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1 UNITED STATES OF AMERICA

2 NUCLEAR REGULATORY COMMISSION

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4 MEETING TO DISCUSS THE ENVIRONMENTAL SCOPING PROCESS

5 FOR INDIAN POINT NUCLEAR GENERATING UNIT

6 NOS. 2 AND 3, LICENSE RENEWAL APPLICATIONS

7 + + + + +

8 Wednesday, September 19, 2007

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10 The meeting came to order at 1:30 p.m. in The
11 Colonial Terrace, 119 Oregon Road, Cortlandt Manor,
12 New York, Lance Rakovan, Facilitator, presiding.

13
14 PRESENT:

15 LANCE RAKOVAN, NRC

16 RANI FRANOVICH, NRC

17 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 throw around a lot today probably. It basically

1 harkens back to what I just said the purpose of the
2 meeting was.

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

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

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

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

25 But again, what we're going to try to do
26 is keep the main body of the meeting for, is

1 essentially to listen to you, not for us to talk.

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

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

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

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

21 I want to stress that speaking here today
22 is not the only way that you can get your comments in
23 on this process. If you do not make it to the mike or
24 you don't say everything that you want to say while
25 you're up there, we will take written comments and
26 have them read directly into the transcript for the

1 meeting. And then also our main speaker will be going
2 over the other ways that you can get your comments in
3 on this process.

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

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

16 Other than that, if everyone could silence
17 your cell phones or your pagers, to make sure that
18 doesn't disrupt the meeting.

19 Also on the back table, there was a stack
20 of public meeting feedback forms. If you could take
21 a minute just to fill those out, either hand it to an
22 NRC employee or drop it in the mail. It's free. That
23 really gives us an idea of how we can improve these
24 public meetings. Or whether you just liked it so
25 much, that we did it perfectly, that's okay to say
26 too. Having said that, I feel like I've talked to

1 long, so I'm going to go ahead and turn things over to
2 Mr. Bo Pham, who is going to give a brief
3 presentation, and then we're to go and turn the
4 meeting back to commenting.

5 MR. PHAM: Thank you, Lance. Next slide,
6 please.

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

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

19 In June, we had a meeting here at the
20 Colonial Terrace to provide an overview of the license
21 renewal process, which includes both a safety review
22 and an environmental review.

23 Today, we will describe in more detail,
24 the environmental review process associated with the
25 license renewal review, but the most important part of
26 today's meeting is to receive any comments that you

1 may have on the scope of the environmental review.

2 We will also give you some information
3 about how you can submit the comment, as Lance said,
4 outside of this meeting.

5 At the conclusion of this presentation, we
6 will be taking comments on the scope of the
7 environmental review.

8 As Lance has already indicated, this
9 meeting is being transcribed and all comments recorded
10 from the meeting will be reviewed and considered.

11 Before I get into the details of the
12 environmental review process, I'd like to take a few
13 minutes to recap some of the information that was
14 presented here in the June meeting.

15 The NRC is a federal agency established by
16 the Energy Reorganization Act of 1974. It regulates
17 the civilian use of nuclear material. The Atomic
18 Energy Act authorizes the NRC to grant a 40 year
19 license for nuclear power reactors.

20 This 40 year term was based primarily on
21 economic consideration and antitrust factors, not on
22 safety or technical limitations. The Atomic Energy
23 Act also allows for license renewal.

24 The National Environmental Policy Act of
25 1969, otherwise known as NEPA, establishes a national
26 policy for considering the impact of federal decision

1 making on the human environment.

2 As a matter of policy, the Commission
3 determined that reactor license renewal constitutes a
4 major federal action, which an environmental impact
5 statement is warranted.

6 The NRC's regulations governing nuclear
7 safety, security, and environmental protection, are
8 contained in Title 10 of the Code of Federal
9 Regulations, commonly referred to as 10 CFR.

10 In exercising its authority, the NRC's
11 mission is threefold. To ensure adequate protection
12 of public health and safety, to promote the common
13 defense and security, and to protect the environment.

14 The NRC accomplishes its mission through
15 a combination of regulatory programs and processes
16 such as establishing rules and regulations, conducting
17 inspections, issuing enforcement actions, assessing
18 licensee performance and evaluating operating
19 experience of nuclear power plants, across the country
20 and internationally.

21 The NRC has resident inspectors at all
22 operating nuclear power plants. These inspectors are
23 considered the eyes and ears of the NRC. They carry
24 out our mission, our safety mission on a daily basis,
25 and are at the front lines of ensuring acceptable
26 safety performance, and compliance with regulatory

1 requirements. Next slide, please.

2 Now turning back to license renewal, the
3 Indian Point reactor units were licensed to operate in
4 1973 and 1975. For units 2 and 3, the current
5 operating licenses expire in 2013 and 2015,
6 respectively.

7 The NRC received Entergy's application for
8 license renewal for both units on April 30th of this
9 year.

10 As part of the NRC's review of the Indian
11 Point license renewal application, we will perform an
12 environmental review to assess the impacts on the
13 environment for an additional 20 years of operation.
14 And I'll explain that process more in a few minutes.
15 I'll also share with you the schedule of the
16 environmental review. Next slide, please.

17 License renewal involves two parallel
18 reviews, the safety review and the environmental
19 review. These two reviews evaluate two separate
20 aspects of the license renewal application. The
21 safety review focuses on the aging of components and
22 structures, that the NRC deems important to plant
23 safety. The staff's main objective in this review is
24 to determine that the effects of aging will be
25 adequately managed by the applicant.

26 The results of the safety review are

1 documented in a safety evaluation report, otherwise
2 known as a SER. For the environmental review, the
3 staff considers, evaluates and discloses the
4 environmental impacts of continued plant operation for
5 an additional 20 years.

6 The staff also evaluates the environmental
7 impacts of alternatives to license renewal.

8 The objective of the review is to
9 determine if the environmental impacts of license
10 renewal are so great, that license renewal would not
11 be a reasonable option.

12 The staff prepares and environmental
13 impact statement, otherwise known as an EIS, to
14 document its environmental review. Next slide,
15 please.

16 This diagram illustrates the safety and
17 environmental review processes represented at the top
18 and bottom of the slide.

19 It also features two other considerations
20 in the Commission's decision on whether or not to
21 renew an operating license.

22 The independent review is performed by the
23 Advisory Committee on Reactor Safeguards, or ACRS,
24 statutorily mandated by the Atomic Energy Act of 1954.

25 The ACRS is a group of scientists and
26 nuclear experts who serve as a consulting body to the

1 Commission.

2 The ACRS performs an independent review of
3 the license renewal application as well as the NRC
4 staff safety evaluation. They then report their
5 findings and recommendations directly to the
6 Commission.

7 Hearings may also be conducted concurrent
8 with the staff's review, and interested stakeholders
9 may submit concerns or contentions and request a
10 hearing. If a hearing is granted, the Commission
11 considers the outcome of the hearing process in its
12 decision of whether or not to issue a renewed license.

13 Now I'm going to describe the
14 environmental review process in a little bit more
15 detail. Next slide, please.

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

23 We're also required to consider
24 alternatives to proposed action, in this case it's
25 license renewal, and that includes energy alternatives
26 to the proposed action, mitigation alternatives, and

1 the no action alternative, which we examine the
2 environmental impacts associated with not issuing a
3 renewed license.

4 The NRC has determined that an
5 environmental impact statement will be prepared for
6 proposed license renewal of the nuclear power plants.
7 In preparing an EIS, the NRC conducts a scoping
8 process. The purpose of this scoping process is to
9 identify the significant issues to be analyzed in
10 depth.

11 We are now gathering information for an
12 EIS and are here to collect public comments on the
13 scope of the review, that is, what environmental
14 impacts should the staff consider for the proposed
15 license renewal of Indian Point?

16 The staff has developed a generic EIS that
17 addresses a number of issues that are common to all
18 nuclear power plants. The staff intends to supplement
19 that generic EIS with a site-specific EIS, which will
20 address issues that are specific to the Indian Point
21 site.

22 The staff also reexamines the conclusions
23 reached in the generic EIS to determine if there's any
24 new and significant information that would change
25 previous conclusions. Next slide, please.

26 For the environmental review, we have

1 established a team of specialists from the NRC staff
2 as well as contractors who are experts in various
3 fields and disciplines. This slide gives you an idea
4 of the various areas we looked at during the
5 environmental review.

6 Some of the areas include terrestrial and
7 aquatic ecology, environmental justice, hydrology and
8 radiation protection. Next slide, please.

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

12 The NRC will be accepting comments on the
13 scope of the environmental review until October 12th.
14 In general, we're looking for source of information
15 about the environmental impact of continued operation
16 at Indian Point, that we should consider as we prepare
17 our environmental impact statement.

18 You can assist us in that process by
19 telling us, for example, what aspects of your local
20 community we should focus on; what local,
21 environmental, social and economic aspects that the
22 NRC should examine during our environmental review;
23 and what reasonable alternatives are most appropriate
24 for the area.

25 These are just some of the examples of the
26 input we're looking for, and they represent the kinds

1 of information we are seeking through the
2 environmental scoping process.

3 Your comments today should be helpful in
4 providing insights of this nature. Next slide,
5 please.

6 This slide illustrates the various
7 considerations that are factored into a decision to
8 issue a renewed operating license. So how do we use
9 your input today? Public comments are an important
10 part of the environmental review process.

11 We consider all the comments that we
12 receive from the public during the scoping process as
13 well as comments received once the staff issues the
14 draft environmental impact statement. Next slide,
15 please.

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

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

23 We've also established an e-mail address
24 at the NRC for the specific purpose of receiving your
25 comments on the development of our draft environmental
26 impact statement and what you think the scope of our

1 review should be.

2 That e-mail address is Indian
3 Pointeis@nrc.gov.

4 All of your comments will be collected,
5 reviewed, and considered, and as Lance had mentioned,
6 during this meeting, if you have written comments or
7 written speeches that you would like us to consider,
8 we will take them and enter them as part of the
9 transcript. Next slide, please.

10 This slide shows important milestone dates
11 for the environmental review process. The Notice of
12 Opportunity for Hearing was published on August 1st,
13 followed by the Notice of Intent to prepare an
14 environmental impact statement and conduct scoping.

15 The opportunity to submit contention for
16 our hearing closes on November 30th. That was
17 previously October 1st, but in response to a
18 congressional request, the Commission has extended
19 that date to November 30th.

20 And if you'd like to have comments, that
21 you would like to submit outside of today's hearing,
22 you have also until October 12, as highlighted on the
23 slide, to submit those comments.

24 This slide identifies the primary points
25 of contact within the NRC for the environmental
26 review.

1 It also identifies where documents related
2 to our review may be found in the local area. The
3 Hendrick Hudson Free Library, the Field Library, and
4 the White Plains Public Library, have all agreed to
5 make the license renewal application available for
6 public review.

7 When it is published for comment, the
8 draft environmental impact statement will also be
9 available at each library.

10 These documents will also be on the NRC's
11 Web site at the Web address shown at the bottom of the
12 page.

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

17 This concludes my presentation and I will
18 turn it back to Lance. Thank you.

19 LANCE RAKOVAN: Thanks, Bo. To start off
20 the speakers today, we have Chris Hogan from the New
21 York State Department of Environmental Conservation.

22 MR. HOGAN: Thanks, Lance. As he
23 indicated, I'm Chris Hogan and I am the project
24 manager for the New York State Department of
25 Environmental Conservation for the relicensing of
26 Indian Point's units 2 and 3. Department staff are

1 currently reviewing Entergy's environment report as
2 well as historical information and will be submitting
3 written comments on the scope of the draft
4 supplemental EIS before the close of the comment
5 period on October 12th, 2007.

6 The purpose of my statement today is to
7 clarify the department's role in the relicensing and
8 other matters related to the facility.

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

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

22 The department's primary concern is the
23 potential impacts of the once-through cooling system
24 at the facility. The two units combined currently
25 withdraw approximately 2.5 billion gallons of water
26 per day from the Hudson River.

1 This results in the impingement of fish on
2 the intake screens and the entrapment of small fish,
3 fish larvae, and fish eggs within the cooling system
4 of the plant.

5 In addition, the once-through cooling
6 system also results in a discharge of heated water,
7 because the water is used to absorb waste heat from
8 the operation of the generation equipment.

9 The discharge of the heated waste water
10 for both units is through a single discharge canal.

11 The department is concerned with the
12 potential thermal impacts from the discharge on the
13 aquatic resources of the river. This information is
14 important because before the NRC can relicense at
15 Indian Point, the Clean Water Act requires that New
16 York State must certify that the state water quality
17 standards will be met during the new license term.

18 This approval is referred to as a water
19 quality certification. Based on the schedule
20 established by the NRC, the department anticipate
21 receipt of Entergy's water quality cert application in
22 approximately May 2008.

23 Pursuant to New York State uniform
24 procedures regulations, the water quality certificate
25 application will be submit to public review and
26 comment.

1 From the date of submission of the water
2 quality cert application, the department has one year
3 to issue, deny or waive the certificate.

4 The department looks forward to full
5 participation by the public in that process.

6 In addition to the department's role in
7 the NRC relicensing process, there are two other
8 matters related to the facility in which the
9 department has primary responsibility.

10 Under the RCRA authority delegated to the
11 department by the EPA, DEC regulates hazardous waste
12 management and remedial efforts at Indian Point,
13 including any potential groundwater contamination.

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

22 The department also has jurisdiction over
23 the wastewater discharge from the facility through the
24 state pollutant discharge elimination system or SPDES
25 program.

26 Through the SPDES program, the department

1 ensures that all discharges of wastewater meet state
2 water quality standards.

3 In addition, the SPDES program also allows
4 the department to regulate the withdrawal of water for
5 cooling purposes. The department issued a draft SPDES
6 permit in November 2003 and commenced the
7 administrative process to modify the permit. The
8 draft permit is currently the subject of an
9 adjudicatory hearing and the department is awaiting a
10 commissioner's ruling on the appeals of the issues
11 that should be adjudicated. The draft permit
12 currently requires Entergy to install cooling towers,
13 or equivalent technology, if the facility is
14 relicensed by the NRC.

15 If you would like additional information
16 on the department's responsibilities with regard to
17 Indian Point, we have a table in the lobby. We have
18 two fact sheets that cover the groundwater remediation
19 and our role in the relicensing process and we'd be
20 happy to talk to you about either.

21 Thank you for the opportunity to speak.

22 MR. RAKOVAN: With that, I will turn
23 things over to Rich Barkley to--he's going to be
24 taking the yellow cards that you filled out, either
25 prior to coming tonight--or this afternoon, or when
26 you came today. If anyone hasn't filled one out, I

1 have some blank ones right here, so if you'll raise
2 your hand, I could bring one to you right now, if you
3 wish to speak. Rich is going to try to get everyone
4 up there, and again, I think Mr. Hogan did an
5 excellent job of keeping things quick, to the point,
6 and keeping to a couple minutes which was great. If
7 everyone could try to follow that, we'd really
8 appreciate it.

9 And if you want to come up to the center
10 mike, that'd be great. if you want to use the podium
11 mike as well, that'd be fine. So with that, i'll turn
12 it over to Rich.

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

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

25 The first three speakers I'm going to
26 call, I'm going to ask one person to respond to the

1 microphone at a time, but I'm going to call three
2 names up to keep people kind of on cue.

3 The first three people have asked to
4 speak, first is Taylor Palmer, the second is Manajo
5 Green and the third one is James Knubel.

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

18 My one question for the NRC today deals
19 with, as we know, as many, as the parties have
20 mentioned today, numerous events have occurred at
21 Indian Point, several of which have in the last month
22 alone. Specifically as the DEC just mentioned, the
23 leak in the spent fuel pool.

24 These recent missteps and violations are
25 an obvious safety problem for the local residents, and
26 the one question I actually have is how will the

1 operational safety and the operational status of the
2 sirens, together with all these other factors,
3 including the leak of the spent fuel pool, especially
4 the performance indicator change from green to white
5 for the plant operations, factor in the relicensing of
6 Indian Point Facility 2 and Indian Point 3?

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

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

14 MR. RAKOVAN: Okay, and it's in the
15 transcript, so--

16 MR. PALMER: We appreciate it.

17 MR. RAKOVAN: Thank you.

18 Rich.

19 MR. BARKLEY: Manajo is coming this
20 evening. Jim Knubel.

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

26 I'd like to start by thanking the men and

1 women that work at Indian Point for the continued safe
2 operation of that unit.

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

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

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

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

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

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

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

21 MR. : [Off-mike remark]

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

26 MR. MARTINELLI: I just would like to ask

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

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

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

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

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

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
26 currently part of the conversation going on and

1 hopeful that it will be.

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

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

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

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

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

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

25 On a Friday in July 2003, FEMA, under the
26 infamous Michael Brown, approved the evacuation plan

1 and that judgment was quickly accepted by the NRC,
2 saying the plan provided reasonable assurance that it
3 would be effective. Ironically, on that very day, all
4 the major roadways in Westchester were jammed through
5 the entire day because of a single accident on the
6 George Washington Bridge during the morning rush hour.

7 I still wonder how the NRC defined
8 reasonable assurance for that ridiculous judgment.

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

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

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

23 Consequently, there are no known plans to
24 stop the leakage. Especially disturbing is that large
25 sections of pipes are not accessible to inspection,
26 and the only way for the NRC to evaluate whether those

1 pipes have corroded or will remain viable for 20 more
2 years is to dig test wells, and declare that there is
3 not currently a leak at that site, at that time.

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

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

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

20 We also know that prior test wells found
21 concentrations of contamination many times the EPA
22 level for drinking water, but since the leaks are not
23 currently going into known drinking water sources, the
24 NRC has dismissed them as nonhazardous.

25 I would like to know what specific
26 radiological readings would define an unacceptable

1 level that is not going directly into a known drinking
2 source.

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

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

14 MR. RAKOVAN: Thank you, sir.

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

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

22 Indian 1's cooling system sucks in 2.5
23 billion gallons of Hudson River water a day,
24 discharges an enormous thermal plume that damages the
25 Hudson River ecosystem, and the intake of cooling
26 water kills a billion fish a year. This is

1 established in New York State studies, in
2 Riverkeeper's own studies. It's an established fact.
3 This plant has a negative impact on Hudson River
4 fisheries.

5 One of the only fish species that's doing
6 well in the river is striped bass and that's because
7 all the other species are being destabilized. So I
8 just wanted to clarify that point in response to an
9 earlier comment.

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

16 The NRC cannot rely on Entergy's renewal
17 application to prepare the draft environmental impact
18 statement. Entergy, in fact, is relying on outdated
19 industry-funded studies that say there is no
20 significant impact on the Hudson River from their
21 operations. This is flatly untrue.

22 My second comment. Nuclear waste is
23 piling up at Indian Point because the Yucca Mountain
24 waste dump will probably never open for decades, and
25 who knows how long.

26 Why won't the NRC examine the

1 environmental impacts of this problem during the
2 relicensing review? Indian Point's spent fuel pools
3 are virtually full, and the Indian Point 1 and Indian
4 Point 2 pools have been leaking nuclear waste into the
5 Hudson River for years.

6 How long will nuclear waste be stored on
7 the banks of the Hudson River? This is a basic
8 fundamental question that needs to be answered before
9 they relicense this plant, and the NRC is refusing to
10 answer it. In fact they don't know the answer. This
11 is a problem that has to be addressed.

12 The NRC only looks at coal and natural gas
13 plants as reasonable alternatives under NEPA to
14 replacing Indian Point's energy output in their
15 environmental impact studies.

16 Why does the NRC refuse to consider a
17 combination of renewable energy such as wind, solar,
18 geothermal, combined with conservation and clean
19 natural gas to replace Indian Point as a National
20 Academy of Sciences study suggests and lays out a road
21 map for?

22 The problem is the NRC is relying on a
23 very outdated 1996 generic environmental impact
24 statement that does not reflect the realities of
25 today's world. It does not reflect 9/11, does not
26 reflect the advances in renewal energy, does not

1 reflect the failure of Yucca Mountain to open in any
2 foreseeable timeframe.

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

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

14 MR. BARKLEY: Okay. Our next three
15 speakers are Lloyd Douglas, followed by Glenn Rickles
16 and then Michael Otis.

17 Lloyd.

18 MR. DOUGLAS: Good afternoon. My name is
19 Lloyd Douglas. I'm the owner of a small minority
20 business consulting firm. We do minority and women-
21 owned business opportunities. I'm also representing
22 an association of minority and women entrepreneurs.

23 Entergy has been partnering with us in
24 terms of creating opportunities for minority and
25 women-owned business. When minority and women-owned
26 businesses get contracts, they hire from the

1 community.

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

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

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

13 The other issue that we're concerned about
14 is environmental. When you look at the residual
15 effect from respiratory ailments based upon sulfur
16 dioxide and carbon dioxide, that goes into the air
17 from other forms of energy creation, and when you look
18 at the residual effect from the World Trade Center,
19 six years later, I think we have to be concerned about
20 what's going into the environment.

21 And we also believe that this is another
22 option in terms of the environment. We respect the
23 NRC's judgment and its scoping process in terms of its
24 review, in terms of renewal process, and based upon
25 these and other factors, we're requesting or we're
26 supporting the renewal. Thank you.

1 MR. RICKLES: Good afternoon. My name is
2 Glenn Rickles. I am here today on behalf of
3 Riverkeeper. I also reside in Croton on Hudson, which
4 is approximately five to six miles away from the
5 Indian Point plant.

6 We put forward today four environmental
7 issues with a common theme. The total lack of
8 consideration of Indian Point's license renewal on
9 climate change and global warming.

10 Pursuant to the National Environmental
11 Policy Act, seminal law on point, as well as the NRC's
12 own regulations, the NRC is mandated to fully consider
13 and meaningfully evaluate more environmentally
14 friendly and sustainable alternatives to the
15 relicensure of Indian Point.

16 Entergy, in its environmental report in
17 support of relicensure, unfortunately presents a
18 wholly inaccurate and legally insufficient picture of
19 the positive environmental effects of alternative
20 sustainable replacement energy sources such as wind,
21 hydroelectric, biomass, geothermal or energy
22 conservation.

23 Nor does Entergy present an accurate or
24 legally sufficient picture of Indian Point's
25 contribution to global warming. Cases in point.

26 Entergy says in its environmental report,

1 for those of you who have read it, it's section 7.5,
2 that alternative and sustainable energy sources, and
3 I quote, "were not--were not considered as reasonable
4 replacement for Indian Point."

5 As will be delineated in a later-written
6 submission, such a cavalier dismissal by Entergy is
7 both contrary to law and simply flies in the face of
8 generally-accepted science.

9 In its 2006 report on replacement of
10 Indian Point's power generation, the National Academy
11 of Sciences states that Indian Point's power can be,
12 can be replaced by a variety of energy sources,
13 including sustainable green sources and energy
14 conservation.

15 Issue two. Entergy, in its application
16 for license renewal, presents a picture of one
17 license, not two separate licenses sought to be
18 renewed. This is far more than a simple semantic
19 distinction but one fraught with legal consequence.

20 For example, in its environmental report,
21 Indian Point states that green sustainable energy
22 sources cannot replace the combined 2158 megawatts of
23 power generated by Indian Point 2 and Indian Point 3
24 combined, and the green energy sources need not be
25 considered, addressed, or analyzed. While

26 I will not address today the accuracy of

1 Entergy's assertion, it is clear, beyond purview, that
2 the combined 2158 megawatts standard is, as a matter
3 of law, simply wrong.

4 Each application for each plant must be
5 addressed separately and the law mandates that the
6 only correct standard of comparison is Indian Point
7 2's 1078 megawatts, and Indian Point 3's 1080
8 megawatts.

9 Issue three. Entergy based on NUREG 1437,
10 it is a NRC regulation, it's section 8.1, states that
11 energy conservation need not be considered, need not
12 be considered, or analyzed, regardless of its positive
13 environmental contribution as it is not a single
14 discrete source of energy.

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

19 Issue four. The law mandates that the
20 detrimental environmental effects of license renewal
21 on climate change and global warming be fully
22 considered and fully analyzed.

23 Entergy, in its environmental report, at
24 section 8.4.3.2.1, states that no carbon dioxide is
25 emitted by the production of nuclear energy.
26 Nonsense. Nonsense. Completely wrong. The statement

1 is simply inaccurate. There is no disagreement among
2 scientists, none at all, that large amounts of carbon
3 dioxide is produced in the nuclear power life cycle,
4 be it from uranium mining, milling of uranium,
5 refining and enrichment of uranium, refurbishment of
6 the plants, transportation of uranium, etcetera,
7 etcetera, etcetera.

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

13 In sum, what we see is a denial at every
14 step of Entergy's contribution to climate change and
15 a refusal to consider and analyze conservation and
16 replacement energy supplied by a portfolio of sources
17 inclusive of green sustainable energy.

18 As will be fully delineated in a written
19 submittal, such is wrong as a matter of law and is
20 wrong as a matter of public policy.

21 Let us now address the crisis of climate
22 change and not face the questions of our children--I'm
23 almost done--who will ask in the future, you knew the
24 risks and you knew the solutions to climate change.
25 Why did you not address them when you had the chance?
26 Why did you put us in this untenable situation? Thank

1 you.

2 MR. RAKOVAN: Thank you, sir. Okay.

3 Michael.

4 MR. OTIS: Good afternoon. My name is
5 Mike Otis. I'm a professor of electrical engineering
6 at SUNY New Paltz. I am also an active member or
7 active with members of the New Paltz Foundation, SUNY
8 New Paltz Foundation, who along with myself and other
9 faculty, have taken a special interest in trying to do
10 as much as we can to bring along next generation of
11 engineers that this country so desperately needs.

12 Our shared special passion is to develop
13 more diverse engineering students at the college level
14 and to help create career paths and hands-on
15 experience for these bright young people.

16 It is in that capacity that I've had the
17 pleasure of working with Entergy and some of the
18 senior managers to help provide pathways for
19 engineering students at SUNY New Paltz, as we try to
20 build our program and pave the way for new students
21 and recruits.

22 Therefore, I know firsthand that Entergy,
23 the operators of Indian Point and many other nuclear
24 power plants, is a committed and socially responsible
25 corporate citizen.

26 I also interface with many business people

1 on our engineering advisory board, who understand the
2 needs and demands of small business and entrepreneurs.

3 High energy and electric costs here, in
4 New York State, are driving small businesses out of
5 the state and stifling innovation and economic
6 activity.

7 I forget who said computer chips without
8 electricity are just sand.

9 With regard to nuclear power at Indian
10 Point, here's what I think. It's affordable. Nuclear
11 power consistently remains one of the cheapest sources
12 of power in the world. Its price is predictable and
13 stable, unlike oil or natural gas.

14 Indian Point has saved New York City and
15 Hudson Valley businesses and residents billions of
16 dollars on the price of energy. It's clean. This is
17 of particular importance to me since my wife and I
18 have recently increased our family size by adding a
19 daughter who is now one year old. I want Caitlin to
20 have the same opportunities as I had growing up and
21 not be affected by the changes in quality of life due
22 to global warming.

23 A case in point. Indian Point emits
24 almost zero greenhouse gases. Increased reliance on
25 nonpolluting nuclear energy represents our best chance
26 of meeting the region's clean air and maintaining our

1 standard of living while improving the environment.

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

5 It's critical. There's currently no
6 viable energy alternative to replace the more than
7 2000 megawatts of power generated by the Indian Point
8 energy center. Indian Point provides between 20 to 40
9 percent of the region's power.

10 It's American technology that creates
11 American energy. It is a source of energy that does
12 not depend on international production and is not
13 affected by international pressures or politics.

14 As an educator at an engineering school
15 whose focus is on educating and training more diverse
16 engineering students to help move our state forward,
17 what could be more important than to continue to
18 develop and utilize home-grown technology rather than
19 just exporting our best engineers for other countries
20 to benefit? Yeah. But they say it shouldn't be here.

21 From both an environmental and reliable
22 standard, Indian Point couldn't be in a better
23 location. Nuclear power in New York avoids 42,000
24 tons of nitrous oxide, which is equivalent to 2.2
25 million passenger cars, which would otherwise be
26 polluting the air due to the output from natural gas

1 or a coal facility.

2 It's also a critical baseload of power
3 close to its utility center. It's a known fact that
4 the further electricity has to travel, the less
5 reliable it becomes.

6 For all my reasons mentioned above, I
7 strongly support the application for renewal of Indian
8 Point's operating license as a benefit to the region
9 and hope to continue work with Entergy to train and
10 mentor our young engineers. Thank you.

11 MR. RAKOVAN: At this point I would like
12 to compliment all our speakers at this point in time
13 in holding to the time limits we've asked for. I
14 greatly appreciate your courtesy.

15 MR. BARKLEY: The next three speakers are
16 Charlie Donaldson, followed by John Kelly, and then
17 Marilyn Elie.

18 MR. RAKOVAN: And again, when the speakers
19 come up, if you could just reintroduce yourself and
20 let us know if there's a particular affiliation you're
21 with. That way, we have it in the transcript.
22 Thanks.

23 MR. DONALDSON: How are you all doing
24 today? Good. I work for a fellow named Andrew Cuomo,
25 is the attorney general of this state, so I'm here for
26 the state attorney general's office, and I will,

1 unlike most lawyers, try to be brief.

2 My name's Charlie Donaldson, Environmental
3 Protection Bureau.

4 We appreciate the opportunity to provide
5 oral comments regarding the scope of the environmental
6 review proceeding under the National Environmental
7 Policy Act.

8 As an initial matter, we would request
9 that the various oral and written comments concerning
10 the scope of the environmental review be addressed,
11 one way or the other, whenever the NRC puts out the
12 draft environmental impact statements.

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

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

22 As to specific issues, we'd like to offer
23 a couple of preliminary comments concerning particular
24 areas.

25 First, the review should include a
26 rigorous evaluation of all the impacts of the plants.

1 In addition, the review should analyze the population
2 density around the reactor and the facility, which is
3 unique in this nation. That's the population, not the
4 plants. Environmental alternatives including, but not
5 limited to, energy efficiency, photovoltaics, wind,
6 biomass, and the usual list of suspects.

7 Alternatives to each unit, not to both
8 units together. Emergency planning and evacuation,
9 security, and the spent fuel pools. Thank you all for
10 the opportunity to make our comments here today and
11 we'll see how she goes from here.

12 MR. RAKOVAN: Thank you, sir.

13 MR. KELLY: My name is John Kelly. I live
14 less than four miles from Indian Point with my family.
15 I've lived there for over 30 years. I am the retired
16 director of licensing for Indian Point, so I guess I
17 pay my bills with my pension check and my Social
18 Security check.

19 I'd like to bring up one point which has
20 been touched on by a few of the earlier speakers,
21 which I think is vitally important, and I found it
22 interesting that for some reason the New York DEC did
23 not mention this as one of the issues they're
24 considering relative to the environmental impact of
25 Indian Point in the renewal process.

26 While I was still employed by Entergy,

1 before I retired in 2003, we hired an engineering firm
2 in Lyndhurst, New Jersey, to do a study of what would
3 be the impact on air pollution of the shutdown of the
4 Indian Point plants.

5 In doing that analysis, they looked at,
6 quite frankly, only those plants that were currently
7 available. If you shut the plant down, obviously,
8 you're going to replace the power with currently
9 available sources. And they did an analysis which
10 came up with some interesting numbers.

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

21 About 1300 tons of carbon monoxide, and
22 approximately 200 tons of volatile organic carbons.

23 All of these pollutants would be emitted
24 into an area where we're already in noncompliance
25 relative to ozone. So we already have a pollution
26 problem in the atmosphere which would be substantially

1 aggravated simply by the shutdown of Indian Point.

2 An earlier speaker noted that there is
3 some carbon dioxide released as a result of the
4 uranium fuel cycle. That's true. An analysis was
5 done recently by a European Union organization and
6 they looked at the entire fuel cycle from mining and
7 milling and enrichment through reprocessing, which
8 they're doing in Europe, and they concluded that the
9 amount of carbon dioxide released as a result of the
10 entire uranium fuel cycle is less than 5 percent of
11 that produced by coal or oil or natural gas per
12 megawatt produced.

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

17 One other thing I did want to mention is
18 on the Hudson River. There have been earlier talks
19 about the Hudson River and the impact on the Hudson
20 River.

21 As a result of a mandate by the New York
22 State DEC , and agreements that were made almost 30
23 years ago, the utilities at Indian Point funded an
24 environmental study of the Hudson River to the tune of
25 approximately \$2 million per year for the last 30
26 years, and that money has been spent, not at the

1 direction of the utilities but at the direction of the
2 New York State DEC and a group of environmental
3 organizations overseeing the expenditure of those
4 funds.

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

10 Research of that extent, and of that
11 massive a nature, can sometimes result in some
12 differences of opinion as to the conclusions as to
13 what it all means.

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

19 This has been directed by the
20 environmental protection organization in New York
21 State and environmental organizations.

22 One of the conclusions, as I just said,
23 was that it's probably the best set of data on any
24 estuary in the world. I personally believe from my
25 work, over the many years that I worked at Indian
26 Point, that it demonstrates that there has been no

1 significant environmental impact on the population of
2 adult fish.

3 There's no question that the plants kill
4 fish eggs. No one's arguing that point.

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

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

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

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

22 I too would like to thank the people who
23 work at Indian Point. They have a tough job, and by
24 their standards, they do it well. They're very
25 concerned, we have lots of differences of opinion, but
26 it's a good job with a good salary and a good pension,

1 and if and when, from my perspective, when that plant
2 closes down, all those things need to be addressed.

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

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

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

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

24 So nuclear is not coal-free, and I'd also
25 like to make it very clear, on this record, in this
26 transcript, that no one in the coalition is calling

1 for more coal plants. There are alternatives. That
2 will be part of an intervenor petition, and hopefully
3 it will be part of what the NRC looks at as part of a
4 countrywide, statewide, local initiative for clean
5 energy.

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

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

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

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

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

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
26 mentioned but are worth repeating. The Nuclear

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

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

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

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

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

23 Given the continued failure of the Federal
24 Government to establish a long-term repository for
25 nuclear waste at Yucca Mountain, the safety, security
26 and environmental issues arising from storing spent

1 nuclear fuel should be addressed during the licensing
2 renewal process when other aspects of the plant's
3 extended operation are being reviewed.

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

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

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

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

23 These potential impacts, environmental
24 impacts of a terrorist attack on the spent fuel pools,
25 must be assessed because it is based on new and
26 significant information that was not considered at the

1 time the general environmental impact statement was
2 prepared, that being a higher risk of attack after
3 9/11, higher density fuel storage, failure of Yucca
4 Mountain to open, etcetera. Furthermore, the changes
5 in population and traffic patterns within the EPZ of
6 Indian Point, especially to the adequacy of the
7 emergency planning in case of an accident, should also
8 be comprehensively addressed.

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

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

24 We ask specifically for--we would like a
25 specific carbon footprint of each one of these plants,
26 individually. We'd like to know the true costs of

1 Indian Point. We're being told, by some people in the
2 audience here, that it's less expensive than other
3 forms of energy, when, in truth, if we do the studies,
4 and we look at the cost to the taxpayer dollar, it is
5 much, much more expensive. These true costs must
6 include evacuation planning.

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

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

18 Thirdly, we must talk about the waste
19 cycle. Nobody disagrees with the fact, at the end of
20 the day, you're stuck with the spent fuel. Right now,
21 it's a problem with all nuclear, they don't have an
22 answer to it, and nobody, even the most ardent nuclear
23 supporter, will argue with that. There's no solution.

24 You end up with high-level radioactive
25 waste, toxic waste, on the banks of our river. If you
26 go outside, you'll see a lot of red cups on a table.

1 Those red cups are symbols--or not symbols. They're
2 a model, basically, of what the spent fuel pool dry
3 cask, the dry cask pad is going to look like. There's
4 going to be 75 Holtec casks not nailed down, standing
5 two feet apart on a cement pad.

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

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

20 Public health and safety cannot be
21 grandfathered in, and that is what Indian Point would
22 like to do. They would like to say this was sited,
23 this plant was sited actually before there was even
24 proper seismology sitings that were accepted by the
25 NRC, and we don't have to look at that again, even
26 though seismology science has become so far advanced.

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

9 On that basis alone, they need to look at
10 all the siting requirements, which include the
11 population density, which include the water quality in
12 the ground, and in the river, which at this point is
13 compromised by the leaks.

14 It includes the population--I said
15 population density. Evacuation planning, that we all
16 know is undoable and unworkable and unfixable. So all
17 those initial siting--I think there are eight siting
18 criterias must come into play.

19 Thirdly--or not thirdly. I don't know
20 what number I'm up to at this point. But the leaks.
21 We are requesting a comprehensive study, and
22 remediation of the leaks before the plant can be
23 relicensed. A normal business, whether it be a dry
24 cleaners, or whether it be a gas station, if it leaked
25 into the ground, it would be closed until it was fully
26 remediated.

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

11 MR. BARKLEY: Susan, can you wrap up your
12 remarks.

13 MS. SHAPIRO: I'm getting there.

14 MR. BARKLEY: Okay.

15 MS. SHAPIRO: We also ask that in the
16 environmental impact statement a full, complete,
17 comprehensive study of the decommissioning fund be
18 evaluated. Currently, the decommissioning fund is not
19 keeping up with the cost-of-living increase and it has
20 not been reevaluated for the ongoing leaks.

21 At one of our last meetings here, we were
22 told that the only way that they were going to be able
23 to get the radioactive waste, the strontium and the
24 tritium out of the bedrock was to chisel it out,
25 because they couldn't blast it out and they certainly
26 couldn't dig it out. So we need to know the

1 comprehensive costs and whether there is actually
2 enough money in the decommissioning fund.

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

7 MR. BARKLEY: Susan--

8 MS. SHAPIRO: And finally,--

9 MR. BARKLEY: Okay.

10 MS. SHAPIRO: --we need a comprehensive
11 study on the health effects of Indian Point.

12 Currently today, since 2000, the thyroid cancer rates
13 in the areas surrounding Indian Point is 70 percent
14 higher than the rest of the United States.

15 I'm a resident of Rockland County.
16 Rockland County is directly across from Indian Point.
17 We are only allowed, by law, to get our drinking water
18 from within the county. So our water supplier is
19 looking into desalinating the river. We're downriver
20 from Indian Point and directly across. I am--the
21 people of my county are very concerned. For another
22 20 years, this plant will be leaking radioactive waste
23 into the river, that we will be drinking and bathing
24 in.

25 That's unacceptable and a comprehensive
26 study must be included in the EIS.

1 And finally, I want to talk just briefly
2 about renewables. Renewables must--

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

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

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

8 MS. DUKES: My name is Hazel Dukes. I'm
9 president of New York State NAACP branches across this
10 great state. The NAACP is a national preeminent
11 social justice organization working to make our
12 country and our state a better place for all Americas
13 to live and work, and the capacity--I have the unique
14 opportunity and pleasure to work with Entergy on the
15 front line, as if it were New York and in fact across
16 the country.

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

22 The Dow-Jones substantial index, which
23 measures not only exceptional financial results but
24 also environmental, and social responsibilities,
25 Fortune 500 companies have recognized Entergy as the
26 only U.S. utility company to be included in their

1 index for the sixth running year.

2 Let me get to the question that you wanted
3 to talk about today. In the discussion of global
4 climate change, and the quality of air that we
5 breathe, some environmentalists have come forward to
6 highlight the importance of nuclear power as a free
7 source of electricity. I know that in black and brown
8 communities across the country, our senior and young
9 people are choking to death on the fumes of pollution
10 and suffer from high rates of asthma and respiratory
11 illness.

12 According to the study of the Black
13 Leadership Forum, An Air of Injustice, African American
14 and Power Plant Pollution, the air in our communities
15 violate air quality standards. 71 percent of African
16 Americans live in counties that violate federal air
17 pollution standards, and our death rate from asthma is
18 twice that of other Americans. 38.7 deaths per
19 million population.

20 The study further states global warming
21 could enhance ozone formation, which could, in turn,
22 increase health problems such as asthma attacks. For
23 that reason, social justice organizations such as the
24 NAACP have a special interest in working to combat
25 climate change and reduce air pollution.

26 In that framework, as Congressman Greg

1 Meeks of New York, Senator Crystal ... and others have
2 pointed out, nuclear power must be a part of the clean
3 air and global warming solutions. We, at New York
4 State Conference, recognize that Indian Point nuclear
5 power plant avoids millions of tons of pollution every
6 year, It provides electricity for our schools, mass
7 transit, hospitals and government institutions.

8 We are proud to be a partner with Entergy,
9 and look forward, and this is why today I come and ask
10 that when you look at all the points that you hear
11 today, that you look at what is realistic for our
12 communities, not just people of color, but for all
13 Americans in relicensing nuclear power.

14 MR. BARKLEY: All right. Our next three
15 speakers are first, Michelle Lee of the Council of
16 Intelligent Energy and Conservation Policy, followed
17 by Sherwood Martinelli of FUSE and the Nuclear Green
18 Butterfly, and finally, Ron Carpino of Entergy.

19 MR. RAKOVAN: And I'd like to thank
20 everyone who is sitting, listening to the speakers,
21 for, you know, keeping your side conversations to a
22 minimum and keeping just general noise level down. I
23 think it's great because I think we can really hear
24 what the speaker's trying to say and you guys are
25 really giving the floor to them. So I just wanted to
26 say thank you for that.

1 MS. LEE: Michelle Lee, Council on
2 Intelligent Energy and Conservation Policy.

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

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

11 But the real problem is not the financial
12 interest of Entergy employees, and other groups that
13 may depend on its financial largesse. The real
14 problem is that the NRC is in bed with them. It is
15 not a real regulator in any sense of the word, and for
16 my money, that is why I left my law practice,
17 representing large corporations, 20 years, so I'm
18 fully aware of how large corporations and the profit
19 motive work.

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

26 The NRC has made out of scope, I would say

1 about 70 percent of what any logical person would say
2 should be looked at, and some of these points have
3 been brought up earlier, such as a change in
4 population, the roadway structure, the inability of
5 people to evacuate, the risk of terrorism after 9/11,
6 and so on, and so forth. All these have been gone on
7 and deliberate, ad nauseam.

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

12 This is a fiction. Unless you define the
13 word "considered" meaning acknowledge a problem, shrug
14 your shoulders, and then proceed to ignore it, the NRC
15 has not considered population, has not considered the
16 risk of terrorism, has not considered the complete
17 operability and ineffectiveness of any emergency plan
18 in an area where you have 300,000 people within 10
19 miles, on a roadway structure that's about 50 years
20 old, that was built at a time when this was
21 essentially an ex-urban community.

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

1 Indian Point.

2 I have been an observer at every single,
3 quote, terrorist drill, since 2001. Okay. Those
4 drills are effectively protocol plans that do not
5 prove anybody would survive anything. They've never
6 done a real drill. They have never done any kind of
7 evacuation scenario, and they have never even been
8 willing to define what they mean by reasonable
9 assurance, other than by simply regurgitating the
10 different citations of their regulations, and saying
11 we consider it reasonable assurance because in our
12 opinion it's reasonable.

13 In fact, Nita Lowey tried, some years ago,
14 to get them to define it, and they would not do so.
15 I took and I asked, some years back, at another
16 hearing, how would define "reasonable assurance" in a
17 worst case scenario, or even a large accident
18 scenario, in terms of dead, in terms of people who
19 will not live more than a year or two after the
20 accident. What kind of numbers are you coming up
21 with? And they refused to answer.

22 The NRC would not answer that question.
23 FEMA would not answer that question. Indeed, there's,
24 to my knowledge, not been any analysis, and I would
25 request, very strongly, that such an analysis must be
26 done if the NRC is going to have any credibility in

1 saying that this plant should continue operation for
2 another 20 years. Thank you.

3 MR. BARKLEY: Sherwood. I don't know
4 where Sherwood went to.

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

7 MR. BARKLEY: Okay. Ron Carpino.

8 MR. CARPINO: Hello, everyone. My name is
9 Ron Carpino. I live in Peekskill, about three miles
10 away from here, and I am a licensed senior reactor
11 operator. I am licensed to be senior reactor
12 operation to protect the general health and safety of
13 the general public. So what does that mean?

14 That means, although I do get paid by
15 Entergy, no denying that, that means I'm held to a
16 higher standard, that if I make an incorrect decision,
17 I can be personally held liable through fines or
18 imprisonment. So I'd like you to keep that in mind
19 with what else I have to say today.

20 The facility is operated safely, be it
21 nuclear safety, radiological safety, personnel safety,
22 and in this case, environmental safety. I've been at
23 Indian Point for about 17 years, and over the years
24 I've heard many, many comments from many individuals,
25 everything from hey, the place can blow up like a
26 nuclear bomb, or as I heard earlier, before, a billion

1 fish are killed annually at Indian Point.

2 Generally, what I hear from people are
3 statistics, and you've got to be careful about
4 statistics, cause statistics can be fragmented facts
5 quoted out of context.

6 Like, for example, everybody knows that
7 the reactors run with a nuclear fuel. However, the
8 nuclear fuel that the reactors run with do not contain
9 enough fissile material to detonate like a nuclear
10 weapon.

11 And also I heard that, you know, when we
12 heard about the billion fish that are killed every
13 year at Indian Point, I can't speak to that number one
14 billion, but I can remind everyone that we heard that
15 that includes fish eggs. So that brings a question.
16 Does that mean fishermen kill trillions of fish a year
17 on the Hudson? Just something to keep in mind. Be
18 careful of those statistics. They are very dangerous.

19 So not only am I cautioning people to use
20 judgment when they hear something, or when they
21 believe they know something. But I'm also cautioning
22 people to come and investigate it.

23 The plant is open for public tours, and
24 I've not only given a couple myself, but we have a
25 communications department that will be more than happy
26 to give a tour. You could even go and talk to a senior

1 reactor operation such as myself. There's only about
2 45 of us at the plant, and we know the facility very,
3 very well.

4 You know, you can come and see that the
5 spent fuel pools, for yourself, with your own eyes,
6 are not only quite hardened but definitely resilient.
7 So I'd like to thank you for listening to me at this
8 time, and remind everybody again, please be careful
9 with statistics and actually investigate the full
10 facts and get the full statement. I would be more
11 than happy to give a personal tour and answer any
12 questions somebody has. As long as you want to sit
13 down and communicate openly, I'd be more than happy to
14 do so.

15 Once again, my name is Ron Carpino and I
16 can be available for any questions, or give you my
17 personal cell phone number, so I can arrange, help
18 arrange a tour for you. Thank you.

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

23 Back when Indian Point was originally
24 licensed to operate, certain problems, or as the NRC
25 calls them, commitments were made as a part of the
26 license agreement.

1 One of those was the IP2 and IP3 reactors
2 would go to a closed cooling system. Some 30 plus
3 years later, even after a decisive court defeat, the
4 current licensees are trying to skip out on that
5 commitment. Secondly, in the original license
6 agreement, 80 acres of the 235 acre Indian Point site
7 were to be changed into a beautiful woodland park
8 complete with walking paths that would be used and
9 enjoyed by the surrounding community. Again, that
10 commitment was not and has not been kept.

11 In every license renewal that has been
12 granted so far, the NRC and the licensee, as a part of
13 the license extension agreement, agreed to a set of
14 commitments that the licensee will take care of before
15 the term of the license renewal begins. Problem is,
16 most of those commitments made, usually as a part of
17 the EIS, are reneged upon, never kept.

18 There is documented proof of this already
19 happening as early license renewal applicants prepare
20 to file letters to be submitted to the NRC, seeking
21 relief from the very commitments contained in the
22 license renewal that was granted.

23 This reason, more than any other, is why
24 it becomes so important to define what is or should be
25 within the scope of the EIS. In 10 CFR 54.4 scope,
26 we are told what is or is not allowed to be in scope.

1 However, as the 9th District court case showed, there
2 is a difference of opinion into what is or is not
3 within scope, what is or is not to be considered in
4 the NRC environmental impact statement.

5 The tragic events of 9/11, the ruthless
6 attack of our twin towers, remind each of us that
7 there is a very real chance of a terrorist attack on
8 Indian Point.

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

13 Depending on the method of attack, and the
14 components attacked, those environmental costs will
15 vary greatly, and each and every one must be evaluated
16 as a part of the EIS.

17 Further, 10 CFR 54 has a very important
18 caveat in deciding what is or is not to be included
19 within scope in a license renewal process, and thus
20 within the EIS. It reads, in 10 CFR 54, the following
21 excerpted sections.

22 A. Plant system, structures and
23 components within the scope of this part are: 1.
24 safety-related systems, structures and components,
25 which are those relied upon to remain functional
26 during and following design basis events as defined in

1 10 CFR 50.49(b)(1), to ensure the following functions.

2 (i). The integrity of the reactor coolant
3 pressure boundary;

4 (ii) The capability to shut down the
5 reactor and maintain it in a safe shutdown condition,
6 or

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

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

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

25 The basic premise relied upon here is
26 ALARA, or As Low As Reasonably Attainable. Keeping an

1 eye on leaks is not fixing leaks and thus, the
2 licensee fails in this task.

3 Further, any component that could
4 reasonable be expected to impinge on the ability of
5 the licensee to conduct this test has to be within
6 scope.

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

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

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

1 Perhaps then, Entergy would like to
2 discuss with the NRC their deliberate omission of the
3 fact they have already ordered and are planning
4 replacement of the reactor vessel heads for both IP2
5 and IP3.

6 It is pointed out here, that the NRC takes
7 deliberate omissions and falsehoods in communications
8 with the NRC by their licensees very seriously.

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

16 Knowing that others here tonight will
17 address some of these more commonly known issues of
18 concern, I am going to be more specific.

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

23 Indian Point's aging management plan for
24 this important issue fails to adequately address, as
25 one example valve packing and valve body-to-bonnet
26 gaskets. The fact that IP2 and IP3 are already

1 working on the engineering difficulties involved in a
2 complicated and dangerous reactor vessel head
3 replacement shows this is a significant issue and that
4 the result of accident release into the environment
5 from reactor vessel head failure must be included in
6 the EIS.

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

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

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

19 Three--

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

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

24 3. There are serious environmental and
25 safety concerns related to Indian Point's inadequate
26 aging management plans for their fuel rod control

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

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

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

13 MR. BARKLEY: We have seven speakers left.

14 MR. RAKOVAN: Excellent.

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

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

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

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

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
26 little.

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

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

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

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

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

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

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

22 You see, because in Brooklyn, and any
23 community that you will want to name, there are always
24 hard decisions to be made. One of those hard
25 decisions that has to be made in the coming year has
26 been presented, most eloquently, by others who have

1 stood in front of you. What I am asking is that you
2 consider in this process, the impact of the closure on
3 communities in Brooklyn, in Queens, in Jersey, and all
4 the counties of New York.

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

14 If you are against this licensing, then
15 here, please use my phone. Thank you for your time,
16 your attention, and your patience.

17 MR. RAKOVAN: Rich, can you remind us
18 who's next.

19 MR. BARKLEY: Bill Mooney.

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

22 MR. BARKLEY: Okay. Ulrich Witte.

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

25 MR. BARKLEY: While Ulrich is taking the
26 podium, I would like to mention that there's a lot of

1 strongly-held opinions on this subject, pro and con.
2 I've asked people to be respectful of those opinions
3 and not harass individual speakers.

4 We had an incident out in the backroom,
5 that I bring this up, and just want to remind people
6 to please be respectful of other individuals. Thank
7 you.

8 MR. RAKOVAN: Thanks, Rich.

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

16 I, at one point, was known in the business
17 as someone you hired to get yourself off the NRC's
18 watch list. Amongst the plants that I've worked for,
19 include things like Millstone, Rancho Seco, before
20 they were shut down. I helped them get relicensed.
21 Oh, gee. I forgot about one. Indian Point Unit 3.
22 James Fitzpatrick. I helped both plants, while I
23 worked for the New York Power authority, as the
24 manager for configuration management programs, to get
25 off the watch list, which we did back in the nineties.

26 But I want to say something. Ulrich Witte

1 is a German name, and it's like Robert and Bobby. My
2 nickname is Ulie, and if you were in the Navy, Ulie is
3 a problem that just won't go away. So here I am.

4 And I'm going to raise two issues. One,
5 I'm going to ask that this goes on the record. That
6 is, just exactly what general design criteria is Unit
7 2 licensed to? Tell us, for the world, what your
8 licensing basis is, because in order for you to renew
9 this plant, to get a so-called extended license, you
10 need to know what you've got.

11 Okay. That's question one. And I'm going
12 to repeat it. Why is the NRC superseding to a new
13 license under a trade guidance document, such as NEI
14 95-10, Rev 6, or their own new reg 1800, or new reg
15 1801, Rev 1, instead of 10 CFR 54?

16 The latter is law, and the former is
17 guidance from trade organizations. Why are we doing
18 business like that?

19 I want to endorse the AG, Charlie
20 Donaldson's comments. We need to know this business.
21 It has to be a transparent business, and I ask again,
22 Why is the NRC working towards trade documents instead
23 of law. That's the first question. Okay.

24 And the second question is tell us what
25 your general design basis is.

26 That's my short--I think I saved you some

1 time. That's it. Thank you very much.

2 MR. BARKLEY: Okay. Our next three
3 speakers. Tom Hallsel [ph], who's a private citizen,
4 Susan Peale, a citizen of Cold Spring, and Bill
5 Maulmeister of Entergy.

6 MR. HALSALL: Good afternoon, everybody.
7 My name is Tom Hallsel. I'm a citizen, an American,
8 living in Croton-on-Hudson, and I have no organization
9 or affiliations.

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

19 So I'd like to enter into the record this,
20 what I feel is a very important editorial from the New
21 York Observer, and I think it really represents the
22 feelings of many people who live in this community.

23 The title is, "Indian Point: A Scary
24 Comedy of Errors." Six years after the attacks of
25 September 11th, New York City and its suburbs remain
26 vulnerable to an even worse nightmare. A well-planned

1 assault on the Indian Point nuclear plant in the
2 Hudson Valley, just 35 miles north of midtown
3 Manhattan.

4 It's bad enough that this unnecessary and
5 outdated facility remains open. Even more outrageous
6 is the apparent inability of its owners, the \$10
7 billion New Orleans-based Entergy Nuclear Northeast,
8 to meet federal guidelines for the installation of an
9 emergency warning system.

10 Again the question must be asked, why is
11 this time bomb still ticking? The latest news from
12 the Hudson Valley is almost comical. An inspector
13 from the federal Nuclear Regulatory Commission found
14 a security guard asleep on the job at 2:00 o'clock in
15 the afternoon.

16 Shortly after this fiasco, the NRC
17 threatened Entergy with fines because Indian Point's
18 warning sirens were not operating properly, despite an
19 order from the Feds to get the system in working
20 order. Thankfully, the NRC refused to grant Entergy
21 an extension.

22 Nobody has to tell the city and its
23 suburbs about the post 9/11 world. We know all about
24 it because that dangerous era was born here. We saw,
25 firsthand, the bloody work of America's enemies.
26 Nobody who lived through that day, nobody who has

1 grieved ever since, can deny any possibility, however
2 terrible. A 2004 study concluded that a terrorist
3 attack on Indian Point could kill 44,000 people
4 immediately, cost the U.S. economy 2.1 trillion, and
5 cause the long-term cancer deaths of half a million
6 people.

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

11 Recent arrests of terror suspects in the
12 United Kingdom and Germany remind us that the enemy we
13 face is global, it is active, and it remains intent on
14 causing mass destruction.

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

18 In that context, the presence of a nuclear
19 plant so close to Manhattan is intolerable. It is a
20 threat not only to the city but to some 20 million
21 people in the immediate tristate region. In the awful
22 calculations of our terrorist enemies, an attack on
23 Indian Point would deliver the "most bang for the
24 buck," and don't think for a minute they don't know
25 that plans for the U.S. nuclear plants were found in
26 Al Qaeda caves during the 2001 invasion of

1 Afghanistan.

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

10 Thank you for giving me this opportunity
11 to read this into the record.

12 MR. BARKLEY: Can we have our next
13 speaker, Susan Speel. Peal. Sorry.

14 MS. PEEHL: Hi. My name is Susan Peale,
15 not Speel, and I'm a resident of Philipstown, New
16 York. I live in Cold Spring, in the village of Cold
17 Spring, and I got up here to speak about safety.

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

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

25 Just going over the list for a second,
26 what about your community should the NRC focus on in

1 EIS?

2 I'm imagining EIS as environmental impact
3 statement. EIS. So environment. To me, in one of
4 the most densely-populated environments in the United
5 States, to not consider the safety of the people,
6 along with the fish, I think is a severe oversight.
7 When it says, What local environmental aspects should
8 the NRC examine?, public sentiment should be one,
9 public health should be another, public stress factor
10 should be another.

11 What reasonable alternatives are
12 appropriate for the area? I was told, quite a bit
13 ago, that the area that Indian Point actually
14 services, has nothing to do with Cold Spring, although
15 we hold the burden of the risk within the ten mile
16 radius. So I think that should be broken out.

17 Why should we be held responsible and hold
18 that risk on our shoulders for energy that we're not
19 even getting?

20 So when we ask about what are reasonable
21 alternatives appropriate for the area, are we talking
22 about the area of Cold Spring? Or are we talking
23 about the area of the Greater New York Metropolitan
24 Region?

25 And then finally, I just want to say--
26 actually, there are two finallys. Somebody else tried

1 to do this.

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

10 And we just imagined, what would this be
11 like, given humanity, who, somebody would drive up on
12 the sidewalk, somebody else would try and overtake
13 them, and, you know, it'd just be--it would be insane.
14 That's one thing.

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

20 I was flying out from New York to a
21 destination, and this was several years ago, and the
22 man sitting next to me and I struck up a conversation,
23 and in it he told me he was just coming back from
24 Buchanan, New York. He had been a--he was in the
25 nuclear industry, and, you know, it's idle talk. I
26 said what kind of thing do you do?

1 And he said I was called out to get a
2 plant back up before they sell it. This was before
3 Entergy bought the plant. And, you know, I said, oh,
4 what kind of things do you look at? And he said,
5 well, there are all these welds, and you have to x-ray
6 every one of the wells, you have to make sure the
7 reactor's working.

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

11 And then he went onto say, well, I don't
12 know if I'd feel too safe too soon, because he said he
13 was merely just--merely getting the plant up and
14 running, one particular reactor for a period of hours,
15 so that the sale could go through.

16 And there'd been a lot of trouble with
17 this particular reactor, and he just--that was his
18 mission. He wasn't supposed to make sure the plant
19 was safe, only that the reactor would work for the
20 sale, that anything beyond that would be the new
21 owner's responsibility.

22 So what I'd like to say is, in terms of
23 relicensing this plant, I wouldn't like to see it
24 relicensed. I wouldn't feel it safe with it
25 relicensed until some of these issues are addressed
26 that concern safety of the human population. Thank

1 you.

2 MR. BARKLEY: Okay. Bill Maulmeister of
3 Entergy.

4 MR. MAULMEISTER: I'm Bill Maulmeister.
5 I've been working at the plant for the better part of
6 30 years. I was actually a welding inspector for a
7 lotta years too.

8 And it was kind a interesting. A lotta
9 times you talk to people that used to work at a power
10 plant or something. Whatever he told you, it wasn't
11 true. That I can guarantee you, because I would go
12 get the boss and it would be over. It doesn't work
13 that way.

14 There's a lotta fear in the public. I
15 bring my children there. I hope when they're grown
16 that they work there. I won't be relying on the plant
17 for a paycheck when its relicensed cause I'll be
18 retired. I don't have a lot of financial gain to make
19 from that. But it's a safe place. I had no qualms
20 with my kids working there.

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

25 MR. BARKLEY: Okay. The final three
26 people I have signed up are Radmilla Miletich of

1 Independent Power Producers of New York, Laura Seitz
2 of CIP, and then finally, we'll recall Bill Mooney who
3 wasn't here earlier.

4 MS. MILETICH: Good afternoon. Thank you
5 for your attention and your patience. Some of the
6 points that I wanted to discuss today have been
7 covered by other speakers, so I'll summarize the
8 written statement that I've submitted.

9 My name is Radmilla Miletich and I am the
10 legislative and environmental policy director for the
11 Independent Power Producers of New York. Our
12 organization, IPPNY, represents the competitive power
13 supply industry in the state, including companies
14 involved in the development of electric generating
15 facilities, the generation, sale and marketing of
16 electric power, and the development of natural gas
17 facilities.

18 Our member companies generate almost 75
19 percent of New York's electricity, using a wide
20 variety of generating technologies and fuels,
21 including hydro, nuclear, wind, coal, oil, natural gas
22 and biomass. We represent the full spectrum of
23 technologies.

24 Our mission is to assist our member
25 companies in becoming the premier providers of
26 electricity in the state.

1 IPPNY firmly believes that Indian Point
2 nuclear facility is a positive asset for the state,
3 and we support the continued operation of Indian Point
4 as a critical component of the state's electric energy
5 supply system.

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

10 As New York's energy demand continues to
11 grow, so does the importance of facilities such as
12 Indian Point. In providing this source of energy,
13 Indian Point does not contribute to air emissions.
14 Continued reliance on nonemitting generating sources
15 such as nuclear power is an essential component of a
16 responsible strategy to avoid and reduce emissions
17 that lead to climate change.

18 Indeed, energy modeling that forms the
19 basis of the regional greenhouse gas initiatives, one
20 of the main projects that I work on at the Independent
21 Power Producers of New York, the modeling for this
22 program assumes that existing, nonemitting facilities
23 such as Indian Point continue to operate.

24 Clearly, nuclear energy from Indian Point
25 is essential to holding current emission levels
26 constant and keeping emissions low in the future.

1 Specifically, the continued operation of
2 this facility avoids emissions that would result
3 otherwise, and you've heard the numbers and
4 statistics, so I won't repeat them or get into them.
5 But essentially, it is the whole scope of emissions,
6 including carbon dioxide, sulfur dioxide, nitrogen
7 oxide, carbon monoxide, and volatile organic carbons.

8 Reliable electricity is critically
9 important to New York's future, and nuclear energy is
10 reliable, affordable, and it is an important component
11 of our state's diverse fuel mix. Indian Point should
12 continue to play a role in the state's energy plan,
13 now and into the future.

14 Without Indian Point's 2000 megawatts,
15 electricity costs would rise, and there would be
16 wholesale price spikes, and there would be impacts on
17 the reliability of your electricity service.

18 In addition to the importance of Indian
19 Point as an energy provider for the people of the
20 state, in an increasingly energy-starved area, the
21 area you live in in New York, the facility also is
22 significant for its economic impact and you've heard
23 some examples of that.

24 IPPNY believes that not relicensing this
25 facility is simply unworkable, and given the critical
26 electricity needs of the state in this area, and we

1 support the relicensing of the facility. Thank you
2 for your time and attention.

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

7 What is particularly striking is that the
8 issues that were raised then are the very ones that
9 are being raised now. Nothing has been solved or
10 resolved. We were concerned then about the
11 possibility of evacuation. We were concerned then
12 about the fact that there was no plan for dealing with
13 the waste that came out of this plant, still an
14 utterly unresolved problem, only it's now become worse
15 because the pools are filled with spent fuel rods.

16 We were concerned then with thermal
17 pollution. We still are concerned about the fish
18 kills in the Hudson.

19 And finally, we were concerned then--a
20 major issue was this was untested technology and
21 nobody really had any idea how these plants would
22 weather the years. How would the plant's pipes stand
23 up? Would they become embrittled? Would things wear
24 out that had never, in fact, ever been tested? From
25 my point of view--oh. And one more thing. It was
26 exactly the same conversation about the possibility of

1 alternatives. There weren't supposed to be any.

2 If the amount of money that has been
3 devoted to keeping these plants going, well, the rest
4 of the atomic energy business going for the last 30
5 years, had been in any way devoted towards
6 alternatives, I think we'd be very much further along
7 with the possibility of really viable alternatives.
8 But that wasn't done, any more than the evacuation
9 plan was ever changed, the waste problem was solved,
10 thermal pollution was solved, or the embrittlement of
11 the pipes was really addressed up to now.

12 I'm a firm believer in Murphy's Law. If
13 something bad can happen, it eventually will,
14 particularly when human beings are involved in it.
15 There have been a number of accidents. So far, they
16 have not caused a catastrophic catastrophe.

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

22 The same problems remain and they remain
23 unsolved.

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

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

6 MR. RAKOVAN: And if there is anyone else
7 in the crowd who wishes to speak, that hasn't had an
8 opportunity to do so yet, please make yourself known.

9 [No response]

10 MR. RAKOVAN: Okay. No one seems to be
11 getting my attention. So I believe that Ms. Rani
12 Framovich is going to say some words to close the
13 meeting today. Rani.

14 MS. FRANOVICH: Thank you, Lance. I'm
15 Rani Framovich. I am the chief of the branch of the
16 Nuclear Regulatory Commission Headquarters Office
17 that's responsible for the performance of the license
18 renewal review for Indian Point Units 2 and 3.

19 I want to thank you all for coming to this
20 meeting. This is an important part of our
21 environmental review process. It's important to us to
22 come out and talk with members of the public and get
23 their perspective of what it is that's important for
24 us to consider during the environmental review portion
25 of the license renewal review.

26 I wanted to respond, briefly, to a couple

1 of things I heard from speakers today, just to kind of
2 clarify some points that were made.

3 One point was made that our generic
4 environmental impact statement for license renewal is
5 outdated, and the NRC has not indicated when that will
6 be updated, and I just wanted to let the folks here
7 know that we're aware that there is a requirement in
8 our regulations that we review the information in the
9 generic environmental impact statement every ten
10 years, and update it, if necessary.

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

18 Another point that has been made is that
19 what you see reflected on this slide is the extent o
20 the NRC's review, and I can assure you that that is
21 not the case.

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

25 There's a safety review that's very
26 comprehensive and rigorous as well, that looks at

1 things like will the aging of the facility be managed
2 to ensure that it will continue to operate safely
3 during the period of extended operation.

4 So I just wanted to reassure members of
5 the public that this is not the extent of the license
6 renewal review.

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

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

21 We also will be considering contentions
22 for hearing, requests for hearing until November 30th.
23 That date was recently extended, in fact, just
24 yesterday.

25 You'll notice on your handout, that on
26 slide, I believe it's twelve, the date indicates

1 October 1st, but that is actually November 30th as of
2 yesterday.

3 One other thing I wanted to remind
4 everybody, that Lance mentioned at the beginning of
5 the meeting. There are NRC public meeting feedback
6 forms that were handed out at the registration desk.

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

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

18 [Whereupon, at 3:50 p.m, the meeting was
19 adjourned.]

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