

## PMVictoriaESPPEm Resource

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**From:** Terry, Tomeka  
**Sent:** Tuesday, November 15, 2011 3:22 PM  
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**Cc:** Williamson, Alicia; VictoriaESP Resource  
**Subject:** Victoria Public Scoping Meeting <Public>  
**Attachments:** Victoria Public Scoping Meeting AfternoonTranscript .pdf; Victoria Public Scoping Meeting EveningTranscript .pdf

Mrs. McMaster,

Attached are the transcripts from the Victoria public scoping meeting.

Thanks!  
Tomeka

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**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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UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION  
+ + + + +  
ENVIRONMENTAL SCOPING MEETING  
FOR THE VICTORIA COUNTY STATION  
EARLY SITE PERMIT

+ + + + +  
Thursday, December 2, 2010

+ + + + +  
Auditorium  
Victoria Community Center  
2905 E. North Street  
Victoria, Texas  
1:00 p.m.

FRANCIS X. "CHIP" CAMERON, Facilitator

P R O C E E D I N G S

1  
2 MR. CAMERON: If we could have everybody  
3 take a seat, we'll get started with today's meeting.  
4 Before I get started with my remarks, my name is Chip  
5 Cameron, and I'm going to be your facilitator today.  
6 We do want to make sure that we get the information  
7 clearly to everybody, so we do have two interpreters  
8 here who will help people who might need some  
9 assistance, and I'm going to have one of them, Sarita  
10 Gomez-Mola, talk to you for a second.

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

13 MR. CAMERON: Thank you, Sarita.

14 Good afternoon, everyone and welcome to  
15 the public meeting today. Our topic is going to be  
16 the environmental review that the Nuclear Regulatory  
17 Commission, or NRC, and the United States Army Corps  
18 of Engineers, the environmental review that they're  
19 going to do on an application that the NRC received  
20 from Exelon Nuclear Texas Holding, which we'll be  
21 referring to as Exelon, application for what's called  
22 an early site permit, and the NRC staff will be  
23 explaining in more detail what that is, but an early  
24 site permit would be the first step in the possible  
25 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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**Official Transcript of Proceedings**  
**NUCLEAR REGULATORY COMMISSION**

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

Docket Number: (n/a)

Location: Victoria, Texas

Date: Thursday, December 2, 2010

Work Order No.: NRC-581

Pages 1-81

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UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION  
+ + + + +  
ENVIRONMENTAL SCOPING MEETING  
FOR THE VICTORIA COUNTY STATION  
EARLY SITE PERMIT

+ + + + +  
Thursday, December 2, 2010

+ + + + +  
Auditorium  
Victoria Community Center  
2905 E. North Street  
Victoria, Texas  
7:00 p.m.

FRANCIS X. "CHIP" CAMERON, Facilitator

P R O C E E D I N G S

1  
2 MR. CAMERON: Good evening, everyone. We  
3 just have a short announcement before we're going to  
4 get started, and the announcement relates to the  
5 availability of interpretation services for anybody  
6 who would like to hear things in Spanish tonight. And  
7 our two interpreters are Steve Mines, who is over  
8 there, and this is Sarita Gomez-Mola and she's going  
9 to tell people how to take advantage of interpretation  
10 services.

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

13 MR. CAMERON: Thank you very much, Sarita.  
14 Well, welcome, everybody, to tonight's  
15 meeting and our topic tonight is going to be the  
16 Nuclear Regulatory Commission, the NRC, and the United  
17 States Army Corps of Engineers review process,  
18 particularly the environmental review that they are  
19 going to perform on an application that we got from  
20 the Exelon Nuclear Texas Holdings Company, who we're  
21 going to refer to as Exelon for the rest of the  
22 evening, an application that we received from Exelon  
23 for something called an early site permit, and the NRC  
24 staff will be telling you more about that in just a  
25 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 Zalzman.

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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1 (No further questions.)

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

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

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

25 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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1 critical discrepancies exist between Exelon's ESP  
2 application and the environmental documentation  
3 submitted by Exelon to the NRC. The ESP application  
4 seems to disavow the use of GBRA Guadalupe River water  
5 for cooling water, yet a reservation agreement exists  
6 between Exelon and GBRA to obtain Guadalupe River  
7 water to cool this power plant. As long as that  
8 reservation agreement exists, the effects of  
9 withdrawing 75,000 acre-feet of water must be  
10 evaluated, must be owned by the proposed Exelon plant.

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

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

21 And make no mistake about it, the impacts  
22 of this water use will be substantial. When  
23 evaluating the impacts of its water plan on San  
24 Antonio Bay, Region L -- which is the water planning  
25 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 ever 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](http://www.nrc.gov) -- that's  
13 [www.nrc.gov](http://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](http://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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