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Session

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UNITED STATES OF AMERICA

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BEFORE THE NUCLEAR REGULATORY COMMISSION

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DOMINION ENERGY KEWAUNEE, INC.

KEWAUNEE POWER STATION

Regarding the Renewal of Facility Operating License

WEDNESDAY

OCTOBER 22, 2008

1:30 P.M.

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Town Hall of Carlton

N1296 Town Hall Road

Kewaunee, Wisconsin 54216

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P R O C E E D I N G S

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(1:30 P.M.)

1  
2 MR. HOLIAN: Good afternoon. My name is  
3 Brian Holian. I'm the Division Director for the  
4 Division of License Renewal back at headquarters. And  
5 we'll start the meeting.

6 And I'm glad to be here today. Beautiful  
7 day out there. Came into Green Bay last night. I'm  
8 back to headquarters for license renewal for only  
9 about two months now. I've been with the Agency  
10 probably 18 years and I worked for a few years in  
11 industry before that and the nuclear navy before that.

12 I spent the last nine years out in Region  
13 One, so I was a division director in all the technical  
14 divisions in Region One, which is outside of  
15 Philadelphia. And a lot of times they'll rotate us  
16 back to headquarters. And I had been to headquarters  
17 for about nine years before I headed out to Region One  
18 and Nuclear Reactor Regulations.

19 So it's good for me to come back to  
20 headquarters and hopefully that will be my last move.

21 I don't know. I was just talking to one of the  
22 regional folks about their moves.

23 But I am glad you're here today. I know  
24 it's taking time out of your busy schedule and I  
25 appreciate you coming out today.

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1           This probably seems a little bit a lot.  
2           You know, license renewal, you know, it comes in  
3           frequently, and out of headquarters this is a  
4           traveling show. We actually pack up and bring out to  
5           that, so you're getting the same displays and the same  
6           items that we do for every plant.

7           And we will have a meeting this afternoon.

8           There will be a similar meeting tonight. And I don't  
9           mean it to be a formal presentation. We will do that  
10          and we'll go as quickly as possible. But I know the  
11          gist of it is really for you to hear this and also  
12          just ask questions about the process and where we go  
13          from there and public input.

14          So with that let me just introduce some  
15          other NRC staff that are here today. We did cut down  
16          from headquarters a couple staff members that were  
17          going to come.

18          I'll mention John Daily as one individual  
19          that works for me. He's the project manager. And  
20          David Pelton. And we also had a formal facilitator  
21          that we decided not to come out. A lot of times  
22          they'll come out for meetings where we have several  
23          hundred people.

24          But let me introduce Sarah Lopas the  
25          Environmental Project Manager and you'll hear from

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1 Sarah. We have about 20 slides. I'll cover the first  
2 half and Sarah will cover the second half. And we'll  
3 go from there.

4 I also wanted to introduce three people  
5 from Region Three that are here today. One is Kevin  
6 Barclay, Reactor Engineer here, gets out quite a bit  
7 to the plant and works with the resident inspectors  
8 out of the Chicago office.

9 Vyktoria Mytling, Public Affairs Officer  
10 from Region Three. And a new individual from, Herral  
11 Logaras. New but not to the federal service or to the  
12 Chicago area. Harold was in the nuclear industry in  
13 Chicago for awhile. Went and worked for FEMA and is  
14 now back to the Region Three office as a government  
15 liaison officer.

16 So with that those are the NRC folks that  
17 are here today. I'll go right into the presentation  
18 unless we have any other issues or questions.

19 Really the purpose of today's meeting and  
20 this is a repeat of tonight's meeting is to just  
21 describe the process for license renewal.

22 And we will talk about the license renewal  
23 process and get a little more in depth into the  
24 environmental review process.

25 On some locations we'll come out for a

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1 meeting just on the license renewal process but quite  
2 often now we try to combine the first two meetings  
3 into one meeting which is today and talk about license  
4 renewal process in general and then also accept  
5 comments on the environmental scoping issues. And  
6 that's why we have a, you know, recorded session here  
7 today because we take your comments back as we start  
8 the environmental review in particular back at  
9 headquarters.

10 And even this week we had three of our  
11 environmental people from our division out at the  
12 plant. So they were out walking around the plant,  
13 actually took a boat ride on the water there and  
14 looking at the intake structure and other items there.

15 So they start their environmental review is already  
16 started.

17 And as I said, well we'll go through  
18 schedule in awhile here but this is just the start of  
19 what is up to about a two year process.

20 Next slide. I'll just talk briefly about  
21 NRC's governing statutes. You know, we go, NRC goes  
22 back to 1954 for the Atomic Energy Act and a lot of  
23 people don't realize that in the Atomic Energy Act  
24 they did talk about license renewal.

25 A lot of people also don't realize how did

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1 a plant get its original 40 year license.

2 Well, the original 40 years was not based  
3 on the life of the reactor vessel. It wasn't based on  
4 technical issues. It was really based on antitrust  
5 economic considerations and antitrust factors.

6 Back then the politicians just thought hey  
7 antitrust is a good term of reference for any kind of  
8 power plant is about 40 years.

9 But the Atomic Energy Act did allow for  
10 license renewal. We're about half way through license  
11 renewal for the plants in the country. 104 plants.  
12 And I think we just issued the 48th or 49th license  
13 renewal a couple of months ago to Fitzpatrick out in  
14 New York.

15 So we're about half way through. It's an  
16 established process. It has two pieces. The other  
17 one I wanted to talk about and you'll get more when  
18 Sara is up here is the National Environmental Policy  
19 Act.

20 That followed in 1969 and the NEPA as it's  
21 called establishes a national policy for decision  
22 making on impacts to the environment.

23 Now why is license renewal under that?  
24 The NRC's commission, the commissioners, the five  
25 commissioners a few years after NEPA came out

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1 established by policy what a significant action is.

2 Under NEPA if you have a significant  
3 action to the environment you have to do an  
4 environmental impact statement, an EIS. And so the  
5 commission stated, hey if there's any major  
6 modifications to the plant that might be considered  
7 under NEPA but for sure license renewal where you,  
8 where a plant would plan to operate 20 additional  
9 years mandates that an environmental impact statement  
10 be done for every plant that undertakes that process.

11 Next slide. Just a quick slide on the  
12 NRC's mission. We do work for you members of the  
13 public. I know there are some plant people here today  
14 and there's some county folks here. But the NRC works  
15 for you.

16 We want to remind you of that. The public  
17 that we're here as public servants. So our job is to  
18 maintain the safety of the plant. Our job is not to  
19 keep Kewaunee operating. That's not our job.

20 You know, we license plants and we oversee  
21 their safe operations. And so it's important that the  
22 public understand that. And it's important that the  
23 county folks that, you know, you pass that on to the  
24 people as they question what the NRC's role is.

25 You know, we do it from a variety of ways.

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1 I mentioned that I have a regional background also  
2 and, you know, I'm glad to have the regional folks out  
3 here today because the day to day safety of Kewaunee  
4 is maintained by, you know, folks like, you know,  
5 Kevin and the resident inspectors at the plant and,  
6 you know, Pat and Steve have been there for years and  
7 are there on a daily basis maintaining the safety of  
8 the plant.

9 The regional inspectors that come out do  
10 the same thing.

11 That continues at 40 years plus day one if  
12 Kewaunee gets its license extended. You know, that  
13 reactor oversight process continues and that's the  
14 mainstay of our review is the ongoing safety review  
15 that the NRC does.

16 Next slide. Just talks about Kewaunee.  
17 Once again the original 40 years does expire in 2013.

18 That's not the first one to expire. It is one of the  
19 older plants. Out in Region One the region I came from  
20 has the first plant that expires coming up here in  
21 2009 Oyster Creek in New Jersey.

22 And then there's another plant in Upper  
23 State New York that expires also. And they have put  
24 in for a license renewal.

25 One of them is in the hearing process

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1 right now so they're actually waiting to see if they  
2 get their license renewal prior to April, April of  
3 2009 coming up here is when the first plant's 40 year  
4 license expires.

5 And you see Kewaunee's due, application  
6 filed in 2008. We get plants to put their  
7 applications in at least five years prior to license  
8 renewal to ensure for a timely process and review  
9 process.

10 Next slide. Well, the license application  
11 itself. If you want to read it. Get it at the public  
12 library. I think Sarah will tell you that later.

13 There is one copy back here. It is an  
14 extensive document. Four binders there is their  
15 license renewal application.

16 It comes into the NRC and it gets divvied  
17 up between, you know, scores of NRC reviewers at  
18 headquarters.

19 That process, you know, it's got plant  
20 information in it again. But in particular it's got  
21 information on technical aging of systems. And that's  
22 predominately what we do over the next year and a half  
23 at headquarters is look at the aging of their programs  
24 and aging management.

25 You know, we decide whether they have a

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1 good program for cable management or cable aging,  
2 electrical cabling.

3 One of the in depth reviews we do is the  
4 reactor vessel itself as I mentioned. Reactor vessel,  
5 you know, neutron embrittlement they call it, where  
6 the neutron, the fluence on the vessel and the belt  
7 line welds, the weld materials is something we look at  
8 in-depth.

9 And, you know, get independent experts  
10 also to look at calculations for that.

11 You know, interestingly at a plant, you  
12 know, most of you realize it if you're following the  
13 plant a majority of equipment gets replaced over the  
14 life of the plant.

15 So that's a key aspect that it's not the  
16 plant it was when it was originally licensed 40 years  
17 ago. It's an ongoing maintenance program, an ongoing  
18 replacement program for large components so all the  
19 way up, you know, to steam generators and pressurized  
20 water reactors. No one has replaced a reactor vessel  
21 so that's a key component, you know. I guess it could  
22 be done but economically that would be tough.

23 Overseas they do something called an  
24 annealing process to kind of regain years on a reactor  
25 vessel.

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1 But you need to know that. That it's, you  
2 know, it's a, it's a maintenance issue and it's a  
3 program issue that, that really limits the life of a  
4 plant.

5 What else do we look at? We look at  
6 changes to the plant tech specs. We call them tech  
7 specs. Technical specifications. They actually tell  
8 the plant when to shut down or not.

9 You know, you have so many systems that  
10 are, need to be operable every day. You take a train  
11 out, well, if there's any changes to the plant tech  
12 specs we also look at that for the extended period.

13 And of course we do an environmental  
14 report. It's a good fresh look at what's changing or  
15 what's impacting in the environment of the plant.

16 Next slide. You know, a little bit more  
17 on that safety review. I talked a little bit about it  
18 already. We do focus on aging effects and whether  
19 they'll be effectively managed.

20 Right now the plant has some programs.  
21 And a rule that came in a few years ago back before I  
22 headed out to the region was something called the  
23 maintenance rule. And it's kind of considered an  
24 aging management type rule that was put in place by a  
25 smart commission ten years ago or so and it put more

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1 of the impetus on the plant management to hey you  
2 operate the plant every day you should come up with  
3 programs for replacement, preventive maintenance and  
4 ensure you do that.

5 That's part of our regional people's job  
6 is to go out and through their normal inspections to  
7 look at that part of the program and make sure that  
8 the licensee is finding their own problems and fixing  
9 them pro actively.

10 What do we do? We as I mentioned look in  
11 depth in some of the areas like cabling and reactor  
12 vessel for some of the aging management.

13 Even some of the structures them self,  
14 concrete structures are they able to withstand an  
15 additional 20 years of management so of the  
16 environment or throughout the extended period of  
17 operation.

18 On the environmental review Sara will talk  
19 about more about that in a minute but in general we  
20 look at under NEPA it requires us to look back and  
21 determine if there's any impacts that are adverse.

22 You know, do you make a yes or no on the  
23 environmental and NEPA really calls for just put it  
24 out in the public whether it's a small or moderate or  
25 a large impact.

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1           So NEPA is really kind of an information  
2 sharing item that the public should not be surprised  
3 at something. Put out a report that describes in this  
4 case a 20 year license renewal and the NRC your  
5 staff's best estimate working with state officials,  
6 local county officials what the impact of continued  
7 operation would be on the environment.

8           Next slide. You know, this is a key slide  
9 because if you're going to get questions at a, as a  
10 county person or if you're a public person here a lot  
11 of times we get questions on these areas here.

12           This is a re licensing of the plant. It's  
13 not a new license for the plant. And I say that not  
14 to just parse words but when we licensed the plant  
15 originally and I met with an emergency, or a couple of  
16 emergency planning officials here from the county as I  
17 was outside talking to people coming in, you know, we  
18 did an environmental or an emergency planning kind of  
19 review.

20           What's the population? How would you have  
21 to evacuate if you had to? Do you have a processes  
22 for sheltering in place should you need? Do you have  
23 a siren system?

24           All that was done as a licensing of the  
25 plant.

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1 We get a lot of questions in these areas  
2 and in the post 9/11 area we get a lot of questions in  
3 security and really even current safety performance.

4 You know, do we at headquarters consider  
5 these aspects when we make a decision to re license or  
6 not. And the answer is no.

7 You know, we do not look in depth at these  
8 areas. So the public needs to know that.

9 Now why is that? That's because it's an  
10 ongoing NRC process or day to day. We have processes  
11 that look at all these.

12 When the new census comes out, you know,  
13 the applicant or the licensee has to update their  
14 census data and make sure that emergency planning at  
15 the plant incorporates the new population around. So  
16 that gets done no matter whether they're going to re  
17 license the plant or not. They should have done that  
18 on the last census. And our folks can follow that.

19 Security aspects, you know, we, a good  
20 example is following 9/11. We went ahead and ordered  
21 all plants Kewaunee included to do more with guns,  
22 guards and programs for what would happen.

23 You know, a lot of the plants along the  
24 Eastern coast were bothered about this. What would be  
25 the impacts of a large jetliner that would crash on

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1 the site. The NRC did a lot of research, looked at  
2 that, put out some orders, you know, under security.

3 So that's an example of where we wouldn't  
4 wait for license renewal to reevaluate the security of  
5 the plant. If the security issue comes up or there is  
6 an issue that we hear from intelligence we would take  
7 an order and put it out to the plant and operate.

8 And in current safety performance right  
9 now the residents in the region come out annually and  
10 have an annual assessment meeting. And they tell you  
11 what column your plant is operating under at Kewaunee.

12 How are they doing this last year. What  
13 were the significant findings that our inspectors had.

14 And as you know if they marched across our action  
15 matrix that's up to and including a plant shutdown at  
16 the end of that action matrix.

17 So under those processes is how we control  
18 kind of plant safety as we go on.

19 Next slide. And on those, on those topics  
20 though we continue to get criticized, you know, as an  
21 agency about that position. We've been taken to  
22 court. I think out in California on issues post 9/11  
23 why don't you re look at the security of a plant. Why  
24 don't you do that in a license renewal process.

25 And the courts and the commission has held

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1 their line that originally when Congress said re look  
2 at license renewal it was, you know, not a re, not a  
3 new license of the plant. You're not to go back in  
4 and say should it be sited here. Should it be sited  
5 near New York city.

6 Those issues are off the table. There's  
7 other processes for that. You know, they call it a  
8 2206 petition where you can petition to shut down a  
9 plant based on any of those reasons. So there are  
10 processes to do that. It just doesn't fall under  
11 license renewal.

12 Once again just a diagram of what I've  
13 talked about a little bit. You do come in with the  
14 application. You go through two prongs and we  
15 actually have kind separate staff at headquarters  
16 doing safety reviews and environmental reviews.

17 An independent review gets done by the  
18 advisory committee for reactor safeguards. That's a,  
19 and you can look at those on the NRC web site. It's a  
20 collection of really doctorate level and some industry  
21 folks but a lot of, you know, even people retired from  
22 national labs that perform an independent review.

23 They want to look at the application that  
24 comes in. And then they look at the staff safety  
25 evaluation report and will give us an independent look

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1 and an independent meeting to question both the plant  
2 applicant and the NRC staff on their review.

3 So that gets done near the end of the  
4 process somewhere around, you know, 15 month process  
5 or so once the safety evaluation reports out.

6 The hearing process is if the public or a  
7 member of the public requests a contention or an issue  
8 in the application and it gets accepted by a judicial  
9 panel.

10 The hearing process can also come into  
11 play near the end of the license renewal application  
12 process. A lot of times if it does go that way that  
13 usually adds six to eight months at the end of the  
14 process if a hearing contention has been put in by a  
15 stakeholder in the community.

16 How often does that happen? Out of the 48  
17 plants I think we're now up to about five or six  
18 hearings, plants with hearings. A couple of them are  
19 still in that process right now. A couple of them I  
20 mentioned earlier on the, out in my old region, Region  
21 One.

22 Next slide please. Just talk about, you  
23 know, these are kind of two of our guiding principles  
24 we call them and I talked about them a little bit.

25 And that's that the ongoing processes

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1 ensure safety of Kewaunee really. Our review will  
2 have a safety aspect of it for the continued operation  
3 of the 20 years. But as we look at this it's really  
4 the ongoing NRC processes that I mentioned that  
5 maintain it safe from day 40 to day 40 or year 40 plus  
6 one day. It's the ongoing reviews that get done.

7 Our safety evaluation review, it's  
8 interesting. I went to a meeting with the ACRS just  
9 last month and it was for a plant that's probably ten  
10 years away or 10 to 12 years away from their license  
11 renewal. They're just closing in on the 30 year mark  
12 and they've already got their application for the  
13 additional 20 years in.

14 And the ACRS meeting we went to saw a  
15 commitment for 2025 that the licensee will have this  
16 program in place by then. And they kind of looked at  
17 me and they said, you know Mr. Holian, are you going  
18 to be around in 2025 to make sure the licensee, you  
19 know, fulfills this commitment.

20 It's written in our safety evaluation  
21 report. It's in there. And I said well I might be  
22 around still but either way the staff will be around.

23 I'll have resident inspectors there. I'll fold these  
24 commitments from the plant into our reactor oversight  
25 process.

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1           And so a lot of times the licensee will  
2           commit to have a certain aging management study done  
3           by, you know, right about the time they go into  
4           license renewal which is a good thing really.

5           It's, we put on the licensee the  
6           requirement to learn, you know, over the next ten  
7           years on cable management and reviews. There might  
8           be, you know, new issues that come up, new operating  
9           experience we call it that comes up that they need to  
10          factor into their program.

11          So in some ways, you know, people are  
12          bothered when you see a commitment that far out to  
13          have a program but what the public needs to be  
14          reminded about it's like a, it's a living program.  
15          It's, NRC inspectors will still be here and it puts  
16          the burden on the licensee themselves to maintain a  
17          knowledge base about in that example I gave you what  
18          are the kind of the aging mechanisms or and cable  
19          degradation.

20          All right, we talked about that. Let's go  
21          to the next slide.

22          You know, the safety review by the plant.  
23          I talked about the application. A lot of it does get  
24          done at headquarters for some of the in depth detailed  
25          reviews on the safety documentation.

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1           We've grown into it to be more efficient  
2 really is we'll take a team of people out from  
3 headquarters. We found after the first ten plants or  
4 so, 10, 12 plants our people can do more onsite so  
5 we'll actually bring them out to site even from  
6 headquarters and do onsite audits.

7           Because as big as that application is from  
8 the licensee a lot of the supporting documentation in  
9 their programs are just referenced in that.

10          So when we take our team out for a week or  
11 two on site we'll do audits and verify what they have  
12 actually going on in the plant.

13          And then we'll do our safety evaluation  
14 report.

15          Another key inspections that are done are  
16 those inspections done by the region. So regional  
17 inspectors now will be versed in license renewal  
18 inspections.

19          So as they, as they get a plant like  
20 Kewaunee that's going near license renewal they'll do  
21 an initial safety evaluation, I'm sorry inspection  
22 where they'll go down and walk down the systems and  
23 make sure, hey when you walk down the systems you  
24 didn't include this tank in, in this system.

25          Why is that? Why did you cut the boundary

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1 from there? And the licensee will have to have an  
2 answer for that. Well, it's outside. It's not safety  
3 related. Questions like that.

4 So our inspectors go out in the plant and  
5 do that.

6 Not only will they inspect it as an input  
7 or a decision on giving licensee renewal, you know,  
8 they'll also go back and we're planning the first  
9 inspections that we'll do right before they go in to  
10 the extended period of operations. So those couple  
11 plants I mentioned in Region One we'll actually start  
12 those inspections in the outage right before they go  
13 in to the next 20 year operation and make sure that  
14 the commitments that I told about where they said  
15 they'll have their program in plan, that they have  
16 procedures written and they're ready to go into the  
17 next operation.

18 So it's not just a one time inspection.  
19 The region will keep on sampling on licensee renewal  
20 aspects.

21 And then I talk about the advisory  
22 committee on reactor safety, safeguards as an  
23 independent review.

24 I'm going to broach right into the  
25 environmental. Let Sarah take over and talk about the

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1 environmental review and then we'll pause right after  
2 Sara is done and we'll take general questions just  
3 about the process just to make sure you understand the  
4 license renewal process.

5 We did bring a wealth of information with  
6 us that gets boxed up and taken back there. Reference  
7 documents. They have booklets called frequently asked  
8 questions on license renewal.

9 So I, feel free at any time here in the  
10 meeting to grab some information back there or take  
11 that with you. That information is here for you.

12 And but we'll answer questions on that and  
13 then we'll, the other part of the meeting is really  
14 just to take your comments about hey what about this  
15 environmental aspect.

16 NRC we want you to look at this, we want  
17 you to look at the water supply. We want you to look  
18 at environmental justice. Those type, type of things.

19 With that I'll turn it over to Sara.

20 MS. LOPAS: Okay. All right. Is this  
21 good. Okay next slide.

22 All right. So as Brian mentioned earlier  
23 the review is performed in accordance with the  
24 National Environmental Policy Act of 1969, NEPA.

25 NEPA provides the basic architecture for

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1 federal environmental review requirements. It  
2 requires that all federal agencies follow a systematic  
3 approach in evaluating potential environmental impacts  
4 associated with major federal actions such as license  
5 renewal.

6 By law the NEPA process involves public  
7 participation and public disclosure. NEPA also  
8 established the U.S. Council on Environmental Quality  
9 or CEQ within the executive office of the president.  
10 And CEQ establishes policy for implementation of NEPA.

11 The NRC's environmental regulations which  
12 are contained in 10 CFR Part 51 are largely based on  
13 those that the CEQ developed.

14 Our environmental review considers the  
15 impact of license renewal and any mitigation for those  
16 impacts that we consider to be significant.

17 We also consider the impacts of  
18 alternatives to license renewal including the impact  
19 of not issuing a renewed license.

20 Next slide. The license renewal. The NRC  
21 looks at a wide range of environmental impacts. We  
22 consult with various federal, state and local  
23 officials as well as interested Indian Nations and we  
24 gather pertinent information from these sources to  
25 ensure that it's considered in our analysis.

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1           Some examples of agencies that we might  
2 consult with would be the U.S. Fish and Wildlife  
3 Service regarding threatening endangered species. The  
4 EPA. The Wisconsin Department of Natural Resources  
5 and the Wisconsin Historical Society.

6           Next slide. The environmental review  
7 begins with the scoping process which is why we're  
8 here today. The purpose of the scoping process is to  
9 identify significant issues that should be considered  
10 in the environmental review.

11           We are now gathering information that we  
12 will use to prepare environmental impact statements.  
13 And as part of that process we are here to collect  
14 your comments on the scope of the environmental  
15 review.

16           The staff has developed a generic  
17 environmental impact statement that has addressed a  
18 number of issues that are common to all nuclear power  
19 plants.

20           The staff is going to issue a supplemental  
21 EIS to this generic EIS that will be specific to  
22 Kewaunee.

23           The staff will also reexamine the  
24 conclusions that we reached in that generic EIS to see  
25 if there are any new and significant information that

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1 would change those conclusions that we made.

2 Next slide. The environmental scoping  
3 period started on October 9th, 2008 when we published  
4 a notice of intent to prepare an EIS and conduct  
5 scoping.

6 The NRC will be accepting comments on the  
7 scope of the environmental review until December 9th,  
8 2008.

9 In general we're looking for information  
10 about the environmental impacts from continued  
11 operations of Kewaunee.

12 You can assist us in this process by  
13 telling us for example what aspects of your local  
14 community we should focus on. What social and  
15 economic issues the NRC should exam during our  
16 environmental review. And what are some reasonable  
17 alternatives to license renewal that you think are  
18 appropriate for this region.

19 These are just some of the examples of  
20 input we're looking for and they represent the kind of  
21 information we're seeking through the environmental  
22 scoping process.

23 Your comments today will be helpful in  
24 providing us some insights in this.

25 Next slide. This slide illustrates the

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1 commission's various considerations for deciding if a  
2 renewed operating license will be issued.

3 So how do we use your input today and  
4 through December 9th? Public comments are an  
5 important part of our environmental review process and  
6 we will consider all your comments. Hence why we  
7 mentioned earlier that our court reporter is here.

8 Next slide. In addition to providing  
9 comments here today there's other ways you can submit  
10 comments through December 9th.

11 You can mail them to the address up here.  
12 Just make sure you put Kewaunee license renewal at  
13 the top of that address.

14 Also you can e-mail them to  
15 Kewaunee.eis@nrc.gov. And if you are in Maryland you  
16 can always pop in as well, just call ahead. Call  
17 myself or John Daily, the other project manager.

18 But these, rest assured that no matter how  
19 you submit your comments they'll all be taken into  
20 consideration.

21 Next slide. This slide shows important  
22 milestone dates for the environmental review process.

23 The opportunity to submit contentions for a hearing  
24 which is different from the scoping, that's December  
25 1st, 2008.

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1           And then the comments, the scooping  
2 comments that deadline is December 9th, 2008.

3           And we plan to issue a draft supplemental  
4 EIS in August of 2009.

5           While this slide lists the milestones of  
6 the environmental review the safety review also has  
7 its own schedule to adhere to as well.

8           Next slide. These are the points of  
9 contact for the Kewaunee license renewal. John Daley  
10 who couldn't be here today he is the point of contact  
11 for the safety review. And I'm obviously the point of  
12 contact for the environmental review. But feel free  
13 to contact either of us.

14           Also as Brian had mentioned earlier the  
15 Kewaunee public library has agreed to make the license  
16 renewal application available for public review.

17           When it's published, when the draft  
18 environmental impact statement is published it will  
19 also be available at the library as well.

20           But also note that the license renewal  
21 application and when the draft environmental impact  
22 statement is published they're both be available  
23 online at that e-mail or that web address at the  
24 bottom.

25           Also if you'd like to be mailed a copy of

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1 the draft EIS and the final EIS you can fill out one  
2 of those registration cards at the back table before  
3 you leave today.

4 And that concludes all I have to say. I  
5 think Brian is going to come up and we can start  
6 taking questions.

7 MR. HOLIAN: Well, we didn't necessarily  
8 mean to rush through everything but we also didn't  
9 want to waste your time if you only came here and had  
10 a question or two we didn't want to spend too much  
11 time on the slides or the process. And there is a lot  
12 of information.

13 One thing I didn't mention and we'll just  
14 open it up to questions on the process. We do have a  
15 meeting feedback form. It's a single sheet a paper  
16 right on the circular table right there and it's  
17 already franked for, you know, postage and that so you  
18 can just fold it up and put in the mailbox.

19 These types of meetings, you know, the  
20 license renewal ones we come out two or three times in  
21 the process and the region has these same forms at  
22 their meetings like the reactor oversight process  
23 meetings.

24 But we do take your feedback. If the  
25 location wasn't right. You'd rather meeting in

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1 Kewaunee or, you know, somewhere else, you let us know  
2 on there. Location wasn't right, time of day is not  
3 right. The fact of having two meetings like this.  
4 Why is the NRC wasting government time and resources  
5 in some of your minds having two meetings. Well, a  
6 lot of times that's because people have given us  
7 feedback before we can't make the evening meeting and  
8 we'd rather, you know, help our kids with the  
9 homework, you know, come at the daytime if you can.

10 So that's why we try to open up these two  
11 opportunities like this. It's a result of meeting  
12 feedback.

13 But if there's anything like that you have  
14 feel free to comment on it or if we use too much  
15 jargon let us know.

16 So that opportunity is back there and as I  
17 mentioned other documents for you to review.

18 Let's just open it up now for questions or  
19 comments about anything you saw, what, you know, and  
20 about the process. Yes.

21 MS. HARDTKE: Okay. Ms. Lopas you said  
22 that your committee oversees the, like land use and  
23 the water and the natural resources and all that.

24 I have a question about the land use. I'm  
25 from the town of Carlton. I live about three miles

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1 north of the nuclear plant.

2 The way I understand it right now the  
3 utility taxes that we get from having that plant here  
4 just about equals the taxes that we would have gotten  
5 from homes that would have been built on that  
6 property.

7 That means that in my opinion that means  
8 that nothing is gained by having the nuclear waste  
9 being stored here on this property which is what is  
10 going on right now. Above ground is the waste  
11 storage. The pools are full.

12 So my question is what, what's going to  
13 happen when the plant closes and then the utility tax  
14 no longer applies? The waste is still going to be  
15 there. We're not getting anything for that waste.

16 What do we have to gain by extending the  
17 license, having more and more waste being piled up  
18 there, high level waste--

19 MR. HOLIAN: Well, let me just comment and  
20 Sarah can add to it if there's any specifics on, on  
21 land waste.

22 There are about three or four documents  
23 back there for everybody really on high level waste  
24 which is the tougher waste to take. The low level  
25 waste that hospitals make and even a nuclear plant

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1 makes can usually be shipped off to a compact or  
2 something and/or stored safely.

3 High level waste is, is a tough issue for  
4 a lot of people to take. You know, is it a license  
5 renewal issue by itself. No it's not. It's kind of a  
6 separate issue. Is it, does it have impacts with  
7 license renewal yes clearly. I mean you're operating,  
8 if you're letting a plant operate for an additional 20  
9 years you're letting them make that much more waste to  
10 stay in your environment here. And you're close by the  
11 plant.

12 Was it envisioned that way originally? No  
13 it wasn't. I mean we all know that, and it's not the  
14 NRC and I'm proud to say I guess, one federal agency  
15 we weren't tasked with solving the high level waste  
16 problem, you know, Congress put that on the Department  
17 of Energy. That bad federal agency, no I'm just  
18 kidding, yeah.

19 Bigger federal agency and they've had  
20 problems. They've had problems. As you all know  
21 Yucca Mountain was selected, I mean the Department of  
22 Energy went and studied four or five sites, came back  
23 to Congress, Congress said Nevada will be the place  
24 and the Department of Energy went off and studied it  
25 for a long time, a long, long time with a lot of

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1 taxpayer money. With a lot of your money because and  
2 the licensee's money because they all contribute to  
3 this fund for high level waste repository.

4 That's going on now. They finally have  
5 sent in their application, Department of Energy did  
6 for Yucca Mountain. That came to the NRC. Just  
7 within the last two months we did an acceptance review  
8 on that which said okay there's enough information in  
9 there to start our review process to whether that's a  
10 suitable thing.

11 So the NRC does have the licensing aspect  
12 of we will license that hole in the mountain, tunnel  
13 in the mountain to see if it's safe.

14 So the NRC does have licensing aspect of  
15 that.

16 Now in the meantime what have the  
17 utilities had to do. Well, the utilities did have  
18 their spent fuel pools. They were not meant to store  
19 40 years of spent of fuel. And they re racked them  
20 for a while. They, they put the fuel closer together  
21 in metal racks. It sits in there and there's some  
22 good pictures if you haven't seen them in some of  
23 those background documents there to show you that.

24 Can that be safely done? Yes. You know,  
25 as the fuel ages even in that water it, the older fuel

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1 eventually can be put in dry cast storage where you  
2 don't need to keep it under water. And plants have  
3 had to do that. They've had to, you know, quote, on  
4 their own, or with their money buy caskets and locate  
5 them on their land because the federal government has  
6 not come through with the promise for a high level  
7 repository.

8 We do have what we call a waste conference  
9 decision that says that it's okay to keep it there.  
10 Will the casks be there forever? No. That's the  
11 government's position is that they won't.

12 Now will Congress if Yucca Mountain gets  
13 put down will that change, you know, we all, we'll  
14 have a say in that but I know that's a question, what,  
15 what state. But right now it's meant to stay there  
16 safely and the NRC does do safety reviews of those so  
17 we do license those casks and have agreed that they're  
18 safe to be there.

19 So that's one piece. I, most of that  
20 maybe you didn't, you knew already, studied up on it  
21 but I wanted to cover that aspect first and then we'll  
22 take follow on questions.

23 As for the land use questions and the tax  
24 base, you know, that's probably something between the  
25 counties and the, and the licensee that issue. And I

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1 was aware of that from the region that that's an issue  
2 of particular interest here to Kewaunee is that tax  
3 base issue between the counties and the state.

4 And that's something the NRC unfortunately  
5 we're aware of but we don't get an in or a say on  
6 that. That's more your county governments.

7 But there was some follow up questions I  
8 can see. Yes, sir.

9 MS. LOPAS: Hang on one moment. If  
10 everyone, if you have a comment or a question if you  
11 could speak into the microphone for purposes of  
12 getting our transcript correct- and give your name  
13 prior.

14 MR. HOLIAN: Thank you.

15 MS. LOPAS: Too.

16 MR. LACROSSE: I can speak loud enough. My  
17 name is Stanley Lacrosse and I've lived in this town  
18 for 54 years and I've heard nothing but lies all the  
19 way through.

20 I've attended every meeting. And what I'm  
21 against, strongly oppose licensing this plant until we  
22 get these issues solved for the simple reason we have  
23 these caskets up there.

24 We have to take your word for it, the NRC  
25 word for it that they're safe. And you say they'll be

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1 moved. That's not true. They'll never move because I  
2 got the CRS report updates since October of 2008 and  
3 it says right in there possibly the year 2020 they  
4 might start receiving.

5 But it also states that if everyone goes  
6 there there's not enough room.

7 So you know the furthest one away will  
8 never go.

9 You know, it, it's a shame to listen and  
10 we have to listen and it's not fair because I can tell  
11 you right now the perception of our town of Carlton by  
12 the public service commission, the NRC and all our  
13 elected officials as being a tax free township is not  
14 true.

15 We pay more taxes than our neighboring  
16 town.

17 And this is not right for the simple  
18 reason we had 480 signatures out of a possibly I think  
19 there's maybe a little over 600 people that are voting  
20 in this town and we had 480 signatures against letting  
21 them put the caskets on top of the ground unless we  
22 get compensated.

23 And our town officials gave them the  
24 building permit. They scared them into it. Giving  
25 them a line. And this is what's all wrong because

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1 they ruined our zoning book because they said they  
2 didn't need a variance, they didn't need a conditional  
3 use, they didn't need that so they turned around and  
4 gave them the building permit and now they don't even,  
5 they don't know us no more.

6 They're supposed to work without trying to  
7 get a little more money out of the state. The state  
8 gets six million, very close, for utility tax but none  
9 of it stays. We have to share it with the county for  
10 19 percent.

11 And I have to sort of correct Cindy a  
12 little bit.

13 If they could put this town back the way  
14 it was without the nuclear plant we would pay less  
15 taxes. And this is what really makes it bad because  
16 in 1968 when they broke ground they bought this land  
17 real cheap.

18 And the state says the assessor will be  
19 within ten percent of 100 so the assessor has to keep  
20 raising the rest of us to make up the difference so  
21 that's why our taxes are higher than the Town of  
22 Franklin or the Town of Kewaunee.

23 And I don't think this is right and that's  
24 why I'm opposing it and all the 480 signatures are  
25 opposing relicensing that plant until this gets

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1 settled.

2 MR. HOLIAN: Okay.

3 MR. LACROSSE: I've got them all, all our  
4 officials, even the governor. They want to take the  
5 moratorium off to build a nuclear plant because it's  
6 the safest, the cleanest.

7 Like I wrote in a letter to them when I  
8 sent them all the signatures. Where are you going to  
9 put the waste. We've stored it for 34 years under  
10 water and we finally got 50,000 and then Dominion  
11 devaluated the plant and we lost, how much? \$37,000.

12 Now you just said just a few minutes ago  
13 that they update, update, update. It's running at  
14 full capacity. How come you can devalue it?

15 I mean that's not your doing, --

16 MR. HOLIAN: Yeah.

17 MR. LACROSSE: -- but it, that's lost us -

18 MR. HOLIAN: Yeah.

19 MR. LACROSSE: -- \$37,000.

20 MR. HOLIAN: I understand those issues and  
21 some I won't be able to answer. The, the tax issues I  
22 won't be able to answer. I, you know, that's the  
23 county and the state issues. And I don't mind you  
24 taking this forum to voice those because they are  
25 joined a little bit. I mean the continued operation

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1 of 20 years will continue that burden on you.

2 So I, this is the right opportunity to do  
3 that and, you know, from the view of getting that  
4 message out again.

5 But, you know, for that issue I can't  
6 answer.

7 The other issue though on is the waste  
8 meant to stay there.

9 Well, there is a little bit of a fear that  
10 if a plant does shut down there's some examples out on  
11 the east coast there. There's a couple plants that  
12 have shut down prematurely, did not go in for license  
13 renewal and decommissioned. They decommissioned the  
14 plant early.

15 Economically a small owner had it and  
16 didn't want to do it and I think these plants  
17 decommissioned, you know, before this deregulation  
18 where a bunch of the utilities were buying up plants  
19 and that.

20 So there's one out in Maine that I'm  
21 familiar with and have gone there now and you see a  
22 beforehand picture and you see a plant that looks like  
23 Kewaunee sitting on the water source and you see an  
24 after picture and it's green field. It really is all  
25 green field expect for one item. The casks are still

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1 there. The cask storage is still there.

2 Now are they meant to be there forever.  
3 No. The answer is still is no. Will Congress change  
4 that view, you know, I can't say. But they, Congress  
5 has stated and the good thing you have also going for  
6 you is your local state politicians, your senators and  
7 your congress people they recognize that even though  
8 they might not be for nuclear power or, you know, that  
9 type of plant or high level waste and I'm not talking  
10 about the State of Nevada senators because they're  
11 different.

12 But other states when we're there usually  
13 you get your state politician saying we understand  
14 that a central repository is the way to go whether  
15 it's Yucca Mountain, you know, sir you're right that  
16 it doesn't have maximum capacity, you know, it's going  
17 to be quickly filled.

18 We'll deal, we have to find another  
19 repository or expand Yucca Mountain, possibly. I  
20 think that's been talked about. Right now they're  
21 having enough trouble getting the initial one done.

22 But what I was getting at with state  
23 senators and congressmen are pretty universal in the  
24 fact of it does make sense to get it into a central  
25 location.

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1 I know out west a little further west they  
2 were looking at another central above ground storage  
3 location. Just to store it until Yucca Mountain is  
4 ready.

5 So those things are being talked about and  
6 once again that's by Congress. You know, NRC it's,  
7 it's not our issue. Our issue though is to make sure  
8 that those casks are safe where they sit.

9 So, so that is an aspect that we inspect  
10 and license and, and review and there are some good  
11 background informations on the different cask designs  
12 back there.

13 MS. LOPAS: That mic is wireless so you can  
14 pass it around, you know.

15 MS. HARDTKE: That's part of my concern.  
16 How can it be just as safe above ground with a fence  
17 around it compared to being under the ground about a  
18 mile under the ground with a 5000 I believe, 5000 foot  
19 high mountain on top of it?

20 How can it be just as safe sitting out  
21 there a few miles from my house and who knows how long  
22 it's going to sit there?

23 MR. HOLIAN: Well, yeah, the safety kind of  
24 reviews we do are, are a couple areas. And is it  
25 adequately safe in either location. The NRC's

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1 position has been yes.

2 The casks themselves for sitting there,  
3 the concrete casks, you know, they're looked at for a  
4 couple of varieties.

5 One for impacts of anything to hit them.  
6 But two just the radiation shielding itself. A lot of  
7 the science that goes into it is how thick do the  
8 walls need to be for radiation shielding.

9 So we actually have some states that will  
10 actually take, you know, measurements by themselves to  
11 confirm the NRC's studies that the, any radiation dose  
12 at the site doesn't go up, you know, from a cask  
13 sitting however close it is to the, to the gate  
14 boundary.

15 You know, you can, our inspectors walk  
16 right up to the casks themselves and check the  
17 temperature readings, the temperature gages on them  
18 themselves.

19 So, you know, the safety aspect I know  
20 some people say well underground storage and even some  
21 of the casks designers are now talking about putting  
22 berms around casks to make them more safe.

23 But the aspects from our security reviews  
24 have shown that, you know, they're, they're safe  
25 against any kind of incident that could occur.

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1 I know we had one that was even a cask  
2 that was being sent with fuel through the Baltimore  
3 tunnel four or five years ago and actually got in a  
4 car collision in the Baltimore tunnel and the truck  
5 carrying the cask, you know, was enveloped in, in  
6 flame inside a tunnel.

7 And the NRC went back and looked at the  
8 maximum temperatures that were in that tunnel to  
9 verify that, you know, should the cask have had spent  
10 fuel would it have safely been able to maintain that  
11 fuel and the answer was so.

12 So those kind of things get looked at. I,  
13 let's go on from the nuclear field. We can come back  
14 around to it and even when this meeting ends and if  
15 it's not in this session still just talking to you get  
16 you as much information as you need on the cask  
17 designs.

18 But let's move on.

19 Sir, you had another question?

20 MR. PAPLHAM: Well, I'm on the, Ken  
21 Paplham. I'm --

22 MR. HOLIAN: If I did, I'm sorry I did have  
23 four other comment cards. I was just quickly covering  
24 so I, I only had four but I believe you're on here  
25 also. You had signed up to speak so --

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1 MR. PAPLHAM: I'm Ken Paplham. I'm on the  
2 town board here for 34 years as supervisor.

3 And back in January of '93 the town board  
4 passed a resolution that there would be no outdoor  
5 storage at the power plant. We passed a resolution at  
6 that time.

7 And now we're getting these stored outside  
8 and I think the municipality should be compensated  
9 from the federal government of \$250,000 a year plus  
10 \$40,000 for each containment that's stored there as  
11 long as they're stored there.

12 I don't know why these municipalities have  
13 to put up with this storage when we had a resolution  
14 back in '93 that there was going to be no storage.

15 I know the plant is in problems with Yucca  
16 Mountain but so I think something has to be done. Why  
17 should we live with that and like Cindy said right out  
18 in the open and Yucca Mountain is going to be a mile  
19 under the ground or in the, in a shaft there so.

20 MR. HOLIAN: Yeah. Well, let me just  
21 comment on that again on that aspect.

22 On the reimbursement the only thing I'm  
23 aware of and I don't know if the plant can help more  
24 if they have a comment afterwards to, some plants have  
25 sued the federal government, you know, for and I've

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1 looked at that in the press and seen that and, you  
2 know, they're kind of suing DOE because you've taken  
3 so long and that's exactly right.

4 It's a longer burden and it's a, it's a,  
5 you know, a promise that wasn't fulfilled, you know,  
6 when the plant was originally licensed it was, you had  
7 promised a repository. It should have been gone by  
8 now so we wouldn't have that and whether, you know,  
9 you can claim one you're not getting the tax revenue,  
10 other people might say our property values are going  
11 down or not raising as much because some people might  
12 fear that waste there.

13 So I know that that has occurred. The  
14 federal government has been sued. Some of those are  
15 still in court now on, you know, the government has  
16 their lawyers on, on why or whatever and I think there  
17 has been some pay outs to some or I won't even call it  
18 pay outs, some settlements with, with some utilities  
19 and we'll touch on it.

20 But, you know, that's a separate issue  
21 kind of from, from us at the NRC. That's, it is a  
22 federal government DOE and it is a federal promise  
23 that has not been maintained and I can only tell you  
24 that I, I agree with you.

25 And it's not an NRC issue. You know, at

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1 the time of that Atomic Energy Act in '54 to just  
2 remind you they purposely, Congress purposely said,  
3 you know, we will not have, you know, we used to have  
4 the Atomic Energy Commission back after World War II  
5 and it was for promoting nuclear power, nuclear use  
6 and also regulating it.

7 And they quickly saw that well, we  
8 shouldn't have one organization doing the same. So  
9 they split those apart and they created the NRC and  
10 then they created Department of Energy and said you  
11 promote sort of Department of Energy does promote  
12 nuclear, it promotes, you know, coal and gas. It  
13 promotes all energy sources.

14 But nuclear they split off and they said,  
15 you know, your job, you're a small federal agency.  
16 You're only about 3000 employees.

17 So, you know, as much as a dual unit plant  
18 sometimes has 3500 employees. That's what the NRC has  
19 in four regions. And your job is solely to look at is  
20 it safe to operate. You know, does it continue to  
21 meet the regulations.

22 And so that's what we go back to on that  
23 and the cask designs and can they be safely stored  
24 there both from heat generation, radiological  
25 generation and security aspects, you know, we look at

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1 that.

2 And the national policy picture, you know,  
3 we don't, we don't the NRC doesn't get into that. I  
4 mean we have some commissioners. They're appointed.  
5 And they get into it probably just a little bit from  
6 advise wise back and forth to Congress or letters back  
7 and forth.

8 But the NRC staff your inspectors or our  
9 technical reviewers, you know, don't get into that.

10 So I'm just reiterating, you know, we're  
11 here for looking at the safety review of the issue.  
12 Some of these peripheral issues I only say peripheral  
13 because I know they're up front for you and they are  
14 rightly so.

15 But they're a little bit on the periphery  
16 for our safety review that we do. And I know that's  
17 not satisfying but, you know, that's the answer.

18 Let me just go to another person, sir, and  
19 then come back to you.

20 Yes, sir.

21 MR. WOJTA: Yeah, I'm Francis Wojta. I'm  
22 just a dairy farmer down the road. I'm probably just  
23 an average joe farmer.

24 But, whoops, I just, you know, the NRC  
25 takes care of the licensing process, the DOE takes

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1 care of the energy process of it. And I know it's,  
2 the federal government is a big bureaucracy.

3 And if somehow they could get together  
4 because we say our concerns to you well that's the  
5 department, DOE, you have to talk to those people.

6 And we never, the local people never get  
7 clear cut answers, you know. You started out with  
8 public service they said no rods would be stored here.

9 Dominion came, we have rods stored here.  
10 They're a good partner I feel and they do everything  
11 safely. We feel safe with the plant but now we're  
12 storing nuclear rods.

13 Part of the, part of our tax money goes to  
14 pay for the electric bill, goes to Washington for fuel  
15 storage which is supposed to go to Yucca Mountain.

16 So Yucca Mountain gets 95 percent of our  
17 tax money to build Yucca Mountain that was supposed to  
18 be done in 1998.

19 Now they're saying it's supposed to be  
20 done in 2018, okay. Or whatever date it's supposed to  
21 be done. We aren't sure of that, okay.

22 Here the rods sit here. There's no  
23 incentive for Yucca Mountain to have something done  
24 when the rods can be stored at the facility when they  
25 get 95 percent of the money. We get the five percent

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1 of the money where I think if we got compensated at  
2 the very least maybe Yucca Mountain would say hey this  
3 is goes here we should get that.

4 That's just the way I feel.

5 MR. HOLIAN: Okay. I do understand that  
6 comment. And, you know, one good thing is it probably  
7 isn't much but, you know, in our draft safety  
8 evaluation report or in our EIS, you know, the  
9 comments here that you're gathering today that we are  
10 recording will get there. They'll get there. What  
11 was the main objection to Kewaunee license renewal.

12 Well, so far it's high level waste storage  
13 of the fuels there. I mean that's what we've heard.

14 Now that's the purpose of today's meeting.  
15 Will it get very far? Will it get to the Department  
16 of Energy? Will it get to the Wisconsin senator? You  
17 know, I don't know. Sometimes a letter from you to  
18 the senator, you know, is just as powerful or as  
19 powerful.

20 But it will get in our records. So, you  
21 know, I, I will state that and get there as an issue  
22 from the population.

23 Did you have something to add, sir.

24 MR. LACROSSE: I just to inform you a  
25 little bit that 26 plants already have gotten billions

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1 of dollars from the Department of Energy. One just  
2 got 56 million last March.

3 So it's, the Department of Energy is  
4 paying it out but it is not coming from the, the  
5 nuclear fund. It has come from us taxpayers.

6 MR. HOLIAN: Yeah. Yeah, no I followed  
7 that in the newspaper, sir, I just don't know the  
8 details on that. I, you know, I thought it was, I  
9 followed it for probably 10, 12 years when they  
10 started suing the federal government I thought it was  
11 novel.

12 I mean the licensees themselves were suing  
13 them so I did follow that and I know money has been  
14 settled is what I've heard from DOE that it's a  
15 settlement not a, but you're right. It's taxpayer  
16 money wherever it comes from.

17 Yes, sir.

18 MR. LANGAN: I'm from Congressman Kagen's  
19 office.

20 MR. HOLIAN: Okay.

21 MS. LOPAS: You do need to hang on, you do  
22 need to use the microphone.

23 MR. LANGAN: I will --

24 MR. HOLIAN: Thank you.

25 MS. LOPAS: I can let it, I can bring it to

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1 you actually. There you go.

2 MR. LANGAN: Okay. When we talk about  
3 suing the federal government what happens is that  
4 anybody who is served by a nuclear power plant there's  
5 a surcharge put on your electric bill.

6 I live in Ashwaubenon and a couple of  
7 communities away. It's served by and I pay a  
8 surcharge. That surcharge goes into a big pot of  
9 dollars to the Department of Energy.

10 The Department of Energy holds these  
11 dollars for the formulation of a place like Yucca  
12 Mountain.

13 Now some of these nuclear plants are  
14 running out of room. So they're saying what do you  
15 want us to do about this federal government you're not  
16 taking our garbage. We want the garbage taken out.

17 And the federal government, DOE is saying  
18 sorry we can't accept it just yet. So what happens  
19 here now is that okay we're going to sue you. Well  
20 yes, that's fine, we're not suing the NRC we're going  
21 to sue the DOE because the DOE is charged with  
22 formulating Yucca Mountain here.

23 So Congress said okay if you're going to  
24 sue we're not going to let this money come from the  
25 Yucca Mountain fund. We're going to put a pot of

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1 dollars over here in another pot from the general  
2 treasury of the United States. And if any nuclear  
3 plant is successful in suing the federal government  
4 the money will not come out of Yucca Mountain fund it  
5 will come out of the general treasury fund.

6 So what happens now is that that money  
7 that's coming out of the general treasury fund is not  
8 as, has never been issued or given out to  
9 municipalities. It has only been given back to the  
10 nuclear plant that has successfully sued the  
11 government and the only use of this money is for  
12 constructing dry cask storages, okay.

13 So that's the long and the short of it.  
14 It's only going to be used for construction of casks  
15 and it's not going to go back to the municipality that  
16 is, right where the light waste is located.

17 So I hope that kind of gives everybody a  
18 little bit of heads up on when we are able to sue  
19 successfully sue Uncle Sam.

20 MR. HOLIAN: Thank you, sir. Other  
21 questions? I did have a few other cards filled out  
22 for speakers who either wanted to make a comment or a  
23 question. And once again we had started this session  
24 a little bit but as it often does if, whether you have  
25 a question on either the process or the environmental

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1 impacts, you know, we'll take them both right now as  
2 we go.

3 But Bob Garfinkel signed up. I didn't  
4 know if you had known you were signed up to make a  
5 comment or a question or was that just well because  
6 you wanted more information?

7 MR. GARFINKEL: Well, I wanted to talk  
8 about how Dominion has helped our, our groups, okay.

9 First of all I, I was aware of, a little  
10 bit about the problems the town of Carlton is having  
11 through Linda Sincula, if you're a local you know who  
12 she is. I'm on the county board. We've talked about  
13 this but there's a lot of, a lot of stuff here that I  
14 had no idea about it.

15 And I guess I'm just kind of jumping into  
16 the fire here. I'm going to look at the other side of  
17 Dominion. The community, the involvement area, is  
18 that okay that I --

19 MR. HOLIAN: Oh, sure. You can comment on  
20 anything.

21 MR. GARFINKEL: Okay. I'm on the county  
22 board and I've, I'm the promotion and recreation  
23 committee. And the last couple of years Dominion has  
24 helped out, helped us out with various projects in our  
25 county parks providing people from Dominion who are

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1 released for the day they come out and, and they help  
2 us fix up the, the parks, paint, repair things.

3 We have a recreation and promotion  
4 department right of two full time people and they work  
5 on seven or eight different parks plus the fair  
6 grounds. And they've, Dominion has helped us a lot in  
7 that area.

8 I'm also the, the president of Literacy  
9 Partners of Kewaunee County. We, we teach adults how  
10 to read and write. And in some case speak English.

11 Dominion has been crucial in the, in the  
12 area of funding and not only funding, Mark Cans from  
13 Dominion has been in on our five year plan and helped  
14 us with other things.

15 We've developed a library. They've helped  
16 us with a recognition night which honors our students,  
17 our tutors and our donors.

18 So Dominion has been a good neighbor to  
19 us. Maybe not to the Town of Carlton but they've  
20 helped us a lot in our endeavors.

21 MR. HOLIAN: Okay. Thank you for that  
22 comment.

23 Another person that signed up is Jennifer  
24 Brown.

25 MS. BROWN: That would be me. I am the

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1 executive director of Kewaunee County Economic  
2 Development Corporation. And I also did not know the  
3 issues that the Town of Carlton was having. I  
4 certainly sympathize.

5 And the reason that I'm here today is to  
6 talk more about the economic environment. Obviously  
7 being from an economic development standpoint and I  
8 have worked closely with Mark Cans on a number of, of  
9 things.

10 And certainly from the health of Kewaunee  
11 County's local economy obviously Dominion has been and  
12 is one of our largest employers and certainly has  
13 provided quality jobs to the community and the county  
14 for a long time.

15 And certainly I think that, you know, that  
16 the wages that they provide to the community are  
17 certainly speak for themselves and the quality jobs  
18 and certainly the people that get active in the  
19 community obviously as Bob has stated is certainly  
20 raises the quality of life in the community to a level  
21 that is very important and has a significant impact on  
22 this county. So that's very relevant.

23 And also as Bob has mentioned already the  
24 level of giving, the corporate citizenship of Dominion  
25 has had a significant impact on, on this county as

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1 well from an economic development standpoint.

2 Certainly they were significant in getting  
3 the economic development corporation off the ground  
4 and also they've been involved in the, the food  
5 processing incubator which has launched a number of  
6 small business owners and really that's instrumental.

7 It's, Bob and I were talking beforehand about how  
8 important it is and how, how difficult it is to really  
9 assist with, you know, businesses, business retention  
10 within the county and especially in these difficult  
11 economic times. It's so very important and to have  
12 good corporate citizenship is, is really important.  
13 And Dominion has done that.

14 So that's really all I have to say,  
15 thanks.

16 MR. HOLIAN: Okay. Thanks for that comment.

17 And the last speaker I had that had signed up, I'm  
18 sorry we have two more, an additional one came in.  
19 But Lori Hucek from Emergency Management.

20 MS. HUCEK: Well, thank you for giving me  
21 the opportunity to speak as well. Actually my name is  
22 Lori Hucek. I'm the Emergency Management director for  
23 Kewaunee County and I too want to just reiterate some  
24 of the things that we work with with the plant.

25 I have to say that if it wasn't for the

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1 plant, Kewaunee County would not be as prepared as we  
2 are today for any type of an event that would happen.

3 With the plant and the planning that we  
4 have to do we are forced to work together under the  
5 incident command system to do what we have to do to  
6 respond to emergencies.

7 And I have to say with the planning that  
8 we've done we are ready for any type of an emergency  
9 that could happen in Kewaunee County because our  
10 people have worked together for a number of years,  
11 well since the plant has been erected here and they  
12 are familiar with the things that they have to do to  
13 accomplish that and work together as a team.

14 I work very closely with the emergency  
15 planning team at the plant and they integrate with us  
16 in our training programs so they understand at the  
17 plant's perspective on a local level what we need,  
18 what we have to train for, and they train with, right  
19 with us if we ask them to.

20 So I'm just happy with that, the type of  
21 partnership that we have formed with them and hope  
22 that we can continue that for future years.

23 MR. HOLIAN: Okay.

24 MR. LACROSSE: I would like to like to make  
25 a little comment on that. It's only pocket change for

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1 Dominion. But at the same time --

2 MR. HOLIAN: Go ahead, sir, microphone.

3 MR. LACROSSE: -- all this volunteer that  
4 we have to take is on our fire departments. And the  
5 fire departments don't get a penny to do exactly what  
6 Dominion wants to get in so that everything is  
7 perfect.

8 Us guys never get a penny. We don't even  
9 get paid for the gas in the, in the trucks that do all  
10 the running. So I don't --

11 MS. HUCEK: I'd like to differ that. They  
12 do get paid. Any type of response that they have with  
13 us whether it's training or for real they bill us. We  
14 pay them from our county's budget that we get  
15 reimbursed from the plant.

16 If a person has to take off of work we pay  
17 their wages that day because they have responded to a  
18 training or an exercise or a real event. That is not  
19 true.

20 MR. LACROSSE: The volunteer, the volunteer  
21 fire departments don't get paid.

22 MS. HUCEK: Absolutely.

23 MR. WOJTA: Yeah, let's just clear the  
24 issue up here.

25 This isn't against Carlton against

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1 Dominion. Dominion is a good electrical provider and  
2 that. We need, we need power. Nuclear power is, we  
3 hope it's safe.

4 The big problem with nuclear power is the  
5 waste issue. Dominion's good as far as civil projects  
6 and helping people out and being a good neighbor,  
7 okay. We're not against that.

8 We want to get the issue of the, the waste  
9 solved and we just don't like to have it here, you  
10 know.

11 MR. HOLIAN: Good. I appreciate that  
12 comment. And thank you for stepping in.

13 On that emergency preparedness type issues  
14 and disagreements. I see both sides of that and I see  
15 it in more communities than just Kewaunee here.

16 I, I understand that utilities do help out  
17 quite often the local fire and, and responders even  
18 with equipment and training and kind of even free  
19 training. I see that, from New York, I see that still  
20 here. So I know a part of that gets done.

21 I know on the receiving end it's always I  
22 won't say always but often times the case is it's not  
23 enough, you know, for the impact of what we might have  
24 to respond to we'd like to be better prepared, you  
25 know, we'd like to be better trained. We'd like

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1 better impacts.

2 So I do see that tension across, you know,  
3 the country. I see it in New York. I see politicians  
4 often respond to that. I know that the Department of  
5 Homeland Security is one area also that some areas  
6 have gotten some relief on that from.

7 So besides looking at, at your, you know,  
8 local utilities or whatever, Department of Homeland  
9 Security has had some funds available to local, a lot  
10 of times it's gone to states and once again states  
11 aren't sure how they've gotten it out to the local  
12 communities. They've tried to do it on a risk based  
13 type review even by states.

14 But that's just another area I wanted to  
15 comment on.

16 I'm going to go to another speaker and  
17 then I am going to come back to that high level waste  
18 again right at the end just from a couple of items  
19 that I have.

20 But Jim Soletzki, state rep.

21 MR. SOLETZKI: That's great. Most people  
22 don't get it right the first time.

23 I'm not a Skoletzki I'm a Soletzki.

24 I'm a state representative in the City of  
25 Green Bay. And I serve on the Energy and Utilities

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1 Committee in Madison.

2 And we've had votes on lifting the  
3 moratorium on, on construction of nuclear plants in  
4 Wisconsin.

5 And in the spirit of complete disclosure I  
6 have worked at the Kewaunee Nuclear Plant from 1972 to  
7 2006 off and on. And that's a number of years I spent  
8 out there.

9 So I wish to express my strong support for  
10 the Kewaunee Power Station being granted a 20 year  
11 extension to the reactor license.

12 Since 1974 almost 35 years now the  
13 Kewaunee Power Station has operated with exemplary  
14 performance. It generates 560 megawatts of  
15 electricity from a single unit that is enough energy  
16 to meet the needs of 140,000 homes. The energy that  
17 it produces through the use of nuclear power is cheap,  
18 safe and reliable.

19 As we try to balance the growing demand  
20 for energy and the need for reducing carbon emissions  
21 the use of nuclear power is an important component.

22 It would be a major step backwards if  
23 Wisconsin did not continue to produce inexpensive non  
24 combustion able electricity at the Kewaunee Power  
25 Station.

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1           And hopefully some day expand the use of  
2 this important component in addressing our energy and  
3 greenhouse gas environmental concerns.

4           Given its sound record and our need for  
5 clean reliable energy it would be a grave mistake not  
6 to renew the Kewaunee Power Station licensee.

7           Wisconsin currently imports 15 percent of  
8 our electric needs and it would be a mistake to allow  
9 that deficit to grow. Not only would we lose the  
10 support, the source of energy we would lose hundreds  
11 of good paying family supporting jobs creating a  
12 ripple effect and the loss of good neighbors.

13           As we are seeing happen, that's something  
14 that we are seeing happening in Kimberly and  
15 Janesville. When good jobs are lost all the community  
16 suffers.

17           Wisconsin can ill afford more lost jobs in  
18 our struggling economy.

19           I strongly urge that the license renewal  
20 be granted.

21           MR. HOLIAN: Okay. Thank you for that  
22 comment.

23           I just wanted to go back to, I'll open it  
24 up for any other questions. That's all I had on cards.

25           But a couple other items on the high level

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1 waste issue that I might not have stated.

2 I realize the tax issues there. I realize  
3 only some of them and I, I probably don't understand  
4 those as well. And, you know, they're on the record  
5 here for an issue to be brought back kind of from an  
6 environmental aspect kind of the part of the  
7 environmental review that the population is, you know,  
8 worried about in one way you're double paying, you  
9 know, for that, the impacts there when you talk about,  
10 you know, having to pay out of the general treasury  
11 that's your money also as a taxpayer and then having  
12 to pay because, you know, you're a rate payer for the  
13 utility, you know, I, I can understand that argument  
14 and view from, from the population.

15 But from the NRC's view on the safety of  
16 the casks I want to mention two things.

17 One there's a, I mentioned that plant that  
18 decommissioned in the east. And the only thing left  
19 there is the casks of fuel that are left to be  
20 shipped.

21 And the licensee is not off the hook at  
22 that point. They've stopped producing electricity.  
23 They've decommissioned their plant so they've gone  
24 ahead and put the rest of the 400 acres to green  
25 field.

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1           They've sold off some of that land or are  
2 getting ready to sell it off to the local county that  
3 they belong to for fields or maybe a gas turbine plant  
4 there, I'm not sure what they're looking at in Maine  
5 because they already have the electric lines in.  
6 They're talking about maybe some other plant going in  
7 there.

8           And the casks sit there. They sit there  
9 still with security around them manned with alarms,  
10 with local police force still supplying, you know,  
11 tests of the alarm system and their response time.

12           And they sit there waiting to be shipped.

13           And it is the national picture that they will be  
14 shipped when, when the time is right.

15           Will that change? I know you worry about  
16 that. And that can be a worry. And I can't promise  
17 one way or the other. I can just tell you what  
18 Congress has said so far. I do put that on Congress.

19           So that's an issue. But the issue of  
20 safety, you know, is one that the NRC can address.  
21 And, you know, we license the individual cask  
22 manufacturer so you just need to know that.

23           That we go actually in the regulations and  
24 we, we have a hearing on the manufacturers and there's  
25 a certain number of them that are licensed to store

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1 that fuel.

2 So you need to know that we go there and  
3 we visit their manufacturing capability. And we watch  
4 how thick the concrete barriers are and we watch how  
5 they weld the welds for those casks, those little mini  
6 containments that are sitting there.

7 We watch as they do the measurements. We  
8 watch as they do dry runs. We make sure the crane can  
9 lift them. We make sure that the path the crane will  
10 take them to the concrete pad is safe and we, we  
11 review their emergency procedures for, you know, what  
12 could happen.

13 If it snows so much will the snow stop the  
14 air flow, its natural air circulation. You know, we  
15 review the design for that and we review the plant  
16 procedures to make sure that, you know, that wouldn't  
17 happen.

18 So from the safety aspect of it, it does  
19 get reviewed and you just need to know that. It, it,  
20 somebody said how, it would be an awful lot safer for  
21 the people of Kewaunee if they're out in a tunnel in  
22 Nevada.

23 Yeah, I can understand that. The tunnel  
24 in Nevada has its own safety questions. You know,  
25 it's got to, if it stays there will it stay there for

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1 a thousand or a million years. Will you have to worry  
2 about water leeching down and leeching around the  
3 casks.

4 So they have their own separate kind of  
5 safety issues they have to look at there.

6 The other piece just from a national  
7 perspective I want to touch on is there's a lot of  
8 money still left in that fuel.

9 You know, other nations have chosen to  
10 reprocess that fuel. You can still get 80 percent or  
11 so of the energy out of that fuel and then come up  
12 with maybe 5 to 10 percent of the waste product that's  
13 there.

14 That's part of what Congress is now  
15 started looking at again should the NRC, we were going  
16 along that process into the 70's, the late 70's I  
17 think and we abandoned it. It was costing a lot of  
18 money.

19 But France and, you know, Japan and that  
20 they do reprocess fuel so, you know, is that still  
21 possible. And when you strictly look at it from an  
22 economic viewpoint, you know, economics drives a lot  
23 of things. And that's resurfacing again.

24 So I just want to mention that and when  
25 economics get into play a lot of times that can be the

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1 driver where somebody will come and I'll take that  
2 fuel. And I'll go reprocess it. And even Congress is  
3 looking at it.

4 So there were just a couple pieces I  
5 wanted to mention. I know that doesn't satisfy the  
6 answers. And it clearly doesn't satisfy the tax  
7 answers. But I appreciate them being mentioned and  
8 this is a good forum to do that in.

9 MR. LACROSSE: I just want to ask a  
10 question here.

11 MR. HOLIAN: Yes, sir.

12 MR. LACROSSE: Do anyone of these people  
13 that they would take one of those dry casks in their  
14 village or the City of Green Bay. Or like I asked  
15 Senator Cole if I put one in his parking lot --

16 MR. HOLIAN: Yeah.

17 MR. LACROSSE: -- over in the ballpark.

18 MR. HOLIAN: Yeah.

19 MR. LACROSSE: You know what the answer is?  
20 You know what the answer is?

21 MR. HOLIAN: It's not --

22 MR. LACROSSE: No, no not in my backyard.

23 MR. HOLIAN: -- backyard. And I think --

24 MR. LACROSSE: And Mr. Soletzki said the  
25 same thing.

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1 MR. HOLIAN: -- some of these other  
2 communities when they respond you said hey even their  
3 eyes were opened about that particular aspect of the  
4 plant that called, you know, deal with because you're  
5 a little bit closer to the plant.

6 But, you know, from our perspective on, on  
7 safety of the casks I know they're, they're an  
8 untoward just presence. Their presence being there  
9 is, is enough of a kind of an issue to deal with  
10 because you didn't sign up for that originally.

11 And so, you know, that's the first piece.  
12 You didn't sign up for that, you know, back when the  
13 plant was built. And it is the, you know, the  
14 government's job to at least yes, and the NRC's job in  
15 particular to make sure that they are safely there.

16 I know it's got some tax impacts and  
17 you're still not sure if we've thought of everything  
18 that could happen to those casks.

19 MR. LACROSSE: Human error.

20 MR. HOLIAN: And --

21 MR. LACROSE: Human error is all it takes  
22 just remember that.

23 MR. HOLIAN: Yeah, yeah.

24 MR. LACROSSE: This is what we're all  
25 worried about is that human error.

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1 MR. HOLIAN: Yeah.

2 MR. LACROSSE: Mr. Munsin said it's so  
3 safe. I told him I'll tell you what if it's that safe  
4 how about putting it in writing so I can have it  
5 recorded in the courthouse that it's good for a  
6 hundred years, so then I don't have to worry about my  
7 grandkids and my great grandkids.

8 MR. HOLIAN: Yeah.

9 MR. LACROSSE: You know I've been here  
10 first.

11 MR. HOLIAN: Yeah. I will talk about, you  
12 know, just to mention on a human error.

13 Human error gets talked a lot about and  
14 it's still an issue for the operating nuclear plants.

15 You know, these are complicated plants. They're, you  
16 know, the secondary side is very similar to a coal  
17 plant and that, but human error it's less of an impact  
18 on the casks because I just want to tell you that.  
19 It's still an issue that the NRC regulates on the  
20 operating reactors.

21 You know, we ensure that the reactor  
22 operators, we still license them to operate their  
23 plants. So those operators are licensed by us not by  
24 the utility. We license the individual operators  
25 because of human error considerations, you know, the,

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1 the tests we review their records and that.

2 On the cask though there's very little  
3 that can go wrong on, on human errors. I mentioned  
4 they do not need to be stored under water anymore. So  
5 just from the heat generation aspect they don't need  
6 to. They can have natural convection cooling of air  
7 that just goes through vents and comes out, you know,  
8 a few degrees hotter.

9 So there is much less to be involved with  
10 there and a normal security of a site can help provide  
11 the right security oversight of that.

12 Other people have not signed up and maybe  
13 have a question about just the process and if not, you  
14 know, we do have time here. Sara and I are here and a  
15 few of the regional folks.

16 We'll stay in the back and just answer  
17 your questions as, if you want a little informal  
18 session or more information we'll point you to the  
19 right information.

20 But with that I appreciate your coming out  
21 this afternoon. Thank you for your time.

22 (Whereupon, the meeting was concluded at  
23 2:30 p.m.)

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