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CORRESPONDENCE CONTROL TICKET

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ACTION OFFICE: OCAA

AUTHOR: Joseph Wojcicki
AFFILIATION: SC
ADDRESSEE: The President
SUBJECT: Letter to the President asking for an intervention...to avoid approval of wrong location of the nuclear reactors in S.C.

ACTION: Appropriate
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FILE LOCATION: ADAMS

DATE DUE: **DATE SIGNED:**

March 14, 2009

The President

The White House
1600 Pennsylvania Avenue NW
Washington, DC 20500

NRC 185

Subject: Asking for an intervention as soon as possible to avoid approval of wrong location of the nuclear reactors in SC.

INTRODUCTION.

1. South Carolina Electric and Gas (SCE&G) Company filed with the Public Service Commission of South Carolina (PSC _ SC) Combined Application to construct a two-unit 2,234 MW nuclear facility near Jenkinsville, SC. The filing was done on May 30, 2008.
2. My Motion to Change the Location dated November 10, 2008 has supporting calculations and clearly indicated superiority of an Atlantic Ocean Location over the Jenkinsville location originally selected in 2005. Without any rebuttals or technical analysis, it was denied by the PSC.
3. PSC-SC Order No. 2009-104(A) dated March 2, 2009 has hereby approved the Jenkinsville location.
4. By letter dated March 27, 2008, SCE&G submitted a COL application to the US Nuclear Regulatory Commission (NRC) for the above two AP 1000 reactors to be installed in the Jenkinsville location.
5. I submitted a Petition to Intervene to the NRC to be sure that such an unprofessional decision could reject the proposed AOL and create significant risks for the state of SC and the Southeast region altogether. SCE&G opposed my petition again without any logical arguments. Also, the NRC staff ignores all facts supporting my motion. It seems NRC will likely approve this wrong location too if my Petition will be denied by NRC.

ECONOMICAL, ENVIRONMENTAL and TECHNICAL ASPECTS.

1. The SCE&G location of two AP 1000 reactors will require at least an extra 40 million gallons of water per day from the Broad River, which is needed to supply the Greater Columbia area. Changing the location close to the Atlantic Ocean will save this water for residents, farms, and the industries of the Southeast.
2. Seawater is a better cooling medium. It is also used for many existing reactors all over the world.
3. The Jenkinsville location was selected by SCE&G in 2005. It does not fulfill needs for electricity for the future large loads in Charleston and Savannah areas, including Jasper Ocean Terminal,

the two-state (GA and SC) project approved in 2007. My analysis shows hundreds of millions of dollars in savings in construction and billions more in the operation costs.

4. Present SCE&G team that created their Application has not done adequate work in the area of electric energy generation (the company product) and composition of the SE grid (their distribution network). I tried to help them by pointing out several errors including this big one – a wrong location. Their influence in the administrative review (without proper electrical engineering expertise) caused the PSC order that ignored these very important aspects of a multi-billion dollar project.
5. There are more facts in the technical areas of engineering, environmental issues, and base load locations in the Southeast that I am glad to explain. South Carolina is in the middle of the East Coast port operation zone, so the national wellbeing of economy, especially in this critical time, is very important to analyze. I have done this in materials submitted to the NRC, docket nos. 52-027 & 52-028.

INTERVENOR.

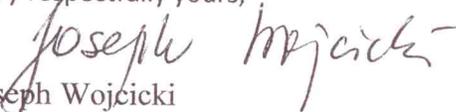
I am still not approved as an inventor in the NRC process for the above nuclear project. The strange and hostile approach towards me, who brings a much better solution for the project, will end up doing more harm than good.

I ask the US Government to help me in any possible way. You will find that my motion is in the interest of the USA, its people, and hopefully show a good impression of professionalism from our engineers. South Carolina and US at large may find embarrassment if the final decision is to approve the Jenkinsville location.

Drought in the Southeast has already created and still poses threats to the existing 24 reactors. Installing two additional reactors in the VC Summer station in Jenkinsville would add them to the list of unfinished investments in nuclear power units.

I am ready to deliver more material, testify to support my proposed location, and fulfill any gaps in the energy and transportation (including international container transport to and from Europe) concepts.

Very respectfully yours,


Joseph Wojcicki

820 East Steele Rd.
West Columbia, SC 29170
Phone 803-755-6808
E-mail: joe4ocean@aim.com
Columbia, South Carolina.....

Enclosed:

_ The additional information... 8 pages
_ Joseph Wojcicki's Brief... 4 pages

March 14, 2008

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of)	
)	
SOUTH CAROLINA ELECTRIC AND GAS)	
COMPANY)	
)	Docket Nos. 52-057 and 52-028
(Virgil C. Summer Nuclear Station)	
Units 2 and 3))	

THE ADDITIONAL INFORMATION SUPPORTING
JOSEPH WOJCICKI'S "PETITION TO INTERVENE"

I. INTRODUCTION.

In response to Answers opposing my Petition to Intervene, I, Joseph Wojcicki, do respectfully submit additional information, adding requested issues supporting this "Petition to Intervene" filed in the South Carolina Electric & Gas (SCE&G or Applicant) V.C. Summer Nuclear Station Units 2 and 3 combined license (COL) proceeding. Existing V.C. Summer Nuclear Station in located near Jenkinsville, SC, in the Southeast (SE) region of the USA classified by NRC as the zone of drought with serious risks to force even the existing 24 reactors to be shut down.

The importance of the project must prioritize the electric energy production and distribution and an environmental burden before any other aspects, including formal /legal aspects would be analyzed.

We have to remember that any legal arguments CANNOT OVERRULE the laws of physics, chemistry, energy, and common sense. In 2009, it is expected that politicians will join scientists and engineers in the energy crisis situation (paraphrasing President-Elect Obama's statements)

II. FACTS.

1. The basic and most costly error is cited in title of the Application: VC Summer location.
2. A solution to correct this error in location is to move the planned reactors to Atlantic Ocean Location (AOL).

3. A lack of professional verifiers in SCE&G team of the Application authors as well as SC ORS panel of experts created a loophole in a proper and updated site location selection process, which was ended in 2005.
4. My "Petition to Intervene" has the form of a brief because of a misleading date in ORS documents. The reason you may find in the Exhibit file [Exh AOL-01 Request for help 2008-12-4.pdf](#)
5. To prove / establish my standing, I do list the required facts:
 - (i) My permanent residence address is:
820 East Steele Road
West Columbia, SC 29170-1125
Phone # 803-755-6808.

The distance to VC Summer station at Jenkinsville, SC is less than 30 miles (and obviously less than 50 miles) from my residence.

- (ii) I am a US citizen concerned in proper design of a modern nuclear electric power station required to deliver more GWe (gigawatts) of electric power in the state of South Carolina (SC). My rights to intervene in the application of this project are also in other higher ranked regulations of "*the USA People's Laws*". My individual right is also in the location of my home at a distance less than 50 miles from Jenkinsville. Detailed rights are in Exhibits.

Our drinking water from the community well already has radioactive elements surpassing standard limits, reported according to SC DHEC and stated as "*some people who drink water containing [radioactive elements] in excess of the MCL over many years may have an increased risk of getting cancer.*" We already have the cancer episodes, one being fatal, associated with drinking water.

- (iii) The nature of interest is in my applicable knowledge and expertise so I can see the future consequences even to the level of criminal negligence. Exhibits present the nature in details. I found in the Application so many mistakes and omissions that my knowledge would help the entire project to avoid extremely costly errors. The smallest loss is in the property (in a 50-mile radius from Jenkinsville) value and their environmental degradation (less water - evaporated water). I hope to report to the NRC and all parties the positive win-win aspects of the proposed AOL.

- (iv) The effect of the Jenkinsville localization will produce enormous losses. AOL will benefit the entire East Coast economy and environment.

Additional facts as follow support the Petition.

6. Around my home there are and will be several communities designed for retirees. The serious perspectives of drought in this region face situations without electrical energy with lack of water at the same time for the older residents, as well as for children and disabled persons. The water would still be needed for reactor cooling systems when any of the three units would be shut down.
7. My Petition lists in Exhibits the serious energy and environmental possible violations in their nature that must be considered in each step of the process before first serious money will be invested in this multi-billion dollar project and before irreversible construction will be set.
8. All weighing factors are in favor of allowing intervention. The effects of a wrong decision, especially in the new AP 1000 unit location, will harm me, my family, my neighbors, SC people and their Governor, the Southeast region and its economy, the USA vital economy, and security interests.
9. Above facts should fulfill NRC requests to establish Standing.
10. In Request for Additional Information dated 2008-08-19 (file [Exh AOL-02 RAI 2008-08-19.pdf](#)) I did set questions mostly about cooling water problems.
11. Even for the next Letter (file [Exh AOL-03 Letter 2008-09-22.pdf](#)), SCE&G still failed in their response to deliver scientific data, therefore giving proof of a lack of a person to do calculations in US and International system of units.
12. My following document (file [Exh AOL-04 Proposal 2008-10-06.pdf](#)) brought attention to the effect of evaporating water from SC Midlands by reactors' cooling systems.
13. I would like to get ORS involved in serious analysis and do verification of the Application by my suggestions (file: [Exh AOL-05 Suggestions 2008-10-17.pdf](#)). They did not do necessary verifications and presented a complete lack of knowledge about SC problems.
14. [Exh AOL-06 Motion 2008-11-10.pdf](#) shows the MOTION TO CHANGE THE LOCATION OF THE TWO NEW REACTORS PLANNED BY APPLICANT. In a response, SCE&G wrote a statement that the Jenkinsville location is "*superior*" with no discussion at all. The Motion still waits for a PSC verdict.

15. Before the PSC hearing which started on December 1, 2008, I did submit Rebuttal (file: Exh AOL-07 Rebuttal 2008-11-25.pdf). Beside AOL other contentions are explained. They emphasize necessity to AOL for the generator station.

16. The general review of issues to fulfill 10C.F.R. Section 2.309 (f)(1) on **AOL contention**:

- (i) The cited facts and arguments from Exhibits allow providing efficient AOL solution for public health, safety and our national economy effectiveness.
- (ii) The bases of AOL are: electric generation and distribution, water saving in Southeast (SE) region, usage for a better cooling other medium (seawater).
- (iii) The location issue is in the scope of the Application, it is even in its title. The change of proposed location by SCE&G Jenkinsville to AOL is already raised and must be continued if necessary, especially here in the case of SCE&G's disrespect of SC people and their Governor's interests.
- (iv) The issue is obviously material in NRC findings in a national nuclear renaissance and other important aspects of the USA energy policy, especially in the economic situation in 2009 and the following years.
- (v) AOL concept is supported by physics, chemistry, energy rules, as well as common sense. Some NRC findings also support the location, e.g. the drought hazard for nuclear reactors in Southeast USA region. Exhibits show details. They were never opposed by SCE&G or ORS using factual materials.
- (vi) Disputes exist in the basic matter of the location of the two new reactors. SCE&G selected Jenkinsville location according to 1970-2005 base load location which is completely different in the perspective of 2024 because it disregards SC industry needs and ignores Governor's decision made in 2007. It also neglects water needs of the Southeast region. The Jenkinsville location is indicated in the title of the application and subsequently inflicts further assumptions, including the ones in the environmental report and the network topology which is missing as a complex document in the application.

Above facts prove the **admissibility of the contentions**.

17. SCE&G attempts to get water from the Broad River and does not respect rights of the planned Duke Power reactors. It is selfish in the situation where SCE&G has ability to move their reactor to Atlantic Ocean and leave the SC land water to people and maybe Duke Power that has no such opportunity.

18. It is insulting to suggest that my intention is greed.

19. Please note some statements from SCE&G Answer Opposing Joseph Wojcicki's Petition to Intervene ("the Answer"):

- 19.1. It is very strange the hostile opposition to the Intervenor who already showed friendly position to the Applicant.
- 19.2. Writing 17 pages of the Answer took probably more time that just reading my documents easily available from PSC Docket # 2008-196-E. Those documents were ready to show my Petition to have established standing and admissible contentions.
- 19.3. On Pages 10 and further in the Answer, its authors acknowledge presence of SC PSC stage of hearing [on environmental, public convenience and necessity], but they pretend that *"Mr. Wojcicki Fails to Explain the Basis for a Contention"*, without checking any of [his] documents already in the docket 2008-196-E where SCE&G took a very active role. If the authors may want to have the instruction from the Petitioner, some kind of refusal of existence is very important information [on scientific calculations supporting the contention]. SCE&G counsel leaves the Applicant with a bad impression of the lack of expertise in their product (electrical energy) and its distribution in Southeast region of the USA as well as avoidable request of water in this often drought-ridden zone. I hope that now, after reading all Facts, they will find "sufficient foundation" to "warrant further exploration" which should mean for SCE&G to start searching for an AOL; that's what I have seen in serious investors activity after changes in economy and technology were indentified by verifier(s), or the government.
- 19.4. My Motion is an attempt to save the project whose idea I see generally as a positive for an electric generation station, but it must respect SC Governor and his people's interests in the actual situation and perspective of 2024 base load location and needs for the water in the Southeast. Now the AOL is superior. The previously rejected SRS location is also today better than Jenkinsville, because the distance to JOT is about 120 miles shorter.
- 19.5. The Answer Page 9: *"he only vaguely indicates that he wishes to have the proposed reactors built at a different undisclosed location 'near the Atlantic Ocean' "*. The authors (counselors for SCE&G) suggest they want me to voluntarily find the AOL for them. I was not hired for this task (finding new location fulfilling AOL criteria) by SCE&G if indeed they are sincere about reconsidering the location.
- 19.6. The acknowledgement of the possible AOL removes any possible defense in a criminal negligence in wrong irreversible nuclear investment.

- 19.7. On the other hand, their ruminations to hide better AOL solution for USA may be interpreted as sabotage, especially at a time “when science will not be twisted for any political reason” (paraphrase of President-Elect Obama’s statements). My personal contacts with some politicians resided in Washington show much better support, especially in the energy matters where I am an expert.
- 19.8. The Answer has no replies or solutions for Motion and other factual, simple science representing, calculations. How can it be ignored and then oppose my Petition? In the PSC hearing, SCE&G has failed to discuss the cooling water matter or prove logical energy generation and distribution in their SC network according to 2024 perspective.
- 19.9. We have to remember that any legal arguments CANNOT OVERRULE the laws of physics, chemistry, energy, and common sense. This is not attack on NRC rules; this is the fact.
- 19.10. The Answer has not passed a reality test.
20. South Carolina is a state that has very favorable location in between New York and Florida.
 - 20.1. SC has an existing container port in Charleston and an ocean terminal in the future. SC ports are the import/export window to Europe and Africa.
 - 20.2. USA East Coast is safer than the West Coast from a seismic perspective.
 - 20.3. USA East Coast is more exposed to hurricanes than the West Coast.
 - 20.4. From a simple observation (and records), hurricanes hit the East Coast in different locations from South to North.
 - 20.5. Any electric generating unit suffering a hurricane landing is almost always shut down, including nuclear plants. Around these plants we observe outages and interruption of power supply for hundreds of thousands to millions of customers.
 - 20.6. If the nuclear renaissance will see more reactors close to the Atlantic Ocean as SCE&G could do, we will see a chain from the South to North, on the coast with a high industrial development zone. From the point of view of fast recovery in power supply to regions with temporary shut down generating plants, the strong transmission lines in the corridor from South to North must be built. This is a necessity of the USA East Coast and an argument to bring more plants close to the Atlantic Ocean. Seawater for cooling systems of reactors is another attraction.
 - 20.7. We already have a highway corridor – Interstate 95. We need a fast railroad, maybe a Maglev that needs a lot of GWe of energy, possibly along Hwy 17 in SC.

- 20.8. Oil refineries are another big MW load perspective for SC, also close to the Atlantic Ocean, with ocean terminals for crude oil in and products out.
- 20.9. All ideas mentioned above are in the areas of my expertise, presently in R&D and reported here as inventions in the National Economy I Security Domain. I had involvements in several grid / electric power network protection and observation of such grids from Kamchatka to Berlin. It worked without higher 12 to 18 percent of reserves and mostly without any such serious outages as were recorded in US Northern states.
- 20.10. Projects in this scope may be an extension or a part of T. Boone Pickens Plan.
- 20.11. For SC, as the center of this Plan on East Coast territory, it will be very beneficial. SCE&G would have a good starting initiative, if it is done properly from the very first step.
- 20.12. Any more detailed discussion would require several types of maps and diagrams.
- 20.13. In the present time, SCE&G has an obligation to demonstrate their idea of distribution of their product (electric energy) in SE region. Delivered materials must have the actualization to 2024 planned and logically located 24/7 base loads on the maps.
21. Errors and/or usage with no longer valid data (from 2005) to select site location as well as lack of maps and diagrams for energy distribution in SC and in SE areas will limit any serious discussion. Consequently, if SCE&G is misleading the NRC and the USA will get the approved Jenkinsville as a location for the nuclear units, the probability of a loss of safe – uninterrupted power will increase significantly. The deficit of water will create health problems. SC will face economic losses. USA will get losses in international trade. Do not forget that this is a drought zone.
22. We have to remember that any legal arguments CANNOT OVERRULE the laws of physics, chemistry, energy, and common sense. This statement does not present any attack on procedure and/or the rules; it is just the real fact.

III. CONCLUSION.

1. Using one of the statements from SCE&G Answer: “NRC Staff must, under NEPA , give due consideration to alternative sites”
2. Above listed Facts support Atlantic Ocean Location (AOL). Applicant must find the new location(s) and rework the appropriate documents for it/them.
3. My [Joseph Wojcicki *per se*] Petition to Intervene has been extended with supporting materials to prove its established standing and admissibility of contentions; therefore it is ready to be approved in the above NRC dockets.

Respectfully submitted by

Enclosed files/exhibits:

Exh AOL-01... to Exh AOL-07...

Seven (7) files in the .pdf format

Joseph Wojcicki

820 East Steele Rd

West Columbia, SC 29170-1125

January 7, 2009

Joe4solar@aol.com, joe4Ocean@aim.com

March 13, 2009

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION
BEFORE THE COMMISSION

In the Matter of SOUTH CAROLINA ELECTRIC & GAS COMPANY AND SOUTH CAROLINA PUBLIC SERVICE AUTHORITY (ALSO REFERRED TO AS SANTEE COOPER) (Virgil C. Summer Nuclear Station, Units 2 and 3)	<u>Docket Nos. 52-027-COL & 52-028-COL</u> PER SE INTERVENOR'S BRIEF ANSWER ABOUT FACTS AND HOSTILE OPPOSITIONS TO HIS PETITION TO INTERVENE
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**JOSEPH WOJCICKI'S BRIEF ANSWER ABOUT FACTS AND HOSTILE
OPPOSITIONS TO HIS PETITION TO INTERVENE.**

____ **FACTS are ignored in each of the Opponents submitted documents and also in the Order which I appeal. This is an abuse of discretion and laws that give priority to facts. Last SCE&G Answer dated March 11, 2009 also has no facts discussed.**

____ **The FACT of standing was obvious in Petition for a reader with her/his minimum attention and the knowledge of USA geography. My residence, at 820 East Steele Rd. in West Columbia, has been known by SCE&G since 1988.**

____ **The FACT of admissibility of the contention is obvious because the new reactors' site location in the title of the SCE&G Application is de facto seriously wrong. And "a new location near the Atlantic Ocean,[will be] providing significantly better economic, environmental, and social solutions"¹, including better seawater cooling systems saving water from Broad River, plus more efficient energy distribution.**

____ **The FACT of searching for different words in the suppose "high standard of review"² without discussions of the facts, just to deny the Petition, represents extreme hostile to public representatives in the process and is the abuse inter alia in discretion, and common sense supported by science. It is especially strange after my direct support to SCE&G presented in SC PSC hearing and the fact that the issue of a new location extremely helps SCE&G and State of South Carolina in win-win situation.**

¹ Joseph Wojcicki's Petition to Intervene_ 2009-12-8_ Page 1

² SCE&G Brief in Opposition... -2009-03-9_ Page 4

_ Here, any Petitioner's additional supporting materials are not "new arguments or new evidence supporting the contention[s]"³ and must be considered in the Commission's appellate role, especially because they carry enormous values (supported by results of calculations done using data from the Application) for next proper decisions.

_ Oppositions from NRC staff seem to follow SCE&G, by copying their false statements and also avoiding any discussion on FACTS.

All oppositions submitted to Commission de facto fail to give logical and true arguments. The Petition has all facts necessary to be approved.

OTHER FACTS – review:

2008-12-08_ Petition to Intervene.⁴

About STANDING: "At this time (first time without detailed instructions) I have begun the due process, per se. I am prepared to fulfill all your requirements, and am easily reached via email at joe4ocean@aim.com, or by telephone at 803-755-6808." Indicated FACT of my residence in West Columbia could be approved as the 50 - mile radius criterion among others facts giving standing. In their review of petitions, SCE&G found Sierra Club members standing status to be adequate as residents of Columbia, SC. SCE&G also knew that West Columbia is in 50-miles radius from Virgil C. Summer Nuclear Station in Jenkinsville. SCE&G knew all details of my residence since 1988 and it was confirmed also in 2008.

About CONTENTION: "I want to be sure that the motion to change the location of the two AP1000 nuclear reactors from the currently proposed **Jenkinsville, SC site [of Virgil C. Summer Nuclear Station]**, to a new location near the Atlantic Ocean, providing significantly better economic, environmental, and social solutions, is accepted by the NRC."

³ SCE&G Brief in Opposition... -2009-03-9_ Page 4

⁴ Joseph Wojcicki's Petition to Intervene_ 2009-12-8_ Page 1

Why are the Opponents avoiding the recognition of their **error, which I point** out in the very title of their Application? Is this only an abuse of discretion?

2009-02-27_ Notice of Appeal & Supporting Brief + 2009-03-06_ Motion for the Reconsideration

_ Brief 1.1 - the explanation: My Petition is dated 2008-12-07 and was submitted via e-mail on 2008-12-08, a day before dead line.

_ Statements in the Order (cited in Brief 1.4) oppose NRC Staff Discussion in their Answer⁵

“As the Commission has stated:

We recognize, nonetheless, that our contention rules require petitioners to work within a limited time frame to review the license application and any available related licensing documents, and that this can pose a significant burden, especially for *pro se* petitioners who are likely to have less available time and resources. But those participating in our proceeding must be prepared to expend the necessary effort. We are unwilling to convene costly and time-consuming hearings unless there is an issue that is appropriate for, and susceptible to, resolution in an NRC hearing.”

“Expended the necessary effort” is in my documents submitted in January 2009 that show detailed examples of better economic, environmental, and social solutions fro the USA.

Note that “issue” of a new location is appropriate and is “providing significantly better economic, environmental, and social solutions, is accepted by the NRC.” The Order does ignore even above cited FACTS, abusing discretion and common sense.

All oppositions to my Petition, submitted to Commission de facto fail to give logical and true arguments. . The presented issue has my copyright calculations supporting admissibility of the contention.

Facts are not “new arguments or new evidence supporting the contention”. SCE&G knows them since 2008 even before the hearing in SC PSC. They were also submitted to NRC as examples of economic, environmental, and social solution for Southeast region of the USA.

⁵ 2009-01-02 NRC Staff Answer to “Petition to Intervene” from Joseph Wojcicki _Page2

The Petition has all facts necessary to be approved. My Notice of Appeal and Supporting Brief shows some of important omission, errors, and abuse of discretion in the Order. It also has support in the law, including NRC⁶

This Brief Memorandum opposing other parties' Opposition to my Petition to Intervene is sent via NRC E-mail system.

Respectfully submitted,

/ Signed Electronically by:

Joseph Wojcicki

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E-mail: joe4ocean@aim.com and joe4solar@aol.com

Columbia, South Carolina.....March 13, 2008

⁶ 10 C.F.R, §2.341