

**Official Transcript of Proceedings****NUCLEAR REGULATORY COMMISSION**

Title: Draft GEIS for License Renewal of Nuclear Power Plants: Public Meeting

Docket Number: (n/a)

Location: Atlanata, Georgia

Date: Tuesday, September 15, 2009

Work Order No.: NRC-3043

Pages 1-22

**ORIGINAL**

NEAL R. GROSS AND CO., INC.  
Court Reporters and Transcribers  
1323 Rhode Island Avenue, N.W.  
Washington, D.C. 20005  
(202) 234-4433

1                   UNITED STATES OF AMERICA  
2                   NUCLEAR REGULATORY COMMISSION  
3                   OFFICE OF NUCLEAR REACTOR REGULATION

4                   + + + + +

5                   PUBLIC MEETING TO DISCUSS THE  
6                   DRAFT GENERIC ENVIRONMENTAL  
7                   IMPACT STATEMENT (GEIS) FOR  
8                   LICENSE RENEWAL OF NUCLEAR  
9                   PLANTS (NUREG-1437)

10  
11                   Tuesday, September 15, 2009

12  
13                   Pavilion  
14                   Hilton Suites  
15                   Atlanta Perimeter Center  
16                   6120 Peachtree Dunwoody Rd.  
17                   Atlanta, Georgia  
18

19                   The above-entitled hearing was conducted at  
20                   7:00 p.m.

21                   BEFORE:     LANCE RAKOVAN, Facilitator

22  
23  
24  
25                   **NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1	<u>I N D E X</u>	
2	<u>SPEAKER</u>	<u>PAGE</u>
3	Lance Rakovan, NRC . . . . .	3
4	Jeff Rikhoff, NRC . . . . .	5
5	Ralph Andersen, Nuclear Energy Institute . . .	12
6	Bo Pham, NRC, Environmental Review Branch . . .	20
7	Adjourn	
8		
9		
10		
11		
12		
13		
14		
15		
16		
17		
18		
19		
20		
21		
22		
23		
24		
25		

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

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

(7:00 p.m.)

3 MR. RAKOVAN: Good evening. My name is  
4 Lance Rakovan. I am a Communications Specialist at  
5 the US Nuclear Regulatory Commission, or NRC. The  
6 purpose of tonight's meeting is to provide you with  
7 an opportunity to give your comments on a proposed  
8 rule amending Title 10 Part 51 of the Code of  
9 Federal Regulations, as well as the Generic  
10 Environmental Impact Statement, or GEIS, for License  
11 Renewal of Nuclear Plants, also known as NUREG,  
12 1437, Revision 1.

13 Today's meeting is just one way that you  
14 can participate in the commenting process, and we'll  
15 be going over some details on that later.

16                   The meeting tonight's going to have two  
17                  parts: First we've got a presentation from NRC  
18                  staff on the topics at hand, and then we are going  
19                  to basically open up the floor for comments.

20 Right now we only have one gentleman who  
21 is signed up to comment tonight, so if anybody else  
22 is interested, when we get to that point, just let  
23 me know, and the floor will be yours.

24 We are transcribing tonight's meeting to  
25 make sure that we get your comments. And for those

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE. N.W.

(202) 234-4433

U.S. POSTAL SERVICE,  
WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 of you who are also in attendance, if you could  
2 silence any electronic devices you have at this  
3 point, make sure that you keep side conversations to  
4 a minimum, et cetera. These are things that will  
5 help us make sure that we get a clean transcript.

6 Also, if you could, if you do decide to  
7 make a comment, introduce yourself and any group  
8 that you're with when you take the microphone.  
9 Again, this will allow us to get on the transcript  
10 who's making the comment and who's commenting.

11 It doesn't sound like we have anybody on  
12 the phone line yet, but I will check that again  
13 later if we don't hear anybody come on.

14 At the table in the back hopefully you  
15 picked up copies of the presentations. We also had  
16 a public meeting feedback form. If you take some  
17 time to fill that out, you can either give that to  
18 any of the NRC staff here in attendance, or you can  
19 drop it in the mail -- there's no postage -- so it  
20 will get to the person who is in charge of these  
21 meetings, and those really do help us improve these  
22 meetings.

23 Just in case you're wondering, the  
24 restrooms -- if you head into the hotel, take a  
25 right, follow the path, and eventually they'll be on

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 your right, just in case you need those.

2                   A couple of NRC staff that I wanted to  
3 introduce: Jeff Rikhoff is the GEIS, or General  
4 Environmental Impact Statement, project manager, and  
5 he's going to be speaking tonight. And I also  
6 wanted to point out Jason Lising, who is the  
7 rulemaking lead for the project.

8                   With that, I will turn things over to  
9 Jeff, and I'll be back once we open it up for the  
10 commenting period. If you could, if you have any  
11 questions on Jeff's presentation, just hold them  
12 till he gets to the end; we'll have a short time for  
13 clarifying questions and comments on his  
14 presentation specifically.

15                   Jeff?

16                   MR. RIKHOFF: Thank you, Lance. I'd  
17 like to thank everyone for coming out this evening.  
18 We really appreciate you taking the time to meet  
19 with us and provide us with your comments.

20                   Again, my name is Jeff Rikhoff; I'm the  
21 General Environmental Impact Statement project  
22 manager, and I'm here to explain how we revise the  
23 generic EIS.

24                   First let me give you a little  
25 background information. As part of the license

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 renewal program initiated in late 1980s, the NRC  
2 undertook a comprehensive review of environmental  
3 NEPA issues associated with the continued operations  
4 of nuclear power plants beyond the term of the  
5 current operating license.

6 The results of this comprehensive were  
7 published in 1996 as the General Environmental  
8 Impact Statement for License Renewal of Nuclear  
9 Power Plants, also known as the GEIS.

10 During the comprehensive review, the  
11 Commission determined that certain environmental  
12 impacts associated with license renewal were the  
13 same or similar for all plants, and as such could be  
14 addressed generically. In total 92 environmental  
15 impact issues associated with license renewal were  
16 identified.

17 Therefore, the main purpose of the GEIS  
18 is to identify and evaluate all environmental  
19 impacts associated with license renewal and assess  
20 environmental impacts that are considered generic  
21 and comment to all nuclear power plants. The GEIS  
22 also defines the number of issues that need to be  
23 addressed in plant-specific environmental reviews,  
24 in supplemental EISs to the GEIS.

25 The results of the environmental review

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 on the 92 issues conducted for the 1996 GEIS were  
2 summarized as findings in Table B-1 in NRC  
3 regulations 10 CFR Part 51. In these regulations,  
4 the Commission also indicated its intent to review  
5 and update Table B-1 and the GEIS every ten years.  
6 This meeting tonight is part of the process to  
7 revise the GEIS and update the findings in Table B-  
8 1, and we are here to receive your comments as part  
9 of that process.

10 The range of environmental impact issues  
11 considered in every environmental review for license  
12 renewal is comprehensive. This slide gives you an  
13 idea of some of the areas that the NRC considers  
14 during license renewal environmental reviews. The  
15 revised GEIS discusses the environmental impacts for  
16 each of the resource areas shown on this slide.

17 The information provided in Table B-1 in  
18 10 CFR Part 51 is a summary of the findings on the  
19 92 environmental impact issues analyzed in the GEIS.  
20 In other words, the GEIS provides the technical  
21 basis for the findings in Table B-1.

22 As many of you may be aware, the issues  
23 in Table B-1 are categorized as either Category 1 or  
24 2. Category 1 issues are considered generic, as the  
25 impacts were determined to be the same or similar at

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 all nuclear plants. Category 2 issues are impact  
2 issues that need to be addressed in plant-specific  
3 environmental reviews.

4 Category 1 impacts are only addressed in  
5 the GEIS and not in supplemental plant-specific  
6 environmental reviews unless new and significant  
7 information is found that would change the findings  
8 in the GEIS.

9 In the review and update of the GEIS, we  
10 re-evaluated the original 92 environmental impact  
11 issues listed in Table B-1 to determine if any of  
12 these issues needed to be updated, modified, or  
13 deleted. We also considered whether new  
14 environmental impact issues needed to be added.

15 Issues identified during plant-specific  
16 environmental reviews and changes to environmental  
17 laws were considered. We also considered  
18 reorganizing the 92 issues to simplify impact  
19 discussions and to streamline environmental impact  
20 analyses.

21 We also reviewed the organization and  
22 format of the 1996 GEIS and revisited the discussion  
23 and analysis of refurbishment impacts. The review  
24 and update took into account public comments we  
25 received on the GEIS during scoping and during

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 plant-specific license renewal environmental  
2 reviews.

3                 Several new Category 1 and 2 issues have  
4 been added to the revised GEIS. In addition, based  
5 on previous environmental reviews and public  
6 comments, some issues were recategorized from  
7 Category 2 to 1. It's important to note that even  
8 though Category 2 issues would now be Category 1,  
9 the staff would continue to evaluate these issues  
10 for any new and significant information during each  
11 plant-specific environmental review.

12                 New Category 1 issues are shown on this  
13 slide. And the next slide shows the new Category 2  
14 issues. And the third slide lists the recategorized  
15 issues, from Category 2 to Category 1.

16                 As a result of the review and update, as  
17 well as lessons learned and knowledge gained during  
18 nearly 40 environmental reviews, we came up with a  
19 proposed reorganized list of 78 environmental impact  
20 issues, which still include all of the 92 original  
21 impact issues address in the 1996 GEIS.

22                 The reduction in the number of issues  
23 was primarily the result of combining or regrouping  
24 similar issues. The Appendix B handout illustrates  
25 how these issues were reorganized. Many issues that

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1       were addressed separately in the 1996 GEIS that were  
2       similar or related have been regrouped under a  
3       broader, more encompassing impact issue.

4                   For example, three separate aesthetic  
5       impact issues in the 1996 GEIS have been combined  
6       into one aesthetic impact issue that still considers  
7       the aesthetic impact of nuclear plants as well as  
8       transmission lines.

9                   We also found very few instances where  
10      power plants were being modified or refurbished for  
11      license renewal. These refurbishment activities  
12      have consisted primarily of steam generator and  
13      vessel head replacement. As a result, most of the  
14      refurbishment issues have been combined with  
15      continued plant operations issues. Power plant  
16      modifications and refurbishment activities  
17      associated with license renewal will continue to be  
18      addressed in plant-specific environmental reviews.

19                  Based on comments received during  
20      scoping and during plant-specific environmental  
21      reviews, we also decided to reorganize the GEIS from  
22      a cooling systems based approach to a resource based  
23      approach. The impacts on each resource area are  
24      discussed in one place rather than having to hunt  
25      through several chapters in the 1996 GEIS to find

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 relevant discussions of impacts. To make it easier  
2 on the reader, we folded the discussions of impacts  
3 in Chapters 3 through 8 into one environmental  
4 consequences chapter organized by environmental  
5 resource area.

6 The review and update of the GEIS and  
7 our regulations, however, is not yet complete. All  
8 of the comments received during the comment period  
9 will be considered by NRC staff as we develop the  
10 final rule and revised GEIS, which are scheduled to  
11 be issued in early 2011.

12 The final rule and revised GEIS will  
13 contain the Commission's final determination of  
14 generic impacts associated with license renewal.  
15 The comments you provide tonight and those received  
16 during the comment period will help in finalizing  
17 the staff's proposed rule and revised GEIS.

18 Recently the NRC received several  
19 requests to extend the public comment period for the  
20 proposed rule and GEIS revision. The Commission is  
21 currently considering these requests.

22 I am the NRC point of contact for the  
23 GEIS revision, along with Jason Lising, who's the  
24 point of contact for the proposed rule. We are  
25 working together to ensure that all comments on the

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 proposed rule and revised GEIS are considered and  
2 addressed.

3                 The proposed rule and revised GEIS are  
4 available to the public on our web page and through  
5 our Public Document Room. You can view these  
6 documents on the web at the addresses indicated on  
7 this slide and in your handouts. In addition, we  
8 will be happy to mail copies to anyone who requests  
9 one.

10                In addition to providing oral comments  
11 tonight, there are several ways to provide written  
12 comments to the NRC: You can write us at the  
13 address listed on this slide and in your handout, or  
14 by e-mail and the web. Again, all comments received  
15 during this public comment period will be  
16 considered.

17                And with that, I'll turn the meeting  
18 back over to Lance. Thank you.

19                MR. RAKOVAN: Thanks, Jeff.

20                Before we go to the comments, I just  
21 wanted to open the floor in case there's any quick  
22 clarifying questions to the material that Jeff  
23 covered.

24                (Pause.)

25                MR. RAKOVAN: Okay. Seeing no hands, we

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 have one person who is signed up so far to speak  
2 tonight. That is Ralph Andersen from the Nuclear  
3 Energy Institute.

4 If anybody else is interested in  
5 commenting, then just get my attention, and I will  
6 get you up here at some point. We obviously have a  
7 lot of time, so we can certainly use it.

8 If you have any questions, I think we'll  
9 probably handle discussions and questions offline as  
10 opposed to on the transcript. We'll keep the  
11 transcript just for the commenting.

12 Mr. Andersen, if you want to come up to  
13 the podium, the podium is yours.

14 MR. ANDERSEN: I'm **Ralph Andersen** with  
15 the **Nuclear Energy Institute**. As a little way of  
16 background for the staff, I think you're very aware  
17 that we have had for some time an industry task  
18 force on license renewal which has really covered  
19 the broad landscape of environmental and nuclear  
20 safety issues associated with license renewal.

21 As a result of the publication of the  
22 proposed rule, the draft reg guide, and the draft  
23 GEIS, we've actually formed an additional task force  
24 of environmental leads from 14 companies to review  
25 this material and to develop industry's comments

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1           that would be submitted by the comment due date.

2           We're coordinating very closely with the  
3        license renewal task force, so actually we have a  
4        very robust set of task force members reviewing the  
5        issue, and tonight we have five of those members of  
6        that task force here at this meeting.

7           For information through the following  
8        public meetings, we will make a point of having at  
9        least one member, if not more, of our task force in  
10      attendance, and our intent is as we work our way  
11      through our understanding of the materials and  
12      development of our comments, we'll be providing  
13      additional detail through the meetings, with  
14      hopefully a very focused and intense interaction,  
15      then when we get to the meeting in Washington.

16           Because of the amount of material  
17        itself, of necessity the comments still remain  
18        somewhat preliminary. We of course along with at  
19        least one other organization, I understand, have  
20        submitted a request for an extension of the comment  
21        period, and our view is that would add great value  
22        to the comment process, because what it would do is  
23        allow commenters the opportunity to go well beyond  
24        just top-level comments on the documents and  
25        actually make very detailed responses with much more

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 well developed and robust bases for the comments  
2 that I think would aid the staff in dispositioning  
3 comments.

4 So we're happy to hear that the  
5 extension requests are under review, and we  
6 certainly hope and encourage the NRC to grant the  
7 request for extension of comments.

8 In follow-on to that, then, I'm going to  
9 offer a few high-level comments at this point.  
10 Again, we'll have more follow-on comments through  
11 the successive public meetings and then of course,  
12 depending on the time frame, much, much more  
13 detailed comments to be submitted in writing.

14 My comments are going to focus solely on  
15 the proposed rule, 10 CFR 51, revision.  
16 Subsequently, through our other meetings, we'll be  
17 making some overview comments associated with the  
18 draft GEIS and with the draft regulatory guide.

19 The first comment is that the -- we  
20 appreciate that the staff has rearranged the issues  
21 along the lines of resources; we think this actually  
22 adds better transparency to the process for members  
23 of the public and members of the industry as well,  
24 in that we think it much better correlates what the  
25 issue is with where the potential impacts might

1  
GEIS

1 arise, so we're very supportive of that.

2 At the same time, though, we see that  
3 the staff has aggregated some issues of similar  
4 nature together, and the caution that we would offer  
5 is that, in doing so, there was some aggregation of  
6 issues that were previously Category 1 with issues  
7 that were Category 2.

8 And as they're conveyed in the Table B-1  
9 that's in the proposed rule, absent additional  
10 detail at the level of the rule, it creates at least  
11 the appearance that some issues have been actually  
12 moved from being Category 1 to Category 2.

13 Reading the other materials, I don't  
14 think that's the intent, but we express the caution  
15 about the unintended consequence that, in any formal  
16 challenge, intervention, or other type of process,  
17 boards, courts, and others tend to focus on the rule  
18 itself rather than supporting guidance or supporting  
19 technical documents.

20 They're going to do their own plain  
21 reading of the rule and make their own  
22 interpretation, and so we would be concerned that  
23 questions might arise later associated with  
24 sufficiency on the previously Cat 1 issues that were  
25 simply grouped in with an overall reading of Cat 2.

1  
GEIS

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

I'll add as a comment, though, that in reading the handout that you have, which provides more detail than the Table B-1 that is actually in the proposed rule, it's much more clear what the pedigree is for the various issues, but again, I think some of that is lost with the way that it's summarized in the actual table that's in the proposed rule. So that's a caution.

Our suggestion is that if the comment, once we provide it with more supporting information, seems to have some validity, it would seem to us -- and now I draw heavily on the handout that you had -- that in effect you already have a template by which you could break the issues out in somewhat more detail; still listed adjacent to each other to connote their similarity, but in a way where it's much more clear that Cat 1 issues have actually remained as Cat 1 issues. But that distinction I think now is lost in the table that's actually in the rule.

That could have the effect, then, of reducing not only the burden and what the licensee might feel they need to submit, but also could obviate certain follow-on processes to the license renewal process where there would have to be some

1  
GEIS

1 form of adjudication to reach a decision.

2 Another comment is that we also see  
3 that -- oh, by the way, I did intend to give an  
4 example of that. The example I note that's  
5 illustrated excellently in the proposed rule versus  
6 your handout is on the impingement and entrainment  
7 of aquatic organisms.

8 In your handout you very clearly show  
9 what was a 2 and what was a 1, but in the actual  
10 Table B-1 that's all rolled up and is simply listed  
11 as a 2. So that would be a good example to look at.  
12 We probably use your handout, as matter of fact, for  
13 aiding and developing our comments to show an  
14 example of how we think you could resolve the issue.

15 There are some previous Category 2  
16 issues that the NRC based on the experience and  
17 insights gained from license renewal processes have  
18 been reclassified as Category 1 issues.

19 You know, clearly we'll look at those  
20 and provide our comments. I would expect and hope  
21 that in most cases we would be supportive of those  
22 changes that have been made, but we also believe  
23 that there are some additional issues currently  
24 listed as Category 2 that would be good candidates  
25 for consideration as Category 1 issues.

1  
GEIS

2  
GEIS

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1                   The key here is that especially if we're  
2 afforded the extra time in development of comments,  
3 it would certainly give us the opportunity to  
4 provide a much more robust basis for those types of  
5 comments. We believe that would greatly facilitate  
6 the comment review process, so we're looking forward  
7 to that.

8                   An example of a type of issue that we  
9 think might be amenable to that, for instance, would  
10 be thermal impacts on aquatic organisms. And,  
11 again, I would defer to us completing our review and  
12 developing much more detailed comments, but we have  
13 actually identified a handful of issues that, at  
14 least at first blush, we think we would have a good  
15 shot at providing a good strong basis for why they  
16 might be considered for reclassifying as Category 1.

17                  The next comment that I would like to  
18 make goes to the issue of -- a couple of issues that  
19 have been introduced or have been carried over that  
20 we want to evaluate further with the idea that they  
21 might actually be able to deleted in their entirety.

22                  The basis that we want to evaluate for  
23 those types of comments quite simply goes to the  
24 issue of whether the potential impacts actually  
25 change in any way in terms of magnitude or

2  
GEIS

3  
GEIS

1 occurrence as a function of a license renewal  
2 decision.

3 Put differently, are they directly  
4 germane to the action of approving a license  
5 renewal, or are they impacts that will occur at that  
6 same magnitude irrespective of whether a license is  
7 renewed or not?

8 An example of that would be the non-  
9 radiological groundwater and soil contamination  
10 issue. Looking at the way that it's framed and,  
11 again, subject to a lot more evaluation on our part,  
12 you know, the question we would ask is does the  
13 decision really have any effect on the impact?

14 And, you know, we will take a look at  
15 potentially making the case that if it doesn't, that  
16 it actually need not be part of the license renewal  
17 Environmental Impact Statement.

18 Those are the comments that I put  
19 forward now. I realize they're fairly high level  
20 and not very detailed, but, again, that will be the  
21 point of the exercise of continuing to work through  
22 the materials.

23 So I welcome the opportunity to provide  
24 comments. You'll see more of us in subsequent  
25 meetings. We'll continue to work through the

3  
GEIS

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 materials.

2 I just leave with one comment: I think  
3 the materials themselves are very well organized and  
4 very accessible to someone who is reviewing them to  
5 develop comments, and so I offer that appreciation  
6 for facilitating the public review process.

4  
GEIS

7 Thank you.

8 MR. RAKOVAN: Thank you, Mr. Andersen.

9 Do we have anyone else with us tonight  
10 who wants to take the microphone and make some  
11 comments?

12 (No response.)

13 MR. RAKOVAN: Okay. I didn't hear  
14 anybody come on the phone, but let me make a quick  
15 check to make sure. Is anyone on the phone that  
16 would like to make comments?

17 (No response.)

18 MR. RAKOVAN: Okay. Bo, did you want to  
19 close out, or, Jeff, do one of you guys want to  
20 close out the meeting?

21 MR. PHAM: Yes. My name is Bo Pham.  
22 I'm the branch chief for the Environmental Review  
23 Branch in the Division of License Renewal at the  
24 NRC.

25 We had hoped for a better turnout, but

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1       we definitely appreciate you guys making the effort  
2       to come out and provide any comments. Just from  
3       listening to the comments, I think they're very good  
4       comments, and we will properly, appropriately  
5       consider all of them.

6                    Thanks again for coming out.

7                    MR. RAKOVAN: Okay. Let's go ahead and  
8       close out the meeting, but given the fact that we  
9       said we'd be here for a number of hours, we should  
10      probably hang loose as we're breaking stuff down,  
11      just in case people show up late.

12                  Thank you all for coming.

13                  (Whereupon, at 7:40 p.m., the meeting  
14      was concluded.)

15

16

17

18

19

20

21

22

23

24

25

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

**CERTIFICATE**

This is to certify that the attached proceedings  
before the United States Nuclear Regulatory Commission  
in the matter of:              Draft GEIS

Name of Proceeding: Public Meeting

Docket Number:              (n/a)

Location:              Atlanta, Georgia

were held as herein appears, and that this is the  
original transcript thereof for the file of the United  
States Nuclear Regulatory Commission taken by me and,  
thereafter reduced to typewriting by me or under the  
direction of the court reporting company, and that the  
transcript is a true and accurate record of the  
foregoing proceedings.

  
\_\_\_\_\_  
Brenda Thompson  
Official Reporter  
Neal R. Gross & Co., Inc.

**NUCLEAR REGULATORY COMMISSION**

Title: Public Meeting on Draft GEIS

Docket Number: (n/a)

Location: Newton, Massachusetts

Date: September 17, 2009

Work Order No.: NRC-3047

Pages 1-46

**ORIGINAL**

**NEAL R. GROSS AND CO., INC.**  
Court Reporters and Transcribers  
1323 Rhode Island Avenue, N.W.  
Washington, D.C. 20005  
(202) 234-4433



1		<u>I N D E X</u>
2	<u>SPEAKER</u>	<u>PAGE:</u>
3	Lance Rakovan	3
4	Jeff Rikhoff	5
5		
6	<u>PUBLIC COMMENT</u>	
7	John Snooks	14
8	Mary Lampert	16
9		
10	<u>CLOSING REMARKS</u>	
11	Lance Rakovan	39
12	Bo Pham	37

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

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

(7:01 p.m.)

3 MR. RAKOVAN: Good evening,  
4 everyone. My name is Lance Rakovan and I am a  
5 communications specialist at the Nuclear  
6 Regulatory Commission, or NRC, and it's my  
7 pleasure to facilitate tonight's meeting. I'm  
8 going to help do my best to keep tonight's  
9 meeting on track and I hope you'll help me out  
10 with that.

The purpose of this meeting is  
to provide you with an opportunity to give us  
your comments on a proposed rule amending Title  
10, Part 51 of the Code of Federal Regulations,  
as well as the generic environmental impact  
statement for license renewal of nuclear plant  
or NUREG 14.37, revision one. You'll probably  
hear the term GEIS, or G-E-I-S, a lot tonight  
and that's what they're talking about then.

**NEAL R. GROSS**

#### COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 information that we think that's important for  
2 you to know, and then essentially we'll be  
3 opening the floor up to comments from you.

4 There are yellow and blue cards  
5 on the table where you checked in. If you are  
6 interested in commenting, hopefully you filled  
7 out a yellow card. If not, I'll bring them  
8 along later and you can fill one out. I do  
9 have a few people who are signed up to talk, so  
10 once we are done with the presentations, we'll  
11 basically be opening the floor up to you to  
12 make your comments.

13 We are transcribing tonight's  
14 meeting so when you do approach the microphone,  
15 number one, please use a microphone every time  
16 you make a comment, make sure you let us know  
17 who you are, any groups that you are with and,  
18 if you can, try to keep side conversations down  
19 to a minimum. And also, silence electronic  
20 devices so we can make sure that we get a clean  
21 and clear transcript of tonight's meeting.

22 We also have a phone line, but  
23 I do not believe anybody has joined us. If  
24 there is someone on the line, can you please  
25 say something right now? Okay, figured I would

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

1 check, I will do that a couple of times during  
2 the meeting.

3 Another item out on the table  
4 is our public meeting feedback forms. If you  
5 picked up one of those and can fill it out for  
6 us, give us your idea on how tonight's meeting  
7 went, and we really do pay attention to those,  
8 so you can have an effect on how we plan our  
9 future meetings. You can either leave those  
10 with any of the NRC staff here tonight or you  
11 can drop them in the mail, postage is free on  
12 that.

13 Just in case you missed them,  
14 restrooms are back out the door to your left  
15 and back towards the lobby, they will be on  
16 your left eventually. Those are the closest  
17 ones I could find, so just in case you need  
18 one.

19 I wanted to take a moment to  
20 introduce our speaker tonight, which his Jeff  
21 Rikhoff. He is the lead for the generic  
22 environmental impact statement or GEIS. I also  
23 wanted to point out that we have Jason Lising  
24 with us, who is the rulemaking lead for this  
25 initiative. If you could, please hold any

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

1 questions that you have on Jeff's presentation  
2 until he is done. We'll have a quick Q&A  
3 session, if you have any clarifying comments on  
4 his presentation before we open it up to the  
5 floor for comments.

6 So, with that, I'll pass things  
7 over to Jeff.

8 MR. RIKHOFF: Thank you, Lance.

I would like to thank everyone  
for coming out this evening. We really  
appreciate you taking the time to meet with us  
and provide us with your comments. Again, my  
name is Jeff Rikhoff, I am the generic  
environmental impact statement project manager  
and I am here to explain how we revised the  
generic EIS.

NEAL R. GROSS

#### COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

The results of this comprehensive review were published in 1996 as the generic environmental impact statement for license renewal of nuclear power plants, also known as the GEIS. During the comprehensive review, the commission determined that certain environmental impacts associated with license renewal were the same or similar for all plants and, as such, could be addressed generically.

In total, 92 environmental impact issues associated with license renewal were identified.

**NEAL R. GROSS**

## COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

In these regulations, the commission also indicated its intent to review and update Table B-1 in the GEIS every ten years. This meeting tonight is part of the process to revise the GEIS and update the findings in Table B-1, we are here to receive your comments as part of that process. The range of environmental impacts issues considered in every environmental review for license renewal is comprehensive. This slide gives you an idea of some of the areas that NRC considers during license renewal environmental reviews.

The revised GEIS discusses the environmental impacts for each of the resource areas shown on this slide. The information provided in Table B-1 in 10CFR, Part 51, is a summary of the findings on the 92 environmental impact issues analyzed in the GEIS. In other words, the GEIS provides the technical basis for the findings in Table B-1.

22 As many of you may be aware,  
23 the issues in Table B-1 are categorized as  
24 either category one or two. Category one  
25 issues are considered generic, as the impacts

**NEAL R. GROSS**

#### COURT REPORTERS AND TRANSCRIPTIONISTS

1323 RHODE ISLAND AVE., N.W.

**WASHINGTON, D.C. 20005-3701**

[www.nealrgross.com](http://www.nealrgross.com)

1                   were determined to be the same or similar at  
2                   all nuclear plants.

3                   Category two issues are impact  
4                   issues that need to be addressed in plant  
5                   specific environmental reviews. Category one  
6                   impacts are only addressed in the GEIS and not  
7                   in the supplemental plant specific  
8                   environmental reviews unless new and  
9                   significant information is found that would  
10                  change the findings in the GEIS.

11                  In the review and update of the  
12                  GEIS, we reevaluated the original 92  
13                  environmental impact issues listed in Table B-1  
14                  to determine if any of these issues needed to  
15                  be updated, modified or deleted. We also  
16                  considered whether new environmental impact  
17                  issues needed to be added.

18                  Issues identified during plant  
19                  specific environmental reviews and changes to  
20                  environmental laws were considered. We also  
21                  considered reorganizing the 92 issues to simplify  
22                  impact discussions and to streamline  
23                  environmental impact analyses. We also  
24                  reviewed the organization and format of the '96  
25                  GEIS and revisited the discussion and analysis

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealgross.com](http://www.nealgross.com)

1                   of refurbishment impacts. The review and  
2                   update took into account public comments we  
3                   received on the GEIS during scoping and during  
4                   plant specific environmental renewal reviews.

5                   Several new category one and  
6                   two issues have been added to the revised GEIS.  
7                   In addition, based on previous environmental  
8                   reviews and public comments, some issues were  
9                   recategorized from category two to one. It's  
10                  important to note that even though category two  
11                  issues would now be category one, the staff  
12                  would continue to evaluate these issues for any  
13                  new and significant information during each  
14                  plant specific environmental review. New  
15                  category one issues are shown on this slide,  
16                  these issues were added as a result of previous  
17                  environmental reviews and public comments.

18                  And this next slide shows new  
19                  category two issues. Again, these issues were  
20                  added as a result of previous environmental  
21                  reviews and public comments.

22                  And the next slide shows the  
23                  issues that were recategorized from category  
24                  two to one. Again, these issues were  
25                  recategorized based on previous environmental

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealgross.com](http://www.nealgross.com)

1 reviews and public comments. As a result of  
2 the review and update, as well as lessons  
3 learned and knowledge gained during nearly  
4 forty environmental reviews, we came up with  
5 the proposed reorganized list of 78  
6 environmental impact issues, which still  
7 include all of the 92 original impact issues  
8 addressed in the 1996 GEIS.

9 The reduction in the number of  
10 issues was primarily the result of combining or  
11 regrouping similar issues. The Appendix B  
12 handout illustrates how these issues were  
13 reorganized. Many issues that were addressed  
14 separately in the 1996 GEIS that were similar  
15 or related have been regrouped under a broader,  
16 more encompassing impact issue. For example,  
17 three separate aesthetic issues in the 1996  
18 GEIS have been combined into one aesthetics  
19 impact issue that still considers the aesthetic  
20 impact of the nuclear plant, as well as  
21 transmission lines.

22 We also found very few  
23 instances where power plants were being  
24 modified or refurbished for license renewal.  
25 These refurbishment activities have consisted

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealgross.com](http://www.nealgross.com)

1 primarily of steam generator and vessel head  
2 replacement. As a result, most of the  
3 refurbishment impact issues have been combined  
4 with continued plant operations issues. Power  
5 plant modifications and refurbishment  
6 activities associated with license renewal will  
7 continue to be addressed in plant specific  
8 environmental reviews.

9                         Based on comments received  
10 during scoping and during plant specific  
11 environmental reviews, we also decided to  
12 reorganize the GEIS from a cooling systems  
13 based approach to a resource based approach.  
14 The impacts on each resource area are discussed  
15 in one place, rather than having to hunt  
16 through several chapters in the 1996 GEIS to  
17 find relevant discussions of impacts. To make  
18 it easier on the reader, we folded the  
19 discussion of impacts in chapters 3 through 8  
20 into one environmental consequences chapter,  
21 organized by environmental resource area.

22                         The review and update of the  
23 GEIS and our regulations, however, is not yet  
24 complete, all of the comments received during  
25 the comment period will be considered by NRC

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

1 staff as we develop the final rule and revised  
2 GEIS, which are scheduled to be issued in early  
3 2011. The final rule and revised GEIS will  
4 contain the commission's final determination on  
5 generic impacts associated with license  
6 renewal. The comments you provide tonight and  
7 those received during the comment period will  
8 help in finalizing the staff's proposed rule  
9 and revised GEIS.

10 Recently, the NRC received  
11 several requests to extend the public comment  
12 period for the proposed rule and GEIS revision,  
13 the Commission is currently considering these  
14 requests. I am the NRC point of contact for  
15 the GEIS revision, along with Jason Lising, who  
16 is the point of contact for the proposed rule.  
17 We are working together to ensure that all  
18 comments on the proposed rule and revised GEIS  
19 are considered and addressed.

20 The proposed rule and revised  
21 GEIS are available to the public on our webpage  
22 and through our public document room. You can  
23 view these documents on the Web at the  
24 addresses indicated on this slide. In  
25 addition, we will be happy to mail copies to

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealgross.com](http://www.nealgross.com)

1 anyone who requests one. In addition to  
2 providing oral comments tonight, there are  
3 several ways to provide written comments to the  
4 NRC. You can write to us at the address on the  
5 slide and in your handout or by e-mail and the  
6 Web. Again, all comments received during this  
7 public comment period will be considered.

8 And with that, I'll turn the  
9 meeting back over to Lance.

10 Thank you very much.

11 MR. RAKOVAN: Thanks, Jeff.

12 Just before we turn things over  
13 for commenting, I just wanted to make sure that  
14 there weren't any questions, specifically on  
15 the material that Jeff just presented. So we  
16 are going to try to stick to comments tonight  
17 but I figured just in case you have any  
18 questions, I would give you a chance right now.

19

20 Okay, seeing no hands, we'll go  
21 ahead and move to the comment portion of the  
22 meeting. Right now, I have three people who  
23 have signed up to comment and I will ask them  
24 to come up to the microphone in the order that  
25 I've been given their names.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealgross.com](http://www.nealgross.com)

1                   If you have any questions, we  
2       may try to answer them kind of one layer deep,  
3       if you will, but again, since we are here to  
4       listen to your comments, we would like to focus  
5       on that. So any questions that we think are  
6       going to need a little bit more in depth of a  
7       discussion, we'll probably ask that you step  
8       outside with the appropriate NRC staff or we  
9       can handle it after the meeting, but we would  
10      like to keep the focus of tonight's meeting on  
11      commenting.

12                  The three people that I have  
13      signed up are Steven Heiser from  
14      Nuclearstreet.com, Mary Lampert from Pilgrim  
15      Watch and John Snooks from Nuclear Energy  
16      Institute. So Steven I know presigned and I'm  
17      not sure he is here so, Steven, are you here?  
18      Would you like the microphone?

19                  Okay, it doesn't appear that he  
20      is here.

21                  Ms. Lampert, are you ready to  
22      give your comments?

23                  MS. LAMPERT: I think I'll  
24      follow NEI.

25                  MR. RAKOVAN: You'll follow

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealgross.com](http://www.nealgross.com)

1 NEI? Okay. Boy, nobody wants to come to the  
2 microphone.

3 John Snooks from NEI, would you  
4 like to be the first person to come to the  
5 microphone?

6 MR. SNOOKS: I guess by  
7 default, I am.

8 MR. RAKOVAN: Okay, by default,  
9 you'll take it.

10 MR. SNOOKS: Thank you. Good  
11 evening. My name is John Snooks, I am with the  
12 Nuclear Energy Institute task force on  
13 environmental review of the GEIS and also the  
14 Part 51 Rule, proposed rule change.

15 For those of you who are  
16 unfamiliar with the task force, it's a group of  
17 14 member utilities with various members and  
18 expertise in not only legal, environmental and  
19 licensing. Our charge is very simple, to  
20 review the documents discussed earlier this  
21 evening, as well as one other which is a  
22 proposed to change to a Regulatory Guide 4.2  
23 that accompanies any rule change. Usually  
24 there is a reg guide that goes along with that.

25 NEI, will be, I should say,

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 submitting comments in a formal mechanism.  
2 Tonight is very simply to propose just a few  
3 comments to the staff at this public  
4 opportunity, for which we appreciate and also  
5 thank the staff. As far as the comments  
6 themselves, we would also like to encourage the  
7 committee here to bring forth our, that is  
8 NEI's, request for an extension to December  
9 14th, so we would reemphasize our earlier  
10 request.

11 We have, tonight, I am just  
12 going to talk about three brief topics in  
13 general which we would like the staff to  
14 consider, the first is seismology. We feel  
15 that seismology should be removed from  
16 consideration in the GEIS. Seismology we feel  
17 is a condition of the site, it is unaffected by  
18 continued operation of the plant. Instead,  
19 seismology continues to be and is adequately  
20 covered by rule as a safety issue.

21 Secondly, we would like to  
22 support the staff's conclusion regarding  
23 transmission lines, as far as what is  
24 considered in scope. Subsequently to 1996  
25 GEIS, and with deregulation, we feel that the

1  
GEIS

2  
GEIS

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealgross.com](http://www.nealgross.com)

1 staff's position on transmission lines now more  
2 accurately reflects the present situation with

2  
GEIS

3 utilities. [ ] And then, lastly, we have to make  
4 the staff aware of a number of factual  
5 corrections in Table 3.1-1 and also Appendix C.  
6 These are tables and an appendix that talks  
7 about specific characteristics of the various  
8 utilities involved with the plants themselves,  
9 but more recent information may be available,  
10 we feel, that points out the various  
11 characteristics that are included in these,  
12 both table and the appendix.

3  
GEIS

13 We would also like to point out  
14 the information that needs factual correction  
15 does not effect any of the assessments that  
16 have been undertaken by the staff. [ ] Beyond  
17 that, those are the three generic comments that  
18 I wanted to bring forth. We will be attending,  
19 that is NEI, the other public meetings that  
20 will be held and we'll be presenting both  
21 public comment there and also the written  
22 comments, as I mentioned.

23 If there are questions, I'll be  
24 happy to entertain them, or later on.  
25 Otherwise, I thank you for the opportunity.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

1 MR. RAKOVAN: Thank you, sir.

2 Ms. Lampert?

3 MS. LAMPERT: Yes, I'm Mary

4 Lampert and I'm speaking on behalf of a public  
5 interest group, Pilgrim Watch. We are in the  
6 process of the adjudication process for the  
7 Pilgrim Nuclear Plant and so I might be  
8 speaking a little bit from lessons learned.

9 And I want to make a point in  
10 regard to that, that I think in the future that  
11 your public meetings, such as these, would be  
12 best to be held beside reactors that have not  
13 yet applied for license renewal. That would be  
14 more beneficial for them.

15 It is beneficial, obviously, to  
16 speak to people like myself, who have been  
17 through the mill or are in the process for the  
18 lessons that we have learned, but I think it  
19 would be most important for you to plan your  
20 next meetings, and you don't necessarily, I  
21 would think, have to restrict them to four, to  
22 the sites that are coming up. I have not  
23 studied this with a fine tooth comb because it  
24 seems the NRC has been busy enhancing many rule  
25 changes, so I have been actually focusing on

4  
GEIS

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1                   emergency planning and some other ones.

2                   However, my interest is with this.

3                   The first area, I would say,  
4                   regards how the determination is made whether  
5                   it's a category one or category two issue. It  
6                   is clear that NEPA requires that new and  
7                   significant information be considered.  
8                   However, what is considered new and significant  
9                   by the NRC, who is making the call, hopefully  
10                  just by themselves is making the call, if it is  
11                  consistent with preexisting truths at the NRC,  
12                  then it is considered new and significant.  
13                  However, if it is contrary to preexisting  
14                  truths, then it is off the table or, better  
15                  still, NRC claims that the newer and more  
16                  significant information is safeguards.  
17                  Therefore, we can't see it.

18                  And the example would be, for  
19                  example, security, that the references are, I  
20                  believe, to two Sandia reports, I think that's  
21                  the way it's referred, and one was redacted, I  
22                  think down to a page, so it really said  
23                  nothing. And so, in other words, what NRC is  
24                  telling state officials, what they are telling  
25                  some members of Congress, who certainly have

4  
GEIS

5  
GEIS

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

1 clearance, is in the public, that we are  
2 children, we are two year olds, that we are to  
3 trust you. And therefore the security,  
4 everything is fine and we have relied on these  
5 studies but, you see, we can't tell you or show  
6 you these studies so you can have an  
7 independent review, so trust us. That is not  
8 acceptable.

9 I would say for the nuclear  
10 waste, confidence, which we call a confidence  
11 job, update, it's the same thing, that it's a  
12 cherry picking here and there, the ignoring of  
13 the mountains of expert witness testimony  
14 provided by the California Attorney General,  
15 Massachusetts Attorney General, New York  
16 Attorney General, and so what does this mean?  
17 What it means is that we have to, I don't know,  
18 how many cookies can I bake, you know, to pay  
19 for this? Or our states that are strapped,  
20 they have to go to federal circuit court to  
21 find any relief.

22 And so you have, in the  
23 security, for example, that, oh, it's category  
24 one but we will consider it if a circuit court,  
25 such as the 9th, says that it has to have an

5  
GEIS

6  
GEIS

7  
GEIS

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

1 environmental review, let's say in California.  
2 But because maybe the New Jersey DEP didn't  
3 have the case that, trust me, New York Attorney  
4 General's Office has, well the 3rd Circuit  
5 Court said something else, so take it off the  
6 table there. It's a piecemeal approach.

7 We know there is something  
8 wrong, fundamentally wrong with this process,  
9 so what should be on the table? Well let's  
10 start out with solid waste management. It is  
11 clear that there are site specific issues going  
12 on, irrespective of this foolishness of the  
13 nuclear waste confidence job that was done on  
14 this. We have the National Academy of Sciences  
15 that pointed out the difference between the GE  
16 Mark 1 and Mark 2, such as the Pilgrim and the  
17 Oyster Creek and Vermont. There were, what, 32  
18 of them where it's all stored in a densely  
19 packed pool in the attic of the reactor.

20 That's a very different  
21 situation than, let's say, for Seabrook or some  
22 of the Indian Points where it's adjacent, not  
23 that that's a beautiful situation either, but  
24 the spent fuel pool is not in the attic of the  
25 main reactor building outside primary

7  
GEIS

8  
GEIS

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

1 containment, it's in an adjacent building. But  
2 again, the mountains of information to say  
3 that, oh, everything will be stored on site,  
4 there's another rule coming up for even longer  
5 for these casks than previously believed. This  
6 obviously needs a site specific review because  
7 each site is different for its capability to  
8 handle being a dump site, which is what nobody  
9 in these communities expected it to be, and  
10 each reactor sites has a different capability  
11 to store and how much is being stored, whether  
12 it's densely packed or not.

8  
GEIS

13 Again, a mountain of  
14 independent research that is totally  
15 disregarded by the NRC, so how can there be any  
16 respect? [The same goes for low level waste.]

17 Why should that be a category two issue?  
18 Because, number one, not every reactor site is  
19 in a state that's a member of a compact.  
20 Massachusetts is not a member of a compact.  
21 There is no room at the inn in Barnwell for us,  
22 so we will be storing that on a receding  
23 coastline overlooking Cape Cod Bay, number one.

9  
GEIS

24 Number two, as pointed out by  
25 R.J. Machagianni's group, the Institute of

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

1 Environment and Energy Research, that low level  
2 waste, there is nothing low about it. It is  
3 categorized low simply because of where it  
4 comes from, not because of the toxicity or the  
5 longevity of the waste, and so each reactor  
6 site has a unique geographic location, if you  
7 will, which could make it more or less  
8 susceptible to environmental concerns. There  
9 would be a different amount of waste that would  
10 be required to be on site and to then blow it  
11 off as well we have rules that determine  
12 whether it is safely stored or not then gets  
13 you down to another layer up to these rules  
14 that don't even make any sense anyway.

15 There should be an opportunity  
16 to adjudicate these issues, which you have not  
17 allowed, again, based upon new and significant

18 information. I Now we can get down to human  
19 health, that should be a category two issue  
20 just because, in this, I'm sorry, when I read  
21 those two books, see this is why I have  
22 glasses, I went up to 2.5 actually but when I  
23 read through them, I said, you know, who wrote  
24 this? This is a PR piece for the industry.  
25 This is, you know, relax, be happy everybody,

9  
GEIS

10  
GEIS

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealgross.com](http://www.nealgross.com)

1 we are the friend atom. You do mention that  
2 you did read BEIR 7, but I guess it didn't say  
3 the right things because you blew it off as, oh  
4 well, that essentially said the same thing as  
5 BEIR 5.

6 Well I don't know, I must have  
7 read a funny BEIR 7, but it said three times  
8 more damaging were the effects than they had  
9 decided in BEIR 5. That sounded significant to  
10 me. It also talked about the increased damage  
11 to women, small children. It also talked  
12 about, hey, let's just not talk about cancer,  
13 let's get into research that is looking at  
14 other diseases, not just cancer and birth  
15 defects and reproductive disorders, let's add  
16 the heart and a few other things.

17 Well it's clear, and it's very  
18 clear, that there has been new and significant  
19 information by --. I always thought the  
20 National Academy of Sciences were a reputable  
21 group, they weren't raving anti-nuclear people,  
22 to the best of my knowledge, and the fact that  
23 that information is not being considered, there  
24 is something wrong with that. And there is  
25 something wrong in not then going further, hey,

10  
GEIS

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

(202) 234-4433

1                   are there demographic characteristics around  
2                   some sites that would fit into a great  
3                   susceptibility, number two?

4                   Number three, have there been  
5                   site specific studies of already health damage  
6                   linked to radiation, such as at the Pilgrim  
7                   Nuclear Power Plant? That would be relevant to  
8                   making it a category two issue. And you talk  
9                   about cumulative effects. Well, to my mind,  
10                  that's a back door in because we know there is  
11                  a synergistic effect between radiation and  
12                  other toxins, each enhancing one another's  
13                  mischief, if you will. So if you happen to  
14                  have the misfortune of being near a nuke, near  
15                  a chemical plant, near maybe a coal plant,  
16                  probably your odds are greater for coming, for  
17                  being effected, your health being affected,  
18                  than if you are by a nuclear power plant in the  
19                  middle of a corn field someplace.

20                  Now that's just not my  
21                  speculation, there's a mountain of research on  
22                  the synergistic effects of various toxins and,  
23                  hence, that would make it a site specific  
24                  issue. And so to call it a category one, one  
25                  can only do that if you are ignoring or just

10  
GEIS

11  
GEIS

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealgross.com](http://www.nealgross.com)

1 cherry picking and say this is what we want to  
2 believe because it's good really for our  
3 industry, but it's not honest and I think the  
4 public knows that. There have been cases of it  
5 being brought up in adjudication hearings going  
6 forward.

11  
GEIS

7 What else was -- well there are  
8 plenty of things missed. You weren't going to  
9 look at emergency planning. Well that's taking  
10 off the table again some of the main issues  
11 that the public is concerned about. Have there  
12 been site specific, are there site specific  
13 differences? Obviously nuclear reactors, many  
14 of them are originally licensed to operate in  
15 sparsely populated areas, Pilgrim is an example  
16 of that because Plymouth was considered out in  
17 the boondocks. But as 30 years, 40 years  
18 approaches, these heretofore sparsely populated  
19 areas are now more densely populated areas.

12  
GEIS

20 However, the infrastructure has  
21 often not changed. That is a site specific,  
22 pertinent factor. To say well this isn't  
23 important because FEMA does a foolish biennial  
24 exercise or we have full faith in our emergency  
25 plans is not credible. Why isn't it credible?

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

1 Our community hasn't approved the plans for  
2 years. The neighboring community has not  
3 approved the emergency plans for years and we  
4 are not different. And so to have these levels  
5 really of smoke screens, and that's what I feel  
6 like we are dealing with.

7 We justify or you justify  
8 taking emergency planning as an issue we are  
9 not going to discuss because you are basing it  
10 on the false assumption that the emergency  
11 plans in the biennial exercises demonstrate  
12 everything is okay. Well here is a quick  
13 example. The emergency plan is based upon the  
14 keyhole concept. If you read NUREG 06.54, I'm  
15 probably going to have to get really strong  
16 glasses but if you read that, you'll see they  
17 are saying you evacuate two miles around, then  
18 there is a keyhole, evacuate all or a portion  
19 in the keyhole from two to five, maybe from  
20 five to ten and then when you pass the ten mile  
21 finish line, all is fine.

22 And the evacuation time  
23 estimates done by KLD are based upon that  
24 concept of that's what's going to happen, okay?  
25 But there is a fundamental flaw going on

12  
GEIS

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealgross.com](http://www.nealgross.com)

1 because that is based upon the straight line  
2 gaussian plume, that plumes will blow the  
3 radiation in a straight line. However, that's  
4 not applicable because in complex situations,  
5 you need a variable trajectory model because  
6 the wind is variable. What is a complex  
7 situation? In a coastal area, either by a lake  
8 or the ocean, or river valleys or hills or  
9 considerable vegetation, mountains, and how do  
10 we know this?

11 Well the NRC told us so, that's  
12 how we know this. The NRC has warned, since  
13 the early '70s, that in complex situations, the  
14 straight line gaussian plume is not applicable.  
15 Again in the '80s. Recently, of this very  
16 year, the NRC, one of their chief emergency  
17 planners, LaVie is his name, and he made a  
18 presentation, which is on atoms, and slide  
19 after slide after slide describes how and where  
20 the straight line gaussian plume is not  
21 applicable for emergency plans.

22 And the New York Attorney  
23 General and Pilgrim Watch has brought this  
24 forward in this NR SAMA adjudications, but the  
25 New York Attorney General has done a pluperfect

12  
GEIS

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

1 job in filing a motion for summary disposition  
2 in the Indian Point license renewal based on  
3 the fact that the straight line gaussian plume  
4 is -- no, he didn't say that, what I'm  
5 thinking, is not appropriate at that site, just  
6 as the same expert witness said, in the current  
7 ongoing adjudication of Pilgrim, not in a  
8 coastal site, citing not only NRC documents  
9 that high, citing DOE documents that high.

10 EPA, for example, does not even  
11 recommend atmos in complex situations in their  
12 --. Well you don't want to know, Part W, but  
13 you go on and on and on. And so, therefore,  
14 the foundations done of emergency planning is  
15 fallacious. However, you use, here in this  
16 document, in a rather shameful manner, that  
17 because the plans are okay, because FEMA says  
18 they are okay, then therefore we can blow it  
19 off and it's something we don't have to  
20 discuss.

21 Am I boring everybody? Well  
22 tell me when you're bored because we can say  
23 more.

24 Then you can get, for example,  
25 to SAMA. We read here that mitigation has to

12  
GEIS

13  
GEIS

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

(202) 234-4433

1           be considered. No problem, but where are you  
2           going to address the fact or are we going to  
3           have to do it through the adjudication, then go  
4           to the district courts, of, hey, using the Mac  
5           or the Mac as to the computer code is not okay,  
6           licensees. DOE has recognized that, that the  
7           Mac S-II, which is the current computer code  
8           that is used in these SAMA analyses and license  
9           applications, underestimates consequence and,  
10          hence, DOE insisted that it revised to Sand,  
11          whatever David Jann called it, Sand, whatever  
12          it was, Sandia, whatever, the numbers are  
13          there. I can't remember them. There was a  
14          nine in it, but it it's my petition for review,  
15          for example, and it's also in the New York  
16          Attorney General's, what have you.

17                   So if they are allowed to use a  
18           computer code that is knowingly underestimates,  
19           according to DOE, according to the user guide,  
20           etcetera, etcetera, it's David Shannon who  
21           wrote this thing, something is wrong. Also, it  
22           is wrong, what is embedded, what is the plume  
23           model that's embedded in the Mac S and the Mac  
24           S-II? It's atmos, the straight line gaussian  
25           plume model. And so if the NRC persists in

13  
GEIS

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealgross.com](http://www.nealgross.com)

1 kowtowing to the industry and allowing these,  
2 this to go on, how can we be, how can the  
3 public, how can the state governments have any  
4 confidence? I don't think they can.

5 So that gets to the severe  
6 accident mitigation analysis, then I was  
7 particularly interested not only in the SAMA  
8 but I was interested in what you had to say  
9 about groundwater because one of the  
10 contentions I have that's still alive and well  
11 at Pilgrim has to do with the aging, contention  
12 of the insufficiency of the aging management  
13 program for our buried pipes and tanks with  
14 radioactive contamination. So I was very  
15 pleased to see that you are considering that as  
16 a contention two and pleased also to see that  
17 Chairman Yaczko is taking this issue seemingly  
18 seriously.

19 However, in reading the text  
20 that is in this draft, I found insulting and  
21 disconcerting because, again, the implication  
22 was relax and be happy, the focus being on  
23 tridium. Why just on tridium? You know there  
24 are other bad guys that are being released.  
25 Look at Indian Point, it's a good example. To

13  
GEIS

14  
GEIS

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealgross.com](http://www.nealgross.com)

1 give the confidence, and then you listed only a  
2 few of the reactor sites that have experienced  
3 leaks, not certainly all that have, nor is  
4 there an honest caveat saying well these are  
5 the leaks we know about because, get the  
6 connection guys, we haven't required monitoring  
7 wells, except if the water on site is potable,  
8 potable, that you can drink it. I only know it  
9 in French.

10 And anyway, the point of it is  
11 that obviously we don't know how many leaks are  
12 out there because no one is testing for it.  
13 What, do you expect the licensee to be out  
14 there with tablespoons and sampling? Of course  
15 not. And so, and then you go on in your text  
16 about the NEI voluntary program, which was a  
17 total cave, as far as I'm concerned, by the  
18 NRC. You don't leave public safety up to  
19 industry's voluntary initiatives.

20 In the Pilgrim adjudication, my  
21 expert witness, Arnold Gutterson, spent  
22 considerable time going through Entergy's NEI  
23 voluntary program, pointing out all the holes  
24 and problems with it, that it gives absolutely  
25 no confidence. And so unless you go the step

14  
GEIS

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

(202) 234-4433

1 further and have what initially the NRC staff,  
2 before it was politically compromised out, had  
3 recommended a requirement for cathodic  
4 detection for buried components and then go  
5 further with monitoring wells, go further with  
6 a more regular inspection program and a  
7 required baseline before, you know, right at  
8 the time of license application, you haven't  
9 got any assurance for the public.

10                   But if you don't know anything  
11 and you just read what's in the draft, it's  
12 don't worry about it, it's all taken care of.  
13 There is going to be a voluntary program, just  
14 worry about tridium and it's fine, there's  
15 never been a problem, and I don't think that  
16 should be the role of our public safeguard.  
17 NRC is supposedly working for the public. I  
18 hate to be harsh about it, but I think it's  
19 true. Then I'm very interested in meteorology  
20 that is discussed, I thought in a positive way,  
21 starting at 330, 331, etcetera. Those are the  
22 pages, I didn't write down the names of the  
23 chapters. Affected environment.

24                   In fact, I was talking to the  
25 meteorologist who was expert witness for

14  
GEIS

15  
GEIS

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

(202) 234-4433

1 Pilgrim Watch and for the New York and he was  
2 saying have you seen anything in there? It  
3 started to look good because they did mention  
4 the revision to reg guide 1.23 that mentions  
5 complex environments, that sounded good, but  
6 then it didn't go anywhere, it wasn't hooked  
7 into anything. It wasn't hooked into SAMA, it  
8 wasn't hooked into plume models, it wasn't  
9 hooked into anything.

10 Then you start yapping about  
11 tornados. I went what? Where did this come  
12 from? There are three pages of where tornados  
13 have occurred, as opposed to discussing okay,  
14 what's this mean? Complex sites, what is a  
15 complex site? Therefore, what plume models  
16 should be being used, should only be allowed to  
17 be used at these sites in the environmental  
18 impact statement, as opposed to talking about  
19 tornados. You know, you could have been  
20 talking about the latest movie or something,  
21 you know? That made no sense to me and I  
22 think, quite clearly, what is important, when  
23 you are talking about the environment, is air  
24 dispersion and dispersion through water.

25 I don't think too many people

15  
GEIS

16  
GEIS

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

(202) 234-4433

1 are annoyed about the architecture of the local  
2 nuclear plant, to be honest. And so those are  
3 just a few thoughts, there will be many

4 thoughts in writing.I We also, and I understand  
5 it would not, I assume it would not be  
6 appropriate at this point to talk about what I  
7 would consider procedural issues, such things  
8 as you talk about reasonable assurance often.  
9 I mean that's a buzz word throughout the NRC.  
10 I think it's one of, maybe the language, the  
11 first words you learn when you join the group  
12 or something, I don't know.

13 But that's a real problem with  
14 this because nowhere is it defined. We know  
15 reasonable assurance requires proof, but what  
16 level of proof? The NRC never says. And so,  
17 for example, if the bridge over in Minneapolis  
18 is rebuilt and they say well we have reasonable  
19 assurance at a level of 51 percent that this  
20 bridge isn't going to fall down in the next two  
21 months, versus well, you know, we have evidence  
22 that meets a standard of proof of, oh, 90  
23 percent, then I think you would feel a little  
24 different going over that bridge.

25 But the NRC, although they do

16  
GEIS

17  
GEIS

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

1 say, you know, technically, that it's a two  
2 step process, what they fail to do is state  
3 what level of proof is required. Technical  
4 judgement, certainly that doesn't mean  
5 anything. Beauty is in the eye of the  
6 beholder, that's all that say. I'm sure the  
7 technical judgement of NEI is very different  
8 than the technical judgement of my experts. So  
9 I think until the NRC faces this issue, as has  
10 been faced in some other court cases where they  
11 came up with 95 percent, in medical cases, that  
12 you're saying, it's mumbo jumbo, you're not  
13 saying anything.

14 Do you want me to say anything  
15 about finances or have I just said enough?  
16 Should we all go home?

17 Because I have some other real  
18 important procedural things maybe you might  
19 think about, one is participation with  
20 finances, that it seems that a certain percent  
21 of monies goes to Yucca Mountain, for example,  
22 or, you know, what have you. Well why not a  
23 percent, a very small percent, going into a  
24 kitty so those who are accepted into the  
25 adjudication process and meet a poverty level,

17  
GEIS

18  
GEIS

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

1 that was me, could dip into it?

2                   And I think it certainly would  
3                   be, leave a better taste in the mouth of the  
4                   Atomic Safety Licensing Board that you have a  
5                   fairer presentation because I, for example, had  
6                   to pay for everything out of my own pocket, and  
7                   I'm not the only person who is doing stuff like  
8                   this. And it does not even begin, when it's  
9                   the Lampert back pocket versus Pillsbury, the  
10                  NRC staff, Entergy, I don't call that a fair  
11                  fight because I am very limited in the  
12                  witnesses that I can hire, etcetera, etcetera,  
13                  and I think this is reasonable.

14                  I know the Canadian Government  
15                  is doing things of this sort and it's been done  
16                  in some states with the chemical industry and  
17                  it's something you all ought to be thinking  
18                  about. I also find a two to one fight unfair,  
19                  that the NRC staff and sometimes, and I guess  
20                  in a few of the adjudications on license  
21                  renewal, has not said anything, but typically  
22                  they have been on the side of the applicant. I  
23                  do not understand why the NRC staff, just like  
24                  anybody else, would simply be allowed to file  
25                  amicus briefs and that's the end of it. I

18  
GEIS

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

1 think that's something to consider.

18  
GEIS

2 I think it's also important,  
3 well as I already started out with category one  
4 and category two, that basic issue there. And  
5 what else? Hearings, I think all hearings  
6 should allow cross examination because the luck  
7 of the draw in who you get from the Atomic  
8 Safety Licensing Board, on how many questions  
9 will be asked to which party's witnesses, and  
10 whether the questions will be leading or not  
11 leading, and I'm not really, I don't mean to  
12 say anything against the board that I have, I'm  
13 not saying this, but I've talked to some other  
14 people and it is only reasonable that there  
15 should be allowance for cross examination and  
16 that the attorneys representing either party  
17 should not have to have duct tape over their  
18 mouths when they are there. That strikes me as  
19 not a reasonable procedure.

19  
GEIS

20 And the application process, to  
21 allow an application when a licensee is halfway  
22 through their original license makes economic  
23 sense, obviously to the energy companies, but  
24 it makes absolutely no sense to even suggest  
25 that halfway through the original license you

20  
GEIS

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealgross.com](http://www.nealgross.com)

 20  
GEIS

1 can do an environmental impact statement or  
2 make any judgement whether this reactor can go  
3 20 years after 20 years, that's ridiculous.

4 So there will be more organized  
5 comments in writing, but I hope I gave you all  
6 something to think about and if you have any  
7 questions of anything I said, I'd be more than  
8 happy to try to explain my position.

9 Thank you.

10 MR. RAKOVAN: Thank you very  
11 much for your comments.

12 I'll just see if Steven Heiser  
13 might have snuck in the room when I wasn't  
14 looking and also check to see if anybody has  
15 called on the phone that I didn't hear beep in.  
16 I'll also open the floor up one more time, if  
17 there is anyone here who did not sign up to  
18 comment that wants a chance to come up and  
19 comment. NRC staff will be hanging around  
20 after the meeting so if you want further  
21 discussions, by all means grab someone whose  
22 got a name tag on and if they can't answer your  
23 questions, hopefully they can find the right  
24 person to answer them.

25 Yes, Mary, if you want to come

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

1 to the microphone, please? Hold on, make sure  
2 we can get you on the transcript.

3 MS. LAMPERT: Actually, this is  
4 a question regarding cumulative impacts. My  
5 best thinking is in the shower and this  
6 morning, while thinking about this, I came up  
7 with a good one. Is this an opportunity or did  
8 you intend it for an opportunity, watch NEI  
9 run, to consider this as a mouse hole for  
10 health impacts? That we know, for example,  
11 that the radiations effects are cumulative,  
12 right? So the more you've been nailed by a few  
13 milirem, it adds up, right? And we know there  
14 is a synergistic effect of radiation and other  
15 toxins, so this is all a cumulative impact  
16 which would seem to fit neatly into that  
17 category.

18 The genius thought this  
19 morning, in my small mind, by myself, nobody  
20 else thought it was genius because I hadn't  
21 shared it yet, was the impact of global climate  
22 change. So this is really looking at it from  
23 another direction, but then it swings back  
24 around again, that there would be a cumulative  
25 impact. I mean Al Gore, everybody is, true,

21  
GEIS

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

everybody is talking about climate change, it's no longer a fantasy of Texans' imagination, right? So what are the potential consequences on a coastal environment, reactors that are on a coast?

Well I've been thinking about that because we noticed that the tides are far greater where we are and we noticed that the coastlines are eroding. We noticed that there's an increased salinity in the ocean and I was fixated on buried pipes and corrosion because of this endless adjudication process and so therefore what would be the impact, for example, on increased salinity of buried pipes that were built originally not to be under water that we can project may be under water, on corrosion and then more leaking out into the environment would be an example.

Also, we have been told and we have seen the increased frequency and violence of storms, Northeast storms, etcetera, that's another impact to be considered, not for the storms that were analyzed 40 years ago or are seen today but for what is projected in the future. Then you look at reactors that are on

21  
GEIS

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

1           lakes, well we know some, it was some in  
2           Georgia, they couldn't operate because the  
3           lakes went dry and who were dependent upon once  
4           through cooling mechanisms, what is that  
5           impact?

6                         But reverse it, the impact on  
7           the environment, that then the reactor that's  
8           located on the lake, okay, in an area that's  
9           subject more to droughts, etcetera, which we  
10          see in our country, and has once through  
11          cooling, is now the water pig taking water that  
12          is already in scarce demand for the community's  
13          needs, so that would be an environmental impact  
14          caused from the cumulative effects of global  
15          warming. This was a very clever shower I had  
16          this morning. But is this what you had in mind  
17          for the cumulative impacts?

18                         MR. PHAM: I think I understand  
19           what you are saying and I don't think we are  
20          prepared to respond what --.

21                         My name is Bo Pham, I'm the  
22          Branch Chief of the Environmental Review  
23          Branch.

24                         Like I said, I don't think we  
25          are prepared to respond to that. I think they

21  
GEIS

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

1                   are all very good comments and definitely will  
2                   be considered as part of the review but when  
3                   we, as I understand it, when we talk about  
4                   cumulative impacts, they have cumulative  
5                   impacts of human health, like you mention.  
6                   Like you say, you know, it's not just what's a  
7                   direct impact but it's the build up over time.

8                   So we consider cumulative  
9                   impacts of aquatic species, for example,  
10                  aquatic impacts, we are not looking at just  
11                  aquatic impacts from the cooling system of a  
12                  plant but it's everything else, i.e. if a  
13                  developer is building a golf course next door,  
14                  what is that doing? And so we consider that  
15                  too. So the intent of cumulative impact is so  
16                  that we don't put blinders on regarding the  
17                  proposed action and we look at everything  
18                  that's happening in the environment as well.

19                  MS. LAMPERT: Which, I mean  
20                  this is a good one actually because that would  
21                  allow opportunity to bring in emergency  
22                  planning because the cumulative impact on the  
23                  ability of the infrastructure to allow for a  
24                  timely evacuation protective actions. We ought  
25                  to work together.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 MR. PHAM: Well I think that's  
2 a very good comment and we'll definitely take  
3 it into consideration.

4 MR. RAKOVAN: Bo, did you want  
5 to close out the meeting tonight?

6 Before I let you do that,  
7 there's one other thing I wanted to say. For  
8 those of you who attended, you should not get  
9 charged for parking so if they do try to charge  
10 you for parking, let them know you were here  
11 for this meeting and you can hopefully talk  
12 with them and get that worked out, but you  
13 should not get charged for parking, that's what  
14 I was told.

15 With that, Bo?

16 MR. PHAM: Like I said, my name  
17 is Bo Pham, I'm the Branch Chief of the  
18 Environmental Review Branch.

**NEAL R. GROSS**

## COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

1820 RINDE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1           that have not, for each plant specific review  
2           that we do, we do the public interaction  
3           process and the public meeting again.

4                         But I thank you everyone for  
5                         making it out here tonight and just listening  
6                         to the comments, I think they are all very  
7                         meaningful comments and we will spend a good,  
8                         like Jeff said earlier, we'll spend a good  
9                         portion of the year considering the comments  
10                         and responding to the comments and get the rule  
11                         and the GEIS, the final GEIS, out hopefully in  
12                         the 2011 timeframe, sometime.

13                         So thank you again.

14                         (Whereupon, at 8:02 p.m., the  
15                         hearing was adjourned.)

16

17

18

19

20

21

22

23

24

25

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

CERTIFICATE

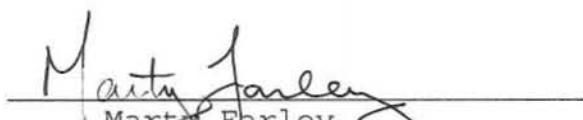
This is to certify that the attached proceedings  
before the United States Nuclear Regulatory Commission  
in the matter of:              Draft GEIS

Name of Proceeding: Public Meeting

Docket Number:              (n/a)

Location:              Newton, Massachusetts

were held as herein appears, and that this is the  
original transcript thereof for the file of the United  
States Nuclear Regulatory Commission taken by me and,  
thereafter reduced to typewriting by me or under the  
direction of the court reporting company, and that the  
transcript is a true and accurate record of the  
foregoing proceedings.

  
\_\_\_\_\_  
Marty Farley  
Official Reporter  
Neal R. Gross & Co., Inc.

**NUCLEAR REGULATORY COMMISSION**

Title: Draft GEIS for License Renewal of  
Nuclear Power Plants: Public Meeting

Docket Number: (n/a)

Location: Oak Brook, Illinois

Date: Thursday, September 24, 2009

Work Order No.: NRC-3055 Pages 1-23

**ORIGINAL**

**NEAL R. GROSS AND CO., INC.**  
Court Reporters and Transcribers  
1323 Rhode Island Avenue, N.W.  
Washington, D.C. 20005  
(202) 234-4433

1 UNITED STATES OF AMERICA

2 NUCLEAR REGULATORY COMMISSION

3 + + + + +

4 OFFICE OF NUCLEAR REACTOR REGULATION

5 + + + + +

6 Public Meeting to discuss the draft

7 Generic Environmental Impact Statement

8 for License Renewal of Nuclear Plants

9 NUREG-1437, Revision 1

10 + + + + +

11 THURSDAY

12 SEPTEMBER 24, 2009

13 + + + + +

14 DOUBLETREE OAK BROOK

15 EXECUTIVE TRAINING CENTER

16 1909 SPRING ROAD

17 OAK BROOK, ILLINOIS

18 + + + + +

19 The above-entitled matter commenced  
20 pursuant to Notice at 7:01 p.m. and facilitated by Mr.  
21 Lance Rakovan.

22

23

24

25

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

1

PRESENT:

2

Lance Rakovan, Facilitator

3

Jason Lising, NRC staff

4

Konnie Westcott, Argonne National Laboratory

5

Halil Avc, Argonne National Laboratory

6

Frederic D. Bevington

7

Rick Buckley

8

Nancy Ranek

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

PROCEEDINGS

(7:01 P.M.)

MR. RAKOVAN: Good evening. My name is Lance Rakovan. I'm a communications specialist at the Nuclear Regulatory Commission or NRC, and it's my pleasure to facilitate tonight's meeting.

The purpose of this meeting is to provide you with an opportunity to give us your comments on a proposed rule amending Title 10 Part 51 of the Code of Federal Regulations as well as the General Environmental Impact Statement for License Renewal of Nuclear Plants or NUREG-1437, Revision 1. A term that you'll hear tonight is GEIS or G-E-I-S, and of course that's just an abbreviation for the General Environmental Impact Statement. Tonight's meeting is just one way that you can take part in this process and the NRC speaker will be going through the various ways that you can do that soon.

We're going to have essentially two parts to the meeting. First, we're going to have an NRC staff member provide some information on tonight's topics. And then we're going to open up the meeting for comments. I have two people who have signed up to speak so far. There were yellow cards on the table outside, so if you knew that you wanted to make a

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 comment you could have filled one of those out. I  
2 have additional cards that I can bring around to you  
3 if you decide you want to make a comment once we get  
4 to that part of the meeting.

5 We are transcribing tonight's meeting, so  
6 if you are going to make a comment, we ask that you  
7 use the microphone, identify yourself and any group  
8 that you're with when you do make a statement. And to  
9 help us make sure that we can get a clean transcript,  
10 I would like to keep the noise to a minimum. So, side  
11 conversations, please, if you need to speak, please go  
12 outside. Any electronic devices you have, if you  
13 could put them on mute, vibrate or turn them off, that  
14 would help as well.

15 Another item on the table outside besides  
16 the sign-in sheet and various copies of other things  
17 and the presentations was our public meeting feedback  
18 form. If you could take a moment to fill that out and  
19 either leave it on the table on your way out or drop  
20 it into the mail. Postage is free. That gives you an  
21 opportunity to let us know how you think tonight's  
22 meeting went and make some suggestions as to how we  
23 can improve meetings in the future.

24 I wanted to take a moment to introduce  
25 Jason Lising. Jason is the rule-making lead for this

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 initiative and he will be our speaker tonight. Again,  
2 once Jason is done, we'll go ahead and open up the  
3 meeting to comments. So, if you could hold your  
4 questions if you have any on Jason's presentation,  
5 we'll allow some time for clarifying questions as  
6 well.

7                   So, with that, I'll ask Jason to come up  
8 to the podium and I'll be back when we're going to  
9 switch to the comment period of the meeting. Jason?

10                  MR. LISING: Thank you, Lance. And thank  
11 you all for coming tonight. We look forward to  
12 hearing from you and collecting your comments.

13                  Again, my name is Jason Lising. I am the  
14 Generic Environmental Impact Statement rule-making  
15 project manager, and I am here to explain how we  
16 revised the GEIS.

17                  First, let me give you a little background  
18 information. As part of the license renewal program  
19 initiated in late 1980's, the NRC undertook a  
20 comprehensive review of environmental NEPA issues  
21 associated with the continued operation of nuclear  
22 power plants beyond the term of the current operating  
23 license. The results of this comprehensive review  
24 were published in 1996 as the Generic Environmental  
25 Impact Statement for License Renewal of Nuclear Power

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 Plants, also known as the GEIS.

2                   During the comprehensive review, the  
3 Commission determined that certain environmental  
4 impacts associated with license renewal were the same  
5 or similar for all plants and as such could be  
6 addressed generically. In total, 92 environmental  
7 impact issues associated with license renewal were  
8 identified.

9                   Therefore, the main purpose for the GEIS  
10 is to identify and evaluate all environmental impacts  
11 associated with license renewal and assess  
12 environmental impacts that are considered generic and  
13 common to all nuclear power plants. The GEIS also  
14 defines the number of issues that need to be addressed  
15 in the plant-specific environmental reviews which are  
16 supplemental EIS's to the GEIS.

17                   The results of the environmental reviews  
18 on the 92 issues conducted for the 1996 GEIS were  
19 summarized as findings in Table B-1 in the NRC  
20 regulations found in Title 10 of the Code of Federal  
21 Regulations Part 51, also known as 10 CFR Part 51. In  
22 these regulations, the Commission indicated its intent  
23 to review and update Table B-1 and the GEIS every ten  
24 years. This meeting tonight is part of that process  
25 to revise the GEIS and update the findings in Table B-

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1       1, and we are here to receive your comments as part of  
2       that process.

3                  The range of environmental impact issues  
4       considered in every environmental review for license  
5       renewal is comprehensive. This slide gives you an  
6       idea of some of the areas that the NRC considers  
7       during license renewal environmental reviews. The  
8       revised GEIS discusses the environmental impacts for  
9       each of the resource areas shown on this slide.

10                 The information provided in Table B-1 in  
11      10 CFR Part 51 is a summary of the findings on the 92  
12      environmental impact issues analyzed in the GEIS. In  
13      other words, the GEIS provides the technical basis for  
14      the findings in Table B-1.

15                 As many of you may be aware, the issues in  
16      Table B-1 are categorized as either Category 1 or 2.  
17      Category 1 issues are considered generic as the  
18      impacts were determined to be the same or similar at  
19      all nuclear plants. Category 2 issues are impact  
20      issue that need to be addressed in plant-specific  
21      environmental reviews.

22                 Category 1 impacts are only addressed in  
23      the GEIS and not in supplemental plant-specific  
24      environmental reviews unless new and significant  
25      information is found that would change the findings in

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 the GEIS.

2                   In the review and update of the GEIS, we  
3 reevaluated the original 92 environmental impact  
4 issues listed in Table B-1 to determine if any of  
5 these issues needed to be updated, modified, or  
6 deleted. We also considered whether new environmental  
7 impact issues needed to be added. Issues that were  
8 identified during plant-specific environmental reviews  
9 and changes to the environmental laws were considered.  
10 We also considered reorganizing the 92 issues to  
11 simplify impact discussions and to streamline  
12 environmental impact analyses.

13                   We also reviewed the organization and  
14 format of the 1996 GEIS and revisited the discussion  
15 and analysis of the refurbishment impacts. The review  
16 and update took into account public comments we  
17 received on the GEIS during the scoping process and  
18 during plant-specific license renewal environmental  
19 reviews.

20                   Several new Category 1 and 2 issues have  
21 been added to the revised GEIS. In addition, based on  
22 previous environmental reviews and public comments,  
23 some issues were re-categorized from Category 2 to 1.  
24 It's important to note that even though Category 2  
25 issues would now be Category 1, the staff would still

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 continue to evaluate these issues for any new and  
2 significant information during each plant-specific  
3 environmental review.

4 New Category 1 issues are shown on this  
5 slide. These are (pause). And here are the new  
6 Category 2 issues. Again, these issues are (pause.)  
7 I'll pause for a moment if you'd like to review that.  
8 Category 2 issues re-categorized to Category 1.  
9 (Pause.)

10 As a result of the reviews and update as  
11 well as lessons learned and knowledge gained during  
12 the 40 environmental reviews, we came up with a  
13 proposed reorganization list of 78 environmental  
14 impact issues which still include all of the 92  
15 original impact issues addressed in the 1996 GEIS.  
16 The reduction in the number of issues were primarily  
17 due to the result of combining or grouping similar  
18 issues. The Appendix B handout illustrates how these  
19 issues were reorganized. Many issues that were  
20 addressed separately in the 1996 GEIS that were  
21 similar or related have been regrouped under a  
22 broader, more encompassing impact issue. For example,  
23 three separate aesthetic issues in the 1996 GEIS have  
24 been combined into one aesthetic impact issue that  
25 still considers the aesthetic impact of the nuclear

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 plant as well as transmission lines.

2                   We also found very few instances where  
3 power plants were being modified or refurbished for  
4 license renewal. These refurbishment activities have  
5 consisted primarily of steam generator and vessel head  
6 replacement. As a result, most of the refurbishment  
7 issues have been combined with continued plant  
8 operation issues. Power plant modifications and  
9 refurbishment activities associated with license  
10 renewal will continue to be addressed in plant-  
11 specific environmental reviews.

12                  Based on comments received during scoping  
13 and during plant-specific environmental reviews, we  
14 also decided to reorganize the GEIS from a cooling  
15 system based approach to a resource based approach.  
16 The impacts on each resource area are discussed in one  
17 place rather than having to hunt through several  
18 chapters in the 1996 GEIS to find relevant discussions  
19 of impacts. To make it easier on the reader, we  
20 folded the discussions of impacts in Chapters 3  
21 through 8 into one environmental consequences chapter  
22 organized by environmental resource area.

23                  The review and update of the GEIS and our  
24 regulations, however, is not yet complete. All of the  
25 comments received during the comment period will be

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1           considered by NRC staff as we develop the final rule  
2           and the revised GEIS, which are scheduled to be issued  
3           in early 2011. The final rule and the revised GEIS  
4           will contain the Commission's final determination on  
5           the generic impacts associated with license renewal.  
6           The comments you provide tonight and those received  
7           during the comment period will be used to help in  
8           finalizing the staff's proposed rule and the revised  
9           GEIS.

10           Recently, the NRC received several  
11           requests to extend the public comment period for the  
12           proposed rule and the GEIS revision. The Commission  
13           is currently considering these requests.

14           I am the NRC point of contact for the  
15           proposed rule along with Jeff Rikhoff who could not be  
16           here tonight, and he is the point of contact for the  
17           GEIS revision. We are working together to ensure that  
18           all the comments on the proposed rule and the revised  
19           GEIS are considered and addressed.

20           The proposed rule and the revised GEIS are  
21           available to the public on our web page and through  
22           our Public Document Room. You can review these  
23           documents on the web at the addresses indicated on the  
24           slide. In addition, we will be happy to mail any  
25           copies to anyone who requests one.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1                   In addition to providing oral comments  
2 tonight, there are several ways that you can provide  
3 comments to the NRC. You can write to us at the  
4 address on the slide and in your handouts, or e-mail  
5 or through the web. Again, all comments received  
6 during the public comment period will be considered.

7                   And with that, I'll hand this back over to  
8 Lance. Thank you for your time.

9                   MR. RAKOVAN: Thanks, Jason. Before we  
10 move on to the comment period, I just wanted to allow  
11 a brief period to see if anybody had any clarifying  
12 questions on the material that Jason covered. So,  
13 anybody have any questions on anything that Jason  
14 covered?

15                  Okay. Seeing no hands, and of course if  
16 there is anything that you do want to discuss after  
17 the meeting, just grab somebody from the NRC and we'd  
18 be more than happy to have a detailed discussion with  
19 you on your topic.

20                  Okay. I've got two people who have signed  
21 up to speak so far. So, I would like to invite them  
22 to the mike in the order of the names, or in the order  
23 that I received their names. Considering the amount  
24 of time that we have tonight, you know, feel free to  
25 take a little time to give us your comments on the

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 documents. And if anybody else is interested in  
2 making a comment, just flag me down, and again, I'll  
3 bring you a card so we can make sure that we get your  
4 name spelled correctly in the transcript.

5 The two names I have are Rick Buckley from  
6 Entergy Nuclear and Nancy Ranek from Nuclear Energy  
7 Institute. So, if Rick is here, if you would like to  
8 go first? Okay.

9 MR. BUCKLEY: Thank you. My name is Rick  
10 Buckley and I am with Entergy Nuclear. The industry  
11 would like to commend NRC in the efforts associated  
12 with the revisions to the 10 CFR Part 51 rule and the  
13 regulatory documents that support the NEPA process,  
14 not only to make the license renewal process more  
15 efficient for the applicants but also to make it more  
16 transparent for those agencies and the public through  
17 the NRC interface during this process. The resource  
18 approach taken was an excellent idea. It makes the  
19 GEIS good reading material as compared to the 1996  
20 version. It's more user friendly so I really commend  
21 you guys on that.

22 However, I would like just for a minute or  
23 so just offer some high level comments on the current  
24 draft regulatory guide which the applicants would be  
25 referring to when preparing the environmental report.

1  
GEIS

2  
GUIDE

1       The first two items that I'm going to focus on is the  
2       Category 1 issue. Although applicants understand that  
3       they are required to look at the Category 1 issues and  
4       identify any known use to take the information, and of  
5       course with 10 CFR 5153, that process is typically as  
6       a screening process at the site level and it is  
7       maintaining the document that is made available for  
8       NRC review during the site audit.

9                  The draft regulatory guide appears to  
10          recommend that applicants provide information relevant  
11          to Category 1 issues in the environmental report. And  
12          a couple of examples are land use and visual  
13          resources, noise and socio-economics to name a few.  
14          The purpose and value of adding such information to  
15          the reports if no useful different information exists,  
16          or if it's not relevant to a Category 2 issue, is not  
17          clear to industry. Industry believes that putting  
18          this information in as currently outlined in the  
19          regulatory guide will increase the magnitude of the  
20          environmental portion and will really slow the process  
21          down.

22                  The other Category 1 issue is due to any  
23          concern with sufficiency issues. Additional  
24          clarification is going to be needed on the final issue  
25          of the regulatory guide regarding the management of

2  
GUIDE

3  
GUIDE

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 information for existing Category 1 issues under the  
2 GEIS, the current GEIS before you consolidated those  
3 into Category 2 issues. An example is entrainment of  
4 phytoplankton and zooplankton and with entrainment  
5 impingement. We're going to need to know how those  
6 need to be managed more clearly in the final issue of  
7 the regulatory guide.

8 Moving on, in the proposed regulation  
9 supported by the updated GEIS, the NRC has added a  
10 requirement that license renewal applicants provide in  
11 a license renewal environmental portion information  
12 about past, present and reasonable foreseeable future  
13 actions occurring the vicinity of the plants that may  
14 result in cumulative impacts. In the draft regulatory  
15 guide, the NRC expects the applicants further to  
16 analyze the cumulative impacts associated with these  
17 actions in a manner consistent with the NEPA  
18 compliance guides published by the Council of  
19 Environmental Quality.

20 Industry believes that following this  
21 guide really places unrealistic expectation on  
22 applicants due to the fact that they would required to  
23 compile and evaluation information about actions,  
24 especially future actions that while accessible to  
25 federal agencies is not typically available to

3  
GUIDE

4  
GUIDE

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 applicants. An example is the status of compliance of  
2 our facilities, not within the applicant's control  
3 with applicable federal and state permitting  
4 requirements under the Clean Water Act. Accordingly,  
5 industry suggests that NRC limit the scope of  
6 cumulative impact analysis described in the final  
7 issue of the regulatory guide as being expected from  
8 the applicant to those past, present and reasonable  
9 foreseeable future actions initiated and controlled by  
10 the applicant. For applicants to attempt to analyze  
11 the cumulative impact of actions outside its control  
12 would be largely speculative.

13 Regarding alternatives, in Chapter 7 of  
14 the regulatory guide, it appears that the scope of the  
15 alternatives have been expanded to the proposed action  
16 that applicants are expected to consider. The  
17 existing regulatory guide instructs applicants to  
18 focus on alternatives meeting future power system  
19 generating needs. The draft regulatory guide suggests  
20 that applicants should also consider alternatives for  
21 reducing adverse impacts. This suggestion describes  
22 the typical alternatives to be considered in the  
23 report as post cycle cooling or intake structure  
24 modification for plants that currently use  
25 demonstrative cooling.

4  
GUIDE

5  
GUIDE

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1                   Industry is concerned that this is a  
2 little bit too broad for a couple of reasons. Number  
3 one, reasonable mitigation measures would have already  
4 been described in Chapters 4 and 6 of the  
5 environmental report for each Category 2 issue. If  
6 impacts are small, then no alternative analysis should  
7 be necessary, and especially not one of this  
8 magnitude. And also, the rescinded Phase 2 316(B)  
9 rule is under review by the agency and courts with the  
10 recent Supreme Court ruling of allowing cost benefit  
11 analysis for site-specific terminations for best  
12 technology available. Therefore, for all plants that  
13 currently use demonstrative cooling should not be  
14 expected to consider closed cycle cooling or intake  
15 modification options based on speculations about  
16 future outcomes of the EPA rule making and subsequent  
17 NPDES permitting decision.

18                   Finally, the draft regulatory guide  
19 expands the information suggested for describing the  
20 affected environment in a nuclear power plant in the  
21 last environmental report. The scope suggested in the  
22 draft regulatory guide for impact analysis to be  
23 presented in the report are also expanded for certain  
24 resource areas -- but not limited to hydrology and  
25 ecology. Industry is concerned that unless a section

5  
GUIDE

6  
GUIDE

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 of the final issue of the regulatory guide includes  
2 clear guidance authorizing license renewal applicants  
3 to apply a graded approach in the environmental  
4 reports with respect to descriptions of affect  
5 environment and impact analysis, the magnitude of the  
6 reports are going to increase significantly without  
7 really improving the efficiency of the process.

8 In closing, the industry will be  
9 submitting comments to the staff on the proposed rule  
10 that is currently being formulated, and also the  
11 regulatory documents associated with the rule. And we  
12 again urge the staff to strongly consider the request  
13 for an extension of the comment period not only so  
14 that meaningful comments can be formulated but also to  
15 allow the public more time to engage in the process.  
16 Thank you.

17 MR. RAKOVAN: Ms. Ranek?

18 MS. RANEK: Good evening. My name is  
19 Nancy Ranek. I'm actually employed by Exelon  
20 Generation Company but I am here this evening speaking  
21 on behalf of the Nuclear Energy Institute which is  
22 also known as NEI.

23 NEI is a policy organization of the  
24 Nuclear Energy & Technologies Industry, and  
25 participates in both national and global policy making

6  
GUIDE

7  
GEIS

1 process. In July of 2009, NEI constituted an ad hoc  
2 task force consisting of representatives from 14 of  
3 its member organizations to review and prepare  
4 comments on NRC's draft updated GEIS and the  
5 accompanying proposed rule making draft regulatory  
6 guide and standard review plan. It is as a member of  
7 NEI's task force that I am here now.

8 First, let me thank the NRC staff for  
9 hosting this meeting and several others like it around  
10 the country. Other NEI representatives including Rick  
11 tonight have presented comments at the meetings in the  
12 other locations and here. Their comments as well as  
13 mine are broad in nature because of the relatively  
14 short time available for preparing them. We expect,  
15 however, to prepare more detailed comments in written  
16 submittals which will be provided later. As has  
17 already been mentioned tonight, NEI and others have  
18 requested that the deadline for submitting public  
19 comments on the draft updated GEIS and proposed rule  
20 making be extended so that the quality of our written  
21 comments and the comments of others can be maximized.  
22 I urge the staff and the Commission to rule favorably,  
23 and soon, on that request.

24 Now, moving to my comments of which there  
25 are basically two, these are directed to the draft

7  
GEIS

7  
GEIS

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 updated GEIS only since other representatives on the  
2 NEI task force have already addressed at other public  
3 meetings the proposed rule making as well as  
4 additional comments on the GEIS. First, the draft  
5 updated GEIS observes that during the period of  
6 extended operation for a nuclear plant, certain issues  
7 could contribute to cumulative impacts, and that such  
8 issues would require plant-specific analysis as part  
9 of the license renewal review.

10 Industry is concerned about the methods  
11 and the scope NRC intends to apply in implementing  
12 site-specific cumulative impacts assessments. For  
13 example, in some currently ongoing reviews of license  
14 renewal applications, NRC appears to be pursuing  
15 assessments of cumulative impacts on aquatic resources  
16 that duplicate the environmental reviews conducted by  
17 other regulatory agencies under authority of the Clean  
18 Water Act. Industry believes this approach is  
19 inappropriate and would noticeably increase the length  
20 of license renewal reports and the burden of preparing  
21 them without improving the efficiency of the  
22 regulatory process.

23 Accordingly, industry encourages NRC to  
24 adopt an approach for implementing site specific  
25 cumulative assessments for renewal of nuclear plant

7  
GEIS

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 operating licenses that avoids duplicating  
2 environmental reviews performed by other agencies  
3 under federal legal authority. We suggest that the  
4 GEIS and site-specific GEIS's acknowledge that the  
5 outcomes of environmental reviews performed by other  
6 regulatory agencies under federal legal authority will  
7 be protective of the environment and focus on whether  
8 license renewal applicants are complying with the  
9 technical process requirements of the other agencies.

10 Moving to my second comment, for each  
11 environmental resource identified in the draft updated  
12 GEIS, Chapter 4 in the GEIS identifies and evaluates  
13 environmental consequences of the proposed action and  
14 the environmental consequences of alternatives to the  
15 proposed action. However, industry notes that a  
16 parallel structure for presenting the analysis in each  
17 section has not been adopted. For example, the  
18 discussions of environmental consequences of the  
19 proposed action are explicitly divided for some but  
20 not all resources into separate sections for continued  
21 operations and refurbishment activities. Also, these  
22 discussions are divided for some but not all resources  
23 into separate sections for operations and  
24 construction.

25 Similarly, the discussions of

7  
GEIS

8  
GEIS

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 environmental consequences of alternatives to the  
2 proposed action are explicitly divided for some but  
3 not all resources into separate sections for fossil  
4 energy alternatives, new nuclear alternatives and  
5 renewable energy alternatives. Also, the section on  
6 environmental consequences of renewable energy  
7 alternatives addresses different renewable energy  
8 sources for some resources than for others. These  
9 inconsistencies in format and content reduce the  
10 clarity and transparency of the draft updated GEIS by  
11 making it difficult to make comparisons among the  
12 conclusions in the various sections. Industry  
13 encourages the NRC to adopt and apply a clear and  
14 consistent format for discussing environmental  
15 consequences in Chapter 4 of the final updated GEIS.

16                   This completes my statement, and thanks  
17 for the opportunity to comment.

18                   MR. RAKOVAN: Thank you, Ms. Ranek. At  
19 this point, those are the only two people that we had  
20 signed up to give comments tonight. If there is  
21 anyone else who wishes to approach the microphone and  
22 give a comment right now, I'll open the floor.

23                   Okay. Not seeing any hands, I again  
24 remind you that there is a number of different ways  
25 that you can get your comments in. So, if you wish to

8  
GEIS

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 share comments after this meeting you can see the  
2 slide up and hopefully you all got copies of the  
3 presentations so you can take that with you. If you  
4 have any additional questions or wish to discuss any  
5 matters after the meeting, we're going to have a few  
6 NRC staff hanging out and kind of breaking things  
7 down, so please approach one. And if they can't  
8 answer your question, hopefully they can connect you  
9 with the right person who can.

10                   And having said that, thank you very much  
11 for coming tonight and drive safely.

12                   (Whereupon the public meeting  
13 was adjourned at 7:31 p.m.)

14

15

16

17

18

19

20

21

22

23

24

25

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

CERTIFICATE

This is to certify that the attached proceedings  
before the United States Nuclear Regulatory Commission  
in the matter of:              Draft GEIS, Plant License  
                                    Renewal

Name of Proceeding: Public Meeting

Docket Number:              (n/a)

Location:                    Oak Brook, Illinois

were held as herein appears, and that this is the  
original transcript thereof for the file of the United  
States Nuclear Regulatory Commission taken by me and,  
thereafter reduced to typewriting by me or under the  
direction of the court reporting company, and that the  
transcript is a true and accurate record of the  
foregoing proceedings.

  
Stuart Karoubas  
Official Reporter  
Neal R. Gross & Co., Inc.

**NUCLEAR REGULATORY COMMISSION**

Title: Office of Nuclear Reactor Regulation  
Public Meeting

Docket Number: (n/a)

Location: Rockville, Maryland

Date: Thursday, October 1, 2009

Work Order No.: NRC-3110 Pages 1-24

**ORIGINAL**

**NEAL R. GROSS AND CO., INC.**  
**Court Reporters and Transcribers**  
**1323 Rhode Island Avenue, N.W.**  
**Washington, D.C. 20005**  
**(202) 234-4433**

1 UNITED STATES OF AMERICA

2 NUCLEAR REGULATORY COMMISSION

3 + + + + +

4 OFFICE OF NUCLEAR REACTOR REGULATION

5 (NRR)

6 + + + + +

7 PUBLIC MEETING

8 + + + + +

9 THURSDAY

10 OCTOBER 1, 2009

11 + + + + +

12 ROCKVILLE, MARYLAND

13 + + + + +

14 The Public Meeting to discuss the draft  
15 Generic Environmental Impact Statement for License  
16 Renewal of Nuclear Plants, NUREG-1437, Revision 1,  
17 came to order at 1:00 p.m., pursuant to notice, at the  
18 Offices of the U.S. Nuclear Regulatory Commission,  
19 Commissioner's Hearing Room, One White Flint North,  
20 11545 Rockville Pike, Rockville, Maryland, Lance  
21 Rakovan and Kenneth Bailey, meeting facilitators,  
22 presiding.

23

24

25

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealgross.com](http://www.nealgross.com)

1 NRR STAFF PRESENT:

2 TIM McGINTY, Sr. NRC Official, Division of Policy and  
3 Rulemaking

4 KENNETH BAILEY, Meeting Facilitator, Division  
5 of Policy and Rulemaking

6 JASON LISING, GEIS Project Manager, Division  
7 of Policy and Rulemaking

8 JEFF RIKHOFF, Division of Policy and  
9 Rulemaking

10 LANCE RAKOVAN, Meeting Facilitator,  
11 Communications Specialist

12

13 ALSO PRESENT:

14 RALPH ANDERSEN, Nuclear Energy Institute

15 KATHLEEN YHIP, Southern California Edison,  
16 Nuclear Energy Institute

17 NANCY RANEK, Exelon Generation, Nuclear  
18 Energy Institute

19

20

21

22

23

24

25

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

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

2 1:06 p.m.

3 FACILITATOR RAKOVAN: Good afternoon. My  
4 name is Lance Rakovan. I am a Communications  
5 Specialist here at the U.S. Nuclear Regulatory  
6 Commission, or NRC. And It's my pleasure to  
7 facilitate today's meeting, along with my colleague  
8 Kenneth Bailey, from our Office of Small Business and  
9 Civil Rights. We're going to do out best to keep this  
10 meeting on track for everyone and we hope you'll help  
11 us out with that.

12 The purpose of this meeting is to provide  
13 you with an opportunity to give us your comments on a  
14 proposed rule, amending Title 10, Part 51 of the Code  
15 of Federal Regulations, as well as the Generic  
16 Environmental Impact Statement for License Renewal of  
17 Nuclear Plants, or NUREG-1437, Revision 1. You'll  
18 probably be hearing the term GEIS, or G-E-I-S, a lot  
19 today. And, of course, that's just an acronym for the  
20 Generic Environmental Impact Statement.

21 Today's meeting is just one way that you  
22 can participate in this commenting process. And we'll  
23 be going over more on how you can participate during  
24 the presentation. We're going to have about two parts  
25 for the meeting, today. First you'll hear a

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealgross.com](http://www.nealgross.com)

1 presentation from an NRC staff member on the topics at  
2 hand. It's information that we think is important for  
3 you to understand. There were copies of the  
4 presentation on the table when you walked in, and I  
5 believe that they are being made on the website for  
6 those participating through other ways, so you can  
7 follow along, if you'd like.

8 For those participating by phones, again,  
9 I believe you can get on the public meeting page and  
10 find the link to it there. For those of you here at  
11 Headquarters, they were yellow and blue cards, when  
12 you walked in. Hopefully, you filled out a yellow  
13 card if you wanted to make a comment. If not, we'll  
14 run some cards around later. We use the yellow cards,  
15 just to make sure that we get your name and your  
16 organization right, because we are taking a transcript  
17 of this meeting and we want to make sure that we get  
18 your name correct. If you do want make a comment on  
19 the phone, and we'll be going to the phones a little  
20 later, we just ask that you let us know who you are  
21 and what organizations you're with, and we'll take you  
22 right in line with the other comments that we receive.

23 In terms of the transcript, you can help  
24 us get a transcript or keep a clean transcript, today,  
25 by speaking into a microphone whenever you are making

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

1           a comment; keeping side conversations down to a  
2 minimum; and, of course, turning off or silencing any  
3 electronic devices that you may have with you in the  
4 room. For those of you on the phones, I believe we  
5 have the phones on mute right now, and we will be  
6 opening those up when we go for questions or for  
7 comments. But, if you could, please try to keep your  
8 phone on mute when you're not making a comment.

9           One other item that I'm hoping that you  
10 picked up when you walked in is our Public Meeting  
11 Feedback Form. If you fill that out here today, you  
12 can give it to any NRC staff member in attendance, or  
13 you can drop it in the mail. Postage is free. This  
14 gives us a way to have you let us know how we did with  
15 today's meeting and maybe make some suggestions on how  
16 we can improve them. For those of you participating  
17 by phone, if you can contact any NRC staff member, we  
18 will make sure that we get one of those out to you.

19           I want to take a moment to introduce a few  
20 of the staff members in attendance today. First of  
21 all, Tim McGinty, who is Director of Policy and  
22 Rulemaking. And also, Jason Lising, who is the  
23 Rulemaking lead for this initiative. With that, I'm  
24 going to hand things over to Tim, and my assistant, if  
25 you will, Ken, will be taking over once we move to the

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 second part of the meeting. If you could, please hold  
2 your questions during the presentation, to the end.  
3 And that way, we can open the meeting up for the  
4 questions and commenting. Tim?

5 MR. McGINTY: Thanks, Lance. Good  
6 afternoon and thanks for your participation today. As  
7 Lance said, I'm Tim McGinty, and I'm the Director of  
8 the Division of Policy and Rulemaking at the Nuclear  
9 Regulatory Commission, in the Office of NRR. That  
10 division has many responsibilities, including the  
11 project management of rulemaking activities and  
12 associated regulatory analyses, related to nuclear  
13 reactor safety. The division manages the development  
14 of new regulations and the amendment of existing  
15 regulations. This afternoon, we will focus on  
16 recently published proposed rule and related guidance  
17 documents regarding the update to the NRC's Generic  
18 Environmental Impact Statement or, as Lance said, it  
19 will be repeatedly referred to as GEIS or G-E-I-S  
20 throughout today, I'm sure, for License Renewal of  
21 Nuclear Power Plants. This is the fourth in a series  
22 of six public meetings for this proposed rule. We  
23 held similar meetings in Georgia, Massachusetts,  
24 Illinois, and will be conducting two more in  
25 California later this month.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1                   This particular meeting is being  
2 webstreamed and will be archived for future reference  
3 by anyone interested in viewing the materials  
4 presented. This afternoon's meeting is designed to  
5 permit public involvement in the process by using  
6 various media, such as webstreaming, to allow for  
7 enhanced public outreach. In keeping with the goal of  
8 openness and transparency within government, we hope  
9 that interested members of the public who cannot  
10 physically attend this public meeting because of  
11 geographic constraints or otherwise, will find this  
12 technology useful.

13                  One of our NRC staff, Jason Lising, will  
14 go into more detail about the proposed rule and the  
15 revised GEIS. Jason will be presenting a series of  
16 slides, describing to you what we have been doing to  
17 update environmental impacts associated with the  
18 license renewal of nuclear power plants. We want to  
19 listen to your questions and comments and have more  
20 public dialogue about the contents of the proposed  
21 rule and the revised GEIS. And, of course, we want  
22 answer any questions you have about either the  
23 regulations or the guidance documents. This meeting  
24 will be transcribed and the transcripts will be made  
25 available to the public. I encourage you to focus

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 your comments, to the extent that you can, and that  
2 you feel comfortable, on the contents of the proposed  
3 rule and the revised GEIS and the associated guidance  
4 documents. The reason I emphasize that is to maximize  
5 your opportunity to influence the rule throughout this  
6 process, as we proceed to finalize it.

7 To sum up, we're going to cover the  
8 proposed rule and the draft GEIS; what are their  
9 purposes; what is the approach used during this ten-  
10 year update. Jason will present to you the findings  
11 that are reported in the proposed rule and draft GEIS.  
12 Next, we will talk about the schedule; what the next  
13 steps are. And then, of course, turn to public  
14 comment. Thank you for your time. And I'm going to  
15 turn it over to Jason now.

16 MR. LISING: Thank you, Tim. And thank  
17 you all for your attendance this afternoon. We look  
18 forward to receiving your comments. Again, my name is  
19 Jason Lising. I am the Generic Environmental Impact  
20 Statement Rulemaking Project Manager. And I'm here to  
21 explain how we've revised the Generic EIS.

22 First, let me give you a little background  
23 information. As part of the license renewal program,  
24 initiated in the late 1980s, the NRC undertook a  
25 comprehensive review of environmental NEPA issues,

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealgross.com](http://www.nealgross.com)

1           associated with the continued operation of nuclear  
2           power plants beyond the term of the current operating  
3           license. The results of this comprehensive review  
4           were published in 1996 at the Generic Environmental  
5           Impact Statement for License Renewal of Nuclear Power  
6           Plants, also known as the GEIS.

7           During the comprehensive review, the  
8           Commission determined that certain environmental  
9           impacts associated with license renewal were the same  
10          or similar for all plants and, as such, could be  
11          addressed generically. In total, 92 environmental  
12          impact issues associated with license renewal were  
13          identified. Therefore, the main purpose for the GEIS  
14          is to identify and evaluate all environmental impacts  
15          associated with license renewal and assess  
16          environmental impacts that are considered generic and  
17          common to all nuclear power plants. The GEIS also  
18          defines the number of issues that need to be addressed  
19          in plant-specific environmental reviews, which are  
20          supplemental EISs to the GEIS.

21           The results of the environmental reviews  
22          on the 92 issues, conducted for the 1996 GEIS, were  
23          summarized as findings in Table B-1 and NRC  
24          regulations found in Title 10 of the Code of Federal  
25          Regulations, Part 51, also known as 10 CFR Part 51.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1       In these regulations, the Commission also indicated  
2       its intent to review and update Table B-1 and the GEIS  
3       every ten years. This meeting, this afternoon, is  
4       part of that process, to revise the GEIS and update  
5       the findings in Table B-1.

6                  We are here to receive your comments as  
7       part of that process. The range of environmental  
8       impacts associated -- excuse me, the range of  
9       environmental impacts considered in every  
10      environmental review for license renewal is  
11      comprehensive. This slide gives you an idea of some  
12      of the areas that the NRC considers during license  
13      renewal environmental reviews. The GEIS -- the  
14      revised GEIS discusses the environmental impacts for  
15      each of the resource areas shown on this slide. The  
16      information provided in Table B-1, in 10 CFR Part 51,  
17      is a summary of the findings on the '92 Environmental  
18      Impact Issues analyzed in the GEIS. In other words,  
19      the GEIS provides the technical basis for the findings  
20      in Table B-1.

21                  As many of you may be aware, the issues in  
22      Table B-1 are categorized as either Category One or  
23      Two. Category One issues are considered generic, as  
24      the impacts were determined to be the same or similar  
25      at all nuclear power plants. Category Two issues are

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealgross.com](http://www.nealgross.com)

1 impact issues that need to be addressed in plant  
2 specific environmental reviews. Category One impacts  
3 are only addressed in the GEIS and not in  
4 supplemental, plant specific, environmental reviews,  
5 unless new and significant information is found that  
6 would change the findings in the GEIS.

7                 In the review and update of the GEIS, we  
8 re-evaluated the original 92 environmental impact  
9 issues listed in Table B-1 to determine if any of  
10 these issues needed to be updated, modified, or  
11 deleted. We also considered whether new environmental  
12 impact issues needed to be added. We considered  
13 issues identified during plant specific environmental  
14 reviews and environmental laws and regulations. We  
15 also considered reorganizing the 92 issues to simplify  
16 impact discussions and to streamline environmental  
17 impact analyses. We also reviewed the organization  
18 and format of the 1996 GEIS and revisited the  
19 discussion and analysis of refurbishment impacts. The  
20 review and update took into account public comments we  
21 received on the GEIS during scoping and during plant  
22 specific license renewal environmental reviews.

23                 Several new Category One and Two issues  
24 have been addressed and added to the revised GEIS. In  
25 addition, based on previous environment reviews and

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealgross.com](http://www.nealgross.com)

1 public comment, some issues were recategorized from  
2 Category Two to Category One. It's important to note  
3 that, even though Category Two issues would not be  
4 Category One, the staff would continue to evaluate  
5 these issues for any new and significant information,  
6 during each plant specific environmental review. New  
7 Category One issues are shown on this slide. These  
8 issues were added as a result of previous  
9 environmental reviews and public comments.

10                 Here are the new Category Two issues.  
11 Again, these issues were added as a result of previous  
12 environmental reviews and public comment. And here  
13 are the issues, recategorized from Category Two to  
14 One. These issues were recategorized based on  
15 previous environmental reviews and public comment.

16                 As a result of the review and update, as  
17 well as lessons learned and knowledge gained during  
18 nearly 40 environmental reviews, we came up with a  
19 proposed reorganized list of 78 environmental impact  
20 issues, which still include all of the 92 original  
21 impact issues addressed in the 1996 GEIS. The  
22 reduction in the number of issues was primarily the  
23 result of combining or regrouping similar issues. The  
24 Appendix B handout illustrates how these issues were  
25 reorganized. Many issues that were addressed

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 separately in the 1996 GEIS that were similar or  
2 related have been regrouped under a broader, more  
3 encompassing, impact issue. For example, three  
4 separate aesthetic issues in the 1996 GEIS have been  
5 combined into one aesthetic impact issue that still  
6 considers the aesthetic impact of nuclear plants as  
7 well as transmission lines. We also found very few  
8 instances where power plants were being modified or  
9 refurbished for license renewal. These activities  
10 have consisted, primarily, of steam generator and  
11 vessel head replacement. As a result, most of the  
12 refurbishment issues have been combined with continued  
13 plant operation issues. Power plant modifications and  
14 refurbishment activities associated with license  
15 renewal will continue to be addressed in plant  
16 specific environmental reviews.

17 Based on comments received during scoping  
18 and during plant specific environmental reviews, we  
19 also decided to reorganize the GEIS from a cooling  
20 system based approach to a resource based approach.  
21 The impacts on each resource area are discussed in one  
22 place, rather than having to hunt through several  
23 chapters in the 1996 GEIS to find relevant discussions  
24 of impacts. To make it easier on the reader, we  
25 folded the discussion of impacts in Chapters 3-8, into

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 one environmental consequence chapter, organized by  
2 environmental resource area.

3                 The review and update of the GEIS and our  
4 regulations, however, is not yet complete. All of the  
5 comments received during the comment period will be  
6 considered by NRC staff, as we develop the final rule  
7 and revised GEIS, which are scheduled to be issued in  
8 2011. The final rule and revised GEIS will contain  
9 the NRC's final determination on the generic impacts  
10 associated with license renewal. The comments you  
11 provide today and those received during the comment  
12 period will help in finalizing the staff's proposed  
13 rule and revised GEIS. Because we want all  
14 stakeholders to have sufficient time to provide us  
15 with constructive comments that will improve the  
16 quality of these regulations, as well as license  
17 renewal process, I am pleased to announce that the NRC  
18 will be extending the public comment period for an  
19 additional period of 90 days. The public comment  
20 period will now end January 12, 2010, 90 days from the  
21 original date of October 14, 2009. A Federal Register  
22 notice is to follow within the next week. I am the  
23 point of contact for the proposed rule, along with  
24 Jeff Rikhoff, who is the point of contact for the GEIS  
25 revision. We are working together to insure that all

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealgross.com](http://www.nealgross.com)

1 comments on the proposed rule and the revised GEIS are  
2 considered and addressed. The proposed rule and the  
3 revised GEIS are available to the public on our web  
4 page and through our public document room. You can  
5 also view these documents and other related documents,  
6 including docketed comments for this rule that have  
7 been received by the NRC thus far, on the web, at the  
8 address indicated on the slide. Visit  
9 [www.regulations.gov](http://www.regulations.gov), then enter NRC-2008-0608 on the  
10 keyword or ID and click search. In addition, we will  
11 be happy to mail copies to anyone who requests one.

12 Because of the generic applicability this  
13 rulemaking has for all U.S. nuclear plants seeking  
14 license renewal, and in an effort to enhance public  
15 outreach, this presentation will be available to the  
16 public 48 hours after the close of today's meeting.  
17 Access to viewing this meeting over the internet is as  
18 indicated on this slide, which is also in the handouts  
19 available here today. You can find this webcast by  
20 visiting our public website at [www.nrc.gov](http://www.nrc.gov), under the  
21 public meeting and involvement tab. Click on the  
22 meeting archives link, and then click the webcast  
23 archive link.

24 In addition to providing oral comments  
25 today, there are several ways to provide written

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealgross.com](http://www.nealgross.com)

1 comments to the NRC. You can write to us at the  
2 address on the slide and your handouts, or by e-mail  
3 and the web. Again, all comments received during this  
4 public comment period will be considered. Thank you  
5 again, for your participation in this process. And  
6 then, with that, I will turn the meeting back to Ken.

7 FACILITATOR BAILEY: Good afternoon,  
8 everyone. As Lance mentioned earlier, my name is Ken  
9 Bailey, and I will be facilitating the questioning --  
10 the clarifying question period and comment period. We  
11 would like to see if there are any clarifying  
12 questions on the subjects that were presented. If you  
13 have any questions, just raise your hand and I will  
14 call upon you, in order to -- in order to address your  
15 question.

16 UNKNOWN SPEAKER: I just wanted to --

17 FACILITATOR RAKOVAN: Ralph, Ralph, we  
18 need to get you on a microphone. If you could let us  
19 know who you are, please?

20 MR. ANDERSEN: Yes, sir. Ralph Andersen  
21 with the Nuclear Energy Institute. I just wanted to  
22 confirm the Federal Register notice announcing the  
23 extension of the public comment period, do you expect  
24 that within about a week or so? Is that right?

25 MR. LISING: Jason Lising and yes, Ralph,

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealgross.com](http://www.nealgross.com)

1 that will be coming out within a week or so.

2                   FACILITATOR BAILEY: Okay. Are there any  
3 other questions? Okay. If there are no other  
4 questions in hours, are there any questions from  
5 people participating on the phone lines? Okay. There  
6 does not appear to be any other questions. So, at  
7 this time, we would like to transition into our public  
8 comment period. And we have three pre-registered:  
9 Ralph Andersen, Kathy Yhip, and Nancy Ranek.  
10 Hopefully, I said that properly. Ralph, you can come  
11 up and begin to make your comment.

12                  MR. ANDERSEN: My name is Ralph Andersen  
13 from the Nuclear Energy Institute. First of all, I'd  
14 like to express appreciation for the NRC's process  
15 that they've undertaken in proposing the -- the new  
16 regulation and the supporting guidance documents. I  
17 think having the public meetings at locations around  
18 the country is -- is productive. I -- I don't think  
19 NRC should necessarily evaluate, in retrospect, the --  
20 what the level of participation is, necessarily, at  
21 those meetings. I think it's more important that  
22 you're reaching out and providing the opportunity.  
23 And I commend the agency for that.

24                  Also, I would like to express appreciation  
25 of the restructuring that NRC did along the lines of

1  
GEIS

2  
GEIS

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealgross.com](http://www.nealgross.com)

1 the resource areas, which was described earlier, and  
2 the notion of putting together a separate section on  
3 environmental consequences that allows one to easily  
4 understand the potential impacts associated with  
5 license renewal as well as, ideally, the potential  
6 benefits. The -- I think it makes it much easier and  
7 more accessible to members of the public. I will  
8 comment that I asked my wife to take a shot. She's my  
9 best critic and reviewer. She took a look at it and -  
10 - and she liked it. And so, for what it's worth, one  
11 member of the public appreciates the work that you put  
12 into that.

2  
GEIS

13 The simple comment that I wanted to make  
14 today is that we -- we have organized an industry task  
15 force of experts working in this area. We have met  
16 twice now. We have made sure that we are in  
17 attendance and provide some feedback at the public  
18 meetings and we will continue to do so. What I would  
19 express -- especially like to express our appreciation  
20 of -- I would have been continuing to support the  
21 idea, but now you've made your decision -- is on the  
22 extension of the comment period. For your  
23 information, our preliminary comments that we've  
24 developed on the proposed rule, the draft regulatory  
25 guide, and the Generic Environmental Impact Statement,

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealgross.com](http://www.nealgross.com)

1 currently total just shy of 70 pages of detailed  
2 comments. Now that we have the extended comment  
3 period, we'll really go to work. So -- but -- but  
4 truthfully, what it does allow -- and I -- I just want  
5 to reinforce that -- is that provide -- besides  
6 providing comments and kind of a summary explanation  
7 of -- of why we suggest certain changes to the  
8 document, it really gives us a lot more time to fully  
9 develop our rationale so that -- that you have a  
10 better understanding of -- of -- of where we're going  
11 with it. And -- and thereby, I think it makes it a  
12 much more productive and constructive process. So  
13 again, I really appreciate that extension in the -- in  
14 the comment period.

15 We have made comments at previous  
16 meetings, as I mentioned. Because we -- we do  
17 understand that the comments provided at the public  
18 meetings are being documented, we don't see any reason  
19 to -- to repeat those here today. We do have a few  
20 additional comments we are making today. We will be  
21 making additional comments at the remaining two public  
22 meetings. Of necessity, these comments are somewhat  
23 at a high level, and I just wanted to clarify. I --  
24 I do appreciate that -- as -- as one who has put out  
25 draft documents before, when you see the high level

3  
GEIS

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealgross.com](http://www.nealgross.com)

1 document, you initially have the reaction of well,  
2 what are you talking about, specifically? You know,  
3 give me some examples. She me what you've got.

4 Our issue is just simply timing. We want  
5 to be sure we've thoroughly vetted the comments that  
6 we've drafted before we begin to drop into the details  
7 and share those. So -- so I ask that you not be  
8 disappointed that we might go through the next two  
9 public meetings still without delving down into those  
10 details. What I -- what I would suggest is that we  
11 will make sure that we are very clear with our  
12 examples and details in our written comments that we  
13 provide. And, in fact, we would welcome an -- an  
14 opportunity, either near the end of the comment period  
15 or following closure of the comment period, whichever  
16 is more appropriate, at that time, to meet with you  
17 and to discuss even further the comments that we  
18 provide. That's not atypical from what we have done  
19 in the past, particularly where there are very, very  
20 extensive comments. So we -- we'd be happy to discuss  
21 that possibility with you. And again, timing would be  
22 the simple issue. With that, there are two other  
23 members of our task force that have registered to  
24 provide specific comments. So I will defer to them,  
25 at this point. Thank you.

3  
GEIS

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealgross.com](http://www.nealgross.com)

1                   FACILITATOR BAILEY: Okay. We will now  
2 have Kathy Yhip from Southern California Edison.

3                   MS. YHIP: Good afternoon. My name is  
4 Kathleen Yhip. I'm a member of the NEI task force and  
5 representing Southern California Edison. Our request  
6 is for additional clarification, specifically with  
7 regard to Chapter 7.2 of the Reg. Guidance, where it  
8 talks about discussing alternatives for reducing  
9 adverse impacts. In particular, we're looking for  
10 additional clarification on whether or not the NRC's  
11 expectation is that applicants include, as part of  
12 that consideration, whether or not there's a degree of  
13 significance, as part of that discussion, much as  
14 there is for the mitigation alternatives. In our  
15 written comments from the industry, we'll include  
16 further details. Thank you.

4  
GUIDE

17                  FACILITATOR BAILEY: At this time, we'll  
18 have comments from Nancy Ranek from Exelon  
19 Generation.

20                  MS. RANEK: Good afternoon. My name is  
21 Nancy Ranek. I am employed by Exelon Generation, but  
22 I'm speaking today on behalf of the Nuclear Energy  
23 Institute, or NEI. As Ralph has already mentioned,  
24 NEI is a policy organization of the Nuclear Energy and  
25 Technologies Industry, and participates in both

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 national and global policy making processes. In July  
2 of 2009, NEI created an ad hoc task force, consisting  
3 of representatives from 14 of its member organizations  
4 to review and prepare comments on NRC's draft updated  
5 Generic Environmental Impact Statement for Nuclear  
6 Plant License Renewal and the accompanying proposed  
7 rulemaking and draft regulatory guide. It is as a  
8 member of NEI's task force that I'm here speaking  
9 today.

10 First, I wanted to -- in addition to  
11 Ralph's thanks -- provide my own thanks to the staff  
12 for hosting this meeting and for taking comments from  
13 the industry and others. We think that this process  
14 has worked well in the past and we fully support it.

15 I will make one specific comment today.  
16 My comment relates to the implementation of the final  
17 rule. And my comment has, essentially, two parts.  
18 First, the industry encourages the staff to finalize  
19 all of the documents associated with this rulemaking  
20 package at the same time. These are the revised  
21 regulations, the GEIS, and the regulatory guide. We  
22 note that the NRC has not always done this in past  
23 rulemakings and we believe it would benefit both the  
24 regulated community and the staff to have the level of  
25 certainty that would come if all of the documents were

5  
GEIS



**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealgross.com](http://www.nealgross.com)

1 finalized simultaneously.

2                   The second part of my comment relates to  
3 the timing of the final -- of implementation of the  
4 final draft regulations. The industry suggests that  
5 the NRC establish an effective date for the final rule  
6 that is tied to the sufficiency determinations of  
7 applications. That is, the sufficiency of an  
8 application filed before the effective date of the  
9 final rule, should be judged, based on the existing  
10 regulations while the sufficiency of applications  
11 filed after the effective date should be judged based  
12 on the new final rule. We suggest that it might be  
13 reasonable for the effective date to be between six  
14 and 12 months from the final publication of the rule  
15 in the Federal Register, but we're still evaluating  
16 this and we'll address it more fully in our written  
17 comments.

18                   This concludes my statement for today and  
19 thanks for your time.

20                   FACILITATOR BAILEY: Once again, we would  
21 like to go to the phone lines to see if there is  
22 anyone who has any comments. There being none, we  
23 would like to solicit once again to see if anyone  
24 within would like to make any comments. If you do,  
25 please raise your hand and Lance or I will get you a

5  
GEIS

6  
RULE

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealgross.com](http://www.nealgross.com)

1 yellow card so that you can present your comment.  
2 There seems to be none. At this time, I will turn it  
3 back over to Tim, if he wants to close or say any  
4 words before closing.

5 MR. McGINTY: I just wanted to thank for  
6 this meeting, the fourth of six, that we didn't get a  
7 plethora of comments. But I do very much appreciate  
8 industry attending and making value added comments and  
9 value added to the process and working with the staff  
10 to make sure that -- that we understand any of -- any  
11 of the issues or comments that you have. I wish we  
12 could have elicited more comments from this process,  
13 but it's an initial reach-out via the web process.  
14 And I think Jason already described that there are  
15 other mechanisms. And, with that said, if there are  
16 no other further comments, if there is nothing further  
17 to add to this meeting, then we'll close it.

18 Thank you, very much.

19 (Whereupon, the meeting was adjourned at  
20 approximately 1:38 p.m.)

21

22

23

24

25

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

CERTIFICATE

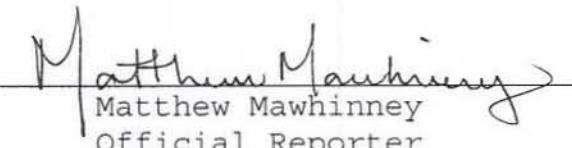
This is to certify that the attached proceedings  
before the United States Nuclear Regulatory Commission  
in the matter of:                   Nuclear Reactor Regulation

Name of Proceeding: Public Meeting

Docket Number:                   (n/a)

Location:                         Rockville, Maryland

were held as herein appears, and that this is the  
original transcript thereof for the file of the United  
States Nuclear Regulatory Commission taken by me and,  
thereafter reduced to typewriting by me or under the  
direction of the court reporting company, and that the  
transcript is a true and accurate record of the  
foregoing proceedings.

  
Matthew Mawhinney  
Official Reporter  
Neal R. Gross & Co., Inc.

**Official Transcript of Proceedings**

**NUCLEAR REGULATORY COMMISSION**

Title: Public Meeting RE NUREG-1437

Docket Number: (n/a)

Location: Pismo Beach, California

Date: Tuesday, October 20, 2009

Work Order No.: NRC-3148

Pages 1-84

**NEAL R. GROSS AND CO., INC.**  
**Court Reporters and Transcribers**  
**1323 Rhode Island Avenue, N.W.**  
**Washington, D.C. 20005**  
**(202) 234-4433**

## 1           NUCLEAR REGULATORY COMMISSION

2           OFFICE OF NUCLEAR REACTOR REGULATION

3           + + + + +

4           PUBLIC MEETING TO DISCUSS THE DRAFT

5           GENERIC ENVIRONMENTAL IMPACT STATEMENT

6           FOR LICENSE RENEWAL OF NUCLEAR PLANTS,

7           NUREG-1437, REVISION 1

8           + + + + +

9           TUESDAY, OCTOBER 20, 2009

10          + + + + +

11          BEST WESTERN SHORE CLIFF LODGE

12          2555 PRICE STREET

13          PISMO BEACH, CALIFORNIA

14          + + + + +

15          7:00 P.M.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

www.nealrgross.com

P R O C E E D I N G S

[ 7:01 p.m.]

MR. BAILEY: Good evening, everyone. My name is Kenneth Bailey. I'm a diversity specialist who works in the Office of Small Business and Civil Rights at the Nuclear Regulatory Commission, of which you will hear referred to as the NRC throughout the night.

I'll be facilitating the meeting today and Lance Rakovan from the Office of the Executive Director for Operations, a communications specialist, will be the co-facilitator, along with myself.

Before I begin describing the process, I would first like to thank members of the community who rallied for participation of this meeting tonight.

The purpose of this meeting is to provide you with an opportunity to give us your comments on the proposed rule amending Title 10, Part 51, of the Code of Federal Regulations, as well as the Generic Environmental Impact Statement for license renewal of nuclear plants for NUREG 1437, Revision 1.

For those of you not familiar with regulations, Title 10 is a part of the Federal Regulations where you can find NRC's regulations and Part 51 is just a piece of those regulations that

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

www.nealrgross.com

1 specifically focus on environmental protection.

2 As far as the term, Generic Environmental  
3 Impact Statement, you'll probably hear referred to as  
4 G-E-I-S, or as GEIS in the meeting.

5 Today's meeting is just one way that you  
6 can participate in the commenting process, and you'll  
7 be hearing more about various other ways you can  
8 participate soon.

9 The meeting will essentially have two  
10 parts. First, we'll hear the presentation from NRC  
11 staff on the topics at hand, information we think is  
12 important for you to understand.

13 There were copies of the presentations on  
14 the table as you signed in, but in case you didn't get  
15 a copy, we can have someone run one to you. Is there  
16 anyone who doesn't have a copy and needs a copy of the  
17 presentation? Okay.

18 [Audience comment]

19 MR. BAILEY: It's a presentation. It  
20 should have a couple of slide boxes on it. Yes, sir.

21 For those of you participating by phone,  
22 although I don't think we have anybody--is there  
23 anyone on the phone line?

24 [No response]

25 MR. BAILEY: Okay. So we're going to try

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 to keep the presentation short, so that we can get the  
2 real reason we're here today, and that is to listen to  
3 you.

4 For those of you here on site, there are  
5 yellow and blue cards that were at the registration  
6 desk. Hopefully, you all filled one out. The yellow  
7 cards are for the people who prefer to comment.  
8 Later, we'll be calling you to speak based on the  
9 people who submitted the yellow cards.

10 If you haven't filled the card out, and  
11 decide you want to speak, it's okay, you can get my  
12 attention and we'll run a card to you.

13 We ask that you fill out the card, so that  
14 not only do we have a good list of who spoke at  
15 today's meeting, but also so that we can get your name  
16 correctly on the transcript.

17 Keep in mind that we are transcribing  
18 today's meeting to make sure we fully capture your  
19 comments. You can help us get a clean transcript by  
20 using the microphone every time you speak or ask a  
21 question. Keep the side conversations to a minimum,  
22 thus helping us to keep only the main conversation  
23 going at a time during the meeting, so as to identify  
24 the particular person that's speaking.

25 Please identify yourself and any group

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 that you represent, the first time you speak.

2 You can also help us get a clean  
3 transcript by turning off the electronics, or at least  
4 putting them on vibrate.

5 One other item I'm hoping you picked up  
6 when you came to the public meeting is the feedback  
7 form. You can fill this form out here tonight and  
8 give it to an NRC staff member, or drop it in the mail  
9 sometime soon in the near future. Postage is free.

10 Your opinion on how this meeting went will  
11 help us improve upon our future meetings, so please  
12 let take a moment to let us know what you think.

13 Rest rooms. Rest rooms are located  
14 directly behind the seated audience.

15 I want to take a moment to introduce some  
16 of the NRC staff in attendance today, all from the  
17 Office of the Nuclear Reactor Regulation.

18 Jeffrey Rikhoff, who will be the lead, and  
19 the presenter for today.

20 Susan Uttal. Jason Lising. Bo Pham.  
21 Andrew Stuyvenberg and Robin Ross.

22 Additionally, we have NRC's resident  
23 inspector for this region, Tony Brown, and the senior  
24 resident inspector, Michael Peck.

25 Also attending the meeting from our Agency

## NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 is Public Affairs Officer Victor Dricks.

2           With that, I'll turn things over to  
3 Jeffrey Rikhoff, and will be back when we move to the  
4 second part of the meeting.

5           If you have any questions about the  
6 material that is covered, I'm going to ask that you  
7 hold your questions until the presentations are over,  
8 so that we can move to the second portion of the  
9 meeting. Thank you for your attention.

10           MR. RIKHOFF: Thank you, Kenny. I'd like  
11 to thank everyone for coming out this evening. We  
12 really appreciate your taking the time to meet with us  
13 and provide us with your comments. Again, my name is  
14 Jeff Rikhoff, and I'm the Generic Environmental Impact  
15 Statement project manager, and I'm here to explain how  
16 we revised the Generic EIS.

17           First, let me give you a little background  
18 information.

19           As part of the license renewal program  
20 initiated in the late 1980's, the NRC undertook a  
21 comprehensive review of environmental NEPA issues  
22 associated with the continued operation of nuclear  
23 power plants beyond the term of the current operating  
24 license.

25           The results of this comprehensive review

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1       were published in the 1996 Generic Environmental  
2       Impact Statement for license renewal of nuclear power  
3       plants, also known as the GEIS.

4                     During the comprehensive review, the  
5       Commission determined that certain environmental  
6       impacts associated with license renewal were the same  
7       or similar for all plants, and as such, could be  
8       addressed generically. In total, 92 environmental  
9       impact issues associated with license renewal were  
10      identified.

11                  Therefore, the main purpose for the GEIS  
12      is to identify and evaluate all environmental impacts  
13      associated with license renewal and assess  
14      environmental impacts that are considered generic and  
15      common to all nuclear power plants.

16                  The GEIS also defines the number of issues  
17      that need to be addressed in plant-specific  
18      environmental reviews, in supplemental EIS's to the  
19      GEIS.

20                  The results of the environmental review on  
21      the 92 issues conducted for the 1996 GEIS were  
22      summarized as findings in Table B-1 in NRC regulations  
23      10 CFR Part 51. In these regulations, the Commission  
24      also indicated its intent to review and update Table  
25      B-1 and the GEIS every 10 years. This meeting tonight

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 is part of the process to revise the GEIS and update  
2 the findings in Table B-1, and we are here to receive  
3 your comments as part of that process.

4 The range of environmental impact issues  
5 considered in every environmental review for license  
6 renewal is comprehensive.

7 This slide gives you an idea of some of  
8 the areas that NRC considers during license renewal  
9 environmental reviews. The revised GEIS discusses the  
10 environmental impacts for each of the resource areas  
11 shown on this slide.

12 The information provided in Table B-2, in  
13 10 CFR Part 51, is a summary of the findings on the 92  
14 environmental impact issues analyzed in the GEIS. In  
15 other words, the GEIS provides the technical basis for  
16 the findings in Table B-1.

17 As many of you may be aware, the issues in  
18 Table B-1 are categorized as either Category 1 or 2.  
19 Category 1 issues are considered generic as the  
20 impacts were determined to be the same or similar at  
21 all nuclear plants.

22 Category 2 issues are impact issues that  
23 need to be addressed in separate plant-specific  
24 environmental reviews.

25 Category 1 impacts are only addressed in

## NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 the GEIS and not in the supplemental plant-specific  
2 environmental reviews, unless new and significant  
3 information is found that would change the findings in  
4 the GEIS.

5                 In the review and update of the GEIS, we  
6 re-evaluated the original 92 environmental impact  
7 issues listed in Table B-1, to determine if any of  
8 these issues needed to be updated, modified or  
9 deleted. We also considered whether new environmental  
10 impact issues needed to be added. Issues identified  
11 during plant-specific environmental reviews and  
12 changes to environmental laws and regulations were  
13 considered.

14                 We also considered reorganizing the 92  
15 issues to simplify impact discussions and to  
16 streamline environmental impact analyses.

17                 We also reviewed the organization and  
18 format of the 1996 GEIS and revisited the discussion  
19 and analysis of refurbishment impacts.

20                 The review and update took into account  
21 public comments we received on the GEIS during scoping  
22 and during plant-specific license renewal  
23 environmental reviews.

24                 Several new Category 1 and 2 issues have  
25 been added to the revised GEIS. In addition, based on

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 previous environmental reviews and public comments,  
2 some issues were recategorized from Category 2 to  
3 Category 1. It's important to note that even though  
4 Category 2 issues would not be Category 1, the staff  
5 would continue to evaluate these issues for any new  
6 and significant information during each plant-specific  
7 environmental review.

8 New Category 1 issues are shown on this  
9 slide. These issues were added as a result of  
10 previous environmental reviews and public comments.

11 This slide shows the new Category 2  
12 issues. Again, these issues were added as a result  
13 of previous environmental reviews and public comments.

14 And this third slide are the issues that  
15 were recategorized from Category 2 to 1. These issues  
16 were recategorized based on previous environmental  
17 reviews and public comments.

18 As a result of the review and update, as  
19 well as lessons learned and knowledge gained during  
20 nearly 40 environmental reviews, we came up with a  
21 proposed reorganized list of 78 environmental impact  
22 issues, which still include all of the 92 original  
23 impact issues addressed in the 1996 GEIS.

24 The reduction in the number of issues was  
25 primarily the result of combining or regrouping

## NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 similar issues.

2                   The Appendix B handout illustrates how  
3 these issues were reorganized. Many issue that were  
4 addressed separately in the 1996 GEIS, that were  
5 similar or related, have been regrouped under a  
6 broader, more encompassing impact issue.

7                   For example, three separate aesthetic  
8 issues in the 1996 GEIS have been combined into one  
9 aesthetics impact issue, that still considers the  
10 aesthetic impact of the nuclear plant a swell as  
11 transmission lines.

12                  We also found very few instances where  
13 power plants were being modified or refurbished for  
14 license renewal .

15                  These refurbishment activities have  
16 consisted primarily of steam generator and vessel head  
17 replacement. As a result, most of these issues have  
18 been combined with continued plant operations issues.

19                  Power plant modifications and refurbishment  
20 activities associated with license renewal will  
21 continue to be addressed in separate plant-specific  
22 environmental reviews.

23                  Based on comments received during scoping  
24 and during plant-specific environmental reviews, we  
25 also decided to reorganize the GEIS from a cooling

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 systems-based approach to a resource-based approach.

2                   The impacts on each resource area are  
3 discussed in one place rather than having to hunt  
4 through several chapters in the 1996 GEIS to find  
5 relevant discussions of impacts.

6                   To make it easier on the reader, we folded  
7 the discussion of impacts in Chapters 3 through 8, in  
8 the 1996 GEIS, into one environmental consequences  
9 chapter organized by environmental resource area.

10                  The review and update of the GEIS and our  
11 regulations, however, is not yet complete.

12                  All the comments received during the  
13 comment period will be considered by NRC staff as we  
14 develop the final rule and revised GEIS, which are  
15 scheduled to be issued in early 2011.

16                  The final rule and revised GEIS will  
17 contain the Commission's final determination on the  
18 generic impacts associated with license renewal.

19                  The comments you provide tonight, and  
20 those received during the comment period, will help in  
21 finalizing the staff's proposed rule and revised .

22                  The NRC received several requests to  
23 extend the public comment period for the proposed rule  
24 and GEIS revision.

25                  The NRC recognizes that there's a large

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 amount of information associated with this rulemaking,  
2 and has therefore extended the public comment period  
3 for an additional 90 days, to allow additional time  
4 for review.

5 The public comment period now ends on  
6 January 12, 2010, 90 days from the original date of  
7 October 14th. The NRC wants to make sure that members  
8 of the public have sufficient time to provide comments  
9 that will improve the quality of these regulations as  
10 well as the license renewal process.

11 I am the point of contact for the GEIS  
12 revision, along with Jason Lising, who's the point of  
13 contact for the proposed rule. We are working  
14 together to ensure that all comments on the proposed  
15 rule and revised GEIS are considered and addressed.

16 The proposed rule and revised GEIS are  
17 available to the public on our Web page and through  
18 our Public Document Room, and we have several copies  
19 in the back of the room.

20 You can view these documents on the Web at  
21 the addresses indicated on this slide, you know,  
22 visiting [www.regulations.gov](http://www.regulations.gov), then enter NRC-2008-0608  
23 on keyword or ID, and click search. In addition,  
24 we'll be happy to mail copies to anyone who requests  
25 one.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1                   In addition to providing oral comments  
2 tonight, there are several ways to provide written  
3 comments to the NRC.

4                   You can write to us at the address on this  
5 slide, in your handout, or by e-mail and the Web.

6                   Again, all comments received during this  
7 public comment period will be considered, and with  
8 that, I'll turn the meeting back over to Kenny.

9                   MR. BAILEY: Thanks, Jeff.

10                  At this time, I would ask if there are any  
11 clarifying questions specifically pertaining to this  
12 presentation. If there are, raise your hand and I  
13 will call on you as I see it.

14                  Ma'am.

15                  MS. GROOT: My name is Henrietta Groot. I  
16 may have had a moment of inattention, but I would  
17 really like to hear, once more, what happens if no  
18 data come in on issues that were not considered  
19 before. I see a lot in the information that says  
20 these things are not expected to happen. So my  
21 question is: How are you going to deal with things  
22 that are not expected to happen?

23                  MR. RIKHOFF: In the license renewal  
24 process, when a licensee submits an application for  
25 license renewal, the staff reviews the application,

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 looking for the information that's been provided, and  
2 the applicant's request to provide any new and  
3 significant information at that time, which is  
4 followed up by a scoping process, where we go out and  
5 meet with the public and we try to identify any new  
6 and significant issues pertaining to that specific  
7 plant, which is also followed up by a site visit by  
8 the NRC staff, which also asks questions of the  
9 applicant about new and significant information, and  
10 we try to address those issues and concerns, and new  
11 information, as best we can.

12 In the plant-specific review, you know, we  
13 go back and we revisit all the Category 1 issues to  
14 determine whether there's new and significant  
15 information. If indeed there is, then they would be  
16 addressed in the plant-specific review.

17 MR. HILL: Thank you. Adam Hill, county  
18 supervisor, District 3. I have a question on the  
19 Category 2's that have been brought back to Category  
20 1, specifically the off-site land use. Impacts  
21 from license renewal has been put back in--has been  
22 put into the Category 1, which is basically the same  
23 in all plants.

24 I wonder if you can explain the rationale  
25 for that.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1                   MR. RIKHOFF: That's a very good question,  
2 because in our review, what we found in the previous  
3 40 some-odd license renewal reviews, that the plants  
4 weren't modifying their site in order to continue  
5 operation that would affect off-site land use. We  
6 look at changes in tax structure, changes in, you  
7 know, potential changes in value of the plant that  
8 could affect off-site land use.

9                   We were also focused on a potential  
10 increase in the number of workers that may move into  
11 an area, requiring houses, which would also affect  
12 land use.

13                  But based upon our review, we haven't been  
14 seeing that happening at any plant, and as I answered  
15 earlier, as a Category 1 issue, we would still visit  
16 that issue at every plant--you know--at the plants  
17 that submit license renewal applications.

18                  MR. HILL: Thank you. Okay. Then if  
19 you're going to revisit it, site-specific, then why is  
20 it gone from the site-specific category to the same-  
21 at-all plant category?

22                  MR. RIKHOFF: Well, we've tried to  
23 disposition issues that we felt are, you know, common,  
24 and this is an issue where we haven't seen any impacts  
25 occurring at the plants that have been submitted for

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 license renewal.

2 It doesn't mean that we, you know, weigh  
3 that any less, but we're just not expecting to see it.

4 But, you know, when we go out, we follow up at the  
5 plant and try to determine whether there would be an  
6 impact that would change the conclusions in the GEIS.

7 It's so we can focus on the more pertinent  
8 Category 2 issues, the ones that seem to be of most  
9 concern to the public.

10 MS. SWANSON: I'm Jane Swanson. I'm  
11 wanting to make sure I understand it correctly.  
12 There's a slide that's called New Category 1 Issues  
13 Logically, it seems to me the word "new" means these  
14 issues were not considered in the 1996 version. Am I  
15 jumping to a wrong conclusion there? I'm not sure  
16 what "new" means in this context.

17 MR. RIKHOFF: Yes. For a number of these  
18 issues, they weren't specifically addressed in the '96  
19 GEIS, but they had been addressed as part of specific  
20 plant renewal reviews, to the point where we felt we  
21 needed to discuss them, and that way we've added it,  
22 to try to make the GEIS more complete.

23 So we talked about everything, and we  
24 tried to disposition the Category 1 issues in the GEIS  
25 as well as identifying category 2 issues that need to

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 be addressed in plant-specific reviews.

2 MR. NELSON: My name's David Nelson, and  
3 I'm a little concerned about some of these Category 1  
4 designations. The one, in particular, that jumps out  
5 at me off of--I'm looking at Appendix B here--you have  
6 the thermal plume as a Category 1 issue, and that, to  
7 me, is a big mistake. To put all the plants together  
8 and make it a generic issue is wrong. Diablo Canyon  
9 is a great example of thermal plume "gone mad." I  
10 mean, thermal plume out there hasn't really been  
11 looked at the degree that it should be looked at, and  
12 now you're going to put it in a Category 1. That  
13 makes it generic, so that we can just write it off as  
14 if everything's okay. Everything's not okay and it  
15 should be a Category 2 item.

16 MR. RAKOVAN: Sir, that sounds like a  
17 comment, exactly what we're looking for tonight but--I  
18 think I'm fading in and out--that sounds exactly like  
19 what we're looking for, to hear tonight, but right  
20 now, we're looking for clarifying questions on the  
21 presentation.

22 You know, once you have the microphone,  
23 then we're really happy to hear more about that but--

24 MR. NELSON: Well I guess I'm just asking  
25 how you come to the conclusion--

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1  
GEIS

1                   MR. RAKOVAN: How you came to the  
2 conclusion. Okay. It was the staff's feeling, that  
3 since discharges are regulated by PDS permits, either  
4 as state or federal national pollution discharge  
5 elimination system permits, that the state regulatory  
6 bodies oversees--you know, addresses those impacts.  
7 And that's not to say that when we go out, when a  
8 licensee submits an application, we go out and we look  
9 at that situation.

10                  You know, we look to see if there were  
11 exceedances. We look at every plant. That doesn't  
12 mean that we ignore, or, you know, gloss over it. You  
13 know, we take those very seriously, but because of the  
14 permitting process, you know, it's not an NRC review  
15 process, necessarily, to approve the application for  
16 discharge permits, but that we acknowledge that the  
17 state has or the federal agency has--sorry--that they  
18 have that responsibility, and then NRC just reports  
19 those conditions.

20                  MS. ZAMACK: Jill Zamack. I didn't see  
21 anything on there--Jill Zamack. I didn't see anything  
22 there on seismic issues. What category is that?

23                  MR. RIKHOFF: It's been added as geology  
24 and soils. The very last bullet.

25                  MS. ZAMACK: Category 1?

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1                   MR. RIKHOFF: Yes, because, you know,  
2 these--you know, we acknowledge that there are seismic  
3 conditions at all plants, and that we present that  
4 information, that wasn't discussed in the previous  
5 GEIS, and that, you know, that the plant has a license  
6 to operate and those safety conditions are looked at  
7 on a daily basis, and are--you know, it's a concern of  
8 the Agency on an ongoing basis, and it's not specific  
9 to license renewal.

10                  PARTICIPANT: That were--

11                  MR. RIKHOFF: Were not limited to license  
12 renewal.

13                  PARTICIPANT: In other words, you don't  
14 care how much the ground moves.

15                  [Laughter]

16                  MR. BAILEY: Okay. Now we'll transition  
17 into the public commenting period now. I have a stack  
18 of cards here, and we'll be calling the people to the  
19 mike, one at a time, to provide your comments on the  
20 proposed rule for a NUREG document. I'll try to keep  
21 time. We have a time limit on the facility, so I  
22 would ask you to limit your comments between five to  
23 ten minutes, maximum ten minutes.

24                  The first person I would like to call up  
25 is Jane Swanson, Mother of Peace.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 [Applause]

2 MS. SWANSON: Which microphone? This one?

3 MR. BAILEY: The small one.

4 MS. SWANSON: Okay. So Jane Swanson. I  
5 am speaking on behalf of the San Luis Obispo Mothers  
6 For Peace, and for the record, in case anybody goes to  
7 the NRC Web site and reads the transcript of this  
8 meeting, I just want it on the record that this is a  
9 local organization. Mothers For Peace is local, not  
10 national, and we're an all-volunteer group that has  
11 been using the legal means to make nuclear power less  
12 dangerous since 1973.

13 Thank you to all the NRC personnel here  
14 for relocating this meeting, so that those of us who  
15 live in the vicinity of this particular plant can be  
16 here.

17 Mothers For Peace will be sending written  
18 comments on the GEIS, but tonight, I'd like to speak  
19 to a fundamental problem that Mothers sees of omitted  
20 issues.

21 A sampling of issues with the potential  
22 for very large environmental impacts, that should be  
23 studied on a site-specific basis includes--I have a  
24 short list of just four here.

25 So these are things that we think should

2  
GEIS

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 be somewhere on that B list, and in Category 2 or 3.  
2 One issue is terrorist attacks on vulnerable spent  
3 fuel pools. Environmental effects of a terrorist  
4 attack on spent fuel pools. That's not anywhere in  
5 there.

6 Neither are the environmental effects of  
7 terrorist attacks on dry casks. The NRC agrees with  
8 the Departments of Homeland Security, and the  
9 Department of Energy, that nuclear facilities are, by  
10 definition, targets of terrorists.

11 But the spent fuel pools at all these 104  
12 plants were designed and built long before the age of  
13 terrorism, and they are not protected, adequately, by  
14 attack from air or other means.

15 So to ignore that vulnerable component  
16 when deciding what issues need Environmental Impact  
17 Statements, site-specific, seems irresponsible to us.

18 Similarly, the environmental impacts of  
19 sabotage from within a nuclear power plant, should  
20 terrorists gain entry, or infiltrate the workforce, is  
21 not among those to be assessed under either the  
22 generic or the site-specific rules. So these we see  
23 as omissions of very important matters.

24 And nothing personal to those of you who  
25 made the long trip from Washington to be here and to

2  
GEIS

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 be down near the San Onofre plant in a couple of days,  
2 but the NRC, as an Agency, has not earned the trust of  
3 Mothers For Peace in regard to environmental  
4 responsibility.

5                   The Agency has gone so far as to rule that  
6 even a successful terrorist attack on the dry casks at  
7 Diablo Canyon would have, and I quote, "no significant  
8 impact, unquote, on the environment.

9                   Mothers For Peace is challenging this very  
10 faulty logic, right now, in federal court, and I'm not  
11 asking for any comments today on a federal court case,  
12 but I just really had to mention it, that you're here  
13 because you want our input. We appreciate that. I  
14 believe in the sincerity of every one of you that's  
15 here today, that you want to hear from the citizens  
16 who live near any of the 140 nuclear power plants.

17                  But that Commission at the top, that gets  
18 to make the final decisions, has not earned our trust.

19                  So we hope that you, the staff, can influence them to  
20 see things in a more complete way. I think I just  
21 rephrased what I wrote, so I will quit right there.  
22 But again, thank you for coming here and taking input  
23 from so many members of the public.

24                  MR. BAILEY: Thank you. Next, we can have  
25 Fred Flannell, or "Flannell". Please come to the

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 mike. Fred.

2 [No response]

3 MR. BAILEY: Next will be Jim Cochran from  
4 Public Mothers For Peace.

5 MS. COCHRAN: Actually, my name is June  
6 Cochran, and I am a member of Mothers For Peace. But  
7 Jane speaks for us. I'm speaking as an individual who  
8 lives within a very short distance of the plant, and I  
9 wanted to go over some things that I noticed also.

10 The NRC should adopt in the GEIS the same  
11 rules and regulations regarding safeguards and  
12 security as were adopted by the Commission for the new  
13 proposed reactor designs and sites.

14 If the new reactor standards are deemed  
15 necessary to protect human health and the environment,  
16 then such standards should be applied, retroactively,  
17 to any reactor that will continue to operate beyond  
18 its original license, or the licensee must demonstrate  
19 how the existing reactor meets those newer standards.

20 We should not have lesser standards  
21 because our plant was built 20 years ago.

22 The very fact that the NRC has a newer and  
23 more stringent standard for nuclear safety, going  
24 forward, is a tacit admission that those of the past  
25 must somehow be inadequate. Otherwise, I would

3  
GEIS

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 assume they would not have put those into being.

2 The General Accountability Office has  
3 documented the widespread use of counterfeit and  
4 substandard parts in nuclear reactors. That's a  
5 problem and something to be concerned about.

6 At one of the Diablo Canyon independent  
7 safety committee meetings, Per Peterson, one of the  
8 commissioners, said to this effect, that having an old  
9 power plant is like driving an old car. That it  
10 drives but it doesn't have any airbags and it's not as  
11 safe.

12 And this means that there's old parts in  
13 there. One of the things I'm concerned about are the  
14 aging parts, and we don't know how many are in there.

15 This is one that was discovered because there was a  
16 problem. This is a buried firewater pipe break. You  
17 can see how corroded and horrible it looks.

18 When I asked how many more are down there,  
19 they said we don't know, and we won't know until one  
20 of them has a problem. If we have one, we know that  
21 there are more.

22 The other disturbing picture that I have  
23 is the damage to a corner spent fuel rod, and  
24 basically they didn't know what the root cause  
25 analysis was. They only had a probable cause which

3  
GEIS

4  
GEIS

1 was debris fretting, which means that debris was  
2 floating around there but they don't know what debris.  
3 That's pretty disturbing also.

4 So the escalating potential for accidents  
5 in aging reactors has received nationwide attention,  
6 and derogatory audits from the NRC's own Office of  
7 Inspector General.

8 The General Accountability Office has  
9 documented the widespread use of counterfeit and  
10 substandard parts, like I said, in nuclear reactors.  
11 So that's pretty disturbing.

12 There have been over 200 license  
13 amendments, temporary orders and waivers, for Diablo  
14 Canyon, and I hope that that will stop with  
15 relicensing. I hope that there won't be any waivers,  
16 or anything of that nature, for them.

17 I went to the CEC hearing last week, and  
18 PG&E said that they wanted to apply for relicensing in  
19 2011. That's ten years early. That seems  
20 inappropriate, since huge changes in the economy and  
21 technology, and the energy field, could drastically  
22 change either the renewal process and/or make nuclear  
23 power obsolete. And as a condition of relicensing the  
24 GEIS for nuclear power, license renewals should  
25 require that the licensee has the means to resist an

4  
GEIS

5  
GEIS

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 attack on the reactor building, its supporting  
2 structure, and its spent fuel storage, from air, land  
3 and water, by a team of well-equipped terrorists; be  
4 prepared to pass tests and mock attack drills, which  
5 would demonstrate the adequacy of security; and many  
6 other aspects.

5  
GEIS

7 Congress charges the NRC with protecting  
8 public safety, not with ensuring industry profits.  
9 Therefore, no license renewal should be approved by  
10 the NRC until and unless a plan is implemented to  
11 safely and permanently store fuel-related radioactive  
12 waste, plus the additional waste which would be  
13 generated during extended licensing periods.

6  
GEIS

14 Aging reactors with colocated high-level,  
15 above-ground radioactive waste facilities, within two  
16 and a half miles from two major active faults, should  
17 be a clear indication that license renewal  
18 recommendations should be to deny an additional 20  
19 years, and certainly seismic should come up to stage  
20 two, or Category 2 concern.

21 And where is the NRC's man--and the NRC's  
22 mandate is the expertise to evaluate the environmental  
23 impacts of alternative sources, granted. PG&E always  
24 gives seismic data, and we don't hear it from other  
25 independent sources.

7  
GEIS

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1           We hope that the NRC will put into effect  
2 some of their "go to" independent agencies to find out  
3 some of the seismic problems.

4           Right now, the PG&E is going to try to get  
5 ratepayers to pay for 3-D mapping, the newest  
6 technology, and seismic technology, and we're hoping  
7 that the NRC will make their own studies and get  
8 independent people to come up with those studies.

9           And I should have been organized. I  
10 apologize. And considering--this is my last comment.

11 Considering this long timeframe to relicense, PG&E  
12 should wait for seismic and safety reports, since if  
13 you, as the NRC, a public agency, knows that something  
14 may be dangerous, and we do have a new fault there,  
15 and several faults that might be underground that we  
16 don't about yet, that you know something might be  
17 dangerous, it would be a dereliction of duty not to  
18 fully investigate with independent sources.

19           Thank you for your time.

20           MR. BAILEY: Thank you. Now we can have  
21 Klaus Schumann.

22           MR. SCHUMANN: Thank you. My name is  
23 Klaus Schumann. I live in Paso Robles, about 23 miles  
24 from the plant as the crow flies, and I also want to  
25 thank the NRC to change their meeting procedures, have

7  
GEIS

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 the meeting here, and maybe I want to start my comment  
2 by asking, actually, why you don't have TV cameras  
3 here tonight. It seems to me that all the meetings  
4 were covered by AGP. This one isn't and I was just  
5 wondering why. We have 240,000 people, I believe,  
6 roughly, living in the county, and you wanted to get  
7 comments, was one of the stated goals, from as many as  
8 possible. So one would think, you know, that TV  
9 coverage would be good, that people can get  
10 familiarized with the issue, and do, send in their  
11 comments until January 12th.

12 My main problem, and what I want to  
13 address in my comment, is that you have made on-site  
14 storage of spent nuclear fuel in a small impact  
15 Category 1, category, you know, and the way I read it,  
16 you explain it, saying the expected increase in the  
17 volume of spent fuel from an additional 20 years of  
18 operation can be safely accommodated on site with  
19 small environmental effects through dry or pool  
20 storage at all plants.

21 If a permanent repository, or mountaintop  
22 retrievable storage is not available, well, so far we  
23 always heard Yucca Mountain was the goal for PG&E.  
24 That looks less and less, the chance that we'll get it  
25 there.

8  
GEIS

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 Now I cannot see how this is a generic  
2 issue. I mean, the NRC's argument for generic is a  
3 simple one. First, as stated, it can be safely  
4 accommodated, and because it's safe you can make it a  
5 generic issue. That doesn't make that much sense to  
6 me. If the NRC predetermines that prolonged outside  
7 storage is safe at all plants, then there's almost no  
8 point to take public input on it.

9 By allowing the utilities to fill the  
10 pools way beyond the original licensed capacity, the  
11 NRC has allowed a doubling of possibilities for  
12 nuclear catastrophe. A meltdown, as we always had to  
13 worry about, but now also about a pool fire.  
14 Actually, the possibility of a pool fire has been not  
15 recognized by the NRC until the year of 2000.

16 So safe accommodation as the NRC claims.  
17 At Songs and Diablo, the earthquake and tsunami  
18 dangers are completely different from any other plant,  
19 obviously. But the same is true for terrorist aspects  
20 for any plant because of location and/or design of the  
21 plants.

22 And I want to quote from the report of the  
23 National Academy of Sciences from 2005, which  
24 addressed the issue of terrorism at--and the meaning  
25 for spent fuel pools. And I quote here from that

8  
GEIS

9  
GEIS

10  
GEIS

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 report.

2 It says: "The potential vulnerabilities of  
3 spent fuel pools to terrorist attacks are plant design  
4 specific. Therefore, specific vulnerabilities can  
5 only be understood by examining the characteristics of  
6 spent fuel storage at each plant." End of quote.

7 Furthermore, another 20 years of exposure  
8 to intense radiation and heat will likely cause  
9 further embrittlement of components such as pool  
10 racking and/or fuel cladding.

11 The G force that's generated in  
12 earthquakes depends largely on the strength of the  
13 quake and the distance from the epicenter.

14 So this aspect alone would require very  
15 different mitigation measures at different plants.

16 Accordingly, the safe accommodations of  
17 spent fuel storage on site depends on the different  
18 mitigation measures at each site and be evaluated at  
19 site-specific, the EIS.

20 I also take offense, I mean, calling a  
21 small environmental impact. A pool fire or breach of  
22 a cask are not small environmental impacts. In fact,  
23 some of the NRC's own studies identify a pool fire as  
24 potentially having comparable consequences to a  
25 reactor meltdown.

10  
GEIS

11  
GEIS

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1                   The NAS, the Academy report, finds that a  
2 pool fire is possible and that such a fire could  
3 result in releasing large amounts of radiation to the  
4 environment, is hardly a small impact.

5                   Moreover, the NRC--the Academy report  
6 suggests a host of possible mitigation measures,  
7 depending on site by site evaluations. Such measures  
8 could include lower pool density, reconfiguration of  
9 assemblies in the pool racking, additional sprinkler  
10 system, and so on,  
11 all depending on different conditions at each plant.  
12 That's the Academy report finding 3-D, page six.

13                  Even more important, condition may also  
14 change, as we just experienced here at Diablo.  
15 Another fault was just recently discovered here. You  
16 know, terrorists might get access to more destructive  
17 weapons, and so on.

18                  So I would really urge you to make this  
19 issue of on-site spent fuel storage for prolonged  
20 periods of time, take it out of the Category 1 issues  
21 and make it a site-specific one. Thank you very much.

22                  MR. BAILEY: Thank you. For those of you  
23 who have written statements, if you would actually  
24 like them included specifically in the transcript,  
25 submit it to myself and I will ensure that the

11  
GEIS

12  
GEIS

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 transcriber has it to include.

2 Now we'll call up June von Ruben of  
3 Mothers For Public, and just a "heads up" for Peg  
4 Pinard, will be the next speaker after June von Ruden.

5  
6 June.

7 MS. VON RUDEN: I'm June, and it's "von  
8 Ruden." I've lived in Pismo for 40 years, and I've  
9 been in an activist group for about six, due to the  
10 thing that we all fear, other than being blown away or  
11 whatever. My daughter had cancer and died, and now I  
12 have, and that has nothing to do with anything, except  
13 that I'm not knowledgeable of the 602 page whatever it  
14 is over on that table, because I didn't read it.

15 If you have seen this article, please say  
16 so. I don't want to take time. It's in the New York,  
17 was in the New York Times about three days ago. I'm  
18 going to do something very bad. I'm going to make the  
19 NRC look good.

20 And if I can just read parts of it, I  
21 found it interesting. In the first place, I did not  
22 know that Westinghouse, that has been known for  
23 building the worst plants, had been purchased by  
24 Toshiba, maybe a long time ago. I don't know.

25 But looking up Toshiba, their vision, and

13  
GEIS

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 the Japanese are known for their vision, that by the  
2 year 2050, we will have a very blessed land,  
3 environmentally, that will include all forms of  
4 energy, which means they will also have our nuclear  
5 plants as part of that mix.

6 I personally don't plan on being here, and  
7 I'm thinking any of you will either, but I found that  
8 very interesting in this article, and I'm just going  
9 to pick out a few things here.

10 But one of the things the NRC did is  
11 reject the design by Westinghouse for a new reactor,  
12 because a key component might not withstand events  
13 like a earthquake or a tornado.

14 This could cause delays in building 14  
15 planned reactors in the United States, including  
16 Georgia and South Carolina.

17 And I am thinking this is pertinent  
18 because June Cochran, another June, made mention,  
19 briefly, of the smaller plants, and today, going over  
20 this, I wondered if--are they going to have new  
21 regulations for them? It seems they're being  
22 approached a little bit differently.

23 One of the things they're doing--it says  
24 the staffs, agency--is a glitch in the move towards  
25 licensing changes adopted by the Commission in 1990,

13  
GEIS

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 and so forth, and their buildings will be different in  
2 order to protect them from external events like  
3 earthquakes, tornados and high wind.

4 They will have a shield that's 35 inches  
5 of concrete, sandwiched between two sheets of steel,  
6 each of which is an inch thick. The existing  
7 Westinghouse reactors, designed in '60 and '70, do not  
8 have shield buildings.

9 In another shift, the new design puts the  
10 emergency cooling water on the roof--you probably  
11 already know this--so that no pumps will be needed if  
12 power goes out. They will have the water that they  
13 need in case of an accident, and so forth.

14 They also believe that the shield wall  
15 will protect them from the impact of an airliner. The  
16 part I found disturbing is something that we're all so  
17 used to, and it's the arrogance of the companies  
18 involved. In spite of the fact that they say they're  
19 going to fix this very fast, which scares me, don't  
20 fix it fast, take your time with the faults that--with  
21 the part that is not considered to be good.

22 They are already clearing the land and  
23 ruining the environment in, I believe it's Georgia and  
24 South Carolina, and they don't expect there to be a  
25 problem. And yet they have now determined what kind

13  
GEIS

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 of work they need to do to demonstrate the structure's  
2 safety.

3 So I see, having followed the plant there  
4 since before it was built, that my wish is that the  
5 NRC continues to do a good job. It sounds like  
6 they're looking at these plants like we wish they  
7 would have looked at ours.

8 I'm a little disturbed, the land's all  
9 cleared, the plants are all gone, the animals are  
10 probably all dead, and they still haven't come up with  
11 the right piece for the plant, and approved is so--I  
12 guess I'm comparing the two, hoping that we, being the  
13 "dinosaur plants," will get the same oversight as the  
14 smaller new plants are supposedly going to have.

15 And I thank you for your time. This is  
16 "off the top of my head." I read this article two  
17 days ago and I decided--I don't know--the New York  
18 Times is expensive. I only get it three days a week.

19 So not many people get it thrown in their driveway in  
20 the morning and I wanted to share it. Thank you.

21 MR. BAILEY: Ms. Pinard. Ms. Peg Pinard.  
22 Before she comes up, I would just like to apologize.  
23 I think I misstated the name of the organization of  
24 Mothers For Peace and I wanted to apologize for that.  
25 Thank you.

13  
GEIS

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 MS. PINARD: I am Peg Pinard and I am the  
2 former county supervisor, and also mayor of San Luis  
3 Obispo, and I've been involved in this issue from the  
4 very beginning, just like the former speaker, and many  
5 before her, before the plant was even built.

6 So you've got a concerned group here, that  
7 I hope you take the input, as it doesn't get much  
8 better than this as far as people who are really  
9 interested in what's going on. They've obviously been  
10 here and followed it for so long.

11 Now I'd like to address a couple of  
12 issues. I'm going to try and not repeat what others  
13 have said; but I share their concerns.

14 One of the things that the NRC mentioned  
15 today, even just now, when questioned about the  
16 process, is part of the reason that there's quite a  
17 bit of confusion, one might even call it suspicion, of  
18 what any agency, any of them are up to.

19 For instance, you just answered the  
20 question about, well the state regulates that and so  
21 we don't go into that.

22 Well, I can tell you from being on the  
23 county end of it, that every issue that comes up, be  
24 it from the Coastal Commission, Pismo Beach, Avila,  
25 any downstream area community, the county of San Luis

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 Obispo, everybody winds up going "It's their job," and  
2 then when it gets to something like the Coastal  
3 Commission or the county, they say we're preempted  
4 because that's an NRC regulatory area.

5 So when you go through this, if you want  
6 to be credible, then you need to state exactly who is  
7 in charge of each one of these. Not the state. That  
8 could be the state attorney general, or it could be  
9 the Coastal Commission, or it could be the Public  
10 Utilities Commission. CPUC. It could be any of these.

11 And what happens when this comes up for  
12 discussion is it's always like this, and then we're  
13 always preempted, so your credibility goes absolutely  
14 down. Okay.

15 The second is I share the concern, and I  
16 guess I have to repeat this. When you put seismic  
17 issues under geology and soils, rather than try to  
18 look like it's simplifying anything, it really looks  
19 like you're burying it.

20 And if there's one item for every plant,  
21 that needs to be looked at individually, it has got to  
22 be seismic. I mean, you've got what was supposed to  
23 be, you know, built to the utmost of seismic  
24 capability, suffering from an earthquake.

25 We have that situation here. It needs to

14  
GEIS

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 be called out, it needs to be looked at, and it needs  
2 to be updated by you, not just PG&E. We have a  
3 credibility issue here, when the party who's asking  
4 for the permit is the one who provides you with the  
5 information.

6 So we need to see that as a separate  
7 category and have you be updating it constantly as  
8 information becomes available.

9 There is the issue of when people are  
10 applying for their license. We know that we live in  
11 an age where things improve, imperfections come to  
12 light, and we have the ability to do something better.

13 It doesn't feel like that when you have an agency  
14 applying for a permit ten and twenty years in advance.

15 It doesn't read as credible or as being anything  
16 other than if we can lock you into what we're going to  
17 be accountable for now, then if anything comes up  
18 later, we can say, sorry, we already got our license.

19 So as you come up with guidelines, you  
20 have got to make sure that no matter when anybody  
21 applies for a license, that it includes everything  
22 that is up to date as of the time that license comes  
23 into effect, not just is issued, but comes into  
24 effect.

25 And you heard the guideline before being

14  
GEIS

15  
GEIS

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 nothing less than what you would apply to a new plant.

2 So this is again--you ask for how can we  
3 have an input, and I'm trying to bring to you some of  
4 the areas that have been just total sources of  
5 suspicion.

6 You also made the assumption that things  
7 have been a certain way, and so there's the, kind of  
8 the assumption that it's sort of okay then. It's not  
9 okay. There were things that were done, that were not  
10 right when they were done. And I'll give you, for  
11 example, very clearly, the area where the dry cask  
12 storage is at Diablo Nuclear Power--Power--Diablo  
13 Nuclear Power Plant. Sorry. I still get nervous, so  
14 bear with me.

15 When that came up, we heard time and time  
16 again how safe it was, that this site was determined  
17 to be safe. Of course this is post 9/11, and you've  
18 got your dry casks sitting in full view of the ocean.

19 Now there's not too many people who are  
20 going to "buy" that that would be where you would put  
21 it, if you had your choice, with all the other acreage  
22 that's available.

23 So the question has to be asked, and was  
24 asked, and totally ignored--Why was it put there? The  
25 reason? That was the left-over piece from when the

16  
GEIS

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 plant was initially cited. So it was covered in the  
2 full EIR and PG&E did not want to spend the money to  
3 do a full-blown EIR on a other part that was not  
4 covered, initially.

5 That's how you got the safety, was because  
6 that was the little corner that was left over from the  
7 original footprint. That does not define safety for  
8 any of us.

9 So please do not say that, well, it's been  
10 like that, and so nothing has happened yet, and so  
11 therefore that's safe. No. They're doing something  
12 because it was the cheapest way to do it, doing it  
13 because there was a loophole in the law that affects  
14 our safety. That seems almost like a replay of how we  
15 got in the economic crisis the way we are. Going for  
16 the loopholes, going for the cheap bucks, and then the  
17 rest of us have to live with the results.

18 The issue of these parts, it was made  
19 earlier about them not being up to standard, to what  
20 we would have put in in an original plant.

21 You know, we take better care of our cars  
22 than that. My husband won't buy a replacement part if  
23 it's not manufactured original, cause they're more  
24 reliable. And that's just for a car.

25 I would suggest that as national security

16  
GEIS

17  
GEIS

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 policy, parts for these nuclear reactors need to be  
2 made in America. The parts, the pieces need to be  
3 made in America and the parts need to be made in  
4 America, so that they are always readily and  
5 immediately available. That should be national  
6 security.

17  
GEIS

7 The other thing that the NRC has come  
8 forward saying, many times, and I personally have  
9 problems with, is when I spoke with NRC  
10 representatives, when I was a supervisor, regarding  
11 the casks, I said, Is this the best cask that's  
12 available?

18  
GEIS

13 I knew if I said, Is this the safest that  
14 we could make? somebody would say, hey, we can't ever  
15 afford the safest we can make. So I'm "politically  
16 real" in that. Is this the best cask that's  
17 available? And the answer was no; it's adequate.

18 I don't think from a national security  
19 standpoint, we can say adequate is okay anymore.

20 We need to make sure that we are  
21 protecting people in the best available manner.

22 The other thing is regarding the testing  
23 of the emergency preparedness out at Diablo and at all  
24 of the plants.

19  
GEIS

25 When I was a supervisor, I had the

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 privilege, actually, of being part of that, and I  
2 think I was never more surprised in my life, at some  
3 of the shortfalls that were there.

4 Let's start with the first one. The first  
5 one is they're always scheduled, everybody always  
6 knows when they are. It's 8:00 o'clock. The donuts  
7 and coffee will be ready by 7:30. Okay.

8 What happens on a holiday? What happens  
9 when it's not convenient for everybody?

10 You're not taking into account what we  
11 have seen happen in real emergencies, and that is the  
12 kind of, "Oh, my gosh, where's so and so?" I don't  
13 think you even know where all your emergency personnel  
14 live, at a moment's notice.

15 And how are you going to get them in when  
16 you have people trying to get out?

17 I saw the people in charge, in the control  
18 room, double-counting buses, saying, oh, we'll get the  
19 students out from Cal Poly with buses, and then I'm  
20 kind a going, How many do you have? And now we have  
21 even less. Okay.

22 Things that, if it were a random time,  
23 where are your bus drivers? Where are the buses?  
24 it's never done random and it needs to be done at  
25 least once when everybody isn't totally ready for it.

19  
GEIS

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1           Because what we have seen around the  
2 United States, in Katrina, under a chlorine cloud in  
3 the Midwest, was that what was predicted to happen did  
4 not happen.

5           Now we can't make sure that everything's  
6 going to be perfect, but you can at least run through  
7 a mock effort when everything isn't stacked in your  
8 favor, and see what happens, and then deal with the  
9 best that you can do.

10          And I know that's all we'll ever be able  
11 to do. But people have got to stop talking as though  
12 everybody's going to be taken care of--rest homes,  
13 prisons, and everything. It's not going to happen.  
14 And you all know that.

15          So the lead people, to not be prepared for  
16 the best available that they can do, is really going  
17 to only add to confusion, not solve it, or mitigate  
18 it.

19          The other thing is you didn't take into  
20 account that--I asked about kids at school cause I  
21 have four kids. And how are you going to keep parents  
22 from running to go pick up their kids, and not trust  
23 that some bus is going to get them out? That just  
24 defies everybody's understanding.

25          And they said, well, what we'll do is

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

19  
GEIS

1 we're going to get those kids out of there before the  
2 parents really know what's happening. So that they  
3 can actually, you know, have the control that they  
4 want and move kids out.

5 I'm kind a going, okay, you know what's  
6 happened in the meantime? this is to answer your  
7 question--cell phones have been invented. The minute  
8 anything different happens in that class, those kids  
9 are going to be texting out of there, and you're going  
10 to have people like me not trusting that you are going  
11 to be doing everything, because you didn't even try it  
12 when everything wasn't in your favor.

13 They're going to go down and try and make  
14 sure that they get their kids. So there's a  
15 randomness that needs to happen and it has never  
16 happened.

17 MR. BAILEY: Excuse me, Ms. Pinard.

18 MS. PINARD: I'm almost finished. All  
19 right. 20 The security issue for these categories,  
20 they're not really clearly listed as to where security  
21 falls, and whenever they talk about security the  
22 paper, they always talk about the plant, they're not  
23 talking about the spent fuel pools, and cesium fires  
24 from the spent fuel pools is a very real danger,  
25 especially as you have allowed them to compromise the

20  
GEIS

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 safety distance with double racking, and I understand  
2 there's a proposal for triple racking.

20  
GEIS

3 The other thing is the financial status of  
4 people when they apply to the NRC for things. We had  
5 PG&E applying for being able to have dry cask storage  
6 at the time they were going to be filing for  
7 bankruptcy. It didn't really make sense.

21  
GEIS

8 All right. I just wanted to--this is my  
9 chance. I've been waiting a long time, to be able to  
10 give you this feedback, and so I really appreciate the  
11 opportunity to do that, and hope that you'll take some  
12 of these comments into account, and I will also write  
13 them up as time goes on. Thank you.

14 MR. BAILEY: Okay. Next, we'll have David  
15 Weisman. He wrote on the card A4NR. I'm assuming  
16 that's Alliance for Nuclear Responsibility. If not,  
17 please correct me once you come to the mike. Thank  
18 you.

19 MR. WEISMAN: You assume correctly. That  
20 would be David Weisman, Alliance for Nuclear  
21 Responsibility. And the first thing I'd like to do is  
22 thank very much, the people of San Luis Obispo, who,  
23 through their phone calls, e-mails and faxes, let  
24 their elected officials present here tonight know that  
25 they wanted this meeting to be held here in our

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 community.

2 A quick show of hands. How many of those  
3 attending as members of the public this evening, would  
4 be here if the meeting was in Westlake Village in Los  
5 Angeles?

6 Two. Okay. Probably live closer to Los  
7 Angeles is my guess.

8 But this is very important, and the object  
9 lesson here is not one that requires science or  
10 chemistry. It requires civics, and to understand how  
11 very important democratic participation is to this  
12 process. And so we thank those elected officials  
13 whose voices were heard, to make this possible.

14 I'd also wish I could speak on behalf of  
15 the residents of Washington State, of Texas, of  
16 Nebraska, of Arizona, and the other states in NRC  
17 Region IV who are not here this evening, and did not  
18 get, or request, I assume, meetings to be held in  
19 their areas. We did speak to some of them.

20 I got a call, just the other day, from  
21 people in the Palo Verde reactor community. They  
22 could not get airfare on Southwest for less than a few  
23 hundred dollars, and they could not be here.

24 But this shows you that it is important.  
25 As I understand it, the meeting that was held in the

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 Boston area, there were two people from the public in  
2 attendance. So I think the showing of people here  
3 tonight shows that people in communities are concerned  
4 enough to make their voices known. And that will be  
5 the, the, part of the civics lesson for this evening.

6 I say the Alliance stands by the comments,  
7 many of them specific, that were made here regarding  
8 the flaws that we perceive in the categorization of 1  
9 and 2 issues in the GEIS. The Alliance has been  
10 reviewing the entire 600 page document. We've  
11 accumulated about 40 pages of specific comments now,  
12 that we will be filing.

13 People are welcome to visit our Web site  
14 at A, 4, the number 4, N-R.org, to view or read those  
15 comments, and of course to submit their own, or to  
16 sign on to our comments.

17 And so I will not take any time to add to  
18 the comments specifically relating to these issues of  
19 concern with the GEIS, except to say that there's one  
20 very interesting paragraph in the GEIS, and I say it's  
21 an interesting paragraph because of the many things we  
22 think the NRC is not giving us, and I point to those  
23 people who look at the things they do give.

24 Here's one that we found of particular  
25 interest. Section S1 from the Generic Environmental

22  
GEIS

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 Impact Statement. And it goes like this.

2                   Unless there are findings in the safety  
3 or the environmental reviews that would lead the NRC  
4 to reject a license renewal application--I will add,  
5 parenthetically, no license renewal application has  
6 ever been rejected, to date, close parentheses. Back  
7 to the document.

8                   The NRC has no role in energy-planning  
9 decisions. State regulatory agencies, system  
10 operators, power plant owners, and, in some cases,  
11 other federal agencies, ultimately decide whether the  
12 plant should continue to operate."

13                  A very important paragraph and clause. In  
14 other words, all the very important comments made  
15 about this document here tonight may be moot, and  
16 irrelevant, if the state decides, in advance of PG&E's  
17 application, that the state does not find it in the  
18 ratepayer's best interest, that the state does not  
19 find it economic, or, in terms of reliability,  
20 reliable to rely on nuclear power 20 years hence.

21                  The state Public Utilities Commission, and  
22 the state Energy Commission, can simply decide that  
23 the utility shall not be allowed to relicense the  
24 plant. Therefore, the concerns of this Generic  
25 Environmental Impact Statement, and even the required

22  
GEIS

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 subsequent visits of the members of the Nuclear  
2 Regulatory Commission to our state and county would be  
3 completely irrelevant and unnecessary.

4 This is perhaps the most important right,  
5 shall I say, granted to the people of California and  
6 this county by this document, and to the effect that  
7 this does make a difference, we point out exactly, for  
8 example, what our state is doing. Assemblyman  
9 Blakesly's bill, 1632, passed two years ago, mandated  
10 that our state Energy Commission take a look at the  
11 costs, risks and benefits, do a complete top-to-bottom  
12 analysis of whether it's in the state and the  
13 ratepayers--because remember too, folks, you will pay  
14 for the relicensing. This is not a corporate decision  
15 that PG&E makes as an investment.

16 They will charge it to you, a process  
17 which could cost upwards of \$20 million.

18 Imagine spending that money and not  
19 getting relicensed, but you've paid for it, just the  
20 same. And what this bill, AB 1632, and what the  
21 Energy Commission study and recommendation should be,  
22 is until studies such as the earthquake studies  
23 requested by this bill on the new fault, are fully  
24 completed, and any recommendations adopted and  
25 implemented, the state, CPUC, and Energy Commission,

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 shall not grant the utility the right to file for a  
2 relicense.

3 We invite the public to join and to  
4 participate in the states' rights granted by the NRC.

5 Those places where the words "preemption" do not  
6 appear. What has the state's Assembly Bill 1632  
7 brought to light so far, that might be of interest in  
8 the relicensing process?

9 Well, take a look at this from the report  
10 issues a month ago. I was reading through the other  
11 90, 100 pages of this, and I found a very interesting  
12 paragraph from our state Energy Commission.

13 "Current regulations require a licensee to  
14 demonstrate that reactor pressure vessel embrittlement  
15 does not exceed a screening limit corresponding to a 1  
16 in 200,000 year probability of a through-wall crack  
17 formation.

18 NRC has a proposed new regulation which  
19 would expand this requirement to a one in a million  
20 year probability, but would allow for use of a less  
21 conservative methodology for assessing that  
22 probability.

23 The NRC reports that under current  
24 methodology, ten reactors, including Diablo Canyon  
25 Unit 1, are likely to exceed the screening limit

23  
GEIS

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 during the course of a 20 years license renewal, and  
2 therefore, would not be eligible for license renewal  
3 unless they could reduce the embrittlement rate, or  
4 demonstrate that operating the reactor would not pose  
5 any undue public risk. Wow! When were we going to  
6 find out about that?

7 So, in other words, if it won't make it  
8 for a 20 year relicense, you don't make it safer, you  
9 just change the standard, which so far apparently has  
10 been good, and was good enough to apply to all these  
11 other reactors.

12 This is stuff your state is looking into,  
13 and that's why we encourage people to participate here  
14 at a state level. While we certainly support and  
15 encourage the investigation of all these flaws in the  
16 Environmental Impact Statement as proposed, we also  
17 say that there's a very good way we could make it  
18 moot.

19 And to that end, I'd like to conclude with  
20 a little, you know, just a reminder, a more graphic,  
21 if you will, thing.

22 We've heard many people today talk about  
23 the problems of radioactive waste, and the leaving of  
24 the waste here on the coast, and in these high-level  
25 spent fuel pools that were not originally designed for

23  
GEIS

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 that purpose.

2 Now thankfully, the NRC, ever aware of  
3 public outreach and education, has provided us with a  
4 great way to help people understand exactly how  
5 important this issue is, and of course it also reminds  
6 us too, that the NRC are also the promulgators of the  
7 famous Waste Confidence Act, in which they were  
8 confident there would be a solution to the waste.

9 Here's what they are. If you go to the  
10 NRC's Web site, and this is a lot easier than trying  
11 to look for a document, trust me, because I spend time  
12 there. Go to the teacher education page.

13 And if you go to the teacher education  
14 page, you'll find some handy classroom things that you  
15 can do, and many of you out here in the audience may  
16 work as schoolteachers.

17 And I found this one to be particular  
18 illustrative. It explains, really, why there's not a  
19 problem with radioactive waste. In fact, I don't have  
20 a PowerPoint up, but you can download it, and this is  
21 what you can get when you go to the radioactive waste  
22 page and teacher education.

23 And what it says here--this is called the  
24 nuclear waste cube, and the materials required are  
25 only scissors, and let me look here--glue stick. And

### NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 what it says is using directions cut the diagram out  
2 and follow the patterns to make a cube. So I thought,  
3 well, this is fun. You know, my mother taught the 2nd  
4 grade for 27 years, and in addition to getting every  
5 cold known--and I've often said, my brother and I  
6 joked about that, that, man, mom is really mean, I  
7 would not want to have been in her class.

8                 But here's what you can do. You can cut  
9 out the nuclear waste cube, follow the directions  
10 here. What that tells you is this, at the bottom.

11                 In the United States, one person's share  
12 of high-level radioactive waste from a nuclear power  
13 plant, for a 20 year period, could be placed inside  
14 the cube. This is the amount of waste that would be  
15 left over after all the usable materials had been  
16 recycled.

17                 Now, as you can imagine, a lot--yes?

18                 MR. BAILEY: Your time is up, so if you  
19 could accelerate, just accelerate your summary.

20                 MR. WEISMAN: Okay. How about this? I'll  
21 just wrap it up right now.

22                 MR. BAILEY: All right. Thank you.

23                 MR. WEISMAN: Oh, by the way, I should  
24 also mention one thing that is very, very relevant.  
25 The fact that I have a videocamera here tonight, that

24  
GEIS

## NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 my career is as a documentary film producer, is in no  
2 way a reflection that this is an undertaking I took on  
3 my own. I am highly disappointed that the Nuclear  
4 Regulatory Commission did not do what they have done  
5 for a very long time, which is have AGP videotape  
6 these events, so that our entire community can share  
7 in them and review them, at their convenience, or on  
8 the Internet.

9 I have no capability of either streaming  
10 or circulating this DVD, or these tapes, in the way  
11 that AGP video could or would. So this is a private,  
12 in a sense, recording, and--well, at any rate, this is  
13 the nuclear waste cube. And remember, this is 20  
14 years waste, folks, from a reactor. But they're  
15 licensed for forth. So you'd actually need two of  
16 these cubes.

17 And there's one for every American, and  
18 there are 300 million Americans. So that's 600  
19 million cubes.

20 If they relicense, as the Environmental  
21 Impact Statement says, for 20 more years, that would  
22 be 900 million, or let us just round it up to one  
23 billion of these cubes of waste, and that's assuming  
24 everything else has been recycled, and we don't know  
25 what byproducts are created in that. So I have a

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 bunch of these here, for anyone who'd like to take  
2 this as a graphic example. Of course to be  
3 environmentally concerned, I have printed them all on  
4 recycled paper, which is actually last year's Morro  
5 Bay city budget.

6 So I thank you for your time and encourage  
7 you to join the Alliance in our state's prerogatives  
8 and issues.

9 MR. BAILEY: Thank you very much. I would  
10 ask that--I would offer that when I ask people to keep  
11 their time to a limit, it's not because we don't want  
12 to hear what you say, but it is because I still have  
13 yellow cards. Ms. Pinard mentioned earlier, that she  
14 had waited a long time to speak, and there are also  
15 others who have waited a long time to speak and would  
16 like to share as well.

17 Next, we'll have David Nelson, and David  
18 Nelson will be followed by Bruce Campbell.

19 [No response]

20 MR. NELSON: Hi. My name's David Nelson.  
21 I'm here as a citizen of Morro Bay, and as a citizen  
22 of the county. I came here in 1979, and I marched on  
23 Avila to try to stop it from being opened, and some of  
24 my concerns then--I was kind of naive--was nuclear  
25 waste. I was told, then, that there would be no

25  
GEIS

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 nuclear waste stored in our county. That was a huge  
2 guarantee back then.

3 A lot of people went along with it because  
4 they were going to have a solution to this. Now in  
5 this Environmental Impact Statement here, you're not  
6 really taking that into consideration again. I mean,  
7 we don't have a place to put this stuff.

8 California won't allow these again. Our  
9 state law, as David said before, takes into  
10 consideration things that your--you just go and want  
11 to do generic. I mean, this is scary. I mean,  
12 Californians are stepping up. All the other plants  
13 are going to be going under this.

14 Now since I started, you know, not  
15 believing in this, I've been really involved in the  
16 "once through cooling" issue, which is another huge  
17 issue, and again, as I go through this document, these  
18 are Category 1 problems. These aren't Category 1.  
19 These are Category 2, especially here, in California.

20 They use the cooling water source of the Pacific  
21 Ocean for Diablo. That's generic.

22 They're using my water from Morro Bay  
23 estuary, that goes through a water pyramid, that  
24 leaves the bay and goes right into their reactors,  
25 along with Morro Bay reactor, doing huge cumulative

25  
GEIS

26  
GEIS

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 impacts, that have never been studied, and these  
2 impacts--because it's so expensive.

3 Now look how many people you have in this  
4 room. You probably have more people in this room than  
5 the Water Board has working on these water issues.  
6 And these are huge water issues. And Diablo will be  
7 impacted by these.

8 These categories are just unfair. To put  
9 most of the aquatic issues under a one, generic, well,  
10 they're happening and they don't have any big  
11 problems. That's because they don't study them. When  
12 they turned Morro Bay--or Diablo Canyon on, they  
13 killed all our abalone, and all they took  
14 responsibility for was the abalone.

15 But that's an example of the cumulative  
16 effects of this power plant. They didn't go and look  
17 at what else they killed. They just killed the big  
18 obvious things. The abalone. Our fishing industry  
19 has collapsed here. Two billion gallons of water a  
20 day to cool a power plant.

21 We need stuff in here that takes into  
22 account, when this plant was opened, the studies that  
23 they used to open it, the projections they made to the  
24 effects to the environment, that should be considered,  
25 first and foremost.

26  
GEIS

27  
GEIS

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1            You should look at all the data that they  
2 put in, and I'm specifically talking about the thermal  
3 impact of Diablo Canyon on the ground that it's  
4 pouring out on.

5            They originally said it was going to  
6 destroy three-quarters of a mile. Now, years ago, the  
7 Water Board brought a cease and desist order up  
8 against Diablo, but of course it was just a big bluff,  
9 and never went past a draft. But the draft was made,  
10 it was presented to the board. They were going to  
11 make a big land deal, but then, all of a sudden, they  
12 were going to change a generator, so they made a land  
13 deal with the Coastal Commission instead, so the Water  
14 Board was "left out to hang."

15           And they never did anything, even though  
16 they know the problems, and this document's not taking  
17 these problems into consideration. They made promises  
18 when they built the plant, they broke so many promises  
19 along the way, and as it was pointed out, all you guys  
20 do is just keep changing the rules, and you're not  
21 taking into consideration the long-term effects that  
22 this plant's having on this county.

23           And I could go into more specifics on this  
24 document, but, you know, it's just wrong, and nuclear  
25 power is wrong. It can't be proven that it's cost-

28  
GEIS

29  
GEIS

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 effective. I mean, so many costs are zeroed out when  
2 you figure it out.

3 This is the kind of bookkeeping we had  
4 with the economic downturn that we just experienced.  
5 We saw it come apart. The NRC's keeping it together,  
6 pretty much, as far as money and momentum toward the  
7 power. But it can't be proven to be environmental,  
8 and in your first pages, the part that David read  
9 about, you know, the state having jurisdiction, in  
10 that same argument, that the NRC is just continuing  
11 this because--excuse me--you guys are employed by this  
12 industry, and you have to take it serious.

13 And this document does not take it  
14 serious, because as you jump over the appendixes in  
15 these, it's so confusing, to ask the public to comment  
16 on this.

17 I happen to be immersed in "once through  
18 cooling" debate for ten years, so I get to read these  
19 documents. So they come pretty easy to me, to drift  
20 through, but most people aren't going to be able to  
21 read this. And you're missing the whole bottom line  
22 to this, which is what did they say when they built it  
23 and what is the effect now, before you go and start  
24 putting generic labels on everything. You better know  
25 what the problems are.

29  
GEIS

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1                   And from what I've read in this document,  
2 you don't know what the problems are, because the  
3 Category 1 problems that you're listing should be  
4 Category 2, and they should be individual.

5                   So from that standpoint, you guys need a  
6 lot more work, and this document is nothing more than  
7 a whole bunch of "watering down" of rules, lots of  
8 loopholes that corporations can use to not do what  
9 they're supposed to do, because they don't have to  
10 because it's all generic, and we're destroying it, so  
11 let's just keep destroying it.

12                  So to ask the public to feed into a  
13 document that's so bad is wrong, to begin with. So I  
14 would just say just stop at the beginning, where it  
15 says that you're supposed to be watching out for the  
16 environment, and just put an end to this. This is  
17 ridiculous.

18                  I mean, they proved they're safe and  
19 economic, which luckily, Californians will stand up  
20 and fight for, and we'll put an end to it in our  
21 state. But being surrounded by it, in the rest a the  
22 country, for useless, useless power, is ridiculous.  
23 Renewable energy.

24                  There's more renewable energy on the  
25 drawing board to be installed in California than this

29  
GEIS

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 power plant puts out. So let's just eliminate this  
2 before you even eliminate the fossil fuel, because to  
3 me, you're storing nuclear waste.

4 I'm inside the Red Zone. I live in Morro  
5 Bay, and you're not supposed to be--they told us, they  
6 promised us they would not do that, in the beginning.

7 But as promises go with nuclear industry, you know,  
8 it's not worth the paper that it's written on. Thank  
9 you.

10 MR. CAMPBELL: Good evening. I'm Bruce  
11 Campbell from Santa Monica. Our California reactors,  
12 and likely all, or close to all in the nation, are  
13 unique. Let's take Diablo. Delay due to--let's see,  
14 back during--when a worker came forward with the news  
15 about switched blueprints for seismic reinforcements  
16 in the auxiliary cooling system, back when there was a  
17 lot of attention on Diablo during the major blockade  
18 in September 1981, so that sort a put a halt, and they  
19 had to temporarily halt, and then they tried to "patch  
20 up" Diablo, as it were.

21 And when Diablo was fired up around April-  
22 May 1984, 105 workers had given sworn statements to  
23 the Government Accountability Project about 3000  
24 problems with the facility. Are these generic  
25 problems? These are individual problems. They might

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 have some generic implications too.

2                   The NRC clearly considered nothing but  
3 utility and reactor manufacturer greed, when they  
4 allowed Diablo Canyon to go forward. The NRC tended  
5 to be biased enough, even without Reagan's appointees  
6 dominating the Commission at the time they approved  
7 Diablo.

8                   I also want to point out that Chairman  
9 Salzman of the Atomic Safety and Licensing Appeals  
10 Board--remember those seismic hearings back in  
11 September or October 1980? He chaired that Atomic  
12 Safety and licensing Appeals board. Well, he was  
13 appointed to a federal judgeship by Reagan, shortly  
14 before--surprise--the Atomic Safety and Licensing  
15 Board concluded Diablo was seismically safe.

16                   Obviously, the nuclear industry wants a  
17 new generation of nuclear reactors funded with  
18 unlimited loan guarantees from the taxpayer, and want  
19 relicensing of current nuclear facilities far into the  
20 future before they ever consider decommissioning  
21 nuclear power facilities. There'll obviously be no  
22 funds to decommission when that comes around.

23                   So then with San Onofre, reactor vessel, I  
24 think it was Unit 2 or 3, installed 180 degrees  
25 backwards. They discovered it eight months later,

30  
GEIS

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 decided to rewrite the control room, turn other things  
2 around to fit the backward reactor. Hey, is that a  
3 unique reactor? Also the seismic setting of  
4 California nuclear facilities. So of course out here  
5 is basically the largest subsidiary of the San Andreas  
6 Fault, the Hosgri into the San Simeon, into the San  
7 Gorgonio, and then meeting the San Andreas Fault off  
8 the San Francisco area, San Francisco-Marin area. And  
9 then the Hosgri already had a 7.3 to 7.5 quake,  
10 November 24th, 1927, west of Lompoc.

11 And there's also splays from the Hosgri  
12 fault, even before this latest seismic information  
13 which I haven't researched yet. And then San Onofre  
14 has the Cristianitos Fault which runs beneath the  
15 reactor, a few miles offshore is the Newport-Inglewood  
16 Fault, the largest Southern California coastal area  
17 fault, which was responsible for the Long Beach quake  
18 of 1933, and in the last few months, there was a four  
19 point something quake in the Lenox area of Los Angeles  
20 County, along the Newport-Inglewood Fault.

21 I don't trust PG&E to do mapping of the  
22 seismic situation. I don't trust the NRC to do it. I  
23 actually didn't trust Sandia Labs, who is right next  
24 to Lawrence Livermore Labs. However, they did a  
25 reactor accident consequence study, and it came out in

31  
GEIS

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

late 1982, and for Diablo, as I recall, the statistic was that something like 10,300, or 400 deaths in the first year, in worst-case reactor accident consequences with the worst weather patterns, predicted about a little over 10,000 deaths in the first year, some eventual deaths from cancer, and I believe it was \$158 million property damage.

Of course since then the--what's the population grown? maybe by three times in the immediate area, especially the five cities into Santa Maria. And obviously property went way up in value, even though it's gone down some in the last couple years.

And so these are--anyway, seismic is not generic. However, fine, let's have thorough seismic studies of all nuclear reactors. Remember the New Madrid Fault, sort of in the Mississippi River area, had a massive quake back in the mid 1800's, and the highest concentration of nuclear reactors in the country is in Illinois. So let's do study, not--how can you study seismicity generically? Ah! If you want to study seismicity generically, at the dawn of winter solstice, 2012, it's the end of the Mayan calendar, and apparently there will be a total solar eclipse at dawn, with the sun, moon, Earth, and the

31  
GEIS**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

www.nealrgross.com

1 galactic center, meaning the black hole, all in a  
2 line. Do you want to be in San Luis Obispo County at  
3 that point? I sure won't be.

31  
GEIS

4 Let's see. So anyway, we need really  
5 independent researchers to do seismic studies at all  
6 nuclear facilities in the country, especially in  
7 California.  
8 And then as far as fending off terrorists  
9 at nuclear facilities--anyway, the Honorable Dan  
10 Hirsch is the expert on this. You like that name, I  
11 beg. And I believe I heard something like the only  
12 scenario the NRC considered is if two or three people  
13 were armed and working together, or something.

32  
GEIS

13 There couldn't be four people getting  
14 together to pull any stunt now, could there?

15 Also, in this age of depleting water  
16 supplies, the massive amount of water needed to cool  
17 reactors and cool cooling ponds, that needs to be  
18 considered, both generically and individually, for the  
19 nuclear power facilities around the nation.

33  
GEIS

20 And then also San Onofre also needs to be  
21 considered unique in that I understand, I'm not too  
22 enthused about replacing the steam generators here,  
23 and what they're doing to the facility, but San Onofre  
24 apparently have to open up the entire reactor vessel  
25 and sort of put caulking on it or whatever to--it'll

34  
GEIS

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 be safe, you can be assured.

2                   And so anyway, both Diablo and San Onofre  
3 are obviously unique situations, even if it wasn't for  
4 the seismic setting, but due to the seismic setting it  
5 makes it even more unique.

6                   Also, I'm glad you folks have been  
7 plugging away on this for many decades while others of  
8 us have been working on mostly other things, since  
9 1984, in this case anyway. But obviously this is a--  
10 this industry is the "corporate welfare queen," and  
11 they're trying--there's a bill that passed the Senate  
12 Energy Committee, unlimited loan guarantees for new  
13 nuclear reactors, and carbon sequestration related to  
14 coal. Anyway, this is--anyway, I've had my mixed  
15 feelings about the free market, but the free market is  
16 rigged, and I want the nuclear industry to try to  
17 stand on its own two feet and let it topple, without  
18 affecting us for millions of years, please. Thank  
19 you.

20                  MR. BAILEY: Okay. Thank you. Next we'll  
21 have Andrew Christie, and then Dr. Harriet Groot from  
22 the Sierra Club.

23                  MR. CHRISTIE: I'm Andrew Christie. I'm  
24 the director of the San Luis Obispo chapter of the  
25 Sierra Club, representing the Sierra Club's members in

## NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 San Luis Obispo County. I would like to thank them,  
2 and all the other activists, residents, and the NRC  
3 for relocating these meetings in California reactor  
4 communities.

5 We noted, with interest, several  
6 statements from the alternatives analysis in the  
7 generic EIS.

8 Quote. "Presently, energy extracted from  
9 wind cannot be stored." End quote. And quote. "To  
10 serve as a source of commercial power, photovoltaic  
11 systems and concentrating solar power systems would  
12 need to work in conjunction with energy storage  
13 systems such as batteries," end quote, implying that  
14 this is an insurmountable barrier to be addressed in a  
15 distant misty future.

16 This is the wrong frame in which to  
17 analyze a decision on whether to permit an action that  
18 will have ramifications in a 20 year timeframe. The  
19 generic EIS should note the following. Excel Energy  
20 has begun testing battery storage technology that  
21 captures wind energy and moves it to the grid, when  
22 needed.

23 SNC Electric Company's SmartGrid Storage  
24 Management System provides the ability to store energy  
25 in a battery storage system, and control the discharge

35  
GEIS

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 of power, when required.

2 Grid Storage Technologies has developed a  
3 utility scale zinc-air battery technology with a rated  
4 power capacity of 1 megawatt with six hours of energy  
5 storage, with low maintenance cost.

6 In April, as part of the American Recovery  
7 and Reinvestment Act, the vice personal representative  
8 outlined plans for the Department of Energy to  
9 distribute more than \$3.3 billion in smart grid  
10 technology development grants, and then an additional  
11 \$615 million for smart grid storage.

12 Grid support energy storage, as an  
13 industry is currently a \$2.4 billion market and is  
14 growing at more than 3 percent per year.

15 We also note this statement in your  
16 analysis of alternative energy sources.

17 Quote. "Historically, photovoltaic  
18 systems have not been used for commercial power  
19 generation but have been used in power appliances--or  
20 rather--used to power appliances in homes in remote  
21 locations that cannot be easily connected to the  
22 transmission grid." End quote.

23 We direct the NRC's attention to the  
24 nation of Germany, which is number one in the world in  
25 solar PV power generation because it has a feed-in

35  
GEIS

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 tariff for renewable electricity, which requires  
2 utilities to pay consumers a guaranteed right for  
3 solar power they feed into the grid, which resulted in  
4 Germans installing about 1300 megawatts of new PV  
5 capacity in 2007, up from 850 megawatts in 2006.  
6 Market analysts expect solar power to supply 25  
7 percent of Germany's electricity demand by 2050.

8 Closer to home, on October 11th, Governor  
9 Schwarzenegger signed two bills into law, one  
10 requiring California utilities to buy power from a  
11 larger pool of small solar generators for above-market  
12 prices, increasing market access for small-scale  
13 producers of solar power, and the other requiring  
14 utilities to pay homeowners for excess energy they  
15 generate from their wind turbines or solar panels over  
16 the course of a year.

17 California homeowners previously received  
18 a credit for extra energy they sent back to the grid,  
19 i.e., watching your meter spin backwards.

20 We are surprised to find that the NRC  
21 apparently has not heard about any of this. We wish  
22 to assure you, that neither California nor Germany  
23 consists primarily of homes in remote locations that  
24 cannot be easily connected to the transmission grid.

25 Your version of photovoltaic solar power

35  
GEIS

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealgross.com](http://www.nealgross.com)

1 appears to be about 25 years out of date, in view of  
2 which we concur with the Alliance For Nuclear  
3 Responsibility, the Department of Energy, not to the  
4 NRC, should be tasked with the analysis of renewable  
5 energy sources and future options, when evaluating  
6 alternatives to the relicensing of nuclear power  
7 plants and their environmental impacts. Thank you.

35  
GEIS

8 MS. GROOT: Good evening. My name is  
9 Henrietta Groot. I'm affiliated with the Sierra Club,  
10 ECO SLO, Mothers For Peace, Alliance For Nuclear  
11 Responsibility, and the Committee For Unity With  
12 Nature of the Pacific Yearly Meeting of Quakers.

13 California law prohibits the licensing of  
14 new nuclear plants because there is no safe method for  
15 storing the waste. I contend that relicensing  
16 therefore is illegal, and an attempt at circumventing  
17 California law.

18 If we can't have newer, better designed  
19 plants, we certainly should not have these "old  
20 clunkers." All right. Relicensing this far in  
21 advance, anyway, is kind of ludicrous, and we're  
22 talking about doing it before the facts are in. What  
23 kind of thinking is that?

24 The GEIS talks about the fact that site-  
25 specific issues need to be identified by the plant

36  
GEIS

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 operators. How can that be? It should be that the  
2 site-specific issues, in other words, the problems are  
3 the responsibility of the NRC.

4 Referring to page 2-11 of the document, it  
5 discusses "unification" and says something about  
6 "satisfactory mitigation," and the term mitigation is  
7 used elsewhere as a panacea, that takes care of  
8 whatever the problem was. Mitigation is a very  
9 complex issue. It is not a given, how you mitigate  
10 for a problem, and I've certainly learned that in  
11 connection with working on "once through cooling"  
12 problems.

13 The question of how you mitigate for the  
14 enormous damage that the "once through cooling" does  
15 in a plant like Diablo, the billions of gallons of  
16 water that go into the plant and kill billions of fish  
17 larvae, fish eggs, invertebrate organisms. How you  
18 mitigate for that is something that has been very much  
19 debated and still is not--nobody can agree on that,  
20 and it's also a legal matter, actually.

21 So please, stop using mitigation so  
22 glibly, as a safe concept.

23 Then the effects of dredging on aquatic  
24 organisms, on page 2-11. It talks about getting  
25 permits from the Army Corps of Engineers and state

36  
GEIS

37  
GEIS

38  
GEIS

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 environmental agencies, and other regulatory agencies.

2 This is the same mess that Peg Pinard was talking  
3 about.

4 You know, who is in charge there? Who is  
5 going to be responsible? Who is going to figure out  
6 how to do these things? Certainly not a good  
7 candidate for Category 1. That is a very complex  
8 issue, again, that needs a lot of looking at.

9 Incidentally, this, this--Peg was talking  
10 about how the dry casks are not every safe, the  
11 storage area for the dry casks is not very safe. The  
12 only thing I wanted to add to that, Peg, is that  
13 they're also right under the high-power lines, which  
14 sometimes spark, you know.

15 That's all I want to say tonight. Good  
16 luck to us all.

17 MR. BAILEY: Okay. Next, we'll have Jeff  
18 Panik of Surf Rider Foundation, and then he'll be  
19 followed by Jack Biesek.

20 AUDIENCE MEMBER: Jeff is not here.

21 MR. BAILEY: Okay. Thank you. Okay.  
22 Jeff. I'm sorry. Mr. Biesek.

23 MR. BIESEK: My name is **Jack Biesek** I  
24 live in Sea Canyon, near Avila Beach, for the last 30  
25 years, and during the last three decades life has

38  
GEIS

39  
GEIS

## NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 gotten pretty complicated.

2 We can see evidence of this in the Wall  
3 Street bailouts, the mortgage fiascos, the Enron  
4 energy scams, outsourcing of jobs, etcetera, etcetera.

5 I think the complication of things is bothering me,  
6 and that's what I want to speak to tonight.

7 Sure, you can find loopholes, you can make  
8 revisions in laws, you can upgrade your manual, you  
9 can "slice and dice" the GEIS, but we will have to pay  
10 the price.

11 So I'm concerned about nuclear power and  
12 its poor track record, and the abominable idea of  
13 long-term storage of nuclear waste on our pristine  
14 coast, turning it into a biohazard dump and a  
15 terrorist target.

16 It's obvious to me that nuclear technology  
17 has exceeded our Yankee maturity. We have these so-  
18 called advanced technologies but we don't have the  
19 maturity to handle them. Quite frankly, there is no  
20 Santa Claus.

21 It's like giving children dynamite.  
22 Dynamite explodes and makes a big bang. Wow. Great.

23 But when it comes to nuclear explosions, we're  
24 outleagued. We're outleagued by Mother Nature and by  
25 the universe itself.

40  
GEIS

## NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1                         Someone needs to point out that we are  
2 failing. We're failing on many levels. Let me give  
3 you your report card to the nuclear industry, the NRC,  
4 and nuclear technology, in general.

41-45  
GEIS

5                         Earthquake geology. You get an F. you  
6 misjudged the Hosgri Fault, the other faults that are  
7 in the immediate area, as a threat to our lives.

41  
GEIS

8                         Long-term storage plan. F. In 1977, we  
9 were promised, in writing, that the radioactive  
10 nuclear waste would be restored in a repository, a  
11 safe site outside of California, to be provided by the  
12 U.S. Government, and that Diablo was only going to  
13 temporarily hold these wastes.

42  
GEIS

14                         This idea, alone, negates any license  
15 possibility for Diablo, in my humble opinion. Fool me  
16 once, shame on me. Fool me twice, ask George Bush.

43  
GEIS

17                         Disaster response capability. F. We can  
18 have an earthquake or a human error at Diablo, and  
19 experience catastrophic damage here. Our nation is  
20 not good at responding--I like what Peg Pinard pointed  
21 out about our ability to respond to disaster training.

22                         So we have evidence also in the Katrina  
23 experience, where, what is it? the Army Corps of  
24 Engineers, whatever, we built levees around New  
25 Orleans, they failed, and what have we done to the

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 folks of Louisiana and New Orleans? They're  
2 "high and dry," their community is ruined. I think  
3 this is evidence that this plant does not deserve a  
4 second chance.

5 Stewardship of the land. Building a  
6 nuclear power plant that is not sustainable is  
7 outright ludicrous. We are, in essence, benefiting  
8 from this power, here, in 2009, and leaving it up to  
9 umpteen future generations to maintain our waste until  
10 the year 5009, 10009, 12,009. This is unprecedented  
11 in the history of mankind, and I do not think we have  
12 the right to steal from future generations and expect  
13 them to maintain our hazardous wastes.

14 Insurance and risk management. F minus.

15 Worse than F here. PG&E filed for bankruptcy.  
16 They're down the road. We're left "high and dry."  
17 This happened already, as an example, a few years ago.

18 There is no insurance provision to cover losses from  
19 a catastrophe at Diablo, and if we became  
20 Chernobylized, what would that--how would that play  
21 out?

22 That means we may lose our homes, our  
23 community, our dreams, and PG&E and the U.S.  
24 Government get to walk away without paying for their  
25 mistakes.

44  
GEIS

45  
GEIS

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1                   Again, no, nuclear technology is not  
2 working for me. So we, who live here, worry about  
3 this. We worry about our kids being exposed to  
4 radiation leaks. We worry about what is happening  
5 when we hear the sirens. We worry about a possibility  
6 of the ground shaking. What's happening at Diablo?  
7 We all know this.

8                   You feel the ground shaking, you  
9 immediately think--wow, I hope the plant is okay.

10                  So we're knowing that we're "playing with  
11 fire" here, and that we live with this threat every  
12 day, for the last 30 years. That's a psychological  
13 damage to our community. That is punitive pressure  
14 that we have suffered.

15                  And what have we gotten for it?  
16 Electricity to go to Fresno?

17                  Track record. E for effort here, but F  
18 for failing. Three Mile Island and Chernobyl have  
19 proven just how ugly nuclear power can become when you  
20 "let the genie out of the bottle."

21                  Playing with fire means someone's going to  
22 get burned, and that someone should not be San Luis  
23 Obispo. Where has nuclear power and nuclear  
24 technology really gotten us?

25                  What has nuclear activity given us,

### **NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 besides Hiroshima, and the ability to make big sparks  
2 and big explosions? America has thousands of nuclear  
3 warheads. There's your nuclear technology, where it  
4 started with the Big Bomb. To protect us from what?  
5 The Taliban? From weapon of mass destruction in Iraq  
6 that never materialized?

7                   Well, what did materialize was the threat  
8 of a nuclear attack on us. And what do we have now?  
9 Four thousand soldiers that have died. An ongoing war  
10 we can't get out of. This is the legacy of nuclear  
11 technology. Hello, wake up, lights on. Who's home?  
12 We can rubberstamp these events, show up with people,  
13 and go through the motions, issue a 600 page report.

14                  But at the end of the day, what do we  
15 have? We have a nuclear mess that needs to be called  
16 what it is.

17                  Let's ask ourselves what good news is out  
18 there. What can we do to provide sustainable,  
19 renewable solutions. Solar energy comes to mind. If  
20 we took the money we've spent at Yucca Mountain and  
21 put solar on every rooftop, we would not be here  
22 tonight having this discussion. End of story.

23                  So helping humanity live on the Earth in a  
24 gentle manner. That's what I'm about and that's what  
25 we should be about. You know, our auto industry could

### NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 be making solar panels. There's so much that could be  
2 done. I challenge the NRC, and everyone here, to  
3 close Diablo and rethink what we are all personally  
4 contributing to the world.

5 I would welcome the NRC back as the Solar  
6 Regulatory Commission, and tell us about what can be  
7 done to make our national energy grid similar to what  
8 is going on in Germany, and similar to what we could  
9 do, because California and our Yankee ingenuity, we  
10 would roll up our sleeves, and in ten years surprise  
11 everyone at what we could do.

12 So until then, conserve energy, put  
13 nuclear technology back in the laboratory until it's  
14 biodegradable, sustainable and recyclable, and live  
15 within our means. Thank you.

16 MR. BAILEY: Okay. Next, we'll have Sumac  
17 Bieseck, and then followed by Kevin Drabinski.

18 MS. BIESEK: Hi. My name is Sumac Bieseck.  
19 I'm married to Jack Bieseck. He just spoke and I want  
20 to thank him very much for speaking. I'm very proud  
21 of him. Thank you, Jack.

22 And I want to thank everybody that's here  
23 tonight. This isn't the first time I've spoken before  
24 the NRC but I'm not really going to speak. I'm really  
25 going to just thank everyone that's spoken, and

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 everybody that's here in support of a better world.  
2 And I know that everybody that's here would like to  
3 see a better world.

4 No matter what side you're on when we're  
5 talking about nuclear, we are all connected. We are  
6 all part of the web of life, and that's a very  
7 important thing for us to think about when we go home  
8 and we go back to our jobs, those of us who have jobs  
9 with the nuclear industry, in particular.

10 It's a new day, really. We are learning  
11 more and more about physics every day, and how the  
12 connection between what we do here affects much more  
13 than we realize, and I think it's time to really think  
14 hard about nuclear power. It will always be connected  
15 to weaponry, as my husband pointed out. That's how I  
16 got involved in Mothers For Peace over 25 years ago,  
17 and I've supported them ever since.

18 And I just want to point out, and add  
19 special thanks to all the Mothers For Peace, that's  
20 men and women, that support this nonprofit local  
21 group, for 30 plus years, and these individuals do not  
22 get paid. They work very, very hard to read through  
23 these documents that I refuse to look at, interpret  
24 them, make sense of them, argue on par with the people  
25 that write them, for what is really, really important

### NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 issues that we're all involved in, and I give them so  
2 much credit for what they do.

3 I want to thank them very much. And thank  
4 you all.

5 MR. DRABINSKI: Good evening. My name is  
6 Kevin Drabinski. I'm a 22 year resident of San Luis  
7 Obispo. I met my wife in San Luis Obispo. We have  
8 two high school aged daughters. I'd like to welcome  
9 members of the Nuclear Regulatory Commission. I hope  
10 you enjoyed today's weather, a sunny 73 with blue  
11 skies, white puffy clouds, just a zephyr of wind.

12 If you ever care to hold meetings in  
13 December or February, we have the same weather those  
14 months as well.

15 Northern Santa Barbara County and San Luis  
16 Obispo County are neighbors to Diablo Canyon Power  
17 Plant, and if you spend any time here, at all, you  
18 recognize that they have a spectacular assortment of  
19 natural resources, including agriculture, farm and  
20 ranch land, waterways, coastline and marine life.

21 I believe any community would want to be  
22 safe where families live, but especially here, we're  
23 fully intending to pass along these natural resources  
24 to our children and grandchildren.

25 It would be difficult to gauge the impact

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 that this community's advocacy for safety has  
2 contributed to the safety at Diablo Canyon.

3                 The engineers at the plant can measure  
4 things down to the last micron, but it would be  
5 difficult to see exactly what this community, exactly  
6 how they've contributed to its safe operation. It's  
7 likely manifested itself in some policies or  
8 safeguards, perhaps just a heightened attitude of  
9 vigilance around safety.

10               On the other side, PG&E deserves credit  
11 for a credible safety record. It's true that they turn  
12 a profit here, but they've been a good partner and  
13 given back, in meaningful ways, to this community. In  
14 the end, I've always thought that it's possible to  
15 hold that tension together, that includes safety and  
16 business interest, and I view it as a positive force,  
17 a creative force that's resulted in the safe operation  
18 of the plant. I'm proud to be a member of a community  
19 where an open and vigorous debate on these issues can  
20 take place.

21               MR. BAILEY: Okay. Thank you.

22               At this time, that completes the  
23 registered speakers. At this time, if there's anyone  
24 who hasn't had a chance to speak and didn't register,  
25 who would like to speak, if you'll raise your hand,

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 I'll get a yellow card to you. Okay. There doesn't  
2 appear to be anyone.

3 If there is someone who has already spoke,  
4 and feel they need an opportunity, a few more minutes  
5 to address their concerns, you can raise your hand.

6 Okay. Before we have some final words, I  
7 just wanted to let you all know that the NRC staff  
8 will remain for just a few minutes after this meeting,  
9 if you have any additional questions or general  
10 questions that you would like them to address.

11 At this time, I will invite Bo Pham up,  
12 who will say some closing words. Thank you.

13 MR. BO PHAM: Good evening, everyone. My  
14 name is Bo Pham. I'm the branch chief for the team  
15 that put together the GEIS, and on behalf of the staff,  
16 we do thank you very much for attending the meeting  
17 tonight. The attendance tonight was very encouraging,  
18 and, you know, we're reminded, that we're glad we  
19 switched the location from Westlake Village out here,  
20 and we appreciate Ms. Jane Swanson for suggesting this  
21 location. I think it has worked out for everyone.

22 The one resonating message that I heard  
23 throughout the night was probably the lack of trust in  
24 the NRC's process and what we do.

25 And I think from my perspective at least,

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 and I think I can probably speak for most of the  
2 staff's perspective, that sometimes that's due to our  
3 lack of good communication on what the process is and  
4 how we do it. So we'll continue to work towards that,  
5 and I can promise you that, you know--well, we're  
6 going to spend the next year, basically, looking at  
7 the comments that you've given us tonight, and  
8 afterwards, and respond to them, and consider every  
9 single one of them.

10 I also do want to reiterate that this is  
11 not the only opportunity to provide comments.

12 In fact, we get a lot of substantive  
13 comments well after the public meetings as well.

14 So we have the address and the way to  
15 provide comments to us up there.

16 The most expedient way is probably via e-  
17 mail, electronic format, and it will get in the system  
18 a lot faster.

19 And once again, on behalf of the staff,  
20 I'd like to thank everyone for attending, and the  
21 staff will be available for questions and answers  
22 afterwards as well. Thank you.

23 [Whereupon, at 9:05 p.m., the meeting was  
24 adjourned]

25  
**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

**Official Transcript of Proceedings**

**NUCLEAR REGULATORY COMMISSION**

Title:                   Public Meeting RE Draft GEIS

Docket Number:       (n/a)

Location:             Dana Point, California

Date:                  Thursday, October 22, 2009

Work Order No.:      NRC-3158

Pages 1-94

**NEAL R. GROSS AND CO., INC.**  
**Court Reporters and Transcribers**  
**1323 Rhode Island Avenue, N.W.**  
**Washington, D.C. 20005**  
**(202) 234-4433**

1 UNITED STATES OF AMERICA

2 NUCLEAR REGULATORY COMMISSION

3 + + + + +

4 PUBLIC MEETING

5 TO DISCUSS THE DRAFT

6 GENERIC ENVIRONMENTAL IMPACT STATEMENT

7 + + + + +

8 THURSDAY,

9 OCTOBER 22, 2009

10 + + + + +

11 DOUBLETREE GUEST SUITES, DOHENY BEACH

12 34402 PACIFIC COAST HIGHWAY

13 DANA POINT, CALIFORNIA 92629

14 + + + + +

15 The public meeting was convened, at 7:00  
16 p.m., Kenneth Bailey, facilitator, presiding.

17

18 PRESENT FROM NRC:

19 KENNETH BAILEY, Diversity Specialist

20 LANCE RAKOVAN

21 JEFFREY RIKHOFF

22 ANDREW STUYVENBERG

23 ANDY IMBODEN

24 ROBIN ROSS

25 GREG WARNICK

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

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

2 7:02 p.m.

3 MR. BAILEY: Good evening, everyone. If  
4 you'll take your seats, we'll begin to get started.

5 Good evening. My name is Kenneth Bailey.  
6 I'm a Diversity Specialist from the Nuclear Regulatory  
7 Commission, the NRC, which you'll hear often referred  
8 to tonight. I work in the Office of Small Business  
9 and Civil Rights within the Agency.

10 I will be the primary facilitator for this  
11 evening's meeting assisted by Lance Rakovan in the  
12 rear who works in the Office of the Executive Director  
13 for Operations.

14 We will give every effort to ensure  
15 tonight's meeting is productive and beneficial to all  
16 attending.

17 Before I go over the process, I would like  
18 to thank members of the community who were  
19 instrumental in ensuring this meeting happened.

20 I would also like to acknowledge the  
21 attendance of Ms. Shanna Rimke on behalf of  
22 Representative Ken Calvert's office.

23 The purpose of this meeting is to provide  
24 you with the opportunity to give your comments on a  
25 proposed rule amending Title 10 Part 51 of the Code of

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1           Federal Regulations as well as the Generic  
2           Environmental Impact Statement for License Renewal of  
3           Nuclear Plants or NUREG-1437, Revision 1.

4           For those of you not familiar with NRC  
5           Regulation Title 10, it is a part of the Federal  
6           Regulation where you can find NRC's Regulation and  
7           Part 51 is just a piece of those regulations that  
8           specifically focuses on environmental protection.

9           You may hear Generic Environmental Impact  
10          Statement referred to as G-E-I-S or GEIS at this  
11          meeting.

12          Today's meeting is just one of several  
13          ways you can participate in the commenting process.  
14          Others of which will be provided to you during the  
15          presentation.

16          There are two parts to tonight's meeting.  
17          During the first portion, you will hear a presentation  
18          from NRC staff on the topic at hand. Information we  
19          think is important for your to understand.

20          There were copies of the presentation at  
21          the sign-in table. In case you did not get a copy,  
22          please raise hand and one of the NRC staff members  
23          will bring you a copy.

24          For those of you -- no one has called in  
25          on the phone yet.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1                   The presentation will be brief because the  
2 primary objective of today's meeting is to hear your  
3 comments.

4                   For everyone here, there are yellow and  
5 blue cards we asked you to fill out when you came in.  
6 The people who registered to speak, filling out the  
7 yellow cards, will be called to the podium to provide  
8 your comments.

9                   If you haven't filled out a card and  
10 besides you want to speak, that's okay. Please get my  
11 attention or one of the other NRC staff members to  
12 obtain a card to fill in your information to provide  
13 a comment.

14                  Today's meeting is being transcribed and  
15 we ask that you fill out the cards to ensure we have  
16 an accurate spelling of your name as well as where you  
17 represent.

18                  I will be going to the phone if we should  
19 have someone call in. The phone line is open  
20 currently. I will be going to the phone if we have  
21 someone call in to allow them to provide comments if  
22 they so choose.

23                  Similar to those here, please identify  
24 yourself with any group you are with each time you  
25 make a comment or ask a question.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1                   We ask for your understanding that we are  
2 transcribing today's meeting to make sure we fully  
3 capture your comments. Please help us get a clean  
4 transcript by using the microphone when you ask or  
5 desire to ask a question or make a comment.

6                   Please try to keep side conversations to  
7 a minimum which will allow the staff and the  
8 transcribers to keep focus on the main person who is  
9 speaking.

10                  The first time you speak, please say your  
11 name completely and identify yourself and any group  
12 which you represent.

13                  Please turn off all electronics or put  
14 them on vibrate to assist us with getting a clean  
15 transcript.

16                  We have provided you with our public  
17 feedback form. Please fill the form out here tonight  
18 and give it to the NRC staff or drop it in the mail  
19 sometime in the future. The postage is free.

20                  Your opinion on how this meeting went will  
21 help us improve upon future meetings. So, please take  
22 a moment to let us know what you think.

23                  For those of you who are not aware, just  
24 in case, the rest rooms are directly behind the door  
25 which you came in.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1                   At this time, I want to take a moment to  
2 introduce some of the NRC staff members in attendance  
3 today. Tonight's subject matter experts for the GEIS  
4 revision are from the Office of Nuclear Reactor  
5 Regulations beginning with Andy Imboden, Jeffrey  
6 Rikhoff, Andrew Stuyvenberg, Jason Lising and their  
7 assistant Robin Ross. The Region Inspectors are John  
8 Reynoso and the Senior Inspector is Greg Warnick.  
9 Representing our Office of General Counsel is Susan  
10 Uttal and from the Region's Public Affairs Office, we  
11 have Victor Dricks.

12                  At this time, I would now turn things over  
13 to Jeffrey Rikhoff who will be the lead for tonight's  
14 presentation. I will be back when we move to the  
15 second part of the meeting. If you have any questions  
16 about the material covered, please hold your questions  
17 until the presentation is over so that we can move to  
18 the second part of the meeting.

19                  Thank you.

20                  MR. RIKHOFF: Thank you, Kenny. I'd like  
21 to thank everyone for coming out this evening. We  
22 really appreciate you coming this evening to provide  
23 us with your comments.

24                  Again, my name is Jeff Rikhoff. I'm the  
25 Generic Environmental Impact Statement Project Manager

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 and I'm here to explain how we revise the GEIS.

2                   First, let me give you a little background  
3 information. As part of the License Renewal Program  
4 initiated in the late 1980s, the NRC understood a  
5 comprehensive review of environmental NEPA issues  
6 associated with the continued operation of nuclear  
7 power plants beyond the term of the current operating  
8 license.

9                   The results of this comprehensive review  
10 were published in 1996 as the Generic Environmental  
11 Impact Statement for License Renewal of Nuclear Power  
12 Plants also known as the GEIS.

13                  During the comprehensive review, the  
14 Commission determined that certain environmental  
15 impacts associated with license renewal were either  
16 the same or similar for all plants and as such could  
17 be addressed generically. In total, 92 environmental  
18 impact issues associated with license renewal were  
19 identified. Therefore, the main purpose for the GEIS  
20 is to identify and evaluate all environmental impacts  
21 associated with license renewal and assess  
22 environmental impacts that are considered generic and  
23 common to all nuclear power plants.

24                  The GEIS also defines the number of issues  
25 that need to be addressed in separate plant-specific

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 environmental reviews in supplemental EISs to the  
2 GEIS.

3 The results of the environmental review on  
4 the 92 issues conducted for the 1996 GEIS were  
5 summarized as findings in Table B-1 in NRC Regulations  
6 10 CFR Part 51. In these regulations, the Commission  
7 also indicated its intent to review and update Table  
8 B-1 and the GEIS every ten years. This meeting  
9 tonight is part of the process to revise the GEIS and  
10 update the findings in Table B-1 and we are here to  
11 receive your comments as part of that process.

12 The range of environmental impacts  
13 considered in every environmental review for license  
14 renewal is comprehensive. This slide gives you an  
15 idea of some of the areas that NRC considers during  
16 license renewal environmental reviews. The revised  
17 GEIS discusses the environmental impacts for each of  
18 these resource areas shown on this slide.

19 The information provided in Table B-1 in  
20 10 CFR Part 51 is a summary of the findings on the 92  
21 environmental impact issues analyzed in the GEIS. In  
22 other words, the GEIS provides the technical basis for  
23 the findings in Table B-1.

24 As many of you may be aware, the issues in  
25 Table B-1 are categorized as either Category 1 or 2.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 Category 1 issues are considered generic as the  
2 impacts were determined to be the same or similar at  
3 all nuclear plants. Category 2 issues are impact  
4 issues that need to be addressed in separate plant-  
5 specific environmental reviews.

6 Category 1 impacts are only addressed in  
7 the GEIS and not in supplemental plant-specific  
8 environmental reviews unless new and significant  
9 information is found that would change the findings in  
10 the GEIS.

11 In the review and update of the GEIS, we  
12 reevaluated the original 92 environmental impact  
13 issues listed in Table B-1 to determine if any of  
14 these issues needed to be updated, modified or  
15 deleted. We also considered whether the -- whether  
16 new environment impact issues needed to be added.  
17 Issues identified during plant specific environmental  
18 reviews and changes to environmental laws and  
19 regulations were considered. We also considered  
20 reorganizing the 92 issues to simplify impact  
21 discussions and to streamline environmental impact  
22 analyses.

23 We also reviewed the organization and  
24 format of the 1996 GEIS and revisited the discussion  
25 and analysis of refurbishment impacts. The review and

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 update took into account public comments we received  
2 on the GEIS during scoping and during plant-specific  
3 license renewal environmental reviews.

4           Several new Category 1 and 2 issues have  
5 been added to the revised GEIS. In addition, based on  
6 previous environmental reviews and public comments,  
7 some issues were re-categorized from Category 2 to 1.  
8 It's important to note that even though Category 2  
9 issues would not be Category 1, the staff would  
10 continue to evaluate these issues for any new and  
11 significant information during each plant-specific  
12 environmental review. New Category 1 issues are shown  
13 on this slide. These issues were added as a result of  
14 previous environmental reviews and public comments.

15           This next slide shows new Category 2  
16 issues that were added as a result of previous  
17 environmental reviews and public comments.

18           And the third slide shows the issues that  
19 were re-categorized based on previous environmental  
20 reviews and public comments.

21           As a result of the review and update as  
22 well as lessons learned and knowledge gained during  
23 nearly 40 environmental reviews, we came up with a  
24 proposed reorganized list of 78 environmental impact  
25 issues which still include all of the 92 original

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 impact issues addressed in the 1996 GEIS. The  
2 reduction in the number of issues were primarily the  
3 result of combining or regrouping similar issues.

4 The Appendix B handout illustrates how  
5 these issues were reorganized. Many issues that were  
6 addressed separately in the 1996 GEIS that were  
7 similar or related have been regrouped under a broader  
8 more encompassing impact issue.

9 For example, separate aesthetic issues in  
10 the 1996 GEIS have been combined into one aesthetic  
11 impact issue that still considers the aesthetic  
12 impacts of the nuclear plant as well as transmission  
13 lines.

14 We also found very few instances where  
15 plants were being modified or refurbished for license  
16 renewal. These refurbishment activities have  
17 consisted primarily of steam generator and vessel head  
18 replacement. As a result, most of the refurbishment  
19 issues have been combined with continued plant  
20 operations issues. Power plant modifications and  
21 refurbishment activities associated with license  
22 renewal will continue to be addressed in separate  
23 plant-specific environmental reviews.

24 Based on comments received during scoping  
25 and during plant-specific environmental reviews, we

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 also decided to reorganize the GEIS from a cooling  
2 systems based approach to a resource based approach.  
3 The impacts on each resources area are discussed in  
4 one place rather than having to hunt through several  
5 chapters in the 1996 GEIS to find relevant discussions  
6 of impacts. To make it easier on the reader, we  
7 folded the discussion of impacts in Chapters 3 through  
8 8 in the 1996 GEIS into one environmental consequences  
9 chapter organized by environmental resource area.

10                 The review and update of the GEIS and our  
11 regulations, however, is not yet complete. All of the  
12 comments received during the comment period will be  
13 considered by NRC staff as we develop the final rule  
14 and revised GEIS, which are scheduled to be issued in  
15 early 2011. The final rule and revised GEIS will  
16 contain the Commission's final determination on the  
17 generic impacts associated with license renewal. The  
18 comments you provide tonight and those received during  
19 the comment period will help in finalizing the staff's  
20 proposed rule and revised GEIS.

21                 The NRC received several requests to  
22 extend the public comment period for the proposed rule  
23 and GEIS revision. The NRC recognizes that there's a  
24 large amount of material associated with this  
25 rulemaking and has extended the public comment period

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 for an additional 90 days to allow additional time for  
2 review. The public comment period now ends on January  
3 12th, 2010, 90 days from the original date of October  
4 14th, 2009. The NRC wants to make sure that members  
5 of the public have sufficient time to provide comments  
6 that will improve the quality of these regulations as  
7 well as the license renewal process.

8 I am the NRC point of contact for the GEIS  
9 revision along with Jason Lising who's the point of  
10 contact for the proposed rule. We are working  
11 together to ensure that all comments on the proposed  
12 rule and revised GEIS are considered and addressed.

13 The proposed rule and revised GEIS are  
14 available to the public on our web page and through  
15 our Public Document Room. We also have several copies  
16 over here on the table if you want to take one  
17 tonight. You can view these documents on the web at  
18 the addresses indicated on this slide, visit  
19 [www.regulations.gov](http://www.regulations.gov) and enter NRC-2008-0608 on keyword  
20 or ID and click search. In addition, we will be happy  
21 to mail copies to anyone who requests one.

22 In addition to providing oral comments  
23 tonight, there are several ways to provide written  
24 comments to the NRC. You can write to us at the  
25 address on the slide and in your handout or by e-mail

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 and the web.

2                   Again, all comments received during this  
3 public comment period will be considered. And with  
4 that, I'll turn the meeting back over to Kenny.

5                   Thank you very much.

6                   MR. BAILEY: Okay. At this time, we would  
7 like to know if there are any clarifying questions  
8 pertaining specifically to the presentation which you  
9 just received. If there are any questions, please  
10 raise your hand and I will call on you as I see them.

11                  If I acknowledge you, please come up to  
12 this mike next to the podium to ask your question.  
13 Thank you.

14                  MS. CASADY: I'm Nancy Casady, the  
15 Alliance for Nuclear Responsibility and I wondered if  
16 we could go back to the slide that showed the changes  
17 that were made to the original document. It went by  
18 pretty fast.

19                  MR. BAILEY: Okay. Thank you. Okay. Was  
20 there a question specifically pertaining to that  
21 slide, ma'am? That's fine. Okay. Okay.

22                  Are there any other questions again  
23 pertaining specifically to the presentation? Ma'am.  
24 You can sit down, ma'am. I'll bring it to you.

25                  MS. BEAUCHAMP: Thank you. Yes, my name's

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 Craig Beauchamp. I'm advocate from CREED the  
2 Coalition for Ethical and Environmental Decision and  
3 I'm also part of the Orange County Democratic Party.

4 There were a couple of things on the site  
5 specific and on the presentation that this all has to  
6 do with future relicensing standards. Correct?

7 And wait a minute. Okay. So, this is all  
8 future relicensing?

9 MR. RIKHOFF: Yes, this rule once it goes  
10 final. Is scheduled to be finalized in 2011.

11 MS. BEAUCHAMP: Okay. It's my  
12 understanding that the NRC extended the licensing  
13 period for San Onofre for an additional nine years  
14 after the original license expiration date of 2013.

15 MR. RIKHOFF: I'm not aware of that. I  
16 don't have any information about that.

17 MS. BEAUCHAMP: So, the original  
18 expiration date still stands for 2013.

19 MR. RIKHOFF: The 40-year license, yes, I  
20 believe to 2022 still stands.

21 MS. BEAUCHAMP: No, if I'm not mistaken --  
22 Lyn, am I correct?

23 MS. HARRIS HICKS: You're correct. You're  
24 correct.

25 MS. BEAUCHAMP: Okay. So, the original

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1           licensing period was to 2013. As far as I know, there  
2           were no public hearings or participation, EER studies,  
3           GEIS studies, anything that extended it or site-  
4           specific studies to extend it to 2022.

5           MR. RIKHOFF: I think --

6           MS. BEAUCHAMP: I mean you're saying it's  
7           2022. We're saying it's 2013.

8           MR. RIKHOFF: Well, we'll look up the  
9           current license and date. I didn't --

10           MS. BEAUCHAMP: The original license and  
11           the date.

12           MR. RIKHOFF: Okay. We will look that up  
13           for you.

14           MR. STUYVENBERG: Hi, ma'am. My name's  
15           Drew Stuyvenberg. I'm from the Division of License  
16           Renewal as well.

17           I don't know the specific dates. I do  
18           know it's in the 2020s for both plants however. We  
19           can find that specific information for you and get  
20           back to you though if you'd like.

21           MS. BEAUCHAMP: Okay. But, there were  
22           never any public hearings.

23           MR. STUYVENBERG: Because they haven't  
24           been granted a license renewal extension at this  
25           point.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 MS. BEAUCHAMP: The 2022 was a license  
2 extension.

3 MR. STUYVENBERG: To my knowledge --

4 MS. BEAUCHAMP: Yes. Yes. Yes.

5 MR. STUYVENBERG: We'll confirm that and  
6 get back.

7 MR. BAILEY: Ma'am, allow us some time and  
8 we'll confirm and get back to you.

9 MS. HARRIS HICKS: Lyn Harris Hicks. I  
10 can jump right into it. Yes. Lyn Harris Hicks,  
11 CREED.

12 I want to -- I want everyone to know that  
13 kind of response is not acceptable. Because I'm sure  
14 that you all know -- and I shouldn't say that, I can't  
15 assume you know it and somebody told you. Okay.

16 The point is that we are in a very unique  
17 situation around San Onofre and the original license  
18 proceedings, safety proceedings, were very extended  
19 and we put thousands of hours into it and the  
20 decisions that were made on the length of the license  
21 were made by the scientists and the engineers there  
22 who were estimating how long they thought that the  
23 place -- the plant could operate safely and that was  
24 about 24 or 25 years and so, they gave it a 40 year  
25 because it took about nine or ten years to get the

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1           thing built. Very complicated.

2                         But, somewhere along the line, people  
3           forgot about that and they were just given automatic  
4           nine-years extension and I understand that this has  
5           happened a lot of places in the country and that there  
6           are three states which are mounting in the courts  
7           opposition to that.

8                         MR. BAILEY: Ma'am, it's a very valid  
9           point. However, we want to on focus tonight's  
10           presentation for this question period right now and  
11           then we will allow you the time to comment at the  
12           conclusion of the clarifying question period.

13                         Once again, were there any other  
14           clarifying questions specifically to the presentation  
15           itself?

16                         Okay. We will now transition into the  
17           public commenting period. I'll be calling on people  
18           to the microphone one at a time to provide comments on  
19           the purpose of the NUREG.

20                         MR. WARNICK: I have information just to  
21           clarify --

22                         MR. BAILEY: Okay. Okay.

23                         MR. WARNICK: -- the operation dates.

24                         MR. BAILEY: Okay.

25                         MR. WARNICK: The license was granted.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 It's a 40-year license. It was granted in  
2 approximately 1973.

3 The original license is a 40-year license.  
4 It was granted in the 1970s around 1973. It was  
5 licensed to operate for 40 years and that 73 plus 40  
6 puts them to, what is that, 2013. Right.

7 And because of delays in construction, it  
8 took time to build as you pointed out. They started  
9 actual operation in 1982. They can still operate for  
10 40 years which is what the license allows them to  
11 operate for. Eighty-two plus 40 makes it 2022. So,  
12 that's why the 40-year license of operation,  
13 continuous operation, with refueling periods will put  
14 them to 2022.

15 MS. HARRIS HICKS: It was licensed to be  
16 built and operated and somewhere along the line, the  
17 first part just started --

18 MR. BAILEY: Ma'am. Ma'am, excuse me. As  
19 you know, once again, I mention that the meeting is  
20 being transcribed. So, it's very important that we  
21 have a mike when you speak.

22 I know most of you want to make sure that  
23 your comments are inserted into the transcript so that  
24 we can use them for later. Okay. I'll hold the mike.

25 MS. HARRIS HICKS: Yes, I wanted to point

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 out that the license was given to build and operate  
2 and somewhere along the line, the build part just was  
3 forgotten and sort of like the evacuation zone, the  
4 high hazard evacuation zone that they set at 10/11  
5 miles radius of the plant. Somewhere along the line  
6 when they were working on trying to make it possible  
7 to evacuate people, they changed it to emergency zone  
8 and those things happen and we are concerned about  
9 that and that's why we're here.

10 Not for this particular thing, but when  
11 you brought this up, I felt that I had to make the  
12 correction. Thank you.

13 MR. BAILEY: Thank you. Okay. Okay. As  
14 I mentioned, we'll transition into the public comment  
15 period.

16 We'll begin. I will first call up Dean  
17 Engelhardt of Permanent -- I'm sorry. I can't make  
18 out -- clarify everything. So, you can clarify when  
19 you come to the mike. Thank you.

20 MR. ENGELHARDT: This mike's on. Dean  
21 Engelhardt, Permanent RAD Waste Solutions.

22 MR. BAILEY: You come to the podium.  
23 Sorry.

24 MR. ENGELHARDT: And I have a couple of  
25 thoughts to put forward. One thought to the NRC is

1  
GEIS  
↓

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 our company just recently got the only -- were granted  
2 the only patent for the permanent elimination of  
3 nuclear waste and it would not require any storage  
4 outside in ponds or anything like that and I'd like  
5 the Nuclear Regulatory Commission to really consider  
6 this when they go over this.

7                 Secondly, there's a lot of misconception  
8 by a lot of people about how dangerous living near a  
9 nuclear plant is and yes, it's got radiation, but  
10 what's interesting was a plant back in, and I can't  
11 remember the name of it, back in I believe  
12 Pennsylvania. People got a little uptight about  
13 nuclear power and so, they said we want to go back to  
14 a coal-fired plant.

15                 So, while they were building the coal-  
16 fired plant, they still operated the nuke because they  
17 still needed the power and as they started testing the  
18 coal-fired plant, now this is 30 miles away from the  
19 nuke, the radiation alarms, the emergency level of  
20 radiation alarms started going off in the nuke and it  
21 drove the inspectors crazy looking for the leaks until  
22 they found out it was coming from the coal-fired  
23 plant.

24                 Coal when it's burnt emits 4.5 parts per  
25 million radio-nuclides from coal, normal coal. Clean

1  
GEIS

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 coal, that's a misnomer, 1.8 parts per million and  
2 oil, like we have out here, 1.39 parts per million;  
3 natural gas .18 parts per million and there are even  
4 trace elements from wind power and solar power which  
5 is interesting and nuclear emits nothing because it is  
6 a reaction. It's not a burning. Anything that burns  
7 emits trace elements of radiation and this goes on 24  
8 hours a day, seven days a week. So, it's really  
9 something you have to consider.

10 And that's basically all I had.

11 MR. BAILEY: Okay.

12 MR. ENGELHARDT: But, I thank you.

13 MR. BAILEY: Okay. I apologize. I meant  
14 to mention that we have a lot of people who would like  
15 to speak tonight. So, we want to have a time  
16 limitation. We're going to ask that you speak no  
17 more than ten minutes. Again, so that everybody can  
18 have a chance to voice their opinion.

19 Next we will have Dorothy Boberg from UNA,  
20 United Nations Association.

21 MS. BOBERG: I'm Dorothy Boberg and I'm  
22 representing the United Nations Association of the San  
23 Fernando Valley.

24 I have given the Nuclear Regulatory  
25 Commission people here copies of my article and I'd

1  
GEIS

2  
GEIS

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 like to just add a few words.

2                 If one considers the cost of the whole  
3 nuclear fuel cycle from the mining of uranium to the  
4 thousands of years of waste storage, it becomes  
5 obvious that nuclear power is the most expensive, uses  
6 the most fossil fuel to produce and store and is the  
7 most polluting and most dangerous of possible energy  
8 sources.

9                 I get information to verify this from a  
10 report of Dr. Helen Caldicott which I gave a copy to  
11 some of you.

12                 The law in California forbids the building  
13 of new nuclear power plants until such time as they're  
14 exists a Federal Government repository for high-level  
15 nuclear waste. There is no repository at the present  
16 time and there is no program at this time to find a  
17 repository for nuclear waste.

18                 To give Southern California Edison  
19 permission to rebuilt it's San Onofre plant piecemeal  
20 starting with the steam generators probably is not  
21 against the law, but surely is against the will of the  
22 people who support the law about no nuclear power  
23 plants.

24                 Please read my article on the table there.  
25 I noticed that many of you have looked at all of the

2  
GEIS

3  
GEIS

4  
GEIS

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 materials over here and I gathered a lot of them, but  
2 also look at the table over here which represents  
3 citizen groups who have information to give you.

4 I looked -- I just want to say I looked at  
5 this Appendix B and there are a number of questions  
6 that I asked and my general comment on it is that many  
7 of the issues in here are considered to be small  
8 impact and small impact according to their publicity  
9 here is environmental effects are not detectible or  
10 are so minor that they will neither de-stabilize nor  
11 noticeably alter any important attribute of the  
12 resource. For the purposes of assessing radiological  
13 impacts, the Commission has concluded that these  
14 impacts do not exceed permissible levels in the  
15 Commission's regulations and are considered small.

16 But, when you read the Appendix B, judge  
17 for yourself whether you think some of these things  
18 are small. I don't think so.

19 Thank you.

20 MR. BAILEY: Thank you, ma'am. Next we'll  
21 have Ms. Lyn Harris representing CREED.

22 MS. HARRIS HICKS: I'd like to hold mine  
23 until later please.

24 MR. BAILEY: Sure, ma'am.

25 MS. HARRIS HICKS: Until the time you have

4  
GEIS

5  
GEIS

1 the comments.

2 MR. BAILEY: We are actually in the  
3 comment period.

4 MS. HARRIS HICKS: Are we suppose to  
5 comment --

6 MR. BAILEY: You can make a general  
7 comment at this time. Okay. Okay.

8 Next will be Ms. Billie Pinnick Lovmark  
9 representing CREED.

10 MS. LOVMARK: I do represent CREED, but I  
11 also represent my neighbors and myself and we live  
12 along the beach just south of the pier in San  
13 Clemente. So, a lot of our concerns are just nervous  
14 concerns all the time.

15 They said I could probably have one  
16 question. So, my neighbors asked me, they couldn't  
17 come tonight, if we could find out about the spent  
18 fuel pool at San Onofre and how they're doing it in  
19 any of the nuclear plants that are in the planning  
20 that we're checking on. Because we understand from  
21 our research that this is a very dangerous part with  
22 terrorism and I know I'm reaching a subject that's  
23 bad, but it's one that's always in our mind.

24 So, if there's someone here who's  
25 knowledgeable and could tell us. For instance, is the

6  
GEIS

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 pool at San Onofre covered and how secure is it?  
2 Could something come in and cause it to be our  
3 explosion instead of the actual plant? And that's the  
4 extent of my question.

5 MR. BAILEY: Ma'am --

6 MS. LOVMARK: Is there anyone that can  
7 answer that?

8 MR. BAILEY: Ma'am, we're actually taking  
9 comments at this time. We'll be happy to have someone  
10 speak --

11 MS. LOVMARK: Oh.

12 MR. BAILEY: -- with you to address your  
13 question specifically, but --

14 MS. LOVMARK: Can I go back and make a  
15 comment?

16 MR. BAILEY: Yes, ma'am, you sure can.

17 MS. LOVMARK: My comment is that we live  
18 in San Clemente and we've been here since before that  
19 building was built and all. The plant. And we are  
20 concerned about the, and I have it written down, the  
21 spent fuel pool.

22 MR. BAILEY: Thank you.

23 MS. LOVMARK: Sorry I mis-worded it.

24 MR. BAILEY: Next we'll have Craig  
25 Beauchamp, 68th ADDM CREED.

6  
GEIS

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 MS. BEAUCHAMP: This mike is better. [My  
2 basic comment right now although I have -- there are  
3 many issues of concern, but one of the issues that I'm  
4 particularly focusing on right now is the fact that  
5 nowhere do I see a change or an increase in a  
6 discussion on public preparedness and evacuation.

7 Three years ago, Chris Shays' committee in  
8 Congress had a hearing whereby the NRC stated that  
9 their responsibility was the nuclear power plant.  
10 FEMA who was also present, their responsibility was  
11 the disaster relief and clean up.

12 Shays mandated that FEMA do evacuation  
13 feasibility studies specifically for Indian Point, I  
14 think it was Turkey Point in Florida or in New York I  
15 guess and then one in Florida and San Onofre.

16 Those of you, and I use to live in San  
17 Clemente, know that there is no evacuation from San  
18 Clemente. How in the -- you know, how on earth could  
19 they build a nuclear power plant in an area where  
20 there is no feasible evacuation in the event of any  
21 incident.

22 A number of us have been working trying to  
23 comment or contact our elected officials because we've  
24 discovered that unless you live in San Clemente or  
25 possibly San Juan Capistrano you do not know what to

7  
GEIS

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 do in the event of a nuclear incident. This is a  
2 fault in the licensing standards that there is not a  
3 component that extends the emergency planning  
4 preparedness beyond a ten-mile radius given the  
5 current population status.

6 A comment was made by River Keepers that  
7 was put forth to the NRC taking a look at Indian Point  
8 because it's ten miles from New York or 30 miles from  
9 New York City.

10 I don't know how many people were here  
11 when they had the fire in San Onofre, but the ash went  
12 to Mission Viejo, Laguna Woods, Laguna Hills, Laguna  
13 Beach and that's way beyond the ten-mile radius.

14 So, to set an artificial limit of the  
15 emergency protection zone to ten miles is a flaw in  
16 the system and I think that when they start the  
17 licensing and licensing renewal practice, they have to  
18 do a much more realistic evacuation planning. To not  
19 be able to have an evacuation plan is totally  
20 unacceptable and would be reason to halt the current  
21 retrofitting of the steam generator at San Onofre  
22 right now until some sort of public preparedness is  
23 created.

24 We've sent this memo to a number of our  
25 state legislators and I'm going to read it because I

7  
GEIS

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 don't see Carla Mays or Erin Moran here to read this  
2 document. It won't take long.

3 "We are calling for the project to be  
4 halted until there are safety fairs training, iodine  
5 pill distribution, mailers, PSAs in the media on the  
6 current Songs project and nuclear preparedness. There  
7 needs to be an increase in funding of the agencies  
8 specifically for this task and a mandate for immediate  
9 implementation."

10 I talked to Donna Buxton who is head of  
11 the Orange County Emergency Operations Center. She's  
12 very frustrated that they have no resources to do any  
13 public training, get out the information on a  
14 potential nuclear accident. I'm hoping to address  
15 this to the Orange County Board of Supervisors.

16 It is critical that we have an educated  
17 public in the event of an accident. Wholesale panic  
18 would be -- would create a disaster worse than  
19 Katrina.

20 It's important that this education and  
21 community preparedness be extended beyond just Orange  
22 County and San Diego County but also to Riverside  
23 County, San Bernardino County and Los Angeles.

24 We need increased security around San  
25 Onofre because to take up what Berty was saying, the

7  
GEIS

8  
GEIS

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealgross.com](http://www.nealgross.com)

1 nuclear power plant is more vulnerable and more  
2 exposed right now to potential terrorist activities  
3 and I know that we poo-poo this and we stick our head  
4 in the sands, but Homeland Security after 9/11  
5 designated the nuclear power plants as being prime  
6 targets. This facility is now open and exposed and  
7 more vulnerable than ever before. So, we -- you know,  
8 part of this whole re-licensing issue must take a look  
9 at the fact that nuclear power plants are potential  
10 targets for terrorists.

11 We would like to see more public  
12 participation and more public hearings before any  
13 extension of the licensing period especially for San  
14 Onofre given the fact that there is little or no  
15 community education, public preparedness and I'm not  
16 talking about the first responders. I'm talking about  
17 you, me and the rest of the citizens so that they know  
18 what to do.

19 Whether our schools are prepared. Do they  
20 have the iodine pills at the various schools? Do they  
21 have the transportation set up? Do the school buses  
22 know what -- you know, do the schools know what to do  
23 with the children in the event of an incident?

24 I think probably only in San Clemente and  
25 San Juan Capistrano, but what about Mission Viejo,

8  
GEIS

9  
GEIS

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 Laguna Hills, Laguna Niguel and beyond.

2 There should also be radiation detectors  
3 in public buildings at least within a 50-mile radius.  
4 We don't know. There needs to be some sort of  
5 detection that expands outside of just the nuclear  
6 power plant for public safety.

7 Thank you.

8 MR. BAILEY: Okay. Thank you very much.  
9 I would just like to state that at the conclusion of  
10 tonight's meeting, the NRC staff will be sticking  
11 around to address any questions which you may have.  
12 We would like to kind of keep the forum focused on  
13 you all providing comments.

14 At this time, we'll have Frank R. Scott.

15 MR. SCOTT: I'm a previous resident of San  
16 Clemente for six years and I actually lived pretty  
17 close to San Onofre for a long time.

18 Anyway, I have several comments. One,  
19 Attorney General Jerry Brown on the NRC. The NRC is  
20 continuing to piece by piece cut out public  
21 participation and expanding its state's agreement  
22 authority to prohibit state protective agencies and  
23 commissions from consideration of radiation related  
24 issues. NRC is approving the retention of the lethal  
25 wastes on-site where they are generated first for 30

9  
GEIS

10  
GEIS

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 years and now 60 years without even site specific  
2 safety proceedings. That's one.

10  
GEIS

3 Two, Helen Caldicott, J. W. Storm Van  
4 Leone and Philip Smith are three of the few scientists  
5 who have analyzed the balance between the amount of  
6 fossil fuel energy needed to produce the nuclear  
7 energy fuel cycle for one 10,000 megawatt nuclear  
8 reactor. It may be impossible for most laymen to  
9 consider a petro joule of energy, one million billion  
10 joules and the several hundred of petro joules of  
11 fossil fuels needed for the nuclear fuel cycle, but it  
12 is not impossible to accept the obvious concept that  
13 it takes more fossil fuel expenditures for one reactor  
14 than the reactor can produce in its lifetime.

11  
GEIS

15 Dr. Caldicott reports that it takes 162  
16 tons of natural uranium each year from the most  
17 productive ore in sandstone and shales for one nuclear  
18 plant. If the uranium is from granite ore, 40 million  
19 tons must be mined or 80 million tons after providing  
20 for chemical treatment of the ore. The extraction of  
21 uranium from this granite rock would consume over 30  
22 times the energy generated from the uranium.

23 Uranium is in short supply. If all  
24 electricity worldwide were to be generated from  
25 nuclear power, all the uranium would last nine years.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 In the case, uranium from high-grade ore would last  
2 three years.

3 In addition to the truth of negative  
4 energy from nuclear power after using fossil fuels to  
5 produce it, the monetary costs have not been honestly  
6 reported. What is the cost to the public of the 13  
7 billion in subsidies in the 2005 energy bill? What is  
8 the cost of the stranded investments paid by customers  
9 of nuclear energy when a plant lasts only 28 of the  
10 promised 40 years of life and then they pay again to  
11 rebuild such plants as San Onofre 1 and 2?

12 What does the price -- Anderson Insurance  
13 Companies, what do they protect from loss from the  
14 cost to taxpayers? How much do taxpayers pay for  
15 Homeland Security which has done little or nothing to  
16 secure the existing 103 nuclear plants? What are the  
17 medical costs for the hundreds of individuals who have  
18 contracted cancer, leukemia and injured DNA from the  
19 operation and accidents of nuclear plants especially  
20 Three Mile Island, Simi Valley and Idaho Lab S1?

21 One other point I know that one of the  
22 original targets of 9/11 was San Onofre.

23 So, I mean it's just like Craig was  
24 saying. It's vulnerable. It is potentially not  
25 protected. It's a very unsafe situation just from the

11  
GEIS

12  
GEIS

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 standpoint of national security.

2 I'm trying to think of the other one point  
3 and now I lost it. Anyway, just to summary -- oh,  
4 that is the other point.

5 If you're going to take a periphery of  
6 public evacuation, in other words, how much area  
7 should you consider, should the NRC consider for the  
8 public being evacuated, I would see Three Mile Island.  
9 In other words, how much land was involved? Was that  
10 a hundred mile periphery? Et cetera. Et cetera. And  
11 then the other one is Chernobyl. Those would be the  
12 two that I would definitely look at.

13 And it wouldn't -- like Craig said, it  
14 wouldn't just be ten miles. It would be a lot more  
15 than that. I mean Chernobyl is, as you know, a very  
16 notorious situation.

17 Anyway, thank you.

18 MR. BAILEY: At this time, we'll have  
19 Nancy Casady from Down-Winder.

20 MS. CASADY: Nancy Casady, Board Member of  
21 the Alliance for Nuclear Responsibility and for  
22 identification purposes, I'm the General Manager of a  
23 14,000 member organic food coop in San Diego.

24 I'm a Down-Winder because I live in Lahoya  
25 and we are requesting that when the standards are

  
13  
GEIS  
14  
GEIS

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 looked at all existing plants be subject to the same  
2 standards as all new plants. Because if new plants  
3 have to meet standards, it would make sense that those  
4 were the standards that were in place to protect  
5 public health. So, all existing plants should meet  
6 those standards.

7 I'd also recommend that public hearings be  
8 held on all waste transportation routes if, in fact,  
9 the waste is moved and that those hearings are held in  
10 each jurisdiction affected by such travel, that we  
11 have radiation release data available on the Internet  
12 in real time, that we require owners of nuclear power  
13 plants to set aside sufficient money to cover the cost  
14 of decommissioning, that we require public service  
15 announcements to made on radio and TV directing the  
16 public to evacuation and other significant nuclear  
17 incident safety information and finally, that we put  
18 a moratorium on relicensing until there is a permanent  
19 high-level waste disposal site.

20 MR. BAILEY: At this time, we'll have  
21 Derek Casady, citizen.

22 MR. CASADY: I yield my time.

23 MR. BAILEY: Okay. Thank you. Okay.

24 We'll now have **Byron Costa, self.**

25 MR. COSTA: Hi. This is kind of a new

14  
GEIS

15  
GEIS

1 meeting for me to be at. I'm a little mixed on what  
2 to believe, but there's lots of articles on the  
3 Internet for safety concerns. I was talking to a  
4 gentleman beforehand, Mr. Andrew, and there was an  
5 article written in The San Diego Times -- Tribune  
6 Times and it said that there was -- no, on the  
7 Internet, it mentioned that there were a lot of safety  
8 regulation violations and he explained to me or the  
9 inspector explained to me that there was levels --  
10 various levels of concern.

11           But, that still concerns me and I don't  
12 know really how it's going to be implemented, but  
13 throughout the United States apparently there's quite  
14 a few nuclear plants which I wasn't aware of.

15           I'm a environmentalist. I'm a naturalist.  
16 I believe that there should be more approaches to more  
17 environmentally friendly means to produce electricity.  
18 Of course, I'm not going to reinvent the wheel and I'm  
19 sure very few people care about how the direction of  
20 our production of electricity is going to be in the  
21 future.

22           A lot of people have an agenda here and  
23 I'm well aware of that and I'm not too naive, but  
24 basically there's a few concerns of mine and I already  
25 mentioned a few of them, but safety is the biggest one

16  
GEIS

17  
GEIS

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 and I went to a previous meeting and there were no  
2 evacuation plans in place. There were safety like  
3 plans. As people have commented, there were no like  
4 drills and I don't know if that's going to change.  
5 Hopefully, after this meeting, that would be great.  
6 But, since I live in Southern California, I'm  
7 concerned about this region although I'm concerned  
8 about other parts of the region.

9 I'm a little mixed on really what is the  
10 science. Is it more helpful to have a nuclear power  
11 plant to produce electricity versus a coal plant  
12 versus I like the hydro. I'm not sure how to say it.  
13 The one at -- I think it's Hoover Dam.

14 So, I think we have the means to produce  
15 electricity in different fashions. So, I would like  
16 to personally see if it's a great environmental  
17 concern to shut down the majority of them. But, we've  
18 already had too much chemicals in our atmosphere as is  
19 it.

20 So, I wondering what is truth versus  
21 false. The Government has been neglectful on numerous  
22 occasions and the EPA reported just recently on water  
23 pollution. There are a half a million cases that were  
24 reported to the EPA and they only find 3 percent.  
25 This is alarming.

17  
GEIS

18  
GEIS

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1                   So, in the same category, I love my  
2 country, but I fear my Government at times and the  
3 Katrina disaster was a level 5 and then treated it  
4 like a level 1 or 2. So, the only -- okay. The space  
5 shuttle disaster, the seals were -- they were faulty  
6 and I can't remember which administration it was, I  
7 was young, says lets go ahead with it. Okay. So, I  
8 guess human beings are just a good experiment for  
9 everyone.

10                  The oil spills, there was just a recent  
11 one. Another oil spill. I'm not sure if it was  
12 Tennessee or -- but, we have regulations, laws up the  
13 wahzoo and there's not enough people to go around to  
14 do micro-management and I don't care if it's a right  
15 or a left, but corporations run the world and we're  
16 the people and we have a right to have a concern and  
17 we have the control and the power to a degree to make  
18 our voices heard and I would like to see these  
19 regulations and standards brought way up and not walk  
20 on a tightrope.

21                  So, U.S. Government regulates, but the  
22 violators are more than there is personnel. So,  
23 history repeatedly has shown that the Government  
24 Agencies have been reckless, neglectful, irresponsible  
25 for protecting the U.S. citizens and if you want to

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 watch an eye-opening movie, there's probably movies  
2 beyond this one, but Erin Brockovich was one that  
3 talked about the environmental disasters of leaking  
4 into the water and the fields.

5 So, anyway, I hope we can have some great  
6 improvements and we'll just let time take care of  
7 itself.

8 MR. BAILEY: Okay. Thank you. I  
9 neglected to mention, for those of you who are reading  
10 from a script, if you would like to turn them into the  
11 transcriber, we will make sure that they are included  
12 so that they can be -- again, all your information can  
13 be thoroughly accurate and included in the transcript.

14 Next we'll have Stephen J. Johnson, W.D.  
15 Associates, Inc.

16 MR. JOHNSON: Thank you. I mainly had  
17 some comments and questions that are specific to this  
18 memo from Ace Hoffman of Calsbad. Is Mr. Hoffman here  
19 this evening? Greetings.

20 Subject is concerns regarding San Onofre's  
21 stream generator replacement project and this was  
22 handed out. I don't know if everyone's got a copy of  
23 it or not.

24 To the Nuclear Regulatory Commission.  
25 Dated October 22nd of 2009. The first paragraph reads

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1        "The most dangerous times for any nuclear power plant  
2        are initial start up or during restart and during a  
3        shutdown especially in an emergency shutdown."

4              The term dangerous is inappropriate. It  
5        should read instead potentially dangerous which would  
6        be more accurate and critical, the word critical would  
7        be more accurate still and that's why plant start up  
8        and shutdown evolutions are very, very carefully  
9        controlled as is required per Federal law.

10             The second paragraph starts out with the  
11       Three Mile Island Unit 2 and it goes on to says --  
12       talk about the accident there in 1979. It was only --  
13       the second sentence in the second paragraph reads "It  
14       was slightly different from, slightly more powerful  
15       than, Unit 1, which, today, was relicensed by the same  
16       careless Nuclear Regulatory Commission we seek redress  
17       from today as well" and it goes one.

18             I'd like to ask, Mr. Hoffman, on what  
19       basis do you categorize the NRC as careless and just  
20       for the record, I have no affiliation with the NRC.

21             Okay. The third paragraph on page 1 at  
22       the very end, there's a statement following the Davis-  
23       Besse discussion, the plant in Ohio that a few years  
24       back had a serious flaw in the reactor vessel. The  
25       statement reads "Except maybe the filter salesman."

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 That does not make any sense whatsoever.

2                  Fourth paragraph states out by saying  
3 "Many of San Onofre's sea encrusted, rusted,  
4 dilapidated parts will be 60 years old, too, if it  
5 makes it to retirement age."

6                  MR. BAILEY: I'm sorry, sir. If you would  
7 like to engage in a discussion with Mr. Hoffman, we  
8 would like you to make sure it's at the conclusion.  
9 That you can do it on your --

10                MR. JOHNSON: Yes.

11                MR. BAILEY: Okay.

12                MR. JOHNSON: I would be happy to. Thank  
13 you very much for your time, everybody.

14                MR. BAILEY: All right. Thank you.

15                PARTICIPANT: Perhaps Mr. Hoffman could  
16 come up there and answer questions.

17                MR. BAILEY: That would have to be done  
18 after this. This is the NRC forum. Thank you.

19                MR. JOHNSON: Sorry for the --

20                MR. BAILEY: No problem.

21                MR. JOHNSON: -- misunderstanding.

22                MR. BAILEY: Thank you, sir. I'm sure  
23 he'll be glad to address it afterwards.

24                Next we'll have Ms. Janelle -- I'm sorry.  
25 Janelle Worthington, self concern.

## NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 MS. WORTHINGTON: My issue has already  
2 been addressed.

3 MR. BAILEY: Thank you. Steve Netherby,  
4 CREED.

5 MR. NETHERBY: Good evening. A week ago,  
6 I had -- my name is not your name. It's my name.  
7 Steve Netherby from San Clemente, a 37-year resident.  
8 Thank you.

9 A week ago today, I had breakfast with a  
10 delightful young married couple. He's a talented  
11 professional surfer from Italy with a shiny new green  
12 card and she's a native San Clementian and licenses  
13 esthetician due to deliver their first child in a  
14 couple of weeks. They want to start their own  
15 business in San Clemente and raise their child here.

16 As a senior member of my community, I feel  
17 a compelling obligation to do all I can to preserve a  
18 healthy, safe and sustainable environment in which  
19 this young couple can build their future and raise  
20 their child.

21 I also feel a responsibility to promote a  
22 lasting legacy of a community in which this couple's  
23 child can thrive and one day raise his or her own  
24 healthy children.

25 I hate the thought of these three young

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 people one day terror stricken, imprisoned in their  
2 care on a gridlocked northbound freeway knowing their  
3 life has been changed forever because my generation,  
4 citizens as well as officials, wasn't vigilant in  
5 guaranteeing that they were as safe as possible from  
6 a disaster at our neighboring nuclear plant.

7               There there's the selfish fear. Though my  
8 wife and I have successfully raised our three  
9 daughters and are in our high 60s, we nonetheless feel  
10 we have a long healthy life ahead of us full of happy,  
11 well-earned rewards, but I admit a chill runs down my  
12 spine when I consider the very real possibility of  
13 awakening one night to disaster sirens, an eery glow  
14 over a nearby ridge and the realization reinforced by  
15 TV emergency bulletins that we face the probability of  
16 life shortened and studded with painful, but hopeless  
17 cancer therapies.

18               The NRC is made of people and your  
19 constituency is people. Does it pain you as it does  
20 me to consider these scenarios? In your heart of  
21 hearts, of course, it does.

22               Your moral and I believe legal imperative  
23 is not to protect your industry at the peril of those  
24 who live in the long shadow of SONGS that Beauchamp  
25 described. It is to all you can to protect ordinary

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 citizens, young and old, from humankind's most  
2 powerful and hazardous technology.

3 A good first step in fulfilling your moral  
4 and legal responsibilities is to require a rigorous  
5 on-site specific review of environmental health,  
6 economic and safety impacts of SONGS generating  
7 license extension application.

8 Thank you.

9 MR. BAILEY: Next we'll have Tim Nader,  
10 Former Mayor, Chula Vista, California.

11 MR. NADER: Thank you. My name is Tim  
12 Nader. I'm from Chula Vista, California. That's the  
13 city at the opposite end of San Diego County from San  
14 Onofre. I thought I was coming a long way to come up  
15 here until I remembered that that's only about 1/20th  
16 of the distance that Chernobyl spewed dangerous  
17 radioactive waste.

18 When I was mayor, fortunately, we only had  
19 a couple of public emergencies that we had to respond  
20 to as such. One was a break in the San Diego sewer  
21 main which our waste water flowed through and the  
22 other was some localized flooding that resulted from  
23 heavy rain that we kind of long for right now.

24 In the latter case, it was a challenge to  
25 get the bureaucracy of a California city to respond by

19  
GEIS

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 moving up the priority list a drainage channel that  
2 needed to be widened to provide relief to some seniors  
3 who were flooded out of their homes. I hate to think  
4 what would have happened if we had been called upon to  
5 evacuate a city because of an unexpected nuclear  
6 accident.

7 It doesn't particularly reassure me either  
8 to know that the Federal Government's zone of  
9 responsibility is only ten or 15 miles from the plant  
10 or to know that within that zone of responsibility,  
11 the Federal Government would take responsibility for  
12 evacuation or for emergency response.

13 And my first comment on the draft Generic  
14 Environmental Impact Statement is that the more  
15 realistic impacts of an accident no matter how  
16 unexpected that accident might be -- accidents by  
17 definition are unexpected. If you expected them, they  
18 wouldn't be accidents. Right? No matter how  
19 unexpected that accident might be, the impacts to be  
20 reviewed and considered need to include the impacts  
21 outside of your ten or 15-mile zone.

22 The ones that -- a more realistic reading  
23 of history shows us -- in the case of Chernobyl, I  
24 believe it was about 1200 miles away. I realize that  
25 Chernobyl was a somewhat different technology. It was

20  
GEIS

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 the Soviet Union which we hope had laxer and less  
2 accountable standards than America, but it does  
3 illustrate what can happen if something goes  
4 unexpectedly wrong with this technology and I don't  
5 think it's adequate or sufficiently reassuring to  
6 simply dismiss it by saying that we don't expect it to  
7 happen.

8           Secondly, I'm concerned and this has been  
9 alluded to by a couple of the other people commenting  
10 tonight and I won't lie and claim that on a series of  
11 lunch breaks at my day job I was able to thoroughly  
12 read and memorize the entire 600-plus page document,  
13 but in reading over that document, I didn't see any  
14 mention of terrorism or national security implications  
15 of this technology. It would seem to me that a  
16 Generic Environmental Impact Statement that is  
17 intended to apply to every relicensing of a nuclear  
18 plant in America should be considering at a threshold  
19 level the potential for terrorist targeting of these  
20 plants as well as the nuclear proliferation  
21 implications at a time when we are seeing rogue  
22 regimes around the world obtaining nuclear weapons and  
23 terrorist organizations including al-Qaeda so far we  
24 hope being caught again and again attempting to obtain  
25 nuclear material which is ultimately obtained through

20  
GEIS

21  
GEIS

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 the civilian commercial nuclear industry.

2 I think that the impact of proliferating  
3 this technology and participating in an international  
4 regime which makes this material more readily  
5 available with each plant that we license or relicense  
6 to these groups that are a threat to our national  
7 security that possibility -- and the environmental  
8 implications of that possibility because such a  
9 terrorist attack will clearly have severe  
10 environmental repercussions wherever it occurs and in  
11 a wide region around wherever it occurs, that  
12 potential really does need to be addressed in the  
13 environmental impact statement.

14 Finally, the cumulative impacts. I  
15 learned tonight that cumulative impacts are being  
16 classified as a category 2 impact. In other words,  
17 that the cumulative impacts will be looked at on a  
18 case-by-case basis in each relicensing. In some  
19 degree, that's reassuring, but I think it needs to at  
20 least be acknowledged that there's a difference  
21 between the impact of relicensing one nuclear power  
22 plant and the cumulative impact of hundreds of nuclear  
23 power plants.

24 We have certain individuals in Congress  
25 right now who are proposing that we build what I at

21  
GEIS

22  
GEIS

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 least think of as a hundred new targets of opportunity  
2 for terrorists throughout our country as an energy  
3 plan. Any one of those doesn't present the same  
4 potential as the cumulative impact of all of them and  
5 so, I think it needs to be clearly stated that  
6 cumulative impacts will be considered in each  
7 relicensing process.

8 I thank you for your time and for  
9 considering my comments. I hope that they will be  
10 seriously considered. I do appreciate that the NRC is  
11 having the meeting here in our region tonight to take  
12 public comments. I appreciate that the member of  
13 Congress who represents the district in which San  
14 Onofre is situated is here through a representative.  
15 I hope that the comments that are being taken at this  
16 meeting and others like it will result in a stronger  
17 energy future for our country.

18 Thank you very much.

19 MR. BAILEY: Thank you. Okay. Next we'll  
20 have Ms. Sharon Hoffman.

21 MS. HOFFMAN: My name is Sharon Hoffman.  
22 I represent the citizens of the United States.

23 The citizens of the United States do not  
24 want nuclear power. It's expensive. It's dangerous.  
25 It's not ensured. It's not cost effective. It was a

22  
GEIS

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 bad solution from day one. It feeds the nuclear  
2 weapons industry. We don't need it. We don't want it  
3 and that should be the end of the discussion.

4 But, it's not the end of the discussion  
5 unfortunately. We've been at many of these meetings.  
6 We've had these discussions.

7 So, let me share some things that have  
8 happened in these meetings. About five years ago,  
9 there was a NRC hearing and there was a representative  
10 from FEMA at that hearing. There's been a lot of talk  
11 about evacuation tonight. So, I asked the gentleman  
12 from FEMA to please explain to me how he would  
13 evacuate at 5:00 on a Friday before a holiday and his  
14 answer was that's not a fair question. I think that's  
15 a really fair question because accidents as the  
16 eloquent gentleman before me just pointed out are  
17 accidents. We do not know when they will happen and  
18 the idea that we could evacuate the area around San  
19 Onofre is ludicrous. Could never be done.

20 It couldn't be done on a Wednesday morning  
21 at 10:00. Because as soon as anybody got wind of the  
22 problem, the roads would be a parking lot and not just  
23 in the immediate area of San Onofre. All the way to  
24 San Diego. All the way to Los Angeles. All the way  
25 to Las Vegas.

23  
GEIS

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1                   So, evacuation is just one part of the  
2 problem.

3                   Another part of the problem is that no  
4 matter how many people say we not relicensing San  
5 Onofre, we are -- we are -- they are rebuilding it  
6 from the inside out and corporations do not invest  
7 money to do that unless they have every intention of  
8 continuing to operate and if they were actually  
9 rebuilding everything from the inside out, that would  
10 be terrible, but it would be better than what they're  
11 doing. Because what they are doing is rebuilding what  
12 they can see is broken. What about all the parts they  
13 cannot see?

14                  So, this forum is called a public comment  
15 forum. My forum and my comment is shut it down now  
16 before an accident happens, before we destroy all of  
17 Southern California and who knows what else beyond.

18                  Thank you.

19                  MR. BAILEY: Next we'll have Ace Hoffman.

20                  MR. HOFFMAN: Thank you. My name is Ace  
21 Hoffman and I wanted to just make a brief comment for  
22 the guy that was commenting on my document. Oh, what  
23 did I do with my document now? Well, anyway, here --  
24 here we go. Yes.

25                  The careless Nuclear Regulatory

23  
GEIS

24  
GEIS

25  
GEIS

1 Commission. Well, in the next paragraph, two  
2 incidents are mentioned which I think indicate a  
3 careless Nuclear Regulatory Commission. The emergency  
4 core cooling system at Monticello was unavailable for  
5 30 years. Thirty years because the shipping bolts had  
6 not been removed when they installed it. So, who  
7 knows whether it would have worked and who knows who  
8 should have figured that one out, but my guess is the  
9 Nuclear Regulatory Commission should have.

10 And then the other one is the Davis-Besse  
11 reactor. The comment about except maybe the filter  
12 salesman which makes no sense unless you know what  
13 actually happened there and what actually happened is  
14 the reactor pressure vessel had got a hole about as  
15 big as a football and over they estimate I think it  
16 was about three months it took for that hole to  
17 develop what happened? Well, the filters kept getting  
18 clogged and they kept replacing them, but nobody  
19 figured out why except maybe the filter salesman.

20 Taking a quick look at this book, I'm sure  
21 we've all read it since it came out a few hours ago.  
22 When we go over to the renewable energy section and I  
23 don't know where these guys get off acting like  
24 experts. That's what really bothers me in that  
25 section.

25  
GEIS

26  
GEIS

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1           Let's see. Large dams diminished due to  
2 increased public concerns over flooding, habitat  
3 alteration and loss. Okay. Well, there's public  
4 concerns about nuclear power, too, but that hasn't had  
5 any affect. It says large dam -- hydroelectric  
6 facilities can provide 10,000 megawatts. That's ten  
7 nuclear reactors worth of energy, but you might have  
8 to divert because fish and so, therefore, let's go  
9 with the reactors.

10           Okay. Geothermal. Geothermal can provide  
11 23,000 megawatts according to current technology.  
12 However, it's located far away and we'd have to build  
13 transmission lines and we're building transmission  
14 lines to get to Palo Verde just so that San Onofre has  
15 a backup nuclear reactor. I think we can build  
16 transmission lines if we need to.

17           Let's talk about wind turbines. They have  
18 visual resource degradation. They're ugly. San Onofre  
19 isn't, but they are. Okay. Yes, it's bird  
20 collisions, shipping lane interference, noise. You  
21 know, it's too bad nuclear reactor radiation doesn't  
22 make a little sound when it decays. It does on a  
23 Geiger counter, but too bad it's doesn't actually make  
24 that sound because then we'd be hearing it constantly  
25 and maybe we'd start to fear it.

26  
GEIS

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 Let's see. Photovoltaic systems aren't  
2 going to work because they've only been used in small  
3 appliances in homes and remote locations. Not a  
4 chance. Okay.

5 It says here that according to California  
6 there's no significant health affects from solar.  
7 Although you've managed to list the hazardous  
8 chemicals including arsine, phosphine, saline. I  
9 can't pronounce all of these. Sulfur hexafluoride.  
10 Moliptinam hexafluoride. Tungsten hexafluoride and  
11 you know what? I bet you can't find all the chemicals  
12 that are used to make nuclear fuel listed in here, but  
13 all the ones used to make solar and how bad they are,  
14 that's listed.

15 Okay. And ocean wave technology is in its  
16 infancy. So, therefore, it can't work. Well, they  
17 said that once about nuclear power and it wasn't all  
18 that long ago and guess what? It still doesn't work.  
19 So, that's not a reason not to give it a chance.  
20 Okay.

21 Well, that's all I wanted to say. Don't  
22 forget to pick up a copy of my book especially all you  
23 reporters.

24 Thank you very much.

25 MR. BAILEY: Next we'll have Gary

26  
GEIS

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 Headrick, San Clemente Green.

2 MR. HEADRICK: Hi. My name is Gary  
3 Headrick with San Clemente Green and I appreciate the  
4 opportunity to speak here tonight. I appreciate the  
5 NRC having a public forum like this.

6 And the main reason I'm here tonight is to  
7 address the streamlining process of the environmental  
8 impact report and the impression I have is that it  
9 might result in fewer opportunities like this for the  
10 public to participate and I think that's a huge part  
11 of the process that we need to encourage and even if  
12 I may not be accurate about that assumption, I would  
13 still -- my comment is to promote even greater  
14 participation with the public, get more feedback from  
15 alternatives and other opinions and do far more public  
16 outreach so a larger number than tonight by hundreds  
17 could enjoy the process, participate in it and become  
18 better educated on a very important topic.

19 Because I think this environmental process  
20 should include consideration of the alternatives, fair  
21 and honest open debate about how we're going to really  
22 address global concerns that are a result of climate  
23 change in the short time we have to figure this all  
24 out. We have to have very honest realistic solutions  
25 and I'm not saying whether we're pro or against

27  
GEIS

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

 27  
GEIS

1 anything. I think all options should be on the table  
2 and we have some serious issues to deal with and I  
3 just am here tonight especially to encourage the  
4 public input and consider all these things that we  
5 heard tonight. Very important topics and ideas and  
6 suggestions, concerns.

7 We just need more people participating in  
8 that. So, that's what I'm here to encourage.

9 Thank you.

10 MR. BAILEY: Next Sandy Exelby, San  
11 Clemente resident. Sandy Exelby.

12 MS. EXELBY: My name is Sandy Exelby and  
13 I've been a resident of San Clemente for 34 years.  
14 I'm also a member of the League of Women Voters and I  
15 didn't put that on my card, but I will.

16 From so much of what I've heard tonight  
17 and comments, our position -- our state position on  
18 energy is so relevant and it's very short. I'd like  
19 to read it.

20 "The League supports development of a  
21 state energy policy that will ensure reliability of  
22 energy resources and protection of the environment and  
23 public health and safety at reasonable customer rates  
24 giving primary consideration to conservation and  
25 energy efficiency. State government should provide an

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 efficient coordinated energy administrative structure  
2 with open, transparent procedures."

3 And we studied -- the League studied  
4 energy two or three years ago and we found it  
5 extremely complex and that's kind of how I would like  
6 to begin my comments.

7 I think it's pretty hard for most  
8 residents to understand energy and all the  
9 complexities of it.

10 I have a letter that the Mayor of San  
11 Clemente wrote to CPUC Commissioner and it talks about  
12 being grateful for having workshops in San Clemente,  
13 but how little they felt informed at the end. That  
14 they didn't feel that they really had a good  
15 understanding of what they needed to know and I feel  
16 that transparency is part of the problem.

17 I don't understand the budget process.  
18 I'm not sure how many of you understand the budget  
19 process, but I would like to know how these things are  
20 factored in. One other gentleman tonight mentioned  
21 those. I don't understand the cost of delivery for  
22 our electricity. I don't know what is factored in.  
23 I don't know if the storage of waste is. If the  
24 security and the -- I did go to one of the NRC  
25 meetings where they had teams from different agencies

28  
GEIS

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 coming up and reporting on their activities and their  
2 plans. I don't know if that's factored in.

3 I would like to know how much the CEOs of  
4 Edison make. I just -- I would like to know the  
5 mitigating costs of the reef. I believe it was,  
6 somebody can probably correct me, 500 million or  
7 something to build the reef off of our coastline here  
8 very close to us and I don't know whether that's  
9 factored in and I don't know whether the problem that  
10 caused it has been fixed. That is a concern I'm sure.

11 These are things that I bring up as  
12 comments because they're things that I'm not sure of  
13 and I think most of us would like to know a little bit  
14 more about that.

15 I also am concerned about the storage of  
16 waste. We hear about the seismic activity that the  
17 generating plant can withstand, but how about the  
18 storage areas? Are they vulnerable? I mean how much  
19 can they take? I know in the last year we had a  
20 couple of minor 4.0s off of our coast between here and  
21 San Clemente Island, but I'd like to know more about  
22 that.

23 I wonder how often the water is tested and  
24 how many other nuclear plants are on sites so close to  
25 swimming. Maybe somebody -- after the meeting, maybe

28  
GEIS

29  
GEIS

30  
GEIS

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 somebody can tell me that it's common to put nuclear  
2 plants close to where people swim.

3                   Naturally, I'm concerned about the  
4 evacuation. The fact that the only way you can go  
5 south out of here is down one road is frightening  
6 because of our -- because of Camp Pendleton and the  
7 only way I know of to get out of here going the other  
8 direction is Pacific Coast Highway or the same freeway  
9 and I know what it's like. I commuted to Irvine for  
10 many years when I taught there and I can tell you that  
11 one accident of moderate severity and maybe no  
12 injuries can tie up that freeway for hours and I have  
13 made the mistake more than once of getting off  
14 thinking I could do better. I probably don't need to  
15 tell you what happens because you probably have the  
16 same problem.

17                   Thank you. I think that pretty well  
18 covers it. I thank other people, too, for commenting.  
19 I always learn more than I can share. So, I  
20 appreciate this opportunity.

21                   MR. BAILEY: Jerry Collamer, a San  
22 Clemente resident.

23                   MR. COLLAMER: Thank you. Whoops. I  
24 think I just pulled the plug. No, we're good.

25                   Hi. Jerry Collamer, San Clemente

30  
GEIS

31  
GEIS

1 resident. Surfer. Been surfing down there in that  
2 vicinity since about 1954 and permanently moved to San  
3 Clemente, my wife and I did, 11 years ago because of  
4 surfing I guess.

5 And certainly SONGS wasn't new to me. I  
6 know it was there. I used to surf out in front of it  
7 actually. I would say my consciousness was pretty low  
8 at that point.

9 And I have been coming to every Nuclear  
10 Regulatory/Edison thing that they've had in San  
11 Clemente for, I think, four or five years. I attended  
12 as a resident.

13 I used to get As in literature and I used  
14 to get Fs in math and every time I go to one of these,  
15 not this one particularly, but when I -- when, for  
16 instance, a few months back, six months ago or so, I  
17 think they had something here at the -- in this same  
18 room and it was SONGS. It was kind of a pep rally for  
19 SONGS. I guess there's been a regime change and  
20 they're trying to get that place back in order and I  
21 guess they've -- hopefully, they've achieved that. It  
22 was full of all the scientists that work there and I  
23 know that all the people that are involved in nuclear  
24 power are very bright. They're all the guys that got  
25 math when I was having trouble getting math and every

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 time I go to one of these events and I talk to  
2 experts, like the gentleman back there who was  
3 criticizing Mr. Hoffman's report, was they all get it  
4 and I don't get it.

5 And the more of these meetings that I've  
6 gone to and listened to the experts talk and now, I  
7 become very conscious about nuclear power and I read  
8 about it everywhere in the world and all the plants  
9 and America is -- the thing that I know is that it's  
10 absolutely deadly and I don't think there's any  
11 protecting that plant down there. I mean I can walk  
12 right up to the wall everyday and I just don't see  
13 even the Marines. I know in France they're going  
14 crazy. They're putting anti-aircraft guns and stuff  
15 around their plants because the whole country is  
16 powered by nukes and they're pretty frightened about  
17 the whole tourist activity.

18 But, I'm really more frightened about the  
19 safety factor because I don't think there's a way to  
20 make it safe and nobody's proven to me that there is  
21 a way to make it safe. I think we live under the law  
22 of accident and let's say we have an 8.5 shaker. At  
23 that plant, I think, according to what I heard last  
24 time, that plant really isn't equipped to even test  
25 the seismic responsibility to that place because of

32  
GEIS

33  
GEIS

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 the nature of the way it's constructed. I heard that  
2 from an engineer.

3                   About it must have been four or five years  
4 ago in San Clemente under the old regime at SONGS,  
5 they came into our community center and gave us a long  
6 and very detailed interaction with the public. They  
7 had all the experts there and all the people there to  
8 talk to all of us and basically to calm our fears. I  
9 mean I would get the feeling that's what this is  
10 about. Calm our fears.

11                  The problem is I don't think I'm paranoid,  
12 but every time I leave one of these, I'm more  
13 frightened than the time before. But, again, it's  
14 probably because I don't get math.

15                  But, I asked -- at that point, I asked the  
16 PR director. We were outside talking and I said well,  
17 you know, the plant's old. I mean I know about  
18 automobiles and stuff and technology and living by the  
19 beach, everything for us and, you know, it's tough to  
20 control the longevity of things especially melted  
21 parts and all that stuff and then when there's 18  
22 billion gallons of water or whatever it is that go in  
23 and out of that place 24 hours a day. I said if  
24 you're going to build it new, first of all, would you  
25 build it there and would you use the same technology?

33  
GEIS

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 Because I don't know about nuclear plant technology  
2 because I don't get math.

3 And he said no, we wouldn't do that. It  
4 wouldn't look anything like that plant and then  
5 somebody interrupted the conversation and I didn't  
6 really get it fully answered, but I thought well,  
7 that's terrific.

8 So, we really do have this ancient relic  
9 down there that we keep Band-Aiding together hoping  
10 that we don't have one of these accidents.

11 Now, about public safety and the citizens  
12 of San Clemente knowing about this, that has been  
13 explained in detail, but the public's never there.  
14 I'm usually -- me and about four other citizens are  
15 the only ones in the room and everybody else is  
16 explaining. All of the first respondings and I'm  
17 telling you they really have thought about this, but  
18 the public I don't think knows it and according to  
19 what I've heard tonight, I would -- and that meeting  
20 I went to, that was two years ago when I heard that  
21 one. When they did get up and explain all that.

22 So, I was sitting in the chair here and  
23 the train went by over here and my chair was rumbling  
24 and I think that plant is closer to the railroad  
25 tracks than the train that's running by here and then

34  
GEIS

35  
GEIS

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 I keep remembering that they don't have really a way  
2 of testing the seismic responsibility of this mega-  
3 boiler sitting on sand.

4 So, the point -- I agree with Ms. Hoffman.  
5 That I think what the plant should do is not exist.

6 Now, I know that even if it was in some  
7 miracle of miracles that nobody got hurt and the plant  
8 did shut down permanently, I know that we're going to  
9 be left with that fenced off piece of ground for  
10 probably the next eternity because the ground's too  
11 hot. They'll never build anything there.

12 But, it would make me feel better driving  
13 by to know that those -- that all that dangerous stuff  
14 sitting there isn't there and especially when little  
15 solar panels on roofs that don't kill anybody could  
16 solve the whole problem for power that's going to  
17 Riverside.

18 Thank you very much and I want to thank  
19 the NRC was doing this and making us maybe more  
20 frightened. But, anyway, thank you.

21 MR. BAILEY: Next we'll have David  
22 Weisman, Alliance for Nuclear Responsibility.

23 MR. WEISMAN: Excuse me. Who follows me?

24 MR. BAILEY: Rochelle Becker.

25 MS. BECKER: I'm like -- can I go first?

35  
GEIS

## NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 MR. BAILEY: Okay. No problem.

2 MS. BECKER: My **Rochelle Becker** and I'm  
3 the **Executive Director of the Alliance for Nuclear**  
4 **Responsibility.**

5 According to the California Energy  
6 Commission, Southern California Edison plans to file  
7 for a SONGS license renewal application in late 2012.  
8 PG&E expected to file one in 2010. Today, as I was  
9 waiting for my car battery to be recharged because I  
10 had a dead battery, I got an e-mail saying that PG&E  
11 has filed with the PUC to be reimbursed to start its  
12 license renewal application process.

13 On page S2 of the GEIS, it states "The  
14 purpose and need for the NRC's proposed action is to  
15 provide an option to continue plant operations beyond  
16 the current licensing term to meet future system  
17 generating needs."

18 These needs and ultimately the decision to  
19 operate a nuclear plant under a renewed operating  
20 license are to be determined by state utility system  
21 and where authorized Federal other than the NRC  
22 decision makers. The NRC has no role in energy  
23 planning decisions. State regulatory agencies, system  
24 operators, powerplant owners and in some cases other  
25 Federal agencies ultimately decide whether the plant

36  
GEIS

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 should continue to operate.

2 Yet, the GEIS process will not be  
3 completed and adopted before PG&E and perhaps SCE's  
4 anticipated filing date for license renewal  
5 applications. Therefore, how is the public assured  
6 that the GEIS revisions much less the public's  
7 comments will be thoroughly considered before the NRC  
8 considers a license renewal application for Diablo  
9 Canyon or San Onofre?

10 This question is especially relevant as  
11 the NRC has already licensed over 50 reactors without  
12 the benefit of the input from the public on GEIS  
13 revisions.

14 It is, therefore, vital that the PUC, the  
15 Energy Commission and the state legislature agree and  
16 require, not recommend, that all cost benefit and risk  
17 studies resulting from the state's analysis be  
18 completed, adopted and implemented and the GEIS  
19 process be completed and approved before any repair  
20 funding for the license renewal for California's  
21 reactors be allowed.

22 In June 2009, the California Public  
23 Utilities Commission sent letters to both utilities  
24 emphasizing the need to address issues raised in the  
25 AB 1632 Report. That report was sponsored a

36  
GEIS

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 Republican Assemblyman from San Luis Obispo who also  
2 has a Ph.D. in seismology.

3                   The 1632 report is part of their license  
4 renewal feasibility study assessment such as seismic  
5 and tsunami hazards, local and economic impacts of  
6 shutting down the plants, waste storage and disposal.  
7 However, based on information submitted by the  
8 utilities in response to the Energy Commission's data  
9 request as part of their annual energy report, it  
10 appears that the utilities are not on schedule to  
11 complete these activities and studies in time for  
12 consideration by the PUC and they may not intend to  
13 make any of their studies available to the public.

14                   The Alliance for Nuclear Responsibility  
15 would like to see a written agreement between Federal  
16 and state agencies and the legislature that all  
17 studies to determine if continued operation of  
18 California's aging reactors especially in light of  
19 recent seismic and erosion reports be completed,  
20 adopted and implemented before any consideration of  
21 extending licenses for San Onofre or Diablo Canyon.

22                   Absent this written agreement, the  
23 public's participation in the process will be viewed  
24 as a mockery of the democratic process.

25                   Thank you.

37  
GEIS

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 MR. WEISMAN: Good evening. My name is  
2 David Weisman. I am the Outreach Coordinator of the  
3 Alliance for Nuclear Responsibility.

4 It's ringing in my ears. Okay. All  
5 right.

6 The Alliance for Nuclear Responsibility  
7 and I'd like to take a second to backtrack from Ms.  
8 Becker's rather detail report and look at the concept  
9 of what she discussed in terms of the Generic  
10 Environmental Impact Statement to give you a broader  
11 idea.

12 Think very carefully about the paragraph  
13 she mentioned from Section S2 imbedded in their  
14 document. What rights are reserved to the state and  
15 what to the Nuclear Regulatory Commission?

16 Now, the fact is we can have many comments  
17 about issues that we find deficient with the revised  
18 GEIS. They could range from, as was brought up in San  
19 Luis Obispo yesterday as well, inadequacy of thorough  
20 evaluation of alternative forms of energy which is  
21 glossed over very haphazardly. This has been noted.

22 It can be noted, for example, that under  
23 the one seemingly innoxious category of soils and  
24 geology, seismic is also in soils and geology. How  
25 would one relegate seismic issues to a generic

38  
GEIS

39  
GEIS

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

category when you have plants sitting on as diverse seismic backgrounds as Indian Point's fault on the Hudson River or the New Madrid fault that runs through the lower midwest to the southeast. Not to mention, of course, our differing faults here on the Pacific Coast.

So, the idea that in one -- in fact, you notice this and Rochelle and I have been through most of the 600-page document enough to give you a word count. The seismic paragraph consists of 152 words out of the 600 pages.

And given that we now know at the Diablo Canyon and PG&E has announced that there is a new earthquake fault, it would seem that evolving science, and one who lives in California one always hears that seismology is constantly an evolving science, would require the inability to consider this a generic impact.

So, what I bring up is this. While there may be many questions and many considerations for failure or flaws in the Generic Environmental Impact Statement, the fact is the residents of California can make it a moot point. You needn't concern yourself in a sense beyond a certain point and here's why. As Ms. Becker alluded, in the current process, the Nuclear

39  
GEIS

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 Regulatory Commission has not denied a single  
2 application for relicensing nor has any state that has  
3 brought particular contentions whether it was state of  
4 New Jersey's Department of Environmental Protection at  
5 Oyster Creek or those in New England or now the state  
6 of New York has filed. None of them have ever been --  
7 have prevailed. No state has ever prevailed in an  
8 attempt to stop a license renewal at great cost to  
9 taxpayers whose money funds the attorney generals and  
10 those who must pursue these things.

11 And it is with this cost, remember what is  
12 not precluded to the state, that we have costs and  
13 reliability. This brings up Assembly Bill 1632 which  
14 may be new to you. How many of you have familiarity  
15 with Assembly Bill 1632? Anyone? A couple of people.

16 The bill in question requires our state to  
17 decide is it cost effective and will it provide  
18 reliable power for the future.

19 To the lady from the League of Women  
20 Voters who asked what costs are factored in, to the  
21 League of Women Voters I suggest join us at the  
22 California Energy Commission where we've exactly asked  
23 for the numbers to be placed on the future cost of  
24 nuclear power so our state regulators can determine  
25 this.

39  
GEIS

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1           We wouldn't need to worry about the  
2 inadequacies of a Generic Environmental Impact  
3 Statement if our state's Public Utilities Commission  
4 and Energy Commission decides we don't see a value in  
5 extending the lie for 20 more years.

6           So, in other words, there is a way you can  
7 participate at a state level traveling only to  
8 Sacramento and not to Washington, D.C. if you join and  
9 help the Alliance for Nuclear Responsibility bring  
10 these issues to our Energy Commission and our Public  
11 Utilities Commission and we do that also through our  
12 legislature by getting a bid passed that mandates  
13 dollars and cents. What does this cost and we await  
14 that answer and December 2nd come to Sacramento. Come  
15 to the hearing room of the Energy Commission where  
16 they will reveal the latest draft of this report.

17           So, in short, what we're talking about  
18 here is that we have a way to in California prevent  
19 relicensing before it even gets the ball rolling.  
20 This documents flaws and failures would be a moot  
21 point for those if we make a case that on terms of  
22 economics alone, California has no interest in moving  
23 forward for 20 more years of nuclear power. We do  
24 this by working with the legislature and we believe we  
25 have a good chance at this because our Energy

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 Commission has looked at the answers of the utilities.

2 Just one quick example, cost. We ask what  
3 does it cost? We've heard that the League. They were  
4 asked the question by the Energy Commission. Predict  
5 for us please the future of the uranium fuel cycle in  
6 terms of cost and availability and PG&E provided a  
7 five-page detailed footnoted researched answer of  
8 various factors which concluded they predict a global  
9 problem in uranium supply and cost by the year 2015.

10 Edison's answer was much simpler. It was  
11 less than -- well, it was only one sentence. We see  
12 no foreseeable problem in the future.

13 Okay. Now, you have the two major default  
14 utilities in the state providing completely  
15 diametrically opposed answers to the State's Energy  
16 Commission. The State Energy Commission has now the  
17 cold fact before them and said explain.

18 You can be a part of that process here in  
19 the state and so, I suggest that while one can look at  
20 the environmental impact statement under analysis this  
21 evening and find many flaws and deficiencies, you have  
22 a chance to supersede it, get a jump on it and move  
23 ahead before it's too late.

24 I encourage people to visit the website of  
25 the Alliance for Nuclear Responsibility at a4nr.org

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

40  
GEIS

1 and look to work on a state level.

2 Again, the NRC in that very opening  
3 paragraph has given us the right to do so and we  
4 should not take that right lightly.

5 Thank you.

6 PARTICIPANT: What was that website again?

7 MR. WEISMAN: a4nr.org.

8 PARTICIPANT: Thank you.

9 MR. BAILEY: Okay. Next we'll have Ruth  
10 Hult Richter.

11 MS. HULT RICHTER: Hult Richter.

12 MR. BAILEY: Hult Richter. Chairman,  
13 PHOC. Ma'am, unfortunately, for this forum, we won't  
14 allow you to have the sign. You can put it to the  
15 side if you want.

16 MS. HULT RICHTER: Okay.

17 MR. BAILEY: Such as he has this table  
18 over there, but not up front.

19 MS. HULT RICHTER: Okay. Article talking  
20 about San Onofre --

21 MR. BAILEY: Ma'am, unfortunately, we  
22 can't have you display it right there, ma'am.

23 MS. HULT RICHTER: Okay. Well, I'll put  
24 against the wall then.

25 MR. BAILEY: Yes.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 MS. HULT RICHTER: Okay. I'm Ruth Hult  
2 Richter. I'm the Chairman of the Patrick Henry  
3 Democratic Club of America. A club that has members  
4 from California to New York. The Patrick Henry  
5 Democratic Club is also part of a coalition for  
6 nuclear safety.

7 Several things have come to my attention.  
8 One is a list of concerns of a number of professionals  
9 regarding what's going on in San Onofre. Most of this  
10 has been documented in various articles you can find  
11 in your newspapers.

12 One, officials at San Onofre were caught  
13 falsifying five years of hourly safety logs,  
14 fabricating five years of safety patrols that never  
15 took place. Real -- right?

16 Two, Edison has a history of putting  
17 unqualified workers into positions where public safety  
18 could be endangered.

19 Three, San Onofre has been repeatedly  
20 caught leaking radioactivity into the water and air.

21 Four, San Onofre came close to a Chernobyl  
22 level meltdown when the safety systems were off-line  
23 during the wildfire that almost hit the plant in 2007.

24 Six, there is an epidemic of -- oh,  
25 excuse. Five, certain types of cancer such as breast

41  
GEIS

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 cancer and leukemia are at a national high in Orange  
2 County. Think of it, Orange County gets to be number  
3 one in something. Cancer. Think about it and there  
4 are especially cancer pockets as you get closer to the  
5 plant.

6                   The other night, I was talking to a young  
7 woman from Dana Point who had breast cancer.  
8 Genetically, she said it was impossible. Her doctor  
9 was absolutely shocked. She knew of a number of other  
10 people who had -- because it wasn't in their genes or  
11 in her lineage. She knew of a number of other people  
12 who had impossible cancers.

13                  You know, it's amazing these cancer  
14 pockets that pop up and nobody from the NRC seems to  
15 have noticed this.

16                  Six, there is an epidemic of cancer among  
17 small animals. What's really interesting about these  
18 cancers among the small animals is that a lot of them  
19 don't fit the traditional modes. Our little seven  
20 pound Eskie died at six years of age, it should have  
21 lived to 20, of a cancer similar to bone cancer, but  
22 not quite that the doctors couldn't even identify it  
23 was so bizarre and we've heard of other small animals  
24 receiving similar types of cancer here in Orange  
25 County.

41  
GEIS

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealgross.com](http://www.nealgross.com)

1                   Seven, radiative kittens were found near  
2 San Onofre.

3                   Eight, San Onofre is expensive to operate  
4 and run. The PUC has agreed to pass off costs of  
5 renovation to the public.

6                   Nine, Edison officials have repeatedly  
7 denied past radiation leaks despite documented  
8 findings of those leaks.

9                   Ten, on October 14th, 2009, citizen  
10 watchdogs observed readings of 180 times the normal  
11 level of radiation in Mission Viejo approximately 18  
12 miles from San Onofre on a gamma-fed radiation  
13 detector. Neither San Onofre officials nor any public  
14 agency notified the public nor warned the public with  
15 -- or supplied them with potassium iodine pills.  
16 Schools were not warned. Santa Ana levels 29 miles  
17 away were elevated seven to ten times normal level.

18                   Now, you know, if somebody tells me  
19 something about a radiation detector, I'd want to see  
20 it. Right? Wouldn't you?

21                   Well, you know, this -- on Saturday, last  
22 Saturday, a radiation detector was connected up in  
23 Santa Ana and the gamma-fed -- the normal level for  
24 the gamma-fed is one flash per every 60 seconds.  
25 That's normal. This is seconds not minutes. I mean

41  
GEIS

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 so, instead of getting one flash for every 60 seconds,  
2 you have multiple flashes per second.

3 The average seems to be what I would say  
4 would be about 120 times the normal level and in this  
5 section, you can see it's about 360 times the normal  
6 level of radiation.

7 We are not informed when we have major  
8 increases. Nobody cares and when we were at the  
9 disaster preparedness meeting in Orange County we  
10 found that they're waiting for somebody in San Onofre  
11 to pick up a little yellow phone. These guys who  
12 faked five years of safety reports.

13 Eleven, Orange, Los Angeles, San Diego  
14 County residents are not notified when radioactive  
15 waste travels through their community. For example,  
16 recently a truck took radioactive waste from San  
17 Onofre to the Port of Long Beach where it was turned  
18 away because it was radioactive. It set off the  
19 radiation detectors there. Okay. Then it drove back  
20 to San Onofre. The only reason it made news is that  
21 it was turned away.

22 Twelve, which matters more? Edison's  
23 profits or your kids' lives.

24 Thank you.

25 MR. BAILEY: Ms. Marion Pack.

41  
GEIS

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 MS. PACK: My name is Marion Pack and I'm  
2 a resident of Laguna Beach and I have been involved in  
3 and concerned about production of electricity with  
4 nuclear fuels for over 30 years.

5 It first began for me back in Ohio when  
6 there was a plant called Perry Nuclear Power Plant  
7 under construction about seven miles from my home.  
8 They had sent, they being the utility company, had  
9 sent home information with my daughters that were then  
10 in first and in third grade on how to protect yourself  
11 from radiation and how to build a bomb shelter. These  
12 materials had been printed in the 1950s in the duck  
13 and cover era and I thought hum. My utility company  
14 is building a power plant and I'm suppose to build a  
15 bomb shelter. There seemed to be something wrong with  
16 that picture and it kind of turned me, you know, your  
17 average middle class housewife, mother, working mother  
18 from that particular phase of my life into a full-  
19 blown anti-nuclear activist.

20 For many, many years, I was the Director  
21 of the Alliance for Survival here in Orange County and  
22 I testified in front of the NRC and Edison at a number  
23 of different hearings over the years and in many ways,  
24 this is deja vu. It could have been what is going on  
25 here today 25 years ago, 20 years ago, 15 years ago.

42  
GEIS

### NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 We were discussing the same thing. What can we do  
2 with the waste? How do we take care of the waste? We  
3 still don't have the answer.

4 Evacuation planning. The exact comment  
5 that was made about getting out of an area around San  
6 Onofre on a Friday afternoon at 5:00 was said 20 years  
7 ago. We still don't have an answer for it now.

8 Being a resident of Laguna Beach, when the  
9 evacuation plans were set up, Laguna Beach residents  
10 were told that they were going to be hosts for people  
11 that would have been evacuated and the city council of  
12 Laguna Beach said hosts? We're leaving, too.

13 So, we haven't come up with the solutions  
14 to these problems and we're adding new ones and the  
15 new one that I would particularly like to address  
16 today is the containment structure of San Onofre.

17 That particular containment structure was  
18 built specifically because we live in an area that is  
19 sensitive to earthquakes. It sits about three miles  
20 off the Newport/Inglewood fault and so, to try to make  
21 it safer, the structure containing the reactor was  
22 beefed up tremendously. It has about ten feet of  
23 concrete, steel and rebar and I just don't understand  
24 how you could cut a 28 by 28 foot hole through a  
25 containment structure like that, take out the

42  
GEIS

43  
GEIS

44  
GEIS

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 generator, put in a new generator and close it back up  
 2 and have the same type of integrity that you had in  
 3 the first place. It can't be done.

4 So, we've added to the issues of  
 5 evacuation planning and safety and what do we do with  
 6 the waste. Now, how do we make a containment  
 7 structure the same level of integrity that it was  
 8 before.

9 So, it seems prudent and wise. Yes, we've  
 10 dodged the bullet this long at least here locally. We  
 11 have had accidents in the past and there certainly  
 12 have been a significant number of accidents down at  
 13 San Onofre, but prudent to not extend the life of this  
 14 plant and really when it comes right down to it, back  
 15 in 1979, there was a ballot initiative passed in the  
 16 state of California that basically said the people of  
 17 California do not want anymore nuclear power plants  
 18 built in California until there is a way to handle the  
 19 waste.

20 Well, we still do not have a way of  
 21 disposing of the waste and San Onofre's Units 1 and --  
 22 or excuse me, Units 2 and 3 initially were licensed to  
 23 2013 and 2014 and so, if it's not a violation of the  
 24 spirit -- I'd say the letter of the law, it certainly  
 25 is a violation of the spirit of the law in that now

44  
GEIS



45  
GEIS



**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

 45  
GEIS

1 these reactors are going to be operating past that  
2 time to at least 2022 and certainly Edison is  
3 concerning on further into the future.

4 It seems it's time to find -- well, we  
5 know there's other ways to boil water, but what we've  
6 been doing is using one of the most dangerous  
7 substances to do something as basic as boil water to  
8 produce steam to turn a generator to produce  
9 electricity. Let's find a safer way.

10 Thank you.

11 MR. BAILEY: Ms. Lyn Harris, CREED.

12 MS. HARRIS HICKS: I like your deja vu.  
13 Same thing with Rochelle. She didn't go back as far  
14 as we did, but she's been the foremost person in  
15 making achievements to try to end this terrible  
16 situation that we have with nuclear power that I know  
17 of.

18 Anyway, I have such a number of ones there  
19 that I think I would like to add to, but I think that  
20 what's most important right now is that we recognize  
21 that the decisions that are made by the Nuclear  
22 Regulatory Commission, and I'm not talking about the  
23 gentlemen in the room here, I'm talking about people  
24 back there some place, are made with the full  
25 knowledge that they have the power, they have the

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 control.

2                   The nuclear energy cadre in the country  
3 and in the world is running it all and I have then  
4 come to face that again and again and I'm sure  
5 Rochelle has, too, with our commissions. That there  
6 are very dedicated people working in them, but when it  
7 comes down to the vote, it's the nuclear industry that  
8 gets the vote and we went through that just recently  
9 with the rate increases.

10                  We didn't need a rate increase because we  
11 have been on the path of efficiency programs and  
12 renewables distributive for all these years. It's the  
13 action plan of the state, the energy action plan of  
14 the state. It doesn't have nuclear in it.

15                  But, because we made the law allowing them  
16 to have dispensation, the ones that are existing  
17 already, they've gradually been diminished until we  
18 just have the two sites now. But, it's different now.  
19 Because the owners of those two have decided that  
20 they're going to go on forever and I say that with --  
21 I know. I just know it.

22                  And the way I know it is that we found out  
23 that we're not dealing with something where technology  
24 or whatever where you build it and then it lasts its  
25 lifetime. The 24/25 years is what they've found out.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 When we were told, we were sold 40 years of energy.  
2 It doesn't do that like the other ones. It's a  
3 perpetual destructive mechanism. Perpetual  
4 destruction.

5 And some of our friends who work down  
6 there have given us little glimpses of this and one of  
7 them, just a wonderful guy, when he was asked about  
8 what happens there when they're down to refuel, he  
9 said when we go down for refueling, he said, they  
10 bring in a thousand workers to replace a thousand  
11 valves and then another time we were talking with a  
12 scientist. He says that the problem really is that we  
13 don't have a metal that can withstand the pressures  
14 and the -- it makes the metal that we're counting on  
15 there to protect us unstable. Is the way they say it  
16 and that's what a meltdown is really. It gets too  
17 unstable.

18 And so, because they can't, they haven't  
19 been able to, I shouldn't say can't, we never say  
20 can't, they feel that -- it isn't a feeling. It's a  
21 conviction and it was expressed to me tonight by one  
22 of the gentlemen here that they are convinced that the  
23 Federal Government will find a way to take care of the  
24 waste.

25 And it's not just repository. Several

46  
GEIS



46  
GEIS

1 people said repository. Our state law says disposal.  
2 Proven disposal and you all know the difference  
3 between what we have now repository on our beach or  
4 disposal which is something that we don't have to  
5 think about anymore. It's finished.

6 And the other night I was thinking about  
7 that from the standpoint of the costing that Fannie  
8 was talking about because we're really into that in  
9 the California Energy Commission right now. Trying to  
10 get a realistic cost analysis of the comparative  
11 energies.

12 And I realized that what we had here  
13 tonight is exactly the example. Because we came  
14 thinking about environmental -- regulations for  
15 environmental requirement and we found once again that  
16 it doesn't include anything that has anything to do  
17 with radiation. It's not human environment. It's the  
18 critters and the grasses.

19 And the California Energy Commission when  
20 they -- I'm sorry. The California Coastal Commission  
21 when it got the only permit that was asked for it had  
22 to do with what would happen to the grasses on the  
23 beach when they pulled it over the beach and it had to  
24 do with what happens with the critters in the wetland.  
25 But, nothing about what happens to the rest of us in

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 the ensuing times.

2                   And I realize that we've been spending the  
3 last 24 or 25 years of life of those plants figuring  
4 well the state really knows best and let them wear it  
5 out and then to close it. Which would be 2013. Which  
6 was the only really valid license they ever got.

7                   All this business about '22, that was just  
8 a gift of nine years that the Nuclear Regulatory  
9 Commission gave them because they misinterpreted the  
10 entire of the scientists and the engineers who  
11 calculated that in the beginning and those of us few  
12 here who are still alive who went through that period  
13 of the license stage, site-specific license stage  
14 proceeding know that they were figuring pretty  
15 carefully on that and that it has proven because Unit  
16 1 was 24 years when they closed it down and they  
17 closed it down because it was worn out. Simple as  
18 that. No trying to put in new steam generators, new  
19 heads, new whatever.

20                  And then these now are the same thing.  
21 They began the operation in '83 and '84. They were  
22 licensed in about '73/'74 whatever and it was the  
23 people who had the wisdom to know what was going to  
24 happen and it's all speculation because we're all in  
25 the middle of the great big test tube. We're just the

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 guinea pigs.

2 Figured out that this is the time when it  
3 would be the right time to close it and then we got  
4 into the sessions with the California Public Utilities  
5 Commission on whether or not we're going to have this  
6 transfer and it was so obvious. It was so obvious.  
7 One time after another all the decisions that were  
8 made and the way it was handled that it was being  
9 handled in such a way that they could -- they could  
10 say this is all right, this is safe, we could do this  
11 and it's all right, without having any proof at all.

12 It's like the -- what they told us at the  
13 beginning and sold us 40 years of energy, clean, safe  
14 and too cheap to meter. You remember? No. No,  
15 you're not -- you were not born yet.

16 But, anyway, that's the pattern. That's  
17 the pattern. They make the claims and then there's no  
18 requirement for them to provide the accomplishment and  
19 this night in talking with one of the really good-  
20 hearted gentlemen here who helped us some, I think, he  
21 said that this phrase that they use here, I don't even  
22 remember what it was now, but he said that's an  
23 assumption that we all agree. We all agree that the  
24 Federal Government will find a way to take care of the  
25 nuclear waste.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1                   And that reminded me of Ray Golden who sat  
2 in our lunch meeting in the League of Women Voters  
3 down in San Diego and kind of grimaced. He said oh,  
4 don't worry, folks. He said we feel very confident  
5 that they'll find a solution -- a cure for cancer  
6 soon.

7                   So, I think it's partly our role to make  
8 the decision whether we want to be just guinea pigs on  
9 a target for another 24 years, maybe more, maybe more  
10 and the California Coastal Commission, the gal who has  
11 to do with mitigation said well, they haven't quite  
12 finished the mitigation from the beginning.

13                  When we went through this court case, we  
14 got some concessions and one of them was the Marine  
15 review committee and it brought us these -- all this  
16 information about the damage to the ocean out there  
17 and that's -- Edison put that in. Forty-six million  
18 it was by the way. Forty-six million dollars it cost  
19 to put those reefs in so the fishermen can get back  
20 their fish because we were destroying them every  
21 minute.

22                  And if you want to just think about it  
23 from the standpoint of money because that's what it  
24 usually comes down to at the end and I think it will  
25 in this case, too, that money wasn't like the Edison

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 our newspaper articles said. What a wonderful thing  
2 that Edison's doing out there for us. Everything they  
3 spend money on comes from our rate money. We have to  
4 remember that. We bought that. We bought that and  
5 so, well, I could go into that for a long time, but --

6 MR. BAILEY: Excuse me, Ms. Harris.

7 MS. HARRIS HICKS: I'm finished.

8 MR. BAILEY: Okay. Thank you.

9 MS. HARRIS HICKS: I'm finished. Let me  
10 think for a minute if there was anything else there  
11 that somebody didn't -- well, oh. Oh. I didn't do --  
12 well, we'll turn this in instead of me saying it, but  
13 the emphasis here today --

14 MR. BAILEY: Ms. Harris, if you could just  
15 take one more minute to summarize.

16 MS. HARRIS HICKS: Yes, I just --

17 MR. BAILEY: We extended your time.

18 MS. HARRIS HICKS: Thank you very much.

19 MR. BAILEY: All right. Thank you.

20 MS. HARRIS HICKS: Thank you very much.

21 I just -- now, this is something that we didn't have  
22 much time to do and I wasn't able to get everybody's  
23 approval of it I didn't think there was anything in it  
24 that was -- would be contrary to our purposes and so  
25 forth.

## NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1           We were asking that these most important  
2 considerations on the list and so forth not only be  
3 retained in the area of public participation because  
4 that's the most important thing to most of us right  
5 now. Is that we have the transparency and the --  
6 what's the word? Accountability. We have to get  
7 accountability now on the money thing because that was  
8 kind of a joke. Somebody said about -- what about the  
9 billion -- millions of dollars that they're putting in  
10 their pockets there on this?

11           But, it isn't. Because when the  
12 California Public Utilities Commission was  
13 deliberating this, they asked specific things from  
14 Edison. What the money was going to buy and they  
15 asked to have a list of what renumeration was for the  
16 top levels of the administration and the owners and so  
17 forth and Edison declined to provide it. Declined to  
18 provide it.

19           And to me, that one fact was just final  
20 proof that our California Public Utilities Commission  
21 wasn't in charge. They weren't running it. They had  
22 to let that go because in all levels of our Government  
23 the people who are running it and making the decisions  
24 and giving themselves the money make sure they have  
25 the laws with them before they do it. They make it so

47  
GEIS

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 that they didn't break any law. Okay. So, I think we  
2 have to pursue that right away.

3           But, what I needed to say here is that we  
4 want these things to be made prerequisites for the  
5 ability of Edison or any other in the country to put  
6 our money into making their 600-page documents and in  
7 this hearing, in the testimony that was given on this,  
8 Edison's asked for four years of money to put together  
9 that document and you know that it's the same pattern  
10 on the national level. Coming into Congress with a  
11 bill like that. A lot of times they don't even have  
12 time to read it.

13           Well, in this case, the Division of  
14 Ratepayer Advocates didn't have time to look into it  
15 enough that they could protect us and they know it and  
16 we know it.

17           But, anyway, if it were a prerequisite, we  
18 wouldn't be giving 4.4 million of our money to Edison  
19 to make us live under the terrible stress on our  
20 minds. I live two miles from that plant. That we  
21 live on all these years. That they're making us pay  
22 so that they can put the information on the paper  
23 enough that they can get it through and if we aren't  
24 pretty active, they'll get it through because they're  
25 in charge. They're running it.

47  
GEIS

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1               Okay. So, the prerequisite. If a few  
2 good people here who have anything to say about it at  
3 all can get that in there, any of these things, the  
4 prerequisites and I'm not even going to read them.  
5 But, we have five here that we've suggested.

6               And I am asking tonight after these 24 or  
7 25 years of working so hard with everybody on trying  
8 to visualize and actualize our state's Energy Action  
9 Plan and our state's law that says we won't have  
10 anymore until they have a proven disposal, I think  
11 that I've come to the point where we have to say as  
12 Helen Caldicott told us when we said how can we  
13 protect ourselves? She said stop creating plutonium.  
14 So, that's mine, too.

15              MR. BAILEY: Okay. Thank you all for  
16 making your comments. That was the last submitted  
17 registered comment.

18              Before we proceed to formally close, as I  
19 mentioned earlier, the NRC staff will remain around  
20 after the meeting to address and answer some of the  
21 questions which you may have and before we close, I  
22 would like to now bring up Mr. Andy Imboden to give  
23 some final words. Thank you.

24              MR. IMBODEN: Thank you. My name is Andy  
25 Imboden. I'm the Branch Chief of the Environmental

47  
GEIS

48  
GEIS

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 Review Branch in the Office of Nuclear Reactor  
2 Regulation. What that means is that it's my  
3 responsibility to ensure that all the plants comply  
4 with the environmental regulations.

5 And I'd like to echo how Kenny began. For  
6 those of you who have been to prior NRC meetings maybe  
7 even in this hotel, there's been a table of NRC people  
8 and the citizens on the other side. Two microphones.

9 The purpose of this meeting was to get  
10 your comments. It was set up differently on purpose.  
11 That's why we're here and I appreciate everyone who  
12 has done that.

13 I saw a lot of people taking notes during  
14 this and we've got the open period on these documents.  
15 It was up there earlier. I've got a bad angle. But,  
16 January 12th.

17 Lots of different ways to submit your  
18 comment in writing, through e-mail, the Internet and  
19 that kind of thing. So, I look forward to those.

20 You know, well, why we're here was we're  
21 in the process of re-looking at the Generic  
22 Environmental Impact Statement for License Renewal of  
23 Operating Power Plants and this is document my group  
24 relies on to address the issues that are common to all  
25 nuclear power plants considering renewal of their

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 license and it was last updated in 1996. You know,  
2 we've done quite a few. There's been developments,  
3 experience and so, we're taking a look at that  
4 document again to make it better, to make it clearer,  
5 easier to understand even if you weren't that good at  
6 math. I can't surf. So, you got me there.

7                   And I'd also to thank Kenny and his  
8 insistence that people speak into the microphone and  
9 give their name. The purpose of that -- it's my  
10 fault. I want to make sure that all the comments that  
11 we do receive are, you know, addressed in our  
12 documents and brought before the decision makers in  
13 the Agency via the rule or the comments directly on  
14 the documents there.

15                   So, and again, the schedule for issuing  
16 the documents is roughly mid-2011 and I heard a lot of  
17 comments tonight on very important subjects:  
18 emergency preparedness, terrorism, evacuation issues,  
19 lots of San Onofre specific issues and so, we don't  
20 have the Agency experts in all these matter with us  
21 here today. We'll do our best and also we'll be able  
22 to share with you how best to directly contact the  
23 experts that are back in Washington and wherever else  
24 they may be.

25                   And I know it's been a long day, but I

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)

1 encourage the rest of the NRC staff to stay around,  
2 too.

3 And I'd just like to finish with why are  
4 we here? This is a Generic Environmental Impact  
5 Statement. It affects all plants from Atlantic to the  
6 Pacific and this community has played an important  
7 role in the governance of nuclear power. It's  
8 demonstrated by your participation at previous  
9 hearings, meetings, conferences and I've never been in  
10 a public meeting before where people could quote bills  
11 that are working their way through state government.  
12 This is a very sophisticated group.

13 I don't think we had a head count, but  
14 maybe 50 people were here which would make this the  
15 most highly attended meeting that we've had on this  
16 subject. So, I thank you about that.

17 To care about the -- well, you know, just  
18 thank you for your input on this national issue and I  
19 look forward to, you know, going over these comments  
20 and the ones that may come in writing later.

21 And thank you for your interest in nuclear  
22 safety and the environment.

23 (Whereupon, the meeting was concluded at  
24 9:19 p.m.)

25

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

(202) 234-4433

WASHINGTON, D.C. 20005-3701

[www.nealrgross.com](http://www.nealrgross.com)