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Public Scoping Meeting: Afternoon Session

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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

SHEARON HARRIS COMBINED LICENSE APPLICATION
PUBLIC SCOPING

TUESDAY, JUNE 10, 2008
12:30 - 3:00 AFTERNOON MEETING

HOLLY SPRINGS CULTURAL CENTER
300 WEST BALLENTINE STREET
HOLLY SPRINGS, NC 27540

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

2 (12:37

P.M.)

3 MR. CAMERON: Good afternoon everyone. My
4 name is Chip Cameron, and I work for the Executive
5 Director for Operation of the Nuclear Regulatory
6 Commission, the NRC. And we will try to not use many
7 acronyms today, but we will explain what they are. But
8 we will be using the NRC for Nuclear Regulatory
9 Commission.

10 I just want to welcome you all to today's
11 meeting. Our subject is going to be the NRC evaluation
12 process for the applications that we receive to build and
13 operate new nuclear reactors. And we've received an
14 application for Progress Energy to build and operate two
15 new reactors at the Shearon Harris site. And it is my
16 pleasure to serve as your facilitator for today's
17 meeting. And in that role, I will try to help all of you
18 to have a productive meeting today.

19 I just want to spend a couple minutes on some
20 meeting process issues. Namely the format for today's
21 meeting; and secondly, ground rules; and thirdly,
22 introduce you to the NRC staff who will be talking to you
23 briefly at today's meeting.

24 In terms of format, we are going to start off
25 with two brief NRC presentations to give you some

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1 background on what the NRC looks at when it evaluates one
2 of these applications for a new reactor. And most
3 importantly, you can participate in the NRC's evaluation
4 and review process.

5 After that, we are going to go out to you for
6 any questions you might have on the process. Before we
7 go to the most important focus of today's meeting, which
8 is an opportunity for us to listen to all of you, to any
9 comments, advice, recommendations that you might give us
10 on what the NRC should look at when it does its
11 environmental review on these applications.

12 And our focus today is really on the
13 environmental review part of the NRC's review, but we
14 will explain the whole review process to you, and if you
15 have questions on that, we will be glad to answer them.

16 The second part of the meeting, I am going to
17 ask people who have signed up to speak to come up here to
18 talk with us, and if you want to talk, please fill out a
19 yellow card. Although there are some people I know who
20 want to speak who haven't done so, but I have your name
21 on the list.

22 We wanted to meet with you in person today.
23 We are also taking written comments, and the NRC staff
24 will explain that process to you. But we wanted to be
25 here in person, and I just want to assure you that any

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1 comments that you give this afternoon will carry the same
2 weight as written comments. And we have Sandra Wise, who
3 is our court reporter, who is taking a record of the
4 proceeding. And that will be publicly available, all of
5 our records of today's meeting.

6 When you're giving comments today, the NRC
7 typically does not respond to any of those comments. We
8 are here to listen. We evaluate those comments when we
9 get back to headquarters, unless there is some new
10 information on a point that we think you might be
11 interested in, and we might offer that. But generally,
12 we will just be listening to all of you.

13 In terms of ground rules for the meeting,
14 it's very simple and meant to allow all of us to have a
15 productive meeting today. When we go out to you, I just
16 ask you to let the NRC staff, when they do the
17 presentations, let them get through their entire
18 presentation before we go for questions. And when we do
19 go for questions, if you have a question, just signal me
20 and I will bring you this cordless microphone, and if you
21 could just introduce yourself to us and ask your
22 question, and we will take it from there.

23 And when we get to -- at any part of the
24 meeting, I would just ask for only one person at a time
25 to talk so that we can give them our full attention, and

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1 also, so that Sandra can get a clean transcript, so she
2 will know who is talking at a particular time.

3 And we want to make sure that we hear from
4 everybody, so try to be as brief as possible. For the
5 comment part of the meeting, I am going to ask you to
6 follow a three to five minute guideline for your
7 comments. And I think that we have a little bit of
8 flexibility there, because I think we have enough time
9 for all of the commentator. But try to follow that
10 guideline.

11 If you want to amplify on your comments
12 today, you can send in a written comment. Even though
13 the comment period today is brief, it is very valuable to
14 the NRC because it alerts us right away to comments that
15 we should start thinking about and perhaps following up
16 right after this meeting with you, to make sure we
17 understand the full nature of your comments.

18 Finally, just extend courtesy to everybody.
19 You may hear opinions today that may differ from your
20 own, but just give respect to the person who is giving
21 that opinion, and I would thank you all for being here to
22 help the NRC with this important decision that the NRC
23 has to make.

24 Let me introduce our speakers to you.

25 First we are going to hear from William

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1 Burton, who goes by the nickname of Butch. And Butch is
2 the Chief of the Environmental Projects Branch in the
3 Division of Site and Environmental Reviews. This is in
4 our Office of New Reactors. Butch is going to tell us a
5 little bit about the NRC.

6 Then we are going to go for a presentation on
7 the environmental review process to Don Palmrose. Don is
8 the Project Manager on the Environmental Review on the
9 Shearon Harris license applications. He is in Butch's
10 branch in the Office of New Reactors.

11 Then we will go for questions, and then we
12 will take it from there. I am going to turn it over to
13 Butch at this point.

14 MR. BURTON: Thank you. Can everybody hear
15 me okay?

16 As Chip said, my name is Butch Burton.
17 William is my grand-daddy. I go by Butch. I am the
18 Branch Chief of the Environmental Projects Branch in the
19 Office of New Reactors. And as Chip said, it will be
20 the staff in that branch that will be overseeing the
21 review of the environmental portion of the
22 application, and putting together the Environmental
23 Impact Statement.

24 First off, I really want to welcome all of
25 you. It's hot. I thought it was hot in Washington. It

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1 doesn't compare to here. I really appreciate you
2 going through the heat and coming. As many of you know, the
3 NRC's primary mission is health and safety of the public,
4 and protection of the environment in the civilian use of
5 radioactive materials. And as part of that mission, we
6 are tasked with reviewing the application that Progress
7 Energy submitted to build and operate two new reactors at
8 the Harris site.

9 Chip has already explained pretty much how
10 things are going to go, so I won't go into that. Dr. Don
11 Palmrose, the lead Environmental Project Manager, he is
12 really going to be giving the bulk of the review. So
13 I'll leave most of that to him.

14 In Washington we have a clothing store and in
15 their commercials they say an educated consumer is our
16 best customer. And I think that really reflects what we
17 are hoping to complete here during this scoping period as
18 well as our discussion here tonight. We are hoping to
19 educate you a little bit about what we do, and why we do
20 it, and how we do it. And more importantly, we are here
21 to listen to you to get input to help us identify the
22 scope and depth of our environmental review.

23 We actually started our discussion with you
24 all back last year in September. We actually came down
25 for a public outreach meeting and that was our first

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1 opportunity to sort of introduce ourselves and let you
2 know what it was we were about to do. At that point the
3 application hadn't even come in yet. Just very quickly,
4 just a show of hands, of the people who were here in
5 September?

6 Okay, a few of you. Good. Much of what you
7 are going to hear in the first part of the presentation
8 is going to be very similar to what you heard back in
9 September. But what we said at that time was that we
10 would be back once we got the application and we actually
11 started our review. Here we are. That is why we are
12 here.

13 The purposes of the meeting. Four primary
14 purposes. The first and foremost is we are here to get
15 input from you all in terms of what the scope and depth
16 of our review ought to be. We don't live here. You all
17 do. You have a much better understanding of what the key
18 issues are. It is very important to the robustness of
19 our review that we reach out to you all and get that
20 input to help us with our review.

21 As I mentioned, we are also here to explain
22 what it is we do, what we do, why we do, how we do. Don
23 is going to discuss the proposed environmental schedule
24 for the review. And most importantly, we are going to
25 talk to you about how you can participate in this

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1 process, not only in terms of providing comments for the
2 environmental review, but we are also going
3 to be discussing some information about the hearing
4 process, and how you can apply to participate
5 in that.

6 Very briefly, these are folks who have an
7 important role to play in this process. I'm actually
8 going to start in the far column under license applicant.
9 Progress Energy back in February submitted an application
10 to build and operate two new units at Harris. They
11 submitted that. We have gone through the acceptance
12 review. We've docketed the application, and now we are
13 starting our more in-depth technical review.

14 Over on the other side, the NRC. As you can
15 see, there are several components within the agency. The
16 Commissioners are the ones who are going to make the
17 final decision as to whether or not a license should be
18 granted. And in the process, they take input from a
19 number of different sources.

20 First is the staff's review of both the
21 environmental portion and the safety portion of the
22 application. We have what is called the Atomic Safety
23 Licensing Board, which oversees hearings, once folks are
24 identified who are qualified to participate in the
25 hearings. And then there is the Advisory Committee on

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1 Reactor Safeguards.

2 Both the ASLB, Atomic Safety Licensing Board,
3 and the ACRS, Advisory Committee on Reactor Safeguards,
4 those are two independent bodies that report directly to
5 the commission. And basically the ACRS evaluates
6 primarily the safety portion of the review, to ensure
7 that the staff's work is robust and complete.

8 Finally in the middle, save the best for
9 last, are the other stakeholders in the process, which
10 are primarily you all, residents of the community, other
11 public interest groups who have an interest and issues
12 and concerns to ensure that nuclear power is in fact
13 done, completed safely, that we actually do our jobs.

14 There are other federal agencies that are
15 involved that we consult with. Fish and Wildlife,
16 several others, Environmental Protection Agencies, as
17 well as state, local, and tribal government officials,
18 all of whom may have a stake in this process. So we do
19 try to be very comprehensive in terms of reaching out to
20 all of the folks who have a stake in this process, and
21 make sure that their voices are heard and that their
22 input is considered in our review.

23 That's pretty much all I wanted to say in
24 this. I am going to turn it over to Dr. Palmrose who
25 will really give you a lot of the details.

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1 DR. PALMROSE: Thank you, Butch. As you
2 heard from Butch, Progress Energy is seeking a combined
3 license for two reactors. This combined license is a
4 combined construction permit and operating license with
5 the conditions issued by the NRC.

6 It's an NRC decision that authorizes the
7 applicant to construct and operate a nuclear power plant
8 at a specific site, in this case, the Shearon Harris
9 site, in accordance with federal law and regulations.
10 Progress Energy submitted the combined license
11 application on February 18, 2008 for two AP1000 reactors
12 to be built at the Shearon Harris site. They proposed
13 that these two new units, units 2 and 3, be built
14 adjacent to existing unit one.

15 There are a number of relevant laws and
16 regulations relating to the construction and operation of
17 a nuclear power plant. The primary law is the Atomic
18 Energy Act. And the key regulations are found in Title
19 Ten of the Code of Federal Regulations. The National
20 Environment Policy Act, known as NEPA also applies.

21 The NRC's environmental review of the
22 combined license also includes compliance with statutes
23 like the National Historic Preservation Act, Endangered
24 Species Act, Fish and Wildlife Coordination Act along
25 with other environmental laws and regulations.

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1 NRC regulations allow combined licensed
2 applications to reference what are called certified
3 designs. These are designs that the NRC have reviewed
4 generically and approved through a public rulemaking.

5 The AP1000 reactor design was previously
6 certified by the NRC through a rulemaking. The NRC is
7 currently reviewing a proposal to certify a modified
8 version of the AP1000 design, which again would be done
9 through rulemaking.

10 Progress Energy, like some other combined
11 license applicants, is interested in using this revised
12 AP1000 design and their combined license application
13 referenced this revised design in the event it receives
14 certification. As a result, the NRC's schedule for making
15 a final determination on this design rulemaking will
16 impact the schedule for reviewing the Shearon Harris
17 combined license.

18 So as shown on this slide, there are
19 three components to the staff review. The staff conducts
20 a site specific safety review of design as it would be
21 located at the Shearon Harris site, as well as an
22 analysis of the environmental impact using the design at
23 that site.

24 Meanwhile, the staff is generically reviewing
25 the modified AP1000 design to determine if it is

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1 appropriate for certification by rulemaking. The
2 rulemaking process includes separate specific opportunities
3 for public notice and comment.

4 In short, generic issues that are addressed
5 by the design certification that are not unique to siting
6 that design at the Shearon Harris site are reviewed
7 separately.

8 This slide provides an overview of the
9 combined license application review process. NRC reviews
10 the combined license application from an applicant. The
11 safety review and environment review are conducted in
12 parallel. The safety review follows the orange path
13 while the environmental review follows the green path.

14 The safety review complies with regulations
15 to ensure public health and safety. There is also a
16 separate hearing process that will factor in the results
17 of the environmental and safety reviews.

18 The final step of the combined license review
19 process is the commission's decision. Subsequent slides
20 will present the environmental review process in more
21 detail and discuss the hearing process.

22 Continuing with the safety review, this slide
23 outlines some of the areas of our site safety review.
24 These areas include the design of the facility. Again,
25 Progress Energy plans to use the AP1000 design.

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1 Site suitability. This describes how
2 environmental factors affect the plant design. Geologic,
3 seismic, hydraulic such as flooding, hurricanes, tornado
4 set et cetra.

5 Quality assurance, adequate physical
6 security. We conduct this review in consultation with
7 the Department of Homeland Security, Emergency
8 Preparedness. We conduct this review in consultation
9 with FEMA. Operator training, this ensures that the
10 operators for the potential new units are properly
11 trained to operate the units in a safe manner.

12 Manny Comar is our lead Safety Project
13 Manager, and he also is here to answer any safety review
14 process questions.

15 The primary purpose of this meeting is to go
16 over NRC's environmental review process and solicit your
17 comments. The NRC environmental review is guided by the
18 National Environmental Policy Act, again more commonly
19 known as NEPA.

20 NEPA requires federal agencies to use a
21 systematic approach to consider its environmental impact
22 during certain decision making proceedings. NEPA is a
23 disclosure tool which involves the public. To this end
24 NEPA requires the gathering of information during a
25 scoping period from you, the public, and evaluating that

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1 information to determine what potential environmental
2 impacts need to be addressed. Also in accordance with
3 NEPA, a document known as the Environmental Impact
4 Statement, or EIS, is required for any major federal
5 action that has potential to significantly affect the
6 quality of the human environment.

7 As you may be aware of, the U.S. Nuclear
8 Regulatory Commission has decided that issuing a combined
9 license for a new reactor is a major federal action. As
10 part of the NRC environmental review we plan to evaluate
11 the potential environmental impacts of construction and
12 operation of two new AP1000 units at the Shearon Harris
13 site. The NRC has established a systematic decision
14 making process to be applied during the environmental
15 review of combined license. The environmental standard
16 review plan, NUREG 1555, provides guidance to the NRC
17 staff on how to review the application and how to
18 document our findings in an Environmental Impact
19 Statement. During the environmental review we also
20 provide opportunities for the public involvement during
21 scoping periods, and also the comment period on the Draft
22 Environmental Impact Statement.

23 We will clearly document our environmental
24 findings in our Draft and Final Environmental Impact
25 Statement for the Shearon Harris project. And throughout

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1 this entire review, we will maintain an open and
2 transparent review process.

3 This slide represents in more detail the
4 environmental review process. For the first step, the
5 applicant, Progress Energy, submitted the environmental
6 report to the agency on February 18, 2008. Once the
7 application is submitted, the staff reviews it to ensure
8 that it meets our technical sufficiency guidelines so we
9 can make a decision on whether to proceed in our review.

10 For the next step, if the decision is made to
11 accept the application, the NRC issues a notice of
12 intent, notifies the public of the NRC's intentions to
13 develop an Environmental Impact Statement, and to conduct
14 a scoping process.

15 The notice of intent for the Shearon Harris
16 combined license was issued in the Federal Register on
17 May 22, 2008. That notice of intent initiates the
18 following step, namely the scoping process, during which
19 we identify what the scope of the environmental review
20 should be. This also initiates a public comment period,
21 where you can provide us with your written comments
22 through July 25, 2008. This public meeting is also part
23 of that process, and we will collect your comments here
24 today as part of the meeting transcript.

25 For the information gathering step, several

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1 actions occur. The NRC team will visit the site and the
2 site vicinity to begin its independent evaluation of the
3 information provided by the applicant to ensure that we
4 understand the representations made by the applicant, and
5 the technical basis for its positions.

6 The NRC team will also meet with other
7 organizations, local, state, and other federal agencies
8 to develop independent sources of information to ensure
9 that we have confidence in the accuracy and reliability
10 of the information that will be used in the NRC's
11 Environmental Impact Statement. For some issues we may
12 elect to do confirmatory analysis or calculations as part
13 of our independent evaluation. The NRC may formally seek
14 to obtain additional information from the applicant to
15 ensure that the record is completed.

16 Reflecting on the information that we obtain
17 as part of the audit and the comments that you share
18 during the scoping process, the NRC will then develop its
19 Draft Environmental Impact Statement. That document is
20 not a draft because it's an incomplete document, but
21 rather the staff has essentially completed its review,
22 and now we want to issue it, make it publicly available
23 to allow the public to weigh in on it, and to give us
24 comments as to what they think of the result of the
25 review, and whether we need to clarify anything in the

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1 document.

2 The last several steps move the Draft
3 Environmental Impact Statement to the Final Environmental
4 Impact Statement. The NRC will have another comment
5 period in the summer of 2009 time frame. And we'll come
6 back here and have another public meeting such as this
7 where we invite your comments after we explain to you the
8 results of our review. Once we evaluate your comments,
9 we may decide to modify the Draft Environmental Impact
10 Statement. When we complete that action, we will issue
11 the Environmental Impact Statement as a final document,
12 and that document will then be used as one of several
13 different inputs to the hearing process because our
14 regulations require a hearing for a new reactor
15 application. The final result of the combined license
16 process is a decision by the commission on the
17 application.

18 I want to use this slide to refocus us on why
19 we are here today. We have come to your community with
20 the hope that you will share with us those environmental
21 issues and values that you believe are important for us
22 to consider as we conduct our review. Since we do not
23 live in the community, you know this environmental
24 setting better than we do, and you may be aware of
25 environmental concerns that should be considered before

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1 the NRC completes its assessment. We are in the early
2 stages of the review, and if you elect to share your
3 insights related to the environmental issues with us,
4 then we believe it will improve our efforts. That is why
5 we are here today.

6 If you first want to reflect upon the
7 process we presented today, then you will still have the
8 opportunity to share your comments or provide additional
9 comments to us by July 25, 2008. In a later slide we
10 will list how you can send those comments to us after
11 today's record is closed. All comments received during
12 the scoping will be included in the scoping summary
13 report. This document will be available on the NRC
14 website. Comments applicable to the environmental review
15 will also be considered in our development of the Draft
16 Environmental Impact Statement.

17 This slide is to show that the staff gets its
18 information from a number of different sources.
19 Obviously we get the starting point from the combined
20 license application and from discussions that we have
21 with the applicant, Progress Energy. We are seeking
22 information from you at today's meeting and through the
23 remainder of the comment period. We will also talk with
24 some of your local, state, and federal officials to get
25 their input, including social service agencies.

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1 Again, the staff will be doing their own
2 independent environmental review, using the sources we have
3 available.

4 Once we complete the gathering of
5 information, this collection of information will be
6 evaluated and used to develop the Draft Environmental
7 Impact Statement. This slide shows you the review areas
8 where that information will be applied. We will be
9 considering a number of issues including the
10 environmental impacts of the proposed construction and
11 operation of the nuclear power plant here in the area.
12 We will also be considering alternatives to the proposed
13 actions, such as potential alternative sites, and what
14 those environmental impacts would be. We will also be
15 considering possible mitigation measures, which are
16 actions that can be done to decrease the environmental
17 impact of the construction and operation of the plant.

18 Knowing these are the review areas for the
19 Environmental Impact Statement, we hope you can provide
20 us comments for these specific subjects.

21 To prepare for the review, we have assembled
22 a team of NRC staff with backgrounds in scientific and
23 technical disciplines that are required to do this
24 review. In addition, we have contracted with Pacific
25 Northwest National Laboratory(PNNL)to assist us in this

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1 review. The NRC team along with the PNNL contractors is
2 comprised of recognized experts on a wide range of topics
3 related to environmental issues in nuclear power plants.

4 This slide gives you an idea of some of the
5 areas of interest we consider during our review. We'll be
6 considering ecological issues, public health issues,
7 social/economic issues, water use, and water quality
8 issues. These are some of the areas we'd like to hear
9 your comments on.

10 Again, you can submit your written comments
11 for the scoping process through July 25, 2008. We do
12 have copies of the Federal Register notice of intent to
13 prepare an Environmental Impact Statement, and conduct
14 the scoping on the table in the front lobby area. The
15 notice describes how you, the public, can submit your
16 scoping comments.

17 The next slide will also share this
18 information with you. Once the staff has completed the
19 Draft Environmental Impact Statement, the NRC will make
20 it publicly available to allow the public to provide
21 comments. The public will have 75 days to provide
22 comments on this Draft Environmental Impact Statement.
23 This again, in the summer of 2009 time frame, we will
24 have another public meeting to share the results of the
25 review and receive your public comments on this draft.

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1 Once we evaluate these comments, the agency expects to
2 issue the Final Environmental Impact Statement in May
3 2010.

4 The NRC website and specifically the Shearon
5 Harris project web page contains the current information
6 about the schedule of activities. If there is a schedule
7 change, it will be reflected on the project web page.
8 The specific project web page is listed on a later slide.
9 Next slide please. All oral comments received today will
10 be transcribed. Any written comments we receive today
11 will also be included in the scoping summary report. The
12 address to submit written comments by mail is noted on
13 this slide. We also made available an e-mail address
14 where you can also submit comments. That address is as
15 shown, Harris.COLEIS@nrc.gov. You also can submit your
16 comments in person in our Rockville office in Maryland.
17 This slide will be shown again at the end of the
18 presentation for your convenience.

19 The hearing process offers another
20 opportunity to have public involvement. The public has
21 60 days from the publishing of the hearing notice to
22 petition to intervene in the hearing. This notice was
23 published on June 4, 2008 for a petition deadline of
24 August 4, 2008. Anyone who wishes to file a petition to
25 intervene should give the hearing notice close attention,

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1 because it contains important information related to
2 intervention. Please note that in order to file a
3 petition to intervene, you must obtain a digital
4 certificate in advance or waiver from the digital
5 certificate requirement. Instructions for e-filing are
6 in the hearing notice and on the website shown on this
7 slide. It's important not to wait until the last week of
8 the notice period because it may take up to ten days to
9 receive the digital certificate.

10 I would like to take this time to recap some
11 very important public involvement information. Once
12 more, the environmental review process is beginning, and
13 the public comment period for scoping will end on July
14 25, 2008. Once more, you can participate in the scoping
15 meeting and at the meeting on the Draft EIS. The NRC web
16 page for Shearon Harris project can help you stay
17 informed on activities related to the project, such as
18 access to the Draft and Final Environmental Impact
19 Statements that discuss our review results. Again, the
20 opportunity for leave to intervene in the hearing process
21 closes on August 4, 2008. Please note you must receive a
22 digital certificate approval before you file petition to
23 intervene. The hearing covers both safety and
24 environmental issues. To obtain more information you can
25 visit the web page listed here.

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1 Here are the NRC points of contact for the
2 Shearon Harris combined license application. In addition
3 to myself, I have given you the name and number of Manny
4 Comar, who is our lead Safety Project Manager. Manny has
5 the responsibility for the overall coordination of the
6 project as well as the safety review. The application
7 can be viewed on the internet at our electronic reading
8 room at the NRC's website, which is nrc.gov. The Eva H.
9 Perry Library, the West Regional Library, and the Holly
10 Springs Library have been kind enough to give us some
11 shelf space for the environmental report and later the
12 Draft and Final Environmental Impact Statement. If you
13 wish to be on our mailing list, make sure your name and
14 address is provided to one of our NRC staff at our
15 registration desk. This is one way of insuring that you
16 will be notified of upcoming meetings and insuring that
17 you'll get copies of the Draft and Final Environmental
18 Impact Statement.

19 Thank you for your attention, and that
20 concludes my presentation.

21 MR. CAMERON: Thank you very much, Don.
22 Thank you, Butch. We have a few minutes for questions
23 before we go to comments, and I knew it would be someone
24 in the far corner. Don and Butch covered a lot of
25 ground.

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1 Let me bring this up to you because we've got
2 to get you on the transcript. Just introduce yourself.

3 MS. BILLINGTON: My name is LeeAnn
4 Billington. I'm from the town of Fuquay-Varina. My
5 brief question is, when will the scoping summary report
6 be available on line?

7 MR. PALMROSE: The scoping report as
8 currently scheduled will be due out at the end of
9 November.

10 MR. CAMERON: And it will be available
11 online?

12 MR. PALMROSE: It will be posted online.

13 MR. CAMERON: Through the Harris.COLEIS?

14 MR. PALMROSE: Yes, through the Shearon
15 Harris project website.

16 MR. CAMERON: Anybody up here have a
17 question? Please introduce yourself.

18 MS. MCDOWELL: My name is Mary McDowell. I
19 live near Chapel Hill. My question is, can you tell us a
20 little bit more about what the NRC means by scoping and
21 what the rules are? In what ways does scoping limit what
22 is considered after the scoping is done?

23 MR. CAMERON: Okay. Don, do you want to --
24 or Bob Schaaf can take that for us. It may not be a
25 limitation as much as it is an opportunity for expansion.

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1 Bob?

2 MR. SCHAAF: My name is Bob Schaaf. I am a
3 Senior Project Manager in the Environmental Projects
4 Branch. Scoping is part of the environmental
5 review process required by NEPA. And the intent of the
6 scoping process is to assist agencies to focus their
7 review on those issues which are most important from the
8 environmental standpoint. So it's an opportunity to
9 identify issues that we need to pay particular attention
10 to. It is also an opportunity to identify issues that
11 are peripheral that do not -- are not expected to have a
12 substantial impact. So it's an opportunity to -- those
13 are still looked at, but maybe in less detail. It's a
14 way of defining the areas that need to be focused on in
15 the review. It is not an intent to limit the review.

16 MR. CAMERON: Maybe a good practical example
17 of that that you can just briefly address, Bob, is that
18 when the NRC prepares its Draft Environmental Impact
19 Statement, that will be done based its own experts and
20 the NRC staff and scoping comments. When that Draft EIS
21 is published for comment, a fair comment may be something
22 that has not been identified in scoping or in the Draft
23 EIS, and that would be considered by the agency. Is that
24 correct?

25 MR. SCHAAF: Hopefully if someone had a

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1 concern about a particular issue they would raise it in
2 scoping, during in the scoping process, and we would make
3 a determination as to how that would be addressed in the
4 review, and we would address it in the draft. So
5 hopefully, we would capture it as a result of that
6 scoping effort.

7 If somehow we miss the intent of the
8 commentator who provided a comment during scoping or if
9 someone considered another issue that did not come up in
10 scoping, then at the time we publish the draft, that is
11 an opportunity to identify issues or to come back and
12 say, well, you kind of missed the intent of the scoping
13 comment. But hopefully, if we get a comment in scoping,
14 then we do address it properly.

15 MR. CAMERON: Thank you, Bob. Let's go over
16 to this side.

17 MR. WARREN: I am Jim Warren, Executive
18 Director of NC Warn. Clarify if you would -- this a
19 two-part question -- at the very end when you were
20 describing a hearing that was going to be held toward the
21 end of the process, clarifying, that is not an
22 evidentiary hearing with lawyers and experts; correct?
23 And that -- as -- if you would explain a little more
24 about how that evidentiary hearing comes about, because
25 my understanding is there is quite a high bar for our

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1 organization, or local governments, or anyone to even
2 obtain an evidentiary hearing.

3 The second part of the question is, you
4 described earlier the modification of the design that was
5 first certified three years ago. You didn't mention when
6 that process was going to be complete, and I am concerned
7 by the fact that you have -- Progress Energy has
8 submitted a license application that's some 8,000 pages
9 long. We are already reviewing that license application,
10 but Westinghouse is now in the 16th revision, or 17th
11 revision of the technical information. Has there been
12 any consideration for allowing additional time from that
13 60-day clock that is now ticking for people to interview
14 in this process? How do you expect us to formulate
15 contentions with a moving target that we don't even know
16 when that last modification is going to be completed?

17 MR. CAMERON: Thank you, Jim. Those are all
18 good questions, and I think I am going to turn to our
19 Office of General Counsel to talk about, first of all,
20 what type of hearing it is. Jim mentioned evidentiary
21 and attorneys, and if Sara -- we're going to go to Sara
22 Brock. If you could just explain a little bit about
23 that. Jim also mentioned -- he used the phrase high bar.
24 If you could just talk about what the requirements are
25 for getting into a hearing, including if there is any

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1 special mechanisms for governmental units to participate
2 in the hearing.

3 Finally, if you could address how issues that
4 come up after the close of the hearing, the invention
5 notice, such as it could be the design -- amending the
6 design. It could be the staff now has its Environmental
7 Impact Statement, if you could just address how people
8 could participate on those later issues. I'm going to
9 ask you to go up here. Thank you, Sara.

10 MS. BROCK: Sara Brock with the Office of the
11 General Counsel. The requirements for having an
12 evidentiary hearing is that any individual or
13 organization show standing in at least one admissible
14 contention.

15 Standing means that you have an interest that
16 is affected by the new reactor. It is not a particularly
17 difficult showing in a combined operating license
18 proceeding where there is so many issues that are
19 involved in that proceeding.

20 And an admissible contention simply shows
21 that you have a material dispute with the application
22 such that it makes a difference to our review, supported
23 by adequate expert availability. So I guess it's a
24 matter of opinion whether or not that is a high bar.

25 The hearing that Don was referencing, I

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1 believe it could be either one. Under the Atomic Energy
2 Act a combined operating license requires a hearing,
3 whether or not there is any contest to it. So it may or
4 may not be an evidentiary hearing. If there is no member
5 of the public who has intervened, then the form that that
6 hearing takes is largely at the discretion of the
7 commissioners, separate from the NRC staff. Was there
8 another ... Oh, the late --

9 MR. CAMERON: Before we go to that, just to
10 clarify, besides the mandatory hearing part where there
11 is no one intervenes, in terms of an organization like
12 Jim's who does get standing, comes in with a contention,
13 that is going to be -- I don't want to call it -- use the
14 word formal, but that is a --

15 MS. BROCK: Evidentiary hearing.

16 MR. CAMERON: It is an evidentiary hearing.
17 I'm sorry to interrupt you. Go to the design issue.

18 MS. BROCK: Thank you, Chip. The design
19 issue, to the extent that there is a revision to the
20 design which results in a revision to the Harris
21 application or that the staff closes the document, our
22 procedures allow for late filed contentions when there is
23 new information that comes from any source that wasn't
24 previously available, whether that is from a revision to
25 the application, whether that's from a staff document, or

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1 a new study that was done that hadn't been previously
2 available and the information hadn't been previously
3 available. We do have a provision for a late file
4 contention.

5 MR. WARREN: (speaking from audience without
6 microphone)... when that modification be certified?

7 MR. CAMERON: Okay, in other words, when do
8 we expect, and this is for the technical staff I think.
9 When do we expect the revision, I guess it is revision
10 16, to the AP1000? And Manny, just since you're here,
11 when is that going to be done? Can you talk about this?
12 This is Manny Comar.

13 MR. COMAR: I am Manny Comar. I do not
14 recall the exact date when the revision is going to be
15 complete or the exact documentation is going to be issued
16 for accepting the AP1000 design, but they have given us
17 an intention that they would also be coming up with the
18 REV 17, probably changes and modifications to the design.
19 We will be evaluating that when we get that.

20 MR. CAMERON: Can you give us an idea or
21 ball park on this?

22 MR. COMAR: I will be happy to get back to
23 you on that date. That's not something I remember off
24 the top of my head.

25 MR. WARREN: Best guess, is it going to be in

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1 2008?

2 MR. CAMERON: On 16, do we have any ball park
3 figures on 16, at least for when that will be done?

4 MR. COMAR: Yeah, I mean, I will be happy to
5 send you that information. I don't want to give you
6 anything that I just don't remember.

7 MR. CAMERON: Thanks Manny. Let's find out
8 if anybody else has a ball park. Butch.

9 MR. BURTON: I don't have the answer for you,
10 but I do want to use the opportunity as well as the
11 opportunity to respond to the young lady's question here.
12 One of the key messages that we want to leave with you
13 all, that the information is there and we really want to
14 encourage you to go to the NRC's website. We have
15 schedules developed for the Harris application as well as
16 the REV 16 review. All of that information is there. So
17 even if we are coming up short with some of the answers
18 to your specific questions tonight, we will certainly go
19 back and we will get back to you with the answer. But
20 many of these things you can see for yourself. So we
21 really encourage you to go look at the environmental
22 report. It is there.

23 Just as an example to piggy-back on what Sara
24 was saying, there may be information that is not in the
25 environmental report which we are looking at, now of

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1 course we are going to be doing the follow-up with the
2 community outreach as we proceed with the review, but for
3 instance, there may be -- in terms of water use and water
4 quality, there may be information you all are aware of
5 locally, maybe the water district has done some estimates
6 recently, and you know about that. It is important --
7 that is exactly the kind of feedback that we want to get.
8 But you won't know that unless you know what it is that
9 we have access to. And what we have access to, you can
10 find on the web page. So we strongly encourage you to go
11 to it, get familiar with it. If you have questions, call
12 Don, or Manny, or someone else on the staff and we can
13 help walk you through the website. But it is really
14 critical. Again, an educated consumer is our best
15 customer. So the more educated you are about the process
16 and the information, the better off we are going to be in
17 terms of our review.

18 MR. CAMERON: Thanks, Butch. Thanks, Sara.

19 While we are proceeding with the meeting today, if we can
20 find out what the date is forecast for revision 16, we
21 will found that out and we will --

22 MR. WARREN: And 17 too.

23 MR. CAMERON: Yeah, if we have that one.
24 We'll do that. Thank you.

25 Let's go to comments from all of you. And I

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1 know you're going to have to squeeze by people to come up
2 here, although maybe I can get this to you. We are going
3 to go first to Vinnie DeBenedetto. Sorry Vinnie. You're
4 going to have to do it. Then we'll go to Joe Byran and
5 Randy Voller

6 MR. DEBENEDETTO: On behalf of the Township
7 of Holly Springs, I just want to welcome you all here.
8 This is a beautiful facility. We enjoy it here in Holly
9 Springs, and this is an example of how a municipality and
10 the county can work together to produce a county library
11 and a cultural art center for Holly Springs that are
12 joined at the hip. So I just wanted to give you that
13 information. This is a relatively new facility. And I
14 want to thank the NRC for having this meeting in Holly
15 Springs.

16 My name is Vinnie DeBenedetto. I am a
17 councilman here in Holly Springs, the town closest to the
18 Harris Plant. I am here today to communicate the
19 following concerns as it pertains to the combined license
20 to operate two additional power plants on the existing
21 site. My comments will cover the following three areas:
22 adequate evacuation routes, a use of reclaimed water, and
23 the impact of raising Harris Lake 20 feet.

24 Since the original reactor was built on the
25 site the population within the ten mile radius of Holly

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1 Spring has increased well over 20 fold. The town of
2 Holly Springs now has six schools and a middle school on
3 the way. Many citizens are concerned that the roads in
4 and around the Harris facility are the same as when the
5 plant was first built. There is a fear among citizens
6 that should there be an emergency, the inadequate roads
7 will become grid-locked. The new schools that have been
8 built will be extremely vulnerable in their ability to
9 evacuate in a safe and timely manner. As the reviewing
10 authority for this application, I implore you to make
11 certain that old and antiquated routes and roadways be
12 brought up to acceptable standards.

13 That means that many roads need to be
14 widened, and adequate linkage to the proposed 540 toll
15 road be constructed. The citizens of Holly Springs do
16 not feel this road building and reconstruction is their
17 responsibility. I would expect that your report and
18 recommendations include caring for this critical part of
19 licensing the two new units.

20 Regarding the use of reclaimed water, it has
21 been discussed in various forums that the Harris Lake
22 would be required to be raised approximately 20 feet to
23 accommodate the cooling requirements for the additional
24 units. Providing such an additional volume of water,
25 especially in light of recent droughts, can be a

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1 challenge. Even with an additional height of 20 feet in
2 the Harris Lake, there could be circumstances that would
3 cause lake levels to get so low as to cause a plant
4 shutdown. I would want to see stated in this review
5 process the ability for Holly Springs and other
6 municipalities to discharge reclaimed water into Harris
7 Lake or some other means in order to take advantage of
8 maximizing cooling water capacity.

9 There might be other sources for water
10 cooling other than the Harris Lake. One such source
11 could be drilling wells to access ground water. I would
12 request the NRC to deny such request if indeed it is part
13 of the application. I wouldn't want to see surrounding
14 area ground water supplies be jeopardized.

15 As far as the impact of raising Harris Lake,
16 there are maps available that attempt to show the
17 pervasiveness of such a lake level height increase on the
18 surrounding land. This new level will undoubtedly cause
19 many roads, bridges, and Harris Park to essentially be
20 under water. Not only does this impact evacuation roads,
21 but also an amenity for county citizens, the amenity
22 being Harris Park itself. Our citizens need to be
23 assured that not only will adequate roads be built, but
24 also relocation of the Harris Park, so the tax payers
25 could enjoy much needed park land.

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1 Thank you very much.

2 MR. CAMERON: Thank you, Vinnie. Next we're
3 going to go to Joe Bryan, Wake County Commissioner.

4 MR. BRYAN: Good afternoon. My name is Joe
5 Bryan. I am chairman of the Wake County Board of
6 Commissioners. It's a pleasure to be here with you today
7 and further comment on what Vinnie had mentioned. This
8 is again an example of a joint partnership with the Town
9 of Holly Springs and Wake County. And much like those
10 partnerships that we see, we feel like Progress Energy
11 has also been a very good partner for Wake County and our
12 840,000 citizens.

13 I wanted to speak to infrastructure. In 2005
14 we formed a committee, a blue ribbon committee that will
15 look at core infrastructure needs in Wake County over the
16 next 25 years, because every day 107 people either move
17 to Wake County or are born here. That's 38,000 people a
18 year. When you look at Forbe's Magazine, whether it's
19 Raleigh, Cary, Holly Springs, they all constantly show up
20 as key communities where people want to move to for good
21 high paying jobs. So it's important for us to have that
22 core infrastructure in place; water and sewer, open
23 space, education, transportation. Along with that is
24 electricity. Electricity is a core infrastructure that
25 we need to have, not only for Wake County, but the rest

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1 of North Carolina and in the southeast. Along with being
2 good stewards and conserving, it also means generating
3 new capacity, which should include nuclear power plants.

4 Secondly, we've had this operate for over 20
5 years, safe, efficient, economic source of electricity
6 for our region, and have had very significant high paying
7 jobs currently as well as in the future, the jobs that
8 will be created from the building of plants, as well as
9 people that would be permanently employed there.

10 Wake County has set this year as building
11 human capital as our number one high priority goal. That
12 does include linking human services and all of those
13 functions to make sure again, not only those people that
14 are very fortunate, to kind of be a middle class express,
15 to make sure that we in fact are bringing everybody up
16 and everybody has an equal opportunity.

17 In my experience in dealing with, whether
18 it's Bill Johnson, the CEO, or Hilda Pinnix-Ragland, who
19 heads up our community college system, or Bill Cavanaugh
20 coming back and heading up our special transit advisory
21 committee, that these people and Fred Day that did the
22 blue ribbon committee, is that they are also giving back
23 to our community. That is very much appreciated.

24 Clearly, it is a significant tax base for our
25 community. It's frankly kind of nice to be on this side

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1 of the podium during budget season with so many issues,
2 and concerns, and needs out there, that we try to meet as
3 commissioners.

4 My point in being here is to say also that
5 Progress Energy has always been transparent, they have
6 been open. They have been a very good community partner,
7 and we look forward to working with them as we move
8 through this process for looking at the two new power
9 plants. Thank you.

10 MR. CAMERON: Thank you very much. We are
11 going to go to Randy Voller, who is the mayor of
12 Pittsburgh next. Is Randy here?

13 Butch and I are both from Pittsburgh,
14 Pennsylvania. We wondered why the mayor of Pittsburgh
15 was going to be here, but I guess Randy is not going to
16 be here. Oh, Pittsboro.

17 We are going to go next to Hilda
18 Pinnix-Ragland, and Hilda I realize you're sort of stuck
19 in the middle there. While Hilda is coming down, I will
20 just give you a preview of the next four speakers. We're
21 going to go to Eric Griffin, James Sauls, Bob Joyce and
22 then we're going to go to Jim Warren. This is Hilda.

23 MS. PINNIX-RAGLAND: Thank you and good
24 afternoon. I am Hilda Pinnix-Ragland, the vice-president
25 of Progress Energy for the northern region, and actually

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1 provide distribution services to the area we are talking
2 about right here at Harris. My purpose today is to
3 really provide you a brief summary of first why. Why we
4 need some new generation. Why we need the Harris
5 potential nuclear unit. And why we are applying for the
6 application.

7 First and foremost, I think actually Chairman
8 Bryan really mentioned it, we have growth. And actually,
9 that's a good thing right know. When you think about the
10 other states around here, we have growth. Now the area
11 is growing over one hundred people moving in every day to
12 Wake County alone. In fact, we expect to actually
13 double. Can you imagine that doubling, the 500,000
14 customers we already serve, so another million really a
15 million customers in the next 30 years or by 2026? So
16 it's a lot.

17 With the growth we actually have larger
18 homes. We are actually using 50 percent more electricity
19 today than we did years ago. Progress Energy must be
20 ready, in fact we are obligated to serve. We must serve
21 the electricity that our citizens need, and we must
22 provide a safe, reliable, economic, and environmentally
23 sound energy source for you.

24 We recognize that we can't do it with one
25 source, so it's a balance solution approach. I call it

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1 the four prong. We really need to have enhanced energy
2 efficiency. We need investments in renewables. We need
3 investments in alternative energy technologies, and of
4 course we need to continue our state of the art power
5 plants.

6 Even with significant energy efficiency and
7 renewables, we still need additional base load
8 generation. We see that nuclear is a part of that,
9 because it is very low carbon. It's a key ingredient.

10 There are four reasons why we believe that
11 Harris is an ideal site. First, and it was touched on,
12 we have a sufficient water supply. Yes, we are talking
13 about raising the lake level 20 feet, and really adding
14 another four thousand acres of actually water supply to
15 the lake. That's the Harris Lake. We also have the Cape
16 Fear River. So we have a sufficient water supply. And I
17 must say, when we went through the drought, we did not
18 have a problem at all operating Harris.

19 We have the transmission capability already
20 on site. Land is an abundant. And I heard the
21 question about the park, and the good news is, we will
22 actually have another park. I was a part of the first
23 park.

24 The last is that the growth is right here
25 where we are talking about building potentially two new

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1 units, right here in the greater triangle area. So we
2 have that already intact. I mentioned the recent
3 drought. It is important that we plan, so we can avoid
4 an issue with the drought.

5 The other thing I would like to say is that
6 we have a proven track record. We have been in this
7 business for 36 years with several other nuclear plants,
8 and more than 20 right here at Harris. We have been
9 consistent with our application and running a great
10 nuclear plant. We have been recognized by our peers,
11 recognized by industry. In fact in 2006 we received the
12 Edison Electric Award, not only for operations, but for
13 customer satisfaction, for overall reliability, and for
14 environmental stewardship. We are very, very proud of
15 that.

16 As I close, I just want to say, we have some
17 outstanding employees. They are there. They are
18 committed each and every day, 24 hours a day, 24/7 and we
19 are very, very fortunate. And I will say that we are
20 confident that these reviews, and we appreciate the
21 feedback, will conclude that the licensing application is
22 sound, and it provides the needed options to serve the
23 energy for our community. Thank you.

24 MR. CAMERON: Thank you, Hilda. Eric
25 Griffin.

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1 MR. GRIFFIN: Hello everybody. My name is
2 Eric Griffin. I am the Emergency Management Director for
3 Lee County. I do thank the NRC for putting on that
4 comment period.

5 I am in favor of seeing the process of the
6 new reactors to continue, because there is clear need of
7 base line clean power generation in our area. Lee County
8 in the central region of North Carolina is growing
9 rapidly, very rapidly. And to me it is clear that this
10 base line capacity needs to be increased.

11 We in emergency management in Lee County have
12 had a very positive and responsive relationship with the
13 plant and corporate staff. I do ask that the developers
14 of the Environmental Impact Statement do consider all the
15 comments and questions offered this afternoon, especially
16 as it relates to water usage and downstream impacts. And
17 as well as any contingency plans for drought and other
18 response to that. However, I do trust that any impacts
19 that will be addressed during this scoping process will
20 be included in the impact statements. And I do look
21 forward to seeing this project with the new reactors go
22 through if the need still remains at the time of the
23 construction process. Thank you.

24 MR. CAMERON: Thank you, Eric. Is James
25 Sauls here. Okay. We are going to go to Bob Joyce and

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1 then Jim Warren.

2 MR. JOYCE: Thank you. I am Bob Joyce,
3 president of the Sanford Area Chamber of Commerce, an
4 organization of over 500 businesses, and we are pleased
5 to have the opportunity to speak at today's meeting
6 regarding the future of electric power generation and the
7 demand in central North Carolina. It's our position that
8 nuclear energy, operated safely and efficiently, is the
9 best option for reliable and affordable energy, which is
10 also clean, low carbon energy. Our community of Lee
11 County regards the Harris Plant as a good neighbor, a
12 long-term neighbor of over 20 years. In addition to
13 providing safe, efficient, and economical source of
14 electricity, the plant has provided jobs and economic
15 benefit to our area.

16 Following construction of the Harris Plant in
17 the late '80s, many of those involved in construction
18 remained in our community to raise their families and
19 start businesses. Serving more than half a million
20 residences and business, the Shearon Harris Plant and its
21 employees are an essential part of the community life of
22 central North Carolina.

23 With growth for our region of the state
24 projected to exceed 25,000 new homes and businesses
25 annually, it's crucial that the infrastructure which

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1 supports this growth be maintained and expanded to meet
2 demand. And as Chairman Bryan mentioned, just as roads,
3 schools, water and sewer are essential for development,
4 efficient and economical electricity serve as a magnet
5 for business development. By 2026 Lee County's
6 population is projected to grow to over 85,000 people,
7 according to our county statistician. And we are very
8 encouraged that Progress Energy is planning well into the
9 future for the growth that we believe is coming.

10 We also applaud the company for a
11 multifaceted approach to meet the demands of growth.
12 They stated course of action which stresses a
13 combination of energy efficiency, investment in renewable
14 and alternative energy technologies, and high tech power
15 plants, impresses us as thoughtful and well-reasoned, and
16 keeps options open for the future.

17 As mentioned previously, the Harris Plant
18 provides jobs, almost 450, plus an additional 200
19 contractors at various times. New jobs provided by an
20 expansion would be welcomed, especially as our area
21 continues to lose precious high-paying manufacturing
22 jobs.

23 Our research shows also that the plant
24 contributes about 125 million dollars in personal
25 property income, and over 30 million dollars in tax

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1 revenue to the surrounding communities. This represents
2 a significant portion of our local economy, for which we
3 are grateful.

4 In summary, we believe that the company has
5 demonstrated a serious concern for safety, a desire to
6 plan carefully, and a commitment to be a good neighbor.
7 We believe that they have earned the trust of the public
8 and deserve the opportunity to expand, and we strongly
9 believe that an expansion is in the best interest of the
10 continued prosperity of central North Carolina.

11 Thank you for the opportunity to address the
12 commission today in support of Progress Energy's combined
13 license application for the expansion of Harris site.

14 MR. CAMERON: Thank you for those comments.
15 We are next going to go to Jim Warren.

16 MR. WARREN: Hello. My name is Jim Warren.
17 I'm Executive Director of NC Warn, a watch dog
18 nonprofit based in Durham. I'd like to lead off with a
19 statement urging you elected officials and members of the
20 business community not to endorse this project sight
21 unseen. As we have talked earlier, it is an extremely
22 complicated and complex issue economically, technically,
23 and safety wise. And in a democratic society, we really
24 need our elected officials to provide scrutiny to these
25 types of projects, instead of simply endorsing projects

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1 like this, sight unseen. Just because Progress Energy
2 and it's public relations team say that it's economical,
3 affordable, safe. There are numerous examples of
4 problems with each of those categories. I'm not going to
5 get into all that today, but I do encourage you folks to
6 be looking at the information we brought today, some very
7 preliminary information. We have copies of it out here,
8 and to invite some of us to come and talk with you about
9 some of the balancing information.

10 Real quickly, the idea of affordable, if you
11 are following the news media, you know that nuclear cost
12 estimates have skyrocketed. They're some six times
13 higher -- five to six times higher than they were just a
14 few years ago. I would encourage you elected officials
15 to answer the question, are you willing to be the ones to
16 endorse massive, billions of dollars of subsidies -- at
17 the federal, state, and local level too, because they are
18 going to come to you there too -- subsidies for these
19 plants? Or will you endorse a free market solution to
20 our energy challenges?

21 There are numerous reasons that Progress
22 Energy and Duke Energy insisted that our legislature,
23 last summer, transfer the risk for new nuclear power
24 plants to the rate payers. The main reason is, they are
25 very concerned, they realize that projects, if they get

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1 them started, they could fail in midstream for a number
2 of reasons.

3 We all know nuclear power plants are
4 vulnerable and potential targets for sabotage or
5 terrorism, and due to industry cost cutting pressures,
6 the NRC in January of '07 decided not to require plant
7 owners to defend against various air attacks or more than
8 a handful of attackers by ground.

9 The industry also has insisted that the
10 public, the taxpayers insure new reactors. So that when
11 they tell us that the new designs are safer than ever,
12 you have to see that that really is countered by what
13 they're actually doing in Congress.

14 The nuclear waste itself, the high level
15 nuclear waste, the spent fuel that they call it at
16 Shearon Harris, it's a permanent risk factor in my
17 opinion. I mean, it's very likely that the Yucca
18 Mountain project in the west will never open. Even if it
19 does, Harris will be storing high level nuclear waste in
20 these high density cooling pools, which the National
21 Academy of Sciences in 2005 confirmed is the most
22 dangerous way possible to store this waste. The safer
23 way to do it, they didn't want to spend the money. By
24 the way, I have a lot of confidence in a lot of the
25 workers and people that work for Progress Energy too.

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1 But I'm concerned about the management that really
2 prioritize this cost cutting.

3 One question that I have, and I don't know if
4 Progress Energy is willing to answer questions today, but
5 one thing that I'm concerned about is that I have seen in
6 early review of this thousands of pages of application,
7 that it appears that Progress Energy, at least based on
8 Westinghouse's design, intends to store the additional
9 nuclear waste, because they're proposing to build two
10 more pools. They've already got the largest cooling
11 pools in the nation right here at Shearon Harris. And it
12 appears that they intend to store the spent fuel from the
13 new reactors in high density in defiance of what the
14 National Academy of Sciences warned of in 2005. Maybe
15 Progress will answer that question for us today.

16 Winding down, I think that -- I'm extremely
17 concerned about the Nuclear Regulatory Commission. They
18 got a lot of good people here today from NRC, but
19 frankly, they don't do their job. The Inspector General
20 of the NRC, and it's on the back of our handout today,
21 has confirmed that NRC has not enforced fire safety
22 regulations at Harris and a number of other plants for 16
23 years. Fire is a leading risk factor for a nuclear
24 meltdown. And the Inspector General of the agency says
25 they are not doing their job.

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1 Finally, the most important thing is new
2 nuclear power plants are not needed. Yes, we all need --
3 we know the population is growing. But industry data
4 that we have brought forward, NC Warn, and it's going
5 to be a subject of a utilities commission hearing on July
6 1st. For those of you that really think that we really
7 have to risk billions of public dollars on new nuclear
8 plants, I encourage you to come and hear this evidentiary
9 hearing and debate. Because there is a large surplus of
10 electricity capacity in the southeast for many, many
11 years to come. And that does not even account for any
12 advances in energy efficiency. Progress is talking about
13 energy efficiency finally, after a few years. We need to
14 see them actually put some of that in practice. Because
15 they have very little of it. They've got more of it in
16 their PR and their image advertising than they have in
17 their formal documents before the utilities commission,
18 and that's what we need to be seeing. We are encouraging
19 a free market approach to our energy future, and I
20 encourage you folks to join that call. Thank you.

21 (Applause.)

22 MR. CAMERON: Thank you very much Jim. I'm
23 going to leave it up to Progress if they want to talk to
24 you about this issue after the meeting, or if we have
25 time, if there is any time they want to talk about it.

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1 MR. WARREN: Talk about it here now, I mean

2 --

3 MR. CAMERON: I think I want to go on and
4 make sure that we hear everybody's comments. Then we'll
5 figure that out. We are going to go to Mike Burriss, and
6 then Jane Smith, Mike Winters and I'm sorry, I don't know
7 the correct pronunciation of the last name from the card.
8 It looked like Bob Herts.

9 MR. BURRISS: Good afternoon. My name is Mike
10 Burriss. I'm Assistant Superintendent for Facilities with
11 Wake County Schools in the capacity of the execution of
12 our capital improvement program, and responsible for
13 environmental health and safety. I also work with the
14 Wake County Emergency Management Office in the role of
15 Logistics Officer. Wake County Schools continues to grow
16 as our population continues to grow. We currently have
17 18 million square feet within our school boundaries, the
18 equivalency of adding three elementary schools and a
19 middle school and a high school every year with our
20 current rate of growth.

21 We bring in four to 6,000 new students each
22 year to our school system. Those students graduate at a
23 rate above those of national averages throughout the
24 country.

25 But this is not just a discussion about

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1 growth. This is a discussion for Wake County Schools, of
2 good environmental stewardship, of promoting high
3 performance and sound building practices within our
4 schools, of building our schools to high performance
5 standards and of also endorsing energy savers, recycling
6 programs, EPA tool for schools, and having the blended
7 approach of addressing science and growth within our
8 school system.

9 But for the future, as we continue to support
10 and endorse alternative energy means, alternate energy
11 producing means, we also need to address current growth
12 and future growth. It is because of that we support the
13 planning and coordination in the school facility
14 department of additional capacity within the Progress
15 Energy generating pool in order to support our growth
16 while we look for alternate means for construction.
17 CP&L -- Progress Energy and CP&L in the past, has been a
18 good corporate partner for Wake County Schools and will
19 continue to help us in our building program to look for
20 energy efficient methodologies, to reduce our energy
21 consumption and provide good service to our students and
22 to our faculties. Thank you.

23 MR. CAMERON: Thank you, Mike. Next we are
24 going to hear from Jane Smith.

25 MS. SMITH: Good afternoon. I am Jane Smith.

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1 I am with the Environment Affairs Board of Lee County.
2 We have a strong interest in Shearon Harris because part
3 of our county is only ten miles from the reactor. I have
4 two questions this afternoon.

5 The first one, we are certainly concerned
6 with the use of water if Progress Energy expands the
7 nuclear plant to two more reactors. When I attended a
8 license renewal meeting for Shearon Harris in January, I
9 only heard generalities. No specific questions were
10 addressed. So let me ask in hope that I might get some
11 better answers this afternoon.

12 At present we all know that Harris Lake
13 serves as the source of water to cool the reactor. I
14 would like to determine how Harris Lake could be safely
15 enlarged. And let me say, we have no objection to that.
16 It's your lake and your property and we are happy to have
17 another large body of water in the area.

18 However, at a workshop in Apex on February
19 17th, I was told that rain fall would eventually fill the
20 lake. I have maps that can show the gray areas, that
21 show how the lake will be expanded. Other information
22 has reached me stating that Progress Energy has told the
23 Utility Commission that they are considering drilling
24 wells so that groundwater could be used for cooling. Of
25 course that would have a significant impact on grounds

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1 and surface water supplies, particularly in our area
2 which may be drought prone.

3 Now, I hear that you may find it necessary to
4 pull water out of the Cape Fear River near the Buckhorn
5 Dam. Would that water be used to fill the lake, or would
6 it be just a source of cooling for two new reactors? We
7 do have an objection to that use for our Cape Fear water.
8 Lee County has a good water system which we pay for and
9 we planned for over 30 years ago. We draw water from the
10 Buckhorn Dam area. We release it above the Buckhorn Dam.
11 Therefore, we have a good supply of water for our
12 industry and ourselves.

13 The Cape Fear River is not important just for
14 Lee County, but also for all of the towns and cities
15 between us and the coast. So if you draw large amounts
16 of water from the Cape Fear, you will impact many, many
17 people. And we know that the nuclear plant will use 60
18 million gallons per day, at least.

19 So if I didn't confuse you with the various
20 scenarios of water use, let me ask my question. Where
21 will you get the water to cool the reactors? And don't
22 tell me as someone once did, I guess at that January
23 meeting, that the state of North Carolina will determine
24 that. Water must be a part of your plan for this
25 expansion.

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1 All right, I have a second question. And I
2 will preface this by saying, I hope you are seriously
3 considering this as you plan new reactors. Where will
4 you put the waste? There will be low level radioactive
5 waste and high level waste which we call the spent fuel
6 rods. Low level waste may still be trucked to South
7 Carolina, but what is the end time for that disposal
8 facility? There is no other storage/disposal for low
9 level radioactive waste that I know of. Yucca Mountain
10 can not be seriously considered as a repository for high
11 level waste. It has been rejected over many years. Now
12 there is a date, a target date of 2017. But it seems
13 highly unlikely that will ever come to pass. So we have
14 spent fuel rods stored on site for decades or forever.

15 Now let me give you something to think about.
16 At the present time Shearon Harris is the largest site
17 for the storage of high level nuclear waste in the United
18 States. For many years the waste from the Brunswick
19 Plant near Southport and the waste from the Robinson
20 Plant in South Carolina has been sent by train through
21 Sanford for storage pools at the Shearon Harris Plant.
22 Today you are planning for more nuclear reactors, and you
23 have no plan for your dangerous trash. Will you store
24 high level spent fuel rods in water for five years? Then
25 will you place them in steel and concrete casks for

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1 10,000 years? And I am sure that you all know that power
2 plants have not been licensed for long-time storage.

3 Please notice that I am not making technical
4 comments, I am not asking for construction information
5 about power plants. I am asking questions which anyone
6 would answer before building an office, an industry, or a
7 home. We expect responsible leaders of the nuclear power
8 industry to have scientific supportable answers to these
9 questions before any action is taken. We deserve to know
10 where the water you need is going to come from. We need,
11 in fact we really demand, a long-term solution for
12 nuclear waste. Thank you.

13 (Applause.)

14 MR. CAMERON: Thank you very much, Jane. We
15 are going to go on to make sure we get everybody's
16 comment in. If we have time at the end of the meeting to
17 address the storage disposal question that you asked, at
18 least to describe what the NRC's role is, what the
19 options are, we will do that. The water issues that you
20 raised, I would also ask the staff to think about. It
21 may be more of an issue for Progress in terms of their
22 answer to that. Like the question that was asked by Mr.
23 Warren in terms of high density storage, I am going to --
24 since it is an NRC meeting and we have a purpose here, I
25 am going to leave it to Progress about whether they want

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1 to talk to you about that after the meeting or to do any
2 discussion at this meeting. But we'll get back to your
3 questions, okay, after we hear from everybody else's
4 comments. Thank you for offering that from the EAB.

5 Next we have Mike Winters. And then we have
6 Bob Herts and Diane Rupprecht and then John Runkle. And
7 this is Mike Winters.

8 MR. WINTERS: I am Mike Winters. Thank you
9 for members of the NRC for being here to hear what we
10 have to say in the community. I am a resident of Holly
11 Springs. I moved here about four years ago. I guess I
12 fall in the category of one of those business folks who
13 have a lot of trust in Progress Energy and CP&L. I have
14 lived in the community for 50 years. I've counted on
15 them when the snow storms come and when we have other
16 situations where there are power emergencies, they are
17 ones that I can depend on. So I want the folks of the
18 NRC to know that I personally with lots of experience
19 with these folks, feel good about them, and I'm confident
20 that they are going to provide answers to the questions
21 that have been raised. And I sure appreciate the
22 questions that have been raised, because they are
23 important to me. They are things I hadn't necessarily
24 thought about because I don't have the technical
25 expertise, but I'm grateful they were raised. However,

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1 I'm confident we can call on Progress Energy to help us.

2 I'm actually here today on behalf of the Cary
3 Chamber of Commerce. I am the Chair of the Chamber and
4 Cary and the rest of the Triangle communities have been
5 recognized as great places to live and work. We want to
6 continue to experience the growth that we've had, which
7 has been a real blessing to us. There has been a lot of
8 investment by companies who've moved here, by people
9 who've moved here, as we've been nationally and
10 internationally recognized as a great place to live and
11 work, and those companies have enhanced the quality of my
12 life as a long time resident, and the quality of lives of
13 the folks who've moved here.

14 A key to our growth and the sustainability
15 has been our ability to have an adequate supply of
16 quality power, and the ability to meet our growing
17 electrical needs is critical. We know that in the future
18 we're going to continue to grow. We've got to have as a
19 part of that infrastructure, as mentioned by Joe Bryan
20 and others, that supply of electrical power, or we won't
21 be able to continue to attract the new investment of jobs
22 that we brought here.

23 For 20 years, Shearon Harris Plant has helped
24 provide us with reliable electrical energy. Progress
25 Energy has shown its ability to operate a facility safely

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1 and efficiently. They're now seeking permission to
2 construct the two new reactors. There's a lot to be done
3 before they will get there. We appreciate and understand
4 the process. We appreciate their ability to move forward
5 in this process. We just encourage you to consider their
6 application and to allow them to move forward. Thank
7 you.

8 MR. CAMERON: Thank you very much. This is
9 Bob.

10 MR. HERTS: Thank you. I appreciate also the
11 NRC holding this hearing and allowing the general public
12 to have some input in this process. I am Bob Herts. I
13 have the privilege of representing Lee County and it's
14 two municipalities in their economic development matters,
15 helping manufacturers expand in Lee County or finding a
16 new location in Lee County.

17 I am representing the business of
18 development, I think. I have lived in this region for
19 over 30 years. Been down in the Sanford area a little
20 bit better than 12 years, and I have seen a wonderful
21 transformation take place in this region. Communities
22 like Holly Springs, Apex, Cary, even Raleigh, and Durham;
23 once mere crossroads on a map have transformed into
24 livable and working communities. Together this region
25 has been touted as a community of communities, each with

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1 its own uniqueness and flair all under a regional flag.

2 You heard before from some of the other
3 speakers about the accolades that this area receives
4 every year for its livability, for being able to work
5 here, and best place for singles, best place to do
6 business. It goes on and on. And by the way, North
7 Carolina also has two of the nations top utility
8 companies in Duke Energy and Progress Energy, according
9 to Site Selection Magazine last year.

10 We will continue to have people move here.
11 You have heard this before. We are fortunate to live in
12 this area. Our leadership has to deal with growth
13 issues and surrounding water, sewer, clean air,
14 electricity, roads, and I think we have that leadership
15 in place. We all talk about sustainability, the ability
16 for this area to handle that growth, and we've got good
17 leadership in place to help us along in those areas.

18 I also feel like Progress is a partner.
19 Whenever there is a need for discussions like that,
20 Progress is right there at the table. And like we heard
21 before, electricity is absolutely vital to our
22 infrastructure. Certainly it's very, very important in
23 the job that I do for Lee County.

24 Progress has an excellent record in the
25 energy business, and we know they've got an excellent

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1 record in environmental protection. The last thing a
2 business wants to hear is, sorry, you need to shut down
3 today because we are just not going to be able to provide
4 you with any electricity. You heard about brown out in
5 the western part of this country.

6 We need the new generation capability along
7 with all of the other things that have been talked about
8 because of what is going on in this area. I believe that
9 nuclear energy is the best option for the low-carbon,
10 long-term, reliable, and I believe affordable energy. I
11 urge you to expedite this process and allow Progress to
12 address all those issues that are raised though the NEPA
13 process as well as issues raised by the general public,
14 and that you go ahead then and issue this combined
15 license to Progress Energy. Thank you.

16 MR. CAMERON: Thank you, Bob. We're going to
17 go next to Diane Rupprecht, and then to John Runkle, and
18 then we're going to go to Gerald Holleman and Van
19 Crandall.

20 MS. RUPPRECHT: Good afternoon. I am Diane
21 Rupprecht with KB Home and the Vice-Chair of Governmental
22 Relations for the Cary Chamber. As one of the largest
23 home builders in United States, KB Home is concerned with
24 accommodating the needs of our growing population. On
25 average, the Carolinas are adding an additional 25,000

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1 new homes and businesses each year, and are expected to
2 add a half a million new customers by the year 2026. In
3 order to plan for this expected growth, we must be able
4 to provide affordable and reliable electricity.

5 As a builder with a noted interest in the
6 environment, KB Home has promoted building homes that use
7 less energy. We believe that Progress Energy has also
8 made a commitment to energy efficiency through its
9 balanced solutions strategy. By planning now, we can
10 accommodate the needs of the future. I would also ask
11 the commission to consider the importance of these new
12 power sources and positively respond to the Progress
13 Energy application. Thank you.

14 MR. CAMERON: Thank you very much, Diane.
15 John Runkle.

16 MR. RUNKLE: Good afternoon. My name is John
17 Runkle. I'm an attorney in Orange County and
18 representing North Carolina Warn. I don't think the
19 plants are going to get built. If you look at the price
20 of nuclear power plants, each of these reactors will cost
21 six to ten billion dollars. Any kind of Environmental
22 Impact Statement that looks at the cost of those reactors
23 and compares it to alternative sources of energy is going
24 to have to show that it's not cost effective to build
25 these nuclear power plants.

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1 Look at the cost of the two new reactors,
2 we're look at for each person in the Progress Energy
3 service area, three to \$4,000. So a family of four would
4 have 12 to \$16,000 worth of money that are going into
5 this nuclear power plant. Local governments, Chamber of
6 Commerce, you need to really put that in your plans how
7 much money this is going to cost. Because looking at the
8 Environmental Impact Statement, looking at the impacts,
9 everybody in this state could put solar panels on, solar
10 hot water heaters, put new windows on. If you're talking
11 about jobs, let's grow a thousand new companies that will
12 put on solar panels and solar hot water heaters. Sanford
13 could be the solar capital of the world, actually at this
14 point, and really have those kind of jobs. And that is
15 what this Environmental Impact Statement is going to show
16 you.

17 You're looking at three or \$4,000 per person
18 for the reactors. You have to also look at what the
19 federal subsidies. The energy bill that got shot down
20 this week was looking at five hundred billion dollars
21 worth of subsidies to the nuclear power plants. That's
22 another couple thousand dollars to add on to this. So
23 you're looking at -- you're getting up there over the
24 next decade of people spending quite a lot of their
25 money. I think there was stickers out there on the

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1 Progress Energy table that says nuclear equals clean air.
2 I think it's going to be clean air because people are not
3 going to be able to afford to run their automobiles
4 because the price of the nuclear power plants are going
5 to be so expensive, people are not going to be able to
6 afford gasoline. It's going to be a real trade off. It
7 will be a trade off I think, you know, directly looking
8 at what needs to go into the Environmental Impact
9 Statement.

10 Butch -- Dr. Palmrose, your job in reviewing
11 the environmental matters, I think has got to be a fair
12 and independent analysis. There has been criticisms of
13 the NRC staff over the last six months about sort of
14 baldly taking what utilities have put into their
15 operating license applications and saying that's our
16 analysis. You can't do that. That's not going to be
17 good enough. You have to do your own independent
18 analysis. And you have to look at everything. You just
19 can't take what Progress Energy says in their
20 environmental report. You can't take what other agencies
21 say as being what is actually going on. So that
22 independent analysis, we are going to hold you to that
23 because that's what the NEPA requirements say. You have
24 some expertise in-house on the design base accidents, the
25 severe accidents. Those are really the ways that the

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1 radioactivity gets out into the population and causes a
2 whole lot of things.

3 I've got written comments, and I'm just going
4 to go down, there are nine different areas that we think
5 that you ought to look at. Good data for emergency
6 planning. Look at the real demographics of the area.
7 Not just be, well, we are going to double our population.
8 But what does that population look like now? What is the
9 health of that population? There is susceptible
10 populations out there, children under age, the
11 handicapped, the ill, that are not going to be able to
12 get out of the way in case there is any kind of unplanned
13 release. That is what we need to look at.

14 How are we going to look at the next 50 years
15 to forecast out to have that kind of data of what this
16 area is going to look like? I have been coming out to
17 Harris Lake probably for 20 years. The last house before
18 you got to nothing is now a CVS Pharmacy. Things have
19 changed that much over the last 20 years. Over the next
20 50 years, this population will be greatly increased. And
21 we need to have good information to do that emergency
22 planning.

23 We need to look at the track record. Ms.
24 Pinnix-Ragland, you said Progress Energy had a good track
25 record. Look at the track record on the fire protection.

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1 When the first unit was licensed, we had about a
2 four-week hearing on the track record of Progress Energy
3 -- it was Carolina Power and Light, at that site, because
4 they had so many problems at the Brunswick and the
5 Robinson plant. If you look at the track record on the
6 fire issues, it's real clear that until Progress Energy
7 cleans up those deficiencies, it's unreasonable to go
8 ahead and give license to any new power plants.

9 One issue that must be shown in the
10 Environmental Impact Statement is defense against
11 aviation attacks. It's pretty clear from all of the
12 recent studies going back -- the Argonne Laboratory study
13 was 1982, that shows that nuclear power plants are
14 aviation threats. You don't have to bring radioactive
15 material in through Canada as a dirty bomb. You just
16 blow up a nuclear power plant. There are a lot of other
17 security related issues that have to show up in an
18 Environmental Impact Statement. We are going to hold you
19 to that. I mean the case law is pretty good on that. It
20 seems to be one of the avenues for at least the design
21 basis of accident, if not a severe accident that you are
22 going to need to look at.

23 Water usage through the droughts. The
24 long-term impacts of climate change, either through
25 continuing droughts or through severe weather impacts.

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1 Those are the kind of -- you're going to need to look out
2 40 or 50 years and have good data on that or you won't be
3 able to make a decision. The Environmental Impact
4 Statement won't be complete until you have the good data.

5 The lack of any long-term disposal of
6 irradiated fuel. Since about 1984 there has been a waste
7 confidence that, it's sort of like, let's all hope by
8 sometime in the future we are going to be able to take
9 care of our irradiated fuel. That hasn't happened.
10 There is no long-term disposal. So we are going to add
11 the irradiated fuel from two more reactors into something
12 that we don't know. This sort of faith based taking care
13 of a problem just is not going to be worthwhile. So the
14 EIS needs to look at where this irradiated fuel is going
15 to go.

16 Also look at the storing of the irradiated
17 fuel in the fuel cells. This is an accident waiting to
18 happen. It is going to be one of the major ways that
19 radiation gets out into the environment and affects the
20 public, and we need to know all the different ways that
21 could happen, the different risks associated with this.
22 And how the risk of the two new power plants is added on
23 to the present one.

24 Lastly, as I started out, we need to analyze
25 alternative energy sources. You cannot rely on the North

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1 Carolina Utilities Commission and their review of
2 integrated resource planning. You need to look at the
3 alternative energy sources, both the cost of those, the
4 environmental costs, the positive, beneficial. And when
5 you're talking about, you know, 12 to 20 million dollars
6 over the next decade, I think we need to be real serious
7 about the kind of alternative use of that money. So
8 thank you very much. We will be glad to look at the
9 Draft EIS when you're finished.

10 MR. CAMERON: Thank you, John. The next two
11 speakers, Gerald Holleman and Van Crandall. And then
12 we're going to go to Nina Kan Woode.

13 MR. HOLLEMAN: Good afternoon. My name is
14 Gerald Holleman. I guess Mr. Womble who's somewhere up
15 there in the audience and I are probably the oldest two
16 rats in the barn, because we both lived on the Shearon
17 Harris site. Our families were moved, including our
18 graveyards some 20 years ago, so our relatives are
19 resting in peace in a dry place. I also served on a low
20 level waste advisory committee for Wake County it seemed
21 like forever. We went to the site at least two times
22 and one of the gentleman from the NRC was with us on
23 those trips. So I know enough about nuclear waste and
24 radiation to be dangerous.

25 The water situation can be in my opinion

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1 easily resolved. The lake should have been the 10,000
2 acre lake in the very beginning. But some smart
3 gentleman in Atlanta, who I hope is retired now, decided
4 it was going to take up too much farm land. I grew up
5 down there and Mr. Womble did too, and I don't know that
6 we had very successful farming operations or we'd have
7 lasted much longer anyway. My grandfather had a lot of
8 crawfish crawling up out of the ground every time it got
9 wet. So he didn't do a whole lot of farming back then.
10 The water situation can easily be resolved in my opinion
11 by expanding the lake, and go ahead and do it. It should
12 have been done to start with. There's going to be 36
13 million gallons of reused water coming out of two waste
14 water plants, which is much cleaner than what's coming
15 out the creek coming into the lake now. The
16 environmental tragedy will be if you pump water out of
17 the Cape Fear River in that and that is already polluted,
18 and you're going to ruin a pristine lake. This reused
19 water, you will save -- the residents of this area --
20 between 40 and 50 million dollars if you take this reused
21 water. Because they are going to have to run pipelines
22 all the way to the Cape Fear River. That's about seven
23 eight miles, that is a whole lot of money. So I see no
24 reason that this water can't be reused that comes out of
25 this plant. According to the estimate I got 36 million

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1 gallons a day. That would supply, I think at least one
2 reactor before you have to pump any more water.

3 I am not happy with Progress Energy's
4 communication with the town of Holly Spring. I was
5 fortunate enough to be the mayor here for 17 years and
6 was when they built the first power plant. And we've had
7 a good working relationship with NCP&L. Our fire
8 department was the only one that would service the area
9 at the time. They were good to us. But since that time,
10 we've got the big smoke stack and all of the money has
11 been spent in Raleigh. We would like to have some of
12 those funds spent in our area that they're doing in the
13 Raleigh area. And we are going to get two more smokies
14 and I hope along with it will come some compensation,
15 some added things for the people of this town. I am very
16 passionate about the town of Holly Springs, and I would
17 encourage them to participate more in some of the things
18 around town.

19 When they first started this project, I think
20 they acquired roughly 26,000 acres of land. That land
21 was purchased in the \$500,000 range. It was my family,
22 my uncles and aunts, and maybe 2,000 at the most. They
23 have been cutting timber off that land for about 20 years
24 I guess and hauling it off. Timber sells for a lot of
25 money. I haven't seen my electric bill come down not one

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1 cent. Anyway, I am sure they've got a record of that.

2 Also, they own property that has no value as
3 far as productive power. They own property miles away
4 from the plant. And I think some -- should be a
5 provision if you're going to give them a permit, then
6 they should dispose of this property because it's
7 inhibiting the growth of this town for commercial and
8 residential to expand. Because it comes within a half of
9 mile of here is Progress Energy property, and it goes
10 all the way back to Harris Lake. And we need some of
11 that property for commercial development. I think it's a
12 good place to put plants and for industry. But until
13 that land is released, they own the land, they pay for
14 it, so they say what happens to it. So I would encourage
15 them to please make some kind of arrangement before this
16 two more plants are built where this property can be used
17 for the benefit of the citizens of this area. Thank you
18 very much.

19 (Applause.)

20 MR. CAMERON: Thank you, Mr. Holleman. This
21 is Van Crandall.

22 MR. CRANDALL: Good afternoon. My name is
23 Van Crandall. I have been a resident of Holly Springs
24 for 15 years. Two years ago industry estimates targeted
25 the cost for building new commercial reactors in the U.S.

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1 at 2000 per kilowatt hour. Earlier this year Progress
2 Energy pegged it's estimates for building two new units
3 in Florida at around 14 billion, plus three billion for
4 transmission and distribution, which is about twice the
5 kilowatt hour estimate promised just two years ago.

6 In October Moody's Investor Service published
7 a report titled New Nuclear Generation in the United
8 States. The report estimated the total cost for a new
9 commercial reactor including interest would be between
10 5,000 and \$6,000 per kilowatt hour. But Moody stated
11 that those numbers are only guesses. Quote, "we believe
12 the ultimate costs associated with building new nuclear
13 generation do not exist today. And that the current cost
14 estimates represent best estimates which are subject to
15 change." End quote.

16 Some estimates report that operating
17 costs on a per kilowatt hour basis for a new commercial
18 nuclear plant will be 30 cents per kilowatt hour for
19 perhaps 12 years until the construction costs are paid
20 off, at which point the operating costs could drop to
21 around 18 cents. In contrast, concentrated solar and
22 wind power can be built for about 14 cents per kilowatt
23 hour, and can drop further through economies of scale.

24 Today, as a residential rate payer, I pay
25 Progress Energy around nine cents per kilowatt hour. The

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1 reality is that the cost of any nuclear power plant won't
2 be known until it actually comes on line. In context
3 with this back drop of economic uncertainty and risk is
4 the question of what to do with nuclear waste. Both high
5 level waste in the form of irradiated spent fuel rods and
6 long live radioactive waste that's classified as low
7 level. Permanently isolating or disposing the waste from
8 the biosphere is not possible. It can only be stored.
9 It's common knowledge Progress Energy stores irradiated
10 spent fuel rods in cooling pools at the Shearon Harris
11 Plant. Progress Energy also imports the same waste to
12 Wake County from other commercial reactors.

13 My assumption is that this site in Wake
14 County may hold the highest concentration of irradiated
15 spent fuel rods from commercial reactors in the United
16 States. And it continues to grow.

17 The prospect of having two new commercial
18 reactors at this same site raises serious questions as to
19 how large this high level accumulation of waste could
20 actually encompass within say 20 years.

21 In the early 1990s, former South Carolina
22 governor stated "nuclear waste stays where it's first
23 put."

24 If Progress Energy is at some point acquired
25 by another electrical utility, also having commercial

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1 reactors, I shudder to think the potential accumulation
2 of high level nuclear waste that could be ear marked for
3 Wake County.

4 In the early 1990s, the site in southwest
5 Wake County that included CP&L property, now Progress
6 Energy, and less than ten miles from here was selected to
7 host a low level radioactive waste disposal facility to
8 serve eight states.

9 If North Carolina electric utilities lead the
10 nation in pioneering a new generation of commercial
11 reactors, and in context of the economic and historical
12 issues that I outlined earlier, it would only require a
13 stroke of the Federal pen to make North Carolina the
14 nation's nuclear waste commode. Thank you.

15 MR. CAMERON: Thank you, Van. And next we are
16 going to hear from Nina and then we're going to go to Bob
17 Gilbert, Bill Hummel and Mary McDowell. This is Nina.

18 MS. CANN-WOODE: Good afternoon everybody. My
19 name is Nina Cann-Woode, and I speak today on behalf of
20 The Clean and Safe Energy Coalition. We support the
21 construction of new reactors at Shearon Harris by
22 Progress Energy and are actively engaged in generating a
23 public dialogue to educate others about the ways nuclear
24 power enhances America's energy security and economic
25 growth, and helps improve the environment.

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1 Our nation is addicted to electricity and
2 that addiction will only grow in the future. U.S.
3 Department of Energy estimates that our electricity
4 demand will increase 25 percent by 2030. As technology
5 advances, our economy expands, and our population
6 increases, our need for energy will grow. Considered
7 that today all renewable sources produce two percent of
8 our electricity, while nuclear power accounts for 20
9 percent, that's one out of every five homes and
10 businesses in the United States. And here in North
11 Carolina, nuclear power provides over a third of the
12 state's energy needs.

13 The reality is, we will require more from a
14 variety of sources in the years ahead. A wise energy
15 policy recognizes the virtue of diversity and in that
16 diverse plan, nuclear energy is a critical component. As
17 we approach the summer months, it is important to
18 recognize that nuclear power plants have a proven record
19 for performance in severe weather conditions, including
20 drought. Given extreme temperatures, it will continue to
21 operate safely. In fact, nuclear plants here in the
22 southeast were critical to meeting electricity demand
23 during a two-week heat wave in August of last year, and
24 posted an average daily capacity factor of more than 98
25 percent.

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1 Consider the facts, nuclear energy is clean.
2 It is the only large scale emissions resource of
3 electricity that we can readily expand to meet our
4 growing energy demand. We all have a shared stake in
5 America's energy future. Now is the time for our country
6 to support nuclear energy as a means to generate
7 electricity with a clean, safe and dependable source of
8 power. Thanks.

9 (Applause.)

10 MR. CAMERON: Thank you. This is Bob
11 Gilbert.

12 MR. GILBERT: Hi, my name is Bob Gilbert,
13 yes. I want to just give a little back ground about
14 myself so you understand where I'm coming from on some of
15 my comments. I have been involved in energy efficiency
16 for about 25 years. I've had any own company. And we
17 focus almost exclusively on energy efficient lighting,
18 and in that time my company has implemented 75 million
19 dollars worth of energy efficient lighting projects with
20 our partners. Now that's probably more energy efficient
21 lighting than Progress Energy has done. That's what I
22 have done in my career. So when I am coming to you, I
23 want you to know what my biases are.

24 Thirty years ago California decided to embark
25 on energy efficiency. And they, of all of the states in

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1 the United States have been the most aggressive
2 pursuing energy efficiency. Currently, California uses
3 50 percent per capita of the energy of any other state in
4 the United States. They are the eighth largest economy
5 in the world. They have entertainment, like we have in
6 Wilmington. They have dramatic -- significant
7 agriculture like the central valley. Of course we have
8 all over the state. They have high tech like we have in
9 Raleigh. I think they are a pretty good model. Now many
10 southerners don't want to mimic California. I understand
11 that, that's fine. But I am just bringing it up as a
12 point of what you can do with energy efficiency and I
13 really want to correct both some of the gentlemen that
14 have left here from some of the Chambers of Commerce and
15 respectfully Hilda, that it is incorrect, there is so
16 much opportunity for energy efficiency improvement in the
17 southeast, that we could meet all the needs for future
18 energy through energy efficiency.

19 Those documents have been given to the North
20 Carolina Utility Commission for the renewable energy
21 portfolio standards legislation, which had been passed
22 by the North Carolina Utility Commission. And there are
23 numerous, numerous studies that document that there is
24 no need for new power at all, if we simply pursue energy
25 efficiency. And it's not specifically because I like to

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1 do lighting. This is air conditioning, insulation, all
2 kinds of areas.

3 The southeast has had the least expensive
4 power in the United States, up until now. And because of
5 that we've had the least investment for energy efficiency
6 for any area in the United States. Now that's actually
7 an opportunity for us. One of the last things I think is
8 very important to also bring in when comparing nuclear
9 power to energy efficiency is that it costs about five to
10 seven hundred thousand dollars to employ a single person
11 in the construction of a nuclear power plant. In energy
12 efficiency, you would get about ten times the value,
13 minimum. Energy efficiency pays somewhere in the range
14 of 35 to \$75,000 for the jobs in that area. So in terms
15 of the amount of money and the amount of effect that
16 you're going to get for the investment, nothing beats
17 energy efficiency.

18 Respectfully to the NRC, you know, what I
19 really want to say, I did not attend the last meeting. I
20 think the last one I attended was about a year and a half
21 ago. At that one I also spoke about the fire issue and I
22 was extremely upset about the fact that for 15 years
23 Progress has not taken a proactive effect or attitude
24 about the fire safety issues dealing with the high tech
25 material. We have a very dangerous situation. Now I am

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1 very grateful that the plant hasn't caught on fire and we
2 haven't had a problem. But there are several miles of
3 this material which has been proven to be ineffective.

4 The NRC has not taken a proactive effect I
5 picked up some of the literature, and some of that
6 literature talked about the fact the NRC's responsibility
7 and mission is to protect public health and safety,
8 inspect facilities to ensure the compliance and
9 enforcement against any possible danger to the public
10 health and safety by ensuring licensee's compliance with
11 regulations and licensing conditions. We have had fire
12 violations at Shearon Harris, depending on how you count
13 it, between nine and 15 years, and they haven't been
14 resolved.

15 Now I am not going to go into why they
16 haven't been resolved, but there's been no action, no
17 change, no remediation, no penalties, and no enforcement.
18 I don't feel that the NRC is protecting the public health
19 and safety in that way. Many people have talked about
20 water. Many people have talked about waste. I really,
21 really encourage Progress Energy to pursue dry cask
22 storage. We have the largest waste pool in the United
23 States. Dry cask storage is a very, very proven
24 technology that can take the waste pool and ensure it
25 without using any water, and ensure its safety. It will

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1 be a much better -- and again, I gave those comments
2 about a year and a half ago, and I again encourage
3 Progress Energy to take that direction of pursuing dry
4 cask storage, because one, they'd be using a lot less
5 water; two, they'd be ensuring the safety of the waste
6 pool that's already there. Thank you very much.

7 MR. CAMERON: Thank you, Bob. Bill. This is
8 Bill Hummel. Then Mary McDowell, and then Pete McDowell.

9 MR. HUMMEL: Good afternoon. Thank you for
10 allowing me to come speak today. Like my colleague Nina,
11 I am also speaking today on behalf of The Clean and Safe
12 Energy Coalition. To give you all a little background on
13 our coalition, we are a grass-roots organization
14 dedicated to informing the public of the benefits of the
15 nuclear technology. Our coalition comprised of over 1600
16 individuals, state legislatures and organizational
17 members. It's lead by two co-chairs, the former governor
18 of New Jersey, and former EPA administrator, Christy Todd
19 Whitman, and Green Peace founder and former leader,
20 Dr. Patrick Moore.

21 As my colleague has already told you, nuclear
22 already provides 20 percent of the United States'
23 electricity, and with electricity demands expected to
24 increase by 25 percent nationally by 2030, the United
25 States needs more nuclear energy if it wants to keep up

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1 with our growing energy needs. Conservation alone won't
2 meet our growing needs, and nuclear energy can't be the
3 only solution. A diverse mix of energy sources will
4 serve us all best. However, as we look down the road, we
5 should promote an increase in the use of nuclear energy
6 as an environmentally clean and reliable path in meeting
7 our country's energy needs.

8 Nuclear energy is clean. It is the only
9 large scale emissions free source of electricity that we
10 can readily expand to meet our growing energy demands.
11 The environmental impact of nuclear plants is far lower
12 than many other types of power generating plants.

13 Nuclear energy is safe. In fact, the United
14 States Bureau of Labor Statistics has shown that it is
15 safer to work at a nuclear power plant than in the
16 manufacturing sector and even in the real estate and
17 financial institutions and industries.

18 Additionally, you would have to live by a
19 nuclear power plant for more that 2000 years, yes, 2000
20 years to get the same amount of radiation exposure that
21 you receive from a single diagnostic medical X-ray. With
22 the rising energy costs a concern for every American
23 nuclear energy is an affordable and reliable economic
24 choice for electricity. Nuclear power has the lowest
25 production costs of the major sources of electricity.

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1 Nuclear plants are the most efficient on the energy grid
2 and their costs are more predictable than many other
3 energy sources.

4 But most importantly, an energy plant makes a
5 good neighbor. It supports high paying jobs directly at
6 the plant, generates additional jobs in the community
7 where it is located and contributes by helping to build
8 good schools, good roads, and civic improvements. It is
9 with this that the CAS Energy Coalition wholly supports
10 Progress Energy in their application for the second and
11 third reactors at the Shearon Harris site. I thank you
12 very much.

13 MR. CAMERON: Thank you, Bill. Next we have
14 Mary McDowell.

15 MS. MCDOWELL: Can you hear me? I am
16 concerned that this scoping take into account the
17 uncertainties of the age we live in, including global
18 warming. I have heard so many people talk about the
19 record of Progress Energy, the years that they have
20 operated the nuclear plant, the growth that's projected
21 based on assuming that things stay the same. But I think
22 with global warming, with our economic challenges as a
23 nation right now. With political fall out from global
24 warming and the people who are going to be struggling for
25 food, for water world wide, for oil and other things,

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1 that we can't assume that the next 30, 40 or 60 years,
2 however long this plant -- these two plants actually are
3 permitted to operate, will be the same as the last ten or
4 15 years in terms of what our needs are going to be in
5 this region, what the possibilities will be and what the
6 necessities for dealing with an international situation
7 which could become very serious. I think you have to
8 assume that we can't have houses taking one and a half
9 times the amount of electricity that they have been
10 taking now. I think we can't assume that businesses can
11 use electricity at the same rates that they have been
12 using historically. But we can grow in this region with
13 people traveling long distances to commute and so on.

14 I think we are all going to have to look at
15 really new ways of living so that we can live on this
16 earth and our children and grandchildren can live in
17 North Carolina and other places around the world.

18 So I would like the scoping to expand, not be
19 closed off by what made sense for the past 30 years, but
20 to consider possibilities and risks that we haven't seen
21 yet but that could happen. Global warming is affecting
22 climate and weather and we can't assume that the weather
23 patterns will be similar to the ones that we've seen in
24 North Carolina in the past. We can't assume that the
25 emergency management will be able to get plant workers to

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1 the plant after hurricanes of a different nature than we
2 have ever seen before. We can't assume that flooding
3 will not prevent people from getting to work. I mean,
4 where are the workers who have to operate the plant and
5 deal with emergencies going to live? All of that needs
6 to be considered. And I have watched both the NRC and
7 the nuclear industry through their representatives for
8 over 15 years. I worked for Chatham County as the
9 research coordinator for the county when the site between
10 Wake and Chatham, right next to the plant on the other
11 side of Harris Lake, was being considered for the low
12 level nuclear waste site. And I have some skepticism and
13 concerns that the NRC is good at limiting and considering
14 what is -- what has been considered in the past, and not
15 expanding and really considering all of the
16 possibilities.

17 I saw -- I became aware of the plan to expand
18 the nuclear waste fuel rod storage in the pools at the
19 Harris Plant and pointed that out to the county
20 commissions in Chatham County and that was conveyed to
21 county commissioners in my county, Orange County. Orange
22 County intervened in that. It was expensive, it was time
23 consuming, and the rules of the NRC had prevented the
24 expert for Orange County from even speaking to the group
25 that was -- the Atomic Safety Licensing Board that was

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1 making the decision on whether it was all right to expand
2 the fuel pools at the Harris Plant. He wasn't even
3 allowed to speak. But I wish all of you would read his
4 reports. Gordon Thompson wrote them and I think
5 everything he wrote and everything that was considered in
6 regard to the fuel pools is extremely important. Because
7 the way the fuel rods are stored at the Harris Plant, the
8 way they're allowed to be stored by the Nuclear
9 Regulatory Commission, because there was no alternative
10 long-term storage, they allowed them to put the rods
11 closer and closer together. The trouble with that is if
12 an airplane hits the top of the fuel pool building, which
13 is not built like the reactor, it's not a containment
14 zone, and the pools are breached so the water flows out.
15 If the water gets below the level of the tops of the fuel
16 rods, they will spontaneously ignite. That fire will
17 spread to all the fuel rods in storage and it will
18 release to the atmosphere at least ten times the radio
19 activity that was released in Chernobyl. That's the
20 basic technical facts, and that has been confirmed by the
21 National Academy of Sciences several years later.

22 But the NRC said we don't need to consider
23 that in whether we should allow them to expand the fuel
24 pools, because it's so unlikely that it would happen. So
25 unlikely that anyone would fly a plane and wreck it to

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1 try to harm the U.S. I think that we all saw that in 9/11.
2 It can happen. And the NRC doesn't require the
3 company or any company to protect the reactor or the
4 fuel pools from a large airplane crash like that. They
5 don't have to because they say well, you know, the
6 federal government will take care of that. We don't have
7 to build it so it can't release radioactivity.

8 So I want the scope to include all of the
9 population that could be affected by such a release of
10 radioactivity. Cesium was the primary radioactive
11 element that was looked at in his analysis. I want all
12 of local officials to read Gordon Thompson's reports.
13 It's beautiful, it's very easy to understand, and it's
14 very clear. And it's something that the NRC has not
15 considered likely enough to protect us from. If we build
16 two more plants there, we are going to have three times
17 as much high level waste.

18 So the fuel pools and risks to the population
19 of perhaps half of the state of North Carolina, and that
20 needs to be considered in the scoping.

21 MR. CAMERON: Thank you, Mary.

22 MS. MCDOWELL: I have one more brief point.
23 The geology and hydrology that was studied on the western
24 shores of Harris Lake, what was clear after ten years of
25 trying to demonstrate that you could monitor the site

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1 with monitoring wells and detect radioactivity that was
2 traveling with groundwater, the fractured nature of the
3 site essentially meant that you could not know where to
4 place your monitoring wells to be sure you captured
5 groundwater flowing. And I understand that there are
6 monitoring wells required to test for radioactivity in
7 groundwater for nuclear plants as well as for
8 radioactive waste sites. And I would request that all
9 the documentation from that ten years of study and
10 analysis, many experts, all be considered and looked at
11 in scoping the EIS.

12 MR. CAMERON: Thank you, Mary. That is our
13 last speaker and we have some items to clear up since we
14 do have time before the end of the meeting. One of them
15 was the date that the NRC anticipates that REV 16 for the
16 AP1000 design will be concluded. There is another issue
17 that Jane raised that goes to the framework for the
18 storage and disposal of the spent fuel. And then there
19 is a couple of issues that were within the province of
20 Progress Energy. One was plans for high density fuel
21 storage. The other was where was the cooling water
22 coming from, although I think that the NRC's
23 Environmental Impact Statement will look at that
24 particular issue.

25 Progress Energy, so we have Gary Miller and

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1 Hilda with us, will be glad to talk to people after the
2 meeting about those two issues. They will make
3 themselves available. But what I wanted to do now was
4 ask Andy Campbell to talk to the date for revision 16,
5 and also to the framework for spent fuel storage.

6 MR. CAMPBELL: I'm Andy Campbell. I am the
7 Deputy Director for the Division of Site and
8 Environmental Reviews in Office New Reactors at
9 the Nuclear Regulatory Commission. One of the
10 questions was with regard to the AP1000 REV 16 and Manny
11 Comar and I have chatted. March 2010 is when the safety
12 evaluation report is planned to be completed. That's the
13 schedule. And then the rulemaking typically takes about
14 a year. It could be less, it could be more than a year,
15 but the rule making would be about a year later, so say
16 2011. We have not received REV 17 yet, so it is not on
17 the schedule. Until we do receive it, we can't really
18 evaluate it and figure out where it will fit on the
19 schedule. So those are the dates.

20 There were a lot of questions about Yucca
21 Mountain and long-term storage and disposal of high level
22 waste. A number of you may or may not be aware that on
23 June 3rd the Nuclear Regulatory Commission received from
24 the Department of Energy a license application for the
25 Yucca Mountain high level waste depository. The review

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1 process has begun. It's essentially an acceptance review
2 at this stage. It's a three-year review process that is
3 legally mandated, legislatively mandated. There is an
4 additional opportunity for a fourth year to be added on
5 to that, but under the law, the review process is three
6 or four years. That includes the hearings. There is a
7 hearing facility in Las Vegas that is already for this.
8 The NRC has been preparing for years for the review of
9 the license application for Yucca Mountain. So that has
10 begun.

11 As far as the fuel storage goes, I think
12 Progress will be addressing that. But the NRC has the
13 ability to accept an application from a utility to do
14 what is called dry cask storage, an independent spent
15 fuel storage facility, on a reactor site. These are very
16 robust concrete and steel silos that are very resistant
17 to impacts of any sort. And those go through a licensing
18 process through the Division of Spent Fuel Storage
19 and Transportation at the NRC and those are licensed for,
20 I think on the order of 20 years. And then they can
21 be renewed if they are on the site. There are,
22 I believe something on the order of 30 sites in the
23 country that have already been licensed by the NRC.
24 So it is an alternative storage that the utility can,
25 if they wish decide to go to. I think those

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1 were the key questions, I believe.

2 MR. WARREN: Clarification. Back to the
3 issue of revision 17, you said the rulemaking may be in
4 early 2011.

5 MR. CAMPBELL: No. REV 16. The SER, the
6 Safety Evaluation Report, the schedule right now is March
7 2010. The rulemaking would be about a year later for
8 REV 16. REV 17 has not yet been received.

9 MR. WARREN: I guess this is something that
10 is probably going to have to be resolved in a more formal
11 setting then, but I am finding it really troubling that
12 NRC is telling the public that this very complicated
13 license application, the design certification is not
14 going to be complete until well after you have set a
15 timetable for interveners to challenge the license.
16 These time frames, that is pretty -- anything you can add
17 to that? How do you expect interveners or anyone to
18 scrutinize this project if the 17 -- you said 16. When
19 would REV 17 happen? I mean is that the --

20 MR. CAMPBELL: We don't know -- when REV 17
21 is received we have to evaluate. As you heard from Sara,
22 there are opportunities for late contentions,
23 particularly when revisions have occurred. This is not
24 an abnormal process to see revisions in documents
25 occurring along the way through a licensing process. The

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1 NRC has been doing this many, many years. It's not an
2 abnormal process. The opportunities will be there through
3 the processes that we have for people raising
4 contentions.

5 MR. WARREN: I guess it's not your decision,
6 I am sure. But we are talking about revisions. There
7 are several pages of table of contents for REV 16. And
8 so you're -- when I talk about a high bar to even get a
9 chance to scrutinize this project, that's the kind of
10 thing that I'm talking about and that we are really going
11 to be looking I think for NRC to make some provision for
12 potential interveners to work through this kind of
13 challenge. That is almost unimaginable. It may be
14 standard for NRC, but I think most people -- I don't
15 think it will pass the test of reasonableness with most
16 people.

17 MR. CAMPBELL: We'll accept that as a
18 comment.

19 MR. WARREN: Thank you, please do.

20 MR. CAMERON: And Jim, let me just see if
21 Sara has something to add on that, because as I
22 understand it, these designs that have been approved --
23 there is going to be revisions to them, and obviously
24 there needs to be closure in terms of the license
25 application and the public's participation in those

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1 license applications. So Sara, could you maybe give Jim
2 some comfort on that?

3 MS. BROCK: I need to clarify, when we are
4 discussing the design certification, a design is
5 certified through rulemaking and that has its own
6 separate public participation process, which comes after
7 the staff completes its safety evaluation which is the
8 note that Andy Campbell gave. Then it goes out into the
9 rulemaking process which goes out for proposed rule
10 making, public comment on the rulemaking, and then the
11 final rulemaking decision. So there is a complete final
12 design prior to that going into the rulemaking process.

13 MR. WARREN: One more question on that. Can
14 you or can somebody explain in basic terms how you are
15 handling the overlap between the so-called certification
16 of the Westinghouse design with the license application
17 itself?

18 MR. CAMERON: Can someone from the NRC staff
19 address -- and this has both safety and environmental
20 implications, but this is not only an issue for the
21 public, but we're reviewing license application for
22 Shearon Harris. How do we factor into our review the
23 fact that the design may be changing, albeit, in many,
24 many perhaps minor ways? I don't have any idea on that.
25 How do we factor that into our decision in terms of the

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1 license application? Manny Comar?

2 MR. COMAR: Thanks, Chip. Actually what
3 Progress Energy has proposed is that whatever the design
4 of AP1000 is going to be, that is exactly going to be.
5 There are separate processes for this one. Industry
6 basically standardization. So when you see the AP1000
7 design that is being accepted by Progress Energy, they
8 will basically take that design whether or not it is at
9 location A, or B, or C, or D, whatever that location may
10 be, that is what they are going to install there.

11 However, what the NRC does is correlate that
12 to site specification. Certain things do not match at
13 every location. So what is really critical at a certain
14 location for that design is going to be evaluated along
15 with the AP1000. The AP1000 design goes on as something
16 that is independent of the site, and then it is tailored
17 specifically to that site. That's how it works.

18 MR. CAMERON: Let me just ask you a
19 clarification on that. Just because there is a revision
20 of the AP1000 design, it doesn't make any of the previous
21 design certifications for that design outmoded, so that a
22 company can come in and say, we are using AP1000
23 certification 15, and that's what you do the review to,
24 even though there may be a 16 later?

25 MR. COMAR: No, it is depending upon what the

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1 industry wants to do. If they are going to use the 15,
2 then they are allowed to do it as being part of the
3 rulemaking. But if you look at the notice that we have
4 sent out, they have said that they will comply with the REV
5 16. And that is reason until REV 16 is complete, there
6 is no way a decision of licensing is to be issued by the
7 commission. It can't be made until REV 16 has been
8 finalized and approved and rulemaking takes place for it
9 by NRC.

10 MR. WARREN: Then the question is, how can
11 anybody analyze how the revision 16 sits on the Harris
12 site until you approve REV 16?

13 MR. COMAR: That's a good question. That's
14 what she was talking about. The REV 16 is being --
15 concurrently being reviewed by NRC as well as the
16 application. And we are saying that application will not
17 -- a decision to approve the license will not be
18 considered until the application for REV 16 has been
19 accepted and agreed to. So it is basically something
20 that is going on and that is normal any time you are
21 doing design and the design does change. So any
22 implications of the revised design are being reconsidered
23 for the site specific issues.

24 MR. CAMERON: I think we probably owe you a
25 concise answer on this to make sure there is no confusion

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1 and we just need to figure out how to get that
2 information to you. So the NRC staff will discuss how to
3 do that so that it's clear to everybody. Because it can
4 be a little bit confusing, at least in my humble opinion.

5 Let me just add, I am not being facetious
6 here, either in petitions to intervene on this license
7 application, concerns such as you raised about a moving
8 target, perhaps can be drawn to the licensing board's
9 attention, or outside of the process for this hearing
10 itself, a letter to the commission asking for
11 clarification, talking about the moving target is
12 certainly appropriate any time for a member of the
13 public. We will try to get you clarification on this and
14 figure out how we can make it available to the public,
15 because there has to be a clear answer to this. But we
16 will do that. And I would just thank all of you for your
17 comments and your attention to ground rules. And I'm
18 going to ask Andy to just close the meeting out as the
19 senior official.

20 MR. CAMPBELL: Thanks, Chip. First of all, I
21 do want to point out that we have a meeting feedback
22 form. We always like to get feedback on the meeting, how
23 we've done, ways we can improve. Appreciate it. They
24 are available at the table as you go out. So if you can,
25 take some time, fill out the feedback form. It helps us

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1 improve for each one of these types of public
2 interactions.

3 I particularly want to thank the people in
4 the town of Holly Springs for making this wonderful
5 facility available for this meeting. This truly is a
6 gorgeous facility and we really appreciate the
7 opportunity to hold the public meeting here.

8 We particularly want to thank Cassie Jones and
9 Emily Wright who worked with the NRC staff, with Tomeka
10 and Gwen and Butch, other members of the staff to set
11 this up. We appreciate their efforts, and they just bent
12 over backwards to help set up the meeting, so we
13 appreciate that.

14 And we appreciate the opportunity to receive
15 your comments, and this all becomes part of the record
16 and part of the process in developing the Environmental
17 Impact Statement, and we just want to thank you all for
18 your comments, and remember that there are other
19 opportunities besides today's meeting. There is a
20 meeting tonight for people to provide additional comments
21 if they want. And there are opportunities to provide
22 comments through e-mail and of course through postal
23 mail. So again, thank you all for coming, and I think
24 we'll adjourn and have a meeting later tonight if anyone
25 else wants to attend.

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1

Thank you very much.

2

(The meeting was adjourned at 3:05 P.M.)

3

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Comments June 10th
Vinnie DeBenedetto

Good afternoon Ladies and Gentlemen. My name is Vinnie DeBenedetto, Councilman from Holly Springs, NC the Town closest to the Harris Plant. I am here today to communicate the following concerns as it pertains to the combined license to operate 2 additional power plants on the existing site. My comments will cover the following three areas: 1. adequate evacuation routes, 2. use of reclaimed water, 3. impact of raising Harris Lake 20 feet.

Adequate Evacuation Routes: Since the original reactor was built on the site, the population within the 10 mile radius has increased well over twenty fold. The Town of Holly Springs now has 6 schools and a Middle School on the way. Many citizens are concerned that the roads in and around the Harris Facility are the same as when the Plant was first built. There is a fear among citizens that should there be an emergency, the inadequate roads will become gridlocked. The new schools that have been built will be extremely vulnerable in their ability to evacuate in a safe and timely manner. As the reviewing authority for this application, I implore you to make certain that old and antiquated routes and roadways need to be brought to acceptable standards. That means that many roads need to be widened and adequate linkage to the proposed 540 toll road be constructed. The citizens of Holly Springs do not feel this road building and reconstruction is their responsibility. I would expect that your report and recommendations includes caring for this critical part of licensing 2 new Units.

Use of Reclaimed Water: It has been discussed in various forums that the Harris Lake will be required to be raised approximately 20 feet to accommodate the cooling requirements for the additional units. Providing such an additional volume of water especially in light of recent droughts can be a challenge. Even with an additional height of 20 feet in the Harris Lake, there could be circumstances that would cause lake levels to get so low as to cause a plant shutdown. I would want to see stated in this review process the ability for Holly Springs and other municipalities to discharge reclaimed water into Harris Lake or by some other means in order to take advantage of maximizing cooling water capacity. There might be other sources for water cooling other than Harris Lake. One such source is drilling wells to access groundwater. I would request the NRC to deny such request if indeed it is part of the application. I wouldn't want to see surrounding area groundwater supplies be jeopardized.

Impact of Raising Harris Lake: There are maps available that attempt to show the pervasiveness of such a lake level height increase on the surrounding Land. This new level will undoubtedly cause many roads, bridges and Harris Park to essentially be under water. Not only does this impact the evacuation roads but also an amenity for County citizens—the Harris Park. Our citizens need to be assured that not only will adequate roads be built but also relocation of the Harris Park so the taxpayers could enjoy much needed parkland.

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**SCOPING COMMENTS ON ENVIRONMENTAL IMPACT STATEMENT
ON THE SHEARON HARRIS NUCLEAR POWER PLAN
BY THE NORTH CAROLINA WASTE AWARENESS AND REDUCTION NETWORK
June 10, 2008**

Now comes NC WARN with comments on the scope of the environmental impact statement to be prepared by the NRC Staff on the proposed operating license for two new units at the Shearon Harris Nuclear Power Plant ("SHNPP") in Wake County, North Carolina. NC WARN has as its primary purpose to eliminate as much of the risks as possible from nuclear power plants.

NC WARN has limited its scoping comments below to:

- the need for good data for emergency planning
- Progress Energy's poor track record on fire issues
- defense against aviation attacks
- security against terrorist threats
- water usage during droughts
- the impacts of climate change
- the lack of long-term disposal of irradiated fuel
- the dangers of storing irradiated fuel in fuel pools
- the need to analyze alternative energy sources

NC WARN Scoping Comments, Page 2

Legal requirements. One of the principal requirements of the National Environmental Policy Act ("NEPA") is to protect public health and safety. 42 U.S.C. §4321 ff. NEPA procedures require the NRC to prepare an EIS for any major licensing action significantly affecting the quality of the human environment. 10 C.F.R. §§ 51.71 and 51.91. The EIS review should be both fair and independent; the NRC staff may not blindly follow Progress Energy's analysis. Under NEPA, the NRC is the lead agency and cannot rely on other agencies to make decisions for it.

Before a nuclear plant is licensed to operate, the NRC must have "reasonable assurance that adequate protective measures can and will be taken in the event of a radiological emergency." 10 C.F.R. Part 50, Appendix E and NUREG-0654. The goal of the EIS is to analyze and evaluate the ability of the plant to operate safely; first that the plant is in compliance with safety rules, and protects against "anticipated" accidents and design basis accidents ("DBAs"), and the "reasonably foreseeable" impacts which have "catastrophic consequences, even if their probability of occurrence is low." 40 C.F.R. § 1502.22(b)(1).

In licensing hearings, the Commission has required that the EIS address the probability of severe accidents and how to prevent them if at all possible, or mitigate them if they cannot be prevented. See, e.g., Carolina Power & Light Co. (Shearon Harris Nuclear Power Plant), CLI-01-11, 53 NRC 370, 387 (2001). This requirement is "based on the Commission's NEPA regulations that require a review of severe [accident] mitigation alternatives in its environmental impact statements (EISs) and supplements to EISs, as well as a previous court decision that required review of severe mitigation alternatives (referred to as SAMAs) at the operating license stage." *Limerick Ecology Action v. NRC*, 869 F.2d 719 (3d Cir. 1989).

Scoping Issues. NC WARN urges the NRC to investigate in depth the following specific issues:

A. Emergency Planning. In 1987 when Unit 1 of the SHNPP was licensed, there were only 15,000 people living in the 10-mile emergency planning zone ("EPZ"); currently there are at least four times that many, and the population is predicted to grow significantly from the present through any licensing period. Likewise, the population within the 50-mile EPZ is forecast to grow significantly, compounding all attempts to safely evacuate people around the plant. The EIS needs to look realistically at these significant population increases and projected changes in land use.

Without a solid grasp on who will be living around the plant, the NRC and Progress Energy (formerly Carolina Power & Light) cannot prepare its emergency plans. Of concern are the susceptible populations, i.e., children, women of childbearing age, senior citizens and nursing home residents who may have special difficulties in the event of an evacuation and may be more susceptible to radiation emissions and other hazards that could occur in connection with evacuation and relocation. A baseline

health study is essential in finding out the broadly-defined medical needs of these susceptible populations.

The EIS should also examine the forecasted increase in vehicle use on the highways in the area. Given the traffic increases and population growth, the major thoroughfares used as evacuation routes may be impassible at most times of day without extensive new spending on highway expansions and improvements.

An effective emergency plan incorporates the strengths of local governments and medical support infrastructure, and at the same time, provides the support for adequate planning, resources, training and staff. The Orange County Board of Commissioners, in an October 3, 2006 resolution, concluded that "there is no coordinated emergency management and evacuation planning for the portion of the ingestion pathway beyond the area defined by the ten-mile radius around Shearon Harris." Other local governments have express the same concerns.

B. Fire Protection. The risk from fire at nuclear plants has been quantified repeatedly by the NRC staff and others. A significant fire can lead to the loss of the operator's ability to achieve and maintain hot standby/shutdown conditions further resulting in significant accidental release of radiation and posing a severe threat to public health and safety.

Progress Energy has had a poor track record of compliance with fire protection rules and it is unreasonable to consider licensing new reactors at SHNPP until Progress Energy shows that it has taken care of the present deficiencies. Since at least 1992, the present reactor has been out of compliance with requirements to maintain the post-fire safe shutdown systems that minimize the probability and effects of fires and explosions. It is not expected to come into compliance until the year 2015 or later.

NC WARN has brought this issue to the NRC, Congress and other Federal agencies and in its report, "Delaying with Fire: The Shearon Harris Nuclear Plant and 14 Years of Fire Safety Violations," and other activities. Currently there is an investigation by the Government Accountability Office on the long series of NRC notices, bulletins and enforcement actions that have been in large part ignored by Progress Energy; promises to come into compliance have been repeatedly made and then postponed. The NRC Office of the Inspector General recently confirmed these charges.

People living around the SHNPP remain subject to severe and undue risks from these noncompliant practices. The current risks from Unit 1 are compounded by adding two more reactors.

C. Aviation Attacks. It would be a clear violation of NEPA if the EIS does not address the environmental impacts of a successful attack by the deliberate and

malicious crash of a fuel laden and/or explosive laden aircraft and the severe accident consequences of the aircraft's impact and penetration on the facility. It is unreasonable for the NRC to dismiss the possibility of an aviation attack on the SHNPP in light of the studies by the NRC at least since the 1982 Argonne National Laboratory study, NUREG-2859, that this is a real possibility that could have devastating results. The potential for accidents caused by deliberate malicious actions and the resulting equipment failures is not only reasonably foreseeable, but is likely enough to qualify as a DBA, i.e., an accident that must be designed against under NRC safety regulations. An aircraft crash affecting the ultimate heat sink (cooling tower, water intakes, etc.) would leave core cooling dependent on the feed-and-bleed cooling mode, provided a sufficient water supply and electrical power remain available.

D. Security. In addition to aviation attacks there are a number of viable terrorist threats to the SHNPP that should be fully investigated in the EIS. *San Luis Obispo Mothers for Peace v. NRC*, 449 F.3d 1016 (9th Cir. 2006), cert. den. 127 S.Ct. 1124 (2007). Nuclear reactors are expressed terrorist targets that need to be dealt with by highly trained security forces and may require significant design and structural changes.

Progress Energy's track record of compliance on security and safeguards should be examined closely so that current unsafe practices at Unit 1 do not add to the risks at the proposed units.

E. Water Usage. In 2007, reduced rainfall in the Southeast began to have a noticeable effect on electric generating plants, and in particular, nuclear power plants, because of the vast quantities of water reactors consume. North Carolina remains in a drought and yet the SHNPP is proposing to permanently remove up to 120 MGD (millions of gallons per day). This is clearly in excess of the amount available in the Harris Lake or available from the Cape Fear River. The removal of this quantity of water would have a significant impact on fish, benthic invertebrates and other wildlife in the Harris Lake and Cape Fear River. It would also affect public health and limit recreational opportunities.

It is unclear from Progress Energy's Environmental Report exactly how much water the two proposed units will require. The EIS should closely examine the need for the expansion of Harris Lake and the impacts of that expansion, or withdrawals of water from the Cape Fear. If the latter, the water would likely be withdrawn in times of low flow, causing downstream water quality and water availability problems.

F. Climate Change. The EIS should evaluate the effects of climate change and global warming in terms of extended drought conditions and/or severe weather patterns. As described above, continuing droughts may limit the necessary water for cooling. Severe weather patterns may lead to direct damage to the units and loss of

offsite power. The NRC's probabilistic risk assessment recognizes that these need to be considered, with the worst-case-scenario presented in the EIS.

As a component of climate change the "carbon footprint" from the proposed units needs to be presented, from mining and processing, fuel enrichment, construction, operation and waste disposal. This needs to be compared to the carbon from other alternative power sources.

G. Disposal of Irradiated Fuel. The EIS should clearly evaluate whether and in what time frame irradiated fuel generated by the proposed units can be safely disposed. Nationwide, there is a decided lack of options for permanent disposal of irradiated fuel and other high-level radioactive waste. It is unreasonable at this late date to continue to rely on the Final Waste Confidence Decision, 49 F.R. 34,658 (August 31, 1984), citing *State of Minnesota v. NRC*, 602 F.2d 412 (D.C. Cir. 1979) or the Waste Confidence Decision Review: Status, 64 F.R. 68,005 (December 6, 1999).

To date, the NRC still has not made an assessment on the safe disposal of waste on which Progress Energy can rely. Additional waste generated by the two proposed reactors will not safely take care of itself; "let's hope that the waste will be taken care" does not meet the requirements of NEPA.

H. Fuel Pools. The EIS should carefully describe and analyze the plans to store the irradiated fuel in fuel pools on the site. There could be considerably more radioactive material released from improper storage and loss of water from the pools and the off-site results could be catastrophic. (See above on aviation and terrorist attacks).

I. Alternative Energy. Lastly, the EIS should examine alternatives to the proposed SHNPP, and their financial costs and environmental impacts. The NRC must perform (1) a detailed analysis and evaluation of the applicant's power projections and (2) an independent assessment of forecasts of growth in electricity consumption and peakload demand in the utility's service area.

A full and impartial review by the NRC staff cannot rely on actions taken by the NC Utilities Commission on the annual integrated resource plan (IRP) submitted by Progress Energy. For example, Progress Energy did not show in the most recent IRP in NCUC Docket E-100, Sub 114, how much of its demand growth and capacity needs were to be met by energy efficiency or renewable energy sources. State law requires that by the year 2021, at least 20% will be met by renewable energy. Session Law 2007-397. NC WARN maintains, and will be presenting expert testimony at hearings this summer that the forecast fails to justify the need for new nuclear reactors.