

Official Transcript of Proceedings
NUCLEAR REGULATORY COMMISSION

Title: Scoping Meeting for the Waste Confidence
 Environmental Impact Statement: Webinar

Docket Number: (2012-2049)

Location: NRC/Webinar

Date: Wednesday, December 5, 2012

Work Order No.: NRC-2049

Pages 1-124

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

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

UNITED STATES OF AMERICA

NUCLEAR REGULATORY COMMISSION

+ + + + +

SCOPING MEETING FOR THE WASTE CONFIDENCE

ENVIRONMENTAL IMPACT STATEMENT

+ + + + +

WEBINAR

+ + + + +

WEDNESDAY

DECEMBER 5, 2012

+ + + + +

ROCKVILLE, MARYLAND

+ + + + +

The Scoping Meeting convened at 1:00 p.m.

Eastern Standard Time, Chip Cameron, Moderator,
presiding.

NRC STAFF PRESENT:

CHIP CAMERON, Moderator

TISON CAMPBELL

CATHERINE HANEY

MERRI HORN

ESTHER HOUSEMAN

ANDY IMBODEN

MIRIAM JUCKETT, CNWRA

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 LISA LONDON
2 SARAH LOPAS
3 TIMOTHY McCARTIN
4 KEITH McCONNELL
5 PAUL MICHALAK
6 ALICIA MULLINS
7 T.R. ROWE
8 CARRIE SAFFORD
9 ANDREW STUYVENBERG
10 MIKE WEBER
11 SUSAN WITTICK

12
13 ALSO PRESENT:
14 MARY JAWORSKI
15 KEVIN KAMPS
16 JULIUS KERR
17 MARY LAMPERT
18 GREG LEVINE
19 MARVIN LEWIS
20 THOMAS RIELLY
21 DON SAFER
22 DAVE SCHNELING
23 MARGARET SHEEHAN
24 LARRY SHEPARD

NEAL R. GROSS

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

1 BARBARA WARREN

2 LOU ZELLER

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

4 1:00 p.m.

5 MODERATOR CAMERON: Good afternoon
6 everybody. My name is Chip Cameron and I'd like to
7 thank you and welcome you to the Nuclear Regulatory
8 Commission, the NRC's Webinar on the Scope of the
9 Environmental Impact Statement for the Waste
10 Confidence Rule Making.

11 And it's my pleasure to serve as your
12 Facilitator today for this Webinar, and in that role
13 I'll try to help all of you to have a productive
14 meeting today.

15 I just want to spend a few minutes on
16 meeting process so that you all know what to expect
17 this afternoon and I'd like to talk about the
18 objectives for the meeting.

19 The format for the meeting, some simple
20 ground rules to allow us to have a productive
21 meeting. Go over the agenda with you and introduce
22 the NRC staff that will be talking to you today.

23 In terms of objectives for the meeting,
24 there's two objectives. The first is to make sure

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 that the NRC provides you with clear information on
2 the Environmental Impact Statement process and
3 approach for Waste Confidence.

4 And the second objective is to give all
5 of you an opportunity to present your
6 recommendations, your advice, your concerns, to the
7 NRC staff on the scope of the Environmental Impact
8 Statement and on the Environmental Impact Statement
9 process.

10 The staff is also soliciting written
11 comments on these issues and you'll hear more about
12 how to submit written comments. But be assured that
13 anything that you offer today, during the Webinar,
14 will carry the same weight as written comments.

15 And, of course, you're free to submit
16 written comments even though you speak to us today
17 with comments. The format is a very simple format.
18 We're going to begin with four brief NRC staff
19 presentations and then we're going to open it up for
20 discussion with all of you. And I'll go over the
21 agenda in a minute. Two notes here. There's another
22 Webinar tomorrow evening from 9:00 p.m. to midnight,
23 eastern time.

24 And I believe that the call in number is

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 the same as it is for today.

2 There were two previous public meetings
3 and I believe the transcripts are available from
4 those meetings and the staff will tell you how to get
5 those. We're also taking a transcript today.

6 We have Charles Morrison who is our
7 Stenographer, who is taking the transcript. In terms
8 of the agenda, we're going to start off with an
9 introduction to the Waste Confidence Directorate,
10 which is a new organization at the NRC that's been
11 established to deal with this particular issue.

12 And we have Keith McConnell who is the
13 Director of the Waste Confidence Directorate, who
14 will give that introduction to you.

15 Then we're going to move to some
16 background on Waste Confidence. Where Waste
17 Confidence started, what happened in the recent court
18 case.

19 And we have Lisa London from our Office
20 of General Counsel, who will give you that
21 background. Next we're going to go to the approach
22 that NRC is going to take to scoping and to the
23 development of the Environmental Impact Statement.

24 And we have Paul Michalak who is the

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 Chief of the Environmental Impact Statement Branch in
2 the Waste Confidence Directorate, who will talk to
3 you on that.

4 And then finally, and importantly, we're
5 going to hear about public participation
6 opportunities and we have Andy Imboden, who is the
7 Chief of the Communications Planning and Rule Making
8 Branch in the Waste Confidence Directorate. After
9 those presentations, we're going to go out to you
10 first, for 20 minutes of questions about the NRC
11 process and approach on this.

12 After that 20 minute period, then we're
13 going to go to a more formal comment period for all
14 of you. I did want to tell you a little bit about
15 the staff that will be talking to you today and give
16 you some biographical material on them.

17 I'm going to start with Keith McConnell,
18 who's the Director. And he came to the NRC in 1986,
19 as a Geologist. He then served on the staff of three
20 former Chairmen of the NRC Commission, Chairman
21 Selin, Chairman Meserve and Chairman Diaz.

22 He was the Director of the Commission's
23 Adjudicatory Technical Support Program in the Office
24 of General Counsel. His most recent position, before

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 he became the Director, was the Deputy Director of
2 the Decommissioning and Uranium Recovery Directorate
3 in the NRC's Office of Federal State Materials and
4 Environmental Management, which is often referred to
5 as FSME.

6 In terms of education, he has a
7 bachelor's in geology from Clemson University. He
8 has a master's in geological sciences from the
9 Virginia Polytechnic Institute, and he has a PhD in
10 geological sciences from the University of South
11 Carolina.

12 Next, Lisa London, from the Office of
13 General Counsel at the NRC. She graduated from Nova
14 Shepard Broad Law School and Vermont Law School. And
15 then she did a legal externship with the Department
16 of Justice's Environmental Enforcement Division.

17 She then spent ten years as an
18 enforcement attorney for the Florida Department of
19 Environmental Protection. And she's been in the
20 Office of General Counsel now for about three years
21 working on radioactive waste issues.

22 Paul Michalak, who will talk to you about
23 the NRC's approach to the Environmental Impact
24 Statement, came to the NRC in 2005, as a Hydrologist

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 in the Uranium Recovery Program.

2 He also has been a Senior Project Manager
3 in NRC's Office of New Reactors, overseeing the
4 preparation of Environmental Impact Statements on the
5 license applications the NRC has received to build
6 and operate new reactors.

7 But before he came to the NRC, he was an
8 Environmental Consultant. And, in terms of education,
9 he has a bachelor's in education from Temple
10 University. He has a master's in hydrology from the
11 New Mexico Institute of Mining and Technology. And
12 our last presenter is going to be Andy Imboden.

13 And Andy began his career with the NRC in
14 2004, where he was on the staff of former Chairman
15 Jazcko. He's also been on the staff of the Executive
16 Director for Operations at the NRC.

17 He was Chief of the Environmental Review
18 Branch in the Division of License Renewal in the
19 NRC's Office of Nuclear Reactor Regulation. And
20 these Environmental Impact Statements that he oversaw
21 in that position were on applications to renew the
22 license of an existing, operating reactor.

23 Before he came to the NRC, he was a
24 Consulting Engineer. And before he came to the

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 Directorate, he was on Chairman Macfarlane's staff as
2 her Materials Policy Advisor.

3 His bachelor's degree is in meteorology
4 from Penn State, and he has a master's in
5 environmental engineering from Clemson University.

6 So those are the staff that are going to
7 be speaking to you and I think you can get a sense of
8 their expertise and also the diversity of topics that
9 they've addressed in their career at the NRC.

10 In terms of the ground rules for today's
11 Webinar, as I said, they're very simple. Just please
12 hold all your questions until all of the NRC
13 presentations are completed.

14 When we get to the question period, if
15 you press star one, if you want to speak, if you want
16 to ask a question, hit star one and Pat is our
17 Operator today and we'll be able to place you in the
18 discussion.

19 We'll know here in Rockville, who wants
20 to talk. And I will be calling your name, give your
21 name to Pat and she will put you on the line.

22 I'll also try to alert you to who is in
23 the queue to go next, so that you can prepare for
24 that. And I would just ask you to be brief in your

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 questions and comments, so that we can make sure that
2 we get to everyone who wants to talk today.

3 I should note that when we get to the
4 comment part of the meeting, the NRC staff is going
5 to be listening carefully to what you're saying.

6 They're not going to be responding to
7 your comments, they're going to be listening and
8 sometimes people ask questions during their comments.

9 We're not going to be answering questions at that
10 part of the meeting.

11 But the NRC staff will be listening
12 carefully and noting your questions and comments and
13 will address those when they prepare their Scoping
14 Report on this. And I think we're ready to go to our
15 first presentation. And we're going to get to that
16 first presentation soon.

17 And just pardon me for a minute so I can
18 see what's going on here. Okay, I just wanted to
19 tell you that we're having a little technical
20 difficulty here in terms of getting the slides loaded
21 for all of you to see.

22 So if you'll just be patient, we'll be on
23 shortly with Keith McConnell for the first
24 presentation. Okay, we're ready to go and we're

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 going to go to Keith. Keith.

2 MR. MCCONNELL: Okay, thank you, Chip. I,
3 too, would like to welcome everyone to this Webinar
4 on Scoping for the Generic Environmental Impact
5 Statement to support a revised Waste Confidence
6 Decision and Rule.

7 What I'll do in my opening remarks is to
8 provide some background information on the meeting
9 purposes, the mission of the NRC and the mission of
10 the newly formed Waste Confidence Directorate which
11 was basically tasked to develop this Generic
12 Environmental Impact Statement.

13 Next slide, please, okay. Meeting
14 purposes. As Chip has indicated, there are three.
15 First is to provide you with some background
16 information on the Waste Confidence Decision. Lisa
17 London will do that.

18 We hope that providing this information
19 will help you formulate any questions or comments you
20 might have on our activities. Second, we'll move on
21 to Paul Michalak.

22 Paul will talk about the Environmental
23 Impact Statement and some of the proposals we have
24 for scoping that Generic Environmental Impact

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 Statement. And finally Andy Imboden will talk about
2 the opportunities for public participation, not only
3 at this particular Webinar, but throughout our effort
4 over the next two years.

5 The bottom line is for all of our
6 outreach activities, is that we want to hear from
7 you. Next slide, please. It's important to put the
8 effort that we have underway today, the development
9 of a Generic Environmental Impact Statement, into
10 context.

11 And there are two considerations that I
12 would put out that will help us do that. First in
13 developing the Generic Environmental Impact
14 Statements, we will need to address the three
15 deficiencies that were identified in the recent U.S.
16 Court of Appeals from the District of Columbia
17 decision.

18 Which vacated the Rule and sent it back
19 to us to fix those deficiencies. So those, that
20 effort to fix the deficiencies is going to be one of
21 our primary goals in developing this Generic
22 Environmental Impact Statement.

23 Second, shortly after the court's
24 decision was made public, the NRC Commission decided

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 that it would not issue final licenses that are
2 dependent upon Waste Confidence, until all our
3 analyses and the development of a revised Waste
4 Confidence Decision and Rule are completed.

5 Next slide. The NRC's mission. There
6 are three elements to our mission. The first is the
7 protection of public, health and safety. We do that
8 through the licensing and inspection of nuclear power
9 plants and the civilian use of nuclear materials.

10 The second element is we promote the
11 common defense and security. We do that through the
12 implementation of appropriate security measures,
13 based on the threat that exists in the country at
14 that time.

15 And lastly, we protect the environment.
16 We do that through the identification and
17 consideration of environmental impacts that may
18 result from our licensing action.

19 I would note that we, at NRC, have over
20 30 years experience in regulating the safe operations
21 of nuclear power plants and civilian uses of nuclear
22 materials. Next slide, please.

23 Speaking to the Waste Confidence
24 Directorate, it was formed approximately two months

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 ago. Again, specifically focused on the development
2 of a Generic Environmental Impact Statement to
3 support a revised Waste Confidence Decision and Rule.

4 We're housed in the Office of Nuclear Material
5 Safety and Safeguards at the NRC.

6 And what we've done is reach out across
7 the NRC, and bring in some of the most experienced
8 staff involved in the National Environmental Policy
9 Act Analyses and brought them into the Directorate.

10 So, as a result, we have a group of
11 highly skilled Environmental Communications Rule
12 Making and Legal staff within the Directorate to take
13 on this effort of developing this GEIS, revised Waste
14 Confidence Decision and Rule.

15 We're also supported by the Center for
16 Nuclear Waste Regulatory Analyses that's based in San
17 Antonio, Texas. The mission of Waste Confidence
18 Directorate was specified in a staff requirements
19 memorandum by the Commission.

20 They gave us two major roles. First, as
21 noted, is to develop the Generic Environmental Impact
22 Statement and a revised Waste Confidence Decision and
23 Rule. The second is to provide for ample opportunity
24 for public participation in our process.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 And Andy will speak to this specifically,
2 I'd just like to highlight it in terms of our
3 approach to public participation. We do have a Focus
4 Communication Team of four staff that is responsible
5 for the outreach and the involvement of members of
6 the public and other interested parties in our
7 development of a GEIS, revised Waste Confidence
8 Decision and Rule.

9 We intend to use multiple ways of
10 communicating and outreaching to individuals.
11 Including blogs, twitter or other mechanisms. And I
12 would note that we do have an NRC Waste Confidence
13 website that's reachable through our home page.

14 And Andy will speak directly to some of
15 these particular issues. In summary, again, licenses
16 that are dependent on the Waste Confidence Decision
17 won't be issued until the Rule is updated and the
18 court's issues or deficiencies are addressed.

19 The Waste Confidence Directorate has been
20 formed. We've brought in some of the most
21 knowledgeable staff in terms of the National
22 Environmental Policy Act Analyses.

23 We have a strong focus on communication
24 and we will ensure that there's ample opportunity for

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 public participation as we move through this effort.

2 So, thank you, Chip.

3 MODERATOR CAMERON: Thank you, Keith.

4 Let's next go to Lisa London, Office of General
5 Counsel.

6 MS. LONDON: Thanks, Chip. I'm here today
7 to discuss the background and history of Waste
8 Confidence and to provide everyone with a common
9 framework for us to use today going forward in our
10 discussions. Next slide, please, oh, you're already
11 there.

12 So first off I'd like to give an overview
13 so that we're all familiar with what Waste Confidence
14 is and what it is not. What it is specifically, is a
15 Generic Environmental Analysis.

16 Under the National Environmental Policy
17 Act or what we sometimes refer to as NEPA, the
18 Commission must assess the impacts of continued
19 storage of spent nuclear fuel, pending disposal at a
20 repository.

21 It's all a generic determination that
22 fuel can be stored safely until a repository becomes
23 available. Not what Waste Confidence is not, is it
24 is not a licensing decision.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 It doesn't license any particular site or
2 facility. It also doesn't allow for long-term
3 storage of spent fuel at any site. Before that could
4 occur, a Licensee would have to come back to the NRC
5 and there would be a separate opportunity for public
6 participation, prior to any post-license life storage
7 of spent fuel.

8 Next slide, okay. What we have here is a
9 time line. This slide particularly demonstrates how
10 waste confidence fits into the Commission's overall
11 environmental analysis for reactor licensing.

12 You look on the left of the slide, the
13 green block represents the term of the license life
14 for a reactor. In the middle, in blue, is the
15 Generic Waste Confidence Analysis that looks at post-
16 license life storage.

17 And on the right, there's a Generic
18 Environmental Analysis that looks at the
19 environmental impacts associated with disposal.
20 Finally, at the bottom, you'll notice a time line.

21 And we specifically took this from the
22 2010 Rule, just to provide some context. It's here
23 for reference only and we had not prejudged how long
24 the post-license life storage will be.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 We just wanted to make sure everyone had
2 an idea of how waste confidence factors into the
3 overall environmental analysis that the Commission
4 undertakes. Next slide, please.

5 Okay, so, I'd like to provide a little
6 bit of background on waste confidence so that
7 everyone understands where we started and how we got
8 here.

9 The Rule, the Waste Confidence Rule was
10 originally adopted by the Commission in 1984, in
11 response to a 1979 court decision from the D.C. Court
12 of Appeals that led to the Commission, led the
13 Commission to looking at the issues associated with
14 waste confidence.

15 This in particular resulted in the
16 Generic and Environmental Safety findings that you
17 would find in the 1984 Rule. Since then the Rule has
18 been updated a number of times.

19 Most recently in 2010. In 2012, the
20 Court of Appeals for the D.C. Circuit vacated and
21 remanded or it actually threw out and sent the Rule
22 back to us, the 2010 Rule and associated decision.

23 Next slide. Here we've got a short
24 summary of what the court found. Specifically, the

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 court identified three problems with the Commission's
2 Environmental Analysis to support the 2010 Waste
3 Confidence Rule.

4 In particular, it found that the analysis
5 didn't evaluate the environmental effects of failing
6 to secure permanent disposal, what we'll be calling
7 later on today, the no repository scenario.

8 The court also directed the Commission to
9 provide an updated assessment of spent fuel pool
10 leaks and spent fuel pool fires. As with the no
11 repository, you will be hearing a little bit about
12 how those are going to factor into our analysis going
13 forward.

14 But we should note that the court did
15 find that a generic environmental assessment and
16 associated finding of no significant impact or FONSI,
17 if you ever hear that term, or a Generic
18 Environmental Impact Statement, is an acceptable
19 means to address the issues associated with waste
20 confidence.

21 And in response, the Commission
22 established the Directorate and directed the staff to
23 prepare an EIS to look at these generic issues with
24 the possibility of issuing an updated Waste

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 Confidence Rule. Next slide.

2 So finally, there are two things I'd like
3 to leave you with and make sure you keep in mind as
4 we go forward in our discussions today. First is
5 that Waste Confidence is just a small part of the
6 overall Environmental Analysis for Reactor Licensing.

7
8 The time line slide we went over just a
9 few minutes ago, that demonstrates how waste
10 confidence fits into the steps the Commission must
11 take.

12 And, the last thing is that waste
13 confidence doesn't license any facility or actually
14 authorize any storage after license life. Before
15 that can happen, there would be another opportunity
16 for public participation and a separate action would
17 have to be taken by the Commission. And that's it,
18 Chip, thanks.

19 MODERATOR CAMERON: Okay, thank you.
20 Thank you, Lisa. We're going to Paul Michalak next,
21 Paul.

22 MR. MICHALAK: Thanks, Chip. As
23 previously discussed, we are developing an update to
24 the Waste Confidence Rule. As part of that effort we

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 will develop an Environmental Impact Statement, also
2 known by its acronym, EIS. The analyses and
3 conclusions in that Environmental Impact Statement
4 will inform our update to the Waste Confidence Rule.
5 Presently we're working on defining the scope of the
6 Environmental Impact Statement.

7 Today's Webinar is part of the scoping
8 process and we're here to get your comments and
9 feedback. Why develop an Environmental Impact
10 Statement. As previously mentioned, earlier this
11 year the Court of Appeals vacated and remanded the
12 2010 Waste Confidence Rule.

13 Our mission is to revise the Waste
14 Confidence Rule, addressing the deficiencies
15 identified by the court. When developing a Rule, the
16 Commission must comply with the National
17 Environmental Policy Act, which is also known as
18 NEPA.

19 And we do that by considering the effect
20 of its actions on the environment. The Environmental
21 Impact Statement under development will contain our
22 analyses of the environmental impacts of the updated
23 Waste Confidence Rule. I think it is important to
24 note that the Commission has determined that Waste

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 Confidence should be evaluated with an Environmental
2 Impact Statement due to public and stakeholder
3 interest.

4 The Environmental Impact Statement
5 currently under development is an integral component
6 of the NRC's proposed action, which is to revise the
7 Waste Confidence Decision and Rule to account for the
8 safety and environmental impacts of continued spent
9 fuel storage for some period beyond the license life
10 for reactor operations.

11 We have developed several potential
12 scenarios, as part of our internal scoping. The
13 scenarios are based on different time lines for spent
14 fuel storage beyond a reactor's license life for
15 operation.

16 Currently we will evaluate spent fuel
17 storage until a repository becomes available at the
18 middle of the century. Storage until a repository
19 become available at the end of the century, and
20 continued storage in the event a repository is not
21 available.

22 The Environmental Impact Statement under
23 development will contain a generic analysis of
24 impacts. We will not focus on capturing site-

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 specific technical issues. Our current strategy is
2 to take affected environments, for example, air or
3 water, and develop a set of general characteristics
4 and associated ranges to bound the conditions of
5 spent fuel storage throughout the United States.

6 Our analyses will also contain an
7 assessment of spent fuel pool leaks and fires. We're
8 at the beginning of the scoping process and we
9 welcome your comments. Thanks, Chip.

10 MODERATOR CAMERON: Thank you, Paul.
11 Finally, we're going to go to Andy Imboden, Andy.

12 MR. IMBODEN: Thank you. My name is Andy
13 Imboden and I'm the Chief of the Communications,
14 Planning and Rule Making Branch. And before we get
15 to question and answer, I wanted to take a quick
16 minute to share NRC's plans for public participation
17 opportunities right now and over the next two years.

18 On this slide, it's our preliminary
19 schedule. There are three main phases. The scoping
20 period followed by a draft Environmental Impact
21 Statement and proposed Rule and there will be a
22 public comment period on those documents.

23 Followed by a final Environmental Impact
24 Statement and Rule. We're currently in the scoping

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 period. Scoping goes until January 2, 2013. It's a
2 70-day public comment period, during which we are
3 receiving written comments at any time. Today, at
4 this Webinar and at tomorrow evening's Webinar, you
5 have the opportunity to put your comments on the
6 record.

7 After the scoping period closes, the NRC
8 will collect all the comments, no matter how they
9 were submitted, and the NRC will take these comments
10 into consideration as we develop the draft
11 Environmental Impact Statement.

12 We intend to have regional meetings on
13 the draft documents. So, in particular, we would
14 like your feedback and input on where those meetings
15 might be held.

16 At the conclusion of the scoping period,
17 we'll prepare a summary of the comments we receive,
18 including the significant issues that have been
19 identified and will make this publicly available,
20 probably in the spring.

21 This slide shows the draft Environmental
22 Impact Statement and proposed Rule. We estimate they
23 will be available in fall of 2013, and there will be
24 another opportunity for public involvement then.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 At that point, we'll be looking for
2 feedback and comments on the NRC's analysis and
3 preliminary conclusions. During that time we will
4 receive written comments again and we'll have public
5 meetings and Webinars to get your comments on the
6 record. The final stage of the project will be the
7 final Environmental Impact Statement and Rule.

8 And we estimate that will occur in August
9 of 2014. At that time, we'll also have the comments
10 we've received on the draft and the NRC's
11 consideration of those comments.

12 This next slide has details on how to
13 submit scoping comments. I won't speak to these
14 details, but for people who are just calling in,
15 without internet access, please grab a pen.

16 Please call us at 1-800-368-5642
17 extension 4923425, and we'll get you the details and
18 information you need. On the final slide, these are
19 just some of the ways you can get information on the
20 NRC's project, track our progress and find ways that
21 you can stay in touch with our activities.

22 For example, you'll be able to access our
23 slides and a transcript of today's meeting from these
24 websites, once it's available. The slides and

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 transcript from the November 14th public meetings are
2 already posted online in the public participation
3 section of our website.

4 Thank you for your consideration. Chip.

5 MODERATOR CAMERON: Great, thank you very
6 much, Andy. Thank all of you. We're going to be
7 going out to you for a question period at this point.

8 And, Pat, I'm just going to ask you right now to
9 just put people in the queue for asking questions
10 rather than calling anybody's name at this point.

11 So, do we have a first question?

12 OPERATOR: Yes, sir, we do. We have a
13 couple of questions.

14 MODERATOR CAMERON: Okay, well if you
15 could give us the first person and whoever comes on
16 the line, if you could just please introduce yourself
17 to us.

18 OPERATOR: Mary Lampert, your line is
19 open.

20 MS. LAMPERT: Oh, thank you and hi, Chip,
21 it's nice to hear your voice and everybody else. My
22 question is as follow. I noted that after the draft
23 EIS and other documents, any decisions, there is an
24 opportunity for public comment.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 However, the public comments cannot be
2 meaningful if the document and research that the NRC
3 relies upon to issue its draft or any subsequent
4 papers, is not available to the public.

5 I suggest the methodology, in
6 consideration of safeguards that was used by the
7 National Academies in their spent fuel pool
8 evaluation, where they redacted serious safeguards
9 issues but left the rest available to the public.

10 And I know in 2010, one of the major
11 criticisms of the Waste Confidence was that nobody
12 could see Diane Curran or anybody else could see the
13 studies that NRC based its 2010 Waste Confidence
14 Decision.

15 And that simply is not acceptable. Could
16 you comment on that, please? And thank you.

17 MODERATOR CAMERON: And, Mary, we're going
18 to go to Lisa London and I guess the question that I
19 would have, along with that, is, is there going to be
20 any information that will not be released to the
21 public on which the EIS is based? Lisa, Lisa London.

22 MS. LONDON: Thanks, Chip. I think the
23 reference to the 2010 Decision was, I believe we had
24 one or two documents that were used in the analysis

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 but there was a redacted, there were redacted
2 versions that were made available to the public.

3 And I don't want to commit us to any
4 particular process at this point, but I would believe
5 if our analysis relied on any studies that had non-
6 public or sensitive information, that practice would
7 continue to be followed, that a redacted version
8 would likely be make available.

9 MODERATOR CAMERON: Okay, thank you. And
10 thank you for that question, Mary. And, Pat, do we
11 have someone else, another question?

12 OPERATOR: Yes, sir, thank you, Kevin
13 Kamps your line is open.

14 MR. KAMPS: Thank you. Thanks, Chip.
15 Yes, it somewhat echoes Mary question just now, but I
16 think there's a couple other aspects I wanted to ask
17 about.

18 One is, you know, you mentioned public
19 participation is welcome in this process, but also
20 that public participation is necessary, required
21 before long-term dry-cask storage or, I suppose, even
22 pool storage is allowed at reactor sites.

23 But my question is, to echo Mary just
24 now, for example, a couple three years ago when our

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 organization tried to involve itself in the Fermi 2
2 dry-cask storage, we were largely blocked out.

3 Again, because of security reasons from
4 seeing information, and that approval was very quick
5 to happen by NRC. So I'm not sure I understand what
6 you mean by public participation.

7 Another related question that really gets
8 to the heart, I think, of this safeguards information
9 or security-related information being withheld from
10 the public is this expose by Huffington Post about
11 two whistle-blowers from within NRC who independently
12 have called attention to the risk of flooding caused
13 by upstream dams breaking or breaching. And, so I
14 guess a question I have is will the NRC include in
15 its scope that accident scenario of not only the risk
16 of reactor meltdowns, which seems to be the focus of
17 the news coverage and even the whistle-blower's
18 concern, but what about the inundation of dry-casks
19 and floods like that blocking the airflow cooling
20 pathways of the dry-casks.

21 What about the risk of a pool fire
22 because the electrical systems are all knocked out by
23 the flood? And, yes, so those are those questions.
24 And the other question I was going to ask was, you

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 know the list of credentials that Chip laid out there
2 when he introduced everyone who spoke from NRC was
3 very impressive.

4 But I guess my question is, with a team
5 like that in place, how was it that the Federal
6 Register Notice was published without even
7 identifying clearly the proposed federal action, as
8 well as the preferred alternatives.

9 Because those are basic and major legal
10 errors in the Federal Register Notice which makes
11 public comment at this point largely meaningless
12 because of the confusion about what even the basic
13 proposal and alternatives are.

14 MODERATOR CAMERON: Thanks, Kevin. I
15 believe the last point is a point that was covered in
16 previous comments in terms of the scope of the
17 Environmental Impact Statement and if the staff wants
18 to address that we'll go to that.

19 I thought that perhaps the second point
20 on will various types of natural hazards, accidents,
21 will those be considered in the Environmental Impact
22 Statement. And we're going to go to Paul Michalak on
23 that one.

24 MR. MICHALAK: Design Basis Accidents are

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 considered in the site-specific evaluation of dry-
2 cask storage sites. In our Environmental Impact
3 Statement we are going to look at a whole, we're
4 going to look at dry Design Basis Accidents to bound
5 the impacts from the Design Basis Accidents.

6 And Design Basis Accidents do evaluate
7 floods so we will be bounding the impacts of Design
8 Basis Accidents in our EIS.

9 MODERATOR CAMERON: Okay, thanks, Paul.
10 And Lisa, Kevin, I think, referred to the issue of
11 information that's not available in the context of a
12 specific licensing decision. Can we say anything
13 about how security information is dealt with in the
14 context of a specific licensing proceeding, in terms
15 of how people get access to that?

16 MS. LONDON: I don't want to speculate or
17 speak to specific incidences or specific facilities
18 on those licenses. I would want to reiterate what I
19 said earlier which is that while the NRC's analysis
20 may look at non-public studies or studies with
21 sensitive or safeguards information in them, we
22 strive to make everything we rely on publicly
23 available even if that means that you have to see a
24 redacted version.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 MODERATOR CAMERON: Okay, thanks, Lisa.
2 And in terms of the comment on the alleged
3 deficiencies of scope, do we need, can we say
4 anything more about that at this point?

5 MR. IMBODEN: This is Andy Imboden. We've
6 received several comments along those lines and we
7 have, and the Commission has also received those
8 comments and we've raised that to the Commission.

9 And, you know, right now we think the
10 scoping period and the Federal Register Notice are
11 adequate.

12 MODERATOR CAMERON: Okay, thank you.
13 Thank you, Kevin and as with all questions that we
14 get, there is a comment implied in there and those
15 comments are going to be considered by the staff as
16 they move forward.

17 Pat, do we have another question? Thank
18 you, Kevin.

19 OPERATOR: Yes, we do have a couple more.
20 Our next one comes from Barbara Warren.

21 MS. WARREN: Should I speak now?

22 MODERATOR CAMERON: Yes, Barbara Warren,
23 welcome.

24 MS. WARREN: Thank you. And maybe I'm

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 addressing the same issue but it's stated a little
2 differently. I'm representing Citizens Environmental
3 Coalition in the state of New York, and when I read
4 the Federal Notice for these meetings, I understood
5 that the December Webinars would be different from
6 the November 14th, because it stated that we would
7 have an overview by the NRC staff and then we would
8 have a proposed scope to the EIS.

9 And I did not see a proposed scope in
10 your presentation. Let me just say a little bit more
11 about that. I've got years of experience looking at
12 scopes for proposed Environmental Impact Statements,
13 and they usually, at least a couple of pages long.

14 Even the simplest ones have quite an
15 extensive outline and they provide an opportunity for
16 environmental organizations and others to say, yes, I
17 agree with this, but you know you're missing this
18 topic or whatever.

19 And, in fact, we do not have that.
20 Scope, the other term I use for scope is an outline,
21 and that's basically what we don't have here, is a
22 really full outline of what would be covered in the
23 EIS.

24 And it concerns me both that it was

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 announced in the Federal Register Notice, so the
2 assumption would be that we actually received one
3 today. And that's my question.

4 MODERATOR CAMERON: Okay, and thank you
5 for that. We're going to go to Keith McConnell.
6 Keith.

7 MR. MCCONNELL: Well we apologize if there
8 was a misperception about what the Webinars were for
9 today and tomorrow. But to address your comment
10 specifically I'd not for clarification that this
11 generic Environmental Impact Statement that we have
12 under development now is for Rulemaking and is
13 different than what is normally prepared for a site-
14 specific analysis.

15 And it's for a Rulemaking that has been
16 in existence in various forms for the past 20, 28
17 years. So because of that, we thought that the, we
18 think that the, and we believe that the Scoping
19 Notice and the comment period that's available for
20 scoping is sufficient.

21 MODERATOR CAMERON: Okay, thank you very
22 much and thank you for that question and comment.
23 We're going to go to Larry Shepard next, Pat, if you
24 could put Larry on the line.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 MR. SHEPARD: Yes, sir, this is Larry
2 Shepard with EPA in our Kansas City Regional Office.
3 And I just wanted to, at least pose the question for
4 further deliberation at some point as to how the NRC,
5 although they've, in discussions with the agency,
6 have identified the fact on site-specific relicensing
7 how a reference will be made to the completion of
8 this generic for Waste Confidence and that the
9 Commission won't issue licenses until this process is
10 complete.

11 I guess I would just sort of pose the
12 general question for carryover for staff about the
13 clear delineation, both in the GEIS and then in the
14 Supplemental Re-Licensing compliance documents the
15 bounds for the evaluation of site-specific factors,
16 both in the supplemental and then how the GEIS is
17 sort of, in retrospect, trying to deal with that
18 explanation as well.

19 It just poses a great deal of confusion
20 in our regional offices as we deal with re-licensing
21 that is going to occur prior to the release of a
22 draft GEIS. And I think that's all I need to say,
23 thank you.

24 MODERATOR CAMERON: So, Larry, I think

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 you're referring to the license renewal process where
2 there's certain issues that have been addressed in
3 the GEIS and they're not addressed in site-specific
4 EISs, is that correct?

5 MR. SHEPARD: Yes, sir. And with the
6 rather unique position that the NRC is in, by having
7 these draft EISs for re-licensing, the supplemental
8 EISs, going out substantially ahead of the completion
9 of this GEIS.

10 MODERATOR CAMERON: I guess the question
11 is can we explain what the Commission, what happens
12 on the licensing of a particular plant, re-licensing
13 for example, in terms of the staff moving forward
14 with their environmental review work, but no final
15 decision will be made by the Commission.

16 If we could just provide some information
17 to Larry and the rest of the people on that.

18 MR. MCCONNELL: Okay, this is Keith
19 McConnell. What the Commission has decided to do,
20 was in terms of renewals, that part of the EIS that
21 would effect that renewal will have a statement in it
22 that indicates that this Waste Confidence effort to
23 develop this generic Environmental Impact Statement,
24 is underway.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 And there will be conditional findings as
2 they relate to Waste Confidence. So I think it will
3 be clearly articulated in the renewal activities
4 where the site-specific activities end and where the
5 more generic Waste Confident activities are intended
6 to be within the renewal process.

7 So I think your comment will be addressed
8 but I do take it as one where we maybe, in developing
9 our generic Environmental Impact Statement, can
10 provide a little bit more clarification on how the
11 two interrelate.

12 MODERATOR CAMERON: Good, good. Thank
13 you, Keith and thank you for that question, Larry.
14 Pat, do we have anybody else who wants to ask a
15 question?

16 OPERATOR: Yes, sir, Mary Lampert, your
17 line is open.

18 MS. LAMPERT: Yes, Mary Lampert again and
19 I'll make this brief. In comment for the last
20 comment, the rules in license renewal world require
21 that comments made by interveners on the draft, that
22 has to be made on the draft unless the final EIS, for
23 the particular reactor, is substantially different
24 than the draft.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 So how are you going to work this
2 procedural issue so that a petitioner can have until
3 the final to make comment?

4 MODERATOR CAMERON: Mary, you're talking
5 about the context of the adjudicatory proceeding?

6 MS. LAMPERT: Yes, that's correct.

7 MODERATOR CAMERON: And can we say
8 anything to, I'm not sure that this has, what the
9 implications are for this particular EIS that's being
10 developed on Waste Confidence.

11 Can we say anything at all for Mary in
12 terms of how the issue of perhaps a supplemental EIS,
13 how that's treated in adjudicatory proceedings?

14 And, please, I guess the main thing would
15 be is that based on Mary's question, are there any
16 implications from the work that you all in the Waste
17 Confidence Directorate are doing that we can offer.

18 MS. LONDON: This is Lisa London with the
19 Office of General Counsel. I don't want to, I think
20 that we're dealing with two separate issues. The
21 license renewal for site, for specific sites, is very
22 different than the generic effort we're doing on the
23 Waste Confidence Rule.

24 And perhaps I've misunderstood the

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 question and just to nail down, participants will
2 certainly have an opportunity to comment on our
3 scenarios and what our final product for this EIS
4 will look like, this Environmental Impact Statement.

5 As far as license renewals for a
6 particular site goes, you would have to deal
7 specifically with that particular license renewal
8 effort for that site.

9 You'd have to submit your comments for
10 that effort, because if you have a comment respecting
11 a particular site, it would be considered out of
12 scope to reference that site-specific condition for
13 this effort. And I hope that --

14 MS. LAMPERT: I understand that for this
15 effort, but if you're involved in an adjudicatory
16 proceedings at a current site, and the issue, and I'd
17 say in a couple of months, hypothetically, a draft
18 EIS.

19 In that will be a subsection on waste, I
20 presume. Then if down the road the current
21 proceeding is substantially different, it doesn't
22 seem logical that the current process of restricting
23 comments to a draft and making it very difficult to
24 submit comments on the final EIS, because this

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 situation is putting the cart before the horse.

2 That's what I meant.

3 MODERATOR CAMERON: Okay, thanks, Mary.

4 And I think that in the Commission's order on all of
5 this, they said that contentions that have Waste
6 Confidence implications, are going to be placed in
7 abeyance, Lisa?

8 MS. LONDON: Right. I think specifically
9 the issue is that waste confidence can't be raised in
10 a contention because the Rule is addressing it
11 generically.

12 MODERATOR CAMERON: Okay, and thanks,
13 Mary, I think you've given everybody here something
14 to think about on that. We have three final
15 questions that we're going to try to address before
16 we move to comments. And we're going to go to Don
17 Safer then Thomas Rielly and finally Kevin Kamps.

18 Pat, can you put Don Safer through to us,
19 please?

20 MR. SAFER: Can you hear me?

21 MODERATOR CAMERON: Yes.

22 MR. SAFER: Well, I didn't realize the
23 distinction between the comments and the questions so
24 these may kind of spill into the comments, if it's

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 okay and or I'll wait until the comment section.

2 MODERATOR CAMERON: Don, if you don't mind
3 waiting until we get to comments. I mean it is --

4 MR. SAFER: Okay, I have a couple of
5 questions at this point, then.

6 MODERATOR CAMERON: Okay, go ahead.

7 MR. SAFER: Will the information about the
8 contents of this spent fuel, the details about the
9 amount of radioactivity and the radioactive isotopes
10 and other, you know, the details about this material
11 be disseminated in the draft Environmental Impact
12 Statement?

13 MODERATOR CAMERON: Okay, the different
14 types of spent fuel, details on that, will that be
15 laid out in the Environmental Impact Statement?
16 Paul.

17 MR. MICHALAK: The scenarios, as we
18 develop them, will lay out the metric tonnage, both
19 per site and then total through the scenarios. So,
20 for instance, the scenario that's 2050 will have a
21 smaller amount, I think it was 170,000 metric tons.

22 MR. SAFER: I'm sorry, if my question
23 wasn't clear. I'm not talking about the gross
24 tonnage, I'm talking about the specifics about what's

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 in this material?

2 And, you know, which radionuclides, which
3 isotopes are in there, the amount of curies and that
4 type of information?

5 MODERATOR CAMERON: Okay, let's see if we
6 get more information on that. Keith.

7 MR. MCCONNELL: Certainly to look at the
8 impacts we'd have to identify what's called the
9 source term and what could be in terms of any sort of
10 accident scenario, released and cause an impact.

11 But we would rely on the site-specific
12 analyses and the site-specific environmental impact
13 analyses that have been done previously to what we're
14 doing now.

15 MODERATOR CAMERON: Okay, Don, do you have
16 a final question before we move to our two final
17 questioners?

18 MR. SAFER: No, thank you, I'll wait for
19 the comment.

20 MODERATOR CAMERON: Okay, thank you.
21 Thomas Rielly.

22 MR. RIELLY: Thomas Rielly, Executive
23 Principal for Vista 360, we're in the Chicago area.
24 Thank you for your opportunity you provided today and

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 the information.

2 I have a couple of questions about the
3 Directorate. First, what is the organizationally
4 dedicated professional head count, present and
5 projected for the next two years?

6 A review of the planning documents
7 available for review and comment? The organizational
8 reference chart be available in the future? And how
9 is this Directorate efforts, funded by budget now and
10 projected for the next two years?

11 I'd be happy to repeat these questions
12 one at a time if it's more convenient for you.

13 MODERATOR CAMERON: Well, let's see if we
14 can address it and then we'll find out what we
15 missed. But basically budget, organization charts,
16 whatever, for the Directorate. Keith, how do people
17 get access to that type of information?

18 MR. MCCONNELL: This is Keith McConnell
19 again. This information would be available on our
20 website. Let me just speak to some of the individual
21 points in the question.

22 In terms of head count, we have 20 staff
23 within the Directorate working on this particular
24 effort. But we also have the ability and intend to

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 reach out for specific technical issues to bring
2 other staff into the development process.

3 But in terms of devoted staff, we have
4 20. In terms of organizational charts and program
5 plans, right now we don't have those up on the
6 website but we can put them up, if that's of interest
7 to people.

8 So we'll take that as an action item on
9 our part to put an organizational chart up and also a
10 program plan. It won't be available for comment,
11 because basically they're complete at this point, but
12 they will be up and available for people to see.

13 And I guess if there's an issue in terms
14 of the development of generic Environmental Impact
15 Statement, that you believe is important and want to
16 comment, in the context of how we're organized,
17 certainly we'd want to hear that.

18 MODERATOR CAMERON: And, Thomas, you may
19 want to, since there's a lot of specific detail in
20 your questions, it might be helpful to the staff if
21 you could submit something in writing with those
22 specific questions.

23 Do you want to say something, Andy? Go
24 ahead.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 MR. IMBODEN: Yes, on the, if we could go
2 back a slide, T. If you are looking at the Webinar
3 right now?

4 MR. RIELLY: I am not.

5 MR. IMBODEN: Yes, the email up at the top
6 there?

7 MR. RIELLY: Yes, I'm not, but I'll make
8 note that the email is there. Do you have any
9 comment on the budget part of my question, which is
10 how was the Directorate effort funded by budget now
11 and projected for the next two years?

12 MR. MCCONNELL: The efforts, you know, the
13 NRC is a fee-recoverable agency, which means we
14 recover our fees from our Licensees.

15 The effort that the Directorate has
16 underway is funded through our normal budgeting
17 process. We've gotten some of our resources from a
18 prior effort that was underway to take a longer term
19 look at Waste Confidence.

20 And other resources are being
21 reprogrammed within the Agency to fund the effort.

22 MODERATOR CAMERON: Okay, and I believe
23 Andy directed you to Sarah Lopas at the NRC for
24 further information or to submit further questions,

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 specific questions on that. Thank you, Thomas.

2 We're going to go over a little bit in
3 the time we have for questions. And we're going to
4 take three final questions and I have to apologize to
5 Kevin, who we've heard from. We may check in with
6 him and see if it's a quick question, but basically
7 I'd like to get some people who have not had a chance
8 to ask questions.

9 Margaret Sheehan, Lou Zeller and Jared
10 Thompson. And, Pat, can you put Margaret Sheehan
11 through to us?

12 OPERATOR: Your line is open, Ms. Sheehan.

13 MS. SHEEHAN: Thank you, I'm calling from
14 Plymouth, Massachusetts in connection with the
15 Pilgrim Nuclear Reactor that was re-licensed for
16 another 20 years, about eight days before the Waste
17 Confidence Rule was implemented.

18 And I'm wondering how the new generic EIS
19 is going to apply to Pilgrim, if at all?

20 MODERATOR CAMERON: Can we speculate on
21 how plants that have already been re-licensed might
22 be affected by a new Waste Confidence Rule.

23 MS. LONDON: This is Lisa London from the
24 Office of General Counsel. If a license has issued,

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 then it has issued already. And, you know, the
2 effort going forward with the updated Waste
3 Confidence Rule will apply to license renewals and
4 new licenses issued, going forward after that point.

5 MODERATOR CAMERON: And people like
6 Margaret can always, if they think there should be
7 something else looked at, they can always file a
8 2.206 petition or something like that?

9 MS. LONDON: That's correct.

10 MODERATOR CAMERON: Okay, thanks,
11 Margaret. Lou, Lou Zeller.

12 MR. ZELLER: Hello, can you hear me?

13 MODERATOR CAMERON: Yes.

14 MR. ZELLER: Thank you, Chip. This is Lou
15 Zeller, Executive Director at Blue Ridge
16 Environmental Defense League and I have a question
17 regarding the lack of a thorough enough analysis as
18 cited in the decision from the D.C. Circuit Court of
19 Appeals.

20 In that decision, although the court said
21 that a generic, that a site-specific analysis would
22 not be required, at least by the court, it said that,
23 however, a generic analysis must be forward looking
24 enough to, and have enough breadth to support the

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 Commission's conclusions further, as NEPA requires,
2 the Commission must conduct a true EA regarding
3 extension of temporary storage.

4 Such an analysis must, unless it finds
5 the probability of given risk to be effectively zero,
6 account for the consequences of each risk. And that
7 is from the decision back in June.

8 My question is that with a generic
9 approach, which the Commission has elected to take,
10 it appears that the court has required enough of
11 thorough analysis, not like the analyses that were
12 done in the past.

13 And this would mean that there would have
14 to be enough specificity to include, for example,
15 reactors located on oceanfront sites. Or in river
16 sites, inland sites.

17 Basically, the whole gamut of sites at
18 which nuclear power plants are located. Effectively,
19 there would have to be enough analysis to support the
20 general rules, conclusions, which would have to
21 include all of those sites to, in order to be fair
22 enough to pass muster on the remand.

23 How does the Commission propose to do
24 that within a period of two years?

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 MODERATOR CAMERON: And, Paul, I think
2 that's a question for you in terms of how the generic
3 approach will deal with the different types of
4 reactor sites or different categories of reactor
5 sites?

6 MR. MICHALAK: We're going to try to,
7 obviously the court indicated that we have to be
8 forward looking and we will be. And that we have to
9 take the risk which is the consequences times the
10 probability.

11 So we will be evaluating the risk when it
12 comes to, for instance, spent fuel pool fires. But
13 we believe we can bound these analyses across the
14 U.S., looking at different resource areas that we can
15 bound this and take a crack at it and evaluate it to
16 meet the court.

17 MODERATOR CAMERON: Okay, Lou, thank you
18 for that question and it will also be treated as a
19 comment also in terms of how the generic approach
20 will deal with that type of thing.

21 And could we have Jared? I think it's
22 Jared Thompson, Pat?

23 MR. SCHNELLING: Yes, I'm Dave Schnelling
24 sitting at the table with Jared. Back in January,

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 the Blue Ribbon Commission issued a report. And,
2 while we have not seen anything since that, I don't
3 know what has happened to that report.

4 Will the, will this EIS consider some of
5 the policies that were recommended in that report?

6 MODERATOR CAMERON: Okay, this is on the,
7 will material in the Blue Ribbon Commission main
8 report and the various other reports that they did,
9 will that be something that the Commission takes into
10 account in doing this?

11 MR. SCHNELLING: Yes, will this EIS
12 consider some of the policies that are being
13 recommended by the BRC?

14 MODERATOR CAMERON: Okay, thank you very
15 much. Let's go to Keith McConnell.

16 MR. MCCONNELL: To the extent that it
17 applies to what we're doing, certainly we're going to
18 include the recommendations and the perspective that
19 the Blue Ribbon Commission provided.

20 MODERATOR CAMERON: Okay, thank you.
21 Thank you for that question. And, Kevin, do you have
22 a quick question?

23 MR. KAMPS: I don't think I got, yes,
24 thank you. Can you hear me?

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 MODERATOR CAMERON: Yes.

2 MR. KAMPS: I don't think I got any answer
3 to one of my questions, anyway, last time.

4 MODERATOR CAMERON: Okay.

5 MR. KAMPS: That was having to do with, I
6 think it was Ms. London from Office of General
7 Counsel, who said that NRC would be transparent and
8 accountable by providing documentation to the public.

9 But, as I mentioned, at Fermi 2, when we
10 tried to intervene on dry-cask storage, we were
11 entirely rebuffed and the information was hidden
12 behind safeguards.

13 And that's why I brought up the whistle-
14 blowers on the dam break risk because that's their
15 allegation. Is that NRC is hiding safety-related
16 information behind a security secrecy scheme and I
17 think the San Luis Obispo Mothers for Peace lawsuit
18 against NRC, where NRC was under court order to do
19 the security analysis at Diablo Canyon.

20 Yet again, despite the court order, no
21 references were provided on a several page short
22 document about security.

23 So, in terms of public confidence, in
24 terms of transparency, accountability, I was curious

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 about that assertion that NRC would be transparent
2 and accountable in this proceeding. That hasn't been
3 the case.

4 MODERATOR CAMERON: Okay, let me go to the
5 staff in terms of how and whether security
6 information might be addressed in this particular
7 GEIS.

8 You understand Kevin's concern, which is
9 in the context of a specific licensing decision. Can
10 we say anything to him at this point about how
11 security information will be addressed in this
12 particular GEIS? Do we know at this point?

13 MR. MCCONNELL: This is Keith McConnell. I
14 think there are two parts to the question. The first
15 is the transparency of actions. And with respect to
16 that, it's our intent to be as transparent as we can
17 be.

18 But there are constraints in terms of
19 ensuring that no information that we would use, that
20 would be of use to people such as terrorists, is made
21 public.

22 So we are under those constraints. But
23 our goal is to be as open and transparent as we can
24 be. In terms of addressing security measures, one 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

1 the aspects that the EIS is going to look at, will be
2 the potential for terrorist acts.

3 So, with respect to that and security
4 requirements, we would be addressing security within
5 this generic Environmental Impact Statement.

6 MODERATOR CAMERON: Okay, thank you.

7 Thank you, Kevin. We're going to go to the comment
8 portion of the meeting. And I think that we have, we
9 have the luxury of some time, in terms of how many
10 commenters we might have.

11 But, what I'd like to ask all of you on
12 the Webinar to do is to limit your comments to five
13 minutes, which is going to be plenty of time to alert
14 the NRC staff to issues that they should be thinking
15 about right now.

16 Not just when the comment period closes.
17 If we have more time, we're scheduled from 1:00 to
18 4:00. If we have more time, after we hear from
19 everybody, then we can go back and see if there's any
20 supplements. But I would ask you to follow a five
21 minute guideline.

22 And, Pat, with that, do you have some
23 people on the phone who want to make a comment? And
24 I see that Mary Lampert wants to comment, and let's

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 go to Mary.

2 MS. LAMPERT: Thank you. First I have a
3 question for process. In looking at and analyzing
4 consequences, I was curious what tools the NRC
5 proposes to use in comparing the effect of site, if
6 there is a problem with a certain method of storage
7 of spent fuel.

8 And I'll just direct them to comments I
9 submitted because I think it would be pertinent on
10 current consequence analysis to the NRC Commissioners
11 on SECY 12-0110.

12 MODERATOR CAMERON: Okay, and Mary, when
13 we go through the comment portion of the meeting,
14 we're not going to pause to answer questions, because
15 --

16 MS. LAMPERT: I understand that. It was
17 just a suggestion.

18 MODERATOR CAMERON: Oh, good, good, okay.
19 Well, thanks, do you have some other things to
20 comment on at this point?

21 MS. LAMPERT: I prefer to have my comment
22 later on.

23 MODERATOR CAMERON: Okay, so we'll go back
24 to you.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 MS. LAMPERT: Thank you very much.

2 MODERATOR CAMERON: Pat, is there someone
3 else on the line who wants to comment?

4 OPERATOR: Yes, we do have several more.

5 MODERATOR CAMERON: Okay.

6 OPERATOR: Kevin Kamps, your line is open.

7 MODERATOR CAMERON: Okay, Kevin.

8 MR. KAMPS: Thank you very much. Yes,
9 I'll start off with process comments and then go to
10 substance comments.

11 MODERATOR CAMERON: Okay.

12 MR. KAMPS: So, on the process comments,
13 again, request for NRC to simply withdraw the Federal
14 Register Notice due to the major legal errors. And
15 to collect those and then to reissue the Federal
16 Register Notice.

17 Which would, which should restart the
18 clock on the public comments period, for one thing,
19 the proposed action and the preferred alternatives
20 need to be identified.

21 And I would comment on the process, too,
22 that the public comment period should be six months
23 long, not 70 days long. And, finally, on the
24 process, that the scoping hearings, at this stage 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

1 the CIS proceedings should be held in every nuclear
2 power plant community.

3 I heard a commitment earlier from NRC,
4 one of the staff who spoke in the intro, that perhaps
5 during the draft Environmental Impact Statement,
6 public comment time period, that hearings would be
7 held on a regional basis, if I heard that correctly.

8 But, again, at this stage of the
9 proceeding and that the draft Environmental Impact
10 Statement stage, we request that every nuclear power
11 plant community be granted an NRC in-person hearing.

12 Just to emphasize, I think that the
13 Webinars are necessary and appreciated, but not
14 sufficient. And in-person hearings will add a lot of
15 value to this proceeding.

16 And moving on to substance comments, I
17 would like to focus my comments on quality assurance
18 or lack thereof on dry-cask storage, and ask that
19 that be a major consideration in the scope of the
20 CIS.

21 So I would like to put forth the
22 experience that I'm familiar with, with lack of
23 quality assurance on dry-cask storage in this
24 country, so that you're clear on what I'm talking

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 about.

2 One, would the dry-cask storage system,
3 known as the ventilated storage casks or VSC-24s that
4 are deployed and fully loaded with high level
5 radioactive waste at three nuclear power plants in
6 this country, Palisades and Point Beach on the Lake
7 Michigan shorelines, which are the drinking water
8 supply for 40 million people downstream.

9 As well as at Arkansas Nuclear 1. And
10 the quality assurance problems are so severe with
11 these that they are no longer ordered by any
12 Utilities for use in this country.

13 And that's been the case for over a
14 decade. It involves such things as the potential and
15 they actual incident at Point Beach, of an explosion
16 due to a buildup of hydrogen gas during the loading
17 of these dry-casks.

18 So since they're not being loaded
19 anymore, I guess that may not be a problem with this
20 particular model, but I am concerned that it might be
21 a problem with other cask models.

22 But there were other quality assurance
23 problems with the VSC-24s, including improper
24 welding. And even loss of, yes, loss of the design

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 documents for these casks.

2 So risks of failure during storage,
3 failure due to such things as earthquakes, especially
4 on the Lake Michigan shoreline, are ongoing concerns.

5 Again, at Palisades the concern of a
6 violation of NRC Earthquake Safety Regulations, which
7 was identified by an NRC dry-cask storage Inspector,
8 Dr. Ralph Landsman, in February of 1994.

9 And yet these defective casks with
10 defective wells and no quality assurance are still
11 deployed in violation of NRC Earthquake Safety
12 Regulations, on the shore of Lake Michigan.

13 And, moving on to another cask design,
14 the Holtec casks, major quality assurance violations
15 identified by an industry whistle-blower from
16 Commonwealth Edison/Exelon Oscar Sharani, and
17 supported by Dr. Landsman, the NRC dry-cask storage
18 Inspector.

19 Major violations of QA having to do with
20 design and fabrications of the dry-casks, having to
21 do with improper welding, brittleness introduced into
22 the casks, and calling in to question the structural
23 integrity of the Holtec dry-cask storage technology.

24 And I'll follow this up in writing with a

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 summary of Oscar Sharani's QA allegations as well as
2 Dr. Landsman's support for those allegations. So
3 that will be on the record.

4 Concerns with the pads that the dry-casks
5 are located on. Again, for example, at Dresden in
6 the Exelon fleet, violations of NRC Regulations that
7 were simply granted a waiver. And, I guess I'll
8 close on this with something that is QA-related, but
9 it's also simply missing in NRC Regulations.

10 And that is safeguards and fortifications
11 against terrorist attacks, intentional attacks on
12 dry-cask storage. Vulnerability to such weapon
13 systems as TOW anti-tank missiles.

14 And, again, I'll submit this for the
15 record. A fact sheet by NIRS, Nuclear Information
16 Resource Service, about a June, 1998, Aberdeen
17 Proving Ground experiment, that's a U.S. Army
18 experiment using a TOW anti-tank missile against a
19 German cask system, called the CASTOR.

20 Which is deployed at the Surry Nuclear
21 Power Plant, for example. The Cadillac of casks
22 really, because of the thickness of the metal, 15
23 inches thick, die-cast iron.

24 Where the first TOW anti-tank missile

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 obliterated the concrete radiation shielding. And
2 then the second TOW anti-tank missile, drilled a hole
3 through the 15 inches of metal, which is, you know,
4 it's designed to do that.

5 Because it's an anti-tank armor weapon.
6 So that was the escape pathway for volatile
7 radioactive poisons like cesium-137, to escape in a
8 fire if there were an incendiary involved in that
9 attack.

10 So I would request that security, as well
11 as safety, as well as environmental considerations be
12 included on dry-cask storage. And on the
13 environmental I mean the eventual degradation and
14 failure of the metal and/or concrete structures of
15 the casks and, again, I will submit for the record, a
16 GAO study from 2009, which recognized that danger
17 when it assumed the casks would have to be replaced
18 once a generation.

19 And a real disconnect is going on in the
20 regulations right now. For example, at
21 decommissioned nuclear power plant sites, like Big
22 Rock Point, on the Lake Michigan shoreline, is that
23 there is nowhere to do that repackaging of failed dry
24 casks or even in an emergency to deal with a cask

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 undergoing an emergency, because the pools have been
2 dismantled.

3 So the need to build new pools on these
4 decommissioned reactor sites, or hot cells. And the
5 dollar figure for that, that GAO identified, was a
6 major consideration going forward. Thank you.

7 MODERATOR CAMERON: Okay, thank you very
8 much, Kevin. We're going to go to Don Safer and then
9 Barbara Warren. Don.

10 MR. SAFER: Hello, this is Don Safer, I'm
11 in Nashville, Tennessee. I think it bears repeating
12 that these materials we're talking about are some of
13 the most toxic, poisonous substances that mankind has
14 ever had the misfortune of creating.

15 And that they have to be sequestered from
16 our environment for hundreds of thousands of years.
17 And so the importance of this work that you're doing
18 at the Waste Confidence Directorate is, I just want
19 to underline that.

20 And implore the Directorate to really
21 take into consideration these materials and not just
22 have another day at the office and dismiss the
23 concerns that so many citizens have about these
24 materials.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 So I want to echo Kevin's comments 100
2 percent. And I'm in the southeast and if it -- and I
3 support meetings at every reactor site, every host
4 community.

5 I think that's important. And if it
6 devolves down to so-called regional meetings, in the
7 southeast there should be at least state meetings or
8 subregional meetings.

9 One regional meeting in Atlanta is not
10 going to cover the southeast with the number of new
11 reactors and re-licensing reactors that are involved
12 in this and I think it's important that the southeast
13 get due consideration when this scheduling is decided
14 on any further meetings.

15 And, again, I think every host community
16 should have the opportunity, but the, and echoing the
17 question, which I didn't feel was adequately
18 answered. I would like to see really strong, solid
19 data released to the public about the amount of
20 radiation that are in these irradiated fuel rods that
21 are too radioactive to use anymore and must be
22 removed from the reactors.

23 And the details, specific inventories of
24 the toxic and radioactive substances inside of these,

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 how long they're going to last, how long they're
2 going to be a hazard to the communities that are
3 hosting these things.

4 And as part of the Environmental Impact
5 Statement, also, there needs to be a thorough
6 discussion of the biological pathways that each of
7 these can make through the environment into different
8 life forms, including humans.

9 And so the people know exactly what we're
10 dealing with here. And if there's a leak or a fire
11 what's the probable, you know, it's scientific fact,
12 the probable pathways that are going to release these
13 into the environment and the quantities.

14 And so I think it's irresponsible of the
15 NRC to not disclose that information to the public.

16 You're asking the public to weigh in on this, I
17 appreciate that.

18 And I think you have to give the public
19 the information that they need to be able to make an
20 informed decision.

21 Further, following up on the fuel
22 canisters, the casks of these that are on-site, the
23 dry-cask storage, I think studies that have been
24 done, whatever studies have been done, about the

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 degradation of the fuel rods in there and what the
2 life cycle is.

3 What's going on inside of those fuel
4 casks, inside of where the rods are. And just what
5 is happening in there and whether the likelihood,
6 what is the likelihood of the material degrading to
7 the point where you have a pile of the fuel rods in
8 the bottom with a possibility of going critical.

9 Or whatever the possibilities are and
10 whatever the likely scenario, as these materials are
11 stored on-site for much longer than was ever
12 contemplated.

13 Again, there's a real lack of information
14 that the public has been given and there's just this
15 land assurance that, oh, you can store these
16 materials for, you know, whether it's a generation or
17 100 years.

18 We need better science and we need that
19 science, if you've done it, we need to know about it
20 and it needs to be easy to find, it needs to be part
21 of the discussion in these host communities.

22 It needs to be part of the discussion
23 that you provide as a prelude to public discussion,
24 and it needs to be scientifically valid. And I guess

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 that's all of my comments right now. Thank you for
2 the opportunity and, again, I hope that the NRC will
3 really take up this as an opportunity to really
4 protect the public in a way that I don't think the
5 NRC has been protecting the public in the past.

6 Thank you.

7 MODERATOR CAMERON: Thank you, Don. Pat,
8 let's go to Barbara Warren.

9 MS. WARREN: Yes, I think I'd like to ask
10 that you address some definitions. I would hope you
11 would actually publish a proposed scope so we'd have
12 an opportunity to comment on a reasonable scope.

13 It's hard to engage in the process
14 without you proposing something. And some have
15 suggested that this may be not legal to do so. The
16 definitions I would suggest are certainly the word
17 confidence in relation to waste.

18 For over 60 years now, we have had
19 reassurances that the nuclear waste problem would be
20 an easy one to solve. From when we first moved to
21 Atoms for Peace.

22 And obviously that has not been solved,
23 so I think we really, waste confidence is something
24 of an oxymoron and I would urge the NRC to have a

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 definition for it, in this document.

2 And the other one is the word temporary
3 versus medium-term and long-term. If those could all
4 be defined in terms of what kind of years do you mean
5 by them, that would be very useful.

6 And then the other thing I'd like to
7 address is the spent fuel. We have far too many
8 nuclear power plants with an enormous amount of spent
9 fuel stored in a very crowded, congested fashion.

10 And many of us are just very concerned
11 about the implications of a major disaster in a spent
12 fuel pool. So I sincerely hope that that's going to
13 be a thorough review, in the EIS that you do.

14 That could be generic, because there's so
15 many that are extremely crowded. So there's
16 similarities there, but I think the issue of generic
17 has to deal somehow with the fact that we also have
18 sites that are going for renewals.

19 And a generic EIS does not cover site-
20 specific issues. That would mean that a site-
21 specific EIS would be needed for particular problems
22 at facilities that are undergoing license renewal, as
23 well.

24 And I think that's all I have to say,

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 thank you.

2 MODERATOR CAMERON: Okay, thank you,
3 Barbara. Mary, are you ready to provide some
4 comments now? Pixie Lampert?

5 (No response.)

6 MODERATOR CAMERON: Pat, do we have
7 anybody else who wants to comment?

8 OPERATOR: We do have Louis Zeller.

9 MODERATOR CAMERON: Okay.

10 OPERATOR: Your line is open.

11 MODERATOR CAMERON: Great. Go ahead, Lou.

12 MR. ZELLER: Okay, thank you. Again, this
13 is Lou Zeller, Executive Director, Blue Ridge
14 Environmental Defense League.

15 I believe that the, you've heard from
16 others, but I think it's important to point out that
17 the Notice of Intent to Prepare the Waste Confidence
18 Environmental Impact Statement is fatally flawed.

19 The Federal Register Notice should be
20 withdrawn and reissued, because it fails in the most
21 basic requirements of the Federal Regulations on a
22 Notice of Intent to Prepare an Environmental Impact
23 Statement.

24 The Notice gives no hint of what the

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 Agency action required. It creates a risk of spent
2 fuel storage environmental impacts and thus requires
3 us to guess at the action, moreover, the little
4 factual information which is presented in the Notice,
5 actually misleads commenters into viewing the action
6 and the alternatives, as some combination of methods
7 for storing waste fuel.

8 This truncates the scope of the
9 alternatives and it's too narrow to satisfy the
10 National Environmental Policy Act, because it does
11 not address the original Agency action that causes
12 the production of irradiated fuel in the first place.

13 That is the licensing of nuclear power
14 plants. Therefore, the scoping process will not lead
15 to an analysis of the most obvious alternative for
16 the avoidance or mitigation of spent fuel storage
17 impacts which would be the cessation of reactor
18 licensing.

19 So, that is the length and breadth of our
20 comment on this particular issue. The Notice is
21 fatally deficient and we will be submitting written
22 comments to this effect before the end of the comment
23 period. Thank you.

24 MODERATOR CAMERON: Okay, good, thank you.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 Thank you, Lou. Pat, do we have, do we have someone
2 else?

3 OPERATOR: We do have Mary Lampert and one
4 other.

5 MODERATOR CAMERON: Good, Mary wanted to
6 go towards the end, perhaps you can, who is the one
7 other? Maybe we can put that person on and then
8 we'll go to Mary.

9 OPERATOR: Okay, certainly. Larry
10 Shepard, your line is open, sir.

11 MR. SHEPARD: Yes, thank you. A couple of
12 comments. One is specific request in this particular
13 activity for staff to pay particular attention within
14 the generic EIS and language that speaks directly to
15 re-licensing staff on how issues, conditions,
16 impacts, risks, not addressed in the GEIS, should be
17 addressed within site-specific, facility-specific,
18 SEISs.

19 Not to just simply provide generic
20 language, but to be very prescriptive and provide, if
21 nothing else, some form of checklist or thorough
22 description of those instances when a more detailed
23 site-specific evaluation of waste storage would be
24 necessary for those re-licensing those site-specific

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 SEISS.

2 And, secondly, just to make a comment
3 that with regard to specific re-licenses and talking
4 about the time frames involved in waste storage,
5 where for instance in Calloway County in Central
6 Missouri, where projections for storage would leave
7 one to try and make an assumption all the way to
8 2104, the year 2104.

9 That there might indeed be many site-
10 specific components, depending on the location, but
11 may require a much more thorough investigation of
12 risk for storage.

13 And, quite frankly, the presumption would
14 be that there is a great, a tall hurdle for the re-
15 licensing staff to clear, in order to avoid an
16 adverse rating under EPA's Section 309, Review
17 Authority under the Clean Air Act. Thank you.

18 MODERATOR CAMERON: Okay, thanks, Larry,
19 for those comments. They may prove useful to the
20 staff. Mary, are you ready? Mary Lampert?

21 MS. LAMPERT: Yes, I'm ready, can you hear
22 me?

23 MODERATOR CAMERON: Yes.

24 MS. LAMPERT: Oh, okay, I want to focus on

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 a subcategory that you'll be looking into, which is
2 Boiling Water Reactors Mark 1 and Mark 2, like my
3 neighborhood reactor.

4 And the impact of adding water to spent
5 fuel pools, to the spent fuel pool in a severe
6 accident situation. The Union of Concerned
7 Scientists pointed out that if these types of
8 reactors with a spent fuel pool, in the reactor
9 building, and all the emergency pumps that protect
10 the reactor core from overheating, are located in the
11 building basement.

12 So that water evaporating from the spent
13 fuel pool would, after condensing, drain into the
14 basement. In addition, if the rate at which the
15 water was sprayed into the spent fuel pool exceeded
16 the rate at which the water was draining from it, the
17 pool would overflow and drain to the basement,
18 knocking out those systems.

19 And in a situation where you're adding
20 extra water, you're doubling up your trouble.
21 Furthermore, it seems that it's necessary to look at
22 the design of the electrical equipment inside these
23 BWRs to assure at what temperatures, pressures and
24 humidity and radiation ranges they have been

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 certified to continue operating.

2 Because it would seem, it would not take
3 long, maybe just a couple of hours, a few days, for
4 the electrical equipment to fail under the high
5 temperatures and humidity expected when a spent fuel
6 pool is heating up and releasing very high
7 temperatures and high humidity.

8 I think this is a scenario that has to be
9 analyzed and the information provided. Also, I think
10 it's very important to look specifically, when
11 analyzing vulnerability to a terrorist attack, to
12 consider BWRs and also to do specific analyses of the
13 effect of a small airplane or helicopter with
14 explosives.

15 And I bring that up because the owner of
16 Cape Cod Airlines, who also happens to be the Senator
17 representing Barnstable County or Cape Cod, has
18 spoken publicly that he could take one of his small
19 airplanes and complete the job at Pilgrim with
20 absolutely problem at all.

21 And so I would that this would be
22 analyzed along with other types of accessibility. In
23 addition, I would like to see analyses done on what
24 we consider to be ineffective mitigation strategy.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 A, checkerboarding, shifting the fuel around, which
2 seems that it would be fairly useless, unless you
3 have analyses to show it otherwise.

4 It there's partial drainage of the water,
5 or if debris blocks air flow in a drained pool. Back
6 on the spray cooling, that people are talking about.

7 Again, it seems ineffective and we would like to see
8 specific analyses indicating why you may think
9 otherwise. And in general, those are my comments. I
10 also would urge those doing the analysis, to look at
11 comments that will be submitted, have been submitted
12 by Pilgrim Watch in the litigation process regarding
13 the Order 12-051, the post-Fukushima Order.

14 Whereby we will continue to submit
15 testimony and hopefully, as the adjudication process
16 goes forward and indicating the insufficiency of that
17 Order to respond to the risks posed by this method of
18 spent fuel storage.

19 That being a high density pool. So, I'll
20 submit comments and I thank you, Chip and staff, for
21 this opportunity.

22 MODERATOR CAMERON: Okay, thank you.

23 Thank you, Mary. Kevin, Kevin Kamps?

24 MR. KAMPS: This is a chance to, you know,

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 take another bite at the apple here. I wanted to
2 address this round of my comments on pool risks, that
3 should be a part of the scope of this EIS.

4 I'll start with leaks from pools which
5 apparently the D.C. Circuit Court of Appeals has
6 already ordered NRC to look into. And so I would
7 urge NRC to look at the history of documented leaks
8 from high-level radioactive waste storage pools in
9 the United States.

10 And I've got six NRC Licensees here,
11 where you could learn lessons from. And those
12 include Indian Point, which has leaked into ground
13 water, soil and the Hudson River.

14 Salem Unit 1, in New Jersey. Again, all
15 of these leaks are into soil, ground water and then
16 the nearest surface water, so at Salem, that would be
17 the Delaware River.

18 Connecticut Yankee into the Connecticut
19 River and Long Island Sound. Hatch in Georgia in the
20 Altamaha River, if I'm pronouncing that correctly.

21 Number 5, is BWST Technologies in
22 Lynchburg, Virginia, and that's into the James River.

23 The last of the NRC Licensees that we most recently
24 learned about was Davis-Besse into Lake Erie.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 And not an NRC Licensee, but a DOE
2 Licensee, but still of course lessons could be
3 learned from it, was the Brookhaven National
4 Laboratory, the fast flex steam reactor, that's into
5 the aquifer beneath Long Island, which is a major
6 drinking water supply for a million or two million
7 people.

8 So, I think some of the lessons that NRC
9 should learn or look into and learn from, in these
10 instances of four weeks in the United States would be
11 things like the fact that these pool leaks, in some
12 cases, went on for years or even decades before being
13 detected, because of the lack of monitoring wells in
14 the ground water or the misplacement of those wells,
15 so that the plumes simply past them by without
16 detection.

17 These leaks were of various sorts. They
18 weren't simply age-degraded degradation, although
19 that is a major and worsening issue, for sure. But
20 some of these leaks had to do with the clogging of
21 drains that simply allowed pools to overflow in
22 various ways.

23 And, so that's some of what I had to say
24 about pool leaks. Another issue I would like to

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 address specifically is the issue of sudden drain-
2 down to the pools.

3 And one example that we experienced a
4 near miss with, was at Dresden Unit Number 1. So this
5 was a permanently shutdown reactor with waste still
6 in its pool for a long period of time, which is a
7 common occurrence in this country.

8 The reactor building was simply turned
9 off in terms of heating and monitoring. And during
10 the winter time, at one point, a pipe froze and broke
11 and the pool was draining through this broken pipe.

12 And most fortunately, a worker happened
13 to walk through this largely abandoned, forgotten
14 building and saw that the pool looked seriously
15 drained. I don't remember the exact figure for how
16 many feet had drained from the pool, but it was
17 stopped in time.

18 Really through sheer luck. And this is
19 documented by Dave Lochbaum in a 1996 book. And I
20 can provide that chapter for the record. So there's
21 that version of drain-downs.

22 Another version of drain-downs, that NRC
23 itself has looked at with a report, I don't remember
24 the year but it was in the last 1990s, I believe.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 It was a work document about the
2 possibility of dropping heavy loads into pools. And,
3 again, we've had a couple of close calls in that
4 regard. One was at Prairie Island, Minnesota.

5 Another at Palisades in Michigan. The
6 Palisades one, the incident took place in October of
7 2005. And I'll just repeat what I said before about
8 lack of NRC transparency and accountability.

9 In that particular case, NRC kept that
10 quiet from October until December of that year. And
11 really by a fluke, we found out about it and did a
12 Freedom of Information Act Request, which then took
13 several months for NRC to respond to.

14 But it was a very close call at dropping
15 a load weighing 107 tons into that pool. So, the
16 scenario is those heavy loads blowing a hole in the
17 bottom of the pool, draining the water away, and then
18 the waste catching on fire.

19 And as another commenter mentioned, these
20 pools are very densely packed and so air circulation
21 is not going to cool the waste. So, along those
22 lines, is a question that should be looked at in the
23 scope of this proceeding.

24 Which is the admission temperature 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

1 zirconium fuel cladding, and I believe a 2.206
2 emergency petitioner named Mark Leyse, if I'm
3 pronouncing his last name correctly, has challenged
4 NRC's assumptions about the temperature of admission
5 of zirconium, which is a very significant issue.

6 Because, of course, the lower the
7 temperature the quicker that will be a problem in an
8 accident situation. In addition to the pool leaks,
9 I'm sorry, the sudden drain-down scenario, there's
10 the boil down scenario that Mary Lampert just
11 addressed.

12 And I would point out at a pool like
13 Fermi 2 in Michigan, at the beginning of boiling is
14 at four hours and 12 minutes. We have documentation
15 from Detroit Edison that that's the case.

16 So how fast breaking this short-
17 circuiting of electrical circuitry due to steam in
18 the reactor building could occur as a major issue
19 there.

20 And I would also like to talk about the
21 security risks pools that have been touched upon
22 here, looking at various weapons systems that could
23 do that and what kinds of precautions could be put in
24 place, short of emptying the pools if the industry

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 decides to go that route.

2 As they have for so many decades, and NRC
3 decides to let them get away with it. Of course, we
4 would put forward a preferred alternative of hardened
5 on-site storage which, again, we will submit for the
6 record, as we already did, actually, on November 14
7 at Rockville.

8 The principles for safeguarding nuclear
9 waste at reactors, which calls for emptying the pools
10 and fortifying the dry-casks against terrorist
11 attacks.

12 And just to end here, the preferred
13 alternative that we would like to have NRC look at
14 carefully, is the not allowing reactors to operator
15 into the future.

16 So denial of new reactor construction and
17 operating license applications. And also denial of
18 20 year license extensions at old reactors. That is
19 a preferred alternative that should be considered,
20 thank you.

21 MODERATOR CAMERON: Okay, thank you,
22 Kevin. Pat, is there anybody new that we have who
23 wants to comment?

24 OPERATOR: We do not have anyone in there

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 for a comment, sir.

2 MODERATOR CAMERON: Okay, well to all of
3 you who are on the phone, since we do have the time,
4 there are some important aspects of the NRC approach
5 that we might ask you to give us your opinion and
6 comment on.

7 And the one that I'm thinking of is the
8 three scenarios that Paul Michalak talked about. And
9 I'm going to ask Paul to just mention those scenarios
10 again.

11 And what I would like to ask all of you
12 out there, if you have any comments, off the top of
13 your head, for NRC staff, what you might say about
14 those scenarios. Paul.

15 MR. MICHALAK: Chip, when we were stood up
16 two months ago, we started an internal scoping
17 process, just like we're doing the public scoping
18 now, taking public comments.

19 We started doing it internally, and we
20 developed several potential scenarios as part of that
21 internal scoping. And they're based on different
22 time lines for spent fuel storage beyond a reactor's
23 license life for operation.

24 What we've got so far is that we'll

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 evaluate spent fuel storage until a repository
2 becomes available at the middle of the century, 2050.

3 And a kind of a middle scenario where we would
4 evaluate storage until a repository becomes available
5 at the end of the century, about 2100.

6 And then, of course, as part of the
7 vacate and remand of the 2010 decision, the court had
8 specified that we should evaluate storage in the
9 event a repository is not available.

10 So we also have that as a scenario, as
11 well.

12 MODERATOR CAMERON: Okay, thank you. I
13 think it might be helpful for the NRC staff to hear
14 any views on those scenarios. Any practical ways to
15 deal with scenarios such as the repository not being
16 available.

17 Since we do have your attention and we do
18 have the time, I would just ask if anybody might want
19 to weigh in on those issues. Pat?

20 OPERATOR: We do have someone.

21 MODERATOR CAMERON: Kevin?

22 OPERATOR: Your line is open, sir.

23 MR. KAMPS: Hello, is this me, Kevin

24 Kamps?

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 OPERATOR: Yes, sir.

2 MR. KAMPS: Yes, okay, thank you. Yes, in
3 response to your question, Chip, I commend the NRC
4 for following the court mandate to look at no
5 repository as one of the very realistic possibilities
6 in the future.

7 After all we're really 70 years into the
8 generation of high level radioactive waste. That
9 mark just passed on December 2nd of this year and 3:25
10 p.m. That was when Enrico Fermi first created high
11 level radioactive waste, during the Manhattan
12 Project.

13 But I would point out that, you know,
14 Yucca Mountain has been a proposal for a generation
15 and it's now been cancelled, very wisely. So, yes,
16 the no repository scenario.

17 I would say that something that should be
18 looked at, in terms of there not being a repository
19 until 2050 or 2100, is the transportation time that
20 would be required to move the waste to even
21 centralized interim storage or a repository, under
22 the Department of Energy's Yucca Mountain proposal, a
23 time period of 24 years to 48 years, if I'm
24 remembering correctly from ten years ago.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 Twenty-four to 48 years just to transport
2 the first 63,000 tons of irradiated nuclear fuel from
3 commercial facilities out to Yucca. So that long
4 time delay, to get the waste off-site.

5 Another issue I wanted to raise in this,
6 you know, waiting until 2050 or 2100, to even begin
7 movement of the waste, perhaps, away from the reactor
8 sites, is we just experienced here in Michigan at a
9 place like Palisades, 20 foot waves on Lake Michigan
10 during the chaos surrounding Hurricane Sandy.

11 So, an issue that the NRC needs to look
12 at, especially in an era of climate chaos or climate
13 crisis, is whether the dry-cask storage facility at
14 Palisades, 100 yards from the water, is stable over a
15 50 or 100 year period of time.

16 Or will the beach simply erode into the
17 lake and the dry-cask storage along with it. And so
18 risks, under such a scenario, would include the risk
19 of a nuclear chain reaction on the bottom of Lake
20 Michigan.

21 And it sounds farfetched to some people,
22 but I would point NRC back to a technical meeting it
23 itself hosted several years ago with Energy
24 Solutions, the current holder of the license, VSC-

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 24s, where NRC staff had 65 requests for additional
2 information about that very subject matter.

3 Of water infiltration into a VSC-24 cask.

4 And as Don Safer mentioned, the possibility that not
5 only due to age-related degradation, but even to the
6 accident scenario itself, the fuel finding itself in
7 a critical mass in the presence of water as a neutron
8 moderator causing a chain reaction in Lake Michigan,
9 which would make emergency response very dangerous,
10 if not a suicide mission with the neutron flow and
11 the gamma radiation coming off of that.

12 And even the possibility that the
13 radiation shielding would have been breached, due to
14 age-related degradation or the impacts of the
15 accident itself.

16 And it's not just that one site, this is
17 just an example. As was mentioned, I believe by Lou
18 Zeller, the possibility of sea level rise over a 50
19 or 100 year time period, the height, the elevation
20 above sea level of the facilities on the sea coasts.

21 Again, Hurricane Sandy, the storm surge
22 came very close to inundating the service water pump
23 at the Oyster Creek Nuclear Power Plant, it came
24 within inches of doing that.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 The fact that currently NRC Regulations
2 do not require back up power on the pools. They're
3 simply connected to the grid. I don't know of any
4 voluntary efforts by industry to provide emergency
5 backup power to pools, for example. And that's a
6 point we've raised in 2.206 petitions, but we have
7 not found any traction at NRC to require emergency
8 backup power on the pools to prevent boiling in the
9 first place.

10 Because, as Mary Lampert and I have
11 pointed out, the dangers of short circuiting, safety
12 significant systems due to the steam being released
13 by a boiling pool.

14 Of course NRC's Fukushima Task Force has
15 recommended make up water, but that would still allow
16 for boiling in the first place. And, granted, all of
17 these proposals have to be done carefully.

18 Mary Lampert pointed out the list of over
19 filling the pool and flooding the basement where
20 their safety system is located. So there have to be
21 safeguards.

22 Another 2.206, petition demands that
23 we've made that has again not found any traction at
24 NRC as to require, by regulation, and require

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 enforcement, enforce those regulations, such basic
2 safeguards on pools as water level monitors, gauges,
3 temperature gauges and monitors.

4 Radiation monitors and I say this because
5 of the lessons that should be learned from Fukushima
6 where in the first days and even weeks of that
7 accident, it was very unclear what the situation in
8 the pools was.

9 And even to this day, that remains to be
10 the case. Was Pool Number 4, Fukushima Daiichi empty
11 and on fire? I think the Jury is still out on that.

12 Was a section of that pool on fire
13 because there are walls in pools that subdivide the
14 pool. Of course the confusion over whether there was
15 water present led to the drastic action of trying to
16 drop seawater by helicopter into the pools.

17 Which, again, depending on the
18 circumstances the seawater drop could have knocked
19 out safety systems. They were already knocked out of
20 course, but just basic safeguards are lacking at the
21 present time.

22 We've tried to rectify this through the
23 2.206 process. We've been stonewalled by NRC up to
24 this point. So I would ask the scope to include all

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 of these issues, thank you.

2 MODERATOR CAMERON: Okay, thank you,
3 Kevin. And we're on the issue of the scenarios that
4 the NRC is looking at and we do have Mary Lampert and
5 Lou Zeller who are going to talk to us about that.

6 But perhaps we do have a new commenter
7 that we might go to first on this scenario issue and
8 that's Julius Kerr. And then we will go back to Mary
9 Lampert and Lou Zeller. Julius, would you join us,
10 please.

11 MR. KERR: Yes, can you hear me?

12 MODERATOR CAMERON: Yes.

13 MR. KERR: In my research I found that 48
14 of the nuclear power plants have radioactive tritium
15 leaks. And this seems to be an issue that follows
16 these power plants.

17 And I think that that's something that
18 the NRC should look into and create some kind of
19 public awareness for the people that live around the
20 plants.

21 We happen to live very close to a nuclear
22 power plant and we weren't aware of the tritium leaks
23 until here just recently. And it sounds like to me
24 that this has been going on for quite some time.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 So, I would be very appreciative if you
2 all would mention that and move it to the top of the
3 list to help us protect the public. And as the NRC's
4 mission statement reads, they are supposed to protect
5 the public and the environment. Thank you for
6 allowing me to speak.

7 MODERATOR CAMERON: Okay, thank you,
8 Julius. Mary, do you have some ideas, some comments
9 on the scenarios?

10 MS. LAMPERT: Yes, I do. In going forward
11 with what Kevin Kamps had to say, it is clear, if
12 you're looking at 2050 or the beginning of the next
13 century, it's too far in the future to be able to
14 make any reasonable judgment regarding climate
15 change.

16 Regarding weapons capabilities, how we're
17 going to go further in cyberwarfare, drones, God
18 knows what, that could present various challenges to
19 spent fuel pools.

20 Therefore, when there are so many unknown
21 unknowns, it is impossible to use PRA to make an
22 analysis. Therefore, there has to be a heavy
23 reliance by the staff looking into this, on defense
24 and depth.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 That is the only reasonable approach when
2 you're dealing in the future without any specific
3 information to rely upon.

4 Therefore, this adds substance to request
5 for low density, open-frame pools and getting the
6 rest into secured, hardened dry-cask, in my
7 estimation. Also, I think it's not reasonable, in
8 any discussion, to suggest the public has an option
9 to use the 2.206.

10 And I would suggest that the staff reread
11 or read for the first time, the record in the
12 Adjudication Process on the two post-Fukushima orders
13 brought by Pilgrim 1. Judge Rosenthal directed the
14 NRC staff in this process, to look at 2.206s going
15 back to 1975, and determine whether substantive
16 relief had ever been granted.

17 Of the 387 Directorate decisions that the
18 staff reviewed, only 2, only 2, substantive relief
19 was granted. Then if Staff came out and said that,
20 well, there was partial relief or partial denial of
21 140 of the 387.

22 Judge Rosenthal looked at few and he
23 said, no, there was no substantive relief. I looked
24 at 4, I couldn't be expected to look at all 140.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 Again, no substantive relief.

2 And so, therefore, I just put the heavy
3 burden on the staff to come up with a waste
4 confidence decision this time that is right. Because
5 the public does not have any other option to get
6 substantive relief.

7 And I thank you for that opportunity. It
8 was nice talking to you, Chip.

9 MODERATOR CAMERON: Okay, nice hearing
10 you, Mary. And I think we're going to hear from Lou
11 Zeller now. We're looking for any comments on the
12 three scenarios that were mentioned by Paul Michalak
13 and then we'll go to Barbara Warren on the same
14 issue. Lou, do you have any ideas for the staff?

15 MR. ZELLER: Yes, I do, thank you, Chip.
16 Of the three options just outlined are the short
17 term, middle term and the long term. The third one,
18 of course, is the repository being unavailable.

19 And I hate to think about it, but I've
20 been following this issue for over 25 years, that
21 I've worked for Blue Ridge.

22 And, of course, it was in the Nuclear
23 Regs Policy Act, which set the repository, the search
24 for a repository in motion in 1982, and then that was

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 amended in 1987.

2 During those years a site just 20 miles
3 from my home was one of the 12 preliminary sites
4 selected in the process that the Department of
5 Energy, at that time had underway, in the Office of
6 Civilian Radioactive Waste Management.

7 The Department of Energy, I believe is a
8 leaky vessel for much hope in terms of evaluating a
9 site for an ultimate nuclear waste repository. We
10 found numerous flaws in the Agency's methodology as
11 well as their conclusions, which were never
12 finalized, of course, because Congress intervened and
13 pulled the plug on the project and changed things.

14 Because partly the failures of the
15 Agencies and experts to grapple with some of the
16 fundamental problems of storing waste which is
17 dangerous for tens of thousands of years.

18 Now, of course, here we are in the 21st
19 century, the Blue Ribbon Commission set up by the
20 President has been established. And I hate to say
21 it, but I think that what I have observed with the
22 Blue Ribbon Commission's deliberations, kind of is
23 warmed over from the latter decades of the 20th
24 century.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 Just for example, I think the Blue Ribbon
2 Commission has not fully grasped the implications or
3 dealt with the important matters of environmental
4 justice.

5 These issues are outstanding. For
6 example, the selection of a volunteer community.
7 These all weigh into the third scenario that you
8 outlined here, is that the availability of a
9 repository or the lack thereof.

10 My advice to the Commission at this
11 point, is that for under, in the case of the
12 repository being unavailable, which I think is a very
13 likely scenario. In fact, it may be the most likely
14 of all three that are outlined here, based on the
15 last 25 years of experience.

16 That in your slide which showed the
17 yellow arrow, that that yellow arrow may, in fact,
18 extend and should be evaluated to be 10,000 years
19 long.

20 And it may in fact split into 65 sites,
21 because that's what essentially should be evaluated.
22 That 65 sites would be those repositories for high
23 level nuclear waste, that is irradiated nuclear fuel,
24 for that duration of time.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 That is my recommendation to this, to you
2 today.

3 MODERATOR CAMERON: Okay, thanks, Lou,
4 that was on point on the scenarios. Let's go to
5 Barbara Warren, Pat, and then we're going to go to
6 Marvin Lewis.

7 MS. WARREN: Hello, thank you again. I'm
8 going to mention that the BRC, the Blue Ribbon
9 Commission estimated that even just with the existing
10 reactors, that's before NRC approved some of the new
11 reactors that are being built, that the waste from
12 the existing reactors would fill two Yucca-type
13 repositories by 2050.

14 So, you know, we're talking about an
15 enormous amount of waste and I think one of the EIS
16 topics should be sustainability. I don't believe
17 nuclear energy can be considered sustainable for the
18 long-term future.

19 First of all, because it's incompatible
20 with life and health and because of the unsolvable
21 problem of nuclear waste.

22 I think at some point we have to
23 recognize that this problem is an unsolvable one. So
24 I really would urge an analysis of sustainability for

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 nuclear energy in general and we should stop
2 permitting or licensing new construction of reactors
3 if we don't solve such a longstanding problem of
4 nuclear waste.

5 The other thing I wanted to bring up here
6 that I think is related to that whole discussion of
7 the scope, is that in the Neutron Task Force Report,
8 Recommendation 1 was one of the ones that I thought
9 was most important related to the patchwork of
10 regulations that the NRC was operating with the
11 design, the beyond design, the voluntary initiatives
12 versus the requirement.

13 And my understanding is there's supposed
14 to be a report on that Recommendation 1, in February.

15 And I would urge that this initiative, on the waste
16 confidence, include that analysis of trying to
17 address the regulatory patchwork, so that we don't
18 have this Waste Confidence EIS come out so that it's
19 just looking at design basis issues and not looking
20 at the whole comprehensive way of fixing this
21 regulatory patchwork.

22 So to try to incorporate that into the
23 Waste Confidence that you're doing right now.

24 MODERATOR CAMERON: Okay, thanks, Barbara.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 We have another commenter who I hope is going to
2 address scenarios, but I don't know. And it's Marvin
3 Lewis, Marvin.

4 (No response.)

5 MODERATOR CAMERON: Pat, is Marvin still
6 with us?

7 MR. LEWIS: Yes.

8 MODERATOR CAMERON: Hi, Marvin.

9 MR. LEWIS: Hi, can you hear me?

10 MODERATOR CAMERON: Yes.

11 MR. LEWIS: You said you hope I would
12 address something and I missed it.

13 MODERATOR CAMERON: Well, I just wondered
14 if you were going to address the three scenarios that
15 the NRC staff was going to use in their approach to
16 the GEIS.

17 But you can address whatever you want to
18 address.

19 MR. LEWIS: Thank you, I was not going to
20 address that. My confusion at this point concerns
21 money! We are approaching something called the
22 fiscal cliff, I don't know if people break their legs
23 when they fall off or whatever, but whatever it is.

24 My problem is when, I don't really

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 understand how we can expect the money to be there
2 when the utilities are shipping money outside the
3 U.S. to invest in Europe and what have you.

4 We're going to be asking the people with
5 the empty pockets to send money back? I doubt it.
6 The other thing is I don't know about the, whatever
7 scenario you use, how it is going to be financed.

8 You say you have, the NRC says there's a
9 fund to cover it, but that fund is being invested
10 again outside the United States. We're going to try
11 to get it back, I presume, if we need it.

12 And there's 1,001 and 1 financial
13 questions that don't seem to be addressed and I think
14 they are generic, because nobody operates without
15 money. Thank you for your time, appreciate it
16 greatly, bye.

17 MODERATOR CAMERON: Okay, thank you,
18 Marvin. Is there anybody else on the line, Pat, that
19 wants to provide some information to the NRC staff?

20 OPERATOR: Yes, I believe Mary Lampert,
21 your line is open.

22 MS. LAMPERT: Ah, yes, this is going to be
23 my last comment and I promise to hang up. Regarding
24 scenarios for the projected volumes that will be, 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

1 waste, that will be necessary to deal with in a
2 repository, my question is are they considering also
3 the volumes of waste from reactors overseas currently
4 that are promised that if they would buy our reactors
5 that we would take their waste.

6 And so how much currently is there
7 projected to be and, assuming this policy to sell our
8 nukes abroad continues, how much added waste will
9 that add to the volume, enhance the probability of
10 having a permanent off-site repository develop?

11 MODERATOR CAMERON: Okay, thanks, Mary.
12 We're going to treat that as a comment that should be
13 addressed. We have two familiar people who are on
14 the line at this point, Don Safer and Kevin Kamps.

15 And it's great that we have the luxury of
16 being able to give people more time to comment and to
17 hear their comments. So we are going to Don and
18 Kevin and then I might ask whether there's any other
19 specific issues that the NRC staff would like people
20 to comment on and do that.

21 And, if not, we might ask if there's
22 anybody who we haven't heard from, that has a comment
23 for us, and go through that. And then, at that
24 point, I think it might be legitimate to adjourn.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 But I will check with the Director of the
2 Directorate before we do that. So, with that, Don
3 Safer.

4 MR. SAFER: About the scenarios, it seems
5 to me that the most likely of those scenarios to
6 actually occur is the third one where no repository
7 is found that's been, there's no, after all, no
8 repository operating anywhere in the world right now.

9 And I know there are some that are under
10 construction but not for near the volume that the
11 United States as managed to manufacture of this
12 material.

13 And I'd kind of like to throw, sort of a
14 different wrinkle at the Directorate and the
15 Commission, in terms of this issue of, if we abandon
16 the concept of a long-term repository underground
17 that, because it's basically a fiction, and we just
18 get real about the fact that it, and maybe recognize
19 that perhaps it's not the best solution anyway.

20 I don't think there is a solution, but
21 it's trying to pick the least bad strategy. And if
22 we look at it with kind of a fresh look and recognize
23 the enormous amount of time that this material has to
24 be sequestered.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 We're looking, really, way past geologic
2 time when things of a geologic nature in terms of
3 tectonic plate movement, volcanic activity, even pole
4 shifting, who knows what will happen in the next
5 10,000 years, but let alone 100,000 or 200,000 years.

6 And putting this material into something
7 like the WIPP facility in New Mexico where that salt
8 cavern is going to collapse upon the radioactive
9 material that's going underground there.

10 And, at that point, it will be
11 irretrievable and depending on what happens,
12 geologically, if there should manage to be people
13 around at that time, it's basically a done deal, it's
14 a fait accompli that we're leaving these materials to
15 the natural forces to do what they will to them.

16 If the materials are left somewhere, much
17 closer to the surface and in a much more protected
18 fashion, where they are retrievable and possibly
19 moveable.

20 And, of course, over time the highest
21 radiation does, you know, the radiation changes its
22 nature over time. It's not as physically hot after,
23 you know, from, you know, it starts decaying
24 immediately, basically.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 So I guess, to wrap up, just to enter
2 into the discussion of the idea of, it's been posited
3 by the nuclear guardianship societies and of just
4 maintaining materials close to the surface or on the
5 surface, in a very protected fashion, with
6 instructions that are detailed for every generation
7 that's going to have to deal with this burden that we
8 are imposing upon generations forever, basically.

9 And just recognizing that we've created
10 this problem for mankind going forward and
11 recognizing the depth and breadth of the problem that
12 it's folly to continue producing this material.

13 And so ceasing the creation of the
14 material for the ephemeral electricity that is gone
15 as soon as you make it, especially in the light of
16 the technologies that are advancing in terms of wind
17 power, solar power and who knows what, to make
18 electricity, is going to be developed.

19 It's just folly to continue spreading
20 these atoms and creating this waste just to boil
21 water to make electricity. So, I'd like to see
22 something of a new look, instead of this tired, old
23 approach that has clearly failed and billions of
24 dollars have been spent.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 And many of the best minds in the world
2 have worked on and to no really appreciable result.
3 And so, anyway, those are my comments. Thank you for
4 giving me the opportunity.

5 MODERATOR CAMERON: Okay, thank you, Don.

6 And we're going to go to Kevin Kamps and then we'll
7 see if anybody else has a comment out there and check
8 in with the staff and see if there's anything that
9 they want people to address. Kevin.

10 MR. KAMPS: Thanks, Chip, yes. I
11 certainly didn't want to displace any folks who have
12 not commented at all, but rather than adjourn the
13 meeting and waste the opportunity I just like to take
14 the opportunity, I'm prompted by comments by some of
15 the other folks who've made comments, to say some
16 additional things.

17 And addressing your three scenarios, a
18 question. Just to re-emphasize again, after the
19 revelations by the two NRC whistle-blowers that have
20 been reported upon by the Huffington Post, another
21 thing to look at in terms of having to wait another
22 50 or 100 years into the future before a repository
23 is open and accepting waste.

24 And, again, it needs to be remembered

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 that it will take 25 to 50 years, if not longer, to
2 move the waste there as well, is this issue if the
3 dam breaks themselves.

4 Another 50 or 100 years of age-related
5 degradation and environmental stress on those dams,
6 would certainly increase the risk of those dams
7 failing.

8 Of course, there's also another century
9 of security risks to worry about at those dams, so
10 that should be considered.

11 Another response for the 50 or 100 years
12 of on-site storage into the future would be, again,
13 degradation of the dry-casks. And I wanted to
14 specify some examples of degradation that have
15 already occurred.

16 Like at the Surry Nuclear Power Plant,
17 which is the oldest commercial dry-cask storage in
18 the country. There have been instances of the
19 leakage of the inerting gas due to failure of inner
20 seals and supposedly, not all levels of seals have
21 failed.

22 So if that were to occur, though, and it
23 will eventually, over time, as these inner seals and
24 other structures on the dry-casks fail with corrosion

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 and age-related degradation.

2 If you lose that inerting gas, like
3 helium which is a heat transfer mechanism, but it's
4 also a protection for the fuel cladding against
5 oxidation. Because once the inerting gas goes out of
6 the cask, then air will flow in and you'll have
7 oxidation.

8 And so the risks of the age-related
9 degradation, the corrosion, the oxidation of the
10 fuel, itself, once the structures begin to fail, for
11 all future handling and storage, on-site and away
12 from reactor. So that needs to be considered.

13 And we already have instances of that.
14 And I did mention the design and manufacturing flaws
15 on casks, like at Palisades, where you have defective
16 welds to begin with.

17 And, again, supposedly no leakage of
18 radioactive gases or particles into the environment
19 yet, but certainly those defects are contributing
20 factors to the eventual failure of the cask to
21 contain the high level radioactive wastes.

22 And that's going to worsen over time. I
23 was prompted by, I believe Lou Zeller's mention of
24 environmental justice. That issue should certainly

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 be within the scope of this proceeding.

2 NRC, itself, unfortunately is guilty of
3 environmental justice violations. And I point to the
4 Skull Valley Goshutes Indian Reservation in Utah,
5 where NRC granted a construction and operating
6 license, I believe it was in 2006, to private fuel
7 storage, Limited Liability Corporation, a consortium
8 looking for utilities to store 40,000 metric tons of
9 commercial or radiated nuclear fuel, on this tiny
10 Indian Reservation.

11 The EJ impacts of that proposal, already
12 approved by NRC. The Prairie Island Indian
13 community, which is the unwilling host of two atomic
14 reactors, as well as the dry casks storage within a
15 few 100 yards of tribal residents and the tribal
16 daycare center.

17 So NRC needs to look at EJ across the
18 board. Department of Energy is guilty of
19 environmental justice violations at Yucca Mountain,
20 because it's western Shoshone Indian land and they
21 did not want to host a repository.

22 So those could be showstoppers, if
23 environmental justice was taken seriously by the
24 federal agencies.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 Another, I mentioned it earlier, but the
2 scenario of decommissioned nuclear power plants
3 having no where for the waste to go. No pool because
4 it's been dismantled.

5 So certainly over a 50 or a 100 year
6 period of time, that the need should build new pools
7 on these sites. The need to build hot cells.
8 There's going to be a need to repackage the dry-casks
9 as they fail with time.

10 So, again, Marvin Lewis mentioned that
11 where would the funding come from to build a new
12 pool? I believe in the draft stage of the GAO
13 Report, that was finally published in 2009.

14 If I'm not mistaken, in the draft, the
15 cost for building a new pool at each and every
16 decommissioned reactor site, was in the hundreds of
17 millions of dollars and they may have been lowered to
18 the tens of millions of dollars in the final report.

19 But certainly there's the cost of
20 building those pools or those hot cells. There's
21 also the cost, per cask, of simply replacing worn out
22 casks, once a generation.

23 And so those costs need to be accounted
24 for and in the funding sources, where the money will

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 come from, to do all that, will need to be accounted
2 for, in the scope of this proceeding.

3 Along those same lines of long-term
4 scenarios, 50 to 100 years, if not beyond. And I
5 think perhaps, under the no repository, that would be
6 kind of encompassing, but you know, NRC itself has
7 considered 200 to 300 years of on-site storage
8 informal proceedings.

9 So, perhaps, those scenarios should be
10 spelled out explicitly as well as the no repository
11 scenario. But the issue I'm getting at is the loss
12 of institutional control.

13 And usually that issue is reserved for
14 very long time periods, the 10,000 year, 100,000
15 year, a million year into the future scenarios under
16 repository considerations.

17 But I think even 50, 100, 200, 300 year
18 time periods, should look at loss of institutional
19 control. There's so many examples to point to.

20 We just took a tour of the dumping ground
21 for Enrico Fermi's waste, a couple days ago at
22 Redgate Woods, 25 miles from downtown Chicago, where
23 those Manhattan Projects and just after that a media
24 dumping ground for those reactor wastes located.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 It's now a park in the Cook County Forest
2 Reserve System. And there's instances, you know, in
3 just a 70 year period of time, the only institutional
4 control that's out there is a couple of stone markers
5 which have been vandalized.

6 They are actually eroding under the
7 elements. Picnic areas out there, drinking water
8 pumps were significantly, radioactively contaminated,
9 even to the point of them needing to be padlocked so
10 that people couldn't use them anymore.

11 Surface waters are badly contaminated and
12 there were no water samples being taken by the
13 Department of Energy for the first 25 years.

14 So it's not just a loss of institutional
15 control due to forgetting, but just due to sheer
16 incompetence, in the short term. Another area that
17 Pixie Lampert's comments prompted me to address is
18 that question of volume in repositories, the
19 availability of space in a repository?

20 So yes, indeed, the Atoms for Peace,
21 return to sender problem, where 41 countries have
22 highly enriched uranium, which is now irradiated. A
23 very small fraction of that has come back at this
24 point.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 So it's not one repository, but at least
2 two repositories that we'll need. If not, over 50 to
3 100 years, I hadn't heard that figure before it was
4 mentioned today by an NRC staffer of 170,000 metric
5 tons of commercial irradiated nuclear fuel in the
6 United States.

7 Based on the administrative limit or the
8 legal limit at Yucca Mountain, for example, for a
9 first repository, that is approaching three
10 repositories right there of just U.S. commercial
11 radiated fuel.

12 And a couple of other categories that
13 need to be accounted for, DOE is looking at greater
14 than Class C, so-called low level radioactive waste
15 disposal.

16 And certainly one of the possibilities is
17 that the commercial irradiated nuclear fuel
18 repository might be looked to for that disposal need
19 as well.

20 And the final one I'll mention, in terms
21 of competition for repository space, since there's so
22 much talk of small module reactors at this point, one
23 proposal for a small modular reactor in the tiny
24 village of Galena, Alaska.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 Again, an indigenous village with
2 environmental justice issues swirling around it, but
3 Toshiba Corporation offered to provide the small,
4 modular reactor over a decade ago, to this village.

5 And, to then someday take away the sealed
6 reactor, which is now a waste disposal container with
7 the high level radioactive waste inside. Where would
8 such small modular reactor wastes go?

9 And if it is inside its own reactor, the
10 size of that thing, like how big would the tunnels
11 have to be. Another category would be MOX fuel and
12 the heat levels of MOX fuel being higher than the
13 heat load of more conventional uranium fuel.

14 That means more volume in a repository
15 would be needed because of the impact of the thermal
16 pulse on the repository rock. So those are things.
17 And the last thing I'll mention, we talked about
18 environmental justice today, but I would put forward
19 that NRC should include in its considerations the
20 issue of generational justice.

21 And the impacts of NRC approving new
22 reactor licenses or old reactor license extensions on
23 future generations, which will inherit these wastes
24 when that need not happen.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 We could, you know, an ounce of
2 prevention is worth a pound of cure. We could simply
3 not generate the 100,000 tons of additional waste
4 that is envisioned by 2050, if NRC simply does not
5 approve anymore permits for generating high level
6 waste. Thank you.

7 MODERATOR CAMERON: Okay, thank you,
8 Kevin. And I would just remind everybody out there,
9 that if you do want to make a comment to press star
10 one on your phone and that alerts, Pat, our Operator,
11 to that fact.

12 Pat, we don't have anybody new on the
13 line, do we?

14 OPERATOR: No, sir.

15 MODERATOR CAMERON: Okay, well let me ask
16 the NRC staff. Is there anything, Keith, that you or
17 your staff would like to ask the public at this
18 point?

19 MR. MCCONNELL: Thanks, Chip. I think
20 we've heard a lot of comments on the technical
21 aspects of our efforts in terms of moving forward for
22 developing a generic Environmental Impact Statement.
23 We've also heard very valuable comments in terms of
24 the information that we should have available as we

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 develop this GEIS.

2 And also where the public meetings for
3 the draft of the Environmental Impact Statement
4 should be held. I guess what I'd ask is, from a
5 methodological perspective, if there are any comments
6 on our approach to outreach.

7 I think we discussed that and we have, or
8 we had up on the screen the ways to contact the NRC.

9 Are there any other opportunities that we don't seem
10 to be hitting on, that would be beneficial to members
11 of the public or other parties, to bring them into
12 this process.

13 So I'd ask the people that are on the
14 line, to comment on that.

15 MODERATOR CAMERON: Okay, thank you,
16 Keith. Any suggestions on other mechanisms to bring
17 information to the NRC's attention, in addition to
18 the ones that are already providing and if we could
19 limit it to those types of suggestions right now,
20 that would be helpful.

21 So that's the question. If anybody has
22 any ideas we'll be glad to hear from you. And we'll
23 give you a moment to think about that.

24 (Pause.)

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 MODERATOR CAMERON: Okay, thank you for
2 considering that, at least, and I think if the NRC
3 staff, do you have anything else, Keith, at this
4 point?

5 MR. MCCONNELL: No, I don't think we do.
6 In terms of ending the session, I think given our
7 experience back on November 14th, where we had people
8 calling in to comment late in the process.

9 I think we will stay here and be
10 available to hear comments until 4:00. So we won't
11 end the session early.

12 MODERATOR CAMERON: Okay, great. Thank
13 you. We will be here until 4:00 and we've heard
14 extensive comments from several individuals. I think
15 what we'd like to do now is to leave the possibility
16 open that there might be someone new who phones in
17 late or who's been on the line and has not said
18 anything yet.

19 So, Pat, we're just going to wait until
20 you alert us to anybody who wants to speak, okay?

21 OPERATOR: All right, well, sir, we do
22 have several waiting that would like to speak now.

23 MODERATOR CAMERON: Oh, really?

24 OPERATOR: Yes, sir, we do now.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 MODERATOR CAMERON: Okay, well, let's go.

2 OPERATOR: All right, thank you. Mary
3 Jaworski, your line is open.

4 MS. JAWORSKI: Okay, I wanted to state
5 that I'm not clear how, from the presentation how
6 fuel reprocessing factors into this analysis? If
7 it's not been considered, I submit that it should be.

8 MODERATOR CAMERON: Okay, thank you, we'll
9 treat that as a comment, thank you very much.

10 MS. JAWORSKI: You're quite welcome, thank
11 you for listening.

12 MODERATOR CAMERON: Okay. And, Pat, who
13 should we go to next?

14 OPERATOR: Margaret Sheehan.

15 MODERATOR CAMERON: Okay, Margaret.

16 MS. SHEEHAN: Hi, again. I'm from the
17 Pilgrim Nuclear Reactor neighborhood and I'm just
18 circling back. The Council has suggested that our
19 means for participation would be through a 2.206
20 petition.

21 But then Mary Lampert provided the
22 information that there were only, only two times have
23 there been a substantive relief given under one of
24 those petitions, since 1975.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 So, basically, you know, it's a
2 meaningless opportunity for us to try to participate
3 in this process. And when you talk about repeatedly
4 throughout this hearing, public process and wanting
5 to hear from the public, you are essentially
6 excluding a community that has a very large amount of
7 nuclear waste stored on the shores of Cape Cod Bay,
8 which was in the hurricane zone and there is no plan,
9 that we know of.

10 The petition or the letter that Entergy
11 submitted its spent fuel plan management proposal,
12 submitted as part of its license, under 10 CFR
13 50.54(bb), is basically just sitting there and it was
14 essentially, you know, a bait and switch.

15 The NRC never reviewed this schedule as
16 far as we can tell, never ruled on it and said it was
17 adequate. So the plant has now gotten relicensed
18 without having the spent fuel management plan
19 submittal reviewed and ruled on.

20 And now, because the license was issued
21 before the Waste Confidence Decision, it's not going
22 to be considered under the generic EIS. So we're in
23 a Catch 22, sort of a bait and switch type of
24 situation.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 And it would appear that any opportunity
2 for public process for us, does not exist. No way to
3 participate in this proceeding other than via a
4 meaningless 2.206 petition.

5 So I would guess I would ask you to take
6 into consideration making some kind of special
7 provision for Pilgrim and for the community. There
8 are five million people living within a 50 mile range
9 and, as you know, a boiling water reactor, Fukushima-
10 style, etcetera, etcetera. That would be my comment.

11 MODERATOR CAMERON: Okay, thank you,
12 Margaret. We have two people waiting who have spoken
13 once, and then we have three others who have spoken
14 several times.

15 And I think what we'll do is we'll go to
16 Julius Kerr and Marvin Lewis and then we'll work down
17 through Lou Zeller, Don Safer and Kevin Kamps.

18 But, Pat, and I know Lou and Don and
19 Kevin understand this. Pat, if anybody new comes on
20 the line, after we hear from Julius Kerr and Marvin
21 Lewis, then I think that we have an obligation to
22 hear from the new speaker and we'll defer Lou and Don
23 and Kevin to see if we have the time before the 4:00
24 adjournment.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 But, Julius, we heard you before. What
2 do you have to tell us now?

3 MR. KERR: This is Julius, can you hear
4 me?

5 MODERATOR CAMERON: Yes.

6 MR. KERR: You mentioned something about
7 if the public was interested. And I believe that if
8 you held these hearings locally, around the nuclear
9 power plant, and there's like 104 of them in the
10 United States. I think that you would have an uproar
11 from the people of the United States that you would
12 hear from.

13 And they would have suggestions that
14 might would help you solve this problem that you're
15 running into, having the dangerous nuclear waste
16 that's going to last for hundreds of thousands of
17 years.

18 And if you really want to solve this
19 problem of getting rid of 70 years of waste, I think
20 the NRC really needs to drop the secrecy veil and
21 open up to the smart minds of the world.

22 Because we can fix this, there is a way,
23 but it's going to take us working together. It's not
24 going to take a Nuclear Regulatory Committee working

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 in a veil of secrecy, which is what's gone on for
2 many, many years.

3 It's time to stop and do the right thing.

4 Thank you for allowing me to speak.

5 MODERATOR CAMERON: Okay, Julius, thanks.

6 And Marvin.

7 MR. LEWIS: Yes, I'm still on the subject
8 of where in the world this money is coming from. And
9 also I've, I'm on the subject of I sure would like an
10 extension on the comment period because I have been,
11 the last two pages I've put in, it looks like they
12 were made up of words just pulled from the
13 dictionary.

14 I was trying to get so much in so fast
15 and I just did not have the wherewithal to do it
16 properly. Which some things extend, of course, with
17 further comment.

18 But still, this money situation really
19 bugs me. I don't know if you read the daily papers,
20 but they all seem to be talking about a fiscal cliff.

21 That the U.S. Government can't get money.

22 I assure you that if we have a problem, that problem
23 will not get the money to get solved. And for some
24 reason, I don't see one dollar mentioned in any 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

1 these EISS.

2 Now maybe I'm wrong, but I think money
3 does have a few things to do with the environment and
4 money does has a few things to do with cures that
5 we're going to need and I'd sure like to see a cask
6 of the radioactive waste moved without costing any
7 money.

8 So I sure would like to see some
9 financials in the EIS. And I generally do not see
10 that. Thank you again for allowing me to go over the
11 same material. Goodbye.

12 MODERATOR CAMERON: Okay, goodbye, Marvin.
13 We do have a new caller on. Greg Levine, and, Pat,
14 I wondered if you could put Greg through?

15 OPERATOR: Your line is open, Mr. Levine.

16 MR. LEVINE: Hi, there, yes, this is Greg
17 Levine and thank you very much for taking the time. I
18 would ask that the NRC consider when doing its rule
19 making for waste management, especially under the
20 scenario where much of the waste remains at nuclear
21 facilities across the country, that they consider
22 better mandatory reporting.

23 Not just of unusual events, but of common
24 releases and regular monitoring of radioactive

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 releases into the environment. Considering both
2 leakage and general admission from long-term storage
3 on the site, or what will eventually wind up being
4 long-term storage.

5 But also considering that venting, leaks
6 and regular distribution of liquid radioactive waste,
7 is essentially waste that has been, that the plant
8 has chosen not to store.

9 So that part of waste management should
10 consider what is now considered regular venting of
11 radioactive gas and the dumping of contaminated water
12 during refueling.

13 That's essentially waste you're not
14 capturing. Now, I understand that that's part of
15 what the NRC considers normal operation of a plant,
16 but if the state and local communities that are not
17 only responsible for the health and safety of the
18 people around them, were to be notified more
19 rigorously and it were mandated along with a regular
20 notification to the NRC, to be put into the public
21 record, I think that would benefit the surrounding
22 people, not just from a general knowledge standpoint,
23 but because state and local communities provide the
24 logistics that keep these plants running.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 Not just the first responders but, you
2 know, things such as like road maintenance and
3 garbage pickup. And I think that state and local
4 facilities have to budget for this.

5 And I think this should be part of any
6 general waste management rule, should be a better
7 reporting regime.

8 MODERATOR CAMERON: Thanks, Greg.

9 MR. LEVINE: Thank you.

10 MODERATOR CAMERON: Thank you. Anybody
11 new on the line, Pat?

12 OPERATOR: No, sir, no one new.

13 MODERATOR CAMERON: Okay, well let's go to
14 Lou Zeller, Lou?

15 MR. ZELLER: Thank you, Chip. I was just
16 responding to the outreach suggestion.

17 MODERATOR CAMERON: Good.

18 MR. ZELLER: I know that the staff, I
19 think, is doing its best to get comments from the
20 public, as evidenced in this meeting today.

21 But I was kind of, had some difficulties
22 myself getting to this webcast today, through the
23 public involvement, public meeting, live meeting
24 webcast page, which is, normally lists all the

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 meetings which are available.

2 It was not there and I ended up calling
3 the 800 number and Dave McIntyre answered the phone
4 and kindly directed me and said it was not too late.

5 So, for a person like myself, who is
6 relatively familiar with the processes here, to have
7 missed that, I can imagine there are others that may
8 have been frustrated by that.

9 So simply a suggestion would be to post
10 that, because Dave looked there too and he didn't see
11 it, at the one which is [www.nrc.gov/public-
involve/public-meetings/index.cfm](http://www.nrc.gov/public-
12 involve/public-meetings/index.cfm).

13 And, of course, it directed me to the homepage, which
14 you scroll down through spotlight and Waste
15 Confidence Decision, which was okay.

16 But, anyway, I appreciate the effort the
17 staff has put in. And I guess, as a parting shot, I
18 would just add that I know that there were staff who
19 had voiced concerns that the Waste Confidence
20 Decision and Rule, could take three to four times as
21 long as the Commission has required you to do it in.

22 And I believe those people were right and
23 I hope that ultimately they prevail because I think
24 in order to do a thorough job, I just, I think two

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 years is way too short a time frame.

2 And I'll leave it at that. Thank you so
3 much.

4 MODERATOR CAMERON: Okay, and I think the
5 staff will pay attention to the difficulty, perhaps,
6 of finding out an easier way of how to get through to
7 the website.

8 So, thank you, Lou and I don't see
9 anybody new yet, and it does say that Mary Lampert is
10 on the line, but that couldn't be possible since she
11 said she was going to hang up.

12 I'm just kidding, Mary. Can we go to Don
13 Safer?

14 MR. SAFER: Can you hear me?

15 MODERATOR CAMERON: Yes.

16 MR. SAFER: Okay, thank you. I'm just
17 responding to the question about the approach to
18 outreach. And my observation is that if you're not
19 really used to working in these circles, you don't
20 know anything about this from the NRC.

21 The announcement comes in the Federal
22 Register and you have to be a very determined private
23 citizen to be reading the Federal Register every day.

24 So, if you really are serious about

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 reaching out beyond the circles that normally respond
2 and follow nuclear proceedings and NRC proceedings,
3 there has to be a way and I'm not a public relations
4 expert.

5 I'm sure you guys have people on your
6 staff that do, you know, PR work professionally.
7 There are numerous ways to reach out beyond the
8 Federal Register.

9 The only way that I found out about this
10 was through the network of activists that follow
11 these issues. And so basically the current state of
12 affairs is that the NRC will list these meetings in
13 the, you know, and proceedings in the Federal
14 Register and then on their website, which has been
15 stated.

16 It's not the easiest thing in the world
17 to navigate. It's not the hardest either, but, you
18 know, I appreciate the fact that you do have a
19 website and the information is there.

20 But I just want to make note that if you
21 are not a determined follower of radiological issues,
22 nuclear power, then you are very unlikely to know
23 anything about this process at all, let along these
24 particular Webinars.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 And I think the NRC, if you really want
2 to, you have it in your power and certainly in your
3 capability of reaching out, way beyond what you're
4 doing.

5 And I would applaud that. I really think
6 that that would be a great step forward. And I would
7 just add that the process, any interaction with the
8 NRC, is fraught with the quasi-legal structure that
9 the NRC has set up that really, in my humble opinion,
10 is an impediment to interaction.

11 If you don't file your proceedings in
12 certain ways, you don't even, you're not even heard.

13 And so, we're left with having to use attorneys, who
14 are well versed in NRC procedure and practice and
15 policy, to even be able to get to the point where we
16 can be heard, and then have our concerns dismissed,
17 usually out of hand and with no good logical basis
18 for it.

19 But, so if the NRC really wants to open
20 up, you know, just, there are a million ways you can
21 become more consumer friendly and reach out beyond.
22 And I would really applaud that movement in that
23 direction. Thanks.

24 MODERATOR CAMERON: Okay, thank you, Don.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 And all kidding aside, we do have Mary Lampert and
2 Kevin Kamps on the phone. And let's go to Kevin.

3 MR. KAMPS: Okay, thanks for this last
4 opportunity today.

5 MODERATOR CAMERON: Okay.

6 MR. KAMPS: Yes, again, a response to this
7 question from NRC staff about how to better the
8 outreach to the public for comments. I asked for it
9 on November 14th, in person there, but I'll repeat it
10 today.

11 A simple email address where comments can
12 be submitted. I know that NRC has a web form
13 available, which is great. But an email would make
14 it much more user-friendly to most folks.

15 It would save that extra step having to
16 go to the web form and fill it out and, you know. It
17 would simply be filling out the email address and
18 then the message and hitting send, which would save
19 some steps, actually,

20 So please do provide an email address
21 where comments can be submitted. Another idea that
22 NRC might consider is a way to phone in comments.
23 And granted that there's a special staff on the side
24 of the Waste Confidence Directorate, perhaps staff

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 people could be made available.

2 I saw a couple of names. I'm not going
3 to remember them right now. I believe Ms. Rowe and
4 Ms. Wittick, perhaps.

5 Perhaps there could be a way for simply
6 having the public phone in, speak to an NRC staffer
7 and with the consent of the public commenter, that
8 the comment be recorded.

9 Given modern technology, even to the
10 point of automated systems, where that public comment
11 could then be transcribed, you know, into a digital
12 format and NRC would have that version.

13 And I think, this again is almost a
14 question of equity or justice, because there are
15 people in the country that lack internet access, for
16 various reasons.

17 And then this way telephone comments
18 would be made more, readily made. And I think, to
19 repeat what was said by some previous commenters just
20 now, this whole rush job of the 70 days for
21 environmental scoping, is not acceptable.

22 I would put forward a six month
23 Environmental Scoping Public Comment Period. And I
24 think that this is more in line with what we saw for,

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealgross.com

1 for example, the Yucca Mountain Repository Proposal
2 that came out of the Department of Energy.

3 Granted, it was not given easily, it was
4 under public pressure that the Department of Energy
5 extended comment deadlines. Even doubled the number
6 of in-person hearings.

7 And this was on draft Environmental
8 Impact Statement stage that I remember most clearly.

9 But, even at this stage, if NRC is truly interested
10 in hearing from large segments of the public, then a
11 much longer public comment period.

12 And, again, hearings in each reactor
13 community, in-person hearings. And in terms of
14 getting the word out that this is even underway as a
15 possibility for folks to take part in, public
16 notices, television and radio ads.

17 Or at least public service announcements
18 will get the word out. And I know that NRC's Office
19 of Public Affairs has an extensive media list in
20 every region of the country.

21 Simply a press release out to the media
22 and that would not, you know, if budget lines are a
23 problem with taking active ads out, then the free
24 media that could be generated by simply sending out a

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 press release to the country and hopefully media
2 would pick that up and put the word out.

3 And folks could then visit the
4 Directorate's website or the phone number, as I
5 mentioned, could be provided. So these are all some
6 ideas for extending public outreach. Thank you.

7 MODERATOR CAMERON: Thank you for those
8 suggestions, Kevin. And, Pat, could you put, could
9 you put Mary through to us?

10 MS. LAMPERT: Hi, Chip, can you hear me?

11 MODERATOR CAMERON: Yes.

12 MS. LAMPERT: I support all the
13 suggestions, particularly media to the various media,
14 you have that list, around each reactor site, should
15 generate interest with a simple, go to NRC's website
16 at, to get information to make comments by X date.
17 Simple.

18 Spinning off on comments regarding money,
19 I believe, it was made by the same commenter a couple
20 of times. In the analysis, I'd like to see some
21 attention made to legislation and its potential
22 impact.

23 In particular, one of my concerns is
24 being an advocate of low density pool storage for

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 BWRs is, what would be the effect if NRC actually
2 pushed and supported for the Nuclear Waste Policy Act
3 to be amended so that the monies there could also be
4 spent by Licensees for going to dry-cask storage for
5 all assemblies, more than five years out of reactor.

6 That is something I think in looking
7 toward and analyzing safety on pool storage. The
8 finances are a key issue, and therefore what Congress
9 does in this regard, would have an impact.

10 That might seem like a big stretch, but
11 it's something near and dear to my heart and money,
12 let's face it, does and has been a driving factor in
13 NRC's determination of whether they're going to
14 consider, and I'm not trying to be snide on this,
15 economic impact on the Licensees versus protection of
16 public health and safety.

17 And so there could be bridges,
18 legislatively, where you can have a little bit of
19 your cake and eat it, too. That's all and I've loved
20 this session and good talking to all and appreciate
21 it. Bye, bye.

22 MODERATOR CAMERON: Bye, bye, Mary. And
23 we're going to take one more comment from Lou Zeller,
24 who is on the line, and then we're going to go to

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 Keith McConnell to, as a senior official, to close
2 the meeting out for us. Lou.

3 MR. ZELLER: Hi, Chip, thank you. Just
4 some parting, just one final comment. And I wish I
5 could see your faces when I make this suggestion but
6 in terms of outreach, Facebook is one of those tools
7 which I think could be used, could be taken advantage
8 of to help get the word out.

9 I mean, that's how we do it, so that's
10 just a final suggestion.

11 MODERATOR CAMERON: Okay, thanks, Lou.
12 And, Pat, I take it we don't have anybody else,
13 right? Correct?

14 OPERATOR: Correct, sir.

15 MODERATOR CAMERON: Thank you for your
16 help, too, today. And we're going to go to Keith
17 McConnell to, for some final remarks.

18 MR. MCCONNELL: Okay, thank you, Chip. We
19 do appreciate the people who have participated in our
20 Webinar and taking the time to give us their
21 comments, ask the questions.

22 So, again, we do appreciate that effort.
23 Additionally, thank everyone for what I thought were
24 very thoughtful comments and, like the meetings we

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 had on November 14th, everyone was very respectful of
2 time and therefore I think we benefitted from the
3 fact that we had, you know, the opportunity to hear a
4 broad range of comments.

5 So we appreciate that, also. We will
6 act, to the extent we can, to improve our outreach
7 programs. And some of the suggestions we got there I
8 think are very valuable to us.

9 So, again, thanks for that. And the last
10 thing I would say is to remind everybody that
11 tomorrow night we have the second Webinar. It will
12 be much like this Webinar in the sense that we'll do
13 the same presentations.

14 But hopefully we'll reach people on the
15 west coast with that Webinar. So, again, thanks for
16 participating and we look forward to hearing your
17 comments on the draft when we get to that stage in
18 the process. So, thank you, Chip.

19 MODERATOR CAMERON: So we're adjourned.

20 MR. MCCONNELL: We're adjourned.

21 MODERATOR CAMERON: Thank you, good
22 afternoon.

23 OPERATOR: Thank you for your
24 participation on today's conference.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1
2
3
4
5
6
7
8
9
10
11
12

(Whereupon, the above-entitled matter was
concluded at 3:54 p.m.)

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com