

Official Transcript of Proceedings
NUCLEAR REGULATORY COMMISSION

Title: Nine Mile Point Unit 3 Scoping Meeting
Evening Session

Docket Number: 52-038

Location: Oswego, New York

Date: Wednesday, June 10, 2009

Work Order No.: NRC-2881

Pages 1-41

NEAL R. GROSS AND CO., INC.
Court Reporters and Transcribers
1323 Rhode Island Avenue, N.W.
Washington, D.C. 20005
(202) 234-4433

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

+ + + + +

PUBLIC MEETING TO DISCUSS
NINE MILE POINT UNIT 3
ENVIRONMENTAL SCOPING

+ + + + +

Sheldon Ballroom, 2nd Floor
SUNY Oswego, Sheldon Hall
7060 Route 104
Oswego, New York

+ + + + +

Wednesday, June 10, 2009
6:00 p.m.

FACILITATOR:

LANCE RAKOVAN

NRC STAFF APPEARING:

ROBERT SCHAAF, Chief of the Environmental
Projects Branch

PAUL MICHALAK, Environmental Project Manager

SCOTT FLANDERS, Division Director, Division of Site
and Environmental Reviews

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

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

(6:00 p.m.)

1
2
3 LANCE RAKOVAN: Good evening. Sorry to
4 intrude on any conversations that are happening, but
5 it's about 6:00 o'clock and so at 6:00 o'clock what we
6 wanted to do was just kind of give an overview of what
7 to expect from tonight even though we're hoping that a
8 lot more people will show up as the evening
9 progresses.

10 My name is Lance Rakovan. I'm a
11 Communications Specialist at the Nuclear Regulatory
12 Commission, or NRC. I wanted to welcome you to this
13 open-house meeting tonight. The purpose of tonight is
14 to give you an opportunity to interact with NRC staff
15 on a number of issues related to environmental scoping
16 for Nine Mile Point 3. And to give you a chance to
17 provide your comments on what environmental issues the
18 NRC should consider during its review of the Combined
19 License application for Nine Mile Point 3.

20 For those not familiar with the term,
21 that's what scoping means -- determining the scope of
22 the environmental review, in this case for Nine Mile
23 Point 3. We appreciate your patience with this
24 different format that we're trying tonight. It's kind
25 of an open-house format. It's something new. It's

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 definitely different than what we did this afternoon,
2 if you were here for that or if you've been to our
3 previous meetings.

4 We've got a number of tables set up around
5 the room, kind of in a half circle. Each of them are
6 set-up to discuss a different topic involving the
7 environmental scoping or other pertinent issue
8 involving the environmental scoping and licensing
9 process. If you picked up one of these maps when you
10 walked in, it'll let you know exactly where you need
11 to go to speak about which topic. There's also a few
12 tables in the back over there that has some general
13 information on the NRC and what we do, etc.

14 There's going to be a number of floaters
15 in the room, I'll call them. I'm going to be one of
16 them. And there's also going to be a few more. I'll
17 point them out if they'll raise their hands. Scott
18 Flanders is the Lead Manager for Site and
19 Environmental Reviews at the Nuclear Regulatory
20 Commission. Bob Schaaf manages a number of the
21 Environmental Review projects involving new reactors.

22 And Paul Michalak -- Paul is the Environmental
23 Project Manager for Nine Mile Point 3. Those three
24 gentlemen, I'll specifically introduce, but there's
25 also going to be a couple others of us. Take a look.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 We've got NRC badges on. We're just going to kind of
2 be floating around trying to make sure that people can
3 connect with the people that they're looking to speak
4 with and understand what's going on.

5 There's also a few other organizations
6 that have set-up in the lobby. We've got some tables
7 on the ends here that we might get some more people as
8 well. So, it's not just the NRC that's going to be
9 setting up at the tables tonight.

10 There's a couple of different ways you can
11 make scoping comments tonight. We've got a court
12 reporter sitting right here in front of me. You can
13 sign up to speak with him and give your comments,
14 which will be transcribed. There're also a couple of
15 tables up here and then each of these tables that the
16 NRC staff are at have places where you can leave your
17 written comments and those will be included in the
18 transcription for tonight's meeting.

19 Also, you don't just have to comment
20 tonight. If you picked up one of these other sheets
21 that was at the table where you signed in, it's
22 information on the scoping process and a few other
23 things and you can see that the comment period is open
24 until July 20th. And there's a few different ways you
25 can get your comments in and all that information is

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 there.

2 One other thing that you were given when
3 you came in was a packet of information. The last
4 thing in that is a public meeting feedback form. This
5 is a way you can give us some information on how you
6 felt tonight's meeting went. Since this is a very
7 different format, we'd really appreciate you filling
8 those out. You can give those to any NRC employee
9 here or you can drop them in the mail. It's free and
10 it'll get to us. If it looks like we get a number of
11 people come in and we need to kind of go through this
12 again, I'll step up to the podium and we'll go again.

13 But other than that, please help yourself to some
14 information. Find a table. Ask some questions. Sign
15 up to make some comments and hopefully we'll make this
16 meeting a productive one for everyone. So, thank you
17 very much.

18 GARY HOLTHOUSE: All right. My concerns as
19 far as an environmental impact would be during the
20 construction phase of the project. I live on Lakeview
21 Road in the town of Scriba, probably about a half a
22 mile from the plants. We have lived there since 1978
23 and were there during the construction of Nine Mile 2.

24 There's a lot of traffic on Lakeview Road. As a
25 matter of fact, in the morning it would be at a stop

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 in front of our house, which is about -- well, as I
2 said, about a half a mile from the plants.

3 So, I was wondering if there'd be some
4 thought in parking construction people farther away
5 and then busing them into the site to minimize some of
6 the traffic on the local roads. And the restrictions
7 or the impact that the traffic would be even higher
8 now because of the changes in the traffic flow on the
9 private road in front of the plants since 9/11. Since
10 people who work at Unit 1 and 2 cannot come in from
11 the east anymore on the private road.

12 So, construction traffic, also -- I am
13 close enough that I can hear the transformers from
14 Unit 1. So, I would be interested in noise mitigation
15 from the Unit after it was constructed, also as far as
16 cooling tower and transformer noise. Those are my
17 concerns.

18 EDWARD STRONSKI: All right, involving
19 environmental impact at Nine Mile Point 3 -- in recent
20 times, the license extensions have occurred for the --
21 I believe the Nine Mile plants, FitzPatrick -- so
22 environmental impact has been looked at that. In
23 terms of power uprate, I believe that's out there on
24 the table now. It's been submitted for Nine Mile 2,
25 so assuming that would go into the analysis for 3, the

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 bounding conditions including Nine Mile 2 uprate.

2 The FitzPatrick plant -- there is nothing
3 official out there yet for a power uprate, but it's my
4 understanding that that's a very feasible possibility.

5 So, I would hope that the Nine Mile 3 environmental
6 impact bounding conditions would include the very
7 practical assumption of an uprated FitzPatrick plant
8 also being in that -- taken into consideration. So,
9 that and if there's anything down the road with say
10 the non-nuclear plants like Independence Station. If
11 there'd be any change in its -- just the way it's set-
12 up or if it had a change in power output or anything
13 like that. So, I guess just besides the already
14 established license renewal aspects, if there were any
15 other uprates -- that would, I feel, be an important
16 part of the bounding conditions for the environmental
17 impact of Nine Mile 3.

18 JOHN FOLTZ: My name is John Foltz and I'm
19 international administrator for the Boilermakers
20 Union. I'm here speaking today on behalf of our
21 solidarity with the company on building a new nuclear
22 power plant in this area. We've worked in several
23 plants across the country. We feel that the nuclear
24 plant here is the best for the economy. We have the
25 right workforce. We are 100% in favor and I know this

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 is an environmental forum and with the new designs and
2 the passive safety systems, we believe this will be
3 the premier place to build one in Oswego, New York.
4 Go for it.

5 ALFRED STAMM: Alfred Stamm, I'm Professor
6 of Meteorology at SUNY Oswego. I had some questions
7 about the cooling tower and I was wondering about the
8 potential for fogging -- increased cloud cover -- and
9 icing with the new type of cooling tower -- the
10 forced-air cooling tower -- as compared to the
11 natural-draft cooling tower that is presently at the
12 plant at Nine Mile.

13 In particular, I was wondering since the
14 forced-air cooling tower is releasing the water vapor
15 at a much lower level in the atmosphere, whether that
16 affects the amount of fog, icing and so forth that is
17 being released by the cooling tower -- as compared to
18 the natural-draft cooling tower that exists there now?

19 DR. NORMAN MEADOW: My name is Norman
20 Meadow. I'm here -- well, speaking mostly for myself,
21 but also I'm the first vice-president of a group
22 called the Maryland Conservation Council, which has
23 voted to support UniStar's application for a third EPR
24 at Calvert Cliffs in Maryland.

25 The topic I want to talk about is the

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 question of how do you describe in quantitative terms
2 the risk that the public faces today from a modern
3 power reactor, which I've come to the conclusion, as
4 you probably already know, is very, very small. The
5 data that I'm going to mention are all found on the
6 MCC's web site and I will also send a condensation of
7 this as written comments to the NRC.

8 Let me see how to begin here. Well,
9 working backwards -- One of the incidents that's most
10 often brought up as indicating that power reactors are
11 unsafe is the accident at Three Mile Island. The
12 comments that you get in the newspapers are simple
13 statements like -- Three Mile Island caused a lot of
14 cancer. Hundreds of cases or thousands of cases --
15 sometimes the only thing that's mentioned is that it's
16 a large amount. But that's all that's said. Having
17 looked into the details of the incident in the
18 biomedical literature, there are a couple of points
19 that I would like to make.

20 There are two papers in the literature,
21 both working from the same set of cancer incidence
22 data. In other words, two different epidemiology labs
23 used the same data. The first paper that came out was
24 a publication from a lab at Columbia led by Maureen
25 Hatch -- and I don't remember the journal that it was

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 published in. But it concluded that they found no
2 evidence of an increase in cancer over the five-year
3 period, I believe, following the accident.

4 Another group, several years later,
5 published a paper in Environmental Health Perspectives
6 that said there was cancer caused by the releases at
7 Three Mile Island. The lead author on that paper was
8 a man named Steve Wing. And he goes by the first name
9 is Steve. That's the name on his paper.

10 If you look at the paper itself, if you
11 look at the data, you don't see any numerical
12 statement of the number of cases of cancer that
13 they're claiming the releases caused. The critical
14 table in the paper consists of a group of exposure
15 populations that received different levels of exposure
16 from the releases and all that's given for each of
17 those populations is the total number of cases of
18 cancer that appeared and the relative risk factor for
19 each of those groups.

20 If you go through that table, using the
21 relative risk to calculate the actual number of cases,
22 it turns out to be only 135.

23 Now that, first of all, many people find
24 surprising. I don't know whether people at the
25 Nuclear Regulatory Commission have actually extracted

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 that number or not, but that is the number that
2 they're claiming were caused -- number of cancers --
3 solid tumors, these are all solid tumors -- that were
4 caused by the releases.

5 In their paper, in the introduction, I
6 believe, they make a very critical statement. And
7 that statement is, that the amount of cancer they're
8 claiming is inconsistent with the official estimates
9 of the dosage received by the residents living around
10 Three Mile Island. And I believe the Nuclear
11 Regulatory Commission was one of the groups that
12 established those dosages. So, they say they believe
13 that the dosages were very much higher, actually
14 several orders of magnitude higher.

15 They claim to have cytogenetic evidence
16 that the people who were exposed, at least the ones
17 who claimed symptoms consistent with acute radiation
18 poisoning, actually showed evidence of having been
19 exposed to between 600 and 900 grays, whereas the
20 official estimates were something like a tenth of a
21 gray or less. It turns out that the cytology was done
22 by a lab in Russia. The test consisted of looking for
23 chromosomal abnormalities in circulating blood cells
24 and the samples were taken from the same residents who
25 reported these acute effects, but they were taken

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 almost 10-years after the accident.

2 The big problem with the data -- now the
3 Russian cytogeneticis who did the measurements said --
4 they're the ones who came up with the 600 to 900 --
5 I'm sorry, I said 600 to 900 grays, that's lethal --
6 600 to 900 milligrays is what they reported on the
7 basis of the number of chromosomal abnormalities that
8 they measured. The critical weakness in the work is
9 the fact that the control population for these
10 measurements were taken from a group of people living
11 in Moscow at about the same time the samples were
12 taken from the residence at Three Mile Island. That's
13 a completely inappropriate control sample.

14 The assay itself, I understand, is not
15 generally accepted as a method for determining dose
16 received in the distant past -- in this case it was 10
17 or 15 years prior to the sampling -- and using these
18 blood samples from the people in Moscow makes the data
19 highly suspect.

20 So, with that criticism of the cytology,
21 it's reasonable to conclude that the Wing group have
22 no basis for saying that the dosage received by Three
23 Mile Island residents was orders of magnitude higher
24 than the official estimates and therefore the cancers
25 that they report are most likely an artifact of the

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 methods for statistical analysis that they used and
2 also for their choice of a control population, which
3 was different than the control population used in the
4 earlier paper that the Hatch group proposed, or the
5 Hatch group used. Wing's group used residents in the
6 counties surrounding Three Mile Island prior to the
7 accident -- three years prior to the accident. Hatch
8 used general data for the entire United States. So,
9 that leaves the assertion that an increased incidence
10 of cancer was detected very much in question.

11 So, with that understood, or that
12 conclusion about the consequences of Three Mile Island
13 and understanding that Three Mile Island was
14 relatively a very severe accident -- the core did
15 melt. The pressure vessel contained the melted core.

16 The containment building itself was not even
17 challenged. Factoring in the improvements that have
18 been made in the technology in the 30 years since that
19 accident, you would conclude that the probability of
20 even a similar accident at a modern reactor is
21 extremely small and that even if it were to occur, the
22 likelihood of it causing any health damage makes it
23 even smaller -- almost vanishingly small.

24 That's really the essence of what I have
25 to say.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 WILLIAM ROCKHILL: Hi, this is William
2 Rockhill. I'd like to let you know that I'm concerned
3 about the work environment around this part of the
4 state. I think we need all of these that we can have
5 because I happen to be a member of 1163 Millwright
6 Local. I've been working in the nuclear plants out
7 here for the last seven years and I have no problems
8 working in them. This county needs the tax base and
9 the payrolls off these places. I guess that's about
10 it for me.

11 JESSICA MAXWELL: My name is Jessica
12 Maxwell. I am here on behalf of the Syracuse Peace
13 Council. The first comment that I wanted to make
14 actually has to do with the format of the meeting. I
15 actually find it problematic that the NRC has moved to
16 this format from where we give individual comments,
17 which prevents the wider public from hearing each
18 other's concerns. I think part of the point of having
19 a public hearing is for the public to be able to share
20 their concerns with the community as well as with the
21 NRC. So, I just wanted to formally state my concerns
22 and opposition to the actual format of tonight's
23 hearing.

24 Secondly, another concern I'd like to
25 raise in terms of the application process is related

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 to actually the NRC's ability to oversee and regulate
2 a new generation of nuclear plants. According to
3 testimony submitted by Dave Lochbaum to the -- his
4 congressional testimony submitted in 2008 citing
5 several General Accounting Office reports, one from
6 1997 that stated that the NRC is not effectively
7 overseeing the plants that have problems. The NRC is
8 not getting licensees to fix deficiencies in a timely
9 manner. NRC enforcement actions are too late to be
10 effective.

11 Another study by the GAO in 2004 related
12 to the NRC's oversight of the Davis Besse Nuclear
13 Plant concluded -- its inspections at the plant on its
14 assessment of the operator's performance yielded
15 inaccurate and incomplete information on plant safety
16 conditions. So, as part of the process, I would ask
17 that the NRC evaluate its own ability to regulate in a
18 safe and timely way a new generation of reactors,
19 including the proposed new Nine Mile Point 3 reactor.

20 In addition, related to several economic
21 factors -- we're going through an economic crisis
22 period where a number of corporations are experiencing
23 financial instability. Constellation, which is a
24 partner in UniStar, was on the verge of bankruptcy and
25 was recently bailed-out, so I would ask the NRC to

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 take into consideration what will the impact on the
2 public, in terms of safety and economics be, if
3 UniStar has financial difficulty and is unable to
4 follow through on both the construction and the
5 operation of the plant. Who's liable for the safety
6 and the continued operation? Who's liable for the
7 decommissioning process in that event? And what's the
8 impact on taxpayers and local residents?

9 In addition, we already have historical
10 experience related to the construction of two EPR
11 reactors in Europe -- one in Finland and one in
12 France. Given the pattern that's been well
13 established of cost overruns and delays, I would ask
14 the NRC in its evaluation to take that into
15 consideration when they look at the financial
16 viability of the plant. We have never underestimated
17 the cost of the construction of a nuclear power plant.

18 Third, I would like the NRC to consider
19 what's the impact of foreign ownership of nuclear
20 plants in the United States given that a significant
21 partnership in UniStar is based in France and what are
22 the consequences of that in relation to both
23 regulation, as well in relation to financing, taxpayer
24 commitments and security concerns?

25 Moving on to transmission concerns. In

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 New York State, we have a particularly problematic
2 transmission congestion problem. I would like the NRC
3 to consider in its evaluation -- what is the impact of
4 building another new nuclear power plant in upstate
5 New York without any immediate plans to decommission
6 any existing power plants? What's the impact on the
7 current transmission congestion problem? Will it
8 necessitate an upgrade or new infrastructure to be put
9 into place? If so, who will be responsible for that
10 both financially as well as environmentally with the
11 impacts of what that could be?

12 I would also ask the NRC to consider --
13 and I'll submit this in writing -- the work of the
14 Apollo Alliance has shown that if we were to engage in
15 an intensive energy efficiency program in New York
16 State, we could actually save more energy than this
17 plant anticipates ever producing. So, I would
18 challenge whether there's actually a need for the
19 energy and I think that's a significant concern that
20 the NRC evaluates when licensing a new plant, is
21 whether they can establish grounds that the energy is
22 actually needed. It's pretty clear, that we don't
23 need energy in upstate New York. It's designated to
24 go to New York City and I would ask that the NRC take
25 that into consideration.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 In terms of job creation and the money
2 that is going into this plant -- I think it's been
3 established by several studies that our money would be
4 better spent in other ways. I would ask the NRC to
5 consider what the cost is per job -- looking at some
6 of the best estimates and again I'll submit this in
7 writing -- it's about 2 1/2 million dollars per job
8 created. That's the amount we're investing in to get
9 jobs out of this. Whereas energy efficiency programs
10 could create more jobs at a lower cost of about
11 \$50,000 per job. I would also ask the NRC to consider
12 what percentage of the construction jobs created
13 through the construction of this plant can actually be
14 filled by the local labor base? The existing skilled
15 labor base in the Oswego area.

16 Moving on to safety concerns. It's been
17 established that the most dangerous periods of time
18 for reactors are at the very beginning and towards the
19 end of the life cycle. Given that we already have
20 three aging reactors in the area, I would ask the NRC
21 to consider what is the impact of adding into that
22 scenario a new reactor of a design that has never been
23 built before in the U.S. and around the world of which
24 there are none in operation? And specifically I would
25 ask the NRC to consider how does adding that new

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 reactor impact the likelihood and potential for
2 accidents, as well as the cumulative emissions and its
3 impact on the environment and the local population?
4 Specifically looking at the impacts on women, children
5 and the elderly?

6 Given that there is currently nationally
7 no viable plan for a centralized high-level waste
8 storage facility, I would also ask the NRC to consider
9 what are the environmental and economic implications
10 over the life of the reactor of having to store the
11 waste on-site as well as the decommissioning process
12 for the reactor? Who is, in an ongoing way,
13 responsible for the oversight of the security of that
14 waste storage site given that there's no other place
15 at this time to store it?

16 I would also ask NRC to consider what
17 would be the impact on the three current facilities of
18 the increased traffic and activity related to
19 construction of a new plant nearby.

20 Then, lastly, I would just raise concerns
21 as the NRC is considering the review of applications
22 for an entire new generation of nuclear plants -- what
23 the impact is on the availability of uranium and in
24 specific what would be the impact on the economic and
25 environmental cost of uranium extraction,

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 transportation and processing? Most of the uranium
2 that we use is imported. It is not from the U.S. I
3 would ask the NRC to consider what are the potential
4 economic impacts of sourcing uranium from politically
5 unstable regions in the world as well as what is the
6 likelihood that the availability of uranium for the
7 continued operation of plants could actually become an
8 issue in the near future?

9 Lastly, much of the uranium that is
10 enriched in the U.S. is done so at an aging coal
11 powered plant. I would ask the NRC to consider what
12 the impact -- economically and environmentally -- is
13 of that process and in particular given the current
14 U.S. administration's desire to combat global warming
15 and the consideration of Cap and Trade and other
16 potential scenarios that may increase the cost of
17 running coal powered plants -- what is the impact of
18 the increase in costs -- the potential increase in
19 cost -- of enriching uranium to the viability of new
20 nuclear power plants running?

21 In conclusion, I would just add that I do
22 plan on submitting written comments with more details
23 and support documentation for the issues that I've
24 raised. Thank you.

25 DIANE SWORDS: My name is Diane Swords.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 I'm a member of Peace Action of Central New York. One
2 sort of central theme of what I'm talking about is
3 that nuclear power has always been connected to
4 nuclear weapons. There are many issues surrounding
5 Nine Mile 3 that are highly problematic. I want to
6 address today the question of security.

7 A major threat to security is the fact
8 that there is no safe means of disposal for the
9 irradiated fuel and other high-level radioactive
10 waste. The Obama administration's very recent
11 defunding of and clearly stated opposition against the
12 Yucca Mountain dump site proposal makes it clear that
13 there is no alternative to on-site storage in the near
14 future and not that we were in favor of Yucca Mountain
15 either -- highly problematic. Congress has not given
16 the NRC any basis for assuming that a second
17 repository will be opened. Section 161(a) of the NWPA
18 states that -- the Secretary of Energy may not conduct
19 site specific activities with respect to a second
20 repository unless Congress has specifically authorized
21 and appropriated funds for such activities.

22 Although the Department of Energy did
23 report in December 2008 that a second repository will
24 be needed if Yucca is not opened and its capacity
25 limit removed, Congress has not authorized nor

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 appropriated funds for a second repository activities
2 such as a site-specific searches for suitable
3 geological locations. This means that irradiated fuel
4 and other high level radioactive waste will be stored
5 at reactor sites for many decades. The risks
6 associated with such de facto permanent on-site
7 storage include not only accidents and eventual
8 leakage as waste containers deteriorate and degrade
9 with age and exposure to the elements, but also the
10 specter of terrorist attacks.

11 An Atomic Safety and Licensing Board
12 stated in a previous proceeding -- quote regardless of
13 how foreseeable terrorist acts that could cause a
14 beyond basis accident were prior to the terrorist
15 attacks of September 11, 2001 involving the deliberate
16 crash of hijacked jumbo jets into the Twin Towers of
17 the World Trade Center in New York City and the
18 Pentagon in the nation's capital killing thousands of
19 people, it can no longer be argued that terrorist
20 attacks of heretofore unimagined scope and
21 sophistication against previously unimaginable targets
22 are not reasonably foreseeable. Indeed, the very fact
23 that these terrorist attacks occurred demonstrates
24 that massive and destructive terrorist attacks can and
25 do occur and closes the door at least for the

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 immediate future on qualitative arguments that such
2 terrorist attacks are always remote and speculative
3 and not reasonably foreseeable.

4 The Aberdeen Proving Ground antitank
5 missile test against an irradiated nuclear fuel
6 storage cask, NRC's own February 2001 report on
7 irradiated nuclear fuel storage pool fire risks,
8 Alvarez et al's 2003 report on the risks of attacks on
9 waste pools and the National Academy of Sciences 2005-
10 6 study on densely packed irradiated nuclear fuel
11 storage pools security vulnerabilities all confirmed
12 that there can be no confidence that irradiated
13 nuclear fuel can be stored safely at reactor sites for
14 many decades into the future.

15 A terrorist threat to irradiated nuclear
16 fuel and high-level radioactive waste, whether it's
17 being stored on-site at commercial reactors, in
18 storage pools or dry casks stored and away from
19 reactor independent spent fuel storage installations
20 or transported by truck, train or barge between
21 nuclear plants and off-site interim storage
22 facilities, demands an evaluation of whether -- (a) is
23 it appropriate to store irradiated nuclear fuel and
24 other highly radioactive waste for many decades or
25 over a century pending availability of a permanent

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

1 repository and (b) whether nuclear power should be
2 phased out as quickly as possible as a matter of
3 environmental protection, national security, public
4 safety and common defense.

5 The homeland security risks posed by
6 indefinite temporary storage of irradiated nuclear
7 fuel have been recognized by former energy Secretary
8 Spencer Abraham -- Yucca Mountain is an important
9 component of homeland security. More than 161 million
10 people live within 75 miles of one or more nuclear
11 waste sites. All of which were intended to be
12 temporary.

13 We believe -- and this is still the quote
14 from Spencer Abraham -- we believe that today these
15 sites are safe but prudence demands we consolidate
16 this waste from widely dispersed above-ground sites
17 into a deep underground location that can be better
18 protected.

19 It is undisputed that neither fuel storage
20 pools nor dry storage facilities are designed to
21 withstand the type of determined and sophisticated
22 attack that was carried out on September 11, 2001. In
23 fact, the U.S. National Academy of Sciences documented
24 such security vulnerabilities in its report entitled
25 "Safety and Security of Commercial Spent Nuclear Fuel"

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 released April 6, 2005. Clearly, it's appropriate to
2 consider whether there is any basis for confidence
3 that stored irradiated nuclear fuel and other high-
4 level radioactive waste is safe from terrorist
5 attacks.

6 The NRC has long been on record stating
7 that --quote it would not continue to license reactors
8 if it did not have reasonable confidence that the
9 waste can and will, in due course, be disposed of
10 safely unquote.

11 We therefore request that the license
12 application for Nine Mile 3 be denied.

13 PETER SWORDS: I'm Peter Swords, a social
14 worker from Syracuse, New York. I live within 45
15 miles of the Oswego nuclear plants. I feel that gives
16 me standing for raising some of these questions
17 because I live within the area that would be affected
18 by the plants, both in terms of the direct and the
19 indirect environmental impacts.

20 So, the questions I'm going to be raising
21 for the Draft Environmental Impact Statement I think
22 are very valid independent of whether I'm an expert on
23 these particular issues are not. Being a social
24 worker, I'm more of an expert on people's lives and
25 how families and children are raised. But that is

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 actually the reason why I'm bringing these questions.

2 These concerns about the environment relate to our
3 location with the Great Lakes as a wonderful resource
4 for the U.S. and Canada. In fact, less than a decade
5 ago -- or over a decade ago -- the U.S./Canadian Joint
6 Commission called for a virtual illumination of any
7 kind of toxic discharges into the Great Lakes. That's
8 a goal we have not met.

9 So, my first concern is in the big
10 picture, the monitoring of toxic releases -- toxic
11 discharges into the Great Lakes area is a concern not
12 only for each individual item that might be released -
13 - each individual material -- but for also for the
14 combinations, the synergistic effects of all of them,
15 especially because we have already three nuclear
16 plants in this area. So, the first question really is
17 -- given the fact that we have three nuclear plants in
18 this area and we're concerned about toxic discharges,
19 how would we possibly isolate the sources of a toxic
20 discharge and decide which plant was the source?

21 Also, given the nuclear waste is stored
22 on-site, we may have trouble locating the source of a
23 possible toxic discharge. So, I think the EIS needs
24 to address that monitoring issue specifically in order
25 to make possible the safety of a fourth nuclear plant.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 In more specific, we have concerns about
2 the drinking water because Lake Ontario is a source of
3 drinking water for many upstate cities, including
4 mine. So we're concerned about tritium in the water
5 and other radionuclides and radiation in the water.
6 We're concerned about biocides like the chlorine
7 bleach that's used in the cooling water cooling-
8 towers. Cleaning solvents that may show up in the
9 cooling water. Heavy metals, fossil fuel pollution
10 and microbes that may show up in the cooling water
11 from time to time; microbes that may be thermophilic
12 and want to grow more in warm water.

13 So the question again is -- what are the
14 environmental impact synergistically of all these
15 types of releases on fish and wildlife and the
16 drinking water itself? And especially who is
17 responsible for the permanent monitoring of all these
18 toxic materials and their synergistic effects?

19 Another type of concern, besides drinking
20 water, is the atmospheric pollution that may come.
21 There's certainly some discharge at any time from a
22 nuclear plant of radioactive material, but also
23 aerosol discharges from the cleaning and cooling
24 water, again in terms of biocides: chlorine bleach,
25 bromide, solvents, fuels and microbes. The microbes,

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 I think we're particularly concerned about in terms of
2 people's health because they're airborne aerosol
3 microbes like legionella and pseudomonas and
4 salmonella that are becoming resistant to antibiotic
5 medicines. As well as viruses, amoeba and fungi that
6 may be airborne in addition to the concerns about
7 microbes in the cooling water and going into the lake.

8 Again, the question is who will guarantee
9 that the synergistic effects of all these toxins and
10 pathogens, especially in an environment like fog and
11 smog that you would find in a temperature inversion,
12 will not pose deadly health effects to the population
13 of this area? And I include in this area places as
14 far away as Syracuse, Rochester and the eastern shores
15 of Lake Ontario.

16 Finally, there's an environmental concern
17 about thermal pollution because of the temperature
18 rise that we've already experienced in Lake Ontario in
19 addition to global warming. We have algae blooms in
20 the water. We have toxic materials that come from
21 those algal blooms. We have additional microbes and
22 health hazards that come from dead fish. And
23 potential health effects for not only people who drink
24 the water, as I mentioned, not only for people who
25 breathe the air around the lake, but for swimmers,

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 boaters, fishermen and people in recreational pursuits
2 around Lake Ontario. The question would be -- what
3 are the potential health effects for recreational
4 concerns around the lake? How many beaches will have
5 to close due to some of these thermal pollution
6 effects?

7 I feel that we, at this point, are still
8 blessed with a very wonderful freshwater ecosystem in
9 the Great Lakes. Our Native American neighbors from
10 the Haudenosaunee have raised concerns about the
11 environmental health of this whole area. And in fact,
12 the Onondaga people have raised a land rights action
13 that would enjoin in New York State -- make New York
14 State liable -- for the environmental health of an
15 entire area 50 miles wide going all the way from the
16 border of this lake all the way down to the
17 Pennsylvania border.

18 That land rights action would impact and
19 raise the same questions that I've raised today on
20 behalf of Native Americans. I can't speak for them
21 myself, but I feel that the Onondaga nation's land
22 rights action should be something that's considered
23 here in all these different areas. Thank you very
24 much for your time and for listening to these concerns
25 and I look forward to hearing what the results are in

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 the form of the Environmental Impact Statement. Thank
2 you.

3 STEVEN PENN: My name is Steven Penn. I'm
4 a professor of physics. I have joint appointments at
5 Hobart and William Smith Colleges in Geneva, New York
6 and Syracuse University in Syracuse, New York. I got
7 my doctorate from MIT in nuclear structure physics.

8 My comments today center around both some
9 safety issues, which I'd like the NRC to consider in
10 their Environmental Impact Statement, and the issues
11 of whether this plant is indeed necessary.

12 So first, let's address the safety issues.

13 I am concerned that nuclear reactors of all types
14 have the potential for catastrophic accidents and the
15 release of radioactive material into our environment,
16 which can then cause cancer and subsequent death in
17 the area. By putting another nuclear reactor in
18 Oswego, we increase the likelihood of such an
19 accident. And having nuclear reactors in Oswego
20 presents a particular safety concern in that during
21 the harsh winter months, there are times when, due to
22 ice and snow, the roads become impassable. If a
23 nuclear accident were to occur during those times, the
24 possibility for evacuation would be severely limited.

25 In addition, when you have ice storms, we

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 oftentimes have a downing of power lines. If offsite
2 power is lost at the site, then the reactor must rely
3 on on-site generators, backup diesel generators, in
4 order to supply the necessary power for the safety
5 systems. If during such a storm, any of these on-site
6 diesel backup generators were to malfunction, we would
7 have a very severe accident. Now the risk that's
8 associated with that is very high and the probability
9 is low. You have to multiply those together in order
10 to assess what the total risk assessment is. While
11 the probability is low, the damage that would occur is
12 quite significant. I think that that needs to be
13 calculated in a probability of death and financial
14 damage to the area. Living in Syracuse and working in
15 Geneva, we are within or near the edge of the
16 evacuation area. My family and my livelihood would be
17 severely affected if these accidents were to occur.

18 In addition, I think that we should look
19 at the risk of having a PWR, Pressurized Water
20 Reactor, in Oswego. There is the occasional release
21 of tritium that's higher in a Pressurized Water
22 Reactor than it is in the Boiling Water Reactors that
23 are currently in Oswego. And Oswego, located on the
24 edge of the lake is going to be putting warmer water
25 into the lake and into the air around the lake in the

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 winter months when that warmer vapor will then form
2 snow. So, you'll have this tritiated water snowing
3 down on the people that are in the plume down wind of
4 the reactors.

5 Now, granted, depending upon the extent of
6 that plume will determine whether the amount of
7 tritium that comes down in that precipitation will be
8 over the limit of, which I think is 20 nanocuries per
9 liter. So, that calculation should be done and should
10 be done in cooperation with meteorologists who could
11 determine how that precipitation is likely to rain
12 down on the population.

13 In addition, I think we should assess
14 whether this reactor is even necessary. We have an
15 environmental crisis that we are currently dealing
16 with -- that is the greenhouse warming crisis. It's
17 long been said that nuclear power might be an answer
18 to that. I think that that statement is false.
19 First, even if nuclear power were the greenest type of
20 energy, which I don't believe it is, but if that were
21 true, then you have such a long lead time in order to
22 put these plants online that you cannot supply power
23 through the new nuclear reactors at a rate that would
24 address the current crisis that's going on. We need
25 cuts in greenhouse gases now. We need sustainable

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 energy sources on the short time scales -- on the time
2 scales of years rather than decades. I think this
3 process, even if it's done on a quick basis, is likely
4 to not have power supplied to us by the new nuclear
5 reactor in less than a decade. By that time, we need
6 to have significantly cut the amount of greenhouse
7 gases.

8 In addition, it seems like the finances
9 that are necessary in order to build new nuclear power
10 plants are particularly suspect. Currently, the
11 nuclear industry is seeking about 80% of their cost of
12 building in the form of loans from the federal
13 government. Guaranteed loans that we as taxpayers are
14 putting our hard earned money into backing the nuclear
15 industry. If this backing from the federal government
16 did not exist, it's unlikely that many new nuclear
17 power plants would be built. So, the U.S. public has
18 to underwrite this industry and then we have to pay
19 the higher cost of producing nuclear power. I think
20 that's unnecessary when we have such cheap available
21 forms of power.

22 I think that when we look at the
23 environmental impact, we have to look at the
24 socioeconomic impact of how we can supply or address
25 our power needs in ways that are much more financially

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 responsible.

2 Currently, with the stated efficiency
3 technologies, we should be able to reap about 4%
4 reduction in our energy usage per year just through
5 known efficiency technologies. Many more are coming
6 online right now such that we would have no need to
7 build new power plants. The U.S. uses about 450
8 gigawatts of power. A 4% savings of that would take
9 care of several plants. I haven't done the
10 calculation, but if you look in the back of Richard
11 Muller's book, Physics For Future Presidents, then you
12 can see his calculations for the rate at which
13 efficiency technology can address our power needs.

14 In addition, we have to realize that
15 producing power through nuclear energy is the release
16 of power that was harnessed about 5 billion years ago
17 in the last supernova that formed our solar system.
18 So we are releasing stored energy into our
19 environment. In addition, fossil fuels are also
20 releasing energy that was stored -- in that case,
21 hundreds of millions of years ago. But, if you look
22 at sustainable power in the form of solar or wind,
23 geothermal-hydro -- these are using power that
24 ultimately have their source in solar energy. Since
25 that power is just basically being redirected through

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 our electrical system, there's no net heat loss or
2 gain through sustainable technologies.

3 In addition, if you look at the
4 sustainable technologies that are being developed now,
5 there are lots of innovations that are being put
6 forward. If you look just at solar technology, the
7 newest multi-layer solar cells have about a 40%
8 efficiency. Now, they're a little bit more expensive,
9 but the cost of manufacturing will go down as this
10 technology gets built up onto an industrial scale.

11 So, when we are looking at power
12 innovations coming down the pike, solar is very
13 promising. For example, let's just take Nine Mile
14 Point 3. If you look at the solar power that is
15 radiated down onto that site, it's already over 4
16 gigawatts of solar power. Now, it's true that you
17 lose some through efficiency, but we can build a lot
18 of smaller sustainable energy plants around the area
19 utilizing solar, utilizing wind.

20 A good example of that is the Tug Hill
21 Wind Farm that is generating about 600 megawatts of
22 wind power. It was developed and built only in about
23 a year and a half. So, much shorter time scales in
24 comparison to nuclear power. Much more sustainable
25 energy and you don't have the distribution losses.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 Upstate generates at least 50% more power than it uses
2 and yet we ship it to areas that are power hungry. If
3 we had more distributed production of power, we
4 wouldn't have to deal with those losses and those
5 losses equal tens of power plants if you look at those
6 losses through transmission across the country.

7 Just looking over my notes to make sure
8 I've said everything that I came here to say. The
9 other thing that I think is extremely important to
10 realize is that with nuclear power, you have
11 centralized power that does not avail itself to newer
12 technologies such as the Smart Grid. The Smart Grid
13 uses a feedback mechanism with both the users and
14 Smart utilities that allow for significant savings in
15 energy that would obviate the need for us to generate
16 new power plants and reduce the risk, the safety risk,
17 that might be associated with them.

18 So, I'd like to say that both the
19 socioeconomic and safety concerns should be taken into
20 account. And I'll summarize these comments also in
21 written form and submit them before the deadline.
22 Thank you very much.

23 DAN DOUGHERTY: Good evening. My name is
24 Dan Dougherty. D-O-U-G-H-E-R-T-Y. I live at 182
25 Creamery Rd. That is actually in Scriba, New York.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 And I live about 4 1/2 miles from Nine Mile. I've
2 been employed continuously at Nine Mile for 25 years
3 as a Radiation Protection Technician. I am also
4 involved in labor issues in this area. I am a member
5 of IBEW Local 97. I'm a member of the IBEW Local 97
6 COPE Committee. I am the president of the Oswego
7 County Labor Council. I am the president of Central
8 New York Area Labor Federation. The last two
9 organizations are affiliated with the state and
10 national AFL-CIO.

11 I want to speak to the issue of safety of
12 the plants and how they're run and how they're
13 currently run. Again, I've been employed in nuclear
14 power, essentially, all my adult life, since I left
15 college. Pretty much all these years have been at
16 Nine Mile.

17 I work as a Radiation Protection
18 Technician and the philosophy of our department is --
19 the overriding philosophy more than anything else is --
20 - our job as a Radiation Protection Technician is to
21 protect the worker and to protect the public and to
22 make sure that nothing bad happens. It's not about
23 achieving a deadline. It's not about making sure the
24 job is done on the schedule. All those things are
25 things to be considered, but the overriding concern

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 that we have is in making sure it's done safely so
2 that there's no release of radiation or contamination
3 to the public. I think that's something to be
4 considered when looking at Nine Mile 3 -- is the
5 philosophy that this company has right now. They are
6 very strong in their commitment to protecting the
7 worker and protecting the public. So, I thank you for
8 your time today and I appreciate your patience. Thank
9 you.

10 JOEL RICHARDSON: My name is Joel
11 Richardson. I'm a local resident. I was born on a
12 farm about 20 miles from the proposed site. I've
13 lived here the better part of my life. I'm very
14 concerned -- being a farm boy that I am -- I'm
15 concerned about the environment. I'm concerned where
16 the future of the country is going with energy
17 policies, etc. I see nuclear power is one of the
18 feasible answers to help resolving the issues that our
19 country is facing.

20 I've worked construction, both nuclear and
21 non-nuclear. The jobs would obviously benefit the
22 area. I don't think they'd benefit me directly since
23 I'm retired, but I would like to see the community
24 revitalized and work at the plant would do that.
25 Environmentally, as strange as it sounds, even my sons

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 now consider nuclear power green. I was raised in a
2 period where there was a lot more adversity to nuclear
3 power. But I think now people are recognizing that
4 it's not the only answer, but it's an important part
5 of the answer. I'm in full support of UniStar or
6 anybody else who wants to come out and build a nuclear
7 plant in this area.

8 GARY HOLTHOUSE: I spoke before about some
9 concerns about construction traffic, but while I was
10 talking to some of the individuals here tonight about
11 the cooling tower, I noticed and commented about it
12 being so low profile. Came to find out it's going to
13 be a forced-draft cooling tower rather than a natural-
14 draft. I know that forced-draft towers are noisy.
15 So, being a neighbor within a half-mile of the site, I
16 would be concerned about some form of mitigation to
17 keep the noise of the cooling tower on the property.
18 That's it.

19 LANCE RAKOVAN: Good evening everyone. I
20 just wanted to say that we are approaching 9:00
21 o'clock, so if anybody wants to make any comments, the
22 court reporter's going to be here for at least another
23 couple of minutes until 9:00 o'clock. So, please make
24 your way over to the table here. If not, the NRC
25 staff will probably start breaking down in the next 5

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 to 10 minutes. So, feel free to continue
2 conversations and stuff, but we are approaching 9:00
3 o'clock. Thank you.

4 DEBBIE JONES: Okay. I'm a resident. I
5 am not happy with the building of another plant. We
6 don't have a place to put the waste. You have storage
7 above ground. It makes absolute no sense, like
8 somebody said, why would you build a house and not
9 have a toilet in it. You're going to store nuclear
10 waste over there.

11 You're building a new plant on a fault
12 line. PBS, the doctor said that we're going to have a
13 major earthquake in this area. To me, you can be
14 investing a lot of money in this fourth nuclear plant
15 here and you could have major problems down the road.

16 You could lose every cent you've got on it. Maybe
17 the government will bail you out a little bit of it,
18 but not all of it. It just should not be built here.

19 We have no place. We do not -- it's a terrorist trap
20 waiting to happen. Why build it on a fault line.

21 And I'm sure you'll tell me that it's not
22 dangerous -- that they've been measuring it. And I've
23 heard all that. I also realize that I never thought
24 that actually last year to this date, that we would've
25 had a tornado in this area. A major tornado. Major,

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 major -- it's a wonder nobody was killed in the Sandy
2 Pond area. I was there. I saw all the trees down
3 around the house. I thought we were going to die.
4 So, there's something that you never would've thought
5 would happen.

6 But, we are ruining our environment. We
7 are changing. We're putting lots of chemicals in the
8 air. Major -- there could be an earthquake. All
9 those chemicals are going to affect it. Don't build
10 it here. Go somewhere else. That's the sum and
11 substance of that. It's very dangerous.

12 (Whereupon, at 9:05 p.m., the public
13 meeting was closed.)
14
15
16
17
18
19
20
21
22
23
24
25

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

Nine Mile Point 3 Nuclear Project
Oswego, NY

Combined License Application Environmental Review
Scoping Meeting

Wednesday, June 10, 2009
Evening Session

* * *

Written Comments Received
[2881]

Formal Comments Pertinent to the NRC Environmental Impact Statement

For the proposed Nuclear Facility at Nine Mile Point in Scriba, NY

Prepared by David Proietti, President of the Ontario Bible Conference

Board of Directors, an organization with land bordering this propose site.

The Ontario Bible Conference has been in existence on its present site for over 50 years. In that time, we have attempted to fulfill our mission which isto provide a camping and retreat facility where individuals and families can get away to hear and respond to God's Word while enjoying His creation.

With the proposed building of the new nuclear plant, some of our concerns may be obvious and some may not. We would like to take this opportunity to verbalize these issues now so they will be fully considered in the EIS to be generated in the near future.

1. The visual impact of the construction and the completed operation of the plant because of the closeness of the plant. At this time, when you are on the Ontario Bible Conference grounds, it is difficult to be aware of the nuclear plants and a cooling tower about a mile away. The propose site of the new nuclear plant would change all that. Although the forced draft cooling towers would be much smaller, they would also be much closer. The construction of the new plant will impact the visual landscape of our facility.
2. The noise impact of the construction and the completed operation of the plant because of the closeness of the plant. As mentioned before, the proposed plant will make use ^{of} smaller cooling towers with a forced draft system. We are concerned about the noise this system will generate and the long term effects of this noise. We also have concerns about the noise of traffic during the construction and during post-construction operation and the impact that noise will have on our activities at our facility. The use of explosives needed in the construction as well as constant noise produced during construction of this type is a concern.

3. The traffic concerns us because of the number of workers arriving and departing at shift changes during construction and the completed operation of the plant. Many of the people who own cottages on the property and who use the facility as customers are elderly and would find it difficult (as would most of us) maneuvering through heavy traffic at shift changes. Also, the daily activities of the operation of our facility can depend on the ability to leave and return in a timely manner. Some needed but unplanned trips to solve a maintenance problem or other pressing issue may be affected by a traffic conflict.

4. The issue of security for the children and adults entrusted to us during the time they are participating at our facility is another concern of ours. Our facility is approximately 52 acres situated on both sides of Lakeview Road which is a public road that ends adjacent to our property at Lake Ontario. Although there is no reason for someone to venture down Lakeview Road unless they are participating in our programs in some way, we have no way of regulating the traffic or controlling who may pass. Therefore, any tradesman who has come to work at the proposed plant from out of town, can for whatever reason, venture down through the center of our facility in the midst of a children's camp week or during a family retreat weekend. From the curious family man who just decides to take a drive that happens to be down Lakeview Road, to the person with a sinister intent, we are concerned about this added burden.

5. Additionally, the potential loss of customers who are disinclined to use our facility because of the proposed construction that may fundamentally change the environment and atmosphere of our facility. The peacefulness at the Ontario Bible Conference is one of its hallmarks. The word I have heard most often in describing the setting of our facility is peace. Separation from the day to day headaches of normal life and soaking in the peace of the surroundings is in large part why people come to us in the first place. Our buildings are far from state of the art. We do what we can with a fresh coat of paint and some curtains. What draws people is this peace and a sense of closeness with their Creator. This environment, this sense of peace is a very delicate intangible that could be seriously altered by this construction.

6. The potential loss of property value of the land and the buildings owned and maintained by the Ontario Bible Conference. Some of this potential loss may be avoided by attention to the concerns above.

7. The potential loss of property value of the buildings privately owned by individuals including cottages, garages and storage buildings. Some of this potential loss may be avoided by attention to the concerns above.

8. The further loss of lake front usage imposed on us because of the closeness of the plant. At this time, we have been deprived of using about half of our shoreline. When we look out over the lake, we see a series of buoys which do not allow us to run a boat out of a safe harbor toward most of our cottages because we would be infringing on a buffer zone for a plant that is more than a mile away. With this proposed plant being so much closer than a mile (400ft.) we are not sure we will have use of any of our shoreline including the safe harbor.

9. Impact of the proposed plant will affect the general safety and security of property including, but not limited to buildings, contents in buildings, personal vehicles, all implements and tools needed for lawn care, snow removal and general maintenance of the facility. Up to this point, we have been virtually free from vandalism, theft or injury, due to added unknowns ^{THAT} many new workers ^{come} to this area. ^{BRING}

OUR CONCERNS ARE

these

990020/2021
 09/10/21
 CASE NO
 OFF. EXH. NO
 ID. DIV. RECD

**NINE MILE POINT 3
COMBINED LICENSE APPLICATION
SCOPING MEETING
JUNE 10, 2009
COMMENT FORM**

Name: (Optional)	Peter F Swords
Address: (Optional)	
Email (Optional)	pswords@ocmsinc.org
Comments	
(Rebecca)	
Concern about jobs has driven much of the interest in this new plant. ① What is the relative cost/benefit number of jobs per \$ million in nuclear energy, versus efficiencies and alternative energy? How many <u>local</u> jobs would the plant generate?	
② What effect would a nuclear plant have on the child poverty rate in cities like Syracuse?	

Comments may also be submitted in writing to: Chief, Rules and Directives Branch, Division of Administrative Services, Office of Administration, Mailstop TWB-05-B01M, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001

Or by email to: NMP3.COLEIS@nrc.gov The comment period ends on: July 20, 2009.

U.S. NUCLEAR REGULATORY COMMISSION
OFFICE OF ADMINISTRATION
MAILSTOP TWB-05-B01M
WASHINGTON, DC 20555-0001

Environmental Scoping Comments related to the
Nine Mile Point 3, COL Application
Wednesday, June 10, 2009

Commenter Name: Mike Martimer
Organization Name (if any): Office of State Senator Daniel J. Austin
Address: 317 Washington St
Watertown, N.Y.
Email Address: Martimer.18@gmail.com

Comment

~~What~~ with the water levels changing in
the lake due to the rebound of the North American
plate, will that factor into the design of
the ~~cooling~~ cooling system? What is the
impact this will have on the whole system?

Scoping comments should be postmarked no later than July 20, 2009.

Please fold on the dotted lines with Business Reply side out, tape the bottom, and mail back to the NRC.

6/10/2009



In today's world nuclear energy provides a carbon free baseline of power. No other present technology can give us this combination of continual high output and small carbon footprint. I believe that the new generation of reactors like Westinghouse EPR will be a major source of clean, safe power for decades to come. Our company, owners, and employees strongly endorse the building of NMPs and hope the licensing process moves forward.

Alan Levine, CEO



5646 State Route 104
Oswego, New York 13126
Tel: 315-529-2773
Fax: 315-342-3055

Rock Solid.



Randolph F. Bateman

Mayor

June 10, 2009

Thank you for the opportunity to provide comments concerning the potential impact of a proposed nuclear station at Nine Mile Point.

As we all know, there is a need for electricity 24 hours a day, seven days a week. Nuclear energy offers the least impact to the environment because it is the only large-scale, round-the-clock option that produces electricity without emitting greenhouse gases that contribute to global warming. Renewable energy sources and energy efficiency programs are important, but they alone cannot meet our rising demand for energy.

Nuclear energy facilities complement wind and solar projects, which only produce electricity intermittently and thus cannot meet baseload demand. Obviously, wind turbines or solar arrays cannot generate power when the wind isn't blowing or the sun isn't shining. However, the three sources combined provide a balanced clean-air energy portfolio.

If we don't utilize nuclear energy, we'll have to turn to coal or gas to meet the growing 24 hour demand. Becoming more dependent on fossil fuels would be going in the wrong direction if we hope to slow or reduce climate change and reduce our dependence on foreign oil. While hydropower is an excellent solution for clean baseload power, there are no undeveloped hydropower sites left in New York capable of producing the several thousand or more megawatts that will be needed.

The U.S. Nuclear Regulatory Commission keeps inspectors full time at Nine Mile Point, as they do at every nuclear energy facility, to ensure that facilities operate safely and meet all federal environmental regulations and reporting requirements. Nine Mile Point already has a proven record for environmental stewardship. They were the first nuclear energy facility in the U.S. to be certified as meeting the [voluntary] ISO Standards for environmental management systems, and have maintained that certification for over 10 years.

The addition of a new nuclear energy facility will help ensure that New York State has the necessary power for the future and will provide additional economic benefits for Central New York. Nuclear energy facilities generate clean, reliable electricity 24 hours a day, seven days a week regardless of weather or climate without emitting greenhouse gases or creating acid rain.

Nuclear energy facilities also are engines of local job growth. A new facility would produce much-needed power without contributing to climate change, bring about 4,000 new construction jobs and about 400 permanent good paying, much needed jobs into Oswego County. It will also provide additional tax revenues to the county and surrounding area for the life of the plant, which is expected to be at least 40 years. By providing a reliable and affordable source of electricity, nuclear energy helps keep American business competitive.

As Energy Secretary Chu so eloquently stated in a May 6, 2009 press release, "As a zero-carbon energy source, nuclear power must be part of our energy mix as we work toward energy independence and meeting the challenge of global warming."

TOWN OF SCRIBA

MUNICIPAL BUILDING
42 CREAMERY ROAD
OSWEGO, NEW YORK 13126



OFFICES:
(315) AREA CODE

FAX
343-9087

SUPERVISOR
343-3019

TOWN CLERK
343-3375

BOARD OF ASSESSORS
343-3894

BUILDINGS & GROUNDS
342-6894

BUILDING INSPECTOR
343-3375

DOG CONTROL OFFICER
342-4016

HISTORIAN
342-6420

HIGHWAY DEPARTMENT
343-3036

JUSTICE COURT
343-3250, 343-1503

PLANNING BOARD
343-3375

RECREATION DIRECTOR
343-1853

S.A.C.C.
342-6919

TAX COLLECTOR
342-6342

WATER DEPARTMENT
342-6342

June 10, 2009

Chief, Rulemaking and Directives Branch
Division of Administrative Services, Office of Administration
Mailstop TWB-05-B01M
US Nuclear Regulatory Commission
Washington, DC 20555-0001

Christopher M. Hogan
Project Manager
NYS Department of Environmental Conservation
Division of Environmental Permits
625 Broadway
Albany, NY 12233-1750

My name is Kevin Caraccioli. I am the Town Attorney for the Town of Scriba.

On behalf of Supervisor Ken Burdick and the Town Board of the Town of Scriba, as well as the Town of Scriba Planning Board, I welcome the opportunity to submit some brief remarks concerning the environmental impacts to the Town of Scriba of the proposed Nine Mile Point Unit 3 Nuclear Reactor.

The Town of Scriba welcomes the ability to fully and fairly review the environmental impacts to the community of the proposed COL application. The Planning Board is an identified agency involved with the permitting process, as recognized by the applicant in Chapter 1.0, Section 1.3.3 of the application, as well as Table 1.3-1 of the application.

The Town of Scriba looks forward to working with all involved Federal, State and Local authorities in bringing about a review process that emphasizes an application of the highest standards in the operation of the facility, with particular emphasis on safety and emergency planning. All environmental requirements should necessarily include the highest industry standards.

The Town of Scriba supports the application process proceeding at this time and looks forward to working with Unistar to ensure that the site plan process recognizes and incorporates the review process being undertaken by the NRC. Towards that end, we pledge our full support to all Federal, State and Local authorities with jurisdiction over this process.

TOWN OF SCRIBA

MUNICIPAL BUILDING
42 CREAMERY ROAD
OSWEGO, NEW YORK 13126



OFFICES:
(315) AREA CODE

FAX
343-9087

SUPERVISOR
343-3019

TOWN CLERK
343-3375

BOARD OF ASSESSORS
343-3894

BUILDINGS & GROUNDS
342-6894

BUILDING INSPECTOR
343-3375

DOG CONTROL OFFICER
342-4016

HISTORIAN
342-6420

HIGHWAY DEPARTMENT
343-3036

JUSTICE COURT
343-3250, 343-1503

PLANNING BOARD
343-3375

RECREATION DIRECTOR
343-1853

S.A.C.C.
342-6919

TAX COLLECTOR
342-6342

WATER DEPARTMENT
342-6342

Finally, the Town of Scriba understands the benefits and challenges to hosting nuclear power plants within its community. We will continuously weigh the competing interests of all interested parties during this review process, with the understanding that the Town of Scriba welcomes the opportunities that this application affords the community as a whole.

Thank you.

Sincerely,

A handwritten signature in blue ink, which appears to read "Kevin C. Caraccioli".

Kevin C. Caraccioli
Town Attorney

Cc: Ken Burdick, Town Supervisor
Norma Canale, Town Board Member
David Girard, Town Board Member
James Sheldon, Town Board Member
Terrance Smith, Town Board Member
Cynthia Crawley-Orr, Town Clerk
James F. Wellington, Chairman, Town of Scriba Planning Board

10. D. V. L. C. L. NO.
021. EXH. NO.
0796. NO.

OSWEGO COUNTY SHERIFF'S OFFICE



ADMINISTRATION
(315) 349-3307
Fax (315) 349-3483

ROAD PATROL
(315) 349-3411
FAX (315) 349-3303

CRIMINAL INVESTIGATION
(315) 349-3301

REUEL A. TODD
SHERIFF



ROBERT J. LIGHTHALL
UNDERSHERIFF



CIVIL DIVISION
(315) 349-3302
1-800-582-7583
JAIL DIVISION
(315) 349-3300
FAX (315) 349-3349

39 Churchill Road, Oswego, New York 13126-6613

June 10, 2009

Thank you for allowing me to speak here for many reasons.

Life-long resident and I want my children and grandchildren and their children and grandchildren to also be able to live here. It is a wonderful area. We have everything: lakes, mountains, countrysides. We have the infrastructure needed to make our area flourish, the people who live here are some of the nicest I have ever met. Our schools are second to none. Safety and security for our residents is some of the best with the working relationships between agencies. Why would people leave? The number one reason, economic--no jobs.

Some of the results of not building:

Higher Unemployment / Higher taxes
Higher Social Services costs / Higher taxes
Higher Medicare Rates / More taxes
Higher Crime / More taxes

Using up more of our natural resources, oil, gas, and coal, which makes for more air, water, and ground pollution.

Lack of power, which could cause brown-outs, black-outs, in the stifling heat of summer and lack of heat during the frigid arctic cold of winter. These are all things that must be considered.

We have a chance to help that. Build the new plant, 4,000 high-paying jobs for four or so years. These translate into food sales, car sales, clothing, homes, rentals, and all the residuals that go with them. Insurance broker fees, attorney fees, etc. It is cyclic after being built, 400 or more high-paying jobs for the people who work there for the next 60 to 80 years or more. It was once said but when the plant closes these jobs will be last. I say that analogy is a lot like love, better to have loved and lost than never to have loved at all. You take 400 jobs or 60 years. That's a lot of money to say the least. If we did

not need more power, cheaper power, and cleaner power, I would never consent to speaking for this project. To build just to build is not the answer. Our environment can no longer be able to stand the emissions from coal and oil. We need to be a clean as necessary. Oil and coal resources are down. We need to use what we can produce ourselves. We must quit taking from our natural resources and give back to keep our earth green. For the failures of past generations, our generation must make the choice to preserve our country for future generations. In my humble opinion, that is, Build the Plant.



Reuel A. Todd
Sheriff

(5)bb

2/19/09

TO: DVBECU NO: 0604
OLE: EAH
CYZE NO:
WBC/02/2000