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Kewaunee Power Station

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UNITED STATES OF AMERICA

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BEFORE THE NUCLEAR REGULATORY COMMISSION

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Public Meeting to Discuss the
Decommissioning of the
Kewaunee Power Station

+ + + + +

WEDNESDAY

APRIL 24, 2013

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CITY OF KEWAUNEE OFFICES

CITY COUNCIL CHAMBERS

401 FIFTH STREET

KEWAUNEE, WISCONSIN 54216

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The Nuclear Regulatory Commission public meeting met at the City of Kewaunee Council Chambers, 401 5th Street, Kewaunee, Wisconsin at 7:00 p.m., Kenneth O'Brien, Deputy Director, presiding.

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1 PRESENT:
2 NRC STAFF:
3 Kenneth O'Brien
4 Sarah Lopas
5 Joseph Mancuso
6 Kenneth Riemer
7 Robert Krsek
8 Rhex Edwards
9 Karl Feintuch
10 Bruce A. Watson
11 Ted Smith

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P R O C E E D I N G S

(7:00 P.M.)

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3 MR. O'BRIEN: Thank you. Good evening,
4 everybody. Before I begin, please allow me to
5 apologize for all of you that are standing. It's
6 difficult to properly gauge all the time how best to
7 predict the number of people to be here. I am
8 extremely happy that you're here. One of the
9 fundamental values of the Agency is to communicate to
10 the public, and to make sure that we're providing you
11 the best information we can. So I'm really glad
12 you're all here and, again, my apologies.

13 My name is Ken O'Brien. I'm the Deputy
14 Director for the Division of Reactor Projects for the
15 Nuclear Regulatory Commission out of Region III. The
16 purpose of the meeting we're holding tonight is to
17 discuss the decommissioning activities that will be
18 upcoming at the Kewaunee Power Station.

19 Let me start off by welcoming everybody
20 who's here, and welcoming those that are on the
21 telephone. The NRC's mission is to ensure the safe
22 use of radioactive materials by the civilian
23 environment, to ensure public health and safety, to
24 ensure and promote common defense and security, and
25 the protect the environment. We hold those values

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1 extremely high. Those are the key fundamentals that
2 every single NRC staff members focuses on as part of
3 our mission.

4 As I said, today's meeting is going to be
5 one in which we're going to talk about the upcoming
6 decommissioning activities for Kewaunee. Just to give
7 you a brief overview of the meeting, we're going to
8 talk about the current status of the Kewaunee
9 decommissioning effort; where they are. We're going
10 to talk about the decommissioning activities report
11 that Kewaunee has submitted to the NRC for our review.

12 We're going to talk about the NRC's
13 overall power reactor decommissioning activities.
14 We're going to talk about the inspection activities we
15 will be conducting at the plant going forward in the
16 short term. And we'll discuss how the public can
17 provide us comment as it relates to the
18 decommissioning activities report. The meeting
19 agenda, overall, I'll provide some opening remarks,
20 and we'll do some introductions so you know all the
21 individuals that are sitting here up at the table.

22 And, as I said, I'll talk about the time
23 line for the decommissioning activities. Another
24 staff member up here will talk about decommissioning
25 activity report, the decommissioning process, the

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1 oversight activities at Kewaunee. Then I'll do some
2 closing remarks. At that point in time, I'll turn it
3 over to a facilitator that we've brought with us from
4 the NRC who will talk a little bit about the ground
5 rules for the question and answer session.

6 I'm going to try to have the staff here
7 get through the presentation portions as soon as
8 possible, so we can make sure you have an opportunity
9 to ask questions. We'll take a short break, and then
10 we'll come back and do the question and answers. I
11 ask that, while the presentations are going on, if
12 you'd please hold your comments until we finish so we
13 can get as quickly as we can to your comments as you'd
14 like.

15 MS. LOPAS: If you could speak into that
16 microphone a little bit more. I think some folks in
17 the back are having trouble hearing.

18 MR. O'BRIEN: Thank you for that comment.
19 I've never been told that I was quiet. Why don't we
20 go, before we get started, why don't we go around the
21 table here so I can introduce the NRC staff to you.
22 Joe, if you'd like to begin.

23 MR. MANCUSO: My name is Joseph Mancuso.
24 I work for the U.S. Nuclear Regulatory Commission in
25 the Division of Reactor Projects, Region III.

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1 MR. RIEMER: I'm Ken Riemer. I'm working
2 out of our Lisle headquarters office for the Division
3 of Reactor Projects. I'm the branch chief with
4 oversight responsibilities for Kewaunee.

5 MR. KRSEK: My name is Rob Krsek. I'm the
6 senior resident currently at Kewaunee. I've been
7 assigned both as senior resident to Kewaunee and Point
8 Beach since 2003, and my family and I have lived here
9 in the area since then.

10 MR. EDWARDS: Good evening. My name is
11 Rhex Edwards. I am inspector out of the Region III
12 office, and I conduct inspections in dry field
13 storage.

14 MR. FEINTUCH: I'm Karl Feintuch. I'm the
15 project manager with the Office of Nuclear Reactor
16 Regulation in Maryland, and I handle licensing
17 activities for Kewaunee Power Station.

18 MR. WATSON: Good evening. I'm Bruce
19 Watson. I'm the chief of the Reactor Decommissioning
20 Branch at NRC headquarters in Rockville, Maryland.

21 MR. SMITH: Good evening. I'm Ted Smith.
22 I'm a project manager in the Reactor Decommissioning
23 Branch at NRC headquarters.

24 MR. O'BRIEN: Thank you everybody. At
25 this point, I'd like to ask if there are any local

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1 elected or public officials that would like to be
2 recognized. Well, welcome everybody. I'd like to
3 talk, just briefly, before I turn it over to the staff
4 about the time line right now associated with the
5 decommissioning activities in Kewaunee. In accordance
6 with the NRC's regulations, the operators at Kewaunee
7 Nuclear Power Plant have informed the NRC of their
8 intention to permanently shut down the plant on May
9 7th, to remove all fuel from the reactor vessel by
10 mid-May, to submit an application to the NRC to amend
11 its license to reflect the shut-down status by May 31,
12 2013, and to begin decommissioning activities in June
13 of this year.

14 As a part of the purpose for today's
15 meeting, we want to talk to you about those things
16 that the NRC is doing and reviewing as a part of that
17 process. With that, I'd like to turn it over to Karl
18 for discussion of the decommissioning activities
19 report submitted to the NRC by the operators at the
20 Kewaunee Nuclear Plant. Karl.

21 MR. FEINTUCH: Thank you. The
22 decommissioning activities report came to us and was
23 received on February 28th of this year. What we will
24 do is complete our review of that by May 29th. Then,
25 after that completion, the licensee may begin its

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1 decommissioning activities after we've addressed, or
2 they have addressed any significant issues that we
3 identify.

4 The mechanism that we have is that we do
5 a review of the PSDAR, not an approval of it, since
6 we're looking at its planned activities and that
7 they're consistent with our regulations. And those
8 regulations are described in the Code of Federal
9 Regulations of the Part 50.82. To understand the
10 PSDAR, the public document I'm talking about, the
11 activities report. You'll hear that acronym
12 occasionally.

13 We use a regulatory guide, and it's listed
14 in the view graph at the bottom. And our purposes and
15 the purposes we expect of this document is 1) to
16 inform the public, and I'm reading from the guide for
17 its accuracy; inform the public of the licensee's
18 planned decommissioning activities. Second, assist in
19 the scheduling of NRC resources necessary for
20 maintaining the oversight activities.

21 Third, ensure that the licensee has
22 considered both the cost of the planned activities, as
23 well as the funding for the decommissioning process.
24 And fourth, ensure that the environment impacts of the
25 planned decommissioning activities are bounded by

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1 existing environmental impact statements. And you
2 will find all those things in copies of the report
3 that you read.

4 We're going to be asking for your feedback
5 because part of the regulatory process is to solicit
6 your comments. So, for those that have not done so,
7 please pick up a copy of the decommissioning
8 activities report. If we've run out because of the
9 number of people here, then there's going to be
10 contact information at the end of my slide set to get
11 a copy.

12 We're going to collect comments at the end
13 of the meeting, and Sarah will give you some further
14 information about that. And, as you have any
15 questions about this process, please contact us. And
16 if you'll go to the fifth and final slide, you'll see
17 the contact information listed; myself by phone and by
18 e-mail address, Ted Smith with his phone and e-mail
19 address, and the locally for Region III the two people
20 listed on the right, Viktoria Mitlyng and Prema
21 Chandrathil. That concludes my part of this
22 presentation. I'll turn it back.

23 MR. O'BRIEN: A couple of things to
24 identify, there are copies of the decommissioning
25 activity reports on the table in the back. There are

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1 also copies of the slides that the staff are using, so
2 you can have that information available to you. With
3 that, I'll turn it over to Bruce for discussion of the
4 overall decommissioning process.

5 MR. WATSON: Thanks, Ken. I want to thank
6 you all for attending tonight, and the opportunity to
7 speak to you. To my left here is Ted Smith. He will
8 be the project manager for the decommissioning of
9 Kewaunee when it is transferred from the Office of
10 Nuclear Regulation to our office of Federal and State
11 Programs. We're in the Division of Waste Management
12 and Environmental Protection.

13 Ted is an experienced decommissioning
14 manager. He's been responsible and managed the Haddam
15 Neck plant, also known as Connecticut Yankee. He's
16 currently the project manager for Fermi 1, and has
17 been the project manager for a number of research
18 reactors. Ted will be working closely with Karl
19 during the transition and so, they're pretty much a
20 team, and they are your principal points of contact
21 for any additional questions on this.

22 We'll go to the second slide. We have
23 three principal regulations that are to be followed.
24 The first one is 10 CFR 20, which is Subpart E, and we
25 also call that the license termination rule. And it,

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1 basically, was implemented in 1997 after significant
2 involvement in stakeholders and licensees and the
3 public during the 1980's and 1990's. Part 50 covers
4 the operating license and, as Karl said, 50.82 is the
5 decommissioning regulations.

6 Keep in mind that the Part 50 regulations
7 are pretty much a performance-based regulation. It
8 allows --

9 MS. LOPAS: Speak up a little bit so folks
10 out in the hallway can hear.

11 MR. WATSON: Part 50 is, basically, a
12 performance-based regulation. It allows a lot of
13 flexibility for the licensee in the decommissioning
14 activities. I want to keep in mind that the
15 decommissioning can be performed safely at any time
16 during the 60 years, but it does require that the
17 licensee complete the decommissioning in the 60 years.

18 The Part 72 regulations cover the dry
19 storage or on-site ISFSI, as we call it, independent
20 spent fuel storage facilities.

21 Next slide. There's, basically, three
22 decommissioning options. The first one is, that only
23 two of them are used today. The first two, DECON,
24 which is pretty much the prompt decommissioning of the
25 reactor site. The second part is SAFSTOR, which is

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1 the plant is placed in a stable condition, and can be
2 that way for a number of years, up until the end of
3 the license, which would be at 60 years, or the end of
4 the decommissioning is required to be completed at 60
5 years.

6 Even though a licensee may consider itself
7 in SAFSTOR, officially, they can do some limited
8 decommissioning activities. And they do that under
9 another part of the law, regulations 50.59, which
10 allows them to do certain activities, as long as they
11 follow their continued safety review requirements.
12 And they have to stay within what we call the de-
13 fueled technical specifications of the safety analysis
14 report.

15 One of the things I want to point out is
16 licensees can go back and forth between SAFSTOR and
17 DECON, but they have to notify us so we can make
18 adjustments in our inspection program. The third
19 option, ENTOMB, has not been used in the United States
20 in commercial reactors, and right now we do not have
21 any. We do not plan on having that option currently
22 available. So that's not truly an option, but it is
23 in the guidance. The bottom line of this regulation
24 is that the licensee has, again, 60 years to complete
25 the decommissioning.

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1 If we can go to the next slide. Prior to
2 1988, we did one power reactor decommissioning. Over
3 the last 15 years, we've done nine according to this
4 slide. And we have completed those decommissionings,
5 and the reactor sites, licenses have been reduced to
6 the onsite dry storage or ISFSI. So, we've had some
7 significant experience in this type of work, along
8 with the material sites an the research reactors.

9 If we can go to the next slide. In the
10 power reactor decommissioning process, the licensee,
11 basically, notifies us that, or certifies to the NRC
12 within 30 days of permanently ceasing the operations.
13 For Kewaunee, Dominion plans to permanently shut down
14 Kewaunee around May 7th, I believe is the date.
15 Dominion will have to send us the permanent removal of
16 the fuel that has been certified to have been removed
17 from the reactor vessel. And they have already
18 submitted their decommissioning activity report. And,
19 of course, the purpose of this meeting is to hear your
20 comments on the decommissioning activity report.

21 In the decommissioning activity report,
22 Kewaunee plans to place, excuse me, Dominion plans to
23 place Kewaunee in SAFSTOR, and return the site to
24 greenfield is the way it's written. The NRC requires,
25 again, that that must be completed in 60 years, and it

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1 typically takes about seven to 10 years to actually do
2 the decommissioning. Therefore, I would expect that
3 there may be little activity for up to 50 years,
4 besides the fuel that's in the schedule for removal.

5 It, typically, takes one to two years to
6 complete the preparation work to allow the plant to be
7 put in a safe condition to allow it to go into
8 SAFSTOR. There's similar activities that would be
9 done, also, if they were going to go into complete
10 DECON directly. The NRC has accepted their PSDAR for
11 review, and when we complete the review, Dominion is
12 able to access their funds to start the
13 decommissioning work which is, I guess, principally,
14 the preparation work at this time.

15 Karl mentioned that regulatory guide 1.185
16 outlines all the requirements for the decommissioning
17 activities report. And I want to reiterate that they
18 may revise the decommissioning activity report at any
19 time, and principally let us know, and the public
20 again, what the activities are, and what they're
21 changing, how they're changing the activities at the
22 site.

23 If we could go to the next slide. In the
24 process, the licensee will perform the site
25 decommissioning activities, and they do that under the

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1 existing license and under the current, well, there
2 will be a de-fueled safety analysis report. So, as
3 the decommissioning progresses, the licensee will,
4 again, be able to do some limited activities using
5 their existing safety review process. And to reduce
6 surveillances and also other license requirements,
7 they can make requests to the NRC.

8 The NRC will verify the license and
9 regulatory compliance during on-site inspections. We
10 don't go away during this process. We continue to
11 monitor the site. And this work will, principally,
12 come out of Region III out the Chicago office. And
13 our project and our inspectors will work closely
14 together.

15 The final thing that is done in the
16 decommissioning process is, when the licensee is
17 ready, within two years, ready to have the license
18 terminated, they will submit the license termination
19 plan. And, basically, the license termination plan
20 will be noticed in the Federal Register. We will hold
21 a public meeting hear your comments on the license
22 termination plan. And, at that time, we will be very
23 interested in your comments.

24 The next slide. The license termination
25 plan is a very significantly larger document that this

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1 107 pages in the PSDAR, the decommissioning activities
2 report. It contains a significant amount of technical
3 information, and is quite lengthy. We take about a
4 year to review it is our goal. And, hopefully, it
5 will be approved in that time frame. But it does
6 address all these issues, including any supplemental
7 environmental information that would be pertinent to
8 the site.

9 If we can go on to the next slide. The
10 NRC review of the LTP begins with an acceptance
11 review. We perform a detailed technical review. And
12 if we have any additional questions, we request those
13 of the licensee. And there is at least one public
14 meeting and opportunities for hearing when the LTP is
15 submitted. We like to perform the acceptance review
16 within 90 days. The LTP, typically, will take about
17 one year to do the complete technical review.

18 Next slide, please. We approve the
19 license termination plan by amending the license. The
20 licensee finishes the decommissioning activities that
21 are required to complete the decommissioning. The NRC
22 performs in-process inspections. The inspectors are
23 there during much of the clean-up activities. We do
24 side-by-side radiological surveys. We also do
25 confirmatory surveys where we verify the licensee's

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1 results and ensure they meet compliance for the
2 license termination and meeting the unrestricted
3 license, typically the unrestricted release criteria
4 for the license.

5 And the next slide. The final steps in
6 the process are that the licensee will submit to us
7 final status survey reports for the site. We will
8 review and approve those surveys, final status
9 surveys, and we will also perform confirmatory
10 surveys, additional ones, if we need to. At that
11 point, if we feel that the site meets the criteria, we
12 will terminate the license, at least the reactor part
13 of it, and shrink the license to the dry storage on-
14 site, the dry storage fuel storage onsite.

15 Next slide. Just to give you a current
16 status, there have been 10 large power reactor
17 licenses terminated. We've done seven of them under
18 the license termination rule, which is the current
19 regulations. There are currently four units in active
20 decommissioning, and they are actively decommissioning
21 without an approved LTP, or license termination plan.
22 Like I said, the LTP comes in at the last two years.
23 There are currently eight units in SAFSTOR, and they
24 are, principally, at multi-unit sites.

25 Can we go on to the next slide. This is

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1 a summary of the typical sequence that is used in the
2 reactor decommissioning process. We included it.
3 We're not, necessarily, going in the sequence that's
4 here on this particular case, because the PSDAR has
5 come in before the plant is shut down. But this is
6 the typical outline that is in the regulations on how
7 the process is supposed to work.

8 Go to the next slide. These are the power
9 reactors in SAFSTOR. I have little asterisks on Three
10 Mile Island Unit 2 because that's the unit that had
11 the accident. But it has, effectively, been de-fueled
12 and is in a special case by the regulations. But it
13 is, essentially, in SAFSTOR, in a SAFSTOR condition.

14 Let's go on to the next one, next slide.
15 This is Fermi 1. The reason I'm bringing this up,
16 this is the reactor that has gone back and forth from
17 active decommissioning, dismantling activities, and
18 back to SAFSTOR. They recently removed the reactor
19 vessel and, after that two-year campaign to remove the
20 reactor vessel, which they did very safely, and they
21 decided they would go back to SAFSTOR. They still
22 have plenty of time left on the 60-year requirement.
23 And so, like I said, the regulations allow a lot of
24 flexibility.

25 Next slide. This is a picture of what was

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1 San Onofre Unit 1 on the left. And currently, it is
2 in SAFSTOR, but the condition of the site is that that
3 is the reactor vessel when it was removed. The
4 reactor vessel was sealed up. It is presently sitting
5 on a concrete pad. And that is the only remaining
6 part of the reactor in the entire building structure
7 left on the site. But it's still officially in
8 SAFSTOR because they have not elected to submit the
9 license termination plan at this time. They're still
10 within the 60 years, but their plans are, as at San
11 Onofre Unit 2 and 3, which when they begin those
12 decommissionings then they'll submit the license
13 termination plan for San Onofre 1.

14 Let's go to the next slide. These are the
15 large power reactors that have been decommissioned and
16 had their licenses terminated. And the licenses
17 shrunk to the ISFSI, the dry storage container fuel
18 onsite. I want you to know that the decommission of
19 these power reactors was done safely. There's no
20 reason for it not to be done safely, and we're here to
21 ensure that. This work was performed safely for the
22 workers, for the public, and resulted in safe
23 environmental conditions, also.

24 Let's go to the next slide. I wanted to
25 close with a couple pictures just to demonstrate that

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1 we have done this. The licensees have done this, and
2 the NRC has been there to safely monitor and regulate
3 these clean-ups. On your left there is a picture of
4 Main Yankee. On the right is a picture that I took of
5 the greenfield where the reactor and structures were
6 at one time. And so, this site was released for
7 unrestricted release.

8 The next slide, please. This is Yankee
9 Rowe. It completed decommissioning in 2007, and you
10 can see the same results here. It is a greenfield.
11 Next slide. This is Big Rock Point. It's located in
12 Charlevoix, Michigan. The site on the left is the
13 picture looking from the big rock, it does exist,
14 looking at the site. It's a very important symbol to
15 the Native Americans up there. And so, the picture on
16 the right is where the reactor was, looking back at
17 the big rock. And again, it's been restored back to
18 the lake front property that it was in the beginning.

19 So, last slide. Again, I wanted to thank
20 you. Again, the NRC is here to make sure that the
21 decommissioning is conducted in a safe manner. We're
22 here to ensure the workers' safety and the public
23 safety, and to make sure that the environment is
24 maintained. Thank you.

25 MR. O'BRIEN: Thank you, Bruce. With

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1 that, I'd like to turn it over to Rob Krsek. As Rob
2 indicated earlier, he is the current senior resident
3 at the Kewaunee Nuclear Plant. He's actually been up
4 here as either a resident or senior resident for the
5 last 10 years I believe. And Rob will discuss the
6 reactor decommissioning inspection program that we
7 plan at least over the next couple of years. Rob.

8 MR. KRSEK: Hi again. My name is Rob
9 Krsek. I have been the senior resident inspector here
10 at Kewaunee or at Point Beach since 2003. As some of
11 you know, in the past, when a plant is operating, we
12 do have two onsite resident inspectors that inspect
13 the plant's day-to-day activities as it goes on. And
14 we'll continue to do that, although to a lesser
15 degree, commensurate with the activities that are
16 onsite. So that's what I'm going to be talking about
17 to everyone here today.

18 So the objectives of our inspection
19 program are the same for an operating reactor as they
20 are for a decommissioning reactor. It's to ensure the
21 safety of the decommissioning workers, the members of
22 the public, and the environment throughout the
23 decommissioning process. So that's throughout the
24 entire 60-year process.

25 We also ensure licensee implementation of

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1 decommission activities are conducted in accordance
2 with all the NRC requirements. And, prior to license
3 termination, as Bruce had mentioned earlier, we do
4 verify the residual radioactivity in the area and on
5 the land is reduced to a level that permits
6 unrestricted release of the property.

7 The focus of our inspection program, much
8 like it is for the operating reactors, is to obtain
9 information through direct observation of the
10 licensee's activities and the workers' activities, and
11 also verify the licensee's activities onsite. And we
12 do that with the use of onsite inspectors initially,
13 which I'll be talking about more, and then region-
14 based inspectors as time goes on.

15 We verify that the licensee documents are
16 implemented and maintained as required by the NRC
17 license. The utility will still maintain a license
18 throughout the entire process, until the license is
19 terminated. And then, we verify the licensee
20 activities, organization and controls are effective to
21 provide reasonable assurance that decommissioning is
22 conducted safely and in accordance with the
23 requirements.

24 The region-based inspections are a
25 balanced look at a cross section of all the licensee

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1 activities onsite important to the conduct of
2 decommissioning. And I'll cover those areas that we
3 looked at, to see what it looks like. The schedule
4 and level of inspection effort that we partake in is
5 based on the decommissioning activities that are
6 planned or performed.

7 So, as I mentioned earlier, while the
8 plant's operating, there are two onsite resident
9 inspectors. Shortly after the plant shutdown on May
10 7th, we will go down from two resident inspectors to
11 one resident inspector in about the July time frame.
12 And then, I will continue to remain onsite for
13 approximately a year after the shutdown.

14 After our office is closed onsite, what it
15 will transition to is we will have region-based
16 inspectors coming out of the Region III office. It's
17 in Lisle, Illinois, right outside Chicago. And those
18 region-based inspectors will be visiting the site,
19 again, commensurate with the activities that are going
20 on onsite. So, as activities are going on, we will
21 have inspectors that are visiting the site from the
22 regional office to do all the things that I talked
23 about previously; verify that the licensee is
24 performing the decommissioning activities safely.

25 This just gives you an idea of the

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1 inspection area. For those on the phone, I will
2 rattle them off. The organization and management
3 controls. So we look at that as part of our
4 inspection activities. Quality assurance. Also,
5 spent fuel storage and handling, and Rhex is going to
6 talk a little bit about that at the end. Also, the
7 maintenance and surveillance activities that the
8 licensee has to continue to do on the equipment that
9 remains. We look at that.

10 Of course, radiation protection for the
11 workers and also radiation protection for the
12 environment, looking at the radiological effluent and
13 environmental monitoring. We also do inspections of
14 security. We also review the safety evaluations that
15 are ongoing for the changes that the licensee is
16 making at the plant. We also continue to inspect
17 emergency preparedness, as the emergency preparedness
18 requirements will still be in effect after the plant
19 shuts down.

20 Also, fire protection. Radioactive waste
21 packaging and transportation as parts of the site and
22 components on the site are decommissioned and shipped
23 offsite. And then, we also still evaluate particular
24 safety concerns or aspects or licensee performance
25 that require increased NRC attention.

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1 Our inspection activities are detailed by,
2 it's a little bit different than the operating
3 reactors. It's detailed by what's called a master
4 inspection plan. That is published in what's called
5 our inspection manual chapters. Those inspection
6 manual chapters really lay out what the inspection
7 program is for the different phases of
8 decommissioning.

9 And that inspection plan is developed on
10 an annual basis. It's a publicly available document
11 that we send to the licensee and is associated with
12 the license number, and is available for public
13 viewing. And it goes through and details what
14 inspections we're going to be doing, again based on
15 the activities that are going on onsite. Again, the
16 level of inspection is pre-planned and also tailored
17 for the activities that the licensee is taking onsite.

18 So, if there's periods of time where
19 there's little activity, those would correspondent to
20 periods of time of little inspection. If there's a
21 lot of activity going onsite, those correspond to
22 increased inspection. With that, I'd like to turn it
23 over to Rhex to talk about the spent fuel pool
24 inspection program.

25 MR. EDWARDS: Good evening. Again, my

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1 name is Rhex Edwards, and I'm a Region III inspector
2 out of the Lisle office. You've heard us use the term
3 ISFSI. That stands for independent spent fuel storage
4 installation. And what that is is that's an onsite
5 dry fuel storage pad. And the pad, itself, is a
6 concrete structure. The NRC has inspected that
7 structure, and evaluated the licensee's ability to
8 safely store fuel.

9 I, myself, perform those inspections. The
10 pad contains dry fuel storage canisters which are
11 licensed by the NRC. And again, we onsite to observe
12 them loading and conduct periodic inspections. Our
13 inspections will continue for as long as there is fuel
14 stored on that dry fuel storage pad. Our objectives
15 are the same. Our mission is the same. We need to
16 ensure that the material is protected from threats, as
17 well as the public and environment protected.

18 And, our inspectors are examining whether
19 or not the licensee is maintaining their ISFSI to our
20 standards and regulatory requirements. And that
21 involves all aspects of radiation safety, quality
22 assurance; remember those key aspects that Ron
23 mentioned earlier.

24 MR. KRSEK: And there is our contact
25 information. It's on the slides that we have

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1 available there and up on the screen for both Rhex and
2 myself.

3 MR. O'BRIEN: Thanks, Rob. The purpose of
4 tonight's meeting was to make sure that you had an
5 opportunity to hear what the NRC is doing to continue
6 its role in protecting public health and safety, the
7 environment and common defense and security. You've
8 heard from a number of NRC staff regarding the
9 activities that are going to be occurring shortly, in
10 the next few months, in the next few years, and then
11 over the time frame when the licensee implements their
12 decommissioning plan.

13 All the slides that were used today are
14 available over on the side table, including the
15 contact information for the resident inspectors, the
16 project managers from headquarters that deal with both
17 the operating reactor and the decommissioning reactor,
18 along with the other presenters that are here. Also,
19 in general, you can go to the NRC's public website,
20 and find your way to the decommissioning area and gain
21 similar information and additional information
22 regarding the activities we do here.

23 I want to thank you all again for coming.
24 I tell you this meeting is an important piece for us
25 in making sure we reach out to the community and

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1 understand your concerns. We're going to take a short
2 break here after I turn it over to Sarah to discuss
3 the question and answer portion. And we'll come back
4 and do that. I'll offer you that your comments are
5 extremely important to us now and in the future, as we
6 go through the decommissioning process to make sure we
7 understand your concerns, and to make sure we get your
8 feedback as to how we're doing our job. With that,
9 I'll turn it over to Sarah. Sarah.

10 MS. LOPAS: Thank you, Ken. Okay,
11 everybody, my name is Sarah, Sarah Lopas. I'm going
12 to be facilitating the question and answer period for
13 tonight. I want to acknowledge the folks on the
14 phone. I hope guys can hear us. There's about 10 of
15 you on the line, and I promise we won't forget about
16 you. So, I'll speak to how you guys can participate
17 in just a moment.

18 So I'm going to go over the ground rules
19 for the question and answer period and the comment
20 period. After that, like Ken said, we'll take a short
21 break. Perfect, second slide. So, the question and
22 answer period is the time when you can get up and ask
23 the staff whatever you'd like, really. Or just
24 present a general comment. I'll be asking folks to
25 come up to the podium here one at a time to present

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1 your question or comment.

2 If you signed up when you came in today,
3 that's great. I have your name. If you didn't,
4 during the short break, you can just come up and see
5 me, and add your name to the list. I'm going to
6 evaluate how many folks we have signed up, and see if
7 I can put some time limits on folks. We want to make
8 sure that we hear everybody that wants to speak
9 tonight. The meeting goes until 9:00 p.m., but we can
10 stay a bit later to make sure that we get everybody
11 here that wants to be heard.

12 If you have a question or comment that
13 you, maybe, want to have it read aloud, but you don't
14 want to stand up in front of everybody, that's
15 certainly fine. We have some note cards over here
16 that Joe will have, and you can just flag Joe down
17 during the course of the question and answer period,
18 and you can write it down. You don't have to sign
19 your name. You can hand it back to Joe. We can read
20 it aloud, or we can just take it back with us. We
21 don't need to read it aloud tonight. So, that's
22 certainly an option, as well.

23 Let's see, let's go to, I have my papers
24 out of order. For the folks on the line, what will
25 happen is we will ask you all to press *1, and what

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1 that will do is I have my laptop, and I'll be able to
2 see that you would like to speak. And we'll be able
3 to un-mute your phone line. The operator is Amber.
4 Thank you, Amber, for being on the line. So, folks on
5 the line, when we take our break, make sure you stay
6 on the line. I think you might hear music for about
7 five minutes, but stay on the line and we'll come back
8 on in about five minutes.

9 John is our court reporter. He's there to
10 make sure that we get a clean transcript of what
11 everybody's saying tonight. So, when you make your
12 comment or you ask your question, you don't need to
13 submit it again in writing to the NRC. We have it
14 recorded right there, and it will be in a transcript
15 that you'll be able to read within 30 days after this
16 meeting.

17 Because John's, you know, recording
18 everything, it's really important only one person at
19 a time speak, we're not interrupting each other. That
20 you try to speak clearly and slowly. And when you
21 come up here, please start by introducing yourself.
22 If you have a tricky name, I might ask you to spell
23 it out so John can get it accurately.

24 Next slide please. Just a couple more
25 things. I don't think this is going to be an issue

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1 for this group, but just a reminder to be courteous to
2 folks. I know that emotions might run high tonight
3 but, you know, try to be respectful to everybody in
4 the room. This is an NRC meeting, so please direct
5 your comments and questions to the NRC. If you have
6 questions or comments for Dominion, we encourage you
7 to get in touch with their office of public affairs,
8 or their public affairs department. But to night it
9 will just be NRC's folks that will be, you know,
10 answering your questions and taking your comments.

11 Okay, with that, let's take about a five-
12 minute break, maybe a little bit longer. Let's just
13 make it easy and say at a quarter of. So, quarter or
14 eight, and we will come back and get started right
15 into your questions and, if you haven't signed up,
16 come up and see me. I'll just be hanging around up
17 here. Folks on the phone, stay put, we'll be back.

18 (Off the record.)

19 MS. LOPAS: Let's go ahead and start with
20 Thomas Anderson.

21 MR. ANDERSON: Good evening ladies and
22 gentlemen. My name is Thomas Anderson. I've vice
23 president of a local safety consulting firm, West
24 Shore Safety. And I realize now that I'm probably at
25 the wrong, I should be talking to Dominion rather than

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1 you folks. But I realize Dominion is probably going
2 to hire an outside contractor to, you know, do your
3 decommissioning and tear this building all down and
4 that.

5 But my concern is that it has been such an
6 economic impact to the area, that I would like to see
7 a proposal made that 25 percent of that work would go
8 to local contractors, not just outside contractors,
9 and even to DBE contractors or minority contractors,
10 so that they, too, can have a benefit from the tearing
11 down of this structure.

12 MR. O'BRIEN: Thank you, sir, for your
13 comment. MR. ANDERSON: Thank you.

14 MS. LOPAS: Thank you, Thomas. I might
15 butcher this last name, so I apologize in advance.
16 Tony Jeanquart.

17 MR. JEANQUART: Just some, probably, minor
18 questions, or I think nothing is too minor when you
19 start talking about decommissioning of a nuclear plant
20 that was built some 40 years ago. I was involved in
21 that plant construction. Going back to thinking about
22 spent fuel storage, how long will it take before the
23 spent fuel is offloaded from the wet fuel storage into
24 dry storage? That's one of my questions.

25 How long will the spent fuel be held in

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1 dry storage onsite? How long will those monuments be
2 sitting on the property site? I see how these plants
3 that have been decommissioned, they look like open
4 prairie grass sitting there right now. How many years
5 did it take to get to that point? I think we're all
6 concerned about that because of the need, well not
7 only the cost of revenue and jobs, but the concern
8 about what are we going to be paying for in the future
9 for our, maybe it was a mistake to have a nuclear
10 plant.

11 MR. O'BRIEN: Rhex, could you cover the
12 questions regarding spent fuel?

13 MR. EDWARDS: Yes sir. Sir, I appreciate
14 your question, thank you. And I heard several, so I'm
15 going to try and address all those. And my
16 colleagues, please help me out if I miss something.
17 First question was how long until the fuel moves from
18 the pool into dry fuel storage. That depends.
19 There's a minimum cooling time that the site has to
20 let lapse before they can put it in dry fuel storage.
21 That's about five years. So they'd have to wait at
22 least five years before they could offload the fuel
23 into dry fuel storage. And then, it depends on some
24 other factors.

25 The next question I heard was how long is

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1 the ISFSI present. That gets into the decommissioning
2 discussion we heard, we talked about earlier. The
3 site has 60 years to decommission the facility, and
4 that includes the dry fuel storage pad located there.
5 The plan is to have that fuel removed from the site
6 within the 60-year period. It doesn't mean that
7 they'll take the whole time, but they do have 60 years
8 to do that, as Bruce mentioned. And that also is how
9 long to the greenfield was one of your questions. And
10 that depends. They do have 60 years to do it.

11 As far as the financial questions, what
12 would the public have to pay for? Our regulations
13 require that the site show us that they have
14 sufficient financial funds to safely store that fuel
15 for a period of 60 years. And then, also be able to
16 show that they can remove it from the site with
17 adequate funds. Hopefully, that addresses your
18 questions, and I open it up to the others.

19 MR. O'BRIEN: Go ahead, Rob. You have one
20 more thing you'd like to add.

21 MR. KRSEK: I just have one more specific
22 on the question of the current licensing plans for
23 moving the fuel out of the pool into dry cask storage.
24 The current plan that the licensee submitted to us has
25 that being completed by 2020, by the year 2020.

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1 MR. O'BRIEN: Approximately seven years
2 from now. Thank you.

3 MS. LOPAS: Okay, thank you. So, we're
4 going to take a phone call right now. Amber, it looks
5 like we have Robert Leyse on the line. Can we un-mute
6 him, and we might need some help with --

7 MR. LEYSE: You can read it, I think. If
8 not, I'll read it.

9 MS. LOPAS: Go ahead and speak up, sir,
10 and maybe Ken if you could help by putting the
11 microphone near the phone if it doesn't get feedback.
12 Okay, go ahead Robert. Speak loud, please.

13 MR. LEYSE: Can you hear me?

14 MR. O'BRIEN: Yes.

15 MR. LEYSE: Okay, I'll read it. Robert H.
16 Leyse, a member of Professional Reactor Operators
17 Society, and American Nuclear Society comments as
18 follows, and these comments are not on behalf of
19 either organization. Two items, one minute. Item
20 one, in the future, NRC should reveal, if the spent
21 fuel pool recommendations of the Fukushima task force
22 will be implemented at Kewaunee. Reference, ADAMS ML
23 111861807, Page 58 of 96.

24 Item two, NRC should release the details
25 of its experimental and analytical work in the arena

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1 of investigations of zirconium fires during spent fuel
2 locus. NRC must include a water environment for those
3 experiments, instead of the air-only environment of
4 work that has been only minimally disclosed.
5 Reference ADAMS ML 113140453, Pages three, four, five
6 and six of 23. Thank you.

7 MS. LOPAS: All right, thank you, Robert.
8 We appreciate that comment.

9 MR. O'BRIEN: So let me respond a little
10 bit, if I could, that what the gentleman is referring
11 to is the NRC undertook a number of activities post-
12 Fukushima to try and answer immediate questions, and
13 then long-term questions regarding whether and what
14 types of changes might be necessary to address issues
15 identified as part of the Fukushima disaster.

16 One of those activities, as he
17 appropriately mentioned to you is we're doing research
18 into issues associated with potential accidents
19 associated with the spent fuel pool. Those are
20 ongoing right now. We do not have results that I am
21 aware of right now. We're a public agency, so when we
22 get those results, we will publish them in the NRC's
23 document management system called ADAMS.

24 Relative to reviewing the situation for
25 the decommissioning facility and how we're supposed to

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1 handle that as it relates to the regulations, I
2 believe that's also still under consideration in terms
3 of whether we should or should not apply those
4 requirements to a plant that's in the process of
5 decommissioning. I do not have that current answer,
6 and we'll make sure as a part of response to this
7 question that we include it as part of our oral
8 comments at the end, unless one of the other members
9 up here have it. Rob?

10 MR. KRSEK: Right now, the licensee,
11 they're plans do have implementation, and there's
12 discussion with the NRC on implementing the spent fuel
13 pool recommendations under the Fukushima, that order
14 that was referred to.

15 MR. O'BRIEN: And then, the final
16 question, the final comment was that a request that
17 the NRC consider a different of environment for the
18 experiments associated with the spent fuel
19 instrumentation and the potential for accidents
20 associated with it. I will feed that comment back to
21 headquarters so that they have that.

22 MR. LEYSE: Thank you.

23 MR. O'BRIEN: You're welcome, sir. Thank
24 you for the questions.

25 MS. LOPAS: Thanks for calling in, Robert.

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MR. LEYSE: I've got another one, but I don't want to suck up your time.

MS. LOPAS: Can you hang on? We're going to go through everybody once, and then we're definitely going to go back for more questions. So, if you can hang tight, we'll get back to you, all right?

MR. LEYSE: Thank you.

MS. LOPAS: All right. Okay, let's hear from David Hardtke, if David's here. Just a reminder to introduce yourself and speak into the microphone so the folks on the phone can hear you, too.

Mr. HARDTKE: Good evening. My name is David Hardtke. I'm chairman of the Town of Carlton. I have a couple issues. A statement was just made that that waste will be removed within 60 years of that decommissioning period. But yet, President Obama's blue ribbon commission report states in there that the waste will be stored onsite for 100 to 300 years. So, which is the correct answer?

I have kids and grandkids in the area. And I think we're leaving them a big mess. I think 60 years is way too long to take these plants down. That's prime lake frontage where the plant is. Walk

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1 out beach, no bluff. And for that land to stay off
2 the tax rolls, penalizing the Town of Carlton,
3 Kewaunee County and the Kewaunee School System. Thank
4 you.

5 MR. O'BRIEN: Thank you, sir. Rhex, would
6 you like to cover the issue associated with the fuel,
7 in general? Well, let me touch it first, and see if
8 I make a mistake that you can help me with. In
9 general, the NRC licenses a facility, and requires a
10 facility to manage their spent fuel from the day we
11 license them all the way to the time it's removed.

12 Currently, the NRC has regulations
13 requiring the licensee to complete its decommissioning
14 activities in 60 years. The comment, or you know, I
15 think he brought up a very good point. Things change
16 over time. We can't tell you what the situation's
17 going to be 10, 15, or 20 years as it relates to other
18 requirements or other changes that the government may
19 place upon us, or as a part of our requirements.

20 Right now, our requirements are that the
21 licensee be able to, and complete removal of all
22 activities associated with decommissioning within 60
23 years. And that's the activity we'll ensure is
24 enforced, unless we're told otherwise by Congress and
25 the President through laws. Did I miss anything,

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1 Rhex?

2 MR. EDWARDS: No. All I would add would
3 be that as long as the fuel is stored on the site, the
4 NRC will be there to inspect it to ensure that it's
5 safe and it's safe for the public and the environment.

6 MS. LOPAS: Okay, great. Thank you, guys.
7 All right, next let's hear from Steve Tadisich.

8 Mr. TADISCH: Hi, I'm Steve Tadisich. I'm
9 a resident of the Town of Carlson, plus I'm on the
10 town board, and I'm a town supervisor. And, as I go
11 through this report, I see how it's outlined that the
12 power plant is designated for all this money through
13 the decommissioning fund. One of my questions is
14 where is the local government and county government
15 outlined in this decommissioning fund?

16 Because it wasn't supposed to cost us
17 money to decommission that plant. Whereas, now we
18 have to provide an assessor to assess the property to
19 set a value at it which is agreeable to Dominion. And
20 plus, like you made the comment of 50 to 60 years it's
21 going to be there. So that is going to not allow our
22 tax roll to grow on that land during this time period.

23 So, to our local municipalities, that is
24 a burden on us. And I was wondering where, in the
25 decommissioning fund, does it allow for local

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1 government to take their expenses and fill
2 decommissioning fund, because when that plant was
3 established they always said it would not cost the
4 municipalities any money to decommission that plant.
5 And here we have bills piling up on our desk for all
6 this stuff. So, that's my question tonight, and thank
7 you for your answer.

8 MR. O'BRIEN: I appreciate it, Steve.
9 Overarchingly, the decommissioning fund is put
10 together and required to ensure that the facility can
11 be properly and safely decommissioned. It does not,
12 however, and the NRC's rules and regulations do not
13 cover, economic issues between the operator of the
14 plant and the local governments. That's a separate
15 activity that will have to be engaged.

16 Our focus is exclusively on the safety and
17 the security of that facility. So, while I appreciate
18 and I understand your issues that you've raised here,
19 that's, unfortunately, outside the NRC's regulatory
20 processes.

21 MS. LOPAS: Okay, thank you, Ken. We're
22 going to go to the phone again. Amber, it looks like
23 we have Steven Dolley. If we could get Steven un-
24 muted. Hi, Steven. Can you hear us? Steven, are you
25 there?

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1 MR. DOLLEY: Yes. Can you hear me?

2 MS. LOPAS: Yes we can. Go ahead.

3 MR. DOLLEY: Thank you very much. My name
4 is Steven Dolley. I'm a reporter with Platts, we're
5 an energy news service. And Dominion has said it has
6 no plans to restart Kewaunee, and operate it again.
7 But, if they should change their mind, would they be
8 able to return their license to an operating license
9 status through NRC processes prior to the license
10 termination point that you mentioned? And, if so, how
11 would that process work, and that review work on NRC's
12 end? Thank you.

13 MS. LOPAS: Okay, thank you, Steven. So,
14 the question is if Kewaunee wants to operate it again,
15 how would that work? Do we let that happen?

16 MR. O'BRIEN: We've had instances in the
17 past where licensees have decided to stop
18 construction, stop other activities associated with
19 their reactors, and they have come back at a later
20 date and decided to change that answer. Just as you
21 heard earlier from the presenters here, the licensee
22 will be required at some point very shortly to certify
23 to us that they no longer plan to operate the plant,
24 and to request a change in their license.

25 Should they change that decision somewhere

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1 down the road, they would also have to submit a
2 request to the NRC, and demonstrate to the NRC why it
3 would be okay to change that license back to an
4 operating license. I'm not aware of any previous
5 instance where that has happened, but that would be
6 the normal process for making a change to any license
7 the NRC oversees.

8 MS. LOPAS: Okay, thank you, Ken.

9 MR. O'BRIEN: You're welcome.

10 MS. LOPAS: Thank you, Steven. Ken, if
11 you could speak into your microphone a little bit.
12 You are very loud, but you're not getting the
13 microphone for some reason. Next we have Linda
14 Sinkulu. I'm probably butchering that name, too.
15 Sorry, Linda.

16 MS. SINKULU: Hi. I'm Linda Sinkulu,
17 clerk of the Town of Carlson. One of my questions is
18 what is the current balance of the decommissioning
19 fund, and is there enough money for the nuclear plant
20 to be complete, have it complete? Another one is a
21 follow-up to Steve, we're going to have lawyer fees
22 and everything for this township for this
23 decommissioning process to see what our, what we need
24 to do as a township.

25 And another question is can any other

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1 materials be stored in the dry storage containment?
2 Like the breakdown of the reactor head. Can it be put
3 in those dry storage containment and be stored there?

4 MR. O'BRIEN: Thank you very much for your
5 questions, Linda. I'm going to actually do this in
6 reverse, because that will give Rhex an opportunity to
7 answer the last two while I work on the first two, or
8 the last one while I work on the first two. Rhex.

9 MR. EDWARDS: Yes, I understand your
10 question is can any other components be stored in dry
11 storage casks, and the answer to that is yes. It has
12 to be within approved contents. There are certain
13 requirements as to what can be stored in the pad, but
14 it is not exclusive to spent nuclear fuels is the
15 simple answer to it.

16 MR. O'BRIEN: Thanks, Rhex. Your other
17 questions were how much is currently in the
18 decommissioning trust fund. And the answer, based
19 upon my staff around me, is approximately \$578
20 million. And then, the final answer is will there be
21 enough, and what I'll do there is I'll say the answer
22 is that we evaluate that, when the plant is operating,
23 on an every two-year basis by a formula that we have
24 to ensure that the licensee has sufficient resources.

25 And, if they don't, we require them to

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1 provide other resources to ensure that they meet our
2 requirements. When they shut down the plant and go
3 into a decommissioning mode, we actually do that same
4 review every year to make sure they have sufficient
5 funds to be able to address all the decommissioning
6 costs that are required. Hopefully, that answers your
7 question.

8 MR. EDWARDS: I would like to add, also,
9 to my response that you cannot mix materials. So you
10 couldn't have fuel mixed with some other type of
11 material.

12 MS. LOPAS: Okay, thank you guys. Next
13 let's hear from Shane Greisbach.

14 MR. GREISBACH: I will pass.

15 MS. LOPAS: You'll pass, all right. Let's
16 see who's after Shane. We have Jennifer Brown. Would
17 Jennifer still like to make a comment?

18 MS. BROWN: Hi. My name is Jennifer
19 Brown. I'm with the Kewaunee County Economic
20 Development Corporation. Thank you for being here
21 tonight. I just want, I have a general question on
22 some information that I heard from you tonight.
23 There's some comments in her about socioeconomics,
24 and I know you probably can't make any comments in
25 regards to the economic impact. But, obviously, we

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1 have some significant concerns about the economic
2 impact.

3 There are some comments in the PSDAR here
4 about, specifically regarding, you know, the impact on
5 our local taxing entities. And then, obviously, the
6 support to the local economy. And then, there's also
7 some specific comments about the impacts are not
8 destabilizing, and that's according to the generic
9 environmental impact statement. I'm wondering if you
10 can explain that a little bit; how the NRC reviews
11 that.

12 And then, secondly, you talked about going
13 from SAFSTOR to DECON back to SAFSTOR. Are there
14 additional reviews in terms of socioeconomic reviews
15 or do you sort re-review that in terms of the generic
16 environmental impact statement? Is that something
17 that you'll revisit by the NRC?

18 MR. O'BRIEN: I'll take a shot at that,
19 and I'll see if my staff around me want to correct
20 something that I've articulated. In general, there's
21 a generic impact statement associated with
22 decommissioning for plants. And then, we require the
23 licensees, as a part of their putting together of a
24 plan, to address anything that's unique and specific
25 to their area. So that would be a part of that

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1 process.

2 And any time the licensee makes a change
3 to their decommissioning activities report, we'll
4 again review that, those changes to see if they make
5 any changes in the activities we've done before. So,
6 we'll continuously review as they make modifications
7 to that report. And now I'll ask the staff on either
8 side of me if there's any other additional
9 clarification you want to add. Speak loudly.

10 MR. SMITH: The generic environmental
11 impact statement, the EIS, baseline for review for
12 many of the standards. In some cases, it's comparing
13 it to the operational conditions of the facility.
14 And, in some cases, it compares it to the status of
15 the area before the facility existed. Socioeconomic,
16 it compares it to before the reactor was there, what
17 was the socioeconomic impact, and after the reactor is
18 gone. And so, that's the way the GEIS is structured.

19 MR. O'BRIEN: And let me just add, if you
20 don't mind, Ted, and make sure I'm correct here. So,
21 the change from when it's operating to when it's going
22 through decommissioning wouldn't, necessarily, be
23 evaluated unless it was dramatically different than
24 before it came here and after it left. I'm getting
25 two nodding heads for those that are on the phone.

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1 Thank you very much. Sarah.

2 MS. LOPAS: Okay, next we have R.C.
3 Nelson, if R.C.'s here and would like to speak.

4 MR. NELSON: Good evening. My name's Rick
5 Nelson. I'm a retired electrical engineer. I have 31
6 questions.

7 MS. LOPAS: All right, we might count the
8 time a little bit, but go for it.

9 MR. NELSON: But, I already sent some of
10 them in, and I'll leave some of the ones I'm not going
11 to ask before the NRC.

12 MR. O'BRIEN: We appreciate that, Rick,
13 thank you.

14 MR. NELSON: You stated earlier that
15 there's \$578 million available in the decommissioning
16 fund. On May 7th Kewaunee plans to shut down. In
17 accordance with their purchase power agreement,
18 they're obligated to pay for replacement power to the
19 end of the year. I'm just curious if the
20 decommissioning fund is going to be taxed to pay that
21 loss of generation.

22 MR. O'BRIEN: The decommissioning fund
23 would not be a source of monies for them to provide
24 replacement power. It's focused exclusively on those
25 expenses associated with decommissioning the power

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1 plant.

2 MR. NELSON: You mentioned earlier the
3 Fukushima responses for spent fuel pool. There are
4 also some attributes on Fukushima for the restoration
5 of offsite power because you have to declare your
6 diesel generator's not available. Would the same
7 expectations for operating plants be passed on to
8 Kewaunee after shutdown?

9 MR. O'BRIEN: Normally, when a plant goes
10 into decommissioning, and I'll let the staff around me
11 correct me if I make an error here. Normally, when
12 the plant goes into decommissioning, they would come
13 up with and propose to the NRC a new set of technical
14 specification requirements that they would then rely
15 upon as they were going through decommissioning. And
16 we'd evaluate those to ensure that there was adequate
17 safety provided.

18 MR. NELSON: One of the delays in Dominion
19 announcing this earlier was the need for MISO to
20 perform a study on the grid reliability. In response
21 to NUC001, there are certain criteria for nuclear
22 generation and the grid operator to maintain a certain
23 voltage level to ensure the ability of the plant to
24 safely shut down to safely mitigate an accident. In
25 a public release, MISO said sure, go ahead. Has there

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1 been enough due diligence in that review to ensure
2 that the Kewaunee plant won't be subject to a degraded
3 voltage issue, or the nuclear plant down the road in
4 case of a loss of a transmission system?

5 MR. O'BRIEN: I think to get to the
6 specifics of the detail of the transmission, the grid
7 transmission's evaluation, you'd have to go directly
8 to them. But, they provided assurances as part of the
9 process to the licensee. And it's a requirement, as
10 part of the shutdown process, that they would have
11 adequate voltage and ability here to maintain what was
12 necessary for the grid without the Kewaunee plant.

13 MR. NELSON: Over the last few years, I've
14 been fairly intimate with that operation, and for a
15 number of years, MISO and the ATC has lobbied on their
16 behalf reliability to make sure that the Kewaunee and
17 the Point Beach outages don't overlap because of the
18 degraded voltage issues and the stability of the grid.
19 Well now, we're going to have one unit not running.
20 So, just reading the public notification that that
21 analysis is thorough raises some questions in my mind
22 based on the amount of review and analysis for the
23 last ten years.

24 MR. O'BRIEN: I don't have a specific
25 answer --

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1 MR. NELSON: No, that's a comment.

2 MR. O'BRIEN: I'd offer that, obviously
3 with your background, you'd be very well versed to be
4 able to talk to the transmission entity, MISO, and get
5 the additional information.

6 MR. NELSON: Some of the other folks here
7 have mentioned similar questions. I've been in the
8 power industry since 1978, and the pictures you show
9 of Fermi 1, Main Yankee and the greenfields, I used to
10 sit right outside of the Fermi 1's reactor, so I
11 recognize that picture. But, when you look at Big
12 Rock, and the other pictures, to me I'm really
13 disappointed in the fact that the schedule that we
14 have presented in the public document here lasts 60
15 years.

16 If these other plants can proceed with a
17 schedule which seems to be, maybe accelerated, I would
18 think that the public would want Dominion to do the
19 same thing. And, unfortunately, there isn't any
20 elected officials here to raise their hand. But I
21 know, for one, that I don't want my grandchildren and
22 these people to be driving past those dry cask
23 storages for 60 years.

24 MR. O'BRIEN: I appreciate your comment.
25 One of the things that's very, very unique about the

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1 NRC as an independent regulatory agency, and different
2 from many other regulatory agencies, is when we give
3 a license to a facility to operate, we hold them
4 responsible for taking and achieving the end result,
5 and we don't dictate that to them. So, in this case,
6 our regulations in their license allow them 60 years
7 to do that. And so, therefore, we've already that
8 perspective and that requirement.

9 And, therefore, we allow them to make the
10 determination based upon a number of factors, most of
11 which are not related to safety, as to when they would
12 like to decommission. So I appreciate your comment.
13 I understand it, but --

14 MR. NELSON: I have plenty others, and --

15 MS. LOPAS: How about one more, and then
16 we've got a couple more signed up, and we're going to
17 go back around for seconds and thirds, so you can come
18 back up.

19 MR. NELSON: I'll sit down. I'm good.

20 MS. LOPAS: Okay.

21 MR. O'BRIEN: Thank you, sir.

22 MS. LOPAS: You can come back, though, in
23 a moment. Thank you, Rick. Can we hear from Claire
24 Thompson?

25 Ms. THOMPSON: Claire Thompson with

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1 Kewaunee County. Most of my questions have already
2 been answered, but I wanted to reiterate I think a lot
3 of the comments that I have heard prior to this
4 meeting in our desire to see that site return to
5 greenfield status. And I wanted to know, very
6 specifically, if there were any safety concerns with
7 accelerating the time line of the decommissioning of
8 the plant?

9 MR. O'BRIEN: There are no safety concerns
10 with accelerating. It's a function of a lot of other
11 issues. As I think Bruce articulated, you can do
12 decommissioning of the plant from the day you submit
13 the request to the NRC and we approve that action, and
14 the course of action, up to and including the 60
15 years. I think, Bruce correct me, you said about 50
16 years, it takes about seven to 10 years to actually
17 implement that process. So you'd have to actually
18 start somewhere in the early '50's.

19 But there is no safety limit to being able
20 to do it. That's why we allow the licensees, when the
21 propose to decommission, to be able to do it any time
22 over that 60-year period. There are a large number of
23 factors that the licensees may take into consideration
24 in making that decision. But safety is not one of
25 them from the NRC's perspective.

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1 MS. THOMPSON: And can you give us an
2 example of some of the other plants, how long it has
3 taken to decommission the plants?

4 MR. O'BRIEN: I'm going to turn that over
5 to somebody that actually knows what they're talking
6 about in that particular area.

7 MR. WATSON: As I said before, typically
8 a plant that's in a true what we call DECON or
9 decommissioning status where they want to do the
10 decommissioning safely, it typically takes seven to 10
11 years. That would also include that year or two of
12 preparation work, and getting the plant ready for
13 decommissioning; draining systems, making electrical
14 isolations to make it safe for workers to, you know,
15 disconnect the plant, pumps, pipes and other things.

16 But the actual schedule is really up to
17 the licensee. One example I can give you is here in
18 Wisconsin, there's LaCrosse Boiling Water Reactor,
19 it's in LaCrosse, Wisconsin. That plant was in
20 SAFSTOR for I want to think 15 years. And in the last
21 few years, they've been in a very active
22 decommissioning mode, where they removed the reactor
23 vessel and disposed of that. They removed the spent
24 fuel and put it in dry storage. And now, it looks
25 like they're kind of settling back into their, I'll

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1 call it normal slow decommissioning schedule.

2 And it's, principally, driven by economics
3 of how they want to spend money. The other aspect
4 that I'll bring up in scheduling these
5 decommissionings is, especially with some of the ones
6 that we've already completed, in the 1990's and into
7 2000, and I can't remember the exact date, but one of
8 the principal reasons for doing the prompt
9 decommissioning has been also driven by access to be
10 able to dispose of the low level waste.

11 And so, many of those utilities that did
12 decommission in the early 2000's were driven by the
13 fact that they couldn't to continue to dispose of what
14 we call Class B and C low level waste in Barnwell,
15 South Carolina. So, that was another economic factor
16 that they looked at to being able to clean up the
17 site, and actually dispose of all the materials.

18 MR. O'BRIEN: And I'll just have a little
19 bit for you on the dates. I happened to work for the
20 State of Wisconsin at the time LaCrosse was operating
21 and made the decision to shut down. I believe it was
22 in 1986 or 1987 when they originally did it. So that
23 would be approximately 25 years ago, and they're still
24 in the process of doing decommissioning. MS. THOMPSON:
25 What is the formula for obtaining the difference

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1 between the \$578 million current balance and the \$900
2 million-plus estimate in 2012 dollars?

3 MR. O'BRIEN: I don't have, we have a
4 formula that we use to determine whether the amount of
5 monies available are appropriate and sufficient. I
6 don't have intimate knowledge of that off the top of
7 my head, so we'll have to take that question and get
8 back to you, as a part of our minutes of this meeting,
9 to provide that information. It is stated in the
10 regulations, I'm just not as familiar with it.

11 MS. THOMPSON: In the PSDAR, it suggests
12 that you reviewed a scenario one in terms of budget.
13 Have you reviewed other scenarios, and were those
14 scenarios related to time frames?

15 MR. O'BRIEN: I'm sorry, I missed that
16 question. Could you start again for me?

17 MS. THOMPSON: In the decommissioning
18 report, there was a scenario one label on many of the
19 tables that were related to the budget of the 60-year
20 time frame. Have you, as a group, reviewed the other
21 scenarios that were considered, and was the time frame
22 different in those scenarios?

23 MR. O'BRIEN: The document that you're
24 talking about, the post-shutdown decommissioning
25 activities report, that's a document put together by

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1 the licensee, and it's their responsibility to put
2 that there. Part of the reason you saw that scenario
3 is because they're required to demonstrate that the
4 cost that they anticipate it will be to decommission,
5 and they're required to demonstrate that they continue
6 to have adequate funds for decommissioning. So that's
7 not something, the NRC wouldn't look at different
8 scenarios. The NRC, instead, would look at do they
9 have sufficient funds based upon what they described
10 to us as their method of decommissioning. So, a
11 little different from the NRC's perspective.

12 MS. THOMPSON: Thank you.

13 MR. O'BRIEN: Thank you very much for your
14 questions.

15 MS. LOPAS: Thank you, Claire. I'll touch
16 base with you so that one of our folks can get in
17 touch with you about that question that we can't
18 answer right here off the top of our heads. The next
19 person I have here on the list, and then we'll go back
20 around for seconds and thirds, and if anybody on the
21 line, remember on the phone you press *1, and I'll be
22 able to un-mute you. We have Ken Lionarons.

23 MR. LIONARONS: Hi. I'm Ken Lionarons.
24 It's L-I-o-n-a-r-o-n-s. I'm a resident of Algoma,
25 Kewaunee County, and my thunder's been stolen because

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1 people have made the same comments that I had.
2 Primarily, the tech specs and the condition of the
3 plant and the rules that are going to govern the
4 safety of the plant post-decommissioning, especially
5 the next seven years.

6 And my concern is that the post-Fukushima
7 mods or any other new regs that come up that we're in
8 step with those to make sure we don't have new hazard
9 that's unrecognized in a plant that's not operating.
10 So, I have confidence in the NRC and the licensee, but
11 these things sometimes have a way of getting out of
12 hand, and maybe things slip between the cracks.
13 Especially on the dry storage, on the fuel storage,
14 the zirc fire, instrumentation in the fuel pool, flood
15 concerns all need to be addressed. Also, the
16 availability of service water and maintenance of the
17 heat sink.

18 But even more to the point than that,
19 small items like with tornados and meteorological
20 events, keeping the site clean so we don't have an
21 issue with the substation or with the offsite power,
22 we don't have pieces of metal. That we have a full
23 compliment onsite. People police the area in case of
24 a tornado, high winds, that sort of thing. And I just
25 hope those things don't fall between the cracks; you

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1 know, the small items. Especially with a reduced
2 staff.

3 In the same mode of business, EP's. Are
4 we going to maintain the same kind of EP schedule for
5 drills and involving the public security drills and
6 security challenges? We still have fuel onsite, and
7 I believe the threat's still going to be the same as
8 it was before. But, I probably would like to see the
9 EP presence the same as it was in the past, including
10 the operation of the sirens, notification, so those
11 things are still in order.

12 I'm also, like others here, a little, I
13 don't want to say annoyed; it's too strong a word.
14 But I think it's unfortunate that we're waiting so
15 long to do the final decommissioning. I really don't
16 see any reason why we should drag it out, you know, a
17 total for 60 years. I can understand, on a multi-unit
18 site, how we might want to wait to do all three units
19 together because of the economic impact.

20 But for a single site, it's dollars now or
21 dollars later. And having a non-functioning piece of
22 equipment there with licensed material in it, no
23 matter how slight, I still think it presents somewhat
24 of a hazard and, certainly, an eyesore, and a tax
25 issue for the Town of Carlson. So, those are my

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1 comments. I do appreciate it. Thanks.

2 MR. O'BRIEN: Thank you. Let me try and
3 touch on a few of those. The licensee still has all
4 the same requirements today that they'll have a month
5 from now as a part of their technical specifications
6 and other things as if they were operating. Until the
7 licensee submits to the NRC a request for changes to
8 their technical specifications and their license
9 requirements, they still have to follow the ones that
10 currently exist in the manner that they exist.

11 So, for example, ensuring that they have
12 available offsite power. Ensuring that they have
13 reliable conditions. Those sorts of things they'd
14 have to. In the two other areas that you articulated
15 on, the security requirements and the emergency
16 preparedness requirements, the NRC has regulations
17 that require any time a licensee would like to make a
18 change to those two areas, they have to do an
19 evaluation to determine if they believe it would be a
20 decrease in effectiveness.

21 And if they determine it would be a
22 decrease in effectiveness, they have to come to the
23 NRC and ask for our approval before they're allowed to
24 make it. If they determine it's not going to be a
25 decrease in effectiveness, then they're allowed to

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1 make the change without the NRC's prior approval. But
2 that's something, as a part of our routine inspection
3 activities, that are normally accomplished by, right
4 now, in part, by the resident inspectors and also, in
5 part, by regional special inspectors. So both of
6 those are there as part of that process.

7 I would anticipate, to be very frank with
8 you, that the licensee will be looking to make changes
9 to the programs that are in place right now as they go
10 along, and the relative hazards at the facility
11 decrease. It's, there is a much smaller concern for
12 accidents and other aspects of response for the plant
13 as they shut the plant down, as they remove the fuel
14 from the core. And then, as the aged fuel ages. So,
15 I expect there will be changed proposed, recommended,
16 sent to the NRC for ask for approval. That's not
17 inconsistent with what other licensees have done over
18 the course.

19 But that's a continuing evaluation process
20 by the NRC to make sure, again, public health and
21 safety is maintained, the environment's protected, and
22 the security of the material is inspected. We're on
23 the case, and we're going to stay on the case all the
24 way until the end.

25 MR. LIONARONS: Okay, thank you.

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1 MR. O'BRIEN: Thank you.

2 MS. LOPAS: Okay. That's the end of the
3 list that I have of folks signed up. So, if there's
4 anybody else that wants to speak, go ahead and raise
5 your hand, and make your way up to the podium. Go
6 ahead. Just remember to re-introduce yourself before
7 you start.

8 MR. TADISCH: I'm Steve Tadisich from the
9 Town of Carlton. I think, Rob, I can direct this
10 question to you. You've been the NRC inspector out
11 there for 10 years you said?

12 MR. KRSEK: That's correct. Between Point
13 Beach and --

14 MR. O'BRIEN: Rob, could you get near the
15 mic?

16 MR. TADISCH: My question is since they've
17 been, received a license to run for 20 years, the
18 plant is in what kind of condition? And would it meet
19 requirements after the 20 year-period, because I guess
20 the statement was made one time that that is in
21 excellent shape yet. And maybe you can comment on
22 this because you're a daily inspector there. Thank
23 you.

24 MR. KRSEK: Sure, and I spent 10 years
25 between Point Beach and Kewaunee. The current, what

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1 we call material condition or condition of the plant
2 at Kewaunee, which myself and my staff members walk
3 every day is in excellent condition. And with the
4 license extension that was granted to the plant for 20
5 years, what that means is that the NRC has determined
6 that the plant could be run an additional 20 years.
7 And so, the licensee would have had programs in place
8 to continue operating. Does that answer your
9 question, Steve?

10 MS. LOPAS: Alfred Kohnle.

11 MR. KOHNLE: I'm Alfred Kohnle, assessor
12 for the Town of Carlton. When the power plant was
13 built, it was said that it's going back to a
14 greenfield in 60 years. Well, they built a number of
15 exterior buildings since that time. Are those
16 building included in the greenfield effect?

17 MR. O'BRIEN: Our understanding --

18 MR. KOHNLE: And --

19 MR. O'BRIEN: Go ahead, I'm sorry. So
20 ahead, you can finish. I'm sorry.

21 MR. KOHNLE: Okay, the second question is
22 will other companies be allowed to bring the dry casks
23 to the Carlton or the Kewaunee plant for storage of
24 the dry casks?

25 MR. O'BRIEN: Rhex, would you take the dry

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1 casks one, please.

2 MR. EDWARDS: Sure, to answer your second
3 question will other companies be allowed to transport
4 their spent fuel to Kewaunee. That would be a
5 consolidated interim storage facility at that point.
6 That would not be an independent spent fuel storage
7 installation. That would not be permissible under
8 their current license. I'm sorry, did somebody say
9 something?

10 MR. O'BRIEN: No, you're fine. Go ahead.

11 MR. EDWARDS: I'm sure you've read various
12 reports out there where recommendations are made. All
13 of those recommendations and proposals can be made,
14 but no action can be taken without NRC review and
15 approval.

16 MR. O'BRIEN: And your first question was
17 would all the out buildings that the licensee has
18 built since it was originally constructed be included
19 in that process. The NRC's process for
20 decommissioning, generically, does not include any of
21 the buildings that are outside the fence for the
22 facility, because those are all additional facilities
23 that are not a part of the normal operation of the
24 plant. So that would really be a question, and a
25 decision for the licensee, in this case Dominion, to

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1 make as to what they wanted to do with those
2 buildings. How they wanted to manage those buildings.
3 And if they wanted them to remain at the site.

4 When we talk about greenfield, that's a
5 decision by a licensee to take care of the things that
6 are normally considered within the protected area of
7 the plant. However, many licensees, to be very frank
8 with you, make the decision to take the entire site
9 back to that state of affairs. But that's not a NRC
10 requirement, specifically. And then, even the
11 definition of greenfield, that's not an NRC
12 requirement either. And I'll ask Bruce to talk about
13 that for just a moment.

14 MR. WATSON: Yeah. The buildings that are
15 outside of what I'll call the reactor footprint, they
16 are not radiologically impacted by the operation of
17 the plant. And the utility will verify that they are
18 in those status. When you go to greenfield, it means
19 that we're removing the reactor footprint and all the
20 radiological hazards and residual activity associated
21 with that area, which is actually the whole site, when
22 you look at it.

23 But it is removing that radiological
24 component, and returning it back to, in this case, a
25 greenfield which is allowed to go back to the way the

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1 shoreline was originally before the reactor was built.

2 MR. KOHNLE: Thanks.

3 MR. O'BRIEN: Thank you for the question.

4 MR. WATSON: I would add one more thing.

5 We have the Trojan plant which also built a large
6 office and training facility at their site. And they
7 were looking at leasing that out for economic need.

8 MS. LOPAS: Okay, thank you. Anybody else
9 want to come up to the podium? Any last questions or
10 comments? And that's for anybody on the phone line,
11 too. A reminder to press *1 if you want to make a
12 comment or ask a question if you're on the phone.
13 It's Rick, again, right?

14 MR. NELSON: Yes. Rick Nelson, again.

15 MR. O'BRIEN: Your microphone, I think, is
16 off.

17 MR. NELSON: I have a couple NRC
18 questions. Has the NRC considered the Dominion choice
19 to shut down one of its merchant nuclear plants as a
20 leading indicator to the other nuclear utilities with
21 merchant plants? Reflecting on the additional costs
22 of Fukushima interim staff guidance and those mods
23 along with fire protection, Appendix R and transition
24 to NFPA 805, those costs are relatively significant,
25 and they play more into the budget of a merchant plant

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1 than a regulated plant. So, I'm just curious as to
2 the NRC's opinion that this may be a leading indicator
3 on the merchant side of nuclear.

4 MR. O'BRIEN: The NRC has a very fantastic
5 that it sits in as an independent regulatory body.
6 Whether all 104 currently operating nuclear power
7 plants operate, or whether they all shut down, the
8 NRC's only focus is on safety. So the question you're
9 asking is outside our purview. We only consider, we
10 only look at, we only make sure of the operation of
11 any power plant or any use of radioactive materials is
12 done safely. So that financial question or the
13 leading edge questions, it's beyond our regulatory
14 responsibility or purview.

15 MR. NELSON: So, that would reside with
16 the DOE, then?

17 MR. O'BRIEN: You'd have to go and look
18 at, the Department of Energy, I believe it's function
19 includes promotion of different aspects of uses of
20 different types of energy. But I wouldn't choose to
21 speak for the Department of Energy.

22 MR. NELSON: The second comment I have,
23 then, is related to that. And, more or less, it's a
24 comment on whether or not, which you probably won't
25 comment, the NRC considers that the wind energy

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1 discounts play into the impact of nuclear generation
2 and whether or not utilities are considering that a
3 market manipulation on behalf of green energy versus
4 fossil.

5 MR. O'BRIEN: The latter part of, I think,
6 that question was actually directed towards the
7 utilities as opposed to the NRC. And the first part
8 of that question, I'll tell you that the NRC is a
9 fantastic organization because we're independent.
10 And, to be very frank with you, that's a key attribute
11 when we have inspectors at sites. And I'm not going
12 to, you know, be a little light on this one.

13 I was a resident inspector for 11 years of
14 my career, three of those here at this plant. I spent
15 eight years, seven years, excuse me I have to
16 apologize, at a facility that used to be regulated by
17 the Department of Energy. We gained great credibility
18 and great focus by only having to be concerned about
19 safety.

20 It's outside of our purview, and our
21 inspectors don't even have to consider those other
22 factors, which allows them to really be focused on the
23 things that are important to the people in the
24 community, the people at the plant, and the United
25 States, as a whole, to be very frank with you. I

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1 think we have a very, very good reputation in the
2 United States and in the world as a regulator that is
3 truly focused on a single thing; safety and security.

4 MR. NELSON: Thank you.

5 MR. O'BRIEN: Thank you, sir.

6 MR. NELSON: And now that you mention you
7 were at Kewaunee, I think I gave you a tour in 2010 in
8 the summer of the substation.

9 MR. O'BRIEN: You're absolutely correct,
10 you did. And I wasn't going to mention that, but yes.

11 MS. LOPAS: David, did you want to come up
12 again? Just introduce yourself again.

13 MR. HARDTKE: I'm Dave Hardtke, chairman
14 of the Town of Carlton. The State of Nevada was to
15 receive \$20 million to store the high level nuclear
16 waste. And they threw it out because they said it was
17 unsafe and \$20 million not enough to do it. Why is
18 the Town of Carlton and Kewaunee County forced to sit
19 on our share of this country's nuclear waste for
20 nothing?

21 And I know it's out of your realm of
22 expertise or regulation or whatever you want to call
23 it. But go back to Washington, DC and tell them to at
24 least give the Town of Carlton and Kewaunee County our
25 share for storing our share of nuclear waste.

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1 MR. O'BRIEN: I appreciate your comment,
2 Dave. And as a Wisconsinite, even though I don't get
3 to live in the State of Wisconsin anymore because of
4 where my job is located, I understand and appreciate
5 your perspective. Like Rob, who's here today and
6 lives in the community, I used to live in the same
7 community, and I still say I'm from Wisconsin.

8 I work out of the Chicago office, and so
9 that would be not my location. But all of
10 headquarters staff up here would tell you that that's
11 not within our purview. That we, again, we focus
12 exclusively on safety, which allows us a great deal of
13 freedom to make sure we're doing the right thing all
14 the time, outside of what other forces may try and
15 blow the wind one way or another.

16 So I appreciate your comment, Dave. I'm
17 not, I'm not trying to minimize it. I understand your
18 perspective but, unfortunately for, probably for you
19 and others, it's outside of our realm of ability to do
20 anything about that. I apologize.

21 MS. LOPAS: Okay, Amber, can we un-mute
22 Robert Leyse again.

23 MR. LEYSE: Robert Leyse is on. Can you
24 hear me.

25 MR. O'BRIEN: Yes we can, sir.

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1 MR. LEYSE: Good. I'll keep this brief.
2 I understand that the spent fuel pool will be in
3 operation five to seven years? Now, during that time,
4 the containment building is going to be functioning,
5 I guess, just as if the plant itself was producing
6 power. And you can comment on that on some point.
7 And the other question I have is, and this will take
8 a little bit of research and a response later. I'd
9 like to know about leak grade testing of the huge
10 containment. When was this last completed, and you
11 know, what were the results? And do you anticipate,
12 regulation-wise, that any such leak tests will be
13 required as long as there's fuel in the spent fuel
14 pool? And thank you.

15 MR. O'BRIEN: Thank you, sir. I'll let
16 Mr. Krsek, who's a senior resident onsite, answer that
17 question to begin with.

18 MR. KRSEK: Sir, to answer your first
19 question, on May 7th when the plant is shut down, all
20 the fuel is going to be removed from the reactor
21 building, or the containment building. And all that
22 fuel's going to be placed in the spent fuel pool. The
23 licensee will not be allowed to place any fuel bundle
24 back in the reactor vessel. And so, therefore, the
25 containment building will no longer serve a function

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1 to protect --

2 MR. LEYSE: Could you repeat that about
3 the containment building? I missed that.

4 MR. KRSEK: So, the containment building
5 will no longer contain radiated fuel. The licensee
6 will no longer be able to --

7 MR. LEYSE: Oh, outside of the containment
8 building?

9 MR. KRSEK: The --

10 MR. O'BRIEN: Robert, did you ask the
11 question of whether or not the spent fuel pool is
12 located inside or outside the containment building?

13 MR. LEYSE: Yeah.

14 MR. KRSEK: The spent fuel pool is located
15 outside the containment building.

16 MR. LEYSE: Okay, I'm done. Thank you.

17 MR. KRSEK: It's a good question.

18 MR. O'BRIEN: Thank you, sir.

19 MS. LOPAS: Well, I'm glad that was an
20 easy one. Amber, can we go to Matthew Gore who's also
21 on the line here. Hi, Matthew. Can you hear us?

22 MR. GORE: Hi, yes I can hear you, thank
23 you. I have a couple of questions about the trust
24 fund and how, what that can cover. I understand it's
25 not normally allowed to cover the dry fuel costs, but

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1 that the plant can request a waiver to do so, and my
2 understanding is that they have. My question around
3 that is what determines whether they get that waiver?
4 If they don't receive that waiver to use the trust
5 fund to cover dry fuel costs, are they required to set
6 aside separate funds for, or how does that work, if
7 not?

8 MS. LOPAS: Okay, so let me try, I'm going
9 to repeat your question because you were a little
10 quiet here. So Matthew's asking can the
11 decommissioning trust fund be used to cover the
12 storage, the dry storage, the dry cask storage's spent
13 fuel that happens, I guess, outside of
14 decommissioning, right?

15 MR. FEINTUCH: That's a licensing action.
16 They've filed an, okay, sorry. This is Karl Feintuch.
17 They, the subject of which you speak is an exemption
18 request, it's a licensing action that --

19 MR. O'BRIEN: I don't want you to move
20 away, Karl. I'm moving it closer to you.

21 MR. FEINTUCH: I don't want to do
22 feedback.

23 MR. O'BRIEN: No, you're fine. You can
24 get as close as you'd like. We'll correct the
25 feedback.

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1 MR. FEINTUCH: So, we received this
2 licensing action, and it's under our review. We don't
3 have a decision yet on that, but it will involve
4 people, both financial and attorneys interpretation.
5 Part of my work is to involve the technical reviewers
6 that would be knowledgeable in those particular areas.
7 So, I don't have any comment on it, other than the
8 fact that you can see that as one of the public
9 documents.

10 MR. SMITH: I want to make one follow on,
11 and you can correct me here if I'm wrong.

12 MS. LOPAS: Introduce yourself, Ted,
13 sorry.

14 MR. SMITH: Ted Smith, project manager in
15 the Reactor Decommissioning Branch. So the exemption
16 request is to co-mingle the funds, if you will. But
17 there's still, funding for the two separate pieces are
18 included. So there's still a cost estimate for
19 decommissioning and a cost estimate for spent fuel
20 management. But it's one, their exemption request is
21 put in one vehicle. Is that all right?

22 MR. FEINTUCH: The co-mingling refers to
23 the fact that the licensee's position, through its
24 application, is that it has sufficient monies for all
25 the purposes that it wants to carry out. I'm

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1 representing their application, not the decision
2 making at this point.

3 MR. O'BRIEN: Let me clarify. I
4 apologize. We're providing you perspective as to
5 things the licensee has submitted to us for our
6 evaluation and determination. We're not representing
7 the licensee in any way, shape or form. The NRC is
8 talking about the two things that we have in front of
9 us, and I'll clarify if I might. And both of you tell
10 me if I'm wrong. The licensee has a separate fund for
11 decommissioning, and a separate fund for management,
12 maintenance and of insurance of the safety of the
13 spent fuel. The licensee has put a license amendment
14 into us to ask us to allow them to co-mingle those
15 funds. Am I correct, Karl?

16 MR. FEINTUCH: No.

17 MR. O'BRIEN: No? That's what I
18 understood.

19 MS. LOPAS: No, Matthew's just asking if
20 that was a possibility.

21 MR. FEINTUCH: No, if you look at, those
22 of you who have the activities report, if you look at
23 Table 6, you'll see that there is money set aside for
24 both spent fuel management. This is Page 6 of the
25 report, Table 2-1, and you'll see also for

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1 decommissioning. There is, in fact, several thing
2 going on there, including greenfield money, which is
3 not at all managed, regulated as far as the Agency.

4 The licensee, again just simply condensing
5 the gist of their application, which is a public
6 document. Is asserting that, since they have adequate
7 monies for all intended purposes, they would like not
8 to be constrained by spending one kind of money in
9 preference to another kind of money. And they
10 perceive that they are inhibited by the regulations.

11 So, this is simply an application that
12 says we think we may need to be exempt in order to
13 spend these monies as we assert. And again, I refer
14 you to the application. Anyone who's interested in
15 this, if you get in touch with me through the contact
16 number, I'll give you a reference. You heard earlier
17 reference to documents with the letters ML followed by
18 nine digits. Well that's, in fact, how we can
19 retrieve our documents through our own system.

20 It's entered out system. It goes through
21 a review process with expertise. In this case, it
22 will be expertise, economics expertise through our
23 financial group. I'll be getting a request for
24 support from our attorneys, through the office of
25 general counsel. And then using them to contact other

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1 technical experts so we can arrive at the decision of
2 whether it's needed. And then, if it's needed,
3 whether or not they've adequately demonstrated that
4 they should have such an exemption.

5 But when you hear the terms pre-
6 decisional, it means that we're forming up on this,
7 and it's a relatively new application. It's come in,
8 I think, within the last month.

9 MR. O'BRIEN: Thank you, Karl.

10 MR. FEINTUCH: So that's what's there if
11 you look at it.

12 MR. O'BRIEN: Thank you.

13 MS. LOPAS: Great. Thank you, Karl.
14 Okay, anybody else in the room want to come up to the
15 podium, have any additional questions, comments?
16 Before we leave tonight, we'll put back up on the
17 screen, you know, the contact information for the NRC
18 PM's, for the, the project managers, sorry. I know
19 there's a lot of acronyms, project managers. Our
20 office of public affairs, as well.

21 Just a reminder, we're not done yet. You
22 know, we have more time. It is 8:41, so we still have
23 plenty of time if folks want to get up. And a
24 reminder that you can either write your comments down
25 on some note cards, leave them here tonight. You can

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1 mail them in sometime in the near future. You can e-
2 mail some comments to Karl. You can get in touch with
3 anybody if you want to know how you can submit more
4 comments. So, it's not just done tonight. There's
5 additional opportunities.

6 So, with that being said, would anybody
7 else like to come on up? Going once, going twice.
8 Let me check in with the NRC folks. We had some
9 questions that we received. Do we want to go through
10 those at all or no?

11 MR. O'BRIEN: No, we'll put those with the
12 overall process.

13 MS. LOPAS: Sounds good, okay.

14 MR. O'BRIEN: In closing, I'd like to
15 thank everybody for coming. I appreciate the comments
16 and the questions you've asked. As Sarah indicated
17 earlier, a transcript of the dialogue here tonight
18 will be provided and should be in our document
19 management system within the next 30 days. We're
20 looking for your review and comments on the plan. And
21 there will be more to come down the road.

22 So if you look at it, and you don't have
23 comments in the next 30 days, and you want to send
24 them in two months from now, please do that. If you
25 have questions, as was indicated earlier, there's a

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1 number of contact pieces of information on the slides.
2 There's also, you can also contact our office of
3 public affairs in Region III. Again, thank you very
4 much, and I greatly appreciated your attentiveness and
5 your questions. Thank you. That will close the
6 meeting.

7 MS. LOPAS: Thank you to the folks on the
8 phone. Thank you, Amber. We appreciate your help.

9 (Whereupon the meeting was
10 concluded at 8:45 p.m.)
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