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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

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WASTE CONFIDENCE DIRECTORATE

MONTHLY STATUS UPDATE

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WEDNESDAY

AUGUST 14, 2013

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

1:33 P.M.

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

My name is Sarah Lopas and I'm the NEPA Communications Project Manager for the Directorate. I'm going to be facilitating today's call.

You might want to have a pen and paper on hand because we'll be providing information that you might want to write down.

In the room with me here at the NRC is Keith McConnell, who is the Director of the Waste Confidence Directorate; Carrie Safford, our Deputy Director; Andy Imboden, Branch Chief of the Communications Branch; Sheldon Clark from our Office of General Counsel; and Dave Brown, who is sitting in today for Paul Michalak. Dave is a member of our Environmental Impact Statement Branch.

Our operator today is Julie and when we get to the question and answer period, Julie will be unmuting individual call lines. Note that unless you're asking a question, your call line will be muted.

We're going to begin by going over the format of today's call and some basic ground rules.

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1 There aren't any slides or any other materials associated
2 with today's call. However, we will adhere to this short
3 agenda. We'll begin with an introduction by Carrie
4 Safford. And then Andy Imboden will discuss the status
5 of the Waste Confidence environmental review and
6 rulemaking. After Andy finishes up, we'll then go to the
7 phone lines and one by one we'll unmute lines for
8 questions. When we get to the question and answer
9 period, as Julie said, you'll just press *1 on your phone
10 and that will indicate that she'll unmute your line.

11 If you've participated in any of our past
12 teleconferences, the ground rules are the same. First,
13 note that our call is scheduled to end promptly at 2:30
14 Eastern Time and we're obligated to keep that schedule.

15 Please try to limit yourself initially to
16 one question and then if there's time and everybody has
17 gotten to ask one question, we'll go back for additional
18 questions.

19 If we run out of time, and we don't get to
20 your question I really encourage you to give me a call.
21 My direct line is 301/287-0675.

22 Secondly, the teleconference is being
23 transcribed by a court reporter. This is so folks who
24 weren't on the call can review the transcript and see what
25 was discussed.

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1 When your line is open to ask a question,
2 please start by introducing yourself and stating your
3 affiliation, if you have one. And please speak slowly
4 and clearly so the court reporter can get an accurate and
5 clean transcript of what was said today.

6 Although this call is being transcribed,
7 any comments or statements you make today will not be
8 considered as formal comments on the Waste Confidence
9 Generic Environmental Impact Statement or proposed
10 rule.

11 The transcript of today's teleconference
12 will be publicly available in ADAMS and a link will be
13 posted on our Waste Confidence website within three weeks
14 of today's call. We will also be publishing a meeting
15 summary within 30 days of the call.

16 Back on July 17th, we sent an email from
17 WCO outreach@nrc.gov that provided ADAMS accession
18 numbers and links to the June 19th teleconference Meeting
19 Summary and transcripts. In case you missed that
20 information, here are the ADAMS numbers for those
21 documents. The Meeting Summary for the June 19th call
22 can be found under ML, that's M as in Mary, L as in Lynn,
23 13177A as in Apple, 353 and the meeting transcript can
24 be found under ML13175A as in Apple, 350.

25 Links to these documents are also on the

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1 Public Involvement page of the NRC's Waste Confidence
2 website.

3 Note that we did not host a
4 teleconference during the month of July.

5 If you would like to be on our WCO outreach
6 email list, please send an email with that request to
7 WCO outreach@nrc.gov.

8 And if you have any questions about access
9 to information or questions about Waste Confidence in
10 general, please call me, Sarah Lopas, again at
11 301/287-0675.

12 And now we're going to get the call started
13 and we're going to go to Carrie Safford who is the Deputy
14 Director of the Waste Confidence Directorate.

15 MS. SAFFORD: Thank you, Sarah. Good
16 afternoon, everyone. As Sarah mentioned, my name is
17 Carrie Safford and I'm the Deputy Director of the Waste
18 Confidence Directorate. Before I get started, I want to
19 thank you all for participating today and for showing an
20 interest in the Agency's activities regarding Waste
21 Confidence. We appreciate your participation and
22 input, the continued participation for those of you who
23 have been on these calls before, and a welcome to anyone
24 who is new today.

25 The purpose of today's call is to maintain

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1 an open line of communication with the public by
2 providing you with a status update on staff's progress
3 in developing the draft Generic Environmental Impact
4 Statement and proposed rule. The undertaking before us
5 will benefit from and depends on public involvement and
6 we strive to provide an open and transparent process
7 throughout this effort.

8 The Directorate's mission is to develop a
9 Generic Environmental Impact Statement and proposed
10 rule. In the June call, we discussed the status of this
11 development and discussed when and how comments would be
12 accepted on the draft documents. Andy Imboden will
13 provide you with some more information in a minute on the
14 next steps in our process.

15 We are looking forward to your input on the
16 draft Environmental Impact Statement and proposed rule
17 during the public comment period and hope that many of
18 you are able to participate in one of the upcoming public
19 meetings in whatever manner you are able. The comments
20 and information that you provide to us during the comment
21 period will assist us in the preparation of the final
22 documents.

23 I'll now turn it over to Andy Imboden, our
24 Communications branch chief.

25 MR. IMBODEN: Thank you, Carrie. My name

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1 is Andy Imboden. I'm the chief of the Communications
2 Planning and Rulemaking Branch and I want to talk a bit
3 about where we are in the process of updating the Waste
4 Confidence rule and what our next steps are going to be.
5 Then I will share some information about the upcoming
6 public meetings we will be having around the country.
7 Finally, I will conclude with an announcement about our
8 teleconference next month.

9 I'll first start with a brief review of what
10 has happened since our last status teleconference on June
11 19th because we have continued to make a great deal of
12 progress throughout the summer. Following the NRC's
13 established rulemaking process, the Agency staff
14 developed draft documents and provided those draft
15 documents to the Commission for their review. The NRC
16 is committed to having openness and transparency in our
17 process and therefore, these Commission review draft
18 documents were made publicly available while the NRC
19 Commissioners were reviewing them. They have been
20 available to the public since June 24th.

21 On Monday, August 5th, the Commission
22 completed their review. The Commission unanimously
23 approved the Waste Confidence proposed rule and draft
24 Generic Environmental Impact Statement for publication
25 and for public comment. In addition to approving the

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1 publication, the Commission has directed the staff to
2 make certain modifications to the proposed rule and draft
3 Generic Environmental Impact Statement.

4 Following the Agency's well-established
5 procedures, the Commission's directions to the NRC staff
6 have been made public and you can review the Commission's
7 directions yourself. We have provided a link to the
8 Commission's directions from our website and if you are
9 a subscriber to the WCO outreach email service, you should
10 have received a link directly to the documents and an
11 email we sent on August 5th.

12 Currently, we are very busy making the
13 changes the Commission has directed. When the staff
14 publishes the proposed rule and draft Generic
15 Environmental Impact Statement with changes as directed
16 by the Commission, we will post the documents to the Waste
17 Confidence webpage. We will also post versions of the
18 documents that identify the changes the NRC staff made
19 in response to the Commission's directions.
20 Additionally, we will work to make sure the technical
21 references we are using continue to be organized and
22 easily accessible through our website.

23 I would like to point out that we have made
24 available to you a service called GovDelivery.
25 GovDelivery allows you to subscribe to our website and

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1 you can register to receive notification by email
2 whenever the NRC makes changes to the website. Again,
3 we're doing this because of our commitment to making the
4 Waste Confidence activities open and accessible as
5 possible.

6 We are also very busy making preparations
7 for the upcoming public comment period. The public
8 comment period will begin on schedule in September and
9 the public comment period will be for 75 days. I'm
10 looking forward to the comment period because it is an
11 opportunity for interested people and organizations to
12 comment on what we have done and to tell us what you think
13 about the draft Generic Environmental Impact Statement
14 and proposed rule.

15 You can submit comments in writing
16 throughout the 75 day comment period. Once the comment
17 period begins, you can submit your written comments in
18 many ways such as by fax, by mail, email, and through
19 www.regulations.gov. We will officially begin the
20 comment period by a notice in the Federal Register on a
21 Friday this September. And we'll be sure to make that
22 information available on our website and we will announce
23 that by email to subscribers of the WCO outreach email
24 service as well.

25 In addition to written comments, we'll be

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1 holding a series of public meetings around the country
2 beginning in October. These meetings will be held so
3 that the NRC can hear what you have to say about the
4 documents. While there will be ample opportunity and
5 various methods to submit comments in writing, many
6 people prefer speaking at an open meeting on the record.
7 Every one of our meetings we hold will be transcribed.
8 Regardless of how comments are submitted, either spoken
9 at a meeting or in writing, the NRC will consider them
10 all in the preparation of the final Generic Environmental
11 Impact Statement and final rule.

12 Earlier in the project, the NRC asked for
13 comments on where the public meetings might be held. In
14 return, we received many responses about the number of
15 meetings and their locations. Our current plan is to
16 hold a total of 11 meetings and they will begin in
17 October. The first and last meeting will be held in the
18 Washington, D.C. metro area at NRC Headquarters. These
19 meetings will be nationally webcast. These two NRC
20 Headquarters meetings will also be accessible by a
21 moderated teleconference line for members of the public
22 who cannot attend one of the nine regional meetings. If
23 you aren't familiar with the meeting locations already,
24 you may want to grab a pen so you can jot this list down.
25 It's also available on our webpage.

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1 So in addition to the meetings we are having
2 in Washington, D.C. at NRC Headquarters, the specific
3 locations have not yet been chosen, but we are looking
4 at venues in the following areas: one meeting in Boston,
5 Massachusetts area; one meeting in the vicinity of New
6 York City; Denver, Colorado; Minneapolis, Minnesota; San
7 Luis Obispo, California; Southern California in the
8 vicinity of San Clemente and Orange County; in the
9 Toledo, Ohio area; in Charlotte, North Carolina; and in
10 the vicinity of Orlando, Florida.

11 The public meetings will begin in October
12 and continue through early November. When the specific
13 meeting dates, times, and locations have been chosen, we
14 will provide notice in the Federal Register and we will
15 also update our website and notify subscribers to
16 WCO outreach@nrc.gov.

17 Finally, I would like to announce our next
18 monthly status teleconference. This will be held on
19 Thursday, September 12, 2013. The September 12th
20 meeting will be at the same time this one is, 1:30 to 2:30
21 Eastern. And to participate, you will use the same
22 number you used to participate in this meeting. At the
23 September 12th meeting, we will discuss the status and
24 process of Waste Confidence and also I will be able to
25 share details about the upcoming public meetings. Thank

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1 you for your attention.

2 Sarah?

3 MS. LOPAS: Okay, thank you, Andy, and
4 thank you, Carrie.

5 At this point, we are going to open up the
6 phone lines one by one, and go to you all for questions.
7 To ask a question, we ask that you press *1 on your phone
8 with a reminder that when we unmute your phone line, you
9 start off by introducing yourself and your affiliation
10 if you have one. And I will just remind NRC folks when
11 you answer a question, start off by introducing
12 yourselves as well.

13 So the phone lines are open and we will get
14 started with Kevin Kamps.

15 Julie, can we hear from Kevin Kamps, please?

16 MR. KAMPS: Hello, can you hear me?

17 MS. LOPAS: We can.

18 MR. KAMPS: Yes, hello. Thank you. My
19 question is I had urged NRC to consider Chicago, Illinois
20 as a hearing location way back last fall at that first
21 scoping meeting at NRC Headquarters. And the reason I
22 gave is Illinois has more commercial atomic reactors than
23 any other state. There's more commercial high-level
24 radioactive waste there than any other state, some 8,000
25 tons.

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1 And I just happened to be in Chicago this
2 past weekend at a gathering, an environmental gathering,
3 and actually folks on the ground there were fairly
4 convinced that they were going to get a hearing. I don't
5 know what their source of information was, but they
6 seemed to have some kind of indication from NRC itself
7 that a hearing would be held in Chicago. So I'm confused
8 by its absence on your list.

9 MS. LOPAS: Okay, Kevin, so you're
10 wondering are we having a meeting in Chicago and if we
11 are, maybe you can explain why we aren't, Andy?

12 MR. KAMPS: Thank you, Sarah. This is Andy
13 Imboden.

14 Kevin, yes. Let me reiterate how we came
15 to the list of meeting locations that we did. And as
16 you're aware, we asked for input during the scoping phase
17 where the meeting locations might be. Chicago
18 absolutely was on that list. We heard from you and from
19 others. We also considered other factors. We
20 considered where the commenters that we had during
21 scoping, there were about 700 people who commented during
22 scoping, where those people were located. We also took
23 into account past experience NRC has had at public
24 meetings and various locations. And when we came to the
25 conclusion our Midwest choices for the public meetings

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1 were in Minneapolis, Minnesota and the Toledo, Ohio area.
2 So that's how we came to the list we came to for the
3 Midwest.

4 It's important for everyone to know if they
5 can't make it to any of the in-person meetings, that their
6 written comments will be considered and those can be
7 submitted in various ways and also the two meetings from
8 NRC Headquarters are available to anyone anywhere
9 through the moderated teleconference line and you can
10 view those by a national webcast that we will have for
11 the Headquarters meetings. Thank you.

12 MS. LOPAS: Okay, thank you, Andy. Thank
13 you, Kevin.

14 Next can we hear from Dean Baker, please?

15 MR. BAKER: Yes, Sarah.

16 MS. LOPAS: Hi, Dean, are you there?

17 MR. BAKER: Yes, I am. Dean Baker,
18 Tennessee Valley Authority. I've looked at some of the
19 comments that were provided by the Commissioners
20 especially Ms. Macfarlane and some of them are quite
21 significant. And my only question is will you really be
22 able to incorporate them by September?

23 MS. LOPAS: So you're asking about some of
24 the comments that were contained in the staff
25 requirements memo by Chairman Macfarlane?

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1 MR. BAKER: Correct, and whether you can
2 finish, really finish by September 2013.

3 MS. SAFFORD: Dean, this is Carrie Safford.
4 Just to bring everybody else on the line up to speed, the
5 Staff Requirements Memo is from the Commission and to the
6 NRC staff and it contains instructions for the staff to
7 respond to and to implement certain comments and changes
8 into the draft documents before they're made available
9 for public comment. Staff is working diligently, as we
10 speak, to incorporate those changes and get those back
11 up to the Commission for the three-day review and then
12 out for publication for public comment. And we fully
13 anticipate that we will be able to do that and publish
14 those documents and start the public comment period in
15 September.

16 MR. BAKER: Thank you.

17 MS. LOPAS: All right, thank you, Dean.

18 Next, Julie, can we go to Martha Sullivan,
19 please?

20 Hi, Martha.

21 MS. SULLIVAN: Yes, hello. I'm with the
22 Coalition to Decommission San Onofre here in Orange and
23 San Diego Counties in California. And I wanted to just
24 ask a logistical favor, as you look to schedule that
25 meeting. We are also having a public hearing by the

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1 State Public Utilities Commission in San Diego on October
2 1st which we've been waiting for several months on the
3 rate treatment for the defective San Onofre plant when
4 it was out for 18 months. So I would urge the NRC not
5 to conflict with that date and schedule the Waste
6 Confidence meeting either on the date or on either side
7 of it.

8 MS. LOPAS: Okay, that sounds good. We
9 will definitely take that into consideration when we plan
10 this meeting. Thank you, Martha.

11 MS. SULLIVAN: Thank you.

12 MS. LOPAS: Okay, Julie, can we go to
13 Beverly Kerr, please?

14 MS. KERR: Hello, this is Beverly Kerr with
15 Blue Ridge Environmental Defense League.

16 MS. LOPAS: Hi, Beverly.

17 MS. KERR: Hi. I'm wanting to ask about
18 the time limits that people are allowed to speak during
19 the hearing. And I'd like for you to consider the time
20 and effort that people do put into traveling to the
21 hearing and because of that ask you to allow unlimited
22 time for comments for those people who often travel so
23 far to get there.

24 MS. LOPAS: Okay, so you're concerned about
25 having enough time for everybody to speak at our public

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1 meetings. I think Andy Imboden is going to discuss this.

2 MR. IMBODEN: Hi, Beverly. My name is Andy
3 Imboden, Communications and Rulemaking Branch Chief.

4 One thing I'd just like to point out is you
5 know the NRC, these are public meetings that we'll be
6 having. They're not hearings. What we are going to do
7 is we're going to be asking for people to pre-register
8 and based on how many people want to put in a comment,
9 that will help us decide whether and what the time limits
10 might be. So we'll have to see when we get there, you
11 know, kind of how many other people want to make a comment
12 on the record. We want to be fair to everybody. But I
13 completely also want to emphasize the point of these
14 meetings is to get public comment, so we're going to be
15 doing everything we can to maximize the amount of time
16 people having to present their comment on the record. So
17 thank you for that.

18 MS. LOPAS: Thank you, Beverly.

19 Can we hear from Ace Hoffman?

20 MR. HOFFMAN: Yes, thank you. This is Ace.
21 I'm wondering about the electronic communications for
22 the regional meetings. We have about 25 percent of the
23 nuclear waste in America here in California and it's a
24 very big state. You did not say anything about having
25 a meeting in San Diego, only in San Clemente and Orange

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1 County and San Luis Obispo, so we would like to be able
2 to attend the meeting in full attitude with comments and
3 voice and be able to submit comments and speak without
4 actually being there. Is that going to be possible or
5 only at the two Maryland meetings?

6 MS. LOPAS: Okay, so you are asking whether
7 or not folks will be able to present comments remotely
8 at the California meetings?

9 Andy, can you clarify that?

10 MR. IMBODEN: Yes. This is Andy Imboden.
11 If you can't make it in person to any one of our meetings,
12 we are making a teleconference line available and also
13 it will be nationally webcast. It's two Headquarters
14 meetings. You have that right. We're not able to
15 provide that kind of service to any of our regional
16 meetings.

17 MR. HOFFMAN: Why not?

18 MR. IMBODEN: Also, written comments will
19 be accepted at any time during the comment period so
20 there's many ways for people who can't get there in person
21 to get their comment on the record.

22 MS. LOPAS: Thanks, Ace.

23 Can we go to Rod McCullum, please?

24 MR. McCULLUM: Yes, thank you. I just have
25 one simple question on the schedule. You indicated that

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1 you're going to open the public comment period on a Friday
2 in September and then you also indicated you're going to
3 be providing some details about some things going on
4 during that comment period on September 12th which is a
5 Thursday, and there's only one Friday before that. So
6 am I safe to assume that the public comment period will
7 not start before the September 12th call?

8 MS. LOPAS: Okay, we're going to go to Andy
9 to answer that question.

10 MR. IMBODEN: Thank you for that, Rod.
11 Astute observation. Yes, to begin the comment period,
12 the NRC has to coordinate with the Environmental
13 Protection Agency and as a result of that, the comment
14 periods always start on a Friday. Right now, we can't
15 say exactly which Friday that's going to be. So that's
16 kind of why stay tuned and it's very likely a Friday in
17 September, but I can't tell you if it's the 13th or the
18 20th or whatever it is right now.

19 MS. LOPAS: Okay, great. Can we go to
20 Julius Aubrey, please?

21 Hi, Julius, are you there?

22 MR. AUBREY: Yes, ma'am. I'm here. Can
23 you hear me?

24 MS. LOPAS: We can.

25 MR. AUBREY: I would like to ask for an

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1 unlimited time also because as a disabled American
2 Veteran, I'm going to be traveling a long ways to reach
3 these public meetings and it would be, I think, very
4 interesting for you to provide a capability for public
5 comment in an unlimited way so that we can express our
6 freedom of speech as American citizens, especially since
7 we've had to stand up for our country and we believe in
8 standing up for our country and participating in these
9 discussions. Thank you for your consideration.

10 MS. LOPAS: Okay, thank you, Julius. We
11 will most certainly take that into consideration and our
12 goal is for ample participation at these meetings, so
13 we're going to do our best to make sure everybody there
14 gets a chance to speak.

15 Let's go to Don Safer, please.

16 MR. SAFER: Hi, can you hear me?

17 MS. LOPAS: We can.

18 MR. SAFER: Thank you. I am with the
19 Tennessee Environmental Council in Nashville,
20 Tennessee. And as such I have to make a significant trip
21 to get to any of these meetings. I find that a little
22 -- it puts me out a little bit because TVA is one of the
23 biggest generators of radioactive waste in the country.
24 I think the Southeast in itself is -- I appreciate you
25 adding Orlando, but that doesn't really help me in

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1 Tennessee. I know that decision has been made a while
2 ago, but the comment that I have right now and the request
3 is that this issue is really huge. I think you all at
4 the NRC recognize how important it is that this
5 radioactive waste be properly disposed of and it's been
6 too long in coming to really address the issue in a
7 serious manner which I hope this exercise is going to do.

8 And I feel that you all are rushing this
9 whole process to an extent that compromises the quality
10 of the decision that you're going to end up with and in
11 the context of what's going on right now, you've said
12 today that the phone call on September 12th is going to
13 be when you announce these meetings. So that's less than
14 two weeks if you start early in October or maybe two and
15 a half to three weeks. That's not a lot of time for those
16 of us that have to travel to make our arrangements and
17 it's also not a lot of time for the host communities to
18 communicate to citizens in their area that these meeting
19 are going to be happening. And for those of us who are
20 going to have to travel to arrange any travel plans for
21 groups that might be interested in attending, I find it
22 kind of -- the skeptical part of me thinks that that's
23 not an accident and that you are purposely making this
24 comment period announcement of the meetings very short
25 to when the meetings actually are going to be held.

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1 MS. LOPAS: Don, I'm going to gently
2 interrupt you because we are going to announce the
3 meetings well in advance of September 12th. I'm going
4 to go over to Andy to talk about what we're going to talk
5 about during that call.

6 MR. IMBODEN: Hi, this is Andy Imboden. I
7 understand your concern. In my presentation, I maybe
8 should have emphasized this more, but when the specific
9 meetings, dates, times, and locations have been chosen,
10 we'll provide separate notice in the Federal Register
11 right then and there. And we'll update our website and
12 we'll have an email from WCO Outreach, if you're registered
13 for that, those are all very good places to hear about
14 the meeting locations as soon as the details are known.
15 That will be well in advance of the meetings, at least
16 30 days in advance of the meetings.

17 My point about September 12 is I'll also be
18 repeating that information at the next monthly status
19 teleconference, but that won't be when the news will
20 break. We'll let you know as soon as possible. Thank
21 you.

22 MS. LOPAS: Thank you for that
23 clarification, Andy.

24 And thank you for that question, Don. That
25 was a good clarification.

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1 Can we go to Tony Roisman, please, next.
2 Tony?

3 MR. ROISMAN: Hi, thank you. I am retained
4 counsel for the Department of Public Service for the
5 State of Vermont. I had a couple of questions about the
6 meetings. If you would bear with me, I'll just ask them
7 quickly and you can answer them.

8 I want to know whether you'll consider the
9 time frame for the meetings to start at 8 a.m. and run
10 until 9 p.m. so that people who work will be able to come
11 to the meetings after say 5 o'clock or 6 o'clock.

12 Secondly, will you consider extending the
13 meeting when you get a substantial number of people who
14 want to participate more than you could fit into
15 whatever time you're allotting and extending the meeting
16 for a second day?

17 Third, will NRC be responding to comments
18 that are made during these meetings or will all the
19 speaking time except for a brief introduction at the
20 beginning be for the participants and NRC will not be
21 providing responses?

22 And lastly, will there be a facility
23 available so that speakers who want to use slides or
24 PowerPoint or that kind of thing will be able to do that
25 during the meeting?

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1 MS. LOPAS: Tony, that was a long list of
2 suggestions. We're still planning these meetings and I
3 think everybody was furiously writing these suggestions
4 and we'll take them into consideration. At next month's
5 call, Andy will be able to tell you more specifically
6 about how the meetings are going to be. Thank you.

7 Can we go to Janice Dean, please.

8 MS. DEAN: Yes, thank you. Just a quick
9 question. Do I understand correctly that the revised
10 documents that incorporate the Commission's questions
11 will go back to the Commission for another vote before
12 they're publicly released?

13 MS. SAFFORD: Hi, Janice, it's Carrie
14 Safford. The Staff Requirements Memo indicated that it
15 would go back to the Commission for a three-day review.

16 MS. DEAN: Okay, thank you.

17 MS. LOPAS: Julie, can we go to Steven
18 Sondheim, please?

19 MR. SONDHEIM: Hi, this is Steven Sondheim
20 from the Nuclear Free Sierra Club Campaign. Can you hear
21 me?

22 MS. LOPAS: We can.

23 MR. SONDHEIM: Three quick things. I want
24 to emphasize the Chicago meeting. I was also in Chicago
25 and there is something like 30 to 40 nuclear facilities

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1 in and around the Great Lakes centered in Illinois and
2 the other Great Lakes. And it's also an area where if
3 there's going to be consolidated interim storage, there
4 will be barges across the lake and trains in and out and
5 it's just such a crucial area. And I want you all to
6 reconsider Chicago, if possible. That's one thing.

7 The other thing is I agree with the person
8 from California, particularly California, who mentioned
9 that since your hearings are in important areas around
10 San Onofre and around Diablo, but in small towns, that
11 would be a wonderful place to allow for phone calls or
12 internet activity and I don't understand why you can't
13 do that. California is a huge state.

14 And then the last thing I want to say is I
15 guess everybody is wondering with the court decision on
16 Yucca how in the world is that going to affect this? If
17 that's still in flux, that's got to be considered. I
18 mean it's a place to put it if it happens. If not, it
19 doesn't. Okay. Thank you.

20 MS. LOPAS: Thank you, you Steven, we will
21 take all those suggestions down.

22 Can we next go to Nikohl Vandel?

23 MR. VANDEL: Hi, can you hear me?

24 MS. LOPAS: We can.

25 MR. VANDEL: Good. I didn't know if this

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1 would work. I was actually also going to ask about
2 Yucca. I'm in Palm Springs and just real curious how
3 that was going to play a role, but my initial question
4 was consider them all. Somebody said that we are going
5 to consider all of the comments and I was just curious
6 as to what -- I'm a newbie, so excuse my ignorance. What
7 level of filtering is staff doing and how much is the
8 Commission actually receiving or is everything being
9 filtered through staff?

10 MS. LOPAS: Okay, so you're wondering the
11 process of getting these comments on the GEIS and rule
12 then, who looks at them and how do they get through
13 processes then?

14 MR. VANDEL: Right. Mostly on written
15 comments.

16 MS. LOPAS: Sure, okay. Andy, do you want
17 to?

18 MR. IMBODEN: Yes, this is Andy Imboden.
19 All comments that we receive either in writing like you
20 mentioned or if the -- if you speak at a public meeting,
21 the transcript from that meeting, all of those comments
22 are then considered as a group. We summarize the
23 comments that we have on various issues and the NRC will
24 respond to all those comments in writing and when the
25 Commission reviews and approves the final Environmental

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1 Impact Statement or the final rule, the Commission
2 reviews the comments that were received and the staff's
3 response to those comments.

4 Public comments are very important to the
5 process.

6 MS. LOPAS: Thank you, Andy. Thank you,
7 Nikohl.

8 Next can we go to Laura Sorensen, please?

9 Hi, Laura.

10 MS. SORENSEN: Hi, this is Laura. I wanted
11 to get a more solid response about the meeting time. If
12 somebody is coming from Tennessee to Charlotte,
13 traditionally the NRC gives you three minutes to talk.
14 Are you going to expand that timing? In other words, you
15 usually start cutting off people's talks and make it
16 shorter than three minutes to accommodate a whole crowd.
17 I need to know today are you willing to not do that and
18 expand it into the evening or like another gentleman said
19 are you willing to do another day? How are you going to
20 accommodate us?

21 MR. IMBODEN: Hi, Laura. This is Andy
22 Imboden again. We're considering how exactly the time
23 limits will be, how long they will be, if they are. One
24 thing that's very important to us will be
25 pre-registration because we want to see how many people

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1 are signing up to speak and will that mean that there has
2 to be a limit or not. So we've not set up our mind yet
3 if there's a limit, if it's three minutes or anything else
4 like that. That will depend on how many people want to
5 make a comment because it's very important to us that we
6 get everyone's comments in on the record that we can.

7 MS. SORENSEN: And is pre-registration,
8 when do you start pre-registering? When you make the
9 announcement for the meeting?

10 MR. IMBODEN: That's right. Once we have
11 the meeting time, date, and locations nailed down, we'll
12 let you know how you could register to make sure that you
13 get a chance to make your comment on the record.

14 MS. SORENSEN: Thank you.

15 MS. LOPAS: Laura, this is Carrie Safford.
16 I just wanted to add one quick follow-up to what Andy
17 said. I think it's also important for everyone to keep
18 in mind that while there might need to be based on
19 logistics, number of participants, some sort of time
20 limit on the amount of time that people can come and speak
21 at the microphone, it doesn't preclude anyone from also
22 submitting more extensive or their full comments in
23 writing through regulations.gov or through any of the
24 other avenues. You do have other opportunities to get
25 more expanded comments in if you don't have enough time

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1 to speak them during the public meeting.

2 MS. LOPAS: Thank you, Carrie.

3 Just a reminder to press *1 if you want to
4 ask a question. We don't have anybody in line right now
5 to ask a question, so we are going to just hang out just
6 for a few more minutes, but please pop on the line, please
7 press *1 if you want to get a question in. If we sit for
8 a while and nobody goes in queue, then we'll call the call
9 early. But looks like we do have one person on the line
10 and it's Tom Rielly. Can we go to Tom, please?

11 MR. RIELLY: Yes, this is Tom Rielly. I'm
12 in Chicago. I'm with Vista 360. And my question is, is
13 there a universal register of attendees or a contact base
14 of parties that have participated in the Waste Confidence
15 process since there's been teleconferencing and where
16 would we access such a list?

17 MS. LOPAS: So you're wondering is there a
18 universal list of attendees.

19 MR. RIELLY: Or interested parties.

20 MR. IMBODEN: Hi, this is Andy Imboden. We
21 don't maintain a list of any -- a comprehensive list of
22 attendees. You know, the transcripts from our
23 teleconferences have people, but -- and in the back of
24 the Summary Scoping Report that we had has a list of
25 people who participated in the scoping period.

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1 MR. RIELLY: How about WC Watch then in that
2 case?

3 MS. LOPAS: What was that?

4 MR. RIELLY: People that are on
5 distribution for the WC Watch, I guess.

6 MS. LOPAS: You mean WCO outreach. That's
7 an email list that we maintain but we are not able to share
8 that email distribution list.

9 MR. RIELLY: What I'm wondering about is I
10 hear a lot of -- I've been on numerous calls, our members
11 have, and what we're wondering is how might we talk to
12 our peers? In other words, we're a public interest group
13 here in Chicago. We're leadership based. And what we
14 would like to know is how might we communicate with peers
15 that have an interest such as us throughout the country?

16 So I guess what I would say is what would
17 you suggest if I said next Thursday at 1 o'clock I would
18 like everybody on this call to contact me, contact our
19 organization and I'd like to do the same thing on every
20 previous call. How would you suggest we could go about
21 that?

22 MS. LOPAS: Okay, Tom, you know what? I'm
23 going to ask you to call me because we've got a whole line
24 of people in line that want to ask questions and maybe
25 that's something that you and I can talk individually

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1 offline, but I don't think the NRC traditionally does not
2 offer any personally identifiable information out to
3 folks. But you just call me. I know you have my number.
4 This is Sarah Lopas, so if you want to take it offline,
5 that would be helpful.

6 MR. RIELLY: Surely, happy to.

7 MS. LOPAS: Thank you. Let's hear from
8 Phil Klevorick, please, Julie.

9 Hi, Phil, are you there?

10 MR. KLEVORICK: Can you hear me?

11 MS. LOPAS: Yes, we can.

12 MR. KLEVORICK: Thank you. Phil Klevorick
13 from Clark County Nuclear Waste Division, Las Vegas.

14 In light of the Yucca Mountain order that
15 was published yesterday and I'm sure everybody on line
16 is well aware of it, will the NRC entertain some kind of
17 a regional meeting and maybe as part of this Waste
18 Confidence ruling that will basically potentially
19 entertain the local interest regarding the Waste
20 Confidence and the citing of Yucca Mountain through the
21 D.C. Court of Appeals decision?

22 I want to reiterate what my colleague from
23 the Tennessee Valley Authority said and I think he did
24 it very eloquently. The reality is that the sooner that
25 we all know where and when the meetings will be held, the

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1 better it is going to be for us who have limited resources
2 to try to get the better deals and I'm going to use that,
3 we all know what transportation costs in trying to
4 schedule, if we're not going to have something local that
5 we need to try to figure out something how we're going
6 to do this from a cost benefit analysis.

7 And in light of that, I'd like to know why
8 the NRC is not able to broadcast these other meetings that
9 are going to be held in the regions because it would seem
10 that if the NRC is worried about the costs hosting a
11 meeting that it would certainly be beneficial for others
12 who are not able to show up for meetings in the region,
13 as an example, that we would try to make it all available.
14 So I would like to have some kind of an explanation as
15 to why the NRC is not able to provide logistic support
16 for teleconferences. I apologize. That was a
17 long-winded comment.

18 MS. LOPAS: We're going to Keith McConnell.

19 MR. KLEVORICK: Thank you.

20 MR. McCONNELL: Hi, my name is Keith
21 McConnell. I just wanted to touch on a couple of your
22 questions. One is to clarify that the Waste Confidence
23 Generic Environmental Impact Statement and proposed rule
24 don't relate to a geologic repository. It relates to the
25 storage of spent fuel from the end of operating life of

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1 a reactor to when it is disposed of in a geologic
2 repository. So it's unlikely that we would visit Las
3 Vegas or the State of Nevada because of that particular
4 circumstance.

5 Second was the phone line issue on the
6 regional meetings. What we found in our experience is
7 that the logistics of having either internet access or
8 conference call at these regional meetings is very
9 difficult and it is many times frustrating both to us and
10 to the people who want to participate via the phone lines
11 and that's why we've tried to schedule the two meetings
12 here at Headquarters where we have a very stable
13 information technology system such that we're able to
14 ensure that the public that wants to call in can call in.
15 So that's the reason why we're not going to pursue a
16 conference line at the regional meeting.

17 MS. LOPAS: Thank you, Keith. Thank you,
18 Phil.

19 Next can we hear from Donna Gilmore, please?

20 MS. GILMORE: This is Donna. Can you hear
21 me okay?

22 MS. LOPAS: We can.

23 MS. GILMORE: Okay, great. There was a
24 conference in March of storage transportation of high
25 burnup fuel conference and NRC's Dr. Robert Einziger made

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1 a statement in there and it was part of his slides that
2 there's insufficient data to support a licensing
3 position on dry casks for high burnup. So is there
4 anything internally going on the NRC to reevaluate if
5 they even want to move forward with this whole process
6 given that they don't even have a way to short term
7 storage high burnup let alone transport it?

8 MR. BROWN: Hi, this is Dave Brown. We do,
9 in fact, continue research on high burnup fuel. We also
10 address high burnup fuel in the draft Generic
11 Environmental Impact Statement and we certainly would
12 appreciate your comments on how well that's addressed.

13 MS. GILMORE: Well, saying that there's
14 going to be a demonstration project sounds like we're
15 still in the R&D stage, so it would seem premature to go
16 forward with any decision making on temporary storage for
17 high burnup for 40 years or whatever. So I don't
18 understand the logic there. Could you explain that to
19 me?

20 MR. BROWN: Thank you for your comment.
21 That's exactly the kind of comment we hope to hear during
22 the public comment period on our Environmental Impact
23 Statement.

24 MS. LOPAS: Excellent. Thank you,
25 everybody. Thank you, Donna. And thank you, Dave.

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1 Next can we hear from Steve Frishman,
2 please?

3 MR. FRISHMAN: Yes, this is Steve Frishman
4 in Las Vegas. One of the Commissioners on his vote
5 record suggested you consider meeting in Chicago or St.
6 Louis. Are you going to explain to him your rationale
7 for rejecting that suggestion and if so, what are you
8 going to tell him?

9 MS. LOPAS: Okay, Keith?

10 MR. McCONNELL: Hey, Steve. This is Keith
11 McConnell. We knew each other back in earlier days in
12 our career.

13 MR. FRISHMAN: I've been watching your
14 career.

15 (Laughter.)

16 MR. McCONNELL: We're still getting input
17 from you all and others, obviously, the Commission. We
18 did make one change in what we had previously proposed
19 which is to visit Orlando and we are taking the comments
20 we get here today into consideration. And when we have
21 the status call on September 12th, we'll have a final kind
22 of decision on terms of where we're going to be. So thank
23 you for your comment.

24 MR. FRISHMAN: But that will be inside your
25 --

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1 MS. LOPAS: Well, Steve got cut off. You
2 can hop back on Steve if you want to finish that comment.
3 In the meantime, can we go to -- we've got a long list
4 of people, can we go to Kevin Kamps again, please?

5 MR. KAMPS: Hello. My question is I'm not
6 understanding completely the relationship between the
7 draft pool fire risk study which the NRC called for
8 comments on by August 1 and I read the comment submitted
9 by Dr. Gordon Thompson. In fact, Beyond Nuclear is one
10 of the dozens of environmental groups who is a part of
11 that coalition and Dr. Gordon Thompson is our expert
12 witness in that regard. And he and our attorney, Diane
13 Curran, called for NRC to withdraw that study because of
14 its poor quality. So I'm wondering what is the
15 relationship between that study and this nuclear Waste
16 Confidence Environmental Impact Statement proceeding
17 and if NRC has made the decision to withdraw that study
18 yet or not?

19 MS. LOPAS: Okay, Kevin, thank you for that
20 question. Dave Brown is going to try to address that.

21 MR. BROWN: Kevin, thank you for the
22 question. Let me first emphasize that the Spent Fuel
23 Study and the draft Generic Environmental Impact
24 Statement are separate efforts. The draft Generic
25 Environmental Impact Statement made use of information

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1 that was available at the time we began to write the EIS.
2 The Spent Fuel Pool Study is an example of NRC's
3 continuing research and continuing studies, so we
4 certainly would appreciate your comments on how you think
5 the Spent Fuel Pool Study which came out very recently
6 should be considered in our EIS.

7 We are here not prepared to talk about what
8 decisions have been made on comments on the Spent Fuel
9 Pool Study in a different office.

10 MS. LOPAS: Okay. Thank you, Dave. And I
11 think we're going to go back to Keith McConnell for some
12 clarification about our meetings.

13 MR. McCONNELL: Yes. This is Keith
14 McConnell. I wanted to clarify. I think Steve made a
15 good point. I said that we would let people know on
16 September 12th what the final decision is, but we'll
17 actually do it when we issue the Federal Register notice
18 30 days in advance of the public meeting so that people
19 do have enough time to prepare. So thank you.

20 MS. LOPAS: Thank you, Keith. Okay,
21 everybody it's 2:22, so we have about 8 minutes more or
22 less left in the call. We have about eight people on the
23 line, so let's try to get through as many folks as we can.
24 So next we're going to go to Beverly Kerr again.
25 Beverly?

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1 MS. KERR: Yes, this is Beverly Kerr with
2 Blue Ridge Environmental Defense League. And I'd like
3 to speak again and ask about the time limits that will
4 probably be imposed. I want to know if the staff and the
5 Commission will also be held to time limits so that a lot
6 of the time isn't taken up in going over things we've
7 already said.

8 And I'd also like to say you mentioned that
9 it would be frustrating and an unstable process to use
10 the phones, but it's much more frustrating to those of
11 us who won't be able to speak at all and I think you should
12 reconsider that and I'm concerned that since so many of
13 the questions here are not really answered or at least
14 given a "we'll consider it" but not an answer. That is
15 frustrating.

16 MR. IMBODEN: This is Andy Imboden. The
17 time limits will be what we'll have as practical to make
18 sure everyone has a fair amount of time to speak. The
19 NRC staff presentation -- the point of the meeting is so
20 we can get your comments on the record. So the NRC staff
21 presentation will be quite brief, very small part of the
22 overall meeting. So we hear that. Thank you.

23 MS. LOPAS: Thank you, Beverly. Next
24 we're going to go again to Laura. Thank you.

25 Hi, Laura.

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1 MS. SORENSEN: Hi, this is Laura. I just
2 wanted to respond. I was also talking about the time
3 that we have to speak at the hearings. When you all
4 respond to us and say well, you know, you can send in your
5 written comments. I'm wondering if you understand why
6 the public feels the need to speak. It's more for us --
7 of course, we want it documented, but when you're a
8 concerned citizen and you're very frustrated about this
9 situation, it's therapeutic to speak about it. It's a
10 place where you feel heard, not just from the NRC, but
11 from your fellow comrades. So when you say you can just
12 mail it in, I hope you understand and I think you
13 understand why we feel the need to actually have a one
14 on one and explain how we feel about this and also the
15 technical responses.

16 MS. LOPAS: Thank you, Laura. We do
17 understand. We hear you guys. We know you guys want to
18 get out there and be heard, amongst your peers. That's
19 why we're going to do our best to take into consideration
20 all these comments we're hearing today. So we
21 appreciate that.

22 We have about five minutes left and about
23 five people online so very quickly let's go to Ace
24 Hoffman.

25 Ace?

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1 MR. HOFFMAN: Hi, this is Ace again. Thank
2 you for taking my call again. Speaking of time limits,
3 yesterday, or earlier this week I was listening at
4 Senator Padilla's conference with -- it had Michael
5 Weber, the Deputy Executive Director for Operations for
6 Materials, Waste, Research, State, Tribal, and
7 Compliance Programs for the Nuclear Regulatory
8 Commission. He wasted an awful lot of time telling us
9 over and over again that dry cask storage is safe and
10 secure. I wonder if that phrase could get a scientific
11 definition or be banned from use in the interest of saving
12 time, of course. Thank you.

13 MS. LOPAS: Okay, we will take that into
14 consideration. Thanks, Ace.

15 Next can we go to Nikohl Vandel, please?

16 MR. VANDEL: Hi. I just wanted to follow
17 up with Keith on Yucca. He said that it's not a part of
18 it. I was curious if this is also going to encompass any
19 transport from site to geological storage.

20 MR. BROWN: This is Dave Brown. We, in our
21 draft Environmental Impact Statement, we did address in
22 the cumulative effects section of the EIS,
23 transportation of spent fuel. We look forward to your
24 comments on how well we address that. That's in Chapter
25 6 of the draft Generic Environmental Impact Statement.

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1 MS. LOPAS: Thank you, Nikohl. Next can we
2 go to Erica Gray, please?

3 MS. GRAY: Can you hear me?

4 MS. LOPAS: Yes, we can. Hi, Erica.

5 MS. GRAY: Hi. I'm calling from Richmond,
6 Virginia. I'm a little disturbed that these national
7 meetings are only going to be held in a handful of states
8 across our nation. I mean I'm in Virginia. If I was to
9 go to D.C. on a Friday, I'm looking at a four-hour travel
10 time. No one in my area is going to be able to really
11 make it up there.

12 Personally, I feel like the communities
13 that have nuclear power plants or those types of
14 facilities should be somewhat in their distance of the
15 meetings. I mean I could see an hour travel, but eight
16 hour travel in a day to go and talk for three minutes?
17 I mean I just think that's ridiculous. I think the
18 public deserves more than that.

19 I don't know how you all are coming up with
20 the basis of deciding to have just a handful of areas.
21 Are they chosen because you said something earlier about
22 the interest that's been shown? If that's the case, it's
23 probably because most people don't even know about it.
24 I mean everybody I talk to, they're like what are you
25 talking about, Erica? I mean maybe there needs to be --

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1 Ace or someone mentioned earlier is some kind of
2 broadcasting. I haven't seen anything in the paper. I
3 haven't heard anything on the news.

4 We're talking about public involvement here
5 on something very, very important and I think you all need
6 to do a better job at that.

7 MS. LOPAS: Okay.

8 MS. GRAY: And I'd like to see something in
9 my Virginia area. The state capital is within the
10 50-mile radius of both three nuclear power plants and
11 North Anna. We never get anything here in the Richmond
12 area and I just think it's very unfair. So please
13 consider having something in our area and for that matter
14 for all the different areas that have nuclear power
15 plants. Thank you.

16 MS. LOPAS: Thank you, Erica. Next -- it's
17 about 2:28. I think we're going to take two more
18 questions. So can we go to Don Safer

19 MR. SAFER: Hi, Don Safer in Nashville,
20 Tennessee again. I just wanted to make sure that in
21 addition to the pre-registration that walk-ins, walk-ups
22 will be accommodated. I recognize that it's great for
23 scheduling to have as much as pre-registration as
24 possible, but I would hate to see people that do not know
25 they need to pre-register be closed out from the

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1 opportunity to speak.

2 MS. LOPAS: Thank you, Don. Yes, we
3 certainly do take people that walk in and want to speak.
4 We put them on the list. Thank you for that.

5 Let's go and have one last question and then
6 we're going to close it out. Can we go to Tony Roisman,
7 please? I would just like to ask that for the folks that
8 are still on the line, please give me a call. My number
9 is 301/287-0675 since we are not getting to your
10 questions.

11 Okay. Tony.

12 MR. ROISMAN: Hi, I was just wondering
13 whether or not NRC realizes that this list of
14 participants that you have indicated you're not going to
15 give to anyone is subject to FOIA and anyone can FOIA it
16 and require you to turn it over. Why don't you just do
17 it voluntarily?

18 MS. LOPAS: So Tony, this is Sarah Lopas,
19 the facilitator and the NEPA Communications Project
20 Manager. I will say that all of the participants in all
21 of our public meetings they are publicly available in
22 ADAMs. They are attached to our meeting summaries that
23 we do for every single teleconference and every single
24 meeting. So no need to FOIA. They're out there
25 already.

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1 MR. ROISMAN: I meant their addresses.
2 Their email addresses that you use to facilitate
3 communication among the participants.

4 MR. McCONNELL: This is Keith McConnell.
5 Our concerns are various, but one of the principal
6 concerns is that a lot of the information like home
7 addresses and telephone numbers and internet addresses
8 is what's called personally identifiable information
9 that we are not in a position to release and so that, among
10 other reasons, is why we don't keep a list.

11 MS. LOPAS: And we don't take that
12 information when the folks are indeed registering for
13 meetings. That's not the kind of information we're
14 interested in. But thank you for that comment and I
15 think with that we are going to close out the question
16 period and I'm going to send it back to Carrie Safford
17 to close out the call.

18 MS. SAFFORD: Thanks, Sarah. Thank you to
19 everyone for your participation today. I just want to
20 wrap up real quick what we heard earlier from Andy
21 Imboden. The draft documents for public comment are
22 going to be issued in September, so please keep your eyes
23 peeled for those. The information is going to be issued
24 in a variety of ways. There will be a Federal Register
25 notice and an email announcement through

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1 WCO outreach@nrc.gov and there will also be an
2 announcement on the Waste Confidence section of the NRC
3 website.

4 Again, as Andy mentioned, our next public
5 status call will be held on September 12th and just so
6 you know it's a Thursday, not a Wednesday, but it will
7 be at the same time, 1:30 to 2:30. Information about how
8 to participate in that meeting will be available on the
9 Waste Confidence section of the NRC's website soon and
10 it will also be circulated via WCO outreach@nrc.gov.

11 And then finally, as we discussed earlier,
12 the public meeting schedule will be announced in the
13 coming weeks and it will provide the detailed information
14 on exact dates, exact times, and the exact locations for
15 each meeting.

16 So again, thank you all for participating.
17 We hope you find these status updates useful. We
18 certainly find it useful to hear from you and we look
19 forward to your continued future participation in this
20 proceeding. Thank you.

21 (Whereupon, at 2:33 p.m., the monthly
22 status update teleconference was concluded.)

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