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Monthly Status Update

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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

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WASTE CONFIDENCE DIRECTORS

MONTHLY STATUS UPDATE

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WEDNESDAY

APRIL 17, 2013

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The status update was held via teleconference at
1:30 p.m., Sarah Lopas, moderator, presiding.

NRC STAFF PRESENT:

- ESTHER HOUSEMAN, OGC
- ANDREW IMBODEN, NMSS/WCD
- SARAH LOPAS, NMSS/WCD
- KEITH McCONNELL, NMSS/WCD
- PAUL MICHALAK, NMSS/WCD
- CARRIE SAFFORD, NMSS/WCD

1 ALSO PRESENT:

2 DEAN BAKER, Tennessee Valley Authority

3 MATT BROCK, Office of the Attorney General, State
4 of Massachusetts

5 DIANE D'ARRIGO, Nuclear Information and Resource
6 Service

7 JULIUS KERR

8 MARY OLSON, Nuclear Information and Resource Service

9 ANTHONY ROISMAN

10 DON SAFER, Tennessee Environmental Council

11 RUTH THOMAS, Environmentalists, Inc.

12 LOU ZELLER, Blue Ridge Environmental Defense League

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P R O C E E D I N G S

(1:35:16 p.m.)

MS. LOPAS: Hi, everybody. Good afternoon and welcome to the Waste Confidence Directorate's monthly status teleconference for April.

My name is Sarah Lopas, and I'm the NEPA Communications Project Manager for the Waste Confidence Directorate. I'll be facilitating today's teleconference.

You might want to have a pen and paper handy because we'll be giving some info that you might be interested in jotting down.

So, thank you for participating with us today. I'm going to start by introducing who's in the room with me here at the NRC. We have Keith McConnell, who's the Director of the Waste Confidence Directorate; Carrie Safford, who's our Deputy Director; Andy Imboden, the Branch Chief of the Communications Branch; Paul Michalak, Branch Chief of the Environmental Impact Statement Branch; and Esther Houseman, who is from our Office of General Counsel.

Our operator today, her name is also Sarah, and Sarah the Operator will be helping us by unmuting the individual call lines when we get to the question and answer period.

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1 When we get to that point of today's call,
2 all you'll need to do is just press *1, and note that
3 unless you're asking a question your lines will be muted.

4 So, I'm going to start off by going over the
5 format of today's call and some of the ground rules. There
6 are no slides or other materials associated with today's
7 call; however, we will adhere to the following agenda.

8 We'll begin with an introduction by Carrie
9 Safford, then Paul Michalak will give a brief update on
10 the development of the Generic Environmental Impact
11 Statement. After Paul, Andy Imboden will then discuss the
12 locations of our public meetings for the Draft General
13 Environmental Impact Statement. When Andy finishes up,
14 we'll then open the phone lines for questions.

15 So, let's go over the ground rules for the
16 call. First, the call is scheduled to end at 2:30 Eastern
17 Time, and we're obligated to keep that schedule. So,
18 please try to limit yourself initially to one question,
19 and then if there's time we'll go back for a second round.

20 Also, please try not to wait until the very
21 end to ask your questions. If we happen to run out of time
22 and don't get to your question know that you can give me
23 a call in the next couple of days and ask your question.
24 My office number here is (301)492-3425.

25 Second, this teleconference is being

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1 transcribed by a court reporter. This is so that people
2 that aren't on the call can review the transcript and see
3 what was discussed. When your line is open to ask a
4 question, please start by introducing yourself and
5 stating your affiliation, if applicable. Please remember
6 to speak clearly and slowly so the court reporter can get
7 an accurate and clean transcript.

8 Also note that although this call is being
9 transcribed, any comments that you're making today will
10 not be considered as formal comments on the Waste
11 Confidence Environmental Review.

12 And, finally, the official transcript of
13 these teleconferences will be publicly available in
14 ADAMS and linked on our Waste Confidence website within
15 three weeks of the date of the call. We will also be
16 publishing a meeting summary within 30 days of the call.

17 On Thursday, April 11th, we sent an email
18 from WCO outreach@nrc.gov that provided ADAMS accession
19 numbers and links to the March 20th teleconference meeting
20 summary and transcript. In case you missed that info, I'm
21 going to give you the ADAMS accession numbers right now,
22 so grab a pen. The meeting summary can be found under ML,
23 that's M as for Mary, L for Lynn, 13095A as in apple, 362,
24 and the meeting transcript can be found under ML13081A
25 as in apple, 220. Links to these documents are also on

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1 our Public Involvement web page on the NRC's Waste
2 Confidence website.

3 If you want to be on our Waste Confidence
4 Outreach email list, please send an email with that
5 request to W-C-O-U-T-R-E-A-C-H@nrc.gov. That's
6 WCO outreach@nrc.gov. And, again, if you have any other
7 questions about access to information or questions about
8 the Waste Confidence Review, in general, you can call me,
9 Sarah Lopas. Again, my number is (301)492-3425. And with
10 that, I'm going to hand it over to Carrie Safford.

11 MS. SAFFORD: Thank you, Sarah. Good
12 afternoon, everyone. As Sarah mentioned, my name is
13 Carrie Safford, and I'm the Deputy Director of the Waste
14 Confidence Directorate.

15 Before I get started, I do want to thank
16 everyone for participating today, and for showing an
17 interest in the Agency's activities regarding Waste
18 Confidence. We appreciate your participation and input.

19 The purpose of today's call is to maintain
20 an open line of communication with the public by
21 providing you with a status update on our progress in
22 developing the Draft Generic Environmental Impact
23 Statement and proposed rule.

24 The undertaking before us will benefit from
25 and depends upon public involvement, and we strive to

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1 provide an open and transparent process throughout this
2 effort.

3 As I mentioned, the Directorate's mission
4 is to develop a Generic Environmental Impact Statement
5 and proposed rule. In the March call, we discussed the
6 progress that had been made on developing and issuing the
7 Scoping Summary Report. I also mentioned during that call
8 the NRC's annual Regulatory Information Conference, or
9 RIC, which was held here in Rockville, Maryland on March
10 12th, 13th, and 14th.

11 The RIC website has posted the presenters'
12 slides from the Waste Confidence panel discussion
13 titled, "Key Insights to the Future of High-Level Waste
14 Management," so you can head to our -- the NRC's main
15 website and then to the RIC tab. And if you're interested,
16 you can pull down the presentations of the speakers for
17 that panel.

18 In the next coming weeks we will also be
19 posting the transcripts and the audio recording of that
20 session, as well as questions and answers that came up
21 during the panel.

22 I'll now turn it over to Andy Imboden, who
23 will provide you with an update.

24 MR. IMBODEN: Thank you, Carrie. My name is
25 Andy Imboden. I'm the Chief of the Communications

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1 Planning and Rulemaking Branch, and I want to talk a bit
2 about the upcoming public meetings we will be having
3 around the country to get your comments on Waste
4 Confidence, and the public comment period, in general.
5 I will then conclude with an announcement about our next
6 teleconference in May.

7 It's still a few months, but later this year
8 the NRC will issue for public comment a Draft Generic
9 Environmental Impact Statement and a proposed rule. Both
10 these documents will have concurrent public comment
11 periods. This comment period offers an opportunity for
12 interested people and organizations to comment on what
13 the Waste Confidence Directorate has done, and to tell
14 us what you think about the Draft Generic Environmental
15 Impact Statement and proposed rule. All comments we
16 receive will be considered in the preparation of the
17 final documents.

18 One component of the comment period is
19 public meetings. These meetings will be held so that the
20 NRC can hear what you have to say about the documents.
21 While there will be ample opportunity and various methods
22 to submit comments in writing, such as on
23 www.regulations.gov, many people prefer speaking at an
24 open meeting on the record. Every one of these upcoming
25 meetings we hold will be transcribed. Regardless of how

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1 comments are submitted, the NRC will consider them all
2 in the preparation of the Final Generic Environmental
3 Impact Statement and rule.

4 Back in the Scoping period, the NRC asked
5 for comments on where the public meetings might be held.
6 In return, we received many responses about the number
7 of meetings and their potential locations. What we heard
8 during the Scoping process made it clear that Waste
9 Confidence is an issue with high interest and nationwide
10 applicability, and public interest is not limited to a
11 specific geographic area. Unlike for a licensing action
12 which is for a very specific location, Waste Confidence
13 is a generic approach and has nationwide applicability.

14 Before I say where the meetings will be, I
15 would first like to say thank you to everyone who gave
16 us their suggestions and perspectives on the meeting
17 locations. I appreciate your input, and while I wish we
18 could accommodate every request, we simply cannot be
19 everywhere. While I'm very excited to hold these meetings
20 and to hear your comments firsthand, this was a difficult
21 decision.

22 We considered several factors in developing
23 this list. During the Scoping period, the NRC staff
24 solicited and received public input on meeting
25 locations. We received suggestions for meetings in

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1 hundreds of locations. When we put together the final
2 list we considered what we heard. Also, we considered
3 where interested people and organizations were located,
4 which was also very broad.

5 For example, during the Scoping period we
6 had participants from 37 states and the District of
7 Columbia. We considered past experience we've had with
8 other Generic Environmental activities, and the public
9 meetings associated with those. We also considered other
10 practical and logistical issues, such as driving times,
11 airport hub locations, and the number of meetings that
12 could reasonably be held within the public comment
13 period.

14 Early in the project we were saying that
15 there would be six to eight public meetings. Our current
16 plan is to hold a total of ten. The specific locations
17 are not chosen yet, but we are looking at venues in the
18 vicinity of the following areas. There'll be two meetings
19 in the Washington, D.C. metro area, one in the Boston,
20 Massachusetts metro area, one in the New York City metro
21 area, one in Denver, Colorado, one in Minneapolis,
22 Minnesota, one in San Luis Obispo, California, one in San
23 Clemente, California, Toledo, Ohio, and Charlotte, North
24 Carolina. The first and last meeting will be held in the
25 Washington, D.C. metro area at NRC headquarters.

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1 These meetings will be nationally webcast.
2 These two NRC headquarters meetings will also be
3 accessible by a moderated teleconference line for
4 members of the public who cannot attend one of the eight
5 regional meetings.

6 Let me just clarify about the comment
7 periods for the Draft Environmental Impact Statement and
8 proposed rule. The documents will be open for public
9 comment for 75 days, and the comment period will begin
10 once they are published in the fall. Through
11 teleconferences, our website, and WCO outreach@nrc.gov,
12 we will work very hard to make sure everyone is ready for
13 when the public comment period begins. As we get closer
14 to the comment period, we will also tell you the specific
15 dates and locations for these meetings.

16 As we move forward through the two-year
17 overall schedule, I encourage you to get information on
18 this project, track our progress, and stay in touch with
19 our activities by signing up for WCO outreach@nrc.gov. by
20 checking on our website for updates, and by participating
21 in future status teleconferences.

22 Finally, I would like to make an
23 announcement about our next meeting in May. The next
24 meeting will be on May 29th. Since the end of the Scoping
25 period, we have held teleconferences like this one to

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1 discuss the status of Waste Confidence on the third
2 Wednesday of each month, and we have previously said that
3 the May meeting would follow that pattern. However, the
4 Waste Confidence staff will be moving between buildings
5 that week, so the next meeting will not be on May 15th,
6 but it will be on May 29th, still on a Wednesday afternoon
7 at the same time, and with the same call-in number. We
8 will make a formal announcement in the next few weeks.
9 Thank you for your understanding and your attention.
10 Paul.

11 MR. MICHALAK: Thanks, Andy. My name is Paul
12 Michalak and I'm the Chief of the Environmental Impact
13 Statement Branch.

14 The Draft Generic Environmental Impact
15 Statement and proposed Waste Confidence rule are
16 currently under development. Our goal remains the same,
17 to produce a high-quality work product for public review.
18 Our focus is to provide a plain language, readable
19 document that the general public can understand.

20 Schedule-wise, we are still on schedule to
21 release the Draft Generic Environmental Impact Statement
22 and proposed Waste Confidence rule for public comment by
23 the fall of 2003, or 2013 rather.

24 Besides status and schedule, I'd like to
25 take this opportunity to clarify some issues that have

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1 come up over the last couple of public status calls. The
2 first issue is interim spent fuel storage. In the Waste
3 Confidence Draft Generic Environmental Impact Statement
4 we are currently addressing interim storage in two ways;
5 short-term storage, which we are defining as 60 years
6 beyond the licensed life of the reactor until permanent
7 disposal in a geologic repository, and long-term storage
8 which is an additional 100 years beyond the licensed life
9 of the reactor. Both these scenarios are interim because
10 we assume a permanent spent fuel repository is available
11 at the end of each scenario. In addition to these two
12 interim scenarios, we are also evaluating indefinite
13 storage, the case where no repository becomes available.

14 Another issue that has come up is
15 transportation of commercial spent nuclear fuel. Since
16 we are addressing at reactor and away from reactor
17 storage in the Draft Generic Environmental Impact
18 Statement, transportation to and from these facilities
19 is in scope.

20 For commercial spent nuclear fuel at an
21 at-reactor storage facility, the Draft Generic
22 Environmental Impact Statement will address
23 transportation either to an away from reactor facility,
24 or the permanent geologic repository. For commercial
25 spent nuclear fuel at an away from reactor storage

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1 facility, the Draft Generic Environmental Impact
2 Statement will address transportation of the spent fuel
3 to a permanent geologic repository.

4 Also, let me clarify that in our evaluation
5 of spent fuel transportation impacts, we are utilizing
6 information and the underlying analysis contained in
7 Table S-4 found in the NRC's Part 51 regulations. Table
8 S-4 is the environmental impact of transportation of fuel
9 and waste to and from one light water-cooled nuclear
10 power reactor. Table S-4 can be found in Title 10 of the
11 Code of Federal Regulations, Part 51, Section 51.52.
12 Thanks, Sarah.

13 MS. LOPAS: All right. Thank you, Paul.

14 Okay, everybody. At this point, we're going
15 to go to the question and answer period. I would like to
16 remind you that you press *1 on your phone if you would
17 like to ask a question, and just indicate to the operator
18 that you're going to need your line unmuted.

19 A reminder to introduce yourself to begin,
20 speak clearly, and try to limit yourself to one question
21 to start, and we'll go back for a second round of
22 questions once we get through everybody. So, we'll just
23 hang tight until we see some questions pop up. All right.
24 It looks like we have Dean Baker on the line. Sarah, can
25 we hear from Dean Baker, please?

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1 OPERATOR: Go ahead, Dean, your line is open.

2 MR. BAKER: Okay, thank you. My name is Dean
3 Baker, and I work for the Tennessee Valley Authority at
4 our Watts Bar 2 site.

5 My question is, the GEIS is going to be
6 issued for public comment in the fall, but prior to that
7 publication date a draft document, I would expect, would
8 be issued to the Government Printing Office sometime in
9 advance. Will we receive notification when the Draft GEIS
10 goes to the Government Printing Office?

11 MS. LOPAS: Okay, Dean, hang tight. We're
12 going to have Andy answer your question.

13 MR. IMBODEN: Hi, Dean, yes. This is Andy
14 Imboden.

15 The -- we will work very hard to let
16 everyone know through our emails and our website when
17 the documents are publicly available, whatever time that
18 is. And it's very likely it will be prior to the official
19 start of the public comment period. But whenever the
20 draft documents are available, we will make sure everyone
21 knows about that as soon as that happens.

22 MS. LOPAS: Okay, great. Thank you, Andy.
23 Okay, can we hear from Mary Olson, please.

24 MS. OLSON: Hi, Mary Olson, Nuclear
25 Information and Resource Service. And I certainly heard

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1 and understood the degree of deliberation mentioned in
2 terms of coming up with this list of ten locations for
3 the public meetings. And I want to congratulate you on
4 having eight regional instead of a smaller number. I
5 think that's great. And I think have two in D.C. is also
6 a good idea. But the one piece of feedback I'd like to
7 give you is that I do not see the Great Lakes really
8 represented here, nor do I see a real transportation hub
9 represented here. And, therefore, I would strongly
10 encourage you to reconsider having a meeting in Chicago,
11 since it would do both.

12 MR. IMBODEN: Okay, yes, thank you. This is
13 Andy. Thank you, Mary, for that feedback. We -- you know,
14 during the Scoping period we did people suggesting we
15 have a meeting in Chicago. We felt like the meetings in
16 Minneapolis, Minnesota and Toledo, Ohio would be
17 accessible to a lot of folks in the Great Lakes region.
18 For anyone who can't make it to the meeting, the NRC
19 meetings will be very accessible to you. All you will need
20 is a phone. But, you know, thanks for that comment.

21 MS. LOPAS: Thank you, Mary. Okay, reminder
22 to press *1 if you have a question. Okay, can we hear from
23 Lou Zeller, please.

24 MR. ZELLER: Yes, this is Lou Zeller, Blue
25 Ridge Environmental Defense League. You mentioned one of

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1 the sites would be Charlotte, North Carolina, which I
2 appreciate that. However, at some -- I don't know who
3 would be running the hearing, that's my question. And
4 what kind of public access would there be? And the reason
5 I ask this question is because the State Utility
6 Commission has recently been holding hearings in North
7 Carolina at various places, and the participants at the
8 hearings in Charlotte have experienced very heavy-handed
9 tactics which were counter to their ability to make a
10 public comment. People were forced to take off their
11 shoes, couldn't take pens into the hearing room because
12 they were considered lethal weapons. And I'm not joking,
13 this has literally happened, so who will be running the
14 hearing in Charlotte?

15 MR. IMBODEN: Hi, Lou, this is Andy Imboden
16 again. Just first to clarify, the NRC distinguishes
17 between a public meeting, which is what we'll be holding
18 and a public hearing. Hearings, you know, in the NRC's
19 parlance is much more formal and a legal proceeding.
20 We're holding public meetings.

21 The point of the meetings is so that we could
22 get your comments, so there will be a brief NRC
23 presentation. We will be available in an open house
24 before the meeting so you could discuss things
25 face-to-face with the NRC staff. But the heart of the

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1 meeting is to get your comment. So, I mean, there will
2 be security there just like there always is at a public
3 meeting, but we want to hear what you have to say. That's
4 why we're coming to Charlotte.

5 MS. LOPAS: Okay. Thanks, Andy. And, Lou, I
6 know you've been to the Lee Nuclear Station meeting, so
7 it would probably be very similar to that, to give you
8 some perspective on how that will go.

9 MR. ZELLER: Well, the hearings that were
10 -- there were similar hearings held within a matter of
11 a few weeks of each other. One was held in the State
12 Capitol, and one was held in Charlotte, and the one in
13 Charlotte, although run by the same public agency for the
14 same purposes, which is to gather public comment as the
15 Nuclear Regulatory Commission's hearings will be, were
16 light years apart in terms of the culture which was
17 running that hearing. And I don't know what the
18 difference was except for the fact that it was located
19 in Charlotte, North Carolina versus having been located
20 earlier in Raleigh, North Carolina.

21 MS. LOPAS: Okay. Well, Lou, we'll be sure
22 to take your comments, your concerns into consideration
23 when we get into the details of planning, so thank you.

24 Sarah, can we go to Ruth Thomas next,
25 please. Hi, Ruth.

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1 MS. THOMAS: Hi. I was calling, and I didn't
2 think I'd be on the call but here I am.

3 MS. LOPAS: We're glad to have you.

4 MS. THOMAS: Thank you. I have been looking
5 over the summary, and I notice there were 29 commenters
6 who spoke in opposition to nuclear power, and recommended
7 that nuclear be phased out or not continued to license
8 the facilities. And I was among those who had indicated
9 this.

10 And what I'm trying to find out is what is
11 the rationale of the Nuclear Regulatory Commission to
12 make the decision that this is beyond the scope of the
13 present process?

14 MS. LOPAS: Okay. So, Ruth, you're
15 concerned, you're wondering why the suggestions for
16 closing nuke plants and licensing is out of scope. Okay.

17 MS. THOMAS: Yes, I am, because I don't agree
18 with that, and I know a lot of other people don't agree
19 with that, because that's the very thing that has gone
20 on all this time, and that the court was commenting on
21 the --

22 MS. LOPAS: All right. We're going to have
23 Keith talk to you here.

24 MR. McCONNELL: Hi, Ruth, this is Keith
25 McConnell. What we said in the past is that in terms of

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1 what we're doing for this Waste Confidence effort that
2 questions about nuclear power in general are outside the
3 scope. Our alternatives are to do a rulemaking, a generic
4 rulemaking that would look at the long-term storage after
5 the operating life of a nuclear power plant. It's not to
6 address nuclear power, in general.

7 MS. LOPAS: Okay, great. Thank you, Keith.
8 Sarah, can we go to Tony Roisman, please. Hi, Tony.

9 MR. ROISMAN: Hi, how are you? Thank you for
10 the call, and thank you for your efforts to get the public
11 involved as much as you have.

12 I had a question about the Scoping Report.
13 I wondered whether or not the staff has submitted that
14 report to the Commissioners for their evaluation and
15 approval. And, if so, can you identify for us by ML number
16 or post some place where we could look at the MLs, all
17 of the filings with the Commission by the staff, and all
18 of the actions by the Commission, including notation
19 votes. And if they have not submitted it to the Commission
20 for their approval, do they intend to do so. And, if so,
21 when?

22 MR. IMBODEN: Hi, this is Andy Imboden. The
23 Commission and the Commission staff are monitoring what
24 we're doing here, but the Scoping Summary Report was a
25 staff-level document. So, if you're interested in all of

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1 the relevant NRC documents associated with Waste
2 Confidence, we've got that organized on our Waste
3 Confidence website. There's links to the documents
4 themselves. You could get to the Waste Confidence
5 specific site directly from NRC.gov on the lefthand side
6 there's -- in the Spotlight Section there's Waste
7 Confidence. Click on that, and then there's a whole
8 -- there's a tab for relevant NRC documents, notation
9 vote papers, Commission orders, the Commissioners'
10 votes, and the Staff Requirements Memorandum, all those
11 come directly from the Commission. Those are all there,
12 all the relevant ones. And we add documents to that file
13 as soon as they become available.

14 MR. ROISMAN: Okay. So just so I'm clear on
15 that, so to the extent that the Commission has -- meaning
16 the Commissioners themselves, have done something with
17 regard to this Waste Confidence question, any document
18 reflecting that will now be available, is now available
19 on the website.

20 MR. IMBODEN: That's correct.

21 MR. ROISMAN: Okay. And do you mind, can you
22 give me the website link, or do I just go to the main page
23 of the Commission, and just go to Waste Confidence and
24 it'll become obvious where it is?

25 MR. IMBODEN: Yes, that's how I would direct

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1 you.

2 MR. ROISMAN: Perfect. Okay, thank you.
3 Thanks very much.

4 MS. LOPAS: Okay. Thank you, Tony. Okay, a
5 remind you to press *1 if you have a question for the
6 Directorate on some of the information that we've
7 presented today. Okay, can we go to Ruth Thomas, please.

8 MS. THOMAS: I was not clear on that answer
9 of where, and when, and what division of Nuclear
10 Regulatory Commission would, or maybe it's the
11 Commissioners, would be considering the question of the
12 justification or the backup information in explanation
13 for the decision to put questions, put concerns about
14 nuclear power beyond the scope.

15 MS. LOPAS: So, you're wondering who
16 addresses those concerns. Is that --

17 MS. THOMAS: Yes, and is there something
18 that's printed up about -- some kind of report? Because
19 this is not just a question for now, this is a question
20 that's always been there since they first started having
21 nuclear.

22 MS. LOPAS: Okay. We're going to try to have
23 Keith give a little more info.

24 MR. McCONNELL: Hi, this is Keith McConnell.
25 I'll try to provide a little bit more information.

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1 The five-member Commission here at the NRC
2 sets the policy for the Agency. In terms of Waste
3 Confidence and the comments that we got in terms of
4 considering nuclear power, those were addressed in our
5 Scoping Summary Report. And that report, along with when
6 we go up to the Commission, the Draft Generic Rule and
7 Draft Generic Environmental Impact Statement will be all
8 part of the record that the Commission will consider when
9 they decide how to move forward with the Draft Rule and
10 Generic Environmental Impact Statement. So, it's the
11 Commission that's the policy setting part of the NRC.

12 MS. LOPAS: Okay. Thank you, Keith. So, can
13 we hear -- we've got a couple of more people.

14 MS. THOMAS: Thank you.

15 MS. LOPAS: Can we hear from -- thank you,
16 Ruth. Can we hear from Matt Brock, please, Matthew Brock.

17 MR. BROCK: Yes, hi. This is Matt Brock with
18 the Massachusetts Attorney General's office. I wanted to
19 follow-up to understand better the format for the public
20 meeting that will be receiving comments. For example,
21 will there be time limits on the comments? Is this a full
22 day, business day that's open for this process? I'm
23 asking in part for my office, and I'm also asking because
24 I expect there will be citizens asking me those
25 questions, so if you could help me understand a little

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1 better about that process. Thank you.

2 MR. IMBODEN: Thanks. This is Andy Imboden.
3 The specific time limits and all that haven't been
4 decided yet. You know, as we get closer, we'll -- those
5 details will come into shape. But our plan is that there
6 will be a time period where the NRC staff is available
7 for discussion, and then we will start the formal meeting
8 on the record, probably about three hours, you know. And,
9 you know, we're going to be playing it by ear depending
10 on how many people pre-register with a comment, or how
11 big the audience looks to be if we are going to establish
12 time limits. But, you know, we -- they'll probably be in
13 the evening. But, you know, again it depends on -- you
14 know, we want to have these like right in the middle of
15 the comment period so people have had a chance to digest
16 the documents. So, you know, we don't have specific dates
17 yet for locations. When those details come into shape,
18 we'll let everyone know.

19 MR. BROCK: And do you have a sense of when
20 those details, how far in advance of the meeting those
21 details will be available?

22 MR. IMBODEN: As soon as we know it, at least
23 a month in advance. And we hope for several months in
24 advance, you know, as soon as we know it.

25 MR. BROCK: All right, thank you.

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1 MS. LOPAS: Thank you. Can we go to Lou Zeller
2 again, please.

3 MR. ZELLER: Oh, thank you. Yes, this is Lou.
4 I guess it was mentioned the indefinite storage option.
5 I wonder how many years are you talking about when you
6 say indefinite? What is on the drawing board?

7 MR. MICHALAK: Currently -- I'm sorry. This
8 is Paul Michalak. Currently, we're looking at several
9 hundred years. We're not going out infinitely because we
10 feel that the long-term storage, Lou, is that 100 years,
11 if you just multiply those impacts for how many centuries
12 you want, will take you into the impacts of indefinite
13 storage. Do you follow the logic?

14 If you have a long-term storage -- if you
15 think about what I've explained, you know, we have a
16 short-term storage of 60 years beyond the licensed life
17 of the reactor. And then we have this middle interim where
18 we're evaluating another 100 years of storage. If you
19 take that long-term storage and just begin to multiply
20 it by how many hundred years you would want to take out,
21 the reader can then evaluate themselves what indefinite
22 storage would look like in terms of impacts. So, we're
23 just taking it out -- currently, we're taking it out
24 several centuries and just ending it there.

25 MS. LOPAS: Okay. Thank you, Paul. Can we go

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1 to Tony, Tony Roisman again, please.

2 MR. ROISMAN: Hi. This is a follow-up to the
3 question that Matt Brock asked, and your answer. When the
4 Commission originally developed the Waste Confidence
5 findings and then, ultimately, the temporary storage
6 rule, it used a more robust procedure for public
7 participation. It referred to it as a hybrid rulemaking,
8 and it allowed for not just you hearing what people said,
9 but having a give and take take place, and there was a
10 formal process by which you became a participant. And
11 certain types of participants were grouped together, and
12 grouped states became a group, and utilities became a
13 group, public interest groups became a group. And I
14 wonder what is the rationale for your decision to use a
15 less robust process this time around?

16 MR. McCONNELL: This is Keith McConnell. I
17 wouldn't characterize it as less robust. It's different.
18 We aren't taking a formal approach like they took in the
19 1979 through 1980 time frame, principally because we
20 think we've got a process now that given the number of
21 public meetings we're going to have and the breadth of
22 the information that we're going to provide, we think we
23 have a better process, and a better approach than was
24 available to the Commission and the NRC staff in that
25 earlier time frame.

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1 We don't think that the process that we'll
2 have for this is going to constrain in any way the
3 public's opportunity to participate in this Waste
4 Confidence decision update.

5 MS. LOPAS: Okay. Thank you, Keith. Okay, a
6 reminder to press *1 if you have any additional questions
7 for the Directorate. It's 2:10, we have about 20 minutes
8 left of the call, but if we don't have any additional
9 questions we will wrap up the call early. Okay, can we
10 go to Julius Kerr, please.

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

12 MS. LOPAS: We can, Julius.

13 MR. KERR: I'd like to know what is the life
14 of a nuclear power plant? Since the licenses have been
15 extended, I'd like to know what is the life of a nuclear
16 power plant? Thank you.

17 MS. LOPAS: Okay. Thank you, Julius. So, you
18 would like to know about the operating life of a nuclear
19 power plant. Okay.

20 MR. McCONNELL: This is Keith McConnell.
21 Nuclear power plants are licensed originally for a
22 40-year period, and then they can be renewed for 20 years,
23 and then an additional 20 years in terms of their license
24 life. In terms of their physical life, that's a matter
25 that's evaluated constantly by the NRC staff and the

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1 licensee, and they look at the aging effects that occur
2 during that license life, so it's both a licensing
3 process, as well as a regulatory oversight and licensee
4 evaluation process. All of that plays into the operating
5 life of a nuclear power plant.

6 MS. LOPAS: Okay, great. Thank you, Keith.
7 Can we hear from Dean Baker again, please.

8 MR. BAKER: Yes, this is a really quick one.
9 You gave a list of the cities or the locations for the
10 public meetings. I think I may have missed one. Did you
11 say one was going to be in Delaware?

12 MR. IMBODEN: No, I'll run down the list
13 again.

14 MR. BAKER: Thank you.

15 MR. IMBODEN: We'll have two meetings in the
16 Washington, D.C. metro area, and then one meeting each
17 in or around Boston, Massachusetts, New York City,
18 Denver, Colorado, Minneapolis, Minnesota, San Luis
19 Obispo, California, San Clemente, California, Toledo,
20 Ohio, and Charlotte, North Carolina.

21 MR. BAKER: Thank you.

22 MS. LOPAS: Okay. Can we hear from Mary Olson
23 again, please. Hi, Mary, I think you're up.

24 MS. OLSON: Yes. You're what?

25 MS. LOPAS: You're up.

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1 MS. OLSON: Okay, I'm here.

2 MS. LOPAS: Go ahead. Did you have a question
3 for us, Mary?

4 MS. OLSON: Okay. All right.

5 MS. LOPAS: Okay. Actually, let's go to
6 Julius Kerr, please, again. Operator, we'll go back to
7 Mary. Hi, Julius, you're on again.

8 MR. KERR: Yes, this is Julius Kerr again.
9 As we'll study the aging effects on the power plant, are
10 they going to be looked at in a generic way, or are they
11 going to be on site-specific way?

12 MR. McCONNELL: This is Keith McConnell. The
13 aging effects of a nuclear power plant, an operating
14 nuclear power plant are outside the scope of this effort.
15 We're only looking at the storage of the spent fuel that
16 occurs concurrently with the operations and then
17 eventually the continued storage after operations.

18 MS. LOPAS: Okay. Thank you, Keith. Okay,
19 reminder to press *1. It's 2:13, so if you have a question
20 now is your chance. Okay, it looks like Mary is back on.
21 Can we go to Mary again?

22 MS. OLSON: Hi.

23 MS. LOPAS: Hi, Mary.

24 MS. OLSON: Sorry. So, I'm wondering about
25 the whole matter of the fact that this fuel is far from

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1 uniform. How are you guys addressing the reactors that
2 are moving to high-burnup, but also we have a large amount
3 of fuel that would not have been acceptable according to
4 the Acceptance Criteria of DOE back when we had a
5 repository program. Wondering if that confounds any of
6 these storage questions at all, that more pertains to
7 like, you know, bad cladding and that kind of stuff. In
8 other words, it's just not a homogenous group that you're
9 dealing with. How are you addressing that?

10 MR. MICHALAK: Mary, this is Paul Michalak,
11 and light water spent nuclear fuel is in scope of the
12 Waste Confidence Generic Environmental Impact
13 Statement, so we'll be evaluating the impacts of
14 continued storage of light water spent nuclear fuel. That
15 includes low-burnup and high-burnup, and we are -- we
16 take into account cladding in our analysis, the zircon
17 cladding. It is considered in our analysis.

18 MS. LOPAS: Okay. Thank you, Paul. Okay, any
19 final questions please press *1. Can we hear from Don
20 Shafer, please. Hi, Don.

21 MR. SHAFER: Yes, hi. I'm in Nashville,
22 Tennessee. And this is my first of these calls to be on,
23 so I can't complain that Tennessee is not in the list,
24 but it is a little disappointing because of the number
25 of nuclear reactors we have in the Tennessee Valley, and

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1 the amount of -- you know, we have six operating, one
2 under construction, and several others that are being
3 planned. So, in terms of the amount of nuclear fuel waste,
4 the Tennessee Valley has more than its share, so it's
5 unfortunate that the closest we get is Charlotte, North
6 Carolina. But I know you had geographic challenges, and
7 I know that in California you'll probably get way more
8 people than you would in Tennessee, so that's just an
9 observation.

10 But the main reason -- the thing I'd like
11 to do is encourage you all to stop using the term "spent
12 fuel" for this material. I think it's highly misleading
13 to the public about the nature of this highly toxic stuff.
14 It's far from spent. It's, in fact, heavily loaded with
15 radiation. And I think using the term "spent" is
16 misleading to the public, and verges on outright just
17 intentional minimization of the problem that this
18 material presents in terms of safely protecting all of
19 the future of mankind from this material. So, I wish you
20 would get away from using the term "spent fuel." I've
21 heard it so many times on this call that I just had to
22 make this comment. I know that that term has been used
23 for many years, but I think it's time for the nuclear
24 industry to get honest with its language that it uses with
25 the public, and spent fuel is at the top of my list for

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1 dishonesty in language from the nuclear industry. Thank
2 you.

3 MS. LOPAS: Okay. Thank you, Don, we'll take
4 that into consideration. Can we go to Ruth Thomas again,
5 please. Hi, Ruth, are you on?

6 MS. THOMAS: Yes. I wanted to follow-up on
7 what the gentleman said. I definitely agree because I
8 know in the talking with members of the public, and even
9 those that are quite well informed this is very
10 confusing, as are some of the other -- but I agree, too,
11 that this is the one that probably causes the most
12 problems. And how soon can we expect some correction
13 this?

14 MS. LOPAS: Okay, Ruth.

15 MS. THOMAS: Thank you.

16 MS. LOPAS: Thanks for your comment. Okay,
17 let's go to Mary Olson again, please. Hi, Mary.

18 MS. OLSON: Hi, just a very short follow-on
19 from the conversation about high-burnup. I can tell you
20 that there will be quite a bit of incredulity if NRC staff
21 purports that there will be fuel rods in fuel assemblies
22 over even a 100-year period, so I just hope that you all
23 are really taking it seriously, that these
24 non-homogenous materials are behaving in non-homogenous
25 ways. And I have been told I shouldn't even assume that

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1 there are pellets after a certain point because it
2 appears to go to powder, so things like criticality
3 concerns are definitely going to be rising high in
4 anybody's mind who has, you know, kind of long-term
5 relationship with this stuff.

6 I really hate to say it but this is 22 years
7 of my life. I mean, it's one of my longest term
8 relationships in this lifetime so, you know, there are
9 a few of us out there who really are tracking what is going
10 on with this stuff, and we really want you to do a good,
11 credible job. So, I'm just offering this perspective
12 today before I'm commenting on a draft, so thanks for
13 listening.

14 MS. LOPAS: Great. Thank you, Mary, we
15 appreciate that. Can we go to Diane D'Arrigo, please.

16 MS. D'ARRIGO: Hi, I am also with Nuclear
17 Information and Resource Service, and I was having a hard
18 time getting into the call, so I'm going to apologize in
19 advance if I'm repeating something that was already
20 discussed.

21 The question I have is what relationship
22 does the concept of hardened on-site storage, the storage
23 of the fuel, irradiated fuel at reactor sites in both dry
24 casks, but also in an array and a condition that would
25 prevent it from being easily injured by natural disasters

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1 or terrorism? So, hardened being beyond just dry casks.

2 What would it take for the Nuclear
3 Regulatory Commission to require this at reactor sites,
4 this storage for the fuel, and is there a way that this
5 is playing into the Waste Confidence decision proposal
6 that you're working on?

7 MS. LOPAS: Okay. So, you're asking how is
8 HOSS being considered, or is it being considered, and
9 what is the NRC --

10 MS. D'ARRIGO: Yes. And is this part of the
11 thing where you just take the questions? There's no
12 answers coming back?

13 MS. LOPAS: We're going to try to answer.

14 MS. D'ARRIGO: Oh, okay. You're just lining
15 up all the questions. Okay.

16 MR. MICHALAK: In terms of -- this is Paul
17 Michalak. In terms of HOSS, that is a site-specific
18 licensing issue that is evaluated when these dry cask
19 storage facilities are licensed. That is not in scope of
20 the Generic Environmental -- the Waste Confidence
21 Generic --

22 MS. D'ARRIGO: So, it's getting a license for
23 the ISFSI, the I-S-F-S-I.

24 MR. MICHALAK: Exactly.

25 MS. D'ARRIGO: And there's no requirement in

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1 the ISFSI licensing for anything beyond the dry casks.
2 Right? It's -- I mean, those --

3 MR. MICHALAK: Not currently.

4 MS. D'ARRIGO: Okay. So, when you're doing
5 the Waste Confidence, then you're just assuming that
6 there is adequate dry storage for a certain amount of
7 time, as long as they're licensed?

8 MR. MICHALAK: Exactly.

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

10 MS. D'ARRIGO: Wait a minute, that's not the
11 end.

12 MS. LOPAS: Okay, Diane, you've got a couple
13 of more minutes. Go.

14 MS. D'ARRIGO: Well, I'm just trying to get
15 a little more clarity on that --

16 MS. LOPAS: Sure.

17 MS. D'ARRIGO: -- from Paul.

18 MR. MICHALAK: Is there -- so the question,
19 I'm sorry. I'm sorry, Diane.

20 MS. D'ARRIGO: I'm asking -- okay, pretend
21 you're not at the NRC for a minute, pretend you're just
22 a regular person in the world.

23 MR. MICHALAK: Okay.

24 MS. D'ARRIGO: And you know that there's a
25 nuclear reactor there and it's got this high-level waste

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1 that comes out, and it's being stored in a pool, and then
2 some of it goes into dry casks. And we're being promised
3 by somebody who we sort of trust that there will be
4 something to be done with it in the long-term future. But
5 even in the best case scenario, it's going to be sitting
6 here for a long time, so we want it to be stored in a way
7 that's the least dangerous. We saw Fukushima, and how the
8 fuel pools are teetering, and so we -- if we're moving
9 it to dry storage. Okay, so we've got the agency that
10 licenses this, and the agency licenses dry storage. It
11 doesn't require the fuel to go into dry storage, but if
12 the utility has to, it moves to that.

13 I'm asking what it would take for me as a
14 person in the public to, if I wanted it to be more of a
15 requirement that there be higher integrity storage of the
16 fuel, what would I do to make that happen? And what you're
17 telling me is it's not being considered in your long-term
18 Waste Confidence planning because in the Waste
19 Confidence planning you're just assuming that there will
20 be dry storage of some type, if needed.

21 MR. McCONNELL: Hi, this is Keith McConnell.
22 I think what we would recommend is if you or others have
23 a particular concern related to hardened on-site
24 storage, that you go through the Petition for Rulemaking
25 process here at the NRC which asks the NRC to take action

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1 based on a specific concern that you've got identified.
2 That would be, I think, our recommendation to you in terms
3 of answering your question about how to go about that.

4 MS. D'ARRIGO: So, could I also ask that in
5 the Waste Confidence process that there be some
6 acknowledgment that there's a call for this and see how
7 that plays into the -- I mean, not that I want to say that
8 it's okay to keep the fuel at the site longer, but in Waste
9 Confidence you're only looking at permanent final,
10 you're not really addressing any of the -- what's your
11 basic assumptions on what's happening at the site in the
12 Waste Confidence perspective?

13 MR. MICHALAK: In terms of safety, our basic
14 assumption is that if we license the facility, it has met
15 the NRC's criteria for safety.

16 MS. D'ARRIGO: So, how long are the ISFSIs
17 licensed?

18 MR. MICHALAK: Right now, 40 years, and they
19 can get renewals.

20 MR. McCONNELL: This is Keith McConnell
21 again. This question came up in the Scoping period, and
22 we did address it in the Scoping Summary Report in terms
23 of what the Agency is doing in terms of looking at this,
24 as well as other matters related to the storage of spent
25 fuel. But in terms of what we're doing in the Waste

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1 Confidence Directorate, we're looking at, in essence,
2 what's in existence today, and how the NRC approaches
3 licensing spent fuel storage today.

4 MS. LOPAS: All right, great. Thank you,
5 Keith. Diane, thank you for those questions, those are
6 good questions.

7 We have about three minutes left, last call
8 for questions. If we don't hear from folks, we will close
9 down the call. So, *1 for any final questions.

10 Okay. I think I am going to send it over to
11 Carrie Safford to close out the call. Before I send it
12 to Carrie, though, just to remind folks that the next call
13 is May 29th, same time, same place, 1:30 to 2:30 p.m.
14 Eastern Time, same call-in information, but it's
15 Wednesday after Memorial Day, so we hope to hear from you
16 then. All right, thanks. Carrie.

17 MS. SAFFORD: Thanks, Sarah. I just wanted
18 to thank you all for participating today, and to again
19 state that we hope you find these calls useful. And we
20 do look forward to your future participation in the Waste
21 Confidence proceeding, both on these calls and in the
22 public meetings to the extent you're able, and in the
23 submission of comments on our draft documents when
24 they're issued. Thank you.

25 MS. LOPAS: Thank you, everybody. Have a good

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1 day.

2 (Whereupon, the proceedings went off the

3 record at 2:28:02 p.m.)

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