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**NUCLEAR REGULATORY COMMISSION**

Title:                   Zion License Transfer  
                              Public Meeting

Docket Numbers:    50-295 & 50-304

Location:            Zion, Illinois

Date:                 Wednesday, June 18, 2008

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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. BAKSHSH: 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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