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NUCLEAR REGULATORY COMMISSION

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TELECONFERENCE TO DISCUSS STATUS

OF WASTE CONFIDENCE GENERIC

ENVIRONMENTAL IMPACT STATEMENT AND RULEMAKING

+ + + + +

WEDNESDAY,

MARCH 20, 2013

+ + + + +

The meeting was convened via teleconference at 1:30 p.m.

NRC STAFF PRESENTING:

KEITH MCCONNELL, Director, NMSS/WCD

CARRIE SAFFORD, Deputy Director, NMSS/WCD

ANDY IMBODEN, Branch Chief, NMSS/WCD

PAUL MICHALAK, Branch Chief, NMSS/WCD

SARAH LOPAS, Project Manager, NMSS/WCD

LISA LONDON, OGC

P R O C E E D I N G S

1:35 p.m.

MS. LOPAS: Hi everybody. Good afternoon and welcome to the Waste Confidence Directorate's Third Monthly Status Teleconference. My name is Sarah Lopas and I'm the NEPA Communications Project Manager for the Directorate.

I'll be facilitating today's teleconference. You may want to have a pen and paper handy because we'll be giving you some information and you might want to jot it down.

In the room with me here at the NRC is Keith McConnell who is the Director of the Waste Confidence Directorate, Carry Safford who is the Deputy Director. Andy Imboden is the Branch Chief of the Communications Branch. Paul Michalak is the Branch Chief of the Environmental Impact Statement Branch. And Tison Campbell -- We have Lisa London here and not Tison. Lisa is from the Office of General Counsel.

Our operator today is Shari and Shari is going to be helping us out by unmuting the individual call lines when it's time for the question and answer period. So unless you're asking a question at the end of the presentation your line will be muted.

I'm going to start off by going over the

format of today's call and some ground rules. If you were on our calls back in January or February, welcome back. We're glad to have you back. And this call is going to be the same as those calls.

There aren't any slides associated with today's call. However, we will be discussing our Scoping Summary Report. And the Scoping Summary Report was issued on Tuesday, March 5th. If you are on our Waste Confidence outreach email distribution list you should have received an email with a link to the Scoping Summary Report on March 5th.

The ADAMS accession number for the Scoping Summary Report is ML13060A128. We also issued a separate document that lists the scoping comments according to category. And that separate document kind of works in concert with the Scoping Summary Report. That document is located in ADAMS at accession number ML13060A130.

We're going to start off today with an introduction by Carrie Safford. And she's going to briefly cover the Waste Confidence session that was held last Thursday at the NRC's Annual Regulatory Information Conference.

We're then going to go to Andy Imboden. And Andy is going to discuss the Scoping Summary Report.

After Andy finishes up, we'll open the phone lines for questions. When we get to the question and answer period to ask a question you're just going to press *1 on your phone, and that's going to indicate to the operator that you'll need your line unmuted so you can ask your question.

Let's go over the ground rules. First, this call is scheduled to end at 2:30 p.m. Eastern Time. And we're obligated to keep that schedule. Please try to limit yourself initially to one question. And if there's time and we've heard from everybody at least once, we'll go back for a second round and third round of questions as needed.

Also try not to wait until the very end to ask your question. If we run out of time and we don't get to your question, please feel free to call me directly. My phone number at the office here is (301) 492-3425.

Secondly, this teleconference is being transcribed by a court reporter. This is so people that weren't on the call can review the transcript and see what was discussed. When your line is open to ask a question, start by introducing yourself and stating your affiliation if you have one. And please speak clearly so that the court reporter can get an accurate and clean

transcript.

Note that although the call is being transcribed, any comments or statements you make today are not considered formal comments on the Waste Confidence Environmental Review.

And finally the official transcript of these teleconferences will be publicly available in ADAMS and linked on our Waste Confidence website within three weeks of today's call. We also will be publishing a meeting summary within 30 days of the call.

So on Tuesday, March 5th, in the same email that transmitted the Scoping Summary Report we also provided ADAMS accession numbers and links to the February 20th meeting summary and transcript. In case you missed that info I'm going to give you the ADAMS numbers for those documents right now. So get your pen again.

The meeting summary can be found under ML13060A105. And the meeting transcript can be found under ML13058A096. Links to these documents are also on our Public Involvement page of the NRC's Waste Confidence website.

Again, if you would like to be on that email outreach list, just send us an email with that request to WCOutreach@nrc.gov. And if you have any other

questions about access to information or about the Waste Confidence Review in general you can call me. Again, my number is (301) 492-3425.

With that, let's get started. And we'll go over to Carrie Safford.

MS. SAFFORD: Thanks, Sarah. Good afternoon, everyone. As Sarah mentioned, my name is Carrie Safford and I'm the Deputy Director of the Waste Confidence Directorate.

Before I get started, I want to thank you all for participating today and for showing an interest in the agency's activities regarding waste confidence. We appreciate your participation and your input.

The purpose of today's call is to maintain an open line of communication with the public by providing you with the status update on staff's progress in developing the Draft Generic Environmental Impact Statement and Rule. The undertaking before us will benefit from and depends on public involvement, and we strive to provide an open and transparent process throughout this effort.

I'd like to start off today briefly by outlining the NRC's mission. The NRC is an independent regulatory agency and we have three elements to our mission.

The first is the protection of public health and safety. We implement that through the licensing and inspection of nuclear power plants and the users of nuclear materials.

The second is to promote the common defense and security. We implement that through the issuance of proper security measures based on the existing threat within the United States.

The third element is the protection of the environment. We implement that through the identification and consideration of environmental impacts in the licensing decisions that we undertake.

The Directorate's mission is to develop a Generic Environmental Impact Statement and revision to the Rule. In early January, we concluded a public comment period where we sought input from the public on the scope of the Environmental Impact Statement.

We've developed a Scoping Summary Report what was issued on March 5th. As Sarah mentioned, an email blast from WCOutreach was sent on March 5th containing links to the Scoping Summary Report. Andy Imboden is going to speak to that in more detail. The next opportunity for public comment will be when the Draft Generic Environmental Statement and Rule are issued in late summer or early fall.

Following up on an item I mentioned during last month's status update, the NRC had its annual Regulatory Information Conference or RIC on March 12, 13, and 14 here in Rockville, Maryland. The Waste Confidence Director moderated a panel discussion on the morning of March 14th titled "Key Insights to the Future of High Level Waste Management."

A panel of five speakers provided perspectives on the plan of action for and status of the agency's resolution of the Waste Confidence Rule remand including comments on the Administration's Post-Blue-Ribbon-Commission-on-America's-Nuclear-Future Strategy and Action Plan. Panel speakers included representatives from the Prairie Island Indian Community, the Department of Energy, the Attorney General's Office of the State of New York, the Nuclear Energy Institute and a representative of Government Strategies, Inc. and the Decommissioning Plant Coalition.

Keith McConnell, the Director of the Waste Confidence Directorate provided a brief presentation and moderated the panel. A transcript of this session will be made available on the Waste Confidence website and an email will be sent out through WCOutreach when it is available. An audio recording of the session as well as

the presenters' slides will also be made available in the future on our website.

I'll now turn it over to Andy Imboden, our Communications Branch Chief, who will provide you with an update on the Scoping Summary Report.

MR. IMBODEN: Thank you, Carrie. My name is Andy Imboden. I'm the Chief of the Communications, Planning and Rulemaking Branch. And I want to share a bit about the Waste Confidence Scoping Summary Report to make sure everyone knows how to get the report and how it fits in the overall process.

The NRC issued the Waste Confidence Scoping Summary Report earlier this month on March 5th. This is an important document because this concludes the first major phase of the Waste Confidence project. It establishes at a high level the scope of issues to be addressed in the Generic Environmental Impact Statement. And becoming familiar with the Scoping Summary Report will give you a high level understanding of the structure and what will be included in the Draft Generic Environmental Impact Statement coming out later this year.

In the overall Waste Confidence schedule, there are three main things: the scoping period, followed by a Draft Environmental Impact Statement and proposed

Rule, and the third phase is the final Environmental Impact Statement and Rule.

The public comment scoping period went from October 25, 2012 to January 2, 2013. During the scoping period, the NRC invited interested people and organizations to identify issues and provide recommendations to the agency on the development of a Generic Environmental Impact Statement and to support a proposed update to the Waste Confidence Rule.

The NRC's goal for conducting the scoping process was to define the scope of issues to be addressed in the analyses that will be included in the Generic Environmental Impact Statement. During the 70 day scoping period, interested people and organizations submitted hundreds of written comments and many more statements were submitted orally at public meetings we held in November and December of 2012.

The NRC collected all the comments no matter how they were submitted and we prepared the Scoping Summary Report to summarize what the NRC heard during the scoping process. Every one of the comments we received are addressed in the report.

The Scoping Summary Report is organized into five parts. Section A is the determinations and conclusions reached by the NRC during the scoping

process.

Section B contains a summary of comments we received during the scoping process and the NRC's responses.

Section C is the list of references we used in developing the Scoping Summary Report.

Section D is useful if you are looking for a particular person or organization's comment. It's an alphabetized table that identifies the comment and provides a reference so you can locate that person's correspondence.

And Section E is a little unusual. It's a table listing comments we received back in 2011 on the NRC's long-term Waste Confidence prescoping efforts. But we included it here because many of those comments relate to our current effort.

I hope everybody on this call has access to the Scoping Summary Report. Besides its availability in ADAMS, the NRC's public document system, the document is available from the Waste Confidence website in the NRC document section. So subscribers to our email distribution list, WCOutreach@nrc.gov, they got an email shortly after the Scoping Summary Report was available with a link to where that document can be downloaded.

We've also mailed copies of the Scoping

Summary Report to folks we know have preferred the document in hard copy. If you're having difficulty or would like to request a CD or a hard copy, please call Sarah Lopas at (301) 492-3425. Copies are free of charge.

If you're interested in seeing all of the comments organized by technical subject area, we've also made that document available to you. And you can get all the comments directly from our website and the agency's document system.

As the NRC reviewed transcripts and written material, the comments were organized into categories and the NRC prepared a response for each comment category. We considered every comment we received and comments on the same topic were addressed collectively.

I would now like to take the time to highlight a few key areas of the Scoping Summary Report. Of course, I encourage everyone to read the whole report.

The NRC received a large number of comments regarding the impacts of continued storage and spent fuel pools. The Generic Environmental Impact Statement will consider the environmental impacts of continued storage and spent fuel pools. That is in scope. This will include accident scenarios involving the potential for spent fuel pool leaks and fires due to natural and manmade

causes.

With respect to accidents, the NRC received several comments requesting the use of bounding values or worst case scenarios for the accident frequencies and consequences. The NRC plans to use existing information to generically assess the range of expected impacts from accidents that could occur from continued spent fuel storage.

However, it's important to note that the Waste Confidence Generic Environmental Impact Statement will analyze reasonably foreseeable events. And just like with all environmental assessments and environmental impact statements, the NRC will not analyze worst case scenarios.

The NRC received a large number of comments on the use of a generic approach to assessing the environmental impacts of continued storage instead of a site specific analysis and alternative approaches. Some commentors suggested a generic approach while others suggested site specific analyses.

We also heard suggested alternatives such as stopping all NRC licensing activities, halting any further production of spent nuclear fuel, and shutting down all existing nuclear power plants. Comments on the NRC's action as well as alternatives to that action are

certainly in scope. But to be clear, the federal action is the update to the Waste Confidence Decision and Rule and one alternative is to not update the rule and to analyze these impacts on a site specific basis.

The NRC is considering whether additional alternatives would be appropriate in the Generic Environmental Impact Statement based on the comments we heard during the scoping period. And we will consider these comments as we develop the Draft Generic Environmental Impact Statement.

I would like to mention one more thing specifically that is not in scope. We've heard during the scoping period as well as the questions received during earlier monthly status teleconferences about the fuel from research reactors. The continued storage of spent nuclear fuel generated at research reactors, either in the United States or abroad, is outside the scope of the Waste Confidence Generic Environmental Impact Statement and will not be considered further.

Moving to the next agenda item, while the Scoping Summary Report is a final document, there will be future opportunities to comment later in the next phase of the project. Recall in the overall Waste Confidence schedule, there are three main phases. The scoping period is the first and now that's done. We're

looking forward to the next stage, the Draft Environmental Impact Statement and proposed Rule.

I would like to talk about the next opportunity for comment and some of the details that are coming into shape for that. In last month's teleconference, a question came up about the comment periods for the Draft Environmental Impact Statement and proposed Rule. The documents will be open for public comment for around 75 days and the comment period will begin once they are published by September 2013.

Through teleconferences, our website and WCOutreach@nrc.gov, we will work very hard to make sure everyone is ready for when the public comment period will begin.

I also would like to mention that the NRC asked for and received many comments about the number and locations of meetings to discuss the Draft Generic Environmental Impact Statement and proposed Rule. The NRC plans on holding eight public meetings around the country that will be transcribed. And you can get your comments on the record and hear directly from the NRC staff on our draft analysis.

In addition, we plan on having a national webcast at, at least, one of the meetings which will allow you to participate in the meeting no matter where you

live. At next month's teleconference in April, I will share more details about the number of locations of those meetings. So stay tuned.

As we move forward through the two year overall schedule, I encourage you to track our progress and stay in touch with the Waste Confidence Directorate's activities. There are many ways to do this such as by subscribing to our email distribution, WCOutreach@nrc.gov, by monitoring or subscribing to notifications on our website and by participating in future status teleconferences. Thank you for your attention.

Sarah.

MS. LOPAS: Thank you, Andy. And thank you, Carrie. Right now, we're going to go to the question and answer period. I'm going to remind everybody that to ask a question you press *1 on your phone and that will put you in line to have your phone unmuted.

And please try to limit yourself to one question to start and try to keep that concise. And we'll go back around for a second round of questions if we have any. So go ahead and press *1 if you have any questions.

Again, press *1 for any questions you might

have about the Scoping Summary Report or any other questions about our progress or what we're doing.

Okay. It looks like we have our first person. Operator, can we open Kenneth Okin's line?

MR. OKIN: Good afternoon and thank you for allowing us to participate.

MS. LOPAS: Just a reminder to introduce yourself to start off.

MR. OKIN: Yes. My name is Kenneth Okin and I'm from the Indian Point Safe Energy Coalition, IPSEC, in New York, Westchester, New York. My question has to do with specific sites and why they are not being considered, why they are out of scope, specifically for the EIS.

MS. LOPAS: Okay. So your question is why the Waste Confidence review isn't going to be site specific. Why is it a generic review?

MR. OLIN: Yes.

MR. MICHALAK: Kenneth, hi. This is Paul Michalak. I'm the Branch Chief for the Environmental Impact Statement Branch.

And I understand your concern. But I think it's important to keep in mind that we're updating the Waste Confidence Rule and that rule is a generic rule that addresses the environmental impacts of continued spent

storage after the licensed life of a reactor until the permanent disposal in a geologic repository. It's a generic look and what I mean by that it applies to spent fuel for any commercial light water reactor. And that's the approach we're taking.

Now we're not ignoring site specific information and that informs our generic analysis. But we're looking at it across the commercial fleet, not site specifically.

MS. LOPAS: Thank you, Paul.

Okay. Next can we go to Richard Rothstein.

MR. ROTHSTEIN: Richard Rothstein. I'm a resident in the town of Plymouth, Massachusetts, and also an active member on our Town of Plymouth Nuclear Matters Advisory Committee for our Board.

When I was reviewing the transcript for I think last November's DEIS scoping, I noted that a question came up I believe from Meg Sheehan regarding whether or not the generic DEIS would be applicable for existing nuclear power plants that had already received their relicense to operate as opposed to those existing plants which have not yet received their relicense.

I recall reading the answer to that question. It's more of a comment than a question at the moment. But once the NRC completes its generic DEIS

regarding the Waste Confidence Rule, I would hope that any relevant findings and conclusions should also be applied via new orders or rulemakings to existing nuclear power plants that have received relicense from the NRC and are still operating.

I don't know if you have any comment to that, but I just wanted to offer that opinion. Thank you.

MS. LOPAS: All right. Thank you, Richard. We have that comment and we appreciate that. Thank you.

Okay. Shari, can we go to Lou Zeller please. Hi Lou.

MR. ZELLER: Hi. Thank you. I wonder how -- A lot of information in the news lately has been about sequester and Federal budgetary issues. Can anyone on this call here tell me how does the sequester affect the Nuclear Regulatory Commission and the Waste Confidence Directorate's preparation of the Waste Confidence EIS?

MS. SAFFORD: Hi Lou. This is Carry Safford. We're obviously all aware of the sequester and all the other budgetary issues that are going on in the Federal Government. But Waste Confidence is top priority for this agency and until we've been instructed otherwise, we plan to proceed full steam ahead with our work here in the Directorate.

MS. LOPAS: Okay. Thank you, Carrie.

Okay. Shari, could we hear from Mel Jenkins please.

MR. JENKINS: Yes. Regarding the Waste Confidence Generic Environmental Impact Statement scoping process Scoping Report, page 29, paragraph D and I'm scrolling down to that even as I speak.

MS. LOPAS: We're all flipping in here. So if you hear a bunch of pages.

MR. JENKINS: The specific question is really, does this apply to the Savannah River site?

MS. LOPAS: Okay. So does what apply to the Savannah River site?

MR. JENKINS: Paragraph 29 -- Page 29, paragraph D away from reactor storage. Is there a possibility that this is going to be sent to SRS? And if so would there be a full NEPA?

MR. McCONNELL: Hi, this is Keith McConnell. That's way in the future. But if commercial spent fuel is stored on the Savannah River site and is licensed by the NRC, then Waste Confidence would be applicable in the context of a generic consideration.

MR. JENKINS: Thank you. I'll hold another question for later.

MS. LOPAS: Okay. Thanks, Mel. We'll

hear from you in just a bit then.

Shari, can we go to Stephen Sondheim. Sorry if I didn't pronounce that correctly. Stephen.

MR. SONDHEIM: You did fine. It's Stephen Sondheim from Memphis, Tennessee. I'm on the Sierra Club's National Nuclear Free Campaign.

My question is, can it be known or do we know if there will ever be a permanent storage site? Because this is about waste confidence, will you all have to determine that there will be a viable permanent site within this two year period? It doesn't seem to me like we should leap before we have some place to leap to, and there are still serious questions about whether or not there even is such a thing as a permanent storage site.

MS. LOPAS: Okay. Was that a comment or were you --

MR. SONDHEIM: I'm saying if you could comment. That was a question. I want you to comment on that.

MS. LOPAS: Okay. Sure.

MR. McCONNELL: This is Keith McConnell again. Geologic disposal is still the national policy in this country. And if you're familiar with the Blue Ribbon Commission on America's Nuclear Future's report they endorse that policy.

And in January of this year, the Department of Energy released its strategy to respond to the Blue Ribbon Commission's report. It also envisions deep geologic disposal with a repository being available, if legislation is enacted, somewhere on the order of 2048.

So given those considerations that would be part of our deliberations as we move forward with the GEIS.

MS. LOPAS: Okay.

MR. SONDHEIM: If I can just follow, what if there is no site within this two year period? And with no site, there's no way to determine whether we can have any confidence in it. So how can we have waste confidence?

MR. MICHALAK: Stephen, that's a good point. This is Paul Michalak. In the Generic Environmental Impact Statement, we've got three scenarios.

The first assumes that a repository is available with 60 years following the licensed life of a reactor. The second scenario assumes that it would be approximately 160 years before repository is available. And the third scenario is a no repository scenario. So we are considering different time frames of repository availability and no repository available

in our environmental impact assessment.

MR. SONDHEIM: Okay. Thank you.

MS. LOPAS: Thank you. Just a reminder to everybody press *1 if you want to ask another question.

Shari, can we go to Phil please. Phil Klevorick.

MR. KLEVORICK: Thank you folks for taking my call. I'm Phil Klevorick with the Clark County Nuclear Waste Division. And that's in Las Vegas.

Knowing that the only geological repository that is currently even being reviewed is the Yucca Mountain. We'll go past that for a moment.

Getting to the public comment and public comment scoping meetings, I was hoping that somebody could tell me what the criteria was going to be to determine where the meetings are going to be held and if Southern Nevada is even going to be looked at. Thank you.

MS. LOPAS: Okay. So the question is how are we determining where we're going to go for our draft GEIS meetings.

MR. KLEVORICK: Correct. And if Southern Nevada is going to considered as one of those sites.

MR. IMBODEN: Hi Phil. This is Andy Imboden of the Communications Planning and Rulemaking Branch. And my staff is looking at that, where the

meetings are going to be held. We plan on giving details out next month of where that might be and the process that we took to get those answers. I don't have an answer for you right now, but in April at our next call. I think it's scheduled for April 17th. So please tune in then and we'll be at a point where we can discuss that.

MR. KLEVORICK: All right. Thank you.

MS. LOPAS: Okay. Can we go to Stewart Horn please. Hi Stewart.

MR. HORN: Hello. Yes. I'm downwind of Browns Ferry Nuclear Plant in New Hope, Alabama. And I'm working with the Blue Ridge Environmental Defense League and I'm on the Efficiency and Sustainability Team.

And I want to know how seriously the Fukushima accident is being considered in this evaluation. Because I live downwind of one of the same kind of reactors that has a defective design, it has defective, hardened vent which will fail to work in an overpressure situation with all the fuel, a full load of fuel, stored above it and a condenser that is designed to [set] out.

I'm very upset that nothing seems to be being done about all the 33 reactors in the United States that suffer the same problem. I want to know how that's being considered in this decision.

MS. LOPAS: Okay. So how are the Fukushima lessons learned being incorporated in what we're doing here for waste confidence.

MR. HORN: Yes.

MR. MICHALAK: Stewart, this is Paul Michalak. And I hear your frustration. And I knowledge that Fukushima is an important issue to the nuclear industry. And since we're developing a Generic Environmental Impact Statement, we are considering all available information in terms of the environmental impacts of continued storage. And that includes information from Fukushima.

MS. LOPAS: Okay. Thank you, Paul.

Shari, can we go to Mel again, Mel Jenkins.

MR. JENKINS: Yes. We are hearing about possible movement of Canadian nuclear waste down to Savannah River Site. Is that in the scope of this review?

MR. McCONNELL: This is Keith McConnell. We're not aware of that particular circumstance, but it would not -- We are? Well, maybe we are aware of it. But if it's not licensed by the NRC we would not be involved in that.

MR. JENKINS: Okay. Thank you.

MR. McCONNELL: It would not be in the scope

of the Generic Environmental Impact Statement.

MR. JENKINS: Okay. I do have another question. I'll wait.

MS. LOPAS: You can go ahead, Mel. There is nobody else on the line.

MR. JENKINS: Okay.

MS. LOPAS: A reminder to everybody to press *1. So go ahead, Mel.

MR. JENKINS: Okay. Are there any Federal guidelines for citizen participation in the committee process? The only thing we seem to have down here is a nonrepresentative group of people for SRS and for our nuclear power. Are there any Federal guidelines to establishing citizen input in the localities?

MS. LOPAS: Okay. We might need to clarify. So you're asking if there is any Federal guidelines or regulations regarding public participation or input into the process. Is that kind of what you're asking?

MR. JENKINS: Well, I know that you accept and are very good about opening doors for that. But we have, of course, the VC Summer plant building two more reactors. We have SRS right down from there. And there are a number of other reactors in the South Carolina area.

But there seems to be no opportunity like

the person was talking about in Massachusetts working with a group on a citizen input and review. Is there any kind of Federal guidelines for establishing things like that or is it just up to the local governments?

MS. LOPAS: Citizen review, okay. We might have to think on that one a little bit, Mel. I'm still not sure we're entirely clear what you're asking. Is there citizen review like do the states have some sort of process for formal?

MR. JENKINS: State or county. Any governmental level. But again all we see here are essentially supporter groups that are set up to endorse.

MR. MICHALAK: Mel, this is Paul Michalak. I was involved with the environmental review for the new VC Summer reactors. And we did have government to government meetings with local representatives, the state and local mayors and such, during our development of the Environmental Impact Statement for the VC Summer. And of course we had public meetings as well that were open to everyone.

MR. JENKINS: Right.

MR. MICHALAK: I don't know if that's where you're going with it, but we did have those. I actually organized and ran one of them.

MR. JENKINS: Right. I'm thinking more

along the lines of what I'm assuming would go on in Massachusetts, Massachusetts being a very different place than South Carolina. But there seems to be citizens that are sent, being on a voluntary basis, seem to interact with the information regarding nuclear operations with their local governments.

Maybe to draw a stretch on this, we have councils of government. I think they're all over the country. And they have citizen committees on bicycle and pedestrian. But I don't believe that we have any that deal with nuclear issues.

MS. LOPAS: I'm not aware of any. It sounds like it might be something that's done on a local basis community by community. It's not something that I'm familiar with or it's not something that I'm aware that the NRC -- I know we engage with local communities.

MR. MICHALAK: And with local environmental groups. Mel, at those VC Summer meetings, we contacted the South Carolina branch of the Sierra Club and different organizations to let know that we were having these meetings.

MR. JENKINS: Right. I understand. But I think I'm asking if there is anything there. But I don't think there is. But I would like to follow that. If someone could give me a call later or an email later, then

we could pursue this and see if we can develop something. And again I would like to hear from the guy from Massachusetts in how it works there.

MS. LOPAS: All right, Mel. I'm going to go ahead and give you a call. I might not be able to do it this afternoon, but I can do it tomorrow. This is Sarah.

MR. JENKINS: Yes. I remember we met. And thank you.

MS. LOPAS: Yes. So do you have my email because maybe you can email me a telephone number.

MR. JENKINS: I'm not sure I do.

MS. LOPAS: Why don't you take my phone number. It's (301) 492-3425.

MR. JENKINS: Okay. Good. I've written that down. I will call you and we'll work on this, Sarah. Thank you.

MS. LOPAS: Okay. Great. Thank you, Mel.

Okay. Let's go next to Sara Altherr. Hi Sara.

MS. ALTHERR: Hi Sarah. This is Sara Altherr in Kingston, Massachusetts. I live eight miles from Pilgrim Nuclear reactor. I'd like to ask -- I want some clarification please from Mr. Imboden. He said that the committee will not analyze worst case scenarios,

only reasonable scenarios. And I'd like to know, what's unreasonable about a worst case scenario?

MR. IMBODEN: Hi Sara. This is Andy Imboden. Yes, what I said -- Let me just pull up exactly what I said, but the NRC because of the nature of the environmental analysis, we're looking what's reasonably foreseeable. And we're not speculating on worse case scenarios. And why we're doing that is to comply with the National Environmental Policy Act.

MS. ALTHERR: So you don't think an accident like Fukushima is possible?

MR. MICHALAK: Sarah, what I'll say is -- This is Paul Michalak -- when these dry cask storage facilities or spent fuel pools are originally sited there are design basis accidents that are part of that analysis. And, for instance, there is a design basis earthquake. We will consider a design basis earthquake in our analysis. We do consider natural events in our analysis of accidents.

MS. LOPAS: Okay. Thank you, Paul.

Next let's hear from Vic Macks.

MR. MACKS: Yes, this is Vic Macks. I'm in Michigan. I'm a member of the Alliance to Halt Fermi III which is supposed new reactor for Monroe, Michigan. I had the same concern and wanted to express it. It's been

already expressed about a GE Mark I.

We have Fermi II, a GE Mark I. Three unplanned shutdowns last year. Affected by a tornado in 2010. And it has 550 tons of highly radioactive spent fuel rods extending in cooling pools four stories up outside the containment.

We consider that to be a very serious danger and whether it's considered a design basis or not. There are 28 reactor accidents on record around the world over the years of commercial nuclear power. And I think that these risks ought to be taken into account even though the NRC in reference to the National Environmental Policy Act doesn't seem to think so. Thank you.

MS. LOPAS: Okay. Thank you, Vic. We appreciate that comment.

Okay. Can we hear from Kyle Landis-Marinello please.

MR. LANDIS-MARINELLO: This is Kyle from the Vermont Attorney General's Office. I noticed in the Summary Report and on this call there's been a lot of talk about the Federal action being to update the Waste Confidence Rule or I think in the report it says to revise the Waste Confidence Rule. Does the NRC believe that there is a Waste Confidence Rule in place at the moment? Update sounds like the position might be that the old

rules were in place.

MS. LONDON: Hi Kyle. This is Lisa London from the Office of General Counsel. No, the NRC recognizes that 51.23 was vacated.

MR. LANDIS-MARINELLO: And isn't taking the position that that brought back to life the previous Waste Confidence Rules?

MS. LONDON: We recognize that currently there is no 51.23 that is active. That's been vacated.

MR. LANDIS-MARINELLO: Okay. Thanks.

MS. LOPAS: All right. Thank you, Kyle.

Next could we hear from Marvin Lewis. And I just want to remind folks that we would appreciate some questions on our process of the Scoping Summary Report. So Marvin.

MR. LEWIS: My question is on process. How nice.

MS. LOPAS: Yes. What do you have for us, Marvin?

MR. LEWIS: Well, the process. Who do I ask this question of?

MS. LOPAS: Just ask. We're all sitting around a table, Marv.

MR. LEWIS: Wonderful. Okay. Well, the question is again the same question I've been raising

before. Where is the money going to come from? We've got a lot of bets running around the world. And it looks like -- I look at the money supply and with the low interest rate we don't have money supply. A lot of our money has gone over to Europe in the waste fund and may never come back. How do we know we'll have the money to handle an accident especially by a licensee?

MS. LOPAS: Okay. So you're concerned about costs of storing...

MR. LEWIS: I don't care what the cost is. I want the money there when the accident happens. When you talk about cost, you don't worry about timing or you don't worry greatly about timing. But when you talk about an accident you need the cash on hand.

MR. McCONNELL: This is Keith McConnell. I think specifically related questions related to the costs of an accident are really outside the scope of the Generic Environmental Impact Statement. To the extent that it's related to some cleanup criteria, what we would do in the GEIS is we'd analyze the various accident scenarios that Paul Michalak referenced, consider what those impacts were and look at it from a cost perspective. But in terms of assuring that there's money around, that's really outside the scope of this effort.

MR. LEWIS: Okay. It's outside the scope

of this effort. Tell me which effort to call up and find out what they're doing about it.

MR. McCONNELL: I think we may have to get back to you on that. I don't know.

MR. LEWIS: Please do. Do you want my email or telephone number?

MS. LOPAS: I have your email, Marv. This is Sarah.

MR. LEWIS: Thank you. Okay. So I'll be looking forward.

MS. LOPAS: Okay. Thanks, Marv. I'll give you a call tomorrow.

MR. LEWIS: Thank you.

MS. LOPAS: Okay.

Let's go to Stephen Sondheim. Do we have the spelling correct? Is if F or S?

MR. SONDHEIM: S as in Sam.

MS. LOPAS: Okay. We have it wrong on our screen. Go ahead, Stephen.

MR. SONDHEIM: Thank you. As a followup to what I asked before, it sounds like the permanent storage, if they are able to find one and it's viable, is being analyzed at 60 years out. What's to happen -- I really don't mean to use this word -- what's to happen in the interim and if it's interim storage where

transportation is involved, will that have to reach a level of confidence?

MR. MICHALAK: Well, Stephen, this is Paul Michalak. The Generic Environmental Impact Statement is considering storage at the reactor sites and then also away from reactor storage during all three scenarios, during the 60 year which we're calling scenario one and then scenario two where we're actually looking at transfer from one dry cask to another. We're assuming that the cask would last for 100 years. So we actually have a dry transfer storage assumption in our scenario two.

MR. SONDHEIM: Okay. So you're not looking at interim storage. By that I mean offsite interim storage locations as a way of dealing with the situation.

MR. MICHALAK: We are. We are in that, but we're looking at it generically. So we're looking at away from reactor or interim storage. They're kind of synonymous. And we're looking at that as well. That is going to be evaluated in the Generic Environmental Impact Statement.

MR. SONDHEIM: Well, I would just ask and maybe you can respond later. What level of confidence do the interim storage sites have to have? And what

would be the criteria by which they would be judged?

MR. MICHALAK: They would be individually licensed. This is not -- it's important to note, Stephen, that this is not a licensing action. The Waste Confidence isn't a licensing action.

For instance, there's a facility in Utah that has been licensed. It's called PFS. And it's away from reactor, interim storage facility and it was licensed four years ago, five years ago, by the NRC, and it exists. I mean they haven't built it yet, but that license exists.

We are evaluating in Waste Confidence the period beyond the licensed life of the reactors. So if spent fuel ends up at PFS for a certain period of time, it then falls under the Waste Confidence and that's what we're evaluating.

MS. LOPAS: Okay. Thank you, Paul.

Can we go to Richard Rothstein please?

MR. ROTHSTEIN: Yes. I heard Mel's comment to you, Sarah, and I just wanted to try to help save everybody a little time here regarding the question.

If you go to the Town of Plymouth website, plymouth-ma.gov, there's a weblink there, "Coalition of Nuclear Communities," that was developed by our Board of Selectmen. And the objective is for advocacy with our

Board of Selectmen that affects all the host communities that have a nuclear power plant in their towns and basically wanted to take the form of lobbying U.S. Congressmen and Senators to pass legislation to amend the Nuclear Waste Policy Act of 1982 and require the Federal Government to pay for the building of onsite dry cask storage units at the nuclear power plants and transfer spent fuel rods older than five years into these hardened storage casks.

There's a lot of information in that website. I suggest anyone listening in take a look at it. If you're a host community, you know what to do. And some of this could be done, I think, in parallel with what the NRC is doing right now in developing the generic DEIS.

I hope this information is helpful. Again, I wanted to try to save everybody a little bit of time here in terms of some of the questions I also heard.

MS. LOPAS: Can you give the website one more time, Richard?

MR. ROTHSTEIN: Sure. Let me go back again. It's www.plymouth-ma.gov.

MS. LOPAS: Okay.

MR. ROTHSTEIN: There's a link on the home page for the Town of Plymouth. You'll probably see a

nice picture of downtown Plymouth with Plymouth Rock. And on the left center side, there's a box there that says, "Coalition of Nuclear Communities." And this is prepared by Belinda Brewster, Selectman Brewster, with support from her staff last year. And it's been out and there's a lot of useful information there that I think will be helpful for everybody. Thank you.

MS. LOPAS: Okay. Great. Thank you. We appreciate that.

Mel, I hope you heard that. But I'll talk to you tomorrow anyway if you give me a call.

Okay. We're going to go to Larry Shepard please.

MR. SHEPARD: This is Larry Shepard with EPA in our Kansas City Regional Office.

MS. LOPAS: Hi Larry.

MR. SHEPARD: Hello. Thank you for the opportunity. I had a question whether the GEIS will analyze the possibility of moving materials between plants, in other words, possibly from one nuclear facility that has got more material to one that has less. It's sort of facility to facility transfer if you will. Thank you.

MS. LOPAS: Okay. So is the GEIS going to consider moving spent fuel from one point to another?

MR. MICHALAK: A couple of things. This is Paul Michalak. We're assuming specific or certain sizes of spent fuel pools as part of our generic analysis. So the pool would then have to have the size to be able to accept it.

We are looking at transportation of spent fuel to the level that it hasn't already been generically assessed in Part 51 of our regulations. We have evaluated the transportation spent fuel in a different part of 51, Table 3, S-3. Thank you.

MS. LOPAS: Okay. Great. Thank you, Paul.

Let's get to Ace Hoffman. Ace.

MR. HOFFMAN: Yes. Hi. This is Ace Hoffman in Carlsbad, California. And I'm wondering what percentage of spent fuel sites are expected to fall outside of the generic classification and how far -- I mean, there must be something in every site that's outside of the classification, so how far outside does something have to be to be considered outside of generic classification? Thank you.

MS. LOPAS: Okay. So I think the question is when will something received a site specific review or how does it get its own site specific review?

MR. HOFFMAN: What percentage of sites are

likely to have that?

MR. MICHALAK: This is Paul Michalak. I don't have a percentage of sites that aren't covered by Waste Confidence. But if a site has an NRC license and it has commercial spent fuel, that is included and covered by the Waste Confidence GEIS.

MS. LOPAS: Great. Thank you, Paul.

Okay. Let's go to Genevieve Byrne.

MS. BYRNE: Hi. I'm Genevieve Byrne. I'm with EcoLaw out of Cambridge, Massachusetts. I actually have very similar questions of the one that was just asked which is that I understand you're not doing a specific GEIS. But I am curious how this analysis is being done, whether onsite storage is an inappropriate option at the individual reactor sites based on site specific realities such as climate change or sea level rise for reactors that are on the coast? So I guess the circumstance is where an individual reactor is not going to end up qualifying for coverage under the general license.

MR. MICHALAK: Hi, Genevieve. This is Paul Michalak. And climate change is a topic that is addressed or will be addressed in the Generic Environmental Impact Statement.

MS. LOPAS: Okay.

We're going to go to John Sipos.

MR. SIPOS: Hi. Good afternoon.

MS. LOPAS: Hi John.

MR. SIPOS: This is John Sipos from the State of New York. I take it you can hear me alright. Correct?

MS. LOPAS: We can.

MR. SIPOS: Thank you. First short question, Sarah. Did I understand you correctly that the transcript and the presentations from last Thursday's Regulatory Information Conference will be included in this rulemaking?

MS. LOPAS: What do you mean by included? Do you mean like included as like comments or...?

MR. SIPOS: Yes. I was just wondering if you're planning on bringing it in in some manner.

MS. SAFFORD: Hi John. This is Carrie Safford. No. I think I was the one who addressed it. What I was just letting folks know, since I realize a lot of folks maybe aren't tied into industry and don't normally attend the RIC, if they were interested in hearing or reading a transcript or hearing the audio recording of the RIC presentations that they would be available on the website. But they are not included in the docket for this proceeding.

MR. SIPOS: Thank you. My next question goes to Paul Michalak. And it's sort of a followup to a discussion you had with Sara from Massachusetts. And, Paul, I understood you to say that the NRC will consider design basis accidents. And my question is, is NRC planning to consider or planning not to consider severe accidents to spent fuel pools?

MR. MICHALAK: John, that's a good question. And fires, which would be considered a severe accident, will be addressed in the Generic Environmental Impact Statement from spent fuel pools.

MR. SIPOS: Thank you. And just one last question. There was reference to PFS facility in Utah. What's the current status of that facility and its license?

MR. MICHALAK: The license still -- John, again this is Paul Michalak. The license exists currently.

MR. McCONNELL: Yes, this is Keith McConnell. I think we have also gotten a letter requesting, a letter from PFS, requesting that the license be terminated.

MS. LOPAS: Okay.

All right. We are going to take one last call. We're going to go to Lou Zeller. I know there are

a couple of people also on the line, so I want to encourage those folks that we are missing on this call to give me a call. My number is (301) 492-3452.

Let's go to Lou and then we're going to close out the call. So Lou.

MR. ZELLER: Hi. Thank you, Sarah. In the Scoping Summary Report, there's a list of things, a couple of lists actually of things, which are outside of the scope. And you've talked about that today.

But as you will recall when the Circuit Court made its decision they talked about Table S-3. And someone just mentioned that a little bit ago. And, of course, there are some differences on it I understand. Could you elaborate on where the Waste Confidence Directorate is going with its consideration or reconsideration of Table S-3?

MR. McCONNELL: This is Keith McConnell. We're not involved in any way with Table S-3. Our work is outside of Table S-3 and is independent of it.

MS. LOPAS: Okay. Thank you, Keith.

Before I send it back to Carrie to close out the call, I just want to remind folks that we will have our next month's call on April 17th, Wednesday, same time, same place, 1:30 p.m. to 2:30 p.m. The call and information is exactly the same and look for an email in

a couple weeks spitting out this transcript and meeting summary.

Carrie.

MS. SAFFORD: Thanks everyone for your participation today. And we do hope that you find these status calls useful. And we look forward to your future participation in the Waste Confidence proceeding. Thank you very much.

(Whereupon, at 2:31 p.m., the above entitled matter was concluded.)