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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

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ZION LICENSE TRANSFER

WEDNESDAY

JUNE 18, 2008

+ + + + +

1 LAKE FRONT DRIVE

ZION, ILLINOIS

+ + + + +

The above-entitled matter commenced at
the hour of 7:00 p.m.

PRESENT:

ANDREW PERSINKO, U.S. NRC Decommissioning Branch
Chief

JOHN B. HICKMAN, U.S. NRC Decommissioning Project
Manager

WILLIAM G. SNELL, U.S. NRC Senior Health Physicist

PATRICK T. DALY, Zion Solutions Senior VP &
General Mgr.

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P R O C E E D I N G S

(7:14 P.M.)

1
2
3
4 MR. HICKMAN: Good evening -- The two key
5 factors we review in any license transfer are
6 technical qualifications and financial
7 qualifications. And by that I mean we're looking at
8 the qualifications of the company or organization
9 that is going to receive the licenses.

10 In the case of our review of technical
11 qualifications, normally for most reactors we're
12 looking at operations qualifications since this is a
13 permanent shutdown reactor, those are not
14 applicable. So the technical aspects we'd be
15 looking at are focused on the maintenance of the
16 facility, fuel handling, constructing and loading
17 and independent spent fuel -- installation and the
18 decreasing of the plant.

19 We will also be looking at the financial
20 qualifications of Zion Solutions to take over the
21 plant --

22 MR. SNELL: Good evening -- I'm Bill
23 Snell. I'm from Region III in Lisle, Illinois I
24 have responsibility for the inspection program and -

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1 - if this is approved I'll have the lead for
2 inspections that will be taking place.

3 So, I'll talk a little bit about our
4 inspection program, what it is and what our
5 objectives are.

6 Essentially we have four primary
7 objectives and the first one is to obtain
8 information through direct observation of and
9 verification of licensee activities that are taking
10 place. Basically doing that by going to the site
11 and observing to see what people are doing and
12 essentially assessing performance while we're out
13 there.

14 We certainly want to verify the
15 activities are adequate and they're conducting
16 activities in accordance with the Regulatory
17 requirements and any other documents that have been
18 approved.

19 Things we look for are things like
20 declining in trends in performance or whether
21 they're following regulations and to do that, we go
22 out in the field and see what's going on.

23 We're also after the paramount purpose
24 of verifying that the site is cleaned up to levels

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1 that allow for release when it's all done. And
2 ensure safety. You know, safety is the main goal of
3 the NRC. We're interested in the safety of the
4 workers that are working there as well as the safety
5 of members of the public and we also want to make
6 sure that the environment is protected throughout
7 all the activities that are taking place.

8 So when we put our program together,
9 some of the things that we focus on are to ensure we
10 have adequate oversight. Then this is handled out
11 of Region, headquarters has a role for licensing
12 activities. Our primary role in the Region is
13 inspection, so we have to be sure we have the people
14 and the resources and the wherewithal to get out in
15 the field to do these inspections.

16 And so we put our program together such
17 that will enable us to do that. We verify that the
18 license is maintained, the documents are adequately
19 implemented, and that they reflect the status of
20 decommissioning. There are multiple programs,
21 including quality assurance programs, radiation
22 protection programs, audit programs, security
23 programs. All of these programs have to be
24 monitored by us. They have procedures that they

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1 have to follow so we're continually verifying that
2 procedures are adequate to do the job that they're
3 trying to do and verifying that they're maintaining
4 these procedures.

5 As conditions at the plant change, some
6 of the procedures may need to be modified. Some of
7 them are no longer relevant and need to be deleted,
8 you know, and so on and so forth. But we're trying
9 to keep on top of all the procedural requirements.

10 We also verify that there's reasonable
11 assurance that they can do what they're trying to
12 do. We look at their activities, we look at their
13 organization, to ensure that they can actually
14 perform what they said they're going to be able to
15 perform.

16 We don't tell them how many people they
17 have to hire to do the job but we want to make sure
18 that it's doable without compromising safety or the
19 environment or these other issues.

20 And certainly we're after the radiation
21 program being implemented appropriately. It's kind
22 of the key to the whole thing and we want to make
23 sure that they're controlling the radiation onsite
24 and protecting the people from radiation dose to the

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1 extent practicable and that they're adequately
2 measuring what's there, you know, quantifying what
3 the source term is and ensuring that, what they
4 already got a good handle on and keep it out of the
5 public domain inadvertently.

6 When we put our inspection plan
7 together, some of the things we look at that we're
8 trying to get across is a balanced cross-sectional
9 look at their entire operation. We look at a little
10 of everything that's going on in the site.

11 We put together a schedule based on
12 planned activities, reflecting in that the
13 decommissioning work that can change real rapidly
14 making it hard to maintain a real good schedule.
15 But to the extent we can, we plan our activities
16 based on what the licensee's doing so we can ensure
17 that we are there to see all major activities that
18 are taking place. Often times that's on short
19 notice and if that's what we have to do, that's what
20 we'll do.

21 We try to make sure our process is
22 extremely flexible. If we see declining trends or
23 problems, we have the people and resources to
24 respond as necessary and address any unexpected

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1 problems that come up.

2 Our program is organized into two main
3 areas. We have our core inspection program and then
4 we have our discretionary inspection.

5 The core program is something that we
6 generally do every year. We look at all these
7 different areas. We may look at radiation
8 protection every time we come out. Where things
9 like quality assurance maybe be only a couple times
10 a year, it depends on, performance and, how we lay
11 it out.

12 Our discretionary inspections are
13 inspections that we'll put into effect if we see
14 there's a need. If we find a licensee performance
15 error, we may decide that we're going to bring in
16 additional people or more, just time and effort to
17 ensure that things are being done adequately and
18 appropriately.

19 The one thing we do is every year, we
20 develop what we call a master inspection plan and
21 that lays out our planned inspection activities for
22 the entire year. I generate that plan in the
23 regional office based on input from the licensee and
24 what their anticipated activities are.

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1 We try to be flexible based on what
2 activities they have coming up and depending on past
3 performance and what's in these activities that are
4 coming. We try to time our inspections to be
5 thoroughly effective to maximize our benefit from
6 our inspection plan for the time that we have.

7 We do plan everything in advance so it
8 gives us a little more latitude, even though things
9 can change. It's my expectation, if this is
10 approved, I would probably be out here, probably at
11 least every other week initially. And as things get
12 moving, probably at least once a month through the
13 duration of most of the project. We try to be
14 fairly involved and on top of what's going on.

15 That's more or less a quick overview of
16 what the program is and what we try to accomplish.
17 We do this for all our decommissioning reactors.
18 And as you see here, I am not the only inspector, but
19 others from the Region III office will also be doing
20 a lot of inspections up here.

21 Victoria is our public affairs officer.
22 Unfortunately she went home sick this morning. So
23 Prema Chandrathil is here for her today. So if you
24 have questions you can get in touch with her.

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1 Sarah Bakhsh is probably going to be the
2 lead Region person for the dry cast storage part of
3 the inspection program.

4 They will be here after the meeting, if
5 you need to get their phone number we can get them
6 on the, on the list. I apologize for that. But
7 they will be around so if you want their phone
8 number or e-mail address you'll be able to get that.

9 And now I want to introduce Pat Daly
10 from Zion Solutions.

11 MR. DALY: Thanks a lot. Good evening.

12 As, while he's pulling the slides up, just to give
13 some quick background. Last, it was actually in
14 '06, Energy Solutions and Exelon got together --

15 AUDIENCE MEMBER: Could you use the
16 microphone a little closer?

17 AUDIENCE MEMBER: And your name?

18 MR. DALY: My name is Patrick Daly.

19 AUDIENCE MEMBER: Thank you.

20 MR. DALY: Okay. Sorry. In '06 Energy
21 Solutions and Exelon got together and we sat down
22 to, you know, to look at how we could accelerate the
23 decommissioning of the station.

24 And it, in looking at it, Exelon's core

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1 competency is electrical generation. Our core
2 competency is decommissioning and nuclear plant
3 services and waste management, and specifically
4 nuclear waste management.

5 And after we did a due diligence and
6 went through a process, we, we're confident that we
7 can accelerate the decommissioning for what's
8 existing in the trust fund. The prior plan was to
9 allow the trust fund to build up to a much higher
10 level. We think it's adequate as it is now and
11 that's why we want to go forward with this process.

12 And why we chose the process of
13 transferring the license and ownership of the assets
14 is based on lessons learned from other plants,
15 plants such as May Yankee, Connecticut Yankee.
16 There's been a number of issues through using a
17 traditional approach that transferring the
18 accountability to a decommissioning contractor is
19 intended to avoid and put the accountability and the
20 responsibility onto the decommissioning contractor
21 to get it done.

22 And we're motivated to get it done and
23 move on to the next project. So, again, that state
24 is to our, our job is to prepare the decommission of

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1 the plant, prepare the land for unrestricted use,
2 amend the license, transfer the license back to
3 Exelon and then we're going to move on to the next
4 project.

5 Just for those folks that, this is not
6 long enough, I wanted to go over and point out, but
7 just for those folks that aren't familiar with the
8 plant configuration, this is a current picture of
9 the plant.

10 The two large buildings are the
11 containment buildings where they contain the reactor
12 vessels and, and primary system components. The
13 large building in the middle is the turbine building
14 and turbine generator. And in between the two
15 containments is the fuel building and aux building.

16
17 The fuel building has a pool where the
18 spent nuclear fuel's currently contained. One of
19 the, one of the main tasks we have early on is to
20 remove the fuel, package it into dry storage
21 containers and move it to a licensed pad on the
22 property. And that will allow us access to that
23 building and to complete the decommissioning of the
24 plant.

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1 I think that, as -- mentioned, we're,
2 Zion Solutions is wholly owned subsidiary of Energy
3 Solutions. We are formed specifically to perform
4 this decommissioning. And I, I'm the general
5 manager, John Christian's the president of Zion
6 Solutions.

7 Energy Solutions is a nuclear services
8 company. We're essentially at virtually every
9 nuclear facility in the U.S. performing services
10 both for nuclear waste processing, waste management,
11 decommissioning. We're also at several government
12 facilities, Department of Energy facilities, we have
13 several contracts over there.

14 We also have responsibility for
15 decommissioning responsibilities in the United
16 Kingdom. We currently have the contract for 22
17 reactors in the United Kingdom that are currently
18 undergoing decommissioning.

19 We are also a publicly traded company so
20 if you are interested, if you look under the symbol
21 ES, you can find additional information about our
22 company. The asset sale agreement is an
23 agreement that Exelon and Energy Solutions signed
24 just prior to the holidays. It is to transfer all

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1 the assets associated with the site and that
2 includes all the structures, buildings, components,
3 everything that's needed to maintain the current
4 configuration of the plant, along with, we submitted
5 a license transfer application just as was described
6 by the NRC to transfer the intensity of our 50
7 licenses to Zion Solutions.

8 And then once that's approved and we
9 meet some additional requirements, we'll close with
10 Exelon on the asset sale and then we'll be the owner
11 and responsible person for the site and for the
12 decommissioning.

13 We are, we are assuming all the
14 liabilities and all the risk of the decommissioning
15 and we believe that the current trust fund is
16 adequate to perform the decommissioning.

17 If, for some reason, there was some
18 unforeseen incident we have also in the -- we are
19 required to place a \$200 million letter of credit or
20 bond to back up, you know, if we are running into
21 financial difficulties. As well as we're also
22 required to provide any disposal asset backup.

23 And what that involves is, we own the
24 only commercial low-level radioactive disposal site

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1 in the country, the only licensed disposal site for
2 commercial and held in Clive, Utah.

3 And we agreed with Exelon, should we
4 fail, we've guaranteed space in that cell for all of
5 Zion low-level radioactive waste. So there, there's
6 several back ups. And we're, again, we're very
7 confident that we can complete this within the
8 decommissioning fund and we won't, we won't need
9 those back ups.

10 And I, the NRC mentioned this earlier
11 too, Exelon will retain ownership of the land, we
12 will lease the land during the process of the
13 decommissioning. They also retain ownership of the
14 spent fuel under a general license. We will be
15 accountable and responsible for the handling and,
16 and fuel transfer and, and maintenance of the fuel.

17 And the last item there, the greater
18 class C waste, that's a type of waste, it's actually
19 the irradiated metal within the reactor vessels that
20 once we remove that, that also is going to be placed
21 in a dry fuel storage canister and placed on the pad
22 with the fuel and then eventually that's the
23 responsibility of the Department of Energy to, to
24 dispose of.

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1 Our approach is, is different. Again,
2 we looked at the lessons learned from the other
3 decommissioning projects. Are approached is to bulk
4 remove material. The traditional approach is to
5 surgically remove, you know, look, surveying, look
6 for contamination, surgically remove it, survey
7 again, then free release equipment.

8 Our approach is we're going to go in,
9 we're going to rip out the equipment, we're going to
10 bulk remove it, we're going to ship it by train to
11 Clive, Utah and then we'll move fuel absolutely
12 that, the, the material out of there, then we're
13 going to perform our surveys.

14 And this is all, I'm talking about
15 moving the materials inside the building where we're
16 doing all the work inside the buildings where it's
17 confined.

18 And then we'll do our surveys. We'll
19 get to a point where we'll be able to release the
20 buildings for general demolition and that will be
21 out in about year five, five/six, somewhere in that
22 range. That we'll actually into the full demolition
23 of the buildings.

24 But the most of the work the head is

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1 going to be labor intensive and it's going to be
2 inside the buildings. And again, we utilize gondola
3 carts for, for build debris, concrete debris. We
4 also use trains for major components such as a steam
5 generator on a rail car that at the time has eight
6 of those generators, we're going to be shipping to
7 Clive.

8 And -- that I've mentioned, that's going
9 to be about a four year campaign for us and it
10 involves a pad just, just like is depicted in this
11 picture here. It involves entering into a contract
12 with a, a licensed vendor, a vendor who has a
13 licensed design to store for, for the fuel, who will
14 purchase canisters and equipment, load the fuel,
15 place the fuel on the pad and then that's the
16 licensed facility that will store the fuel until --
17 is, comes to the company for disposal.

18 The, the campaign, as I mentioned, is
19 about four years long. There's about two years of
20 effort to design, build a pad, procure the
21 equipment, train people, get everybody lined up and
22 then two years of double shift work to load the
23 cans. We'll load a can, about one a week and put
24 them on the, put them on the pad.

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1 One of the last things, after we, after
2 we remove the fuel, all the, all the equipment and
3 components have been stripped out of the buildings,
4 the buildings have been free released and we
5 demolish them, then we go onto a phase of
6 restoration.

7 You know, we go into our final set of
8 surveys and at that point we will have our license
9 termination plan in hand, we'll be doing our
10 surveys, our sampling, we'll be backfilling, we'll
11 be grading. The NRC at that point will be coming in
12 to do their independent verifications and then
13 there's a, we have a fairly lengthy process time in
14 there to work through any issues and to obtain the
15 license amendment to release the land from
16 restricted use.

17 We, in our estimate, and if you go
18 online and pull the document off the NRC website,
19 our current estimate has, has about \$978 million in
20 current dollars to perform the overall
21 decommissioning. And this is just our, our best
22 guess as how that dollar, how those dollars are
23 going to be spent and how those dollars are going, a
24 lot of those dollars are going to end up in the

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1 community.

2 And, as you can see, the biggest, the
3 biggest factor on that is labor. We anticipate, at
4 our peak, employing approximately 400 to 450 people.

5 Half of those will be trades and labor. The other
6 half will be technicians, engineers and professional
7 finance and those type of folks.

8 Just, just a very simple schedule, it,
9 right now we have in our estimate, ten years. The
10 bulk of the work, the bulk of the physical work will
11 be done in the first six years. And we have the,
12 the fuel storage, as I mentioned, is about a four
13 year effort. It, the middle bar in there, that
14 really involves removal of all the radiological
15 materials, source material, sending it to Clive for
16 disposal, demolishing the buildings and grading.

17 And then the last part is restoration
18 work on the land. Final status surveys, surveys of
19 the land to make sure it's free of, not only
20 radiological material but we also are responsible
21 for moving any hazardous material as well.

22 So we do all that work, do the samples.

23 Both the NRC and as well as the State of Illinois
24 and any other folks will then come in, perform their

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1 verifications of our work and once everybody is
2 satisfied, then we, we submit the amendment for
3 license to be approved by the NRC.

4 That's about it.

5 MR. PERSINKO: Thank you, Pat. That
6 concludes our presentation or presentations. We
7 would like to, this is the point in the meeting
8 where we would like to solicit comments from the
9 public. Before we do that, though, I would like to
10 propose that we take a five minute break.

11 Audio and visual from the hotel is here,
12 we're going to try to get the audio/visual, the
13 audio system hooked up. So if you could just, maybe
14 just stretch your legs for five minutes and then
15 we'll resume. Okay. Thank you.

16 (Off the record.)

17 MR. PERSINKO: The only thing I'll ask
18 is that as you make your comment, speak up if you
19 can, as loud as you can so we catch it on the
20 transcription here. Unfortunately I can't, I can't
21 move the microphone out where I want it to be. So
22 I'd ask you to, to speak up and I'll try to restate
23 your question into the microphone if possible.

24 So, with that I'd like to ask, open it

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1 up for comments, questions and we'll, we'll try to
2 answer any questions you may have. Yes?

3 MS. MARINELLI-GODFREY: Okay. This is a
4 question about the licensing and a licensee. This
5 says that the licensee submits the plan to the NRC.
6 The NRC has the best people available to them, not
7 only in the United States but in the world. How is
8 it that the NRC doesn't put out a plan that then a
9 licensee can submit a --

10 MR. PERSINKO: Are you, the plan you're
11 referring to, the license termination plan that we -
12 -

13 MS. MARINELLI-GODFREY: No. It says,
14 the concepts. The licensee submits a plan to the
15 NRC. So my question is, why wouldn't the NRC have a
16 clean up plan and put it out for a bid for someone
17 to, to do it, some company to do it?

18 MR. PERSINKO: The responsibility of the
19 clean up is the licensee's responsibility. The NRC
20 is an oversight group that will ensure that the
21 cleanup meets the NRC's regulations.

22 So the plan that's put forth by, that's
23 submitted to the NRC is, is the licensee's plan.
24 There are bidding licensees out there and there are

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1 different --

2 MS. MARINELLI-GODFREY: But you're
3 superior, you are superior to everyone. You really
4 have the expertise available to you from everyone.
5 Every, the best in the world. So, you know, why
6 wouldn't the top bureau, governmental entity have a,
7 have a way, present that this is the way to do it
8 right?

9 MR. PERSINKO: Did you hear the question
10 -- there are many ways, I would say, to do it right.
11 The, there are different constraints, different
12 drivers on how a, how a licensee wants to proceed
13 doing the decommissioning. How, what order things
14 needs to be disassembled. And it's not always the
15 same order all the time.

16 There are different, different reasons
17 why a different, one licensee may want to
18 disassemble component A first and moving B second.
19 So there's no one plan that the NRC can put forth
20 and say this is the way to do it.

21 But the NRC has bodies and the NRC has
22 regulations that must be met. So when the licensee
23 completes its, well during decommissioning, as Bill
24 said, we, we have oversight, we do inspections to

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1 make sure that the workers are safe meeting the
2 NRC's radiological regulations.

3 And we, and at the end toward, you heard
4 about the final status surveys, NRC does their
5 analyses to make sure that the residual
6 radioactivity that's remaining at the site is below
7 NRC threshold levels. That's what the NRC cares
8 about. It's basically what, what we call
9 performance based regulations.

10 We don't dictate the step by step
11 processes but we are very, very interested in that
12 end point as well. Because the end point is, is the
13 real important part. It's the, we want to make sure
14 that the radioactivity level, that's it not a hazard
15 to public health and safety.

16 MS. MARINELLI-GODFREY: Okay. I really
17 commend you for that type of oversight for safety.
18 But I'm just thinking on the interest of saving the
19 public the money it would cost for trial and error,
20 not mention the danger of trial and error by all
21 these licensees trying out to their best to the best
22 -- why not ask the top, top scientists, the health
23 physicists, the nuclear engineers, the ones who meet
24 in Washington who, who know what -- more than other

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1 staff?

2 I submit to you -- people over you so
3 that maybe they might, the National Regulatory
4 Commission might coordinate with the right, one of
5 the right, well the right way, the way that's best
6 recommended by a Commission of top scientists, top
7 nuclear engineers.

8 Okay -- for that particular site.

9 MR. PERSINKO: Okay. We have your
10 comment and, and thank you very much. Any other
11 comments, questions?

12 AUDIENCE MEMBER: There was several
13 mentions about accountability and some other issues
14 and the word rules used on the last group of slides.

15 So there was discussion of a bond, are we lead to
16 believe that Zion Solutions has a net worth of in
17 excess of \$200 million and/or that somehow they
18 could come to the rescue if something does go afoul
19 here?

20 MR. PERSINKO: Well, Mike do you want to
21 handle this or --

22 MR. DUSANIWSKY: I can do this loud and
23 clear -- whatever method they wish to use for the --
24 if we were to do that, I'll have to say

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1 respectively, respectably that the, that you have to
2 really talk to the Congress of the United States.
3 Our charter is clear.

4 The old Atomic Energy Commission had
5 that kind of responsibility of discussing but that
6 was separated when the Nuclear Regulatory Commission
7 -- in 1975.

8 As far as the \$200 -- \$200 million line
9 of credit that they will have -- and it is up to the
10 bank as to whether or not they will accept the
11 balance sheet, the assets, the criteria, whatever
12 they may choose to issue such a \$200 million line of
13 credit.

14 AUDIENCE MEMBER: I understand that.
15 But you used the word, who, please -- Zion Solutions
16 or is it Energy Solutions? Is it your company or is
17 it this little company that may or may not -- I,
18 detail of which escapes me for the moment but I
19 believe that is Energy Solutions that is putting it
20 up?

21 AUDIENCE MEMBER: Right. It is Energy
22 Solutions' parent guarantee. Energy Solutions is a
23 publicly held company on the New York Stock
24 Exchange. You can look it up when you go home, try

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1 under the symbol ES. I checked it this morning so
2 unless there's a big change, our market
3 capitalization is something over \$2 billion.

4 The net worth of the company, you can
5 look up in our annual report under the quarterly
6 filings with the Securities and Exchange Commission
7 so all those details will be there.

8 If you have further questions that, that
9 aren't revealed to you through, through that kind of
10 research, I can certainly put you in touch with our
11 investor relations people in our home office in St.
12 Lake City who can answer those kinds of questions.

13 AUDIENCE MEMBER: Great. I'm sorry, I
14 don't mean to -- this is and I understand, I think
15 the charter issues in some of that, but it would
16 appear to me anyways, that the NRC is either going
17 to push the yes button or push the no button here.
18 So they are, in fact, reviewing the details of this.

19 And it does appear to me with little question that
20 the large company with a significant net worth,
21 greater than the gentleman's statements here, is
22 being let off the hook, so to speak, by the transfer
23 of the license to yet another body who will
24 undertake work.

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1 Now if something does go wrong, am I
2 correct in thinking right now that Exelon is not
3 responsible during this ten year period because they
4 simply are not the licensee? Is that correct?

5 AUDIENCE MEMBER: I understand the
6 nature of your concern. But what you're asking is
7 really a legal question. And I do understand that
8 once the license is transferred, it will be the
9 responsibility of Zion Solutions, with its parent
10 company, Energy Solutions to decommission and
11 decontaminate this facility.

12 Now if something goes wrong, from
13 whatever caliber you may discuss, the truth is that
14 there is sufficient number of dollars involved that
15 what, you know, how much, how far do we go for
16 reasonable is really what it's going to come down
17 to.

18 AUDIENCE MEMBER: The drinking water for
19 16 million people --

20 AUDIENCE MEMBER: Understood.

21 AUDIENCE MEMBER: -- is 100 yards away.

22 AUDIENCE MEMBER: Understood. But what
23 I can only tell you is that as far as the financial
24 qualifications of the applicant, in this case being

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1 Zion Solutions, is significant. And, in addition to
2 which, even if it were to remain with Exelon, those
3 same concerns you are discussing now are essentially
4 the same.

5 AUDIENCE MEMBER: I doubt that.

6 AUDIENCE MEMBER: Well --

7 AUDIENCE MEMBER: Well how could that
8 possibly be on a balance sheet basis? How? Exelon
9 has a -- is not using any of their money, they're
10 using the money that people in this room paid in for
11 the -- fund. And they're making a call on it.

12 If they run short, there's \$200 million.

13 Granted, who knows what it is. But when these
14 other legal questions possibly come into play, I
15 don't know what those would be, very frankly, I'm
16 not capable of saying that. But let's just imagine
17 that you -- a short list of the worst things that
18 could happen -- far and above anybody's capability
19 of this, in this audience. So realistically, if one
20 of those things should go wrong, who do we want
21 answering that?

22 The people who got the original license
23 or do we want people that have maybe great
24 capabilities that are simply operating on site? I

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1 mean how, how is that repaired? I don't understand
2 where the resources would come to address that?

3 AUDIENCE MEMBER: -- the disposal site.

4 Which means that they don't necessarily have to put
5 up a dollar amount value for that disposal but it
6 releases dollars that would have otherwise been used
7 towards that for other activities. It still
8 releases a lot of dollars available to take care of
9 the necessary decommissioning and decontamination
10 requirements.

11 AUDIENCE MEMBER: That's the business
12 operation, I understand that. But also being a U.S.
13 taxpayer and being bit about -- so does the
14 Department of Energy have an equal site, why can't
15 we put it in our own place, if that's the case
16 that's going to save money. Don't we have a, don't
17 we have a DOE site in Utah also, where we can place
18 things at taxpayer expense versus private
19 enterprise? Couldn't we save money there?

20 AUDIENCE MEMBER: I'm not sure where
21 the, where the question's going but I can tell you
22 that the reasonable assurance is there based on our
23 regulations.

24 MR. PERSINKO: Let me say -- that

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1 substantial amount of information and that's a
2 question for the, of the applicant. But the review
3 of the --

4 AUDIENCE MEMBER: All right.

5 MR. PERSINKO: Yes, ma'am? Even though
6 you --

7 MS. LEWISON: I'm Glenda Lewison and I'm
8 with Nuclear Energy Information Services, which is
9 the nuclear watch out group in Illinois. We've been
10 around for 27 years. And we have many concerns
11 about the decommissioning and doing it in the proper
12 way.

13 So I just want to address a couple of
14 them. One was mentioned by our director, Dave
15 Craft, when we were up here at the last meeting.
16 And that was about protecting the high level nuclear
17 waste on site when you move it. That is probably
18 the most dangerous part of the process.

19 And Dave Craft made the point at the
20 last meeting, which I just want to reiterate, that
21 when you set it up there like bowling pins and you -
22 - that's a much more, much too dangerous way to
23 configure the new arrangement.

24 What you want to do, what's suggested as

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1 the best practice is, is to scatter those canisters
2 in an irregular way throughout the site so that you
3 can't just blob them like, you know, like a bowling
4 ball to those very regular, just one football field
5 size.

6 And also what was suggested, we haven't
7 had a lot more security on any of these sites since
8 9/11 which is its own problem, that we not, that we
9 berm the site so that there aren't these direct site
10 lines for terrorists or people who would like to
11 attack or aim missiles at them, that we berm the
12 site so that we at least protect it that way.

13 So we would be very interested in being
14 on the task force because I think that we have the
15 expertise in these areas and that there needs to be
16 that watchdog function as part of the task force to,
17 to change that configuration both to scatter it
18 throughout the site and to berm it for the obvious
19 reasons that I, that I just mentioned.

20 And the other consideration that I
21 wanted to, to bring up was, again, to address the
22 trust, the trust fund issues. How much is there and
23 what is the, at the last meeting you said there was
24 \$850 million that we put down on our electric bill

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1 over the years and that you needed a billion and
2 that you expected the interest from the declining
3 principle to put up, to come forth with the net,
4 with the last 150 million over the course of the ten
5 years.

6 Could you, could you address that again,
7 too?

8 MR. DUSANIWSKY: I understand -- but I
9 will -- in terms of describing what we have not
10 found to be a show stopper at this point, I am not
11 finished with my analysis and I can't really get
12 into more detail that that at this point, at least
13 on the financial parts of it.

14 MR. PERSINKO: We have your comment on
15 the transcription with Mike's review of the
16 financial aspects thus far. One thing I'd like to
17 just say on your earlier
18 -- review of the spent fuel -- canisters -- that
19 review is done by another group of -- we have a set
20 of regulations and parts that -- and parts -- that
21 specifies what needs to be done -- the spent fuel.
22 And that review is done by another group. And it's
23 not, not our group, but it will be another group
24 that reviews that to assure that the regulations are

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1 met.

2 Just one second, try to spread it around
3 through here. Yes, ma'am?

4 MS. SHINEFLUG: My name is Marilyn
5 Shineflug. Unfortunately I don't have a prepared
6 speech tonight but I do have some questions.

7 I have been concerned about nuclear
8 power since the mid 1970's and it, there, you know,
9 it, but I've recently become concerned now because
10 of the plans up here at Zion. Now, obviously it
11 will be better to have the spent fuel pool closed,
12 you know, I do agree with that. And the sooner it's
13 decommissioned the better.

14 However, I'm concerned about some of the
15 methods that you, that you are mentioning. And I'm
16 also concerned about some facts that you're not
17 mentioning. To begin with, what type of casks do
18 you plan to use onsite? What kind of dry storage
19 casks do you plan to use?

20 MR. PERSINKO: I don't know if the
21 decision's been made yet, it's not the NRC's
22 decision as to what kind of cask should be used.
23 The licensee decides what casks they would like to
24 use and then they would propose that to the NRC.

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1 Well the casks are, there are certain
2 kind of casks that have, there are different
3 manufacturers of casks.

4 MS. SHINEFLUG: Yes. Yes, I know.

5 MR. PERSINKO: That have NRC approval
6 already. The choice of those casks, which there's
7 different vendors, different styles, is the licensee
8 decision and then they would come to the NRC for the
9 approval. I don't know if the decision has been
10 made as to what kind of cask and what vendor they're
11 --

12 MR. DALY: We have not, we have not
13 selected a vendor. There have been, there's about
14 four vendors that have licensed --

15 MS. SHINEFLUG: And the names of those
16 vendors, please, that you're considering?

17 MR. DALY: One is called Holteck -- a company
18 called Mack -- and

19 MS. SHINEFLUG: What are the, the
20 gentleman here wants me to ask, what are the
21 different pros and cons between the different brands
22 of casks?

23 MR. DALY: They're, they're essentially
24 all very similar. They all have to meet the

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1 requirements of the NRC. They're all configured the
2 same way. The differences are in the size. Some
3 hold more fuel and some hold less. But they're all
4 essentially the same configuration. And I've got,
5 you know, photographs of the different canisters and
6 they all look, you couldn't, if you looked at them,
7 you didn't know the difference between the vendors.

8 If you looked at one, you couldn't tell one from
9 another.

10 MS. SHINEFLUG: Well, but the problem,
11 the problem as far as the public is concerned, if
12 you disagree, is that there are differences, and I
13 know that the Holteck cask has had many problems. I
14 can't remember the name of the gentleman that was
15 released from Exelon because he, you know, looked,
16 looked at some of the difficulties in the way that
17 the casks were constructed.

18 But rather than argue about the type of
19 cask at this point, have you considered hardening
20 the casks because a number of groups throughout the
21 country are in support of this decommissioning and
22 in support of the storage in the dry casks, as
23 opposed to the spent fuel pool, it's not that any
24 group likes any of it but, you know, we have to deal

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1 with the problems that we have.

2 So, my question is, have you considered
3 hardening the casks?

4 MR. DALY: -- is to meet the federal
5 requirements that ensure public health and safety.
6 So we will only use -- that are designed in a safety
7 basis and have been approved by the NRC. They are
8 very robust systems. They come with over-casks so
9 you have a canister that's inside a concrete,
10 reinforced concrete and steel outer cask that's
11 approximately two to three feet in thickness.

12 So these, these are very robust. They
13 are, they are very robust.

14 MS. SHINEFLUG: Well, you say they're,
15 you say they're robust but there's, all you have to
16 do is go on the internet and I'll give you a couple
17 of different sites that everybody here in the room
18 can take the opportunity to look at without too much
19 trouble and what is it, those missiles that some,
20 there are some type of missile that they've shot at
21 these things, you know, once maybe it was okay, it
22 couldn't get through the outer level but then they,
23 if a second missile would go off, it could easily go
24 in and cause all kinds of havoc and, and huge

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1 amounts of radiation to come out and to, you're
2 smiling, you know, like you've heard this before.

3 MR. DALY: Well --

4 MS. SHINEFLUG: But, you know, those are
5 the, a hardened onsite cask, I, I don't know if
6 there's agreement exactly on how it would be built,
7 but it would be these dry storage casks with some
8 type of concrete shell put over them so that they
9 would not be so open, vulnerable, to, thank you, to
10 some kind of terrorist or any kind of mischievous or
11 an airplane or something like that.

12 So, okay, that's why I'm concerned, so
13 you don't --

14 MS. BAKHSH: Can I --

15 MS. SHINEFLUG: Sure.

16 MS. BAKHSH: My name is Sarah Bakhsh,
17 I'm just trying to address some of this -- the
18 direct fuel storage, inspector in the Region III NRC
19 office. Just to, the vendor, like the manufacturer
20 of the casks would be responsible for, like the
21 responsible, they would be responsible for making a
22 cask with greater shielding.

23 There's different types of casks for the
24 different types of fuels that are in there,

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1 depending on how long it's been in there. And the
2 list of approved casks in the regulation, the -- are
3 the ones from the NRC.

4 And they've analyzed, like your
5 reference before to the bowling pins, these are 100,
6 over 100 ton casks. And they're, been analyzed to
7 where they were going to be put on the site by the
8 NRC. They've been tested for missiles and seismic.

9 All that has, is looked into before these casks are
10 approved. And that's why there's just a list.

11 And then based on that, they have
12 licensing basis that we also go and inspect to when
13 the fuel will be transported.

14 AUDIENCE MEMBER: Do you have a science

15 --

16 MS. BAKHSH: Yes.

17 MS. SHINEFLUG: But the question, but
18 the question is, are the NRC standards strict enough
19 at this point? And, and the feeling is they're not
20 and, and that the public should really request that
21 these independent spent fuel storage facilities be,
22 have hardened, have the concrete over-structure or
23 somehow be made safer.

24 Okay. I think I made my point. What

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1 is, and another question that came up as we were
2 talking here, what is the exact train route? I was
3 at an earlier meeting and you, you gave the most
4 simplistic, insulting map which showed a dot at Zion
5 and another dot at Proviso. And it did not explain
6 or detail what route? Are these going to go over
7 the Chicago Northwestern tracks, are they over the
8 Milwaukee road tracks? What is the exact train,
9 proposed train route for getting rid of, I don't
10 know, how many, how many train loads of this is
11 there going to be?

12 MR. PERSINKO: I don't know the answer
13 to that.

14 MR. DALY: I can answer. I mean, we, we
15 will be entering into an agreement with Union
16 Pacific on --

17 MS. SHINEFLUG: Union Pacific?

18 MR. DALY: Yeah, Union Pacific. But we,
19 we're not at that point.

20 MS. SHINEFLUG: So is that the old
21 Chicago Northwestern line?

22 MR. DALY: I, I can't answer that.

23 MS. SHINEFLUG: I think it is.

24 MR. DALY: I mean we're, we're still

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1 quite a ways away from entering into an agreement
2 with them. We're, still quite a ways away from
3 actually moving and shipping debris, the low level
4 debris from the site.

5 MS. SHINEFLUG: But, but if there's
6 planning to take place, I would think that this
7 would be one of the first things that you want
8 because if you end up with a whole lot of protests
9 about the particular route that the train is taking,
10 then you're going to have to think of another route,
11 you know. I mean I'm, I don't organize protests.
12 I'm just asking questions, yeah. Okay.

13 MR. DALY: A lot, then a lot will have
14 to depend on the railroad, just for a sidebar, I
15 mean, they, shipments are made every day in this
16 country. They're on the railroads, they're on the
17 roads. Low level radioactive waste -- the
18 alternative to be would be we'll leave it here. I
19 don't think that's good for the high level.

20 MS. SHINEFLUG: But yeah, it's the
21 higher level waste and the fact that it seems like
22 the definition between low level and mid level has
23 been changed so that mid level can be thrown in and
24 be considered low level?

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1 MR. DALY: No. No.

2 MS. SHINEFLUG: Okay. Greater than
3 Class C waste stays on site and it, what are the
4 other two classes? A and B? Okay. What, can you
5 define those for the folks, the radiation levels
6 from each group?

7 MR. DALY: A is very low level. And,
8 and that's what we're licensed to take in -- there's
9 a Class B waste and a Class C waste which is
10 intermediate level which, right now, as of this
11 month, in fact, the only disposal facility in the
12 United States is closing is --

13 MS. SHINEFLUG: Yeah, Barwell, right?

14 MR. DALY: Yes, Barnwell.

15 MS. SHINEFLUG: Okay.

16 MR. DALY: It's close to Illinois so
17 there won't be a final -- for B and C waste.

18 MS. SHINEFLUG: Okay. So now there's no
19 place to take it?

20 MR. DALY: Well, our agreement with
21 Exelon is we are to package the waste in compliant
22 containers. We will maintain, safely maintain that
23 waste until the -- is met and if a disposal site is
24 not available at that time, we are going to go

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1 locate that waste at a licensed storage facility,
2 that's licensed for storage. It won't be onsite, it
3 will be somewhere else.

4 There, there are facilities in Tennessee
5 and Texas that are licensed storage.

6 MS. SHINEFLUG: Okay. Thank you. Well,
7 one last question. Our concern, too, the concern, I
8 think, of some of the environmentalists is that this
9 stuff is going to stay here forever because, in
10 fact, we have no guarantee at all that, that the
11 Yucca Mountain site where this is all supposed to go
12 is ever going to open. And I know the nuclear
13 industry likes to say, well, it's up to the
14 Department of Transportation to take it and they're
15 going to say well, you know, we'd put it in Yucca
16 but it's the people's fault, you know, and if they
17 wouldn't complain about it, you know, we'd have
18 taken care of it.

19 So it's just this giant circle that goes
20 around and around of blame. And, you know, what,
21 what are you going to, how, how long can it stay
22 here? I mean four years, 60 years, what is the
23 length of time that, that it could stay here if
24 Yucca Mountain never opens?

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1 MR. DALY: I, I can't --

2 MS. SHINEFLUG: Okay. Well, well that's
3 a concern. Let's, let's just, I'll encourage people
4 go to websites for Union of concerned scientists,
5 there's another one called Beyond Nuclear. You can
6 just Google all this stuff. NIRS is Nuclear
7 Information Resource Service which is very similar
8 to this lady's group which is Nuclear Energy
9 Information Service which his more local.

10 But, but NIRS is Nuclear Information
11 Resource Service. Another one, Institute for Energy
12 and Environmental Research. IEER.org has got a
13 number of very qualified individuals who are saying
14 -- for a nuclear free future. Thank you.

15 MR. PERSINKO: Thank you. I'd just like
16 to note that the NRC received an application last
17 week from the Department of -- Yucca Mountain. So
18 the NRC is in the beginning stages of its license
19 review for Yucca Mountain.

20 MS. SHINEFLUG: But it's been going on
21 for decades.

22 MR. PERSINKO: But we never got the
23 application until last week.

24 AUDIENCE MEMBER: What I had to say was,

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1 I --

2 MR. PERSINKO: I'd like to spread the
3 questions around because, like colleagues of yours
4 to be able to ask questions and then, if time exists
5 at the end, I'm, we can handle questions more. But
6 I guess I would like to maybe limit your questions
7 or comments to about five minutes and then we can,
8 and then if time permits at the end and you still
9 have more questions and there's available time, we
10 can be happy to take further questions and comments.

11 And also let me say, if you don't have a
12 microphone in front of you, please speak up because
13 we're trying to capture it on the microphone over
14 here.

15 AUDIENCE MEMBER: I'd like to piggyback
16 a little bit on what this lady was just saying about
17 the Yucca Mountain. I got a copy of the amended
18 post shut down decommissioning activities report
19 which was dated March 17, 2008. Part of it on page
20 10 says, finally when the high level repository in
21 Yucca Mountain, Nevada becomes operational, spent
22 fuel storage containers will be transported to Yucca
23 Mountain facilities for their ultimate disposal.

24 I had the privilege of going to Yucca

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1 Mountain for about the last five years and I was
2 recently there in December of '07. And we do a tour
3 there, I belong to the IBEW nuclear side so we do a,
4 we have our nuclear conference out there, utility
5 conference every year.

6 The lead engineer gives us a tour out
7 there and he's telling us there's no, there's no
8 time table for it. It could be 20 years, it could
9 never happen. We don't know yet.

10 So, and I live about 100 miles from here
11 so I'm not going to be affected, necessarily by
12 this, but I think the people of Zion might, might
13 want to know, what happens should this never open up
14 and how long, and the question was before, in fact,
15 you said you didn't really know because you just
16 don't know yet but how long are these containers
17 going to remain at Zion, right now where the Zion
18 station is, and how long can they be stored there?

19 And is that the intent, is to store them
20 there should Yucca Mountain not open up, are they
21 going to remain?

22 MR. PERSINKO: Unfortunately, that's a
23 national policy decision that goes, well, I guess
24 frankly, well above our pay grade. Right now there

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1 is a lot of discussion as to whether it's
2 appropriate to have the spent fuel stored at lots of
3 locations around the country or one location, Yucca
4 Mountain. And it's, it's not a decision we can, we
5 can make one way or the other. I mean we can look
6 at the application the DOE submitted to us and the
7 group in the NRC's going to review that.

8 But whether or not it actually happens
9 is pretty much going to be a Congressional decision.

10 Could we kind of spread it around? I
11 think you've spoken already.

12 AUDIENCE MEMBER: Just a question I
13 wanted to ask, two weeks ago the -- radioactive
14 waste and all of these -- the last time we got
15 together. And the current state of the art from
16 those people, and I seem -- we have some new people
17 in this conference is that you put it in the
18 hardened onsite storage containers, it's -- last
19 about 15 years -- and that's what they're
20 recommending for -- that's all.

21 AUDIENCE MEMBER: How many nuclear,
22 nuclear reactors has the NRC, over the years,
23 decommissioned or regulated their decommissioning?
24 And how many accidents have there been? Is there an

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1 accident rate ratio associated with that?

2 MR. PERSINKO: I haven't counted how
3 many we've done. Half dozen to a dozen, somewhere
4 in that range.

5 AUDIENCE MEMBER: Maine, Vermont.

6 MR. PERSINKO: -- power reactors such as
7 Zion, I'm guessing half dozen. There are also
8 research and test reactors out there too that NRC
9 has responsibility for overseeing the
10 decommissioning of but --

11 AUDIENCE MEMBER: How many of those have
12 you done?

13 MR. PERSINKO: Quite a few.

14 MR. DALY: Half a dozen of those.

15 AUDIENCE MEMBER: So you approximately
16 have 18 reactors that have been decommissioned and
17 you've been the over site -- of those, how many
18 accidents have you encountered or accident ratios?

19 MR. DALY: What kind of accidents?

20 AUDIENCE MEMBER: Accidents that you
21 would either, radiation or worker being hurt.
22 Anything that you would say would be recordable?

23 MR. PERSINKO: I don't know how many,
24 let me say this, the accidents connote a major

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1 error. There are cases where certain people may
2 receive overexposure. I don't believe it's very
3 often and it's very great. I don't know if you have
4 more to say about that, Bill?

5 MR. SNELL: I, I can't speak globally to
6 everybody. The only thing that I, I can tell you
7 I've had experience was, because I went through the
8 entire Big Rock Point decommissioning process which
9 was nine years along, I was up there when they lost
10 their 23 year record for not having a lost day,
11 motion report of a lost day accident. And that's
12 because an individual slipped in some snow outside
13 the plant area and broke his ankle and had to go
14 into surgery the next day.

15 And I think they went through the rest
16 of the decommissioning without another lost day
17 accident. And to my knowledge, nobody had any
18 overexposure for the entire duration of the, of the
19 project.

20 And Pat worked up there too, he may have

21 --

22 MR. PERSINKO: Could you speak up, Pat?

23 MR. DALY: All right. Real quick, our
24 report or -- or for our company for Commercial

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1 Services --

2 AUDIENCE MEMBER: I've already
3 researched the violations --

4 MR. DALY: For the whole company is less
5 than 1.26 so it's, it's world class. And you have,
6 it is safer to work at a nuclear plant than it is to
7 work -- that's the we, we put the high priority on
8 it. The other think I, I -- we are going to have a
9 safety committee that's going to be half labor guys,
10 trade labor guys and half management and they're
11 going to -- the legal limit for exposure is five --
12 and we, we are going to implement a -- we're going
13 to manage even lower levels than that so --

14 AUDIENCE MEMBER: Will everybody be
15 monitored daily?

16 MR. DALY: Everybody will be monitored
17 in and out. And everybody will be, have a -- suit
18 and everybody will receive training.

19 AUDIENCE MEMBER: What about the site?
20 Will the site be monitored also?

21 MR. DALY: The site, yes, has
22 requirements to both the surface -- monitoring as
23 well as air, air point monitoring.

24 AUDIENCE MEMBER: And who will oversee

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1 the, will the NRC will oversee it?

2 MR. DALY: Absolutely. That's what our
3 job is. And we, we absolutely welcome the trade and
4 labor guys to get involved in that, and particularly
5 --

6 AUDIENCE MEMBER: I'm one of those.

7 MR. DALY: Okay.

8 MR. PERSINKO: Gentleman in the back
9 down there?

10 MR. HOSTY: I have a prepared statement.

11 Good evening -- for giving me the opportunity to
12 speak tonight. I'm Patrick Host, the executive
13 director of the Chicago Area laborers employers
14 cooperation and education trust, also known as
15 LECET. LECET is a labor management organization
16 comprised of the 20 local Unions of the Laborers
17 district council of Chicago and vicinity, the
18 signatory contractor associations and independent
19 signatory contractors.

20 LECET represents over 2,000 contractors
21 and 20,000 Union laborers in the nine county area of
22 northeastern Illinois, including approximately 1,400
23 in Lake County.

24 We at LECET work to bring Union laborers

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1 and contractors together to develop opportunities
2 beneficial to one another and to the people who
3 depend on their services, including the communities
4 in northern Illinois.

5 LECET strongly supports -- decommission
6 the Zion Nuclear Station. Our labor management team
7 believes that the chance to decommission this plant
8 earlier than expected is beneficial to this
9 community. A long term, large scale project like
10 this will create much needed construction jobs in
11 northern Illinois.

12 The decommissioning will undoubtedly
13 provide work for the Union contractors and skilled
14 laborers represented by LECET. This proposal will
15 help stimulate the unstable construction industry
16 while providing steady incomes and well deserved
17 benefits to our Union laborers and their families
18 which will ultimately be pumped back into the local
19 and regional economies.

20 So, in closing, construction contractors
21 and Union laborers from the region need this work
22 which will ultimately clean up and beautify this
23 area. The Laborers International
24 Union of North American and all of its affiliates

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1 look forward to providing Zion Solutions and the
2 citizens of this area with the skilled personnel,
3 equipment and knowledge required to safely and
4 efficiently decommission the Zion Nuclear Station.

5 Thank you.

6 MR. PERSINKO: Can you state your name,
7 please? I'm told that the --

8 MR. HOSTY: Patrick Hosty, H-o-s-t-y.

9 MR. PERSINKO: And also, there were
10 others who have spoken tonight, the lady taking
11 transcription would like to have your name
12 afterwards so she can identify you in the transcript
13 other than by the color of your shirt or skirt that
14 you're wearing.

15 The fellow in the back, please?

16 MR. ARMSTRONG: I just have a question,
17 everybody's concern is that storage onsite, where's
18 it being stored now?

19 MR. PERSINKO: Onsite.

20 MR. ARMSTRONG: Onsite. I shipped
21 radioactive garbage out of that place in the early
22 '80's for 22 months. Parts of that building were in
23 a little rough shape then. It's onsite now in 40,
24 45 year old building that's falling down. Wouldn't

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1 we be further ahead to leave it onsite in new
2 technology than an old, falling down building?

3 MR. PERSINKO: Thank you. Thank you for
4 your comment. The gentleman here up front? Just to
5 state your name back there for the transcription?

6 MR. ARMSTRONG: Neil Armstrong.

7 MR. PERSINKO: Okay.

8 DAVE: Hi, my name's Dave -- I'm with
9 IBEW Local 15, I represent the Nuclear Workers at
10 Zion station. I have a two part question. Number
11 one, has there been any discussion with the Nuclear
12 Regulatory Commission about restarting the Zion
13 reactors?

14 And, secondly, is it not true that Yucca
15 Mountain with this, with all the current spent fuel
16 that's on the pads throughout the United States
17 would be full if it was to open right now and is
18 Zion considered, their spent fuel considered with
19 that?

20 MR. PERSINKO: Can you repeat that last
21 part, please?

22 DAVE: I have toured Yucca Mountain for
23 the last several years. You know, we've been told
24 that all the spent fuel that's already in the United

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1 States would already fill Yucca Mountain. Is Zion's
2 spent fuel part of that, that would already make
3 Yucca Mountain full or is it included in it? I
4 mean, we just don't know.

5 MR. PERSINKO: I don't know the answer
6 to that second, to that question. Anybody else?
7 No.

8 MR. DUSANIWSKY: The only thing I can
9 tell you is that the application that just come in
10 about a week ago and that type of question might be
11 answered once we have a chance to review it.

12 MR. PERSINKO: And there's been no
13 discussion that I know of about restarting the Zion
14 plant.

15 MR. SNELL: So, we're here to take it
16 down.

17 MR. HAMMER: My name is Bernard Hammer
18 and I am a concerned -- if everyone who would, these
19 people that have presented -- what happens when
20 concrete is exposed to radiation like this? Does
21 anybody know?

22 MR. PERSINKO: How much radiation?

23 MR. HAMMER: A lot. Nobody knows. Do
24 you know?

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1 MR. PERSINKO: No, I don't. But there
2 are folks at headquarters that do.

3 MR. HAMMER: I do. Radiation causes
4 concrete to degrade, fall apart, crumble. Why?
5 Because concrete is not like granite. Concrete is a
6 chemically hard compound made out of chemicals and
7 water. I think practically everybody has seen a bag
8 of concrete mix, put in some water, mix it up, put
9 it in place and it gets hard in a couple of hours.

10 There's a crystal structure in concrete.
11 When radiation hits the concrete, the radiation
12 causes the water molecules which have polarity, both
13 positive and negative, the hydrogen is positive, the
14 oxygen is negative. It's like a little, tiny
15 magnet. It's like you put a nail near a compass and
16 it turns, cause of the -- the magnetic field.

17 In a microwave, you put a piece of meat
18 or pie or something and you turn on the radiation.
19 That radiation causes those water molecules to twist
20 and turn and twist and turn. And then they get, it
21 gets the food that it's a part of cooked.

22 Sometimes it steams. But the water
23 molecules, when they do that, break up the crystal
24 structure of the concrete and the concrete crumbles.

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1 Now here's an article, it was in the Chicago
2 Tribune on April 28, 2008. And it talks about the
3 steel tomb for Chernobyl. It talks about the
4 concrete shelter constructed from iron and concrete
5 to seal that up.

6 It also says, and I quote, the old
7 shelter, called a sarcophagus, good name, was built
8 but intense radiation has weakened it, according to
9 the U.S. Nuclear Regulatory Commission and rain and
10 snow are seeping through the cracks.

11 It shows a picture in this article that
12 was in the Tribune for the public to read. And it
13 says, Chernobyl reactor number four in the Ukraine
14 has been leaking poison since the accident.

15 Now, it's my understanding that this
16 high level waste, which is right here in this
17 location now, can be dangerous for some 10,000
18 years. And the talk here has been, well, we'll put
19 it in these concrete containers and it's good for at
20 least 50 years. Well there's, there's no proof that
21 it will last 50 years. They're just saying that
22 that's their estimate.

23 Now what happens if the same thing
24 happens to these concrete dry casks? It happened at

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1 Chernobyl, they'll crumble. They'll leak and rain
2 and snow will get in and it will get all over and it
3 will be very, very dangerous for this neighborhood
4 especially. And for our Lake Michigan because it's
5 like Pandora's box, once the troubles get out of the
6 box, you can't get them back in.

7 That's no joke. It seems to me we have
8 to be very concerned about these so-called safe
9 casks, these dry casks. Even if they put stainless
10 steel or some other metal liner, why, because metal
11 is also got a metallic crystal structure. And that
12 crystal structure can be affected adversely by the
13 radiation. This is really, really dangerous stuff.

14 If the metal is degraded and then the
15 concrete is degraded, it gets out of that container
16 and it's all over the place, especially if it
17 happens to be in a big rainstorm when the leak
18 starts leaking.

19 We have to be most cautious about the
20 estimates, the assumptions, the statements of
21 possibility or probability. These are very
22 unscientific words, those words, you just have to
23 listen to them very carefully. Assumed, assumed
24 means maybe. This is dangerous stuff and so I

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1 submit you have to be careful about what they're
2 doing.

3 And if Yucca Flats says, no, we can't
4 accept all of that toxic garbage, where is it going
5 to be? It's going to be right in this neighborhood,
6 it's not going anywhere because no one is going to
7 say, well put it in my backyard because they won't.

8 They are even attempts to ship it to
9 other continents. Well, those people are poor
10 people and what we would be doing is shipping our
11 toxic garbage to their backyard so that their people
12 and their land would be contaminated.

13 When Chernobyl blew up, the whole area
14 was contaminated, I won't say forever but for
15 thousands of years. Nobody can live there now.
16 Nobody can eat anything that's grown there, nobody
17 can vacation there. All the last, in effect, has
18 been removed from existence for humanity. And
19 that's what happens when all this stuff is assumed.

20 Because nobody here in this room will be alive 100
21 years from now. But your grandchildren, your great
22 grandchildren, your great, great grandchildren,
23 maybe they will be here. But they will be the ones
24 that are going to say, what did that generation do

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1 to us, to give us an inheritance of disaster.

2 And that's with, and what's being done?

3 A company for the purpose of moving this stuff
4 around and making money on the moving is not going
5 to be around or liable when that disaster is here
6 for your great grandchildren.

7 I can say more but I'll stop here

8 AUDIENCE MEMBER: Have you ever been --

9 MR. HAMMER: No.

10 AUDIENCE MEMBER: Do you know what
11 separates you from that right now? A garage door.

12 MR. HAMMER: That's very good shielding.

13 Not very good shielding for me. I agree with you.

14 AUDIENCE MEMBER: That's what's
15 protecting those right now.

16 MR. HAMMER: Oh, there's one more
17 question I have. Why all of this is going on, that
18 land fronting on Lake Michigan, which is very, very,
19 very valuable land, it's taken out of productivity
20 for society. You can't build a school there. You
21 can't build a factory there, a housing development,
22 a shopping center.

23 Now what's that going to do to the tax
24 base of this community? Like you pull out your

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1 teeth and you don't have any teeth in your mouth,
2 they're gone. All the time that that's being
3 decommissioned, then being put on the shelf, it's
4 not doing anything. And it may never do anything.

5 This community is entitled to have the
6 benefits of its asset but because this plant was put
7 here, without thinking of the future, the future is
8 now. Yesterday's actions became today. And if we
9 don't think of what that damage is going to do to
10 this community, who's going to want to move here and
11 buy your property if there's a dangerous, like a
12 dangerous Frankenstein nearby.

13 Ant that dangerous Frankenstein, what if
14 it ever escaped, then what? Everything this whole
15 community owns will be garbage. We've seen that
16 happen on the east coast where they had chemical
17 waste go into Love's Canal and that whole area was
18 poisoned. You better think real, real
19 carefully about what's going on here. I won't say
20 what should or shouldn't be done, but think about
21 the dangers. You can't just turn your, stick your
22 head in the sand like an ostrich and go, oh, it's
23 down there on the lakefront, no big deal. Yeah,
24 it's down there on the lakefront, protected by a

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1 roll up door -- the building surrounding it falls
2 down.

3 Now, granted, these gentlemen here,
4 maybe it's not the greatest thing in the world.
5 Maybe Yucca Mountain, not Flats, may never happen.
6 That's happened right now, you know, what I'm
7 saying.

8 They're doing the best they can with
9 what they got. I personally think, I pray, I really
10 wish nobody had even invented nuclear power but
11 we're screwed, we're stuck with it. Screwed.

12 MR. PERSINKO: First of all, thank you
13 for your comment. Thank you for your comment. I
14 would just like to add one thing. I would like to
15 say that the NRC does, is very careful in what it
16 does. So the NRC, the NRC reviews all aspects of
17 nuclear safety and, in particular as I mentioned,
18 there's a group at the NRC that specializes in the
19 review, technical review of the spent fuel casks as
20 well as the, the foundations and all the other parts
21 of the independent spent fuel storage installation.

22 So I do want to say that the NRC does
23 look at it very carefully.

24 MR. HAMMER: Have they tested those

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1 casks for 50 years?

2 MR. PERSINKO: NRC, I don't, I don't
3 know the specifics of that but I can, but I, there
4 are people at the NRC who could answer your
5 question. I just, your name is on the record.
6 We'll see if we can get you an answer on that.

7 But, let me, I don't have the, I'm not
8 the expert on the spent fuel casks.

9 I just want to say that Chernobyl has
10 certain attributes that are different than the
11 status of spent fuel on spent fuel pads. That's all
12 --

13 MR. HAMMER: Degraded concrete is
14 degraded concrete. And I'm talking about it's
15 dangerous for the next 10,000 years.

16 AUDIENCE MEMBER: Just real quick, you
17 made a comment that even if they put it into like a
18 steel cask, they are in a steel casks. It's
19 typically a five inch stainless steel cask it gets
20 put in before it's put inside of the concrete over
21 pack. And those are, inverted, there's no water
22 inside.

23 MR. HAMMER: And the radiation degrades
24 the steel.

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1 MR. SNELL: Well five inches of
2 stainless steel is going to last a lot longer than
3 the concrete. The other thing I just wanted to
4 mention is the comment on the, on the current status
5 of the spent fuel pool at the site. We inspect the
6 site on an ongoing basis currently and I can assure
7 you the fuel in the pool is safe. The building is
8 not falling down, if it was, we would be doing
9 something about it.

10 MR. SHULTUZ: Yeah, my name is Scott
11 Shultuz. I'm a laborer for Laborers Local 152. As
12 he just said, those fuel rods are right now stored
13 in concrete with stainless around it. And they've
14 been there for 40 years, you know.

15 They're going to go in new concrete, new
16 stainless, you know. That building, like the other
17 gentleman had said is deteriorating. The damage is
18 done. I mean this guy says, you know, nuclear fuel,
19 maybe it's not good, I'm sure it's not. It's there
20 and we got to deal with it. We've got to do
21 something with it.

22 And I feel like the time is now. That
23 place is deteriorating. And it will be in new lead
24 lined or stainless lined concrete where it's in old

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1 stuff right now. I have worked down on the --

2 The NRC is very good on their oversight
3 on regulating what you do. I have worked for
4 contractors down there in the past and I'm sure it's
5 not going to be any different with this
6 dismantlement of this place, so. Thank you.

7 MR. PERSINKO: Thank you. This
8 gentleman.

9 MR. SCHRAEDER: Good evening. My name
10 is Ron Schraeder, I'm a business representative for
11 Local 150 International Union of Operating
12 Engineers. Approximately 23,000 members strong
13 throughout Wisconsin, Illinois and Indiana.

14 We're the ones that you see out on 294
15 running the heavy equipment, bulldozers, backhoes,
16 paving equipment.

17 I stand here tonight to express the
18 support of the International Union of Operating
19 Engineers that has, excuse me, Zion Nuclear plant
20 license to be transferred over from Exelon to Zion
21 Solutions.

22 Believe at this time is, it's time to
23 take action and it's not a producing facility and to
24 move forward with the decommissioning of this

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1 nuclear plant instead of sitting back and let it
2 degrade as it is.

3 Although there are many reasons for this
4 plant to be removed, most important are the
5 environmental enhancements and the economic stimulus
6 of this area. A project of this size will bring
7 jobs to this area during very tight economic times.

8 We also offer, this also offers members
9 of the Union in the community to work inside of
10 their own community to help safeguard our
11 communities from current degradation of the plant
12 which is what's currently going on.

13 The operating engineers are highly
14 skilled and high-tech and very well trained through
15 Federal Government and through following Federal
16 Government guidelines.

17 We're eager to supply Zion Solutions
18 with experienced and highly qualified expertise of
19 our members who are running the heavy equipment that
20 will be required for the decommissioning of this
21 plant.

22 We strongly support the early
23 decommission of the plant and move on with the
24 future. Thank you.

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1 MR. PERSINKO: Thank you. Well, we want
2 to put it on to the transcript.

3 AUDIENCE MEMBER: -- the other gentlemen
4 they, about putting it in the casks. I guess my
5 concern is, the assumption is also that if we do
6 nothing, that we're all safe. And how can you
7 safeguard that? Well how does that assumption prove
8 true? I, you have two different assumptions out,
9 which one's right? A 40 year plant. I've been in
10 there, I've worked as a business manager of IBEW
11 Local 150 and my members are here in Lake County.

12 Economically it would be a boom to our
13 members. But I'm also, I have kids in the area, I
14 have granddaughters and grandsons in the area. I'm
15 also safety concerned. My feel that you're looking
16 at assumptions and trying to say if we don't do
17 anything, everything's going to be great. I don't
18 believe in that.

19 I think something should be done with
20 that plant. It's been ten years since it's stopped
21 generating electricity. And sooner or later it's
22 going to prop up and you're going to have a problem.

23 And then when do you solve the problem?

24 If it's done, and that's why I've done

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1 my research on Zion solutions and the parent
2 company. Yeah, they're a safe company. Otherwise
3 the Federal Government, they would not allow them to
4 bid on this project.

5 Do I have faith in the NRC, that's what
6 I was alluding to on any accidents that have
7 happened. They have moved 16, 18 reactors. So what
8 do you do? Do you let it stay or do you do
9 something about it now and move it? Don't have the
10 answer there but I'm supporting the removal.

11 That's what I'm supporting. Is it
12 selfish on my part? Yes because my members will
13 economically receive a profit from this, it's called
14 a wage, just like everybody else in this county is
15 trying to do is make a fair and decent living.

16 So now, what are you doing to do? Are
17 you going to leave it or are you going to move it?
18 I feel confident at moving it. Thank you.

19 MR. PERSINKO: Thank you. Gentleman in
20 the back, please?

21 MR. CONLEY: My name's Jim Conley, I'm
22 with the Laborers District Council and Pat Hosty
23 pretty much said what it, that we have 24,000
24 members and 14,000 that reside, 1,400 that reside in

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1 Lake County.

2 We're here today hopefully that Exelon
3 probably will be switched over to Energy Solutions
4 so that they can decommission it. We support you.
5 And echoed what the, what the laborers feel about it
6 and I think you heard most of the other crafts out
7 here that it's, they're here to protect the
8 community also. When it's, when it's out of
9 there and it's rid of everything, everybody will be
10 able to sleep safer.

11 MR. KARNER: I've got the floor? Lynn
12 Karner, I'm the president currently of the Lake
13 County Building and Construction Trades Council.
14 We, as a council, are made up of the approximately
15 25 construction Unions that work here and live in
16 Lake County.

17 The, the first we identified is that,
18 well, some of the groups here are concerned about
19 community safety, long term safety, as we are.
20 We're also concerned about another aspect of this
21 project and that's the actual workers that go in
22 there. You're talking about 450 workers. You're
23 talking about a ten year project.

24 We're looking at what those workers are

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1 going to face and what they're going to be exposed
2 to. I've been in construction for about 30 years, a
3 little over 30 years. I have not been with any
4 company nor have we seen anybody come to us as a
5 Council with a safety record like Energy Solutions,
6 incredibly safe. Their choice as a
7 contractor to take on this project from our point of
8 view and as far as safety goes is fantastic. It's,
9 we've not dealt with anybody with that kind of a
10 safety record. Now that kind of group that can deal
11 with the workers onsite that way, that's got to
12 translate into safety for the community.

13 Another thing is that we've, if we look
14 at the jobs, we would probably have preferred that
15 this plant, would have preferred that this plant
16 stay open. It's just not an option. It's not going
17 to happen and the next step in this plant's life is
18 to take it down. We're, we're looking at the
19 short term safety things here in some of the
20 discussion tonight. But at the same time, we would
21 like to see this lakefront reclaimed for development
22 down the line. Now you know you're talking, it's a
23 decade away. But the sooner you start, the sooner
24 the lakefront is reclaimed for this area.

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1 And the third thing that I want to bring
2 up an and the last point is, I grew up at 2037
3 Herman, in Zion. I was there before this plant was
4 built. I used to play as a kid with, like many
5 other people did here, down at this lakefront.

6 This plant served Zion well at one time
7 but it's time is over. It, it should be removed as,
8 as professionally with the Building Trades Council I
9 would like to say that we are satisfied, absolutely,
10 with what we've heard from Energy Solutions so far.

11
12 The NRC of course is, anybody that's had
13 any dealings with the NRC just knows that, that's
14 one of the bright spots in our, in our Government
15 agencies. And, and the reason you can say that is
16 you look at the safety record of nuclear in this
17 country and those of you with the nuclear groups,
18 you look at that safety record, compare it to the
19 coal plants.

20 Compare it, compare it to what some of
21 the other fossil fuels do to the public. And if
22 you've done your research, you know what I'm talking
23 about. You've got coal plants in the area that do,
24 that pollute far more than, to the public, far more

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1 than this nuclear plant has done.

2 So I look forward to the day ten years
3 from now when this lakefront is reclaimed. Thank
4 you.

5 MR. PERSINKO: Thank you for your
6 comment. I think the gentleman in the back hasn't
7 spoken yet.

8 MR. ZAMORA: Good evening and thank you
9 for the -- to speak here tonight. My name is Adolfo
10 Zamora and I am a business agent with Laborers Local
11 225 that works along with the Chicagoland Laborers
12 District Council and LECET.

13 Laborers Local 225 does mostly
14 demolition work and hazmat type work, whether it be
15 asbestos, lead, those type of dangerous jobs. We
16 have approximately 2,800 members that are able and
17 capable of performing this type of work in a safe
18 and effective manner through the training that
19 they've received and, you know, as far as Federal
20 guidelines go.

21 I'm not to repeat what other people have
22 said here today. But I look over at those two
23 pictures when I first walked into this room and
24 there's something wrong with the picture on the

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1 left, that's the picture with the power plant, it's
2 not producing any steam. It's not doing anything.

3 And somebody said here it hasn't been
4 doing anything for ten years. I have friends and
5 family in this neighborhood. I would much rather
6 see the picture on the right, reclaim the lakefront
7 like a gentleman said here a little while ago, and
8 it will produce tax dollars somewhere down the line.

9 It, it will beautify this community.
10 And, and I think this community needs the, the
11 stimulus economically from the jobs it's going to
12 create and the money will get pumped up regionally,
13 not just in this community, from the 400 plus jobs
14 that are going to be here for ten years.

15 Thank you for the opportunity. And I do
16 ask the Commission to transfer the license over to,
17 from Exelon to Zion Solutions, with the parent
18 company Energy Solutions. Thank you.

19 MR. PERSINKO: Thank you. I don't think
20 this gentleman has spoken yet.

21 MR. RODMAN: Yeah. My name is Rick
22 Rodman, a lifelong resident of Lake County. Two
23 quick questions to the NRC. These dry casks that
24 Zion Solutions proposes to use, what's the longest

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1 one of them has been used to this point? Five
2 years, ten years?

3 MR. HICKMAN: I know there's at least
4 two that have been in service more than 15. The
5 original license is for 15 years and there's at
6 least two facilities that had their license extended
7 beyond the original license.

8 MR. RODMAN: Okay. 15 years. Question
9 to Zion Solutions. If you, if the license is
10 transferred, say in October, when would you
11 determine that the first cask will be placed on the
12 pad with high radiation inside of it?

13 MR. DALY: We, we anticipate two years
14 after closing to have the first cask --

15 MR. RODMAN: Okay. So that 17 years we
16 have from the time an existing canister of this type
17 is being used to the time Zion Solutions sets the
18 first canister. I fully think that there's going to
19 be a problem with these canisters, it would be
20 addressed at the plants that have been dealt with 15
21 years ago.

22 -- from within the NRC, somewhere in
23 life you got to put your faith somewhere. You have
24 to put your faith in the NRC in this country, like

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1 it or not, they're the best we got, you've even said
2 they're the best in the world. So I say we move
3 forward, transfer the license to Zion Solutions and
4 get over with it. Thank you.

5 AUDIENCE MEMBER: Just one last comment,
6 please. Why was Zion shut down to begin with?

7 MR. PERSINKO: I don't have the answer
8 to that. Does, does anybody from the --

9 AUDIENCE MEMBER: It's economics.

10 AUDIENCE MEMBER: That's not what I
11 understand.

12 AUDIENCE MEMBER: It's economics.

13 AUDIENCE MEMBER: I worked in there. No
14 leaks in the exchangers?

15 AUDIENCE MEMBER: The licensee can now
16 elect to say we don't want to use it anymore.
17 That's what unfortunately happened.

18 MR. HAMMER: But why did they say that?

19 AUDIENCE MEMBER: Economics. It's pure
20 economics.

21 MR. HAMMER: -- functioning, constructed
22 operational plan and all of a sudden they say, shut
23 it down.

24 AUDIENCE MEMBER: They can do it and,

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1 and just so other people in this room are not, you
2 know, not -- from illusion, this property, and I'm
3 not pro or con but the thing mentioned -- that this
4 somehow magically reverts to the community. If
5 everybody in this room is thinking that, you're
6 absolutely wrong.

7 This is a corporate asset of Exelon.
8 They carry it on their books. What would you do if
9 you owned it? You would keep it. Now maybe it will
10 be up for sale but to think that this is somehow
11 magically going to work into the use of the
12 community, forget it, there's no guarantee, there's
13 no contracts, there's nothing on that basis. And
14 the last thing I would say is that we already have
15 three super -- toxic waste dumps in our county right
16 now.

17 I'm not suggesting that this is going to
18 be one but could this and possibly be the fourth?
19 And every single business agent, some of these
20 Unions I've employed, they're highly skilled but all
21 of you also had work done at every single one of
22 those toxic dumps we have now.

23 So you really got to ask yourself, our
24 we critically thinking or are we just looking for

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1 jobs. And I understand the jobs issue. I
2 understand the salesmanship. But the real question
3 is, are we doing the right thing. That's really
4 what has to be thought about.

5 And I'd challenge everybody in this room
6 really to think on those terms rather than before or
7 against or on the issue of perhaps the minutia.

8 AUDIENCE MEMBER: -- to the right thing

9 --

10 AUDIENCE MEMBER: Well, right now, the
11 brochure right here that your company has, this is
12 all being accelerated. If you ask yourself the
13 question why. Who benefits? Who benefits?

14 AUDIENCE MEMBER: Who benefits, the
15 community does --

16 AUDIENCE MEMBER: In what way?

17 AUDIENCE MEMBER: In the long run. The
18 jobs.

19 AUDIENCE MEMBER: Well we, we've gone,
20 we covered that. I understand that point.

21 AUDIENCE MEMBER: That's a ten year
22 project.

23 AUDIENCE MEMBER: Yeah. Does it, does
24 it incrementally improve us? I don't know. I mean,

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1 do you know? I don't know whether it incrementally
2 approves us.

3 MR. SHULTUZ: You made your comment a
4 second ago about the VA's and the labor Unions and
5 the like that you had work for you.

6 AUDIENCE MEMBER: Yes. I'm not
7 disrespectful to that. I'm just, I'm just saying, I
8 appreciate that. But you guys are selling something
9 and you're endorsing something and I really want to
10 know if there's any substance, whether you've looked
11 at the downside. I guess that's what I'd ask every
12 single one.

13 MR. SHULTUZ: -- if you hire Union
14 people, you're making a lot more money than I am.

15 AUDIENCE MEMBER: How do you know that?

16 MR. SHULTUZ: I work for them because I
17 can't hire you -- I don't have that kind of money.
18 I have to do the work myself.

19 AUDIENCE MEMBER: Well, okay.

20 MR. SHULTUZ: So the jobs are a good
21 thing to people that don't have the money. What's
22 the downside --

23 AUDIENCE MEMBER: I'm not, I'm not
24 disrespectful to that. I'm just saying, I'd love to

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1 see the position. I've heard endorsements here
2 tonight from leadership in Unions. And what I'd
3 like to see is the position papers on the critical
4 thinking, not the jobs. It doesn't make sense to
5 adopt this plan or this proposal.

6 In the company's own brochure it says,
7 that right now, as they sit here, the NRC has said
8 it can sit here for a long period of time. It's in
9 print, go over there and get it. This is all about
10 accelerating things.

11 And I guess we have to say to ourselves,
12 for whose benefit? I don't know. Does anybody here
13 know? I don't really know.

14 MR. SHULTUZ: There's \$900 million
15 sitting there and --

16 AUDIENCE MEMBER: Well, that's your
17 money, that's my money.

18 AUDIENCE MEMBER: Let the man, let the
19 man talk.

20 MR. SHULTUZ: Put that money to work.

21 MR. PERSINKO: Okay. Look. This is an
22 interesting discussion, good discussions but I maybe
23 want to refocus the meeting back to comments and
24 questions to --

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1 AUDIENCE MEMBER: All right. Well,
2 thank you.

3 MR. PERSINKO: -- the NRC. And I know
4 you had your hand up a couple of times there and I
5 was trying to let other folks talk who hadn't spoken
6 yet. Did you have a question that you wanted to ask
7 when you were raising your hand? Or, or that was
8 it?

9 AUDIENCE MEMBER: -- my question.

10 MR. PERSINKO: Okay.

11 AUDIENCE MEMBER: That was my question
12 for the NRC.

13 MR. PERSINKO: Thank you. Okay. Let me
14 try folks who haven't spoken yet. This gentleman
15 back here I don't think has spoken.

16 MR. FREEDMORE: My name is Terry
17 Freedmore.

18 MR. PERSINKO: Could you say it into the
19 microphone for.

20 MR. FREEDMORE: My name is Terry
21 Freedmore, Union rep for IBEW Local 15. I represent
22 people working here for Exelon currently at Zion
23 station. My question goes back to the, the dry cask
24 storage pad. Do we have any idea what the expected

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1 dose rates are reading out once, once that thing is
2 fully loaded with all the casks sitting there? Do
3 we have any idea what their dose rates would be?
4 Thank you.

5 MS. BAKHSH: Dose rates are where
6 workers from the plant are allowed, as far as the
7 public, public wouldn't be around or around that
8 area. But for the workers at the plant, it's almost
9 zero. We have it up to like two millirem per hour.

10 So once, there's nothing that's, there's the casks
11 that are sitting on the pad and then there's the
12 fence around it. Once you get beyond a couple of
13 feet the dose rates drop to almost zero.

14 MR. PERSINKO: Yeah, I guess, back
15 corner, please? Wait for the microphone, please.
16 He's brining it around.

17 MR. ZAMORA: I'd like to comment on the
18 issue of the transferring the building and all that
19 over to the, to Energy Solutions, Zion Solutions.
20 I've been in the demolition industry since the late
21 '80's as a laborer and as a business agent for the
22 last seven and a half years.

23 It is common practice and on any
24 demolition site, to transfer the property that's

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1 being demolished over to the contractor. It's
2 common practice. And, just like they're planning to
3 do here. It's common practice through the whole
4 industry.

5 It's been so for as long as I've been in
6 the business. Thank you.

7 MR. PERSINKO: Thank you. Just one
8 question while you're over there with the
9 microphone. AUDIENCE MEMBER: What happens

10 when the license transfer does not happen? Is it
11 going to sit there for 50 more years?

12 MR. DALY: After the determination as to
13 when to do the decommission we -- the licensee.
14 There's a 60 year time limit on, on, to complete the
15 decommission of that.

16 AUDIENCE MEMBER: Does the NRC guarantee
17 then, if it is not transferred that we will still be
18 safe then? Assuming another assumption, since we
19 have pointed out, the NRC's the greatest of the
20 greatest. So I want to know, if you don't transfer
21 the license and it's 50 years from now, are we still
22 all safe? Because I guess that's what some people
23 have brought up here?

24 MR. PERSINKO: Did the gentleman in the

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1 back, did you have a question, did you have your
2 hand up? Okay.

3 SENATOR BOND: -- can you answer the
4 question about this idea of lessons learned and kind
5 of the state of the art of decommissioning? It
6 seems to me it's kind of the answer's why now, or
7 why so fast. The why now is kind of obvious. We
8 have plants that will be coming offline over the
9 next 20, 30 years that were built in the '60's and
10 '70's.

11 This one is on deck now for whatever
12 reasons. Can you answer the question about the
13 lessons learned and it gets at the first question
14 about the \$200 million of financial backstop. What
15 is the number one cause of cost overruns? If we're
16 talking about the financial risk to the taxpayer and
17 what is it about these lessons learned, why, why is
18 transferring it the best economic answer versus
19 parsing it out to subcontractors? Could someone
20 comment on that?

21 MR. PERSINKO: Pat? Please.

22 MR. DALY: -- I can -- of the
23 decommissioning process. They took, again, as I
24 mentioned, they took the approach of surgically, we

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1 go in, we scuttle, we remove the surface
2 contamination, survey, go back. What they found is,
3 then they were chasing construction joints, they
4 were chasing cracks, you know, it was difficult to
5 meet the NRC requirements to prove what the actual
6 levels were.

7 Right now, there's a window open and the
8 window that's open is we have a disposal facility,
9 the actual price for disposal, low radioactive
10 material has gone down in the last several years and
11 the reason why that is so is that the U.S.
12 Government is in the business as well.

13 Somebody mentioned about a DOE site.
14 The DOE, they bury their material, now they've
15 opened a lot of disposal cells but it's only for
16 Government material, not for commercial. And so
17 right now the window's open. Our approach is we
18 aren't going to surgically remove it. We're going
19 to go in there and bulk remove it and, and put it in
20 rail cars and ship it out.

21 There was a question about the secondary
22 system on the steam generators and leaking and goes
23 into the secondary, we are taking the whole
24 secondary system to Clive. We're not going to try,

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1 it's more than likely clean but to prove it, to meet
2 the NRC requirements would require us to disassemble
3 every piece of equipment and hand survey it. We're
4 not going to do that, we're going to cut it out and
5 send it to Clive and get it in.

6 And that is the reason why we can
7 accelerate this. This is the first two unit plant
8 to be decommissioned. Our, our plan right now is
9 ten years. That is the fastest anybody has ever
10 done a single unit. And, and we believe we can do
11 two units in that period of time.

12 MS. MARINELLI-GODFREY: But -- radiation
13 detect whether some of what you're disassembling is
14 -- or not?

15 MR. DALY: No, we do. It's, it's the
16 amount of effort you put into trying to find it and
17 prove it. For example, if you were going to release
18 a table, it's a flat surface, that's easy to look
19 for contamination. But if you have a complicated
20 piece of equipment that with all kinds of spaces
21 where contamination could be trapped, proving that
22 to the NRC is clean is very difficult and time
23 consuming.

24 We're going to consume it's

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1 contaminated, if it's potentially contaminated,
2 we're going to bury it.

3 MS. MARINELLI-GODFREY: -- able to
4 detect radiation, we can't detect radiation in a
5 complicated kind --

6 MR. DALY: Not without, the requirement
7 is you have to open it up and you have to survey the
8 surfaces. You can't just look at it with an
9 instrument, you have to cut it open and survey it
10 100 percent. Those are the requirements that, that
11 are set forth in the regulations and that's what we
12 have to meet.

13 MR. PERSINKO: Did that answer your
14 question or was -- I just wanted to see if we
15 answered the question in the back -- no, the
16 original question was -- I just want to see if we,
17 if that answered your question.

18 AUDIENCE MEMBER: I appreciate the
19 comments about the critical thinking and I'm looking
20 at and very interested in what are the key drivers
21 of cost overruns. And what is your amount of profit
22 you're entitled to?

23 MR. DALY: -- for those very things. You
24 go into a space, there's unknowns, you open it up,

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1 they end up in litigation, there's a lot of, there's
2 a lot of money spent, wasted in the conflict between
3 the two.

4 Transferring the responsibility
5 completely to a decommissioning contractor, there is
6 nobody, there is nobody we can go to and ask for a
7 change order or an increase of funding. It's our
8 responsibility. If we're wrong, we're, we're going
9 to lose money on this deal. We believe we can, we
10 can do it and do it safely and do it correctly and
11 get it done and, and make a profit at it.

12 AUDIENCE MEMBER: If you have a -- you
13 have 200 million set aside in a fund plus you're --
14 theoretically burn through 200 million, burn through
15 12 to 15 percent profit, so you can withstand a 35
16 percent cost overrun and still not be broke.

17 MR. DALY: We, we can, with that -- each
18 have to run it back and forth. That, that's true.
19 We, all our profit's at risk. So if we get into
20 financial trouble, the profit goes first. Also, we
21 own the disposal cell and that traditionally have
22 been the pinch point for previous decommissioning,
23 they underestimated how much low level waste that
24 was on their site. And so their costs were, were

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1 significantly higher on the waste disposal.

2 We own the disposal cell. If we're
3 gone, we can dispose these, still would dispose of
4 the material at our cost. There isn't any, no more
5 cash out of our hands, we'll just put it in a cell
6 and then that space won't be available for other
7 waste.

8 MR. HAMMER: And bury it?

9 MR. DALY: Yes.

10 MR. HAMMER: You'll bury it in the
11 ground?

12 MR. DALY: Yes. We bury it in a
13 licensed disposal cell. An engineered licensed
14 disposal cell, just like the Federal Government,
15 just like we do with the sanitary waste except it's
16 a licensed disposal cell out west.

17 MR. HAMMER: Does that disposal cell --

18 MR. DALY: No. This, this is, this is
19 just low level waste. After, after about 100 years,
20 that waste all decayed away. It's in a licensed
21 disposal cell with a liner, it's in the middle of
22 the desert. It's, again, it is engineered and
23 licensed by, by the Government.

24 MR. HAMMER: Does that -- will be time

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1 tested, if any -- all of that thought, this is not -
2 - any other reactor --

3 MR. DALY: This is low level waste,
4 we're not speaking high level waste here.

5 MR. HAMMER: We're not -- water that's
6 in the plants, that will be -- you'll radiate the
7 marrow in the bones of the living creature that
8 absorbs that chemical. That chemical is -- as in
9 radioactive chemical, the same isotope. So, you
10 see, it doesn't make any difference, it can be
11 living in grass or a plant or a tree or an animal.
12 But the radiation that's in their bone marrow.

13 MR. PERSINKO: I would just like to
14 emphasize that this is low level waste. This isn't
15 high level waste, we're not talking about the spent
16 fuel. And the, the facility is licensed by the NRC.
17 This lady, please?

18 MS. SHINEFLUG: I just, just as a follow
19 up to that. There needs to be a, there needs to be
20 a -- radioactive low level, radioactive -- in
21 Illinois. And that has since been, that was closed
22 down many years ago and there was some contamination
23 that started to go offsite or it may have gone
24 offsite and then I believe, this is 20, 30 years

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1 ago, that the company had to purchase additional
2 land so that technically the radioactive waste was
3 not offsite. It, it was contained on their site.

4 But, in fact, low level radioactive
5 waste sites can leak. Why is, and Barnwell, why are
6 they closing? They don't want any more. So I think
7 the questions are valid and, but it's fortunate that
8 your facility is in the desert and, and just to
9 clear up an argument, that might be a disagreement,
10 there's no, I don't have problems with the nuclear,
11 with putting, you know, decommissioning the reactor
12 and getting rid of the spent fuel storage pool.

13 What I would hope is that the public and
14 the Nuclear Regulatory Commission would look at the
15 idea of hardened onsite storage and there's like 100
16 some nuclear groups or environmental groups that
17 support that that looking into making it safer. Not
18 not doing it, not just letting it sit there like it
19 is but making it safer. Thank you.

20 MR. PERSINKO: I, I don't know --

21 AUDIENCE MEMBER: There's still,
22 Barnwell is still remaining open for --

23 MR. PERSINKO: That's okay. This lady,
24 I don't think she's spoken yet.

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1 AUDIENCE MEMBER: I just want to --

2 MR. PERSINKO: Wait for the microphone.

3 AUDIENCE MEMBER: I'm a resident of
4 Zion. Actually my father was in the Pipefitter
5 Local that helped build the plant and worked in the
6 plant. On page, I guess it's eight, are these three
7 pathfinder test reactor Ft. Saint Vrain and Shoreham
8 Nuclear Power Station, are those the three that were
9 entombed as decommissioned?

10 MR. PERSINKO: On page eight of what?

11 AUDIENCE MEMBER: Of this. And, and
12 what is Ft. Saint Vrain because there's not, there's
13 --

14 MR. PERSINKO: Plus, very quick, Ft.
15 Saint Vrain was a high tempered gas cooled reactor
16 out in Colorado. It was transferred over into a, I
17 believe it's now a natural gas fired plant is what I
18 believe. It's been decommissioned, it was shut down
19 and converted into a, I believe it's a natural gas
20 fired plant.

21 AUDIENCE MEMBER: I mean is it entombed?

22 MR. PERSINKO: No, it's not entombed.

23 AUDIENCE MEMBER: What are the -- that
24 are --

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1 MR. PERSINKO: Off the top of my head I
2 don't know the answer to that.

3 Sure. Just one more comment here from
4 Senator Michael Bond.

5 SENATOR BOND: Just, there's a lot of
6 really good ideas being surfaced right now and
7 whether storage or transportation or reprocessing.
8 The General Assembly in Illinois, we introduced --
9 101 which sets out the Illinois Nuclear Energy Task
10 Force. It's a by-partisan, by -- commission, has
11 passed the Illinois Senate and it's pending in the
12 House currently.

13 It is charged with five things. One,
14 look at decommissioning. The second is looking at
15 storage and transportation of spent nuclear fuel.
16 Third is spent fuel reprocessing. There's been a
17 ban on spent fuel reprocessing in the United States
18 based on the United States Congress since Jimmy
19 Carter's term.

20 The fourth is to consider the Homeland
21 Security implications and the overlapping
22 regulations there and those concerns. And finally,
23 the fifth is to look at lifting the moratorium in
24 Illinois on the construction of new plants which has

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1 been 20 years ago since we did that.

2 We need to look and have very critical
3 thinking on all of those topics. We expect the
4 House to take action, the Commission will then
5 became law, it has a representative from the
6 Attorney General's office. The Director of Illinois
7 EPA will be on that Commission. And the Director of
8 Illinois Power Authority will be on that Commission.

9 A member of the environmental community will be
10 appointed. A member from industry will also be
11 appointed and a, and a member that has national
12 security experience.

13 So it's an 11 member panel. The work
14 can begin. This is probably not going to be the
15 last decommissioning that we have to face in the
16 State of Illinois. These plants are aging and
17 they're coming offline and these are issues we
18 really do need to think critically about.

19 So there's a group of us in the Illinois
20 Senate that want to get the debate started and we
21 will be having our first working group will be in
22 July. And all of these ideas, we really need to
23 figure out a way to work together. So I welcome all
24 the comments that I, I thought it was great.

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1 So I will, I will make sure I stick
2 around, I will give you my business cards and I
3 want, I want to work together with everyone because
4 these are really important questions that have been
5 raised and we need to be really careful about what
6 we do. So, thank you.

7 MR. PERSINKO: Thank you, Senator. Let
8 me respond to the lady here about three entombed
9 reactors. I was not aware of any NRC power reactors
10 that have used the entomb method. And in the
11 document on page nine it says three Department of
12 Energy facilities, one reactor in Puerto Rico, one
13 in Nebraska and one in Ohio have been decommissioned
14 using the entomb method.

15 So I was not aware of any NRC reactors
16 that use the entomb method. Any other questions,
17 comments? Yes, ma'am?

18 MS. MARINELLI-GODFREY: Well, first I
19 wanted, I'm Judith Marinelli-Godfrey. Well first, I
20 just really want to tell you who I am. I'm the
21 daughter of a pioneering scientist who connected the
22 measurement of radiation, the detection of radiation
23 to the effects of radiation in the human body.

24 So he was really a pioneer on human

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1 radio biology. And he served on the NR, Nuclear
2 Regulatory Commission. He served on the -- the,
3 yes, but he also served on that. He served on the
4 AEC. He wrote the AEC being the Atomic Energy
5 Commission.

6 He was, he was really one of the very
7 prime experts in the Bureau of Standards handbook
8 which determines the toxicity burden of radiation in
9 the human body. And this, of course, was debated
10 for more than 30 years but, but I just want to
11 convey how really much you're, I really appreciate
12 your job and how difficult it is if you're just
13 regulating. I understand that.

14 You explained that in 1975 there was a
15 cut between the AEC and the NRC. And that really is
16 a problem. It's like separating the head from the
17 arm. And here you are, an arm, supposed to be doing
18 all this stuff but there's no connection to the
19 critical thinking head that really, I mean things
20 were small when people used to call my father or
21 call Argon National Laboratory where he was director
22 of research in this area, people could ask the top
23 scientists, everybody knew.

24 You know, I, I'm sitting here thinking,

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1 who do you ask when you don't know something and
2 don't, of course, you know, I know you're going to
3 say, of course you know that you don't know
4 something because there's just so much to know, it's
5 more, it's a tremendous amount. So my, you know,
6 who do you pick up the phone and ask when you don't
7 know something?

8 MR. PERSINKO: The NRC.

9 MS. MARINELLI-GODFREY: Well, you
10 yourself, personally, you know, when it comes to --

11 MR. PERSINKO: The NRC, first of all,
12 NRC has a number of people who are specialists who
13 are not here tonight. They specialize in all kinds
14 of scientific areas. And we are, many of us our
15 engineers, many scientists at NRC.

16 So, in house, we have lots of
17 capability. When we don't, when we come across
18 certain areas where we may not have the capability,
19 we have other, other avenues upon which to seek
20 that. For example, we have access to experts at
21 Department of Energy laboratories, such as Argon
22 National Lab, such as Oak Ridge. So we employ the
23 use of experts at the Department of Energy labs who
24 also have their expertise and they're all scientists

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1 and engineers and specialists.

2 So we have experts to draw upon if we
3 don't, in house, have that particular expertise.

4 MS. MARINELLI-GODFREY: So when ComEd
5 said to you, we have a license, we said we'd do this
6 job, but, you know, it's just getting, we're going
7 to, we're asking you if we can please transfer this
8 license, we, we really can't do the job anymore.
9 Did, you know, this, this was really a break in
10 faith that you had, that the NRC had in the
11 licensee.

12 MR. PERSINKO: No. It's not. It's not
13 a break in faith. It was a different business
14 approach, I think, that was taken by Exelon and Zion
15 Solutions and, you know, I don't really personally
16 care about the business, contractual arrangements.
17 I care about that the job is finished correctly --

18 MS. MARINELLI-GODFREY: There.

19 MR. PERSINKO: -- and safely. And after
20 sufficient -- capable, the technical capabilities to
21 do the job are in Zion, within the Zion Solutions
22 corporation and I care that they are sufficient
23 funding to complete the job. And that's what I,
24 that's what the NRC cares about.

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1 MS. MARINELLI-GODFREY: Well, can this
2 be done if the license is going to be transferred
3 and then transferred again and then transferred
4 again and Exelon sits there holding the land making
5 all the, you know, knowing that their investment is
6 a good one?

7 MR. PERSINKO: Well, we are looking at
8 the financial -- aspect. But there's, there's no
9 reason why the job cannot be done by another company
10 having the technical qualifications the financial,
11 financial wherewithal to complete the job. There's
12 no reason why it can't be done by another company.

13 MS. MARINELLI-GODFREY: Except that it
14 wasn't by the previous company or the previous
15 company or the previous.

16 MR. PERSINKO: The current licensee,
17 Exelon, chose not to do it. They, they put the
18 facility into safe store and by doing so, they were
19 actually letting the financial insurance fund grow
20 through gaining interest and that kind of things.
21 So it was in safe store while the, the fund was
22 growing in, in assets, and growing in amount. But
23 that, that's a business decision.

24 I mean, that's a perfectly viable,

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1 acceptable option for the NRC is safe store. The,
2 you know, once LICB begins the decommissioning, they
3 have 60 years to, once they shut down, they have 60
4 years to complete decommissioning.

5 So what the current licensee was doing,
6 Exelon, was within the NRC regulations.

7 MS. MARINELLI-GODFREY: Do you think
8 maybe that regulation needs to be looked at because
9 it, in effect, there's no penalty for someone not to
10 finish the job?

11 MR. HAMMER: What if they screw it up?

12 MR. PERSINKO: I don't understand why
13 you said they screwed up. I don't understand that.

14 MR. HAMMER: I said what if.

15 MR. PERSINKO: Oh. MR. HAMMER: Does
16 that let Exelon off the hook?

17 MR. PERSINKO: Well, we're back to a
18 question I think we were dealing with earlier
19 tonight as far as financial assurance goes. And I
20 guess, I, you heard Mike's answer to that. I, I
21 can't add to that.

22 MS. MARINELLI-GODFREY: But you said
23 it's your job to see that the mission is
24 accomplished.

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1 MR. PERSINKO: That's correct. And
2 that's what we're doing. That's what, Michael and
3 his group are looking at the financial aspects.
4 John and his group and our group are looking at the
5 technical qualifications of Zion Solutions.

6 MR. HAMMER: But what if people are
7 injured by Zion Solutions' failure to do a good job?
8 Who is going to protect the injuries that those
9 people receive or may receive?

10 MR. PERSINKO: I would like to say that,
11 first of all, the NRC looks at this to make, looks
12 at the aspects that I mentioned, the technical
13 qualifications and the financial assurance aspects
14 to make sure the job is done and make sure it's done
15 right.

16 The inspectors in the region will look
17 at the job as it's in progress to make sure that,
18 that the job is progressing safely and within the
19 NRC regulations.

20 I mean, you can always postulate what if
21 something happens, what if this, but we, by the, by
22 our technical reviews and by our inspections, we are
23 attempting to minimize to the absolute minimum of
24 that ever occurring.

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1 MS. MARINELLI-GODFREY: But the job
2 wasn't done, I mean you have all of these wonderful
3 people who are workers who want to help you do it.

4 MR. PERSINKO: I guess I'm missing
5 something. I don't understand what you mean the job
6 wasn't done. It wasn't done by Exelon, they chose
7 to, they chose to put the plant into safe store for
8 their own business reasons, I assume, I don't know
9 why but they chose safe store which is an acceptable
10 method for the NRC to, to, it's in safe condition.
11 It's there, the inspectors inspect it. It's not
12 like, like Bill said, it's not like the buildings
13 are crumbling. The spent fuel pool is not
14 crumbling.

15 MS. MARINELLI-GODFREY: The gentleman
16 said that the garage door was crumbling.

17 MR. PERSINKO: Well Bill has been at the
18 site being an inspector and Bill, Bill knows what's
19 going on at the site. It's not crumbling, I can
20 assure you of that. So, I mean, I, I guess I don't
21 know how else to answer your question.

22 But I would like to add one thing, why
23 the NRC was created. It's not because we cut off
24 the head from the arm. What happened is that the

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1 AEC, the Atomic Energy Commission had both a
2 promotional and a regulatory responsibility. So you
3 had one organization promoting nuclear power and
4 nuclear energy and the same organization regulating
5 it.

6 So the reason the NRC was created was to
7 take out any --

8 MS. MARINELLI-GODFREY: Conflict.

9 MR. PERSINKO: -- potential or whatever
10 conflict of interest. So now we have a one body,
11 the Nuclear Regulatory Commission, with one mission
12 and one mission only which is to ensure the safety
13 of the public health and safety and protecting the
14 environment.

15 And we all, and workers as well. But,
16 but the idea is that we don't have a conflict any
17 more because the NRC is not in the promotion,
18 promotion business. And that's why the NRC was
19 separated out from the Atomic Energy Commission.

20 MS. MARINELLI-GODFREY: Well, just as in
21 Redison, when they were developing how to use
22 radiation for the benefit of medicine, they could go
23 to some experts. How is it that in the, in the
24 process of decommissioning, there seems to be no

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1 ability to go to experts to see how to go about it
2 so that we're not spinning our wheels or wasting our
3 money?

4 MR. PERSINKO: Well, let me say this,
5 the NRC has experts and -- we decommissioned at
6 least a half dozen power reactors. Yankee Rowe in
7 Massachusetts, Maine Yankee in Maine, Connecticut
8 Yankee in, north of Hartford, Connecticut. Trojan
9 out in -- Oregon. I mean I can site these.

10 We go to these plants now and, for
11 example, you go to Maine Yankee plant, you won't see
12 a plant, you'll see an -- where the fuel is stored
13 but that's it. The plant is gone. It's
14 unrestricted release. The, the site was cleaned up
15 to the NRC regulatory limit, below NRC regulatory
16 limits for unrestricted use. It's a free site. It
17 can be licensed, there's no licensee for that site.

18 It was a licensee for the ISFSI and NRC still has
19 regulatory oversight of how ISFSI is run and all the
20 safety aspects and security aspects of the, when I
21 say the ISFSI let me, let me clear what that is, is,
22 it's an acronym that stands for Independent Spent
23 Fuel Storage Installation.

24 And what it is, it's the pad. It's the

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1 pad with the, with the spent fuel casks on it. So
2 I'm using the, I apologize for using the acronym,
3 but it's second nature, I guess. But it's, it's
4 where the spent fuel is stored. It's the picture
5 you saw with the, the pad, the concrete pad and the,
6 the casks standing up on it.

7 That's the, we call that the ISFSI. But
8 the NRC still has regulatory oversight of that and
9 that's still under NRC license. But the rest of
10 these sites at the, the rest of the site at these
11 particular power reactors that I mentioned are
12 gone. I mean, you look at it, it's, it's land you
13 can do anything you want on right now.

14 MR. HAMMER: Is it being used or
15 anything except growing weeds and grass?

16 MR. PERSINKO: I don't know what they've
17 done with it be it's been free, it's, the NRC no
18 longer has an interest in that and -- released from
19 the NRC license. What happens after that, it's not
20 the NRC's concern.

21 MR. HAMMER: Well what about this area,
22 what's going to happen to the land after you put
23 everything on a concrete pad? Are they going to be
24 using it for factories, housing developments,

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1 recreation park or everyone is going to stay away
2 from there?

3 MR. PERSINKO: I don't know what it will
4 be used for. And quite honestly, quite honestly,
5 from the NRC's perspective, we care that it's
6 cleaned up to the NRC standards and then it, the
7 unrestricted use standards so there's no
8 restrictions on future use of that site.

9 Quite frankly, we terminate the license
10 at that point, we're out of the picture. We'll,
11 we'll still be involved with the ISFSI, the spent
12 fuel, spent fuel storage installation. But as far
13 as the rest of the site, if it meets the NRC's
14 unrestricted use criteria, we're out of the picture.

15 MR. HAMMER: Then it goes back to title
16 to Exelon?

17 MR. PERSINKO: That is, it's Exelon's
18 property, they can do what, I mean, at that point,
19 we terminate their license, we don't have an
20 interest any more.

21 MR. HAMMER: I still have to pay taxes
22 through the locality?

23 MR. PERSINKO: I have no, that's not my,
24 I don't, that's not my, my responsibility at that

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1 point, or the NRC's responsibility.

2 MR. HAMMER: But that's a question that
3 should be answered.

4 MR. PERSINKO: The NRC's regulations are
5 for public health and safety and to protect the
6 environment.

7 MS. MARINELLI-GODFREY: So when you pass
8 on a site, you actually go out and measure it, just
9 measure --

10 MR. PERSINKO: Absolutely.

11 MS. MARINELLI-GODFREY: Okay.

12 MR. PERSINKO: We absolutely do that.
13 First of all the, the licensee does that to, there's
14 a methodology for surveying the site upon, before it
15 is terminated. The methodology goes out and we
16 measure the soil, we measure the radiation in the,
17 in the, where the site previously used to, where the
18 site is, where the buildings used to be.

19 But NRC independently then does sampling
20 as well. And we independently confirm the
21 licensee's measurements.

22 MS. MARINELLI-GODFREY: Do you go below
23 the water level to see it doesn't contaminate the --

24 MR. PERSINKO: We do check ground water

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1 as well.

2 MR. HAMMER: Is all that published?

3 MR. PERSINKO: Yes. It's published and
4 most of it is on NRC's website. In fact, almost
5 everything we do, except for classified information
6 and things of that nature are, it's publicly
7 available and it's accessible to the NRC's website,
8 a lot of it is just purely on the website if you go
9 to www.NRC.gov, we also have something called our,
10 and the acronym is ADAMS but it's an electronic
11 filing system where everything else you can access
12 online through this ADAMS system.

13 You can access that through the NRC
14 website as well. I hope I helped.

15 MS. MARINELLI-GODFREY: I guess you did.

16 MS. OWER: -- and one of the things that
17 came out of this when you produced this third
18 possibility it's not, do nothing or go with this
19 plan that's being promoted tonight. The third
20 possibility, which has seemed to come out here at
21 the end is that if we do it on a different
22 timetable, the longer timetable, that questions
23 about what is the back story, I still don't know the
24 answer to that but it certainly, the question is

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1 becoming much more important, why, who is going to
2 benefit, what is the back story behind this
3 acceleration?

4 And I just wanted to go back to your
5 last comment about that and be sure I understood you
6 correctly. You said if we do nothing, the NRC, that
7 is you, the, representing the NRC, if we do nothing
8 on this accelerated schedule and we stick to the
9 original, I forgot how many years you said, 50 --

10 MR. PERSINKO: Yeah, 60 years --

11 MS. OWER: -- scheduled, that there will
12 be, that you feel the, on behalf of the NRC that
13 there will not be any adverse, well, could you just
14 reiterate that --

15 MR. PERSINKO: We need to continue to do
16 our inspections. We would make sure that the site
17 is safe. It's not like the buildings are going to
18 be crumbling, we would take action of some sort if
19 we found a safety problem. So --

20 MS. OWER: And is the third scenario is
21 to do nothing for now or on a longer timeframe, the
22 original timeframe. What is the NRC's
23 recommendation in, within that longer timeframe?

24 MR. PERSINKO: We, we don't have a, I

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1 mean, there's no recommendation. The licensee makes
2 the call as to what the licensee would like to do.
3 Licensee has to work within certain NRC parameters
4 such as the 60 year time limit to complete
5 decommissioning.

6 And then, of course, within all the NRC
7 regulations, of course, as well. But the NRC
8 doesn't make the call as to you need to do this now.

9 The NRC makes sure that what's there is safe. And
10 we still have a license. We can do our regulatory
11 and our enforcement actions if we need to.

12 MS. OWER: So there is a timeframe here

13 --

14 MR. PERSINKO: But it's a 60 year
15 timeframe to complete the --

16 MS. OWER: -- so how far along are we?
17 Are we at year what?

18 MR. PERSINKO: What are we at, John,
19 about ten? Ten years.

20 MS. OWER: So 50 years?

21 MR. PERSINKO: 50 more years left before
22 decommissioning has to be completed.

23 MS. OWER: But then that would have to
24 start maybe ten years before that 60 years. But

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1 even then, let's say for 40 or 50 years, that in
2 your expert opinion, it could go that way, you would
3 keep monitoring it. And I need to ask myself,
4 locally, who benefits, what is the back story, what
5 does Exelon really want here, how come it doesn't
6 benefit the community, it doesn't revert to the
7 community.

8 You know, and I don't have those answers
9 tonight but I'm learning that, that there is a back
10 story that I don't know yet and that I --

11 MR. PERSINKO: I can't answer that
12 question. It's not my --

13 MS. OWER: But you have this 40 year
14 timeframe or 50, whatever it may be to -- the 60 in
15 mind. I'm just trying to make sure I'm clear on
16 that, it was just sort of a last comment. Thank
17 you.

18 MR. PERSINKO: Yes, please?

19 MR. HAMMER: Are documents really
20 available under the Freedom of Information Act
21 through your agency?

22 MR. PERSINKO: Yes, we are subjected to

23 --

24 MR. HAMMER: Every file with you is

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1 freely available?

2 MR. PERSINKO: Not everything. I mean,
3 there are certain restrictions, certain things that
4 are proprietary, certain things that are, there are
5 certain, certain criteria that have to be met before
6 the, for the NRC to withhold it from the public.

7 There's things as security issues where
8 it's not publicly available. Proprietary
9 information that's deemed to be proprietary. That's
10 one category. But by, in large, the --

11 MR. HAMMER: But what do you mean by
12 that word proprietary?

13 MR. PERSINKO: Trade secrets, that would
14 benefit one, one competitor over another. But by in
15 large, the vast majority of the NRC documents are --
16 and they're publicly held through the ATOMS website,
17 to the ATOMS system which --

18 MR. HAMMER: And have they notified you
19 why they want to shut everything down and do away
20 with it?

21 MR. PERSINKO: No. But, I mean, I'm not
22 asking that question. I want to know that with the
23 proposal on the table is the proposal that's on the
24 table in front of us, we're evaluating it on it's,

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1 it's merits. We're looking at it, we're making sure
2 that it's, you know, it's in front of us, meets our
3 regulations and before we can approve it.

4 MR. HAMMER: So basically you're saying
5 that you have no right to ask them questions and so
6 what causes them to be motivated to do something?
7 It almost sounds like the don't ask, don't tell
8 thing they had for awhile.

9 MR. PERSINKO: Well, no. I mean, I am
10 not saying that at all. I mean that, why they're
11 doing certain things is not my, not within my
12 purview. I want to know that what they're proposing
13 is done safely.

14 AUDIENCE MEMBER: But that, that's the
15 issue. If they can be doing all kinds of safe
16 things using all our money up and not accomplishing
17 what needs to be accomplished.

18 MR. PERSINKO: Well, we are looking, as
19 Mike said, we're looking at the financial assurance
20 aspect. You want to ask, Mike, you got to use the
21 microphone, Mike.

22 MR. DUSANIWSKY: I recognize where this,
23 where your question is coming from and I cannot give
24 you any idea of a guarantee. It's impossible.

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1 We're talking about future events. But what I can
2 look for is reasonable assurance. The best
3 companies in the world cannot offer you that kind of
4 a guarantee.

5 My job is take a look at what it is it's
6 going to cost to do this job, do they have the funds
7 to accomplish it. The answer so far I would have to
8 say is, yes, but, again, it's pre-conditional. I
9 have not finished my analysis.

10 One way or the other, the licensee,
11 whoever that may be at the time is responsible for
12 finishing the job, whether there's money or not.
13 And if we have to cross those roads, there are other
14 alternatives.

15 If I'm going to tell you that it's not
16 going to cost anybody anything, it's impossible.
17 Pure economics say you cannot do that.

18 What I am trying to find out is, is it
19 reasonable, based on what they're proposing and is
20 there enough money.

21 MS. MARINELLI-GODFREY: But is there a
22 Government contractor who's looking over what's
23 being done, that it's being done to accomplish the
24 end, so that the licensee isn't just experimenting?

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1 MR. DUSANIWSKY: I don't think you can
2 classify this as experimenting. This is something
3 that they're proposing to do to accomplish a job.
4 And the money that is required to do it, is it
5 reasonable or not.

6 MS. MARINELLI-GODFREY: So you're
7 judging the cost, yes, but who's judging the method?
8 Who is, who is approving of their method?

9 MR. DUSANIWSKY: It's the engineers at
10 the NRC.

11 MR. HAMMER: And if they fail, is Exelon
12 off the hook? They make --

13 MR. DUSANIWSKY: I cannot answer that.

14 MR. HAMMER: Well that's a very
15 important question.

16 MR. DUSANIWSKY: And it's a very
17 important question that will be answered when the
18 analysis is completed. Now if you --

19 MR. HAMMER: -- off the book.

20 MR. DUSANIWSKY: I cannot give you an
21 answer at this time because the analysis is not
22 finished.

23 MR. HAMMER: Exelon is off the hook if
24 they're not the licensee. It's that simple --

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1 please review that statement -- if they're not the
2 licensee, they are not on the hook, are we agreed
3 there?

4 People promised to be good spouses and
5 they fail.

6 MR. DUSANIWSKY: -- a fine point --

7 MR. HAMMER: No. I understand that.
8 Who is they you're saying is going to pledge this --

9 MR. DUSANIWSKY: The licensee --

10 MR. HAMMER: Okay. The question is, is
11 Exelon off the hook?

12 MR. PERSINKO: You know, you know, well
13 --

14 MR. HAMMER: A simple answer, I believe,
15 you can just say yes or no, not that you don't know.

16 Is it they're not the licensee they are off the
17 hook? They don't have to do any EPA cleanup, they
18 don't have to respond, they don't have to do any of
19 that if they're not the licensee, correct?

20 MR. PERSINKO: I would like to say too
21 that if you wait until the analysis is completed,
22 you will see the answer.

23 MR. HAMMER: Legally, I'd like to see
24 that review, I'd love to see that review. This is a

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1 transfer of responsibility to someone else that may
2 be very capable and I think most -- with that and I
3 believe every single party here, speakers and in
4 this audience wants things to be done -- I have no
5 problem with that.

6 But it's always like wait or we're not
7 sure. I am sure. I am absolutely, positively sure
8 that Exelon is off the hook if they're not the
9 licensee.

10 MR. PERSINKO: One of the reasons I
11 think, coming, I'm not answering the question, and I
12 think we're not answering, you're asking a legal
13 question and none of us here are lawyers. We're
14 not, we're not within the NRC --

15 MR. HAMMER: You've got lawyers here and
16 --

17 MR. PERSINKO: Not NRC lawyers. We
18 don't have any, we don't have any, any lawyers from
19 NRC here today.

20 MR. HAMMER: Will you give us a public
21 answer, publicly to the --

22 MR. PERSINKO: We'll take that question
23 back to the legal, our lawyers and Mike also has
24 said that when he finishes his analysis he'll -- the

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1 question.

2 Let me ask, we have this room for five
3 more minutes, til, we have until 10:00 o'clock is
4 what we rented it for. One second, before you,
5 you've talked quite a bit, I just want to make sure
6 that your colleagues also get a fair, a fair shake
7 here, if there's any other questions from any other
8 people. We've spoken quite a bit. Is there anybody
9 else here that would like to ask or say, ask a
10 question, say a comment before we close the meeting
11 at some, we're getting close to closing the meeting.

12 Is there any other comments or
13 questions? Okay. If there's none from anybody
14 else, then we have a few minutes yet.

15 MS. MARINELLI-GODFREY: You haven't -- a
16 real problem that there's a lack of communication, I
17 understood you are the one who can speak about the
18 contract or who overlooks the licensees doing the
19 job. Did I understand that's your job?

20 MR. PERSINKO: We, oversee what they're
21 doing. We inspect what they're doing, yes.

22 MS. MARINELLI-GODFREY: Okay.

23 MR. PERSINKO: I mean don't, let me say
24 something. It's not that the NRC approves every

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1 step that is being done at the facility. It's,
2 that's not the way that we, we approve a, a
3 decommission. It's not like we say you need to take
4 the bolt A off first and bolt B second and bolt C
5 third. That's not what we do.

6 I mean what we are really interested in
7 is that the job is done safely from a radiological
8 point of view. And we want to make, and that, and
9 so ultimately what's most important to the NRC is
10 that before this license is terminated that the,
11 the, any contamination that is remaining at the site
12 is extremely low and that it meets the NRC's
13 unrestricted use criteria.

14 MS. MARINELLI-GODFREY: So who wants to
15 know whether it's being done sensibly rather than
16 stupidly?

17 MR. PERSINKO: First of all, I guess, we
18 have inspectors at the site and our interest is
19 safely. But, but, you know, I, I don't know how to
20 answer your question other than to say, I mean, you
21 know, there's some element of trust here too that a
22 license, that a licensee doesn't want to do
23 something stupid and, and lose money in the deal or
24 harm any employees or, or other things of that

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1 nature.

2 So, I mean, we do inspect for the safety
3 of the workers that are doing the decommissioning.
4 Not, you know, we're not OSHA inspectors, we inspect
5 from the radiological point of view.

6 But, but I also want to say that, you
7 know, there's no one to trust here that nobody wants
8 to do something, a licensee does not want to do
9 something stupid and lose money.

10 MS. MARINELLI-GODFREY: Then why does he
11 want to give you the license back and have you give
12 it to somebody --

13 MR. PERSINKO: I think it's just a
14 business decision. I think that, you know, that's
15 what been told to the NRC is that, under this
16 arrangement, that the, that the decommissioning
17 could be done faster and cheaper. And that's what's
18 been told to the NRC and that's the, the, my
19 understanding of why this arrangement is taking
20 place.

21 -- faster and cheaper, you know, it was
22 explained, you know, about the, the detailed
23 scabbling and removing of these details. The method
24 that's being proposed, it's my understanding would

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1 be done faster and cheaper.

2 And Pat, do you want to add anything
3 more to that? But you got to use the microphone,
4 Pat. You got to use the microphone.

5 MR. DALY: Oh, okay. Everything that
6 we're proposing to do is not new. It's been done at
7 other plants, it's been done before. It's fairly
8 straightforward work. It involves removing metal
9 and concrete and package it for disposal.

10 We're not proposing to do anything new
11 and radical other than we're going to remove more
12 material than generally is removed from the plant
13 and ship it to, for disposal to accelerate the
14 schedule.

15 It will never be less expensive to
16 decommission the plant as it is right now. If you
17 wait 40 years, try and estimate what the cost will
18 be.

19 Also, as I mentioned before, the window
20 is open. You know about Barnwell closing. Who's to
21 say if Clive will be open 40 years from now. That's
22 not a, that's not a certainty. So right now, I
23 think it takes will power, now's the time to act and
24 move forward.

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1 Waiting and sitting on our hands, I
2 think is the wrong thing to do.

3 MR. PERSINKO: Thank you.

4 MS. MARINELLI-GODFREY: Why did you
5 permit Exelon, what was the name of that company
6 again, Exelon?

7 MR. PERSINKO: Exelon is the current
8 licensee.

9 MS. MARINELLI-GODFREY: The, the current
10 one? And who owns the land?

11 MR. PERSINKO: Exelon.

12 MS. MARINELLI-GODFREY: Who owns --

13 MR. PERSINKO: Well it's, it's 10:00
14 o'clock. It's been a very stimulating discussion
15 this evening. I hope that you found this
16 informative. We have your questions, comments and,
17 on the transcript and we'll go through the
18 transcript and try to get back to you with your,
19 with, if you posed questions that we'll try to
20 answer your questions and get back to you.

21 I would like to say though that the, the
22 lady doing the transcription, the earlier speakers
23 did not identify themselves and all she has you down
24 is by the color of your sweater or whatever.

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1 MR. HAMMER: She doesn't have our
2 address either.

3 MR. PERSINKO: She just needs it for the
4 transcript. She doesn't need addresses. We would
5 have to get back somehow, other way to the question.

6 MR. DALY: And as far as, there will be
7 a meeting summary posted on our website for this
8 meeting that will include the transcript. So
9 anybody who wants to get that will be able to get it
10 on our website.

11 MR. PERSINKO: Yes, of course. I mean -
12 - there's no formal comment -- but, of course,
13 you're always welcome to submit comments. This
14 isn't, you know, like John said, there would be no -
15 - we think questions are, it's not at a point of --
16 but, you know, it's not like -- there's no set
17 comment for that --

18 But, yes -- any last thoughts? If not,
19 I would like to thank all of you for attending and
20 it was a very stimulating discussion. Thank you
21 very much.

22 (Whereupon, at 10:00 p.m., the public
23 hearing was concluded.)
24

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