

PMVictoriaESPNPEm Resource

From: Horne, Ronnie
Sent: Monday, December 27, 2010 6:30 PM
To: John Figer; Richard Fritz; Amy Hanna; Jim Herrington; Bill Jones; Williamson, Alicia; RidsNroDser Resource; Jessie, Janelle; Burnell, Scott; Wilson, Anthony; avci@anl.gov; Jayson Hudson; wescott@anl.gov; RidsRgn4MailCenter Resource; Uselding, Lara; Goldin, Laura; Horne, Ronnie; Kugler, Andrew; Muir, Jessie; Olson, Bruce; Redden, Adrienne; Terry, Tomeka; Vokoun, Patricia; Whited, Ryan
Cc: Adrian Heymer; Anne W. Cottingham; Charles Brinkman; Chris Maslak; C. Waltman; David Lewis; Guy Cesare; George Alan Zinke; Jerald G. Head; Jay M. Gutierrez; James Riccio; Joseph Hegner; Kenneth Ainger; Kathryn M. Sutton; Kenneth O. Waugh; Lawrence J. Chandler; Larry Blaylock; Marc Brooks; Maria Webb; marilyn.kray@exeloncorp.com; Mark Beaumont; Matias Travieso-Diaz; Scott Peterson; Mike Moran; Marvin Fertel; Michael Mariotte; Robert Temple; Patricia L. Campbell; Paul Gunter; Peter Hastings; Russell Bell; Steve A. Bennett; Sandra Sloan; Stephen P. Frantz; Stephan Moen; Thomas Mundy; Vanessa Quinn; Wanda K. Marshall; Wayne Marquino
Subject: ML103280224 - U.S. NUCLEAR REGULATORY COMMISSION'S ENVIRONMENTAL IMPACT STATEMENT FOR EXELON NUCLEAR TEXAS HOLDINGS, LLC EARLY SITE PERMIT APPLICATION FOR VICTORIA COUNTY STATION SITE
Attachments: ML1034810820.pdf; ML1032802670.pdf; ML1035003290.pdf; ML1035003360.pdf; ML1032802810.pdf

ADAMS Accession Number: ML103280224

Memo To: Mr. Ryan Whited
From: Ms. Tomeka Terry
Date: December 22, 2010

Subject: SUMMARY OF PUBLIC MEETINGS TO SUPPORT THE REVIEW OF THE VICTORIA COUNTY STATION SITE, EARLY SITE PERMIT APPLICATION

Hearing Identifier: Victoria_ESP_NonPublic
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Subject: ML103280224 - U.S. NUCLEAR REGULATORY COMMISSION'S ENVIRONMENTAL IMPACT STATEMENT FOR EXELON NUCLEAR TEXAS HOLDINGS, LLC EARLY SITE PERMIT APPLICATION FOR VICTORIA COUNTY STATION SITE

Sent Date: 12/27/2010 6:29:36 PM

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From: Horne, Ronnie

Created By: Geoffrey.Hornseth@nrc.gov

Recipients:

"Adrian Heymer" <APH@NEI.org>

Tracking Status: None

"Anne W. Cottingham" <awc@nei.org>

Tracking Status: None

"Charles Brinkman" <BrinkmCB@westinghouse.com>

Tracking Status: None

"Chris Maslak" <chris.maslak@ge.com>

Tracking Status: None

"C. Waltman" <cwaltman@roe.com>

Tracking Status: None

"David Lewis" <david.lewis@pillsburylaw.com>

Tracking Status: None

"Guy Cesare" <gcesare@enercon.com>

Tracking Status: None

"George Alan Zinke" <gzinke@entergy.com>

Tracking Status: None

"Jerald G. Head" <jerald.head@ge.com>

Tracking Status: None

"Jay M. Gutierrez" <jgutierrez@morganlewis.com>

Tracking Status: None

"James Riccio" <jim.riccio@wdc.greenpeace.org>

Tracking Status: None

"Joseph Hegner" <Joseph_Hegner@dom.com>

Tracking Status: None

"Kenneth Ainger" <kenneth.ainger@exeloncorp.com>

Tracking Status: None

"Kathryn M. Sutton" <KSutton@morganlewis.com>

Tracking Status: None

"Kenneth O. Waugh" <kwaugh@impact-net.org>

Tracking Status: None

"Lawrence J. Chandler" <lchandler@morganlewis.com>

Tracking Status: None

"Larry Blaylock" <ldblaylock@cpsenergy.com>

Tracking Status: None

"Marc Brooks" <Marc.Brooks@dhs.gov>

Tracking Status: None

"Maria Webb" <maria.webb@pillsburylaw.com>

Tracking Status: None

"marilyn.kray@exeloncorp.com" <marilyn.kray@exeloncorp.com>

Tracking Status: None
"Mark Beaumont" <mark.beaumont@wsms.com>
Tracking Status: None
"Matias Travieso-Diaz" <matias.travieso-diaz@pillsburylaw.com>
Tracking Status: None
"Scott Peterson" <media@nei.org>
Tracking Status: None
"Mike Moran" <mike_moran@fpl.com>
Tracking Status: None
"Marvin Fertel" <MSF@nei.org>
Tracking Status: None
"Michael Mariotte" <nirsnet@nirs.org>
Tracking Status: None
"Robert Temple" <Nuclaw@mindspring.com>
Tracking Status: None
"Patricia L. Campbell" <patriciaL.campbell@ge.com>
Tracking Status: None
"Paul Gunter" <Paul@beyondnuclear.org>
Tracking Status: None
"Peter Hastings" <pshastings@duke-energy.com>
Tracking Status: None
"Russell Bell" <RJB@NEI.org>
Tracking Status: None
"Steve A. Bennett" <sabinski@suddenlink.net>
Tracking Status: None
"Sandra Sloan" <sandra.sloan@areva.com>
Tracking Status: None
"Stephen P. Frantz" <sfrantz@morganlewis.com>
Tracking Status: None
"Stephan Moen" <stephan.moen@ge.com>
Tracking Status: None
"Thomas Mundy" <thomas.mundy@exeloncorp.com>
Tracking Status: None
"Vanessa Quinn" <Vanessa.quinn@dhs.gov>
Tracking Status: None
"Wanda K. Marshall" <Wanda.K.Marshall@dom.com>
Tracking Status: None
"Wayne Marquino" <wayne.marquino@ge.com>
Tracking Status: None
"John Figer" <jffiger@comcast.net>
Tracking Status: None
"Richard Fritz" <rcfritz@suddenlink.net>
Tracking Status: None
"Amy Hanna" <amy.hanna@tpwd.state.tx.us>
Tracking Status: None
"Jim Herrington" <herrington.jim@epa.gov>
Tracking Status: None
"Bill Jones" <bill361@sbcglobal.net>
Tracking Status: None
"Williamson, Alicia" <Alicia.Williamson@nrc.gov>
Tracking Status: None
"RidsNroDser Resource" <RidsNroDser.Resource@nrc.gov>
Tracking Status: None
"Jessie, Janelle" <Janelle.Jessie@nrc.gov>
Tracking Status: None
"Burnell, Scott" <Scott.Burnell@nrc.gov>

Tracking Status: None
 "Wilson, Anthony" <Anthony.Wilson@nrc.gov>
 Tracking Status: None
 "avci@anl.gov" <avci@anl.gov>
 Tracking Status: None
 "Jayson Hudson" <Jayson.M.Hudson@usace.army.mil>
 Tracking Status: None
 "wescott@anl.gov" <wescott@anl.gov>
 Tracking Status: None
 "RidsRgn4MailCenter Resource" <RidsRgn4MailCenter.Resource@nrc.gov>
 Tracking Status: None
 "Uselding, Lara" <Lara.Uselding@nrc.gov>
 Tracking Status: None
 "Goldin, Laura" <Laura.Goldin@nrc.gov>
 Tracking Status: None
 "Horne, Ronnie" <>
 Tracking Status: None
 "Kugler, Andrew" <Andrew.Kugler@nrc.gov>
 Tracking Status: None
 "Muir, Jessie" <Jessie.Muir@nrc.gov>
 Tracking Status: None
 "Olson, Bruce" <Bruce.Olson@nrc.gov>
 Tracking Status: None
 "Redden, Adrienne" <Adrienne.Redden@nrc.gov>
 Tracking Status: None
 "Terry, Tomeka" <Tomeka.Terry@nrc.gov>
 Tracking Status: None
 "Vokoun, Patricia" <Patricia.Vokoun@nrc.gov>
 Tracking Status: None
 "Whited, Ryan" <Ryan.Whited@nrc.gov>
 Tracking Status: None

Post Office: HQCLSTR01.nrc.gov

Files	Size	Date & Time
MESSAGE	284	12/27/2010 6:29:48 PM
ML1034810820.pdf	107608	
ML1032802670.pdf	72941	
ML1035003290.pdf	269045	
ML1035003360.pdf	279875	
ML1032802810.pdf	2357102	

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December 22, 2010

MEMORANDUM TO: A. Ryan Whited, Chief
Environmental Projects Branch 2
Division of Site and Environmental Reviews
Office of New Reactors

FROM: Tomeka L. Terry, Project Manager **/RA/**
Environmental Projects Branch 2
Division of Site and Environmental Reviews
Office of New Reactors

SUBJECT: SUMMARY OF PUBLIC MEETINGS TO SUPPORT THE REVIEW OF
THE VICTORIA COUNTY STATION SITE, EARLY SITE PERMIT
APPLICATION

The U.S. Nuclear Regulatory Commission (NRC) staff conducted environmental scoping meetings related to the review of the Victoria County Station site early site permit (ESP) application submitted by Exelon Nuclear Texas Holdings, LLC (Exelon). The two public meetings were held on Thursday, December 2, 2010, at the Victoria Community Center Dome in Victoria, Texas. Approximately 75 to 85 people attended each meeting, including representatives of the NRC staff and its contractors, Exelon, State and local governments, the nuclear industry, and members of the public. Public comments and questions were mainly focused on ecology, water availability, and water use.

The purpose of the meetings was to provide the public with an opportunity to participate in the environmental scoping process by providing comments on any issues the public thought the NRC staff should consider while preparing an environmental impact statement (EIS) for the Victoria County Station site ESP application. During the meetings the NRC staff provided a description of the NRC's environmental review process, and the schedule for submitting scoping comments. In addition, the staff hosted an informal "open house" for one hour prior to each meeting. The NRC staff used displays and provided brochures to answer questions about the ESP application.

Also, NRC staff hosted a Government-to-Government meeting with local officials on December 1, 2010. This meeting provided the State and local officials in attendance an opportunity to speak with the staff regarding the NRC's process for preparing an EIS for the Victoria County Station site ESP application.

A. Whited

- 2 -

Enclosure 1 to this memorandum is the list of attendees for the meeting. Enclosure 2 is the meeting handouts. Enclosure 3 is the corrected meeting transcripts with attachments. Enclosure 4 is a copy of the NRC slide presentation.

Docket No. 52-042

Enclosures:

1. List of meeting attendees
2. Meeting Handouts (ML103280267)
3. Corrected Official Transcripts and Attachments (ML103500329) Afternoon
Corrected Official Transcripts and Attachments (ML103500336) Evening
4. NRC Presentation (ML103280281)

cc w/enclosures: See next page

A. Whited

-2-

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Docket No. 52-042

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4. NRC Presentation (ML103280281)

cc w/enclosures: See next page

Distribution:

PUBLIC

TTerry, NRO

RWhited, NRO

JJessie, NRO

RidsOgcMailCenter

AWilson, OGC

JHudson (jayson.m.hudson@usace.army.mil)

AWilliamson, NRO

RidsNroDser

RAP2 R/F

SBurnell, OPA

LGoldin, OGC

ARedden, NRO

RidsNroDserRap2

LUselding, OPA R4

RidsRgn4MailCenter

HAvci (avci@anl.gov)

KWescott, ANL (wescott@anl.gov)

ADAMS Accession No.: ML103280224

OFFICE	PM:RAP2: DSER:NRO	LA:RAP2: DSER:NRO	PM:RAP2: DSER:NRO	BC:RAP2: DSER:NRO
NAME	TTerry	ARedden	AWilliamson	RWhited
DATE	12/22/2010	12/16/2010	12/16/2010	12/22/2010

OFFICIAL RECORD COPY

Public Scoping Meeting for Victoria County Station Site
Thursday, December 2, 2010
Session 1: 1:00 p.m. - 4:00 p.m.
Session 2: 7:00 p.m. - 10:00 p.m.

<u>Name</u>	<u>Affiliation</u>
Scott Flanders	U.S. Nuclear Regulatory Commission (NRC)
Ryan Whited	NRC
Tomeka Terry	NRC
Alicia Williamson	NRC
Chip Cameron	NRC
Sara Mroz	NRC
Janelle Jessie	NRC
Richard Emch	NRC
Jack Cushing	NRC
Lara Uselding	NRC
Adrienne Redden	NRC
Peyton Doub	NRC
Nancy Kuntzleman	NRC
Alicia Griggs	NRC
Barry Zalcman	NRC
Mohammad Haque	NRC
Michael Purdie	NRC
Ronald Schmitt	NRC
William Smith	NRC
Gary Simpler	NRC
Halil Avci	Argonne National Laboratory (ANL)
Konnie Wescott	ANL
Katherine Walsh	Triumph Enterprises, Inc
JC Harvey	Triumph Enterprises, Inc
Marilyn Kray	Exelon Nuclear Texas Holdings, LLC (Exelon)
Joshua Trembley	Exelon
William Scott	Exelon
Jerry Valdez	Exelon
John Halderman	Exelon
David Jeremy	Federal Emergency Management Agency (FEMA)
Nan Calhoun	FEMA
Dall Chambliss	Congressman Ron Paul's Office
Lisa Peterson	State Representative of Geanie Morrison
Don Pozzi	Victoria County Judge
Will Armstrong	Mayor of Victoria, Texas
O.C. Ganza	City of Victoria
Joe Truman	City of Victoria
Denise Rangel	City of Victoria
Jerry James	City of Victoria
George Reed	Independent Educational Novice
Bobby Jacob	Frost Insurance

Public Scoping Meeting for Victoria County Station Site
Thursday, December 2, 2010
Session 1: 1:00 p.m. - 4:00 p.m.
Session 2: 7:00 p.m. - 10:00 p.m.

<u>Name</u>	<u>Affiliation</u>
Jeff Lyon	Victoria Chamber of Commerce
Connie Murray	Citizens Medical Center
Patty Kurtz	Citizens Medical Center
Ann Christiansen	Citizens Medical Center
Dan Easton	Victoria Advocate
Dianna Wray	Victoria Advocate
Dale Fowler	Victoria Economic Development Corp.
Sharon Barnard	Victoria Economic Development Corp.
Adrian Cannady	Victoria Economic Development Corp.
Sherry Holm	Victoria Economic Development Corp.
Donald Day	Victoria Economic Development Corp
Jim Blackburn	Texans Sound Energy Policy
Janice Hill	Landowner
Rose Yenderey	Landowner
Helen Knekil	Landowner
Rose Yendrey	Landowner
Paul Gruospz	Landowner
Virginia Dierlam	Landowner
Harold Soleril	Landowner
John Figer	Paradise Ranch
Connie McMaster	President of Paradise Ranch
Dan McMaster	Paradise Ranch
Stan Fox	Paradise Ranch
Frank Manning	Paradise Ranch
Sue Gibbs	Rancher
Jeff Wheelis	Rancher
Lanell Mantey	American Red Cross
Dr. Sheldon Landsberger	University of Texas
Marna Billiter	Texas A&M University
Walter Womack	La Queremcia
Jan Scott	Anderson & Smith Law Firm
Elizabeth Riebschlaeger	Anderson & Smith Law Firm
Tom Forbes	Nuclear Energy for Texans
J.P. Sourdellia	IBC Bank
David McLarry	Wells Fargo Bank
David Calil	Wells Fargo Bank
Alfred Reinhardt	Reinhardt & Associates
Paul Salazar	Del Papa Distributing Company
Denise McCue	Crossroad Title Company
Elton Calhoun	Port of Victoria
Tony Rigdon	Port of Victoria

Public Scoping Meeting for Victoria County Station Site
Thursday, December 2, 2010
Session 1: 1:00 p.m. - 4:00 p.m.
Session 2: 7:00 p.m. - 10:00 p.m.

<u>Name</u>	<u>Affiliation</u>
Susan Cain	Armstrong Warehouse
Jeb Lacey	Victoria Office of Emergency Management
Rick McBrafer	Victoria Office of Emergency Management
Kathy Autry	ABC
Larry Blaylock	CPS Energy
Ron Outen	The Aransas Project
Lee Keeling	Walker Keeling & Carroll, LLP
Rod Bernal	Refugio County Commissioner
James Lee Murphy	Guadalupe Blanco River Authority (GBRA)
Bryan Serold	GBRA
Earl Matthew	Aransas First
Karen Hadden	SEED Coalition
Stephanie Kusy	KAVU TV
John Billups	First Victoria
Sylvia Morrison	Best Western Victoria Inn
Diana Rojas	Best Western Victoria Inn
Amy Turner	Texas Parks and Wildlife Department
Russell Janecka	Janecka Insurance Agency
Bill Wendlact	Victoria Tower
Larry Clark	Victoria Tower
Sarah Korczynski	RE/MAX Land & Home
Lorene Bothe	RE/MAX Land & Home
Lisa Peterson	State Representative of Geanie Morrision
Pat McDonald	Days Gone Bye
Will McDonald	Days Gone Bye
Ray Fox	Citizen
Nita Rampey	Citizen
Tim Rampey	Citizen
Robert Singleton	Citizen
Elgin Janssen	Citizen
Cecile Janssen	Citizen
Rick Collie	Citizen
Bob Bates	Citizen
D.A. West	Citizen
Joe Bland	Citizen
Rick McBrater	Citizen
Erica DronGoore	Citizen

Public Scoping Meeting for Victoria County Station Site
Thursday, December 2, 2010
Session 1: 1:00 p.m. - 4:00 p.m.
Session 2: 7:00 p.m. - 10:00 p.m.

<u>Name</u>	<u>Affiliation</u>
Dorothy Caraway	Citizen
Peter Riegz	Citizen
Sandra McKenzie	Citizen
Alex Comache	Citizen
Jack Billups	Citizen
Robbie Kirk	Citizen
Greta Knebel	Citizen
David Brown	Citizen
John Jones	Citizen
Joe Jamal	Citizen
Carol Garriott	Citizen
June Cantrell	Citizen
Geoffrey Schrimaher	Citizen
John Crews	Citizen
Lisa Campbell	Citizen
Clay Cain	Citizen
K. James	Citizen
H. Beckels	Citizen
S. Ratliff	Citizen
Richard Gill	Citizen
Ramsey Lonebotham	Citizen
Jim Stokes	Citizen
Ray Salazar	Citizen
Miriam Lockett	Citizen
W. Clayton Cain	Citizen
David Huber	Citizen
Clint Ives	Citizen
Robert Epiq	Citizen
Richard Fritz	Citizen
Vicky Guttman	Citizen

Victoria Mailing List

cc:

Mr. Jimmy Arterberry
Tribal Historic Preservation Officer
Comanche Indian Tribe
P.O. Box 908
Lawton, OK 73502

Ms. Sharon H. Barnard
Office Manager
Victoria Economic Development
Corporation
700 N Main Ste 104
Victoria, TX 77901

Mr. Moni Belton
U.S. Fish and Wildlife Service
17629 El Camino Real, Ste. 211
Houston, TX 77058-3051

Ms. Kathy Boydston, Leader
Texas Parks and Wildlife Department
Wildlife Habitat Assessment Program
4200 Smith School Rd.
Austin, TX 78744

Ms. Eliza Brown
Sustainable Energy & Economic
Development (SEED)
Coalition
1303 San Antonio, #100
Austin, TX 78701

Mr. Michael Burgess
Chairman
Comanche Nation
PO Box 908
Lawton, OK 73502

Ms. Mary Carter
Whooping Crane Advocate
Blackburn Carter, PC
4709 Austin
Houston, TX 77004

Mr. Alonzo Chalepah
Tribal Chairman
Apache Tribe of Oklahoma
Cultural Heritage Committee

P.O. Box 1220
Anadarko, OK 73005

Mr. Ruben Cortez
Texas Department of State Health Services
Inspection Unit MC 1986
P.O. Box 149347
Austin, TX 78714-9347

Mr. Mark Fisher, Manager, Water Quality
Assessment Section
Water Quality Division
Mail Code 150
12100 Park 35 Circle
P.O. Box 13087
Austin, TX 78711-3087

Mr. Juan Garza , Jr.
Kickapoo Traditional Tribe of Texas
HC 1, Box 9700
Eagle Pass, TX 78852

Ms. Karen Hadden
Sustainable Energy & Economic
Development (SEED)
Coalition
1303 San Antonio #100
Austin, TX 78701

Mr. Billy E. Horse
Kiowa Tribe of Oklahoma
Business Committee
P.O. Box 369
Carnegie, OK 73015

Mr. Jeff Houser
Fort Sill Apache Tribe of Oklahoma
Route 2, Box 121
Apache, OK 73006

Mr. Jayson Hudson
Project Manager
U.S. Army Corps of Engineers
P.O. Box 1229
Galveston, TX 77554

Victoria Mailing List
cc:

Ms. Marilyn C. Kray
Vice President
New Plant Development
Exelon Nuclear Texas Holdings, LLC
200 Exelon Way
Kennett Square, PA 19348

Mr. Ronnie Lupe
Chairman
White Mountain Apache Tribe
P.O. Box 700
Whiteriver, AZ 85941

Mr. Rollin MacRae
Wetland Program Leader
Texas Parks and Wildlife Department
Resource Protection Division
4200 Smith School Rd.
Austin, TX 78744

Mr. Carlos Mendoza
Supervisor, Houston Field Office
U.S. Fish and Wildlife Service
17629 El Camino Real, Suite 211
Houston, TX 77058

Dr. Carlton Naiche-Palmer
Tribal President
Mescalero Apache Tribe of the Mescalero
Reservation
P.O. Box 227
Mescalero, NM 88340

Ms. Sharon Parrish
U.S. Environmental Protection Agency,
Region 6
Wetlands Section (6WQ-EM)
1445 Ross Ave.
Dallas, TX 75202

Mr. Levi Pesata
President
Jicarilla Apache Nation
P.O. Box 507
Dulce, NM 87528

Mr. Arturo Senclair
Ysleta del Sur Pueblo
P.O. Box 17579 - Ysleta Station
El Paso, TX 79917

Ms. Brenda Shemayne Edwards
Chairperson
Caddo Nation of Oklahoma
P.O. Box 487
Binger, OK 73009

Ms. Rhonda Smith
Coordinator
US EPA Region 6
1445 Ross Ave., 12th flr., Ste. 1200
Dallas, TX 75202-2733

Leslie Standing
President
Wichita and Affiliated Tribes
P.O. BOX 729
Anadarko, OK 73005

Mr. Anthony Street
President
Tonkawa Tribe of Indians of Oklahoma
1 Rush Buffalo Road
Tonkawa, OK 74653

Rusty Swafford
National Marine Fisheries Service
Habitat Conservation Division
4700 Avenue U
Galveston, TX 77551-5997

Principal Chief Oscola Sylestine
Alabama-Coushatta Tribe of Texas
Historical Preservation Department
Route 3, Box 659
Livingston, TX 77351

Ms. Liz Thompson
Public Services Librarian
Victoria Public Library
302 N. Main
Victoria, TX 77901

Victoria Mailing List

cc:

Ms. Ruth Toahty
NAGPRA Coordinator
Comanche Nation
NAGPRA and Historic Preservation
Comanche National Museum
701 NW Ferris Avenue

Mr. Don Tofpi
Tribal Chairman
Kiowa Tribe
PO Box 369
Carnegie, OK 73015-0369

Mr. Joshua R. Trembley, P.E. (JT)
Environmental Engineer, Licensing
Exelon Corporation
200 Exelon Way
Kennett Square, PA 19348

Ms. Amy Turner
Texas Parks and Wildlife Department
Habitat Assessment Program
2805 N. Navarro, 600-B
Victoria, TX 77901

Mr. George G. Wickliffe
United Keetoowah Band
of Cherokee Indians
P.O. Box 746
Tahlequah, OK 74465

Mr. Mark Wolfe
Chief Deputy Executive Officer
State Historic Preservation Officer
Division of Antiquities Protection Texas
Historical Commission
P.O. Box 12276
Austin, TX 78711

sharonbarnard@victoriaedc.com (Sharon Barnard)
david.distel@exeloncorp.com (David Distel)
jffiger@comcast.net (John Figer)
rcfritz@suddenlink.net (Richard Fritz)
amy.hanna@tpwd.state.tx.us (Amy Hanna)
herrington.jim@epa.gov (Jim Herrington)
bill361@sbcglobal.net (Bill Jones)
marilyn.kray@exeloncorp.com (Marilyn Kray)
(Tom Walker)

ESP - Exelon - Victoria Safety Mailing List
cc:

(Revised 11/15/2010)

Ms. Michele Boyd
Legislative Director
Energy Program
Public Citizens Critical Mass Energy
and Environmental Program
215 Pennsylvania Avenue, SE
Washington, DC 20003

ESP - Exelon - Victoria Safety Mailing List

Email

annie@ieer.org (Annie Makhijani)
APH@NEI.org (Adrian Heymer)
Arjun@ieer.org (Arjun Makhijani)
awc@nei.org (Anne W. Cottingham)
BrinkmCB@westinghouse.com (Charles Brinkman)
charles@blackburncarter.com (Charles Irvine)
chris.maslak@ge.com (Chris Maslak)
cwaltman@roe.com (C. Waltman)
david.distel@exeloncorp.com (David Distel)
david.lewis@pillsburylaw.com (David Lewis)
dcurran@harmoncurran.com (Diane Curran)
Derinda.Bailey@chguernsey.com (Derinda Bailey)
donald.woodlan@luminant.com (Donald Woodlan)
ed.burns@earthlink.net (Ed Burns)
gcesare@enercon.com (Guy Cesare)
jbb@blackburncarter.com (Jim Blackburn)
jerald.head@ge.com (Jerald G. Head)
jgutierrez@morganlewis.com (Jay M. Gutierrez)
jim.riccio@wdc.greenpeace.org (James Riccio)
Joseph_Hegner@dom.com (Joseph Hegner)
Joshua.Trembley@execoncorp.com (Joshua Trembley)
karen@seedcoalition.org (Karen Hadden)
KSutton@morganlewis.com (Kathryn M. Sutton)
kwaugh@impact-net.org (Kenneth O. Waugh)
lchandler@morganlewis.com (Lawrence J. Chandler)
ldblaylock@cpsenergy.com (Larry Blaylock)
Marc.Brooks@dhs.gov (Marc Brooks)
maria.webb@pillsburylaw.com (Maria Webb)
marilyn.kray@exeloncorp.com
mark.beaumont@wsms.com (Mark Beaumont)
Mark.Crisp@chguernsey.com (Mark Crisp)
matias.travieso-diaz@pillsburylaw.com (Matias Travieso-Diaz)
media@nei.org (Scott Peterson)
mfraser@harmoncurran.com (Matthew Fraser)
mike_moran@fpl.com (Mike Moran)
MSF@nei.org (Marvin Fertel)
nirsnet@nirs.org (Michael Mariotte)
Nuclaw@mindspring.com (Robert Temple)
patriciaL.campbell@ge.com (Patricia L. Campbell)
Paul@beyondnuclear.org (Paul Gunter)
pshastings@duke-energy.com (Peter Hastings)
RJB@NEI.org (Russell Bell)
sabinski@suddenlink.net (Steve A. Bennett)
sandra.sloan@areva.com (Sandra Sloan)

ESP - Exelon - Victoria Mailing List

sfrantz@morganlewis.com (Stephen P. Frantz)

stephan.moen@ge.com (Stephan Moen)

Vanessa.quinn@dhs.gov (Vanessa Quinn)

Wanda.K.Marshall@dom.com (Wanda K. Marshall)

Welcome to the U.S. Nuclear Regulatory Commission's Open House for the Public Scoping Meeting Related to the Victoria County Station Early Site Permit

This open house is intended to provide an opportunity for interested members of the public and staff from other Federal, Tribal, State, local and other agencies to interact with the U.S. Nuclear Regulatory Commission (NRC) and the U.S. Army Corps of Engineers (Corps), Galveston District, staffs in an informal information exchange. The NRC is gathering information necessary to prepare an environmental impact statement (EIS) as part of its review for the early site permit (ESP) for the Victoria County Station (VCS) site located in Victoria, Texas.

If you wish to provide formal comments regarding the scope of the environmental review for the VCS site ESP, they must be provided by **January 3, 2011**. Comments received after this date will be considered if it is practical to do so, but the NRC staff is able to assure consideration only for comments received on or before **January 3, 2011**.

Comments may be submitted today at the scoping meetings or in writing, via email, fax, or in person.

Written comments should be mailed to:

Chief, Rules, Announcements, and Directives Branch
Division of Administrative Services
Office of Administration
Mailstop TWB-05-B01M
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Electronic comments should be sent to:

Victoria.ESPEIS@nrc.gov

Faxed comments should be sent to:

RDB at (301) 492-3446

Hand delivered comments should be taken to:

11545 Rockville Pike
Rockville, Maryland
7:30 a.m. to 4:15 p.m. on Federal workdays

Thank you for your participation in the scoping process.

Official Transcript of Proceedings
NUCLEAR REGULATORY COMMISSION

Title: Victoria County Station Early Site Permit
Public Meeting: Afternoon Session

Docket Number: (n/a)

Location: Victoria, Texas

Date: Thursday, December 2, 2010

Work Order No.: NRC-581

Pages 1-71

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1 UNITED STATES OF AMERICA
2 NUCLEAR REGULATORY COMMISSION
3 + + + + +
4 ENVIRONMENTAL SCOPING MEETING
5 FOR THE VICTORIA COUNTY STATION
6 EARLY SITE PERMIT

7 + + + + +
8 Thursday, December 2, 2010

9 + + + + +
10 Auditorium
11 Victoria Community Center
12 2905 E. North Street
13 Victoria, Texas
14 1:00 p.m.

15
16 FRANCIS X. "CHIP" CAMERON, Facilitator
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P R O C E E D I N G S

MR. CAMERON: If we could have everybody take a seat, we'll get started with today's meeting. Before I get started with my remarks, my name is Chip Cameron, and I'm going to be your facilitator today. We do want to make sure that we get the information clearly to everybody, so we do have two interpreters here who will help people who might need some assistance, and I'm going to have one of them, Sarita Gomez-Mola, talk to you for a second.

(Ms. Gomez-Mola addressed the audience in Spanish.)

MR. CAMERON: Thank you, Sarita.

Good afternoon, everyone and welcome to the public meeting today. Our topic is going to be the environmental review that the Nuclear Regulatory Commission, or NRC, and the United States Army Corps of Engineers, the environmental review that they're going to do on an application that the NRC received from Exelon Nuclear Texas Holding, which we'll be referring to as Exelon, application for what's called an early site permit, and the NRC staff will be explaining in more detail what that is, but an early site permit would be the first step in the possible construction and operation of nuclear power plants

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1 here in Victoria.

2 And as I mentioned, my name is Chip
3 Cameron, and it's my pleasure to serve as your
4 facilitator for today's meeting. I'm going to be
5 assisted by Sara Mroz, who is right here, and Sara is
6 in the NRC facilitation training program and she's
7 going to be assisting me today, and we're both going
8 to try to assist you in having a productive meeting
9 this afternoon.

10 I just wanted to talk a little bit about
11 meeting process issues so that you know what to expect
12 to day and I'd like to tell you about the format for
13 the meeting, some simple ground rules that will allow
14 us to have a productive meeting, and to introduce the
15 NRC staff who will be speaking to you this afternoon.

16 In terms of the format for the meeting,
17 the meeting really has two components to it. The
18 first part of the meeting is to give you some
19 background on the NRC evaluation process for this
20 early site permit application, and we have two brief
21 NRC presentations to explain that to you. We have
22 some time for questions after those presentations to
23 make sure that the process is clear to you, so we'll
24 go out to you for some questions.

25 Then we're going to go to the second part of the

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1 meeting which is the primary part of the meeting, and
2 that's an opportunity for the NRC staff to hear your
3 advice, your recommendations, your comments on what
4 should be looked at in the NRC's environmental review
5 on this early site permit application. And we have
6 the yellow cards out there. If you want to speak,
7 please just fill one of these out so that we know how
8 many people want to talk this afternoon, and when we
9 get to that comment part of the meeting, we'll ask you
10 to come up here to the podium to address everybody.

11 And the NRC staff will tell you that
12 they're also taking written comments on these
13 environmental review issues, but I want to assure you
14 that anything you say today will have the same weight
15 as a written comment, and of course, you're free to
16 submit a written comment to us also even if you speak
17 this afternoon.

18 And in terms of ground rules for the
19 meeting, I would just first ask you to wait until both
20 of the NRC staff presentations are finished before you
21 ask questions, and then if you have a question, just
22 signal me and I'll bring this cordless microphone to
23 you and please introduce yourself to us. If we can't
24 get to all of your questions before we have to move on
25 to public comment, the NRC staff will be here after

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1 the meeting and will be glad to talk to you about any
2 questions that we couldn't answer or any subjects that
3 are on your mind.

4 And second ground rule is that I would ask
5 that only one person speak at a time. The most
6 important reason for that is so that we can give our
7 full attention to whomever has the floor at the
8 moment, but also so that we can get what I call a
9 clean transcript. We are taking a transcript. We
10 have a court reporter over here; it's Nancy King, who
11 is going to be taking a transcript of the meeting, and
12 that will be your record of the meeting and it will be
13 the NRC's record of the meeting.

14 The third ground rule, I would just ask
15 you to be brief in your comments so that we can make
16 sure that we get to everyone who wants to speak
17 tonight, and usually I ask people to follow a three-
18 to five-minute ground rule for their comments.

19 We do have several speakers for this
20 afternoon's meeting, but I don't think that we're
21 going to be really pressed for time. I would still
22 ask you to stay relatively within that five-minute
23 window, but if I have to ask you to sum up, I
24 apologize in advance because I know that you spent a
25 lot of time preparing your comments for us, and if I

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1 have to ask you to sum up when we get into that five-,
2 six-minute range, I'll probably come over to the
3 podium to ask you to do that.

4 The NRC staff is here to listen carefully
5 to your comments this afternoon. They won't be
6 responding to any comments that you make from the
7 podium or any questions that you ask from the podium,
8 but they will carefully consider and evaluate those
9 comments and questions when they prepare what's called
10 a scoping report that will be available to the public
11 that summarizes the meeting. And I would just thank
12 you all for being here today to help the NRC and the
13 Corps of Engineers with this decision, and I'd like to
14 introduce the speakers from the NRC staff.

15 First of all, we're going to go to Ryan
16 Whited, and Ryan is chief of the Environmental Review
17 Branch which is in the Division of Site and
18 Environmental Reviews in the Office of New Reactors at
19 the NRC, and his branch is conducting this review.
20 And Ryan has been with the NRC for about eight years.

21 He's been involved in the NRC's Low-Level Waste
22 Disposal Program; he's also been in the Executive
23 Director for Operations Office at the NRC addressing
24 agency budget issues. Before he came to the NRC, he
25 was with an environmental consulting firm. He has a

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1 bachelor's degree in industrial engineering from the
2 University of West Virginia and he has a master's in
3 environmental engineering from Clemson University; he
4 also has a master's of business administration from
5 the University of Pennsylvania. Ryan will give you a
6 formal welcome and tell you a little bit about the NRC
7 responsibilities generally.

8 And then we're going to go the details of
9 the environmental review process, and to do that for
10 us we have Tomeka Terry who is here. She'll explain
11 that to you. And Tomeka has been with the NRC for
12 about eight years doing environmental review projects,
13 and she also has several degrees, a bachelor's degree
14 and a master's degree from North Carolina A&T State
15 University.

16 Just let me introduce a couple of other
17 people. We have Scott Flanders here. Scott is the
18 director of the Division of Site and Environmental
19 Review at the NRC in the Office of New Reactors, and
20 he's the senior agency official here today. We also
21 have Alicia Williamson, and she also has
22 responsibilities for the project management of the
23 environmental review on this early site permit. There
24 also is a safety review component to this evaluation,
25 and we have the project manager for the safety review

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1 here, and that's Janelle Jessie. She's right here.

2 We also brought a number of other NRC
3 staff with us to make sure that we can answer any
4 questions that you have either during the meeting or
5 after the meeting, and we have staff here from our
6 Public Affairs Office, from our regional NRC office
7 which is in Arlington, Texas. We have experts either
8 from the NRC staff or the consultants that help the
9 NRC staff in the areas of ecology, radiation,
10 protection, socioeconomics, and several other areas.

11 So with that, I think I just would turn it
12 over to Ryan Whited.

13 MR. WHITED: Thank you, Chip.

14 Good afternoon, everyone. My name is Ryan
15 Whited. I'm the branch chief for the Victoria early
16 site permit environmental review. First I'd like to
17 thank all of you for coming out this afternoon. We
18 look forward to hearing your comments and we hope that
19 we can provide some useful information to you about
20 the NRC and our environmental review process for the
21 Victoria early site permit application.

22 The purposes of today's meeting are to
23 provide an overview of our review process and the
24 schedule for the environmental review, to describe how
25 you can provide comments on the scope of the

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1 environmental impact statement, or the EIS, that we'll
2 be preparing, and to listen to any comments that you'd
3 like to offer today.

4 Some of you may have attended one of the
5 public outreach meetings that we've held here in the
6 past to provide general information on the NRC's new
7 reactor licensing process. If you attended one or
8 more of those meetings, welcome back.

9 Today's meeting is a little bit different.

10 Now that we've initiated our environmental review and
11 are seeking your input into the scope of the EIS that
12 we're preparing, you have local knowledge of the area,
13 you know this area best and you may be aware of some
14 issues that are important for us to consider as we
15 conduct our review. Following my remarks, again,
16 Tomeka Terry, who is our project manager for the
17 review, is going to provide a little more detail on
18 our process for preparing the EIS, and at the end of
19 Tomeka's presentation she'll discuss further how you
20 can participate in our review process, and there are
21 several different ways you can do that, including
22 providing your comments to us today.

23 I want to take a minute to introduce you
24 to the Nuclear Regulatory Commission. The NRC's
25 mission is to protect public health and safety,

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1 promote common defense and security and to protect the
2 environment, and today we'll be focusing on that third
3 aspect of the NRC's mission.

4 We're an independent regulatory agency.
5 We license and inspect civilian uses of nuclear
6 materials, for example, at nuclear power facilities,
7 hospitals and universities. We're here today because
8 Exelon has applied for an early site permit, or an
9 ESP, to potentially construct and operate one or more
10 new nuclear units at the Victoria County Station site.

11 It's important to note that Exelon has not
12 filed an application to build a reactor at this stage.

13 What we're doing is evaluating the proposed Victoria
14 site to determine whether it would be suitable should
15 Exelon decide to construct. Exelon would need to file
16 a separate license application should they decide to
17 move forward in building one or more new nuclear
18 units.

19 So part of the NRC's licensing review
20 includes a environmental review under the National
21 Environmental Policy Act, or NEPA. An early site
22 permit from the NRC qualifies as a major federal
23 action that could significantly affect the
24 environment, and because it's a major federal action,
25 the NRC staff will prepare an environmental impact

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1 statement that analyzes in depth the environmental
2 impacts associated with the proposed Victoria County
3 Station site.

4 In conducting our review, we assemble a
5 team of technical experts, about 30 or so experts, in
6 areas such as hydrology, ecology, socioeconomics, to
7 analyze a broad range of issues such as impacts to
8 fish and wildlife, the effect of developing the
9 proposed site on traffic patterns, impacts on water
10 quality and water availability, and as Chip mentioned,
11 several of the individuals on the Victoria team are
12 here this afternoon and they'll be available after the
13 meeting to answer any questions you may have in a
14 specific area.

15 I did want to mention that the U.S. Army
16 Corps of Engineers, Galveston District, is our federal
17 partner in this review, and they will be what's called
18 a cooperating agency in preparing the environmental
19 impact statement. The goal of our partnership with
20 the Corps is for the EIS to support both the NRC's
21 licensing process and the Corps' permitting process
22 for the proposed Victoria County Station site, if and
23 when a permit application is submitted to the Corps.
24 We've been working with the Corps on several of our
25 environmental reviews for potential reactor sites and

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1 we've found the relationship very beneficial, given
2 the Corps' expertise in assessing impacts to water and
3 wetlands.

4 The project manager for the Corps, Mr.
5 Jayson Hudson, was not able to be here today, so I'm
6 going to take just a few minutes to discuss the Corps'
7 role and authority in the Victoria ESP review.

8 The U.S. Army Corps is the federal agency
9 responsible for administering Section 404 of the Clean
10 Water Act and Section 10 of the Rivers and Harbors Act
11 of 1899. The Corps regulates the discharge or dredged
12 or fill material into all jurisdictional waters of the
13 United States and construction excavation or
14 deposition of materials in or near such waters. The
15 Corps also regulates any work which would affect the
16 course, location, condition or capacity of navigable
17 waters of the U.S. And like the NRC's early site
18 permit process, U.S. Army Corps permit decisions are
19 federal actions that must comply with NEPA.

20 As a cooperating agency, the Corps will be
21 a member of the team that prepares the EIS for the
22 Victoria early site permit review. The final EIS will
23 serve as the primary environmental document on which
24 the U.S. Army Corps off-site alternatives analysis
25 will be based if and when an application is submitted

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1 for a Department of the Army permit. And again, at
2 this time Exelon has not submitted a permit
3 application to the Corps.

4 As I mentioned, the project manager for
5 the Corps is Mr. Jayson Hudson and I believe Jayson's
6 contact information will be on the final slide of this
7 presentation.

8 That concludes my remarks this afternoon.

9 Again, thanks very much for coming to the meeting
10 today and I'll now turn things over to Ms. Tomeka
11 Terry, who is the environmental project manager for
12 the review.

13 MS. TERRY: Thank you, Ryan. Also, I want
14 to thank you all for taking the time to be with us
15 today. My name is Tomeka Terry and I am an
16 environmental project manager at NRC. I am leading a
17 team of NRC experts and in partnership with the Corps
18 of Engineers. We will conduct an environmental review
19 on the Victoria County Station site permit application
20 considering developing any large industry projects and
21 its environmental effects involving any input. So
22 this is an important opportunity for you to share your
23 insight with us in the early permit process.

24 I will repeat the request because your
25 involvement is that important to us. We appreciate

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1 that so many of you have come to listen to us and we
2 look forward to your assistance by sharing your
3 concerns and identifying those issues that we should
4 consider in the scope of our environmental review.

5 As you have heard from Ryan, Exelon
6 Nuclear Texas Holdings, known as Exelon, submitted an
7 early site permit application to NRC on March 25,
8 2010. As an early site permit, or ESP, NRC can approve
9 a site that is suitable to host one or more nuclear
10 reactors. In making such decisions, we must consider
11 the site safety characteristics. For example, the
12 effect of hurricanes on the power plant, we need to
13 consider the ability to develop an emergency plan, and
14 we need to consider the potential environmental
15 impacts of building and operating a plant.

16 Today we want to hear from you, your
17 concerns. We've identified some resource areas that
18 will be considered in reviewing to help you focus your
19 attention on the environmental issues.

20 An early site permit is not authorization
21 to build and operate a plant. It is just a siting
22 decision that a particular location is suitable for
23 hosting a plant. An early site permit is an important
24 tool to assist energy planners, because it allows a
25 permit-holder to bank a site for up to 20 years and

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1 allowing them to decide when the time is right to
2 proceed on a decision of developing the site.

3 Building and operating any reactor at this
4 site will still require the ESP permit-holder to apply
5 for another approval from NRC. That license is called
6 the combined license. As part of NRC's license
7 framework there is a separate process in approval of
8 reactor design, independent of the site. That is
9 called a design certification.

10 So now you see how an early site permit
11 obtained in advance and a reactor design approved in
12 advance can work together when a combined license
13 application, actually requesting approval from NRC to
14 build and operate a nuclear power plant.

15 Next slide. That's okay. Let's just go
16 ahead. Sorry about that. As you have the
17 presentation in your hands, slide 9 which is a slide
18 that provides a high level overview of our
19 environmental review process. This is a step-wise
20 approach on how we meet our responsibility under the
21 National Environmental Policy Act, known as NEPA.

22 We started our environmental review of an
23 applicant's request with our notice of an intent to
24 prepare an EIS and to conduct scoping. A notice was
25 published in the Federal Register on November 2, 2010.

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1 The notice started the 60-day scoping period. The
2 scoping period provides an opportunity for you, the
3 public, to share your comments on environmental issues
4 relating to the early site permit request.

5 We have come here today to give you an
6 additional tool to share your comments with us. We
7 know that some of you are here just to gather
8 information before you provide us with your comments.

9 We will give you information at the end of this
10 presentation on how to submit those comments to us
11 before the end of the comment period. Whether you
12 provide them to us today or later, they will carry the
13 same weight.

14 After we consider your comments we will
15 continue to gather and analyze information regarding
16 our review, and then we will prepare a draft report of
17 our assessment of the impacts in the form of a draft
18 environmental impact statement, Draft EIS. When we do
19 complete the Draft EIS, we're required to file it with
20 the Environmental Protection Agency in Washington,
21 D.C. and with the Dallas regional office. At that
22 time both EPA and NRC will issue a notice of
23 availability of the Draft EIS. We expect to issue the
24 draft in August 2012. If you signed up and gave us
25 your contact information, then you will be on our list

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1 to receive an electronic or a hard copy version of the
2 Draft and the Final EIS.

3 When we issue the draft we will invite you
4 to offer your comments on the EIS. While it is a
5 draft, it is not incomplete. It is a draft because
6 the public did not get to comment on it. As part of
7 our process of obtaining your comments, we will come
8 back here and have another public meeting to share
9 your results on the environmental review and to accept
10 comments on the draft EIS.

11 While we're required to provide a 45-day
12 period, we have extended that to 75 days to give you
13 ample opportunity to develop your comments on the
14 draft EIS. Our public meeting will be at the midway
15 point of the comment period of the draft. Once the
16 comment period is over, we will consider all comments
17 that were received and decide on the changes that need
18 on our work to be made before we issue the final EIS.

19 The last step in our environmental review
20 process will be issuing the Final EIS filing and
21 publishing the notice of availability for the final.
22 The target date is August 2013.

23 As Ryan described earlier, the EIS is a
24 systematic approach and integrated review. This slide
25 illustrates some of the resource areas that will be

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1 addressed in our EIS, highlighting the environmental
2 aspects of our review. As an example the EIS has
3 included in our evaluation the socioeconomic impacts
4 that the proposed action will have on the community
5 surrounding the plant. This would include how the
6 project workforce would affect enrollment in schools,
7 the use of hospitals, the effect on other community
8 service and characteristics. We would need to
9 consider these issues such as taxes, traffic, and
10 noise.

11 Each of the resource areas has similar
12 detailed assessments and some of them have overlaps.
13 For example, water resource affects the aquatic
14 ecosystem. Aquatic ecology and terrestrial ecology
15 are related. Terrestrial issues affect land use which
16 in turn affect cultural resources, and so on. The
17 interrelationship among these will be considered by
18 the review team and will be included in our review.
19 Information you can share with us on these resource
20 areas will help us as we perform our review.

21 Next slide. Our first step in the
22 environmental review is to gather information
23 regarding these issues we should consider within the
24 scope of our review. We're looking for you to help us
25 become aware of the environmental issues that are

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1 important to consider before we begin on our
2 assessment of preparing an EIS. In addition to those
3 who are prepared to provide your comments to us today,
4 you still have an opportunity to comment and provide
5 additional information to us through the end of the
6 comment period on January 3, 2011.

7 When the comment period is closed, we will
8 compile all comments that were received and decide
9 which comments are within scope of the environmental
10 review and publish them in a scoping summary report.
11 We expect to issue the report in the summer next year
12 after we've taken the time to assess the comments
13 provided. Those comments applicable to environmental
14 review will be considered in the preparation of the
15 Draft EIS.

16 Next slide. We're having some technical
17 difficulties. Sorry about that.

18 On slide 12 if you look at your
19 presentation, this is a semi diagram that parallels
20 the safety and environmental review that was conducted
21 in the EIS request. The safety review followed the
22 top path shown on the slide. The safety review
23 considered the site safety and emergency planning.
24 The environmental review followed the bottom path.
25 Both of these reviews feed into the NRC hearing

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1 process which is shown in the middle path of the
2 slide.

3 The hearing process factors the results of
4 both safety and environmental review which we must
5 conduct before a final decision can be made on the ESP
6 request. The hearing is an important part of this
7 review process and is a different opportunity for the
8 public involvement. Because of that, I'm going to
9 spend a few moments on that.

10 On November 23 NRC published in the
11 Federal Register a notice of hearing opportunity to
12 intervene in a legal proceeding. Anyone who seeks to
13 intervene in a legal proceeding should carefully read
14 the hearing notice and follow the instruction because
15 of its prescriptive requirements.

16 In order to file a petition with NRC you
17 must obtain a digital certificate approval from NRC in
18 advance or you must seek a waiver for the digital
19 certificate requirement. It's important for you not
20 to wait until the last week to file, period, to
21 request a digital certificate because it could take up
22 to five to ten business days to receive it from NRC.

23 Specific instructions pertaining to the
24 digital certificate are in the hearing notice and on
25 this website page listed here. We brought extra

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1 copies of the notice of the 23rd. If you would like
2 one, they are available at the NRC registration table.

3 Just ask any one of the NRC staff members.

4 Next slide. Documents related to the
5 environmental review can be viewed on the internet.
6 We have created a specific website for the project and
7 it is listed on the slide. And additionally, you can
8 review this information in the local Victoria Public
9 Library. Liz Thompson and other librarians have been
10 kind enough to host a copy of the environmental report
11 that will be included in Exelon's application. We
12 will also send the library important environmental
13 documents that we create for our review of this
14 application.

15 Next slide, please. As we have indicated,
16 our primary purpose for this meeting is to listen and
17 gather your comments on the site as we begin our
18 environmental review. Many of you have already signed
19 up to speak today, however, if you are not comfortable
20 speaking or need to leave early, there's a table at
21 the back of the room with comment forms that you can
22 write your comments on one and mail them to us, or if
23 you choose you can hand them to an NRC staff member
24 and we will attach it to today's transcript.

25 If you would like to provide comments to

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1 us later, then there are several other ways to submit
2 your comments. You can e-mail them to
3 Victoria.ESPEIS@nrc.gov. You may mail them to this
4 address listed on the slide, or you may fax them to
5 301-492-3446. Please note there's a 60-day comment
6 period opened until January 3, 2011.

7 Next slide, please. Finally, we want to
8 leave information on how to contact us if you need to
9 reach us. In addition to my contact information, I
10 have provided a phone number and e-mail address for
11 Ms. Janelle Jessie, who is our lead safety project
12 manager, as well as Mr. Jayson Hudson from the Corps
13 of Engineers.

14 Now I will turn it back over to Chip in
15 case you have any questions about the process we have
16 described about the environmental review. That
17 completes my presentation, and I do want to thank you
18 for your attention and we're looking forward to your
19 comments. Thank you.

20 MR. CAMERON: Thank you very much, Tomeka.
21 Thank you, Ryan.

22 Before I go out to see if there's any
23 questions that we could answer, I should introduce
24 both of our interpreters. You've already met Sarita
25 Gomez-Mola. We also have Steve Mines back here. If

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1 there are any people in the community that you think
2 might not have come out today because they thought
3 this was going to be all in English, we are going to
4 be here tonight from 7:00 to 10:00, so if there's
5 anybody out there that you think might want to attend,
6 we will have our two interpreters here tonight so
7 please encourage them to come out.

8 How about questions? Are there any
9 questions we could answer for you about the NRC or the
10 Corps of Engineers review process today before we go
11 to public comment?

12 (No response.)

13 MR. CAMERON: Okay. And as I said, the
14 staff will be here after the meeting to talk with
15 anybody who has concerns or questions. And with that,
16 we're going to go to the public comment, and I'd like
17 to ask Judge Donald Pozzi to come up and talk to us,
18 and then we're going to go to Mayor Will Armstrong.
19 And this is Judge Pozzi. They say never make a
20 mistake with a judge. I'm sorry, Judge.

21 JUDGE POZZI: No problem, Chip. Thank you.

22 I will be very brief this afternoon as
23 Chip has asked, primarily because of my voice;
24 otherwise, I may be here all day.

25 Let me first welcome all of our members

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1 with NRC that are here with us today. I know we have
2 probably 15 to 20 of them in town. You're certainly
3 welcome. Anything we can do for you, let us know.
4 And certainly we welcome members of the public that
5 are here today. Many of you have been to these
6 meetings before or meetings like this. This is, I
7 believe, the fourth time in the last four years,
8 probably, that we've had an opportunity for public
9 input at this kind of meeting, although as has been
10 described, this is a little different as your
11 testimony is being recorded.

12 Let me say that Exelon has been a friend
13 to Victoria County since the initial involvement
14 almost four years ago. We at this time have been
15 through many things, many different problems,
16 exercises, dealings with Exelon, and my initial
17 opinion with the Exelon Corporation has not changed.
18 They are a great company, they are open, they are
19 honest, they are transparent, and they're not going to
20 tell you anything -- at least it has been my
21 experience -- that is not so.

22 So the leadership in this community
23 certainly remains committed to Exelon Corporation and
24 this process with regard to the early site permit. We
25 believe that the vast majority of Victorians remain

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1 committed to that. We recognize there are naysayers.

2 We understand that, there have been from the
3 beginning and there will be to the end. That's fine
4 as long as those naysayers we hope understand what we
5 believe to be the entire process, and I am certainly
6 no expert in the field.

7 But I know there are many concerns about
8 water and I can assure you that Exelon and no other
9 nuclear generation company would be interested in
10 building a site here in Victoria or anywhere else if
11 water were not available. We have many sources of
12 water and you're going to hear probably some naysayers
13 this afternoon regarding that topic. When you
14 consider a 4,900-acre cooling pond, when you look at
15 the studies that have been done with regard to times
16 of drought, the use of those facilities, the low
17 amount of water that would be taken from the Guadalupe
18 River, I believe we have satisfied the water concern.

19 I believe we've satisfied the
20 environmental concern. We know there are a lot of
21 them out there. When the NRC looks at the
22 environmental process they look at much more than what
23 we would sometimes think is environmental. It goes
24 way beyond what a person may initially believe and it
25 goes to the makeup of the community itself and the

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1 effect of many, many things in the community.

2 You will hear some discussions this
3 afternoon primarily maybe about some wildlife. We
4 believe that those concerns have been satisfied. We
5 believe the safety issues have been satisfied. We
6 believe that Exelon has demonstrated over this last
7 four-year period, both with their initial combined
8 operating and license application, withdrawal of that
9 and now the application for the early site permit and
10 the studies that have been done in that regard have
11 satisfied all of these issues.

12 If you will look at the NRC's mission
13 statement that was presented here to you today, if you
14 go to Exelon's website and look at their goals and
15 look at their core values and look at their policy, it
16 will come as no surprise to you that they are
17 certainly in line with the mission of the NRC itself
18 to promote safety, defense, security, environment, the
19 three things that you saw up here on their mission
20 statement this afternoon.

21 So again, I want to thank you for being
22 here. Victoria County and its leadership remains
23 committed to this project. We appreciate your right
24 to dissent, we know there will be some. I had a lady
25 ask me earlier are we still going to be friends. Of

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1 course we are. That's not what this is about. I'm
2 not going to ruin any friendships over this nor am I
3 going to lose any, and I hope none of you do either.
4 This is about what we believe is best for Victoria
5 County, best for the State of Texas, and best for the
6 nation.

7 We know that nuclear power will be needed.

8 We submit that if there wasn't a problem with the
9 loan guarantee program, the economy wasn't in the
10 state it was, natural gas wasn't at the price it was,
11 we'd be looking at building this plant in the next
12 couple of years.

13 We will continue to remain committed
14 whether it takes the 20-year process or five or ten.
15 Someone will be here in my stead, of course. Most of
16 you would like to see that, or some of you certainly
17 would, but that's okay. I'll still be here, I'll
18 still be for this project, and I'll still be a
19 Victoria resident doing what I think is best for
20 Victoria. Thank you.

21 (Applause.)

22 MR. CAMERON: Thank you very much, Judge
23 Pozzi.

24 And now here's Mayor Armstrong.

25 MAYOR ARMSTRONG: I think I made a

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1 mistake. I said I would follow the judge. That's
2 kind of hard to follow. Good job, Your Honor.

3 My wife and I are parents of two children,
4 grandparents to four. I'm a local businessman and a
5 six-time elected city official. I consider myself an
6 environmentalist. My father grew up in Seadrift, he
7 grew up on San Antonio Bay and when he had a chance to
8 buy a business in Victoria or buy one in Corsicana for
9 the same price, he chose Victoria because he wanted to
10 get back near saltwater. He loved to fish and he
11 passed that on to all of our family. I'm not worried
12 about the health of the bay, the environment. I know
13 those situations will be taken care of properly.

14 Now that I've reached late middle age, I'm
15 a grandfather, a businessman, a local elected official
16 and a fellow that likes to fish, wearing all of those
17 hats that I mentioned, I support this endeavor, this
18 nuclear endeavor in our area.

19 Often when the environment is mentioned,
20 water is discussed, and I want to talk to you about
21 the water that we have for the citizens of Victoria,
22 our drinking water. I see Councilman Truman in the
23 audience and he's nodding his head. Thank you.

24 We have about 20,000 acre-feet of water,
25 surface water rights. We have a one-year supply, a

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1 reservoir that can supply us with water for one year.

2 We have ten deep wells, and these deep wells by
3 themselves could furnish us with the water that we
4 need. We're using right now about 12,000 acre-feet of
5 water a year and our surface rights are 20,000 acre-
6 feet. With the wells, our one-year supply, the city
7 administration, the city council, the experts that we
8 have feel like we are meeting our needs for the next
9 40 to 60 years with the growth that we anticipate.

10 In quoting a June 9, 2008 Fortune Magazine
11 article, "The Case for Nukes" subtitled "The solution
12 to nuclear energy has been under our nose for
13 decades." It goes on to say that the French generate
14 75 percent of their electricity nuclear, and they
15 should be given credit for that plus the wine and the
16 cheese -- let's not forget that.

17 Reading a letter that I wrote a while back
18 to the former secretary of Energy, Samuel W. Bodman,
19 it reads in part: Exelon Nuclear Texas Holdings
20 proposed new nuclear power generating facility enjoys
21 widespread support in Victoria County and the State of
22 Texas as evidenced by supporting resolutions passed by
23 the Victoria City Council, the Chamber of Commerce,
24 the African-American Chamber of Commerce, the Victoria
25 County Commissioners Court, and the Victoria Economic

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1 Development Corporation.

2 Now, there are those that are against
3 building a nuclear power plant in our county, and
4 you'll hear from them as the Judge says, but this is a
5 local issue and it's a not-in-my-backyard issue.
6 Well, it will be interesting to know how much money is
7 going to be spent, how much local oil and gas money is
8 going to be spent on big-time lawyers. This is a not-
9 in-my-backyard issue more than anything else.

10 Mark Twain said that predictions are
11 risky, especially if they involve the future, and I
12 say there isn't much risk in predicting that Victoria
13 will grow and need electricity. No one that I know of
14 could have guessed how computers and cell phones would
15 change our way of life, and none of this would have
16 been possible without electricity.

17 The Victoria Advocate front page, November
18 22, 2010, headlines: "Utilities Thrilled, Worried
19 About Electric Cars Power Usage." I'm going to leave
20 this paper to go on public record with you. It says
21 here in the first part of the article that an electric
22 car can use approximately the same amount of
23 electricity as a small home. We're going to need more
24 electricity.

25 In closing I want to quote Thomas

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1 Jefferson. Inside the Jefferson Memorial it is
2 written, in part: Laws and institutions must go hand
3 in hand with the progress of the human mind. As that
4 becomes more developed and enlightened, as new
5 discoveries are made, new truths are discovered and
6 manners and opinions change with the change of
7 circumstances, institutions must advance to keep pace
8 with time.

9 There will be a time for nuclear power and
10 I think this community will embrace that time when the
11 economic stars line up. Thank you.

12 I'd like to thank the Nuclear Regulatory
13 group and the Corps of Engineers and Exelon officials
14 that are all here, and I thank Dale Fowler, the head
15 of our Economic Development Corporation coined a
16 phrase, he called it Nuclear Tourism. You're
17 certainly always welcome in our town and we want you
18 to come back often. Thank you.

19 (Applause.)

20 MR. CAMERON: Thank you very much, thank
21 you, Mayor.

22 Next we're going to hear from Marilyn
23 Kray, who is a vice president with Exelon, to tell us
24 a little bit about Exelon's vision for the project.
25 Marilyn. And then we're going to go to Donald Day.

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1 MS. KRAY: Thank you, Chip.

2 I thought it would be best to preface my
3 remarks by first giving you what I think Exelon owes
4 you and that is a description of what our strategy and
5 what our plans are.

6 If you recall, a few years there was a
7 sense of urgency where we were seeking a license from
8 the NRC to construct and operate a plant here at the
9 Victoria site, and what was alluded to before,
10 certainly the economic downturn has had a significant
11 impact on our strategy, specifically the demand for
12 electricity and also the price of natural gas. And if
13 you wonder why we're concerned about the price of
14 natural gas, overall that's a great thing for this
15 country to be more self-sufficient and independent
16 from an energy perspective. Natural gas, however,
17 sets the price essentially for electricity. That's
18 important to us because that price of electricity is
19 what we use to calculate what the revenue would be
20 associated with the plant that we were to build.

21 So it no longer became prudent for us to
22 pursue the immediate deployment of construction of a
23 plant here in Victoria. However -- and this is very
24 important -- we do see the long-term benefit of
25 nuclear power, we see the need to have a diverse fuel

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1 portfolio that is comprised not only of coal,
2 renewables and gas but also of nuclear, and also the
3 need for clean energy.

4 So with that, that is what caused us to
5 revise our strategy. We withdrew the application that
6 we had previously submitted to the NRC to construct
7 and operate a plant, but we replaced that with the
8 application to pursue the early site permit which is
9 why we're here today, and that permit allows us to do
10 the analysis to demonstrate, first to ourselves and
11 then to the NRC, the suitability of this particular
12 site here in Victoria. How that benefits us is that
13 should we later decide to pursue the license, we will
14 have saved a significant amount of energy and effort
15 whenever we go forward with that.

16 So again, for those of you that were
17 interested, whether you were in favor or opposed, I
18 thought you needed to again understand what our
19 strategy going forward is.

20 There's just three quick things that I
21 would like for you to know about Exelon if you don't
22 already, the first of which, safe operations, is the
23 cornerstone of our company, not just of the individual
24 plants, not just of the nuclear generation but of the
25 corporation. Nuclear operations are truly the

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1 backbone of our company and the safe operation is what
2 makes that successful.

3 Secondly, we're committed to the
4 environment. If you're interested I would encourage
5 you to Google Exelon 2020, and that sets forth what
6 our policy is looking to reduce greenhouse gas
7 emissions between now and the year 2020, and that's
8 just one example of the commitment the corporation
9 does have to the environment. And that commitment
10 essentially provided the context, the motivation that
11 we had whenever we went through the painstaking effort
12 that we did to prepare the analyses that we did that
13 are contained in the environmental report which was
14 part of our early site application.

15 And then lastly, we're committed to the
16 communities. There's a very measurable part about our
17 community commitment in the form of tax revenue, jobs,
18 and I can refer you to different studies whether you
19 want to look at the impact that plants have had,
20 whether they be Exelon plants or any other plants in
21 the United States

22 But the other one that doesn't get
23 probably as much attention is the social commitment
24 that we have. We operate 17 units that are located at
25 ten different plants in the United States. I live

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1 within six miles of one of them, my kids went to
2 school at schools that were in the emergency planning
3 zone, and all of our workers, we live and we work in
4 those communities. We go to the same schools, to the
5 same churches, to the same synagogues; we volunteer to
6 coach soccer and basketball and whatever else that it
7 is. So essentially we would become part of that
8 community.

9 And myself and the other Exelon colleagues
10 who have visited Victoria have all come back with the
11 same thing: one, we hate flying into Houston, but
12 two, we love it once we get into Victoria because this
13 community has truly embraced us and it is a wonderful
14 place to live and to raise a family and those are the
15 kind of neighbors that we would like to be and
16 certainly the neighbors we would like to have.

17 So I welcome your participation and thank
18 you for the opportunity.

19 (Applause.)

20 MR. CAMERON: Thank you, Marilyn.

21 And this is Donald Day, and then we're
22 going to go to John Figer and Dr. Sheldon Landsberger.

23 MR. DAY: Good afternoon, ladies and
24 gentlemen. It's a pleasure to be here. I didn't know
25 that I was going to have to follow two famous

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1 politicians, not infamous but famous, and quite glib
2 too, but it is a pleasure to be here.

3 I stand in support of Exelon's plan to
4 eventually -- and I say eventually -- build a nuclear
5 generation site here in Victoria. I am a layman, I'm
6 a small business owner and I'm chairman of the
7 Victoria Economic Development Corporation, and I
8 certainly would not like any project that would come
9 to Victoria that would disturb the environment as I
10 know it, that would actually destroy the environment
11 of where I live, and I do that in recognition that
12 this plant would do a lot of good for the environment.

13 One of the things that I think the Mayor
14 mentioned about the number of electric cars that are
15 supposed to be online in the next few years, I think
16 it's 2020 they expect somewhere between 10- and 20
17 million electrical vehicles, not hybrids but
18 electrical vehicles. We do not have enough electrical
19 generation capacity to support that. We need a
20 generation plant.

21 Last May the EPA issued what is called a
22 Tailoring Rule to govern new power plants that emit
23 100,000 tons or more of carbon dioxide, methane,
24 nitrous oxide and some other emissions of greenhouse
25 gases. That will severely impact the majority of our

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1 coal plants, even out newest coal plant that is soon
2 to be under construction out here at Coletto Creek. We
3 are greatly limiting our infrastructure of generation
4 facilities.

5 So I am in support of it. It would make a
6 tremendous economic impact here in Victoria. Without
7 denying, it would help all businesses and I think help
8 all citizens by having jobs available. Our coal plant
9 that's going to be constructed just over the county
10 line will certainly bring about 2,000 construction
11 workers in the very near future. Our recently
12 announced Caterpillar production plant here is going
13 to bring a significant number of well-paying jobs to
14 the area. And this generation facility would just top
15 off that and be an outstanding for the citizens of
16 Victoria County and the region.

17 Thank you very much.

18 (Applause.)

19 MR. CAMERON: Thank you, Donald.

20 And John Figer. You want to wait a little
21 bit? Okay, fine.

22 Dr. Landsberger, do you want to come up?
23 We're asking for people who do want to talk to come
24 and join us at the podium, if you wouldn't mind doing
25 that. Thank you.

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1 DR. LANDSBERGER: Good afternoon. It's
2 certainly a pleasure to be back here, I think for my
3 third or fourth time. My name is Dr. Sheldon
4 Landsberger. I'm the coordinator of the Nuclear and
5 Radiation Engineering program at the University of
6 Texas.

7 It would seem that the two other people
8 before me were going to talk about what I was going to
9 be talking about, electric cars. I have a family and
10 in my family are four people and four cars, and I can
11 tell you that hardly two weeks passes by when there
12 isn't some sort of emergency in one type of car or
13 another.

14 I've recently been thinking about buying a
15 car and instead of going hybrid I was going to go all
16 electric, and I immediately found out just within the
17 last two weeks just how much electricity is needed for
18 an electric car. It's been said that it may be even
19 as much as one small house.

20 And so I can tell you that the future is
21 going to be electric cars, it may not be next year or
22 within five or ten years but certainly within 30 or 40
23 years most of our cars are going to be some sort of
24 electrical-powered vehicles. And to that end, I'm
25 going to tell you that there's not many places that

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1 you're going to be able to get electricity at night.
2 It's not going to come from the sun and there's a lot
3 of wind which sort of dies down in the evening, and
4 thus, there are some real hard choices that have to be
5 made. At least in my case it would be a rather easy
6 choice that electricity which comes from nuclear power
7 plants will play a real integral role in trying to
8 reduce greenhouse emissions, particularly from all our
9 vehicles.

10 Having said that, I would like to say that
11 both the University of Texas and Texas A&M
12 University -- which has the largest nuclear
13 engineering program in the world -- now are very
14 committed to training our undergraduate students, as
15 well as our graduate students, in nuclear power and as
16 well as placing them into the nuclear industry as well
17 as the Nuclear Regulatory Commission.

18 Thank you.

19 (Applause.)

20 MR. CAMERON: Thank you, Dr. Landsberger.

21 And I realize that we might have caught
22 some of you off guard with the arcane mechanics of the
23 public meeting structure. When we were here the last
24 time for public outreach, what's called a public
25 outreach meeting, it's all done with all of you in the

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1 audience. This meeting, as an official scoping
2 meeting where we get comments on the transcript, we
3 ask people to come up to the microphone to address us.

4 And with that, I'm going to ask John Figer to come up
5 to the podium. Thank you, John.

6 MR. FIGER: I wasn't expecting to come to
7 the podium but since I'm here, my name is John Figer.

8 I'm a resident at Paradise Ranch. I was formerly
9 affiliated with Texans for a Sound Energy Policy; I
10 have not been with them for a year now, so to make
11 sure that those comments that I heard earlier have not
12 generated any more.

13 The Mayor and County Judge had a really
14 good speech, and what really caught my ear was not-in-
15 my-backyard. Well, folks, this nuclear plant that is
16 proposed is in my backyard. I will be able to throw a
17 baseball from my front door and hit the pond.

18 I also have had a lot of concerns about
19 the proposed heavy haul road. The proposed heavy haul
20 road is also our ingress/egress to our property and
21 Exelon has not discussed any of those issues with us,
22 how we will continue to ingress/egress our property
23 while the heavy haul road is under construction.

24 So I guess with those comments I would
25 just like to throw a question out to NRC and the Army

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1 Corps of Engineers: Through this environmental impact
2 study, is my health, safety and welfare going to be
3 protected?

4 Thank you very much.

5 (Applause.)

6 MR. CAMERON: Thank you, John. And I know
7 that the NRC staff will probably want to talk to you
8 after the meeting and talk to you about that last
9 question that you asked.

10 We're now going to go to Dale Fowler, and
11 then to Connie McMaster and Dan McMaster.

12 MR. FOWLER: Good afternoon. I'm Dale
13 Fowler, president of the Victoria Economic Development
14 Corporation. I want to welcome all of you here, our
15 citizens certainly, our guests from out of town, NRC.

16 From an economic development perspective,
17 it's easy to get pretty excited about a project like
18 this. Dr. Ray Perryman, a well known Texas economist,
19 suggests that this project alone should increase the
20 overall economy of this region by over 11 percent, it
21 will create millions of dollars for the local taxing
22 entities in new tax revenues and thousands of jobs
23 around the region, 700 at least right at the nuclear
24 facility of permanent jobs and good incomes.

25 We're going to need the power in Texas.

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1 Our area needs these jobs, but we don't need them at
2 all costs and no one is really suggesting that that
3 I've heard here today.

4 To the NRC, you're our partners in this,
5 we're counting on your process to make sure that we
6 have one of the safest and most reliable nuclear
7 facilities on our planet. I believe that with your
8 help and your oversight, Exelon can build a facility
9 that will rival or surpass the safety record and the
10 reliability record that we've grown to expect in this
11 region form our neighbor in Matagorda County, the
12 South Texas Project, and we've all lived within 60
13 miles of that project for 30 years. We hope that
14 because of the factors through your investigation that
15 you will grant Exelon this early site permit.

16 Thank you.

17 (Applause.)

18 MR. CAMERON: Thank you, Dale.

19 Connie McMaster, and then we'll go to Dan
20 McMaster.

21 MS. McMASTER: Thank you. My name is
22 Connie McMaster. I live at Paradise Ranch, also at my
23 back door, like Mr. Figer. I don't speak for the
24 whole ranch but right now I'm president of the ranch
25 and we have around 2,400 acres totally out there and

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1 we have 20 owners, and some years ago this was
2 primarily a hunting ranch but it's becoming a home to
3 a lot more people now. We have at least five
4 residents that are out there full time.

5 When Exelon did start all of this and I
6 was talking with one of the representatives of Exelon,
7 they told me at that particular time Paradise Ranch
8 would not be involved at all. Well, we come to find
9 out four months later Paradise Ranch is definitely
10 involved. They want to put a heavy haul road right
11 through the middle of our property. That would cut
12 off, like Mr. Figer said, our ingress and egress to
13 our ranch; we would have no way to get in there.
14 They're asking for four years for this

15 Well, they were trying to lease or buy --
16 I guess lease a 60-acre tract which would be about 200
17 feet wide and they are saying they would have the
18 exclusive right to use that heavy haul road to get to
19 the barge canal across the Guadalupe, and that would,
20 like I say, cut off all access that we have at all.
21 So far I've not heard anything or anyone from Exelon
22 telling us how we're supposed to get in and out of our
23 subdivision which we are now a recorded subdivision.
24 We also have a public water system and if there's any
25 type of leakage whatsoever to go into that, that's

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1 going to affect the 20 owners.

2 Yes, it's in my backyard; yes, I don't
3 like it in my backyard. I moved there as retirement
4 and for hunting and for the peace and quiet which I
5 won't have now. I'll have the noise, the dust, the
6 lights and still the worry what's going to happen.

7 Also, the emergency information that was
8 gathered by Exelon before, we were never included in
9 that, your closest neighbor; we were never even
10 notified about it. We still have a question of how
11 we'd get out if there was an emergency. I understand
12 that in April 2009 Exelon had a leak that reached the
13 major underground aquifer that supplies much of
14 southern New Jersey. What if something like that
15 happened to our ranch, what if it got into the
16 Guadalupe, what if it affects the cows, the deer --
17 the hogs I'd just as soon it would affect -- but right
18 now I'd rather all the animals that we have out there.

19 Craig Nesbitt, vice president of
20 communications for Exelon, on May 7, 2008 was quoted
21 in the Victoria Advocate as saying the refusal for the
22 Paradise Ranch landowners to enter the proposed
23 agreement, refusal for them to enter the proposed
24 agreement won't stop the project of this size from
25 coming to fruition.

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1 I feel they can be careless real easy out
2 there. There again, how do I get out from across the
3 Guadalupe? I think that makes Victoria pretty much of
4 a target. I've not seen anything or heard anything
5 about what they plan to do. And safety is a main
6 concern.

7 I've heard you mention today about the
8 wildlife, the safety and the water. I've yet to hear
9 what will be done to fix that because from what I'm
10 seeing our wildlife will be totally cut off. We've
11 seen drought out there in the five years I've been
12 there.

13 And safety, when you talk about South
14 Texas Nuclear Plant, I retired from CenterPoint
15 Electric in Houston and South Texas was part of ours,
16 and I've heard from quite a few people down in
17 Matagorda that are not happy with it being in their
18 backyard.

19 So I thank you for listening and I hope
20 that some of these questions will be answered because
21 right now I definitely don't want it in my backyard.

22 (Applause.)

23 MR. CAMERON: Thank you, Connie.

24 And Dan. This is Dan McMaster.

25 MR. McMASTER: Good afternoon. My name is

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1 Dan McMaster. I'm also from Paradise Ranch.

2 And they've covered pretty much everything
3 that needs to be covered. I just want to emphasize
4 the fact that Paradise Ranch is one of the most unique
5 ecosystems I have ever seen in my entire put-together.

6 It has every type of wildlife that's indigenous to
7 this part of the world. Not just Paradise Ranch but a
8 whole lot of the Guadalupe River bottom will be
9 affected. We're not the only ranch there. There are
10 two ranches adjacent to ours that will be affected in
11 the same manner: it's the Stubblefield Ranch and then
12 the John Gibbs Ranch which surrounds a lake that's
13 just below ours, Lynn Lake.

14 All of these properties include wildlife
15 that is going to be totally disoriented and disturbed
16 if we put a heavy haul road all the way from 77 down
17 to the turn that goes to our ranch and then across our
18 ranch to the Guadalupe and then to the barge canal.
19 This road will go through wetlands, high hardwood
20 forests, it will go across slews, bayous, creeks,
21 every type of wildlife habitat that you will see
22 anywhere will be found in this part of the world, and
23 the impact from this sort of thing I can't estimate
24 and I don't think anybody else can either until
25 perhaps some of the people from Exelon and the NRC

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1 come out and ride around this area and see what we
2 have to offer and what is going to be disturbed.

3 That's all I have to say.

4 (Applause.)

5 MR. CAMERON: Thank you, Dan.

6 And I'm going to turn this over to my
7 colleague, Sara Mroz, to lead us through the rest of
8 the speakers. Sara.

9 MS. MROZ: Thanks, Chip.

10 Next up we have Jeff Lyon, and then he'll
11 be followed by Janice Scott so if you want to get
12 ready for your comments.

13 MR. LYON: Good afternoon. My name is
14 Jeff Lyon. I'm here representing the Victoria Chamber
15 of Commerce.

16 Two years, as chairman of the board of
17 directors of the Chamber, our board gave unanimous
18 support of the location of Exelon's nuclear power
19 generation facility in Victoria County. Today, with
20 more facts and more information available to us, the
21 Victoria Chamber of Commerce position remains the
22 same.

23 Our Chamber of Commerce recognizes and
24 endorses the potential creation of 2,000 construction
25 jobs that will last for several years and the fact

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1 that the facility will create approximately 700
2 permanent jobs that will have an average salary of
3 \$70,000 annually which in turn will contribute greatly
4 to the area's economy in the form of local tax revenue
5 and a \$2.6 billion and potential additional revenues
6 based on economic multipliers. This, of course, does
7 not take into account the potential spinoff jobs that
8 will be created as well.

9 The Victoria Chamber of Commerce
10 additionally supports the data supplied for the
11 planned water usage that is deemed necessary for the
12 operation of this facility. The fact that the plant
13 would be designed to minimize water use is crucial to
14 this region. The Victoria Chamber of Commerce
15 supports the fact that nuclear energy reduces the
16 greenhouse gas effect since it does not burn anything
17 to generate electricity. And since it will be a
18 source of emission-free electricity, the Nuclear
19 Energy Institute projects that the volume of
20 greenhouse gas emissions prevented already at the
21 nation's 104 nuclear energy plants is equivalent to
22 taking nearly all passenger cars off America's
23 highways for one year. The Chamber of Commerce feels
24 it's important that the Victoria region play a vital
25 role in reducing an energy company's carbon footprint.

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1 The Victoria Chamber of Commerce further
2 supports the proposed plan by Exelon for emergency
3 preparedness. Exelon has made it a top priority and
4 combined with the oversight of the NRC and FEMA,
5 Exelon will become a partner in the safety of the
6 area's citizens. The Chamber further supports
7 Exelon's proposal of building a nuclear energy plant
8 that will be constructed with comprehensive modern
9 safety systems with every system having independent
10 backups.

11 In closing, the Victoria Chamber of
12 Commerce is convinced that the location of the
13 facility in Victoria County will create jobs, a better
14 quality of life, and contribute to the correction of
15 the world's energy problems.

16 Thank you for allowing me this time.

17 (Applause.)

18 MS. MROZ: Next we have Janice Scott, and
19 then we'll have Elton Calhoun after that.

20 MS. SCOTT: Good afternoon. My name is
21 Jan Scott. I moved to Victoria about 30 years ago and
22 through that whole time, just like my jacket, I'm
23 green inside, however, I fully support Exelon coming
24 to this community, I fully support the construction of
25 the project. I am a member of the Victoria Economic

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1 Development Corporation. I also am an attorney and a
2 businessperson in private practice. For those of you
3 that know me, I'm very involved in the community

4 Before I moved to Victoria as a
5 businessperson, I did some post-graduate studies in
6 Galveston in the marine biology area. I had an
7 opportunity to work with the government services in
8 Galveston and I found the government scientists to be
9 extremely concise, careful, conscientious, and
10 oblivious to political influences. I have that same
11 faith in the scientists that will evaluate the
12 information that has been given and that will be given
13 in Exelon's environmental impact information that they
14 provide.

15 I also feel very comfortable that Exelon
16 will make ample preparation for itself, as any prudent
17 business would, as far as any types of water usage. I
18 don't think that a drought happens overnight, I think
19 that everybody can be aware when drought conditions
20 are occurring. Exelon is making ample opportunity to
21 have enough water to help them shut down in an orderly
22 fashion should there be a water shortage. We have
23 plant shutdowns in this area all the time and they're
24 not really anything of great consequence except to the
25 people involved in the plant, and I envision that

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1 should there be a water shortage we would have that
2 same situation with a responsible company such as
3 Exelon.

4 Thank you. I wholeheartedly support their
5 impact and everything they can do for our community.

6 (Applause.)

7 MS. MROZ: Thank you for your comments.

8 Elton Calhoun, and then we'll have Carol
9 Garriott.

10 MR. CALHOUN: I'm sorry I didn't come
11 earlier. Jeff Lyon's comments was what I was going to
12 make; I think he copied what I was going to say. I'm
13 Elton Calhoun. I'm a business owner here in Victoria.

14 I'm a member of VEDC but today I'm representing the
15 Port of Victoria.

16 We endorsed the nuclear power plant two
17 years ago when it was started and we continue to
18 endorse the nuclear power plant. The things that
19 Mayor Armstrong, Judge Pozzi, Dale have said about
20 this, we all agree that this is a good project to have
21 here in Victoria.

22 When this project comes to Victoria, the
23 infrastructure that comes to the Port of Victoria will
24 enhance the port not only for Exelon but for many,
25 many future projects and bring many, many jobs to

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1 Victoria for other economic development.

2 The one point I want to make, you know,
3 I'm in the steel business and in the 20th Century I
4 watched the U.S. go from a number one steel supplier
5 to almost the last steel supplier with obsolete plants
6 before in the mid '80s they started building new
7 plants here in this country. My wife and I have had
8 extensive travels to other countries over the last ten
9 years and in most of these countries they have nuclear
10 power plants and they're safe and they're proud of
11 them, they're doing a good job for them. We're
12 falling behind. If we don't do something with nuclear
13 power, we're going to be behind the 8-ball when the
14 time comes to provide electrical power for this
15 country.

16 Thank you very much.

17 (Applause.)

18 MS. MROZ: After Ms. Garriott we'll have
19 David Huber.

20 MS. GARRIOTT: Hello, everyone. To my
21 friends and fans I'm known as C.J. Garriott, just to
22 keep things straight. I'm an author, a publisher, a
23 librarian, a member of the Seadrift Lions Club, an
24 environmentalist and a homeowner on San Antonio Bay,
25 not necessarily in that order.

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1 It has occurred to me sometime back
2 communities and counties on the lower end of a river
3 system are held hostage to the upriver usage of the
4 water in that river, quite often with no voice in how
5 the river water is used before it gets down to them.
6 I kind of feel like that's the situation here. The
7 plant seems to be good for jobs and economy and
8 prosperity for Victoria but no one seems to be
9 concerned about the agricultural farmers, fishermen,
10 shrimpers, oystermen, people that make their living on
11 the water, on the bays of San Antonio Bay.

12 If not enough freshwater comes down that
13 river in a dry year, damage is done to the whooping
14 cranes, witnessed the die-off of over 20 in the last
15 two years because of lack of freshwater coming down
16 the river. And that's the situation of the river
17 usage right now without the addition of a gigantic
18 plant.

19 One thing I'd like everyone to think about
20 in okaying this project would be the quality, the
21 consumption and the impact of withdrawing water from
22 that river for this plant. Additional withdrawals
23 seems to me at the very least ill-advised.

24 I thank you for letting me have this say.

25 (Applause.)

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1 MS. MROZ: I see Mr. Huber is making his
2 way up. After he's done we'll have Helen Knebel.

3 MR. HUBER: Good afternoon. My name is
4 David Huber. My family has been residents of this
5 area for a long period of time. My mother was
6 actually born and raised on what they call the
7 Paradise Ranch. My grandfather built the levee that's
8 going to be your heavy haul road, and I'm very
9 concerned about this plant in our community. It's not
10 so much not-in-my-backyard as why in my backyard.

11 I live seven miles from where the plant is
12 proposed to be. I'm on San Antonio River Road now. I
13 have land in the neighborhood of where this plant is
14 expected to be built, and I don't understand why we're
15 using a minimal water source which is pretty much
16 spoken for, such as the Guadalupe River, to supply a
17 nuclear plant that's going to deliver power to other
18 places. No one has said anything about the electric
19 power from this plant being for our area. My
20 understanding is that the plant is going to produce
21 electricity and by the use of eminent domain, whatever
22 is necessary, they're going to build transmission
23 lines and send this power to far-away places. So the
24 question is why in my backyard?

25 There again, I say I live on San Antonio

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1 River Road. Yesterday I noticed a rancher build a
2 fire down on San Antonio River Road farther on the
3 other end closer to Highway 77. They were burning off
4 unwanted grass. The some from the fire went up to
5 probably 8- or 10,000 feet and formed a cloud. When
6 the cloud drifted, it drifted to the northwest from
7 the ranch where it was burned.

8 I was in Victoria yesterday afternoon,
9 2:30 or 3:00 in the afternoon. I don't know if
10 anybody noticed all the haze and smoke in Victoria,
11 but that was a direct result of that fire. The
12 significance of that may not be important until you
13 realize that that is across the road from where this
14 plant is proposed to be built. If there were a
15 disaster there, Victoria would be in the direct line
16 of the travel of any fallout from that plant.

17 I've heard talk today about the benefits
18 to our community. No one has addressed the fact that
19 the school taxes from this plant will go to Refugio
20 County since the McFadden Independent School District
21 has opted to be part of Refugio County. I haven't
22 heard a word about the tax abatement will probably be
23 in the neighborhood of ten years which by then the
24 plant will be worth quite a bit less when it is taxed.

25 As far as environmental, there are a lot

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1 of species that enjoy that piece of property right
2 now. It's one of the prime quail hunting areas in our
3 neighborhood. There are guided hunts going on on that
4 place occasionally. I know of some people who have
5 hunted there and they say it's probably the best quail
6 hunting in Victoria and surrounding counties.

7 I have questions about the heat generated
8 by this plant. I've seen very small things affect our
9 weather in the area and we have a hot environment in
10 the summer to begin with. It takes a lot to cool a
11 plant of this size and the added heat, the fact that
12 it's going to go up, I expect has a potential of
13 affecting our weather.

14 I'm concerned about the blow-down, the
15 water they're going to put back into the Guadalupe
16 River every time they flush their plant. I'm
17 concerned about the casualty survey. I haven't seen
18 anything about what potentially could happen if there
19 was a disaster at the plant.

20 Nationally we have not done anything to
21 really solve the problem of waste disposal. When we
22 talk about clean electric cars, has anyone considered
23 the carbon footprint of nuclear power? What about the
24 mining, the milling, the processing, the
25 transportation? All of that is carbon-based, it's not

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1 something that has to do with running a nuclear plant
2 other than the supply is not as clean as you might
3 imagine.

4 I guess in concluding this I would say
5 that from what I've heard today I'm very concerned,
6 and the way it's being coated over, I'm really glad I
7 wore my boots to Victoria, Texas.

8 Thank you.

9 (Applause.)

10 MS. MROZ: Okay. Next up we have Helen
11 Knebel, and then we'll have Harold Dolezal. I
12 apologize if mispronounce anyone's name.

13 MS. KNEBEL: I don't have a whole lot of
14 things to say. I am a neighbor of this -- will be a
15 neighbor of this plant. With my bad arm I could
16 probably throw a tennis ball into the water.

17 I just have some questions. I have a
18 right of way right now going to our ranch and will I
19 be able to maintain that right of way? It's just over
20 a railroad track. And if there's any prospects of
21 drilling for oil, gas or water, will that be possible
22 or will it hurt us? And hunting, that's one of our
23 big incomes and the story that's going around right
24 now is they're saying we will not be able to use guns
25 within five miles of this plant.

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1 Like I say, the pond will probably be -- well, it's
2 just over the railroad track, let's put it that way.

3 My last comment would be -- and I've said
4 this years ago -- put a desalination plant down by the
5 Gulf and you can ship water all over the place. I was
6 in Sweden, 1984, in the marketplace the fruit and
7 vegetables were beautiful. I said, Where in the world
8 do you get these fruits and vegetables? We get them
9 from Israel. I said, Well, how do they grow them?
10 Desalination of the sea. Why can't we do it here?

11 Same way with years ago sitting in the
12 café at McFadden, the engineers were planning building
13 this five-foot diameter pipeline. It goes right
14 through where this plant will be and it comes from
15 Lake Jackson. This is the Corpus Christi people. I
16 said, Why not build that desalination plant? You'll
17 be able to sell water to everybody, it will pay for
18 itself.

19 Well, that's all I have to say, but I'm
20 not against nuclear power. I came here from Atlanta,
21 Georgia, my husband was in the electrical business,
22 and early '70s our friends who were with Georgia
23 Power, Mississippi Power -- and it was conglomeration,
24 I can't remember what they called it, they owned all
25 those big power plants -- they were just so excited

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1 about building nuclear power plants. But Lord, I
2 never expected to have them in my back door.

3 Thank you.

4 (Applause.)

5 MS. MROZ: After Mr. Dolezal we'll have
6 Tom Forbes.

7 MR. DOLEZAL: Thank you for letting me
8 speak. I'm a landowner in McFadden next to where the
9 nuclear plant is going to be built. This ranch is a
10 really pristine ranch, very unique in its wildlife and
11 stuff. When I bought my property I put a high fence
12 for deer and cattle operations. During the test wells
13 that you did for the soil sample, I had enormous
14 amounts of bobcats, coyotes, hogs, every animal came
15 to my place. I hope some of them go north of Victoria
16 when this gets built.

17 The factors I have against this are this
18 plant is going to be positioned between two major
19 waterways, the San Antonio River and the Guadalupe
20 River. You are going to use our water to supply this
21 plant. We'll have electricity but we won't have water
22 later probably, and we probably won't have any
23 whooping cranes.

24 It's close to you say a secure border. Is
25 it secure? We don't know. Terrorists could drive

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1 over here in the morning, terrorize it and be back
2 across the border by the afternoon. I mean, it's
3 something we have to look at. RPG from Highway 77
4 could do some damage.

5 There have been several oil wells that
6 have been drilled out there in the '50s, '60s and 2009
7 that have had blowout holes. There is one with a
8 derrick and all the Haliburton trucks and everything
9 in that hole on that ranch. Has the soil really been
10 tested? Is it safe?

11 City and county officials want the nuclear
12 plant for Victoria. Put it in your backyard north of
13 Victoria next to the mall. Victoria has Caterpillar
14 already which is an environmentally safe company. You
15 be the judge of this right now, 10 years from now, 20
16 years from now, especially when the plant will be
17 paying Refugio school taxes.

18 Thank you.

19 (Applause.)

20 MS. MROZ: Thank you. Mr. Forbes, and
21 then we'll have Sue Gibbs come up.

22 MR. FORBES: Good afternoon. My name is
23 Tom Forbes. I'm a lawyer in Austin, Texas and
24 president of the Nuclear Energy for Texans.

25 NET is an organization made up of public

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1 officials, civic and business leaders, academics,
2 environmental groups, health organizations, chambers
3 of commerce, labor unions, trade organizations,
4 professional associations and others, all united in
5 support of the nuclear industry in Texas. We're in
6 support of this project. The reason NET was organized
7 was to voice that support for three reasons: one,
8 nuclear energy is safe, nuclear energy is clean,
9 nuclear energy is reliable

10 Currently used nuclear fuel which cannot
11 explode and cannot burn is safely stored onsite at all
12 104 commercial units in this country. Nuclear plants
13 are among the safest commercial installations in our
14 country. Containment structures where the reactors
15 are are strong enough to withstand enormous force
16 including direct aircraft impact.

17 Nuclear energy is clean. By way of
18 example, nuclear-generated electricity avoids almost
19 700 million metric tons of carbon dioxide, about 1
20 million tons of nitrogen oxide, and 3 million tons of
21 sulphur dioxide annually in the United States. The
22 South Texas Project and Comanche Peak which operate
23 here in Texas help Texas avoid emission of over 70,000
24 tons of sulphur dioxide, nearly 20,000 tons of
25 nitrogen oxide, nearly 29 million metric tons of

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1 carbon dioxide as of 2005. By way of example, 19,500
2 tons of nitrogen oxide is the same amount released in
3 one year by 1 million passenger cars. There are
4 nearly 9 million passenger cars in Texas.

5 Nuclear energy is reliable. The average
6 capacity factor for U.S. nuclear plants, that is how
7 much do they run 24 hours, seven days a week, nearly
8 90 percent in 2006 compared to a little over 70
9 percent for coal and 30 percent for wind and about 19
10 percent for solar. And although the oldest existing
11 U.S. commercial plant went online in 1969, there are
12 no old nuclear plants. They're constantly being
13 upgraded, replaced to ensure all plants operate with
14 the highest reliability.

15 Much has been said today about water.
16 Exelon has been clear that if the water isn't
17 available to build this plant, the plant won't be
18 built. So water is really not an issue regarding this
19 plant because if it's not available, the plant won't
20 be built. If it is built it will add immeasurably to
21 the economy of Texas and it will be operated safely,
22 cleanly and reliably.

23 Thank you.

24 (Applause.)

25 MS. MROZ: Thank you, Mr. Forbes.

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1 Sue Gibbs, and then we'll have Rose
2 Yendrey.

3 MS. GIBBS: I'm Sue Gibbs, owner of the
4 ranch adjoining the proposed nuclear plant. I
5 probably could throw a ping pong ball across. I'm
6 right next to it.

7 I spoke at the last open meeting and I was
8 told today that the comments at that meeting were not
9 recorded in the paperwork that was handed out to
10 everyone so they would know the concerns, so I decided
11 I better speak again today so it will be recorded and
12 my concerns can be heard.

13 We've used, lived, owned this place.
14 We've used it for 40 years; we've owned it, scraping
15 our pennies together and buying it 20 years ago. I
16 realize a nuclear plant will benefit many people in
17 Victoria and have a lot of open jobs for people that
18 are homeless now and have no money and have no income,
19 but I have a lot of concerns.

20 Exelon has been touted as a good neighbor
21 and I hope they are, but that was my concern last time
22 when I spoke. Good neighbors don't take locked gates
23 off the hinges and break into your property. Good
24 neighbors do not destroy archaeological projects that
25 have been dug with brushes and toothbrushes and little

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1 tools for 20 and 30 years. Good neighbors do not take
2 backhoes and come in and destroy four archaeological
3 sites that have been used by archaeological people of
4 Victoria and many of the items have been displayed at
5 the Museum of the Coastal Bend. Good neighbors do not
6 do that. Our judge earlier said that Exelon was open,
7 honest and we could count on them.

8 I have a concern when we talk about
9 wildlife. I know a lot of people sneer, you know,
10 wildlife is not near as important as the water and the
11 nuclear power and the jobs, and that's partly true.
12 But we have watched the eagles build nests and live on
13 our ranch every year for the last 20 years. Right now
14 my husband could not be here, he's down with some
15 friends today, and he said, The pelicans are just
16 flying back and forth over us this morning. There's
17 probably, he said, a thousand, I said several hundred
18 because I tried to take pictures. I said, Take some
19 pictures quick. And he said, It's dark, you can't
20 take pictures in the dark. But there are pelicans,
21 geese, flamingo, all sorts of bird, turkey, islets,
22 cats, hogs, and of course the deer. I mean, it's just
23 full of wildlife

24 The other concern that I have besides
25 destroying the wildlife and good neighbors would be

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1 the fact of the water. All of the papers I've seen
2 draw a big picture of the water available and include
3 the water in what's called Lynn Lake which is a lake
4 that's on our property. I'm concerned about the water
5 that's going into the Guadalupe and the heat that that
6 will put into the water. Will it kill the fish?

7 These little minute portions of toxin that
8 go through that will flow through the river to the
9 Calhoun County area. Right now Calhoun County has a
10 high cancer rate. We talked with some people in the
11 eastern part of the United States who are near the
12 Exelon plants who have an increased cancer rate. And
13 as a person who has dealt with cancer, massive cancer
14 for the past 2-1/2 years, I certainly do not want to
15 see an increased cancer rate anywhere.

16 So I'm just worried about what's going to
17 happen to our water supplies. I know that they say
18 there's lots of water, and I know that GBRA often
19 inflates the saltwater barrier so that the river is
20 very high and people brag about how much water is in
21 the river, but I've also seen it when we could walk
22 across the river and it's been very dry.

23 As my husband said when we talk about the
24 water and the water going into the river and into the
25 wells, maybe it will be safe. If they will drink what

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1 they're putting in the river, then you're probably
2 okay. I'd like to see them drink it.

3 (Applause.)

4 MS. MROZ: Next we'll have Rose Yendrey.

5 MS. YENDREY: As everyone is saying, I'm
6 concerned about the water table. For 30 years now our
7 water table has really dropped. I have two wells, and
8 I'm just afraid that they're going to put meters on
9 them, because our water table is dropping more than
10 any of you would know. So we're going to be limited
11 on how many cows we can have, and the farmers, our
12 land is not going to be any value because we're not
13 going to have any water. I do not really trust that
14 they're not going to take the water from under us.

15 I have a fish pond, as the crow flies,
16 about 2-1/2 miles and there's about nine ponds where
17 they're raising these farm fish. Our water table has
18 dropped from their use. And what I want to say is I
19 just feel like our property is going to go down.

20 And also if you check in Victoria County
21 how many cancer patients have come from that Wood Hi
22 area because we're going to be downwind. We're
23 already downwind from Formosa and Alcoa.

24 Thank you very much. I think we should
25 hang on to our water.

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1 (Applause.)

2 MS. MROZ: Thank you, Ms. Yendrey.

3 We don't have anyone else signed up to
4 give comments right now, but I wanted to see if there
5 was anyone in the audience who would like to share any
6 comments with us.

7 Would you like to come on up, sir? If you
8 could just share your name with us and your
9 organization, that would be great.

10 MR. GUISSSE: I'm a landowner. My name is
11 Paul Guisse.

12 The only thing that really concerns me is
13 everybody is talking about water. I'm on the fence on
14 this, because I am for nuclear energy, but the last
15 eight years we've seen these monster storms and the
16 tidal surge is something that I would be concerned
17 about. I was born and raised here in Victoria but
18 lived in Houston for a short spell and had property
19 there and when I believe it was one of the major
20 storms that was coming in, they said that the tidal
21 surge was going to go all the way to the Beltway.
22 That's like 25 miles from Galveston.

23 And I worked on the south Texas Project
24 back in the late '70s and there's containment ponds
25 that are cooled via turbine, so on and so forth. I'm

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1 not a scientist or anything, but what I would be
2 worried about is the water that's in those containment
3 ponds being caught in a tidal surge and brought right
4 into our backyard or front yard. This is something
5 that no one has brought up that I think that may be
6 something that needs to be addressed.

7 And another thing that I noticed that
8 hasn't been addressed is talk about the Guadalupe and
9 the San Antonio River, but what about Coletto? It's
10 the largest or one of the largest aquifers in the
11 State of Texas. And I have property over that aquifer
12 just in the vicinity and I have seen where the aquifer
13 comes right up to the surface, the water sand in the
14 summertime and it's wet there. So only a driller,
15 somebody that understands drilling would know that you
16 can hit water at eight feet just about anywhere up on
17 that aquifer. I realize it's higher above sea level
18 than Victoria, but still if that tidal surge on one of
19 these monster storms would push contaminated water
20 inland far enough, it would leach into that aquifer
21 because the water extends all the way to the surface.

22 And so that would be my concern.

23 And like I said, location, location,
24 location. My wife was riding on a jet plane with one
25 of the guys that came over here for environmental

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1 study and he said, Oh, it's a good place. But you
2 know, I think you need to review your statistics and
3 all of the things that you have on paper and check
4 some of this stuff out. I feel sorry for you.

5 Thank you.

6 (Applause.)

7 MS. MROZ: Was there anyone else who
8 wanted to make any comments today?

9 (No response.)

10 MS. MROZ: I'm going to turn the meeting
11 over now to Scott Flanders, who is the senior official
12 here from the NRC, just to offer some closing remarks.

13 MR. FLANDERS: Thank you so much. I
14 really appreciate everyone taking the time to come out
15 and participate in the public meeting. The comments
16 that we receive are a very important part of our
17 process and are very valuable to us. It's one key
18 component in terms of determining the scope of our
19 environmental impact statement, as Ryan talked about
20 earlier.

21 There's three principal piece we use.
22 There's the information provided in the application by
23 the applicant. They're required to provide detailed
24 information according to our regulations, detailed
25 technical information that we look at.

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1 Certainly the comments that we receive
2 here and the other comments that can be received in
3 writing as a part of the public scoping process. Keep
4 in mind you have at last another month until January
5 to provide any additional comments. There may be
6 other information that you gather as you continue to
7 look at this issue, as you hear comments from others
8 either at this meeting or at this evening's meeting to
9 take in and factor and provide comments to us.

10 So we take that information as well as our
11 own experts collecting information, visiting the site,
12 going out and understanding the environment itself,
13 taking all that information, and we use all that
14 information we've gathered to determine the scope and
15 content of the environmental impact statement to allow
16 us to assess what impacts could happen if a nuclear
17 power plant was built on that site which helps us form
18 our decision as to whether or not to actually grant an
19 early site permit. And that's for our environmental
20 review.

21 Keep in mind and as you saw in your slide
22 package and Tomeka talked about in her presentation,
23 there's a parallel review that's also going on that's
24 also a safety review that also has to be conducted and
25 many of the issues that we heard today are issues that

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1 will be covered in the safety evaluation as well. So
2 it's important to understand that it's the NRC's
3 process as an independent regulator to ensure that we
4 have reasonable assurance that this facility could be
5 sited there, could be operated, constructed safely,
6 protect the environment, and that we have these two
7 processes where we require ourselves to go through and
8 analyze this information and make an informed
9 decision.

10 So the next step after today's meeting and
11 this evening's meeting, we'll go off and complete our
12 work, the information we received here, the
13 application, the information from our own site audits,
14 the investigation work, we'll go off and complete that
15 work and then we'll be back after we've completed the
16 draft environmental impact statement that will be out
17 for public review, give you an opportunity to look at
18 that, an opportunity to comment, and we'll come back
19 and share our views on the work that we've done there.

20 I'll stop here. I again want to thank you
21 for taking the time and hopefully we'll see you again
22 this evening.

23 (Whereupon, at 3:00 p.m., the meeting was
24 concluded.)

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Pages 1-81

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1 UNITED STATES OF AMERICA
2 NUCLEAR REGULATORY COMMISSION
3 + + + + +
4 ENVIRONMENTAL SCOPING MEETING
5 FOR THE VICTORIA COUNTY STATION
6 EARLY SITE PERMIT

7 + + + + +
8 Thursday, December 2, 2010

9 + + + + +
10 Auditorium
11 Victoria Community Center
12 2905 E. North Street
13 Victoria, Texas
14 7:00 p.m.

15
16
17 FRANCIS X. "CHIP" CAMERON, Facilitator
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23
24
25

P R O C E E D I N G S

MR. CAMERON: Good evening, everyone. We just have a short announcement before we're going to get started, and the announcement relates to the availability of interpretation services for anybody who would like to hear things in Spanish tonight. And our two interpreters are Steve Mines, who is over there, and this is Sarita Gomez-Mola and she's going to tell people how to take advantage of interpretation services.

(Ms. Gomez-Mola addressed the audience in Spanish.)

MR. CAMERON: Thank you very much, Sarita. Well, welcome, everybody, to tonight's meeting and our topic tonight is going to be the Nuclear Regulatory Commission, the NRC, and the United States Army Corps of Engineers review process, particularly the environmental review that they are going to perform on an application that we got from the Exelon Nuclear Texas Holdings Company, who we're going to refer to as Exelon for the rest of the evening, an application that we received from Exelon for something called an early site permit, and the NRC staff will be telling you more about that in just a few minutes, but basically an early site permit would

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1 be the first step in the possible construction and
2 operation of nuclear power plants at a site here in
3 Victoria.

4 My name is Chip Cameron and it's my
5 pleasure to serve as your facilitator for the meeting
6 tonight, and I'm going to be assisted by my colleague,
7 Sara Mroz, who is right here, and Sara is in the NRC's
8 facilitation training program, and we'll both try to
9 assist you in having a productive meeting tonight.

10 I just wanted to tell you a little bit
11 about the meeting process so that you'll know what to
12 expect tonight, and the first thing I'd like to tell
13 you about is the format for the meeting and then a
14 little bit about some simple ground rules to help us
15 to have a productive meeting tonight, and then I'd
16 like to introduce the NRC speakers who are going to
17 talk to you tonight.

18 In terms of the format for the meeting, it
19 really is a two-part meeting and the first part is to
20 give you some information about the NRC's evaluation
21 process for this early site permit application, and we
22 do have two brief presentations on that to give you
23 some background.

24 We will have time after that to take a few questions
25 to make sure that we were clear about the process, and

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1 if we don't have time to get to everyone's questions
2 before we have to move to the second part of the
3 meeting, the NRC staff will be here after the meeting
4 to talk with you.

5 The second part of the meeting is the
6 primary objective of the meeting, and that's to listen
7 to your advice, your comments, your recommendations on
8 what the NRC should evaluate in its environmental
9 review for this early site permit application. And if
10 you do want to speak tonight if you could fill out a
11 yellow card, these cards that were out at the desk,
12 and then we'll know who wants to speak and how many
13 people want to speak tonight. We'll ask you at that
14 time to come up to the podium and talk to us.

15 Now, the NRC staff is also going to tell
16 you that they're asking for written comments on these
17 issues, and they'll tell you how to submit them and
18 when to submit them, and I just want to assure you
19 that anything you say tonight is going to carry the
20 same weight as a written comment, but you're also free
21 to submit a written comment even if you speak tonight.

22 And ground rules, very simple. The first
23 one is just please wait to ask your questions until
24 both of the NRC presentations are over, and that way
25 we can give you a complete picture of the review

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1 process. And if you do have a question, just signal
2 me and I'll bring you this cordless microphone and
3 please introduce yourself to us.

4 The second ground rule is I would just ask
5 that one person at a time speak so that we can give
6 our full attention to whomever has the floor at the
7 moment, and also so that we can get what I call a
8 clean transcript. We are taking a transcript. Nancy
9 King is with us tonight and she's our court reporter.

10 She'll be taking the transcript and that's going to
11 be your record and it's going to be the NRC's record
12 of what was said tonight.

13 The third ground rule is I just would ask
14 you to try to be brief and concise in your comments so
15 that we can make sure that we hear from everyone
16 tonight. I usually ask people to follow a three- to
17 five-minute ground rule in their presentation so that
18 we can hear from everybody. We don't have a whole lot
19 of speakers tonight so we're not going to be real
20 strict at all about that ground rule, but I would ask
21 you to try to keep it within the three- to five-minute
22 range tonight because we do want to hear what you have
23 to say.

24 And I would just thank you all for coming
25 out to help the NRC and the Army Corps of Engineers

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1 with their decision on this early site permit
2 application, and let me introduce the speakers from
3 the NRC to you.

4 First of all, we have Ryan Whited right
5 here, and Ryan is the chief of the Environmental
6 Review Branch within the Division of Site and
7 Environmental Review in the Office of New Reactors at
8 the NRC, and his branch is responsible for conducting
9 this review. And in a couple of minutes I'm going to
10 introduce the project manager for the review, but just
11 to give you an idea of Ryan's background, he's been
12 with the NRC for seven years and he's been involved in
13 the Low Level Waste Program, he was a member of the
14 staff of the Executive Director for Operations working
15 on budget issues before he assumed his position as the
16 chief of the Environmental Branch.

17 Before he came to the NRC he worked for an
18 environmental consulting firm. And his educational
19 background is a bachelor's in industrial engineering
20 from the University of West Virginia, he has a
21 master's degree in environmental engineering from
22 Clemson University, and he also has a master's in
23 business administration, University of Pennsylvania.
24 And Ryan is going to tell you a little bit about the
25 NRC responsibilities generally and give you a formal

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1 welcome tonight to the meeting.

2 After that we're going to go to Tomeka
3 Terry, and Tomeka is the project manager for the
4 environmental review on this application, and she's
5 going to go through the details of what the NRC looks
6 at in that review. And Tomeka has been with the
7 agency for approximately eight years doing
8 environmental review work on new reactors, and her
9 educational background is a bachelor's degree and a
10 master's degree, concentration in the environment,
11 from North Carolina A&T State University.

12 We have other people from the NRC with us
13 so I'll just introduce a couple of them. Our senior
14 NRC official is Scott Flanders right here, and Scott
15 is the division director of the Division of Site and
16 Environmental Reviews at the Office of New Reactors.
17 And to give you the hierarchy: Scott, division
18 director; Ryan, branch chief within Scott's division;
19 Tomeka, project manager on environmental reviews
20 within Ryan's branch.

21 Tomeka is going to mention, I think, that
22 we also do a safety review on these early site permit
23 applications, and we have the safety review project
24 manager with us tonight, Janelle Jessie. We also have
25 Alicia Williamson here and Alicia is also working as a

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1 project manager on the environmental review. And we
2 have some other NRC staff here. From our regional
3 office in Arlington, Texas, we have our public affairs
4 officer, and we have various experts and NRC staff on
5 areas such as radiation protection, ecology, emergency
6 preparedness and other items to make sure that we can
7 answer all of your questions, and they're here after
8 the meeting and would love to talk to you about
9 whatever concerns or questions that you might have.

10 And with that, let me ask Ryan to start us
11 off. Ryan.

12 MR. WHITED: Thank you, Chip.

13 Good evening. I'm Ryan Whited. I'm the
14 NRC branch chief for the Victoria early site permit
15 environmental review. First I'd like to thank all of
16 you for coming this evening. We look forward to
17 hearing your comments and hope that we can provide
18 some useful information about the Nuclear Regulatory
19 Commission and our environmental review process for
20 the Victoria early site permit application.

21 The purposes of the meeting this evening
22 are to provide an overview of our review process and
23 the schedule for the environmental review, to describe
24 how you can provide comments on the scope of the
25 environmental impact statement, or the EIS, that we'll

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1 be preparing, and to listen to any comments that you'd
2 like to offer today.

3 Some of you may have attended one of the
4 public outreach meetings that we've held here in the
5 past to provide general information on the NRC's new
6 reactor licensing process. If you attended one or
7 more of these meetings, welcome back.

8 The meeting this evening is a little bit
9 different as we've initiated our environmental review
10 and are seeking your input into the scope of the
11 environmental impact statement that we are preparing.

12 You have local knowledge of the area, you know this
13 area best, and you may be aware of issues that are
14 important for us to consider during our review.

15 Following my remarks, Tomeka Terry, the
16 NRC's environmental project manager for this review,
17 is going to provide a brief overview of our process
18 for preparing the EIS, and at the end of Tomeka's
19 presentation she'll discuss further how you can
20 participate in our environmental review process, and
21 there are several different ways you can do that,
22 including providing your comments to us this evening.

23 I'd like to take a minute to introduce you
24 to the Nuclear Regulatory Commission. The NRC's
25 mission is to protect public health and safety,

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1 promote common defense and security, and to protect
2 the environment, and this evening we'll be focusing on
3 that third aspect of the NRC's mission.

4 We're an independent regulatory agency.
5 We license and inspect civilian uses of nuclear
6 materials, for example, at nuclear power facilities,
7 hospitals and universities. We're here this evening
8 because Exelon has applied for an early site permit,
9 or an ESP, to potentially construct and operate one or
10 more new nuclear units at the Victoria County Station
11 site.

12 It is important to note that Exelon has
13 not filed an application to build a reactor at this
14 stage. We're evaluating the proposed Victoria site to
15 determine whether it would be suitable should Exelon
16 decide to construct. Exelon would need to file a
17 separate license application should they decide to
18 move forward in building one or more nuclear units.

19 Part of our licensing review includes an
20 environmental review under the National Environmental
21 Policy Act, or NEPA. An early site permit from the
22 NRC qualifies as a major federal action that could
23 significantly affect the environment, and because it's
24 a major federal action, the NRC staff will prepare an
25 environmental impact statement that analyzes in depth

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1 the environmental impacts associated with the proposed
2 Victoria site.

3 In conducting our review, we assemble a
4 team of technical experts, about 30 experts in a
5 variety of areas such as hydrology, ecology,
6 socioeconomics to analyze issues like impacts to fish
7 and wildlife, the effect of developing the proposed
8 site on traffic patterns, impacts on water quality and
9 water availability, and as Chip mentioned, several
10 individuals on the Victoria team are here this evening
11 and they would be happy to talk to you and answer any
12 questions you may have in a specific area.

13 I did want to mention that the U.S. Army
14 Corps of Engineers, Galveston District, is our federal
15 partner in this review. They will be what's called a
16 cooperating agency in preparing the environmental
17 impact statement. The goal of our partnership with the
18 Army Corps is for our EIS to support both the NRC's
19 licensing process and the Corps' permitting process
20 for the proposed Victoria site if and when a permit
21 application is submitted to the Corps. We've been
22 working with the Army Corps on several of our
23 environmental reviews for proposed nuclear reactor
24 sites and we've found this relationship very
25 beneficial, given the Corps' expertise in assessing

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1 impacts to water and wetlands.

2 The project manager for the Army Corps,
3 Mr. Jayson Hudson, was not able to be here this
4 evening, so I'm going to take just a few minutes to
5 discuss the Corps' authority and their role in the
6 Victoria early site permit review.

7 The U.S. Army Corps is the federal agency
8 responsible for administering Section 404 of the Clean
9 Water Act and Section 10 of the Rivers and Harbors Act
10 of 1899. The Corps regulates the discharge of dredged
11 or fill material into all jurisdictional waters of the
12 United States and construction, excavation or
13 deposition of materials in or near such waters. The
14 Corps also regulates any work which would affect the
15 course, location, condition or capacity of navigable
16 waters of the U.S. Like the NRC's early site permit
17 process, U.S. Army Corps permit decisions are major
18 federal actions, and because of that they must also
19 comply with NEPA.

20 As a cooperating agency, the Army Corps
21 will be a member of the team that prepares the
22 environmental impact statement for the early site
23 permit review. The final EIS will serve as the
24 primary environmental document on which the Army
25 Corps' off-site alternatives analysis will be based if

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1 and when an application is submitted for a Department
2 of the Army permit. And again, at this time Exelon
3 has not applied for a permit from the Corps.

4 As I mentioned, the project manager for
5 the Corps is Jayson Hudson and I believe that Jayson's
6 contact information will be listed on the last slide
7 of this presentation.

8 That concludes my remarks this evening.
9 Again, thanks very much for coming to the meeting this
10 evening, and I'll now turn it over to Ms. Tomeka
11 Terry, our environmental project manager. Tomeka.

12 MS. TERRY: Thank you, Ryan.

13 I also want to thank you all for taking
14 the time to be with us today. My name is Tomeka Terry
15 and I am the environmental project manager at NRC. I
16 am leading of team of NRC experts and consultants and
17 I am in partnership with the Corps of Engineers. We
18 will conduct an environmental review on the Victoria
19 County Station site permit application considering
20 developing any large industry project and its
21 environmental effects involving any input. So this is
22 an important opportunity for you to share your
23 insights with us early in the review process.

24 I will repeat the request because your
25 involvement is that important to us. We appreciate

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1 that so many of you have come to listen to us and we
2 look forward to your assistance by sharing your
3 concerns and identifying those issues you think we
4 should consider in the scope of our environmental
5 review.

6 As you have heard from Ryan, Exelon
7 Nuclear Texas Holdings, known as Exelon, submitted an
8 early site permit application to NRC on March 25,
9 2010. An early site permit, or ESP, is an NRC
10 approval of a site that is suitable to host one or
11 more nuclear reactors. In making such decisions we
12 must consider the site safety characteristics, for
13 example, the effect of hurricanes on the power plant.

14 We need to consider the ability to develop an
15 emergency plan and we need to consider the potential
16 environmental impacts of building and operating a
17 plant.

18 Today we want to hear from you, your
19 concerns. We've identified some of the resource
20 areas that will be considered in the review to help
21 you focus your attention on environmental issues.

22 An early site permit is not authorization
23 to build or operate a plant, it is just a siting
24 decision that a particular location is suitable for
25 hosting a plant. An early site permit is an important

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1 tool to assist energy planners because they allow the
2 permit-holders to bank a site for up to 20 years and
3 allowing them to decide when the time is right to
4 proceed on a decision of developing a site.

5 Building and operating any reactor at this
6 site will still require the ESP permit-holder to apply
7 for another approval from NRC. That license is called
8 a combined license. As part of NRC's licensing
9 framework, there is a separate process as approval to
10 reactor design, independent of the site. That is
11 called a design certification.

12 So now you see how an early site permit
13 obtained in advance and a reactor design approval in
14 advance can work together with a combined license
15 application actually requesting approval from NRC to
16 build and operate a nuclear power plant.

17 This slide provides a high level overview
18 of our environmental process. This step-wise is how
19 we meet our responsibility under the National
20 Environmental Policy Act, known as NEPA. We started
21 our environmental review of an applicant's request
22 with our notice of intent to prepare an EIS and
23 conduct scoping. This is where we're at right now at
24 this stage. A notice was published in the Federal
25 Register on November 2, 2010. This notice started the

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1 60-day comment period. The scoping period provided an
2 opportunity for you, the public, to share your
3 comments on environmental issues relating to the early
4 site permit request.

5 We have come here today to give you
6 additional tools to share your comments with us. We
7 know that some of you are here just to gather
8 information before you provide us your comments. We
9 will give you information at the end of this
10 presentation on how to submit those comments to us
11 before the end of the comment period. Whether you
12 provide them to us today or later, they will carry the
13 same weight.

14 After we consider your comments, we will
15 continue to gather and analyze information regarding
16 our review, and then we will prepare the draft report
17 of our assessment of the impacts in the form of a
18 draft environmental impact statement, or DEIS. When
19 we do complete the draft, we're required to file it
20 with the Environmental Protection Agency in
21 Washington, D.C. and with the Dallas regional office.

22 At that time both EPA and NRC will issue a notice of
23 availability of the Draft EIS. We expect to issue the
24 draft in August 2012. If you have signed in and gave
25 us your contact information then you will be on the

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1 list to receive an electronic or a hard version of the
2 draft and the final EIS.

3 When we issue the draft we will invite you
4 to offer your comments on the EIS. While it is a
5 draft, it is not incomplete. It is a draft because
6 the public did not get to comment on it. As part of
7 our process of obtaining your comments, we will come
8 back here and we will have another public meeting to
9 share the results of our environmental review and
10 accepting comments on the draft EIS.

11 While we're required to provide a 45-day
12 period, we have extended it to 75 days to give you
13 ample opportunity to develop your comments on the
14 draft EIS. That public meeting will be at the midway
15 point of the comment period of the draft. Once the
16 comment period is over, we will consider all comments
17 that were received and decide on the changes that need
18 to be made on our work before we issue the final EIS.

19 The last step in the environmental review
20 process will be issuing the final EIS filing with EPA
21 and publishing the notice of availability for the
22 final. The target date is August 2013.

23 Next slide. As Ryan described earlier,
24 the EIS is a systematic approach and integrated
25 review. The slide illustrates some of the resource

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1 areas that we will address in our EIS, highlighting
2 the environmental aspects of our review. As an
3 example, the EIS will include an evaluation of the
4 socioeconomic impacts that the proposed may have on
5 the community surrounding the plant. This will
6 include how the project workforce could affect
7 enrollment at schools, the use of hospitals, the
8 effect on other community services and
9 characteristics. We need to consider these issues
10 such as taxes, traffic, and noise.

11 Each of these resource areas has similar
12 detailed assessments and some of them overlap. For
13 example, water resource affects the aquatic ecosystem.
14 Aquatic ecology and terrestrial ecology are related.
15 Terrestrial issues affect land use which in turn
16 affect the cultural resources, and so on. The
17 interrelationship among the issues are considered by
18 the review team and we will include them in our
19 review. Information that you share with us in these
20 resource areas can help us as we perform our review.

21 Next slide. Our first step in the
22 environmental review is to gather information
23 regarding the issues that we consider within the scope
24 of our review. In addition to those of you who are
25 prepared to provide your comments to us today, you

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1 still have an opportunity to comment and provide
2 additional information to us through the end of the
3 comment period which is January 3, 2011.

4 When the comment period will be closed, we
5 will compile all the comments that were received and
6 decide whether the comments are within the scope of
7 the environmental review and publish them in a scoping
8 summary report. We expect to issue this report in the
9 summer next year after we take the time to assess the
10 comments that provided. Those comments applicable to
11 the environmental review will be considered in
12 preparation of the draft EIS.

13 Next slide, please. This is a semi
14 diagram of the parallel safety and environmental
15 review that was conducted in the EIS request. The
16 safety review followed the top path shown on the
17 slide. The review considered site safety and
18 emergency planning. The environmental review followed
19 the bottom path. Both of these reviews feed into the
20 NRC hearing process which we show in the middle path
21 of the slide.

22 The hearing process factors the results of
23 both safety and environmental review which we must
24 conduct before a final decision can be made on the ESP
25 request. The hearing is an important part of this

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1 review process and it is a different opportunity for
2 the public involvement. Because of that, I'm going to
3 spend a few moments on that.

4 On November 23, NRC published in the
5 Federal Register a notice of hearing opportunity to
6 intervene in a legal proceeding. Anyone who seeks to
7 intervene in a legal proceeding should carefully read
8 the hearing notice and follow the instructions because
9 of its prescriptive requirements.

10 In order to file a petition with NRC you
11 must obtain a digital certificate of approval from NRC
12 in advance or you must seek a waiver for the digital
13 certificate requirement. It's important for you not
14 to wait until the last week to file, period, to
15 request for a digital certificate because it may take
16 up to five to ten business days to receive from NRC.

17 Specific instructions pertaining to the
18 digital certificate are in the hearing notice and on
19 this website that's listed here. We brought extra
20 copies of the notice of November 23. If you would
21 like one, they're available at the NRC registration
22 table. Just ask any one of the NRC staff members.

23 Next slide, please. Documents related to
24 the environmental review can be reviewed on the
25 internet. We have created a specific website for this

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1 project and it is listed on the slide here. In
2 addition, you can review the information in the local
3 Victoria Public Library which Liz Thompson and the
4 other librarians have been kind enough to host a copy
5 of the environmental report that was included in
6 Exelon's application. We will also send the library
7 important environmental documents that we create
8 during our environmental review.

9 Next slide, please. As we have indicated,
10 our primary purpose for this meeting is to listen and
11 gather your comments and insight on the site as well
12 as we begin our environmental review. Many of you
13 have already signed up to speak during this meeting,
14 however, if you're not comfortable with speaking or
15 need to leave early, there's a table in the back room
16 with comment forms. You can write your comments and
17 mail them to us, or you can choose to hand them to an
18 NRC staff member, and we will attach it to today's
19 transcript.

20 If you would like to provide your comments
21 later, then there are several other ways to submit
22 your comments. You may e-mail them at
23 Victoria.ESPEIS@nrc.gov, or you may mail them to the
24 address that's listed on this slide, or you may fax
25 them to 301-492-3446. Please note the 60-day comment

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1 period is open till January 3, 2011.

2 Next slide, please. Finally, I want to
3 leave you information we have to contact us if you
4 need to reach us. In addition to our comment
5 information I've provided phone numbers and e-mail
6 addresses for Ms. Janelle Jessie, who is our lead
7 safety project manager, as well as Mr. Jayson Hudson
8 of the Corps of Engineers.

9 Now I will turn it back over to Chip in
10 case you have questions about this procedure that we
11 have described about the environmental review. That
12 completes my presentation, and I do want to thank you
13 all for your attention and looking forward to your
14 scoping comments. Thank you.

15 MR. CAMERON: Very good, Tomeka. Thank
16 you very much. And thank you, Ryan.

17 And Tomeka has just given you an overview
18 of the review process for this early site permit
19 application, and I wonder if there are any questions
20 about the process that we can clarify for you.

21 Yes, and just please introduce yourself.

22 MS. GUTTMAN: My name is Vicky Guttman.
23 I'm a landowner in Victoria County.

24 I'm curious if there's ever been an early
25 site permit that has been denied.

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1 MR. CAMERON: Okay. Let's get an answer
2 to Vicky's question, and perhaps along with the answer
3 we can also give a little bit of a review of the NRC
4 review process on these applications. This is Barry
5 Zalcman.

6 MR. ZALCMAN: Thank you. That's an
7 insightful question. People ask something similar to
8 that.

9 Let me just point out that the early site
10 permit process is part of a new regulatory framework
11 that we've established since 1989. What we've
12 described is a process dealing with an early site
13 permit which is a site approval, a design
14 certification which is a design approval, and then the
15 third step which is the combined license. That brings
16 together several pieces before a plant can actually be
17 built and operated.

18 We have issued four early site permits
19 since the 1989 time frame -- actually the applications
20 came in, in 2003 we processed three applications and
21 we just completed another one this last year. Siting
22 has been going on for a long time in the nuclear
23 industry. I've only been involved in it for the last
24 35 years. We have 104 operating plants out there
25 today,

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1 Have sites not been approved by the
2 agency? Yes, we have had applications where utilities
3 have sought approval for a particular design at a
4 particular location and the agency could not agree
5 with the request. As a consequence, those applicants
6 relocated the facility to a site that was more in line
7 with meeting the agency requirements. So the
8 objective is to get an alignment between a design and
9 a site and if they meet the statutory and the
10 regulatory requirements, then we are obliged to
11 provide approval.

12 If they cannot meet our requirements, then
13 the agency, while we may not say yes, we don't have to
14 reject it, we just can't get to yes, and the applicant
15 through their application process can modify their
16 application to provide additional information to meet
17 our requirement or they can elect to withdraw an
18 application -- which has been done in the past, or
19 they can elect to relocate the proposed project to a
20 different location. So when you're looking for a
21 rejection, it doesn't always wind up as a rejection of
22 an application, it may be one that cannot be processed
23 to a favorable outcome.

24 MR. CAMERON: Thank you, Barry.

25 Other questions?

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(No further questions.)

MR. CAMERON: Okay. Well, let's go to opportunity to hear from all of you in terms of public comment, and we do have State Representative Geanie Morrison with us tonight, and Representative Morrison, I'm going to ask you to take the long walk up to the podium if you don't mind. Thank you.

MS. MORRISON: Thank you. Good evening. I'm Geanie Morrison, State Representative for District 30. And first I want to thank the Commission for coming to Victoria this evening to listen to the input from the people of our area.

I know that I don't need to preach to you about the benefits of nuclear energy but I do want to let you know how important the Exelon project is to this area and the state as a whole. The census is finished and I can tell you that Texas is among the states that has the greatest increase in population since the last census ten years ago. It is estimated that we are gaining a thousand new Texans every day and I don't see this trend changing in the near future. Because of this growth, we will have three to four new congressional seats which is more than any other state will have.

Needless to say, increases in population

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1 means increases in the need for more energy. I
2 believe that we have a tremendous opportunity to
3 provide that energy in an environmentally friendly
4 manner and would hope that the Commission would look
5 favorably on an application by Exelon.

6 Again, I thank you for this opportunity to
7 speak and for the Commission being here in Victoria
8 today to take the public comment to listen to the
9 citizens of this area. Thank you.

10 MR. CAMERON: Thank you very much,
11 Representative Morrison.

12 I just also wanted to note for the
13 audience that we do have a staff person from U.S.
14 Congressman Ron Paul here with us. This is Dallas
15 Chambless. Thank you, Dallas.

16 Next we're going to go to Marilyn Kray who
17 is a vice president with Exelon. Marilyn.

18 And then we'll go to Adrian Cannady and
19 Jim Blackburn.

20 MS. KRAY: Thank you. I also appreciate
21 your coming out.

22 I wanted to preface my remarks by first
23 sharing with you what the Exelon strategy is
24 associated with the Victoria project because I know
25 that a number of you have been following it, whether

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1 you've been supporting it or opposing it, and we
2 certainly owe you what the vision is for this.

3 If you recall, a few years ago our plan
4 was to seek a combined construction and operating
5 license, as explained by Tomeka, and that had a sense
6 of urgency around it, it had a deployment and a
7 construction schedule associated with it. Subsequent
8 to that there was, as you well know, an economic
9 downturn which had significant impact on our decision-
10 making, in part with the financing of the plant, but
11 also coupled with that was a drastic drop in the price
12 of natural gas.

13 Now, as I had said at the earlier session,
14 a drop in natural gas prices is for the country a very
15 good thing. How it impacts this particular project is
16 that natural gas prices essentially set the price for
17 electricity, the price for electricity sets the
18 revenue associated with this particular project, so
19 based on the culmination of those factors, we found it
20 no longer prudent for us to pursue our original
21 strategy and that was to pursue the construction and
22 operating license.

23 However -- and this is very significant --
24 we do see the long-term need for additional baseload
25 nuclear power, whether it is to ensure the diversity

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1 of the fuel portfolio as well as ensuring that we have
2 reliable and clean electricity. So because of that we
3 revised our strategy to essentially keep open the
4 option of building a plant here in Victoria.
5 Specifically, we withdrew the application for a
6 construction and operating license and we replaced it
7 with the early site permit which is why we are here
8 this evening.

9 The benefit that the early site permit
10 provides to us is that it allows us to analyze and
11 convince first ourselves that this is, in fact, a
12 suitable site, and then provide that information to
13 the NRC so that they can reach a similar conclusion.
14 By doing that, should we later decide to pursue and
15 resubmit a construction and operating license
16 application, we will have addressed a significant
17 amount of that information and essentially saved a lot
18 of time and money should we pursue the license in the
19 future.

20 There are just a couple of things for
21 those of you unfamiliar with Exelon that I wanted to
22 share with you, and the first and the foremost is the
23 safety commitment that we have to operating our
24 plants. We operate 17 units at 10 different sites.
25 We are the largest nuclear reactor in the United

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1 States, and we take the safe operation of those plants
2 as the number one priority.

3 Secondly, we are committed to the
4 environment. One specific example, for those of you
5 who are interested, I would encourage you to Google,
6 if you search under Exelon 2020 you will see the laid-
7 out plan that we have to reduce our greenhouse gas
8 emissions by 15 million metric tons per year by the
9 year 2020, and that commitment to the environment
10 essentially established the philosophy and the context
11 under which we embarked to do this environmental
12 review. It is with all of that in mind that we did
13 all of those analyses, the results of which are
14 contained in the environmental report that is now
15 before the NRC.

16 Also, we're committed to the community.
17 As I said, we operate plants at 10 different sites and
18 we live in the communities where we work. I
19 personally live close to, I live within six miles of
20 one of our two-unit facilities. My kids went to
21 school at schools that are in the emergency planning
22 zone, some of my neighbors work at the plant, and we
23 have that commitment when we talk about to the
24 community. You're probably going to hear a lot of the
25 economic benefits and those are very measurable and I

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1 certainly don't want to discount those, and they
2 materialize in the form of tax revenues, of jobs that
3 are going to come in, families who are going to have
4 good incomes and are therefore able to support local
5 businesses. There are studies and analyses I can
6 certainly refer to where the economic benefits are
7 examined for various plants.

8 But I also wanted to stress the social
9 commitment that we have to the community. As I said
10 our employees, we certainly live where we work and we
11 join your churches, we go to your schools, we
12 volunteer for your sporting teams, and what we found
13 in Victoria in our numerous visits over the past three
14 or four years is a wonderful community to live and to
15 raise a family, and certainly would make good
16 neighbors and that's certainly what we would want to
17 be for you.

18 Thank you.

19 MR. CAMERON: Thank you, Marilyn.

20 And now we have Adrian Cannady, and then
21 we're going to go to Jim Blackburn.

22 MR. CANNADY: Good evening. I want to
23 take a moment to thank those members of the Nuclear
24 Regulatory Commission as well as Exelon team members
25 and any others that may have traveled to our beautiful

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1 community. We hope that you've enjoyed your brief
2 stay while here.

3 My name is Adrian Cannady. I'm the vice
4 president of marketing for the Victoria Economic
5 Development Corporation, and it is with careful
6 consideration and careful study, and only after those
7 two things, that I can say with all confidence that I
8 support Exelon's proposed nuclear plant.

9 The Office of the Governor's Economic
10 Development and Tourism Office reports the population
11 of Texas has reached 24.8 million in July of 2009
12 according to the latest estimates from the U.S. Census
13 Bureau. And Texas has gained more people, at 478,000
14 new residents, than any other state between July 2008
15 and July 2009. In addition, Texas has been among the
16 leaders of business growth and business activity for
17 the past couple of years because of their economic
18 development activity.

19 In short, we need more power and we need
20 new nuclear. At a time in which power demands are
21 undoubtedly growing in the State of Texas, I couldn't
22 ask for a better partner than Exelon Nuclear, a
23 company in which safety and responsibility are the
24 cornerstones of their business model.

25 Victoria, I believe, is planning for the

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1 same kind of growth that Texas has experienced. We
2 have made tremendous strides in economic development,
3 in infrastructure and also human capital. Over the
4 course of the past few years, this community was able
5 to pass \$160 million school bond election and also
6 finish the construction this year of two new high
7 schools, one new middle school, and two new elementary
8 schools.

9 Of course, we feel strongly at the
10 Economic Development Corporation, as well as alongside
11 our other community partners, that Exelon is part of
12 our long-term growth strategy and we welcome them, and
13 it's for that reason that I hope the NRC will strongly
14 consider approval of Exelon's early site permit.

15 Thank you.

16 MR. CAMERON: Thank you, Adrian.

17 And we're going to go to Jim Blackburn
18 right now who is coming up to join us.

19 MR. BLACKBURN: Well, good evening. My
20 name is Jim Blackburn and I'm here representing Texans
21 for a Sound Energy Policy. I'm here to present
22 comments on the scope of the environmental impact
23 statement that's being prepared on the Exelon early
24 site permit.

25 First I'd like to state that we believe

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critical discrepancies exist between Exelon's ESP application and the environmental documentation submitted by Exelon to the NRC. The ESP application seems to disavow the use of GBRA Guadalupe River water for cooling water, yet a reservation agreement exists between Exelon and GBRA to obtain Guadalupe River water to cool this power plant. As long as that reservation agreement exists, the effects of withdrawing 75,000 acre-feet of water must be evaluated, must be owned by the proposed Exelon plant.

Exelon cannot escape the impacts of this water and the use of this water on the impacts on the aquatic ecosystem.

Exelon's selective use of data in its application fails to adequately and to accurately represent current diversions of water from the Guadalupe River, and Exelon fails to identify where it will secure the long-term water supply required for the proposed plant. That's just simply not acceptable.

And make no mistake about it, the impacts of this water use will be substantial. When evaluating the impacts of its water plan on San Antonio Bay, Region L -- which is the water planning entity for this region -- Region L stated that

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1 cumulative effects on San Antonio Bay were noted but
2 that those effects are, quote, associated with the
3 increasing use of existing water rights than with the
4 regional water plan implementation. It is those
5 existing water rights that Exelon proposes to use.
6 Region L's analysis, in talking about those impacts,
7 is referring to the water that is under option from
8 GBRA, those impacts are important and they are real.

9 And make not mistake about the
10 relationship between the inflow of water from the
11 Guadalupe River to San Antonio Bay and negative
12 impacts on the quality of San Antonio Bay and negative
13 impacts on the Aransas Buffalo Wood whooping crane
14 flock. There is a direct and statistically
15 significant relationship between the decline of the
16 Guadalupe River freshwater inflows and an increase in
17 deaths of whooping crane. According to Dr. Ron Sass
18 of Rice University, using the Fisher exact probability
19 test, there is only a 1 percent chance that the
20 whooping crane deaths observed over the last couple of
21 decades are unrelated to river flows. Stated
22 otherwise, there is an overwhelming probability of a
23 relationship between reductions and inflows and
24 whooping crane mortality.

25 We urge the NRC the statistics and

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1 analytical techniques will play a major role in the
2 scope of the environmental impact analysis and in a
3 procedurally correct impact statement. The NRC should
4 take a substantial amount of time to get the
5 statistical analytical processes correct, particularly
6 for evaluating bay and estuarine impact.

7 We also urge that consultation on whooping
8 crane impacts be undertaken with the U.S. Fish and
9 Wildlife Service pursuant to Section 7 of the
10 Endangered Species Act and that a detailed biological
11 assessment be completed.

12 We further urge that a substantial amount
13 of time and effort be spent on the analysis of
14 alternative and non-alternative sites. We believe the
15 Matagorda County site to be superior in several
16 respects and we believe that there are levels of
17 alternatives within alternatives. We will be
18 providing written comments wherein we will develop
19 those in much greater detail.

20 Additionally, the scope of the NEPA
21 analysis must include the environmental impacts from
22 potential tritium releases to groundwater and to
23 surface water. This is particularly important given
24 Exelon's appalling history of hidden releases and
25 contamination of groundwater at their Braidwood plant

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1 in Illinois.

2 In conclusion, I want to thank you for
3 letting us have the opportunity to come and speak.
4 This scoping is an important part of the NEPA process.

5 We need to get the environmental impacts of this
6 plant right. TSEP does intend to file contentions and
7 to fully participate in the process. We look forward
8 to working with you over the next few years.

9 Thank you very much.

10 (Applause.)

11 MR. CAMERON: Thank you for those
12 comments, Jim, thank you very much.

13 And I'm going to turn this over to my
14 associate and my colleague, Sara Mroz, to lead us
15 through the rest of the speakers.

16 MS. MROZ: Thanks, Chip.

17 Next up we have Jeb Lacey, followed by
18 David Brown.

19 MR. LACEY: Good evening. I'm very
20 excited to be here speaking with all of you. My name
21 is Jeb Lacey and I'm the Emergency Management
22 coordinator for Victoria County and the City of
23 Victoria, and I also would like to thank the NRC staff
24 for being here and presenting us with this opportunity
25 to express how important this Exelon project is to

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1 Victoria County.

2 I'm going to tell you a little bit about
3 myself real briefly. I spent quite a few years in the
4 United States Air Force as a counter-CBRNE advisor for
5 the Department of Defense -- that is chemical,
6 biological, radiological, nuclear explosive
7 weaponry -- so I feel like I have a little bit of a
8 background to talk about what we're discussing this
9 evening.

10 And I got here to Victoria about three
11 years ago and it's been a great time. I've enjoyed
12 working with Exelon. I've been working with them the
13 entire time that I've been here in Victoria, starting
14 with, obviously, the combined operating license
15 process and moving into this early site permit
16 process. But the most important thing is I am a
17 Victorian and so I want to be able to talk to you from
18 that perspective first.

19 There's two things I want to talk briefly
20 about this evening. The first one is I want to talk
21 about the environment of a nuclear plant, a
22 responsible nuclear power plant. The second thing is
23 I want to talk about the safety of that environment.

24 So the first thing first. You know, my
25 experience with Exelon, the company that they are

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1 today, in my dealings with them has been nothing but
2 honesty and forward-thinking and wanting to do the
3 right thing. My staff and myself have all had great
4 experiences working toward initially the combined
5 operating license which we had to do some planning for
6 and things like that for submission to FEMA, and all
7 we experienced that entire time was the desire to do
8 things right.

9 Regardless of people's opinions of any
10 entity, what they're doing in your community is really
11 what matters, and I think that that's a substantial
12 point. A responsible partner in this community,
13 whether it's a nuclear power plant or any other type
14 of industry, is a good partner, a responsible partner.

15 And when I think about myself as a citizen
16 of Victoria, I think of two things that I know about
17 nuclear power plants, and I came from Florida and some
18 of you may be familiar with some of the nuclear
19 development that's gone on in Florida over the last 20
20 or so years. When I was in Florida I remember reading
21 a study -- and I grew up in California and I'm not
22 exactly accustomed to alligators and crocodiles --
23 when I got to Florida I read a really interesting
24 article about a plant there.

25 The Turkey Point Nuclear Power Plant has

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1 saved the American crocodile. Twenty-five percent of
2 the American crocodiles, an animal that was near
3 extinction 30 years ago, live in the Turkey Point
4 Nuclear reservation. That's a pretty substantial
5 impact and that's a responsible partner who takes care
6 of the animals, makes sure that these types of
7 impacts, construction impacts and any movement of
8 people and materials do not disturb this environment
9 in which an endangered species has now been able to
10 flourish. That's a responsible partner.

11 Now, those of you who might know me might
12 know an interesting fact about me is I really enjoy
13 watching birds, afraid of them when I'm really close
14 to them but when I see them from afar, I actually
15 really do enjoy it. I saw a lattice-backed woodpecker
16 in my yard two days ago and it made my whole day.

17 If you drive just a couple of miles down
18 the road you can go stand in a bird sanctuary or enjoy
19 a bird sanctuary that the National Audubon Society has
20 two years, at least, in a row named the top bird-
21 watching site in the nation for their annual Christmas
22 bird-watching count. Annually they go out and they
23 count birds all over the country, and in this
24 particular site they spotted -- now get this -- 231
25 different species of birds in one site in December.

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1 Now, that's a responsible party. What is that party
2 that has that sanctuary? That would be the South
3 Texas Project.

4 So a responsible partner in your community
5 is going to bring value if you partner with them and
6 you demand that value.

7 The other thing that I'd like to mention
8 about that is when we're looking at our community we
9 know we have a need, we know we have a need for more
10 energy in Texas, we know that we are a growing state,
11 we know that the Victoria region and the regions to
12 our south are also growing. I believe the mayor
13 mentioned earlier that we just had an article in the
14 newspaper just this week about how as we convert to
15 more and more electric devices, electric cars, our
16 power demands are going to multiply exponentially. We
17 have to be able to address that.

18 Now, the second topic I want to talk to
19 you about is actually something that is more relevant
20 to what I do. Victoria is prepared to support this
21 project. Now, we've demonstrated that we're prepared
22 to support this project. The community has embraced
23 this project, as a whole, from the beginning, and as
24 we talk about the environment in which this proposed
25 Exelon plant is going to be, or could be built, part

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1 of this scoping is to say is this community the right
2 community versus its alternates, and I truly believe
3 it is.

4 Now, when we started what's called the
5 FEMA RAI process -- or that's the reasonable assurance
6 inspection -- it's basically FEMA has to say that this
7 community can plan for, respond to and support this
8 project and we have a reasonable assurance that that
9 is true, that their plans are adequate and that
10 they'll actually be able to do them. We have to do
11 this both for the COLA process and we have to do it
12 for the early site permit.

13 So when we started that process there were
14 15 key points and a number of areas in each of those
15 15 key points that we had to satisfy in order to say
16 yes, we have a finding of reasonable assurance that
17 this is the right community and that the community can
18 support it. Now, in February of 2010 the Federal
19 Emergency Management Agency sent a letter to the NRC
20 stating that they found reasonable assurance, both
21 that our plans were sufficient or that we could
22 implement them in the event we needed to.

23 Now, I don't think that's enough. I'm
24 sure that if we took the time and we had the fiscal
25 investment -- which many of you will agree a nuclear

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1 power provider is probably going to be capable of
2 doing that -- with that fiscal investment you could
3 probably finally get to the point where you could get
4 all 15 of those points filled. Right? I think you
5 could.

6 What I think is important about Victoria
7 that separates us from the rest of the alternatives is
8 that we've already demonstrated that we go above and
9 beyond to partner with the private sector to develop
10 resilience in a whole community sense. Within this
11 community we have developed programs with the Victoria
12 Economic Development Corporation, the University of
13 Houston Small Development Center, like our Partners in
14 Preparedness programs that actually tie our private
15 sector and our public sector together for planning,
16 for training, for exercise, for response and for
17 recovery. We have gone above and beyond in this
18 community to make sure that the public sector and the
19 private sector are tied together, that we are
20 supporting one another and that we are on the same
21 team during times of emergency.

22 Furthermore, Victoria County has taken the
23 additional steps to commit itself to protecting our
24 environment during emergency, during disaster and even
25 during times of relative peace. Victoria County has

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1 agreed with TCEQ to entered into a mutual aid
2 agreement to support them in any type of emergency
3 event within this community or within the surrounding
4 ones, a partnership that would allow us to more
5 efficiently respond to any type of environmental
6 emergency.

7 More importantly than even that is that
8 last year the Victoria County Commissioners Court
9 approved a memorandum of agreement with the EPA
10 stating that if we did have any type of emergency
11 related to the environment or ecological concerns that
12 we would support them, both in material and manpower,
13 to ensure that they could respond effectively to an
14 emergency within our community.

15 Our emergency response forces from the
16 sheriff's office, the police department, the fire
17 department, the Office of Emergency Management are
18 prepared thoroughly to support this project, and I
19 hope that it reflects.

20 Thank you.

21 MS. MROZ: Thanks, Jeb.

22 We have David Brown, and then Ronald Outen
23 will follow David.

24 MR. BROWN: Jeb, that was very
25 interesting, and I've got to say I like birds too but

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1 probably in a different way.

2 I'm certainly impressed with the economic
3 impact of a project such as this, and I think everyone
4 would agree that this is extremely good for Victoria
5 County and the adjacent counties, both in the short
6 term and in the long term. Those of you that know
7 that I'm involved in healthcare would know that I'm
8 very interested in the risk-reward that might be
9 developed from deliberations and I'm impressed to see
10 that the Nuclear Regulatory Commission is doing a
11 great job in putting the components together to
12 adequately evaluate and ensure our safety.

13 We face these measured risks every day,
14 whether it's the radioisotopes being brought into and
15 through Victoria every day, or it's the hazardous
16 waste that's being trucked out of Victoria every day,
17 or whether it's the radiation exposure that we face
18 every day through our diagnostic radiology programs and
19 radiation therapy, et cetera. It's all a measured
20 risk, whether we're talking about chemical plants
21 south of Victoria, it doesn't matter what those risks
22 are as long as we recognize them, measure them and do
23 something about it.

24 Certainly we have adequate political,
25 technical, environmental and social bureaucracies to

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1 do that and we have a partner in Exelon Corporation
2 that will see to protecting all of our interests in
3 giving us the benefit of this major project.

4 Thank you.

5 MS. MROZ: Thank you.

6 Next we have Ronald Outen, and he will be
7 followed by James Lee Murphy.

8 MR. OUTEN: Thank you very much, and I too
9 appreciate the opportunity to be here with you. My
10 name is Ron Outen. I am executive director of the
11 Aransas Project and I'm here to speak on behalf of
12 that organization. I'm a resident of Rockport, Texas,
13 an ecologist and I hold a doctorate in environmental
14 sciences, and I am an elected official in Aransas
15 County, specifically chairman of the Aransas County
16 Navigation District.

17 The Aransas Project I represent here
18 tonight is an affiliation of individuals, businesses,
19 organizations and governmental entities in Aransas
20 County, the Coastal Bend region and elsewhere in the
21 country. Our members include every governmental
22 entity in Aransas County, that is the Aransas County
23 Commissioners Court, the City of Rockport, the Town of
24 Fulton, the Aransas County Navigation District. We
25 also represent the Aransas County Republican Party and

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1 the Aransas County Democratic Club, other
2 organizations such as the Coastal Bend Guides
3 Association, International Crane Foundation and a
4 number of other conservation groups, and a large
5 number of individuals from our part of the country and
6 actually from many other parts of the country as well.

7 The Aransas Project is organized around a
8 rather specific objective. We are interested in and
9 support the continuation, we want to ensure the
10 continuation of freshwater inflows into the San
11 Antonio Bay and adjacent bays to maintain the
12 ecological health of those bays, the wildlife that
13 depends on them, most especially the whooping crane.

14 It is well established in the scientific
15 literature that insufficient inflows to an estuary
16 like San Antonio Bay and these other bays can create
17 significant change which is often very adverse. It
18 can affect salinity gradients in estuaries, it can
19 affect the abundance, distribution and diversity of
20 key species, and it can reduce the transport of
21 essential nutrients into bays.

22 This concern is not an idle matter, not an
23 academic matter for us in Aransas County because
24 healthy bays, and the whooping cranes in particular,
25 are especially significant and, in fact, vital for our

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1 economic survival. Aransas County is the second
2 smallest county in Texas and half of it is under
3 water. We depend absolutely on nature tourism for our
4 very existence there. That means recreational
5 fishing, commercial fishing as well, birding which is
6 very much centered around the bays, and of course, the
7 whooping crane which is the big driver of tourism in
8 the winter when people come from all over the world to
9 take the tour boats out to the refuge.

10 Aransas County, of course, is synonymous
11 with the Aransas County Wildlife Refuge which is the
12 winter home to the only remaining population of
13 naturally migrating whooping cranes in the world.
14 These large bays in our area -- and it's not just San
15 Antonio Bay, we have to include Mesquite Bay and
16 Aransas Bay, and to a degree, Copano Bay as well, as
17 dependent upon Guadalupe River flows -- depend
18 absolutely on the freshwater inflows from those
19 rivers. We're concerned, therefore, about any project
20 that would increase the amount of water withdrawn from
21 the Guadalupe River, especially in drought years.

22 In terms of this particular meeting, we
23 specifically request that the environmental impact
24 statement include a thorough analysis of the
25 environmental impacts of withdrawals, reduction of

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1 freshwater inflows on the health of these bays and
2 ecosystems and specifically the well-being of the
3 whooping crane. This should focus especially on
4 drought years. This is not an issue that you can deal
5 with with average flows over decades, it's a problem
6 when we have drought conditions and reduced flows
7 coming down the river, it's especially a problem then.

8 There is a rich and mature body of
9 scientific literature on the issue of freshwater
10 inflows and their vital requirement for the health of
11 estuaries that receive those inflows. That literature
12 is readily available, it's available for use in an
13 environmental impact statement of the type I'm
14 describing, and we very sincerely and strongly urge
15 that this environmental impact statement deal
16 adequately with these kinds of environmental concerns.

17 I thank you very much for your attention.

18 (Applause.)

19 MS. MROZ: Next we'll have James Lee
20 Murphy, followed by Frank Manning.

21 MR. MURPHY: Thank you very much, and
22 again, I'm going to remind you I'm James Lee Murphy in
23 case you forgot in the length of time it took me to
24 walk up here. And thank you. I work for and
25 represent in this matter the Guadalupe Blanco River

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1 Authority, and I wanted to say a couple of things
2 about water and our contribution to this meeting
3 today.

4 First is the Guadalupe Blanco River
5 Authority is not part of the chamber of commerce, it's
6 not a private enterprise, it's not in the nuclear
7 power generation business, although we do have
8 hydroelectric facilities, we're a political
9 subdivision that is responsible for managing assets on
10 the Guadalupe and Blanco rivers. Our jurisdiction
11 extends from Comfort Texas in Kendall County all the
12 way down to Calhoun County which, coincidentally
13 enough, is on the bay which means we are very
14 concerned about the health and safety of the bay.

15 When we looked at this proposal from
16 Exelon, our evaluation criteria consisted of this:
17 first, is there water, is sufficient water quantities
18 available for the project; second, is there sufficient
19 support locally within the community for this
20 particular project. If the answer were no to either
21 one of those criteria, then GBRA would have had
22 nothing more to do with Exelon.

23 On the contrary, there was strong
24 community support for the project for the reasons that
25 have already been enunciated today and at other

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1 similar hearings in this regard. As far as GBRA was
2 concerned, that's sufficient to rely on the local
3 officials and the local community, not substituting
4 our own judgment for the judgment of the elected
5 officials here, your representatives.

6 But I want to say something about the
7 evaluation of how GBRA evaluated whether there was
8 sufficient water available. First thing to note is
9 there is water that's permitted for this exercise.
10 That is to say there is water available for this
11 project. If there weren't water available, we
12 wouldn't be in a position to be entering into a
13 reservation agreement or otherwise with Exelon.

14 Now I want to describe a little bit about
15 what that water is. GBRA -- which is our acronym --
16 possesses approximately 45 percent of the permitted
17 water in this basin. The balance is held by small
18 individuals and industries and companies. Dow
19 Chemical, power plants and so on have water rights in
20 this basin. Why does GBRA have water rights? Because
21 the State of Texas has entrusted us to manage that
22 resource, to manage the development of the water
23 supply, and we manage that for the basin as a whole.

24 Some of the water that's available for
25 Exelon was previously committed to the City of San

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1 Antonio, however, due to opposition, quite frankly,
2 from a number of perspectives in the basin, that
3 project fell through. But there is water available,
4 that's the important thing to keep in mind, and that
5 said, the water available reflects the needs for bays
6 and estuaries.

7 I want to say one other thing about water
8 rights. In Texas all water isn't the same. If you
9 have a permit for water -- and the City of Victoria
10 has several permits for surface water and is in the
11 process of acquiring and amending additional
12 permits -- these permits are based on seniority, that
13 is, first in time, first in right. What does
14 seniority have to do with water? The simplest way to
15 explain that is when there ain't a whole lot of rain,
16 when there's drought, the less senior, not as old
17 water rights are cut off, they're not available
18 because they aren't there.

19 Now, the extent to which water is
20 available for the environment is currently being
21 debated by the state through the Senate Bill 3
22 process. And I represent the Guadalupe Blanco River
23 Authority on the Bay and Basin Stakeholders Committee
24 for this region, and it's being studied. The
25 availability of water is also being challenged in

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1 court by the Aransas Project, and you've heard from
2 Jim Blackburn and Mr. Ron Outen, and I'll leave that
3 discussion for later, but I will simply mention that
4 GBRA is a party to that litigation and disputes each
5 and every of the allegations that they make regarding
6 water being available to the environment and affected
7 by this project.

8 I mentioned seniority, and it's important
9 to keep in mind when it comes to water Exelon chose to
10 acquire the least senior water rights that GBRA has in
11 this basin. Again, that means when water is not
12 available either due to drought or for the environment
13 or whatever conditions that the state chooses to
14 impose, that water won't be withdrawn. And one of our
15 concerns which we were very pleased to see that Exelon
16 planned to have off-channel storage to supplement for
17 up to three years of prolonged drought. What does
18 that mean? That means that if there's no water
19 available, they will rely on storage that they would
20 build to support this project.

21 I also wanted to mention the reservation
22 agreement. Right now the only contractual arrangement
23 that GBRA has with Exelon is a reservation agreement
24 which gives both parties the right to seek other
25 sources of water, in the case of Exelon or other

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1 communities that need water in the case of GBRA. And
2 so obviously if the City of Victoria and the County of
3 Victoria, the folks in the lower basin found other
4 needs for that water, or if Exelon were to find a way
5 to use saline water to meet their needs, then that
6 water would not be sold to Exelon.

7 And my point is that the environmental
8 concerns have been addressed by both GBRA and Exelon
9 in an exemplary manner and it's for that reason that
10 we support this project because, again, GBRA is not in
11 the economic development business, we're managing
12 water. We think the proposal that's being studied in
13 this EIS reflects very well Exelon's and GBRA's
14 efforts to manage that water.

15 Thank you very much.

16 MS. MROZ: Thank you.

17 Next we'll have Frank Manning, and he will
18 be followed by Joe Bland.

19 MR. MANNING: Just to let you know, we
20 have property just next door to where the power plant
21 is going to be.

22 MS. MROZ: Can I ask you to come a little
23 closer to the microphone so that we can hear you.

24 MR. MANNING: Is that better?

25 The property is directly next door. We,

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1 probably more than anybody, will be impacted by this
2 power plant. To my understanding, the heavy trucking
3 road is going to go right through our property. We
4 have a lot of rivers and water flowing through there
5 and a lot of wildlife. One thing I'd like to say is
6 for Exelon to keep us in the loop of what's going on.

7 That's all I have to say.

8 MS. MROZ: Thank you.

9 Joe Bland, and then Stan Fox.

10 MR. BLAND: My name is Joe Bland and I'm a
11 resident of this great city of Victoria.

12 One initial comment to make, there has
13 been a comment made already that the city as a whole
14 or the county as a whole is endorsing this project,
15 and I have to object that that's not true; otherwise,
16 people wouldn't be up here standing and objecting.

17 I would like to direct my comments toward
18 the issue of water availability. It doesn't take a
19 scientific study to prove that water availability is a
20 major concern, not only for this proposed nuclear site
21 but for our whole region and our whole state. Water
22 supplies within the State of Texas are shuffled like a
23 shell game. When you pick some of those shells up,
24 nothing exists.

25 Read the papers, Google a search and see

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1 for yourselves what a predicament we are in. We are
2 so lacking in an overall state water plan that water
3 marketers and regional water boards are duplicating
4 the proposed uses of the same water sources. Take a
5 look at the Texas Port System which has a growing
6 caseload of water litigation.

7 I ask you not to strap the commercial
8 development of our community by permitting a site
9 which may not be developed for 20 years but which
10 could tie up scarce water resources for those 20
11 years. Allow our own great state to develop and
12 implement a sustainable water plan which balances all
13 of our water needs.

14 Thank you.

15 (Applause.)

16 MS. MROZ: Next we have Stan Fox, followed
17 by Jerry James.

18 MR. FOX: Hi. I'm Stan Fox. I also have
19 an undivided interest in a tract of land that's out
20 there that's adjacent to where they're planning on
21 putting this facility, and I'm sensitive toward the
22 fact that I know that the Victoria economics would be
23 greatly enhanced by having this in the City of
24 Victoria. The State of Texas does need the energy. I
25 know the jobs, taxes, all of the business income and

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1 the business around the vendors that would be created
2 by this would be a great boon to the economy around
3 here, but at the same time I have to be a little bit
4 selfish, having this undivided interest in this tract
5 of land out there for about 20 years.

6 And we have gotten, I guess, the idea that
7 we use this as recreational activity. Some people
8 actually do live out there, there are parties that do
9 that. It's been there for a while and we were hoping
10 to be able to probably pass it down on to the
11 generations later on that would be able to not only
12 use it possibly to live there but also to recreate
13 there and be able to take care of hunting.

14 It's a slew area and we were informed or
15 we were hinted at that there would be the possibility
16 of a large I would call it kind of the Great Wall of
17 Exelon which would be kind of a large road that would
18 impact our tract of land, and they would need that in
19 order to be able to get some of the larger equipment
20 in there. I haven't heard too much from them lately.

21 I think it probably ended in an adversarial type
22 relationship, and so obviously we're not going to hear
23 that much, but we did see the Register when it was
24 published and so we were aware that this thing was
25 going on now that apparently they could again get

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1 their funding.

2 I understand that Texas needs the energy
3 and Exelon, I'll let somebody else pass on how good
4 they are or how much water we have. I know it's been
5 flooding like heck down there for about the last 20
6 years, so it floods when apparently we have downstream
7 people that pull water off. This would be another set
8 of people that are pulling water off of this river,
9 and when that happens it backs up. I can't tell you
10 what that impact that has on the San Antonio Bay or
11 even farther down, but it can't be good.

12 And with this heavy haul road coming in,
13 basically that would impact the side of this tract, a
14 large portion of it. And that in itself, my whole
15 thing is if you want to bring it in, it would have
16 been a great idea in Matagorda County where they have
17 the infrastructure already, they have the lines up,
18 but for whatever reason, it doesn't suit the people
19 that I'm associated with because of the impact that it
20 would have regarding where it is.

21 If you want to move it to another area,
22 God bless you, but where it is right now, I have a bad
23 feeling that it's going to diminish what we've had out
24 there and it will be something that I don't believe is
25 going to be palatable to the people that are out there

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1 right now. And for whatever reason it would be best
2 that that impact on that community -- and it's not
3 just one or two people, there's about 19 or 20 of them
4 out there -- be a concern when the NRC does their EIS,
5 and I'd appreciate it if they would do that.

6 Thank you.

7 (Applause.)

8 MS. MROZ: Thank you for sharing your
9 thoughts.

10 Next we have Jerry James, and then we'll
11 have Will McDonald.

12 MR. JAMES: Good evening. I'm Jerry James
13 with the City of Victoria. I'm the director of
14 Environmental Services. It's good to be home tonight
15 for a change.

16 The City of Victoria, as I'm sure my mayor
17 stated this afternoon, is in support of the Exelon
18 project, and we don't take that support lightly. The
19 city is very involved in water management of the
20 Guadalupe Basin from an environmental aspect and also
21 from a water quantity aspect.

22 In my capacity as director, I represent
23 the City and County of Victoria on various stakeholder
24 committees. I represent the County of Victoria on the
25 South Central Texas Water Advisory Committee, and in

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1 that capacity I have been appointed to the Edwards
2 Aquifer Authority Board of Directors. The Edwards
3 Aquifer Authority is a groundwater district set up by
4 the legislature of the State of Texas that governs
5 groundwater withdrawals from Uvalde County through
6 Bexar County and eastward to Hays County. And the
7 purpose of that is to control those groundwater
8 withdrawals in order to protect the endangered species
9 at the Comal Springs and at the springs in San Marcos.

10 In addition to that, I've been appointed
11 by the Texas Commission on Environmental Quality to
12 the Edwards Aquifer Recovery Implementation Program
13 which is a program that has been set up through Senate
14 Bill 3 to further look at how we as a region can
15 address those endangered species at those two springs
16 and still be able to supply water to the area in San
17 Antonio and through those spring flows supply water
18 into the Guadalupe River.

19 Also I serve on the Bay and Basin Area
20 Stakeholder which Jim talked about earlier, and what
21 that is is a committee that was set up by a committee
22 of the legislature to look at environmental flows
23 ranging from the Upper Guadalupe Basin all the way to
24 the bays and estuaries, and to look at how that water
25 could be responsibly managed in order to balance human

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1 needs and also the needs of the creatures that live
2 within the stream, including the fish but also the
3 grasses and things that grow, all the way down to
4 looking at, of course, the whooping cranes.

5 How that is set up is that we have a
6 science advisory committee that works independently of
7 the stakeholder group. The science advisory committee
8 is appointed scientists that look at purely the
9 science of how to balance those environmental flows
10 and how to provide for adequate flows to the bays and
11 estuaries. The stakeholder team that I sit on then
12 will take that science and try to look at how we can
13 manage water rights in the Guadalupe Basin in the
14 future to balance those human needs and to provide
15 adequate flows for environmental concerns in the
16 Guadalupe Basin. The point of that is that we are
17 actively involved in that.

18 I was also one of the original members of
19 the Region L, or South Central Texas Water Planning
20 Group, which is part of the state's water plan. The
21 state is divided up into 16 regions and each of those
22 regions looks at how to best plan for what we have now
23 and then every five years looking at a continuing
24 rolling 50-year cycle on how we can manage the water
25 needs of different areas of our basin.

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1 Yes, there are some projects in there that
2 have one water here and we're going to take that same
3 water and maybe use it somewhere else. There's a
4 reason for that. You do a lot of water planning.
5 Very few projects ever actually come to fruition.
6 When you plan you have a Plan A and a Plan B, and
7 that's the reason that sometimes that water seems to
8 be being used twice when it actually will only ever be
9 used once.

10 One of the things that has come up as a
11 concern at some times is that the City of Victoria has
12 a 20,000 acre-foot junior water right, and what that
13 means is when I came here in 1994, my first job with
14 the city was to work through negotiating that 20,000
15 acre-foot water right, it's the newest water right in
16 the basin. And Jim talked earlier about senior and
17 junior priority, so we're the new kid on the block.

18 The city went into that process and did an
19 analysis of all of the existing water rights in the
20 Guadalupe Basin being fully utilized. We knew that
21 that was what we were going to have to plan for and
22 that's what we did. At the time we acquired that
23 water right, including assuming that the water right
24 that's being proposed for the Exelon plant, that that
25 water would be fully utilized at that time. That gave

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1 us about an 86 percent reliability on that to take
2 care of that.

3 We normally use about 20,000 acre-feet in
4 Victoria per year for our water supply. We have
5 11,000 acre-feet of registered groundwater rights. In
6 other words, we can completely switch over to
7 groundwater at any time and have 100 percent
8 replacement of our water that could have come out of
9 the Guadalupe River.

10 We have also acquired about 7,000 acre-
11 feet of senior surface water rights, including some
12 water rights that are actually adjacent that we
13 purchased from landowners adjacent to the Exelon plant
14 site all the way up to some 1918 water rights which
15 are very senior, in order to be able to further
16 balance what our needs may be, not just now but as we
17 grow into the future and looking at the next 50 or 100
18 years.

19 The point of that is that we came into
20 this with our eyes open, that we're actively involved
21 in a lot of different processes in looking at the
22 Guadalupe River Basin from one end to the other,
23 looking at water management needs as far as quantity
24 but also environmental needs. And again, I state that
25 with that background and with all those

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1 considerations, the City of Victoria supports this
2 site permit.

3 Thank you.

4 (Applause.)

5 MS. MROZ: Next we have Will McDonald, and
6 he will be followed by Karen Hadden.

7 MR. McDONALD: Good evening, ladies and
8 gentlemen. My name is Will McDonald. My wife and I,
9 Pat McDonald, run Days Gone Bye in downtown historic
10 Victoria.

11 Over the last two years we've seen the
12 bottom line in our business kind of slip away, not
13 only us but many others in the county as well. My
14 wife and I do forecasting for the future of our
15 business. We may not be like a lot of people who have
16 to depend on it to make a living, we have a lot of fun
17 in our business and we have retirement from being in
18 education for 32 years as principals and teachers.

19 I'm a historian by nature, having taught
20 many hours in schools and have extensive education in
21 it. I know the history of Victoria and Victoria
22 County and the surrounding area. I know that we must
23 look toward that history and project it into the
24 future when we bring in any kind of business or other
25 outside activities that will affect the history, the

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1 future history of Victoria, Texas, not discounting the
2 past.

3 I also know the pride of ownership in
4 land. This goes way back in Victoria County and the
5 surrounding areas. Many families have had this land
6 under their deed for many, many years, and I know they
7 have a great sense of pride in that and they want to
8 continue to look into the future and hold on to that
9 pride without a lot of outside interference. I
10 appreciate all of that.

11 I've fished in many of these waters, I've
12 hunted this area. I spent the last eight years as
13 Rockport-Fulton High School principal where I had
14 access to the great fishing waters. I saw all those
15 beautiful birds that were talked about and I love them
16 all and I would want them protected. I think the
17 NRC, the Nuclear Regulatory Commission, will do a good
18 job with that. I trust it and turn that over to them.

19 One of the things I would like for you to
20 consider are your young people. Having worked with
21 many young people over the years, I know what it means
22 when they say, Mr. McDonald, I lost my job, I don't
23 have a job. And I want to tell you this, that the
24 anxiety in that person's voice is overwhelming. Not
25 only is that anxiety contained in the bosom of that

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1 person but it's reflected in their wife, their
2 children and all the other people associated with that
3 family.

4 We have a young generation of people who
5 will be looking for jobs. As I think about the
6 future, I see this power plant generating an abundance
7 of electricity but I also see it spinning off many
8 jobs for our young people who are in Victoria, Texas
9 who want to stay in the city and in the county and
10 find a place to work. This is a great future with
11 this plant coming to our area to provide this kind of
12 activity for our young people.

13 And I trust that Exelon and the Nuclear
14 Regulatory Commission will take care of all of our
15 concerns, that indeed, if this comes to pass. And why
16 not Victoria? It's going to be built somewhere. Make
17 no mistake about it, these plants will be built
18 somewhere, so why not Victoria, why not Victoria
19 County? Why not the people who have land, the people
20 who are interested in protecting and preserving the
21 animal kingdom and the fisheries and all of the
22 ecology, why can't we have all of that but at the same
23 time have this plant spinning off the electricity and
24 spinning off jobs?

25 I do hope that this is something that will

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1 come to pass for Victoria, Texas. God bless you all.

2 Thank you.

3 (Applause.)

4 MS. MROZ: Thank you, Mr. McDonald.

5 Next we have Karen Hadden, and she'll be
6 followed by Robert Singleton.

7 MS. HADDEN: Good evening. It's great to
8 be here. I work with a group that works statewide
9 across Texas and sometimes we're fortunate enough to
10 be able to come to Victoria and we always like it when
11 we can.

12 Our organization is very concerned about
13 potential new nuclear reactors in the state, and I'd
14 like to tell you some of the reasons that I think
15 Victoria should look carefully. We do support
16 economic growth, we do support jobs, and I think it's
17 important to look at how we do that so that we don't
18 make a mistake.

19 I do think that those who have been saying
20 we need more energy, well, that's debatable right now.

21 Texas has a 21 percent reserve margin and we only
22 need a 12-1/2 percent reserve margin. We have lots of
23 new gas coming on. Calvert Cliffs in Maryland is a
24 nuclear reactor that was about to get federal loan
25 guarantees and they actually withdrew their license

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1 application instead. They went all the way to that
2 point and then they said, Nope. They said that it
3 didn't make economic sense anymore, that the cost of
4 gas was low and the interest rates were high and
5 they're not planning to move forward right now.

6 What's touted across the nation as a
7 nuclear renaissance is looking more like a nuclear
8 relapse. It's not happening. It's being delayed.
9 It's turning out to be more expensive than anyone ever
10 dreamed. Vogtle in Georgia is also not so sure right
11 now. They got offered loan guarantees, they don't
12 know if they're going to take them.

13 So what are the problems here? Let's look
14 at it locally. In terms of water, a nuclear reactor
15 uses huge, vast quantities of water, and there are
16 risks of contamination of water, and it has happened
17 in other places before that we get radioactive tritium
18 going into waterways. And it has health impacts. Ask
19 the Illinois attorney general why they filed a lawsuit
20 about tritium leaks there.

21 For Texas, the Comanche Peak reactors that
22 are planned, they'd use 100,000 acre-feet of water a
23 year. Two-thirds of that would evaporate. It's water
24 lost for purposes locally. The South Texas Project,
25 two new reactors would use 23,000 gallons per minute.

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1 So picture, if you will, a backyard swimming pool
2 getting filled every single minute, 24-7, that's how
3 much water the two new reactors would require.

4 Now, I've seen a picture of the Guadalupe
5 River in drought and it wasn't much higher than the
6 gentleman's boot that was taking a picture. What
7 happens at those times? You can have senior water
8 rights. Does that mean you have water?

9 A nuclear reactor has to stay cooled, the
10 water has to come from somewhere or you have coolant
11 leaks, you can have a meltdown. You cannot be without
12 water for a nuclear reactor. So what happens to
13 everybody else if it comes crunch time? What happens
14 to the rice farmers, what happens to the ranchers,
15 what happens to recreation when the water gets scarce?

16 I live in Austin. Last year with the
17 drought the lake levels were incredibly low. You
18 might have seen pictures. Every single boat ramp on
19 the lake had to close, businesses were hurting, it was
20 an economic disaster. What happens when the water
21 levels go low again? This year we're doing well but
22 the experts say we're not out of the drought problems
23 by any means, that's it's coming again. What happens
24 then?

25 The nuclear reactors planned for Texas

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1 have had economic problems already. South Texas
2 estimates started out at \$5.9 billion. The most
3 recent ones from STPNOC, the operating company, are
4 \$18.2-. That's over three times increase and they
5 haven't turned dirt, they don't have a license.

6 This reactor planned for this community
7 would use, as of the latest I've heard, the advance
8 boiling water reactor design. I've been looking at
9 that. It's very flawed, it needs updating, it's going
10 for review. They've had to make numerous departures
11 or changes for the South Texas reactors. It is not
12 solid. Just because it was designed a lot of years
13 ago doesn't mean that it's ready to go.

14 Those are some of the main and many
15 reasons that this community should look carefully.
16 Look also at the history of Bay City. When they
17 invested in the first two reactors they thought: Oh,
18 great, we're going to have this economic boon. For
19 four years the population went up. After that it went
20 back down and eventually was right about where it
21 started. The city is not booming economically. In
22 fact, people who live there say it's quite a struggle.

23 They now have tritium showing up in the wells onsite,
24 in some of them. And what do you do after water gets
25 contaminated, how do you sort out radioactive tritium

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1 which is radioactive water, what do you do? Can this
2 community afford that?

3 Some of the legal cases that are being
4 taken up are addressing why not meet your energy needs
5 with other kinds of energy. In the '70s when these
6 nuclear reactors were getting built there weren't so
7 many options. Today wind is ripe, it's happening,
8 wind turbines in Texas have been generating up to 35
9 percent of the power turning on the grid at a high
10 point. It's not that way all the time, but we've been
11 hitting new highs. We've met our goals for the year
12 2025 this year because wind is a huge success and we
13 know how to do it and it doesn't take tons of water,
14 and it's making money, transmission is getting built,
15 it's been approved.

16 Our next big goal is to figure out energy
17 storage, to make it work to combine the different
18 sources of energy and then they can be baseload. Our
19 most pressing need is for peak power instead of
20 caseload so we don't even -- we do not need nuclear
21 reactors, we do need safe energy.

22 In 1982 the studies that were done for the
23 Nuclear Regulatory Commission by Sandia Labs found
24 that South Texas Project, if they had an accident,
25 18,000 people could die early deaths. That would be

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1 followed by thousands of cancers, genetic damage,
2 birth defects. Okay, a lot of people have talked
3 tonight about the growing population. You tell me,
4 what would those figures be today?

5 Why would we risk a type of power that can
6 lead to deaths and cancers when we don't have to
7 today? There are jobs, there are possibilities in
8 energy efficiency, in renewable solar, wind,
9 geothermal. We can combine these, we need to further
10 develop energy storage. I urge this community to look
11 at these safer ways that use less water and don't
12 threaten the economy with potential disaster.

13 We will be submitting written comments as
14 well. Thank you.

15 (Applause.)

16 MS. MROZ: Thank you.

17 And next we have Robert Singleton.

18 MR. SINGLETON: Hello. My name is Robert
19 Singleton, and I'm from Austin but I'm not without
20 ties to this area. My mother and father were both
21 from Edna and my maternal grandparents lived there and
22 many of my relatives still live there. We would spend
23 summer vacations and sometimes Christmas and
24 Thanksgiving in Edna, so I'm not unfamiliar with the
25 region.

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1 Being from Austin, though, gives me a
2 perspective, that I'm going to talk about a little
3 more in a minute, because we were early buyers into
4 the South Texas Nuclear Project, and I'm going to tell
5 you what that meant to us in just a minute.

6 First I want to talk about some of my bona
7 fides to talk about nuclear power, though. I'm kind
8 of a geek about the subject. I don't know if there's
9 anyone else here who can say that the first thing they
10 do in the morning is turn on the computer and go to
11 the NRC website to check the event reports. But if
12 you want to do that, it's www.nrc.gov -- that's
13 www.nrc.gov. Click on event reports. Almost every
14 day there will be something in there that will just
15 scare the daylights out of you.

16 My favorite are called fitness for duty
17 reports. All nuclear power plants do random testing
18 of employees and the number of people who fail these
19 tests for alcohol or drugs, and sometimes heavy drugs,
20 would surprise almost anybody that's worried about
21 living near a nuclear power plant.

22 You can also find out some other things
23 that have been in the NRC news lately. The Davis
24 Besse Plant in Ohio which is now on its third
25 containment head because it had corrosion that caused

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1 the first one become unusable, so they replaced it
2 with a second one and corrosion has caused it to be
3 unusable, but the NRC has decided to let that one go
4 ahead and stay until they get a third one from a
5 decommissioned nuclear plant that was built but never
6 opened in Illinois, possibly an Exelon plant, I'm not
7 sure about that.

8 But they're now on their third containment
9 head. This is our final line of defense, and Davis
10 Besse, some of the metal was down to one-sixteenth of
11 an inch. There was only one-sixteenth of an inch of
12 steel between a release into the containment building.

13 Crystal River in Florida has had cracks in
14 the containment facility. They found them because
15 they needed a new diesel generator in the plant so
16 they cut a 16 by 20 foot hole in the wall, I believe
17 it was, and they were looking around as they cut the
18 hole and they found out the inside of the containment
19 building was just filled with cracks, it was riddled
20 with cracks.

21 There's another plant in Florida that
22 recently discovered that it had a major containment
23 corrosion problem that was about to cause leaks into
24 the containment building. Now, this is our last line
25 of defense. If you combine a leaking head with

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1 cracked containment, you have the recipe for a
2 disaster.

3 I'm not going to spend a lot of time
4 talking about the dangers of nuclear power, I'm not
5 going to mention too much Chernobyl and Three Mile
6 Island and the China Syndrome, although I would kind
7 of like for those to be in the back of your mind.
8 What I mainly want to talk about is first some things
9 I've heard tonight and then some economic stuff which
10 ought to be very exciting.

11 First I want to comment on the NRC
12 official. I'll admit I was coming in the room when I
13 heard this so I may not have heard it right, but let
14 me see if I can get the essence of what he said. We
15 can't say no but we have options; we cannot say yes.
16 I want to know how we get to no. If the answer is no,
17 how do we get there. I didn't hear anything in the
18 process that was described that allowed no to be an
19 answer. The best that we could hope for was not yes.

20 I think we ought to keep no on the table.

21 Then the Exelon speaker noted that we
22 should all go to Google Exelon 2020. I think it's
23 really significant that she's sending you to a company
24 website instead of a news website. What she said can
25 basically be boiled down to: For God's sake, whatever

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1 you do, don't just enter Exelon into Google News --
2 which is what I recommend you do because I think
3 you'll find out some interesting things about the
4 company's track record. If you combine going to the
5 NRC website, www.nrc.gov, and going to Google News and
6 typing in Exelon, I think you'll find out a lot about
7 the company, its operating history and problems with
8 the plants.

9 But what I want to talk to you about next
10 is Austin's experience with the South Texas Nuclear
11 Project. They've recently changed their name, they're
12 now the South Texas Project. I insist on putting the
13 nuclear back in because otherwise people are likely to
14 think it's the Alan Parsons Project which Homer
15 Simpson once described as some sort of hovercraft --
16 but that's just mean going on a tangent.

17 We bought into the South Texas Nuclear
18 Project, Austin, because our mayor then -- who
19 eventually became Carol Strayhorn, one tough
20 grandmother running for governor and now in total
21 obscurity in Austin where she tried to run for mayor
22 and couldn't get elected -- but Carol's strategy was
23 simply to try till she got it right. We had three
24 referendums to buy into the South Texas Nuclear
25 Project. Finally on the third time was apparently the

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1 charm because that was the only yes vote out of the
2 three.

3 What we found, though -- we were told the
4 plant was going to be, quote, too cheap to meter --
5 what we found, though, was that 42 percent of every
6 dollar we paid to Austin Energy in the '90s was going
7 for debt service on the South Texas Nuclear Project --
8 42 percent of every dollar was going for debt service.

9 That doesn't sound to me like it's too cheap to
10 meter. It's such a bad deal economically that Austin
11 has tried several times to sell our share. The
12 voters, in fact, passed a referendum directing the
13 city council to try to sell our share.

14 Guess what? We couldn't find anybody who
15 wanted it at any price. Sixteen percent of a nuclear
16 power plant that is up and running and producing
17 electricity and nobody with any sense wants our share
18 of this. That's not surprising. We don't want our
19 share of this either.

20 The plant cost nine times as much as the
21 first estimate. That's cheap compared to Comanche
22 Peak which cost 16 times what the people in North
23 Texas were told that one was going to cost. Any
24 figure you hear about how much this plant is going to
25 cost, you should multiply by at least five or six,

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1 probably more than that because they're not even
2 talking about building now.

3 I want to talk for a minute about that
4 early site permit. Basically what they're saying is
5 this plant makes no economic sense right now but we
6 want to get our toe in the water and maybe in 20 years
7 we're going to build this. And I'll tell you what
8 they're going to do. They're going to say, well, you
9 should have been there at the hearing 20 years ago, I
10 mean, this thing has been on the books forever. The
11 early site permit is an attempt to get some sort of
12 preliminary approval for a plant that just doesn't
13 make any economic sense.

14 Basically, every nuclear power plant is
15 having trouble finding money right now. I think we
16 can all agree that Warren Buffett knows a thing or
17 two about making a dollar. Warren Buffett had a
18 chance to buy into a proposed nuclear plant in Idaho
19 recently. He looked at the money involved and decided
20 that it wasn't worth -- he had no problem with nuclear
21 power, he was interested in buying into this, he ran
22 the numbers and he said this doesn't make any economic
23 sense, and he backed out.

24 The reason is everything is going
25 economically against nuclear power. The cost of raw

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1 materials, concrete, rebar is going up. The price for
2 natural gas remains low. Congress hasn't adopted a
3 carbon tax which the nuclear industry is drooling for
4 because it's one of the things that makes their plant
5 make more sense. If you can make other forms of
6 energy cost more, then nuclear begins to look like it
7 makes a little more sense. But it looks now like
8 that's not going to happen thanks to our friends in
9 Congress.

10 The cost of renewables continues to
11 decline. If you look at the charts on the cost of
12 nuclear energy and the cost of renewables, you'll see
13 that at some point renewables are going to cross the
14 path of nuclear power and be cheaper to invest in. It
15 is a really expensive way to boil water.

16 You also have to factor in the fact that
17 right now -- and this is probably one reason why
18 Exelon is looking for an early site permit -- right
19 now bad economy is causing the projections for
20 electricity demand to actually decline. The estimates
21 of how much electricity we're going to need are being
22 scaled back because the economy continues to be bad.

23 The ESP stands for early site permit, but
24 it also stands for extra sensory perception, and I
25 think I just want to leave you with this, we don't

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1 need ESP to know that this is a bad idea.

2 Thank you.

3 (Applause.)

4 MS. MROZ: Thank you for those comments.

5 Is there anyone else who would like to
6 provide comments this evening? We don't have any
7 other speakers who signed up. I don't see any hands.

8 So with that, I will ask Scott Flanders,
9 who is the senior official here this evening from the
10 NRC, to come up and provide some closing remarks for
11 the meeting.

12 MR. FLANDERS: Thank you.

13 First I want to thank everyone for coming
14 out tonight and participating in the public meeting.
15 This is a very important process for us in collecting
16 comments from the local community to help us formulate
17 the scope of the environmental impact statement. It's
18 a critical part of the process.

19 We rely on three key pieces in terms of
20 putting together an environmental impact statement.
21 There's the application that's submitted by the
22 applicant which we require them to provide detailed
23 information, environmental studies, information for us
24 to review. And then we come out and we seek through
25 the scoping process comments from all members of the

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1 public, but particularly it's valuable for us to hear
2 form the local community because there's lots of
3 information, as Ryan talked about, that you're
4 familiar with and have insights that are very
5 informative to us as we analyze the technical issues
6 associated with the environmental impacts. And then
7 the third piece is our own experts going out in the
8 field, collecting information, technical data that
9 they also use to factor in in putting together the
10 environmental impact statement. So those three pieces
11 are very important in the process.

12 These meetings are also important, as
13 Tomeka mentioned earlier, the comment period doesn't
14 close until a month from now, January 3, so for folks
15 who may have heard different comments and may want to
16 go and do some research on their own and taking the
17 information that they heard from others at the meeting
18 and share comments with us, those are also very
19 valuable to us, so take advantage of that opportunity.

20 We welcome those comments as well and I think we have
21 various forums, whether it be e-mail, written
22 correspondence, various ways to get those comments to
23 us. So we look forward to having those comments as
24 well.

25 Keep in mind that through the process of

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1 NRC making a decision on an early site permit, whether
2 to grant that, the environmental review process is one
3 of two main reviews that we do. The other one is a
4 safety review which looks at detailed siting
5 requirements that have to be satisfied as well. I
6 would encourage you to our website. It talks about
7 both processes and it talks about the types of
8 information that an applicant would need to satisfy.
9 We encourage you to look for that as well.

10 And with that, I would stop and close the
11 meeting. Again, we appreciate your time and
12 attendance, and please take advantage of the
13 opportunity to not only give comments tonight, which
14 we appreciate, but also over the next month or so.
15 Thank you.

16 (Whereupon, at 9:00 p.m., the meeting was
17 concluded.)
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PUBLIC MEETING

ENVIRONMENTAL SCOPING MEETING FOR THE VICTORIA COUNTY STATION EARLY SITE PERMIT APPLICATION

December 2, 2010

Ryan Whited, Branch Chief
Tomeka Terry, Environmental Project Manager
Office of New Reactors

Purposes of this meeting

- Describe the NRC's environmental review process
- Provide the schedule for the NRC's review
- Describe how you can provide comments on the scope of the review
- Describe how you can be involved in hearing process
- **Listen to and gather your comments**

U.S. Nuclear Regulatory Commission

- NRC's mission:
 - Protect public health and safety
 - Promote common defense and security
 - Protect the environment
- The NRC is an Independent Agency
- The NRC has over 35 years of experience regulating operating reactors and other civilian uses of nuclear materials



Source: U.S. NRC



National Environmental Policy Act

- NEPA requires Federal agencies to use a systematic approach to consider environmental impacts
- An Environmental Impact Statement (EIS) is required for major Federal actions that may significantly affect the quality of the human environment
- Issuing a early site permit is considered a major Federal action

Environmental Review

- NRC's environmental review is a NEPA review
- NRC is the lead agency for the preparation of the EIS for the Early Site Permit
- U.S. Army Corps of Engineers, Galveston District is a cooperating agency for the preparation of the EIS





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U.S. Army Corps of Engineers

- USACE is the federal agency responsible for administering Section 404 of the Clean Water Act and Section 10 of the Rivers and Harbors Act of 1899
- USACE regulates the discharge of dredged or fill material into all jurisdictional waters of the United States and construction, excavation, or deposition of materials in, over, or under such waters, or any work which would affect the course, location, condition, or capacity of all navigable waters of the United States
- USACE permit decisions are Federal actions and must comply with NEPA



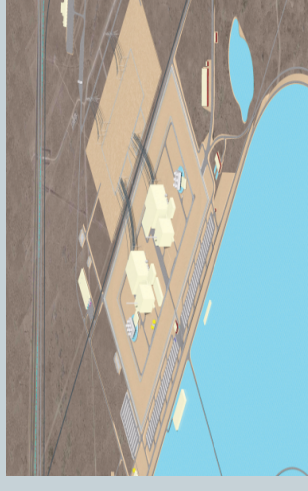
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USACE Participation

- The final Environmental Impact Statement will serve as the primary environmental document on which US Army Corps of Engineer's off-site alternatives analysis will be based for this proposed project if/when an application is submitted for an Department of the Army permit
- At this time, Exelon is not applying for a Department of Army permit

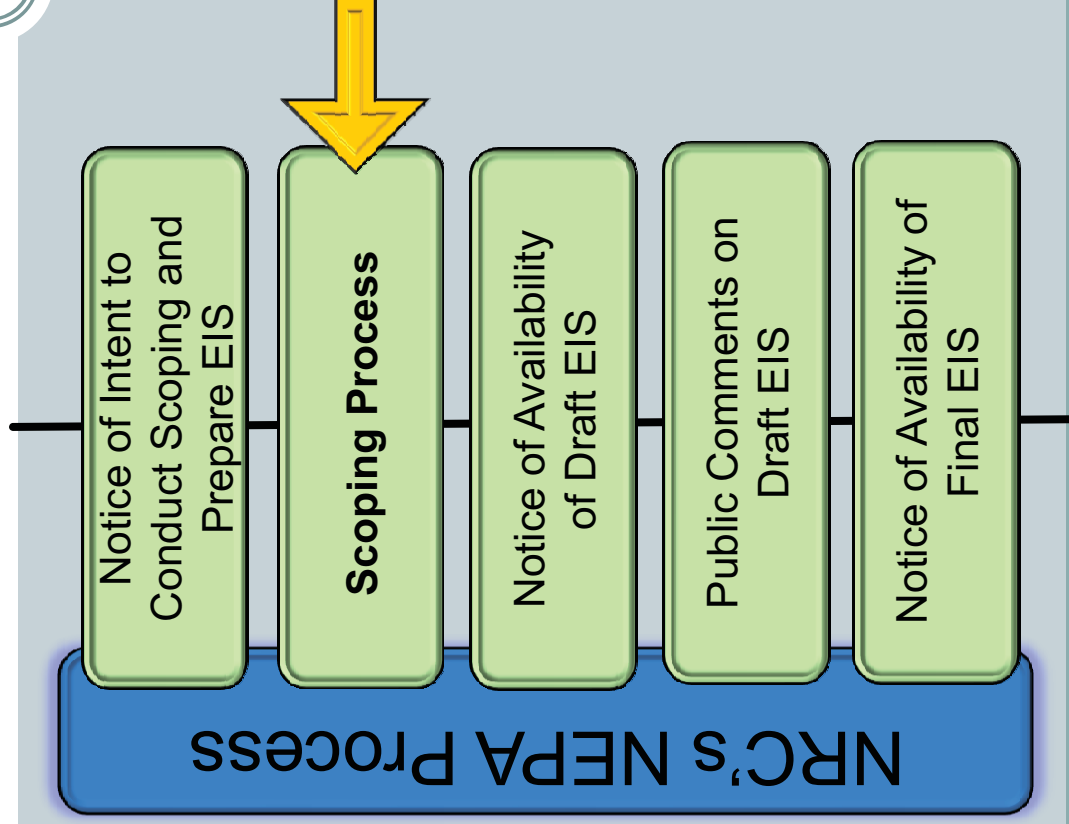
Early Site Permit

- An ESP does not authorize building or operating a new nuclear power plant
- An ESP is issued only if a site is found to be suitable for the potential building and operation of one or more nuclear reactor units
- On March 25, 2010, Exelon Nuclear Texas Holdings, LLC (Exelon) applied for an Early Site Permit (ESP) for one or more reactor units at the Victoria County Station site



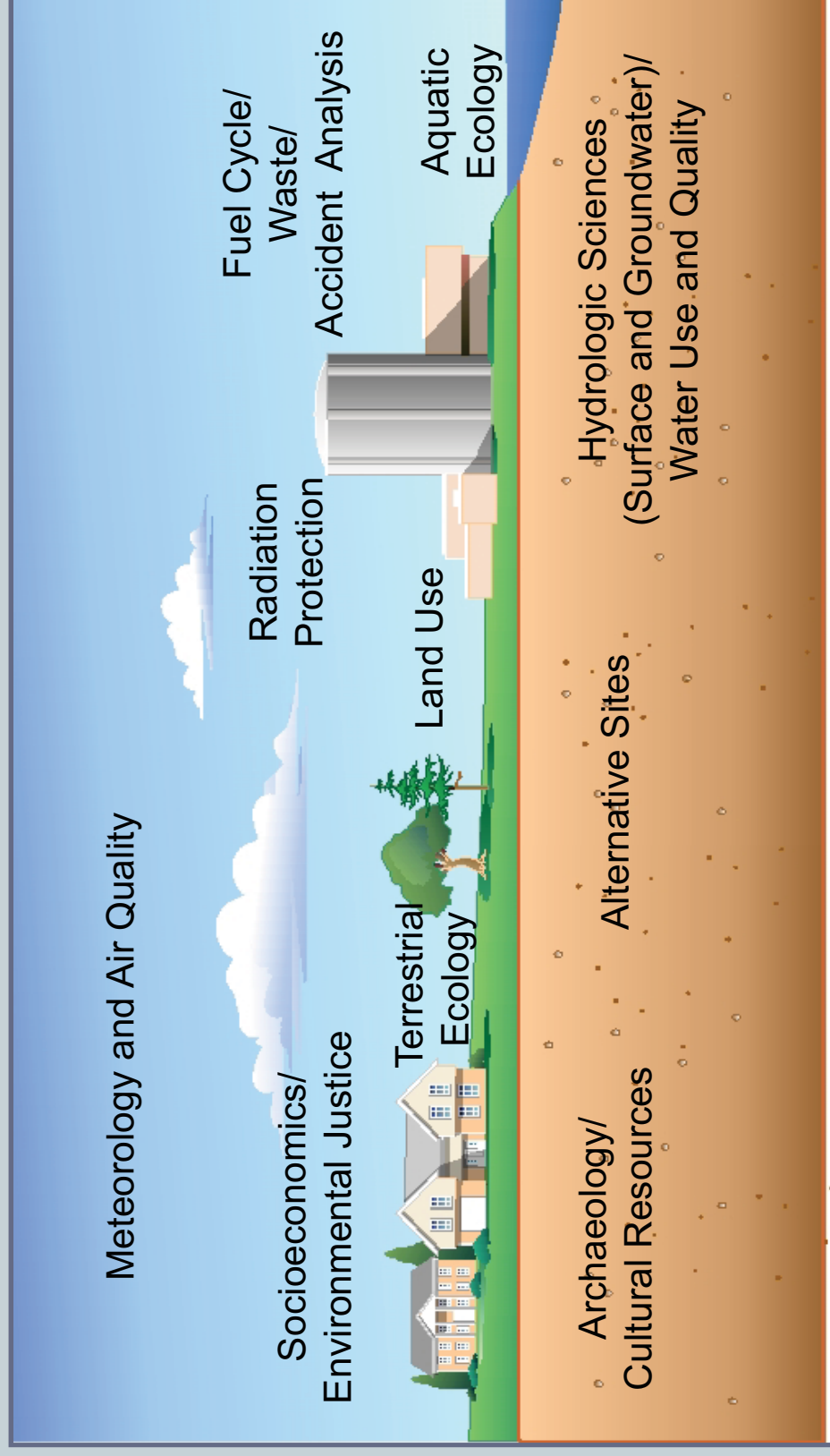
Source: Exelon Environmental Report

Review Process and Schedule



- Published *Federal Register* notice on November 2, 2010
- **Public scoping period from November 2 to January 3, 2011; includes today's scoping meetings**
- Expect to publish Draft EIS in August 2012
- There will be a 75-day public comment period on Draft EIS
- Expect to publish Final EIS in August 2013

Some EIS Resource Areas

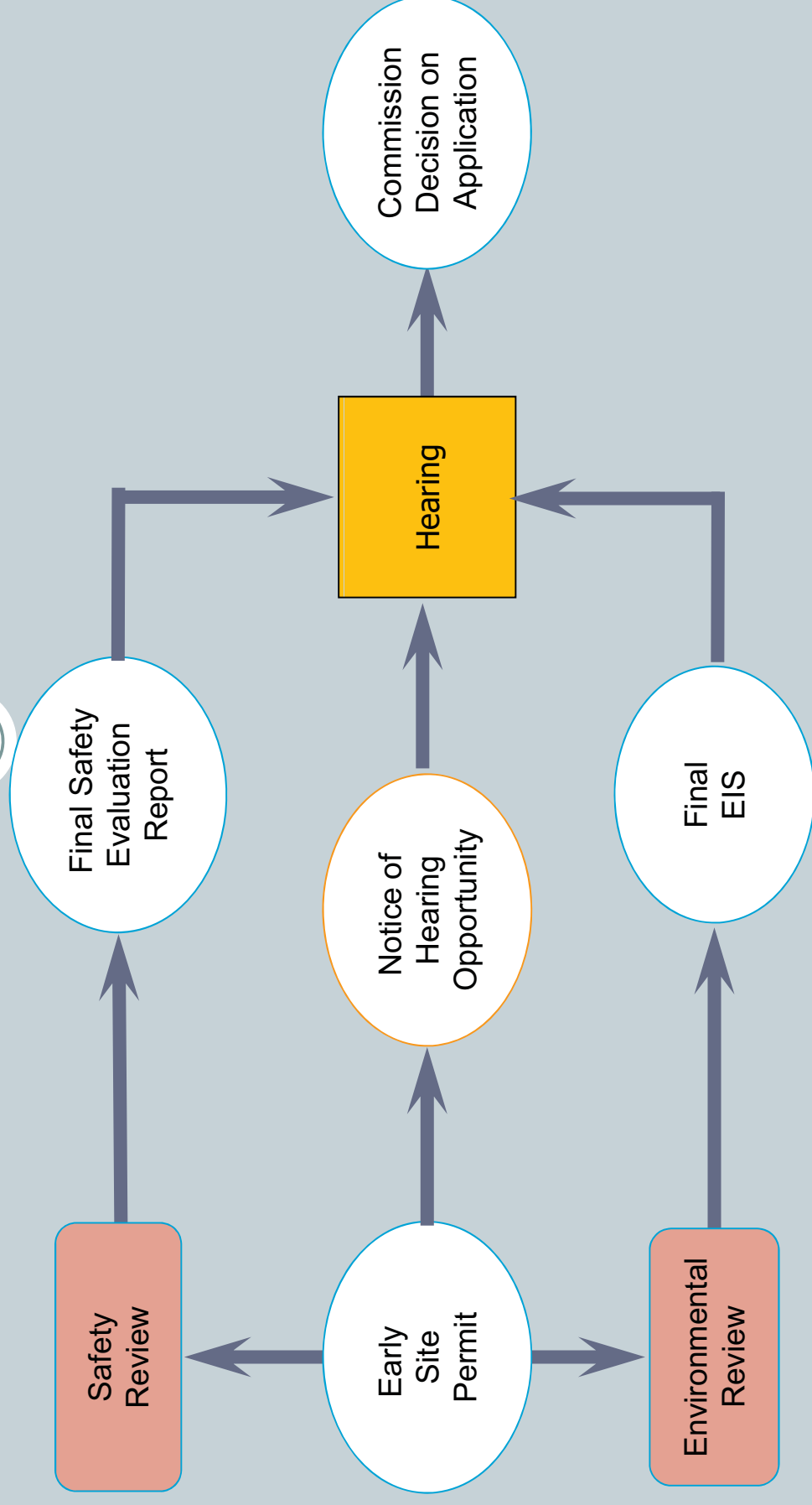


Source U.S. NRC

Environmental Scoping

- This process helps determine what NRC should review in preparing the EIS
- Comments during the scoping period can be submitted through **January 3, 2011**
- NRC's Scoping Summary Report will provide responses to all comments received

Early Site Permit Review

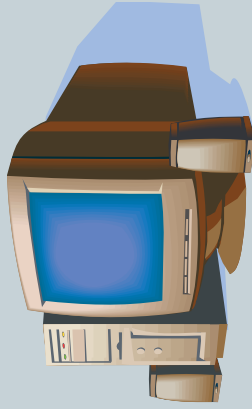


Getting Involved in the Hearing

- Opportunity for members of the public to seek a hearing (file a petition to intervene)
 - Deadline to file is **January 24, 2011**, see the November 23, 2010 Federal Register Notice (75 FR 71467)
- A digital certificate (or a request for a waiver of the certificate) is required for filing a petition
- Instructions for e-filing are included in the hearing notice or at www.nrc.gov/site-help/e-submittals.html
- **IMPORTANT:** allow **5** business days to obtain the digital certificate so that you meet the timeliness requirements



Access to the Applicant's Environmental Report



<http://www.nrc.gov/reactors/new-reactors/esp/victoria.html>



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Victoria, TX



Submitting Scoping Comments



Victoria.ESPEIS@nrc.gov



Chief, Rulemaking and Directives Branch (RDB)
Division of Administrative Services
Mailstop TWB-05-B01M
U.S. Nuclear Regulatory Commission
Washington DC, 20555-0001



Fax to RDB at 301-492-3446

COMMENTS ARE DUE BY **January 3, 2011**



Tomeka Terry, Environmental Project Manager
800-368-5642, X1488, Tomeka.Terry@nrc.gov

Jayson Hudson, USACE Project Manager
409-766-3108, Jayson.M.Hudson@usace.army.mil

Janelle Jessie, Safety Project Manager
800-368-5642, X6775, Janelle.Jessie@nrc.gov