating opportunities for minority and  
7 women-owned business. When minority and women-owned  
8 businesses get contracts, they hire from the  
9 community.

10 Part of why we are in support of their  
11 request for license renewal has to do with what we  
12 perceive as a less costly form of energy.

13 I've had the good fortune of being part of  
14 an advisory group, working with our current lieutenant  
15 governor, one of his responsibilities is energy, along  
16 with minority and women-owned business, and we have  
17 concerns about a dependency on foreign oil.

18 For those of you who drive, you know that  
19 on the market, oil is going about \$80 a barrel, and we  
20 can feel it at the pump.

21 The other issue that we're concerned about  
22 is environmental. When you look at the residual  
23 effect from respiratory ailments based upon sulfur  
24 dioxide and carbon dioxide, that goes into the air  
25 from other forms of energy creation, and when you look

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1 at the residual effect from the World Trade Center,  
2 six years later, I think we have to be concerned about  
3 what's going into the environment.

4 And we also believe that this is another  
5 option in terms of the environment. We respect the  
6 NRC's judgment and its scoping process in terms of its  
7 review, in terms of renewal process, and based upon  
8 these and other factors, we're requesting or we're  
9 supporting the renewal. Thank you.

10 MR. RICKLES: Good afternoon. My name is  
11 Glenn Rickles. I am here today on behalf of  
12 Riverkeeper. I also reside in Croton on Hudson, which  
13 is approximately five to six miles away from the  
14 Indian Point plant.

15 We put forward today four environmental  
16 issues with a common theme. The total lack of  
17 consideration of Indian Point's license renewal on  
18 climate change and global warming.

19 Pursuant to the National Environmental  
20 Policy Act, seminal law on point, as well as the NRC's  
21 own regulations, the NRC is mandated to fully consider  
22 and meaningfully evaluate more environmentally  
23 friendly and sustainable alternatives to the  
24 relicensure of Indian Point.

25 Entergy, in its environmental report in

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1 support of relicensure, unfortunately presents a  
2 wholly inaccurate and legally insufficient picture of  
3 the positive environmental effects of alternative  
4 sustainable replacement energy sources such as wind,  
5 hydroelectric, biomass, geothermal or energy  
6 conservation.

7 Nor does Entergy present an accurate or  
8 legally sufficient picture of Indian Point's  
9 contribution to global warming. Cases in point.

10 Entergy says in its environmental report,  
11 for those of you who have read it, it's section 7.5,  
12 that alternative and sustainable energy sources, and  
13 I quote, "were not--were not considered as reasonable  
14 replacement for Indian Point."

15 As will be delineated in a later-written  
16 submission, such a cavalier dismissal by Entergy is  
17 both contrary to law and simply flies in the face of  
18 generally-accepted science.

19 In its 2006 report on replacement of  
20 Indian Point's power generation, the National Academy  
21 of Sciences states that Indian Point's power can be,  
22 can be replaced by a variety of energy sources,  
23 including sustainable green sources and energy  
24 conservation.

25 Issue two. Entergy, in its application

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1 for license renewal, presents a picture of one  
2 license, not two separate licenses sought to be  
3 renewed. This is far more than a simple semantic  
4 distinction but one fraught with legal consequence.

5 For example, in its environmental report,  
6 Indian Point states that green sustainable energy  
7 sources cannot replace the combined 2158 megawatts of  
8 power generated by Indian Point 2 and Indian Point 3  
9 combined, and the green energy sources need not be  
10 considered, addressed, or analyzed. While

11 I will not address today the accuracy of  
12 Entergy's assertion, it is clear, beyond purview, that  
13 the combined 2158 megawatts standard is, as a matter  
14 of law, simply wrong.

15 Each application for each plant must be  
16 addressed separately and the law mandates that the  
17 only correct standard of comparison is Indian Point  
18 2's 1078 megawatts, and Indian Point 3's 1080  
19 megawatts.

20 Issue three. Entergy based on NUREG 1437,  
21 it is a NRC regulation, it's section 8.1, states that  
22 energy conservation need not be considered, need not  
23 be considered, or analyzed, regardless of its positive  
24 environmental contribution as it is not a single  
25 discrete source of energy.

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1                   Entergy's reliance in their environmental  
2                   report on NUREG is again simply wrong as a matter of  
3                   law and runs contrary to the National Environmental  
4                   Policy Act and NRC's own regulations.

5                   Issue four. The law mandates that the  
6                   detrimental environmental effects of license renewal  
7                   on climate change and global warming be fully  
8                   considered and fully analyzed.

9                   Entergy, in its environmental report, at  
10                  section 8.4.3.2.1, states that no carbon dioxide is  
11                  emitted by the production of nuclear energy.  
12                  Nonsense. Nonsense. Completely wrong. The statement  
13                  is simply inaccurate. There is no disagreement among  
14                  scientists, none at all, that large amounts of carbon  
15                  dioxide is produced in the nuclear power life cycle,  
16                  be it from uranium mining, milling of uranium,  
17                  refining and enrichment of uranium, refurbishment of  
18                  the plants, transportation of uranium, etcetera,  
19                  etcetera, etcetera.

20                  These well-known facts are simply ignored  
21                  by Entergy in its environmental report. Nowhere does  
22                  Entergy address, as mandated by law, that nuclear's  
23                  production of CO2 is at a far higher level than would  
24                  be produced by green, sustainable energy sources.

25                  In sum, what we see is a denial at every

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1 step of Entergy's contribution to climate change and  
2 a refusal to consider and analyze conservation and  
3 replacement energy supplied by a portfolio of sources  
4 inclusive of green sustainable energy.

5 As will be fully delineated in a written  
6 submittal, such is wrong as a matter of law and is  
7 wrong as a matter of public policy.

8 Let us now address the crisis of climate  
9 change and not face the questions of our children--I'm  
10 almost done--who will ask in the future, you knew the  
11 risks and you knew the solutions to climate change.  
12 Why did you not address them when you had the chance?  
13 Why did you put us in this untenable situation? Thank  
14 you.

15 MR. RAKOVAN: Thank you, sir. Okay.  
16 Michael.

17 MR. OTIS: Good afternoon. My name is  
18 Mike Otis. I'm a professor of electrical engineering  
19 at SUNY New Paltz. I am also an active member or  
20 active with members of the New Paltz Foundation, SUNY  
21 New Paltz Foundation, who along with myself and other  
22 faculty, have taken a special interest in trying to do  
23 as much as we can to bring along next generation of  
24 engineers that this country so desperately needs.

25 Our shared special passion is to develop

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1 more diverse engineering students at the college level  
2 and to help create career paths and hands-on  
3 experience for these bright young people.

4 It is in that capacity that I've had the  
5 pleasure of working with Entergy and some of the  
6 senior managers to help provide pathways for  
7 engineering students at SUNY New Paltz, as we try to  
8 build our program and pave the way for new students  
9 and recruits.

10 Therefore, I know firsthand that Entergy,  
11 the operators of Indian Point and many other nuclear  
12 power plants, is a committed and socially responsible  
13 corporate citizen.

14 I also interface with many business people  
15 on our engineering advisory board, who understand the  
16 needs and demands of small business and entrepreneurs.

17 High energy and electric costs here, in  
18 New York State, are driving small businesses out of  
19 the state and stifling innovation and economic  
20 activity.

21 I forget who said computer chips without  
22 electricity are just sand.

23 With regard to nuclear power at Indian  
24 Point, here's what I think. It's affordable. Nuclear  
25 power consistently remains one of the cheapest sources

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1 of power in the world. Its price is predictable and  
2 stable, unlike oil or natural gas.

3 Indian Point has saved New York City and  
4 Hudson Valley businesses and residents billions of  
5 dollars on the price of energy. It's clean. This is  
6 of particular importance to me since my wife and I  
7 have recently increased our family size by adding a  
8 daughter who is now one year old. I want Caitlin to  
9 have the same opportunities as I had growing up and  
10 not be affected by the changes in quality of life due  
11 to global warming.

12 A case in point. Indian Point emits  
13 almost zero greenhouse gases. Increased reliance on  
14 nonpolluting nuclear energy represents our best chance  
15 of meeting the region's clean air and maintaining our  
16 standard of living while improving the environment.

17 The same cannot be said with the world's  
18 coalfire plants which emit nearly 2 billion tons of  
19 CO2 annually.

20 It's critical. There's currently no  
21 viable energy alternative to replace the more than  
22 2000 megawatts of power generated by the Indian Point  
23 energy center. Indian Point provides between 20 to 40  
24 percent of the region's power.

25 It's American technology that creates

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1 American energy. It is a source of energy that does  
2 not depend on international production and is not  
3 affected by international pressures or politics.

4 As an educator at an engineering school  
5 whose focus is on educating and training more diverse  
6 engineering students to help move our state forward,  
7 what could be more important than to continue to  
8 develop and utilize home-grown technology rather than  
9 just exporting our best engineers for other countries  
10 to benefit? Yeah. But they say it shouldn't be here.

11 From both an environmental and reliable  
12 standard, Indian Point couldn't be in a better  
13 location. Nuclear power in New York avoids 42,000  
14 tons of nitrous oxide, which is equivalent to 2.2  
15 million passenger cars, which would otherwise be  
16 polluting the air due to the output from natural gas  
17 or a coal facility.

18 It's also a critical baseload of power  
19 close to its utility center. It's a known fact that  
20 the further electricity has to travel, the less  
21 reliable it becomes.

22 For all my reasons mentioned above, I  
23 strongly support the application for renewal of Indian  
24 Point's operating license as a benefit to the region  
25 and hope to continue work with Entergy to train and

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1 mentor our young engineers. Thank you.

2 MR. RAKOVAN: At this point I would like  
3 to compliment all our speakers at this point in time  
4 in holding to the time limits we've asked for. I  
5 greatly appreciate your courtesy.

6 MR. BARKLEY: The next three speakers are  
7 Charlie Donaldson, followed by John Kelly, and then  
8 Marilyn Elie.

9 MR. RAKOVAN: And again, when the speakers  
10 come up, if you could just reintroduce yourself and  
11 let us know if there's a particular affiliation you're  
12 with. That way, we have it in the transcript.  
13 Thanks.

14 MR. DONALDSON: How are you all doing  
15 today? Good. I work for a fellow named Andrew Cuomo,  
16 is the attorney general of this state, so I'm here for  
17 the state attorney general's office, and I will,  
18 unlike most lawyers, try to be brief.

19 My name's Charlie Donaldson, Environmental  
20 Protection Bureau.

21 We appreciate the opportunity to provide  
22 oral comments regarding the scope of the environmental  
23 review proceeding under the National Environmental  
24 Policy Act.

25 As an initial matter, we would request



1 that the various oral and written comments concerning  
2 the scope of the environmental review be addressed,  
3 one way or the other, whenever the NRC puts out the  
4 draft environmental impact statements.

5 In other words, what we're saying is if  
6 somebody says something, you folks decide that it  
7 doesn't belong under the environmental impact  
8 statements, then say it doesn't and then say why not.

9 What that would allow us to do is take a  
10 look at all of the issues and we could get some  
11 transparency in this proceeding, rather than waiting  
12 for the final environmental impact statement and find  
13 out there were issues that were left out.

14 As to specific issues, we'd like to offer  
15 a couple of preliminary comments concerning particular  
16 areas.

17 First, the review should include a  
18 rigorous evaluation of all the impacts of the plants.  
19 In addition, the review should analyze the population  
20 density around the reactor and the facility, which is  
21 unique in this nation. That's the population, not the  
22 plants. Environmental alternatives including, but not  
23 limited to, energy efficiency, photovoltaics, wind,  
24 biomass, and the usual list of suspects.

25 Alternatives to each unit, not to both

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1 units together. Emergency planning and evacuation,  
2 security, and the spent fuel pools. Thank you all for  
3 the opportunity to make our comments here today and  
4 we'll see how she goes from here.

5 MR. RAKOVAN: Thank you, sir.

6 MR. KELLY: My name is John Kelly. I live  
7 less than four miles from Indian Point with my family.  
8 I've lived there for over 30 years. I am the retired  
9 director of licensing for Indian Point, so I guess I  
10 pay my bills with my pension check and my Social  
11 Security check.

12 I'd like to bring up one point which has  
13 been touched on by a few of the earlier speakers,  
14 which I think is vitally important, and I found it  
15 interesting that for some reason the New York DEC did  
16 not mention this as one of the issues they're  
17 considering relative to the environmental impact of  
18 Indian Point in the renewal process.

19 While I was still employed by Entergy,  
20 before I retired in 2003, we hired an engineering firm  
21 in Lyndhurst, New Jersey, to do a study of what would  
22 be the impact on air pollution of the shutdown of the  
23 Indian Point plants.

24 In doing that analysis, they looked at,  
25 quite frankly, only those plants that were currently

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1 available. If you shut the plant down, obviously,  
2 you're going to replace the power with currently  
3 available sources. And they did an analysis which  
4 came up with some interesting numbers.

5 If you shut Indian Point down, you would  
6 have to replace the power with fossil-fired plants in  
7 the immediate vicinity in New York City and in the  
8 Hudson Valley. That would result in another 14  
9 million tons of carbon dioxide per year put into the  
10 atmosphere in this area. Another 63,000 tons of  
11 sulfur oxides per year. Another 22,000 tons of  
12 nitrous oxides. Another 2000 tons of particulate  
13 matter, PM10, that's particulates with sizes up to ten  
14 microns.

15 About 1300 tons of carbon monoxide, and  
16 approximately 200 tons of volatile organic carbons.

17 All of these pollutants would be emitted  
18 into an area where we're already in noncompliance  
19 relative to ozone. So we already have a pollution  
20 problem in the atmosphere which would be substantially  
21 aggravated simply by the shutdown of Indian Point.

22 An earlier speaker noted that there is  
23 some carbon dioxide released as a result of the  
24 uranium fuel cycle. That's true. An analysis was  
25 done recently by a European Union organization and

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1 they looked at the entire fuel cycle from mining and  
2 milling and enrichment through reprocessing, which  
3 they're doing in Europe, and they concluded that the  
4 amount of carbon dioxide released as a result of the  
5 entire uranium fuel cycle is less than 5 percent of  
6 that produced by coal or oil or natural gas per  
7 megawatt produced.

8 So yes, there is a very small amount of  
9 carbon dioxide in greenhouse gases produced by nuclear  
10 power but it's extraordinarily small in concern,  
11 relative to that which comes from fossil power.

12 One other thing I did want to mention is  
13 on the Hudson River. There have been earlier talks  
14 about the Hudson River and the impact on the Hudson  
15 River.

16 As a result of a mandate by the New York  
17 State DEC , and agreements that were made almost 30  
18 years ago, the utilities at Indian Point funded an  
19 environmental study of the Hudson River to the tune of  
20 approximately \$2 million per year for the last 30  
21 years, and that money has been spent, not at the  
22 direction of the utilities but at the direction of the  
23 New York State DEC and a group of environmental  
24 organizations overseeing the expenditure of those  
25 funds.

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1 A New York State DEC representative in a  
2 meeting in Washington, D.C., approximately five years  
3 ago, said that we probably have the best set of data  
4 on fish population studies in the world as a result of  
5 this research that's been done on the Hudson River.

6 Research of that extent, and of that  
7 massive a nature, can sometimes result in some  
8 differences of opinion as to the conclusions as to  
9 what it all means.

10 But we have been studying the Hudson River  
11 for 30 years. We have been doing that study under the  
12 direction of people who don't have a vested interest  
13 as a utility or as a company trying to run at a  
14 profit.

15 This has been directed by the  
16 environmental protection organization in New York  
17 State and environmental organizations.

18 One of the conclusions, as I just said,  
19 was that it's probably the best set of data on any  
20 estuary in the world. I personally believe from my  
21 work, over the many years that I worked at Indian  
22 Point, that it demonstrates that there has been no  
23 significant environmental impact on the population of  
24 adult fish.

25 There's no question that the plants kill

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1 fish eggs. No one's arguing that point.

2 Over 90 percent of fish eggs, however, die  
3 anyway in the environment, as part of the natural  
4 environment, even if the plants weren't there, and it  
5 becomes food for other fish. That's biology.

6 And so yes, there are impacts but they are  
7 insignificant in terms of the adult fish population.  
8 So I would want to make sure that the NRC takes into  
9 consideration the possible atmospheric impact of  
10 shutting the plants down and what would be used in  
11 order to replace that plant. Thank you.

12 MR. BARKLEY: Marilyn Elie? There you go.

13 MS. ELIE: Good afternoon. I'm Marilyn  
14 Elie. I am a co-founder of Westchester Citizens  
15 Awareness Network and a member of the Indian Point  
16 Safe Energy Coalition. I live about two, maybe two  
17 and a half miles from the plant, and this is an issue  
18 I have been following for the last 11 years.

19 I too would like to thank the people who  
20 work at Indian Point. They have a tough job, and by  
21 their standards, they do it well. They're very  
22 concerned, we have lots of differences of opinion, but  
23 it's a good job with a good salary and a good pension,  
24 and if and when, from my perspective, when that plant  
25 closes down, all those things need to be addressed.

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1                   However, that's not why I'm here today for  
2                   this environmental scoping session.

3                   There's been a lot of talk about the  
4                   carbon footprint of the nuclear reactors at Indian  
5                   Point, and you don't see the release there but it  
6                   happens, and because we are a country, because this is  
7                   one planet, because we are looking at global warming,  
8                   it's very important that we look at the entire fuel  
9                   cycle.

10                  Now maybe this will turn out to be the  
11                  battle of the studies, because the studies from Europe  
12                  that I've been reading, particularly the one from  
13                  Denmark, says that the carbon emissions from nuclear  
14                  power plants is about equal to or slightly greater  
15                  than gas. Much better than coal, but still very  
16                  significant.

17                  There is a coalfire generator, many, many  
18                  megawatts, in Paducah, Kentucky, that churns out  
19                  greenhouse gases and that electricity from that plant  
20                  is used in the processing of uranium, of the fuel  
21                  rods.

22                  So nuclear is not coal-free, and I'd also  
23                  like to make it very clear, on this record, in this  
24                  transcript, that no one in the coalition is calling  
25                  for more coal plants. There are alternatives. That

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1 will be part of an intervenor petition, and hopefully  
2 it will be part of what the NRC looks at as part of a  
3 countrywide, statewide, local initiative for clean  
4 energy.

5 Nuclear energy is not clean nor is it  
6 cheap. It's heavily subsidized by the taxpayer. That  
7 needs to be understood, if we're going to have a  
8 reasonable dialogue in this community about whether  
9 the plants stay open or not.

10 Here's my question, and I'm going to say  
11 it in several ways, because I really need to see, we  
12 all really need to see an answer to this.

13 The NRC has already conceded, said,  
14 stated, that there is a carbon footprint for nuclear  
15 power plants. They have a generic environmental  
16 study.

17 Well, now we're doing the specific study.  
18 What is the carbon footprint for this particular pair  
19 of reactors in this particular part of the country?

20 And what happens from the coal emission,  
21 the emissions from the coal-fired plant in Kentucky?  
22 My understanding is that we end up with it in New York  
23 as acid rain. How does that cycle play into the  
24 economics of our forests and our lakes with the high  
25 acid and the lack of fish, in our dying forests? All

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1 of that's an economic impact and all of that needs to  
2 be looked at in an environmental cycle.

3 So let me say that one more time. How  
4 much greenhouse gas is released during the entire fuel  
5 cycle for Indian Point? One year from now, when this  
6 meeting comes back, or when these experts come back  
7 and present their draft report, I will be here in the  
8 audience, and I will be looking for the question and  
9 I'll be looking for the answer.

10 I hope people here will too, because we  
11 keep hearing things. It does, it doesn't, it's a  
12 little bit, it's not very much. So this is a chance  
13 to definitively answer that question, and I really  
14 hope that the panel of experts will think about it,  
15 present good science, and come to a conclusion that we  
16 can all look at and make adequate decisions in that  
17 regard. Thank you.

18 MR. BARKLEY: All right. Our next three  
19 speakers are Marie Quinten of the Pace Litigation  
20 Clinic, followed by Susan Shapiro of FUSE, followed by  
21 Hazel Dukes of the NAACP.

22 Marie.

23 MS. QUINTEN: Hello. I'm Marie Quinten  
24 with the Pace Litigation Clinic. We have some  
25 comments on the safety concerns, some of them

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1 mentioned but are worth repeating. The Nuclear  
2 Regulatory Commission decision not to require Indian  
3 Point to address terrorist attacks, the threat of  
4 terrorist attacks during the relicensing review is  
5 wrong, and leaves nuclear power plants vulnerable to  
6 terrorist attacks in the future.

7 The 9/11 Commission report indicated that  
8 Al Qaeda terrorists considered targeting nuclear power  
9 plants in their attack but wrongly believed that these  
10 plants were heavily defended.

11 The report also made clear that at least  
12 one of the planes that struck the World Trade Center  
13 flew down the Hudson River past Indian Point power  
14 plant on its way to New York.

15 A recent independent government study  
16 concluded that certain types of spent fuel pools were  
17 vulnerable to terrorist attack, that could leave to  
18 fuel pool fire, resulting in catastrophic public  
19 health, environmental and economic impacts.

20 Despite these facts, the NRC has  
21 consistently refused to review its security  
22 requirements, to defend against the size and scale of  
23 9/11 attacks.

24 Given the continued failure of the Federal  
25 Government to establish a long-term repository for

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1 nuclear waste at Yucca Mountain, the safety, security  
2 and environmental issues arising from storing spent  
3 nuclear fuel should be addressed during the licensing  
4 renewal process when other aspects of the plant's  
5 extended operation are being reviewed.

6 Even if Yucca Mountain is eventually  
7 approved and put into use, there is only enough space  
8 in the repository to store spent fuel produced by all  
9 the nuclear plants in the U.S. until 2011.

10 At that point, the repository will reach  
11 its capacity. As a result, all the spent fuel  
12 produced during the additional 20 year life span of a  
13 relicensed site will have to be stored on site.

14 The security of both wet fuel pool and dry  
15 cask storage should also be considered during the  
16 relicensing process. Studies have shown that a  
17 successful terrorist attack on spent fuel pools is  
18 possible. Based on these findings, NRC should amend  
19 the regulations to require that the security of spent  
20 fuel pools and dry cask storage be comprehensively  
21 assessed during the relicensing period.

22 Additionally, the potential environmental  
23 impacts of storing spent fuel on site for an  
24 additional 20 years, and beyond, should be addressed.

25 These potential impacts, environmental

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1 impacts of a terrorist attack on the spent fuel pools,  
2 must be assessed because it is based on new and  
3 significant information that was not considered at the  
4 time the general environmental impact statement was  
5 prepared, that being a higher risk of attack after  
6 9/11, higher density fuel storage, failure of Yucca  
7 Mountain to open, etcetera. Furthermore, the changes  
8 in population and traffic patterns within the EPZ of  
9 Indian Point, especially to the adequacy of the  
10 emergency planning in case of an accident, should also  
11 be comprehensively addressed.

12 MS. SHAPIRO: Hello. I'm Susan Shapiro.  
13 I'm the president of FUSE, Friends United for  
14 Sustainable Energy, and we are members of IPSEC,  
15 Indian Point Safe Energy Coalition.

16 We've been to many of these meetings, and  
17 are involved, right now, preparing intervenor  
18 petitions, as I know other people in this room are.  
19 This EIS scoping session is very important, that it's  
20 on the record, and I agree with the AG's office, that  
21 we want to know if comments are not included as to why  
22 they are not included. What we would be asking for in  
23 the scoping of the environmental impact statement is  
24 a comprehensive study of the effects Indian Point 1,  
25 2, and 3, have on our environment in the Hudson

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1 Valley.

2 We ask specifically for--we would like a  
3 specific carbon footprint of each one of these plants,  
4 individually. We'd like to know the true costs of  
5 Indian Point. We're being told, by some people in the  
6 audience here, that it's less expensive than other  
7 forms of energy, when, in truth, if we do the studies,  
8 and we look at the cost to the taxpayer dollar, it is  
9 much, much more expensive. These true costs must  
10 include evacuation planning.

11 They must include our tax that is being  
12 transferred to the ratepayers for the decommissioning  
13 fund. It must also include the insurance, the Price-  
14 Anderson Act, and the lack of insurance, and to look  
15 at the true costs if, in the event an accident or a  
16 radiological event occurred, what those true costs  
17 would be for the Hudson Valley.

18 Right now, those costs don't exist, and  
19 nobody is talking about it, and right now, the  
20 counties surrounding Indian Point are footing the bill  
21 to support this private, profit-making center.

22 Thirdly, we must talk about the waste  
23 cycle. Nobody disagrees with the fact, at the end of  
24 the day, you're stuck with the spent fuel. Right now,  
25 it's a problem with all nuclear, they don't have an

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1 answer to it, and nobody, even the most ardent nuclear  
2 supporter, will argue with that. There's no solution.

3 You end up with high-level radioactive  
4 waste, toxic waste, on the banks of our river. If you  
5 go outside, you'll see a lot of red cups on a table.  
6 Those red cups are symbols--or not symbols. They're  
7 a model, basically, of what the spent fuel pool dry  
8 cask, the dry cask pad is going to look like. There's  
9 going to be 75 Holtec casks not nailed down, standing  
10 two feet apart on a cement pad.

11 That's what they're planning here on top  
12 of a radioactive fault line. So this needs to be  
13 studied in the environmental impact statement, in the  
14 event of what earthquake, what will happen to those  
15 casks? Will they roll into the river? What effect it  
16 will have on our entire environment.

17 Thirdly, on top of the current risks of  
18 terrorism that we are now very aware of in the New  
19 York area, this dry cask pad is a beautiful target  
20 from the air. So that must be looked into as well as  
21 the current risks of the spent fuel pools that are in  
22 unprotected, basically unhardened sites, as well as  
23 the lack of a proper security plan. Those all affect  
24 the environmental impact of this site.

25 Public health and safety cannot be

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1 grandfathered in, and that is what Indian Point would  
2 like to do. They would like to say this was sited,  
3 this plant was sited actually before there was even  
4 proper seismology sitings that were accepted by the  
5 NRC, and we don't have to look at that again, even  
6 though seismology science has become so far advanced.

7 We are requesting, and adamantly asking,  
8 that the entire siting criteria of a new plant be  
9 looked at regarding the relicensing of Indian Point,  
10 because you have to know that this is not a license  
11 extension. This is a new superseding license that  
12 will be given to Indian Point. It's a brand new  
13 license. The old license gets retired and they get a  
14 new license.

15 On that basis alone, they need to look at  
16 all the siting requirements, which include the  
17 population density, which include the water quality in  
18 the ground, and in the river, which at this point is  
19 compromised by the leaks.

20 It includes the population--I said  
21 population density. Evacuation planning, that we all  
22 know is undoable and unworkable and unfixable. So all  
23 those initial siting--I think there are eight siting  
24 criterias must come into play.

25 Thirdly--or not thirdly. I don't know

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1 what number I'm up to at this point. But the leaks.  
2 We are requesting a comprehensive study, and  
3 remediation of the leaks before the plant can be  
4 relicensed. A normal business, whether it be a dry  
5 cleaners, or whether it be a gas station, if it leaked  
6 into the ground, it would be closed until it was fully  
7 remediated.

8 Right now, there are unknown amounts of  
9 radioactive effluent under the plant, and that is  
10 leaking into our tidal river, and is affecting our  
11 public health. Therefore, we are asking that a  
12 comprehensive study which includes captured fish,  
13 captured species, includes testing of the silt, a  
14 comprehensive study which DEC should be involved in,  
15 along with Indian Point and Entergy, and the NRC--it  
16 must be done independent and done properly, and  
17 completely.

18 MR. BARKLEY: Susan, can you wrap up your  
19 remarks.

20 MS. SHAPIRO: I'm getting there.

21 MR. BARKLEY: Okay.

22 MS. SHAPIRO: We also ask that in the  
23 environmental impact statement a full, complete,  
24 comprehensive study of the decommissioning fund be  
25 evaluated. Currently, the decommissioning fund is not

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1 keeping up with the cost-of-living increase and it has  
2 not been reevaluated for the ongoing leaks.

3 At one of our last meetings here, we were  
4 told that the only way that they were going to be able  
5 to get the radioactive waste, the strontium and the  
6 tritium out of the bedrock was to chisel it out,  
7 because they couldn't blast it out and they certainly  
8 couldn't dig it out. So we need to know the  
9 comprehensive costs and whether there is actually  
10 enough money in the decommissioning fund.

11 The GAO has determined that spent fuel  
12 one, which isn't decommissioned but just is in safe  
13 store, has been sitting there and leaking, doesn't  
14 have adequate decommissioning funds at this point.

15 MR. BARKLEY: Susan--

16 MS. SHAPIRO: And finally,--

17 MR. BARKLEY: Okay.

18 MS. SHAPIRO: --we need a comprehensive  
19 study on the health effects of Indian Point.  
20 Currently today, since 2000, the thyroid cancer rates  
21 in the areas surrounding Indian Point is 70 percent  
22 higher than the rest of the United States.

23 I'm a resident of Rockland County.  
24 Rockland County is directly across from Indian Point.  
25 We are only allowed, by law, to get our drinking water

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1 from within the county. So our water supplier is  
2 looking into desalinating the river. We're downriver  
3 from Indian Point and directly across. I am--the  
4 people of my county are very concerned. For another  
5 20 years, this plant will be leaking radioactive waste  
6 into the river, that we will be drinking and bathing  
7 in.

8 That's unacceptable and a comprehensive  
9 study must be included in the EIS.

10 And finally, I want to talk just briefly  
11 about renewables. Renewables must--

12 MR. BARKLEY: I'm sorry, Susan. I'm  
13 sorry. You've greatly exceeded the--

14 MR. RAKOVAN: Only one "finally." Sorry.

15 Ma'am, if you could introduce yourself  
16 again and let us know who you're with.

17 MS. DUKES: My name is Hazel Dukes. I'm  
18 president of New York State NAACP branches across this  
19 great state. The NAACP is a national preeminent  
20 social justice organization working to make our  
21 country and our state a better place for all Americans  
22 to live and work, and the capacity--I have the unique  
23 opportunity and pleasure to work with Entergy on the  
24 front line, as if it were New York and in fact across  
25 the country.

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1 I've been impressed with Entergy and its  
2 work, which I've seen firsthand. I'll point out that  
3 I'm not the only one who see or seem to recognize  
4 Entergy's significant contribution to the family of  
5 New York and other communities across the country.

6 The Dow-Jones substantial index, which  
7 measures not only exceptional financial results but  
8 also environmental, and social responsibilities,  
9 Fortune 500 companies have recognized Entergy as the  
10 only U.S. utility company to be included in their  
11 index for the sixth running year.

12 Let me get to the question that you wanted  
13 to talk about today. In the discussion of global  
14 climate change, and the quality of air that we  
15 breathe, some environmentalists have come forward to  
16 highlight the importance of nuclear power as a free  
17 source of electricity. I know that in black and brown  
18 communities across the country, our senior and young  
19 people are choking to death on the fumes of pollution  
20 and suffer from high rates of asthma and respiratory  
21 illness.

22 According to the study of the Black  
23 Leadership Forum, An Air of Injustice, African American  
24 and Power Plant Pollution, the air in our communities  
25 violate air quality standards. 71 percent of African

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1 Americans live in counties that violate federal air  
2 pollution standards, and our death rate from asthma is  
3 twice that of other Americans. 38.7 deaths per  
4 million population.

5 The study further states global warming  
6 could enhance ozone formation, which could, in turn,  
7 increase health problems such as asthma attacks. For  
8 that reason, social justice organizations such as the  
9 NAACP have a special interest in working to combat  
10 climate change and reduce air pollution.

11 In that framework, as Congressman Greg  
12 Meeks of New York, Senator Crystal ... and others have  
13 pointed out, nuclear power must be a part of the clean  
14 air and global warming solutions. We, at New York  
15 State Conference, recognize that Indian Point nuclear  
16 power plant avoids millions of tons of pollution every  
17 year. It provides electricity for our schools, mass  
18 transit, hospitals and government institutions.

19 We are proud to be a partner with Entergy,  
20 and look forward, and this is why today I come and ask  
21 that when you look at all the points that you hear  
22 today, that you look at what is realistic for our  
23 communities, not just people of color, but for all  
24 Americans in relicensing nuclear power.

25 MR. BARKLEY: All right. Our next three

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1 speakers are first, Michelle Lee of the Council of  
2 Intelligent Energy and Conservation Policy, followed  
3 by Sherwood Martinelli of FUSE and the Nuclear Green  
4 Butterfly, and finally, Ron Carpino of Entergy.

5 MR. RAKOVAN: And I'd like to thank  
6 everyone who is sitting, listening to the speakers,  
7 for, you know, keeping your side conversations to a  
8 minimum and keeping just general noise level down. I  
9 think it's great because I think we can really hear  
10 what the speaker's trying to say and you guys are  
11 really giving the floor to them. So I just wanted to  
12 say thank you for that.

13 MS. LEE: Michelle Lee, Council on  
14 Intelligent Energy and Conservation Policy.

15 Upton Sinclair once said it is difficult  
16 for a man to understand something when his job and  
17 salary depend upon him not understanding it.

18 Now I've come in at these meetings, now,  
19 for going on six and a half years, and what I see in  
20 every single one, there's a very clear divide among  
21 people who have a financial self-interest in keeping  
22 this plant operating, and those that do not.

23 But the real problem is not the financial  
24 interest of Entergy employees, and other groups that  
25 may depend on its financial largesse. The real

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1 problem is that the NRC is in bed with them. It is  
2 not a real regulator in any sense of the word, and for  
3 my money, that is why I left my law practice,  
4 representing large corporations, 20 years, so I'm  
5 fully aware of how large corporations and the profit  
6 motive work.

7 But I left that area because of the shock  
8 and disgust I felt when I started doing research in  
9 this area on the NRC. And let me give you one  
10 example, cause we would spend here all day long and  
11 well into next week, if I started listing them, but  
12 it's a key one and it relates to this proceeding.

13 The NRC has made out of scope, I would say  
14 about 70 percent of what any logical person would say  
15 should be looked at, and some of these points have  
16 been brought up earlier, such as a change in  
17 population, the roadway structure, the inability of  
18 people to evacuate, the risk of terrorism after 9/11,  
19 and so on, and so forth. All these have been gone on  
20 and deliberate, ad nauseam.

21 The NRC says it will not look at that,  
22 those issues, as part of the licensing process because  
23 it has considered them at other times during its other  
24 year by year review of Indian Point.

25 This is a fiction. Unless you define the

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1 word "considered" meaning acknowledge a problem, shrug  
2 your shoulders, and then proceed to ignore it, the NRC  
3 has not considered population, has not considered the  
4 risk of terrorism, has not considered the complete  
5 operability and ineffectiveness of any emergency plan  
6 in an area where you have 300,000 people within 10  
7 miles, on a roadway structure that's about 50 years  
8 old, that was built at a time when this was  
9 essentially an ex-urban community.

10 You have nearly a million people within 20  
11 miles. Now if anybody around here remembers 9/11, and  
12 what the attack on the World Trade Center did to this  
13 area, that's "a walk in the park" compared to what  
14 either an attack or even a large accident would be on  
15 Indian Point.

16 I have been an observer at every single,  
17 quote, terrorist drill, since 2001. Okay. Those  
18 drills are effectively protocol plans that do not  
19 prove anybody would survive anything. They've never  
20 done a real drill. They have never done any kind of  
21 evacuation scenario, and they have never even been  
22 willing to define what they mean by reasonable  
23 assurance, other than by simply regurgitating the  
24 different citations of their regulations, and saying  
25 we consider it reasonable assurance because in our

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1 opinion it's reasonable.

2 In fact, Nita Lowey tried, some years ago,  
3 to get them to define it, and they would not do so.  
4 I took and I asked, some years back, at another  
5 hearing, how would define "reasonable assurance" in a  
6 worst case scenario, or even a large accident  
7 scenario, in terms of dead, in terms of people who  
8 will not live more than a year or two after the  
9 accident. What kind of numbers are you coming up  
10 with? And they refused to answer.

11 The NRC would not answer that question.  
12 FEMA would not answer that question. Indeed, there's,  
13 to my knowledge, not been any analysis, and I would  
14 request, very strongly, that such an analysis must be  
15 done if the NRC is going to have any credibility in  
16 saying that this plant should continue operation for  
17 another 20 years. Thank you.

18 MR. BARKLEY: Sherwood. I don't know  
19 where Sherwood went to.

20 MR. RAKOVAN: I think he stepped out. So  
21 we might want to go ahead and bring him back up again.

22 MR. BARKLEY: Okay. Ron Carpino.

23 MR. CARPINO: Hello, everyone. My name is  
24 Ron Carpino. I live in Peekskill, about three miles  
25 away from here, and I am a licensed senior reactor

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1 operator. I am licensed to be senior reactor  
2 operation to protect the general health and safety of  
3 the general public. So what does that mean?

4 That means, although I do get paid by  
5 Entergy, no denying that, that means I'm held to a  
6 higher standard, that if I make an incorrect decision,  
7 I can be personally held liable through fines or  
8 imprisonment. So I'd like you to keep that in mind  
9 with what else I have to say today.

10 The facility is operated safely, be it  
11 nuclear safety, radiological safety, personnel safety,  
12 and in this case, environmental safety. I've been at  
13 Indian Point for about 17 years, and over the years  
14 I've heard many, many comments from many individuals,  
15 everything from hey, the place can blow up like a  
16 nuclear bomb, or as I heard earlier, before, a billion  
17 fish are killed annually at Indian Point.

18 Generally, what I hear from people are  
19 statistics, and you've got to be careful about  
20 statistics, cause statistics can be fragmented facts  
21 quoted out of context.

22 Like, for example, everybody knows that  
23 the reactors run with a nuclear fuel. However, the  
24 nuclear fuel that the reactors run with do not contain  
25 enough fissile material to detonate like a nuclear

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1 weapon.

2 And also I heard that, you know, when we  
3 heard about the billion fish that are killed every  
4 year at Indian Point, I can't speak to that number one  
5 billion, but I can remind everyone that we heard that  
6 that includes fish eggs. So that brings a question.  
7 Does that mean fishermen kill trillions of fish a year  
8 on the Hudson? Just something to keep in mind. Be  
9 careful of those statistics. They are very dangerous.

10 So not only am I cautioning people to use  
11 judgment when they hear something, or when they  
12 believe they know something. But I'm also cautioning  
13 people to come and investigate it.

14 The plant is open for public tours, and  
15 I've not only given a couple myself, but we have a  
16 communications department that will be more than happy  
17 to give a tour. You could even go and talk to a senior  
18 reactor operation such as myself. There's only about  
19 45 of us at the plant, and we know the facility very,  
20 very well.

21 You know, you can come and see that the  
22 spent fuel pools, for yourself, with your own eyes,  
23 are not only quite hardened but definitely resilient.  
24 So I'd like to thank you for listening to me at this  
25 time, and remind everybody again, please be careful

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1 with statistics and actually investigate the full  
2 facts and get the full statement. I would be more  
3 than happy to give a personal tour and answer any  
4 questions somebody has. As long as you want to sit  
5 down and communicate openly, I'd be more than happy to  
6 do so.

7 Once again, my name is Ron Carpino and I  
8 can be available for any questions, or give you my  
9 personal cell phone number, so I can arrange, help  
10 arrange a tour for you. Thank you.

11 MR. MARTINELLI: My name's Sherwood  
12 Martinelli, vice president of FUSE USA and founder of  
13 the Green Nuclear Butterfly. I'll try to be brief but  
14 it's not my strong suit.

15 Back when Indian Point was originally  
16 licensed to operate, certain problems, or as the NRC  
17 calls them, commitments were made as a part of the  
18 license agreement.

19 One of those was the IP2 and IP3 reactors  
20 would go to a closed cooling system. Some 30 plus  
21 years later, even after a decisive court defeat, the  
22 current licensees are trying to skip out on that  
23 commitment. Secondly, in the original license  
24 agreement, 80 acres of the 235 acre Indian Point site  
25 were to be changed into a beautiful woodland park

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1 complete with walking paths that would be used and  
2 enjoyed by the surrounding community. Again, that  
3 commitment was not and has not been kept.

4 In every license renewal that has been  
5 granted so far, the NRC and the licensee, as a part of  
6 the license extension agreement, agreed to a set of  
7 commitments that the licensee will take care of before  
8 the term of the license renewal begins. Problem is,  
9 most of those commitments made, usually as a part of  
10 the EIS, are reneged upon, never kept.

11 There is documented proof of this already  
12 happening as early license renewal applicants prepare  
13 to file letters to be submitted to the NRC, seeking  
14 relief from the very commitments contained in the  
15 license renewal that was granted.

16 This reason, more than any other, is why  
17 it becomes so important to define what is or should be  
18 within the scope of the EIS. In 10 CFR 54.4 scope,  
19 we are told what is or is not allowed to be in scope.  
20 However, as the 9th District court case showed, there  
21 is a difference of opinion into what is or is not  
22 within scope, what is or is not to be considered in  
23 the NRC environmental impact statement.

24 The tragic events of 9/11, the ruthless  
25 attack of our twin towers, remind each of us that

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1 there is a very real chance of a terrorist attack on  
2 Indian Point.

3 The 9th Circuit Court agrees, ruling that  
4 the NRC must include as a part and parcel of the EIS,  
5 of the environmental cost associated with a successful  
6 terrorist attack on the Indian Point facility.

7 Depending on the method of attack, and the  
8 components attacked, those environmental costs will  
9 vary greatly, and each and every one must be evaluated  
10 as a part of the EIS.

11 Further, 10 CFR 54 has a very important  
12 caveat in deciding what is or is not to be included  
13 within scope in a license renewal process, and thus  
14 within the EIS. It reads, in 10 CFR 54, the following  
15 excerpted sections.

16 A. Plant system, structures and  
17 components within the scope of this part are: 1.  
18 safety-related systems, structures and components,  
19 which are those relied upon to remain functional  
20 during and following design basis events as defined in  
21 10 CFR 50.49(b)(1), to ensure the following functions.

22 (i). The integrity of the reactor coolant  
23 pressure boundary;

24 (ii) The capability to shut down the  
25 reactor and maintain it in a safe shutdown condition,

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1 or

2 (iii) The capability to prevent or  
3 mitigate the consequences of accidents, which could  
4 result in potential off-site exposures comparable to  
5 those referred to--and then they list a bunch of other  
6 sites that I remember you taking a look at.

7 The industry, Entergy, NEI, and the NRC,  
8 want us, as a community, to believe that increasing  
9 leaks in and around the plant, failing equipment, are  
10 accepted risks, and that having adequate aging  
11 management plans in place is adequate in protecting  
12 human health and the environment, in fulfilling the  
13 obligations of 10 CFR 54.

14 They, simply stated, are lying as section  
15 A, part 1, subsection iii shows us. The language is  
16 clear. The licensee, in their License Renewal  
17 Application, must show the capability to prevent or  
18 mitigate the consequences of accidents, which could  
19 result in potential off-site exposures.

20 The basic premise relied upon here is  
21 ALARA, or As Low As Reasonably Attainable. Keeping an  
22 eye on leaks is not fixing leaks and thus, the  
23 licensee fails in this task.

24 Further, any component that could  
25 reasonable be expected to impinge on the ability of

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1 the licensee to conduct this test has to be within  
2 scope.

3 As one example, I site the water intake  
4 system and the water discharge canal. If either of  
5 these fails to perform in a significant manner, the  
6 licensee's ability to shutdown and maintain safe  
7 shutdown are greatly impinged, so the NRC and licensee  
8 have erred in omitting said systems/components from  
9 cope in the license review in this EIS.

10 Further, failures of these systems can  
11 lead to a accident that could lead to off-site release  
12 of radioactive contaminants, as has occurred in the  
13 past at the Indian Point facility, and will occur  
14 again if these issues are not adequately addressed in  
15 the license review, and more specifically in the EIS.

16 The first issue to address is the lie  
17 contained in Entergy's LRA, Appendix E, when they  
18 state in their supplemental EIS, that the need to  
19 review the environmental costs associated with  
20 refurbishment is unnecessary because there are no  
21 anticipated refurbishment issues in the 20 year period  
22 of license renewal.

23 Perhaps then, Entergy would like to  
24 discuss with the NRC their deliberate omission of the  
25 fact they have already ordered and are planning

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1 replacement of the reactor vessel heads for both IP2  
2 and IP3.

3 It is pointed out here, that the NRC takes  
4 deliberate omissions and falsehoods in communications  
5 with the NRC by their licensees very seriously.

6 Generally, the EIS should include known  
7 significant leak issues and the resultant  
8 environmental contamination risk scenarios and costs.  
9 This includes all three spent fuel pools, underground  
10 piping, the main reactor sealant pump seals as well as  
11 the entire reactor coolant system and turbine piping  
12 systems.

13 Knowing that others here tonight will  
14 address some of these more commonly known issues of  
15 concern, I am going to be more specific.

16 1. Boric acid corrosion (BAC) represents  
17 a significant aging management issue affecting primary  
18 systems at Indian Point, that could lead to release of  
19 radioactive contaminants into the environment.

20 Indian Point's aging management plan for  
21 this important issue fails to adequately address, as  
22 one example valve packing and valve body-to-bonnet  
23 gaskets. The fact that IP2 and IP3 are already  
24 working on the engineering difficulties involved in a  
25 complicated and dangerous reactor vessel head

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1 replacement shows this is a significant issue and that  
2 the result of accident release into the environment  
3 from reactor vessel head failure must be included in  
4 the EIS.

5 2. The reactor vessel internals bolting  
6 at Indian Point is susceptible to age-related  
7 degradation, which could lead to a off-site release of  
8 radioactive contaminants.

9 The LRA, and the updated FSAR documents,  
10 fail to lay out an adequate aging management plan for  
11 inspection and replacement, when necessary reactor  
12 vessel internal baffle bolts fail.

13 This creates an accident pathway which  
14 could lead to off-site release of radioactive  
15 contaminants, with the resultant environmental risks  
16 ripe for inclusion in the EIS.

17 Three--

18 MR. BARKLEY: Sherwood, I'm going to have  
19 to ask you to wrap up here. You're well past five  
20 minutes.

21 MR. MARTINELLI: I'll do my best.

22 3. There are serious environmental and  
23 safety concerns related to Indian Point's inadequate  
24 aging management plans for their fuel rod control  
25 system, that can include dropped rod events, unplanned

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1 plant trips, complete equipment failure, shutdowns,  
2 and in the case of employees, highly dangerous at-  
3 power-maintenance attempts. Such equipment failure  
4 creates off-site release scenarios to the environment  
5 and public safety issues that must be addressed in the  
6 EIS.

7 I have twenty more concerns of which I  
8 will deliver at this evening's meeting, and I thank  
9 you for your time this afternoon.

10 MR. RAKOVAN: Rich, where are we at in  
11 terms of speakers?

12 MR. BARKLEY: We have seven speakers left.

13 MR. RAKOVAN: Excellent.

14 MR. BARKLEY: All right. And that times  
15 out pretty well.

16 The next three speakers are Dan Durett of  
17 the African American Environmental Association, Bill  
18 Mooney of the Westchester County Association, and then  
19 finally Ulrich Witte, assuming he's here, of FUSE.

20 MR. DURETT: I almost feel I should ask  
21 you to please stand, stretch. You've been very  
22 patient. You can see from my approach to the podium,  
23 that I am quite aware that there is a very serious  
24 timekeeper here.

25 First, I'd like to applaud each of the

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1 speakers who have stood at this podium. While I may  
2 not concur with each speaker's comments, I believe  
3 that meetings like this give real meaning to the  
4 phrase, we, the people. We, the people, fully engage  
5 in decision making that impacts the public.

6 I've heard speakers approach you and say  
7 "I live" and give a particular neighborhood. I'll  
8 first say that I live in the United States, and that  
9 I'm from Brooklyn.

10 I have a set of prepared remarks that will  
11 go into the record, and if you cannot wait for those  
12 remarks, then please, if you have pen and paper in  
13 hand, write my name, Dan Durett, D-u-r-e-t-t, and for  
14 those with a laptop, put that into Google and you'll  
15 have more information about my background.

16 I have stood in many cities and many  
17 countries to talk about environmental justice, to talk  
18 about conservation, to talk about fish hatcheries, to  
19 talk about our forests, lakes and streams.

20 But this meeting here today is quite  
21 important. It is important because several speakers  
22 have the advantage of speaking sort of towards the end  
23 of these kind of meetings, as it gives you a chance to  
24 hear the perspectives of others. It also puts the  
25 onus on you to sort of change your presentation a

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1 little.

2 But I'm just really interested in the  
3 impact on communities. As director of the African  
4 American Environmental Association's New York office,  
5 this organization is dedicated to protecting the  
6 environment, enhancing human, animal and plant  
7 ecologies, and promoting, yes, the efficient use of  
8 natural resources.

9 As an African American in these  
10 deliberations today, I proudly stand and ask and  
11 request that the license be renewed.

12 Several speakers before me have alluded to  
13 9/11. I did not know we were here to speak about 9/11  
14 but since you gave me that entre, and because someone  
15 else cautioned me about using statistics, I'll not use  
16 statistics.

17 I will talk about a community in Brooklyn.  
18 Some of my younger brothers and sisters in the  
19 audience may know JZ, and know the building in the  
20 Marcy Projects that he speaks of. When I stand before  
21 audiences, I say I am the JZ of environmental justice  
22 in the United States. I grew up on the first floor.  
23 He grew up on the sixth floor. My mother still lives  
24 in that building, as does the mother of Captain Vernon  
25 Richards, who, on his day off, went to the towers,

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1 assisting others so that they may breathe one more  
2 day, and he gave his life for that cause.

3 And yes, I may have to tell you what's in  
4 my wallet as one of the speakers before me asked, and  
5 let me just say, there's not enough in my wallet.  
6 There's very little. There's enough gas to get back  
7 to Brooklyn and that's about it. So let's put that  
8 out on the table.

9 I'm asking for the renewal of this license  
10 because I am concerned about those communities of  
11 color that are downstream, who, if this plant is  
12 closed, will see a firing up of power plants that will  
13 adversely impact their health and, yes, again, I will  
14 stay away from statistics.

15 Bringing the environmental justice  
16 perspective into these proceedings is new. We are  
17 being engaged at the front end, participating in this  
18 forum, and in others, as partners, fully credited, and  
19 realizing that we are not participating after the fact  
20 of decision making, but we are standing here, voices  
21 raised, presence noted, that we intend to be part of  
22 "We, the people," when these kind of focusing meetings  
23 are taking place.

24 You see, because in Brooklyn, and any  
25 community that you will want to name, there are always

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1 hard decisions to be made. One of those hard  
2 decisions that has to be made in the coming year has  
3 been presented, most eloquently, by others who have  
4 stood in front of you. What I am asking is that you  
5 consider in this process, the impact of the closure on  
6 communities in Brooklyn, in Queens, in Jersey, and all  
7 the counties of New York.

8 And yes, my brother gave me a good  
9 opening. Be wary of statistics. One of the  
10 statistics I would like you to know is that with this  
11 phone, I reach out to a thousand members of our  
12 organization, and with this phone, I must call my  
13 mother in one year from now, 80 years old, and if this  
14 plant is not renewed, I must tell my mother why it was  
15 not renewed and why she will have difficulty  
16 breathing.

17 If you are against this licensing, then  
18 here, please use my phone. Thank you for your time,  
19 your attention, and your patience.

20 MR. RAKOVAN: Rich, can you remind us  
21 who's next.

22 MR. BARKLEY: Bill Mooney.

23 MR. RAKOVAN: Bill Mooney. Is there a  
24 Bill Mooney here in the audience? He's not here.

25 MR. BARKLEY: Okay. Ulrich Witte.

1 MR. RAKOVAN: Let's try Bill again before  
2 we end the meeting, just to see if he comes in.

3 MR. BARKLEY: While Ulrich is taking the  
4 podium, I would like to mention that there's a lot of  
5 strongly-held opinions on this subject, pro and con.  
6 I've asked people to be respectful of those opinions  
7 and not harass individual speakers.

8 We had an incident out in the backroom,  
9 that I bring this up, and just want to remind people  
10 to please be respectful of other individuals. Thank  
11 you.

12 MR. RAKOVAN: Thanks, Rich.

13 MR. WITTE: Good afternoon, everyone. My  
14 name is Ulrich Witte, and I've been in the business  
15 for 26 years. I'm an engineer. I graduated from  
16 Berkeley, and straight out of Berkeley, I went to work  
17 for a consulting company and found myself literally in  
18 the mix of helping nuclear power plants, which at that  
19 time I strongly believed in, get out of problems.

20 I, at one point, was known in the business  
21 as someone you hired to get yourself off the NRC's  
22 watch list. Amongst the plants that I've worked for,  
23 include things like Millstone, Rancho Seco, before  
24 they were shut down. I helped them get relicensed.  
25 Oh, gee. I forgot about one. Indian Point Unit 3.

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1 James Fitzpatrick. I helped both plants, while I  
2 worked for the New York Power authority, as the  
3 manager for configuration management programs, to get  
4 off the watch list, which we did back in the nineties.

5 But I want to say something. Ulrich Witte  
6 is a German name, and it's like Robert and Bobby. My  
7 nickname is Ulie, and if you were in the Navy, Ulie is  
8 a problem that just won't go away. So here I am.

9 And I'm going to raise two issues. One,  
10 I'm going to ask that this goes on the record. That  
11 is, just exactly what general design criteria is Unit  
12 2 licensed to? Tell us, for the world, what your  
13 licensing basis is, because in order for you to renew  
14 this plant, to get a so-called extended license, you  
15 need to know what you've got.

16 Okay. That's question one. And I'm going  
17 to repeat it. Why is the NRC superseding to a new  
18 license under a trade guidance document, such as NEI  
19 95-10, Rev 6, or their own new reg 1800, or new reg  
20 1801, Rev 1, instead of 10 CFR 54?

21 The latter is law, and the former is  
22 guidance from trade organizations. Why are we doing  
23 business like that?

24 I want to endorse the AG, Charlie  
25 Donaldson's comments. We need to know this business.

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1 It has to be a transparent business, and I ask again,  
2 Why is the NRC working towards trade documents instead  
3 of law. That's the first question. Okay.

4 And the second question is tell us what  
5 your general design basis is.

6 That's my short--I think I saved you some  
7 time. That's it. Thank you very much.

8 MR. BARKLEY: Okay. Our next three  
9 speakers. Tom Hallsel [ph], who's a private citizen,  
10 Susan Peale, a citizen of Cold Spring, and Bill  
11 Maulmeister of Entergy.

12 MR. HALLSEL: Good afternoon, everybody.  
13 My name is Tom Hallsel. I'm a citizen, an American,  
14 living in Croton-on-Hudson, and I have no organization  
15 or affiliations.

16 I get a newspaper called the New York  
17 Observer in the mail every week, a highly-respected  
18 weekly journal, some of you may be familiar with it,  
19 and it just so happened that this week they had an  
20 editorial about Indian Point, and on the same day I  
21 was reading that editorial, I saw the article in the  
22 Journal-News about this meeting taking place, and this  
23 is my first time at one of these meetings. I'm happy  
24 to be here.

25 So I'd like to enter into the record this,

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1 what I feel is a very important editorial from the New  
2 York Observer, and I think it really represents the  
3 feelings of many people who live in this community.

4 The title is, "Indian Point: A Scary  
5 Comedy of Errors." Six years after the attacks of  
6 September 11th, New York City and its suburbs remain  
7 vulnerable to an even worse nightmare. A well-planned  
8 assault on the Indian Point nuclear plant in the  
9 Hudson Valley, just 35 miles north of midtown  
10 Manhattan.

11 It's bad enough that this unnecessary and  
12 outdated facility remains open. Even more outrageous  
13 is the apparent inability of its owners, the \$10  
14 billion New Orleans-based Entergy Nuclear Northeast,  
15 to meet federal guidelines for the installation of an  
16 emergency warning system.

17 Again the question must be asked, why is  
18 this time bomb still ticking? The latest news from  
19 the Hudson Valley is almost comical. An inspector  
20 from the federal Nuclear Regulatory Commission found  
21 a security guard asleep on the job at 2:00 o'clock in  
22 the afternoon.

23 Shortly after this fiasco, the NRC  
24 threatened Entergy with fines because Indian Point's  
25 warning sirens were not operating properly, despite an

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1 order from the Feds to get the system in working  
2 order. Thankfully, the NRC refused to grant Entergy  
3 an extension.

4 Nobody has to tell the city and its  
5 suburbs about the post 9/11 world. We know all about  
6 it because that dangerous era was born here. We saw,  
7 firsthand, the bloody work of America's enemies.  
8 Nobody who lived through that day, nobody who has  
9 grieved ever since, can deny any possibility, however  
10 terrible. A 2004 study concluded that a terrorist  
11 attack on Indian Point could kill 44,000 people  
12 immediately, cost the U.S. economy 2.1 trillion, and  
13 cause the long-term cancer deaths of half a million  
14 people.

15 It's true that New York and the nation  
16 have not lived through a repeat of 9/11, but only a  
17 fool would argue that we are safer today, or that  
18 those who wish to harm us have given up.

19 Recent arrests of terror suspects in the  
20 United Kingdom and Germany remind us that the enemy we  
21 face is global, it is active, and it remains intent on  
22 causing mass destruction.

23 I'm going to actually paraphrase a little  
24 of this, go to the bottom just for the sake of time,  
25 because I don't want to go over my limit.

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1 In that context, the presence of a nuclear  
2 plant so close to Manhattan is intolerable. It is a  
3 threat not only to the city but to some 20 million  
4 people in the immediate tristate region. In the awful  
5 calculations of our terrorist enemies, an attack on  
6 Indian Point would deliver the "most bang for the  
7 buck," and don't think for a minute they don't know  
8 that plans for the U.S. nuclear plants were found in  
9 Al Qaeda caves during the 2001 invasion of  
10 Afghanistan.

11 Enough already. Forget Indian Point's  
12 facility sirens. We've already received a warning  
13 that came on 9/11, when those planes hit the twin  
14 towers. One of those planes actually flew over Indian  
15 Point on its way downtown. It's time for Governor  
16 Eliot Spitzer and Senator Charles Schumer, and Hillary  
17 Clinton, to work together to shut down Indian Point  
18 for the good of the city and the country.

19 Thank you for giving me this opportunity  
20 to read this into the record.

21 MR. BARKLEY: Can we have our next  
22 speaker, Susan Speel. Peal. Sorry.

23 MS. PEALE: Hi. My name is Susan Peale,  
24 not Speel, and I'm a resident of Philipstown, New  
25 York. I live in Cold Spring, in the village of Cold

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1 Spring, and I got up here to speak about safety.

2 I was told by the woman out in the hall  
3 that that would be of interest to people, but now,  
4 when I'm looking at this and hearing what everybody  
5 else has spoken about, it appears the NRC isn't really  
6 interested in that aspect.

7 So I'd like to speak about it anyway, and  
8 I hope that my comments won't be superfluous.

9 Just going over the list for a second,  
10 what about your community should the NRC focus on in  
11 EIS?

12 I'm imagining EIS as environmental impact  
13 statement. EIS. So environment. To me, in one of  
14 the most densely-populated environments in the United  
15 States, to not consider the safety of the people,  
16 along with the fish, I think is a severe oversight.  
17 When it says, What local environmental aspects should  
18 the NRC examine?, public sentiment should be one,  
19 public health should be another, public stress factor  
20 should be another.

21 What reasonable alternatives are  
22 appropriate for the area? I was told, quite a bit  
23 ago, that the area that Indian Point actually  
24 services, has nothing to do with Cold Spring, although  
25 we hold the burden of the risk within the ten mile

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1 radius. So I think that should be broken out.

2 Why should we be held responsible and hold  
3 that risk on our shoulders for energy that we're not  
4 even getting?

5 So when we ask about what are reasonable  
6 alternatives appropriate for the area, are we talking  
7 about the area of Cold Spring? Or are we talking  
8 about the area of the Greater New York Metropolitan  
9 Region?

10 And then finally, I just want to say--  
11 actually, there are two finallys. Somebody else tried  
12 to do this.

13 But in terms of safety, my husband and I  
14 have had a concern ever since a thunderstorm hit Cold  
15 Stream and knocked out the lights on Main Street in  
16 '90. That would be one of the evacuation routes for  
17 this plant. There was chaos. This wasn't a rush  
18 hour. It wasn't--there was no threat behind us they  
19 were trying to escape from, and there weren't a lot of  
20 people around, and yet it was absolutely chaos.

21 And we just imagined, what would this be  
22 like, given humanity, who, somebody would drive up on  
23 the sidewalk, somebody else would try and overtake  
24 them, and, you know, it'd just be--it would be insane.  
25 That's one thing.

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1           The other thing comes as in a post-9/11  
2 world, when we're asked regularly, as citizens, to  
3 come forward with what we've seen and what we've  
4 heard, that might impact our safety, I want to just  
5 recount something I heard on a plane.

6           I was flying out from New York to a  
7 destination, and this was several years ago, and the  
8 man sitting next to me and I struck up a conversation,  
9 and in it he told me he was just coming back from  
10 Buchanan, New York. He had been a--he was in the  
11 nuclear industry, and, you know, it's idle talk. I  
12 said what kind of thing do you do?

13           And he said I was called out to get a  
14 plant back up before they sell it. This was before  
15 Entergy bought the plant. And, you know, I said, oh,  
16 what kind of things do you look at? And he said,  
17 well, there are all these welds, and you have to x-ray  
18 every one of the wells, you have to make sure the  
19 reactor's working.

20           And I said, well, it's good to know you're  
21 on the job. I feel a little bit better, knowing that  
22 I live in that area.

23           And then he went on to say, well, I don't  
24 know if I'd feel too safe too soon, because he said he  
25 was merely just--merely getting the plant up and

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1 running, one particular reactor for a period of hours,  
2 so that the sale could go through.

3 And there'd been a lot of trouble with  
4 this particular reactor, and he just--that was his  
5 mission. He wasn't supposed to make sure the plant  
6 was safe, only that the reactor would work for the  
7 sale, that anything beyond that would be the new  
8 owner's responsibility.

9 So what I'd like to say is, in terms of  
10 relicensing this plant, I wouldn't like to see it  
11 relicensed. I wouldn't feel it safe with it  
12 relicensed until some of these issues are addressed  
13 that concern safety of the human population. Thank  
14 you.

15 MR. BARKLEY: Okay. Bill Maulmeister of  
16 Entergy.

17 MR. MAULMEISTER: I'm Bill Maulmeister.  
18 I've been working at the plant for the better part of  
19 30 years. I was actually a welding inspector for a  
20 lotta years too.

21 And it was kind a interesting. A lotta  
22 times you talk to people that used to work at a power  
23 plant or something. Whatever he told you, it wasn't  
24 true. That I can guarantee you, because I would go  
25 get the boss and it would be over. It doesn't work

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1 that way.

2 There's a lotta fear in the public. I  
3 bring my children there. I hope when they're grown  
4 that they work there. I won't be relying on the plant  
5 for a paycheck when its relicensed cause I'll be  
6 retired. I don't have a lot of financial gain to make  
7 from that. But it's a safe place. I had no qualms  
8 with my kids working there.

9 That's all i got to say. We're family  
10 people. We have a lot to lose too. We know what  
11 we're working with, and I hope my kids go to work  
12 there too. Thank you.

13 MR. BARKLEY: Okay. The final three  
14 people I have signed up are Radmilla Miletich of  
15 Independent Power Producers of New York, Laura Seitz  
16 of CIP, and then finally, we'll recall Bill Mooney who  
17 wasn't here earlier.

18 MS. MILETICH: Good afternoon. Thank you  
19 for your attention and your patience. Some of the  
20 points that I wanted to discuss today have been  
21 covered by other speakers, so I'll summarize the  
22 written statement that I've submitted.

23 My name is Radmilla Miletich and I am the  
24 legislative and environmental policy director for the  
25 Independent Power Producers of New York. Our

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1 organization, IPPNY, represents the competitive power  
2 supply industry in the state, including companies  
3 involved in the development of electric generating  
4 facilities, the generation, sale and marketing of  
5 electric power, and the development of natural gas  
6 facilities.

7 Our member companies generate almost 75  
8 percent of New York's electricity, using a wide  
9 variety of generating technologies and fuels,  
10 including hydro, nuclear, wind, coal, oil, natural gas  
11 and biomass. We represent the full spectrum of  
12 technologies.

13 Our mission is to assist our member  
14 companies in becoming the premier providers of  
15 electricity in the state.

16 IPPNY firmly believes that Indian Point  
17 nuclear facility is a positive asset for the state,  
18 and we support the continued operation of Indian Point  
19 as a critical component of the state's electric energy  
20 supply system.

21 Indian Point is a baseload power plant  
22 that is capable of providing electricity, 2000  
23 megawatts, 24 hours a day, 7 days a week, 365 days a  
24 year. It's power you can count on.

25 As New York's energy demand continues to

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1 grow, so does the importance of facilities such as  
2 Indian Point. In providing this source of energy,  
3 Indian Point does not contribute to air emissions.  
4 Continued reliance on nonemitting generating sources  
5 such as nuclear power is an essential component of a  
6 responsible strategy to avoid and reduce emissions  
7 that lead to climate change.

8 Indeed, energy modeling that forms the  
9 basis of the regional greenhouse gas initiatives, one  
10 of the main projects that I work on at the Independent  
11 Power Producers of New York, the modeling for this  
12 program assumes that existing, nonemitting facilities  
13 such as Indian Point continue to operate.

14 Clearly, nuclear energy from Indian Point  
15 is essential to holding current emission levels  
16 constant and keeping emissions low in the future.

17 Specifically, the continued operation of  
18 this facility avoids emissions that would result  
19 otherwise, and you've heard the numbers and  
20 statistics, so I won't repeat them or get into them.  
21 But essentially, it is the whole scope of emissions,  
22 including carbon dioxide, sulfur dioxide, nitrogen  
23 oxide, carbon monoxide, and volatile organic carbons.

24 Reliable electricity is critically  
25 important to New York's future, and nuclear energy is

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1 reliable, affordable, and it is an important component  
2 of our state's diverse fuel mix. Indian Point should  
3 continue to play a role in the state's energy plan,  
4 now and into the future.

5 Without Indian Point's 2000 megawatts,  
6 electricity costs would rise, and there would be  
7 wholesale price spikes, and there would be impacts on  
8 the reliability of your electricity service.

9 In addition to the importance of Indian  
10 Point as an energy provider for the people of the  
11 state, in an increasingly energy-starved area, the  
12 area you live in in New York, the facility also is  
13 significant for its economic impact and you've heard  
14 some examples of that.

15 IPPNY believes that not relicensing this  
16 facility is simply unworkable, and given the critical  
17 electricity needs of the state in this area, and we  
18 support the relicensing of the facility. Thank you  
19 for your time and attention.

20 MS. SEITZ: My name is Laura Seitz and I  
21 live in Croton-on-Hudson. I've been involved with the  
22 licensing of atomic energy plants since 1970, when the  
23 first plants, of these plants were first licensed.

24 What is particularly striking is that the  
25 issues that were raised then are the very ones that

1 are being raised now. Nothing has been solved or  
2 resolved. We were concerned then about the  
3 possibility of evacuation. We were concerned then  
4 about the fact that there was no plan for dealing with  
5 the waste that came out of this plant, still an  
6 utterly unresolved problem, only it's now become worse  
7 because the pools are filled with spent fuel rods.

8 We were concerned then with thermal  
9 pollution. We still are concerned about the fish  
10 kills in the Hudson.

11 And finally, we were concerned then--a  
12 major issue was this was untested technology and  
13 nobody really had any idea how these plants would  
14 weather the years. How would the plant's pipes stand  
15 up? Would they become embrittled? Would things wear  
16 out that had never, in fact, ever been tested? From  
17 my point of view--oh. And one more thing. It was  
18 exactly the same conversation about the possibility of  
19 alternatives. There weren't supposed to be any.

20 If the amount of money that has been  
21 devoted to keeping these plants going, well, the rest  
22 of the atomic energy business going for the last 30  
23 years, had been in any way devoted towards  
24 alternatives, I think we'd be very much further along  
25 with the possibility of really viable alternatives.

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1 But that wasn't done, any more than the evacuation  
2 plan was ever changed, the waste problem was solved,  
3 thermal pollution was solved, or the embrittlement of  
4 the pipes was really addressed up to now.

5 I'm a firm believer in Murphy's Law. If  
6 something bad can happen, it eventually will,  
7 particularly when human beings are involved in it.  
8 There have been a number of accidents. So far, they  
9 have not caused a catastrophic catastrophe.

10 It strikes me that we are rather lucky  
11 that we have "dodged the bullet" for 35 years. I'm  
12 very unhappy with the thought of hoping for the best  
13 and hoping that for another 30 years we will dodge the  
14 bullet, because we just happen to be good folks.

15 The same problems remain and they remain  
16 unsolved.

17 MR. BARKLEY: All right. Again, I'll make  
18 one last request for Bill Moody to speak, if he's  
19 here.

20 I do have a number of people signed up for  
21 this evening's session. If any of them are here and  
22 want to speak at this time, it may be your  
23 opportunity. We're going to have a very full schedule  
24 tonight.

25 MR. RAKOVAN: And if there is anyone else

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1 in the crowd who wishes to speak, that hasn't had an  
2 opportunity to do so yet, please make yourself known.

3 [No response]

4 MR. RAKOVAN: Okay. No one seems to be  
5 getting my attention. So i believe that Ms. Rani  
6 Framovich is going to say some words to close the  
7 meeting today. Rani.

8 MS. FRAMOVICH: Thank you, Lance. I'm  
9 Rani Framovich. I am the chief of the branch of the  
10 Nuclear Regulatory Commission Headquarters Office  
11 that's responsible for the performance of the license  
12 renewal review for Indian Point Units 2 and 3.

13 I want to thank you all for coming to this  
14 meeting. This is an important part of our  
15 environmental review process. It's important to us to  
16 come out and talk with members of the public and get  
17 their perspective of what it is that's important for  
18 us to consider during the environmental review portion  
19 of the license renewal review.

20 I wanted to respond, briefly, to a couple  
21 of things I heard from speakers today, just to kind of  
22 clarify some points that were made.

23 One point was made that our generic  
24 environmental impact statement for license renewal is  
25 outdated, and the NRC has not indicated when that will

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1 be updated, and I just wanted to let the folks here  
2 know that we're aware that there is a requirement in  
3 our regulations that we review the information in the  
4 generic environmental impact statement every ten  
5 years, and update it, if necessary.

6 And we started that review process back in  
7 2003 when we had a scoping process for the generic  
8 environmental impact statement in four major cities  
9 across the United States. And about a year ago, we  
10 really kicked off the analysis in earnest. So I just  
11 wanted to make sure that that information is put out  
12 there, to make sure that the record is correct.

13 Another point that has been made is that  
14 what you see reflected on this slide is the extent o  
15 the NRC's review, and I can assure you that that is  
16 not the case.

17 As Mr. Bo Pham indicated when he made his  
18 presentation at the beginning of this meeting it's one  
19 aspect of the NRC's review.

20 There's a safety review that's very  
21 comprehensive and rigorous as well, that looks at  
22 things like will the aging of the facility be managed  
23 to ensure that it will continue to operate safely  
24 during the period of extended operation.

25 So I just wanted to reassure members of

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1 the public that this is not the extent of the license  
2 renewal review.

3 With that, I want to again thank you for  
4 the comments. We've gotten some really good, relevant  
5 information today on a few areas, a number of areas.  
6 A few come to mind. Impacts on fish, alternatives  
7 that are available to replace Indian Point if that is  
8 an option that needs to be considered, and  
9 environmental justice issues. These are just a few  
10 that I've heard and we really appreciate those  
11 comments. Those are exactly the kind of thing we're  
12 looking for to perform our environmental review. So  
13 thank you.

14 I wanted to remind everyone of a couple of  
15 important dates. We will be taking comments on the  
16 scope of the environmental review until October 12th.

17 We also will be considering contentions  
18 for hearing, requests for hearing until November 30th.  
19 That date was recently extended, in fact, just  
20 yesterday.

21 You'll notice on your handout, that on  
22 slide, I believe it's twelve, the date indicates  
23 October 1st, but that is actually November 30th as of  
24 yesterday.

25 One other thing I wanted to remind

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1 everybody, that Lance mentioned at the beginning of  
2 the meeting. There are NRC public meeting feedback  
3 forms that were handed out at the registration desk.

4 If you can think of anything we can do to  
5 improve our public meetings, anything we can do  
6 differently, anything that's working well, we'd love  
7 to hear from you. Please fill out that feedback form.

8 You can hand it to a member of the NRC  
9 staff. We're all wearing these name tags. Or you can  
10 leave it on the registration desk or you can fold it  
11 up and put it in the mail. The postage is prepaid.  
12 And with that, again thank you all for coming. We'll  
13 be available after the meeting to answer questions.  
14 Thank you very much.

15 [Whereupon, at 3:50 p.m, the meeting was  
16 adjourned.]

**CERTIFICATE**

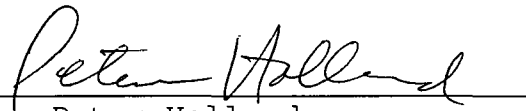
This is to certify that the attached proceedings  
before the United States Nuclear Regulatory Commission  
in the matter of:

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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