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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION
OFFICE OF NUCLEAR REACTOR REGULATION

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PUBLIC MEETING TO DISCUSS THE
DRAFT GENERIC ENVIRONMENTAL
IMPACT STATEMENT (GEIS) FOR
LICENSE RENEWAL OF NUCLEAR
PLANTS (NUREG-1437)

Tuesday, September 15, 2009

Pavilion
Hilton Suites
Atlanta Perimeter Center
6120 Peachtree Dunwoody Rd.
Atlanta, Georgia

The above-entitled hearing was conducted at
7:00 p.m.

BEFORE: LANCE RAKOVAN, Facilitator

I N D E X

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Adjourn	

P R O C E E D I N G S

(7:00 p.m.)

1
2
3 MR. RAKOVAN: Good evening. My name is
4 Lance Rakovan. I am a Communications Specialist at
5 the US Nuclear Regulatory Commission, or NRC. The
6 purpose of tonight's meeting is to provide you with
7 an opportunity to give your comments on a proposed
8 rule amending Title 10 Part 51 of the Code of
9 Federal Regulations, as well as the Generic
10 Environmental Impact Statement, or GEIS, for License
11 Renewal of Nuclear Plants, also known as NUREG,
12 1437, Revision 1.

13 Today's meeting is just one way that you
14 can participate in the commenting process, and we'll
15 be going over some details on that later.

16 The meeting tonight's going to have two
17 parts: First we've got a presentation from NRC
18 staff on the topics at hand, and then we are going
19 to basically open up the floor for comments.

20 Right now we only have one gentleman who
21 is signed up to comment tonight, so if anybody else
22 is interested, when we get to that point, just let
23 me know, and the floor will be yours.

24 We are transcribing tonight's meeting to
25 make sure that we get your comments. And for those

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1 of you who are also in attendance, if you could
2 silence any electronic devices you have at this
3 point, make sure that you keep side conversations to
4 a minimum, et cetera. These are things that will
5 help us make sure that we get a clean transcript.

6 Also, if you could, if you do decide to
7 make a comment, introduce yourself and any group
8 that you're with when you take the microphone.
9 Again, this will allow us to get on the transcript
10 who's making the comment and who's commenting.

11 It doesn't sound like we have anybody on
12 the phone line yet, but I will check that again
13 later if we don't hear anybody come on.

14 At the table in the back hopefully you
15 picked up copies of the presentations. We also had
16 a public meeting feedback form. If you take some
17 time to fill that out, you can either give that to
18 any of the NRC staff here in attendance, or you can
19 drop it in the mail -- there's no postage -- so it
20 will get to the person who is in charge of these
21 meetings, and those really do help us improve these
22 meetings.

23 Just in case you're wondering, the
24 restrooms -- if you head into the hotel, take a
25 right, follow the path, and eventually they'll be on

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1 your right, just in case you need those.

2 A couple of NRC staff that I wanted to
3 introduce: Jeff Rikhoff is the GEIS, or General
4 Environmental Impact Statement, project manager, and
5 he's going to be speaking tonight. And I also
6 wanted to point out Jason Lising, who is the
7 rulemaking lead for the project.

8 With that, I will turn things over to
9 Jeff, and I'll be back once we open it up for the
10 commenting period. If you could, if you have any
11 questions on Jeff's presentation, just hold them
12 till he gets to the end; we'll have a short time for
13 clarifying questions and comments on his
14 presentation specifically.

15 Jeff?

16 MR. RIKHOFF: Thank you, Lance. I'd
17 like to thank everyone for coming out this evening.
18 We really appreciate you taking the time to meet
19 with us and provide us with your comments.

20 Again, my name is Jeff Rikhoff; I'm the
21 General Environmental Impact Statement project
22 manager, and I'm here to explain how we revise the
23 generic EIS.

24 First let me give you a little
25 background information. As part of the license

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1 renewal program initiated in late 1980s, the NRC
2 undertook a comprehensive review of environmental
3 NEPA issues associated with the continued operations
4 of nuclear power plants beyond the term of the
5 current operating license.

6 The results of this comprehensive were
7 published in 1996 as the General Environmental
8 Impact Statement for License Renewal of Nuclear
9 Power Plants, also known as the GEIS.

10 During the comprehensive review, the
11 Commission determined that certain environmental
12 impacts associated with license renewal were the
13 same or similar for all plants, and as such could be
14 addressed generically. In total 92 environmental
15 impact issues associated with license renewal were
16 identified.

17 Therefore, the main purpose of the GEIS
18 is to identify and evaluate all environmental
19 impacts associated with license renewal and assess
20 environmental impacts that are considered generic
21 and comment to all nuclear power plants. The GEIS
22 also defines the number of issues that need to be
23 addressed in plant-specific environmental reviews,
24 in supplemental EISs to the GEIS.

25 The results of the environmental review

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1 on the 92 issues conducted for the 1996 GEIS were
2 summarized as findings in Table B-1 in NRC
3 regulations 10 CFR Part 51. In these regulations,
4 the Commission also indicated its intent to review
5 and update Table B-1 and the GEIS every ten years.
6 This meeting tonight is part of the process to
7 revise the GEIS and update the findings in Table B-
8 1, and we are here to receive your comments as part
9 of that process.

10 The range of environmental impact issues
11 considered in every environmental review for license
12 renewal is comprehensive. This slide gives you an
13 idea of some of the areas that the NRC considers
14 during license renewal environmental reviews. The
15 revised GEIS discusses the environmental impacts for
16 each of the resource areas shown on this slide.

17 The information provided in Table B-1 in
18 10 CFR Part 51 is a summary of the findings on the
19 92 environmental impact issues analyzed in the GEIS.
20 In other words, the GEIS provides the technical
21 basis for the findings in Table B-1.

22 As many of you may be aware, the issues
23 in Table B-1 are categorized as either Category 1 or
24 2. Category 1 issues are considered generic, as the
25 impacts were determined to be the same or similar at

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1 all nuclear plants. Category 2 issues are impact
2 issues that need to be addressed in plant-specific
3 environmental reviews.

4 Category 1 impacts are only addressed in
5 the GEIS and not in supplemental plant-specific
6 environmental reviews unless new and significant
7 information is found that would change the findings
8 in the GEIS.

9 In the review and update of the GEIS, we
10 re-evaluated the original 92 environmental impact
11 issues listed in Table B-1 to determine if any of
12 these issues needed to be updated, modified, or
13 deleted. We also considered whether new
14 environmental impact issues needed to be added.
15 Issues identified during plant-specific
16 environmental reviews and changes to environmental
17 laws were considered. We also considered
18 reorganizing the 92 issues to simplify impact
19 discussions and to streamline environmental impact
20 analyses.

21 We also reviewed the organization and
22 format of the 1996 GEIS and revisited the discussion
23 and analysis of refurbishment impacts. The review
24 and update took into account public comments we
25 received on the GEIS during scoping and during

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1 plant-specific license renewal environmental
2 reviews.

3 Several new Category 1 and 2 issues have
4 been added to the revised GEIS. In addition, based
5 on previous environmental reviews and public
6 comments, some issues were recategorized from
7 Category 2 to 1. It's important to note that even
8 though Category 2 issues would now be Category 1,
9 the staff would continue to evaluate these issues
10 for any new and significant information during each
11 plant-specific environmental review.

12 New Category 1 issues are shown on this
13 slide. And the next slide shows the new Category 2
14 issues. And the third slide lists the recategorized
15 issues, from Category 2 to Category 1.

16 As a result of the review and update, as
17 well as lessons learned and knowledge gained during
18 nearly 40 environmental reviews, we came up with a
19 proposed reorganized list of 78 environmental impact
20 issues, which still include all of the 92 original
21 impact issues address in the 1996 GEIS.

22 The reduction in the number of issues
23 was primarily the result of combining or regrouping
24 similar issues. The Appendix B handout illustrates
25 how these issues were reorganized. Many issues that

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1 were addressed separately in the 1996 GEIS that were
2 similar or related have been regrouped under a
3 broader, more encompassing impact issue.

4 For example, three separate aesthetic
5 impact issues in the 1996 GEIS have been combined
6 into one aesthetic impact issue that still considers
7 the aesthetic impact of nuclear plants as well as
8 transmission lines.

9 We also found very few instances where
10 power plants were being modified or refurbished for
11 license renewal. These refurbishment activities
12 have consisted primarily of steam generator and
13 vessel head replacement. As a result, most of the
14 refurbishment issues have been combined with
15 continued plant operations issues. Power plant
16 modifications and refurbishment activities
17 associated with license renewal will continue to be
18 addressed in plant-specific environmental reviews.

19 Based on comments received during
20 scoping and during plant-specific environmental
21 reviews, we also decided to reorganize the GEIS from
22 a cooling systems based approach to a resource based
23 approach. The impacts on each resource area are
24 discussed in one place rather than having to hunt
25 through several chapters in the 1996 GEIS to find

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1 relevant discussions of impacts. To make it easier
2 on the reader, we folded the discussions of impacts
3 in Chapters 3 through 8 into one environmental
4 consequences chapter organized by environmental
5 resource area.

6 The review and update of the GEIS and
7 our regulations, however, is not yet complete. All
8 of the comments received during the comment period
9 will be considered by NRC staff as we develop the
10 final rule and revised GEIS, which are scheduled to
11 be issued in early 2011.

12 The final rule and revised GEIS will
13 contain the Commission's final determination of
14 generic impacts associated with license renewal.
15 The comments you provide tonight and those received
16 during the comment period will help in finalizing
17 the staff's proposed rule and revised GEIS.

18 Recently the NRC received several
19 requests to extend the public comment period for the
20 proposed rule and GEIS revision. The Commission is
21 currently considering these requests.

22 I am the NRC point of contact for the
23 GEIS revision, along with Jason Lising, who's the
24 point of contact for the proposed rule. We are
25 working together to ensure that all comments on the

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1 proposed rule and revised GEIS are considered and
2 addressed.

3 The proposed rule and revised GEIS are
4 available to the public on our web page and through
5 our Public Document Room. You can view these
6 documents on the web at the addresses indicated on
7 this slide and in your handouts. In addition, we
8 will be happy to mail copies to anyone who requests
9 one.

10 In addition to providing oral comments
11 tonight, there are several ways to provide written
12 comments to the NRC: You can write us at the
13 address listed on this slide and in your handout, or
14 by e-mail and the web. Again, all comments received
15 during this public comment period will be
16 considered.

17 And with that, I'll turn the meeting
18 back over to Lance. Thank you.

19 MR. RAKOVAN: Thanks, Jeff.

20 Before we go to the comments, I just
21 wanted to open the floor in case there's any quick
22 clarifying questions to the material that Jeff
23 covered.

24 (Pause.)

25 MR. RAKOVAN: Okay. Seeing no hands, we

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1 have one person who is signed up so far to speak
2 tonight. That is Ralph Andersen from the Nuclear
3 Energy Institute.

4 If anybody else is interested in
5 commenting, then just get my attention, and I will
6 get you up here at some point. We obviously have a
7 lot of time, so we can certainly use it.

8 If you have any questions, I think we'll
9 probably handle discussions and questions offline as
10 opposed to on the transcript. We'll keep the
11 transcript just for the commenting.

12 Mr. Andersen, if you want to come up to
13 the podium, the podium is yours.

14 MR. ANDERSEN: I'm Ralph Andersen with
15 the Nuclear Energy Institute. As a little way of
16 background for the staff, I think you're very aware
17 that we have had for some time an industry task
18 force on license renewal which has really covered
19 the broad landscape of environmental and nuclear
20 safety issues associated with license renewal.

21 As a result of the publication of the
22 proposed rule, the draft reg guide, and the draft
23 GEIS, we've actually formed an additional task force
24 of environmental leads from 14 companies to review
25 this material and to develop industry's comments

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1 that would be submitted by the comment due date.

2 We're coordinating very closely with the
3 license renewal task force, so actually we have a
4 very robust set of task force members reviewing the
5 issue, and tonight we have five of those members of
6 that task force here at this meeting.

7 For information through the following
8 public meetings, we will make a point of having at
9 least one member, if not more, of our task force in
10 attendance, and our intent is as we work our way
11 through our understanding of the materials and
12 development of our comments, we'll be providing
13 additional detail through the meetings, with
14 hopefully a very focused and intense interaction,
15 then when we get to the meeting in Washington.

16 Because of the amount of material
17 itself, of necessity the comments still remain
18 somewhat preliminary. We of course along with at
19 least one other organization, I understand, have
20 submitted a request for an extension of the comment
21 period, and our view is that would add great value
22 to the comment process, because what it would do is
23 allow commenters the opportunity to go well beyond
24 just top-level comments on the documents and
25 actually make very detailed responses with much more

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1 well developed and robust bases for the comments
2 that I think would aid the staff in dispositioning
3 comments.

4 So we're happy to hear that the
5 extension requests are under review, and we
6 certainly hope and encourage the NRC to grant the
7 request for extension of comments.

8 In follow-on to that, then, I'm going to
9 offer a few high-level comments at this point.
10 Again, we'll have more follow-on comments through
11 the successive public meetings and then of course,
12 depending on the time frame, much, much more
13 detailed comments to be submitted in writing.

14 My comments are going to focus solely on
15 the proposed rule, 10 CFR 51, revision.
16 Subsequently, through our other meetings, we'll be
17 making some overview comments associated with the
18 draft GEIS and with the draft regulatory guide.

19 The first comment is that the -- we
20 appreciate that the staff has rearranged the issues
21 along the lines of resources; we think this actually
22 adds better transparency to the process for members
23 of the public and members of the industry as well,
24 in that we think it much better correlates what the
25 issue is with where the potential impacts might

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1 arise, so we're very supportive of that.

2 At the same time, though, we see that
3 the staff has aggregated some issues of similar
4 nature together, and the caution that we would offer
5 is that, in doing so, there was some aggregation of
6 issues that were previously Category 1 with issues
7 that were Category 2.

8 And as they're conveyed in the Table B-1
9 that's in the proposed rule, absent additional
10 detail at the level of the rule, it creates at least
11 the appearance that some issues have been actually
12 moved from being Category 1 to Category 2.

13 Reading the other materials, I don't
14 think that's the intent, but we express the caution
15 about the unintended consequence that, in any formal
16 challenge, intervention, or other type of process,
17 boards, courts, and others tend to focus on the rule
18 itself rather than supporting guidance or supporting
19 technical documents.

20 They're going to do their own plain
21 reading of the rule and make their own
22 interpretation, and so we would be concerned that
23 questions might arise later associated with
24 sufficiency on the previously Cat 1 issues that were
25 simply grouped in with an overall reading of Cat 2.

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1 I'll add as a comment, though, that in
2 reading the handout that you have, which provides
3 more detail than the Table B-1 that is actually in
4 the proposed rule, it's much more clear what the
5 pedigree is for the various issues, but again, I
6 think some of that is lost with the way that it's
7 summarized in the actual table that's in the
8 proposed rule. So that's a caution.

9 Our suggestion is that if the comment,
10 once we provide it with more supporting information,
11 seems to have some validity, it would seem to us --
12 and now I draw heavily on the handout that you
13 had -- that in effect you already have a template by
14 which you could break the issues out in somewhat
15 more detail; still listed adjacent to each other to
16 connote their similarity, but in a way where it's
17 much more clear that Cat 1 issues have actually
18 remained as Cat 1 issues. But that distinction I
19 think now is lost in the table that's actually in
20 the rule.

21 That could have the effect, then, of
22 reducing not only the burden and what the licensee
23 might feel they need to submit, but also could
24 obviate certain follow-on processes to the license
25 renewal process where there would have to be some

1 form of adjudication to reach a decision.

2 Another comment is that we also see
3 that -- oh, by the way, I did intend to give an
4 example of that. The example I note that's
5 illustrated excellently in the proposed rule versus
6 your handout is on the impingement and entrainment
7 of aquatic organisms.

8 In your handout you very clearly show
9 what was a 2 and what was a 1, but in the actual
10 Table B-1 that's all rolled up and is simply listed
11 as a 2. So that would be a good example to look at.
12 We probably use your handout, as matter of fact, for
13 aiding and developing our comments to show an
14 example of how we think you could resolve the issue.

15 There are some previous Category 2
16 issues that the NRC based on the experience and
17 insights gained from license renewal processes have
18 been reclassified as Category 1 issues.

19 You know, clearly we'll look at those
20 and provide our comments. I would expect and hope
21 that in most cases we would be supportive of those
22 changes that have been made, but we also believe
23 that there are some additional issues currently
24 listed as Category 2 that would be good candidates
25 for consideration as Category 1 issues.

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1 The key here is that especially if we're
2 afforded the extra time in development of comments,
3 it would certainly give us the opportunity to
4 provide a much more robust basis for those types of
5 comments. We believe that would greatly facilitate
6 the comment review process, so we're looking forward
7 to that.

8 An example of a type of issue that we
9 think might be amenable to that, for instance, would
10 be thermal impacts on aquatic organisms. And,
11 again, I would defer to us completing our review and
12 developing much more detailed comments, but we have
13 actually identified a handful of issues that, at
14 least at first blush, we think we would have a good
15 shot at providing a good strong basis for why they
16 might be considered for reclassifying as Category 1.

17 The next comment that I would like to
18 make goes to the issue of -- a couple of issues that
19 have been introduced or have been carried over that
20 we want to evaluate further with the idea that they
21 might actually be able to be deleted in their entirety.

22 The basis that we want to evaluate for
23 those types of comments quite simply goes to the
24 issue of whether the potential impacts actually
25 change in any way in terms of magnitude or

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1 occurrence as a function of a license renewal
2 decision.

3 Put differently, are they directly
4 germane to the action of approving a license
5 renewal, or are they impacts that will occur at that
6 same magnitude irrespective of whether a license is
7 renewed or not?

8 An example of that would be the non-
9 radiological groundwater and soil contamination
10 issue. Looking at the way that it's framed and,
11 again, subject to a lot more evaluation on our part,
12 you know, the question we would ask is does the
13 decision really have any effect on the impact?

14 And, you know, we will take a look at
15 potentially making the case that if it doesn't, that
16 it actually need not be part of the license renewal
17 Environmental Impact Statement.

18 Those are the comments that I put
19 forward now. I realize they're fairly high level
20 and not very detailed, but, again, that will be the
21 point of the exercise of continuing to work through
22 the materials.

23 So I welcome the opportunity to provide
24 comments. You'll see more of us in subsequent
25 meetings. We'll continue to work through the

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1 materials.

2 I just leave with one comment: I think
3 the materials themselves are very well organized and
4 very accessible to someone who is reviewing them to
5 develop comments, and so I offer that appreciation
6 for facilitating the public review process.

7 Thank you.

8 MR. RAKOVAN: Thank you, Mr. Andersen.

9 Do we have anyone else with us tonight
10 who wants to take the microphone and make some
11 comments?

12 (No response.)

13 MR. RAKOVAN: Okay. I didn't hear
14 anybody come on the phone, but let me make a quick
15 check to make sure. Is anyone on the phone that
16 would like to make comments?

17 (No response.)

18 MR. RAKOVAN: Okay. Bo, did you want to
19 close out, or, Jeff, do one of you guys want to
20 close out the meeting?

21 MR. PHAM: Yes. My name is Bo Pham.
22 I'm the branch chief for the Environmental Review
23 Branch in the Division of License Renewal at the
24 NRC.

25 We had hoped for a better turnout, but

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1 we definitely appreciate you guys making the effort
2 to come out and provide any comments. Just from
3 listening to the comments, I think they're very good
4 comments, and we will properly, appropriately
5 consider all of them.

6 Thanks again for coming out.

7 MR. RAKOVAN: Okay. Let's go ahead and
8 close out the meeting, but given the fact that we
9 said we'd be here for a number of hours, we should
10 probably hang loose as we're breaking stuff down,
11 just in case people show up late.

12 Thank you all for coming.

13 (Whereupon, at 7:40 p.m., the meeting
14 was concluded.)

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CERTIFICATE


This is to certify that the attached proceedings
before the United States Nuclear Regulatory Commission
in the matter of: Draft GEIS

Name of Proceeding: Public Meeting

Docket Number: (n/a)

Location: Atlanta, Georgia

were held as herein appears, and that this is the
original transcript thereof for the file of the United
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Brenda Thompson
Official Reporter
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