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Afternoon Session

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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

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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
1:00 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

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

(1:02 p.m.)

1
2
3 LANCE RAKOVAN: Good afternoon everyone.
4 My name is Lance Rakovan. I am a Communications
5 Assistant at the U.S. Nuclear Regulatory Commission,
6 or NRC. I'd like to welcome you all to this
7 afternoon's meeting. I'm going to be facilitating
8 today's meeting. In that regard, I'm just going to
9 try to keep things on target and make sure that the
10 meeting is effective and hopefully informational for
11 everyone.

12 The purpose of today's meeting is to
13 provide you with an opportunity to give us your
14 comments on what environmental issues the NRC should
15 consider during its review of the Combined License, or
16 COL, application for Nine Mile Point Unit Number 3.
17 Now, a term you're going to hear today a lot is the
18 word scoping, which simply means determining the scope
19 of the environmental review, in this case, for Nine
20 Mile Point 3.

21 Today's meeting is just one way that you
22 can participate in this process. We'll be going over
23 some more details about other ways you can participate
24 later. Essentially, the meeting this afternoon is
25 going to have two parts. First, we're going to hear

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1 some presentations from NRC staff on the Combined
2 License process and the Environmental Review process.

3 It's information that we think is important for you
4 to understand when it comes to Nine Mile Point 3. We
5 do have copies of the presentation and I believe we
6 have someone who's going to bring them around. So, if
7 you'd like a copy of the presentation, just raise your
8 hand and we'll bring one to you. We're in the process
9 of making additional copies right now. So, if he runs
10 out, we'll have more of those soon.

11 We're going to try to keep the
12 presentations short, so we can get to the real reason
13 that we're here. Which, of course, is to listen to
14 you. There were yellow and blue cards on the sign-up
15 table. If you wanted to speak, hopefully, you filled
16 out one of the yellow cards. We also had a number of
17 people who pre-registered.

18 So, we're going to be going from the pre-
19 registrations and from the yellow cards, inviting
20 people to come up here to the podium and give us their
21 comments on what they think we should take into
22 account when it comes to the Environmental Scoping for
23 this proposed site.

24 If you didn't fill out a card and you
25 decide that you want to speak, that's fine, just get

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1 my attention and I'll bring one to you. The reason
2 that we want you to fill out the card is to make sure
3 that we have your name spelled correctly and we know
4 who you are in terms of our transcript. Now, we are
5 transcribing this meeting to make sure that we do get
6 your environmental scoping comments correct, word for
7 word, on the transcript. You can help us get a clean
8 transcript by: making sure that you use a microphone
9 every time that you speak, identifying your name and
10 any organization that you're with the first time that
11 you give a comment, trying to keep side conversations
12 and side noise to a minimum and of course, turning off
13 or putting on vibrate any electronic devices you have
14 such as pagers, cell phones, blackberries, etc..

15 Another item that was with the packet that
16 you hopefully picked up when you walked in is our
17 public meeting feedback form. This is just a little
18 form that asks a few questions about how the meeting
19 went. What you thought of the format, etc.? You can
20 fill those out and you can give those to any NRC
21 employee who's here today with one of these badges on
22 or also you can drop it in the mail. There's no
23 postage necessary. That'll get back to us. That will
24 give us an idea on how we can improve upon these
25 meetings in the future. So, that really helps us out.

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1 If you haven't found them yet, the
2 restrooms are, you leave the back, make a right and
3 keep on going for a little while, they'll eventually
4 be on your left. Before we go to the presentations, I
5 did want to take a moment to introduce a few of the
6 NRC staff that are here. Paul Michalak is going to be
7 one of our speakers today. He is the Environmental
8 Project Manager for Nine Mile Point 3. Bob Schaaf,
9 that's his boss. He manages a number of environmental
10 project reviews involving new reactors at the Nuclear
11 Regulatory Commission. Scott Flanders, there's Scott
12 -- Scott is the lead manager for site and
13 environmental reviews in our office of new reactors at
14 the Nuclear Regulatory Commission.

15 So, with that, I'm going to hand things
16 over to Bob. Again, I'll be back once the
17 presentations are over and we'll move into the second
18 part of the meeting, which will be looking for your
19 scoping comments.

20 BOB SCHAAF: Thanks Lance. As Lance
21 indicated, my name is Bob Schaaf. I'm the Chief of
22 the Environmental Projects Branch responsible for the
23 review of the Nine Mile Point application, the
24 environmental review. I'd like to add my welcome to
25 everyone and thank you all for coming out today to

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1 participate in the meeting. I'll be briefly
2 describing the purposes for the meeting. I'll be
3 telling you a little bit about the NRC; who we are,
4 some of what we do in a broader sense before I then
5 will hand over the presentation to Paul to discuss the
6 particulars of the environmental review for the Nine
7 Mile application.

8 First and foremost, as Lance indicated,
9 we're here to listen to you. We find that the
10 community local to the plant site or project that
11 we're reviewing typically has unique knowledge about
12 the local environment. We'd like to take advantage of
13 that knowledge to better inform our environmental
14 review.

15 Also, we'll tell you a little bit about
16 our environmental review process. We'd like to answer
17 any questions you have about the licensing process.
18 And we'll tell you how you can participate -- the
19 various ways you can participate in the environmental
20 review in the licensing process.

21 So, I'll start by telling you a little bit
22 about the NRC, the Nuclear Regulatory Commission. The
23 NRC is an independent regulatory body. The NRC was
24 created by Congress solely for the purpose of
25 regulating civilian uses of nuclear materials. By

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1 independent, I mean that we're not under any of the
2 Cabinet agencies and we have no role in promoting any
3 particular technologies. Our sole purpose is to
4 evaluate proposals to ensure that they can meet our
5 regulations.

6 Under those regulations we're charged with
7 protecting public health, safety, security and the
8 environment in the use of nuclear materials. We do
9 this by issuing regulations and guidance and
10 performing inspections of activities involving those
11 materials, including nuclear power plant design,
12 construction and operation.

13 Now to what the NRC does and how we
14 satisfy that mission. With respect to proposed
15 nuclear power plants -- we accomplish our mission by
16 performing detailed technical reviews to decide
17 whether a proposed nuclear power plant can be built
18 and operated safely. We also complete a detailed
19 evaluation of the anticipated environmental impacts of
20 building and operating a proposed plant. The
21 principal reason we're here today is to support that
22 environmental review.

23 My hope for this meeting is that we
24 receive clear, on-point comments that will help us in
25 that environmental review. The end result of these

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1 safety environmental reviews is a Commission decision
2 on whether to issue a license for the proposed plant.

3 So, that's a little background on who we
4 are and why we're here today. Again, I'd like to
5 thank everyone for your participation. I look forward
6 to the comments that we'll receive today. Now, Paul
7 will tell you a little bit more about the
8 environmental review.

9 PAUL MICHALAK: Why are we here today?
10 The NRC received an application for a Combined License
11 to build and operate a nuclear power plant at the Nine
12 Mile Point Unit 3 site on September 30, 2008. The
13 applicants are Nine Mile Point 3 Nuclear Project and
14 UniStar Nuclear Operating Services. They're both LLC.
15 The NRC requires its staff to perform three reviews as
16 part of the new reactor licensing process. A review
17 to certify the selected reactor technology, in this
18 case it's the U.S. EPR, or Evolutionary Power Reactor.

19 There's also a site-specific safety review of placing
20 that selected reactor technology at the proposed site,
21 Nine Mile Point 3. And then an environmental impacts
22 of construction and operation of the reactor at Nine
23 Mile Point 3.

24 This graph illustrates the steps in the
25 safety and environmental review process. Publicly

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1 available documents represented on the graph include:
2 the license application itself, the safety evaluation
3 report which is the final work product of the safety
4 review and the Final Environmental Impact Statement
5 which is the final work product of the environmental
6 review. Note that the Safety Evaluation Report and
7 the Environmental Impact Statement along with the
8 results of hearings are three sources of information
9 that the Commission, the five-member Nuclear
10 Regulatory Commission, use in their decision on
11 whether to grant a license to build and operate a
12 nuclear reactor at Nine Mile Point 3.

13 Participants in the NRC review process.
14 On the NRC side, we've obviously got the Commission,
15 we've got staff, we have hearing boards and we have a
16 group called the Advisory Committee on Reactor
17 Safeguards.

18 In terms of stakeholders, obviously we
19 have the residents of Oswego County. We have public
20 interest groups. We have federal agencies. The Army
21 Corps of Engineers has a representative here at the
22 meeting today. And also, state agencies: New York
23 DEC, Department of Environmental Control, is also a
24 stakeholder in the application. And finally, the
25 license applicant themselves.

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1 An important piece of legislation that's
2 led to this meeting here is the National Environmental
3 Policy Act, NEPA. NEPA requires federal agencies to
4 use a systematic approach to consider environmental
5 impacts. An Environmental Impact Statement, that I've
6 been referring to earlier, is required for issuing a
7 Combined License to build and operate a nuclear
8 reactor.

9 The Nine Mile Point 3 review evaluates the
10 construction and operation of the proposed reactor.
11 The NRC uses a systematic approach. We have our
12 regulations. We have internal guidance documents that
13 are publicly available. We also use -- we have a good
14 quality assurance program. To give you a sense of
15 what I'm talking about, here's an example of a
16 supplement to an Environmental Impact Statement that
17 was developed for Nine Mile Point's 1 & 2 during
18 recent re-licensing. I would say that our Final
19 Environmental Impact Statement for Nine Mile Point 3
20 will probably be a lot thicker than this document.

21 We bring a lot of expertise when we
22 operate and conduct these Environmental Impact
23 Statements. The agency has many experts in terms of
24 hydrology, atmospheric sciences, ecology. We also
25 utilize experts, in this particular project, from

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1 Argonne National Labs. But, not only do we do what
2 you would usually associate with environment, but we
3 also evaluate areas like socioeconomic impacts. We
4 look at cultural resource impacts as part of our
5 Environmental Impact Statement.

6 The NRC's environmental reviews are open
7 and transparent. We provide an opportunity for the
8 public to comment on the scope of the review -- that's
9 why we're here today -- and our draft work product,
10 which will be a future meeting we'll have. Staff also
11 documents and publishes its final environmental impact
12 findings.

13 As part of the Environmental Impact
14 Statement development, staff gathers information from
15 a lot of sources. Obviously, the first source, or an
16 initial source, is the environmental report developed
17 by the applicant. But we also use the public comments
18 that we're going to collect today, this afternoon,
19 this evening and for the rest of the commenting
20 period. We utilize information from: other federal
21 agencies; tribal, state, and local agencies; social
22 services -- information about hospitals and schools
23 and what impacts bringing in 4,000 construction
24 workers can potentially have on the community; and
25 we'll also conduct a site audit of the application,

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1 where the NRC staff does an intense audit of their
2 environmental report.

3 Public involvement for the environmental
4 review. There's an opportunity to provide comments,
5 that's what we're doing today, but that commenting
6 period extends -- it started on May 20th and it'll
7 extend to July 20th. So, after today's meeting, where
8 we'll be taking verbal comments, as well as written if
9 you brought them, we'll accept written comments.
10 Then, we'll do a public meeting to comment on the
11 Draft Environmental Impact Statement once it's
12 developed. That target date would be September of
13 2010.

14 What happens to your public comments?
15 We're going to record -- we have a court reporter
16 here, right now, recording everything that I'm saying
17 and anything else someone may say this afternoon. The
18 court reporter will also be here this evening to
19 collect comments. We're going to compile comments
20 from the written ones that we receive up until July
21 20th. Those comments will be binned -- they'll be
22 categorized -- and then will be distributed to NRC
23 technical staff to be reviewed and then develop a
24 response. Then we will publish a Scoping Summary
25 Report with NRC responses. That's scheduled for

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1 November 2009.

2 Submitting comments. Keep this in mind.
3 You can get them in by mail and then by the e-mail
4 address that I have here. If you've got a copy of the
5 handout of the presentation, go to page 16. You can
6 look at these addresses. Again, that commenting date,
7 the final date for that, is July 20th.

8 There's one more area I want to -- before
9 I close out -- there's one other area where the public
10 can become involved and that's in our hearing process.

11 A hearing notice will be published in the Federal
12 Register. The hearing notice will describe how
13 members of the public can petition to intervene in the
14 hearing. The notice will include: a deadline for
15 file intervention petition, it's a 60-day period;
16 instructions for the e-filing will be in the
17 hearing notice or at the listed web sites. E-filing -
18 - this is important -- e-filing is required by the
19 Commission. You're going to need a digital
20 certificate to e-file. That takes max about 10-
21 business days. So, for people that are interested and
22 want to petition, keep in mind that it's going to take
23 you 10-days max to get that certificate to be able to
24 do the e-filing for the petitioning.

25 This is the Environmental Review schedule. I think

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1 the most important date and this is probably the fifth
2 time I've told you, the terminal date is July 20th for
3 comments. The rest of the dates are tentative. The
4 Draft EIS, we would -- target date of August 2010,
5 with a meeting here again target date of September
6 2010. Finally, agency contacts -- Paul Michalak's
7 phone number is up there. Prosanta is the Safety PM.

8 Remember, there were two parallel reviews that go on.

9 There's the safety review and the environmental
10 review. I'm the project manager for the
11 environmental. Prosanta is the PM for the safety
12 review. Documents can be viewed at the Penfield --
13 SUNY Oswego's Penfield Library and then at the public
14 library in Oswego. Then on our web site. I know the
15 print is small, but if you can't make that out, you
16 can always ring me up and I'll get you the link.

17 Finally, I appreciate everyone coming out
18 here. I look forward to hearing your comments.

19 LANCE RAKOVAN: Thanks, Paul. Before we
20 go ahead and move into the second part of the meeting,
21 I just wanted to do a quick check to see if there's
22 any questions specifically on the information that
23 Paul just went over in his presentation. If you have
24 a question on another topic, we ask that you just grab
25 one of us NRC types and we'll have a one-on-one with

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1 you outside of the meeting. But, just if there's any
2 clarifying questions on the material that Paul went
3 through. Also, if you don't have a copy of the
4 presentation again, just -- we do have them here and
5 we'll leave them on the table for your way out just in
6 case you want to grab one. Any questions real quick?

7 Okay, seeing no hands -- first, I'm going
8 to offer up to the mic Chris Hogan. Chris works for
9 the New York State Department of Environmental
10 Conservation, one of the partners that we're working
11 with when it comes to this potential site. So, Chris
12 is going to say a few words and then we'll start
13 inviting people up to give scoping comments. Chris --

14 CHRIS HOGAN: Good afternoon everybody. I
15 am the project manager for the Department of
16 Environmental Conservation. The reason I wanted the
17 opportunity to speak first is to emphasize the fact
18 that this scoping meeting, NRC scoping meeting, is
19 also serving as the scoping meeting for the State
20 level environmental review.

21 As Paul mentioned, NRC's required to
22 comply with NEPA, as they process the application.
23 The State agencies and local agencies have the same
24 responsibility on a state level. We're required to
25 comply with SEQRA, the State Environmental Quality

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1 Review Act -- as Paul refers to as mini-NEPA or little
2 NEPA. Within SEQRA, there is a provision that we can
3 accept the Federal EIS for the State EIS. Which is
4 what -- you may be familiar with locally as what we
5 did with the relicensing at Nine Mile 1 and 2 and
6 FitzPatrick. We accepted the Federal EIS for our own.

7 So, you're probably wondering why we're
8 doing a State level review for this particular
9 project. Why we're not calling on that provision.
10 The main reason is UniStar asked the State to do a
11 State level review for the main reason that the
12 process timeframes for our permitting -- there's some
13 unknowns as to the length of the time, so they would
14 like to advance the State Environmental Review to
15 accommodate that schedule. We don't have a choice,
16 but we're willing to accommodate them. So upon that
17 request, we coordinated lead agency with the state and
18 local agencies: DOS, DPS, Parks, DOT and also local
19 agencies: the Town of Scriba and the Oswego County
20 IDA. They all consented to the department serving as
21 lead agency.

22 As Paul mentioned in his, there's going to
23 be numerous opportunities to comment on the State
24 level EIS and a lot of them are similar to the NRC EIS
25 is -- well, we're accepting public comments also until

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1 July 20th for the scoping. So, we look forward to
2 hearing your comments today. UniStar will submit an
3 EIS to us for review. When we accept that, we will
4 allow for public comment on that as well. There will
5 be also opportunities to comment on our permit
6 applications, as well, once those are complete.

7 Let's see -- environmental issues that
8 we've identified already and are referenced in our
9 positive declaration are: water resource impacts; the
10 intake of water from Lake Ontario; ecological and
11 wetland impacts -- currently the applicant projects
12 approximately over 10 acres of impact to DEC wetlands
13 and substantial amount of impact to federal wetlands
14 on the site from construction and operation; traffic
15 related impacts from construction; visual and noise
16 impacts during construction and operation; and also
17 cumulative impacts from the operation of this facility
18 and the other nuclear facilities nearby.

19 Lastly, I just comment on the Department's
20 jurisdiction over the project. We have our SPDES
21 permit, which is a permit for the discharge of
22 wastewater to Lake Ontario. That also covers the
23 intake of cooling water for the plant. Air pollution
24 control permits for primarily for backup generators
25 and emergency equipment. Freshwater wetlands permit

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1 for the disturbance of the DEC wetlands that I
2 mentioned previously. Water quality cert for the
3 impact to the federal wetlands, where the state's
4 required to certify that the NRC's license and also
5 the Corps of Engineers permit meets state water
6 quality standards. So, we'll be issuing that.
7 Lastly, permits for the impacts to the protected
8 surface waters in the area, mainly Lake Ontario and
9 the installation of the intake.

10 I think that concludes my comments. I
11 have fact sheets in the back of the room and some
12 information on SEQRA. So, if you want to stop by if
13 you have any questions, I'd be happy to talk to you
14 about it and answer any questions. Thank you very
15 much. And thank you to the NRC for accommodating us
16 this afternoon. I appreciate it.

17 LANCE RAKOVAN: Okay, let's go ahead and
18 move to the time in our meeting where we can open the
19 floor up. We've got about 20 people that have signed
20 up to speak at this point. So, when you come and take
21 the mic, I'm going to ask that you take about maybe
22 five minutes or less to give your comments to make
23 sure we get everybody through. If we end up having
24 some extra time towards the end of the meeting, we'll
25 certainly open it up again if you want to come and

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1 make additional comments. I've got a number of yellow
2 cards and I've got a number of people pre-registered,
3 so I'm just going to try to bounce around and get
4 through the list. Again, if you would, we're looking
5 specifically for comments on what environmental
6 factors we should be taking into account when it comes
7 to the potential Nine Mile Point 3 plant.

8 So, we're going to start out -- If we can
9 have Mike Mortimer from the office of Senator
10 Aubertine. After Mike, we'll go ahead and go to
11 Jennifer Cook, who's here for Assemblyman Will
12 Barclay, then to Martin Currier with the Brotherhood
13 of Electrical Workers.

14 MICHAEL MORTIMER: Thank you. Senator
15 Aubertine would be here today, but he's dealing with
16 his own nuclear environmental fallout in Albany today.

17 So, I'm going to read a letter on the Senator's
18 behalf and if I mess it up it's my own fault.

19 I write today to formally submit my
20 testimony regarding the proposed Nine Mile 3
21 expansion. As Chairman of the Senate Standing Energy
22 Committee on Energy and Telecommunications and as
23 representative of the 48th Senate District, I am proud
24 to say that our home is the energy backyard of New
25 York State. Our energy assets can and will revitalize

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1 the entire upstate region with new jobs, low-cost
2 power and an increased tax base.

3 Toward that end, I'm pleased to offer my
4 strong support for UniStar Energy -- UniStar Nuclear
5 Energy's proposal to construct a new unit at Nine Mile
6 Point Nuclear Station. The project would create more
7 than 400 new jobs and this private investment would
8 have better than a dollar for dollar impact on the
9 local economy. As we have seen with other facilities,
10 this kind of project will generate around \$20 million
11 to the state annually and local in terms of the tax
12 base.

13 The Nine Mile Point Nuclear Station is one
14 of Oswego County's largest employers and has a
15 tremendous positive impact on the local community and
16 economy. Already in Oswego County, Constellation's
17 reactor facilities support more than 900 good paying
18 jobs with a payroll of close to \$100 million and an
19 impact of more than \$25 million in local revenue.

20 New York State cannot hope to reduce its
21 greenhouse gas emissions without diversifying its
22 energy portfolio. This increased power from the
23 facility will do much to reduce New York's reliance on
24 polluting fossil fuels and meet its energy needs. The
25 Nine Mile Point Nuclear Plant and this expansion

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1 represent a new generation of eco-conscious nuclear
2 facilities with the highest safety standards and
3 recycling 96% of their spent fuel. Not only will this
4 power be cleaner and cheaper than carbon emitting
5 fossil fuels, it moves the entire state forward in its
6 ongoing goal of an environmentally sustainable energy
7 future.

8 This proposal does not require any
9 governmental investment, only government approval. It
10 is essentially a privately funded stimulus package for
11 Central New York that will benefit all of upstate,
12 while helping our state and nation achieve a common
13 goal of energy independence.

14 I reiterate my unwavering support for this
15 important project. I implore the NRC to recognize the
16 strong support expressed by the community and their
17 elected representatives in making the decision to
18 approve this expansion. It is important for Oswego
19 County. It is important for Central New York. And it
20 is important for New York State and our nation. Thank
21 you.

22 LANCE RAKOVAN: Thank you. He did present
23 me with a copy of the letter. If you have any written
24 comments, you can do the same as well. If you hand
25 them to me, we'll make sure that those written

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1 comments are included directly into the transcript
2 just as if you were coming up here and speaking. So,
3 that's another option that you have tonight, or today.

4 Okay, next we will go to Jennifer Cook,
5 representative of Assemblyman Will Barclay, then to
6 Martin Currier with the Brotherhood of Electrical
7 Workers.

8 JENNIFER COOK: Thank you everybody. My
9 name is Jennifer Cook. I'm with Assemblyman Will
10 Barclay. He's in Albany for a legislative session.
11 They're wrapping up at the end of this month, so I
12 wanted to convey some of his thoughts on the project.

13 The Assemblyman has a unique position of
14 representing three of the six nuclear generating
15 facilities: Nine Mile Point's 1 and 2 operated by
16 Cancellation Energy and James A. FitzPatrick operated
17 by Entergy Nuclear. These plants are important to our
18 community because of the jobs they provide. I think
19 they're the top employers of our county. Both
20 companies have had a strong performance and safety
21 record and they've been really good stewards in our
22 community. I think that's why locally we've been very
23 comfortable with an expansion.

24 As part of the environmental review
25 process, I will be talking about the socioeconomic

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1 impact, primarily the jobs. I think mostly in our
2 business, for the Assemblyman's office, we hear jobs
3 and taxes are probably one of the biggest concerns of
4 the community. As we know, Oswego County has fallen
5 victim to the economic climate. The thought that we'd
6 be potentially having 400 new jobs and then 4,000
7 temporary jobs is a good thing for our community.
8 This is not even counting the number of spin-off jobs
9 that would be coming from the project because already
10 UniStar has already worked locally and invested
11 locally for some of their projects on the ground right
12 now.

13 A new plant would be good for our tax base
14 as I mentioned. Right now, I think currently, Nine
15 Mile Point provides more than \$25 million in revenue
16 to school districts and the Town of Scriba. This
17 would be a great thing of helping our community. So
18 many of our residents stay in their homes due to high
19 property taxes. I think the global demand for power
20 just warrants it. Right now we're increasing demand.

21 It's a simple economic of supply and demand. We have
22 higher demand for electricity and we need to increase
23 our supply. So, there's many benefits to this. We're
24 looking at it from the socioeconomic standpoint. It's
25 good for the community, we think. We're pleased to

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1 support this project. Thank you.

2 Oh, and formal testimony will be coming, I
3 think we'll submit formal testimony later. Thank you.

4 LANCE RAKOVAN: Okay. Let's go ahead and
5 go to Martin Currier, then Morris Sorbello with the
6 Oswego County Economic Development and Planning
7 Committee, and third to David Proietti, the President
8 Board of Directors Ontario Bible Conference.

9 MARTIN CURRIER: Nuclear Regulatory
10 Commission, New York State DEC representatives and
11 community members -- Good afternoon. My name is
12 Martin Currier. I'm here on the half of the
13 International Brotherhood of Electrical Workers, Local
14 Union 97. I'm a business representative of the Local
15 assigned to the Nine Mile Point facility where I have
16 been employed at Nine Mile Point for over 28 years as
17 a Radiation Protection Technician.

18 IBEW Local 97 represents over 4,800
19 members across New York State who are employed in
20 electric and gas transmission and distribution and
21 electrical generating stations fueled by coal, natural
22 gas, oil, water and nuclear. The IBEW has been the
23 bargaining unit representative for employees at Nine
24 Mile Point since the construction and commercial
25 operation of Unit 1. The IBEW is recognized as a

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1 leader within organized labor in promoting
2 occupational and industrial safety.

3 In demonstrating the IBEW's commitment to
4 industrial and environmental safety, along with the
5 safety of our workforce and community, Local 97
6 partnered with Constellation to achieve star status
7 for the Nine Mile Point facility through OSHA's
8 voluntary protection program. Currently less than 10
9 nuclear power stations nationwide have achieved that
10 status. Additionally, we recently implemented a
11 process called the Brotherhood Owned Safety System,
12 known as BOSS, at the Nine Mile Point facility. The
13 BOSS is a risk prevention process which employees
14 provide peer to peer observations to further promote
15 safe work practices and correct identified
16 deficiencies. We come to work and operate Nine Mile
17 Point facility in a safe, efficient, reliable and
18 environmental friendly manner.

19 The nuclear generation will become a much
20 greater energy provider over the next several years,
21 which will help us lessen our dependence on foreign
22 oil and reduce greenhouse gases. Nine Mile Point
23 provides the right geographical area, operational
24 experience and environmental stewardship for the
25 construction of a new reactor. The proposed

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1 construction acreage for a third unit will not
2 endanger the vast wildlife that live and thrive at
3 Nine Mile Point. The Great Lake that borders our site
4 will continue to remain in the same environmental
5 state of today while providing the necessary cooling
6 resources for a third unit.

7 Most of the 950 employees who work at Nine Mile Point
8 live in the surrounding communities. Nine Mile Point
9 also provides work to the building trades whose
10 members also live in these communities. The
11 construction of Nine Mile Point 3 would provide
12 additional employment opportunities and promote the
13 needed economical support within our communities for
14 many years. Nine Mile Point 3 construction and
15 operation would be completed safely, reliably and
16 efficiently by highly skilled organized labor. Thank
17 you for this opportunity to speak in support of the
18 construction of the new nuclear generating facility at
19 Nine Mile Point.

20 LANCE RAKOVAN: Thank you, sir. We'll go
21 to Morris Sorbello and then to David Proietti. I'm
22 sure I'm slaughtering your name and I apologize for
23 that. Mr. Sorbello --

24 MORRIS SORBELLO: Good afternoon. At this
25 point, I would like very much to thank the NRC, our

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1 DEC and of course all the people representing here
2 today for the process we're going through and our
3 friends from UniStar. My name is Morris Sorbello.
4 I'm Chairman of the Economic Development and Planning
5 Committee for the County Legislature. At this point
6 in time, we're helping this environmental process to
7 take place. I hope it certainly goes on its way.

8 The proposed new reactor -- of the
9 majority of the people in the county do support. We
10 gladly host three other nuclear plants here in the
11 county, oil burning steam plants, natural gas fired
12 plants, co-generation plants, bio-fuel plants and
13 several hydro plants. Our workforce development board
14 is developing itself to have several people be trained
15 and our young people included, for careers in the
16 local energy business. We welcome efforts to develop
17 alternate energy and protect our county. The existing
18 number of nuclear plants employ somewhere in the
19 neighborhood of 1,600 people at this time; contribute
20 approximately \$700,000 to community organizations.
21 That means not the taxes, but they just help
22 throughout the community -- all our various projects,
23 events and so on. It's worked out very well for our
24 young people, as well as other people.

25 A significant component of this, of

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1 course, is \$12 million worth of taxes that we now do
2 collect as a county from the nuclear plants, which
3 certainly helps our total tax situation. We welcome
4 also the existing of the nuclear plants and in this
5 case technology -- alternate energy production -- and
6 showing the promise that we are currently inadequate
7 to replace nuclear plants to meet the ever increasing
8 demand of energy in our world.

9 According to the U.S. Department of
10 Energy, we're expecting an increase of 21% by the year
11 2030. We recognize that in order to meet the energy
12 and environmental needs of New York State -- and the
13 nation to have a viable business climate -- clean,
14 safe nuclear power must be allowed to continue to
15 develop along as energy sources. Our primary
16 environmental concerns we'd like to address during
17 this permitting process is the operations of human
18 safety and wildlife and spent fuel. The three nuclear
19 plants have operated safely and cleanly for over 30
20 years. We would expect Nine Mile Point 3 to be
21 designed and operated in a manner that exceeds the
22 safety records of this here. Our emergency planning
23 and response are here in the county for Constellation
24 Energy plants in Oswego.

25 Vital industry such as tourism is a very

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1 important part of our whole structure here. We
2 support the sport-fishing. The community has over --
3 one of our biggest, sport-fishing -- is tourism
4 provides us a great impact and we expect environmental
5 issues to be concerned with the lake waters and
6 address them. Two thirds of our tourism is impacted
7 by this sports-fishing. The plant's construction and
8 operation should protect the vital natural and
9 economic resources.

10 Lastly, no nuclear plant in the country
11 should be considered a permanent storage for nuclear
12 waste. The Federal government must live up to its
13 responsibility to develop a permanent repository for
14 spent fuel and nuclear fuel. So, on behalf of the
15 Oswego County Legislature and the 124,000 people we
16 represent, I respectfully request that you consider
17 these environmental issues in our community to support
18 for the project during the environmental review of the
19 permitting process. Thank you very much.

20 LANCE RAKOVAN: Okay. Let's move on to
21 David Proietti and then we'll go to Deborah Warner
22 from the Greater Syracuse Chamber of Commerce, and
23 Beth Dice Hilton, the Oswego/Fulton Chamber of
24 Commerce.

25 Is David here today? He pre-registered,

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1 so it's possible that he pre-registered and wasn't
2 able to come. All right, I'll loop back with him
3 later to see if maybe he slipped in while we were busy
4 doing other things. Is Deborah Warner here? Please,
5 Deborah, if you're ready. All right, we'll go with
6 Deborah Warner, then to Beth Dice Hilton and third to
7 Jim Sullivan.

8 DEBORAH WARNER: Thank you. And I want to
9 thank the Commission for holding this event so that we
10 in Syracuse have another opportunity to express our
11 support for this project. I'm Deborah Warner. I'm
12 vice president of public policy at the Greater
13 Syracuse Chamber of Commerce. So, I'm here on behalf
14 of our 2,200 member organizations who employ 160,000
15 people in the Central New York region including Oswego
16 County.

17 We heartily support the addition of
18 another reactor and expansion of the facilities here
19 in Syracuse. We have polled our members and they are
20 in -- the vast majority of them who support this for a
21 number of reasons. And this has regional importance.

22 It really has importance for the future of New York
23 State's economy and our energy future. We need the
24 power. If you look at the projections for what's
25 going to happen with power demand in upstate and New

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1 York State, we will be running out of our access
2 capacity as we go forward.

3 Even though we are probably one of the
4 greenest regions in the country -- and we acknowledge
5 that nuclear power is green and it's probably one of
6 the greenest power generation sources for nuclear
7 power. As we see restrictions and new regulations
8 addressing carbon footprint, we're going to see that
9 the power plants that are in the neighboring states
10 from us that are coal based, I think are going to be
11 under huge challenges, which will shift more burden to
12 the nuclear sector.

13 We need the jobs that this provides for
14 our economy during the construction of the project and
15 the good paying jobs that we have once the plant is up
16 and operating. It shows that this region and New York
17 State is forward thinking -- that we have a viable
18 source of energy for our future economic development
19 for the businesses that are here and for hopefully
20 businesses that are to be founded here and businesses
21 that might be attracted here. I was glad to hear the
22 mention of fishing and tourism. I mean, that applies
23 for Onondaga County too. I think regionally, this
24 area is becoming so much stronger every year with its
25 reputation and the experience the fishermen have when

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1 they come here and whether they're in Ontario or
2 Oneida or Onondaga, it's just amazing how that sector
3 is really growing. We're really getting a national
4 and international reputation for that. So it's
5 important that that be preserved and clearly the track
6 record we have with the plants that are here has been
7 very positive. This is good for economic development
8 on a number of fronts, as I've mentioned.

9 We hope that there are other opportunities
10 for us to be more specific in the impact that we see
11 on our energy rates. The cost of energy in New York,
12 as you know, is still higher than most other parts of
13 the country. Again, some of that is because of the
14 coal-based plants in the other states and we're going
15 to see that, I think, in time will become a little bit
16 more competitive. I welcome the opportunity to
17 express the support on behalf of our members and look
18 forward to moving forward with this and being
19 supportive of the licensure and construction. Thank
20 you.

21 LANCE RAKOVAN: Okay. If we could go to
22 Beth Dice Hilton from the Oswego/Fulton Chamber of
23 Commerce, then Jim Sullivan and third to Melanie
24 Trexler from the United Way of Greater Oswego County.

25 BETH DICE HILTON: Good afternoon. As was

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1 mentioned, my name is Beth Hilton and I'm the
2 executive director for the Greater Oswego/Fulton
3 Chamber of Commerce. As a representative of the
4 Chamber of Commerce, I'll be speaking more on the
5 socioeconomic environmental factors of the project.

6 At a time when our region is losing jobs
7 at an alarming rate, the Board of Directors of the
8 Greater Oswego/Fulton Chamber of Commerce fully
9 endorse the efforts to bring an additional nuclear
10 plant to the area. This project is not only good for
11 the members of the Chamber, but good for the overall
12 economic climate of the entire region. As those of us
13 living in the area know, the economics of the project
14 are of great significance and importance to our
15 community.

16 Nine Mile Point plays a vital role in the
17 Central New York economy. As one of Oswego County's
18 largest employers, the station provides more than 900
19 good paying jobs and had a \$99.7 million payroll in
20 2008. The Greater Oswego/Fulton Chamber of Commerce
21 small businesses rely on the nuclear employees to shop
22 locally to keep their businesses prosperous. Nine
23 Mile Point also contributes to the local tax base
24 providing more than \$25 million in revenue to the Town
25 of Sriba, County of Oswego and city of Oswego. The

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1 expansion at Nine Mile Point could provide
2 approximately 4,000 construction jobs and
3 approximately 400 permanent jobs. It would create a
4 significant addition to the property tax base and a
5 positive local business impact due to long-term
6 operations and capital investments in the facility.

7 According to the Nuclear Energy Institute,
8 jobs at nuclear energy facilities pay 36% more than
9 the average salaries for the local area. The NEI also
10 estimates that the average nuclear energy facility
11 generates \$430 million annually in sales of goods and
12 services in the local community.

13 In closing, this is a very invigorating
14 time for the Greater Oswego County area. The
15 expansion along the Route 104 corridor, the renewed
16 interest throughout the county along the riverfront
17 and the expansions taking place at SUNY Oswego and
18 other post-secondary educational institutions are just
19 the beginning of a true renaissance that will benefit
20 the entire community and the addition of another
21 nuclear facility is a very important piece of the
22 overall future portrait of our community. Thank you
23 for your time.

24 LANCE RAKOVAN: Okay. Jim Sullivan said
25 that he didn't have anything to add, so we'll go

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1 directly to Melanie Trexler. From Melanie, we'll go
2 to Lois Luber, also with the United Way of Greater
3 Oswego and then to Jack Proud.

4 LOIS LUBER: Hello. I think there's a
5 little confusion. I'm representing Melanie Trexler
6 today. My name is Lois Luber. I'm with United Way of
7 Greater Oswego County. I'm hoping everyone knows what
8 United Way funds do, so I won't go into that other
9 than to say that we support 37 programs, which serve
10 55,000 people in 2008. The programs serve children,
11 seniors, the disabled and their families in Oswego
12 County.

13 Today, I'm going to present to you figures
14 from Constellation's campaign, so you'll understand
15 the socioeconomic effects on our county already and
16 what it could grow to be with a new plant. Currently,
17 we are at 93% of our goal of \$800,000. Our campaign
18 runs through August, so we're assuming and hoping and
19 planning on reaching that goal. First of all, I need
20 to say that Constellation has done a tremendous job of
21 charitable giving in Oswego County. Constellation
22 plays an integral part in improving the lives of the
23 people of our community. We value the generosity of
24 Constellation employees. 22% of total campaign
25 dollars come from Constellation at Nine Mile Point

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1 Nuclear Station in 2009.

2 I'm going to give you a lot of figures, so
3 I'm giving you exact figures or close to exact figures
4 rather than rounding. Just so you know. From
5 employees in 2009, we received \$116,591.
6 Constellation Corporate matches \$.50 on the dollar and
7 that total this year was \$59,657. So the total for
8 our campaign this year is \$176,248.

9 Payroll deduction is of vital importance
10 in raising dollars for United Way programs.
11 Countywide, a total of \$490,000 was raised through
12 payroll deduction. 472 donors at Constellation's Nine
13 Mile Point Nuclear Station raised the \$116,591, or 24%
14 of all our payroll deductions came from Nine Mile
15 Point employees at Constellation.

16 Corporate matches are equally important
17 and Constellation is one of several companies that
18 offer a corporate match, which also encourages
19 employee giving because they realize their money is
20 multiplying. Briefly here, I also want to mention
21 that community support from places like Constellation
22 also help our agencies when they're applying for
23 grants and have to have local support. So not only
24 does the money multiply through corporate matches, but
25 it might multiply by state and federal agencies on

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1 requested funds.

2 In 2009, \$59,000 or 32% of all corporate
3 dollars came from Constellation. The importance of
4 giving is emphasized at Constellation Nine Mile Point
5 Nuclear Station and it's also reinforced with a
6 corporate gift. I mention that again, \$.50 on the
7 dollar.

8 Constellation employees are leaders in
9 giving. United Way recognizes those who give over
10 \$500 annually as a leadership giver. Constellation
11 recognizes their employees who give over \$1000
12 annually as star givers. Constellation's employees
13 are leaders in giving. 105 of the 472 employees who
14 contributed to United Way campaign in 2009 are
15 leadership givers. So, 105 employees gave over \$500
16 per year for a total of \$73,000. Participation in the
17 campaign is also notable. 50% of the employees do
18 take part in payroll deduction.

19 The future for meeting the human service
20 needs in Oswego County will be improved if a new
21 nuclear facility is built at Nine Mile Point. United
22 Way of Greater Oswego County supports the construction
23 of a new plant. Thank you.

24 LANCE RAKOVAN: Okay. Is Jack Proud here?
25 Jack pre-registered, so I just wanted to give him an

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1 opportunity to speak. All right, I will loop back
2 around to him, as well, at the end of the meeting to
3 see. All right, is Dereth Glance here, Citizens
4 Campaign for the Environment? Okay. After Dereth, we
5 will go to Patricia Egan and then to Norm Meadow.

6 DERETH GLANCE: Good afternoon. On behalf
7 of Citizens Campaign for the Environment and our
8 80,000 members, I appreciate the opportunity to
9 provide both the NRC and the DEC with our comments on
10 the scope of the development of the Draft
11 Environmental Impact Statement for Unit 3 at Nine Mile
12 Point.

13 Citizens Campaign -- and I'm Dereth
14 Glance, I'm the Executive Program director with
15 Citizens Campaign for the Environment -- we work to
16 empower our communities, advocate solutions based on
17 the philosophy of pollution prevention, conservation
18 and sustainability.

19 It's no secret that nuclear power
20 generation comes with huge environmental and human
21 risks. The legacy of toxic waste that persists alone
22 threatens to contaminate our drinking water. New
23 York, especially upstate, is no stranger to the
24 legacies of toxic contamination. Today, Western New
25 Yorkers are struggling to secure a full cleanup of the

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1 West Valley Reprocessing site from over a half-century
2 ago. There's radioactive waste that's moving through
3 the tributaries towards our Great Lakes. Will the
4 same fight be forced to be waged here in Oswego?

5 The energy generation landscape is
6 changing in the United States and abroad as countries
7 deal with global warming pollution and increasing
8 energy independence. A sustainable approach to energy
9 is needed and the decisions we make will have a
10 profound impact on the quality of life for our
11 children and for our children's children. Now,
12 harnessing the power of Niagara Falls over 100 years
13 ago has led us with abundant, affordable and clean
14 renewable energy. Will the investment in a third
15 nuclear power plant at the Nine Mile complex yield the
16 same benefits or end up being a further burden on the
17 economy and the environment? Are there wiser
18 investments to generate electricity without the risks
19 and without the legacy of waste?

20 Local enthusiasm exists for any economic
21 development in upstate New York. We appreciate the
22 hard work of the union staff at the nuclear power
23 plants. However, we wonder if there's a better way to
24 get our community back to work? Almost 50,000 jobs
25 are anticipated to come from the renewable energy

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1 sector as a result of increased federal and state
2 investment in clean renewable energy. We question is
3 continuing to build large centralizing polluting
4 electricity generation the best solution for our
5 community, our state and nation's sustainable economic
6 future? To that end, CCE believes that the Draft
7 Environmental Impact Statement for the proposed new
8 nuclear power plant must include a rigorous
9 environmental and economic review of the realities of
10 building and operating a new nuclear power plant
11 adjacent to Lake Ontario.

12 We intend to submit formal comments and I
13 just want to hit on a few key points this afternoon.

14 Assessing the risk. No new nuclear power
15 plant has been built and become operational in our
16 country in decades. We recognize the nuclear power
17 plants worker's commitment to safety and are thankful
18 that a tragedy like Chernobyl or Three Mile Island has
19 not happened in our community yet, but the risk is
20 real, it's serious and it's something that's critical
21 for evaluation.

22 It is our understanding that the type of
23 new nuclear power plant that's being proposed does not
24 have much of an operational history. Furthermore, the
25 addition of a new nuclear power plant increases the

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1 risk and the cumulative of risk to the people, plants
2 and wildlife of the surrounding community. It is
3 imperative that the DEIS include a comprehensive
4 analysis and evaluation of the potential risks,
5 detailed safety responses and consequences of a
6 meltdown, mechanical failure or other unforeseen
7 tragedy.

8 The reactor type. Is the reactor design
9 proposed the best, the safest and the most efficient?

10 How does this specific design compare to existing
11 reactor designs and reactor designs under development
12 including the very high temperature reactor and the
13 sodium cooled fast reactor. CCE requests that the
14 DEIS include a detailed comparative analysis of the
15 specific reactor types to existing and proposed
16 reactors.

17 Quantifying the carbon footprint. CCE
18 requests that the DEIS adequately address the cradle-
19 to-grave carbon footprint of the proposed new nuclear
20 power plant and consider at a minimum the emissions
21 associated with: construction, mining, refining,
22 transporting ore and refined fuel, waste
23 transportation and storage and transportation
24 associated with the operating and safety professionals
25 involved in all phases of the proposed new nuclear

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1 power plant.

2 Furthermore, the DEIS must also consider
3 the loss of carbon sequestration from any disturbances
4 to forests, wetlands and other pervious surfaces. To
5 provide context for the carbon footprint analysis, CCE
6 respectfully requests that the DEIS provide a
7 comparative analysis, evaluating electricity
8 production from a minimum of: coal, natural gas,
9 hydro, wind and bio-mass plants.

10 And the alternatives must be fully
11 explored. The energy world is changing rapidly. It
12 is anticipated that a new nuclear power plant can take
13 10 to 20 or even more years before it comes online.
14 What will our nation's grid look like in 20 years from
15 now? Efforts to promote a smart grid have the
16 potential to yield significant demand reduction and
17 smarter uses of energy. Currently, the New York Power
18 Authority is moving forward on proposals to build
19 large-scale solar and offshore wind technology in the
20 Great Lakes. CCE requests that the DEIS provide a
21 cost-benefit analysis with annotated assumptions
22 comparing the ability of a privately funded nuclear
23 power plant to compete with a more mature and
24 distributed renewable energy generation in 2029, in
25 the context of a coming smart grid and increased

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1 federal and state investments in clean, renewable
2 energy. The DEIS must also include alternative energy
3 generation from non-nuclear generation in addition to
4 consideration of the no action alternative.

5 Now quantifying the need. The DEIS must
6 explore and consider the real demand for the quantity
7 of power proposed to be added to the grid both now and
8 in the future, and we'll say 2029 is the future. The
9 Federal Energy Regulatory Commission has designated
10 metro New York transmissions capabilities as congested
11 and constrained. It's obvious that the demand for
12 more electricity is not local. We produce a whole lot
13 of it up here. The DEIS must answer the following
14 questions: Where is the proposed energy generated
15 intended for consumption? What transmission upgrades
16 are projected that are needed now and in the future?
17 What is the projected energy loss by a transmission to
18 areas of high demand? Can the energy needs be met
19 through clean, renewable energy? And can the energy
20 needs be met through a combination of energy
21 efficiency improvements, demand-side management, and
22 renewable energy generation?

23 There's a whole host of transmission
24 issues that we've outlined as well, that we want to
25 make sure there's a detail analysis of.

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1 Now persistent toxic waste. The Nuclear
2 Policy Act signed by President Reagan back in 1983
3 directed the construction of a central high-level
4 waste storage facility to be built at Yucca Mountain.

5 Almost 30 years later, the facility faces serious
6 political opposition from both Senate Majority Leader
7 Harry Reid and President Obama and a reduction in
8 funding in the federal budget.

9 Recognizing the political realities of
10 transporting high-level nuclear waste across our
11 nation and the lack of federal funding for the Yucca
12 Mountain Project, the DEIS must give serious
13 consideration to the likelihood of high-level nuclear
14 waste to be stored on site for both the short-term and
15 the long-term, if not indefinite. The DEIS must
16 address, at a minimum, the following concerns with
17 persistent radioactive waste: potential impacts to
18 drinking water; potential impacts to the Great Lakes
19 eco-system; to groundwater; the long-term, if not
20 indefinite, on-site storage, including the parties
21 responsible for paying for the monitoring, the
22 maintenance and the safety of that facility; parties
23 responsible for remediating the radioactive toxic
24 contamination of the land, if that occurs, that's
25 hosting the nuclear power plant; and the funding

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1 mechanism for the identified party that's responsible
2 for remediating the toxic contamination -- since
3 nuclear power plants fall outside of the jurisdiction
4 of Superfund. I think that's very important for us to
5 understand where that money's coming from.

6 Transportation of high-level nuclear
7 waste. To protect human health and safety, the DEIS
8 needs to fully evaluate options for moving high-level
9 nuclear waste. CCE specifically requests that the
10 DEIS include a detailed transportation analysis
11 including: the current state of our railroad system,
12 our highway system, bridges, local and community
13 roads, noise impacts, safety and exposure potential,
14 community liability, demand on first responders and
15 training needs, as well as emissions including
16 nitrogen oxides, sulfur dioxide and carbon dioxide.
17 Additionally other transportation options including
18 over the water and through the air should be similarly
19 evaluated for transporting high-level nuclear waste.

20 Now, America's freshwater wonder, our
21 Great Lakes. We are blessed in New York with a
22 shoreline on one of the largest freshwater ecosystems.

23 In addition to abundant water for drinking water, for
24 recreation and for agriculture, the Great Lakes are an
25 energy center. The Northeast Midwest Institute

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1 estimates over 108,000 MW of energy is generated
2 within the basin. Dozens of nuclear and coal-fired
3 power plants dot our shorelines. Buffalo's Steel
4 Winds and the Tug Hills Maple Ridge wind farms spin
5 from the gales of the Great Lakes. The St. Lawrence-
6 FDR and the Moses-Saunders dams capture that pure
7 energy from the water. Every energy generation plant
8 has an environmental impact and the addition of new
9 energy infrastructure requires a cumulative and
10 holistic look at its impact on the overall freshwater
11 ecosystem and multiple uses and benefits of our
12 freshwater wonder.

13 At a minimum, the DEIS must consider the
14 cumulative impact from the following: thermal
15 pollution from cooling water discharges and impacts on
16 native species; cumulative thermal pollution from
17 average water temperature increases due to global
18 climate change combined with thermal discharges from
19 electricity generating units and that impact on ice
20 coverage, evaporation and the ecosystem as a whole;
21 fish and wildlife impacts from impingement and
22 entrainment from water intake; low and high level
23 waste storage and potential for leaching and leaking
24 to the Great Lakes; impacts to infrastructure from
25 aquatic non-native species like the zebra and quagga

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1 muscles; average daily withdrawals and consumptive
2 uses by the new plant consistent with federal and
3 state laws and regulations on water withdrawals; and
4 then of course the impact on the overall lake level.

5 Now the economic impacts and taxpayer
6 obligations. What are the costs to be borne by the
7 public for financing, ensuring and providing security
8 and regulatory oversight of the proposed new nuclear
9 power plant? Statutes like The Price Anderson Act
10 provide liability limitations and federal funding
11 programs like nuclear loan guarantees act as a subsidy
12 to the nuclear power industry. CCE requests the DEIS
13 include a clear and comprehensive analysis of taxpayer
14 subsidies and liabilities associated with the
15 construction, operation and decommissioning of the
16 proposed new nuclear power plant. Historically and
17 currently, construction cost overruns and timeline
18 extensions are common and expected. It is critical
19 that the DEIS include higher costs likely due to
20 circumstances that can delay construction and
21 operation. Furthermore, CCE requests the DEIS is
22 crystal clear on identifying what party or parties,
23 public or private, will be responsible for the costs.

24 Decommissioning. We respectfully request
25 that the DEIS provide a detailed analysis of the

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1 parties responsible for decommissioning the new plant
2 and the financing system that would fund that
3 decommissioning.

4 I want to really thank the time for my
5 ability to be able to share these comments with you
6 today. As I said before, our Great Lakes are an
7 energy center. It is up to us to decide what kind of
8 energy, at what cost and with what legacy, we will
9 build on this fertile watershed. Can we generate more
10 jobs and improve our economic well-being and quality
11 of life through transforming to a clean, sustainable
12 energy economy? Is there a cleaner way to harness the
13 gifts of the earth and not leave a toxic and
14 radioactive legacy? Maybe there wasn't before, but
15 there is now. Thank you.

16 LANCE RAKOVAN: Thank you for your
17 comments. Is Patricia Egan here? Okay, Patricia, if
18 you would. Then we'll go to the Norm and Karen
19 Meadow.

20 PATRICIA EGAN: Good afternoon. My name is
21 Patricia Egan and I'm the director of the Oswego
22 County Emergency Management Office. I'm here today to
23 say that I fully support the addition of a fourth
24 reactor at Nine Mile Point. One of the important
25 missions of my department is to provide for the off-

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1 site preparedness for the effective implementation of
2 the protective action options required to protect the
3 health, safety and property of the general public and
4 emergency workers in the event of a radiological
5 release incident at Nine Mile Point. Simply put, we
6 are charged with readiness to protect the citizens of
7 Oswego County in the event of an incident at the
8 plants.

9 Fortunately, for both the emergency
10 management and the people of Oswego County, we enjoy
11 the benefits of outstanding support, both from the
12 leadership of Oswego County and the licensees at Nine
13 Mile Point. I am confident that our offsite emergency
14 response team will have the support of and spirit of
15 partnership with the new licensee like the one we
16 currently have with both licensees resident at the
17 site. This partnership includes: training of
18 emergency workers, reviewing our preparedness plans
19 and successfully demonstrating to FEMA that Oswego
20 County has the ability to effectively respond to off-
21 site health and safety needs. In no way is the
22 preparedness team's effectiveness to protect,
23 negatively impacted by the addition of another plant.

24 Therefore, we look forward to the possibility of
25 working with the people involved in the proposal of

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1 another reactor. Thank you very much.

2 LANCE RAKOVAN: Okay, let's go to Norm
3 Meadow followed by Karen Meadow, both from the
4 Maryland Conservation Council and to Debbie Bishop
5 then.

6 DR. NORMAN MEADOW: My name Dr. Norman
7 Meadow. I'm the first vice-president of the Maryland
8 Conservation Council and my wife who's also a member
9 will speak here today too. We thank you for the
10 opportunity to present our views.

11 The MCC is one of the oldest conservation
12 groups in Maryland and it has worked for 40 years to
13 protect Maryland's natural heritage. Last November,
14 our board voted to support UniStar's request for a
15 third reactor at Calvert Cliffs on the Chesapeake Bay.

16 We may be the only conservation group in our state to
17 adopt such a policy.

18 The reason is that the MCC believes that
19 nuclear power is the most reliable way to produce
20 electricity without carbon dioxide emissions. That it
21 has very low risk and that it minimizes damage to
22 habitat and threats to biological diversity, which are
23 of a major concern to a conservation organization.
24 These principles apply as well in New York State as
25 they do in Maryland.

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1 I'm also a research biochemist, retired
2 after 35 years in the biology department at the Johns
3 Hopkins University with the title of principal
4 research scientist. I used tracer isotopes --
5 radioactive tracer isotopes -- throughout my career,
6 and I was subject to a legal requirement to learn of
7 their health hazards as a prerequisite for a license
8 to work with them.

9 Concerns about health underlie virtually
10 all objections to nuclear power technology. Arguments
11 about cost, construction delays, loan guarantees and
12 all sorts of other things, I believe, are surrogates
13 to rationalized policies motivated by fear of nuclear
14 technology. So, I'm going to speak primarily about
15 the health and safety aspects of the technology. But
16 first, I want to mention that the American Physical
17 Society has stated in a recent report that the new
18 nuclear power is cheaper than wind, solar or bio-mass
19 in illuminating the emission of a ton of CO₂. That's
20 how they calculated a graph that they presented. In
21 other words, new nuclear power plants, not established
22 ones, can get rid of CO₂ emissions less expensively
23 than any of the renewables. The chair of the
24 committee that produced that report is a Nobel
25 laureate whose name is Burton Richter.

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1 Now, turning to health -- it's not
2 possible to present all the data on relevant
3 radiological events in a few minutes and without a
4 projector. The concepts require explanation and a lot
5 of numbers must be presented. But the web site
6 maintained by the Maryland Conservation Council
7 contains a comprehensive and concise analysis of the
8 health impacts of all the major radiological incidents
9 that bear on the hazards of nuclear reactors. The
10 analysis was taken from the peer reviewed biomedical
11 literature and the web page was vetted by a health
12 physicist in the oncology department at the Johns
13 Hopkins Medical School. We're going to submit a
14 summary of that as part of written testimony. The URL
15 of the page is *www.mdconservationcouncil*, that's all
16 one word, *.org*.

17 We have concluded that there is no
18 scientifically credible evidence that health has been
19 harmed by a water-moderated reactor and this includes
20 effects from the accident at Three Mile Island Unit 2,
21 which we analyze in more detail, I think, than what's
22 found in any other place. The accident at Chernobyl
23 is simply not relevant to water-moderated reactors
24 because Chernobyl was a graphite-moderated reactor.

25 Now, concern about harm to health from

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1 regulated releases I think is badly exaggerated. An
2 almost humorous illustration of how low the risk is
3 concerns avocados. The NRC's regulations for releases
4 of radioactivity from reactors -- these are the
5 regulated releases -- are so stringent that a person
6 eating a single avocado will receive a higher dose
7 from the natural background radiation contained in the
8 avocado than he or she would get living near a reactor
9 for something approximating 50 years.

10 Now, there will be and there are comments
11 that transportation and storage of spent nuclear fuel
12 constitute a significant hazard to public health. The
13 common claim that high-level radioactive material
14 would be shipped in containers resembling oil drums
15 and will be threatened by fires in railroad tunnels is
16 simply untrue. The NRC and the National Academy's of
17 Science have acknowledged that current policies for
18 rail transportation eliminate the hazard of a fire in
19 a railroad tunnel and also that the transportation
20 casks are very robust and will survive any credible
21 rail accident without leakage.

22 We want to point out a recent proposal
23 from the Professional Society of Radiation Safety
24 Officers, it's called the Health Physics Society, and
25 it has stated that dry cask storage of spent fuel for

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1 several hundred years would reduce its radioactivity
2 to the point where reprocessing would not be
3 difficult. Such interim storage would eliminate the
4 necessity for storing large masses of material in
5 Yucca Mountain and for them to remain stable for
6 hundreds of thousands of years. The NRC itself has
7 attested to the safety of the dry storage casks that
8 would be used to implement this policy and has
9 approved them for use for at least 100 years.

10 Senator Harry Reid has endorsed this
11 interim storage plant as safe and of economic benefit
12 in a recent letter to Newsweek magazine.

13 So, in summary, we feel that no aspect of nuclear
14 power production represents a significant hazard to
15 public health. Thank you.

16 LANCE RAKOVAN: Okay, we'll go to Karen
17 Meadow, Debbie Bishop and then to Tim Rice.

18 KAREN MEADOW: Hello. My name is Karen
19 Meadow and I'm the treasurer of the Maryland
20 Conservation Council. I'm also a citizen concerned
21 with the ecological conservation everywhere. That's
22 why I'm here and not in Maryland right now. I believe
23 that Nine Mile Point 3 will provide reliable,
24 inexpensive and greenhouse gas free electricity with
25 minimal ecological damage. I want to speak about the

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1 comparative effectiveness and environmental impact of
2 alternatives to nuclear power.

3 With wind installations, capacity factors,
4 not nameplate capacity, must be considered,
5 particularly in the summer when wind is weakest. For
6 example, the summer capacity factor assigned, by the
7 PJM grid managers where we are, to installations in
8 the Appalachian Mountains of Pennsylvania is only 13%.

9 And the extensive wind installations in California
10 worked at only 5% of their nameplate capacity during a
11 hot spell in the summer of 2005. Questions to the New
12 York State Energy Resource Development Authority
13 regarding summer capacity factors here in New York
14 have gone unanswered. Which may indicate that they
15 are small.

16 Data from the U.S. Energy Information
17 Agency for 2006 suggests that the yearly average wind
18 capacity factors from New York are only 20% and in the
19 U.S. as a whole are approximately only 27%. Even in
20 the largest wind installation in the world off the
21 shores of windy Denmark, the yearly average capacity
22 factor is only 40%. In contrast, Nine Mile Point 3
23 will work at approximately 90 plus percent capacity
24 year-round and 99% in the summer. It turns out that
25 all nuclear plants don't change anything in the

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1 summer, so they work almost at 100%.

2 Given this disparity in capacity, it would
3 take 4,000 2-MegaWatt wind turbines to generate the
4 same amount of electricity as the reactor on a yearly
5 basis. And as many as 6,000 in the summer when wind
6 is weakest. Even if this large number of turbines
7 could be installed, they would still not assure a
8 reliable electricity supply because wind is
9 intermittent. And sometimes it doesn't blow at all.
10 But the grid needs a constant flow of energy.
11 Therefore, conventional power plants would still have
12 to be maintained as backup. While plug-in hybrid cars
13 are mentioned as backup occasionally in writings, they
14 are at least a decade from commercial viability. We
15 need clean electricity now.

16 A cost-benefit analysis should include the
17 full cost per installed watt of generating capacity
18 including connection to the grid, not the net cost
19 after government tax write-offs and accelerated
20 depreciation allowances. Also figured in this
21 analysis should be the difference in expected working
22 life. Which at 60 years for the reactor is almost 3
23 times that for the 20-year probability for the
24 turbines.

25 Environmental impact with regard to

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1 comparison of land usage is instructive. Nine Mile
2 Point 3 would need a few hundred acres. 4,000 wind
3 turbines, their roads and transmission lines, would
4 exceed 20,000 acres of cleared forests in the
5 mountains or about 600 miles of ridge line at seven
6 turbines per mile. For bio-energy sources, which have
7 been spoken about, approximately 2,500 square miles is
8 required for switch-grass, assuming a high yield of 10
9 metric tons per hectare per year and almost as much
10 for short rotation forest crops. It is unrealistic to
11 expect New York to use this much land to generate a
12 fraction of its electricity demand.

13 For photovoltaic power, capacity is
14 related to the amount of time the sun shines.
15 Accordingly, more than 100 square miles of solar
16 panels, wherever they're placed, would be required,
17 with a current cost of about \$50 billion. And again,
18 it's intermittent nature will require conventional
19 power plants as backup.

20 For ecological damage, although
21 allegations allude to it, harm to wildlife due to
22 regulated releases from reactors should not be
23 expected, given the fact that humans are among the
24 most sensitive organisms to radiation and it is clear
25 that the regulated releases are of no consequence to

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1 human health as you've just heard regarding avocados.

2 With regard to wind installations, the
3 quality of the research done to measure bird and bat
4 kills in the Appalachians is poor. And the research
5 done in California is not applicable to the ecology of
6 birds and bats in the Appalachians. The habitat
7 damage of the wind turbines far exceeds the actual
8 20,000 acres cleared since many forest interior-
9 dwelling species will not reproduce within 300 feet of
10 the clearing. Consequently, for the 600-mile length
11 of the turbine paths and roads, another 300 feet of
12 forest interior habitat will be lost along each side
13 of the entire length.

14 Clearing 20,000 acres of forest also
15 releases a significant amount of carbon dioxide and
16 eliminates a carbon sequestration source, which has to
17 be deducted from its environmental advantage.

18 With regard to off-shore wind, which has
19 been spoken about, the amount of research that's been
20 done in Scandinavia, where there are many, on the
21 effects of vibrations from the turbines on the marine
22 ecology has been inadequate.

23 In addition, the Maryland Public Service
24 Commission has concluded that offshore wind is the
25 single most expensive generation option and has the

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1 least economic value added for customers.

2 While it is important to increase energy efficiency
3 and reduced per capital consumption, the rate of
4 growth of the population, as projected by the U.S.
5 Census Bureau, will tend to increase the demand for
6 electricity. The PJM is estimating the need for a 1
7 1/2 percent increase per year of summer peak load
8 capacity in Maryland over the next 15 years to meet
9 demand, an increase of 25% of current capacity. A
10 report from the American Physical Society raises
11 serious questions about how quickly significant
12 increases in efficiency and decreases in consumption
13 can be implemented. We will include a copy of that
14 report with our written comments. We need clean
15 electricity now. It is our opinion that nuclear power
16 is the only way it can be supplied in the quantity
17 needed and that there are no reasonable alternatives
18 to nuclear power. The rate at which we can build
19 nuclear power facilities will be determined largely by
20 our commitment, not by limitations of technology as
21 with renewables. Thank you.

22 LANCE RAKOVAN: Okay. Is Debbie Bishop
23 here? Okay, Debbie pre-registered, so I wasn't sure -
24 - okay. All right, let's go ahead and move on to Tim
25 Rice with Plumbers and Steamfitters Number 73 and then

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1 Mike Kunzwiler with Oswego County.

2 TIM RICE: Good afternoon. My name is Tim
3 Rice and as he said I'm a business agent for Local 73
4 Plumbers and Steamfitters, a member of the Central and
5 Northern New York Labor Council and Vice-President of
6 the Oswego County Labor Council. And I guess most
7 importantly a resident of the city of Oswego.

8 On behalf of our members, I'm here to
9 speak in favor of this project. With the many hours
10 that our members work at these plants, we can attest
11 firsthand of the unparalleled safety and operating
12 records that Constellation has set, especially over
13 the past years with improving since they bought these
14 plants. In addition to the obvious construction and
15 permanent jobs that this project presents, as you've
16 heard from other members of the community, this gives
17 us, as a community, another chance to work with
18 Constellation and have them even more involved in our
19 community.

20 I guess the only environmental impact I
21 have would be with how this process will go. As a
22 resident of the city of Oswego, and I can speak for
23 our members, or mainly for myself, I guess, I can only
24 speak for -- is that there's some waiting process of
25 the immediate people in this community rather than

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1 from outside sources who may be opposed to this or
2 even in support of it. That there may be some type of
3 waiting on who's actually going to have to live with
4 this plant and who are immediately going to have the
5 effect of the traffic and the construction and all
6 that type of thing. Thank you.

7 LANCE RAKOVAN: Okay, let's go to Mike
8 Kunzwiler, then to Brett Broesder and third to Genny
9 Lamboley.

10 MIKE KUNZWILER: Hi, my name is Mike
11 Kunzwiler. I'm here representing not only the
12 Minority Caucus of the Oswego County Legislature, but
13 I'm also a 20-year employee of Constellation as a
14 security supervisor. I'm here to talk about the
15 socio- impacts and as Tim Rice just alluded to, I want
16 to bring some personal impacts.

17 A few years ago, it's no surprise that we
18 had a big downturn in our economy. The county was in
19 bad financial shape. Well, whenever that happens, one
20 of the first things that suffers are programs.
21 Programs that help people that can't help themselves.
22 Well, we went to Constellation for a very important
23 project, our Call & Ride. It helps our elderly and
24 people get around that can't get around. That was one
25 of the programs, unfortunately, that at that time, we

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1 couldn't fund. They stepped up to the plate not only
2 that year, but of consecutive years they have kept
3 that program funded.

4 Today, my daughter's fifth-grade class is
5 out to Camp Hollis doing in environmental class that
6 was sponsored by Constellation. These are programs,
7 quite frankly, that we all know in today's economic
8 environment governments cannot sustain. So it's
9 important that we bring these types of businesses to
10 our communities.

11 It's the many jobs for our unions. This
12 is a union community. It's been based and founded on
13 that, of hard-working people in this community and we
14 have a great reputation for that. But it's also going
15 to create hundreds, hundreds of high wage jobs. What
16 does that mean? Simply put, it helps our housing
17 industry, our new housing industry. These are the
18 people that are going to come in and sustain a tax
19 base that we're losing. We can't make up those
20 numbers without having projects like this go forward.

21 Quite simply put, in my estimation, if
22 this plant is built, and hopefully others, it's
23 equivalent to us winning the lottery in this
24 community. I can tell you firsthand as an employee, a
25 20-year employee of this company, especially since

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1 Constellation has taken over, safety is first and
2 foremost. I live it every day. They've made that
3 commitment. We were just awarded the VPP Star Award
4 that not many companies get in this country today.
5 That came through hard work and dedication of its
6 employees and its commitment to safety.

7 I got a founding premise when I worked out
8 there. I wouldn't work there if it was not safe. But
9 the bottom line is, the socio- impact of this project
10 is something that this community desperately needs.
11 We talk about unemployment numbers in the country. We
12 know what they are in New York State. Well, Oswego
13 County, unfortunately, time and time out, is at the
14 top of that heap. We can no longer -- no longer
15 accept those numbers because it has a direct impact on
16 all of us. So I'm urging everyone to get behind this
17 project and hopefully it goes forward faster than
18 expected and not slower. And again, I thank you for
19 your time.

20 LANCE RAKOVAN: Okay, we've got two
21 speakers from CASEnergy Coalition. Brett Broesder and
22 Genny Lambolely. Brett, if you'd like to come up.
23 Following we'll go with Donald Vanouse from UPP 2190.

24 BRETT BROESDER: My name is Brett Broesder
25 and I speak on behalf of the Clean And Safe Energy

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1 Coalition, CASEnergy, and we educate others about the
2 environmental benefits of nuclear power and support
3 the construction of new reactors like the proposed
4 third unit here at Nine Mile Point.

5 We all know that our nation relies heavily
6 on electricity. In fact, the U.S. Department of
7 Energy estimates that our electricity demand will
8 increase by 21% in 2030. As New York's population
9 continues to grow, the state must focus on meeting its
10 growing energy needs while limiting its impact on the
11 environment. Consequently, an additional new reactor
12 at the Nine Mile Point site would only improve the
13 state's air quality by reducing emissions of
14 greenhouse gases.

15 Emission-free sources of electricity, like
16 nuclear power plants, supply safe, reliable and
17 affordable power to meet the state's economic growth
18 without polluting the air. According to the U.S.
19 Environmental Protection Agency, nuclear is the only
20 baseload energy source for electricity that does not
21 emit sulfur dioxide, nitrogen oxides and greenhouse
22 gases like carbon dioxide that are associated with
23 burning fossil fuels.

24 Nuclear power plants account for the
25 majority of voluntary reductions in greenhouse gas

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1 emissions in the electric power sector. For example,
2 the 28,300 tons of nitrogen oxide emissions avoided
3 each year by the use of nuclear power plants for
4 electricity is equivalent to that produced annually by
5 1.5 million passenger cars. In order to provide an
6 environmentally sound energy future for New York, we
7 must continue to generate more electricity from
8 nuclear energy and other emission-free sources of
9 power.

10 Nuclear is the only large-scale, emission-
11 free source of electricity that we can readily expand
12 to meet our growing energy demand. It already
13 accounts for more than 70% of all clean energy
14 produced in the U.S. and supplies 20% of all U.S.
15 power.

16 Here in New York, nuclear power provides
17 29% of the state's energy needs and 60% of the clean
18 energy in the state. By building a new reactor at
19 Nine Mile Point, New York will be able to increase the
20 amount of clean, safe energy that the state is using
21 and therefore provide its citizens with a much more
22 environmentally sound future.

23 The reality is that as New York and the
24 nation continues to grow, we will require more power
25 from a variety of sources in the years ahead. A wise

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1 energy policy recognizes the virtue of diversity. And
2 in that diverse energy plan, nuclear is a critical
3 component.

4 We all have a shared stake in America's
5 energy future. Now is the time for our country to
6 support the development of more clean, safe and
7 dependable nuclear energy as a means to meet our
8 future clean energy needs and generate emission-free
9 electricity. By approving a new proposed reactor at
10 Nine Mile Point, New York can take the lead in
11 providing the U.S. with the clean energy future that
12 it desperately needs. Thank you.

13 LANCE RAKOVAN: Okay, we'll go to Genny
14 Lamboleley also from the CASEnergy, then to Donald
15 Vanouse and third to Gary Toth.

16 GENNY LAMBOLEY: Hi, my name is Genny
17 Lamboleley and I speak today also on behalf of the Clean
18 And Safe Energy Coalition. We are a diverse national
19 grassroots organization of nearly 2,000 individuals
20 and organizations and we come together in support of
21 nuclear power as a vital part of our country's energy
22 portfolio.

23 As Brett mentioned, according to the
24 Department of Energy, our electricity demand will
25 increase by 21%. And nuclear power in New York

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1 provides 29% of the state's energy needs and 60% of
2 the clean energy in the state. An additional reactor
3 at Nine Mile Point would only improve the state's air
4 quality by reducing emissions of greenhouse gases.

5 New York has experienced an average growth
6 of 3.4% per year over the past five years. To keep
7 New York's economy growing, the state will need new
8 sources of power. Power that's good for the
9 environment and the economy.

10 If constructed, a new nuclear facility at
11 Nine Mile Point, as other people have mentioned, will
12 add 4,000 construction jobs during peak periods and
13 roughly 400 well-paying jobs once it is finished. And
14 as our CASEnergy Jobs White Paper, which is out in the
15 lobby, Jobs Creation in the Nuclear Renaissance,
16 points out, if U.S. companies were to complete the
17 more than 30 reactors now under consideration, between
18 12,000 and 21,000 new jobs would be added to the
19 market. The nuclear industry has already created
20 15,000 new jobs and \$4 billion to the economy to
21 prepare for building new state-of-the-art reactors.

22 Nuclear energy is clean. The
23 environmental impact at nuclear plants is far lower
24 than many other types of power generating plants.
25 Nuclear energy is safe. In fact, the U.S. Bureau of

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1 Labor Statistics has shown that it's safer to work at
2 a nuclear power plant than in the manufacturing sector
3 and even in the real-estate and financial industries.

4 In addition, a nuclear power plant makes a
5 good neighbor. It supports high-paying jobs directly
6 at the plant, generates additional jobs in the
7 community where it's located and contributes by
8 helping to build good schools and roads. The average
9 nuclear plant generates approximately \$430 million a
10 year in total output for the local community and
11 nearly \$40 million per year in total labor income.

12 In these economic times, there's no
13 stronger argument in support for the expansion of
14 nuclear power. Thank you.

15 LANCE RAKOVAN: Okay, if I could have
16 Donald Vanouse, please, followed by Gary Toth and
17 third Michael Treadwell. Mr. Vanouse? UUP-2190?
18 Okay, Gary Toth, Carpenters Local -- I can't tell if
19 it's 747 or 247. 747, thank you, Gary.

20 GARY TOTH: Good afternoon. First of all,
21 I want to thank the NRC, the DEC, UniStar and
22 Constellation because this is great. I mean, this is
23 a start of hopefully building a new nuclear plant down
24 to Nine Mile Point. As a business representative of
25 Carpenters Local 747, I represent about 2,000 members

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1 in the Central New York area. We're all very excited
2 about this and we're all looking forward to eventually
3 breaking ground and building this plant.

4 One of the things I just wanted to talk
5 about, I mean, I'm not going to talk statistics or
6 anything -- bottom line, this plant's going to be huge
7 for this area, especially for the tradesmen in the
8 community. I sit on a lot of economic development
9 committees here in Oswego County. I'm a resident of
10 Oswego County. I've lived here all my life. I've
11 raised my family here.

12 Environmentally, these three plants have
13 been great neighbors. I've worked at the plants. I
14 apprenticed through the trades working at these plants
15 and I'll tell you, these plants were very well built.

16 They're efficiently run and they're properly
17 maintained. So, as far as environmental impact, I
18 mean, we don't even think about it. In fact, when I
19 was working at Selkirk as a lifeguard when I was going
20 to college, people would look at the nuclear plants,
21 the steam coming out of the cooling tower, and they'd
22 be marveled by it. It was kind of like an attraction
23 for the park itself.

24 One of the things that I just wanted to
25 point out to the NRC, to the DEC -- you've heard a lot

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1 of people talk -- a lot of great statistics, and a lot
2 of great comments and everything. One thing you're
3 not seeing around this room is any Riverkeepers, any
4 negative people. I mean the people in this room live
5 in this community. We're outdoorsman. We hunt. We
6 fish. We live here. We enjoy the outdoors. I think
7 if there was any fear of any problem with the plants
8 themselves, we would do something about it because we
9 enjoy our community. We enjoy our area. We enjoy
10 Oswego County and we wouldn't sacrifice our way of
11 life to bring an industry in here for jobs or for
12 anything.

13 I just wrote down a few notes, like I
14 said, there was a lot of great speakers here and just
15 a couple of things I want to bring up. Again, talking
16 about the plants and its impact to the building trades
17 and it's important because one of the things we always
18 talk about in this region, and across the country, in
19 New York State, is keeping the young kids at home.
20 Keeping the youth at home. These plants are going to
21 be a great asset to keeping the youth here because not
22 only will it create building trades jobs and other
23 jobs, but also will create apprenticeship jobs. Jobs
24 where we can take the kids who graduate from BOCES,
25 from the local high schools, bring them into the

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1 trades. Apprentice them so that they can be
2 journeyman tradesmen, maintain these plants and
3 hopefully have a good standard of living. You know, a
4 good wage, decent benefits and stuff so they can stay
5 here and live here and build this community.

6 One thing that kind of surprised me, you
7 know, the fear tactics -- the one young lady that was
8 talking about the toxic waste and all the other stuff.

9 I mean, yeah, we have to be concerned. We have to be
10 vigilant. And I tell you, the people who work at
11 Constellation, the people who run Constellation, I
12 mean, that's a priority with them. I've worked at
13 those plants. My members work at those plants along
14 with the other trades. And I tell you, safety and the
15 safe operation of those plants is a number one concern
16 for each and every employee at Constellation. I
17 commend Local 97 because they have a highly trained
18 and highly skilled staff of workers at those plants
19 and they do it every day just like the trades do.

20 They were talking about windmills -- Maple
21 Ridge and stuff. We worked on the windmills. We
22 built the windmills up at Maple Ridge. 200 windmills.

23 Windmills are a great alternative, but the one thing
24 we have to be concerned about right now -- as one
25 gentleman talked about the increased demand of power

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1 in New York State and throughout this country.
2 Windmills are great. But they're not the answer right
3 now. Up there, they're having problems with the
4 windmills because the design, the output, the weather
5 and everything. And so, until this country develops
6 the technology, develops the expertise to supply the
7 power that this country's going to need now and in the
8 future, nuclear power is, as far as I'm concerned, is
9 probably the best solution, the best answer to our
10 energy demands.

11 Personally, like I said before, I live in
12 Oswego County. I'm a resident. I live just east of
13 here. Just downwind of the plants. I've raised a
14 family here. Building these plants -- these plants
15 being here has helped me with a job, a career. It's
16 helped me put my kids through college. I want both my
17 son and my daughter to stay in Oswego County. And I
18 tell you, these plants have been a blessing for Oswego
19 County and I'll tell you I'd love to see the fourth
20 one built and hopefully more down the road. So, those
21 are my comments. Thank you.

22 LANCE RAKOVAN: Okay, L. Michael Treadwell
23 with Operation Oswego County.

24 L. MICHAEL TREADWELL: Thank you very
25 much. Again, like Gary, I appreciate the NRC taking

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1 the time to reschedule this event and helping this
2 project move forward. My name is L. Michael
3 Treadwell. I'm executive director of Operation Oswego
4 County. Operation Oswego County is an economic
5 development corporation. We have been in business in
6 Oswego County as an authorized agency of the Oswego
7 County Legislature since 1953.

8 The membership of our board is a very good
9 cross-section of the economy of Oswego County. The
10 members are from industry, business, education, labor,
11 government. We think we represent a very good measure
12 of support for a project like this. The mission
13 statement of our organization -- I just want to
14 mention that relative to the proposed project.
15 Operation Oswego County's mission is to establish and
16 implement sound economic development strategies in
17 order to enhance the economic vitality of Oswego
18 County businesses, industries and citizens leading to
19 an overall better quality of life. Key to our mission
20 is the creation and retention of job opportunities,
21 diversification and strengthening of our economic base
22 and developing the local economy in a planned
23 organized and environmentally friendly atmosphere.

24 I want to kind of relate that mission
25 statement to why Operation Oswego County is in support

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1 of this project. Number one, creation and retention
2 of jobs. The project is going to create, this has
3 already been mentioned, roughly 4,000 construction
4 jobs to develop the project. About 400 permanent jobs
5 after the project is completed. Plus there's
6 obviously the ongoing impact, economic impact, of a
7 nuclear power plant from refueling, servicing, that
8 creates a lot of additional jobs in the area, in the
9 region.

10 Currently, Constellation Energy is the
11 largest private-sector employer in Oswego County.
12 From the standpoint of diversifying and strengthening
13 the county's and regional economic base -- the utility
14 industry right now, which is in power generation, is
15 dominated by the nuclear industry in terms of job
16 impact. But presently, the nuclear industry or other
17 power generating companies employ about 9% of the
18 employment in Oswego County. The proposed 1600
19 MegaWatt plant would certainly strengthen our energy
20 sector. The new technology to be applied to the
21 design would make the future of the power generation
22 business more secure and would help to address the
23 energy needs in New York State and this region to
24 allow for greater diversification of our economy.
25 It's already been mentioned several times, New York's

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1 electricity generating infrastructure is reaching its
2 limits. To avoid future shortages and problems
3 associated with that, new sources of electrical power
4 will be required, particularly to meet baseload
5 demand. As an economic development organization, in
6 order to compete for new and expanding industries in
7 the future, we must have a stable and reliable source
8 of electricity. This is critical for industry to
9 compete better here and industry that we hope to
10 attract to compete in the world economy. The next
11 aspect of our mission statement has to deal with the
12 environmental friendly atmosphere. For the following
13 reasons, the proposed Nine Mile Point nuclear project
14 will address the concerns that we have relative to the
15 importance of environmental quality. We recognize
16 that nuclear energy is the only large-scale round-the-
17 clock option that produces electricity without
18 emitting greenhouse gases. This project will help
19 protect air quality. The U.S. EPA has identified
20 nuclear as the only baseload source that does not emit
21 sulfur dioxide, nitrogen oxides and carbon dioxide.
22 The project will not cause acid rain nor produce toxic
23 mercury emissions. For New York's future, a
24 combination of nuclear energy and renewable energy
25 sources is the best way to meet both energy and

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1 environmental goals.

2 Nuclear energy facilities complement wind
3 and solar projects. Wind and solar projects will not
4 replace nuclear power in terms of the capacity of
5 power generation. Wind -- again, addressing the
6 reliability aspect of electrical power that is
7 critical for economic development and quality of life
8 -- we recognize that wind does have the problem of,
9 it's there sometimes and it's not there sometimes.
10 You've got to have, again -- reliability is essential
11 for economic development. Without nuclear energy, we
12 may be forced to turn back to coal and gas and
13 certainly that is not going in the direction that we
14 want to go to reduce and eliminate our dependency on
15 fossil fuels.

16 The U.S. Nuclear Regulatory Commission
17 keeps inspectors full time at the facilities to
18 monitor and make sure everything is operating in a
19 safe and sound fashion. There's obviously very, very
20 strong federal requirements for reporting, which is
21 again a safety issue which we feel is being satisfied.

22 The project designed, the way we understand it, will
23 have a shorter and more efficient cooling tower that
24 will minimize the use and requirement of water. It
25 will have a design that will use nuclear fuel more

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1 efficiently. We understand that there will be a
2 double containment design for the reactor that will
3 add safety measures to the operation.

4 To close, this community has been very
5 supportive of the electrical power generation
6 industry. It's a long history here. We are extremely
7 supportive of the nuclear industry. This community
8 has supported the license renewals for Nine Mile
9 Point, both plants operated by Constellation and
10 Entergy. This community will support the ongoing
11 development of nuclear power generation at Nine Mile
12 Point. This community will derive significant
13 economic benefits that will help to sustain our local
14 economy. This community is currently an energy
15 cluster model and we welcome more growth in the vital
16 industrial sector to help better our quality of life.

17 I want to thank you for the opportunity to stand here
18 and support one of our best corporate partners,
19 Constellation Energy. Thank you very much.

20 LANCE RAKOVAN: Can I please have Tom
21 Klein with Boilermakers? While Tom is coming up, if
22 anybody else wants to speak, I do have some blank
23 yellow cards. I can bring them around if you raise
24 your hand. Tom?

25 TOM KLEIN: Thank you. Good afternoon.

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1 My name is Tom Klein and I'm the business manager for
2 Boilermakers Local 5. I would like to thank you for
3 the opportunity to address you this afternoon. I am
4 proud to be here today and stand in support of a new
5 reactor to be built at Nine Mile Point and for all the
6 good jobs it will create.

7 This public meeting is to help identify
8 any significant environmental issues related to the
9 proposed new reactor at Nine Mile Point site. I'd
10 like to bring up the following points.

11 To meet New York's growing energy needs,
12 which have been estimated to exceed 2,000 additional
13 megawatts by the end of next decade, we must harness
14 the power of clean, affordable and reliable baseload
15 power, which is already produced at Nine Mile Point.

16 The proposed reactor, which would produce
17 approximately, I believe, 1000 MegaWatts of clean,
18 emissions-free energy would also reduce the need for
19 up to four fossil fuel burning plants to produce the
20 same energy. With New York State proposing the third-
21 best per capita carbon emissions record in the
22 country, it cannot be emphasized enough that the
23 construction of Unit 3 at Nine Mile Point is a
24 critical step needed to maintain New York's much
25 admired low CO₂ levels.

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1 Adding more non-greenhouse gas emitting electricity
2 generating capacity for the state is vital.
3 Especially in keeping within parameters of the
4 Regional Greenhouse Gas Initiative. Throughout my
5 career, I've personally have worked on the inside of
6 New York's nuclear power generating facilities. I
7 know them to be environmentally clean and safe.
8 Otherwise, I would not be there nor send my members
9 there to work. Working families deserve an
10 opportunity to build on their quality of life; not to
11 see it interrupted by shortsighted, narrow interests.

12 Examining this is a commonsense point of view. I am
13 confident that you will agree that the proposed Unit 3
14 is a win for the economy, a win for our future power
15 supply and yes, a win for our environment. Thank you.

16 LANCE RAKOVAN: Is Steven Penn here and
17 interested in speaking? He had pre-registered but
18 wasn't sure if he wanted to speak. Okay, seeing no
19 hands, I'll ask again if Donald Vanouse or David
20 Proietti are here?

21 Okay, we'll go ahead then to George
22 Vanderheyden, who's the president and CEO of UniStar
23 Nuclear.

24 GEORGE VANDERHEYDEN: Afternoon everyone.
25 As Lance said, my name is George Vanderheyden. For

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1 the record, I'm the president and Chief Executive
2 Officer of UniStar Nuclear Energy.

3 I of course would like to first start off
4 by thanking the Nuclear Regulatory Commission and the
5 New York Department of the Environment, or
6 Environmental Conservation, for hosting this session
7 this afternoon and this public scoping meeting. I
8 should mention that we will be back here again this
9 evening at 6 p.m. for a second session.

10 I am very grateful to be in this
11 community. I hope it doesn't sound too colloquial to
12 be an American today because I've been in nuclear
13 power for over 30 years. I've been to many, many
14 public meetings and I want to thank the community here
15 for your participation, your questions, your passions
16 and most important for sharing your thoughts today. I
17 am incredibly encouraged by the thoughtful and
18 respectful discussion that we have had today, we had
19 at our first public meeting held here almost a year
20 ago and I would expect that we would continue to have
21 throughout this many year process where UniStar
22 Nuclear Energy is attempting to license and then
23 construct a new nuclear energy facility here in the
24 Oswego/Scriba and Oswego County area.

25 UniStar Nuclear Energy is committed to

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1 meeting the region's needs for clean, safe and
2 reliable electricity. Nuclear energy is the only
3 large generation source that supplies electricity 24-
4 hours a day, seven days a week and more importantly
5 today, non-carbon energy that is necessary to help
6 ensure a clean and safe energy future for New York
7 State.

8 I will try to avoid repeating too many of
9 the thoughts that were expressed today. However, it
10 is important as the applicant for this new nuclear
11 energy facility that I do focus my remarks on
12 ultimately the two main themes that the Nuclear
13 Regulatory Commission and the New York Department of
14 Environmental Conservation will focus on as they do
15 their reviews -- both the safety of our technology and
16 the environmental impacts of our technology.

17 As you've heard from several speakers
18 today, safety remains the number one priority and
19 influences absolutely every decision we make,
20 beginning with our technology selection and continuing
21 through the everyday operation of this facility. We
22 believe that the U.S. EPR technology that we have
23 selected is the safest, most secure technology
24 available today. Nine Mile Point 1 and 2 that is run
25 by our parent company, Constellation Energy, has an

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1 outstanding safety record for the more than 30 years
2 that it has operated in this community. Our new
3 proposed facility will build on those strengths and
4 will implement the very same safety principles. We
5 plan and we expect the unexpected everyday. And
6 you've heard some of that today in the remarks. We
7 have picked a technology that has unparalleled safety
8 design. It has safety design requirements that exceed
9 the expectations of today. And it is clearly, as
10 expressed by at least one speaker, is not going to be
11 the cheapest new nuclear technology to build. I'm
12 very fond of saying that I think you would expect us,
13 who have been a longtime resident of your community, a
14 good community partner, to not want to build the
15 lowest cost reactor in this community. We are
16 spending additional sums of money, very large sums of
17 money, on the safety features of this design and we
18 think that's what you expect on us.

19 We will continue to build on the co-
20 operative partnership that we've developed in this
21 community and we will continue to build on both the
22 independent experts, the Nuclear Regulatory Commission
23 who is here today -- an independent agency of the
24 federal government that oversees and regulates the
25 nuclear power industry and does not advocate for

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1 nuclear power at all -- and we will also continue to
2 work with our inside experts that we maintain and that
3 we provide jobs for and that we do consistent
4 oversight to ensure the safety. We would not do
5 anything that would endanger our children because we
6 live in this community. Of course, we wouldn't do
7 anything to endanger your children either.

8 The EPR is currently under construction in
9 three countries around the world: Finland, France,
10 China and now here in the United States. That means
11 before it is approved and built in the United States,
12 it will have been reviewed and approved by three
13 different regulatory agencies in three different
14 countries. Once it's approved, and I hope it is
15 approved by the Nuclear Regulatory Commission, you can
16 assure yourself that this will be one of the single
17 most studied technologies that exists in the world.

18 With respect to the environment, nuclear
19 energy is part of the solution to an advanced non-
20 carbon energy future. We're not against renewables.
21 We absolutely believe in conservation. We absolutely
22 believe that our country needs more wind and solar.
23 But I also absolutely believe that nuclear is the
24 baseload power and the backstop for our country's
25 embarking on a new energy future of wind and solar.

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1 As many speakers have talked about today, wind and
2 solar are important but they're not the only way we
3 will go forward in a non-carbon future. Nuclear
4 energy will be the backbone of that non-carbon future.

5 UniStar has made technology decisions --
6 and you've heard several of those today -- that lower
7 the overall environmental impact of our facility on
8 the local community. We are committed to the
9 prosperity of this community. The proposed Nine Mile
10 Point 3 will create approximately 4,000 jobs during
11 its peak construction. This construction period will
12 last approximately 4 to 5 years and then more
13 importantly, approximately 400 long-term, high-tech,
14 high-paying positions that will remain in this
15 community for over 60 years.

16 UniStar also plans to construct these
17 facilities with union labor. As an example of this
18 commitment, last week our partner, Bechtel
19 Construction Company, and the building and trades
20 unions approved a project labor agreement for the
21 construction of our proposed facility in Maryland and
22 that will be the same project labor agreement that we
23 will use for the proposed construction of the facility
24 here in New York. This agreement demonstrates our
25 commitment to the recruitment, training and

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1 qualification of union workers for the construction of
2 our projects and our future nuclear energy needs.

3 In closing, I would like to say that I
4 believe in the open and transparent process designed
5 and implemented here by the Nuclear Regulatory
6 Commission. I attended the first NRC meeting on this
7 project -- the information meeting in August of last
8 year -- and I'm here this evening and I plan to be
9 here, unless I'm sick or something, for every public
10 meeting on the Nine Mile Point Unit 3 project. I will
11 always stay at the end of the meetings and remain
12 available to speak with you individually before and
13 after and answer questions that you may not be
14 comfortable about bringing up during this meeting.
15 I'm also heartened by the fact that both on the part
16 of New York State and the federal government and the
17 New York DEC and the Nuclear Regulatory Commission,
18 they have that same commitment and will remain after
19 and before meetings to answer your questions as well.

20 This is an important process that encourages the
21 public involvement, discussions and debate, both pros
22 and cons of nuclear energy. I thank all of you again
23 for your participation in the discussion that we have
24 had today and we will continue to have. Thank you.

25 LANCE RAKOVAN: Okay, just to remind

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1 everyone. We do have another meeting tonight at 6
2 p.m. here. It's going to be a very different format
3 from the one that you saw here. Instead of kind of
4 like this open kind of format, we're going to have a
5 number of different tables set-up so you can interact
6 directly with NRC staff. You still will be able to
7 make scoping comments. We're going to have our
8 transcriber at a specific location so you can do that.
9 But again, it's going to be very different. Again,
10 that starts at 6 p.m. here.

11 I want to thank everyone who came up and
12 spoke and gave us environmental scoping comments.
13 Thank you very much for those. We will be addressing
14 those. And I'll just see if Bob, Scott, Paul -- does
15 somebody want to say some words to close out the
16 meeting? Bob --

17 BOB SCHAAF: Yeah, just again, I wanted to
18 thank everyone for coming out and sharing your
19 thoughts with us this afternoon. We do appreciate it.

20 I did hear a lot of good comments that we'll be able
21 to factor into our review. As Lance indicated, we'll
22 be here after we close out the meeting. We're
23 available to speak to you individually. We're also
24 interested, if anyone's coming back for the session
25 this evening -- it is a slightly different format than

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1 we usually do this type of meeting that we've had
2 today.

3 We're trying it out because we wanted to
4 offer the community a greater opportunity to interact
5 with the staff in the different technical areas more
6 directly and get into more in-depth discussions on the
7 range of issues that we review and on the licensing
8 process. We wanted to offer that opportunity. So, if
9 you do come out this evening, myself or our Director
10 Scott will particularly be interested in your thoughts
11 on how effective you think that that meeting format
12 is.

13 So, please catch either myself or Scott or
14 Paul and let us know your thoughts on how you feel
15 that meeting format goes if you're here tonight. Once
16 again, thanks again for coming and hope to see you
17 again later this afternoon.

18 (Whereupon, at 3:07 p.m., the public
19 meeting was closed)
20
21
22
23
24
25

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Nine Mile Point 3 Nuclear Project
Oswego, NY

Combined License Application Environmental Review
Scoping Meeting

Wednesday, June 10, 2009
Afternoon Session

* * *

Written Comments Received
[2880]



TOM KLEIN
Business Manager
Secretary-Treasurer

TOM COOK
Assistant Business Manager
President

BOILERMAKERS LOCAL LODGE No. 5

STEVE LUDWIGSON
Assistant Business Manager
Zone 5

JAMES WALDRON
Assistant Business Manager
Zone 175

MATT LOPRESTTI
Assistant Business Manager
Zone 197

June 10, 2009

Tom Klein,
Business Manager
Boilermakers Local 5

Comments on the U.S. Nuclear Regulatory Commission's Hearing on NMP

There is no question that these are tough times for New York's working families. Businesses are raising consumer costs and cutting employee benefits just to stay afloat. Economic uncertainty continues to plague our local banks, and unemployment is now at its highest level in nearly fifteen years.

New Yorkers also face a very uncertain energy future, and I'm not just speaking about the rising costs of gasoline.

Con Edison reported last year that electricity usage increased 23 percent between 1997 and 2007 throughout downstate New York. With downstate serving as the largest consumer of upstate energy, our existing power supply is not equipped to handle the state's increasing demands for energy. The dangers of blackouts increase with each passing day.

Many of our lawmakers such as President Obama have wisely focused on energy infrastructure investment to stimulate our economy. Updating our electricity infrastructure and implementing a new, comprehensive power plant siting law in New York will certainly create new jobs and facilitate needed economic investment.

Despite all this, New York still cannot meet its long-term energy needs without building new base load power resources, such as the proposed new reactor at Nine Mile Point. Nine Mile Point and Constellation is also a source for good jobs and community investment – with hundreds of my fellow union members supporting their families through the work of the energy facility. In these tough economic times, this fact cannot be overstated.

This public meeting is to help identify any significant environmental issues related to the proposed new reactor at the Nine Mile Point site. I'd like to bring up the following points:

To meet New York's growing energy needs – which have been estimated to exceed 2,000 additional megawatts by the end of the next decade – we must harness the power of clean, affordable and reliable base load power – which is already produced at Nine Mile Point.

The proposed reactor, which would produce approximately 1,600 megawatts of clean, emissions free energy – would also reduce the need of up to 4 fossil fuel-burning plants to produce the same energy.

With New York State possessing the third-best per-capita carbon emissions record in the country, it cannot be emphasized enough that the construction of Unit 3 at Nine Mile Point is a critical step needed to maintain New York's much-admired low CO2 levels.

Adding more non-greenhouse gas emitting electricity generation capacity for the state is vital, especially in keeping us within parameters of the Regional Greenhouse Gas Initiative (RGGI).

Throughout my career I personally have worked on the inside of New York's nuclear power generation facilities. I know them to be environmentally clean and safe, otherwise I would not be there, nor send my members there to work.

Working families deserve the opportunity to build on their quality of life – not see it interrupted by shortsighted, narrow interests. Examining this from a common-sense point of view, I am confident that you will agree that the proposed Unit 3 is a win for the economy – a win for our future power supply – and yes – a win for our environment.

Thank you.

Tom Klein
Business Manager
Boilermakers Local No. 5

09/10/2011
11/10/11
ON 3840
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MO 10/07
REC'D 10/07
11/10/11



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**Remarks by Genny Lambolely
The Clean and Safe Energy Coalition
June 10, 2009**

My name is Genny Lambolely and I speak today on behalf of the Clean and Safe Energy Coalition – CASEnergy. We are a diverse national grassroots organization of nearly 2,000 individuals and organizations who come together in support of nuclear power as a vital part of this country's energy portfolio.

According to the U.S. Department of Energy our electricity demand will increase 21% by 2030. Here in New York, nuclear power provides 29% of the state's energy needs, and 60% of the clean energy in the state. Consequently, an additional new reactor at the Nine Mile Point site would only improve the state's air quality by reducing emissions of greenhouse gasses.

New York has experienced average growth of nearly 3.4 percent per year over the past 5 years. To keep New York's economy growing the state will need new sources of power - power that is good for the environment and the economy.

If constructed, a new nuclear facility at Nine Mile Point would add 4,000 construction jobs during peak periods and roughly 400 well-paying jobs once it is finished. And as our CASEnergy Jobs white paper, "*Job Creation in the Nuclear Renaissance*" points out, if U.S. companies were to complete the more than 30 reactors now under consideration, between 12,000 and 21,000 new jobs would be added to the market. The nuclear energy industry has already created 15,000 new jobs and added \$4 billion to the economy to prepare for building new state-of-the-art reactors. You can access the white paper on our Web site www.CleanSafeEnergy.org.

Nuclear energy is clean. The environmental impact at nuclear plants is far lower than at many other types of power-generating plants.

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Nuclear energy is safe. In fact, the U.S. Bureau of Labor Statistics has shown that it is safer to work at a nuclear power plant than in the manufacturing sector and even in the real estate and financial industries.

In addition, a nuclear plant makes a good neighbor. It supports high-paying jobs directly at the plant, generates additional jobs in the community where it is located, and contributes by helping to build good schools and roads. The average nuclear plant generates approximately \$430 million a year in total output for the local community, and nearly \$40 million per year in total labor income.

In these economic times, there is no stronger argument in support of the expansion of nuclear power.

Thank you.



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**Remarks by Brett Broesder
Clean and Safe Energy Coalition
June 10, 2009**

My name is Brett Broesder and I speak today on behalf of the Clean and Safe Energy Coalition – CASEnergy. We educate others about the environmental benefits of new nuclear power and support the construction of new reactors, like the proposed 3rd unit here at Nine Mile Point.

We all know that our nation relies heavily on electricity. In fact, the U.S. Department of Energy estimates that our electricity demand will increase by 21% in 2030. As New York's population continues to grow, the state must focus on meeting its growing energy needs while limiting its impact on the environment. Consequently, an additional new reactor at the Nine Mile Point site would only improve the state's air quality by reducing emissions of greenhouse gases.

Emission-free sources of electricity, like nuclear power plants, supply safe, reliable and affordable power to meet the state's economic growth without polluting the air. According to the U.S. Environmental Protection Agency, nuclear is the only baseload energy source for electricity that does not emit sulfur dioxide, nitrogen oxides, and greenhouse gases like carbon dioxide that are associated with burning fossil fuels.

Nuclear power plants, account for the majority of voluntary reductions in greenhouse gas emissions in the electric power sector. For example, the 28,300 tons of nitrogen oxide emissions avoided each year by the use of nuclear power plants for electricity is equivalent to that produced annually by 1.5 million passenger cars. In order to provide an environmentally sound energy future for New York, we must continue to generate more electricity from nuclear energy and other emission-free sources of power.

Nuclear is the only large-scale, emissions-free source of electricity that we can readily expand to meet our growing energy demand. It already accounts for more than 70 percent of all clean energy produced in the U.S., and supplies 20 percent of all U.S. power.

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Here in New York, nuclear power provides 29% of the state's energy needs, and 60% of clean energy in the state. By building a new nuclear reactor at Nine Mile Point, New York will be able to increase the amount of clean, safe nuclear energy that the State is using and therefore, provide its citizens with a much more environmentally sound future.

The reality is that as New York and the Nation continues to grow, we will require more power from a variety of sources in the years ahead. A wise energy policy recognizes the virtue of diversity. And in that diverse energy plan, nuclear is a critical component.

We all have a shared stake in America's energy future. Now is the time for our country to support the development of more clean, safe, and dependable nuclear energy as a means to meet our future clean energy needs and generate emission-free electricity. By approving a new proposed reactor at Nine Mile Point, New York can take the lead in providing the U.S. with the clean energy future that it desperately needs.

Thank you.

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Empowering Communities. Advocating Solutions.

Comments to the Nuclear Regulatory Commission on Nine Mile 3 Reactor proposal

Comments by Dereth Glance, Executive Program Director

Oswego, NY

June 10, 2009

On behalf of Citizens Campaign for the Environment's 80,000 members, I appreciate the opportunity to provide comments to the Nuclear Regulatory Commission on the scope of the Draft Environmental Impact Statement considering the construction and operation of a new nuclear power plant in New York, the third at the Nine Mile Point complex. My name is Dereth Glance and I serve as the Executive Program Director for CCE—a grassroots environmental and public health advocacy organization working to empower communities and advocate solutions for our shared environment based on a philosophy of pollution prevention, conservation, and sustainability.

It is no secret that nuclear power generation comes with huge human and environmental risks. The legacy of toxic waste that persists alone threatens to contaminate our drinking water, land, and future generations. New York, especially upstate, is no stranger to the legacies of toxic contamination. Today, Western New York residents are struggling to secure a full clean up of West Valley, a nuclear reprocessing site, contaminated half a century ago. Radioactive waste is migrating towards tributaries of our Great Lakes. Will this same fight be forced in Oswego to protect the drinking water for millions of New Yorkers?

The energy generation landscape is changing in the United States and abroad as countries deal with global warming pollution and increasing energy independence. A sustainable approach to energy is needed, as the decisions we make today will have profound impacts on the lives of our children, and our children's children. Harnessing the power of Niagara Falls over 100 years ago has given us clean, abundant, and cheap power. Will the investment in a third nuclear power plant at the Nine Mile complex yield the same benefits or end up being a further burden on the economy and the environment. Are there wiser investments to generate electricity without the risk and without the legacy of waste?

Local enthusiasm exists for any economic activity in upstate New York. We appreciate the hard work by union staff that operate and maintain the nuclear power plants. However, is there a better way to put our community back to work? Almost 50,000 jobs

in New York are expected to be created from state and federal investments in the clean energy sector. We question if continuing to build large centralized polluting electricity generation is the best solution for our community, state, and nation's sustainable economic future. To that end, CCE believes the Draft Environmental Impact Statement (DEIS) for the proposed new nuclear power plant must include a rigorous environmental and economic review of the realities of building and operating a new nuclear power plant adjacent to Lake Ontario.

CCE intends to submit formal comments prior to the end of the comment period, and today I will focus on the following issues for detailed analysis in the DEIS.

Assessing the Risk. No new nuclear power plant has been built and become operational in our country in decades. We recognize the nuclear power plant worker's commitment to safety and are thankful that a tragedy like Chernobyl or Three Mile Island has not occurred near our community yet, but this risk is real, serious, and something that is critical for evaluation.

It is our understanding that the type of new nuclear plant proposed is a new design without much of an operational history. Furthermore, the addition of another nuclear power plant increases the risk, and cumulative risk, to the people, plants, and wildlife in the surrounding community. It is imperative that the DEIS include a comprehensive analysis and evaluation of the potential risks, detailed safety responses, and consequences of a meltdown, mechanical failure, and other unforeseen tragedies.

Reactor type. Is the Reactor design proposed the best, the safest, the most efficient? How does this specific design compare to existing reactor designs and reactor designs under development, including the very-high-temperature reactor (VHTR) and the sodium-cooled fast reactor (SFR). CCE requests the DEIS include a detailed comparative analysis of the specific reactor types as compared to existing and proposed reactors.

Quantifying the carbon footprint. CCE requests the DEIS adequately address the 'cradle to grave' carbon footprint of the proposed new nuclear power plant and consider at a minimum, the emissions associated with:

- Construction;
- Mining;
- Refining;
- transporting ore and refined fuel;
- waste transportation and storage; and
- transportation associated with the operating and safety professionals involved in all phases of the proposed new nuclear power plant.

Furthermore, the DEIS must consider the loss of carbon sequestration from any disturbances to forests, wetlands, and other pervious surfaces. To provide context for the carbon footprint analysis, CCE requests the DEIS to provide a comparative analysis

evaluating electricity production from a minimum of coal, natural gas, hydro, wind, solar, and biomass plants.

The alternatives must be fully explored. The energy world is changing, rapidly. It is anticipated that a new nuclear plant can take between 10-20, or more years before it comes on-line. What will our nation's grid look like in 10 to 20 years? Efforts to promote a 'smart grid' have the potential to yield significant demand reductions and smarter uses of energy. Currently, the New York Power Authority is moving forward on proposal to build large-scale solar generation and off-shore wind power in the Great Lakes. CCE requests the DEIS provide a cost benefit analysis, with annotated assumptions comparing the ability of a privately funded nuclear power plant to compete with a more mature and distributed renewable energy generation in 2029, in the context of a coming smart grid and increased federal and state investment in clean, renewable energy, like wind, solar, geothermal, and sustainable biomass. The DEIS must include alternative energy generation from non-nuclear power generation in addition to a no-action alternative.

Quantifying the need. The DEIS must explore and consider the real energy demand for the quantity of power proposed to be added to the grid for the present and future (2029). The Federal Energy Regulatory Commission (FERC) designated metro New York transmission capabilities as congested and constrained. It is obvious that the demand for more electricity is not local to the siting of Nine Mile point unit 3. The DEIS must answer the following questions:

1. Where is the proposed energy generated intended for consumption?
2. What transmission upgrades are projected to be needed between now and 2029?
3. What is the projected energy lost via transmission to areas of high demand?
4. Can energy needs be met through clean, renewable energy generation?
5. Can energy needs be met through a combination of energy efficiency improvements (demand-side management) and renewable energy generation?

Transmission infrastructure. As previously stated, NY is part of the federally designated electric transmission corridor and much of the corridor is further identified as congested and contained. The DEIS must evaluate the following issues associated with transmitting power to demand centers.

1. What party, public or private, is responsible for building and/or upgrading new and/or existing transmission lines to transport energy?
2. What are the anticipated costs passed to ratepayers and to taxpayers?
3. What is maximum and minimum electricity lost via transmission over both short and long distances?
4. Will the proposed new nuclear power plant be connected to electricity markets through existing rights of way?
5. What are the impacts to wildlife from transmission infrastructure?
6. What is the loss of pervious surfaces from construction?

Persistent toxic waste. The Nuclear Waste Policy Act, signed by President Reagan in 1983, directed a central high-level nuclear waste storage facility to be built at Yucca Mountain, NV. Almost 30 years later, this facility faces serious political opposition from Senate Majority Leader Harry Reid and reduced funding and support by President Obama. Recognizing the political realities of transporting high level nuclear waste across our nation and the lack of federal funding for the Yucca Mountain Project, the DEIS must give serious consideration to the likelihood of high-level radioactive waste to be stored on-site for both short and long term durations. The DEIS must address, at a minimum, the following concerns with persistent radioactive waste:

1. Potential impacts to drinking water
2. Potential impacts to the Great Lakes ecosystem
3. Potential impacts to groundwater contamination
4. Long term, if not indefinite on-site storage, including the parties responsible for paying for monitoring, maintenance, and safety.
5. Parties responsible for remediating the radioactive toxic contamination of the land hosting the proposed nuclear power plant.
6. The funding mechanism for identified party or parties responsible for remediating radioactive toxic contamination.

Transportation of high-level nuclear waste. To protect human health and safety, the DEIS needs to fully evaluate transportation options for moving high-level nuclear waste. CCE specifically requests the DEIS transportation analysis include the current state of our railroad system, our highway system, bridges, local and community roads, noise impacts, safety and exposure potential, community liability, demand on first responders and training needs, as well as, emissions including nitrogen oxides, sulfur dioxide, and carbon dioxide. Additionally, other transportation options, including over water and through air, should be similarly evaluated for transporting high-level nuclear waste across the country from New York.

America's freshwater wonder—the Great Lakes. We are blessed in New York with a shoreline on the world's largest freshwater ecosystem. In addition to abundant fresh water for drinking, agriculture and recreation, the Great Lakes are an energy center. The Northeast Midwest Institute estimates over 108,000 MW of electricity are generated in the Great Lakes watershed. Dozens of nuclear and coal-fired power plants dot their shores. Buffalo's Steel Winds and Tug Hill's Maple Ridge spin from the Lakes' great gales. St. Lawrence-FDR and the Moses-Saunders dams harness the power of pure water. Every energy generation plant has an environmental impact and the addition of new energy infrastructure requires a cumulative and holistic look at its impact on the overall freshwater ecology and multiple uses benefits of our freshwater wonder. At a minimum, The DEIS must consider the cumulative impact from the following:

1. Thermal pollution from cooling water discharge and impacts on native species;
2. Cumulative thermal pollution from average water temperature increases due to global climate change, combined with thermal discharges from electricity

- generating units, and that impact on ice coverage, evaporation, and ecosystem as a whole.
3. Fish and wildlife impacts from impingement and entrainment impacts due to water intake;
 4. Low and high level waste storage and potential for leaching and leaking into the Great Lakes.
 5. Impacts to infrastructure from aquatic non-native species like quagga and zebra mussels.
 6. Average daily water withdrawals and consumptive use by the new plant, consistent federal and state laws and regulation on water withdrawals.
 7. Impacts from water withdrawals on lake levels.

Economic impacts and tax payer obligations. What are the costs to be borne by the public for financing, insuring, and providing security and regulatory oversight of the proposed new nuclear power plant? Statutes like The Price Anderson Act provides liability limitations and federal funding programs, like nuclear power loan guarantees, act as subsidies to the nuclear power industry. CCE requests the DEIS include a clear and comprehensive analysis of tax payer subsidies and liabilities associated with the construction, operation, and decommissioning of the proposed new nuclear power plant. Historically and currently construction cost overruns and timeline extensions are common and expected, it is critical for the DEIS to include the higher costs likely due to construction timeline extensions, cost overruns, unexpected delays and other unforeseen circumstances that could delay construction and operation. Furthermore, CCE requests the DEIS is crystal clear on identifying what party or parties, public or private, will be responsible for the costs.

Decommissioning. The DEIS must provide a detailed analysis of the parties responsible for decommissioning the new plant and the financing system for decommissioning.

Thank you for the opportunity to comment today, CCE will submit formal comments for consideration of developing the scope of the rigorous environmental review for this proposed new nuclear power plant.

As said before, our Great Lakes are an energy center. It is up to us to decide what kind of energy, at what cost and with what legacy, we will build upon her fertile watershed. Can we generate more jobs and improve our economic well-being and quality of life by transforming to a clean, sustainable energy future? Is there a cleaner way to harness the gifts of the earth and not leave a toxic and radioactive legacy? Maybe there wasn't before, but there is now.

Respectfully submitted,

Dereth Glance
Executive Program Director
www.citizenscampaign.org



Local Union 97

International Brotherhood of Electrical Workers

New York State

United States Nuclear Regulatory Commission
and
New York State Department of Conservation
Joint Public Meeting June 10, 2009
State University of New York at Oswego

NRC, NYSDEC representatives and community members. Good afternoon, my name is Martin Currier; I am here on behalf of the International Brotherhood of Electrical Workers, Local Union 97. I am a Business Representative of Local 97 assigned to the Nine Mile Point facility where I have been employed as a Radiation Protection Technician over 28 years.

IBEW Local 97 represents over 4800 members across upstate NY who are employed in; electric & gas transmission and distribution, and electric generating stations fueled by; coal, natural gas, oil, water and nuclear. The IBEW has been the bargaining unit representative for employees at Nine Mile Point since the construction and commercial operation of Unit 1. The IBEW is recognized as a leader within organized labor in promoting occupational and industrial safety.

In demonstrating the IBEW's commitment to industrial and environmental safety along with the safety of our workforce and community, Local 97 partnered with Constellation to achieve STAR Status for Nine Mile Point through OSHA's Voluntary Protection Program. Currently less than 10 nuclear power stations nation wide have achieved this certification. Additionally, we recently implemented a process called the Brotherhood Owned Safety System, known as BOSS. The BOSS is a risk prevention process in which employees provide peer to peer observations to further promote safe work practices and correct identified deficiencies. We come to work and operate the Nine Mile Point facility in a safe, efficient, reliable and environmental friendly manner.



Nuclear generation will become a much greater energy provider over the next several years which will help lessen our dependence on foreign oil and reduce greenhouse gases. Nine Mile Point provides the right geographic area, operational experience and environmental stewardship for the construction of a new reactor. The proposed construction acreage for a third unit will not endanger the vast wildlife that live and thrive at Nine Mile Point. The Great Lake that borders the site will continue to remain in the same environmental state of today while providing the necessary cooling resource for a third unit.

Most of the 950 employees who work at Nine Mile Point live in the surrounding communities. Nine Mile Point also provides work to the Building Trades whose members also live in these communities. The construction of Nine Mile Point 3 would provide additional employment opportunities and promote economic support within our communities for many years.

Nine Mile Point 3 construction and operation would be completed safely, reliably and efficiently by highly skilled organized labor. Thank you for this opportunity to speak in support of the construction of a new nuclear generating station at Nine Mile Point.

Thank you,

Martin J. Currier
Business Representative
IBEW Local Union 97

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June 10, 2009

Mr. Gregory B. Jaczko, Chairman
Nuclear Regulatory Commission
U.S. Nuclear Regulatory Commission
Mail Stop O-16G4
Washington, DC 20555-0001

Dear Chairman Jaczko:

I write today to formally submit my testimony regarding the proposed expansion of the Nine Mile Point Nuclear Station. As Chairman of the Senate's Standing Committee on Energy and Telecommunications and as the representative of the 48th Senate District, I am proud to say that our home is the "energy backyard" of New York State. Our energy assets can and will help revitalize the entire Upstate Region with new jobs, low-cost power and an increased tax base.

Toward that end, I am pleased to offer my strong support for UniStar Nuclear Energy, LLC's proposal to construct a new unit at Nine Mile Point Nuclear Station. This project would create more than 400 new jobs and this private investment would have better than a dollar-for-dollar impact on our local economy. As we have seen with other facilities, this kind of project will generate around \$20 million annually to state and local tax bases.

The Nine Mile Point Nuclear Station is one of Oswego County's largest employers and has a tremendous and positive impact on the local community and economy. Already in Oswego County, Constellation's reactor facilities support 900 good-paying jobs with a payroll of close to \$100 million and an impact of more than \$25 million in local tax revenue.

New York State cannot hope to reduce its greenhouse gas emissions without diversifying its energy portfolio. The increased power from this facility will do much to reduce New York's reliance on polluting fossil fuels to meet its energy needs. Nine Mile Point Nuclear plant and this expansion represent a new generation of eco-conscious nuclear facilities with the highest safety standards and recycling 96 percent of their spent fuel. Not only will this power be cleaner and cheaper than carbon emitting fossil fuels, it moves the entire State forward in its ongoing goal of an environmentally sustainable energy future.

Mr. Gregory B. Jaczko, Chairman
Nuclear Regulatory Commission
Page 2

This proposal does not require any government investment, only government approval. It is essentially a privately funded stimulus package for Central New York that will benefit all of Upstate New York, while helping our State and Nation achieve a common goal of energy independence.

I reiterate my unwavering support for this important project. I implore the Nuclear Regulatory Commission to recognize the strong support expressed by the community and their elected representatives in making its decision to approve this expansion. It is important for Oswego County. It is important for Central New York. It is important for all of New York State and our Nation.

Sincerely,

A handwritten signature in black ink that reads "Daniel J. Ambertise". The signature is written in a cursive style with a large, prominent initial "D".

State Senator