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NUCLEAR REGULATORY COMMISSION

Title: Southern Nuclear Operating Company
Limited Oral Appearances

Docket Number: 52-011-ESP, 52-025/026-COL
ASLBP Number: 07-850-01-ESP-BD01
09-0873-01-COL-BD01

Location: Waynesboro, Georgia

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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

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ATOMIC SAFETY AND LICENSING BOARD PANEL

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LIMITED ORAL APPEARANCES

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In the Matter of: :
SOUTHERN NUCLEAR OPERATING : Docket No. 52-011-ESP
COMPANY : ASLBP No. 07-850-01-
(Early Site Permit for : ESP-BD01
Vogtle ESP Site) :

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In the Matter of: :
SOUTHERN NUCLEAR OPERATING : Docket Nos. 52-025-COL
COMPANY : and 52-026-COL
(Vogtle Electric : ASLBP No. 09-0873-01-
Generating Plant, : COL-BD01
Units 3 and 4) :

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Sunday, March 22, 2009

Augusta Technical College

Waynesboro/Burke Campus

Auditorium

216 Highway 24 South

Waynesboro, Georgia

BEFORE:

G. PAUL BOLLWERK, Chair, Administrative Judge

NICHOLAS G. TRIKOUROS, Administrative Judge

DR. JAMES F. JACKSON, Administrative Judge

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19 ALSO PRESENT:

20 MARK NOTICH, Nuclear Regulatory Commission

21 BOBBIE PAUL, Georgia Women's Action for

22 New Directions

23 CHUCK PIERCE, Southern Nuclear Operating

24 Company

25

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

3:06 p.m.

JUDGE BOLLWERK: Good afternoon. I'd like to begin this afternoon by introducing ourselves.

In accord with the provisions of the Atomic Energy Act and the regulations of the Nuclear Regulatory Commission, we are three administrative judges appointed to sit as members of two Atomic Safety and Licensing Boards to conduct adjudicatory proceedings in connection with

1) the August 2006 application of Southern Nuclear Operating Company or Southern under Appendix A of Part 52 of Title 10 of the Code of Federal Regulations, or the CFR, for an Early Site Permit, or ESP, for two nuclear power reactor units employing the Westinghouse Electric Corporation AP-1000 Advanced Passive Pressurized Water Reactor Certified Design at the existing two-unit Vogtle Electric Generating Plant site near Waynesboro, Georgia;

and 2) Southern's March 2008 application under Appendix C of Part 52 for a Combined License, or COL, for these same two facilities.

To my right is Judge Nicholas Trikouros. Judge Trikouros, a nuclear engineer, is a full-time member of the Atomic Safety and Licensing Board Panel.

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1 To my left is Dr. James Jackson. Judge
2 Jackson is a nuclear engineer and a part-time member
3 of the Panel.

4 My name is Paul Bollwerk. I'm an attorney
5 and the Chairman of these Licensing Boards.

6 With regard to this afternoon's session,
7 I should explain that as part of our function relative
8 to both the Vogtle ESP and COL proceedings, we are
9 here to entertain oral limited appearance statements
10 from members of the public in accordance with Section
11 2.315(a) of Title 10 of the Code of Federal
12 Regulations. So there will be a common understanding
13 about what is involved in the ESP and COL adjudicatory
14 proceedings and with respect to the limited appearance
15 statement process, I'd like to take a few minutes to
16 provide some background about both.

17 An ESP, which is a special type of NRC
18 permit, is categorized as a partial construction
19 permit under Section 52.21 of Title 10 of the Code of
20 Federal Regulations. Its issuance however does not
21 authorize an applicant to construct a nuclear power
22 reactor. Rather, the focus of an ESP is the
23 suitability of the proposed site for such a facility.

24 As a consequence, the Vogtle Units 3 and
25 4 ESP application involves various Atomic Energy Act-

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1 related site safety and National Environmental Policy
2 Act-related environmental protection matters, as well
3 as the facility plan for coping with emergencies.

4 As a result of a December 2006
5 intervention petition filed in the ESP proceeding by
6 the Center for a Sustainable Coast, Savannah
7 Riverkeeper, Southern Alliance for Clean Energy,
8 Atlanta Women's Action for New Directions and Blue
9 Ridge Environmental Defense League currently before
10 the Licensing Board in what we generally refer to as
11 the contested portion of the ESP proceeding are issues
12 regarding facility cooling system impacts on the
13 Savannah River aquatic resources, implementing a dry
14 cooling system as a design alternative to the
15 currently proposed wet cooling water system, and the
16 impacts of dredging the Savannah River to permit
17 reactor components to be barred from the proposed new
18 facilities during construction.

19 Last week, we conducted a four-day
20 evidentiary hearing on these contested matters at the
21 Doubletree Hotel and Convention Center in Augusta,
22 Georgia. Following the submission of briefs by
23 Southern, the joint interveners and the NRC staff
24 outlining their positions regarding the factual and
25 legal issues associated with these contested items,

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1 the Board currently is scheduled to issue a decision
2 on those matters in June of 2009.

3 Additionally, in accord with the Agency's
4 regulations, beginning tomorrow morning at 8:30 a.m.
5 in this room and continuing through Wednesday of this
6 week, this Board is scheduled to conduct a so-called
7 mandatory or uncontested hearing regarding the
8 Southern ESP application. During that hearing, the
9 Board will consider whether with respect to those
10 safety and environmental matters associated with the
11 Southern ESP application that are not the subject of
12 contested issues properly raised by joint interveners.
13 The NRC staff performed an adequate Atomic Energy Act
14 and National Environmental Policy Act review of the
15 Southern Early Site Permit application, and made
16 findings relative to that review with reasonable
17 support in fact and logic.

18 In contrast to the contested hearing held
19 last week, as the only parties to the ESP mandatory
20 hearing, the NRC staff and Applicant Southern are
21 slated to make presentations regarding the sufficiency
22 of the Southern ESP application and the NRC staff's
23 final environmental impact statement with a particular
24 focus on several subject matter areas including water
25 use impacts, radiological impacts, environmental

1 impacts of alternatives, the limited work
2 authorization and site redress plan, the deferral of
3 any issues from the ESP proceedings to the ongoing
4 Combined License process, seismic evaluation, ground
5 water impacts on safety-related structures, the site
6 emergency plan, severe accident mitigation design
7 alternatives, proposed NRC staff conditions on the
8 early site permit, and the impact on the ESP
9 application of pending revisions 16 and 17 to the AP-
10 1000 design certification.

11 With regard to the ESP proceeding, any
12 issues that are resolved in favor of Southern
13 generally would not be subject to re-litigation in the
14 subsequent Vogtle Units 3 and 4 Combined License
15 proceeding, the focus of which is whether Southern
16 should be authorized to actually construct and operate
17 the two additional reactors at the existing Vogtle
18 Electric Generating Plant site. Regarding the
19 Combined License proceeding, the Southern COL
20 application requests Agency authorization to both
21 construct and operate the two new power reactor units.

22 Consistent with NRC requirements in 10 CFR
23 Part 52, a COL application must contain information on
24 some 45 individual items including a facility design
25 description, a description and analysis of the

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1 facility's structures, systems and components, safety
2 functions and severe accident prevention and
3 mitigation performance, the control and limitation of
4 radioactive effluence and radiation exposures, and a
5 description and analysis of facility measures
6 addressing such matters as fire protection,
7 pressurized thermal shock, station blackout,
8 environmental qualification of electrical equipment,
9 primary containment leakage rate testing, reactor
10 vessel maintenance surveillance, operator training,
11 maintenance, quality assurance, fitness-for-duty,
12 anticipated transients without SCRAM, and criticality
13 accidents. The application must also describe the
14 inspections, test, analyses and acceptance criteria,
15 also known as ITAAC, or I-T-A-A-C, that are necessary
16 to ensure that the plant has been properly constructed
17 and will operate safely.

18 And if the application references a
19 standard design certification, such as the AP-1000
20 design referenced in the Southern COL application for
21 the proposed Vogtle facilities, the Applicant must
22 successfully satisfy the ITAAC or the certified design
23 and the site-specific design features prior to
24 facility operations. Further, if the COL application
25 references an ESP as is the case with the Vogtle COL

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1 application, the Applicant must demonstrate that the
2 design of the facility is compatible with the ESP as
3 granted.

4 Currently admitted for litigation before
5 the Board in the COL proceedings is a contested issue
6 raised by the same five joint interveners -- the
7 Center for a Sustainable Coast, Savannah Riverkeeper,
8 Southern Alliance for Clean Energy, Atlanta Women's
9 Action for New Directions and Blue Ridge Environmental
10 Defense League. In their November 2008 hearing
11 petition concerning the purported omission from
12 Southern's COL application of sufficient details
13 regarding low-level radioactive waste storage in the
14 face of the recent closure of the Barnwell, South
15 Carolina Low-Level Waste Disposal Facility to such
16 waste from Vogtle and most other power reactor
17 facilities.

18 Additionally, and regardless of the
19 admissability of any of joint interveners' COL
20 contentions as is the case in the ESP proceeding, the
21 Agency must conduct a separate, mandatory hearing
22 concerning the Southern COL application for proposed
23 Vogtle Units 3 and 4. That hearing, to which only
24 Southern and the staff would be parties would deal
25 with matters other than those admitted for litigation

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1 before this Board, and would provide the basis for
2 required health and safety, environmental and common
3 defense and security findings associated with the
4 Combined License application and the staff's Atomic
5 Energy Act and National Environmental Policy Act
6 reviews of that application.

7 Under current Agency policy, in contrast
8 to the ESP mandatory hearing, the mandatory hearing
9 for the Vogtle Units 3 and 4 Combined License
10 application will be conducted by the five-member
11 Commission rather than by this Licensing Board.

12 This in a nutshell describes the NRC
13 adjudicatory process relating to this proceeding. And
14 this naturally prompts the question what then are the
15 limited appearances in which the Board has invited
16 public participation.

17 Under Section 2.315(a) of the Commission's
18 Rules of Practice, the Board has the discretion to
19 entertain from any person who is not a party a written
20 or oral statement of his or her position on the issues
21 in the proceeding. This provision, which was first
22 adopted as part of the Agency's Hearing Rules back in
23 1962, recognizes there is need to provide an
24 opportunity for input from members of the public who
25 despite not having sought party status have an

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1 interest in the subject matter of the proceeding.

2 As we indicated in the February 4, 2009
3 notice scheduling today's session here in Waynesboro,
4 oral limited appearance statements which will be
5 transcribed and placed into the official Agency docket
6 for this proceeding are intended as an opportunity for
7 members of the public to express their views and may
8 help the Board and the parties in their consideration
9 of the issues in this proceeding, both with respect to
10 the contested and uncontested or mandatory hearing
11 aspects of this proceeding. Indeed, as you can see,
12 like the Board, the parties to both those proceedings
13 are here to listen to what is being said this
14 afternoon.

15 In this regard, I'd like to take a second
16 now to have the representatives of the parties
17 identify themselves for the record. Why don't we
18 begin with the joint interveners?

19 Do the joint interveners have anybody here
20 that would like to represent them? I know they said
21 they were going to have someone.

22 Why don't you come on up? Have a seat.
23 Right over here. There's a table for you.

24 MS. PAUL: I'm a little underdressed.

25 JUDGE BOLLWERK: That's all right. That's

1 no problem.

2 If you could then introduce yourself for
3 the record. And obviously you're going to have to
4 speak loudly so our court reporter can hear you.

5 MS. PAUL: My name is Bobbie Paul. And
6 I'm the Executive Director of now Georgia WAND,
7 formerly Atlanta WAND, which is Women's Action for New
8 Directions.

9 JUDGE BOLLWERK: Thank you very much.

10 How about Southern, please? And again,
11 you need to speak loudly.

12 MR. PILCHER: Your Honor, Chad Pilcher
13 here on behalf of the Applicant. And to my right is
14 Mr. Chuck Pierce from Southern Nuclear.

15 JUDGE BOLLWERK: All right.

16 Then the NRC staff, please?

17 MS. PRICE: Sarah Price with the NRC
18 Office of the General Counsel, and Mr. Mark Notich.

19 JUDGE BOLLWERK: Sarah Price and Mark
20 Notich. Okay. Thank you very much.

21 All right. Thank you.

22 And in this regard, let me emphasize again
23 that this is an opportunity to hear from interested
24 members of the public. Consequently, the
25 representatives of the admitted parties will not be

1 making statements here this afternoon. Rather like
2 the Board, they are here to listen.

3 Finally, let me say just a word about the
4 procedure for making a statement. We had a number of
5 individuals who pre-registered and will be afforded an
6 opportunity to speak first at this session. Once
7 we've heard from those who have pre-registered but
8 have not previously addressed the Board, we will move
9 on to anyone who registers here this afternoon.

10 For anyone who did not pre-register but
11 wishes to make a statement, on the table in the back
12 there's a sheet to write your name and affiliation if
13 any. And if you've already done that, we have the
14 sheets. You don't need to re-register again. But if
15 there's anyone here that didn't pre-register or didn't
16 register when they came in, the sheets are back on the
17 table back there with Ms. Ashley Prange who'd be glad
18 to help you out.

19 We will collect these sheets from time and
20 time and call the speakers in order as they sign in.
21 If you did not pre-register, you must sign in if you
22 wish to speak. I would add that if you did pre-
23 register, you don't need to sign in, although if
24 you've already done so we have your name.

25 Additionally, if you wish to provide your

1 views to the Board but don't wish to make an oral
2 statement, there are sheets on the table in the back
3 that you can complete and leave in the box or the
4 folder on the table. These written limited appearance
5 statements will be reviewed by the Board Members and
6 placed in the Agency's official docket for the
7 proceeding as well.

8 With regard to the oral statements, we
9 will keep a watch on the time each speaker is taking,
10 and will advise you when you need to conclude your
11 remarks.

12 For this session, given the number of pre-
13 registrations and the size of the audience presently,
14 we'll begin by permitting statements up to five
15 minutes. If however we see that the list of speakers
16 is growing, we reserve the right to shorten the time
17 allotted for each presentation to ensure that everyone
18 who wishes to speak has an opportunity to do so.

19 Finally, as a matter of courtesy, it's
20 important to allow the Board and the parties to hear
21 fully the remarks of each speaker without intrusions.
22 Accordingly, we would ask that you respect each
23 individual's right to address the Board by not unduly
24 interrupting with verbal comments or other sounds
25 either supporting or opposing the viewpoint being

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1 espoused.

2 Also, as a matter of courtesy to the
3 speakers and to the Board, all cell phones should be
4 turned off or placed on vibrate, and any cell phone
5 conversations should be conducted outside this room.

6 With that explanation, let's begin with
7 our first speaker. And in that regard, to ensure that
8 things move along smoothly, we're going to announce
9 several names and would ask that the additional
10 speakers who are in the on-deck circle, so to speak,
11 come up to the vicinity of the podium so they can
12 begin their remarks promptly after the preceding
13 speaker is finished.

14 With all that said, let's begin with our
15 first speaker, Mr. William John Hummel, who will be
16 followed by Curtis A. Barton and Glenn Carroll. And
17 it's H-U-M-M-E-L.

18 MR. HUMMEL: Thank you, Your Honor.

19 My name is William Hummel. And I'm here
20 speaking today on behalf of the Clean and Safe Energy
21 Coalition.

22 CASEnergy is a grass roots organization
23 dedicated to informing the public of the benefits of
24 nuclear technology. Our Coalition, comprised of over
25 1800 individuals, elected officials and organizational

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1 members is led by our two co-chairs, former New Jersey
2 Governor and EPA Administrator Christie Todd Whitman,
3 and Greenpeace founder and former leader Dr. Patrick
4 Moore.

5 We support construction of these new
6 reactors, and are actively engaged in generating a
7 public dialogue to inform others about the ways
8 nuclear power enhances America's energy security and
9 economic growth, helps obtain cleaner air and improves
10 the quality of life, health and economic well-being
11 for all Americans.

12 Consider that today all renewable sources
13 produce two percent of our electricity while nuclear
14 power accounts for 20 percent. That's one in every
15 five homes and businesses in the United States. In
16 fact, already nuclear power provides about 20 percent
17 of electricity generation in Georgia.

18 With electricity demands expected to
19 increase 25 percent nationally by 2030, the United
20 States needs more nuclear power if it want's to keep
21 up with our energy needs. As technology advances, our
22 economy expands and our population increases, so too
23 will our need for energy go.

24 Is it any wonder? It used to be that the
25 only thing we carried that used electricity was a

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1 watch. Now laptops, cell phones, Blackberrys, iPods
2 all require electricity to recharge. And in the not-
3 too-distant future, we may be driving cars powered by
4 fuel cells that will also have to be plugged in.

5 How can we handle this enormous increase
6 in electricity that we will need? Conservation and
7 more efficient electrical appliances will help. And
8 a deeper commitment to renewable sources such as wind,
9 solar and geothermal is needed. But greater
10 conservation and renewable energy don't provide the
11 base load power we require to ensure that the lights
12 go on any time we flip the switch. The reality is we
13 will require more of these sources and all others near
14 the head. If the housing crisis in this country has
15 shown us anything, it is that sound economic policy
16 must recognize the virtue of diversity. So too must
17 a wise energy policy.

18 And in that diverse plan, nuclear energy
19 is a critical component. Nuclear energy is clean. It
20 is the only large-scale emissions-free source of
21 electricity that we can readily expand to meet our
22 growing energy demand. The environmental impact of
23 nuclear plants is far lower than at many other types
24 of power-generating plants.

25 Nuclear power is safe. In fact, the U.S.

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1 Bureau of Labor Statistics has shown that it is safer
2 to work at a nuclear power plant than at a
3 manufacturing center and even in the real estate or
4 financial industries. Additionally, you would have to
5 live near a nuclear power plant for more than 2,000
6 years to get the same amount of radiation exposure
7 that you would receive from a single diagnostic x-ray.

8 With rising energy costs a concern for
9 every American, nuclear energy is an affordable and
10 reliable economic choice for electricity. Nuclear
11 power has the lowest production costs of the major
12 sources of electricity. Nuclear plants are more
13 efficient on the electricity grid, and their costs are
14 more predictable than many other energy sources.

15 Plus a nuclear power plant makes a good
16 neighbor. It supports high-paying jobs directly at
17 the plant, generates additional jobs in the community
18 where it's located, and contributes to helping
19 building good schools, roads and other civic
20 improvements.

21 We all have a shared stake in America's
22 energy future. And now is the time for our country to
23 build more nuclear power plants to enable us to
24 generate electricity with a clean, safe and dependable
25 source of power.

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1 Thank you very much.

2 JUDGE BOLLWERK: Thank you, sir, for
3 coming and speaking with us this afternoon.

4 The next speaker would be Curtis Barton,
5 followed by Glenn Carroll, and then Adele Kushner.

6 MR. BARTON: Thank you. My name is Curtis
7 Barton, and I'm here today as a representative of the
8 Lake Hartwell Association.

9 Lake Hartwell Association is a group of
10 approximately 2,000 businesses and family members in
11 the Hartwell Lake area. We are not a homeowners'
12 association. Our mission is to protect the water
13 resources and influence positive growth and
14 development around the lake. Lake Hartwell
15 Association has concerns about the operation of
16 additional nuclear reactors at the Vogtle site which
17 we believe must be addressed before NRC issues an
18 operating permit for the facility.

19 Southern Nuclear Operating Company is
20 proposing to withdraw cooling water for the new
21 reactors from the Savannah River. The two new
22 reactors will require that up to an additional 83
23 million gallons per day be pumped from the river, and
24 41.6 million gallons per day would be returned to the
25 river. The balance of 41.6 million gallons per day

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1 would be evaporated in the cooling towers into the
2 atmosphere. When fully operational, the four reactors
3 will normally consume 3.4 percent of the river flow at
4 drought level 3 flow conditions -- 3800 cubic feet per
5 second -- and 1.5 percent at average flow conditions.
6 This consumptive use of the Savannah River will have
7 a negative impact on Lake Hartwell during drought
8 conditions.

9 But Lake Hartwell Association is not
10 opposed to the operation of nuclear-generating
11 facilities. Assuming the proposed power generation
12 increase is required to meet regional demands, we
13 believe that nuclear power generation will have the
14 least adverse environmental impacts of the viable
15 alternatives. If a nuclear-generating plant is not
16 constructed, a coal-fired plant with all the intended
17 environmental issues would most likely be built to
18 satisfy these needs.

19 But Lake Hartwell Association believes
20 that the reactor design for the Vogtle project must
21 include the best available technology for reducing
22 water consumption. Water use is critical during
23 drought conditions, and any significant consumptive
24 use will impact lake levels as well as other critical
25 basin water demands. Nuclear reactor technology is

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1 available which can significantly reduce water
2 consumption for cooling purposes. SNC has proposed
3 that Vogtle Units 3 and 4 be based on currently
4 certified Westinghouse AP-1000 reactor design.

5 AREVA Nuclear Power has applied for NRC
6 design certification of their Evolutionary Power
7 Reactor which may reduce cooling water requirements
8 significantly, perhaps as much as 50 percent. Calvert
9 Cliffs Nuclear Plant in Maryland has applied for a
10 Combined Operation License based on this design. LHA
11 believes that certified technology with the least
12 impact on the lake should be utilized.

13 The environmental studies done by SNC and
14 the environmental impact statement subsequently issued
15 by NRC did not address impacts to the Savannah River
16 above Augusta, Georgia. Based on drought-flow
17 conditions which have occurred in the upper Savannah
18 River basin over the last two years, additional water
19 withdrawals below the reservoirs will negatively
20 impact lake levels and will have adverse environmental
21 impacts above Augusta.

22 We believe the environmental report
23 prepared by SNC should be revised to include the
24 entire Savannah River system, and the environmental
25 impact statement by NRC should also be revised.

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1 Decisions regarding an operating license should be
2 made only after this is completed.

3 During the construction phase of this
4 project, large parts of the reactors will be shipped
5 to the site by barge on the Savannah River. The Corps
6 of Engineers has stated earlier that dredging of the
7 river channel will not be required. However, barge
8 traffic will require a river flow significantly above
9 drought-flow levels. LHA believes that during drought
10 conditions, releases from Thurmond should not be
11 increased to support barge traffic. This also should
12 be addressed in the SNC environmental report and in
13 the NRC environmental impact statement.

14 LHA does not believe that reasonable
15 decisions regarding water allocation and use can be
16 made in the absence of factual information and data.
17 Neither the States of Georgia and South Carolina nor
18 the U.S. Army Corps of Engineers have ever studied or
19 fully assessed current and future water demands
20 throughout the Savannah River basin.

21 To satisfy the needs, the following two
22 important actions need to be taken: assessment of
23 water needs and demands in the Savannah River basin
24 for the next 20 to 50 years, and 2) agreement between
25 Georgia and South Carolina on water allocations to

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1 satisfy these demands.

2 A comprehensive water resource management
3 study prepared by the U.S. Army Corps of Engineers was
4 to address overall water issues in the Savannah River
5 Basin. Phase one of this study has been completed.
6 The second phase of the study has not been completed
7 due to lack of funding. LHA believes that phase two
8 should be completed to facilitate decisions on basin
9 water use. If SNC wishes to expedite the permitting
10 process, LHA recommends that they fund phase two of
11 this study.

12 LHA believes that the U.S. Army Corps of
13 Engineers drought contingency plan is inadequate to
14 deal with current and future forecast of drought
15 conditions in the upper Savannah River basin. A
16 revised plan with guidelines for operation and
17 management of Thurmond, Russell and Hartwell Lakes
18 needs to be developed. This plan must include
19 conservative assumptions for future climate change,
20 must satisfy the needs of all current and future
21 users, and will require adaptive management
22 techniques.

23 An operating permit for building Units 3
24 and 4 should not be issued until it is determined that
25 adequate water is available during drought conditions,

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1 or as an alternative the permit should require reactor
2 shutdown during specific drought conditions.

3 In conclusion, LHA is requesting that the
4 NRC delay the issuance of any further permits for the
5 proposed Vogtle expansion until sufficient information
6 is available to make sound and reasonable decisions
7 regarding the impact of the project on the Savannah
8 River and the need for mitigation of any environmental
9 impacts.

10 Thank you.

11 JUDGE BOLLWERK: Thank you, sir, for
12 coming and giving us your views this afternoon.

13 The next speaker would be Glenn Carroll --
14 C-A-R-R-O-L-L, then Adele Kushner. and then Wayne
15 Hickman.

16 MS. CARROLL: Hello. My name is Glenn
17 Carroll. I'm with Nuclear Watch South.

18 I want to thank you for holding a hearing
19 on a Sunday afternoon which makes it a lot easier for
20 regular folks to come out. I want to thank our
21 friends at the environmental groups who are conducting
22 the intervention for successfully raising many issues
23 which I think is also a testimony to your sensitivity
24 in hearing these issues. And we thank you because
25 we're very concerned about the new nuclear proposal.

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1 I want you to appreciate my sense -- to
2 share with you that this is a new day. Yucca Mountain
3 looks pretty good. Obama's planting an organic garden
4 on E Street.

5 I want to tell you a little story. Some
6 friends in Florida called. I actually haven't ever
7 met them, but they had heard that we had intervened a
8 couple of times at the NRC and wanted advice about
9 whether they should intervene in Florida. And I
10 described very factually that it is an arduous
11 process. It's very precise. It also sets deadlines
12 on you whether you like it or not, and can be very
13 expensive, very time consuming, blah blah blah. And
14 I described in accurate detail who all the parties
15 are.

16 And when I got around to the Atomic Safety
17 Licensing Board being a body from the NRC, she goes
18 isn't that a kangaroo court. And I said well, maybe.
19 I haven't actually looked it up yet. But I did assert
20 that although only one license to my knowledge has
21 ever been denied, not a good track record in my book.

22 But many, many good things come out of the
23 process. Many improvements come out of the process.
24 And I told her I thought it was worthwhile, but that
25 she really did need to think carefully because it's a

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1 hard path.

2 And then I saw this article -- maybe you
3 all say it too -- in the *New York Times* this week
4 about -- I think it was about the Department of
5 Energy. It was about bombs. It was about Yucca
6 Mountain. It's kind of all over the map. But I
7 realized in that that the Nuclear Regulatory
8 Commission was actually founded only two years before
9 my group was founded in 1975. And I guess I put the
10 NRC -- you know -- really up there -- really the great
11 white father, so to speak -- you know -- monolithic,
12 up there, know it all, can't be reached -- you know.
13 And then I intervened at the Nuclear Regulatory
14 Commission and I do believe in the process.

15 It's just kind of a neat feeling. And it
16 kind of reinforced something that I maybe wouldn't
17 have spoken about but I actually had a dream last
18 night. I had a dream. And we were all in this room
19 together. It was darker. And there's better art
20 work. But I had the sense we are working together.
21 We are working together.

22 And this is big. I mean, maybe it's not
23 a problem to everybody. It's a big deal. We all
24 recognize that it is a big deal. This is ferocious
25 energy and has to be handled right.

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1 And I thought that's good -- you know --
2 that we're working together on this. And it's kind of
3 a new day. I mean, that's only like 34 -- you're 34
4 years old.

5 And that brings me to my next point that
6 we haven't really finished this process. And that's
7 what really grieves me a lot.

8 I mean, first off, let me back up a minute
9 and say if ever there was a reason to reject for
10 number two of a license, let this be it. We've got
11 all these serious issues. We're broke -- you know.
12 This is depending on federal money. We're broke. We
13 don't need it.

14 They're projecting a 35 percent increase
15 in energy use while -- you know -- booking about a six
16 percent downturn in the third quarter. And the
17 environmental impact is untenable in my view. But we
18 don't even have a complete application. Can we at
19 least throw it back and get a complete application?

20 And then that brings me to my final point
21 and it's that we're young, and we're setting in
22 through a young industry. And we're young
23 environmental groups and young regulatory bodies. And
24 we haven't got a nuclear waste solution. And the
25 repository's looking bad. And so I wanted to suggest

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1 that you find in the protocol at the NRC where you can
2 reject a license and help us get something going with
3 the nuclear waste.

4 And along those lines, I'd like to submit
5 for the record *Principles for Safeguarding Nuclear*
6 *Waste at Reactors*. And this outlines hardening waste
7 in dry cask storage, getting out of fuel pools that
8 are vulnerable to terrorism and sabotage and
9 accidental fires at a level that dry cask isn't. And
10 it's very simple. You can see the point on a page and
11 a half. And then you've got 120 environmental groups
12 from all over the country who have signed on to these
13 simple principles. And I hope this can help frame our
14 collective work towards safeguarding nuclear waste.

15 Thank you very much.

16 JUDGE BOLLWERK: Thank you very much for
17 coming.

18 Why don't you give a copy to Ms. Bu, our
19 law clerk. And we'll make sure it gets put in --
20 right over there.

21 Thank you very much for coming this
22 afternoon.

23 The next speaker is Adele Kushner -- K-U-
24 H-N-E-R, then Wayne Hickman, and then Mal McKibben.

25 MS. KUSHNER: I hope you can hear me. My

1 voice is not very strong.

2 I would like -- I think I'm probably the
3 oldest person in the room, and I will take advantage
4 of that to go back in history a little bit -- way back
5 before we had any kind of nuclear plants or
6 radioactive waste or any such thing. Water was heated
7 by putting a tank on the roof. And all throughout the
8 sun belt -- Georgia and Florida and of course, the
9 Southwest -- people got hot water just by letting the
10 tank of water sit out there and get hot. It's very
11 simple. I know we can't back. Okay.

12 At that time, there was plenty of water in
13 the rivers. Savannah River was a mighty river, plenty
14 of water for anything from irrigation and fishing and
15 the whole deal. And the climate was pretty stable
16 relatively. Of course, we had tornadoes. But -- you
17 know. Anyway, we didn't have to worry about
18 terrorists. We didn't have to worry about radioactive
19 waste.

20 Okay. Now let's move on to the future.
21 I didn't bring my crystal ball, but it was in my other
22 suit or something. Anyway, I see now we're faced with
23 diminishing water in the river. Now this water is
24 essential for cooling nuclear plants. And as that
25 water diminishes -- and it's already diminishing from

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1 what I hear -- and that's near Augusta. There's not
2 as much flow as there used to be. What's going to
3 happen? How is the plant going to be cooled? I have
4 not heard an answer to that one. Okay?

5 We know that we can get energy from sun,
6 from the wind -- you know. There's a wind mill.
7 We're going to have those also. No fuel to worry
8 about. No charge. This is freebies. And if you
9 could just capture them and put them to work. I think
10 we should be paying more attention to that.

11 Where are you going to put the waste? I
12 see in the future it's going to be piling up a long,
13 long time. You don't know what to do with it. And
14 Yucca Mountain's not going to take it. It just gets
15 more and more. It has to be guarded.

16 It's not something you can just ignore.
17 This is dangerous stuff. I mean, it could be -- I
18 don't know -- it's a terrorist's bomb. It could just
19 be giving off more radiation as time goes on. And it
20 gives off heat. Again, you've got to have some way to
21 cool all this down. We've got problems.

22 I think another thing that bothers a whole
23 lot of people I know is we're being asked to pay in
24 advance for construction of this huge plant. And
25 there's never been a nuclear plant I know of that has

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1 come in on budget and on schedule. It just doesn't
2 happen. This cost is going to go up. And from what
3 I've seen, there's no limit to how long the payments
4 are going to go on because you don't know how much
5 money's going to be involved. Now this is demanding
6 a lot.

7 What it does, it makes me -- it's set up
8 to the rate payer. It makes me an investor. I am
9 being asked to contribute to this -- all this expense
10 -- with no endings in sight.

11 If I'm an investor, do I get a dividend?
12 What do I get? I get radioactive waste. I get to
13 worry about terrorists. I mean, I don't like this
14 bargaining. And I'm not sure -- how do I get out? I
15 can't. It's legal. I don't like a process that makes
16 me an investor with no investment return.

17 This is not how it's supposed to operate.
18 This is -- I don't know -- this is -- you're going to
19 be left with an impaired environment, rivers with less
20 water, extra heat to be cooled down. I don't see that
21 we're getting much ahead. And I wish someone would
22 tell me how this is going to improve my rub. So
23 anytime anyone wants to tell me that, thank you very
24 much.

25 JUDGE BOLLWERK: Thank you for coming in

1 and speaking with us this afternoon. We appreciate
2 it.

3 MS. KUSHNER: Thank you.

4 JUDGE BOLLWERK: Thank you.

5 The next speaker is Wayne Hickman -- H-I-
6 C-K-M-A-N, then Mal McKibben, and then Emma Ogley-
7 Oliver.

8 MR. HICKMAN: Good afternoon. My name is
9 Wayne Hickman. I'm the principal of Burke County High
10 School here in Waynesboro.

11 I've been associated with Burke County all
12 of my life. And for the past 16 years, I've been a
13 resident and an educator here. I've seen the positive
14 impact that Plant Vogtle's had on the Burke County
15 economy and the Burke County Public Schools through
16 the years.

17 I am in favor of this expansion. I see
18 nothing but continued positive outcomes for the
19 community in general, and the students of Burke County
20 in particular. Our partnership with Southern Company
21 has already provided our students with opportunities
22 they would likely have otherwise missed out on. This
23 expansion will serve only to increase those
24 opportunities.

25 I appreciate the opportunity to come and

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1 share my opinion.

2 JUDGE BOLLWERK: Thank you for coming this
3 afternoon.

4 The next speaker will be Mal McKibben,
5 then Emma Ogley-Oliver, and then Joanne Steele.

6 MR. McKIBBEN: Thank you very much for
7 coming. I am Mal McKibben. I'm the Emeritus
8 Executive Director of Citizens for Nuclear Technology
9 Awareness, or CNTA.

10 CNTA is the largest independent public,
11 private citizen-based nuclear education group on the
12 planet. And we are headquartered at Aiken.

13 We are in a position I think to say with
14 some confidence that we represent the views of the
15 citizens in this part of Georgia and South Carolina.
16 There's been lots of surveys made and other things.
17 And we also have hundreds of members who are
18 professional nuclear experts. And I myself am a life-
19 time nuclear professional. And for a life time is --
20 that's a long time. But anyway, I am delighted to be
21 here.

22 Our elected officials in Georgia and South
23 Carolina almost to a person have been very, very
24 supportive of our nuclear activities in this part of
25 the world. And we believe that CNTA is the true

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1 nuclear watchdog. We champion safety, and we champion
2 environmental protection and the public's interest.

3 The public in Georgia and South Carolina
4 is very comfortable with nuclear enterprises and
5 facilities because we already have many excellent,
6 safe nuclear facilities that have operated for quite
7 a number of years. We have 11 nuclear power plants.
8 We have a nuclear fuel manufacturing plant in
9 Columbia, South Carolina. In Barnwell, South
10 Carolina, we have a low-level waste repository as well
11 as a nuclear laundry which have been operated
12 excellently. And these facilities, as I say, have
13 operated safely with good environmental stewardship,
14 some for many decades. We also have close to Savannah
15 River site just across the river from Plant Vogtle.
16 And we still have a lot of nuclear activity going on
17 there. The power reactors and the other nuclear
18 facilities in this part of the world not only have
19 provided clean and green sources of electricity but
20 have provided thousands of very good paying jobs which
21 have improved our two states.

22 The arguments offered by many of the anti-
23 nuclear activists in our view are largely either
24 exaggeration or simply errors. They have grossly
25 exaggerated in our opinion the effects of dredging in

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1 the river, of the effects of water purity and
2 temperature, and so on. And some of the statements on
3 health effects have simply been wrong.

4 So we urge very strongly the approval of
5 these new reactors at Plant Vogtle. They are our
6 neighbors. And Georgia Power has operated these and
7 other facilities with exceptional skill and safety.
8 So we have -- we think that Georgia Power has earned
9 the support of the people in this area, and in fact
10 have earned that before.

11 Thank you very much.

12 JUDGE BOLLWERK: Thank you, sir. We
13 appreciate you coming out and speaking with us this
14 afternoon.

15 The next speaker would be Emma Ogley-
16 Oliver. It's O-G-L-E-Y -- if I'm reading this
17 correctly -- dash O-L-I-V-E-R; and then Joanne Steele.

18 MS. OGLEY-OLIVER: Thank you very much for
19 your time. We really appreciate you just opening up
20 this forum for us to come out and talk about our
21 concerns.

22 We demand that every community, every
23 county, every city in Georgia has a strong local
24 economy. We need strong local economies to provide
25 all people the necessities for a good life. But a

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1 strong local economy requires that we propose strong
2 business plans. New nuclear does not have a strong
3 business plan.

4 Yes, we need good schools, good jobs, and
5 good amenities, but at what price? Let's think about
6 it.

7 New nuclear energy will produce even more
8 toxic waste that we have sitting at existing reactor
9 sites. New nuclear energy will produce more radiation
10 that will be emitted on a daily basis. New nuclear
11 energy will suck even more water from the Savannah
12 River, something we cannot afford. Water is a finite
13 resource. The two existing reactors already consume
14 the same amount of water as Atlanta, Savannah and
15 Augusta combined.

16 New nuclear energy will put Vogtle workers
17 and surrounding residents at an increased risk for a
18 potentially deadly outcome due to inadequate emergency
19 planning that is currently in place. New nuclear
20 energy will cost rate payers a lot of money.

21 You may laugh. A lot of money sounds a
22 bit flaky. But that's what we're dealing with. We
23 don't know how much two new reactors will cost. Back
24 in the '80s, we were supposed to get four reactors at
25 the discount price of \$606 million. We ended up

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1 paying a whopping \$8 billion at least for just two
2 reactors in 1987 and 1989. We can only imagine how
3 much two reactors will cost in this market, a market
4 in which we do not produce reactor components.

5 Does this sound like a strong business
6 plan? No. And private investors would agree.
7 Private investors are not willing to invest in new
8 nuclear because they know the return on their
9 investment sucks.

10 So how do we propose to pay for a new
11 nuclear power plant's new nuclear reactors? Rate
12 payers. They'll pay, right? Why should we pay for
13 something that the free market will not support?

14 We'd be willing to pay for something that
15 would provide good schools, good jobs and amenities
16 for Waynesboro and the surrounding area, but only if
17 locals are kept safe from a radioactive emergency,
18 able to support businesses that conserve our finite
19 water resources, able to drink our local water and
20 enjoy food from their lands, able to breathe air
21 without a radioactive component.

22 But this is not only a local issue. The
23 entire State of Georgia and the surrounding states
24 will be affected by new nuclear energy. For instance,
25 all Georgians will have to pay exorbitant amounts of

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1 their hard-earned money to pay for this bad business
2 proposition. All Georgians will be affected by water
3 that is sucked from the Savannah River to cool the
4 reactors. All Georgians will be affected when toxic
5 waste is transported through the state to their
6 destination at surrounding nuclear facilities.

7 Why are we proposing to make more nuclear
8 waste when we don't have a solution for the existing
9 waste? Why should we have to live with the radiation
10 that is emitted daily from the reactors? Why should
11 we have to live with inadequate emergency plans? Why
12 should we have to live with the risk of a potential
13 meltdown, which based on statistical models of
14 probability, we are way overdue. And finally, why
15 should we have to pay exorbitant amounts of money to
16 experience all of these risks?

17 New nuclear is a social, environmental and
18 economic justice issue. All we want are good jobs,
19 good schools and everyday amenities that allow us to
20 enjoy the good life. Why should we have to sacrifice
21 our right to social, environmental and economic
22 justice.

23 I agree with Mr. Hummel. Nuclear is
24 predictable. It's not a good plan.

25 Renewable sources of energy given the

1 chance, a.k.a., given the amount of money that we pump
2 into nuclear, would provide us with a strong local
3 economy. Renewable energy would give us the jobs,
4 schools and necessities to our life that we need to
5 live that we should be able to live.

6 Nuclear is reckless spending regarding our
7 social, environmental and economic resources.

8 Thank you very much.

9 JUDGE BOLLWERK: Thank you for coming this
10 afternoon.

11 The next speaker is Joanne Steele -- S-T-
12 E-L-E.

13 MS. STEELE: Thank you for hearing my
14 comments.

15 Two weeks ago I was in Takoma Park,
16 Maryland, and Washington, D.C. as part of a carbon-
17 free, nuclear-free alliance working group. And many
18 nongovernmental organizations focused on clean
19 efficient, renewable energy from across the United
20 States are members of this alliance.

21 We're supporting the roadmap laid out by
22 Dr. Arjun Makhijani's book, Carbon Free and Nuclear
23 Free: A Roadmap for U.S. Energy Policy. Our current
24 energy policy trashes our planet and mountaintops and
25 pollutes our lands, sea and air. We have a foreign

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1 policy that is a prisoner to oil and pushes for a
2 continuation of dangerous nuclear power.

3 Nuclear energy is not carbon free, clean
4 or renewable recyclable as the nuclear energy wants us
5 to believe. The National Academy of Sciences, the
6 Government Accountability Office and other independent
7 organizations state the reprocessing of spent-fuel
8 that the Department of Energy calls recycled is an
9 environmental disaster that would cost hundreds of
10 billions of dollars more than current nuclear energy,
11 and it promotes proliferation by making bomb-grade
12 uranium and plutonium very accessible compared to
13 those materials being in spent fuel.

14 The current nuclear energy is not carbon
15 free. The mining, processing and enrichment cycles
16 are all energy intensive. Much of the energy to
17 produce nuclear fuel rods is produced from dirty coal-
18 fired plants or other fossil fuels.

19 Nuclear energy is environmental racism and
20 genocide against indigenous peoples in the American
21 Southwest, Australia, Brazil, Canada, India and
22 Vanuatu. The worldwide Indigenous Uranium Summit
23 calls for a ban on all worldwide mining, milling,
24 processing, enrichment and fuel use citing the
25 disproportional impacts of the nuclear fuel chain on

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1 the health, natural resources and cultures of
2 indigenous people at this critical time of
3 intensifying nuclear threats to mother earth and all
4 life.

5 Clean-up compensation and reclamation from
6 mining uranium in the 1950s to the 1970s has yet to be
7 accomplished on tribal lands in the American
8 Southwest. The nuclear industry has yet to solve the
9 nuclear waste issue. They keep pushing making more
10 with plans to target indigenous lands for repositories
11 or temporary storage. Surely if more citizens knew
12 the genocidal and costly dangers of nuclear energy, we
13 would demand that our utility companies and
14 legislatures change course. It's time to invest in
15 efficiency, upgrading the grid and producing clean,
16 renewable solar and wind energy.

17 Thank you.

18 JUDGE BOLLWERK: Thank you very much for
19 coming and talking with us today.

20 At this point, we've been going about a
21 half an hour.

22 I should mention if anyone came in late,
23 we only have one working microphone which is why I'm
24 shouting at you. It's not because I'm trying to --
25 I'm just trying to emote here.

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1 Why don't we take about a five-minute
2 break? If anyone would like to sign up, we have
3 another list of speakers here. But there's a sign-up
4 list in the back. You do need to put your name on the
5 sign-up list if you want to address the Board.

6 Also, if you would prefer, if you want to
7 leave comments with us but you would prefer not to
8 speak, we also have a sheet back in the back that you
9 can put your name on. We will get your comments that
10 way in written form.

11 So again, let's take about a five-minute
12 break until 4:00 o'clock. And then we'll reconvene.

13 We'll begin with Amanda Hiu -- H-I-U, then
14 Ashley Roberts, and then Betsy Rivard.

15 Thank you. Take about a five-minute
16 break.

17 (Whereupon, at 3:57 p.m., off the record
18 until 4:03 p.m.)

19 JUDGE BOLLWERK: Everyone needs to have a
20 seat, please. If we could come to order, please.

21 After our break, our first speaker is
22 Amanda Hui -- H-U-I, then Ashley Roberts and Betsy
23 Rivard.

24 MS. HILL: Hi. My name is Amanda Hill.
25 I have atrocious handwriting.

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1 JUDGE BOLLWERK: Hill. I'm sorry. I
2 thought it was a U. It's two Ls. All right. Hill.
3 I'm sorry.

4 MS. HILL: I just -- I've been trying to
5 get a handle on this process for about two years now.
6 And I am against nuclear power as I understand it,
7 mainly because of the waste issue, that we don't have
8 a solution, that it's historically contaminated
9 Europe, and the human and environmental costs.

10 But the reason that I'm here today is
11 because I've come to a hearing before and stated my
12 piece, but I met a woman who lives in Shell Bluff.
13 She lives on Nathaniel Howard Road. She's been -- you
14 know -- fishing out of the river all her life. And
15 her family has. Her father worked at SRS. And she
16 lives in the community. And she drinks the private
17 well water that's on her land, as does everybody else
18 in her community. And there's some issue with their
19 water.

20 Her mother has stomach cancer. Her
21 brother has recently died of stomach cancer. Two
22 members -- cousins of her family who also live on the
23 same road -- have pancreatic cancer. A neighbor
24 across the street on the same water district -- not
25 related -- has died of cancer.

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1 So I called people that I thought might be
2 involved in it because -- you know -- she's a friend
3 of mine. She raised this concern to the NRC and to
4 the staff here, and basically is asking what's going
5 on. And there's been no response to her.

6 Now she lives in the community and if she
7 were to continue to voice her opinion, she'd be
8 labeled as a troublemaker. And so I'm here because
9 I'm not afraid to raise my voice. I feel like that I
10 pay your salaries. I am the tax-paying citizen that
11 you're supposed to protect. So I'm very upset that
12 the NRC does not, in my opinion, completing an
13 independent investigation. The NRC is continually
14 aligning with Southern Company, so much so that the
15 paperwork is exactly the same when they submit their
16 documents.

17 So my concern is why is understanding
18 what's going on in the community that people are
19 afraid to bring to the table? I asked the South
20 Carolina Department of Health and Environmental
21 Control what could possibly be happening in this water
22 that these issues are occurring. Because I was like
23 is it tritium, because I know that -- you know -- SRS
24 has tritium. I know Plant Vogtle is releasing
25 tritium. I know that tritium is nasty stuff, and I

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1. know it's in the river. I know there's been excessive
2 releases of the standards that are allowable. I know
3 that Plant Vogtle does a blow-out of the tanks to
4 release tritium. So I -- you know -- so my concern
5 was tritium. But he said no, it's uranium. You need
6 to test for uranium.

7 But how is a poor family living in Shell
8 Bluff going to test for uranium? That's not their
9 job. It's her job to bring it to you and say there is
10 an issue, and you need to do something.

11 So she came to the hearing. She heard you
12 guys grilling the biologist about the fish. And she
13 couldn't show today. She was afraid. She didn't
14 understand the difference between the legal
15 intervention and the hearings. She doesn't understand
16 that. So my concern is to speak for her today.

17 Regardless of whether you're for nuclear
18 power or not, Savannah River site is here. It's
19 sucking all the water, has several reactors on site.
20 Plant Vogtle has two existing reactors. They're
21 sucking all the water and contaminating. There's no
22 solution for the waste.

23 To put two more reactors on this river is
24 insane. And to dredge the river of 50 years of
25 contamination that's settled at the bottom of that

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1 river is even more insane.

2 Thank you.

3 JUDGE BOLLWERK: Thank you for coming and
4 speaking with us this afternoon.

5 The next speaker would be Ashley Roberts,
6 then Betsy Rivard, and then Jen Kato.

7 MS. ROBERTS: Good afternoon. My name is
8 Ashley Roberts, and I'm the Executive Director of the
9 Burke County Chamber of Commerce. And I'm here to
10 express our sincere support for the plant expansion at
11 Plant Vogtle.

12 We continue to believe that Plant Vogtle
13 provides clean, safe, reliable electricity with a low
14 environmental impact. Obviously, as populations
15 continue to grow and our urban areas expand, the
16 demand for increased electricity grows as well. And
17 that need simply must be met.

18 As Georgia attempts to lure more business
19 and industry to our state, resources such as
20 electrical grid capacities will continue to be vital
21 to that expansion and growth. There is no doubt that
22 Southern Company and Georgia Power are exceptional
23 corporate citizens to so many communities in our
24 state. We believe that Vogtle's proposed expansion
25 will directly benefit citizens not only in Burke

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1 County and its neighbors but in the entire state and
2 region.

3 Thank you.

4 JUDGE BOLLWERK: Thank you for coming and
5 addressing the Board this afternoon.

6 The next speaker is Betsy Rivard, then Jen
7 Kato, and then I think it's Alfonso Andrews, if I'm
8 reading this correctly.

9 MS. RIVARD: Hi. Good afternoon. I'm
10 Betsy Rivard. I live in Atlanta.

11 I wanted to respond first -- I was handed
12 this by Case Energy Coalition. "What source of power
13 provides more than 70 percent of carbon-free energy?"
14 Not nuclear power. That's for sure.

15 Nuclear power is not carbon-free. It is
16 carbon-free once the plant is on line. The mining of
17 uranium, the milling of the fuel and transportation of
18 the fuel and the construction of the power plant all
19 produce emissions. And so does decommissioning of the
20 plant.

21 The 2006 report on Low-Level Ionizing
22 Radiation of the National Academies known as BEIR VII
23 I think it is, concluded that for the same radiation
24 dose, women have a greater chance of getting cancer
25 and a greater chance of dying from cancer compared to

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1 men. The risk to children is even more pronounced.
2 Women and children are not considered in health
3 studies, and furthermore health studies in a lot of
4 communities surrounding nuclear power plants are not
5 performed. It's kind of a don't ask, don't tell kind
6 of attitude.

7 There's not a real need for a new nuclear
8 power plant. Last winter there were stories about the
9 financial losses suffered by Southern Company as a
10 result of the decrease in usage of power. People are
11 thinking about the use of power. And it's also
12 because the use of power uses water. People are
13 thinking about the drought and using less power. And
14 many more opportunities exist for conservation of
15 power.

16 Georgia is still suffering from a serious
17 drought. There is no forecast that this drought will
18 end any time soon. Nuclear power consumes a large
19 amount of water, more than coal-fired power plants.
20 Climate change -- not that we want that -- climate
21 change is happening, and less and less water will be
22 available from the Savannah River. The process of
23 returning some of the water in which 50 to 75 percent
24 is actually lost -- of returning some of the water to
25 rivers results in the warming of the river that will

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1 already be warmed from the decrease in flow. As the
2 flow of the river decreases, salt water will impact
3 the Savannah River estuary in a negative way.

4 Nuclear power plants are targets for
5 terrorists. We already know the terrorists were
6 flying to crash a plane into a plant outside of New
7 York City. The plants are not protected from impact
8 by air attack.

9 Projected costs do not include the cost of
10 decommissioning. Once the plant reaches the end of a
11 useful life -- of it's useful life -- by the way not
12 60 years as has been claimed by nuclear enthusiasts.
13 The average useful life age at this time is less than
14 30 years.

15 The parts of the plant that are highly
16 radioactive need to be put somewhere safe. The
17 decommissioning of the San Onofre plant in California
18 was a very complicated and drawn out process. And
19 it's still not finished. It's still where it started.

20 No one wants these parts in their
21 backyards. We still have no place to put the nuclear
22 waste generated by nuclear power plants. Especially
23 with the closing of Yucca Mountain, we shouldn't be
24 making anymore.

25 New power plants increase nuclear

1 proliferation. And the increase in the number of
2 nuclear power plants would consequently increase the
3 likelihood of nuclear accidents. Close calls occur
4 all the time. Valves stick, pipes leak, stuff
5 happens. Statistically the chances of these glitches
6 happening concurrently will increase. And once one
7 accident happens, the public will put a stop to this
8 nuclear expansion or regression as I would like to
9 call it. Regression because it's not the power source
10 of the future.

11 Nuclear power plants cost too much. There
12 would be none built if the government were not
13 offering subsidies. It cannot stand on its own. And
14 the cost of decommissioning and the impact of public
15 health were not factored into the cost of the plant,
16 and neither the health of native Americans impacted by
17 mining, not to mention the cost of dredging the
18 Savannah Harbor and River. I don't think those costs
19 are factored into the cost of this plant.

20 If renewable energy sources should be
21 offered the same subsidies that the nuclear plants
22 have been offered, they could be on line much earlier
23 than a power plant. Renewable energy can provide jobs
24 also. Wouldn't this area like to be known as the home
25 of truly safe, truly renewable energy?

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1 Thank you very much.

2 JUDGE BOLLWERK: Thank you for coming and
3 speaking with us this afternoon. Thank you.

4 The next speaker, Jen Kato, then Alphonso
5 Andrews, and then Billy Hopper.

6 MS. KATO: My name is Jen Kato. I'm a
7 nurse in this area. Three generations of my family
8 live in this area.

9 And as a nurse, I'm concerned with public
10 health -- everybody's health. And that caused me to
11 speak about cumulative impacts of radiation.

12 All of the BEIR reports -- she referred to
13 BEIR -- Biological Effects of Ionizing Radiation --
14 panels since BEIR V and -- and of course she spoke
15 about BEIR VII -- have said that there's no safe dose,
16 that every radiation exposure no matter how small has
17 an effect.

18 I sat on the Savannah River Site Health
19 Effects Subcommittee for six years. I was part of
20 that committee. And this exposed me to a lot of
21 information about pathways where the radiation gets
22 into human beings through. I was the chair of the
23 pathway analysis committee there.

24 This brings to mind two major things that
25 I'm concerned about. Number one is the dredging.

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1 There were multiple releases from Savannah River Site
2 between 1958 and 1988 ranging from 19,000 curies to
3 479,000 curies, and three minutes to 60 days in
4 duration. This -- if you look at a periodic chart,
5 most of these elements are in the columns where they
6 can be used by the human body. They resemble elements
7 that we use like calcium or water. These are readily
8 obtained by the human body and used in the body just
9 in routine use. These remain a part of the human
10 body.

11 Let's see. Of the 97 various
12 radionuclides made at or that are by-products of
13 what's made at Savannah River Site, 40 percent of
14 these varieties have been released into the
15 environment. They are there. They will be disturbed
16 by dredging or any disturbance to the bottom of the
17 river. They will come back up, and they will create
18 upstream exposures. Let's see. That is one major
19 concern of mine.

20 Another thing, the over one billion curies
21 at Savannah River Site equals 60 percent -- over 60
22 percent of all the radioactive -- radioactive waste in
23 the Department of Energy complex over the United
24 States. Most of it's concentrated here.

25 In addition to that, currently at Vogtle

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1 we have 1.8 percent of our nation's commercial waste.
2 That's over 400 million curies. That means basically
3 that there's five percent of all the radiation in the
4 United States concentrated in CSRA.

5 There are routine and accidental releases
6 from all nuclear power plants including Vogtle. And
7 if you combine this with the continuing releases and
8 plumes and what not that are coming from Savannah
9 River Site, you have quite a cumulative effect. It
10 can only conclude that we will have the highest
11 concentrated -- concentration of nuclear releases in
12 the CSRA. Looking at the entire nation, you can say
13 the highest concentration of nuclear releases will be
14 in this area.

15 And to that we want to add two new
16 reactors? As a nurse with the public health in mind,
17 I am very wary of this.

18 The 11 percent increase in cancers in this
19 area after Vogtle came on line is very, very
20 significant. And this was at an already elevated
21 level due to Savannah River Site itself.

22 I remember one time walking past a map at
23 my university and just glancing at it and glancing
24 away and walking on. And then I stopped dead in my
25 tracks because I thought in my mind oh, this is a map

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1 of Department of Energy sites. And I stopped dead in
2 my tracks and I realized no, no, it can't possibly be.
3 They couldn't possibly be mapping Department of Energy
4 sites.

5 I went back and asked what they were
6 mapping. They were mapping prostate and lung cancer
7 clusters. There's no fooling. The people who do risk
8 analysis can dilute the figures as much as they want
9 to say that this risk has spread and will only matter
10 of fact of what it actually is. They can dilute the
11 figures but they cannot dilute the truth. Where
12 there's radiation, there is disease and death.

13 We don't need to try to solve one problem
14 which is global warming by creating another. That's
15 like trying to prevent flies from getting on the wrong
16 food by covering it with dog shit. I think it's a big
17 problem.

18 Let's see. How can we justify any
19 increase of human suffering and ultimately death when
20 there are so many other viable sources of energy?

21 Thank you very much.

22 JUDGE BOLLWERK: Thank you for coming this
23 afternoon and talking with us.

24 The next speaker would be Alphonso Andrews
25 and Bill Hopper, and then Sue Parr.

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1 MR. ANDREWS: Good afternoon. My name is
2 Alphonso Andrews, and I'm a County Commissioner from
3 Burke County, District 2.

4 I speak on behalf of adding the two
5 reactors at Plant Vogtle. I'm a firm believer that
6 it's a good source of electricity that is cost
7 efficient, clean and is the best source of electricity
8 for us in the modern day with so much in need and use.

9 I came to Burke County in 1965 prior to
10 the construction of the existing two reactors down
11 there now. And I have seen nothing come out of Plant
12 Vogtle but good. As far as the environmental risk
13 conditions are concerned, there's plenty of green
14 vegetation down there. There are plenty of deer
15 running, and fish down there available to fish if you
16 fish on Briar Creek or Savannah River. I've fished
17 on both.

18 This county here is in need of these two
19 reactors. A few days ago, an elderly citizen of this
20 county asked me when we were going to start the two
21 new reactors. I told him as soon as possible because
22 it would really help the economic impact in this
23 community.

24 We need this. And I firmly support as a
25 County Commissioner the addition of the two reactors

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1 in Burke County at Plant Vogtle.

2 Thank you.

3 JUDGE BOLLWERK: Thank you, sir, for
4 coming and addressing us this afternoon.

5 The next speaker would be Billy Hopper,
6 then Sue Parr, and then Sam Cumming.

7 MR. HOPPER: Thank you for the opportunity
8 to appear before you this afternoon and to make a very
9 few brief comments.

10 My name is Billy Hopper. My address is
11 413 McIntosh Drive, Waynesboro, Georgia.

12 I am a native of Burke County and have
13 lived here my entire life except for my years in
14 college and my time in military service.

15 In 1965, I was employed as the City
16 Administrator for the City of Waynesboro and served in
17 that capacity for approximately eight and a half
18 years. In 1973, I became the County Administrator for
19 Burke County and was employed in that position until
20 retirement in 2002, giving me a total of approximately
21 37 years of service in local government in this
22 county. I am presently serving on the Board of the
23 Burke County Development Authority.

24 The construction of the first two units at
25 Plant Vogtle began and was completed during the time

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1 I served as County Administrator. I had the
2 opportunity to work very closely with the owners and
3 managers of the project. The development and
4 successful completion of a project of this nature and
5 size required a great deal of cooperation between the
6 local government and the owners of Plant Vogtle. And
7 this cooperation is still required today.

8 The County government supported this
9 project from the beginning with many county services,
10 and Plant Vogtle has certainly provided the citizens
11 of the county with many benefits. The relationship
12 between the county government, the citizens of Burke
13 County and Plant Vogtle have been excellent. I see no
14 reason why this good relationship would not continue
15 in the future with the addition of Units 3 and 4.

16 On a more personal note, I might add that
17 I have fished in the Savannah River and the Savannah
18 River Swamp for over 50 years, certainly before the
19 construction of Plant Vogtle, and have continued to do
20 so after the completion of Units 1 and 2. Although I
21 am certainly not an environmental expert, as a layman
22 I cannot see any harm that has been caused to the
23 river or surrounding area, and do not feel that the
24 addition of two new units will cause this to change.

25 And in closing, Burke County has been good

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1 for Plant Vogtle, and Plant Vogtle has been good for
2 Burke County. We look forward to the addition of
3 Units 3 and 4.

4 Thank you.

5 JUDGE BOLLWERK: Thank you, sir, for
6 coming this afternoon.

7 Sue Parr will be the next speaker, then
8 Sam Cumming, and then I think it's Lucinda Abram, but
9 I think I'm mispronouncing that. The spelling isn't
10 clear to me. Anyway, Ms. Parr, go ahead.

11 MS. PARR: Good afternoon, gentlemen. I
12 am the President of the Augusta Metro Chamber of
13 Commerce. We represent the interests of approximately
14 1100 businesses and organizations through the CSRA.

15 We support the construction of reactors 3
16 and 4 at the Vogtle Electric Generating Site. We have
17 confidence in the regulatory process that has occurred
18 thus far, and we believe it has provided the necessary
19 oversight to ensure the best possible outcome for our
20 community. The environmental impact statement which
21 was an important step in this process supports the
22 case for proceeding.

23 Plant Vogtle has a history of
24 environmental stewardship and safety. The confidence
25 of the local area in the abilities of the

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1 professionals who operate the plant is very strong.
2 Augusta is home to many employees of Plant Vogtle, as
3 well as a close neighbor. And our interest is served
4 by a safe, secure and environmentally sound facility.
5 We believe that Plant Vogtle has demonstrated the
6 ability to operate in a manner that is in the best
7 interests of the environment and our community.

8 In addition to local environmental
9 factors, we believe that the expansion of the
10 generating capacity at Plant Vogtle has a beneficial
11 impact to the broader environment. Nuclear power is
12 our best source of dependable, cost-effective, low-
13 emission energy. As our region grows, there is little
14 doubt that we will need more electric power. Plant
15 Vogtle is a source of that power that we can depend
16 on.

17 The Augusta Metro Chamber of Commerce is
18 pleased to support the expansion of Plant Vogtle. We
19 believe that the facility is a good neighbor,
20 supplying a needed commodity in an efficient and safe
21 fashion.

22 Thank you.

23 JUDGE BOLLWERK: Thank you for coming and
24 speaking with us this afternoon.

25 Next, Sam Cumming.

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1 MR. CUMMING: Good afternoon. My name is
2 Sam Cumming. I'm on the city council down in
3 Midville, Georgia. And I'm here to give my support to
4 Georgia Power, the Southern Company because I truly
5 believe that their first priority is safety.

6 Just so incident -- instead of it being a
7 small incident, they was putting their security light
8 at my house. And one of the hydraulic hoses bust.
9 And quickly they fell into action and then bringing
10 barrels and things in. And I didn't think it was a
11 big deal. They said nope, this is what we got to do.
12 And that went on for three or four days. And the next
13 thing I knew, they're back checking again until they
14 made sure that everything was done as it should have
15 been. And that right there shows the confidence that
16 I need that Georgia Power and Southern Company would
17 do their best to ensure the safety of this -- of their
18 company and the residents of this state.

19 Thank you.

20 JUDGE BOLLWERK: Thank you, sir, for
21 coming this afternoon.

22 The next speaker -- Lucia Abram? Am I
23 mispronouncing that? No?

24 All right. This is the last person I had
25 on the list.

1 At this point, let's go ahead and take
2 about a ten-minute break.

3 If there's anyone here that wants to sign
4 up to speak, now would be the time to do so. We
5 indicated that we would be here perhaps through 5:00
6 o'clock, but if we didn't have any additional speakers
7 it might well be that we would recess this session.
8 So if you're here and you wish to speak, now would be
9 the time to sign up in the back. Or if you want to
10 leave us a written statement rather than an oral
11 statement, feel free to do so. There's forms for that
12 as well.

13 We'll go ahead and take about a ten-minute
14 break here. We'll come back about 20 until, and see
15 if we have any additional speakers who have signed up.

16 Thank you very much.

17 (Whereupon, at 4:28 p.m., off the record
18 until 4:40 p.m.)

19 JUDGE BOLLWERK: If we could have everyone
20 come to order, please.

21 All right. This is Mr. Lucious Abrams.
22 And I'm very sorry, sir. I didn't decipher your
23 handwriting. I'm doing it pretty good because mine is
24 really bad. But I couldn't quite get yours. Thank
25 you.

1 MR. ABRAMS: Good evening. And we welcome
2 all of you all here in Burke County today on a very,
3 very important issue.

4 And I am a County Commissioner, and I'm in
5 District 1 here in Burke County. And I come here this
6 afternoon in support of the other two new reactors
7 here in Burke County.

8 And during my survey, not only in my
9 district, even my surrounding counties -- Miller,
10 Augusta, Sylvania -- I noticed a great economic impact
11 that Plant Vogtle and Southern Company has clearly
12 proved themselves that they are here to be good
13 neighbors and to make sure that the safety is beyond,
14 surpassed, proper. The record shows for itself.

15 And I am in support for Plant Vogtle and
16 the Southern Company to be here in Burke County. And
17 it's a great source of cheap energy. And we have to
18 look out for the future.

19 Yes, I'm saying things can happen. But we
20 don't want to get into a situation where we sat around
21 and like how we were in the oil price of a year ago.
22 So, what we're doing today is looking at not only for
23 the future for ourselves but the future for our kids.

24 Thank you.

25 JUDGE BOLLWERK: Thank you, sir, for

1 coming and addressing us this afternoon.

2 At this point, that's all the listed
3 speakers or all the registered speakers we have.

4 We'll take one more five-minute break, see
5 if there's anyone else that might have come in a
6 little later. You would need to sign up at this point
7 if you wish to speak.

8 Also, if you want to make a written
9 appearance statement without speaking, you can
10 certainly do that. There's a form for that in the
11 back. You would need to do that at this point.

12 If we don't have anymore speakers at the
13 end of the next five minutes, we're going to go ahead
14 and recess this session. So why don't we take a five-
15 minute break and see if there's anyone else who wants
16 to sign up? Thank you.

17 (Whereupon, at 4:43 p.m., off the record
18 until 4:49 p.m.)

19 JUDGE BOLLWERK: At this point, we have
20 taken another five-minute break and we haven't had
21 anybody else sign up, so we're going to assume that
22 everyone that's in the room that wishes to speak or to
23 leave a written statement has done so.

24 I should mention a couple things before we
25 adjourn. First of all, I appreciate everyone coming

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1 out and spending a couple hours with us giving us your
2 views. We really do appreciate your taking the time
3 to come and address us.

4 We thank the parties for coming as well
5 and listening to the views of the members of the
6 public who've come this afternoon.

7 I should mention that we will already be
8 doing another one of these sessions tomorrow night
9 from 7:00 to 9:00 p.m. right back here. Hopefully
10 we'll have a working sound system at that point,
11 although I think we've kind of struggled through this
12 one without too much trouble. But hopefully tomorrow
13 night we will have a working sound system. Again,
14 7:00 to 9:00 o'clock.

15 There is a sign-up sheet in the back for
16 tomorrow evening if you want to sign up and pre-
17 register. I think we have about a half dozen folks at
18 this point on our list for tomorrow night. You can
19 certainly however sign up tomorrow tonight if you wish
20 to wait until then.

21 A couple of other things. Briefly in
22 terms of scheduling, as I mentioned tomorrow at 8:30
23 in the morning beginning right here, we're going to be
24 getting what's called a mandatory hearing relative to
25 the Vogtle ESP proceeding where we're going to be

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1 talking with Southern and the NRC staff about a number
2 of different subject matter areas -- seismic,
3 emergency planning -- over the next three days. So if
4 you're interested in a number of aspects to the plant,
5 we're going to be covering a number of subject matter
6 areas as I mentioned in the very beginning of the
7 limited appearance session. So again, 8:30 tomorrow
8 morning, and over the next three days -- Monday,
9 Tuesday and Wednesday right here.

10 I should also mention there was some
11 comments made about contacting the NRC staff or
12 interaction with the NRC staff. It's my understanding
13 as well that the staff counsel can clarify this if
14 anybody has any questions about it.

15 On Thursday of this week down at the
16 courthouse here in Waynesboro, the staff is going to
17 be holding an open house to discuss the current
18 operation of Vogtle 1 and 2 over the last year, as
19 well as to answer any questions about the Combined
20 License or the Early Site Permit processes. So if you
21 want to come down and talk with the staff, there's an
22 open house. And I don't know exactly what time it is.
23 But Thursday is when it is. So you might contact the
24 staff and they can certainly get back to you and give
25 you the time down at the courthouse here in Waynesboro

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1 dealing particularly with the operation of the current
2 facilities, although they would be available to answer
3 questions about the Combined License or the Early Site
4 Permit processes as well.

5 At this point, let me see if either Judge
6 Trikouros or Judge Jackson have anything they wish to
7 say.

8 All right. Hopefully again, when we're
9 here tomorrow night, I won't have to be yelling at
10 you. We'll have a microphone system, and certainly
11 not tomorrow in terms of the Early Site Permit hearing
12 we're going to be holding.

13 I would like to take the opportunity to
14 thank our IT specialists, Joe Deucher and Jim Cutchin,
15 who are here today to help us out, as well as our law
16 clerk Wen Bu, Ashley Prange who's our administrative
17 person back in the back who's been taking down names
18 and getting them up to us. We appreciate the
19 assistance from both of you.

20 Here at Augusta Technical College, the
21 Waynesboro/Burke Campus, we have gotten invaluable
22 help all along this process from Vicki Garrison and
23 also Robert Rutledge who got us in here today and has
24 been helping us with a number of administrative items.
25 So again, thanks to both of them as well, and to the

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1 Waynesboro/Burke Campus of the Augusta Technical
2 College. This is a very nice facility. We're very
3 glad to have it.

4 The audio problems here are our own. We
5 brought a lot of this equipment. And it's our stuff
6 that's not working. They have nothing to do with
7 that. So hopefully we'll get it operating by tomorrow
8 morning.

9 Again, if there's nothing else at this
10 point, thank you all very much for coming and speaking
11 with us this afternoon, listening to the comments that
12 were made. We appreciate it. Hopefully we'll see
13 some more folks tomorrow evening between 7:00 and 9:00
14 p.m. right here.

15 And at this point, we stand adjourned.
16 Thank you.

17 (Whereupon, at 4:53 p.m., the hearing was
18 adjourned.)
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CERTIFICATE

This is to certify that the attached proceedings
before the United States Nuclear Regulatory Commission
in the matter of: Southern Nuclear Operating Co


Name of Proceeding: Limited Oral Appearances

Docket Number: 52-011-ESP;

ASLB No. 07-850-01-ESP-01

Location: Waynesboro, Georgia

were held as herein appears, and that this is the
original transcript thereof for the file of the United
States Nuclear Regulatory Commission taken by me and,
thereafter reduced to typewriting by me or under the
direction of the court reporting company, and that the
transcript is a true and accurate record of the
foregoing proceedings.


Tobias Walter
Official Reporter
Neal R. Gross & Co., Inc.

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