

# **Official Transcript of Proceedings**

## **NUCLEAR REGULATORY COMMISSION**

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Public Meeting

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1 UNITED STATES OF AMERICA

2 NUCLEAR REGULATORY COMMISSION

3 + + + + +

4 PUBLIC MEETING

5 LICENSE RENEWAL AND ENVIRONMENTAL SCOPING PROCESS,

6 SEABROOK STATION LICENSE RENEWAL APPLICATION

7 + + + + +

8 Thursday, August 19, 2010

9 + + + + +

10 Galley Hatch Conference Center

11 Palladium Room

12 815 Lafayette Road

13 Hampton, New Hampshire 03842

14 1:09 p.m.

15 PARTICIPANTS:

16 Elva Bowden-Berry, Esq., NRC

17 Lance Rakovan, NRC Communications Specialist

18 Jeremy Susco, NRC Division of License Renewal

19 Richard Plasse, NRC Division of License Renewal

20 Michael Dreher, Esq., NRC

21 Bo Pham, Branch Chief, NRC Division of License Renewal

22 Jon Johnson, NRC Seabrook Resident Inspector

23 Leslie Perkins, NRC Division of License Renewal

24 Scott Burnell, NRC Office of Public Affairs

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## 1 SPEAKERS:

2 Paul Blanch

3 Mary Lampert

4 Kathy Wolf

5 Diane Teague

6 Representative Robin Read

7 Dr. Robert McDowell

8 Paul Gunter

9 Doug Bogen

10 Joe Casey

11 Janet Guen

12 Tim Noonis

13 Bob Backus

14 Michael Schidlovsky

15 Dennis Wagner

16 Kevin Fleming

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## 1 P R O C E E D I N G S

2 1:09 p.m.

3 MS. BOWDEN-BERRY: Good afternoon  
4 everyone. My name is Elva Bowden-Berry. Good  
5 afternoon. My name is Elva Bowden-Berry, and I'm an  
6 attorney at the NRC, the Nuclear Regulatory  
7 Commission. You'll hear -- be called NRC today, and  
8 I'm co-facilitating today with Lance Rakovan, over  
9 here to my right.

10 We're going to do our best today to help  
11 make this meeting worthwhile for everyone, and we hope  
12 that you'll help us out to make this a good meeting.

13 The purpose of today's meeting is to  
14 discuss the license renewal and environmental scoping  
15 process for review of the license renewal application  
16 for the renewal of the operating license for Seabrook  
17 Station, and to provide members of the public with an  
18 opportunity to provide comments regarding  
19 environmental issues that the NRC should consider  
20 during its review.

21 I'd like to stress that this is an NRC  
22 public meeting. The mission of the NRC is to regulate  
23 the nation's civilian use of byproducts source and  
24 special nuclear materials to ensure the adequate  
25 protection of public health and safety, and to promote

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1 the common defense and security, and to protect the  
2 environment.

3 Now a term you're going to hear a lot  
4 today is about the scoping. Scoping means determining  
5 the scope of the environmental review, in this case  
6 for the Seabrook Station. Today's meeting is just one  
7 way that you can participate in the process, and  
8 you'll be hearing later on about the ways that you  
9 will be able to participate.

10 The meeting today will essentially have  
11 two parts. First, we'll hear some presentations from  
12 the NRC staff of the License Renewal Division and  
13 about the environmental review process, information we  
14 think is important for you to understand when it comes  
15 to the Seabrook license renewal process.

16 There are copies of the presentation on  
17 the registration table outside, but in case you need a  
18 copy, then I can run some copies around. We're going  
19 to try to keep these presentations short and so we can  
20 get to the real reason we're here today, and that's to  
21 get your comments and to listen to what you have to  
22 say.

23 There were yellow cards and blue cards  
24 that we asked you all to fill out, and the yellow  
25 cards were for those of you who knew you wanted to

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1 speak today, and I collected the cards. So when it's  
2 time for people to speak, I can call you up or pass  
3 you the mic.

4 If you decide later that you want to  
5 speak, I have a couple of yellow cards and I can pass  
6 them to you. Otherwise, you can fill out the blue  
7 card to, you know, sign up to be on our mailing list.

8 I also want to inform you that we're  
9 transcribing this meeting. So that means it's  
10 important for everyone to speak clearly, and when you  
11 get up to speak and state, you know, your name and  
12 where you're from, what agency you're representing,  
13 and so that we get a clean transcript, we want to keep  
14 sidebar conversations to a minimum.

15 And we want everyone to remember to turn  
16 your phones or other electronic devices, turn them off  
17 or either put them on vibrate, so that it doesn't  
18 interfere with our transcription. There's the  
19 restrooms are out the doors and to your right, and  
20 there's emergency exits. These doors here and out the  
21 front where you came in, there are emergency exits.

22 We're going to do our best to address any  
23 questions you have today about license renewal, and  
24 other NRC regulatory topics you want to discuss.  
25 However, please remember that we only have a few of

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1 our NRC staff here today, and if can't get you a good  
2 answer on something here, we'll do our best to get  
3 back to you at a later time.

4 One other item I'm hoping that you picked  
5 up when you came in is our public feedback form. You  
6 can fill that out here today and give it to any NRC  
7 staff member, or you can drop it in the mailbox and  
8 the postage is free.

9 Okay. Let's go ahead and get started.  
10 I'd like to introduce you to some of the NRC staff in  
11 attendance today. Bo Pham is our branch chief in the  
12 Division of License Renewal. He's actually at the  
13 slides, and Jeremy Susco will be one of our  
14 presenters. He's the environmental project manager in  
15 the Division of License Renewal.

16 Rick Plasse, he's the safety project  
17 manager with the Division of License Renewal. Leslie  
18 Perkins is out at the sign-up table. She's a project  
19 manager in License Renewal. Jon Johnson over to my  
20 left is the plant resident inspector. Mike Dreher is  
21 one of the attorneys in the Office of General Counsel,  
22 and Scott Burnell is our -- with our Office of Public  
23 Affairs.

24 With that, I'll hand it over to Rick and  
25 Jeremy, and we'll be back when we move to the second

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1 part of the meeting.

2 MR. PLASSE: Okay, thank you Elva.

3 Welcome everyone. I'm Rick Plasse. I'm the safety  
4 project manager, and as Elva said, the meeting's going  
5 to be over the Seabrook license renewal process and  
6 scoping overview. Jeremy will do a presentation on  
7 the environmental aspects, and I will do a  
8 presentation on the safety side. Can we go to the  
9 next slide?

10 Again, the meeting purpose is to provide  
11 an overview of license renewal and review process, the  
12 safety and environmental reviews, and then at the end,  
13 as Elva said, we'll collect your input on the scope of  
14 the environmental review. Next slide.

15 The NRC accomplishes its mission through a  
16 combination of regulatory programs and processes. We  
17 conduct inspections, issue enforcement actions, assess  
18 licensee's performance and evaluate operating  
19 experience in nuclear plants across the country.

20 As you mentioned Jon, I wanted to just  
21 point out that one important element of our inspection  
22 program is the resident inspector.

23 PARTICIPANT: Excuse me, do you have your  
24 mic on?

25 MR. PLASSE: The mic's not on. Okay, I'm

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1 sorry. Okay. The resident inspectors, we have them  
2 at all of the nuclear plants. Their job is to carry  
3 out our safety mission on a daily basis by ensuring  
4 that the plants have acceptable safety performance and  
5 are in compliance with the regulatory requirements.

6 They're considered the eyes and ears of  
7 the NRC, and Jon lives up here in the Seabrook area  
8 and is the resident at Seabrook. With respect to our  
9 mission, it's three-pronged: to protect health and  
10 safety, promote common defense and security and to  
11 protect the environment. Next slide please.

12 The current license for Seabrook expires  
13 in 2030. That's the 40 years of operation. The  
14 application was received at NRC on June 1st, and if  
15 renewed, the license would expire in 2050. So the  
16 period of extended operation requested is between 2030  
17 and 2050. Next slide.

18 PARTICIPANT: Could you speak into the  
19 mic?

20 MR. PLASSE: Next slide, okay. One of the  
21 questions that's come up several times in the recent  
22 couple of months is why can Seabrook apply for renewal  
23 with 20 years remaining on its current license?

24 Well, if you go to the Statements of  
25 Consideration for the rule, it's Part 54.17 Charlie,

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1 the NRC determined that 20 years of operational  
2 regulatory experience provides an applicant with  
3 substantial amounts of information and would disclose  
4 any plant-specific concerns with regard to age-related  
5 degradation.

6 And also from the other aspect, 20 years  
7 remaining on the operating license would be  
8 reasonable, considering the estimated time for  
9 utilities to plan for replacement of retired plants,  
10 if they decide to retire the plant. There have  
11 actually been several plants that have actually  
12 applied prior to 20 years. That requires an actual  
13 exemption to the NRC.

14 I'll give some examples. Milestone II  
15 applied at 18 years. Nine Mile Point Unit II was at  
16 approximately 17 years. A couple of plants that are  
17 up in the Northeast. Next slide please.

18 Here, we're going to go over a little bit  
19 of the license renewal process. As I said earlier,  
20 the license renewal application was submitted to the  
21 NRC June 1st, and then we have basically two parallel  
22 paths.

23 We have the safety review and the  
24 environmental review, and both areas we have  
25 independent reviews by ACRS, and then consultation and

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1 comment, based on what comes up in the scoping and the  
2 environmental -- draft environmental impact statement,  
3 and then a final environmental impact statement. On  
4 the safety side, we'll have a safety evaluation  
5 report.

6 We'll be -- the initial one will go to the  
7 ACRS for review, and then after the ACRS meeting,  
8 we'll have a final SER that will be issued, based on  
9 any other issues that may come at the ACRS besides the  
10 ones that, you know, may come through our inspection  
11 review and audit process.

12 Then the final SER will be issued and then  
13 a final ACRS meeting will be conducted, and then the  
14 ACRS will weigh in on their review. All that will  
15 come together for final NRC decision. Go to the next  
16 slide.

17 A typical target, and this is just a  
18 target, is 22 months for a typical review. If  
19 hearings are granted, that will add time, typically  
20 maybe around 30 months but it can be longer. We've  
21 had some that have gone longer.

22 The schedule now, it's on our website,  
23 nrc.gov under the License Renewal website page. In  
24 fact, the documents are also on that page. But the  
25 schedule shows our review being completed in April of

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1       2012, and that's if there is no hearing. If there is  
2       a hearing, it will be at some time thereafter.

3                     MS. BOWDEN-BERRY: Would you just tell  
4       everybody what the ACRS is?

5                     MR. PLASSE: Yes. The ACRS is Advisory  
6       Committee of Reactor Safeguards. They're independent.

7       They work for the Commission, and the ACRS does an  
8       independent review to the whole process that the staff  
9       review is. Typically, they're senior people who have  
10      been either in industry or academia, scientists, and  
11      they have a broad, diverse background.

12                  They do their own review, look at the  
13      document that we put together, and then they will  
14      probe whatever areas that they feel at the time is  
15      appropriate, and the staff and also the applicant will  
16      be at the meeting to answer the questions as  
17      appropriate. If they ask the applicant, they'll  
18      respond. If it's more appropriate to the review that  
19      the NRC conducted, we'll respond. Okay.

20                  Application content. It's general  
21      information about the plant owner and the operator of  
22      the facility. The application is broken down into  
23      various sections for technical information about the  
24      plant and how the applicant proposes to manage the  
25      aging.

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1                   Chapter 2 typically will be scoping, what  
2                   is the equipment that's scoped into aging management.

3                   You know, basically it's the passive components of  
4                   the plant. The active components, the pumps and the  
5                   valves, they test them in accordance with their tech  
6                   specs all the time. So they're constantly monitoring  
7                   the active components.

8                   Also, any changes to the plant operating  
9                   limits related to aging management. The environmental  
10                  report will evaluate the effects of extending the  
11                  license by 20 years. So that big picture, that's kind  
12                  of what the application contents are. Next slide.

13                  We're going to talk a little bit about the  
14                  safety review. It's in accordance with 10 C.F.R. Part  
15                  54, and we focused on how aging affects the structures  
16                  important to plant safety. The staff review  
17                  determines that the aging effects will be effectively  
18                  managed. We review the application and supporting  
19                  documents. We do an on site audit.

20                  We actually will do basically two audits.

21                  One's a one-week audit and one's a two-week audit.  
22                  The first audit is in September, and that's what we  
23                  call scoping and screening, and in that audit, we look  
24                  at the drawings, the systems and ensure that all the  
25                  equipment that needs to be scoped in in accordance

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1 with the rule is scoped in.

2                   We also look at that time at operating  
3 experience. Any of the equipment in scope, if they've  
4 had any operating experience with respect to failures,  
5 anything that may be aging-related, look at the  
6 corrective action system to see what is the root cause  
7 of the various equipment that they've had some  
8 operating experience that, you know, they had to do  
9 some repairs or is it related to the environment that  
10 the equipment operates in, that type of thing.

11                  We also do what we call an aging  
12 management program review, an AMP audit, and that will  
13 be in October, the second and third week of October,  
14 where we bring in NRC tech staff, consultants, some  
15 experts in various areas, and we'll do a complete  
16 review of all the various aging management programs.

17                  All that kind of feeds into the safety  
18 evaluation report. A lot of the -- the SER is also  
19 reviewed in office. We look at their documents.  
20 Where we may need some clarification, we'll ask for  
21 requests for additional information, for more details,  
22 so that we can come to our conclusions of reasonable  
23 assurance.

24                  And as Elva brought up, the independent  
25 review by the ACRS will be on that, those documents

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1 when they're completed. Next slide.

2 All right, License Renewal Safety  
3 Principles. The two guiding principles from the basis  
4 of the NRC's approach in performing its safety review.

5 The first principle is that the current regulatory  
6 process is adequate to ensure that the licensing basis  
7 of operating plants provides and maintains an  
8 acceptable level of safety.

9 The second principle is that the current  
10 plant licensing basis must be maintained during the  
11 renewal term, in the same manner and to the same  
12 extent as during the original license term and, you  
13 know, the ongoing reviews that we do. As I said  
14 earlier, Jon, as the resident, is our eyes and ears in  
15 the field, in ensuring that, you know, these  
16 principles, you know, are in place.

17 To ensure that the plant's current  
18 licensing basis is maintained during the extended  
19 period of operation, the effects of aging must be  
20 understood and addressed. So that the staff conducts  
21 a detailed review of the new and existing programs and  
22 surveillance activities to determine, with reasonable  
23 assurance, that the effects of aging for certain plant  
24 structures, systems and components will be adequately  
25 managed or monitored. So that's how we couple it

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1 together with the two principles that we just  
2 discussed. Next slide please.

3 Now before I turn it over to Jeremy, just  
4 to discuss a couple of examples here, I'd like to  
5 mention a few areas that are important that the NRC  
6 has oversight, and are separate to the license renewal  
7 process. These include NRC planning, security and  
8 current safety performance.

9 The NRC monitors and provides regulatory  
10 oversight of activities in these areas on an ongoing  
11 basis under the current operating license. Therefore,  
12 we do not reevaluate them in license renewal space,  
13 because they are subject to ongoing NRC inspections  
14 and oversight the activities that Jon is responsible  
15 for, and also various inspectors come up and do a lot  
16 of our routine inspections as part of the reactor  
17 oversight program.

18 Any issues identified in these areas,  
19 they're addressed immediately under the current  
20 operating license. For more information on the  
21 reactor oversight process for operating reactors,  
22 again you can go to nrc.gov and you can search reactor  
23 oversight program, and you can see the details of that  
24 program there.

25 With that, that concludes my remarks of

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1 the big picture from the safety side, and I'd like to  
2 introduce Jeremy. Oh, I thought -- I'm sorry. Okay.

3 Yeah, all right. Hearing requests. The deadline is  
4 September 20th. That's a 60-day comment period if  
5 anyone has any issues that they want to put in, that's  
6 the deadline.

7 I kind of mentioned the two ACRS meetings.  
8 They're scheduled right now for September of 2011 and  
9 February of 2012. So we'll get the SER out a couple  
10 of months before the September meeting, and then at  
11 least a month if not more before the February meeting.  
12 With that, that concludes my presentation and I'll  
13 turn it over to Jeremy.

14 MR. SUSCO: Thanks Rick. As Rick said, my  
15 name is Jeremy Susco. I'm the environmental project  
16 manager. Rick's doing the safety side and I'm doing  
17 the environmental side of the licensing application.  
18 So the environmental review. As Rick said earlier, we  
19 have a safety part. That's in Part 54 of our  
20 regulations. Part 51 is our environmental review.

21 I want to stress that public input drives  
22 the environmental considerations that we look at, and  
23 that's why we're here today, is to hear your comments  
24 on what we should look at and what we shouldn't look  
25 at as part of our review. What all that goes into is

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1 we're working on an environmental impact statement,  
2 and this environmental impact statement is going to  
3 disclose the impacts of the plant operating for  
4 another 20 years beyond its initial 40 year license.

5 And what we're going to try to decide by  
6 doing this is does it make sense environmentally to  
7 allow Seabrook to operate for 20 more years. Are the  
8 environmental impacts so great that it would deny the  
9 option of energy planning decision-makers to renew  
10 that license. Next slide please.

11 So the purpose. The purpose is to  
12 rigorously investigate the license renewal option, as  
13 well as any reasonable alternatives for the area. The  
14 decision-makers at the NRC and on the state level,  
15 they use this impact statement. We use this to inform  
16 them and to publicly disclose any impacts of license  
17 renewal in the alternatives. Next slide please.

18 I promise you this looked much better on  
19 my computer screen on my desk. But some of the things  
20 that go into an environmental impact statement is  
21 we're going to look at the impacts on fish and  
22 wildlife, historical and cultural resources. We're  
23 going to look at the socioeconomic impact, human  
24 health and land use.

25 We're not going to do it just by

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1 ourselves. We're going to coordinate with other local  
2 and state agencies. For example here, we've already  
3 been in touch with the Massachusetts Division of Fish  
4 and Wildlife and New Hampshire Natural Heritage Bureau  
5 and the New Hampshire Department of Environmental  
6 Protection. Next slide please.

7 Again, I promise this looked much better  
8 on my computer screen. But this is the process for  
9 the environmental impact statement, and this first  
10 slide -- so the first one is issue the Notice of  
11 Intent, and we did that back in July. There was  
12 actually a copy of it back on the table. That's our  
13 Notice of Intent, letting everybody know that we're  
14 going to be creating this environmental impact  
15 statement for the license renewal application.

16 This next block says "Public  
17 Scoping/Meeting." This is where we solicit public  
18 comments, and that's why we're here today. So that's  
19 where we are now. We're going to use those comments  
20 and all the coordination we do with other agencies,  
21 and we're going to prepare a draft environmental  
22 impact statement.

23 We're going to publish it -- next block  
24 over here. We're going to publicly issue the draft  
25 environmental impact statement, and we're going to

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1 have another public meeting like this, where we're  
2 going to come and we're going to request your comments  
3 on the environmental impact statement.

4 We will address those public comments. As  
5 well we will address the comments in the report that  
6 we receive today. We'll use those. We'll prepare the  
7 final environmental impact statement, and then we'll  
8 publicly issue the final statement. That will be one  
9 of the things that the NRC looks at when making its  
10 overall license renewal determination.

11 So it says yellow blocks represent key  
12 public steps. That's blue in this case. Next slide  
13 please.

14 So why are we here today? As Elva and  
15 Rick mentioned, this isn't really a Q and A of sorts.

16 This is a chance for you to have the microphone and  
17 to tell the NRC what issues, environmental issues that  
18 you think that we should look at through the course of  
19 our review.

20 Why do we need that input? We need that  
21 to better focus what we're going to look at, what we  
22 definitely should and what we shouldn't look at as  
23 part of our environmental review. Next slide please  
24 Bo?

25 So the type of input that we're looking

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1 for. What makes your community unique? What are the  
2 local issues that we should be investigating?  
3 Socioeconomic impacts, you know. What should we be  
4 looking at? And are there reasonable alternatives  
5 that are appropriate for the Seabrook area? Next  
6 slide please.

7 How do you make comments? Number one,  
8 here today, on the record. Mail. This, if everyone  
9 wanted to grab, there are copies of the slide. You  
10 don't have to write this down. There's copies of the  
11 slides out there. You can submit your comments by  
12 mail. There's the address. You can fax.

13 Regulations.gov. This is the federal  
14 government-wide site for any sort of rulemaking or  
15 when we do things like this, where we want public  
16 comments. This is the -- this is what you need to use  
17 if you're going to search that.

18 If you search under that docket ID, it  
19 will bring you to essentially the Seabrook  
20 environmental impact statement page, and that will be  
21 where you can submit your comments electronically.  
22 They are due by September 21st, and we do take your  
23 comments seriously and we do respond to them.

24 If you want to hear our response, we put  
25 together what's called a scoping summary report, and

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1 we either need your mailing address, and you can put  
2 those on the blue cards that are out on the front  
3 desk, or as well if you signed up on -- if you put  
4 your email address on the sign-in sheet, and as well  
5 we can get that scoping summary report to you via  
6 email. That is the way we prefer is via email. Next  
7 slide please.

8 So I wanted to highlight this again, the  
9 opportunities for public involvement in this whole  
10 process, why we're here today, the scoping meeting.  
11 There's an opportunity for a hearing that ends on the  
12 20th.

13 Draft environmental impact statement. We  
14 will be back here probably right in this room. Next  
15 June is about when we anticipate being back here, and  
16 we're going to again ask for your comments on the  
17 draft environmental impact statement.

18 You are invited as well to Washington,  
19 D.C. for the -- our independent review by the Advisory  
20 Committee on Reactor Safeguards, and any other  
21 meetings that we have as required as we go along in  
22 this process. We will let you know when we're going  
23 to have those meetings in advance. Like I said, there  
24 will be *Federal Register* notices for the things that  
25 are starred, and we'll also have press releases. Next

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1 slide please.

Final Agency Decision. So the final agency decision comes from -- what goes into that comes from several components. What Rick talked about, the safety evaluation report on the safety side; the environmental impact statement; and our inspections that we do and the findings and conclusions that come out of those; and the recommendation from the Advisory Committee on Reactor Safeguards, from their independent review. Next slide please.

17 You can always access it at this website.  
18 It's devoted to the Seabrook license renewal review.  
19 As well, this website will also be a place we'll put  
20 the draft environmental impact statement on there, and  
21 the libraries will also get that if you want to see  
22 paper copies. Next slide please.

23 Keeping up to date. We have, at the NRC  
24 now, we have a list server, and here's the web page  
25 right there. You essentially just click on Seabrook.

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1 You put the email address at the bottom and you press  
2 "submit." You will get all of our public documents  
3 related to Seabrook that the NRC puts out. That  
4 includes the license renewal piece.

5 You can sign up yourself at this website,  
6 and if you want, we can also sign you up if we have  
7 your email address in the back. Next slide.

8 So that's actually everything I have to  
9 say. We're going to leave this up, Rick and I.  
10 Rick's safety, I'm the environmental side. If you  
11 have any questions, there's our email address and our  
12 phone number. With that, I'll turn it back over to  
13 Elva.

14 MS. BOWDEN-BERRY: Jeremy, could you have  
15 yourself or one of the other NRC representatives go  
16 over the hearing process a little bit and overview?

17 MR. SUSCO: Absolutely. I'll let one of  
18 our attorneys answer that question.

19 MR. DREHER: Elva introduced me before.  
20 My name is Mike Dreher. I'm an attorney with the  
21 Office of the General Counsel at the NRC. The hearing  
22 process, I guess, is just a real quick rundown of it.

23 It's the public's opportunity to have any issues or  
24 objections that they have heard during the NRC's  
25 review of the license application.

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1                   What it boils down to is from the date  
2 that the NRC published the notice of opportunity for  
3 hearing in the *Federal Register*, which was July 21st,  
4 if I'm not mistaken, there are 60 days to file a  
5 petition to intervene with a contention in that  
6 hearing, and that date will be September 20th, I  
7 believe, is the last date that those petitions can be  
8 filed.

9                   After that, the agency and the licensing  
10 board will review the petitions to intervene, and if  
11 the contentions in the petition are admitted, then  
12 they are adjudicated through the agency's review  
13 process, which is in front of the agency's  
14 adjudicatory body, the Atomic Safety Licensing Board.

15                  Now this whole process is run through much  
16 clearer on our website. If you go to the NRC.gov  
17 website, go to the how to get involved, the public  
18 involvement tab on the web page, this is all  
19 explained. There are links to the rules and the  
20 process, and I can explain it in more detail to  
21 anybody who'd like to hear it, during or after the  
22 meeting.

23                  MS. BOWDEN-BERRY: Thank you, Mike. With  
24 that, right. I was going to open it up to questions,  
25 and I wanted to remind all of you that all these

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1 websites are listed in your handouts of slides. If  
2 you don't have the handouts, then we can get them to  
3 you later. All right, questions? Yes sir.

4 MR. BLANCH: Yes. Jeremy, you said that  
5 documents were available at the local public document  
6 room. Would this include a copy of all the  
7 regulations in the FSAR and all the documents that are  
8 being reviewed? When I say "regulations," I'm talking  
9 about those regulations that are codified under  
10 50.55(a), such as ASME codes for piping and buried  
11 piping.

12 Can members of the public go to the local  
13 public document room and review the regulations that  
14 are applicable to this plant, and I'm specifically  
15 talking, you know, some of the regulations are ASME,  
16 American Society of Mechanical Engineers. Some of  
17 them are endorsed by IEEE, which is Institute of  
18 Electrical and Electronic Engineers?

19 Can members of the public go to the public  
20 document room and access these documents to see what  
21 requirements are applicable to the design of this  
22 plant?

23 MR. SUSCO: As part of license renewal,  
24 no, we do not put every document in the libraries.  
25 They have limited space and limited resources. So we

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1 put the documents that are pertinent to license  
2 renewal. For example, the application itself, the  
3 draft environmental impact statement and the final  
4 environmental impact statement.

5 There is a public document room in  
6 Washington, D.C. where a lot of those are accessible.

7 I understand that's not great if you live here in  
8 Seabrook or the area. But on our website as well,  
9 there also is information on how you can access that  
10 type of thing.

11 On our website as well, there is a lot of  
12 -- a lot of this information is available, as well as  
13 through Google. So no. To answer your question, the  
14 libraries do not have every piece of documentation  
15 that the public might possibly want. But pertinent  
16 documents are there.

17 MR. BLANCH: So one would have to fly to  
18 Washington to take a look at ASME codes that are  
19 applicable. They're not accessible on the web, by the  
20 way.

21 MR. SUSCO: I can talk to you more about  
22 this afterwards, but no, it's not. You don't have to  
23 fly to Washington. The web also describes ways that  
24 you can get the documents without going to Washington.  
25 But we're not actually here to talk about ADAMS.

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1 We're here to hear the scoping comments. So I can  
2 talk to you afterwards about that.

3 MS. BOWDEN-BERRY: Are there any more  
4 questions on the presentation, any clarifying  
5 questions about the process?

6 (No response.)

7 MS. BOWDEN-BERRY: Okay. Please state  
8 your name and the organization you're with.

9 MS. LAMPERT: Mary Lampert. I'm  
10 associated with C-10, and my question is for when you  
11 can sign up on Seabrook's website. Will all the  
12 motions filings in the hearing process be available on  
13 that site? You said we get everything from Seabrook.  
14 Will we get every filing in the adjudicatory process?

15 MR. PLASSE: I can tell you -- what I can  
16 say for sure, Seabrook will be part of what we call  
17 the electronic hearing docket. All of the  
18 adjudications that the agency undertakes at this point  
19 all go onto an electronic docket available on our  
20 website, and within usually a business day or two of  
21 their filing, all documents filed before an  
22 adjudication do come up as available on that website.

23 It may take a day or two so that it can  
24 run through the Secretary's office, but it will up  
25 there, yes.

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1                   MS. LAMPERT: And you'll provide that  
2 address, so people will be able to access it, the  
3 general public?

4                   MR. PLASSE: Yes. If you go to the  
5 Seabrook website that's on the NRC.gov site, under  
6 each licensing action that has a page, there will be  
7 -- there is a link to the electronic hearing docket,  
8 to access docket filings in that particular case. So  
9 Seabrook will be part of that.

10                  MS. WOLF: Okay, excuse me. I'm just  
11 curious. Who appoints the independent ACRS? How many  
12 members does it have? In final evaluation by the NRC,  
13 does it carry more weight than any of these other  
14 three factors noted, which were safety evaluation  
15 report, EIS, NRC inspections and findings, and the  
16 ACRS report?

17                  MS. BOWDEN-BERRY: Will you state your  
18 name and -- okay.

19                  MS. WOLF: My name's Kathy Wolf. I'm a  
20 concerned citizen.

21                  MR. PHAM: My name is Bo Pham. I'm the  
22 branch chief for License Renewal. Your first  
23 question, does the ACRS -- well actually --

24                  MS. WOLF: Who appoints the ACRS?

25                  MR. PHAM: Who appoints the -- statutorily,

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1       they're required, you know, the Commission appoints  
2       the ACRS.       So they work directly for the  
3       commissioners. They're separate from the staff. How  
4       many members are there? I can't remember the exact  
5       number at this point, right. But at about 12 to 15, I  
6       believe, was the correct number.

7                  Does their consideration or review carry  
8       more weight than the other three? It's not a  
9       weighting factor. I mean the Commission takes all  
10      three sources of input into consideration, and the  
11      Commission makes that weighing. I can't tell you, you  
12      know, how they'll weigh the different factors  
13      basically.

14                 But the ACRS review is independent of what  
15      the staff, you know, our folks do basically.

16                 MS. WOLF: One final follow-up question on  
17      that. Why is the ACRS needed, if the NRC comes to  
18      objective conclusions on its own? Why are two  
19      independent reviews of the licensing extension needed?

20                 MR. PHAM: That may be a legal question  
21      beyond my ability to answer. But I would guess that  
22      the ACRS is an independent body that's required by law  
23      when we established the Atomic Energy Act, to have the  
24      ACRS appointed as probably -- you know, if I were to  
25      give an answer, I probably would say just for checks

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1 and balances.

2 MS. BOWDEN-BERRY: Please state your name  
3 and your organization.

4 MS. TEAGUE: Good afternoon. My name is  
5 Diane Teague. I'm here as a parent, a grandparent and  
6 a member of C-10, since we're talking about  
7 potentially 40 years from now, and this will affect my  
8 grandchildren.

9 So my question is pretty much a process  
10 question. In looking at this outline and the meeting  
11 purpose, I notice that it's to collect our input on  
12 the scope of the environmental review. I'd like some  
13 clarification as to whether this is a typo, that a  
14 safety review and our input on that aspect is not  
15 invited at this time, or why that is excluded? Thank  
16 you.

17 MR. PHAM: This is Bo Pham, and the  
18 question is does this -- is our message here that the  
19 safety review is not, you know, are we not soliciting  
20 comments with the safety review. We never exclude any  
21 comments. The NRC always considers the comments.

22 But just from the environmental aspect,  
23 the National Environmental Policy Act and NEPA law  
24 requires that we go out and directly take the input  
25 from members of the public. That's why we're

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1 implementing that, the requirements of that law.

2                   With the Atomic Energy Act, I don't  
3 believe the Atomic Energy Act has such provisions in  
4 it. So typically we don't, but that doesn't mean we  
5 don't take input from the public. So process-wise or  
6 procedurally, we don't normally have that process in  
7 there.

8                   MS. BOWDEN-BERRY: Okay. With that, we'll  
9 go on to the second part of the meeting, and we'll  
10 take your comments. The first speaker that I have is  
11 Mary Lampert.

12                  MS. LAMPERT: Hello. I'm Mary Lampert. I  
13 am Director of Pilgrim Watch, but I am not here in  
14 that capacity. I'm here to provide technical advice  
15 for C-10. Impacts, environmental impacts can be both  
16 from normal operations and also from accidents,  
17 design-based accidents and severe accidents.

18                  I'd like to direct my questions and  
19 comments solely to severe accidents. There is a  
20 requirement of the applicant to do a severe accident  
21 mitigation analysis. It can be found in their  
22 application. In reading it, it's akin to reading a  
23 fairy tale. There is absolutely nothing in it that  
24 has a commonality of what one would expect of a severe  
25 accident from a nuclear reactor.

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1           It is NRC's job in the SEIS to not just  
2 describe what the applicant did, and summarize it in a  
3 chapter, as has been done at other licensees. It is  
4 rather to do, and we expect a detailed analysis of  
5 this issue. A SAMA, that's the shorthand, they're  
6 required to analyze. It's a cost-benefit analysis,  
7 the consequences of off-site of an accident, and then  
8 weigh that against costs for mitigative measures that  
9 would help reduce risk.

10           So this is very, very important. The  
11 applicant used a computer code called the MAC code,  
12 MAC-S2. My question is I think it's necessary to  
13 justify the use of that code. First, it is not -- it  
14 was not held to the same quality assurance  
15 requirements of the American Society of Mechanical  
16 Engineering QA Program, requirements for nuclear  
17 facilities.

18           So therefore there is a very important  
19 question. It was designed solely for research. There  
20 is a paper on this by the author of the code. It was  
21 not designed for licensing. So therefore the question  
22 is why is it being used?

23           Also in the code, if you read it, go  
24 through it, there's no explanation of exactly how it  
25 works, which is a problem and your responsibility to

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1 explain to the public. The problem, there are many  
2 problems with this code, and it's not appropriate for  
3 use.

4 As it was used by Seabrook in this  
5 application to determine off-site consequences. Why?  
6 It's important, when you're looking at consequences,  
7 to understand atmospheric dispersion and deposition.  
8 The code has embedded in it a module called ATMOS, and  
9 relevant for you, that uses the straight-line Gaussian  
10 plume model, which assumes that wind blows like a beam  
11 of a flashlight.

12 NRC, DOE, the public, the world,  
13 meteorologists know that is not how the wind blows in  
14 a coastal location. Therefore, it is very important  
15 when you are doing your review, that you do site-  
16 specific analysis, analyses of plume distribution,  
17 meteorology in this area.

18 There have been numerous studies ignored  
19 by the applicant, but they cannot be ignored by NRC,  
20 of how the meteorology is on the coast of  
21 Massachusetts, New Hampshire and Maine, specifically  
22 discussing the sea breeze effect, which occurs here,  
23 increases deposition, number one, and also when it  
24 looks like the wind's blowing offshore, it's brought  
25 in sometimes 20 to 40 miles. Very significant,

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1 ignored by the applicants in their application.

2                   Also ignored is the fact of how plumes  
3 travel over water, where they because of lack of  
4 turbulence, they remain concentrated, and as a result  
5 you can find, when there are northeast winds,  
6 deposition blowing down to the dense urban areas, such  
7 as a Boston, where you'd expect to find hot spots, or  
8 conversely up the New Hampshire coast, to densely  
9 populated areas such as Portsmouth and Portland.

10                  This is ignored by the licensee. It  
11 cannot be ignored. Nor can it be ignored that they  
12 got their meteorological data from one source, the on-  
13 site meteorological tower, which simply will tell how  
14 wind is blowing on site, but not what happens to it  
15 off site.

16                  So the data they used is essentially  
17 worthless. We expect and demand NRC to do more. The  
18 economic costs were also grossly underestimated,  
19 particularly the cleanup costs. The MAC-S2 models  
20 bases its assumptions on clean up, on WASH 1400.  
21 Therefore, the DF factor, decommissioning factor,  
22 decontamination rather factor, is 15.

23                  We want you to look at that. What is the  
24 DF factor that Seabrook has assumed? More  
25 importantly, what level of cleanup? They never talk

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1 about the level of cleanup. Would it be required to  
2 go EPA, 15 millirem a year? Are we going to 25? Are  
3 we going to 50? Are we going to 500? Because what is  
4 allowable greatly affects the cost of cleanup.

5 A GOE report has reported that in fact  
6 there's no agreement between EPA and NRC. The public  
7 here wants to know. The public wants to know some  
8 other factors that were ignored. Where's the waste  
9 going to go? How much waste? What is the volume that  
10 is expected in a severe accident?

11 While you're looking for a place, how is  
12 it going to be safeguarded? That's a cost that's not  
13 accounted for. Are they going to put lead blankets  
14 over it? How is resuspension going to be covered?  
15 What about workers? Whereas WASH 1400 and the MAC-S2  
16 code that they use for their cost calculations assume  
17 and was based on a weapons event, cleaning up; it was  
18 during the Cold War, of a weapons event.

19 That is the fundamental underpinning of  
20 the code, cleanup cost factors. However, there is a  
21 vast difference between cleaning up on a weapons event  
22 than cleaning up from a reactor event. A weapons  
23 event has larger particles, larger mass loading. They  
24 assumed, as the MAC-S2 code assumes, the buildings  
25 will be hosed down and fueled to be plowed under.

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1           This will not be allowed by the public, by  
2 CERCLA, by EPA. So let's get some real cost here,  
3 real cost. You don't have real cost.

4           Also underestimated are the health costs.  
5 Look at, and we want to know. This has to be site-  
6 specific. We cannot have the health costs that are  
7 assumed in the code, that go back to understandings of  
8 the 1960's, at best early 70's. We've had BEIR-7.  
9 BEIR-7 is not conservative enough, because it does not  
10 include the Techna River studies. It does not include  
11 the studies by Cardis, which show far greater damage  
12 from lower doses than BEIR-7.

13           So therefore the health costs. Health  
14 itself is taken off the table as a Category 1 issue.  
15 But the costs of health belong in the SAMA.

16           Next, and I'm almost finished, what is  
17 missing is consideration of a spent fuel pool  
18 accident. I think obviously this is important,  
19 because there's far more radioactivity in a spent fuel  
20 pool, and you can have migration from a reactor  
21 accident to a spent fuel pool accident, so you get a  
22 double whammy, or it can move the other way.

23           The argument for not considering this  
24 holds no water. They go to the GEIS and look at  
25 Section 6, which takes spent fuel and low level waste

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1 for that matter off the table for adjudication, but  
2 the first paragraph says "Normal operations."

3                   Section 5 of the GEIS, which this process  
4 is under, describes and gives a definition of severe  
5 accidents, and it defines it in terms of consequence,  
6 not in terms of the origin of the accident.  
7 Therefore, consideration of the spent fuel pool  
8 accident in a severe accident mitigation analysis,  
9 must be considered.

10                  Last in the application, they talk about  
11 evacuation time estimates, which are required, because  
12 how long it takes and how many people will get out of  
13 dodge will affect -- in time will affect health costs.

14                  However, when you read the application,  
15 the only reference is to Seabrook's radiological  
16 emergency plan. There is no reference, no information  
17 of evacuation time estimates, no provision if they  
18 used KLD, whether these time estimates were performed  
19 during peak commuter hours, during bad weather in peak  
20 commuter hours, during holidays, during high beach  
21 season. There's no information whatsoever.

22                  Just a mere "other" reference to new Reg  
23 1150, which has absolutely nothing to do with this,  
24 that was an analysis of consequence at five reactors,  
25 not Seabrook included in 1991. So it is really

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1 irrelevant. So that has to be updated. Last, they do  
2 a sensitivity analysis to show that we put in more  
3 numbers to make a severe accident look a little worse,  
4 and see it didn't make enough of a difference.

5 But what they did was use the same code,  
6 the same assumptions, the same processes, so repeating  
7 the same mistake one, two, three, four times, that  
8 never will give you the right answer. And so these  
9 are the questions. We will send these questions to  
10 the NRC, because we will not accept, and nor will you  
11 -- we're sure you would like to do a good job --  
12 simply to read what they did and then briefly describe  
13 it in *Reader's Digest* form.

14 We expect analyses, and we're very willing  
15 to help you with this process.

16 MS. BOWDEN-BERRY: Mary, thank you very  
17 much for your comment. We're going to go to  
18 Representative Read next, and then Dr. McDowell.  
19 Could you spell your name when you get up to the mic  
20 please?

21 MR. READ: My name is Robin Read, R-E-A-D.  
22 I'm a member of the New Hampshire House of  
23 Representatives from Portsmouth, which as you all know  
24 is within the evacuation zone. I was also a member of  
25 the House in the 1980's when we went through the

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1 financial struggles related to the plant and would  
2 like to say that I think the new owners have done a  
3 better job of communicating with the public and  
4 letting us know what's going on than the previous  
5 owners.

6 You're going to hear -- you've heard a lot  
7 about the evacuation issue, and you're going to be  
8 hearing I'm sure more about the problems that we  
9 really should be looking at, including waste, the  
10 issue of nuclear waste in the review.

11 But I'd like to talk just for a minute on  
12 the reasonable alternatives appropriate for the area.

13 I was at a conference of legislators from all over  
14 the Northeast in Maine on Monday, where Gordon Van  
15 Welie, who's the ISO -- the president of ISO New  
16 England, which runs the grid in New England, said that  
17 there are 3,000 megawatts of wind power currently in  
18 the pipeline in New England. 12,000 megawatts is  
19 available.

20 Maine in 2008 passed the Maine Wind Energy  
21 Act, which calls on Maine to produce 3,000 megawatts  
22 of wind by 2020. New Hampshire, we now have renewable  
23 portfolio standard, which calls on the state to have  
24 25 percent of its energy produced from renewable  
25 sources by 2025.

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I seriously question the need for Seabrook, and I still don't understand how we can be doing this process, looking at what the environmental and renewable energy situation and energy efficiency improvements 20 years and 40 years down the road.

I think it's way premature to be doing this process now. I agree with the petitioners, who say that ten years would be a much better time period to look at. There have been huge advances in renewable energy and energy efficiency. There have been huge advantages in storing alternative energy through battery technology.

There was a recent article in the *New York Times* about storing wind power. I think that this is just way premature, and I think that the NRC should look seriously at the petitioners' proposal, and look at the alternatives seriously.

MS. BOWDEN-BERRY: Thank you, Representative Read. Now we'll have Dr. McDowell.

DR. McDOWELL: I'm Robin McDowell. I'm a professor of Oceanography and Environmental Science, American Military University. You've heard a lot of negatives and cons in Seabrook. I think you need to hear the positive side. Right now, there are something like 131 nuclear power plants being

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1 constructed around the world, and they're not all in  
2 Iran, by the way.

3 I worked at Los Alamos for 18 months, and  
4 I still have all my hair, and as far as I know, I  
5 don't have leukemia. I live in Portsmouth, down wind  
6 from the Schiller and Newington fossil fuel plants.  
7 When the air's humid there, Portsmouth smells like  
8 Pittsburgh used to, yet nobody's protesting that one.

9 Nuclear is a proven technology. Seabrook,  
10 as far as I know, has never had an incident or a  
11 problem. I see no good reason to deny a license,  
12 although you guys ought to work on the fuel disposal  
13 problem, and we spent a little money out in Yucca  
14 Mountain. We ought to do something with it.

15 Other than that, there is no, unless we  
16 want to start turning lights off and shutting off air  
17 conditioners and other facilities around here, wind  
18 and solar are nice. But look out that window.  
19 There's not enough wind going out there right now to  
20 fly a decent-sized kite. So unless you want to start  
21 turning switches off, we need Seabrook, like it or  
22 not.

23 It hasn't had a problem, you know, I see.  
24 But I assure you guys when you get back to Rockville  
25 Pike will do a very thorough job, as you usually do,

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1           in looking at things. Thank you.

2                   MS. BOWDEN-BERRY: Thank you. We'd like  
3           to have Paul Gunter. Please spell your name and  
4           indicate where you're from. Thank you.

5                   MR. GUNTER: Thank you. My name's Paul  
6           Gunter. That's G-U-N-T-E-R, and I'm Director of the  
7           Reactor Oversight Project at Beyond Nuclear, and we're  
8           based out of Takoma Park, Maryland, just outside of  
9           Washington, D.C. I'm a former resident of New  
10           Hampshire for 23 years, and also I was one of the  
11           petitioners that filed with the U.S. Nuclear  
12           Regulatory Commission yesterday under the provision  
13           for petition for rulemaking, in a request that the  
14           agency change the current rule under 10 C.F.R.  
15           5417(c), from 20 years in advance of the expiration  
16           date to ten years in advance.

17                   And one of the key reasons that we've  
18           requested this petition for rulemaking is precisely  
19           because a premature application will do nothing but  
20           provide meaningless data for this agency's  
21           consideration.

22                   This application is the equivalent of  
23           green fruit. It's not ripe. It needs more time. It  
24           needs more time to consider a whole host of issues,  
25           ranging from system structures and components at this

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1 plant that you're required to look at, in the context  
2 of aging.

3                   But more particularly, I would like to  
4 just say a few words about the due process issue. One  
5 of the key concerns that we have here with an  
6 application that's coming 20 years in advance of the  
7 expiration date is that it excludes a whole generation  
8 of citizens, commercial interests from participating  
9 in this process.

10                  I mean people who should be here are in  
11 grade school right now, particularly when you're  
12 talking about a federal action that will not occur  
13 until 2030. So it's alarming that -- well first of  
14 all, the slide that you had up earlier with regard to  
15 why 20 years, I've participated in many of these  
16 license renewal proceedings.

17                  We've been an intervenor before, and  
18 that's the first time I've ever seen this slide. It  
19 was not reassuring that the basic message of the slide  
20 was because we say so. What you've addressed here is  
21 that -- I mean you've determined that 20 years of  
22 operational and regulatory experience provides an  
23 applicant with substantial amounts of information.

24                  But I would refer you to the National  
25 Environmental Policy Act, the reason we're here in the

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1 first place, provides that at Section 1501(b), it says  
2 NEPA procedures must ensure that environmental  
3 information is available to public officials and  
4 citizens before decisions are made and before actions  
5 are taken.

6 The information must be of high quality.  
7 Accurate scientific analysis, expert agency comments,  
8 public scrutiny are essential to implementing NEPA.

9 Most important, NEPA documents must  
10 concentrate on issues that are truly significant to  
11 the action in question, rather than amassing needless  
12 detail. What you have before you in this application,  
13 now 20 years before the time of expiration, it  
14 basically constitutes nothing but nonsense, an  
15 amassing of needless, meaningless detail.

16 Let's look just in, you know, a license  
17 renewal application for a nuclear power plant  
18 submitted 20 years in advance of its expiration date  
19 cannot, according to Section 1500.2 of the same Act --  
20 provide to the fullest extent possible is the  
21 requirement of NEPA -- accurately and reliably  
22 evaluate what's foreseeable, particularly for the  
23 renewable energy alternatives that the representative  
24 from New Hampshire has already addressed as a  
25 tremendous resource.

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I mean essentially what this application currently puts forth in its claim that the contribution of wind and solar to the consideration of alternatives under NEPA, they fix it -- the nonsensical comparison is much like saying the Model T is going to be what we have for the next 20-40 years.

It casts aside any kind of consideration for advancement. But in fact, it's not just -- we're not just pulling this out of the air. The Department of Energy's own National Renewable Energy Laboratory, in its assessment, particularly of offshore wind, is that the contribution for the region of interest that we're discussing here under NEPA is -- ranges from good to superb.

This basically still -- this all contradicts what the applicant has put forward for your consideration. They don't even mention that the potential here, as rated by the Department of Energy, is that this offshore wind resource is superb.

But, you know, it remains a concern that you have -- you've got an application here that's before you, and now it's your duty under NEPA to rigorously explore and objectively evaluate all reasonable alternatives and for the alternatives that are to be eliminated by the detailed study that you

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1 have before you, you have to discuss the reasons that  
2 they have been eliminated.

3                   Frankly, that's why you've got green fruit  
4 on your hands right now. There's really no rational,  
5 reasonable way to assess a resource 20 years out from  
6 the time that you're talking about this federal action  
7 to be considered, to be in effect.

8                   So I urge you, as we have petitioned the  
9 agency, to essentially reject this application as  
10 premature, as simply -- in many sections of it, simply  
11 an amassing of needless detail, and let's come back to  
12 this issue when the time is right, as the petition has  
13 suggested, in 2020. Thank you.

14                  MS. BOWDEN-BERRY: Thank you for your  
15 comment. We'll have Doug Bogen. Can you spell your  
16 name, and indicate where you're from please when you  
17 get to the mic? Thank you.

18                  MR. BOGEN: Good afternoon. My name is  
19 Doug Bogen. That's B-O-G-E-N, and I'm the executive  
20 director for the Seacoast Antipollution League. I'm  
21 also a 25-year resident of the seacoast New Hampshire  
22 region. Seacoast Antipollution League was founded in  
23 1969, and has been engaged since the inception of the  
24 Seabrook nuclear plant and the original licensing, as  
25 well as in watch dogging the operation and the

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1 regulatory process since its start-up.

2                   We are very concerned about the ongoing  
3 air and water emissions from these plants. You've  
4 heard some from others and probably will hear more on  
5 that.

6                   One in particular that hasn't been  
7 mentioned is the radioactive water, otherwise known as  
8 tritium, which we have seen leakage from the plant  
9 already, and is a problem throughout the industry.  
10 We've most recently heard about the problems at  
11 Vermont Yankee.

12                  We're just amazed that in all these years  
13 and all the time we've known about the security and  
14 leakage problem, that the NRC does not require the  
15 power plant owners to have a maintenance plan to  
16 report that information. It's a voluntary program.

17                  I just find this appalling that for all  
18 this time we've known about this problem, and for all  
19 the problems it's caused in particular with the  
20 relicensing of Vermont Yankee, that this is still an  
21 issue, and that we do not have public access to this  
22 information. It just isn't available.

23                  Now I recognize that the purpose of this  
24 meeting is to identify environmental impacts of this  
25 plant. But we're more concerned actually right now

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1 I'd like to talk about the plant impacts from the  
2 environment. We know now that our environment is  
3 changing.

4 I think most everybody and certainly the  
5 science is in on this, and to others it should be  
6 obvious from recent calamities occurring across the  
7 globe as well as in the region, that the climate is  
8 changing, that we know now the environmental  
9 parameters we have today are not going to be in effect  
10 20, 40, 50, 100 years from now.

11 Just look at a few of these, sea level in  
12 particular. Sea level is going up. It has been going  
13 up for decades. But it's going to accelerate. We  
14 know this. The question is how quickly will it  
15 accelerate? How many meters higher will it be in 50  
16 or 100 years?

17 The current best estimate, without  
18 dramatic reductions in carbon emissions, which we  
19 certainly aren't seeing in our country, according to  
20 recent events, that estimate is that by the end of  
21 this century, sea level will rise upwards of a meter.

22 That will affect the, obviously the coastline, the  
23 ground water levels, the salinity of the ground water.

24 It will have dramatic effects on our sea coast  
25 environment.

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1 Now another organization that I've worked  
2 with in the past, Clean Air Cool Planet out of  
3 Portsmouth, has put together a map of what the  
4 Hampton-Seabrook Harbor will look like with a one  
5 meter sea level rise.

6 I'm sorry, I don't have a blow-up of this.  
7 I just pulled it out of my files this morning. But  
8 if you can see the area in blue, it's essentially all  
9 the salt marsh and much of the low-lying coastal area  
10 will be under water with a one meter sea level rise.

11 The Seabrook plant is on this little  
12 peninsula right in the middle here. It will be almost  
13 surrounded by water. Most of the routes out of the  
14 plant, out of Seabrook and Hampton will be under  
15 water. Route 1, Route 1A, Route 101, they will not be  
16 accessible if this sea level rise continues, as is  
17 predicted now.

18 We have to take this into account. We'll  
19 have a much better picture 10 or 20 years from now.  
20 But we certainly can't say right now that everything's  
21 going to be fine and that the current water regime is  
22 going to be the same.

23 Now looking at groundwater, this is a very  
24 important concern. I've mentioned the issues with  
25 tritium, but we're also concerned about all the

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1 underground infrastructure specifically at this plant,  
2 and what effects this groundwater change will have on  
3 that, on those systems.

4 The salinity increases certainly will  
5 affect the corrosion levels, the amount of damage  
6 going on to these critical infrastructure, and it will  
7 affect the coastal area in many other ways. There are  
8 studies that have already been done.

9 The United States Geological Survey did a  
10 report on sea coast water resources. They have  
11 determined that there will be much greater reliance on  
12 groundwater, more extraction of groundwater in our  
13 seacoast area in coming decades, and that will also  
14 affect the salinity levels of groundwater.

15 We know this on the sea coast. When you  
16 pump water out of the ground, you draw in more of the  
17 ocean water, the saline water and certainly with sea  
18 level rising, that makes it all the much worse. One  
19 other key issue we've heard a little bit about,  
20 especially down in the Gulf Coast, is violent storms.

21 We haven't had a significant hurricane up  
22 on this region, a really big one since, I think, 1938.

23 But it is predicted that there will be much more and  
24 more frequent violent storms in this area. Again,  
25 looking at this map here, one of the things that it

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1 shows with the one meter sea level rise is that  
2 Hampton Beach will be largely under water. Seabrook  
3 Beach will be under water.

4 Those are the barrier beaches that we rely  
5 on to protect our salt marsh area and our inland  
6 coastal areas. And with those barrier beaches gone,  
7 it's much more likely that you're going to see damage.

8 I don't know exactly how high Seabrook plant is above  
9 sea level or the spent fuel pools or the dry cast  
10 storage area. But I know it's not that high. I know  
11 with the 20 foot sea level rise, the whole place will  
12 be under water.

13 So I do hope that you will be, if you  
14 don't have on staff, you'll be hiring a climatologist  
15 to look at the latest research on this, and a  
16 hydrogeologist to look at the impacts on ground water  
17 and the impacts of a changing water regime, because we  
18 need to know this information.

19 This could be vitally important to the  
20 integrity of the plant in coming decades. But again,  
21 the bottom line is that we don't have all the  
22 information. This is highly premature to be assuming  
23 that we have any idea what's going to be happening in  
24 40, 50, 60 years down the road.

25 When we're talking about the nuclear

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1 waste, those of us who have been following this issue  
2 for some years, we know that that waste is not going  
3 to be hauled out of there the day the plant closes.  
4 It needs to cool off. It's got to be transported.  
5 There are many, many issues.

6 That means we are going to be dealing with  
7 that waste on that site for many decades after that,  
8 and that is a scary prospect with the ocean roaring in  
9 with storms and increased sea level. We need to be  
10 addressing these issues in this environmental impact  
11 study.

12 It has been mentioned about alternative  
13 resources. I think it's very important that we be  
14 looking at the other options, particularly if you're  
15 saying that, you know, utilities need to plan for the  
16 future. I do wonder, though, how this plant as a  
17 merchant plant, it's not like they have, you know, a  
18 specific clientele that they have to service. It's  
19 not Public Service of New Hampshire anymore.

20 We are still paying for it, by the time.  
21 I resent every month I have to pay a little fee to  
22 help pay the stranded costs of this plant from the  
23 expenses of decades ago. But we don't get any direct  
24 benefit. My understanding is that Public Service of  
25 New Hampshire does not directly get power from

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1 Seabrook. It's just bought through the wholesale  
2 market.

3 So this idea that somehow if the plant was  
4 to close in 2030, that would somehow, you know, really  
5 disrupt the current utilities. It boggles my mind.

6 I mean I think that we really need to be  
7 looking more broadly and look at, you know, really the  
8 current and future power systems and power policy in  
9 the Northeast, and right now New Hampshire has, I  
10 think, 3,500 megawatts of capacity. That's like three  
11 times our stage usage of power. We are essentially an  
12 energy colony for the rest of the Northeast.

13 Now that's okay. Obviously some areas are  
14 going to be better at producing power, you know, and  
15 we fully expect other states will jump in and be major  
16 power producers. It was mentioned, I think earlier,  
17 the offshore potential for wind power.

18 The state of Maine in particular has  
19 looked into this. They did a report. It came out  
20 last December, which said that there was the potential  
21 of large scale offshore wind power to produce 149  
22 gigawatts of power. That's about 120 Seabrooks just  
23 off the coast of Maine.

24 I'm sure some of you have seen this map,  
25 but this is the Department of Energy map that Mr.

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1 Gunter referred to later. In this map, the color code  
2 is bright red there. That's not "warning, get out of  
3 here"; that is the highest potential, excellent  
4 potential, outstanding is the word they use, the  
5 Department of Energy, and that's off the coast of  
6 Maine, off the coast of New Hampshire and on down the  
7 coast.

8 We need to be looking very carefully at  
9 these alternative power sources, and also the economic  
10 impact of that. I mean just think of all the many  
11 thousands of jobs that would be created if we were to  
12 convert some of our coastal facilities to the  
13 production of wind power.

14 I think of the Portsmouth Naval Shipyard,  
15 the Bath Armworks. All up and down the coast we have  
16 facilities that could be producing very useful  
17 technology for the future of our energy system in this  
18 region, and we need to be looking at the potential  
19 huge public benefit of developing those resources,  
20 instead of relying on old, obsolete, potentially  
21 unsafe resources like the Seabrook reactor.

22 So just to sum up, I don't want to take  
23 too much time. But just for the record, we do  
24 recommend no action at this point. I know that is one  
25 of the options you have. We do feel this whole

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1 license renewal process to be highly premature.

2                   It cannot possibly take into account all  
3 the many key factors affecting plant maintenance,  
4 reliability and safety from the deterioration of vital  
5 plant systems and infrastructure, to climate change  
6 and future power needs as I've described over the next  
7 40 years.

8                   So that's why we are also petitioning the  
9 NRC to suspend the process now in the public interest.

10                  We need to keep in mind we are talking about  
11 decisions now that will affect future generations,  
12 people that aren't even born yet, our children and  
13 grandchildren. Most of us here won't even be alive  
14 when this plant is still chugging away under this  
15 proposal.

16                  So we need to be thinking very carefully  
17 about what the impacts will be for their benefit, not  
18 just for a current corporate interest that clearly has  
19 some financial benefit or they wouldn't be here  
20 advocating for this at this time.

21                  We need to be thinking foremost about the  
22 public benefit and the environmental benefit of our  
23 future energy policy, and we need to be keeping that  
24 foremost in deciding on whether to renew this plant at  
25 this time. Thank you very much, and I will be

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1 submitting probably written comments, and I think can  
2 provide these maps to you as well. Thank you.

3 MS. BOWDEN-BERRY: Thank you, Mr. Bogen,  
4 and I apologize for mispronouncing your name. We're  
5 going to have Janet Guen, then Joe Casey and Tim  
6 Noonis next. So Janet Guen. Can you spell your name  
7 for the record and tell us what organization you're  
8 from? Thank you.

9 MS. GUEN: Good afternoon. My name is  
10 Janet Guen. I'm a senior director with the United Way  
11 of the Greater Seacoast. My last name is G-U-E-N.  
12 I'm not a technical person and I'm not here in a  
13 technical capacity. I'm simply here to answer the  
14 question or part of the purpose of the meeting, which  
15 was providing input on the scope of the environmental  
16 review.

17 I'd simply ask that in a definition of  
18 environment, it be looked at in the broadest possible  
19 context, to review not just the traditional  
20 definitions of environment, but also environment as it  
21 relates to the quality of life that we all experience  
22 in our communities, and in particular the health and  
23 human service needs of the people who live in our  
24 local area.

25 I would ask that the scope include looking

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1 at the role that Nxtexera plays in helping to provide  
2 for the health and human service needs in our area,  
3 the large number of jobs it provides that pay a living  
4 wage, the taxes it pays to its local communities, and  
5 the role that it plays a good citizen in working with  
6 local health and human service and other non-profit  
7 agencies, the leadership its employees provide on  
8 boards and other committees, the financial support  
9 that it provides, not just to United Way but other  
10 organizations, and the volunteer time and energy that  
11 it puts back into the community. Thank you.

12 MS. BOWDEN-BERRY: Thank you for your  
13 comments. Joe Casey, and next is Tim Noonis. Thank  
14 you.

15 MR. CASEY: Good afternoon. Can you hear  
16 me? Good afternoon. My name is Joe Casey. I am from  
17 Rochester, New Hampshire, and I am the president of  
18 the New Hampshire Building and Construction Trades.  
19 Is this working?

20 I represent the outside construction  
21 workers currently employed at Seabrook Station. I  
22 myself worked on the construction and a couple of the  
23 maintenance, first maintenance refuels, refuelages at  
24 the plant. I'm no longer involved with the plant,  
25 other than representing the construction workers on

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1 site. I worked as an electrician by the way.

2 Currently, there are about 110 craftsmen  
3 that work on the maintenance year-round at Seabrook  
4 Station. During the refueling cycle, that number  
5 grows to about 600 construction workers, and it's  
6 vitally important to the construction economy in the  
7 state of New Hampshire. This is a continuing cycle of  
8 good paying jobs for our people.

9 I deal with Florida Power and Light, the  
10 owners of Seabrook Station, and the current  
11 maintenance contractor on site, and other than the  
12 skilled craftsmen that we supply for the continued  
13 maintenance and the refueling outages, there are very  
14 demanding tasks that they have to go through and  
15 perform for every installation in the constructing and  
16 maintaining of the facility.

17 Currently, when we send somebody down to  
18 Seabrook, in my case it would be electricians, they're  
19 already licensed or trained electricians and trained  
20 construction workers.

21 Seabrook Station puts them through  
22 rigorous training for each and every task that they  
23 have to perform, whether it be lift training or, you  
24 know, hilti training. Any type of training that  
25 requires anything that's involved with the

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1 maintenance, which is very critical to the plant.

2 They have to undergo rigorous testing,  
3 every weld that's done and performed down there. They  
4 have to do all kinds of certifications for it, and  
5 it's a very difficult place to work. Excuse me.

6 A lot of my people, you know, can't work  
7 at Seabrook Station, because they can't pass these  
8 exams that they have to go through, which is fine and  
9 we understand that, and are very cognizant to the fact  
10 that it is very demanding down there.

11 The communication between the building  
12 trades, we meet on a quarterly basis with the  
13 representatives from each craft with Florida Power and  
14 Light, the maintenance people and the building trades,  
15 and the number one issue is the personnel safety, the  
16 safety of our personnel on site, as they perform their  
17 tasks down there.

18 Florida Power and Light has been more than  
19 open and honest in every question that has to be  
20 performed, and safety is number one to our people.  
21 Now over the past three years, the last three years, I  
22 ran the numbers this morning, the building and  
23 construction trades has accumulated over 1.4 million  
24 man hours in the last three years.

25 Now that's a significant number of man

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1 hours, and these are all New Hampshire people who work  
2 and support families in the sea coast area in the  
3 state of New Hampshire. These jobs are, you know,  
4 top-paying jobs with health care and pensions. I  
5 also, you know, since the wind industry has been dried  
6 up, I also was involved with the New Hampshire's first  
7 wind farm up in Lempster, which we constructed just  
8 over a year ago.

9                   I had 20 people on that job. There was  
10 about 12 towers that was put up over there. We had  
11 about 20 people on that job, 20 electricians. They  
12 worked for about four months, completed the project  
13 and now they're off the job, you know. It's a  
14 beautiful job and the wind's blowing and it's  
15 generating electricity, and there's not one person  
16 left up there maintaining those wind towers.

17                   Over the next 20 years, there will be zero  
18 man hours produced out of that wind farm into the New  
19 Hampshire economy. So you know, the significance to  
20 the New Hampshire building trades of the continuation  
21 of the operation of Seabrook Station is unbelievable,  
22 and you know, there's a lot of people that count on  
23 and look forward to continued work down there.

24                   I can guarantee you that the construction  
25 workers that are working on that site are

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1 professional, and every task that they perform is  
2 overlooked and overlooked again by Florida Power and  
3 Light and the NRC.

4 MS. BOWDEN-BERRY: Thank you, Mr. Casey.

5 Can we have Tim Noonis?

6 MR. NOONIS: Yes, hi. That's N-O-O-N-I-S.

7 I'm actually wearing two hats today. My first hat is  
8 I am the chairman of the board of directors of the  
9 Hampton Area Chamber of Commerce. Seabrook Station is  
10 a very strong supporter of the Hampton Area Chamber of  
11 Commerce, and through it all the members that we  
12 serve.

13 Seabrook Station is always willing to  
14 sponsor and participate in many events and festivities  
15 that the Chamber promotes to encourage business and  
16 tourism in the areas that we serve. I personally have  
17 had the privilege to serve on various boards and civic  
18 committees with employees of Seabrook Station. I have  
19 found them to be a very bright and positive group, and  
20 an asset to the communities that we live in.

21 Our Chamber runs the gamut, from small mom  
22 and pop businesses to very large corporations. These  
23 businesses depend on reliable and reasonably-priced  
24 electricity to operate their businesses successfully.

25 The long-term viability of Seabrook Station is

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1 integral to the success of our members.

2 Seabrook Station is a crucial part of this  
3 area's economy, and you could not ask for a better  
4 corporate citizen than Seabrook Station. On behalf of  
5 the members of the Hampton Area Chamber of Commerce, I  
6 would encourage you to extend Seabrook Station's  
7 operating license.

8 My second hat today is as a 17-year  
9 resident and a homeowner here in Hampton. A few years  
10 ago I went to a conference where the keynote speaker  
11 was the co-founder of Greenpeace. In his address, he  
12 said the biggest mistake Greenpeace made was equating  
13 nuclear power with nuclear weapons. He continued on  
14 to say that nuclear power has proven to be a safe and  
15 reliable source of electricity, and that the operation  
16 of the plant does not contribute to climate change.

17 I hear the clamoring for good jobs, cheap  
18 power and a clean environment. But when it comes to  
19 siting a plant or even a wind turbine, everyone  
20 screams "not in my backyard." Seabrook Station is in  
21 my backyard, and I have found them to be a very good  
22 neighbor. I encourage you to extend Seabrook  
23 Station's license.

24 MS. BOWDEN-BERRY: Thank you. We're going  
25 to have Bob Backus and then next we'll have Michael

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1 Schidlovsky. I hope I pronounced that right, and I  
2 apologize if I didn't. Can you spell your name when  
3 you get to the mic and tell us where you're from.

4 MR. BACKUS: Okay. It is Bob Backus. You  
5 are quite correct, B-A-C-K-U-S. I've represented --  
6 I'm a lawyer and I've represented the Seacoast  
7 Antipollution League for many, many years. I'm from  
8 Manchester, New Hampshire.

9 Like Mr. Gunter, I wanted to comment  
10 initially on the slide that was shown about why 20  
11 years, which says the NRC has determined that 20 years  
12 of operational and regulatory experience provides an  
13 applicant with substantial amounts of information.

14 My questions, and I guess there's two NRC  
15 lawyers here. I particularly address this to them.  
16 How can you base your reasonable assurance on merely  
17 substantial information? When you fill out an  
18 application for college or practically anything else,  
19 you're asked for complete information, not substantial  
20 information.

21 Well, the answer's obvious. You can't  
22 have substantial -- you can't have complete  
23 information, because we're trying to relicense this  
24 plant 20 years before that license will become  
25 effective.

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1                   One of the key questions, as many have  
2 said here, is what's going to happen to age-related  
3 degradation on systems and components and structures  
4 over the next 20 years?

5                   We can't know that. So again, I want to  
6 support those who have said that this application is  
7 extremely premature. I don't know how you came up  
8 with a rule that said you could apply 20 years in  
9 advance, you know. Can I apply 20 years in advance  
10 for my next motor vehicle license need? I don't think  
11 the State Department of Motor Vehicles would permit  
12 that.

13                  And we know that as time goes on, as  
14 radiation takes its effect and other wear and tear  
15 occurs, we are going to have age degradation of  
16 important structures and components. We know the  
17 Yankee Road plant had an embrittled reactor vessel  
18 which led to its shutdown. But would we have been  
19 able to detect that if we were licensing it 20 years  
20 before that became known? I mean how long did it take  
21 that to develop?

22                  So I have a real grave concern of whether  
23 you can meet the requirements you have to have for  
24 reasonable reassurance lining, just on the basis of  
25 accepting substantial information rather than complete

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1 and accurate information.

2                   Obviously starting at this point, in 2010,  
3 30 years, 20 years before the license is to be  
4 renewed, you can't possibly have that. So I think  
5 this is extremely premature.

6                   The other reason you give for starting 20  
7 years ahead is that it takes maybe that long for it to  
8 come up with alternative supplies. Well, you've heard  
9 others speak about that, and there's going to be  
10 technological progress. There's going to be  
11 developments in many areas, whether it be solar or  
12 wind or other things that we can't foresee now.

13                  We're really way out ahead of ourselves,  
14 and I think being highly irresponsible in undertaking  
15 this license review here in 2010, when the license  
16 will not be renewed for another 20 years. I was  
17 interested to hear you say there's a couple of other  
18 plants that have applied early. But I didn't hear  
19 anybody has applied as early as this one. So I think  
20 that's a real problem.

21                  Just a couple of other points I'd like to  
22 make. As part of your review, I would hope that you  
23 would determine that this plant is in full compliance  
24 with its current design basis in all regards, and how  
25 will we find that out? How will we know what the

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1 design basis is and whether the plant is in compliance  
2 with it?

3 This plant, like so many of them, went  
4 through any number of changes as a way of sort of  
5 being designed as it was being built in some respects.

6 So how will we know that? It seems to me that that  
7 will have to be demonstrated.

8 On environmental impacts, you know, one of  
9 the big issues when this plant was going through its  
10 original licensing was the operation of the once-  
11 through cooling system, which is a total mortality  
12 system with a total loss of all entrained organisms in  
13 the plant. Will we be able to have baseline data to  
14 know whether that plant is having an adverse effect on  
15 the environment? How will that be looked at? I  
16 assume that that will be covered.

17 We know the plant has routine releases,  
18 and as somebody mentioned, I think Mr. Bogen  
19 mentioned, we know that there's been some tritium  
20 releases which was certainly not intended. We need to  
21 look at that. I was going to mention the sea level  
22 rise, but that was well-discussed by Mr. Bogen. I  
23 won't go into that.

24 Lastly, of course, I know that these  
25 licensing proceedings and these individual plant

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1 proceedings, we're shuffled off with many of the  
2 important things are shuffled off as a generic issue  
3 to how those are handled on a big national basis. A  
4 quintessential example of that is of course nuclear  
5 waste disposal.

6 But we think that this needs to be dealt  
7 with in this specific context of this plant. If we're  
8 going to license this plant for 20 more years, we're  
9 going to have a lot more spent fuel. That means a lot  
10 of very much greater level of high level waste  
11 disposal. We think that the environmental impacts of  
12 that have to be considered in regard to the particular  
13 characteristics of this site, where there's, as we  
14 say, a spent fuel pool which is pretty close to the  
15 ambient sea level and the concerns that that raises.

16 So those are the concerns that I have.  
17 But again, my major point is 20 years ahead, to get  
18 your license renewed 20 years ahead and do so on the  
19 basis of what you apparently admit can only be  
20 substantial information, which I think may be a  
21 generous term, it seems just not regulating and not  
22 putting safety first, which should be what is first.  
23 Thank you.

24 MS. BOWDEN-BERRY: Thank you. Could we  
25 have Michael Schidlovsky? Please spell your name and

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1 the organization you're with when you get up.

2 MR. SCHIDLOVSKY: Good afternoon. My name  
3 is Michael Schidlovsky. I am the president of the  
4 Exeter Area Chamber of Commerce, and I'm here to  
5 represent the board of directors and the 400 plus  
6 members of the Chamber. I'll be very short and sweet.

7 I'm here to express the Chamber's and the Chamber  
8 members' support of the application.

9 Like Mr. Noonis, he beat me to the punch.

10 Seabrook Station has been an outstanding corporate  
11 citizen. There's support and willingness to help the  
12 business community has been extraordinary, and I can  
13 only again express that I hope that the NRC views this  
14 as a favorable application. So thank you very much.

15 MS. BOWDEN-BERRY: Thank you. Could we  
16 have Paul Blanch and then Dennis Wagner?

17 MR. BLANCH: Good afternoon. My name's  
18 Paul Blanch. I reside in West Hartford, Connecticut.

19 I'm here solely on my own. I'm not being paid for by  
20 anyone, no organization, no utility, and I am a  
21 registered professional engineer working in the  
22 nuclear industry for close to 45 years.

23 In fact, I've worked for the company that  
24 originally licensed this plant when it was licensed  
25 back in around 1990. I was working for Northeast

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1 Utilities. I've worked in many different areas over  
2 the nuclear side, from operating Navy nuclear power  
3 plants, engineering degree in Electrical Engineering,  
4 registered professional engineer.

5 I've been an expert witness on litigation  
6 involving Florida Power and Light at the St. Lucie  
7 plant, and I've been involved as an expert witness on  
8 the litigation for license renewal, working for the  
9 attorney general for the state of New York.

10 I think people need to know what the  
11 effort is to oppose a license renewal application such  
12 as this, and I heard this afternoon for the first time  
13 that if anyone wants to intervene, it has to be done  
14 by September 20th. Let me just give an example of the  
15 manpower effort that went into our litigation against  
16 Indian Point.

17 Needless to say, there were many, many  
18 attorneys involved in that litigation. The effort and  
19 it involved literally thousands if not tens of  
20 thousands of hours. I've got to admit, and I'm  
21 speaking again on my own, not for the state of New  
22 York. What I'm speaking of is the license renewal  
23 application, and my areas are -- I'm not addressing  
24 ten years, twenty years prior to the expiration of the  
25 present license.

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1                   My concerns are the adequacy of  
2 maintaining this plant in a safe condition for the  
3 next 20 years, and if the license renewal is granted,  
4 which the NRC has never even hinted at not granting  
5 one, I want to assure that that plant is operated  
6 safely.

7                   Now it was said earlier by some of the NRC  
8 representatives that their objective is to protect the  
9 public health and safety, and I agree that is their  
10 mission. Their mandate by Congress is to protect the  
11 health and safety of the general public.

12                  After working in this industry on the  
13 inside, on the outside, as a consultant, as an expert  
14 witness, I've come to the belief that the NRC is not  
15 fulfilling their Congressional mandate of protecting  
16 the health and safety of the public.

17                  I'd like to provide a few examples, and  
18 again it's very, very bothersome to me that I see  
19 September 20th as a deadline date for formal  
20 intervention to oppose this license. Believe me, it  
21 costs millions of dollars to effectively intervene in  
22 opposing a license renewal application. The purpose  
23 of this whole license renewal application, as was  
24 stated earlier by the NRC personnel, is to assure that  
25 the CLB, which is the current licensing basis, which

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1 is defined in 10 C.F.R. 54.3.

2                   The current licensing basis includes all  
3 the applicable regulations, and the public needs to  
4 and I believe the NRC needs to, in order to protect  
5 the public health and safety, assure the public that  
6 this current licensing basis is maintained for the  
7 next 20 years, and if the license renewal is granted,  
8 for the 20 years following that.

9                   Again, I mentioned I was an expert, am an  
10 expert named in Indian Point litigation related to  
11 buried pipes and vital cables, and other electrical  
12 devices including transformers. The current licensing  
13 basis is not available. In contrast to what Jeremy  
14 said, the current licensing basis includes, and he  
15 said these documents were available, it includes all  
16 regulations.

17                   All the regulations of 10 C.F.R. Part 2,  
18 Part 20, Part 26, Part 50, Part 54, Part 72 and all  
19 the other regulations that are applicable to Seabrook.

20                   The current licensing basis also includes such items  
21 as the final safety analysis report, orders and anyone  
22 can look under 10 C.F.R. 54.3 and find the definition.

23                   What is really strange about the current  
24 licensing basis, Mr. Pham is here and a few years ago,  
25 I wrote Mr. Pham a letter. Could you please identify

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1 for Indian Point's Unit II and III what the current  
2 licensing basis was, and what regulations are  
3 applicable to Indian Point's Unit II and III.

4 His response, and again these responses  
5 are public information, can be found on ADAMS. Mr.  
6 Pham's response, Mr. Pham is sitting right in front of  
7 me, was one can find the current licensing basis if  
8 you go into ADAMS. That is not an accurate statement.  
9 One cannot find the current licensing basis in ADAMS.

10 There are certain portions of the current  
11 licensing basis that are not in ADAMS. The FSAR, part  
12 of the current licensing basis, is not in ADAMS.

13 In the Indian Point application, a license  
14 renewal application and I'd like to make a comment  
15 right here, and I have reviewed various applications  
16 for license renewal, that this particular one for  
17 Seabrook is the most deficient application I have  
18 reviewed so far.

19 Let me just provide just some contrast  
20 between this application at Seabrook and Indian Point,  
21 and I don't consider Entergy to be one of the more  
22 superior operating companies in the country. But at  
23 least their application identified things that an  
24 intervener who's concerned about safety would want to  
25 know about before it was able to file a meaningful

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1 contention.

2                   For instance, in the Indian Point license  
3 renewal application, all the drawings that identified  
4 the buried pipe that are within scope of the buried  
5 pipe and tank inspection program were supplied.

6                   In fact, there were about, and don't hold  
7 me to this number, somewhere between 50 and 100  
8 detailed drawings of Indian Point systems, and this is  
9 not only mechanical systems, but also included the  
10 electrical systems that were within the scope of  
11 license renewal.

12                  Seabrook, and I don't think I missed it,  
13 but I've been wrong in the past, there are no drawings  
14 that identify the buried pipes that are part of the  
15 buried pipe inspection program. So I don't think  
16 there could be any meaningful intervention contentions  
17 filed by the present deadline, and for the NRC to  
18 accept this application that is so extremely deficient  
19 in reality and from an engineering standpoint, borders  
20 on irresponsibility.

21                  I have a few examples, and by the way, I  
22 have taken a few hours to go through, I believe it was  
23 somewhere around a 1,800 page document of the license  
24 renewal. I would just like to point out some of the  
25 technical shortcomings, and again my expertise is not

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1 on severe accident management. It's more on systems,  
2 systems interaction, mechanical systems, electrical  
3 systems, cabling, requirements for cabling and so on  
4 and so forth.

5 Let me -- and by the way, just for  
6 informational purposes and this may be informational  
7 also for the Nuclear Regulatory Commission, that  
8 Congressman Markey and I believe Congressman Hodes  
9 might be involved with it.

10 But Congressman Hall from New York, a few  
11 other Congressmen from New York, Congressman Peter  
12 Welch from Vermont have requested the GAO, which is  
13 General Accountability Office, to investigate the  
14 adequacy of the NRC's program for buried pipe  
15 inspection program.

16 And I have been working very, very closely  
17 with the General Accounting Office in identifying  
18 shortcomings of the proposed programs that the NRC  
19 accepts and considers adequate for buried pipe  
20 inspection. And working with the GAO, we found, and  
21 even though I've been working with this for three or  
22 four years, we find new stuff.

23 It's interesting. It's repeated in the  
24 Seabrook license renewal application. If we look at  
25 the Seabrook's application, for instance, for buried

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1 pipe, very interesting in the fact that buried is not  
2 even defined within the regulation. Nobody knows what  
3 "buried" means. We saw the confusion up at Vermont  
4 Yankee, where they said we didn't have buried pipes.

5 Well, that resulted in some criminal  
6 investigation against some people. Unfortunately,  
7 some of them are friends of mine who I used to work  
8 with. But buried is not defined. Does "buried" mean  
9 in contact with the soil? Yes, it does mean that  
10 among other things. Does it mean that if it's in a  
11 pipe trench, a concrete trench that's located 14 feet  
12 underground, is that considered buried? We don't  
13 know.

14 Buried pipe does not necessarily include  
15 piping that contains highly radioactive material.  
16 Buried pipe only covers those items that are listed  
17 within the scope of the license renewal, which I  
18 believe is 10 C.F.R. 54.4. So buried pipes containing  
19 radioactive material are not necessarily covered by  
20 the license renewal application, and that is  
21 reinforced by the license renewal application.

22 Another example, and again this is  
23 something that I just found out recently, that the  
24 buried pipe and tank inspection program only covers  
25 carbon steel and stainless steel. It does not cover

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1 other materials such as titanium, bronze, copper,  
2 nickel, aluminum and other exotic materials that are  
3 used in vital systems at the Seabrook plant.

4 So Seabrook conveniently says, and NRC  
5 buys it, that it only covers steel or ferrous material  
6 including cast iron. But it's not going to cover any  
7 fiberglass pipe or any of the other exotic metallic  
8 materials that are used in safety-related systems.

9 Now we've seen a lot of recent information  
10 on cables that are, and it's interesting how when we  
11 go to piping, they use the term "buried." But when we  
12 go to cables, they use the term "inaccessible." Well,  
13 I think we need some consistency here between piping  
14 and cables. Really, the intent to protect the public  
15 health and safety is it should be inaccessible piping  
16 and not buried piping. There's a lot of inaccessible  
17 piping.

18 But let me just move on to show and  
19 demonstrate how the NRC can ignore protecting the  
20 health and safety of the general public. By the way,  
21 I'm not here to close Seabrook or to stop its license.

22 My only intention is to assure that Seabrook operates  
23 safely for as long as it continues to operate.

24 But I've recently identified a shortcoming  
25 with respect to vital cables contained within these

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1 nuclear power plants. We have many vital cables that  
2 go out to supply motor operated valves, vital motors  
3 and many pieces of vital equipment.

4 The NRC has recently acknowledged that  
5 some of these vital cables are running conduits that  
6 are underground, and many of these conduits, and in  
7 fact I've heard from the NRC 95 percent of the plants,  
8 including Seabrook, these cables are submerged. May  
9 be submerged under water, and at Seabrook it's even  
10 worse, because that water contains high salinity  
11 levels because it's right on the ocean.

12 This is a clear violation of NRC  
13 requirements that are specifically stated in 10 C.F.R.  
14 50, Appendix B. So the NRC says well, Vermont Yankee,  
15 where it was originally identified -- well not  
16 originally identified, but recently identified in an  
17 inspection report. The NRC says "It's okay to violate  
18 the regulations. You can continue to operate because  
19 we consider the risk to be low."

20 The NRC does not have the authority within  
21 the regulations to say you can violate those  
22 regulations without going through the exemption  
23 process, which is under 50.12, to allow a plant to  
24 continue to operate outside of the regulations of 10  
25 C.F.R. 50, Appendix B. Let me just give you a few

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1 examples of just some of the observations I found and  
2 shortcomings in the license renewal application from  
3 the Seabrook.

4 MS. BOWDEN-BERRY: Excuse me, excuse me.  
5 Can you wrap it up in a few? Because we have about  
6 five more minutes.

7 MR. SCHIDLOVSKY: I can wrap it up or I  
8 can continue tonight, and in the interest of time, and  
9 I know other people have very important things to say.

10 But I think this is premature, that the  
11 NRC should not have accepted a license with all the  
12 shortcomings, and without a clear identification of  
13 the current licensing basis, which includes the  
14 regulations. And contrary to what Jeremy said, those  
15 regulations, especially the ASME codes, are not  
16 accessible to anyone in this area and they're not  
17 accessible on ADAMS. Thank you very much for your  
18 time.

19 MS. BOWDEN-BERRY: Thank you, and you're  
20 welcome to submit your comments. We have Dennis  
21 Wagner. Again, spell your name and your affiliation,  
22 and identify your affiliation.

23 MR. WAGNER: My name is Dennis Wagner.  
24 I'm a citizen of Hampton. W-A-G-N-E-R. I didn't plan  
25 on speaking today. I thought I'd just come and listen

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1 for a while. I am pleased to see the diverse comments  
2 that are being offered to the NRC, to guide them from  
3 what we're interested in as a public.

4 I did feel compelled to make a couple of  
5 comments, though. The comments that 20 years is too  
6 long I disagree with. Looking at what companies have  
7 to cope with, and the NRC has to regulate to go  
8 through these licensees, probably 20 years is about  
9 the right time. Look, you know, if you go ahead and  
10 delay it until a time closer to the renewal, closer to  
11 the expiration, it just allows more time for delaying  
12 tactics.

13 If you're going to plan major  
14 infrastructure, you need to do it in advance, and you  
15 need to do it in as much in advance as you can. This  
16 is reasonable. They're allowing 20 years of operating  
17 experience to provide a basis on which to look at past  
18 capability and look towards the future. As an  
19 individual, that seems reasonable to me.

20 As far as other alternative forms of  
21 energy to look at, I just spent a vacation in Maine.  
22 Beautiful coastline. The potential for all the  
23 megawatts of power? Give me a break. You can't get  
24 wind power in Cape Cod. You're not going to get much  
25 wind power to compensate for the need for energy in

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1 this country, and in our New England states.

2           Those kinds of renewal energy are  
3 important and are becoming more important, but they  
4 don't stack up with the big picture. I am sick of  
5 being held hostage by foreign countries for oil. I'm  
6 sick of the air pollution we get from coal. Those are  
7 where we get our energy in this country, close over 75  
8 percent of it, okay.

9           Nuclear power is a reasonable way to go.  
10 It's proven it's been reasonable in this country, and  
11 it is an answer for us in the future. I am confident,  
12 as I look across the marsh from my home to Seabrook  
13 power plant, that it's going to continue to be a safe  
14 generator of power. I'm confident in the NRC in  
15 overseeing that operation, to make sure it's going to  
16 stay safe for me and for my family.

17           We do make decisions in advance, 10, 20  
18 years, 30 years. We all do that in our budgets, and  
19 we do that as a country, and this advance planning is  
20 required. Thank you.

21           MS. BOWDEN-BERRY: Thank you for your  
22 comments. We want to thank all of you for your  
23 comments. Our time is up, so I'm going to turn it  
24 over to --

25           (Off mic comments.)

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1 MS. BOWDEN-BERRY: Okay. Yes. Please  
2 just identify yourself when you get up there.

3 MR. FLEMING: Thank you. Good afternoon,  
4 for those of you -- is this the correct mic? For  
5 those of you that might remember a Paul McGinnis  
6 auction here, I guess I can be referred to as the next  
7 number, when they allow somebody into the bidding at  
8 that point. So I thank you. A little Hampton Falls  
9 reference there.

10 My name is Kevin Fleming, F-L-E-M-I-N-G,  
11 and I work and live in the neighborhood here of  
12 Seabrook, within the ten-mile zone. That's my  
13 question, is really speaking to the evacuation issue.  
14 Perhaps the general counsel or maybe someone from the  
15 staff could offer some perspective. But does the  
16 evacuation -- we get calendars in the mail annually.

17 Does the evacuation plan and the accuracy  
18 of the evacuation plan figure into the process of  
19 license renewal? That's my question. I'm sorry if  
20 that's something I could have found online or, you  
21 know, other documents. But with that, at the same  
22 time, with this license renewal then being considered,  
23 then could evacuation be considered further, such as  
24 the 2000 census data or does it go to a 2010? Is  
25 there a requirement for updating?

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1                   And then particularly we're talking about  
2 the evacuation of special, "special needs," whether it  
3 be school children, retirement communities, retirement  
4 homes, nursing homes, elderly, of whatever or special  
5 needs people of any sort. So that's all. My question  
6 coming here today is really to ask if evacuation  
7 updating is required, and if it's not, then could it  
8 be given consideration at this point? Thank you.

9                   MS. BOWDEN-BERRY: Okay, yes.

10                  (Off mic comment.)

11                  MS. BOWDEN-BERRY: All right.

12                  MR. PHAM: Good afternoon again. My name  
13 is Bo Pham. Just to answer your question, the  
14 emergency planning is an issue that we consider and  
15 the need for update, you know. Our regulations  
16 require the licensees, regardless of whether they put  
17 in an application for license renewal, to have a plan  
18 in place, and to implement that plan working with the  
19 local authorities as well as FEMA, and there are  
20 periodic audits and inspections that we do, to make  
21 sure that they have that in place. So it doesn't --  
22 it's not part of the license renewal review, because  
23 it is an ongoing review that we do all the time.

24                  MR. PHAM: Just to -- yes Mary.

25                  MS. LAMPERT: Wait. I'll pass you the

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1 mic. Mary. I was wondering whether you would  
2 entertain any other comments, or is it cocktail hour  
3 now?

4 MR. PHAM: I was going to close it out,  
5 unless somebody else had a yellow card that didn't --  
6 that they didn't have a chance to give us. Also, the  
7 staff's going to be available for, you know, after the  
8 --

9 MS. LAMPERT: Oh, I had a yellow card. I  
10 wanted to make another comment.

11 MR. PLASSE: I think we can make -- we'll  
12 hear from you. Do you want to come up here?

13 MS. LAMPERT: I just wanted -- Mary  
14 Lampert, speaking for C-10, director of Pilgrim Watch.

15 I just wanted to make a comment regarding the aging  
16 management program for buried pipes, tanks, components  
17 within scope.

18 Currently, there seems to be a legal  
19 debate on whether consideration will be given to the  
20 leaking of radioactive liquids or other toxics  
21 unmonitored off site. The issue seems to be that  
22 currently only what will be accepted will be the  
23 dysfunction, if you will, of those components as it  
24 affects safety systems.

25 However logically, I'd like to bring to

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1 your attention the potential of bringing it under the  
2 environmental umbrella, because it seems clear if the  
3 aging management program has not found to be  
4 sufficient to monitor potential leaks going  
5 unmonitored off site, then in fact it would be a  
6 violation of regulation and a negative impact on the  
7 environment.

8 That also should go for components that  
9 are buried, if we figure out how that's defined, that  
10 contain fuel from the diesel fuel tanks. I think that  
11 would be another way of getting at it, if you will.  
12 But the exam question is what you should be doing in  
13 your review of the SEIS.

14 So I would suggest that you fill in the  
15 blanks, provide a map, a list first of all the  
16 components within scope that are submerged, buried,  
17 what have you.

18 Second, provide a map of where they are on  
19 the site. Provide to us in the SEIS information  
20 regarding the age of those components, the history of  
21 repairs, the results of sampling, the material that  
22 they're made of, specifics such as their contours,  
23 their elbows, etcetera, that would affect corrosion.

24 Also very important, provide to us, and  
25 you should be looking at this yourselves actually,

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1 what hydro geo studies have been done to determine  
2 where the monitoring wells are currently being placed,  
3 and provide those hydro geo studies that have done  
4 subsurface investigation to the public in your report,  
5 and the date at which those were done.

6 So were the monitoring wells, in other  
7 words, put in helter skelter, or have there been very  
8 recent hydro geo studies performed? So I think this  
9 can come. You can deal with these components in two  
10 ways. You can bring it under the safety review end,  
11 and also you should be able to bring it under the  
12 environmental umbrella.

13 It belongs in the SEIS, because of the  
14 potential impact of leakage going unmonitored off  
15 site.

16 MS. BOWDEN-BERRY: Okay, thank you Mary.  
17 We're past our time. We're going to let Mr. Pham make  
18 some concluding remarks. Thank you.

19 MR. PHAM: Once again, my name is Bo Pham,  
20 and I'm the branch chief at the NRC for not just the  
21 Seabrook license renewal review, but of several other  
22 reviews going on currently as well.

23 I just wanted to say, you know, this has  
24 been one of my most enjoyable scoping meetings,  
25 because as I'm sitting here listening to a lot of the

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1 comments, you know, the thoughts are running through  
2 my head, you know, how are we going to address this  
3 and how do we involve or roll this into part of the  
4 license renewal environmental review?

5 You know, subjects that I've heard that  
6 keeps coming up is SAMAs and alternatives. I just  
7 want to give you guys sort of a big picture. What's  
8 going to happen next year is that Jeremy is going to  
9 take your comments back to our staff. He's going to  
10 sit down with our technical reviewers, as well as  
11 contractors that we have as well, to take a look at  
12 the issues and see how we can address them as part of  
13 the environmental review.

14 Now a few of the comments, I've got to  
15 say, are policy issues. The one that kept coming up  
16 was the 20-year issue, and just to clarify, the  
17 purpose of putting that slide on there was because we  
18 had several questions about it prior to the meeting.

19 What Rick was trying to portray, excuse  
20 me, the message from that slide wasn't coming from,  
21 you know, is it too early or not too early? It was  
22 simply a reiteration of what the Commission had  
23 considered when it came up with the rule for license  
24 renewal.

25 So the 20-year time frame was to say -- it

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1 wasn't to -- it didn't have any consideration of  
2 whether it was too early or not, okay. Now that, you  
3 know, I appreciate hearing about the petition that's  
4 been put in, that's what the rulemaking process is  
5 for.

6 So I definitely hear you guys, and we  
7 acknowledge that that is something to consider.  
8 That's on the table now and has been petitioned for  
9 the Commission to consider. But not to punt the  
10 issue, but really that decision needs to be made at  
11 the Commission level and not the staff level.

12 The other thing I wanted to talk about  
13 was, you know, we'll talk -- we can talk more, but I  
14 just want to confirm that when Mr. Blanch said that  
15 currently there's a violation at the plant, as I  
16 understand, there are no current violations with  
17 respect to the cables at the plant. Do we have a  
18 violation on record right now?

19 PARTICIPANT: Yes, we do. Yes, we do.

20 (Off mic comments.)

21 MR. PHAM: Okay, so I just want to make --  
22 is the plant operating? You know, is it in a  
23 violation condition as we hear today? So I think  
24 there are issues to be clarified regarding the cable  
25 issues, and the staff is available to talk about it

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1 afterwards. But big picture, we're here to hear you  
2 from an environmental scoping perspective.

3 We definitely heard some very good  
4 comments regarding that, and so we'll look forward to  
5 get back with you in that process. So thank you for  
6 taking the time to come today.

7 (Whereupon, at 3:40 p.m., the public  
8 meeting was concluded.)

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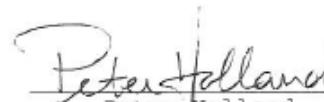
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This is to certify that the attached proceedings  
before the United States Nuclear Regulatory Commission  
in the matter of: Seabrook Station  
License Renewal

Name of Proceeding: Public Meeting,  
Afternoon Session  
Docket Number: (n/a)  
Location: Hampton, New Hampshire

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