

Davis-BesseNPEm Resource

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U. S. NUCLEAR REGULATORY COMMISSION

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PUBLIC MEETING TO DISCUSS ENVIRONMENTAL SCOPING

PROCESS FOR DAVIS-BESSE NUCLEAR STATION

LICENSE RENEWAL APPLICATION

+ + + + +

THURSDAY AFTERNOON SESSION

NOVEMBER 4, 2010

+ + + + +

PORT CLINTON, OHIO

The Public Meeting convened at Camp Perry Lodging and Conference Center, Camp Perry Military Reservation, 1000 Lawrence Road, Port Clinton, Ohio.

Present on behalf of the Nuclear Regulatory Commission:

RICHARD BARKLEY

DAVID WRONA

BRIAN HARRIS

PAULA COOPER

SCOTT BURNELL

ALLAN BAKER

APRIL BEHAULT

JOHN RUTKOWSKI

DAN KIMBLE

ADAM WILSON

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P R O C E E D I N G S

Afternoon Session

1:30 p.m.

MR. BARKLEY: My name is Richard Barkley.

I'm the meeting facilitator for the meeting this afternoon, and I'm very pleased to see we have a good turnout this afternoon. We'll probably have a larger turnout this evening for this meeting. This is on the Environmental Impact Statement for Davis-Besse's license renewal request.

And, what I'm going to do is go over to few ground rules of how we conduct this public meeting. We want to get your comments in and everyone gets a fair share of time and the Court Reporter can actually clearly hear your remarks.

First of all, if you would like to speak, please sign up on the yellow card up at the front. We have at least ten people who want to speak at this point in time. So, I will call you in the specific order to go through and make sure we cover all the groups that are interested in speaking.

To be fair to everyone, please limit your remarks to a reasonable period of time. I normally ask people to keep their remarks to five minutes. Since we only have about ten speakers, we can give you a little

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more latitude than that, and we'll work through and make sure you get a fair share of time but not too much time as we go through.

In the interest of efficiency, I will call three people to come up and speak. That seems to be the most efficient, so the first one will come to the microphone, whichever one you feel comfortable at. You can speak from this microphone or you can speak from the podium. And, after we go through three, I will call another three, so you have some time to prepare and are ready to make your remarks.

I alternate typically between elected officials and members of the public. That gives the elected officials a chance to speak early but also allows the public a chance to speak earlier as well. So, we'll alternate back and forth.

Next item, please silence your cell phones if you have one with you. Thank you very much. Again, please speak clearly into the microphone when you're speaking because we do have a Court Reporter to record these remarks, so we want to make sure we accurately recover all your remarks. If you have it in a written format, you can also turn those in to us as well.

I would ask in the interest of courtesy that you do not interrupt the speaker when you're talking and

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Speak only when at the microphone.

Again, written comments are welcome. If you don't want to come to the microphone, you can turn in written comments, and then the presenters here today will talk to you about how you can formally turn in written comments by mail between now and the latter part of the month.

And, finally, if you have any questions or concerns regarding how this meeting is being conducted, please come and see me. I will be glad to work through any issues you may have.

I would like to introduce the NRC staff in attendance at this meeting.

First, Dave Wrona is a Branch Chief from the License Renewal Branch.

Secondly, Brian Harris, who is the Safety Project Manager from NLR who will be making a presentation coming up.

Paula Cooper, who is the Environmental Project Manager from NLR, and she will also be making a presentation this afternoon.

Scott Burnell, the Public Affairs Officer from our headquarters office.

Allan Barker, the Region III State Liaison Officer.

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April Behault. She's a biologist with our Division of License Renewal.

John Rutkowski, he's the Senior Resident Inspector at Davis-Besse, and Dave Kimble who I believe will be replacing him in the near term.

And, finally, Adam Wilson, who is the resident inspector.

At this point in time, I would like to turn the meeting over to Brian Harris to make his presentation.

MR. HARRIS: Good afternoon. My name is Brian Harris, and I would like to thank you all for coming out to this public information session today. I'm NRC's Project Manager in charge of the Davis-Besse license renewal application for Davis-Besse.

This meeting serves two purposes: To explain the license renewal process and to gather your comments on the environmental scoping. This slide points out two parts of the meeting where you can get involved. We'll have a question and answer session on the license renewal process, and later we'll officially record your environmental scoping comments.

Next slide, please. So, our first topic on the agenda is the license renewal process overview. As I said earlier, we're here to help you understand the

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license renewal process. I'll describe the safety review, and Ms. Paula Cooper will do the environmental review.

So, before I get into the discussion of the license renewal process, I would like to take a minute to tell you about NRC, what we do and what our mission is. We protect the public health and safety, promote common defense and security and protect the environment from radioactive materials that are used for civilian purposes.

We accomplish this mission by establishing rules and regulations, conducting inspections, issuing enforcement actions, assessing licensing performance, and evaluating operating experience for nuclear plants across the country and around the globe.

So, one of the ways that we protect public health and safety is through our ongoing oversight of nuclear power plants. The NRC's power plant oversight covers topics such as emergency planning, security and current safety performance every day through our resident inspectors and additional staff at our Regional Headquarters Offices.

For example, the NRC continues to evaluate how First Energy is addressing the emergency preparedness issue at Davis-Besse. The Agency issues a

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report on Monday of our inspection activity to this point. And, because we address security emergency planning and current performance every day, we do not reevaluate these issues in license renewal.

Another example of ongoing oversight is the recent NRC mandated inspection of Davis-Besse's reactor vessel head which reveal cracks in nozzles on the head. While the cracks do not affect safe plant operation, the NRC oversaw First Energy's repairs of the head and ensured that the plant did everything necessary to keep the plant operating safely before Davis-Besse started this summer.

The NRC will continue to oversee these sorts of inspection, maintenance and repair activities for every operating plant regardless of whether the plant has entered a new license period.

So, the Davis-Besse Nuclear Power Station was originally licensed on April 22, 1977. The Atomic Energy Act authorizes the NRC to grant a 40-year operating license to nuclear power reactors. The plant has been operating for 32 years under its 40-year license, and Congress decided on the 40-year term for economic considerations and antitrust factors, not on safety or technical limitations. If the license is renewed, it will then be valid until April 2037.

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License renewal involves two parallel reviews: A safety review and an environmental review. These reviews evaluate separate aspects of the license renewal application. The safety review focuses on the aging of components and structures that the NRC deems important to plant safety.

The staff's main objective is to ensure the applicant can adequately manage the effects of aging on the plant and will document results of our safety review in our safety evaluation report, or SER.

For the environmental review, the staff considers, evaluates and describes the environmental impacts of operating the plant for an additional 20 years. The objective of the review is to determine if the environmental impacts of the license renewal are so great that license renewal would not become a reasonable option. The staff prepares an Environmental Impact Statement, or EIS, to document its environmental review.

So, this diagram lays out the two review paths as well as three other inputs to the Commission's decision on whether or not to renew an operating license, and one of their considerations is an independent review of the staff's safety report by the Advisory Committee on Reactor Safeguards, or ACRS.

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The ACRS is a group of scientists and nuclear safety experts who provide professional advice to the Commission. Now, after reviewing the application, the safety evaluation report and inspection findings, the ACRS reports their findings and recommendations directly to the Commission.

Hearings may also be conducted if interested stakeholders submit concerns or contentions, and their request for a hearing is granted. The Commission considers the outcome of the hearing process in its decision on whether or not to issue a new operating license.

As part of the environmental review, the staff consults with local, state, federal and tribal officials.

Now, I'm going to describe the license renewal process in a little more detail with the safety review, and Ms. Cooper will describe the environmental review later.

So, the regulations governing a license renewal are based on two principles: The first principle is that the current regulations ensure that the current licensing basis for all operating plants provide and maintain an acceptable level of safety.

The second principle is that the plant's

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current licensing basis must be maintained during the renewal term. In other words, the same rule that applies under the current license will apply to a renewed license. In addition, a renewed license will include conditions that must be met to ensure aging is adequately managed so that the plant's current licensing basis is maintained during the extended period of operation.

The staff performs rigorous reviews of the applicant's application and supporting documents, and this review includes evaluating new and existing programs and surveillance activities to determine whether the effects of aging concerning plant structures and components will be adequately monitored and managed.

The safety review also includes on site audits to verify the applicant's technical basis and to verify and confirm that the application accurately describes the applicant's aging management programs and activities. The staff documents the basis and conclusions of its review in a public safety evaluation report.

In addition, a team of specialized inspectors travel to the site to verify that aging management programs are being implemented, modified or planned consistent with the license renewal application.

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The Advisory Committee on Reactor Safeguards independently reviews the license renewal application and the staff's safety evaluation report before making a recommendation to the Commission regarding a proposed action to a renewed operating license.

So, that concludes the safety review, and I'll now hand it over to Ms. Paula Cooper.

MS. COOPER: Good afternoon. My name is Paula Cooper. I'm the NRC's Environmental Project Manager for Davis-Besse, and as Brian Harris described previously in the safety review, I'm going to do the bottom leg of the diagram and do the environmental review.

The environmental review follows guidelines set by the National Environmental Policy Act, also referred to as NEPA. NEPA provides the basic architectural review format for federal environmental reviews requiring a systematic approach and advising the potential impact of major federal action.

At the NRC, the license renewal application is classified as a major federal action. The environmental review considers the impact of the proposed action and any mitigation for those impacts be considered to be significant. We consider alternatives to proposed action, even the impacts associated with not

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issuing a renewed license, referred to as a no action alternative.

As you can see, you have several opportunities to participate in the license renewal process. A Federal Register notice and press release will be issued for most of these opportunities. The environmental review begins today with the scoping activities that reveal important issues that need to be analyzed. During the scoping, we want your comments on the scope of the environmental review.

The public input is the second half of our meeting today and will be discussed later in this session.

After studying the range of environmental impact, we will publish a draft Environmental Impact Statement for public comment. At that time, we will come back and have another public meeting and issue and request your comments on that draft. Once we collect your comments on that draft, we will then issue our final Environmental Impact Statement.

The opportunity for a hearing permits those who are directly affected by the licensing qualification. A hearing will be conducted by the panel of administrative law judges who are called the Atomic Safety and Licensing Board, also referred to as the

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ASLB.

This is the important milestone to the license renewal application process. The notice of opportunity for hearing was published on October 25th, followed by the notice of intent for hearing, the EIS, and conduct scoping on October 29th.

The period for making comments or contentions for a hearing closes on December 27th. If you have comments regarding the environmental review, if you would like to see a copy of today's meeting, you will have the opportunity to do so until December 27th as well.

In summary, before deciding to issue a renewed operating license, the Commission considers the following factors:

The staff safety review which is documented in the safety evaluation report, the staff environmental review which is documented in the Environmental Impact Statement, NRC's findings and conclusions from the sections, and the recommendation by the committee on reactor safeguards, these hearings.

If a hearing is conducted, the absence of that process is also taken into consideration. The typical time frame for renewing a renewed license is 22 months for review, provided that no hearing is

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involved. If a hearing is involved, it could take 30 months or more.

We have made available hard copies of the license renewal application at the (indiscernible) public library and the Toledo Lucas County Public Library. When the draft Environmental Impact Statement is available, it will also be available at those libraries as well.

Several documents have been previously gathered and can be found on the CD located on the table here to my right. They include the generic Environmental Impact Statement, the license renewal application, the three Federal Registers that have been published to date and a copy of the frequently-asked questions for license renewal. You can also access all these documents on the NRC website. The LRA can be found on the website as well.

For information relating to the scoping comments, you can review the regulations on site and additionally to keep informed on aspects related to the NRC at the website.

This concludes this presentation, and I'll turn it back over to the facilitator.

Thank you.

MR. BARKLEY: Thank you. At this point in

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time, we would like to ask the audience if there are any questions regarding the license renewal process. This is not an opportunity for you to provide comments on the Environmental Impact Statement but, rather, an opportunity for you to ask questions regarding this process of the staff. If you have any questions, please go ahead and move to the center microphone and staff will answer them; and if not, we'll move into the comment period.

(No Response)

MR. BARKLEY: No questions? Okay, how about we move right into the comment period then.

MS. COOPER: All right, previously, we had presented the license renewal process, and now we're going on to the second stage of the presentation and that's the environmental scoping.

This completes the previous presentation, and I would like to highlight that we're on the second step followed by the public scoping meeting.

Scoping meetings started on October 29th with the notice of intent to prepare an EIS and to conduct scoping was published.

In general, we were looking for sources of information about the environmental impact of continued operations at Davis-Besse that we should consider when

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we prepare our EIS.

You can assist us in that process by telling us, for example, what aspect of your local community we should focus on, what local environment and economic aspect that the NRC should examine during our environmental review and what reasonable alternatives are most appropriate for the area.

These are just some examples of the input we're look for, and they represent the kind of information we are seeking through the environmental scoping process. Your comments today should be helpful in providing insight of this nature.

Through the environmental review, the NRC has established a team of staff and contractors who are experts in various fields and disciplines. This slide gives you an idea of the various areas we're looking at during the environmental review. They include terrestrial and aquatic policies, environmental justice, hydrology and radiation.

For license renewal review, NRC's environmental staff looks at a wide range of impact. We consult with various federal, state and local officials as well as leaders in Indian nations, gathering pertinent information from these sources ensuring that it is considered in our analysis. Examples include the

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Environmental Protection Agency, US Fish and Wildlife and State Historic Preservation Offices.

This slide represents the different methods for the public's scoping comments. It shows how to mail, fax and submit through the internet on regulations. The scoping comments are reviewed by December 27, 2010. In general, we are looking for information about the environmental impact from continued operation of Davis-Besse.

We know you are the experts in your community so your comments today will ensure a thorough review of the environmental, social and economic issues the NRC should examine during our environmental review and what reasonable alternatives are most appropriate for this region.

You are the primary contacts for the NRC for the license renewals for Davis-Besse, the Project Manager, Brian Harris, and myself. If you have any questions about today's meeting, we will be around to answer questions following the meeting. If you have questions after you leave today, you're more than welcome to contact any one of us.

This concludes my presentation. Thank you.

MR. BARKLEY: Okay, thank you.

The first three people I would like to call

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are Mark Stahl of the Ottawa City Commission, and then Jere Witt of Ottawa County, and Fred Petersen of the Ottawa County EMA.

If you would like to speak from this microphone, that would be fine. Go ahead and lead off.

MR. STAHL: Thanks, Mark.

Good afternoon. My name is Mark Stahl, and I'm the President of Ottawa County Commissioners. Ottawa County is successful because we surround ourselves with successful community partners, and Davis-Besse is one of those community partners, who we look very favorably upon.

You will hear from some the other agencies, the nonprofits, the contributions that you make back to our community helps us tremendously, and we greatly appreciate that.

We also as Commissioners appreciate our NRC partnership. We have had conversations with you, I know, through the years, and we appreciate those unbiased conversations that we've had in regard to Davis-Besse.

So, I will let these two gentlemen fill you in, but as President of the the Ottawa County Commissioners, I'm here to offer our support to you,

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Davis-Besse, in your application process.

Thank you.

MR. WITT: Thanks, Mark. I appreciate you putting Mark before Fred and I because he's our boss. I'm Jere Witt. Many of you know me. I'm County Administrator for Ottawa County. I've been with the County for 32 years, and ironically when I looked at the dates on there, I started with the County on July 20, 1978, and I believe the plant began operating in on July 31, 1978. So, we're pretty close on our birth dates there.

I've been involved, as I said earlier, many years with Davis-Besse and especially within the last five to ten years. I was part of the restart overview panel that worked for two years on the head issues. I got my nuclear degree during that two years. I much appreciated, and I really got a better feeling for Davis-Besse and the nuclear industry.

I currently serve on the Company Nuclear Review Board to ensure that Davis-Besse continues to operate safely, and there's a bunch of nuclear experts on there and then there's me, but it's easy for me to use their expertise to see if Davis-Besse operates safely, and I'm happy to say that every time we've met, we have concluded that Davis-Besse does continue to operate

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safely.

I attend and participate in the NRC quarterly exit meetings of Davis-Besse, and those have been another way for Ottawa County to keep informed on what's going on with Davis-Besse.

I receive many, many, many more than I really want to see daily e-mails from the plant, but the most important one is the morning e-mail that I get every morning that tells the current status of the plant and the issues that are going on, and it's an easy way for me to keep up daily. I'm kept informed by plant management. I think I get calls in the middle of the night any time there is an issue, and we appreciate that because it's showing their concern that Ottawa County is able to keep inform.

As Mark mentioned, we work closely with the NRC. We've been meeting with them quarterly just to bring us up to speed, hear what's going on at Davis-Besse, and get the NRC's side of that.

I actually have a vested interest in the plant. I own property that abuts the plant, and it's very important to me that they keep that plant operating safely. I have a cottage there that my -- when the head incident happened, my grandchildren and their mother and dad were living there, and my wife kept asking me if I

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knew what I was talking about, that it was safe, and I was assuring her that I did.

We continue to watch closely to see that the plant does operate safely. I have personally witnessed the transformation of the site personnel in the new safety culture, and they continue to maintain that culture, and I think that is one of the most important things that any nuclear power plant has to do.

I believe that the people who work at Davis-Besse and have witnessed how they challenge each other for safe plant operation. I don't think that was necessarily always true years ago, but today they do, in fact, and at many of my visits out there, I have witnessed how they challenge each other.

Many of the Davis-Besse employees live in the community and are important assets to Ottawa County. I think it's very important that the corporate structure that's been put in place to oversee the operations of Davis-Besse continue, and I think it's a good structure.

Davis-Besse has been a great asset to the community and are very involved in Ottawa County. We in Ottawa County will continue to watch and make sure the plant operates safely, but through my past involvement, I have no concerns for the safety of Davis-Besse.

We look forward to a license renewal. Ottawa

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County wants Davis-Besse to stay, and welcome them in the future and urge the NRC to move forward with this license renewal.

Thank you very much.

MR. BARKLEY: Thank you Jere.

Fred?

MR. PETERSEN: Thank you. My name is Fred Petersen. I'm the Director of the Ottawa County Emergency Management Agency. I've been involved in the EMA for 16 years and ten months.

I want to talk specifically about the Ottawa County EMA's good working relationship with Davis-Besse Power Station. Largely because of that relationship we provide a lot of benefits.

All of our plans and procedures are thorough and well maintained and are regularly exercised. Those exercises are conducted specifically on the radiological side biannually. So, every two years, FEMA comes in and evaluates our performance plan to keep us in compliance.

Over the years that I have been associated with the agency and even prior to that, we have had no significant issue on our exercises, and they perform very well.

Our emergency operation center and our risk management agency are generally better equipped, more

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well maintained and larger and larger staffed than most counties of our size throughout the State of Ohio. And, that is because of our partner.

We feel like we're very well prepared for anything that happens here in the county, specifically radiological rescue emergency preparedness. But, some of the things that we do on the radiological side that really benefit us are lot of spill-over benefits on preparedness work review at Davis-Besse. Those would include, we have a great relationship with our fire, EMS, law enforcement, private response orientation in the county, and that's because we regularly exercise training and work with them.

So, all the events that have happened in the county, we have been very successful with our response, and a lot of that is because of everything we do with Davis-Besse, and how it helps with our relationship.

An example of that would be the tornado this past June. Everyone that was involved had some sort of role in the radiological response program. A lot of the response procedures that we use for Davis-Besse are very applicable to some of the things that we had to do like HAZMAT.

The tangible things that we have is because of Davis-Besse. One of the things that is very

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noticeable in the county is we have county-wide siren system. A large part of that is at the Davis-Besse plant, and is available to us for any number of outdoor notifications that need to be relayed; specifically, weather, very, very important to the community.

We also do a brochure calendar for our particular State of Ohio, Lucas County, that goes to all of our residents and provides them a plethora of information about all types of emergency response and what they can do in response to tornadoes, floods, HAZMAT and radiological emergency.

So, really, all this adds up to the fact that our relationship in Ottawa County with Davis-Besse is a benefit to the residents of Ottawa County.

Thank you.

MR. BARKLEY: Thank you.

The next three people I would like to call are: Chris Galvin of the United Way; followed by Jackie VanTress of OPEIU, Local 19; and following, Kimberly Kaufman of the Black Swamp Bird Observatory.

Thank you.

MS. GALVIN: I'm Chris Galvin, Director of the United Way in Ottawa County. The Davis-Besse Nuclear Power Station and on a larger scale the First Energy Corporation are a tremendous community partner to

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the local United Way. Since 1993, First Energy has contributed more than 13.5 Million Dollars to United Way of Greater Toledo which serves Ottawa, Wood and Lucas Counties. 3.1 Million came from corporate gifts, 10.4 Million from its incredibly generous employees.

First Energy has also earned United Way's Pillar Award each year since at least 1992. Our data doesn't go back any further than that. It seems they consistently give more than a hundred thousand dollars each year to the Greater Toledo campaign.

Not only does this community consistently get solid financial support from First Energy and its employees, but executive leadership has also demonstrated exceptional personal commitment to our work.

In 1993, Don Saunders chaired the local United Way campaign, raising 12.5 Million Dollars.

In 2005, Jim Murray, now retired, but formerly First Energy President of Ohio Operations, chaired the local United Way campaign. Under Mr. Murray's leadership, the campaign raised 13.3 Million Dollars. We also presented Mr. Murray with our Prestigious Caring Award in 2006 for demonstrating value and concern for our community through vision, leadership, service and commitment to the people of our

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community.

In 2009, Trent Smith, Regional President of Toledo Edison First Energy, became chairman of the United Way of Greater Toledo's Board of Trustees and has drawn to a close on his second year of service. Mr. Smith has gone above and beyond the level of service, dedication and commitment we typically see from board chairs. He has become involved in virtually every level of our work, digging in and helping find real solutions.

In addition to these executive leaders, numerous upper-level management have supported United Way by using their voice and relationships to help secure financial and volunteer support as well as advocating on behalf of the United Way and the Northwest Ohio Region.

In addition to Don Saunders, Jim Murray and Trent Smith, some of the stand-out employees include Debbie Paul, Mike Adams, and Mel Lomack. Additionally, in the 1990's Jennifer Schreiber served five years as the chair of our community impact cabinet, the highest level of community impact volunteers who decide how money is allocated in this community. Also joining her on the cabinet was Jenny Ammadon. Both are now retired.

First Energy also demonstrates incredible commitment to the communities through sponsorships and/

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or participation in programs and events.

In 1993 and 1994, Davis-Besse sponsored our loaned executive program. Jim Ferris, now retired from Davis-Besse, was the loaned executive in those two years. First Energy has also sponsored loaned executives over the years, from 1996 continuing for 11 years.

Employees consistently contribute to and participate in Stamp Out Hunger and/or Scouting for Food efforts each year. They were a major sponsor of our Family Food Fund in 2008.

First Energy was the sponsor of our Community Building event in 2005, and was the initiator and sponsor of the Veterans Appreciation Event in 2006, which continued until 2009.

Davis-Besse and First Energy are a valued community partner, both philanthropically and economically. They have been incredible contributors to our community over the past 20 years, and we only hope that this will continue for at least another 20 years.

Thank you.

MR. BARKLEY: Thank you, Chris.

Jackie?

MS. VANTRESS: Good afternoon. My name is Jackie VanTress, and I am representing OPEIU, Local 19.

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"OPEIU" stands for Office and Professional Employees International Union, and we represent the clerical support staff at Davis-Besse.

On behalf of the Union, I would like to voice our support in this public meeting. A renewal of this license will not only promote and maintain employment for our members who live and shop and send their children to school in that area, but it will also assure the delivery of reliable electric service to our customers.

Research has shown that nuclear power is clean, is efficient and produces more energy at a lower cost than any other means of generation. So, it is important that we keep this plant in operation.

Local 19 is proud of the safety record and operations at Davis-Besse as well as the work we do here and the service we provide to the public. OPEIU, Local 19, would like to continue to be a part of the team for at least the next 20 years.

Thank you.

MR. BARKLEY: Thank you, Jackie.

MS. KAUFMAN: Good afternoon everybody. My name is Kimberly Kaufman, and I'm the Executive Director of Black Swamp Bird Observatory, and while I understand the seriousness nature of this hearing, I'm actually

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really pleased to have this opportunity to address this group.

My organization represents a somewhat unique marriage, if you will, between a conservation organization and a nuclear power plant. The general public and, of course, all of you in the room are certainly familiar with the fact that the nuclear power plant resides in this part of Ottawa County, but very few are actually aware that the power plant co-exists with the thriving marsh that just sort of forms a hub around the power plant.

Our organization has been conducting migratory bird regions in this area for more than 20 years, and we really take pride in this marriage, and we work hard like a good spouse to maintain it.

The marsh represents a critical stop-over habitat for millions of migratory birds. And, in fact, many the world's leading bird experts consider this marsh to be one of the most critical areas of stop-over habitat in the entire western hemisphere.

The observatory in these 20 years have had the full support of First Energy and Davis-Besse to conduct this critical research and, in fact, during a very exciting tumultus time in this country's history, we were very afraid that our consistent effort meaning

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that seven days a week, spring and fall, during song bird migration, our research staff was out at that marsh in front of the power tank conducting this research seven days a week for more than 20 years.

When the tragedy occurred on 9/11, we were very concerned for, of course, the human tragedy, but also concerned that our research would be interrupted. And, in fact, Davis-Besse really fully understood the importance of this research, and the importance of conserving the integrity of the data set, and we didn't miss a single day.

And, perhaps nothing else, no other event in our history or recent history speaks more to how much they have said they understand the critical role that they play in local environmental and conservation issues than that event.

So, based on our long-standing relationship, it is our opinion the Davis-Besse and First Energy have not only worked to fully understand and fully support the environmental issues for this local community, but have also fully embraced the role that they play in all of these issues.

So, it is opinion of the Black Swamp Bird Observatory that the Davis-Besse Nuclear Power Plant is a critical player in bird conservation in the entire

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region of the western hemisphere.

Thank you.

MR. BARKLEY: Thank you, Kimberly.

The next three people I would like to call are Steven Inchak, who is representing Congressman Dennis Kucinich; Beth Leggett with the American Red Cross; and Brad Goetz of the IBEW, Local 1413.

Welcome, Steve.

MR. INCHAK: Good afternoon.

Thank you for the opportunity to speak. My name is Steve Inchak, and I work for Congressman Kucinich, and what I'm going to do is simply read a letter that the Congressman sent to the NRC chairman today, and it reads as follows. And, I would also like to ask that you consent to include the article referenced in the official record, which I will provide after I read the letter. It reads as follows:

"Dear Chairman Jackstow: First energy should not be allowed to continue to operate Davis-Besse after 2017. The people of Northeast Ohio are familiar with First Energy's pathetic record in protecting the safety of people who live in this region. In a series of recent articles in the Toledo Blade, which I am enclosing, the people of our Region are reminded about the 12-minute

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interruption to the feed water flow to the steam generators on June 9, 1985, which was cited as a 'potential catastrophe.'

"The people of our region are reminded of Davis-Besse's reactor head 'weakened by years of neglect' which nearly burst in 2002. The people of our region are reminded that your predecessor, Harold Denton, stated in 2004 that these two incidents represent 'the nuclear industry's second and third lowest points after three-mile Island.'

The people of our region are reminded that First Energy employees tried to conceal the truth of the 2002 incident from the Nuclear Regulatory Agency, using tricks, 'schemes or devices' to deliberately mislead your Agency.

"The people of our region are reminded that David Pullman, Chief of the Justice Department's Environmental Crime Section, said that First Energy showed 'brazen arrogance' and 'breached the public trust by withholding information about the reactor head incident.

"The people are reminded that federal prosecutors described the reactor head incident as 'one of the biggest coverups in US nuclear

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history.'

"The people of our region are reminded that First Energy paid a record fine of \$33.45 Million as a result of its actions. Of that amount, a record \$28 Million was a fine that First Energy paid to 'avoid being criminally prosecuted for lying to the government about the dangerous condition of Davis-Besse's reactor head' according to then US Attorney Greg White in 2006.

"While these fines were record fines at the time they were imposed, I pointed out then that the total fine was merely one percent of First Energy's profit in 2004. While these fines may have been record fines, they were a mere slap on the wrist for First Energy and did nothing near to what would have been necessary to change its corporate culture.

"The corrosion of the reactor head started because the Davis-Besse reactor head was made of an alloy that would not withstand this kind of corrosion. All of the other operators and nuclear reactors with similar heads confronted the situation by replacing their reactor heads with new heads of a different alloy that would not be subject to this kind of corrosion.

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"In 2004 First Energy chose cost over safety, and it replaced the corroded reactor head with another reactor head made of exactly the same material.

"Six years later First Energy made us shocked to discover that the corrosion was forming on that inferior reactor head as well. Still, First Energy had not learned its lesson. They wanted to postpone the final replacement of the reactor head with a new head made with a noncorroding alloy until 2014.

"First Energy did not abandon that 2014 replacement date until the NRC threatened to require Davis-Besse to shut down for an inspection of the old reactor head every year until it was replaced.

"Only as a result of that threat is First Energy finally going to install a noncorroding reactor head in 2011.

"Recent events suggest that First Energy still has a corporate culture that is more focused on costs and profits than on its safety.

"In 2009 Davis-Besse suffered an explosion and fire in the power switching gear located outside of the reactor building which First Energy

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failed to report and did not declare an alert.

"The evidence shows that this culture exists in First Energy beyond its operation of Davis-Besse. The NRC has been keeping a 'close watch' on First Energy's operation at its Perry reactor in Northeast Ohio as well. The NRC remains concerned that Perry's safety culture is not up to industry standards and has maintained a close watch there for the last two years.

"Davis-Besse has been operating for 33 years. It has experienced two of the industry's most serious nuclear incidents during those years. This is not just bad luck. The problems at Davis-Besse are a direct result of First Energy's mismanagement and disregard for the safety of people who live and work in the area and who would be affected by any nuclear incident.

"The NRC should not grant a license to a company that only operates safely while a 'special' inspection team is monitoring its day-to-day activities and when a 'close watch' is being kept on it.

"The NRC must continue to keep a close watch on Davis-Besse between now and 2017 and then to ensure that, first, this aging reactor with a

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deplorable history of operations and maintenance be safely shut down and decommissioned at the end of its current license.

"Sincerely, Dennis J. Kucinich, member of congress."

Thank you.

MR. BARKLEY: Thank you, Steven. We will receive that letter into the record.

Beth?

MS. LEGGETT: My name is Beth Leggett. I'm the Director of the American Red Cross in Ottawa County, part of the greater Toledo area chapter which is a regional chapter for all of Northwest Ohio.

Through my position with the Red Cross, I have seen cooperation that is envied between the Emergency Management Agency and First Energy Davis-Besse amongst the agency's first responders because of the emergency preparedness that we do, we have been educated to do over my 22 years in this position.

In Northwest Ohio, we're envied because of the readiness that we have from the Red Cross standpoint as well as from the whole county and the agencies that are involved.

We have a congressional mandate to prepare, prevent and respond to emergencies through the Red

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Cross. I think the Emergency Management Agency, Fred Petersen, spoke to the cooperation with all things that we do to help us be ready and to protect the citizens of Ottawa County.

We also because we have the mandate but we do not receive government funds, I can speak to what Chris Galvin of United Way said with regards to the money that comes into the United Way. We are a United Way Agency, but even besides that, we have profited, the Red Cross organization, from financial support on many levels from First Energy and Davis-Besse as well as from the volunteer aspect of the employees that respond through the involvement of their families.

We have three or four blood drives that we conduct at Davis-Besse that are very successful. We have had a lot of leadership that has come out of the Davis-Besse plant. Chuck Witt was a six-year chairman for our local advisory board.

Currently, Terry Mortis, who is the Regional Manager also of the Ottawa County District with First Energy that provides a lot of leadership, a lot of guidance to the Red Cross.

And, I'm going to take my Red Cross hat off, and I want to say that May 15, 1979, I became a new mom for the very first time, and when my daughter was

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two years old, had not the rain storm come the afternoon of the protest march in front of Davis-Besse, I would have been in it.

And, I sat here today and thought how far I've come and how grateful I am to have had the exposure, educationally through the community, through my friends to see the Davis-Besse plant in a whole different light. I was young in the Nineties. I'm a little bit smarter now about how those things work, and I ask hard questions and I sometimes like the answers, sometimes I'm not so sure about the answers, but I am confident in the safety of the Davis-Besse plant and the good that it does in the community for the people that are involved.

Thank you.

MR. BARKLEY: Thank you, Beth.

Brad?

MR. GOETZ: Good afternoon. My name is Brad Goetz, and I'm the Business Manager of the International Brotherhood of Electrical Workers, Local 1413. We represent security at Davis-Besse.

I just want to say that I'm a 26-year employee at Davis-Besse, and over the years, the safety culture has improved greatly and continues to improve every day. The plant is well protected, not only for

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the safety inside the plant but also for the members of
1413.

Davis-Besse over the years has provided a
good living, a good income for many residents of Ottawa
County and surrounding counties and especially now in a
time when unemployment is high.

We support the license renewal, and we ask
the NRC to support it as well.

MR. BARKLEY: Thank you, Brad.

There are three people who are still signed
up to speak. If there are any other people who would
like a speak, please come and see me.

The last three people I would like to call up
are Ann Heckerd of the St. Vincent de Paul Food Pantry,
Brian Boles of FENOC, and Larry Tscherne of IBEW, Local
245.

MS. HECKERD: I am Ann Heckerd, the Food
Coordinator for the St. Vincent de Paul Food Pantry, and
I'm going to talk more on the economic aspect.

Davis-Besse has been very generous with their
donations to the Food Pantry in the past years. I also
would like to say that if it were to close, they may be
coming to our Food Pantry, and I would hate to see that.

MR. BARKLEY: Thank you, Ann.

Brian?

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MR. BOLES: Good afternoon. My name is Brian Boles. I'm the Plant Manager of Davis-Besse.

Our license renewal is a high priority item for the state and for the county. We have had a number of people working on this project now for well over a year -- I see a number of those members are here -- to put together a good product which we have submitted to the NRC for their review.

It's a priority for us as a company because Davis-Besse is a significant asset to our company. It provides a large source of safe, reliable, environmental friendly electricity to the surrounding area.

It is also important from a license renewal aspect, 20 additional years of this asset to provide for the employment opportunities for the local community, and many of our young engineers are graduating from college today who wonder if nuclear power is a viable future and a career path. It's important to know that plants such as Davis-Besse and others are undergoing renewal process have a future that they can depend on.

At Davis-Besse we do commit to ensuring the public safety and protecting the environment. I'm sure the review as we go through this license renewal process will bear that out, and as evidenced by a number of the speakers here, we do enjoy a very good relationship with

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the surrounding community. We look forward to extending that relationship for another 20 years.

Thank you.

MR. BARKLEY: Thank you, Brian.

Finally, Larry?

MR. TSCHERNE: Thank you and good afternoon. My name is Larry Tscherne. I'm the Business Manager for IBEW, Local 245, the International Brotherhood of Electrical Workers.

We represent 22 counties here in the Northwest Ohio, including Ottawa County here. But, in addition to that, we also represent over 200 physical workers at Davis-Besse that provide operations, maintenance, chemistry, radiation and protection of the plant.

Now, what I'm going to talk about here briefly isn't an opinion. It's a fact. I know that from our members and the involvement that I have with the plant, and not only with the plant but with senior management. I'll go as far as the President of FENOC, Jim Lynch, who includes all the other business managers, the leadership of the local unions from the entire FENOC. We meet on a regular basis a couple times a year with the President. We share and open up any type of discussion that we have. Nothing is held back, open

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communication all the way through.

We do the same thing with the Plant Manager at Davis-Besse, with the Maintenance Manager at Davis-Besse.

We have worked over a number of issues, going into outages, we have heard testimony here about the head incident. Let me tell you the type of relationship that we have been able to develop in the goal of working together in a good labor-management relationship which is important and critical, especially in this type of industry.

During that incident, the plant, as you know, was down for, what, two years, maybe a little less.

Over that period of time and the hundreds of man hours that were involved, multiple shift changes. You can't imagine what we had to go through to get that plant back up and running. We had four grievances filed; four out of the entire period of time.

I only use that as an example because when we meet, we continue to talk about the safety culture and good maintenance practices which leads me to my next point.

The safety culture, the dedication of the employees, training and the craftsmanship are second to none. Again, that's not an opinion. That's a fact. We

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had the opportunity to review all of that and we participate not only in the training but in the development of the training.

So, with that said, I would have to say that First Energy has been open and honest in all of their discussions with us. There's never been a time where I haven't been able to call either Akron or the plant and get an answer. It's just been terrific.

In addition to that, we not only work out local issues but something more important or just as important. We work together on issues in Washington also through our labor management committee. A lot of people probably aren't aware of that, but we do that through our Land Pact Committee.

By extending the license here at Davis-Besse, it would continue to provide good clean power that's critical. In addition to that also supporting the much-needed tax base, not only to this area but to the state, and I'm confident along with our members, that IBEW, Local 245, that Davis-Besse will continue to be safe, not only for the employees but also for the area.

Thank you.

MR. BARKLEY: Thank you.

I'll make one last call for anyone who would like to make a statement.

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(No Response)

MR. BARKLEY: Hearing none, what I will do is invite Mr. Wrona to come up and make some last-minute remarks, and I very much appreciate your cooperation in running this meeting very, very smoothly.

Thank you.

MR. WRONA: Thank you, Rich.

I'm David Wrona. I'm the Branch Chief in the NRC who is responsible for the Davis-Besse license renewal. I have three or four sentences here at 2:20.

First of all, thank you for allowing us to come out and briefly explain our process which we'll do a detailed review of the application to ensure that it meets all of our requirements.

Secondly, I would like to thank you for participating in our environmental scoping process. This meeting is not the only way for you to provide us comments. As was shown on one of the slides, you can mail in comments to us, you can provide them to us on the website. We will take these through December 27th. So, if you go home tonight and what somebody said sparked some comments in your head, feel free to use either one of those methods, all three of those methods on that slide will get those comments to us.

And, lastly, every comment that we receive,

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whether it was spoken tonight or you handed it in a written format to us tonight comes in through any of those fashions, we're going to address and make publically available scope and summary report which we will issue sometime in the future, but it will be on our website. If you signed up through our list serve, you will receive a copy of that scoping summary report.

So, with that, I would like a thank you for coming in again.

MR. BARKLEY: Thanks, Dave. This meeting the adjourned. Thank you.

(Whereupon, the proceedings were concluded at 2:30 p.m.)

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