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NUCLEAR REGULATORY COMMISSION

OFFICE OF NUCLEAR REACTOR REGULATION

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PUBLIC MEETING TO DISCUSS THE DRAFT
GENERIC ENVIRONMENTAL IMPACT STATEMENT
FOR LICENSE RENEWAL OF NUCLEAR PLANTS,

NUREG-1437, REVISION 1

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TUESDAY, OCTOBER 20, 2009

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BEST WESTERN SHORE CLIFF LODGE

2555 PRICE STREET

PISMO BEACH, CALIFORNIA

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7:00 P.M.

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P R O C E E D I N G S

[7:01 p.m.]

1
2
3 MR. BAILEY: Good evening, everyone. My
4 name is Kenneth Bailey. I'm a diversity specialist
5 who works in the Office of Small Business and Civil
6 Rights at the Nuclear Regulatory Commission, of which
7 you will hear referred to as the NRC throughout the
8 night.

9 I'll be facilitating the meeting today and
10 Lance Rakovan from the Office of the Executive
11 Director for Operations, a communications specialist,
12 will be the co-facilitator, along with myself.

13 Before I begin describing the process, I
14 would first like to thank members of the community who
15 rallied for participation of this meeting tonight.

16 The purpose of this meeting is to provide
17 you with an opportunity to give us your comments on
18 the proposed rule amending Title 10, Part 51, of the
19 Code of Federal Regulations, as well as the Generic
20 Environmental Impact Statement for license renewal of
21 nuclear plants for NUREG 1437, Revision 1.

22 For those of you not familiar with
23 regulations, Title 10 is a part of the Federal
24 Regulations where you can find NRC's regulations and
25 Part 51 is just a piece of those regulations that

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1 specifically focus on environmental protection.

2 As far as the term, Generic Environmental
3 Impact Statement, you'll probably hear referred to as
4 G-E-I-S, or as GEIS in the meeting.

5 Today's meeting is just one way that you
6 can participate in the commenting process, and you'll
7 be hearing more about various other ways you can
8 participate soon.

9 The meeting will essentially have two
10 parts. First, we'll hear the presentation from NRC
11 staff on the topics at hand, information we think is
12 important for you to understand.

13 There were copies of the presentations on
14 the table as you signed in, but in case you didn't get
15 a copy, we can have someone run one to you. Is there
16 anyone who doesn't have a copy and needs a copy of the
17 presentation? Okay.

18 [Audience comment]

19 MR. BAILEY: It's a presentation. It
20 should have a couple of slide boxes on it. Yes, sir.

21 For those of you participating by phone,
22 although I don't think we have anybody--is there
23 anyone on the phone line?

24 [No response]

25 MR. BAILEY: Okay. So we're going to try

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1 to keep the presentation short, so that we can get the
2 real reason we're here today, and that is to listen to
3 you.

4 For those of you here on site, there are
5 yellow and blue cards that were at the registration
6 desk. Hopefully, you all filled one out. The yellow
7 cards are for the people who prefer to comment.
8 Later, we'll be calling you to speak based on the
9 people who submitted the yellow cards.

10 If you haven't filled the card out, and
11 decide you want to speak, it's okay, you can get my
12 attention and we'll run a card to you.

13 We ask that you fill out the card, so that
14 not only do we have a good list of who spoke at
15 today's meeting, but also so that we can get your name
16 correctly on the transcript.

17 Keep in mind that we are transcribing
18 today's meeting to make sure we fully capture your
19 comments. You can help us get a clean transcript by
20 using the microphone every time you speak or ask a
21 question. Keep the side conversations to a minimum,
22 thus helping us to keep only the main conversation
23 going at a time during the meeting, so as to identify
24 the particular person that's speaking.

25 Please identify yourself and any group

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1 that you represent, the first time you speak.

2 You can also help us get a clean
3 transcript by turning off the electronics, or at least
4 putting them on vibrate.

5 One other item I'm hoping you picked up
6 when you came to the public meeting is the feedback
7 form. You can fill this form out here tonight and
8 give it to an NRC staff member, or drop it in the mail
9 sometime soon in the near future. Postage is free.

10 Your opinion on how this meeting went will
11 help us improve upon our future meetings, so please
12 let take a moment to let us know what you think.

13 Rest rooms. Rest rooms are located
14 directly behind the seated audience.

15 I want to take a moment to introduce some
16 of the NRC staff in attendance today, all from the
17 Office of the Nuclear Reactor Regulation.

18 Jeffrey Rikhoff, who will be the lead, and
19 the presenter for today.

20 Susan Uttal. Jason Lising. Bo Pham.
21 Andrew Stuyvenberg and Robin Ross.

22 Additionally, we have NRC's resident
23 inspector for this region, Tony Brown, and the senior
24 resident inspector, Michael Peck.

25 Also attending the meeting from our Agency

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1 is Public Affairs Officer Victor Dricks.

2 With that, I'll turn things over to
3 Jeffrey Rikhoff, and will be back when we move to the
4 second part of the meeting.

5 If you have any questions about the
6 material that is covered, I'm going to ask that you
7 hold your questions until the presentations are over,
8 so that we can move to the second portion of the
9 meeting. Thank you for your attention.

10 MR. RIKHOFF: Thank you, Kenny. I'd like
11 to thank everyone for coming out this evening. We
12 really appreciate your taking the time to meet with us
13 and provide us with your comments. Again, my name is
14 Jeff Rikhoff, and I'm the Generic Environmental Impact
15 Statement project manager, and I'm here to explain how
16 we revised the Generic EIS.

17 First, let me give you a little background
18 information.

19 As part of the license renewal program
20 initiated in the late 1980's, the NRC undertook a
21 comprehensive review of environmental NEPA issues
22 associated with the continued operation of nuclear
23 power plants beyond the term of the current operating
24 license.

25 The results of this comprehensive review

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1 were published in the 1996 Generic Environmental
2 Impact Statement for license renewal of nuclear power
3 plants, also known as the GEIS.

4 During the comprehensive review, the
5 Commission determined that certain environmental
6 impacts associated with license renewal were the same
7 or similar for all plants, and as such, could be
8 addressed generically. In total, 92 environmental
9 impact issues associated with license renewal were
10 identified.

11 Therefore, the main purpose for the GEIS
12 is to identify and evaluate all environmental impacts
13 associated with license renewal and assess
14 environmental impacts that are considered generic and
15 common to all nuclear power plants.

16 The GEIS also defines the number of issues
17 that need to be addressed in plant-specific
18 environmental reviews, in supplemental EIS's to the
19 GEIS.

20 The results of the environmental review on
21 the 92 issues conducted for the 1996 GEIS were
22 summarized as findings in Table B-1 in NRC regulations
23 10 CFR Part 51. In these regulations, the Commission
24 also indicated its intent to review and update Table
25 B-1 and the GEIS every 10 years. This meeting tonight

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1 is part of the process to revise the GEIS and update
2 the findings in Table B-1, and we are here to receive
3 your comments as part of that process.

4 The range of environmental impact issues
5 considered in every environmental review for license
6 renewal is comprehensive.

7 This slide gives you an idea of some of
8 the areas that NRC considers during license renewal
9 environmental reviews. The revised GEIS discusses the
10 environmental impacts for each of the resource areas
11 shown on this slide.

12 The information provided in Table B-2, in
13 10 CFR Part 51, is a summary of the findings on the 92
14 environmental impact issues analyzed in the GEIS. In
15 other words, the GEIS provides the technical basis for
16 the findings in Table B-1.

17 As many of you may be aware, the issues in
18 Table B-1 are categorized as either Category 1 or 2.
19 Category 1 issues are considered generic as the
20 impacts were determined to be the same or similar at
21 all nuclear plants.

22 Category 2 issues are impact issues that
23 need to be addressed in separate plant-specific
24 environmental reviews.

25 Category 1 impacts are only addressed in

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1 the GEIS and not in the supplemental plant-specific
2 environmental reviews, unless new and significant
3 information is found that would change the findings in
4 the GEIS.

5 In the review and update of the GEIS, we
6 re-evaluated the original 92 environmental impact
7 issues listed in Table B-1, to determine if any of
8 these issues needed to be updated, modified or
9 deleted. We also considered whether new environmental
10 impact issues needed to be added. Issues identified
11 during plant-specific environmental reviews and
12 changes to environmental laws and regulations were
13 considered.

14 We also considered reorganizing the 92
15 issues to simplify impact discussions and to
16 streamline environmental impact analyses.

17 We also reviewed the organization and
18 format of the 1996 GEIS and revisited the discussion
19 and analysis of refurbishment impacts.

20 The review and update took into account
21 public comments we received on the GEIS during scoping
22 and during plant-specific license renewal
23 environmental reviews.

24 Several new Category 1 and 2 issues have
25 been added to the revised GEIS. In addition, based on

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1 previous environmental reviews and public comments,
2 some issues were recategorized from Category 2 to
3 Category 1. It's important to note that even though
4 Category 2 issues would not be Category 1, the staff
5 would continue to evaluate these issues for any new
6 and significant information during each plant-specific
7 environmental review.

8 New Category 1 issues are shown on this
9 slide. These issues were added as a result of
10 previous environmental reviews and public comments.

11 This slide shows the new Category 2
12 issues. Again, these issues were added as a result
13 of previous environmental reviews and public comments.

14 And this third slide are the issues that
15 were recategorized from Category 2 to 1. These issues
16 were recategorized based on previous environmental
17 reviews and public comments.

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

24 The reduction in the number of issues was
25 primarily the result of combining or regrouping

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1 similar issues.

2 The Appendix B handout illustrates how
3 these issues were reorganized. Many issue that were
4 addressed separately in the 1996 GEIS, that were
5 similar or related, have been regrouped under a
6 broader, more encompassing impact issue.

7 For example, three separate aesthetic
8 issues in the 1996 GEIS have been combined into one
9 aesthetics impact issue, that still considers the
10 aesthetic impact of the nuclear plant a swell as
11 transmission lines.

12 We also found very few instances where
13 power plants were being modified or refurbished for
14 license renewal .

15 These refurbishment activities have
16 consisted primarily of steam generator and vessel head
17 replacement. As a result, most of these issues have
18 been combined with continued plant operations issues.

19 Power plant modifications and refurbishment
20 activities associated with license renewal will
21 continue to be addressed in separate plant-specific
22 environmental reviews.

23 Based on comments received during scoping
24 and during plant-specific environmental reviews, we
25 also decided to reorganize the GEIS from a cooling

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1 systems-based approach to a resource-based approach.

2 The impacts on each resource area are
3 discussed in one place rather than having to hunt
4 through several chapters in the 1996 GEIS to find
5 relevant discussions of impacts.

6 To make it easier on the reader, we folded
7 the discussion of impacts in Chapters 3 through 8, in
8 the 1996 GEIS, into one environmental consequences
9 chapter organized by environmental resource area.

10 The review and update of the GEIS and our
11 regulations, however, is not yet complete.

12 All the comments received during the
13 comment period will be considered by NRC staff as we
14 develop the final rule and revised GEIS, which are
15 scheduled to be issued in early 2011.

16 The final rule and revised GEIS will
17 contain the Commission's final determination on the
18 generic impacts associated with license renewal.

19 The comments you provide tonight, and
20 those received during the comment period, will help in
21 finalizing the staff's proposed rule and revised .

22 The NRC received several requests to
23 extend the public comment period for the proposed rule
24 and GEIS revision.

25 The NRC recognizes that there's a large

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1 amount of information associated with this rulemaking,
2 and has therefore extended the public comment period
3 for an additional 90 days, to allow additional time
4 for review.

5 The public comment period now ends on
6 January 12, 2010, 90 days from the original date of
7 October 14th. The NRC wants to make sure that members
8 of the public have sufficient time to provide comments
9 that will improve the quality of these regulations as
10 well as the license renewal process.

11 I am the point of contact for the GEIS
12 revision, along with Jason Lising, who's the point of
13 contact for the proposed rule. We are working
14 together to ensure that all comments on the proposed
15 rule and revised GEIS are considered and addressed.

16 The proposed rule and revised GEIS are
17 available to the public on our Web page and through
18 our Public Document Room, and we have several copies
19 in the back of the room.

20 You can view these documents on the Web at
21 the addresses indicated on this slide, you know,
22 visiting www.regulations.gov, then enter NRC-2008-0608
23 on keyword or ID, and click search. In addition,
24 we'll be happy to mail copies to anyone who requests
25 one.

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1 In addition to providing oral comments
2 tonight, there are several ways to provide written
3 comments to the NRC.

4 You can write to us at the address on this
5 slide, in your handout, or by e-mail and the Web.

6 Again, all comments received during this
7 public comment period will be considered, and with
8 that, I'll turn the meeting back over to Kenny.

9 MR. BAILEY: Thanks, Jeff.

10 At this time, I would ask if there are any
11 clarifying questions specifically pertaining to this
12 presentation. If there are, raise your hand and I
13 will call on you as I see it.

14 Ma'am.

15 MS. GROOT: My name is Henrietta Groot. I
16 may have had a moment of inattention, but I would
17 really like to hear, once more, what happens if no
18 data come in on issues that were not considered
19 before. I see a lot in the information that says
20 these things are not expected to happen. So my
21 question is: How are you going to deal with things
22 that are not expected to happen?

23 MR. RIKHOFF: In the license renewal
24 process, when a licensee submits an application for
25 license renewal, the staff reviews the application,

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1 looking for the information that's been provided, and
2 the applicant's request to provide any new and
3 significant information at that time, which is
4 followed up by a scoping process, where we go out and
5 meet with the public and we try to identify any new
6 and significant issues pertaining to that specific
7 plant, which is also followed up by a site visit by
8 the NRC staff, which also asks questions of the
9 applicant about new and significant information, and
10 we try to address those issues and concerns, and new
11 information, as best we can.

12 In the plant-specific review, you know, we
13 go back and we revisit all the Category 1 issues to
14 determine whether there's new and significant
15 information. If indeed there is, then they would be
16 addressed in the plant-specific review.

17 MR. HILL: Thank you. Adam Hill, county
18 supervisor, District 3. I have a question on the
19 Category 2's that have been brought back to Category
20 1, specifically the off-site land use. Impacts
21 from license renewal has been put back in--has been
22 put into the Category 1, which is basically the same
23 in all plants.

24 I wonder if you can explain the rationale
25 for that.

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1 MR. RIKHOFF: That's a very good question,
2 because in our review, what we found in the previous
3 40 some-odd license renewal reviews, that the plants
4 weren't modifying their site in order to continue
5 operation that would affect off-site land use. We
6 look at changes in tax structure, changes in, you
7 know, potential changes in value of the plant that
8 could affect off-site land use.

9 We were also focused on a potential
10 increase in the number of workers that may move into
11 an area, requiring houses, which would also affect
12 land use.

13 But based upon our review, we haven't been
14 seeing that happening at any plant, and as I answered
15 earlier, as a Category 1 issue, we would still visit
16 that issue at every plant--you know--at the plants
17 that submit license renewal applications.

18 MR. HILL: Thank you. Okay. Then if
19 you're going to revisit it, site-specific, then why is
20 it gone from the site-specific category to the same-
21 at-all plant category?

22 MR. RIKHOFF: Well, we've tried to
23 disposition issues that we felt are, you know, common,
24 and this is an issue where we haven't seen any impacts
25 occurring at the plants that have been submitted for

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1 license renewal.

2 It doesn't mean that we, you know, weigh
3 that any less, but we're just not expecting to see it.

4 But, you know, when we go out, we follow up at the
5 plant and try to determine whether there would be an
6 impact that would change the conclusions in the GEIS.

7 It's so we can focus on the more pertinent
8 Category 2 issues, the ones that seem to be of most
9 concern to the public.

10 MS. SWANSON: I'm Jane Swanson. I'm
11 wanting to make sure I understand it correctly.
12 There's a slide that's called New Category 1 Issues
13 Logically, it seems to me the word "new" means these
14 issues were not considered in the 1996 version. Am I
15 jumping to a wrong conclusion there? I'm not sure
16 what "new" means in this context.

17 MR. RIKHOFF: Yes. For a number of these
18 issues, they weren't specifically addressed in the '96
19 GEIS, but they had been addressed as part of specific
20 plant renewal reviews, to the point where we felt we
21 needed to discuss them, and that way we've added it,
22 to try to make the GEIS more complete.

23 So we talked about everything, and we
24 tried to disposition the Category 1 issues in the GEIS
25 as well as identifying category 2 issues that need to

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1 be addressed in plant-specific reviews.

2 MR. NELSON: My name's David Nelson, and
3 I'm a little concerned about some of these Category 1
4 designations. The one, in particular, that jumps out
5 at me off of--I'm looking at Appendix B here--you have
6 the thermal plume as a Category 1 issue, and that, to
7 me, is a big mistake. To put all the plants together
8 and make it a generic issue is wrong. Diablo Canyon
9 is a great example of thermal plume "gone mad." I
10 mean, thermal plume out there hasn't really been
11 looked at the degree that it should be looked at, and
12 now you're going to put it in a Category 1. That
13 makes it generic, so that we can just write it off as
14 if everything's okay. Everything's not okay and it
15 should be a Category 2 item.

16 MR. RAKOVAN: Sir, that sounds like a
17 comment, exactly what we're looking for tonight but--I
18 think I'm fading in and out--that sounds exactly like
19 what we're looking for, to hear tonight, but right
20 now, we're looking for clarifying questions on the
21 presentation.

22 You know, once you have the microphone,
23 then we're really happy to hear more about that but--

24 MR. NELSON: Well I guess I'm just asking
25 how you come to the conclusion--

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1 MR. RAKOVAN: How you came to the
2 conclusion. Okay. It was the staff's feeling, that
3 since discharges are regulated by PDS permits, either
4 as state or federal national pollution discharge
5 elimination system permits, that the state regulatory
6 bodies oversees--you know, addresses those impacts.
7 And that's not to say that when we go out, when a
8 licensee submits an application, we go out and we look
9 at that situation.

10 You know, we look to see if there were
11 exceedances. We look at every plant. That doesn't
12 mean that we ignore, or, you know, gloss over it. You
13 know, we take those very seriously, but because of the
14 permitting process, you know, it's not an NRC review
15 process, necessarily, to approve the application for
16 discharge permits, but that we acknowledge that the
17 state has or the federal agency has--sorry--that they
18 have that responsibility, and then NRC just reports
19 those conditions.

20 MS. ZAMACK: Jill Zamack. I didn't see
21 anything on there--Jill Zamack. I didn't see anything
22 there on seismic issues. What category is that?

23 MR. RIKHOFF: It's been added as geology
24 and soils. The very last bullet.

25 MS. ZAMACK: Category 1?

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1 MR. RIKHOFF: Yes, because, you know,
2 these--you know, we acknowledge that there are seismic
3 conditions at all plants, and that we present that
4 information, that wasn't discussed in the previous
5 GEIS, and that, you know, that the plant has a license
6 to operate and those safety conditions are looked at
7 on a daily basis, and are--you know, it's a concern of
8 the Agency on an ongoing basis, and it's not specific
9 to license renewal.

10 PARTICIPANT: That were--

11 MR. RIKHOFF: Were not limited to license
12 renewal.

13 PARTICIPANT: In other words, you don't
14 care how much the ground moves.

15 [Laughter]

16 MR. BAILEY: Okay. Now we'll transition
17 into the public commenting period now. I have a stack
18 of cards here, and we'll be calling the people to the
19 mike, one at a time, to provide your comments on the
20 proposed rule for a NUREG document. I'll try to keep
21 time. We have a time limit on the facility, so I
22 would ask you to limit your comments between five to
23 ten minutes, maximum ten minutes.

24 The first person I would like to call up
25 is Jane Swanson, Mother of Peace.

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1 [Applause]

2 MS. SWANSON: Which microphone? This one?

3 MR. BAILEY: The small one.

4 MS. SWANSON: Okay. So Jane Swanson. I
5 am speaking on behalf of the San Luis Obispo Mothers
6 For Peace, and for the record, in case anybody goes to
7 the NRC Web site and reads the transcript of this
8 meeting, I just want it on the record that this is a
9 local organization. Mothers For Peace is local, not
10 national, and we're an all-volunteer group that has
11 been using the legal means to make nuclear power less
12 dangerous since 1973.

13 Thank you to all the NRC personnel here
14 for relocating this meeting, so that those of us who
15 live in the vicinity of this particular plant can be
16 here.

17 Mothers For Peace will be sending written
18 comments on the GEIS, but tonight, I'd like to speak
19 to a fundamental problem that Mothers sees of omitted
20 issues.

21 A sampling of issues with the potential
22 for very large environmental impacts, that should be
23 studied on a site-specific basis includes--I have a
24 short list of just four here.

25 So these are things that we think should

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1 be somewhere on that B list, and in Category 2 or 3.
2 One issue is terrorist attacks on vulnerable spent
3 fuel pools. Environmental effects of a terrorist
4 attack on spent fuel pools. That's not anywhere in
5 there.

6 Neither are the environmental effects of
7 terrorist attacks on dry casks. The NRC agrees with
8 the Departments of Homeland Security, and the
9 Department of Energy, that nuclear facilities are, by
10 definition, targets of terrorists.

11 But the spent fuel pools at all these 104
12 plants were designed and built long before the age of
13 terrorism, and they are not protected, adequately, by
14 attack from air or other means.

15 So to ignore that vulnerable component
16 when deciding what issues need Environmental Impact
17 Statements, site-specific, seems irresponsible to us.

18 Similarly, the environmental impacts of
19 sabotage from within a nuclear power plant, should
20 terrorists gain entry, or infiltrate the workforce, is
21 not among those to be assessed under either the
22 generic or the site-specific rules. So these we see
23 as omissions of very important matters.

24 And nothing personal to those of you who
25 made the long trip from Washington to be here and to

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1 be down near the San Onofre plant in a couple of days,
2 but the NRC, as an Agency, has not earned the trust of
3 Mothers For Peace in regard to environmental
4 responsibility.

5 The Agency has gone so far as to rule that
6 even a successful terrorist attack on the dry casks at
7 Diablo Canyon would have, and I quote, "no significant
8 impact, unquote, on the environment.

9 Mothers For Peace is challenging this very
10 faulty logic, right now, in federal court, and I'm not
11 asking for any comments today on a federal court case,
12 but I just really had to mention it, that you're here
13 because you want our input. We appreciate that. I
14 believe in the sincerity of every one of you that's
15 here today, that you want to hear from the citizens
16 who live near any of the 140 nuclear power plants.

17 But that Commission at the top, that gets
18 to make the final decisions, has not earned our trust.

19 So we hope that you, the staff, can influence them to
20 see things in a more complete way. I think I just
21 rephrased what I wrote, so I will quit right there.
22 But again, thank you for coming here and taking input
23 from so many members of the public.

24 MR. BAILEY: Thank you. Next, we can have
25 Fred Flannell, or "Flannell". Please come to the

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1 mike. Fred.

2 [No response]

3 MR. BAILEY: Next will be Jim Cochran from
4 Public Mothers For Peace.

5 MS. COCHRAN: Actually, my name is June
6 Cochran, and I am a member of Mothers For Peace. But
7 Jane speaks for us. I'm speaking as an individual who
8 lives within a very short distance of the plant, and I
9 wanted to go over some things that I noticed also.

10 The NRC should adopt in the GEIS the same
11 rules and regulations regarding safeguards and
12 security as were adopted by the Commission for the new
13 proposed reactor designs and sites.

14 If the new reactor standards are deemed
15 necessary to protect human health and the environment,
16 then such standards should be applied, retroactively,
17 to any reactor that will continue to operate beyond
18 its original license, or the licensee must demonstrate
19 how the existing reactor meets those newer standards.

20 We should not have lesser standards
21 because our plant was built 20 years ago.

22 The very fact that the NRC has a newer and
23 more stringent standard for nuclear safety, going
24 forward, is a tacit admission that those of the past
25 must somehow be inadequate. Otherwise, I would

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1 assume they would not have put those into being.

2 The General Accountability Office has
3 documented the widespread use of counterfeit and
4 substandard parts in nuclear reactors. That's a
5 problem and something to be concerned about.

6 At one of the Diablo Canyon independent
7 safety committee meetings, Per Peterson, one of the
8 commissioners, said to this effect, that having an old
9 power plant is like driving an old car. That it
10 drives but it doesn't have any airbags and it's not as
11 safe.

12 And this means that there's old parts in
13 there. One of the things I'm concerned about are the
14 aging parts, and we don't know how many are in there.

15 This is one that was discovered because there was a
16 problem. This is a buried firewater pipe break. You
17 can see how corroded and horrible it looks.

18 When I asked how many more are down there,
19 they said we don't know, and we won't know until one
20 of them has a problem. If we have one, we know that
21 there are more.

22 The other disturbing picture that I have
23 is the damage to a corner spent fuel rod, and
24 basically they didn't know what the root cause
25 analysis was. They only had a probable cause which

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1 was debris fretting, which means that debris was
2 floating around there but they don't know what debris.

3 That's pretty disturbing also.

4 So the escalating potential for accidents
5 in aging reactors has received nationwide attention,
6 and derogatory audits from the NRC's own Office of
7 Inspector General.

8 The General Accountability Office has
9 documented the widespread use of counterfeit and
10 substandard parts, like I said, in nuclear reactors.
11 So that's pretty disturbing.

12 There have been over 200 license
13 amendments, temporary orders and waivers, for Diablo
14 Canyon, and I hope that that will stop with
15 relicensing. I hope that there won't be any waivers,
16 or anything of that nature, for them.

17 I went to the CEC hearing last week, and
18 PG&E said that they wanted to apply for relicensing in
19 2011. That's ten years early. That seems
20 inappropriate, since huge changes in the economy and
21 technology, and the energy field, could drastically
22 change either the renewal process and/or make nuclear
23 power obsolete. And as a condition of relicensing the
24 GEIS for nuclear power, license renewals should
25 require that the licensee has the means to resist an

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1 attack on the reactor building, its supporting
2 structure, and its spent fuel storage, from air, land
3 and water, by a team of well-equipped terrorists; be
4 prepared to pass tests and mock attack drills, which
5 would demonstrate the adequacy of security; and many
6 other aspects.

7 Congress charges the NRC with protecting
8 public safety, not with ensuring industry profits.
9 Therefore, no license renewal should be approved by
10 the NRC until and unless a plan is implemented to
11 safely and permanently store fuel-related radioactive
12 waste, plus the additional waste which would be
13 generated during extended licensing periods.

14 Aging reactors with colocated high-level,
15 above-ground radioactive waste facilities, within two
16 and a half miles from two major active faults, should
17 be a clear indication that license renewal
18 recommendations should be to deny an additional 20
19 years, and certainly seismic should come up to stage
20 two, or Category 2 concern.

21 And where is the NRC's man--and the NRC's
22 mandate is the expertise to evaluate the environmental
23 impacts of alternative sources, granted. PG&E always
24 gives seismic data, and we don't hear it from other
25 independent sources.

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1 We hope that the NRC will put into effect
2 some of their "go to" independent agencies to find out
3 some of the seismic problems.

4 Right now, the PG&E is going to try to get
5 ratepayers to pay for 3-D mapping, the newest
6 technology, and seismic technology, and we're hoping
7 that the NRC will make their own studies and get
8 independent people to come up with those studies.

9 And I should have been organized. I
10 apologize. And considering--this is my last comment.

11 Considering this long timeframe to relicense, PG&E
12 should wait for seismic and safety reports, since if
13 you, as the NRC, a public agency, knows that something
14 may be dangerous, and we do have a new fault there,
15 and several faults that might be underground that we
16 don't about yet, that you know something might be
17 dangerous, it would be a dereliction of duty not to
18 fully investigate with independent sources.

19 Thank you for your time.

20 MR. BAILEY: Thank you. Now we can have
21 Klaus Schumann.

22 MR. SCHUMANN: Thank you. My name is
23 Klaus Schumann. I live in Paso Robles, about 23 miles
24 from the plant as the crow flies, and I also want to
25 thank the NRC to change their meeting procedures, have

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1 the meeting here, and maybe I want to start my comment
2 by asking, actually, why you don't have TV cameras
3 here tonight. It seems to me that all the meetings
4 were covered by AGP. This one isn't and I was just
5 wondering why. We have 240,000 people, I believe,
6 roughly, living in the county, and you wanted to get
7 comments, was one of the stated goals, from as many as
8 possible. So one would think, you know, that TV
9 coverage would be good, that people can get
10 familiarized with the issue, and do, send in their
11 comments until January 12th.

12 My main problem, and what I want to
13 address in my comment, is that you have made on-site
14 storage of spent nuclear fuel in a small impact
15 Category 1, category, you know, and the way I read it,
16 you explain it, saying the expected increase in the
17 volume of spent fuel from an additional 20 years of
18 operation can be safely accommodated on site with
19 small environmental effects through dry or pool
20 storage at all plants.

21 If a permanent repository, or mountaintop
22 retrievable storage is not available, well, so far we
23 always heard Yucca Mountain was the goal for PG&E.
24 That looks less and less, the chance that we'll get it
25 there.

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1 Now I cannot see how this is a generic
2 issue. I mean, the NRC's argument for generic is a
3 simple one. First, as stated, it can be safely
4 accommodated, and because it's safe you can make it a
5 generic issue. That doesn't make that much sense to
6 me. If the NRC predetermines that prolonged outside
7 storage is safe at all plants, then there's almost no
8 point to take public input on it.

9 By allowing the utilities to fill the
10 pools way beyond the original licensed capacity, the
11 NRC has allowed a doubling of possibilities for
12 nuclear catastrophe. A meltdown, as we always had to
13 worry about, but now also about a pool fire.
14 Actually, the possibility of a pool fire has been not
15 recognized by the NRC until the year of 2000.

16 So safe accommodation as the NRC claims.
17 At Songs and Diablo, the earthquake and tsunami
18 dangers are completely different from any other plant,
19 obviously. But the same is true for terrorist aspects
20 for any plant because of location and/or design of the
21 plants.

22 And I want to quote from the report of the
23 National Academy of Sciences from 2005, which
24 addressed the issue of terrorism at--and the meaning
25 for spent fuel pools. And I quote here from that

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1 report.

2 It says: "The potential vulnerabilities of
3 spent fuel pools to terrorist attacks are plant design
4 specific. Therefore, specific vulnerabilities can
5 only be understood by examining the characteristics of
6 spent fuel storage at each plant." End of quote.

7 Furthermore, another 20 years of exposure
8 to intense radiation and heat will likely cause
9 further embrittlement of components such as pool
10 racking and/or fuel cladding.

11 The G force that's generated in
12 earthquakes depends largely on the strength of the
13 quake and the distance from the epicenter.

14 So this aspect alone would require very
15 different mitigation measures at different plants.

16 Accordingly, the safe accommodations of
17 spent fuel storage on site depends on the different
18 mitigation measures at each site and be evaluated at
19 site-specific, the EIS.

20 I also take offense, I mean, calling a
21 small environmental impact. A pool fire or breach of
22 a cask are not small environmental impacts. In fact,
23 some of the NRC's own studies identify a pool fire as
24 potentially having comparable consequences to a
25 reactor meltdown.

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1 The NAS, the Academy report, finds that a
2 pool fire is possible and that such a fire could
3 result in releasing large amounts of radiation to the
4 environment, is hardly a small impact.

5 Moreover, the NRC--the Academy report
6 suggests a host of possible mitigation measures,
7 depending on site by site evaluations. Such measures
8 could include lower pool density, reconfiguration of
9 assemblies in the pool racking, additional sprinkler
10 system, and so on,
11 all depending on different conditions at each plant.
12 That's the Academy report finding 3-D, page six.

13 Even more important, condition may also
14 change, as we just experienced here at Diablo.
15 Another fault was just recently discovered here. You
16 know, terrorists might get access to more destructive
17 weapons, and so on.

18 So I would really urge you to make this
19 issue of on-site spent fuel storage for prolonged
20 periods of time, take it out of the Category 1 issues
21 and make it a site-specific one. Thank you very much.

22 MR. BAILEY: Thank you. For those of you
23 who have written statements, if you would actually
24 like them included specifically in the transcript,
25 submit it to myself and I will ensure that the

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1 transcriber has it to include.

2 Now we'll call up June von Ruben of
3 Mothers For Public, and just a "heads up" for Peg
4 Pinard, will be the next speaker after June von Ruden.

5
6 June.

7 MS. VON RUDEN: I'm June, and it's "von
8 Ruden." I've lived in Pismo for 40 years, and I've
9 been in an activist group for about six, due to the
10 thing that we all fear, other than being blown away or
11 whatever. My daughter had cancer and died, and now I
12 have, and that has nothing to do with anything, except
13 that I'm not knowledgeable of the 602 page whatever it
14 is over on that table, because I didn't read it.

15 If you have seen this article, please say
16 so. I don't want to take time. It's in the New York,
17 was in the New York Times about three days ago. I'm
18 going to do something very bad. I'm going to make the
19 NRC look good.

20 And if I can just read parts of it, I
21 found it interesting. In the first place, I did not
22 know that Westinghouse, that has been known for
23 building the worst plants, had been purchased by
24 Toshiba, maybe a long time ago. I don't know.

25 But looking up Toshiba, their vision, and

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1 the Japanese are known for their vision, that by the
2 year 2050, we will have a very blessed land,
3 environmentally, that will include all forms of
4 energy, which means they will also have our nuclear
5 plants as part of that mix.

6 I personally don't plan on being here, and
7 I'm thinking any of you will either, but I found that
8 very interesting in this article, and I'm just going
9 to pick out a few things here.

10 But one of the things the NRC did is
11 reject the design by Westinghouse for a new reactor,
12 because a key component might not withstand events
13 like a earthquake or a tornado.

14 This could cause delays in building 14
15 planned reactors in the United States, including
16 Georgia and South Carolina.

17 And I am thinking this is pertinent
18 because June Cochran, another June, made mention,
19 briefly, of the smaller plants, and today, going over
20 this, I wondered if--are they going to have new
21 regulations for them? It seems they're being
22 approached a little bit differently.

23 One of the things they're doing--it says
24 the staffs, agency--is a glitch in the move towards
25 licensing changes adopted by the Commission in 1990,

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1 and so forth, and their buildings will be different in
2 order to protect them from external events like
3 earthquakes, tornados and high wind.

4 They will have a shield that's 35 inches
5 of concrete, sandwiched between two sheets of steel,
6 each of which is an inch thick. The existing
7 Westinghouse reactors, designed in '60 and '70, do not
8 have shield buildings.

9 In another shift, the new design puts the
10 emergency cooling water on the roof--you probably
11 already know this--so that no pumps will be needed if
12 power goes out. They will have the water that they
13 need in case of an accident, and so forth.

14 They also believe that the shield wall
15 will protect them from the impact of an airliner. The
16 part I found disturbing is something that we're all so
17 used to, and it's the arrogance of the companies
18 involved. In spite of the fact that they say they're
19 going to fix this very fast, which scares me, don't
20 fix it fast, take your time with the faults that--with
21 the part that is not considered to be good.

22 They are already clearing the land and
23 ruining the environment in, I believe it's Georgia and
24 South Carolina, and they don't expect there to be a
25 problem. And yet they have now determined what kind

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1 of work they need to do to demonstrate the structure's
2 safety.

3 So I see, having followed the plant there
4 since before it was built, that my wish is that the
5 NRC continues to do a good job. It sounds like
6 they're looking at these plants like we wish they
7 would have looked at ours.

8 I'm a little disturbed, the land's all
9 cleared, the plants are all gone, the animals are
10 probably all dead, and they still haven't come up with
11 the right piece for the plant, and approved is so--I
12 guess I'm comparing the two, hoping that we, being the
13 "dinosaur plants," will get the same oversight as the
14 smaller new plants are supposedly going to have.

15 And I thank you for your time. This is
16 "off the top of my head." I read this article two
17 days ago and I decided--I don't know--the New York
18 Times is expensive. I only get it three days a week.

19 So not many people get it thrown in their driveway in
20 the morning and I wanted to share it. Thank you.

21 MR. BAILEY: Ms. Pinard. Ms. Peg Pinard.
22 Before she comes up, I would just like to apologize.
23 I think I misstated the name of the organization of
24 Mothers For Peace and I wanted to apologize for that.
25 Thank you.

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1 MS. PINARD: I am Peg Pinard and I am the
2 former county supervisor, and also mayor of San Luis
3 Obispo, and I've been involved in this issue from the
4 very beginning, just like the former speaker, and many
5 before her, before the plant was even built.

6 So you've got a concerned group here, that
7 I hope you take the input, as it doesn't get much
8 better than this as far as people who are really
9 interested in what's going on. They've obviously been
10 here and followed it for so long.

11 Now I'd like to address a couple of
12 issues. I'm going to try and not repeat what others
13 have said; but I share their concerns.

14 One of the things that the NRC mentioned
15 today, even just now, when questioned about the
16 process, is part of the reason that there's quite a
17 bit of confusion, one might even call it suspicion, of
18 what any agency, any of them are up to.

19 For instance, you just answered the
20 question about, well the state regulates that and so
21 we don't go into that.

22 Well, I can tell you from being on the
23 county end of it, that every issue that comes up, be
24 it from the Coastal Commission, Pismo Beach, Avila,
25 any downstream area community, the county of San Luis

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1 Obispo, everybody winds up going "It's their job," and
2 then when it gets to something like the Coastal
3 Commission or the county, they say we're preempted
4 because that's an NRC regulatory area.

5 So when you go through this, if you want
6 to be credible, then you need to state exactly who is
7 in charge of each one of these. Not the state. That
8 could be the state attorney general, or it could be
9 the Coastal Commission, or it could be the Public
10 Utilities Commission. CPUC. It could be any of these.

11 And what happens when this comes up for
12 discussion is it's always like this, and then we're
13 always preempted, so your credibility goes absolutely
14 down. Okay.

15 The second is I share the concern, and I
16 guess I have to repeat this. When you put seismic
17 issues under geology and soils, rather than try to
18 look like it's simplifying anything, it really looks
19 like you're burying it.

20 And if there's one item for every plant,
21 that needs to be looked at individually, it has got to
22 be seismic. I mean, you've got what was supposed to
23 be, you know, built to the utmost of seismic
24 capability, suffering from an earthquake.

25 We have that situation here. It needs to

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1 be called out, it needs to be looked at, and it needs
2 to be updated by you, not just PG&E. We have a
3 credibility issue here, when the party who's asking
4 for the permit is the one who provides you with the
5 information.

6 So we need to see that as a separate
7 category and have you be updating it constantly as
8 information becomes available.

9 There is the issue of when people are
10 applying for their license. We know that we live in
11 an age where things improve, imperfections come to
12 light, and we have the ability to do something better.

13 It doesn't feel like that when you have an agency
14 applying for a permit ten and twenty years in advance.

15 It doesn't read as credible or as being anything
16 other than if we can lock you into what we're going to
17 be accountable for now, then if anything comes up
18 later, we can say, sorry, we already got our license.

19 So as you come up with guidelines, you
20 have got to make sure that no matter when anybody
21 applies for a license, that it includes everything
22 that is up to date as of the time that license comes
23 into effect, not just is issued, but comes into
24 effect.

25 And you heard the guideline before being

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1 nothing less than what you would apply to a new plant.

2 So this is again--you ask for how can we
3 have an input, and I'm trying to bring to you some of
4 the areas that have been just total sources of
5 suspicion.

6 You also made the assumption that things
7 have been a certain way, and so there's the, kind of
8 the assumption that it's sort of okay then. It's not
9 okay. There were things that were done, that were not
10 right when they were done. And I'll give you, for
11 example, very clearly, the area where the dry cask
12 storage is at Diablo Nuclear Power--Power--Diablo
13 Nuclear Power Plant. Sorry. I still get nervous, so
14 bear with me.

15 When that came up, we heard time and time
16 again how safe it was, that this site was determined
17 to be safe. Of course this is post 9/11, and you've
18 got your dry casks sitting in full view of the ocean.

19 Now there's not too many people who are
20 going to "buy" that that would be where you would put
21 it, if you had your choice, with all the other acreage
22 that's available.

23 So the question has to be asked, and was
24 asked, and totally ignored--Why was it put there? The
25 reason? That was the left-over piece from when the

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1 plant was initially cited. So it was covered in the
2 full EIR and PG&E did not want to spend the money to
3 do a full-blown EIR on a other part that was not
4 covered, initially.

5 That's how you got the safety, was because
6 that was the little corner that was left over from the
7 original footprint. That does not define safety for
8 any of us.

9 So please do not say that, well, it's been
10 like that, and so nothing has happened yet, and so
11 therefore that's safe. No. They're doing something
12 because it was the cheapest way to do it, doing it
13 because there was a loophole in the law that affects
14 our safety. That seems almost like a replay of how we
15 got in the economic crisis the way we are. Going for
16 the loopholes, going for the cheap bucks, and then the
17 rest of us have to live with the results.

18 The issue of these parts, it was made
19 earlier about them not being up to standard, to what
20 we would have put in in an original plant.

21 You know, we take better care of our cars
22 than that. My husband won't buy a replacement part if
23 it's not manufactured original, cause they're more
24 reliable. And that's just for a car.

25 I would suggest that as national security

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1 policy, parts for these nuclear reactors need to be
2 made in America. The parts, the pieces need to be
3 made in America and the parts need to be made in
4 America, so that they are always readily and
5 immediately available. That should be national
6 security.

7 The other thing that the NRC has come
8 forward saying, many times, and I personally have
9 problems with, is when I spoke with NRC
10 representatives, when I was a supervisor, regarding
11 the casks, I said, Is this the best cask that's
12 available?

13 I knew if I said, Is this the safest that
14 we could make? somebody would say, hey, we can't ever
15 afford the safest we can make. So I'm "politically
16 real" in that. Is this the best cask that's
17 available? And the answer was no; it's adequate.

18 I don't think from a national security
19 standpoint, we can say adequate is okay anymore.

20 We need to make sure that we are
21 protecting people in the best available manner.

22 The other thing is regarding the testing
23 of the emergency preparedness out at Diablo and at all
24 of the plants.

25 When I was a supervisor, I had the

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1 privilege, actually, of being part of that, and I
2 think I was never more surprised in my life, at some
3 of the shortfalls that were there.

4 Let's start with the first one. The first
5 one is they're always scheduled, everybody always
6 knows when they are. It's 8:00 o'clock. The donuts
7 and coffee will be ready by 7:30. Okay.

8 What happens on a holiday? What happens
9 when it's not convenient for everybody?

10 You're not taking into account what we
11 have seen happen in real emergencies, and that is the
12 kind of, "Oh, my gosh, where's so and so?" I don't
13 think you even know where all your emergency personnel
14 live, at a moment's notice.

15 And how are you going to get them in when
16 you have people trying to get out?

17 I saw the people in charge, in the control
18 room, double-counting buses, saying, oh, we'll get the
19 students out from Cal Poly with buses, and then I'm
20 kind a going, How many do you have? And now we have
21 even less. Okay.

22 Things that, if it were a random time,
23 where are your bus drivers? Where are the buses?
24 it's never done random and it needs to be done at
25 least once when everybody isn't totally ready for it.

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1 Because what we have seen around the
2 United States, in Katrina, under a chlorine cloud in
3 the Midwest, was that what was predicted to happen did
4 not happen.

5 Now we can't make sure that everything's
6 going to be perfect, but you can at least run through
7 a mock effort when everything isn't stacked in your
8 favor, and see what happens, and then deal with the
9 best that you can do.

10 And I know that's all we'll ever be able
11 to do. But people have got to stop talking as though
12 everybody's going to be taken care of--rest homes,
13 prisons, and everything. It's not going to happen.
14 And you all know that.

15 So the lead people, to not be prepared for
16 the best available that they can do, is really going
17 to only add to confusion, not solve it, or mitigate
18 it.

19 The other thing is you didn't take into
20 account that--I asked about kids at school cause I
21 have four kids. And how are you going to keep parents
22 from running to go pick up their kids, and not trust
23 that some bus is going to get them out? That just
24 defies everybody's understanding.

25 And they said, well, what we'll do is

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1 we're going to get those kids out of there before the
2 parents really know what's happening. So that they
3 can actually, you know, have the control that they
4 want and move kids out.

5 I'm kind a going, okay, you know what's
6 happened in the meantime? this is to answer your
7 question--cell phones have been invented. The minute
8 anything different happens in that class, those kids
9 are going to be texting out of there, and you're going
10 to have people like me not trusting that you are going
11 to be doing everything, because you didn't even try it
12 when everything wasn't in your favor.

13 They're going to go down and try and make
14 sure that they get their kids. So there's a
15 randomness that needs to happen and it has never
16 happened.

17 MR. BAILEY: Excuse me, Ms. Pinard.

18 MS. PINARD: I'm almost finished. All
19 right. The security issue for these categories,
20 they're not really clearly listed as to where security
21 falls, and whenever they talk about security the
22 paper, they always talk about the plant, they're not
23 talking about the spent fuel pools, and cesium fires
24 from the spent fuel pools is a very real danger,
25 especially as you have allowed them to compromise the

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1 safety distance with double racking, and I understand
2 there's a proposal for triple racking.

3 The other thing is the financial status of
4 people when they apply to the NRC for things. We had
5 PG&E applying for being able to have dry cask storage
6 at the time they were going to be filing for
7 bankruptcy. It didn't really make sense.

8 All right. I just wanted to--this is my
9 chance. I've been waiting a long time, to be able to
10 give you this feedback, and so I really appreciate the
11 opportunity to do that, and hope that you'll take some
12 of these comments into account, and I will also write
13 them up as time goes on. Thank you.

14 MR. BAILEY: Okay. Next, we'll have David
15 Weisman. He wrote on the card A4NR. I'm assuming
16 that's Alliance for Nuclear Responsibility. If not,
17 please correct me once you come to the mike. Thank
18 you.

19 MR. WEISMAN: You assume correctly. That
20 would be David Weisman, Alliance for Nuclear
21 Responsibility. And the first thing I'd like to do is
22 thank very much, the people of San Luis Obispo, who,
23 through their phone calls, e-mails and faxes, let
24 their elected officials present here tonight know that
25 they wanted this meeting to be held here in our

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1 community.

2 A quick show of hands. How many of those
3 attending as members of the public this evening, would
4 be here if the meeting was in Westlake Village in Los
5 Angeles?

6 Two. Okay. Probably live closer to Los
7 Angeles is my guess.

8 But this is very important, and the object
9 lesson here is not one that requires science or
10 chemistry. It requires civics, and to understand how
11 very important democratic participation is to this
12 process. And so we thank those elected officials
13 whose voices were heard, to make this possible.

14 I'd also wish I could speak on behalf of
15 the residents of Washington State, of Texas, of
16 Nebraska, of Arizona, and the other states in NRC
17 Region IV who are not here this evening, and did not
18 get, or request, I assume, meetings to be held in
19 their areas. We did speak to some of them.

20 I got a call, just the other day, from
21 people in the Palo Verde reactor community. They
22 could not get airfare on Southwest for less than a few
23 hundred dollars, and they could not be here.

24 But this shows you that it is important.
25 As I understand it, the meeting that was held in the

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1 Boston area, there were two people from the public in
2 attendance. So I think the showing of people here
3 tonight shows that people in communities are concerned
4 enough to make their voices known. And that will be
5 the, the, part of the civics lesson for this evening.

6 I say the Alliance stands by the comments,
7 many of them specific, that were made here regarding
8 the flaws that we perceive in the categorization of 1
9 and 2 issues in the GEIS. The Alliance has been
10 reviewing the entire 600 page document. We've
11 accumulated about 40 pages of specific comments now,
12 that we will be filing.

13 People are welcome to visit our Web site
14 at A, 4, the number 4, N-R.org, to view or read those
15 comments, and of course to submit their own, or to
16 sign on to our comments.

17 And so I will not take any time to add to
18 the comments specifically relating to these issues of
19 concern with the GEIS, except to say that there's one
20 very interesting paragraph in the GEIS, and I say it's
21 an interesting paragraph because of the many things we
22 think the NRC is not giving us, and I point to those
23 people who look at the things they do give.

24 Here's one that we found of particular
25 interest. Section S1 from the Generic Environmental

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1 Impact Statement. And it goes like this.

2 "Unless there are findings in the safety
3 or the environmental reviews that would lead the NRC
4 to reject a license renewal application--I will add,
5 parenthetically, no license renewal application has
6 ever been rejected, to date, close parentheses. Back
7 to the document.

8 "The NRC has no role in energy-planning
9 decisions. State regulatory agencies, system
10 operators, power plant owners, and, in some cases,
11 other federal agencies, ultimately decide whether the
12 plant should continue to operate."

13 A very important paragraph and clause. In
14 other words, all the very important comments made
15 about this document here tonight may be moot, and
16 irrelevant, if the state decides, in advance of PG&E's
17 application, that the state does not find it in the
18 ratepayer's best interest, that the state does not
19 find it economic, or, in terms of reliability,
20 reliable to rely on nuclear power 20 years hence.

21 The state Public Utilities Commission, and
22 the state Energy Commission, can simply decide that
23 the utility shall not be allowed to relicense the
24 plant. Therefore, the concerns of this Generic
25 Environmental Impact Statement, and even the required

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1 subsequent visits of the members of the Nuclear
2 Regulatory Commission to our state and county would be
3 completely irrelevant and unnecessary.

4 This is perhaps the most important right,
5 shall I say, granted to the people of California and
6 this county by this document, and to the effect that
7 this does make a difference, we point out exactly, for
8 example, what our state is doing. Assemblyman
9 Blakesly's bill, 1632, passed two years ago, mandated
10 that our state Energy Commission take a look at the
11 costs, risks and benefits, do a complete top-to-bottom
12 analysis of whether it's in the state and the
13 ratepayers--because remember too, folks, you will pay
14 for the relicensing. This is not a corporate decision
15 that PG&E makes as an investment.

16 They will charge it to you, a process
17 which could cost upwards of \$20 million.

18 Imagine spending that money and not
19 getting relicensed, but you've paid for it, just the
20 same. And what this bill, AB 1632, and what the
21 Energy Commission study and recommendation should be,
22 is until studies such as the earthquake studies
23 requested by this bill on the new fault, are fully
24 completed, and any recommendations adopted and
25 implemented, the state, CPUC, and Energy Commission,

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1 shall not grant the utility the right to file for a
2 relicense.

3 We invite the public to join and to
4 participate in the states' rights granted by the NRC.

5 Those places where the words "preemption" do not
6 appear. What has the state's Assembly Bill 1632
7 brought to light so far, that might be of interest in
8 the relicensing process?

9 Well, take a look at this from the report
10 issues a month ago. I was reading through the other
11 90, 100 pages of this, and I found a very interesting
12 paragraph from our state Energy Commission.

13 "Current regulations require a licensee to
14 demonstrate that reactor pressure vessel embrittlement
15 does not exceed a screening limit corresponding to a 1
16 in 200,000 year probability of a through-wall crack
17 formation.

18 NRC has a proposed new regulation which
19 would expand this requirement to a one in a million
20 year probability, but would allow for use of a less
21 conservative methodology for assessing that
22 probability.

23 The NRC reports that under current
24 methodology, ten reactors, including Diablo Canyon
25 Unit 1, are likely to exceed the screening limit

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1 during the course of a 20 years license renewal, and
2 therefore, would not be eligible for license renewal
3 unless they could reduce the embrittlement rate, or
4 demonstrate that operating the reactor would not pose
5 any undue public risk. Wow! When were we going to
6 find out about that?

7 So, in other words, if it won't make it
8 for a 20 year relicense, you don't make it safer, you
9 just change the standard, which so far apparently has
10 been good, and was good enough to apply to all these
11 other reactors.

12 This is stuff your state is looking into,
13 and that's why we encourage people to participate here
14 at a state level. While we certainly support and
15 encourage the investigation of all these flaws in the
16 Environmental Impact Statement as proposed, we also
17 say that there's a very good way we could make it
18 moot.

19 And to that end, I'd like to conclude with
20 a little, you know, just a reminder, a more graphic,
21 if you will, thing.

22 We've heard many people today talk about
23 the problems of radioactive waste, and the leaving of
24 the waste here on the coast, and in these high-level
25 spent fuel pools that were not originally designed for

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1 that purpose.

2 Now thankfully, the NRC, ever aware of
3 public outreach and education, has provided us with a
4 great way to help people understand exactly how
5 important this issue is, and of course it also reminds
6 us too, that the NRC are also the promulgators of the
7 famous Waste Confidence Act, in which they were
8 confident there would be a solution to the waste.

9 Here's what they are. If you go to the
10 NRC's Web site, and this is a lot easier than trying
11 to look for a document, trust me, because I spend time
12 there. Go to the teacher education page.

13 And if you go to the teacher education
14 page, you'll find some handy classroom things that you
15 can do, and many of you out here in the audience may
16 work as schoolteachers.

17 And I found this one to be particular
18 illustrative. It explains, really, why there's not a
19 problem with radioactive waste. In fact, I don't have
20 a PowerPoint up, but you can download it, and this is
21 what you can get when you go to the radioactive waste
22 page and teacher education.

23 And what it says here--this is called the
24 nuclear waste cube, and the materials required are
25 only scissors, and let me look here--glue stick. And

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1 what it says is using directions cut the diagram out
2 and follow the patterns to make a cube. So I thought,
3 well, this is fun. You know, my mother taught the 2nd
4 grade for 27 years, and in addition to getting every
5 cold known--and I've often said, my brother and I
6 joked about that, that, man, mom is really mean, I
7 would not want to have been in her class.

8 But here's what you can do. You can cut
9 out the nuclear waste cube, follow the directions
10 here. What that tells you is this, at the bottom.

11 In the United States, one person's share
12 of high-level radioactive waste from a nuclear power
13 plant, for a 20 year period, could be placed inside
14 the cube. This is the amount of waste that would be
15 left over after all the usable materials had been
16 recycled.

17 Now, as you can imagine, a lot--yes?

18 MR. BAILEY: Your time is up, so if you
19 could accelerate, just accelerate your summary.

20 MR. WEISMAN: Okay. How about this? I'll
21 just wrap it up right now.

22 MR. BAILEY: All right. Thank you.

23 MR. WEISMAN: Oh, by the way, I should
24 also mention one thing that is very, very relevant.
25 The fact that I have a videocamera here tonight, that

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1 my career is as a documentary film producer, is in no
2 way a reflection that this is an undertaking I took on
3 my own. I am highly disappointed that the Nuclear
4 Regulatory Commission did not do what they have done
5 for a very long time, which is have AGP videotape
6 these events, so that our entire community can share
7 in them and review them, at their convenience, or on
8 the Internet.

9 I have no capability of either streaming
10 or circulating this DVD, or these tapes, in the way
11 that AGP video could or would. So this is a private,
12 in a sense, recording, and--well, at any rate, this is
13 the nuclear waste cube. And remember, this is 20
14 years waste, folks, from a reactor. But they're
15 licensed for forth. So you'd actually need two of
16 these cubes.

17 And there's one for every American, and
18 there are 300 million Americans. So that's 600
19 million cubes.

20 If they relicense, as the Environmental
21 Impact Statement says, for 20 more years, that would
22 be 900 million, or let us just round it up to one
23 billion of these cubes of waste, and that's assuming
24 everything else has been recycled, and we don't know
25 what byproducts are created in that. So I have a

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1 bunch of these here, for anyone who'd like to take
2 this as a graphic example. Of course to be
3 environmentally concerned, I have printed them all on
4 recycled paper, which is actually last year's Morro
5 Bay city budget.

6 So I thank you for your time and encourage
7 you to join the Alliance in our state's prerogatives
8 and issues.

9 MR. BAILEY: Thank you very much. I would
10 ask that--I would offer that when I ask people to keep
11 their time to a limit, it's not because we don't want
12 to hear what you say, but it is because I still have
13 yellow cards. Ms. Pinard mentioned earlier, that she
14 had waited a long time to speak, and there are also
15 others who have waited a long time to speak and would
16 like to share as well.

17 Next, we'll have David Nelson, and David
18 Nelson will be followed by Bruce Campbell.

19 [No response]

20 MR. NELSON: Hi. My name's David Nelson.
21 I'm here as a citizen of Morro Bay, and as a citizen
22 of the county. I came here in 1979, and I marched on
23 Avila to try to stop it from being opened, and some of
24 my concerns then--I was kind of naive--was nuclear
25 waste. I was told, then, that there would be no

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1 nuclear waste stored in our county. That was a huge
2 guarantee back then.

3 A lot of people went along with it because
4 they were going to have a solution to this. Now in
5 this Environmental Impact Statement here, you're not
6 really taking that into consideration again. I mean,
7 we don't have a place to put this stuff.

8 California won't allow these again. Our
9 state law, as David said before, takes into
10 consideration things that your--you just go and want
11 to do generic. I mean, this is scary. I mean,
12 Californians are stepping up. All the other plants
13 are going to be going under this.

14 Now since I started, you know, not
15 believing in this, I've been really involved in the
16 "once through cooling" issue, which is another huge
17 issue, and again, as I go through this document, these
18 are Category 1 problems. These aren't Category 1.
19 These are Category 2, especially here, in California.

20 They use the cooling water source of the Pacific
21 Ocean for Diablo. That's generic.

22 They're using my water from Morro Bay
23 estuary, that goes through a water pyramid, that
24 leaves the bay and goes right into their reactors,
25 along with Morro Bay reactor, doing huge cumulative

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1 impacts, that have never been studied, and these
2 impacts--because it's so expensive.

3 Now look how many people you have in this
4 room. You probably have more people in this room than
5 the Water Board has working on these water issues.
6 And these are huge water issues. And Diablo will be
7 impacted by these.

8 These categories are just unfair. To put
9 most of the aquatic issues under a one, generic, well,
10 they're happening and they don't have any big
11 problems. That's because they don't study them. When
12 they turned Morro Bay--or Diablo Canyon on, they
13 killed all our abalone, and all they took
14 responsibility for was the abalone.

15 But that's an example of the cumulative
16 effects of this power plant. They didn't go and look
17 at what else they killed. They just killed the big
18 obvious things. The abalone. Our fishing industry
19 has collapsed here. Two billion gallons of water a
20 day to cool a power plant.

21 We need stuff in here that takes into
22 account, when this plant was opened, the studies that
23 they used to open it, the projections they made to the
24 effects to the environment, that should be considered,
25 first and foremost.

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1 You should look at all the data that they
2 put in, and I'm specifically talking about the thermal
3 impact of Diablo Canyon on the ground that it's
4 pouring out on.

5 They originally said it was going to
6 destroy three-quarters of a mile. Now, years ago, the
7 Water Board brought a cease and desist order up
8 against Diablo, but of course it was just a big bluff,
9 and never went past a draft. But the draft was made,
10 it was presented to the board. They were going to
11 make a big land deal, but then, all of a sudden, they
12 were going to change a generator, so they made a land
13 deal with the Coastal Commission instead, so the Water
14 Board was "left out to hang."

15 And they never did anything, even though
16 they know the problems, and this document's not taking
17 these problems into consideration. They made promises
18 when they built the plant, they broke so many promises
19 along the way, and as it was pointed out, all you guys
20 do is just keep changing the rules, and you're not
21 taking into consideration the long-term effects that
22 this plant's having on this county.

23 And I could go into more specifics on this
24 document, but, you know, it's just wrong, and nuclear
25 power is wrong. It can't be proven that it's cost-

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1 effective. I mean, so many costs are zeroed out when
2 you figure it out.

3 This is the kind of bookkeeping we had
4 with the economic downturn that we just experienced.
5 We saw it come apart. The NRC's keeping it together,
6 pretty much, as far as money and momentum toward the
7 power. But it can't be proven to be environmental,
8 and in your first pages, the part that David read
9 about, you know, the state having jurisdiction, in
10 that same argument, that the NRC is just continuing
11 this because--excuse me--you guys are employed by this
12 industry, and you have to take it serious.

13 And this document does not take it
14 serious, because as you jump over the appendixes in
15 these, it's so confusing, to ask the public to comment
16 on this.

17 I happen to be immersed in "once through
18 cooling" debate for ten years, so I get to read these
19 documents. So they come pretty easy to me, to drift
20 through, but most people aren't going to be able to
21 read this. And you're missing the whole bottom line
22 to this, which is what did they say when they built it
23 and what is the effect now, before you go and start
24 putting generic labels on everything. You better know
25 what the problems are.

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1 And from what I've read in this document,
2 you don't know what the problems are, because the
3 Category 1 problems that you're listing should be
4 Category 2, and they should be individual.

5 So from that standpoint, you guys need a
6 lot more work, and this document is nothing more than
7 a whole bunch of "watering down" of rules, lots of
8 loopholes that corporations can use to not do what
9 they're supposed to do, because they don't have to
10 because it's all generic, and we're destroying it, so
11 let's just keep destroying it.

12 So to ask the public to feed into a
13 document that's so bad is wrong, to begin with. So I
14 would just say just stop at the beginning, where it
15 says that you're supposed to be watching out for the
16 environment, and just put an end to this. This is
17 ridiculous.

18 I mean, they proved they're safe and
19 economic, which luckily, Californians will stand up
20 and fight for, and we'll put an end to it in our
21 state. But being surrounded by it, in the rest a the
22 country, for useless, useless power, is ridiculous.
23 Renewable energy.

24 There's more renewable energy on the
25 drawing board to be installed in California than this

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1 power plant puts out. So let's just eliminate this
2 before you even eliminate the fossil fuel, because to
3 me, you're storing nuclear waste.

4 I'm inside the Red Zone. I live in Morro
5 Bay, and you're not supposed to be--they told us, they
6 promised us they would not do that, in the beginning.

7 But as promises go with nuclear industry, you know,
8 it's not worth the paper that it's written on. Thank
9 you.

10 MR. CAMPBELL: Good evening. I'm Bruce
11 Campbell from Santa Monica. Our California reactors,
12 and likely all, or close to all in the nation, are
13 unique. Let's take Diablo. Delay due to--let's see,
14 back during--when a worker came forward with the news
15 about switched blueprints for seismic reinforcements
16 in the auxiliary cooling system, back when there was a
17 lot of attention on Diablo during the major blockade
18 in September 1981, so that sort a put a halt, and they
19 had to temporarily halt, and then they tried to "patch
20 up" Diablo, as it were.

21 And when Diablo was fired up around April-
22 May 1984, 105 workers had given sworn statements to
23 the Government Accountability Project about 3000
24 problems with the facility. Are these generic
25 problems? These are individual problems. They might

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1 have some generic implications too.

2 The NRC clearly considered nothing but
3 utility and reactor manufacturer greed, when they
4 allowed Diablo Canyon to go forward. The NRC tended
5 to be biased enough, even without Reagan's appointees
6 dominating the Commission at the time they approved
7 Diablo.

8 I also want to point out that Chairman
9 Salzman of the Atomic Safety and Licensing Appeals
10 Board--remember those seismic hearings back in
11 September or October 1980? He chaired that Atomic
12 Safety and licensing Appeals board. Well, he was
13 appointed to a federal judgeship by Reagan, shortly
14 before--surprise--the Atomic Safety and Licensing
15 Board concluded Diablo was seismically safe.

16 Obviously, the nuclear industry wants a
17 new generation of nuclear reactors funded with
18 unlimited loan guarantees from the taxpayer, and want
19 relicensing of current nuclear facilities far into the
20 future before they ever consider decommissioning
21 nuclear power facilities. There'll obviously be no
22 funds to decommission when that comes around.

23 So then with San Onofre, reactor vessel, I
24 think it was Unit 2 or 3, installed 180 degrees
25 backwards. They discovered it eight months later,

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1 decided to rewrite the control room, turn other things
2 around to fit the backward reactor. Hey, is that a
3 unique reactor? Also the seismic setting of
4 California nuclear facilities. So of course out here
5 is basically the largest subsidiary of the San Andreas
6 Fault, the Hosgri into the San Simeon, into the San
7 Gorgonio, and then meeting the San Andreas Fault off
8 the San Francisco area, San Francisco-Marín area. And
9 then the Hosgri already had a 7.3 to 7.5 quake,
10 November 24th, 1927, west of Lompoc.

11 And there's also splays from the Hosgri
12 fault, even before this latest seismic information
13 which I haven't researched yet. And then San Onofre
14 has the Cristianitos Fault which runs beneath the
15 reactor, a few miles offshore is the Newport-Inglewood
16 Fault, the largest Southern California coastal area
17 fault, which was responsible for the Long Beach quake
18 of 1933, and in the last few months, there was a four
19 point something quake in the Lenox area of Los Angeles
20 County, along the Newport-Inglewood Fault.

21 I don't trust PG&E to do mapping of the
22 seismic situation. I don't trust the NRC to do it. I
23 actually didn't trust Sandia Labs, who is right next
24 to Lawrence Livermore Labs. However, they did a
25 reactor accident consequence study, and it came out in

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1 late 1982, and for Diablo, as I recall, the statistic
2 was that something like 10,300, or 400 deaths in the
3 first year, in worst-case reactor accident
4 consequences with the worst weather patterns,
5 predicted about a little over 10,000 deaths in the
6 first year, some eventual deaths from cancer, and I
7 believe it was \$158 million property damage.

8 Of course since then the--what's the
9 population grown? maybe by three times in the
10 immediate area, especially the five cities into Santa
11 Maria. And obviously property went way up in value,
12 even though it's gone down some in the last couple
13 years.

14 And so these are--anyway, seismic is not
15 generic. However, fine, let's have thorough seismic
16 studies of all nuclear reactors. Remember the New
17 Madrid Fault, sort of in the Mississippi River area,
18 had a massive quake back in the mid 1800's, and the
19 highest concentration of nuclear reactors in the
20 country is in Illinois. So let's do study, not--how
21 can you study seismicity generically? Ah! If you
22 want to study seismicity generically, at the dawn of
23 winter solstice, 2012, it's the end of the Mayan
24 calendar, and apparently there will be a total solar
25 eclipse at dawn, with the sun, moon, Earth, and the

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1 galactic center, meaning the black hole, all in a
2 line. Do you want to be in San Luis Obispo County at
3 that point? I sure won't be.

4 Let's see. So anyway, we need really
5 independent researchers to do seismic studies at all
6 nuclear facilities in the country, especially in
7 California. And then as far as fending off terrorists
8 at nuclear facilities--anyway, the Honorable Dan
9 Hirsch is the expert on this. You like that name, I
10 beg. And I believe I heard something like the only
11 scenario the NRC considered is if two or three people
12 were armed and working together, or something.

13 There couldn't be four people getting
14 together to pull any stunt now, could there?

15 Also, in this age of depleting water
16 supplies, the massive amount of water needed to cool
17 reactors and cool cooling ponds, that needs to be
18 considered, both generically and individually, for the
19 nuclear power facilities around the nation.

20 And then also San Onofre also needs to be
21 considered unique in that I understand, I'm not too
22 enthused about replacing the steam generators here,
23 and what they're doing to the facility, but San Onofre
24 apparently have to open up the entire reactor vessel
25 and sort of put caulking on it or whatever to--it'll

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1 be safe, you can be assured.

2 And so anyway, both Diablo and San Onofre
3 are obviously unique situations, even if it wasn't for
4 the seismic setting, but due to the seismic setting it
5 makes it even more unique.

6 Also, I'm glad you folks have been
7 plugging away on this for many decades while others of
8 us have been working on mostly other things, since
9 1984, in this case anyway. But obviously this is a--
10 this industry is the "corporate welfare queen," and
11 they're trying--there's a bill that passed the Senate
12 Energy Committee, unlimited loan guarantees for new
13 nuclear reactors, and carbon sequestration related to
14 coal. Anyway, this is--anyway, I've had my mixed
15 feelings about the free market, but the free market is
16 rigged, and I want the nuclear industry to try to
17 stand on its own two feet and let it topple, without
18 affecting us for millions of years, please. Thank
19 you.

20 MR. BAILEY: Okay. Thank you. Next we'll
21 have Andrew Christie, and then Dr. Harriet Groot from
22 the Sierra Club.

23 MR. CHRISTIE: I'm Andrew Christie. I'm
24 the director of the San Luis Obispo chapter of the
25 Sierra Club, representing the Sierra Club's members in

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1 San Luis Obispo County. I would like to thank them,
2 and all the other activists, residents, and the NRC
3 for relocating these meetings in California reactor
4 communities.

5 We noted, with interest, several
6 statements from the alternatives analysis in the
7 generic EIS.

8 Quote. "Presently, energy extracted from
9 wind cannot be stored." End quote. And quote. "To
10 serve as a source of commercial power, photovoltaic
11 systems and concentrating solar power systems would
12 need to work in conjunction with energy storage
13 systems such as batteries," end quote, implying that
14 this is an insurmountable barrier to be addressed in a
15 distant misty future.

16 This is the wrong frame in which to
17 analyze a decision on whether to permit an action that
18 will have ramifications in a 20 year timeframe. The
19 generic EIS should note the following. Excel Energy
20 has begun testing battery storage technology that
21 captures wind energy and moves it to the grid, when
22 needed.

23 SNC Electric Company's SmartGrid Storage
24 Management System provides the ability to store energy
25 in a battery storage system, and control the discharge

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1 of power, when required.

2 Grid Storage Technologies has developed a
3 utility scale zinc-air battery technology with a rated
4 power capacity of 1 megawatt with six hours of energy
5 storage, with low maintenance cost.

6 In April, as part of the American Recovery
7 and Reinvestment Act, the vice personal representative
8 outlined plans for the Department of Energy to
9 distribute more than \$3.3 billion in smart grid
10 technology development grants, and then an additional
11 \$615 million for smart grid storage.

12 Grid support energy storage, as an
13 industry is currently a \$2.4 billion market and is
14 growing at more than 3 percent per year.

15 We also note this statement in your
16 analysis of alternative energy sources.

17 Quote. "Historically, photovoltaic
18 systems have not been used for commercial power
19 generation but have been used in power appliances--or
20 rather--used to power appliances in homes in remote
21 locations that cannot be easily connected to the
22 transmission grid." End quote.

23 We direct the NRC's attention to the
24 nation of Germany, which is number one in the world in
25 solar PV power generation because it has a feed-in

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1 tariff for renewable electricity, which requires
2 utilities to pay consumers a guaranteed right for
3 solar power they feed into the grid, which resulted in
4 Germans installing about 1300 megawatts of new PV
5 capacity in 2007, up from 850 megawatts in 2006.
6 Market analysts expect solar power to supply 25
7 percent of Germany's electricity demand by 2050.

8 Closer to home, on October 11th, Governor
9 Schwarzenegger signed two bills into law, one
10 requiring California utilities to buy power from a
11 larger pool of small solar generators for above-market
12 prices, increasing market access for small-scale
13 producers of solar power, and the other requiring
14 utilities to pay homeowners for excess energy they
15 generate from their wind turbines or solar panels over
16 the course of a year.

17 California homeowners previously received
18 a credit for extra energy they sent back to the grid,
19 i.e., watching your meter spin backwards.

20 We are surprised to find that the NRC
21 apparently has not heard about any of this. We wish
22 to assure you, that neither California nor Germany
23 consists primarily of homes in remote locations that
24 cannot be easily connected to the transmission grid.

25 Your version of photovoltaic solar power

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1 appears to be about 25 years out of date, in view of
2 which we concur with the Alliance For Nuclear
3 Responsibility, the Department of Energy, not to the
4 NRC, should be tasked with the analysis of renewable
5 energy sources and future options, when evaluating
6 alternatives to the relicensing of nuclear power
7 plants and their environmental impacts. Thank you.

8 MS. GROOT: Good evening. My name is
9 Henrietta Groot. I'm affiliated with the Sierra Club,
10 ECO SLO, Mothers For Peace, Alliance For Nuclear
11 Responsibility, and the Committee For Unity With
12 Nature of the Pacific Yearly Meeting of Quakers.

13 California law prohibits the licensing of
14 new nuclear plants because there is no safe method for
15 storing the waste. I contend that relicensing
16 therefore is illegal, and an attempt at circumventing
17 California law.

18 If we can't have newer, better designed
19 plants, we certainly should not have these "old
20 clunkers." All right. Relicensing this far in
21 advance, anyway, is kind of ludicrous, and we're
22 talking about doing it before the facts are in. What
23 kind of thinking is that?

24 The GEIS talks about the fact that site-
25 specific issues need to be identified by the plant

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1 operators. How can that be? It should be that the
2 site-specific issues, in other words, the problems are
3 the responsibility of the NRC.

4 Referring to page 2-11 of the document, it
5 discusses "unification" and says something about
6 "satisfactory mitigation," and the term mitigation is
7 used elsewhere as a panacea, that takes care of
8 whatever the problem was. Mitigation is a very
9 complex issue. It is not a given, how you mitigate
10 for a problem, and I've certainly learned that in
11 connection with working on "once through cooling"
12 problems.

13 The question of how you mitigate for the
14 enormous damage that the "once through cooling" does
15 in a plant like Diablo, the billions of gallons of
16 water that go into the plant and kill billions of fish
17 larvae, fish eggs, invertebrate organisms. How you
18 mitigate for that is something that has been very much
19 debated and still is not--nobody can agree on that,
20 and it's also a legal matter, actually.

21 So please, stop using mitigation so
22 glibly, as a safe concept.

23 Then the effects of dredging on aquatic
24 organisms, on page 2-11. It talks about getting
25 permits from the Army Corps of Engineers and state

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1 environmental agencies, and other regulatory agencies.

2 This is the same mess that Peg Pinard was talking
3 about.

4 You know, who is in charge there? Who is
5 going to be responsible? Who is going to figure out
6 how to do these things? Certainly not a good
7 candidate for Category 1. That is a very complex
8 issue, again, that needs a lot of looking at.

9 Incidentally, this, this--Peg was talking
10 about how the dry casks are not every safe, the
11 storage area for the dry casks is not very safe. The
12 only thing I wanted to add to that, Peg, is that
13 they're also right under the high-power lines, which
14 sometimes spark, you know.

15 That's all I want to say tonight. Good
16 luck to us all.

17 MR. BAILEY: Okay. Next, we'll have Jeff
18 Panik of Surf Rider Foundation, and then he'll be
19 followed by Jack Bieseck.

20 AUDIENCE MEMBER: Jeff is not here.

21 MR. BAILEY: Okay. Thank you. Okay.
22 Jeff. I'm sorry. Mr. Bieseck.

23 MR. BIESEK: My name is Jack Bieseck I
24 live in Sea Canyon, near Avila Beach, for the last 30
25 years, and during the last three decades life has

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1 gotten pretty complicated.

2 We can see evidence of this in the Wall
3 Street bailouts, the mortgage fiascos, the Enron
4 energy scams, outsourcing of jobs, etcetera, etcetera.

5 I think the complication of things is bothering me,
6 and that's what I want to speak to tonight.

7 Sure, you can find loopholes, you can make
8 revisions in laws, you can upgrade your manual, you
9 can "slice and dice" the GEIS, but we will have to pay
10 the price.

11 So I'm concerned about nuclear power and
12 its poor track record, and the abominable idea of
13 long-term storage of nuclear waste on our pristine
14 coast, turning it into a biohazard dump and a
15 terrorist target.

16 It's obvious to me that nuclear technology
17 has exceeded our Yankee maturity. We have these so-
18 called advanced technologies but we don't have the
19 maturity to handle them. Quite frankly, there is no
20 Santa Claus.

21 It's like giving children dynamite.
22 Dynamite explodes and makes a big bang. Wow. Great.

23 But when it comes to nuclear explosions, we're
24 outleagued. We're outleagued by Mother Nature and by
25 the universe itself.

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1 Someone needs to point out that we are
2 failing. We're failing on many levels. Let me give
3 you your report card to the nuclear industry, the NRC,
4 and nuclear technology, in general.

5 Earthquake geology. You get an F. you
6 misjudged the Hosgri Fault, the other faults that are
7 in the immediate area, as a threat to our lives.

8 Long-term storage plan. F. In 1977, we
9 were promised, in writing, that the radioactive
10 nuclear waste would be restored in a repository, a
11 safe site outside of California, to be provided by the
12 U.S. Government, and that Diablo was only going to
13 temporarily hold these wastes.

14 This idea, alone, negates any license
15 possibility for Diablo, in my humble opinion. Fool me
16 once, shame on me. Fool me twice, ask George Bush.

17 Disaster response capability. F. We can
18 have an earthquake or a human error at Diablo, and
19 experience catastrophic damage here. Our nation is
20 not good at responding--I like what Peg Pinard pointed
21 out about our ability to respond to disaster training.

22 So we have evidence also in the Katrina
23 experience, where, what is it? the Army Corps of
24 Engineers, whatever, we built levees around New
25 Orleans, they failed, and what have we done to the

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1 folks of Louisiana and New Orleans? They're
2 "high and dry," their community is ruined. I think
3 this is evidence that this plant does not deserve a
4 second chance.

5 Stewardship of the land. Building a
6 nuclear power plant that is not sustainable is
7 outright ludicrous. We are, in essence, benefiting
8 from this power, here, in 2009, and leaving it up to
9 umpteen future generations to maintain our waste until
10 the year 5009, 10009, 12,009. This is unprecedented
11 in the history of mankind, and I do not think we have
12 the right to steal from future generations and expect
13 them to maintain our hazardous wastes.

14 Insurance and risk management. F minus.
15 Worse than F here. PG&E filed for bankruptcy.
16 They're down the road. We're left "high and dry."
17 This happened already, as an example, a few years ago.

18 There is no insurance provision to cover losses from
19 a catastrophe at Diablo, and if we became
20 Chernobylized, what would that--how would that play
21 out?

22 That means we may lose our homes, our
23 community, our dreams, and PG&E and the U.S.
24 Government get to walk away without paying for their
25 mistakes.

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1 Again, no, nuclear technology is not
2 working for me. So we, who live here, worry about
3 this. We worry about our kids being exposed to
4 radiation leaks. We worry about what is happening
5 when we hear the sirens. We worry about a possibility
6 of the ground shaking. What's happening at Diablo?
7 We all know this.

8 You feel the ground shaking, you
9 immediately think--wow, I hope the plant is okay.

10 So we're knowing that we're "playing with
11 fire" here, and that we live with this threat every
12 day, for the last 30 years. That's a psychological
13 damage to our community. That is punitive pressure
14 that we have suffered.

15 And what have we gotten for it?
16 Electricity to go to Fresno?

17 Track record. E for effort here, but F
18 for failing. Three Mile Island and Chernobyl have
19 proven just how ugly nuclear power can become when you
20 "let the genie out of the bottle."

21 Playing with fire means someone's going to
22 get burned, and that someone should not be San Luis
23 Obispo. Where has nuclear power and nuclear
24 technology really gotten us?

25 What has nuclear activity given us,

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1 besides Hiroshima, and the ability to make big sparks
2 and big explosions? America has thousands of nuclear
3 warheads. There's your nuclear technology, where it
4 started with the Big Bomb. To protect us from what?
5 The Taliban? From weapon of mass destruction in Iraq
6 that never materialized?

7 Well, what did materialize was the threat
8 of a nuclear attack on us. And what do we have now?
9 Four thousand soldiers that have died. An ongoing war
10 we can't get out of. This is the legacy of nuclear
11 technology. Hello, wake up, lights on. Who's home?
12 We can rubberstamp these events, show up with people,
13 and go through the motions, issue a 600 page report.

14 But at the end of the day, what do we
15 have? We have a nuclear mess that needs to be called
16 what it is.

17 Let's ask ourselves what good news is out
18 there. What can we do to provide sustainable,
19 renewable solutions. Solar energy comes to mind. If
20 we took the money we've spent at Yucca Mountain and
21 put solar on every rooftop, we would not be here
22 tonight having this discussion. End of story.

23 So helping humanity live on the Earth in a
24 gentle manner. That's what I'm about and that's what
25 we should be about. You know, our auto industry could

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1 be making solar panels. There's so much that could be
2 done. I challenge the NRC, and everyone here, to
3 close Diablo and rethink what we are all personally
4 contributing to the world.

5 I would welcome the NRC back as the Solar
6 Regulatory Commission, and tell us about what can be
7 done to make our national energy grid similar to what
8 is going on in Germany, and similar to what we could
9 do, because California and our Yankee ingenuity, we
10 would roll up our sleeves, and in ten years surprise
11 everyone at what we could do.

12 So until then, conserve energy, put
13 nuclear technology back in the laboratory until it's
14 biodegradable, sustainable and recyclable, and live
15 within our means. Thank you.

16 MR. BAILEY: Okay. Next, we'll have Sumac
17 Bieseck, and then followed by Kevin Drabinski.

18 MS. BIESEK: Hi. My name is Sumac Bieseck.
19 I'm married to Jack Bieseck. He just spoke and I want
20 to thank him very much for speaking. I'm very proud
21 of him. Thank you, Jack.

22 And I want to thank everybody that's here
23 tonight. This isn't the first time I've spoken before
24 the NRC but I'm not really going to speak. I'm really
25 going to just thank everyone that's spoken, and

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1 everybody that's here in support of a better world.
2 And I know that everybody that's here would like to
3 see a better world.

4 No matter what side you're on when we're
5 talking about nuclear, we are all connected. We are
6 all part of the web of life, and that's a very
7 important thing for us to think about when we go home
8 and we go back to our jobs, those of us who have jobs
9 with the nuclear industry, in particular.

10 It's a new day, really. We are learning
11 more and more about physics every day, and how the
12 connection between what we do here affects much more
13 than we realize, and I think it's time to really think
14 hard about nuclear power. It will always be connected
15 to weaponry, as my husband pointed out. That's how I
16 got involved in Mothers For Peace over 25 years ago,
17 and I've supported them ever since.

18 And I just want to point out, and add
19 special thanks to all the Mothers For Peace, that's
20 men and women, that support this nonprofit local
21 group, for 30 plus years, and these individuals do not
22 get paid. They work very, very hard to read through
23 these documents that I refuse to look at, interpret
24 them, make sense of them, argue on par with the people
25 that write them, for what is really, really important

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1 issues that we're all involved in, and I give them so
2 much credit for what they do.

3 I want to thank them very much. And thank
4 you all.

5 MR. DRABINSKI: Good evening. My name is
6 Kevin Drabinski. I'm a 22 year resident of San Luis
7 Obispo. I met my wife in San Luis Obispo. We have
8 two high school aged daughters. I'd like to welcome
9 members of the Nuclear Regulatory Commission. I hope
10 you enjoyed today's weather, a sunny 73 with blue
11 skies, white puffy clouds, just a zephyr of wind.

12 If you ever care to hold meetings in
13 December or February, we have the same weather those
14 months as well.

15 Northern Santa Barbara County and San Luis
16 Obispo County are neighbors to Diablo Canyon Power
17 Plant, and if you spend any time here, at all, you
18 recognize that they have a spectacular assortment of
19 natural resources, including agriculture, farm and
20 ranch land, waterways, coastline and marine life.

21 I believe any community would want to be
22 safe where families live, but especially here, we're
23 fully intending to pass along these natural resources
24 to our children and grandchildren.

25 It would be difficult to gauge the impact

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1 that this community's advocacy for safety has
2 contributed to the safety at Diablo Canyon.

3 The engineers at the plant can measure
4 things down to the last micron, but it would be
5 difficult to see exactly what this community, exactly
6 how they've contributed to its safe operation. It's
7 likely manifested itself in some policies or
8 safeguards, perhaps just a heightened attitude of
9 vigilance around safety.

10 On the other side, PG&E deserves credit
11 for a credible safety record. It's true that they turn
12 a profit here, but they've been a good partner and
13 given back, in meaningful ways, to this community. In
14 the end, I've always thought that it's possible to
15 hold that tension together, that includes safety and
16 business interest, and I view it as a positive force,
17 a creative force that's resulted in the safe operation
18 of the plant. I'm proud to be a member of a community
19 where an open and vigorous debate on these issues can
20 take place.

21 MR. BAILEY: Okay. Thank you.

22 At this time, that completes the
23 registered speakers. At this time, if there's anyone
24 who hasn't had a chance to speak and didn't register,
25 who would like to speak, if you'll raise your hand,

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1 I'll get a yellow card to you. Okay. There doesn't
2 appear to be anyone.

3 If there is someone who has already spoke,
4 and feel they need an opportunity, a few more minutes
5 to address their concerns, you can raise your hand.

6 Okay. Before we have some final words, I
7 just wanted to let you all know that the NRC staff
8 will remain for just a few minutes after this meeting,
9 if you have any additional questions or general
10 questions that you would like them to address.

11 At this time, I will invite Bo Pham up,
12 who will say some closing words. Thank you.

13 MR. BO PHAM: Good evening, everyone. My
14 name is Bo Pham. I'm the branch chief for the team
15 that put together the GEIS, and on behalf of the staff,
16 we do thank you very much for attending the meeting
17 tonight. The attendance tonight was very encouraging,
18 and, you know, we're reminded, that we're glad we
19 switched the location from Westlake Village out here,
20 and we appreciate Ms. Jane Swanson for suggesting this
21 location. I think it has worked out for everyone.

22 The one resonating message that I heard
23 throughout the night was probably the lack of trust in
24 the NRC's process and what we do.

25 And I think from my perspective at least,

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1 and I think I can probably speak for most of the
2 staff's perspective, that sometimes that's due to our
3 lack of good communication on what the process is and
4 how we do it. So we'll continue to work towards that,
5 and I can promise you that, you know--well, we're
6 going to spend the next year, basically, looking at
7 the comments that you've given us tonight, and
8 afterwards, and respond to them, and consider every
9 single one of them.

10 I also do want to reiterate that this is
11 not the only opportunity to provide comments.

12 In fact, we get a lot of substantive
13 comments well after the public meetings as well.

14 So we have the address and the way to
15 provide comments to us up there.

16 The most expedient way is probably via e-
17 mail, electronic format, and it will get in the system
18 a lot faster.

19 And once again, on behalf of the staff,
20 I'd like to thank everyone for attending, and the
21 staff will be available for questions and answers
22 afterwards as well. Thank you.

23 [Whereupon, at 9:05 p.m., the meeting was
24 adjourned]

25

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