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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

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PUBLIC MEETING ON
WASTE CONFIDENCE PROPOSED RULE AND
GENERIC ENVIRONMENTAL IMPACT STATEMENT

+ + + + +

Westchester Marriot Grand Ballroom

670 White Plains Road

Tarrytown, New York 10591

+ + + + +

Wednesday, October 30, 2013

7:05 p.m.

FACILITATORS:

Chip Cameron

Miriam Juckett

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

(7:05 p.m.)

MR. CAMERON: Good evening everyone.

AUDIENCE: Good evening.

MR. CAMERON: It's nice to see all of you here tonight and thank you for coming out to tonight's meeting.

My name is Chip Cameron, and I just want to welcome you to the meeting tonight, and the topic tonight is the draft Environmental Impact Statement and Proposed Rule that the Nuclear Regulatory Commission has developed on the topic of waste confidence. And it's my pleasure to serve as your facilitator tonight, and I'm going to be assisted by Miriam Juckett right here. And Miriam is for the -- from the Center for Nuclear Regulatory Analyses in San Antonio, Texas.

In our role as facilitators, Miriam and I will try to help all of you to have a productive meeting tonight. What I want to do for a few minutes before we get into the substance of tonight's topic is to just go over some meeting process issues with you so that you know what to expect tonight. And I want to tell you about the objective of the meeting, the format for the meeting, and to introduce some of

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1 the NRC staff that are here tonight. And we're not
2 going to use a lot of acronyms but two that we will
3 use will be NRC for Nuclear Regulatory Commission and
4 EIS for Environmental Impact Statement.

5 The objective of the meeting tonight is
6 for the NRC to be able to listen to your comments,
7 your recommendations, on the draft EIS and on the
8 Proposed Rule. And the staff will then consider the
9 comments that they hear tonight when they develop the
10 final Environmental Impact Statement. And the NRC is
11 also taking written comments on these issues and the
12 staff will explain how you submit written comments
13 and what the new deadline is for submitting comments,
14 but I just want to assure you that anything that you
15 say tonight will carry the same weight as a written
16 comment, and you are free to amplify your comments
17 that you make tonight in a written comment also.

18 In terms of the format for the meeting
19 tonight, we're going to have two brief NRC
20 presentations. Then we have time for a couple of
21 questions, clarifying questions on the process for
22 finalizing the Environmental Impact Statement, and
23 then we're going to go on to you for comment.

24 In terms of ground rules to help us have
25 a productive meeting tonight, when I call your name,

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1 please come up and speak from the podium. Those of
2 you who either pre-registered or registered tonight
3 by filling out a green card, come up and introduce
4 yourself to us and your affiliation if appropriate.
5 And then the NRC staff will -- and everybody in the
6 room will listen to your comment. I'm going to call
7 three or four names in advance and if you, because of
8 the number of people we have and the seating
9 arrangement, if you want to try to make your way up
10 to the front of the room, we reserved some seats up
11 here for you so that you can get up to the podium
12 quickly.

13 I would ask that only one person at a
14 time speak tonight for two important reasons. One is
15 so that we can give them our complete attention and
16 the second one is so that we can get what I call a
17 clean transcript. Our stenographer tonight is
18 Michelle Morales and --

19 (Applause)

20 MR. CAMERON: All right. I guess we got
21 the right person to be the stenographer. Thanks
22 Michelle. But we're taking a transcript and that
23 transcript will be the NRC's record of what
24 transpired tonight and it will also be your record of
25 what was said tonight.

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1 Probably the most important ground rule
2 is I'm going to ask you to be brief in your comments
3 so that we could make sure that we hear from everyone
4 who signed up to speak tonight. And because -- the
5 good news is we have a lot of people who want to talk
6 and that's great. The other side of that is, is I'm
7 going to ask you to follow a three-minute time limit
8 tonight, and I know that's a short period of time,
9 but it will be enough time for you to make your major
10 points to the NRC and it will be enough time for the
11 NRC to start thinking about the recommendations that
12 you make. My colleague, John Stamatakos, here, who
13 is also from the Center for Nuclear Waste Regulatory
14 Analyses in San Antonio, Texas. He has a sign "One
15 Minute Remaining," okay. And that's not a warning or
16 anything like that. Just to alert you so that you
17 can think about making your major point in that time
18 remaining. And I want to tell you, nothing dramatic
19 is going to happen to you if you go three minutes and
20 one second, okay. You'll be able to finish your
21 thought, but in order to get everybody on before the
22 hotel asks us to leave the room, and that might be
23 after 11:00 o'clock, so don't worry about the 10:00
24 o'clock time frame necessarily, but we really need to
25 keep you to three minutes tonight, so we'll be trying

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1 to do that. And I apologize in advance if I have to
2 ask you to stop because I know that you spent a lot
3 of time preparing your comments and we really respect
4 that.

5 Fortunately, there's other ways to
6 comment. As I mentioned before, you can submit a
7 written comment, as long as you want it to be, okay.
8 You can -- do we have a feedback form?

9 Okay. There is something called a
10 feedback form and they're on the chairs and those
11 forms -- thank you very much. (Indicating) These
12 forms are to -- is an effort by the NRC to help the
13 NRC improve its public meetings, so it's an
14 evaluation of the meeting. But if you want to make a
15 comment for the record on this form, you can also
16 write it on here and you can leave it with us tonight
17 before you leave or it already has postage on it.
18 It's franked, so you can just put that in the mail
19 and it will get to the NRC.

20 Finally, the NRC is going to hold two
21 public meetings where you can phone in and make a
22 comment, and the staff will tell you how you get
23 information on the call-in number, but one of those
24 is going to be on November 14, and the other one is
25 going to be on December 9th, and the staff will give

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1 you more information about that.

2 A final ground rule is I just would ask
3 all of us, everybody, to just extend courtesy to the
4 people who are speaking tonight. There is going to
5 be -- you are going to hear people that may have
6 different opinions than you have on these issues, and
7 I would just ask you, even if you don't agree with
8 the opinion, can you please just respect the person
9 who is giving that opinion.

10 I mentioned that we would have time for
11 some questions, and the NRC staff is going to be
12 listening to what you say tonight, but they're not
13 going to be commenting back to you on what you say.
14 They're not going to be answering any questions if
15 you ask questions from the podium, but they will
16 carefully consider those questions and comments and
17 that will be reflected in the final Environmental
18 Impact Statement.

19 In terms of the questions, we know there
20 might be some clarifications that we need to make
21 about the process or the structure and organization
22 of the EIS, and we'll go out to you, Miriam and I
23 will go out to you to take a few questions, but we
24 really need to move into the comments. But if you
25 have questions on a technical issue, we do have NRC

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1 staff that are going to be out in the foyer. They'll
2 have a white name tag on (indicating). If any
3 questions on a technical issue, they'll be there the
4 whole meeting, go out and talk to them about your
5 question. And I should note that anything that you
6 said in the open house out there, any discussions
7 that you had, if you go out during the meeting to ask
8 about a technical subject, none of that is going to
9 be on the record. So if you want your point to be on
10 the record, please make it in the formal comment that
11 you do up here.

12 And let me introduce a few people from
13 the NRC staff to you, and then we'll get started with
14 the meeting. This is Keith McConnell, and Keith is
15 the Director of the Waste Confidence Directorate at
16 the NRC. And he is going to speak just a short
17 welcome to you in a few minutes.

18 After that, we have Paul Michalak, who
19 is right here. Now, Paul is the Chief of the
20 Environmental Impact Statement branch in the Waste
21 Confidence Directorate, and he is also going to give
22 you a summary of what is in the draft Environmental
23 Impact Statement and how to make comments.

24 Our senior NRC official is Scott Moore,
25 and Scott is the Deputy Directory of the Office of

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1 Nuclear Material Safety and Safeguards at the NRC,
2 and that's where the Waste Confidence Directorate,
3 Keith's group, is located.

4 We also have a representative from our
5 Office of General Counsel up here, and that's David
6 Cylkowski. And we also have another representative
7 of the General Counsel's office, Tison Campbell, for
8 anybody who has legal questions for out in the foyer.

9 Andy Imboden, is Andy here? He's out
10 there. Andy Imboden is the Chief -- here he is back
11 there. He is the Chief of the Communication and
12 Rulemaking Branch in the Waste Confidence
13 Directorate. There are two branches, Paul's branch
14 and Andy's branch.

15 We also have other experts out there
16 including some of the authors of various chapters in
17 the Environmental Impact Statement, and with that,
18 I'm going to ask Keith to address you and then Paul.
19 Then we'll go out and see if there's any burning
20 questions, and then we'll get to the comment period.
21 So thank you.

22 MR. McCONNELL: Okay. Thank you, Chip,
23 and good evening everyone. As Chip indicated, I'm
24 Keith McConnell, and I'm the Director of the Waste
25 Confidence Directorate, and on behalf of the

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1 Directorate and the NRC, I want to welcome you here
2 tonight to this meeting on the Proposed Rule called
3 "Waste Confidence."

4 At the outset I would like to make a few
5 announcements about our public meeting schedule that
6 might be of general interest and there are some
7 recent developments. As you may or may not know, due
8 to the government shutdown, we at the NRC were
9 furloughed. That resulted in us having to postpone
10 five of the public meetings that were scheduled for
11 this Proposed Rule "Waste Confidence." We've now
12 rescheduled those public meetings and a listing is
13 out in the foyer there on the NRC table defining the
14 time and the place and the date for those rescheduled
15 public meetings.

16 The second announcement relates to the
17 public comment period. Because we wanted to -- or
18 because we had to reschedule these public meetings
19 and we wanted them all to occur within the public
20 comment period, we have announced that we are
21 extending the public comment period. It was
22 originally scheduled to end on November 27th, and it
23 now is going to end on December 20th.

24 And the third announcement is, and Chip
25 has alluded to this, is that, and again, because we

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1 have extended the public comment period, we have the
2 opportunity to add a 13th public meeting and it is
3 going to be a facilitated telephone call where anyone
4 who still wants to make a comment orally will have
5 the opportunity to call in. We'll have a
6 transcriptionist, and so those public -- so comments
7 will be part of the record and it will start at 1:30
8 on December the 9th.

9 So with that, the purpose of today's
10 meeting, or tonight's meeting, is to get public
11 comment on the Draft Generic Environmental Impact
12 Statement and Proposed Rule on continued storage of
13 spent nuclear fuel after the operating life of a
14 power reactor and until it's disposed of in a
15 geologic repository.

16 These two documents, the Draft Generic
17 Environmental Impact Statement and the Proposed Rule
18 represent the culmination of the NRC staff's efforts
19 in the Directorate.

20 To address the U.S. Court of Appeals in
21 the District of Columbia's decision to vacate the
22 2010 version of the Waste Confidence Rule or void it
23 and remand it back to the NRC staff to fix certain
24 deficiencies that the court identified. And, as Chip
25 mentioned, given that the purpose of tonight's

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1 meeting is to hear you, we in the NRC staff are going
2 to limit what we say at the front -- at the beginning
3 of this meeting to the very minimum, so that we can
4 maximize the opportunity for you all to provide us
5 with your comments. And also, as Chip has mentioned,
6 we did bring the technical staff that wrote the vast
7 majority of the Draft Generic Environmental Impact
8 Statement, and I encourage you to take the
9 opportunity to talk to these people. These are the
10 people that will be writing the final document after
11 we've looked at the comments and thought through the
12 process, so I encourage you to take advantage of the
13 opportunity having them here.

14 I also want to take a few minutes and
15 talk about our rulemaking process. Writing
16 regulations is a very important part of what we do at
17 the NRC. It's the vehicle we use for implementing
18 national policy and standards. It's also the
19 mechanism we use at the NRC to fulfill our goals,
20 which is maintaining health and safety and security
21 and protecting the environment. The meeting we have
22 -- are having tonight is a very important part of
23 that rulemaking process. It's the opportunity for
24 the public and other interested parties to comment on
25 what we the staff have done in draft form.

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1 I would also note that tonight's meeting
2 is just one of several activities we've undertaken
3 within the Directorate and at NRC to make this Waste
4 Confidence rulemaking as open and transparent as
5 possible. In that regard, we want to thank those of
6 you who have participated in the past in our Muskogee
7 meetings that took place in October and November of
8 2012, and also, those of you that might have followed
9 along with Waste Confidence activities as we've held
10 our monthly public status calls. The last one of
11 which occurred today where we provided some
12 additional information on the rescheduling of the
13 public meetings.

14 We want your perspectives and your
15 input, and I would note that the NRC commissioners,
16 the five commissioners at the NRC, have specifically
17 asked for public input on certain questions that
18 they've had us include within the Federal Register
19 Notice that supports the rule. By commenting on
20 those specific areas and providing us any other
21 general comments you might have on these two
22 documents, you help us improve the final documents
23 that eventually will go to the five commissioners and
24 it will provide the five commissioners with valuable
25 information as they evaluate what we've done and how

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1 we've responded to the public comments. So we
2 encourage you to actively participate tonight and to
3 provide us with your input.

4 With that, I'll turn it over to Paul
5 Michalak, and he'll give a brief discussion and
6 background on the two documents.

7 MR. MICHALAK: Good evening. I would
8 like to add to Keith's welcome and thank you for
9 participating today. My name is Paul Michalak, and I
10 am the Branch Chief of the Environmental Impact
11 Statement Branch in the Nuclear Regulatory
12 Commission's Waste Confidence Directorate.

13 At today's meeting I will give a brief
14 history of Waste Confidence, outlining key aspects of
15 the Draft Generic Environmental Impact Statement and
16 the proposed Waste Confidence Rule and explain how
17 you can comment on these documents. Then, we'll get
18 to the public comment portion which is the heart of
19 the meeting.

20 Waste Confidence accomplishes two
21 things. It generically addresses the environmental
22 impacts of continued storage and makes a
23 determination about the feasibility of safe storage
24 and the time line for repository availability. The
25 Draft Generic Environmental Impact Statement for

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1 Waste Confidence satisfies part of the Commission's
2 National Environmental Policy Act obligations for
3 reactor licensing and re-licensing and the licensing
4 and re-licensing of spent fuel storage facilities.

5 The draft Environmental Impact Statement
6 also serves as the regulatory basis to support the
7 proposed Waste Confidence Rule. The Environmental
8 Impact Statement and Proposed Rule only cover the
9 time frame after the license life for reactor
10 operation. However, it is important to note that the
11 Proposed Rule on Waste Confidence does not license
12 any particular site or facility, nor does it allow
13 for long-term storage of spent nuclear fuel at any
14 site.

15 The NRC's history with Waste Confidence
16 started when the Commission issued the rule back in
17 1984. Since then, the rule has been updated -- most
18 recently in 2010. In 2012 the rule was challenged
19 and the Court of Appeals for the D.C. Circuit vacated
20 the 2010 rule. The court identified three
21 deficiencies with the Commission's environmental
22 analysis to support that 2010 Waste Confidence Rule.
23 The court found that the analysis did not evaluate
24 the environmental effects of failing to secure
25 permanent disposal of the spent nuclear fuel. The

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1 court also directed the Commission to provide a
2 forward-looking analysis with respect to spent fuel
3 pool leaks and evaluate the environmental
4 consequences of spent fuel pool fires. The court did
5 conclude that a generic approach either with an
6 environmental assessment or an Environmental Impact
7 Statement would appropriately address the issues
8 associated with Waste Confidence.

9 Following the court's decision, the
10 Commission directed staff to prepare an Environmental
11 Impact Statement evaluating these issues with the
12 possibility of issuing an updated Waste Confidence
13 Rule.

14 There are two things that I would like
15 you to remember. The first is that Waste Confidence
16 is just a small part of the overall environmental
17 analysis for reactor or storage facility licensing
18 and re-licensing. Secondly, the Waste Confidence
19 Rule does not license any facility or authorize
20 storage after expiration of a facility's license.
21 The draft statement describes the impacts of
22 continuing to store spent nuclear fuel beyond the
23 license life for operation of a reactor, whether in
24 spent fuel pools or at independent spent fuel storage
25 installations located both at reactor and away from

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1 reactor sites.

2 The statement -- the draft Environmental
3 Impact Statement describes why we are revisiting
4 Waste Confidence. It discusses alternatives
5 considered. It describes how environmental impacts
6 were evaluated. It describes what facilities are
7 covered in the environmental impacts of continued
8 storage at reactor sites and away from reactor sites.
9 It also contains information on costs of alternatives
10 to the rulemaking. It describes the cumulative
11 impacts -- environmental impacts of continued storage
12 and it contains information on the feasibility of a
13 repository and the feasibility of safe storage of
14 spent nuclear fuel.

15 The draft statement assessed impacts of
16 continued spent fuel storage for three time frames
17 based on when a repository would become available.
18 There's a short-term time frame which is 60 years
19 beyond the licensed life of the reactor. We
20 evaluated a long-term time frame, 100 years beyond
21 the short term for a total of 160 years. We also
22 evaluated indefinite storage, that being where no
23 repository becomes available.

24 The draft statement serves as the
25 regulatory basis for the Proposed Rule. The Proposed

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1 Rule would generically address the environmental
2 impacts of continued storage. These impacts would
3 not be revisited in future site-specific licensing
4 proceedings unless the NRC discovers something about
5 the site that would make the application of the
6 conclusions in that draft generic environmental
7 impact statement inappropriate.

8 The Proposed Rule would revise the
9 Nuclear Regulatory Commission's regulations,
10 specifically the citation is Title 10 of the Code of
11 Federal Regulations Sections 51.23. The Proposed
12 Rule also states that the analysis supports the
13 Commission's determinations that it is feasible to
14 safely store spent nuclear fuel following licensed
15 life for operation of a reactor. It also states that
16 it is feasible to have a mined geologic repository
17 within 60 years following the licensed life for
18 operation of a reactor.

19 We are specifically seeking comment on
20 whether the final rule should contain these last two
21 statements. To ensure that your comments are
22 considered they must be received by December 20,
23 2013. Mailed comments must be postmarked by December
24 20. All comments, whether submitted in writing or
25 provided orally, are considered equally.

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1 Of course, we are here tonight so you
2 can tell us about your comments on the Generic
3 Environmental Impact Statement and Proposed Rule.
4 Tonight's comments are being transcribed and will be
5 part of the record. You can also leave written
6 comments with the NRC staff located at the
7 registration table and we will make sure that those
8 comments are added to the docket. You may also
9 email, fax, or mail your comments to the NRC. You
10 may also provide comments using a Federal E-
11 Rulemaking site which is www.regulations.gov.

12 That's the end of the presentation, and
13 I'll turn the meeting back over to Chip.

14 MR. CAMERON: Thank you, Paul. Thank
15 you, Keith. Before we go to questions, I was
16 somewhat remiss in introducing some key people on the
17 NRC staff. Susan Wittick, who is right here, who is
18 in the Waste Confidence Directorate and TR Rowe, who
19 is out at the desk. Susan and TR do all of the
20 logistical arrangements for all of the Waste
21 Confidence efforts, so thank them for that.

22 Are there any clarifying questions that
23 we can answer for anybody before we go out to hear
24 from all of you?

25 Yes.

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1 Let us get you on the --

2 SPEAKER: If there are two or more
3 people making a presentation, do we get twice as much
4 time?

5 (Laughter)

6 MR. CAMERON: No. Okay. But there is a
7 simple way to deal with that. It's just -- oh,
8 yeah, you can do that together. In fact, I think we
9 have a song that is going to be done by maybe six
10 people at one time. But if you want to do duets and
11 come up together, you can do that, and then we can
12 make some allowance on the time, okay, but not twice
13 as much. Thank you.

14 SPEAKER: (Inaudible)

15 MR. CAMERON: Pardon me?

16 SPEAKER: You didn't introduce yourself.

17 MR. CAMERON: Oh, I'm Chip Cameron. I'm
18 a facilitator who works under contract for the
19 Nuclear Regulatory Commission. Okay. Yes.

20 SPEAKER: Do you have a speaker's list
21 prepared so we'll know in what order we will speak
22 individually?

23 MR. CAMERON: I have a list of cards
24 that I arranged, and I will call three or four in the
25 front and if you are sitting here and you're

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1 wondering where you are in order, just please come up
2 and talk to me, okay. So, I think I'm the only one
3 who has the list. All right.

4 Miriam, can you -- I'll go down here and
5 then we'll -- Miriam, why don't you see what that
6 question is and while you're doing that, did someone
7 -- here. Yes, sir.

8 SPEAKER: Only because I just got
9 involved in tracking this, the Proposed Rule, does it
10 only relate to the storage of waste after a plant
11 closes?

12 MR. CAMERON: Can we -- do you want to
13 add something?

14 SPEAKER: No.

15 MR. CAMERON: Can we get a clarification
16 on that from the staff, either David or Paul. And
17 Paul, did you hear the questions?

18 MR. MICHALAK: I did. And let me repeat
19 the question. Does the rule or at least the
20 environmental assessment apply only after a plant
21 closes? Well, it's not exactly after a plant closes.
22 It's after the licensed life of the plant, so that if
23 a plant had a 40-year license, for instance, and it
24 operated for 35 years of that time, our assessment
25 starts at the 40th year, which was the -- which maps

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1 to the 40-year license that it was originally given.
2 So it's not when it stopped operating. It's when its
3 license would end. The license that the NRC issued,
4 it's when that license would end.

5 SPEAKER: So then with regard to Indian
6 Point, if the license is now -- if with regard to
7 Indian Point if the license is now about to expire or
8 it's expired --

9 AUDIENCE: It's expired.

10 SPEAKER: It's expired so now we're
11 talking about what's going to happen before it's re-
12 licensed, correct?

13 MR. MICHALAK: Well, it's in --

14 SPEAKER: This has to be put into place?

15 MR. MICHALAK: I believe that -- or that
16 Indian Point is in timely renewal and so that --

17 AUDIENCE: (Inaudible)

18 MR. CAMERON: Okay.

19 MR. MICHALAK: But nevertheless, it's
20 the -- Waste Confidence begins at the license -- at
21 the end of the licensed life of the reactor. That's
22 the calculus that we use.

23 MR. CAMERON: Okay. And we'll take one
24 more question and in regard to that gentleman's
25 question, I would just ask the staff, the technical

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1 experts in the back if they want to add anything to
2 that? Not now, but sometime during tonight if we
3 could make a clarification, if we need to make a
4 clarification.

5 And was there someone here?

6 MS. WITTICK: She was asking for a
7 clarification on a slide.

8 SPEAKER: On the slides that had the
9 question on it. There were two questions on that
10 slide in particular.

11 MS. WITTICK: There were two things that
12 you wanted answered. I think it was --

13 SPEAKER: The next slide.

14 MS. WITTICK: The next slide.

15 MR. CAMERON: We're going to put that
16 up.

17 SPEAKER: No.

18 MS. WITTICK: No.

19 SPEAKER: That's it.

20 MR. CAMERON: Okay. And you know, Paul,
21 you should repeat the specific questions that the
22 Commission had in the Federal Register Notice and
23 perhaps tell people what page those are on. We had
24 that question before. Can we do that?

25 MR. MICHALAK: Well, we have copies of

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1 the FRN out on the tables.

2 MR. CAMERON: Okay. We'll go back to
3 that. Well, let's go to comment now. And I'm going
4 to call a number of names. Did you want to ask a
5 question, sir?

6 SPEAKER: Yeah, I did.

7 MR. CAMERON: Go ahead.

8 SPEAKER: Do I understand correctly that
9 if this is approved over 160 years that the issue
10 cannot be revisited in any license application or any
11 other process? That this closes out this issue
12 entirely for that 160 years?

13 MR. CAMERON: Okay. That's a good
14 process question and do we have an answer for it,
15 David?

16 AUDIENCE: What was the question?

17 MR. CAMERON: Okay. We'll repeat the
18 question. What's that?

19 AUDIENCE: (Inaudible)

20 MR. CYLKOWSKI: Repeat the question.

21 MR. CAMERON: Okay. Do you want to
22 repeat that for us?

23 SPEAKER: Sure. Sorry. Do I understand
24 correctly that if this EIS is approved, then it shuts
25 the door on bringing this issue up for the next 160

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1 years. You can't bring it up in any license
2 proceeding or anything else?

3 MR. CAMERON: Everybody hear that?

4 AUDIENCE: Yes.

5 MR. CAMERON: Okay. David.

6 MR. CYLKOWSKI: Sure. Hi. So briefly,
7 I'll say that the NRC has waiver provisions and a
8 Part Two of the Commissions Regulations. This is --

9 AUDIENCE: Hold the mic closer to your
10 mouth.

11 MR. CYLKOWSKI: Okay. Thank you. To
12 repeat, briefly, I'll say that the NRC has waiver
13 provisions in Part Two of the Commissions
14 Regulations, which is the procedural regulations for
15 bringing challenges to licensing actions. If you
16 want, I think we can actually discuss that in more
17 detail out in the back of the room or out back.

18 AUDIENCE: We all want to know the
19 answer.

20 MR. CYLKOWSKI: I'm sorry.

21 AUDIENCE: It's a simple questions.

22 MR. CYLKOWSKI: I understand. It's --
23 the details of the waiver provision are not -- is not
24 a yes-or-no answer, so if any --

25 AUDIENCE: Basically, it's no unless the

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1 NRC grants a waiver.

2 MR. CYLKOWSKI: Yes, that's --

3 AUDIENCE: Is that basically what you're
4 saying?

5 MR. CYLKOWSKI: Yes, that's correct.

6 AUDIENCE: What's correct?

7 MR. CAMERON: Okay. And we're going to
8 -- we're going to get some clarification on one issue
9 from Andy Imboden. Then we're going to go and start
10 comments and if we need to clarify the answers to
11 these questions, we will come back later in the
12 proceeding right here and do that. But Andy, do you
13 want to talk about the specific questions?

14 MR. IMBODEN: Yes. This is relating to
15 a previous question. My name is Andy Imboden. I'm
16 the Chief of the Planning Communication and
17 Rulemaking Branch with the NRC. And we have all
18 these documents out back and also, completely
19 available on our website, but the specific citation
20 is Volume 78 of the Federal Register on page 56799,
21 and those are the four questions that the Commission
22 is specifically seeking public input on, including
23 the two questions that are up on that slide. The
24 slide presentation is on our website. We have hard
25 copies of the slide presentation and the Federal

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1 Register Notice in the back room here for anyone to
2 pick up on, so thank you.

3 MR. CAMERON: Okay. Thank you.

4 SPEAKER: Can you please repeat the
5 location of those four questions again?

6 MR. IMBODEN: Yes, the citation again is
7 in Volume 78 of the Federal Register on page 56799.
8 We have hard copies back here. On the Waste
9 Confidence website you could also find all of these
10 documents. Thank you.

11 MR. CAMERON: Thank you very much.
12 We're going to -- we're going to go to comment now.
13 And we're going to go first to Janice Dean, then Phil
14 Musegaas, Joe Peck, and Bill Nulk, and if you could -
15 - if those people could come up here and be ready to
16 speak, then we'll save a little bit of time.

17 (Pause)

18 MR. CAMERON: Janice, I'm sorry, come on
19 up.

20 MS. DEAN: Good evening. My name is
21 Janice Dean. I'm an Assistant Attorney General on
22 the New York State Attorney General's Environmental
23 Protection Bureau. I offer these comments tonight on
24 behalf of Attorney General Eric Schneiderman, who
25 thanks the NRC --

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1 (Applause)

2 MS. DEAN: -- for the opportunity to
3 comment here this evening on Waste Confidence Draft
4 Generic Environmental Impact Statement, which I will
5 refer to as the Draft EIS and the related rulemaking.

6 As you may know, Attorney General
7 Schneiderman led the coalition of states that brought
8 the successful challenge last year to the temporary
9 storage rule in the United States Court of Appeals
10 for the District of Columbia Circuit. This
11 successful challenge resulted in the NRC embarking on
12 the Draft EIS currently under evaluation. However,
13 the Draft EIS is significantly flawed.

14 This proposed analysis concerns one of
15 the most dangerous materials on the planet and a
16 long-term storage of that material and spent fuel
17 pools here in Westchester County and at other nuclear
18 power plants around the nation. The Westchester
19 storage site has the highest surrounding population
20 of any site in the nation. More than 17 million
21 people live within 50 miles of Indian Point, and
22 there are critical water resources and infrastructure
23 developments close to the site.

24 The Draft EIS recognizes that spent fuel
25 pools are susceptible to fires and that a fire would

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1 have severe consequences comparable to those of a
2 severe nuclear reactor accident. However, the Draft
3 EIS is critically flawed because it attempts to
4 analyze those consequences generically for all
5 nuclear facilities based on the modeled consequences
6 of severe accidents at two nuclear power plants
7 located in rural or less populated areas. Accident
8 consequence factors specific to Indian Point, such as
9 surrounding population, building density, critical
10 infrastructure, and proximity to significant surface
11 drinking water supplies have not been taken into
12 consideration in assessing the consequences of a fire
13 or other spent fuel pool accident.

14 Generic review of accident risk at
15 Indian Point is inappropriate because the
16 consequences of spent fuel pool accidents in the
17 densely populated area surrounding Indian Point are
18 significantly greater than in the rural or less
19 populated areas in which the reference plants are
20 located. Either the NRC must conduct site-specific
21 analysis of environmental impacts of a severe
22 accident at the Indian Point spent fuel pools or use
23 the Indian Point site and not less populated sites as
24 its baseline for spent fuel pool accident risk
25 nationwide.

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1 The NRC also assumed with no factual
2 basis that all nuclear waste would be gone from spent
3 fuel pools by 60 years after the licensed life a
4 nuclear power plant. Currently, there are no
5 available offsite locations to store high-level
6 nuclear waste from those facilities or even an
7 ongoing process to identify such a site. As such,
8 the Draft EIS fails to meet the requirements of the
9 Circuit Court's ruling by making decisions based on
10 an unsubstantiated hope that the waste will be gone
11 by then.

12 (Applause)

13 MS. DEAN: Attorney General Schneiderman
14 led the successful challenge to the temporary storage
15 rule because he believes that communities that serve
16 as De Facto long-term nuclear waste repositories
17 deserve a full and detailed accounting of the
18 environmental public health and safety risks.
19 Unfortunately, he believes that the Waste Confidence
20 Draft EIS, as presented, fails to provide such a full
21 and detailed accounting, and therefore, fails our
22 communities.

23 Attorney General Schneiderman looks
24 forward to the Commission addressing the Draft's
25 deficiencies in this ongoing rulemaking process and

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1 expresses his appreciation to the NRC for the
2 opportunity to comment on the Draft EIS and looks
3 forward to submitting additional written comments
4 during the comment period. Thank you.

5 (Applause)

6 MR. CAMERON: Thank you. Thank you very
7 much, Janice. We're going to go to next to Phil
8 Musegaas.

9 MR. MUSEGAAS: Thank you. My name is
10 Philip Musegaas. I'm here representing RiverKeeper.
11 We're an environmental organization.

12 (Applause)

13 MR. MUSEGAAS: Thank you. We've been
14 working on the Hudson River to protect the Hudson and
15 to protect New York City's drinking water supply for
16 over 40 years. We've been working on Indian Point
17 for most of that time and particularly since 9/11
18 we've been working closely to prevent the re-
19 licensing of Indian Point and to deal with the
20 nuclear waste issue. So I'm going to talk -- give
21 some general comments, and I've got three main points
22 to make about this Generic EIS that you're hearing
23 about tonight.

24 RiverKeeper will be filing detailed
25 written comments on December 20th, and so we'll

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1 distribute those to the public, and we're going to go
2 into a lot of detail about why and how we think this
3 generic EIS is both legally and factually completely
4 deficient and why the NRC has to go back to the
5 drawing board and do this over.

6 (Applause)

7 MR. MUSEGAAS: Our main concern with
8 Indian Point and with the nuclear waste stored at
9 Indian Point, we have currently over 200 metric tons
10 of highly toxic, highly radioactive waste at the
11 site. Our main concern is that the waste stored in
12 the pools is vulnerable to terrorism, is vulnerable
13 to accidents, it's leaked into the Hudson River, and
14 so the overarching need, both immediately and in the
15 long term, is to move the waste out of the spent fuel
16 pools and into dry casks.

17 (Applause)

18 MR. MUSEGAAS: In terms of -- thank you.
19 In terms of this particular rulemaking and the
20 regulations we're hearing about tonight, I want to
21 make three main points. And the first one is that
22 this is an environmental review that the court
23 ordered the NRC to do under -- under what's called
24 NEPA. And when you do an environmental review under
25 this Federal Law, you're supposed to look at the

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1 action that's taken, and here the action is how do we
2 look at the -- look at the storage of nuclear waste
3 and how do we allow licensing and nuclear reactors
4 and the re-licensing of reactors like Indian Point to
5 continue while this waste piles up with no solution
6 in sight. The most obvious alternative to that, and
7 they have to look at a whole range of alternatives,
8 is to stop producing waste.

9 (Applause)

10 MR. MUSEGAAS: And they did not do that
11 in this -- in this EIS and that's one main reason why
12 this is deficient. The second reason, the NRC relied
13 on a number of assumptions to write this EIS that
14 RiverKeeper believes are completely divorced from
15 reality. And I'll go through these very quickly. I
16 know I don't have a lot of time. The first one is
17 that as Ms. Dean said, all the waste will be out of
18 the spent fuel pools 60 years after the plan is
19 permanently shut down. I could tell you I've never
20 heard Entergy commit to removing all the waste from
21 the pools and there's no sign that they will do so in
22 those 60 years. And there's also regulation with the
23 NRC that would allow them to ask for an exemption
24 from this requirement, so there's a way out of this.

25 Second, the NRC assumes that its current

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1 regulations are safely managing the waste and that
2 this set of regulations that they have now --
3 (interference). I'm sorry. Can you all still hear
4 me? I don't know what that was. That the current
5 regulations will stay in force and will make sure
6 that the waste is safely managed indefinitely, and
7 that means 60 years, 160 years, and indefinitely
8 means as long as this waste is radioactive, which is
9 250,000 years. And do you all think Entergy is going
10 to be around in 250,000 years or 60 years? And do
11 you think the NRC is going to be around? So this
12 idea that things are just going to go on as they do
13 now for the indefinite future is just unacceptable to
14 us and --

15 MR. CAMERON: Phil, could you just wrap
16 up.

17 MS. MUSEGAAS: I certainly will wrap up.

18 MR. CAMERON: Thank you.

19 MR. MUSEGAAS: The third point is the
20 NRC assumes that the risks and the impacts are the
21 same at all plants. We all know Indian Point is
22 unique. We know why. I don't need to remind you all
23 why.

24 One last point. Indian Point has become
25 a defacto toxic waste dump on the banks of the Hudson

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1 River 34 miles from mid-town Manhattan. That's the
2 reality. It wasn't -- didn't start out that way, but
3 that's the situation we're dealing with now. And we
4 deserve better than -- what we deserve from the NRC
5 is a thorough and honest assessment of the risks and
6 the impacts and a plan to deal with this waste safely
7 instead of what we got, which was business as usual
8 from the NRC on Indian Point. Thank you.

9 MR. CAMERON: Okay. Thank you, Phil.
10 Thank you.

11 (Applause)

12 MR. CAMERON: Okay. Next we're going to
13 hear from Joe Peck, and Joe, if you could introduce
14 us and then we're going to hear from Richard Thomas.
15 And if we could get Dominic Marzullo, Susan Shapiro,
16 and Annie Wilson to come up, they will be next.

17 MR. PECK: Hi everybody. I'm a regular
18 citizen representing my three children. If I sound a
19 little nervous, I am. I'm sorry.

20 (Applause)

21 MR. PECK: First, just out of politeness
22 let me say thanks to Entergy and NRC for giving us an
23 opportunity to speak. I appreciate that.

24 This all started actually two years ago.
25 My kids had a bully on their bus, and I said to my

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1 kids, you know, not doing anything is the same as
2 supporting the bully, so you need to speak up. So
3 sadly that backfired a couple of years later when my
4 daughter said "Dad, you know, you always talk about
5 this nuclear energy stuff and there's something
6 coming up because my aunt told me about it, and what
7 are you going to do?" And I said "Well, I don't
8 know." She said "Well, I think you ought to go
9 talk." So here I am to say just very simply that
10 we've hackled about this for 30 years. We've done
11 nothing and we still have nuclear waste deposit all
12 over the nation and doing nothing is the same as
13 letting the bully have their way. We really need to
14 get our act together and do something. That's it.
15 Thank you very much.

16 (Applause)

17 MR. CAMERON: Thank you, Joe. Thank you
18 very much. Now, Richard Thomas is next. Richard.

19 MR. THOMAS: Good evening everybody. My
20 name is Rich Thomas. I'm the Director of New York
21 AREA. It's an acronym for Affordable Reliable
22 Electricity Alliance, and I'm going to read a
23 statement on behalf of one of our members, the
24 Westchester County Association, which is from Bill
25 Mooney, the president.

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1 It reads: "The public has been asked to
2 come here today to comment on the U.S. Nuclear
3 Regulatory Commission's Proposed Waste Confidence
4 Rule related to the appropriate and safe storage of
5 used fuel from nuclear power reactors. There are
6 those here today, one of which who you have already
7 heard from, who would like to construe the true
8 purpose of this meeting in order to push their own
9 agendas. The fact is -- the fact is that the Waste
10 Confidence Rule has nothing to do with Indian Point.
11 Federal regulators and scientific experts say that it
12 is safe to store spent fuel in pools onsite at Indian
13 Point and New York's five other nuclear power plants.
14 For the record, Entergy has spent more than one
15 billion dollars upgrading and enhancing the facility
16 and preparing the plant for the safe operation during
17 a 20-year period under a renewed operating license.
18 For nine years in a row Indian Point has received the
19 NRC's highest safest rate in its annual safety
20 evaluation. These are the findings of trained
21 experts who spend tens of thousands of hours
22 evaluating the Indian Point's operations and they
23 agree that the plant is unequivocally safe."

24 (Laughter)

25 MR. THOMAS: "The waste storage" -- "The

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1 waste storage issue which we are here to discuss
2 tonight is the result of years of gridlock in
3 Washington, D.C. and the Federal Government's failure
4 to follow through on its promise to create a national
5 repository for used nuclear fuel. Although we would
6 like to see a resolution to the fuel storage issue,
7 it likely won't be over for quite some time nor will
8 it affect whether the U.S. Nuclear Regulatory
9 Commission approves the license renewal for Indian
10 Point."

11 Thank you.

12 (Applause)

13 MR. CAMERON: Okay. Thank you. Thank
14 you, Rich. Okay.

15 MS. WILSON: Hi, I'm Annie Wilson.

16 MR. CAMERON: Are you ready?

17 MS. WILSON: Yes, I'm ready.

18 MR. CAMERON: And just introduce
19 yourself to us.

20 MS. WILSON: Good evening. I'm Annie
21 Wilson. I'm speaking on behalf of the New York
22 Environmental Law and Justice Project in New York
23 City. We hope to supply some comments by due time
24 and briefly, I would like to refer to the impacts of
25 climate change on waste. And that in fact, the rules

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1 insufficiently address this matter in 6.4.5.1 as it
2 relates to short-term, long-term and indefinite
3 storage onsite and offsite. The NRC concludes that
4 the relative contribution from indefinite, long-term,
5 short-term onsite storage of spent fuel to greenhouse
6 gas emission levels would be small, quote-unquote.

7 As it relates to the cumulative impacts,
8 the -- in Section 6.4.5.1 and 2, the conclusion is
9 that the cumulative impacts will be noticeable but
10 not destabilizing with or without the greenhouse gas
11 emissions from continuous storage, so over a period
12 of 240,000 or 250,000 years one has to wonder if
13 they've -- these projections have actually been made
14 in that context. And as it relates to what is the
15 revision of the Waste Confidence GEIS and the rule
16 for possible revision, this is warranted by
17 significant events that may call into question the
18 appropriateness of the rule, so at the same time, the
19 GEIS analyzed reasonably foreseeable events, and did
20 not consider worst-case scenarios. I think it's time
21 to look at the worst-case scenarios given what has
22 been taking place in Fukushima, elsewhere, climate
23 change, floods, potential seismic issues and so
24 forth.

25 Thank you very much.

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1 (Applause)

2 MR. CAMERON: Thank you Annie. Thank
3 you. Next we're going to hear from Dominic
4 Marzullo. Thank you.

5 MR. MARZULLO: Good evening. My name is
6 Dominic Marzullo. I am a business agent for the
7 Utility Workers Union of America Local 1-2. We
8 represent 400 union workers that work at Indian
9 Point.

10 I'm here to talk about the dry cask
11 storage. It's a method of storing high-level
12 radioactive waste, such as spent nuclear fuel, that
13 has already been cooled in a spent fuel pool for at
14 least one year. Casks are typically steel cylinders
15 that are either welded or bolted closed. The fuel
16 rods inside surrounded by inert gas. Ideally, the
17 steel cylinders -- steel cylinders provide leak-tight
18 containment of the spent fuel. Each cylinder is
19 surrounded by additional steel, concrete, and other
20 material to provide radiation shielding to workers
21 and members of the public. There are various dry
22 storage systems. At Indian Point the steel cylinders
23 contain fuel that are placed vertically in a concrete
24 vault. The concrete vaults provide the radiation
25 shielding. The steel cylinders are vertically placed

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1 on the concrete pad and the dry cask storage sites
2 use both metal and concrete outer cylinders for
3 radiation shielding. Currently there is no long-term
4 permanent storage facility. Dry cask design is an
5 interim safer solution than spent fuel pool.

6 Indian Point began dry casking spent
7 fuel rods in 2008, a safer alternative. According to
8 the Nuclear Regulatory Commission, some rods have
9 already been moved to casks and the spent -- from the
10 spent fuel pools, which they were kept, nearly full
11 of spent fuel leaving enough space to allow emptying
12 the reactor completely should it become necessary.
13 Dry cask storage systems are designed to resist
14 floods, tornadoes, projectiles, temperature extremes,
15 and other unusual scenarios. The NRC requires all
16 spent fuel to be cooled and stored in spent fuel pool
17 for at least five years before being transferred to
18 dry cask. If this was not a safe process, we would
19 not have our employees work and they also live very
20 close to the plant. Thank you.

21 (Applause.)

22 MR. CAMERON: Okay. Thank you. Thanks
23 Dominic. And Susan.

24 MS. SHAPIRO: Hello. I'm Susan Shapiro.
25 I'm here tonight on behalf of Radiation Public Health

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1 Project, and as we all know, this fuel at Indian
2 Point is piling up and currently there is
3 approximately 2400 tons of radioactive waste. If
4 it's re-licensed, there will be an additional 1200
5 tons.

6 One thing that has not been discussed
7 and is not discussed in the GEIS is how much high
8 burn-up waste there is. And high burn-up waste is a
9 really serious question and the NRC will not answer
10 how much there is because that waste takes longer to
11 cool and has to be handled differently, but the NRC
12 will not reveal to anyone how much there is at the
13 plant. So on top of that, the, as has been stated by
14 other people, this GEIS is fatally flawed for a
15 variety of reasons.

16 One, there is a stated rush to complete
17 this within a two year period. This is probably the
18 largest decision this country has to make for long
19 term throughout the nation, and to rush it, when we
20 know that after 60 years of nuclear fission we don't
21 know how to handle the waste, is ridiculous. And
22 this idea that there's a possibility, there's magical
23 thinking that there's going to be -- in 60 years
24 there's going to be -- we're going to figure it out
25 makes absolutely no sense. And that's what this GEIS

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1 relies upon.

2 (Applause)

3 MS. SHAPIRO: The GEIS cannot be generic
4 for a hundred plants throughout this nation who have
5 different regional issues, different concerns,
6 different populations, different operating histories,
7 different geological issues, multiple different
8 issues cannot be issued. Each plant must have its
9 own evaluation. The postulation in Appendix S -- H
10 is that this will be cost-effective. In fact, it
11 will be the opposite of cost-effective.

12 There are three basic assumptions which
13 this document is based upon which are false and
14 misleading and inaccurate, and therefore, the GEIS is
15 fatally flawed. The first one is that when necessary
16 there will be permanent waste disposal. That is
17 absolutely impossible as I have stated already.
18 We're just burning dollars rather than moving forward
19 in anything meaningful. Yucca Mountain, salt mines
20 in Kansas, many different things have been proven
21 unsatisfactory and un-geologically safe.

22 The other main issues regarding Indian
23 Point that are false and misleading is that all the
24 spent fuels currently -- that we have leak-detection
25 systems or administrative controls to monitor the

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1 spent fuel pools. We know that in 2005 that the
2 leaks at Indian Point were only found by accident.
3 They were only found because an independent
4 contractor saw wet on the ground. There is no actual
5 monitoring of the spent fuel pools. In fact, there
6 is no actual monitoring of the releases of radiation
7 and I am now carrying a Geiger counter (indicating),
8 and I would hope that the NRC provides all of us with
9 Geiger counts so that we can actually create a
10 monitoring program.

11 The reality is the spent fuel pool two,
12 which is known to be leaking, only 40 percent of it
13 has been inspected. 60 percent of it, which we know
14 is leaking, they don't know where the leak is. It
15 has not been inspected. That's a false assumption of
16 this GEIS.

17 The other basic false assumption is that
18 the leaks are emptied into a drain that can be
19 monitored and then they'll be treated and cleaned up.
20 When in fact, the leak -- the NRC stopped cleanup of
21 the Indian Point site. They said "You know what,
22 we're just going to let it seep into the ground, into
23 the effluent and into the ground."

24 MR. CAMERON: And Susan, could you wrap
25 up, please.

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1 MS. SHAPIRO: I'll wrap this up.

2 MR. CAMERON: Thank you.

3 MS. SHAPIRO: And there are many -- I
4 will be submitting comments on the spent fuel fires
5 issue, which Chairman Macfarlane has co-authored a
6 study stating that the densely packed fuel pools at
7 Indian Point, for example, are at great risk of fire.
8 But the base -- the biggest problem we have with the
9 GEIS is a lack of cost considerations. It states
10 that every hundred years the spent fuel -- the dry
11 cask, if we get everything into dry cask, are going
12 to be replaced. How is that going to be funded? We
13 all just went through a government shutdown because
14 we almost de-funded the government. How in the world
15 can the NRC, in this GEIS, guarantee that there will
16 be funding in the future. And I just --

17 MR. CAMERON: Okay. Susan --

18 MS. SHAPIRO: -- want to answer your two
19 questions. Let me just answer your two questions.
20 No. The answer is "No." There is no feasible safe
21 storage following the operation of the reactor.
22 We've seen that with the safe storage at Indian Point
23 1.

24 MR. CAMERON: And the answer to the
25 other, okay.

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1 MS. SHAPIRO: And the other -- the
2 answer to the other one is "No."

3 MR. CAMERON: Okay.

4 MS. SHAPIRO: Having a mined geological
5 generic repository within 60 years following the
6 license reactor is impossible.

7 MR. CAMERON: Okay.

8 MS. SHAPIRO: The only thing that's been
9 allowed is a burial system, and there's been no
10 investigation in reverse engineering.

11 MR. CAMERON: Thank you. Thank you,
12 Susan.

13 (Applause)

14 MR. CAMERON: Okay. Deborah, Deborah
15 Milone, Daniele Gerard, Brian Gutherman and Michelle
16 Li. Deborah. Is Deborah still here? Here comes
17 Deborah. And if Daniele and Brian and Michelle could
18 come up and -- here's Brian coming up, then we'll
19 have them. And this is Deborah. Hi Deborah.

20 MS. MILONE: Good evening. My name is
21 Deb Milone. I'm the Executive Director of the Hudson
22 Valley Gateway Chamber of Commerce. Thank you for
23 allowing me these comments this evening.

24 The Hudson Valley Gateway Chamber of
25 Commerce serves the communities of Croton-on-Hudson,

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1 Cortlandt, Peekskill, and Putnam Valley. We rep --
2 we represent over 440 businesses and civic members.
3 The Federal Government has spent the last three
4 decades trying to decide where to put the more than
5 70,000 tons of spent fuel from our nation's power
6 plants. The Waste Confidence Rule, although a good
7 first step in the right direction, is not the
8 solution the Federal Government promised us.
9 Further, it has no bearing on the continued operation
10 or license renewal of the U.S. nuclear power plants,
11 including Indian Point.

12 The NRC conducts detailed rigorous
13 annual safety inspections at each of the country's
14 100 nuclear power plants. Due to political pressure,
15 Indian Point is the most scrutinized and it has --
16 and it continues to receive the NRC's highest safest
17 rating year after year. These inspections include
18 comprehensive review and oversight of the process for
19 using used fuel onsite at Indian Point in both
20 cooling pools and dry cask storage, the state-of-the-
21 art solution.

22 The Hudson Valley Gateway Chamber of
23 Commerce supports the continued operation of Indian
24 Point because we understand its importance for the
25 region's energy supply, electrical grid reliability,

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1 and the economy. New York does not have the
2 generation or transmission infrastructure to replace
3 the 2,000 megawatts of power that Indian Point
4 supplies each day. Let alone a proposed replacement
5 source that could provide comparable economic
6 benefits and not result in higher electricity rates.

7 Thank you very much.

8 (Applause)

9 MR. CAMERON: Thank you. Thank you very
10 much. That was Deborah Milone. Now Daniele.

11 MS. GERARD: Hi. I'm Daniele Gerard.
12 I'm a member of the board of Three Parks Independent
13 Democrats. We're an Upper West Side political club
14 in Manhattan. I'm here with my fellow board member,
15 Erl Kimmich, to whom I will cede some of my time.

16 I just have a few brief points to make.
17 One is that it is so rare that the public gets to
18 voice our feelings. We're so helpless at the mercy
19 of the government's corporate masters. Let me assure
20 you that when the government policy is set to benefit
21 corporate interests, we the public lose every single
22 time.

23 (Applause)

24 MS. GERARD: So I just want to make five
25 brief points and then I'm going to turn it over to

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1 Erl. First of all, there is no solution to the
2 problem of nuclear waste. The Waste Confidence Rule
3 amounts just to "Trust us." My third point is that
4 it ignores the problems with waste, the leaks, the
5 fires, the security issues and the other items that
6 other people have testified about and will testify
7 further this evening.

8 The Waste Confidence Rule deals with
9 waste, which is a major environmental issue, not a
10 public relations issue.

11 And finally, finally, to pursue
12 licensing on the basis of a Waste Confidence Rule
13 that is not inspiring of confidence is both illegal
14 and immoral, so now that I have the opportunity
15 finally to voice my opinion, and I hope that some of
16 you will join me in a show of hands. I just want to
17 say that I vote No Confidence.

18 So here is Erl Kimmich, my fellow board
19 member.

20 (Applause)

21 MR. KIMMICH: Thanks very much Daniele.
22 You know, just very briefly, I've been looking at
23 pictures of birth defects from the kids that are
24 being born now in Iraq from the depleted uranium that
25 their parents are being exposed to all the time and

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1 it's radiation poisoning. And what it does is --
2 it's heinous, you know, I can't -- I can't describe
3 the photographs. But it's too hideous and I'm just
4 thinking about grandkids and stuff like that, and
5 radiation, no matter what, is incredibly dangerous
6 and it can't be stored safely. It's always leaking.
7 There's always problems with it and it's going to
8 cost -- it's going to cost lives. It's going to cost
9 heartbreak, lives and all that kind of stuff. And,
10 you know, I think we should start working on the
11 solution and stop making more of the waste right now.

12 (Applause)

13 MR. CAMERON: Okay. Thank you very
14 much. And let's go to Brian. Are you ready?

15 MR. GUTHERMAN: Yes.

16 MR. CAMERON: Good.

17 MR. GUTHERMAN: Good evening. My name
18 is Brian Gutherman. Thank you for allowing me to
19 speak tonight on this important issue. I'm an
20 engineer. I've worked in the nuclear energy industry
21 for 30 years. I held a senior reactor operator
22 certification earlier in my career. But I'm also a
23 husband and a father who lives with his family in New
24 Jersey within driving distance of ten reactors,
25 including the two at Indian Point. So just like

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1 everybody else in this room, nuclear safety is
2 important to me too.

3 I currently make my living providing
4 consulting in the area of spent nuclear fuel
5 management. I've read the revised Waste Confidence
6 Rule and associated Environmental Impact Statement,
7 and I commend the NRC staff on doing such a thorough
8 and thoughtful job. The assumptions the NRC used in
9 the EIS are reasonable and conservative, and I
10 believe the conclusions reached are correct. I know
11 from personal experience that nuclear power plant
12 owners have safely managed spent nuclear fuel for
13 decades, and the continue to do so today.

14 I know how both wet storage pools and
15 dry casks are designed and operated. I know the
16 redundancies in margins of safety in the designs of
17 both types of storage technologies.

18 Beginning in the 1980s the nuclear power
19 plants began moving spent fuel from wet storage to
20 dry storage and have continued to do so safely for
21 nearly 30 years. There is no reason to believe they
22 cannot continue to do so into the future and as long
23 as necessary until the Federal Government starts
24 picking up the fuel.

25 The vast majority of today's dry spent

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1 fuel systems, including those at Indian Point are
2 made of fully welded stainless steel canisters stored
3 inside thick concrete casks or modules about two feet
4 around the outside of those. They don't leak. They
5 don't release any reactor material. They're designed
6 to be dropped, tipped over, withstand floods,
7 earthquakes, tornadoes and missiles without leaking
8 an ounce of radioactivity.

9 As for disposal of spent fuel, the
10 President's own Blue Ribbon Commission recognized
11 that a geologic repository is still the best method
12 of disposal. Sweden and Finland are both already
13 developing geological disposal facilities, which
14 frankly should be an embarrassment to the country
15 that pioneered commercial use of nuclear energy and
16 built such large undertakings as the Hoover Dam.

17 Now a word about nuclear power. It's an
18 undisputed truth that nuclear power plants produce
19 about two-thirds of the emission-free electricity in
20 this country. New York State's six reactors produce
21 30 percent of its electricity with Indian Point
22 providing a large chunk for New York City. New
23 Jersey's four reactors produce fully half of its
24 electricity. These power plants do not require the
25 sun to shine or the wind to blow to keep the

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1 electricity flowing. They are there 24/7. They
2 provide essential, reliable electricity to our homes,
3 businesses, factories, and hospitals all over the
4 country. But they also do something else. They
5 provide jobs with good pay and benefits for our
6 families, friends and neighbors. And that's not just
7 the people who work at the facilities but the
8 regulators, supplier, and local businesses that exist
9 solely to cater to the people who work at the plants.

10 Let's not forget all the taxes that are
11 paid. Have I got more time?

12 MR. CAMERON: I think you're -- you know
13 what, can you just let people talk and not ridicule
14 them, okay. Let's have some courtesy, okay. Please.

15 MR. GUTHERMAN: I didn't heckle you. I
16 didn't heckle you when I was sitting in the back.

17 MR. CAMERON: Okay. But Brian, I think
18 you're -- I think you're about done, okay.

19 MR. GUTHERMAN: I'm almost done. I've
20 got one point to make.

21 The proposed rulemaking and
22 Environmental Impact Statement are well done,
23 accurate, and address the issues of the court's
24 order. The Rule and EIS should be approved.

25 (Applause)

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1 MR. CAMERON: Okay. Thank you. Thank
2 you Brian. Is Michelle. This is Michelle Lee, and
3 then we're going to go to Darcy Casteleiro, Margot
4 Schepart and Maureen Garner Ritter, and Peter Wolf.
5 Go ahead Michelle.

6 MS. LEE: I woke up at 4:00 a.m. this
7 morning and something was really nudging at me, and I
8 was thinking, something I'm missing. And it suddenly
9 dawned on me, and I speak to the representatives here
10 of the Nuclear Regulatory Commission wherever you
11 are, as human beings, as individuals. You are
12 working in an institutional setting with a lot of
13 pressures. With time pressure, with financial
14 pressure, with political pressure, and you're
15 probably trying to do a very good job, but we are at
16 a point -- we are at a crossroads of our national
17 history.

18 I don't think anybody in this room,
19 whatever their political persuasion, is not horrified
20 at the direction we as a people are going. And this
21 is an opportunity. It is a real genuine opportunity
22 for the people who work at the NRC to make a huge
23 historic difference for generations to come to
24 protect human life, to protect the beautiful Hudson
25 Valley and the other lands that are reactor site

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1 communities. Don't waste it. The report itself is
2 really rather absurd honestly. 200 years -- what,
3 100 years in the short term, other than -- there's a
4 little kid over there -- I don't mean to embarrass
5 you, he'll still be alive, the rest of us won't be.

6 That's past -- the short term is past
7 the life spans of virtually everybody in this room.
8 The mid-term, where you're talking about 200 years,
9 200 years ago James Madison was president. Napoleon
10 was fighting in Russia and the Prussians. The Creek
11 Indian Nation was having a civil war, and by the way,
12 this month 200 years ago the British burned part of
13 New York, Buffalo. So to -- so you're actually
14 considering 200 years in the future and you're making
15 this -- the assumption that you understand all the
16 possible developments of climate change, of seismic
17 activity, of terrorist threat, of the cyber issue
18 alone, which has emerged as a major current threat,
19 is not only just to Indian Point but a threat to the
20 grid, which in turn affects Indian Point. The
21 infrastructure, the American Society of Mechanical
22 Engineers gave the 2013 report card for
23 infrastructure in the U.S. a D+. That's today.

24 There's -- there's a level of absurdity
25 that almost cannot be responded to and so this is

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1 simply a plea, and I speak on behalf of the Public
2 Health and Sustainable Energy, PHASE, and the Council
3 on Intelligent Energy and Conservation Policy, but
4 also, of citizens and a mother and for somebody whose
5 great grandchildren, I guess, will be around when the
6 waste is still sitting there, please, please take
7 this serious.

8 MR. CAMERON: Thank you, Michelle.

9 Thank you.

10 (Applause)

11 MR. CAMERON: Do we have -- is Darcy --
12 Darcy Casteleiro is coming up, and then we'll go down
13 the list. Hi Darcy.

14 MS. CASTELEIRO: Good evening. I'm here
15 representing Assemblywoman Ellen Jaffee who has a
16 very brief statement to make. Assemblywoman Jaffee
17 represents the 97th Assembly District across the
18 river and everyone is in --

19 (Applause)

20 MS. CASTELEIRO: More applause.

21 Everyone who resides in the district is within the 18
22 mile danger zone as we know is a fatality zone as
23 established by the CRAC-II study. I think it was
24 Sandia Labs.

25 So Ms. Jaffee says that GEIS, DEIS, EIS,

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1 FEIS, this is the fourth environmental study I've
2 been involved with this year, and I'm alarmed at how
3 Environmental Impact Statements increasingly bend
4 toward industry and away from the public good.

5 (Applause)

6 MS. CASTELEIRO: And I appreciate and
7 respect the work of the NRC. I do believe there is a
8 level of arrogance and to put this in common
9 parlance, we need more Leonard and a little less
10 Sheldon.

11 (Laughter)

12 MS. CASTELEIRO: That's a Big Bang
13 reference from the Assemblywoman's favorite program.
14 So I have a bill. It's A-10-38 and Entergy has
15 lobbied heavily against this bill. If we're going to
16 play the science card, let's look at this bill. This
17 bill will study under the Energy, it will amend the
18 Energy law to study alternative sources of energy to
19 Indian Point. It does not say close Indian Point.
20 It says study. And to the gentlemen who represent
21 the 400 people who work at the site, this law, if it
22 became a law, this bill will in fact protect your
23 jobs and look at new ways to relocate because we
24 respect the work that you do in the Valley.

25 (Applause)

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1 MS. CASTELEIRO: And I call upon the NRC
2 to support me in this effort and to please
3 communicate to Entergy that we should work on, in the
4 name of science and truth, getting this bill passed
5 so that we can really look at the impact of this bill
6 and we can look at -- we can stop the production of
7 long-term waste.

8 Someone asked me a while ago, when you
9 post -- and they asked me to ask you, when you put a
10 warning sign on these long-terms casks, what language
11 is it going to be in? Because do you think the
12 people that find these casks in 500 years will be
13 speaking English?

14 Thank you very much.

15 (Applause)

16 MR. CAMERON: Thank you Darcy. And
17 please thank the Assemblywoman for us, okay. Margot
18 and then Maureen and Peter.

19 MS. SCHEPART: My name is Margot
20 Schepart, and I have lived within the ten-mile zone
21 for most of my life, and I've worked in a public
22 school within the ten-mile zone for the past 11
23 years. Because I am an English teacher, I can say
24 with total certainty that the phrase "Nuclear Waste
25 Confidence" is the biggest oxymoron ever uttered or

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1 appended in human history.

2 (Applause)

3 MS. SCHEPART: And I can't believe that
4 the NRC folks don't know that. And it was really
5 smart word-smithing to come up with that one. You
6 should pay those people a lot of money, whoever
7 thought that up.

8 I'm wearing this green headband on my
9 head to represent something because I'm a very
10 metaphorical person. It's my constant unrelenting
11 awareness that Indian Point with its tons of new and
12 old fuel rods poses an ever-present danger to myself,
13 the people I care about, my students, my colleagues.
14 It never goes away, and it might look funny and it
15 might look like "Oh, there they are those crazy
16 activists doing their thing again." We have to
17 lighten it up a little bit, okay. You have to have
18 some fun with it because it's serious and it doesn't
19 go away and most people don't think about it. I do,
20 and my cohorts do, but it's there and it's nasty and
21 it's in my brain like background man-made radiation
22 all the time.

23 I'm not a math teacher. I'm an English
24 teacher. But I know this. I know that it's
25 unconscionable that this stuff is going to be around

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1 as a legacy, you know, a poisonous legacy for -- I
2 wrote this down -- not only our great-great-great-
3 great-great-great grandchildren, but also their
4 great-great-great-great-great grandchildren. I can't
5 even say it. And their great-great-great
6 grandchildren. Basically, 12,000 generations. And
7 it's just wrong. It's wrong.

8 The technology doesn't exist. The casks
9 that that other person was talking about with all the
10 thickness and everything and the cement, they don't
11 last more than I think 300 years is the max. That's
12 it. It's uncontainable. Thank you.

13 MR. CAMERON: Okay. Thank you. And
14 this is Maureen. Just one second Maureen. We're
15 going to go to David Schepperly, Evan Lapiska, Paul
16 Steidler, and Sally Gellert after we get done with
17 this flight so-to-speak.

18 MS. GARNER-RITTER: I just want to say I
19 really like Richard's tie. It's green and maybe he
20 is coming over to the bright side.

21 (Laughter)

22 MS. GARNER-RITTER: Good evening. It's
23 important to have you in our community hearing from
24 the people directly, having our comments be
25 officially on the record. You've heard many people

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1 tonight who are forced to live with the continued
2 threat of Indian Point every day and the waste that
3 it produces. And, you know, what's in a name? So I
4 don't think EIS -- I don't think there should be the
5 "G" before it. It's a generic.

6 Indian Point is anything but generic.
7 It is a specific power plant in the most crowded
8 region of the United States with 20 million people
9 living in a 50 mile radius, so I think to apply a
10 generic EIS is ludicrous. I speak to you tonight as
11 a local citizen of the reactor community. I also am
12 a teacher and an informed member of the public and my
13 most important job is a mother. A mother who is
14 adamantly opposed to leaving lethal legacy of high-
15 level radioactive waste for my children and the
16 generations to come.

17 As I understand it, the NRC is charged
18 with the oversight, not the defense of the nuclear
19 industry, and with all due respect, the GEIS seems to
20 be a huge attempt at legitimizing the continued
21 production of irradiated waste for which we have no
22 true solution. You can monitor, matrix, and massage
23 the facts, but it's all a con, and we need to stop
24 making the waste now. So perhaps a more suitable
25 name for the report is the Waste Con or How to Waste

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1 the Confidence of the American People. So, I'm not
2 an engineer and -- but I am a special ed teacher --
3 sometimes I have to put things in simplistic terms
4 for myself, as well as my students, so here is an
5 analogy.

6 As a homeowner with an old and troubled
7 toilet, I would cease to use it if it became so
8 filled with waste that I could no longer flush it. I
9 would not consider -- I would not continue to sit
10 there and eliminate any more waste into it. And the
11 thought of leaving little empty boxes that may
12 degrade around my house is absurd and you might say
13 "That's crap." But we just passed a very important
14 anniversary yesterday. The one year anniversary of
15 Hurricane Sandy, an event of epic proportion,
16 billions of dollars, people still displaced.

17 Imagine now that you have this
18 apocalyptic event with the waste at Indian Point and
19 we're not going to be measuring it in dollars. We
20 will be measuring it in lives and futures. If we
21 could have prevented Hurricane Sandy, we would have.
22 It is counterintuitive, uneconomical, irresponsible,
23 and I dare say immoral not to close down the waste
24 factory now. So I -- I just have four questions that
25 I do want to answer to the -- ask the NRC, is how

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1 does the fact that if IP is making waste now and it
2 is now considered actually a storage facility instead
3 of a generation -- place of generation? That's one
4 question I have.

5 Who will monitor the waste if the
6 government defaults? I understand from what you said
7 tonight that the plant -- if the plant operates for
8 five years, they have another like 60 years before
9 they consider what they do with their waste. Why do
10 we, as taxpayers, have to foot the bill of continued
11 storage after Entergy sheds its corporate shell and
12 walks away?

13 And after a government shutdown last
14 week, you know, who is going to -- who is watching
15 the stuff when everybody is furloughed? So you know,
16 I can't, you know, have confidence that you're going
17 to keep this together for 240,000 years despite your
18 best efforts.

19 MR. CAMERON: Thank you Maureen.

20 MS. GARNER-RITTER: Thank you.

21 (Applause)

22 MR. CAMERON: Okay. We're going to
23 Peter Wolf right now. There's Peter Wolf.

24 And could we clear the wall for people
25 so that they could come up here too. Peter.

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1 MR. WOLF: Good evening. My deep
2 concern about Indian Point started some years ago
3 when Entergy couldn't get the sirens to work
4 properly, and I wondered if they can't get something
5 that simple outside the plant to work, what's going
6 on inside the plant. And it brought back memories of
7 mine when I was a Coast Guard officer.

8 First I was boating officer and realized
9 after some time that all these boating accident
10 reports I was looking at weren't accidents at all.
11 They were simply incidents. Incidents of human
12 error, human commission or omission, with unintended
13 results.

14 Now, if you look at the same thing with
15 the nuclear accidents that occurred with Three Mile
16 Island and Chernobyl, a large part of each disaster
17 is attributable to human error. Even in Fukushima
18 where the nuclear reactor accident was initially
19 ascribed to a tsunami following an earthquake,
20 recently both the operator Topco and the Japanese
21 government have admitted that the disaster was
22 preventable.

23 Second, I was operations duty officer in
24 the Port of New York, which meant I was the highest
25 ranking officer on duty, and I had to respond to

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1 fires and oil pollution and collisions. And I had
2 patrol boats, harbor tugs and a helicopter to respond
3 to these emergencies, but I later realized that if
4 there was an incident at Indian Point, which is along
5 the Hudson River, we did not have sufficient
6 resources or training to respond to a radioactive
7 emergency. And I wonder whether those resources and
8 the training exists today.

9 Thirdly, I was group readiness officer
10 and was involved in planning to respond to a major
11 calamity in the port. The knowledge I gained made me
12 dubious that a successful evacuation of significant
13 proportions to be undertaken if there was a serious
14 accident at Indian Point. When contemplating a
15 nuclear mishap, I also ponder where the hundreds of
16 thousands of evacuated people will go and how they
17 will pay for their expenses if they suddenly have no
18 job and their most important asset, their home, is
19 suddenly worthless because it's in a nuclear
20 contaminated zone.

21 We're here tonight to discuss nuclear
22 waste, and it's probably a much more serious topic
23 than even our discussion about the ongoing licensing
24 at Indian Point because this will go on for decades,
25 and we do not know how the protection will go, who

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1 will pay for it, and who will monitor it. It's
2 difficult to predict what will happen in the future.
3 Yesterday was the first anniversary of Sandy's visit.
4 Many didn't foresee the type or extent of that type
5 of damage. When we look back at just the last dozen
6 years, we did not envision 9/11. We did not envision
7 Katrina. We did not envision the Deep Water Horizon,
8 and we did not envision Fukushima. And as we know,
9 Fukushima is still leaking today.

10 (Applause)

11 MR. CAMERON: And Peter, if I could just
12 get you to wrap up.

13 MR. WOLF: Yeah. So when we look at the
14 Proposed Rule here and we're talking about 60 years,
15 or 160 years, or indefinitely, I think that the most
16 important thing to do is to realize that we cannot
17 look that far ahead, so that we have to come up with
18 a solution that will enable our country to move
19 forward.

20 Before closing I would like to note that
21 20 months ago the Disposal Subcommittee of the Blue
22 Ribbon Commission of America's Nuclear Future
23 presented its upgraded report and there's a roadmap
24 there and certainly the NRC should follow that.
25 However, in the interim, it's incumbent upon you to

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1 promulgate rules and enforce them so that we will
2 have the maximum protection to the public and the
3 surrounding from the potential ill effects of an
4 adverse incident which causes the release of nuclear
5 waste.

6 Thank you.

7 MR. CAMERON: Thank you.

8 (Applause)

9 MR. CAMERON: Thank you Peter. David.

10 MR. SCHEPPERLY: Good evening. My name
11 is David Schepperly. I'm an employee at Indian
12 Point, and I'm also a member of NAYGN. NAYGN stands
13 for North American Young Generation in Nuclear. It's
14 a group that supports nuclear technology and nuclear
15 science. It's also a group that's across -- has
16 several chapters across the United States, as well as
17 Mexico and Canada.

18 I appreciate the opportunity to comment
19 on the important topics of waste confidence and its
20 relationship to continued nuclear plant licensing and
21 operations. NAYGN strongly believes that nuclear
22 energy is an integral part of a national energy plan
23 and must continue to generate an essential share of
24 the nation's clean non-emitting zero-carbon baseload
25 energy. Nuclear energy generates 59 percent of the

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1 carbon-free electricity produced in New York. This
2 factor is according to the Energy Information
3 Administration. Our nuclear energy facilities also
4 provide substantial economic benefits to the state
5 and local community including high-paying jobs and
6 tax revenue that helps keep town services funded and
7 property taxes much lower than they otherwise would
8 be.

9 While nuclear energy is a vital part of
10 our state's electricity portfolio and economy, we
11 recognize the need to address the transportation,
12 storage, and disposal of used nuclear fuel. The
13 National Conference of State Legislatures said
14 recently that it supports Federal action to develop
15 facilities for interim storage of high-level
16 radioactive waste until a permanent repository is
17 ready.

18 We strongly urge the Nuclear Regulatory
19 Commission to continue its strong independent
20 oversight of the commercial nuclear energy
21 facilities, operation of existing plants, licensing
22 new reactors, renewing the operating licenses of
23 existing reactors and the management, transportation,
24 and disposal of used nuclear fuel.

25 We believe it is important for the NRC

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1 to continue its transparent and efficient efforts to
2 maintain its 24-month schedule for the current Waste
3 Confidence proceedings so that progress on both plant
4 licensing and used fuel management can continue.

5 I want to thank the NRC for holding this
6 public meeting and providing an opportunity for
7 comments. Thank you.

8 MR. CAMERON: Thank you.

9 (Applause)

10 MR. CAMERON: Thank you very much. And
11 thank all of you out there too. And Evan. This is
12 Evan Lapiska.

13 MR. LAPISKA: Good evening. I'm here
14 today on behalf of the Clean And Safe Energy
15 Coalition or CASEnergy. The CASEnergy Coalition is a
16 large national grassroots coalition of allies united
17 across the business, environmental, academic,
18 consumer and labor communities. Our members support
19 the increased use of nuclear energy (interference) --
20 excuse me -- to ensure an environmentally clean,
21 safe, affordable, and reliable supply of electricity.
22 This is an important discussion to be having and I
23 applaud the NRC for taking the time to hold these
24 public meetings and for rescheduling those affected
25 by the shutdown.

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1 We're here to discuss spent nuclear
2 fuel. Spent nuclear fuel is being stored onsite in
3 well-designed, well-protected facilities in storage
4 casks -- and quite safely at that. These facilities
5 and storage casks are robust structures made of steel
6 linings and reinforced concrete walls that are
7 several feet thick. Spent fuel pools are often 40-
8 feet deep, steel-lined with reinforced concrete walls
9 and the structures are built to seismic standards to
10 protect the pools. The dry storage casks where the
11 fuel is moved are no different. For every ten tons
12 of used fuel, facilities form a robust structure made
13 of 100 tons of concrete and steel to protect the
14 fuel.

15 The industry has been doing this for
16 more than 30 years safely and securely and to ensure
17 safety there is regulation. American nuclear energy
18 is also the high -- is also a highly regulated
19 industry with operating facilities subject to onsite
20 inspections by NRC staff 24 hours a day, seven days a
21 week, 365 days a year. Nuclear energy has shown that
22 it is a responsible source of electricity and a
23 valuable community partner. Nuclear energy safely
24 and cleanly provides nearly 20 percent of our
25 electric power nationwide and nearly two-thirds of

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1 our carbon-free electricity, and supports more than
2 100,000 high-paying jobs.

3 Because of nuclear energy's commitment
4 to producing affordable clean power and its
5 commitment to safely, cleanly, and securely storing
6 spent fuel, it is no wonder why communities near
7 nuclear facilities strongly support nuclear energy.
8 The timely resolution of this rulemaking is important
9 for long-term power planning. This issue is directly
10 affecting re-licensing of nuclear plants and approval
11 of pending instruction applications for new reactors
12 which are vital if we are serious about our
13 commitment to reliable, safe, and secure source of
14 electricity that will help combat climate change.

15 As this Commission continues these
16 public hearings, I hope to hear a discussion of the
17 facts and that is that nuclear energy has shown the
18 utmost commitment to safely and securely storing
19 spent fuel and that will never change.

20 Thank you for your time today.

21 (Applause)

22 MR. CAMERON: Thank you. Thank you
23 Evan. After our next two speakers we're going to go
24 to Marilyn Elie, Gary Shaw, Dan Fullerton, and Judy
25 Allen. And is Paul Steidler.

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1 MR. STEIDLER: Yes.

2 MR. CAMERON: This is Paul, okay. And
3 then we're going to go to Sally Gellert.

4 MR. STEIDLER: Yes, hi, good evening and
5 thank you for the opportunity to be here. My name is
6 Paul Steidler. I'm with the New York Affordable
7 Reliable Electricity Alliance. I have a brief
8 statement from our chairman, Jerry Kremer, which I'll
9 read into the record momentarily. I also wanted to
10 provide some context and some observations before
11 that statement.

12 First of all, it's important I think
13 that we all recognize that nuclear energy is safe.
14 In the 50-year history of commercial operation there
15 has not been a single death from nuclear energy.

16 The second thing -- the second thing I'd
17 like to add, you know, there's been a lot of
18 discussion today about Hurricane Sandy and the one
19 year anniversary having been yesterday and that is a
20 tragedy that we should not forget and it's something
21 that we should look at and look to rigorously examine
22 so we can prevent events like that from happening
23 again. We believe that nuclear energy is essential
24 to that.

25 President Obama and his Energy Secretary

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1 Ernest Moniz believe that nuclear energy is essential
2 for addressing global warming and giving our kids a
3 better world and with that as background, there is
4 some good news. New York City today has the cleanest
5 air it's had in 50 years and New York State has the
6 lowest per capita carbon emissions rate of any state
7 in the country in large part because of the fact that
8 30 percent of the state's electricity comes from
9 nuclear power.

10 With that said, I would like to read the
11 statement from our Chairman Mr. Kremer. "We have
12 every confidence that the used fuel stored at New
13 York's six nuclear power plants is safe and secure in
14 good part because it is already rigorously inspected
15 by the U.S. Nuclear Regulatory Commission. We urge
16 the NRC and other policy makers to find permanent
17 solutions for this used fuel including the
18 establishment of designated repositories to where it
19 can be shipped and recycling options."

20 And finally, I would just add, New
21 Yorkers have paid, everyone in this room has paid \$4
22 billion for the state's nuclear waste to be in a
23 repository taken from plants and put someplace else.
24 That is something that we should be talking about and
25 focusing on instead of rehashing the debate about

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1 Indian Point at a forum that has nothing to do with
2 Indian Point. The rate payers of New York, the
3 taxpayers of New York, deserve to get their money's
4 worth and we would implore the NRC to be an advocate
5 for solutions, be it Yucca Mountain or elsewhere,
6 where this used fuel can go.

7 Thank you very much.

8 MR. CAMERON: Thank you.

9 (Applause)

10 MR. CAMERON: And our next speaker is
11 Sally Gellert. There's Sally. And then we're going
12 to go to Marilyn and Gary Shaw, Dan Fullerton, and
13 Judy Allen.

14 MS. GELLERT: Hi, my name is Sally
15 Gellert. I live in Woodcliff Lake, New Jersey.
16 Thank you for allowing me to express some of my
17 concerns regarding nuclear waste.

18 My home is just about 50 miles from
19 Indian Point by main roads, substantially less by
20 back-roads or as the crow flies. Although I had been
21 long aware of environmental issues, once Indian Point
22 opened I did not pay too much attention to it.
23 Recently, however, even before the tsunami earthquake
24 and meltdown at Fukushima Daiichi, I happened to
25 learn more about -- begun to learn more about Indian

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1 Point nuclear facility and what I have learned scares
2 me.

3 Although I know that the risk of a
4 serious problem under a nuclear reactor is small, the
5 consequences can be so severe that they must be
6 considered anyway. Indian Point lies on two fault
7 lines and this goes to the fact that you can't do a
8 Generic Environmental Impact Statement because not --
9 they don't all lie on fault lines. They don't all
10 lie in an area as crowded as we are.

11 Indian Point is considered by some to be
12 the least safe site of any reactor in the country.
13 We live with possible disasters, remote yet
14 frightening possibility. In addition, of course,
15 Indian Point leaks invisible radiation constantly as
16 well as heating river water that it draws in vast
17 quantity every day to operate the reactor and cool
18 the ever increasing number of irradiated fuel rods.

19 For residents nearby, the possibility of
20 a fire in a spent fuel pool is hardly
21 inconsequential. It would be disastrous. In
22 addition, new technologies create new risks. For the
23 past 16 years the NRC has allowed high burn-up fuel
24 which burns longer and hotter in the reactor. When
25 removed, this fuel needs up to twice as long in

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1 cooling pools, as well as more space between fuel
2 rods in an already crowded pool.

3 As we know, the NRC does not want to
4 discuss the percentage of high burn-up fuel at Indian
5 Point. It was suggested that that is a matter of
6 national security. However, local security must also
7 be considered. Without enough of an idea of how much
8 irradiated fuel rods are stored safely, Woodcliff
9 Lake and the area surrounding are less secure than
10 they might be. I therefore request this information
11 be made public.

12 (Applause)

13 MS. GELLERT: Regarding storage of
14 nuclear waste both here and across the country, I
15 firmly believe that the risks of transportation are
16 greater than the risk of storage onsite.
17 Transporting highly radioactive fuel over the highway
18 is a specter of many possible errors and accidents,
19 collisions, mechanical breakdowns, spills, and
20 inexperienced Hazmat personnel in areas far from any
21 nuclear facility.

22 In fact, a worker at Indian Point was
23 exposed to radiation and the hospital emergency room
24 took hours for a single one-person incident. What
25 would a big disaster cause?

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1 I don't have any more time. I've got
2 more to say, but I will send it in writing. Thank
3 you.

4 (Applause)

5 MR. CAMERON: Okay. Thank you. Thank
6 you very much Sally. We're going to go to -- we're
7 going to go Marilyn Elie next, then Gary Shaw, Dan
8 Fullerton, and Judy Allen.

9 MS. ELIE: My name is Marilyn Elie. I
10 live three miles from Indian Point in the reactor
11 community of Cortlandt Manor. I say reactor
12 community because we live so close there, and I think
13 that we need to start thinking of ourselves in that
14 term. Perhaps once, as Margot said, once we can
15 begin to think about it, then we might be inspired to
16 take some action to do something about it as many
17 people in this room are right now.

18 I looked at the Generic Draft -- the
19 Generic Environmental Impact Study. I looked at that
20 draft and in print it seems very solid. The pages
21 are there. It's all lined out. And you know, it
22 doesn't exactly seem as ambiguous as I found out it
23 was when I talked to the people from the NRC out in
24 the hall. Not only are there exceptions and
25 exemptions, but it's for the purpose of an analysis.

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1 It's for the purpose of creating a model, which means
2 that it's not really for us. It's not real. It's
3 for a plant that doesn't exist. A perfect plant and
4 a perfect world if there could be such a thing.

5 There's no viable option for long-term
6 storage. People have talked about that over and
7 over. There's a denial of the risk of a spent fuel
8 pool and there are all kinds of studies, and I would
9 cite the Union of Concerned Scientists for the work
10 that they have done in that regard.

11 There is no long-term plan to require,
12 encourage, force the company to put those spent fuel
13 pools -- high-level irradiated fuel assemblies is a
14 more accurate word. Spent means they're kind of used
15 up. These aren't. They're worse than when they went
16 into the pool. And the NRC was created 40 years ago,
17 and this is the best they can offer us. All of these
18 exemptions, all of these oversights, all of these
19 cracks in the wall of the model, so what would the
20 real thing be like?

21 Not only that. I want to express right
22 now the fact that it's not only wrong to pass this
23 off to somebody else, it's also very anti-Democratic.
24 Nevada didn't want it and who does? Who wants to
25 become the national high-level radiated dump for the

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1 entire country? Are there citizens in this country
2 besides those who can't say no, besides those who are
3 poor, besides those who are Native American, besides
4 those who are people of color that would say that?
5 And where is our responsibility, our moral
6 responsibility to take care of our own mess?

7 Those high-level radioactive rods and
8 fuel assemblies need to be moved to dry cask storage.
9 They need to be monitored and they need to stay
10 onsite for as long as they are radioactive -- 240,000
11 years. We used the electricity. It was a fleeting
12 good so-called and now we're stuck with it. And
13 what's the answer?

14 MR. CAMERON: And could you wrap up for
15 us.

16 MS. ELIE: To stop making more.

17 MR. CAMERON: Okay. Thank you.

18 (Applause)

19 MR. CAMERON: Thank you very much. This
20 is Gary.

21 MR. SHAW: My name is Gary Shaw. I live
22 five-and-a-half miles from Indian Point. I was going
23 to start off talking about what a poor job I have
24 observed the NRC doing in terms of preemption of
25 problems. They didn't prevent Con Ed from having a

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1 steam pipe eruption that released radioactive steam
2 into the atmosphere and irradiated water right into
3 the Hudson. They weren't -- they couldn't prevent
4 more ruptures and leaks in underground piping. They
5 had no idea that their spent fuel pools were leaking
6 until, as somebody else mentioned, a contractor
7 started doing excavation and said "Oh, it's wet
8 outside the spent fuel pool." So the NRC is not very
9 good at preemption, but they're pretty good at going
10 "Uh-oh, what do I do now that there's a problem?" So
11 the idea that they now have a plan to take care of
12 nuclear waste into millennia, it would be hilarious
13 if it wasn't so scary.

14 The idea that, you know, when we had
15 public meetings with the NRC and asked how many
16 exemptions has Indian Point received and they didn't
17 -- they had no idea how many exemptions they've given
18 or how they interacted. So I have very little, very
19 little, confidence in this so-called regulator whose
20 primary objective by law is supposed to be protection
21 of public health and safety. They're obviously much
22 more interested in the financials of the operator.
23 That came out in an Inspector General's report when
24 they almost let Davis Bessie reactor in -- outside of
25 Toledo, Ohio, have a breach of containment because

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1 they were concerned about the financial impact of
2 shutting the plant down to find out what the problem
3 was.

4 It's my understanding that only about 15
5 percent of the spent fuel assemblies that have been
6 accumulating at Indian Point for the last 40-plus
7 years have been moved to on site dry cast storage.
8 This directly contradicts what the -- what the report
9 out MIT that included a co-author, who is now the
10 current chairman of the NRC, who said that -- who
11 said that dry casks are much more safe than wet
12 storage. I guess they don't want -- you know, it's
13 just mind-boggling.

14 In terms of -- in terms of a one-size-
15 fits-all GIS -- GEIS, how can you rationalize that
16 the magnitude of risk is equal so that policy
17 standards and protocols should be the same at all
18 nuclear plants regardless of size, age, physical
19 environment across the U.S. nuclear fleet stretching
20 to the Pacific Coast to the flooded Mid-West to the
21 east coast stretching from Florida to New England.

22 In terms of Indian Point, we have an
23 intersection of two seismic faults. We have two
24 large, high-pressure natural-gas lines between the
25 faults and the plants. During Sandy -- Super Storm

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1 Sandy, the plant came close to flood level from the
2 Hudson River surge. It would seem to me that these
3 characteristics might not be universal, so why would
4 there be a Generic EIS.

5 (Applause)

6 MR. SHAW: Another -- another element
7 that makes Indian Point unique is that it's been
8 ordered to install closed-cycle cooling. If that
9 order is affirmed by the courts and a large structure
10 must be built, what impact does that have on the
11 ability to expand cask-storage space for what would
12 be a 60-year accumulation of fuel assemblies. I
13 would like to know what procedures are in place to
14 conduct dry transfer of degraded fuel assemblies from
15 the Wholetech casks when they expire in 100 years or
16 less. How about 200 years, 300 years? That's how
17 long it takes cesium to become benign. What about
18 240,000 years?

19 MR. CAMERON: Gary, can I get you to
20 wrap up, please, for us.

21 MR. SHAW: I will be done in just a
22 moment. Thank you. There's -- the truth is there is
23 no real plan to isolate high-level radioactive waste
24 materials effectively for the amount of time really
25 necessary to protect public health and safety, their

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1 primary objective. There's no real plan and no real
2 solution, so we shouldn't be making any more. To do
3 anything less than that seems absolutely self-
4 destructive.

5 With all due respect, the policies
6 perpetrated by this agency put the interests of the
7 nuclear power operators far above the welfare of
8 populations in reactor communities.

9 MR. CAMERON: Thank you. Thank you very
10 much.

11 (Applause)

12 MR. CAMERON: This is Dan. We're going
13 to hear from Dan Fullerton and then Judy Allen. And
14 if I could have the group sort of gather over there,
15 and then we'll hear from you, okay. All right. This
16 is Dan. Go ahead Dan.

17 MR. FULLERTON: My name is Dan
18 Fullerton. I live about nine miles from Indian
19 Point. I don't have a prepared statement. I really
20 feel that people have said a lot of things that need
21 to be said, but the thing that keeps coming back to
22 me is the issue of what are we doing to the future?
23 What are we doing to the future?

24 I started out in college in engineering
25 physics, which would have led me on the path to a

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1 career perhaps in nuclear physics, and I found it
2 wasn't what I needed. I ended up finishing with a
3 degree in philosophy.

4 There are logical and ethical issues
5 here. One of the logical issues has to do with
6 denial. There is a problem that we can't wish away,
7 but we keep trying to. And the problem is what about
8 long-term storage? What happens to this stuff when
9 however many, 1200 generations -- well, how about
10 even the fourth generation, let alone the 1200, okay.

11 If we choose not to deal with that
12 seriously by putting it off, which is what this GEIS
13 does, it puts the problem off. If we continue to
14 deny, we compound the problem and we become morally
15 sick. And it is a great regret and a matter of great
16 sadness for me that our country is in the midst of
17 doing that.

18 Thank you.

19 (Applause)

20 MR. CAMERON: Okay. Thank you. Thank
21 you very much. And this is Judy, Judy Allen. Thank
22 you.

23 MS. ALLEN: Thank you. I appreciate the
24 opportunity to speak. I would like to take a moment
25 to remember the NRC person who used to facilitate

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1 these meetings. He's not with us anymore. His name
2 is Karl Farrar. He passed on last May I believe
3 shortly after or during the last NRC meeting, and I
4 just wanted to remember him because he was a really
5 wonderful guy. He put up with a lot of us screaming
6 and railing against the NRC, and he was never less
7 than a gentleman.

8 Okay. So one of the things that I do is
9 I'm a copy editor, so I'm looking -- I didn't even
10 get to the GEIS. I didn't get to anything. All I
11 got to was "Waste Confidence." And that stopped me
12 right there. I have to ask the NRC members who are
13 here and the ones who are not here, whose confidence
14 are we talking about? Are we talking about your
15 confidence? Because you're not talking about our
16 confidence.

17 I believe that the general response here
18 tonight has been enough to show you that we are not
19 confident at all, so where does this confidence come
20 from that you think you can handle nuclear
21 radioactive waste for 240,000 years? I have a
22 grandson who is going to be four years old this week,
23 and the idea of 160 years, I mean that's going to be
24 even after his lifetime. So let me see, that's his
25 child, that's his grandchildren, his -- I can't

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1 think. I can't think. And it just occurs to me that
2 there is so much arrogance going on at the NRC and
3 has been for decades, because I've been coming to
4 these meetings for over 30 years, ever since I moved
5 to my home which is 14 miles from Indian Point. And
6 I'm furious, and I know that there are a lot of other
7 people who are being more polite than I am who are
8 equally furious that you think that you can con us
9 into thinking that there is any solution for this.

10 (Applause)

11 MS. ALLEN: I want you to know that
12 there is a disconnect between what the NRC says and
13 what the public perceives. There is lip service.
14 Only lip service paid to the public health and
15 safety. We all know that you are beholden to the
16 nuclear industry. We all know that organizations
17 like SHARE and New York AREA have been created by
18 Entergy with Entergy's money.

19 (Applause)

20 MS. ALLEN: And that the CASE
21 organization Clean and Safe Energy is created by the
22 nuclear -- the nuclear energy industry. So we want
23 you to know about the disconnect. We want you to
24 know that we don't believe you anymore, if we ever
25 did. And the people who do, I just want to say one

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1 word, which is Kool-Aid. I believe that a new study
2 has come up that shows that there -- it's going to
3 take the best minds of the century for the next
4 hundred years to figure out what to do at Fukushima;
5 is that correct? Right? Right. Okay. So I will
6 stop now.

7 Thank you for letting me speak.

8 MR. CAMERON: Okay. Thank you.

9 (Applause)

10 MR. CAMERON: Okay. Now we're going to
11 hear from Nora Freeman, Sunny Armer, Ariana Holback,
12 Pam Drake, Kathryn Groth, and Betty Perkins. And
13 after that, we're going to hear from David Amram,
14 Yuki Endo, Valery Cypser, Betty Cypser, and Ellen
15 Ginsberg, but we'll hear from each of them
16 separately. This is going to be a gathering.

17 And do you want to -- why don't you --
18 you know what, why don't you -- do you want to be
19 down here and I can hold the microphone.

20 MS. ARMER: No, Pam though. That would
21 be good. Thank you.

22 MR. CAMERON: Okay.

23 MS. ARMER: Hold the music for her, Ana.
24 Hold the music for Pam. Hold the song sheet in front
25 of Pam. Thank you.

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1 MR. CAMERON: Okay. You're all set?

2 MS. ARMER: I believe so.

3 MR. CAMERON: All right.

4 MS. ARMER: My name is Sunny Armer, and
5 we are Raging Grannies WOWW. Umbrella (indicating).

6 (Applause)

7 MS. ARMER: I live six miles from Indian
8 Point. This hotel is less than 20 miles from the
9 nuclear power plant. Do you remember when Fukushima
10 began to melt down and the NRC told all the Americans
11 in Japan that it was dangerous to be within 50 miles
12 of the reactors in spent fuel pools. If we heard
13 sirens right now, we have to get in our cars and
14 drive 30 miles. Unfortunately, the sirens can't be
15 heard this far from Indian Point. That's one of the
16 many reasons that Raging Grannies demand that Indian
17 Point be shut down immediately. Here you are within
18 the 50-mile range, okay.

19 MR. CAMERON: And there is a song?

20 MS. ARMER: There is a song, but that
21 was just a statement. There are three songs -- four
22 songs. We would like you to sing along with the last
23 one. Where's our sign.

24 MR. CAMERON: And if you could try to
25 keep it to the --

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1 MS. ARMER: Right.

2 MR. CAMERON: Keep it short, okay.

3 MS. ARMER: We'll keep -- they're all
4 short.

5 MR. CAMERON: All right.

6 MS. ARMER: The last song, if you have a
7 song sheet, starts with these words. Ready.

8 RAGING GRANNIES: [Singing:]

9 Indian Point's a nuclear power plant near
10 here. Nineteen Miles. That makes 50
11 tons of spent fuel every year. That
12 waste is stored in pools and because we
13 are not fools, we know we have good
14 reasons to be scared.

15 Sing along.

16 If Entergy keeps spinning what it's spun, and
17 their fight for re-licensing is won, 15
18 million on the roads will flee their
19 doomed abodes. A 50-mile race they'll
20 have to run.

21 A terrorist could hit it with a bomb. The
22 earthquake in Japan gave us some qualms.
23 Where will we find the answer to
24 protecting folks from cancer, who
25 haven't yet been blown to kingdom come?

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1 Bring us solar, bring us hydro, bring us wind.
2 Bring us energy from sources that won't
3 end. Before we could trust uranium,
4 we'd need holes in our cranium. We
5 haven't yet gone that far 'round the
6 bend.

7 (Applause)

8 MS. ARMER: Hold the applause. Hold the
9 applause.

10 MR. CAMERON: Could you do the last,
11 just the last song for us, please.

12 MS. ARMER: The last song?

13 MR. CAMERON: Yeah, can you do that
14 please for us?

15 MS. ARMER: No, what we're going to do
16 next, we're going to do one more song and then we're
17 leaving the stage.

18 MR. CAMERON: Oh, good.

19 MS. ARMER: But it's not the last one on
20 the list. It's the next page.

21 MR. CAMERON: I don't mean good you're
22 leaving the stage. That you have one more song.

23 MS. ARMER: The next page --

24 MR. CAMERON: All right. Good.

25 MS. ARMER: -- where it says "Gaggle of

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1 Grannies Protest Indian Point."

2 MR. CAMERON: All right. Okay. Go
3 ahead.

4 RAGING GRANNIES: [Singing:]

5 Oh, we are a gaggle of grannies urging you off
6 of your fannies. Indian Point is a
7 dangerous joint. Shut it down.

8 With all that Entergy's spending to keep their
9 license from ending, you'd think go
10 broke with mirrors and smoke. Shut it
11 down.

12 The NRC approves of waste storage by Entergy.

13 The NRC is a lapdog to the nuclear
14 industry.

15 So, we may be a gaggle of grannies, but we've
16 gotten off of our fannies. Stop
17 Entergy's spin. If they lose, we win.
18 Shut it down. We really mean it. Shut
19 it down. And we mean business. Shut it
20 down. Shut it down.

21 MS. ARMER: Now we go off singing. We
22 go all singing.

23 MR. CAMERON: Okay. Thank you all.

24 (Applause)

25 MR. CAMERON: Thank you all.

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1 MS. ARMER: One, two, three. One, two,
2 three.

3 RAGING GRANNIES: [Singing:]

4 How will we leave town, if Indian Point melts
5 down. Hi-ho, if that place blows, we'll
6 wind up underground. Imagine crowded
7 roads when we leave our abodes. Hi-ho,
8 this plant must go before the thing
9 explodes.

10 (Applause)

11 MR. CAMERON: Okay. We're going to go
12 to David Amram. And I should point out that David
13 mentioned to me that he was a composer, so I think
14 it's appropriate that he follow the grannies.

15 (Applause)

16 MR. AMRAM: Hi, my name is David Amram.
17 I'm one of the 20 million people who live close to
18 Indian Point and where these materials are stored. I
19 live about 13 miles from that place. This is a
20 statement for the people at NRC, so the NRC folks in
21 the hallway, if they want to come out and listen, I
22 love listening to you. You're more than welcome to
23 hear what we have to say because we're here to have a
24 dialogue with you, not to insult you. So maybe if
25 they could ask the people out there to come in --

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1 MR. CAMERON: Well, there's a lot of NRC
2 people right here, David.

3 MR. AMRAM: Terrific. Okay.

4 MR. CAMERON: So let's go.

5 MR. AMRAM: As someone who will turn 83
6 next month, I've had a full and a wonderful life, so
7 my survival is not an issue. But for millions of
8 younger people in the area affected by this ticking
9 time bomb, we owe it to them to have the chance to
10 live out their lives by using common sense and
11 exercising responsible behavior before it is too
12 late. We're told that we shouldn't worry because
13 it's less expensive to continue to store the waste as
14 we've been doing, and more business-like than finding
15 a safer way to store the deadly poisons of nuclear
16 waste and that there's really no danger.

17 (Laughter)

18 MR. AMRAM: The last time I checked the
19 Sunday New York Times real estate section, Three Mile
20 Island, Chernobyl, and Fukushima were not places with
21 many listings. Nor were there any articles
22 indicating that there were customers looking to move
23 to either of these three places. While I'm certainly
24 not qualified to make any decisions for other
25 concerning either our economic well-being or how to

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1 become a successful real estate entrepreneur, I know
2 that an ecological catastrophe forcing millions to
3 flee permanently from their homes and others not so
4 fortunate who could not escape in time and are left
5 to die of various cancers due to radiation poisoning
6 is bad for business.

7 (Applause)

8 MR. AMRAM: And since millions of dead
9 people are no longer able to be customers, it might
10 be more cost-effective in the long run for those who
11 are responsible for the storage of the lethal
12 material which can kill us all to deal with the
13 problem in a sane and sensible way that will assure
14 the safety of the millions of people who have no
15 desire to become casualties of a nuclear disaster.
16 No amount of lawsuits or gracious letters of sympathy
17 could ever undue the tragedies of Three Mile Island,
18 Chernobyl, and Fukushima.

19 The National Regulatory Commission has
20 the chance today to avoid another one at our
21 backyard. I'm sure that most of those in charge of
22 renewing the license for Indian Point, as well as
23 planning a safe way to store the waste, also have
24 families and have worked hard their whole lives to
25 give their kids a better life than they had. That's

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1 the great tradition of our country.

2 MR. CAMERON: And David, I'm going to
3 have to ask you to wrap up.

4 MR. AMRAM: I'm almost done, sir.

5 I'm almost sure that no one working for
6 the NRC wants to have an emergency phone call telling
7 them that they and their families have to pack up and
8 flee immediately from where they live even if it
9 means becoming homeless. And if they survive, seeing
10 aerial photographs of where they used to live now
11 reduced to ghost towns. And this is not a plot for a
12 grade-B movie. This is the reality of what's already
13 happened.

14 And unless we receive a substantial
15 number of requests of the NRC to allow everyone
16 within 70 miles of the plant to request the
17 Commission what's best for everyone, we cannot allow
18 ourselves to commit suicide by ignoring what's
19 obvious. Dr. Kevorkian was requested by people who
20 wished to terminate their lives and there's no
21 documentation of anyone in the greater New York area
22 who has requested another Jamestown.

23 MR. CAMERON: David, I'm going to have
24 to ask you to wrap up, please.

25 MR. AMRAM: So I request on behalf of my

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1 neighbors, my friends, and my family with equal
2 respect to all of you and your friends at the Nuclear
3 Regulatory Commission and your families, a solution
4 to ensure our survival. Your decision at the
5 National Regulatory Commission will determine our
6 shared destiny. Thank you.

7 MR. CAMERON: Thank you, David.

8 (Applause)

9 MR. CAMERON: We have Yuki Endo, Valery
10 Cypser, Betty Cypser, and Ellen Ginsberg. And I
11 should just tell you that we are going through the
12 people who pre-registered first, and then we're going
13 to get to the people who registered -- came in
14 tonight, so that's the way we're doing this. And
15 don't forget the meetings that the NRC is going to
16 have where you can phone in and talk and give your
17 comments. One November 14th and one on December 9th.
18 And this is Yuki.

19 MR. ENDO: My name is Yuki Endo,
20 resident of Jackson Heights, Queens, and I am
21 Japanese. I am not happy with the Nuclear Regulatory
22 Commission fracking gas land industry and coal
23 industry, which cause major problem for health and
24 global warming. I am urging all NRC, liquified
25 natural gas, White House and United States government

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1 to shut down all nuclear power plants factories,
2 fracking gas land station, and coal industry because
3 they all have same issue. People living or working
4 in nuclear, fracking, or coal zone are contaminated
5 and dangerously exposed by chemical and radiation.

6 Radiation covers entire New York State,
7 portion of Connecticut, and New Jersey. If the state
8 declares emergency evacuation due to nuclear
9 explosion, Long Island -- Long Islanders have nowhere
10 to go and New York streets are not meant for
11 evacuation route. Remember during Hurricane Sandy,
12 or Irene, or snowstorm, moment people heard the news,
13 all New England colonies went to get gas before major
14 storm hit and evacuated.

15 Some people will not evacuate because
16 they think they will be safe. Long Islanders has no
17 way to evacuate unless ferry companies reach to help.
18 Just like in the movie, evacuation means heavy
19 traffic jam. If this happens during the rush hour,
20 it will be impossible to evacuate because millions of
21 people will be stuck in traffic.

22 Please shut down nuclear, coal, fracking
23 industry. All this in -- all these industries
24 destroy a beautiful view of the New York and all
25 other states.

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1 I thank you for your cooperation.

2 MR. CAMERON: Thank you Yuki. Thank you
3 very much.

4 (Applause)

5 MR. CAMERON: Thank you. Valery and
6 Betty. Good. Welcome.

7 MS. CYPSEY: We represent the Raging
8 Grannies and their friends of Westchester County.
9 Raging Grannies are an international group working
10 for peace, a healthy environment, and social justice.
11 We are one of many gaggles in Westchester in New
12 York, the United States, Canada, Europe, and around
13 the world.

14 Raging Grannies work to make the world a
15 better place for everyone's grandchildren. We're
16 here today because the production of nuclear waste
17 and the absence of adequate plans on how to store it
18 safely for 250,000 years threatens the health and the
19 lives of everyone's grandchildren.

20 Europe accepts that "There is no safe
21 lower limit" of radiation exposure. That means that
22 low-level exposure, even close to background levels,
23 cause the death rate to spike. We don't hear about
24 no safe lower limit from the NRC, though you know the
25 laws of physics are the same on both sides of the

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1 Atlantic.

2 What will our grandchildren think of our
3 actions today relating to making more nuclear waste.
4 Their lives, their friends, family, and community's
5 lives depend on what we do today in this era.

6 The injustice is that the choice is ours
7 not theirs. They have no choice, no voice. It takes
8 everyone working together to make a better world for
9 our grandchildren. We have two short songs, and we
10 ask if you can to join in. At least hum along. You
11 need to drown us out. The first song is Killer
12 Radioactive Waste to the tune of "Home on the Range."
13 Just hum it. Hum "Home on the range." This is for
14 the grandchildren.

15 [Singing:]

16 Oh, give us a home where the grandkids grow
17 strong, where they live long, live
18 strontium free. Where we don't have to
19 fear, waste vision is near, where rain
20 fall is iodine free.

21 We've made tons of that waste. It's a waste
22 we don't know how to store. It can't be
23 made safe. It costs billions to make.
24 Where's the sense in us making some
25 more. The waste is not safe.

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1 Oh, we're told that it's safe. Now we know
2 that's not true. Exposure to low levels
3 kills. No safe lower limit means we've
4 had more than our fill. Un-contained
5 the waste circles the globe.

6 We've made tons of that waste. It's a waste
7 we don't know how to store. It can't be
8 made safe. It costs billions to make.
9 Where's the sense in us making some
10 more. Who pays?

11 Who pays for the waste? It's our taxes and
12 kids. We pay with our health and our
13 lives. Oh, fission and leaks have
14 caused millions of deaths. It's the
15 cost of that cheap energy.

16 Tons, tons of that waste. It's a waste that's
17 a hazard to store. It can't be made
18 safe. It costs billions to make. It's
19 insane to be making some more.

20 MR. CAMERON: Thank you ladies. Thank
21 you very much. You have to go.

22 [Singing:]

23 It can't be made safe. It costs billions to
24 make. It's insane to be making some
25 more.

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1 MS. CYPSE: We have a second song.

2 MR. CAMERON: Thank you. Thank you.
3 Thank you very much. Please because --

4 MS. CYPSE: Can we wrap up?

5 MR. CAMERON: -- you've taken a lot of
6 time. Thank you. Thank you. Very good. Thank you
7 very much. No. Thank you very much. I'm sure you
8 do.

9 [Singing:]

10 Don't put your waste in my backyard, your
11 backyard, our backyard. Don't put your
12 waste in our backyard --

13 MR. CAMERON: Is Savannah Bailey here?

14 -- our backyard is clean.

15 MR. CAMERON: Okay. Thank you. Thank
16 you very much.

17 (Applause)

18 MR. CAMERON: We're going to Savannah
19 Bailey. Then Ellen Ginsberg, then Yuko Tonohira and
20 William Mooney. Savannah.

21 MS. BAILEY: Hi, my name is Savannah
22 Bailey, and I'm here today on behalf of the Clean and
23 Safe Energy Coalition or CASEnergy Coalition. As a
24 national grassroots organization, the CASEnergy
25 Coalition unites over 3,000 individuals and

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1 organizations across the business, environment,
2 academic, consumer, and labor communities.

3 Our members support the expanded use of
4 clean-air nuclear energy to ensure an affordable and
5 reliable supply of electricity for America. I would
6 like to thank the members of the Commission and its
7 staff for holding this public hearing and giving us
8 the opportunity to share our perspective.

9 Nuclear energy facilities play an
10 important role across America by producing clean
11 reliable power for many and it's necessary that they
12 be allowed to continue their safe and efficient
13 operations.

14 First, please let me express my support
15 and confidence in the storage of spent nuclear fuel
16 on site at facilities. Throughout its history the
17 nuclear energy industry has proven that it is
18 committed to responsible safe and secure storage
19 onsite.

20 Although storage of spent fuel onsite
21 was not intended as a permanent solution, the
22 industry has committed to making it a very safe and
23 secure process. All containment structures are
24 required to meet the rigorous requirement set by the
25 Commission, and billions of dollars and thousands of

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1 labor hours have been invested by the nuclear energy
2 industry in recent years to upgrade physical
3 structures and ensure security at nuclear facilities
4 across the country. Beyond the nuclear energy's
5 industry --

6 AUDIENCE: Is this the same speech that
7 the guy gave before just out of curiosity?

8 MS. BAILEY: No.

9 AUDIENCE: It sounded the same.

10 MS. BAILEY: Beyond the nuclear energy's
11 commitment to safe storage of spent fuel, nuclear
12 energy plays a crucial role in our country's future
13 environmental health. The inter-governmental panel
14 on climate change recently released an update
15 assessment of the state of global warming and found
16 with 95 percent confidence that humans are
17 responsible. The report also found that the surface
18 -- that surface temperatures are likely to exceed 1.5
19 degree Celsius and possibly even meet 2 degrees
20 Celsius by the end of the century. Most consider 2
21 degrees Celsius to be the dividing line between
22 tolerable and dangerous global warming.

23 While nuclear energy provides about one-
24 fifth of our country's electricity, it provides more
25 clean-air energy than every other source of emissions

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1 free electricity combined accounting for nearly two-
2 thirds of our clean-air energy. At a time when
3 climate change is a paramount concern for all
4 Americans, nuclear energy cannot be ignored, serving
5 as one of our only forms of baseload, always on power
6 that produces zero harmful emissions.

7 To end I would like to restate my
8 support for an industry that continues to provide
9 clean-air energy while storing spent fuel safely and
10 securely on site for decades. Beyond being reliable
11 and affordable, nuclear energy does not put harmful
12 greenhouse gas emissions, sulphur dioxide, nitrogen
13 oxide and mercury into our air making it our largest
14 source of emissions free electricity.

15 Throughout the industry's history it has
16 shown that spent fuel can be stored on site safely,
17 securely and cleanly. In the Commission's
18 consideration of both this and future issues I urge
19 them to take into account the incredible clean-air
20 power of nuclear energy and consider ways to
21 strengthen its commitment to clean-air - clean-energy
22 technologies across the U.S.

23 Thank you for allowing me to speak
24 tonight.

25 MR. CAMERON: Thank you. Thank you

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1 Savannah.

2 (Applause)

3 MR. CAMERON: Next we're going to go to
4 Ellen Ginsberg and then to Yuko Tonohira and Bill
5 Mooney. This is Ellen Ginsberg.

6 MS. GINSBERG: Good evening. I'm Ellen
7 Ginsberg and I serve as Vice President and General
8 Counsel of the Nuclear Energy Institute. NEI's
9 members include all operating reactor licensees. I
10 appreciate the opportunity to present my views before
11 this audience this evening.

12 As time is short and the hour is late, I
13 will make only two points this evening.

14 The first is that as was true in the
15 several meetings prior to this one, there's been --
16 there have been questions asked about the NRC's
17 evaluation generically of the period for storage from
18 the time of license expiration until pick up for
19 disposal. Much has been made of this point and the
20 question then is can the NRC and should the NRC treat
21 these issues generically?

22 The answer has been long ago answered --
23 the question has been long ago answered by the
24 courts, and again, in 2012 it was affirmed by the
25 D.C. Circuit. The NRC may proceed by rulemaking on

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1 certain environmental issues and the courts have said
2 particularly this is true on the issue subject of
3 this rulemaking.

4 In the context of the initial lawsuit in
5 1979 which challenged the NRC's failure to consider
6 the environmental impacts associated with continued
7 storage, the Court of Appeals for the District of
8 Columbia stated succinctly where factual issues do
9 not involve particularized situations, an agency may
10 proceed by comprehensive resolution of the issues
11 rather than re-litigating the question in each
12 proceeding in which it is raised.

13 Parsing the issue even further, the
14 court said "We agree with the Commission's position
15 that it could properly consider the complex issue of
16 nuclear waste disposal in a generic proceeding such
17 as Rulemaking and then apply its determinations in
18 subsequent adjudicatory proceedings. A few years
19 later in 1983 the Supreme Court endorsed the NRC's
20 long-standing approach. Its commentary was as
21 follows: "The generic method chosen by the agency is
22 clearly an appropriate method of conducting the "hard
23 look" required by NEPA."

24 I would like to finish with what I would
25 describe as the value proposition of nuclear energy.

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1 First, it provides large quantities of electricity
2 around the clock, safely and reliably when needed,
3 but the value proposition doesn't end there. Nuclear
4 plants provide clean-air energy. They also provide
5 voltage support to the grid, helping to maintain its
6 stability. Nuclear plants provide forward price
7 stability and are not subject to the price volatility
8 that many in the northeast experienced with gas-fired
9 generation being dominant.

10 Finally, nuclear energy plants
11 contribute to the fuel diversity and technology
12 diversity that is one of the bedrock characteristics
13 of a reliable and resilient electric sector.

14 With that, I thank you for your time.

15 MR. CAMERON: Thank you. Thank you very
16 much, Ellen. Yuko. Go ahead. There's some
17 murmuring out there, but go ahead, Yuko.

18 MS. TONOHIRA: Hello. My name is Yuko.
19 I live in Brooklyn, which is probably about towards
20 the end of 50 mile radius reactor community of Indian
21 Point.

22 First of all, on behalf of people who
23 are not here, I want to say, like a lot of people,
24 just everyday people like myself, they're already
25 catching up with all the deceptions of nuclear energy

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1 and it's amazing to see NRC people whose doing
2 amazing job in keeping status quo even after the
3 post-Fukushima wall. We are in an incredible
4 situation, an extreme situation, and people in suits
5 today from the industry and from Regulatory
6 Commission might be just doing their job to keep
7 their, you know, career and all that. And it's just
8 obvious that people like us and people from Japan
9 need to be heard.

10 I also went over some of the summary of
11 the EI -- what is that? GEIS and it still strikes me
12 that it's going under the safe dose myth of radiation
13 exposure, and I want to ask all of you that, okay,
14 there's -- to set up the standard for a safe dose of
15 radiation, there's this model. Okay, this model is
16 created around reference man. That's a man. It's
17 usually a white male in their 20's and 30's who is
18 living based on Western diet. Raise your hand if you
19 fall into that category?

20 (Laughter)

21 MS. TONOHIRA: Raise your hand if you
22 don't. So I have zero confidence in any kind of
23 policy and rulemaking that doesn't think about women,
24 mothers, young people, kids, you know, people of
25 color.

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1 (Applause)

2 MS. TONOHIRA: And disabled people and
3 sick people.

4 MR. CAMERON: And Yuko, I'm going to
5 have to ask you to --

6 MS. TONOHIRA: Okay. So I just want to
7 say we are the generation to stop producing this
8 mess, okay. I'm determined and a lot of people, who
9 you don't see here, are also determined.

10 (Applause)

11 MR. CAMERON: Thank you.

12 MS. TONOHIRA: Thanks.

13 MR. CAMERON: Thank you Yuko. How about
14 Bill Mooney, is he still here?

15 Why don't we go to Catherine Skopic,
16 Sheila Geist, Jessica Azulay, Jeanne Shaw, Jeffrey
17 Brown, Michelle Solomon, and Julie Woodward.

18 MS. SKOPIC: My name is Catherine
19 Skopic. I've worked with writing environmental
20 groups, including IMAC, the Interfaith Moral Action
21 on Climate, and I'm speaking mainly as a resident of
22 New York City.

23 In baseball one has three strikes and
24 you're out. In the nuclear industry we've had three
25 strikes. Three Mile Island, Chernobyl, and

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1 Fukushima. You're out. It's time to close Indian
2 Point.

3 (Applause)

4 MS. SKOPIC: This deadly nuclear plant
5 threatens the lives of over 21 million people in the
6 most densely populated metropolitan area, poisons the
7 Hudson River and groundwater. Indian Point is
8 situated on two fault lines. Scientists of Columbia
9 University reported that a 7.0 magnitude earthquake
10 is possible at Indian Point, and this aging structure
11 was built to withstand a 6.1 earthquake only.

12 In 2005 NRC and Entergy reported that
13 radioactive water was leaking from IP2 spent fuel
14 pool. 2007 -- a tritium leak was found, leaks into
15 the ground water and Hudson River. The now over
16 2,700 tons of high-level radioactive waste that
17 contain plutonium will remain deadly as we've heard
18 over and over again this evening for 240,000 years
19 and is being stored in ordinary buildings, not dry
20 cask storage.

21 And what about the amount of high burn-
22 up fuel that presents an even far greater threat.
23 How much is being produced? I would really like to
24 know. We all would like to know. The radioactive
25 material being stored at Indian Point is the

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1 equivalent of over 1,000 Hiroshima bombs. The spent
2 fuel pools are overcrowded, as we've also heard,
3 making an incident far more likely. There is no room
4 for more spent fuel. Stop producing them.

5 Indian Point uses 2.5 billion gallons of
6 water and the fish have been found with strontium-90
7 in their flesh. Cancer rates are 66 percent above
8 the average in communities surrounding Indian Point
9 according to U.S. Centers for Disease Control and
10 Prevention. There is no evacuation plan and we don't
11 need it. We have viable renewable energy.

12 This summer I paddled on the Hudson
13 River with about 200 native and non-native people.

14 (Applause)

15 MS. SKOPIC: For the 400th anniversary
16 of the Two-Row Wampum in the first covenant between
17 native peoples and Europeans. They agreed to respect
18 each other, work together, and protect Mother Earth.
19 No matter what side of this issue one is on, we are
20 called to honor this covenant today. The time of
21 environmental destruction is over. It is now a time
22 of healing for each other, for the earth, for all
23 creation.

24 And lastly, going back even further than
25 400 years and I quote, "The earth lies polluted under

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1 its inhabitants for they have transgressed laws,
2 violated the statutes, broken the everlasting
3 covenant." Isaiah 24:5. It's time to close Indian
4 Point.

5 Thank you.

6 (Applause)

7 MR. CAMERON: This is Sheila Geist.

8 MS. GEIST: Yes, I'm Sheila Geist, and
9 I'm a member of Shut Down Indian Point Now in New
10 York and --

11 AUDIENCE: Speak into the mic, please.

12 MS. GEIST: And I'm speaking also as a
13 New Yorker who is deeply concerned about the con job
14 that seems to be going on here. I have absolutely no
15 confidence in this Waste Confidence Rule nor in this
16 Generic Environmental -- the GEIS Plan. Anyway, the
17 -- to start with, I was here about two years ago, and
18 at the time, my mind was blown by the presentation
19 from the NRC that they had issued, that year, 1100
20 exemptions from safety procedures. So today while I
21 was waiting before this began, I was encouraged to
22 speak with the staff outside and there was graph.
23 And it was a generic graph, which I didn't
24 understand, so I asked for clarification, and I was
25 curious about how much of the waste at Indian Point

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1 was in dry cask storage. The person told me they
2 didn't know. They had no clue.

3 There was a graph showing 60 years, 160
4 years, for dry cask storage, for open fuel ponds,
5 whatever it was. It didn't make any sense. So I
6 began to ask some questions and again, no clues. So
7 I would like to contextualize what I'm saying in that
8 context as well as the fact that as Cathy pointed
9 out, Indian Point is located on these faults and that
10 the possibility of a 7-point earthquake is probable.
11 When is up for grabs. Well, we don't have to worry
12 about earthquakes because severe hurricanes are
13 expected sooner than later, and I remember during
14 Hurricane Sandy I was up all night listening to
15 reports about anticipating the surge, the storm
16 surge, and it came within inches of the fuel ponds
17 here at Indian Point.

18 Now, New York City does not need the
19 energy from Indian Point, and they -- it's clear from
20 just a few days ago, the Public Service Commission
21 approved a series of three projects that would enable
22 the upstate energy to get downstate through changes
23 in the transfer policies and in changing the grid.
24 So it's not for any kind of necessity that we need
25 Indian Point and we must move -- not only shut it

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1 down, not produce any more waste and put this waste
2 that we have into dry cask storage. And I would wish
3 that somebody knew about that.

4 I have several questions that remain,
5 and I don't know where the answers are coming from.
6 Where is --

7 MR. CAMERON: Could you state them
8 pretty quickly?

9 MS. GEIST: Yes, I'll just state them
10 very quickly.

11 MR. CAMERON: Yes, thank you.

12 MS. GEIST: Where is the money for
13 decommissioning Indian Point? Does this fund include
14 plans for converting to hard cask storage? What
15 happens if Entergy walks away and goes out of
16 business? If the operating permits are not renewed
17 now, when does the de-commissioning start? Under
18 whose management? The guy outside told me that
19 Entergy wouldn't have to do anything for 60 years if
20 it stopped, you know, operating the plant.

21 MR. CAMERON: Sheila, I'm going to have
22 to ask you to wrap up.

23 MS. GEIST: All right. The last
24 question is what money and plans are in place to
25 oversee this transformation?

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1 MR. CAMERON: Okay. Thank you. Thank
2 you Sheila.

3 (Applause)

4 MR. CAMERON: And next we're going to go
5 to Jessica. And then to Jeanne.

6 MS. AZULAY: Hi, my name is Jessica
7 Azulay, and I'm here from Syracuse, New York.

8 (Applause)

9 MS. AZULAY: Thank you. It was a long
10 drive. I'm a staff organizer with Alliance for a
11 Green Economy. We're a statewide coalition of
12 environmental and social justice organizations, and
13 we're concerned about the waste building up at Indian
14 Point, as well as New York's four other nuclear
15 reactors, which are all on the shore of Lake Ontario,
16 Fitzpatrick, Ginna, Nine Mile Point 1, and Nine Mile
17 Point 2.

18 I was born in 1979 and that's the year
19 the NRC started writing the first version of its
20 Waste Confidence Rule, so for my entire lifetime this
21 rule has been used by the NRC to dodge hard questions
22 about the legacy of the dangerous radioactive waste
23 building up at our reactors.

24 (Applause)

25 MS. AZULAY: I'm now 34 and tens of

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1 thousands more tons of nuclear waste have been
2 generated since 1979, but in all this time, we've not
3 come any closer to a solution. In fact, with the
4 cancellation of the Yucca Mountain project, we may be
5 farther away than ever, and we have more radioactive
6 waste problem than ever.

7 I have to tell you, no offense to the
8 people in the room who have been fighting this issue
9 for a long time, but it makes me pretty mad that
10 previous generations decided it was fine to create
11 piles of deadly toxic waste without a plan.

12 (Applause)

13 MS. AZULAY: And now the NRC has crafted
14 this superficial new document to justify the same old
15 policy. This is a policy that deprives people like
16 me from the ability to challenge the continued
17 production of radioactive waste at reactors near
18 where we live even when we can clearly see there is
19 still no actual plan for storing it or removing it.

20 I can only imagine how the next
21 generation and the generations after that are going
22 to feel when the amount of nuclear waste has grown
23 even larger and they are dealing with the inevitable
24 problems of dangerous leaking old fuel pools and the
25 difficulties, costs, spills, and accidents that will

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1 come from moving waste from pools to dry casks and
2 then from dry casks to other dry casks.

3 I have confidence that they will wonder
4 in bewilderment what people in our day were thinking
5 when the choice was made to continue with nuclear
6 power and continue generating this waste instead of
7 switching to renewables. I imagine they won't be
8 amused by the rosy predictions in this Generic
9 Environmental Impact Statement just as I am not
10 amused by the prediction from 1979 that a centralized
11 repository would be ready around 2009.

12 The Draft Waste Confidence Rule, in this
13 rule the NRC makes the assumption that the storage of
14 spent nuclear fuel poses a sufficient hazard to the
15 environment and to humans that Regulatory controls
16 and oversight will continue indefinitely, decades
17 even centuries after a reactor shuts down.

18 Likewise, the Generic Environmental
19 Impact Statement is full of predictions that we will
20 have a yet to be invented or tested equipment like
21 dry transfer systems and casks that can reliably last
22 for 100 years.

23 MR. CAMERON: Jessica, could you just
24 wrap up for us. Thank you.

25 MS. AZULAY: Yes. This reveals the true

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1 nature of the Waste Confidence Rule. It's not about
2 confidence in an existing plan. It's about
3 confidence that if reactors are allowed to continue
4 to create dangerous waste, future humans will, out of
5 necessity, take on the responsibility for dealing
6 with that waste to the best of our ability precisely
7 because it's so dangerous. Basically, this is a
8 policy of spew it, and they will have no choice but
9 to deal with it.

10 Thank you.

11 (Applause)

12 MR. CAMERON: Thank you Jessica. We're
13 going to Jeanne, Jeanne Shaw. Then Jeffrey Brown,
14 Michelle Solomon and Julie Woodward.

15 MS. SHAW: Hi, I'm Jeanne Shaw. I live
16 in Croton-on-Hudson about five-and-a-half miles from
17 Indian Point. And I'm not going to talk about any of
18 the things everyone else has already talked about
19 because I think we're all tired. But one thing I
20 want to go back to is Richard Thomas. There was
21 something he mentioned early on in this meeting, and
22 really it stuck with me a lot, so I want to address
23 that.

24 And it comes down to what's real and
25 what's imaginary. What's imaginary is gridlock in

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1 Washington. Gridlock in Washington is something that
2 we create as humans, as citizens and it means
3 nothing. What's real is nature and science, and
4 what's real is that nuclear waste is forever.
5 There's no time span that's conceivable to human
6 beings that can deal with nuclear waste and its time
7 span.

8 Not only that, the seismic reality at
9 Indian Point is ridiculous and that's not something
10 that any gridlock in Washington can affect either.
11 Seismic reality tells us that Yucca Mountain couldn't
12 work. Sure, there was politics against it, but
13 ultimately, those politics will come and go with the
14 decades. Ten years from now the politics that
15 affected that will have no meaning whatsoever, but
16 the reality in science will still be the same if not
17 worse. You can't go burying this stuff anywhere in
18 the world and expect to get away with it.

19 Just because they're doing it in Finland
20 doesn't mean we can do it here. It doesn't even mean
21 they can do it there. They just are. Hello. It's
22 the world. The earth is not static. The earth moves
23 constantly, and I mean constantly. Everything in the
24 world is going to what we now think of as hell or
25 heaven and that's real. And that's not theological,

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1 so what are you going to do with nuclear waste? It's
2 not anything you can do with. It's beyond not being
3 worth the risk. It's not worth anything. It's got
4 to stop being made.

5 Thank you.

6 (Applause)

7 MR. CAMERON: Thank you very much,
8 Jeanne. Thank you. And Jeffrey. This is Jeffrey
9 Brown. Then we're going to go to Julie Woodward,
10 Jerry Bonanno and Alfred Meyer.

11 MR. BROWN: My name is Jeffrey Brown. I
12 live about 18 miles from the Oyster Creek Nuclear
13 Waste generating station at the Jersey Shore. I was
14 delighted that our Attorney General joined your
15 Attorney General in the original action that led to
16 this having to be done. I hope that he is going to
17 re-join the efforts as were indicated by the first
18 speaker to deal with this legally.

19 The previous Waste Confidence was a
20 house of cards built on a foundation of wishful
21 thinking and it's clear that everybody here or
22 majority of the people here are saying we don't want
23 another wishful thinking document. That the only
24 function that this Waste Confidence decision seems to
25 be providing is aid and comfort to the industry to

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1 continue business as usual.

2 Frequently within the document, as I
3 skimmed it, I noticed a phrase "the reasonable
4 approach," the reasonable approach which basically
5 eliminated what most of the people here tonight have
6 asked for, but it seems to me the only reasonable
7 approach is Germany's. Stop making it.

8 (Applause)

9 MR. BROWN: Phase it out in a decade.
10 Figure out how to operate an advanced industrial
11 economy with safe alternatives. We in Oyster Creek
12 also have the problem of the unknown unknowns as was
13 alluded to a couple of times earlier, namely of the
14 high burn-up fuel issue. Just as recently as Monday
15 we've asked the NRC "Do we have high burn-up fuel at
16 Oyster Creek?" And we're assured, no, no. But the
17 document from the U.S. Department of Energy Inventory
18 and Description of Commercial Reactive Fuels in the
19 United States published in March 31, 2011, clearly
20 states we do. And many other reactors do.

21 Now, the problem with high burn-up fuel
22 for this waste confidence issue in part is that it
23 makes the fuel rods embrittled, much worse than they
24 would be otherwise. Therefore, even handling them
25 becomes more difficult. There's more likelihood of

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1 damage. It makes it more difficult to transport, so
2 that the problem is multiplied. And so how can we
3 have confidence that whatever the unknown unknowns
4 that are going to be discovered going forth will be
5 handled. I say we do not.

6 We in New Jersey join you in saying "No
7 confidence."

8 (Applause)

9 MR. CAMERON: Thank you Jeffrey. And
10 Julie, Julie Woodward.

11 MS. WOODWARD: My name is Julie
12 Woodward, and I get my energy from Croton Close
13 Indian Point, and tonight some of my remarks will
14 overlap what's been said before, but I wrote this
15 this afternoon.

16 I know this evening is focusing on Waste
17 Confidence, but we can't do that without talking also
18 about confidence in the NRC and in most of our
19 elected officials.

20 Onsite waste storage at nuclear plants
21 is literally a very hot topic for the people who live
22 and work in the vicinity, but you would never know it
23 from the inexcusable silence on the part of most of
24 our elected officials. And by local, I mean from
25 congress-people down. We keep putting these people

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1 back in office because we think the alternative
2 candidates would speak even less to our interests.
3 But people like Schumer, Gillibrand, aren't doing us
4 any favors on this issue.

5 I'm too old to learn how to tweet, but I
6 do know how to Google, and this afternoon I Googled
7 both of these senators and a number of other elected
8 that should be out there fighting for our safety or
9 the -- and their constituents in this region.
10 Schumer seemed to have gingerly stepped up to the
11 plate 13 years ago after Con Ed reopened Indian Point
12 Number 2 in 2001. The Times reported that he faulted
13 Con Ed and the NRC for not providing a full, timely
14 accounting of the new leaks and said that until NRC
15 verifies that Indian Point is in good working
16 condition and will not leak, the doors of this
17 nuclear power plant cannot in good conscious be
18 reopened.

19 I'll shorten my remarks, but the next
20 time he spoke on the issue of Indian Point was in
21 2007. That's six years later. The most recent
22 comments he made were about barbeque grills at a time
23 when we expected him to be talking about Indian
24 Point.

25 Senator Gillibrand seemed even less

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1 concerned. Lohud reported almost two years ago that
2 she actually supported building new reactors in
3 communities that want them. Her quote "There's lots
4 of places in the state that would certainly welcome a
5 nuclear facility."

6 One minute. Really? I guess so. So
7 the point that I'm trying to make is that it is
8 incomprehensible to me that with all the information
9 that's out there on the amount of spent fuel being
10 stored at Indian Point and the questionable way in
11 which Entergy is storing it, that with all the
12 experience we've had with terrorism and catastrophic
13 accidents here and abroad, not to mention the
14 President's campaigning against the Yucca Mountain
15 site starting in 2008, scudding it in 2011, that most
16 of New York electeds cannot find a way to come out
17 against storing such seriously hazardous waste in
18 this part of their state.

19 These people need to break the ties they
20 have with big money and start to think reality.
21 Nuclear waste does not go away. Right here in
22 Buchanan this stuff is not on our doorstep but inside
23 our house. We need whomever we put into office to
24 start feeling very uncomfortable about the money they
25 accept from a corporation like Entergy, the whole

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1 industry in fact --

2 (Applause)

3 MS. WOODWARD: -- that puts profit over
4 limited half-baked solutions and potential long-term
5 devastation. Many of us already have no confidence
6 in the NRC. It's been said tonight. We don't know
7 how many of their policies are colored by this kind
8 of money, nor do we believe anyone can have
9 confidence in any so-called solutions that allow for
10 waivers or for the continued production and storage
11 of nuclear substances.

12 MR. CAMERON: Thank you. Thank you very
13 much Julie.

14 (Applause)

15 MR. CAMERON: And this is Jerry Bonanno.
16 And next we'll go to Alfred Meyer and then James
17 Levin. Jerry Bonanno.

18 MR. BONANNO: Thanks Chip. My name is
19 Jerry Bonanno. I'm an attorney with the Nuclear
20 Energy Institute. My comments tonight are going to
21 focus on what I know best which are the legal issues
22 and specifically, the division of responsibility
23 among the agencies in the Federal Government with
24 respect to used fuel management.

25 There's a lot -- there's been a lot of

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1 focus on the issue of repository availability in
2 these public meetings and there's understandably a
3 lot of frustration regarding the politically
4 motivated delays in siting and constructing a
5 geologic repository in the United States. It's worth
6 noting that the NRC's role in a Federal repository
7 program is distinct from the agency's consideration
8 of repository availability when it licensed
9 commercial nuclear power reactors.

10 Focusing on the NRC's role in the
11 Federal repository program, it's important to
12 understand that the NRC is not responsible for
13 siting, constructing, or operating a geologic
14 repository for used nuclear fuel. Under the current
15 legal framework, that responsibility falls squarely
16 with the Department of Energy. Instead as the D.C.
17 Circuit recently reiterated, the law requires that
18 the NRC review DOE's application, make a decision
19 about whether the proposed repository can be
20 constructed and operated safely.

21 Setting aside decisions regarding the
22 licensing of specific repositories, the relevant
23 question in this proceeding is what, if anything, is
24 the NRC obligated to conclude with respect to
25 repository safety when licensing commercial power

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1 reactors. For the past 35 years, the Commission has
2 characterized the necessary finding as reasonable
3 assurance that methods of safe permanent disposal can
4 be available when necessary.

5 This reasonable assurance finding does
6 not equate to a definitive finding on the safety of a
7 specific repository. In a 1978 decision called NRDC
8 versus NRC, Second Circuit Court of Appeals clarified
9 that halting reactor licensing until definitive
10 findings on repository safety are reached is not
11 required by the Atomic Energy Act. In that decision
12 the court recognized that Congress enacted a
13 framework that calls for development of a repository
14 and parallel with the development of commercial
15 nuclear power in the United States.

16 It's equally clear that uncertainty
17 caused by the political and social resistance to the
18 development of a repository might justify examination
19 of extremely unlikely scenarios such as in a
20 repository scenario in order to satisfy NEPA. But
21 it's not the NRC's role to resolve such uncertainty
22 or cure such resistance.

23 In fact, the same decision -- in the
24 same decision, the Second Circuit concluded that
25 resolution of such political and social resistance to

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1 the development of a geologic repository must come
2 from a legislative branch of government, not the NRC.
3 The primacy of a legislative branch in setting
4 national nuclear energy policy was also stressed by
5 the U.S. Supreme Court in its 1978 decision Vermont
6 Yankee versus NRDC. So absent a clear scientific or
7 technical barrier to achieving safe geologic disposal
8 or continued storage or a drastic change in the
9 Federal Used Fuel Policy completely abdicating the
10 government's responsibility to dispose of used fuel
11 in position of a broad open ended moratorium on
12 licensing commercial power reactors by the NRC would
13 raise serious separation of powers issues.

14 I'll wrap up. I know I'm out of time.
15 I'll end by just saying that, you know, our position
16 is that as an independent health and safety
17 regulator, the NRC has asked and answered the
18 appropriate questions regarding repository
19 availability in the Draft GEIS and Proposed Rule.

20 Thanks for the opportunity to comment.

21 MR. CAMERON: Okay. Thank you Jerry.

22 (Applause)

23 MR. CAMERON: Thank you. Is Alfred
24 Meyer?

25 Emily, do you want to come up? This is

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1 Emily Sack. And then James Slevin, Allegra Dengler,
2 Barbara Kidney. Emily.

3 MS. SACK: Good evening. Thank you.
4 Not that it should really matter, but I, too, live
5 inside the ten-mile zone of Indian Point. When I
6 contemplate 250,000 years, I just ask everyone to
7 think a moment who could even imagine that span of
8 time, and that's the amount of time that this, what
9 is referred to as "Poison Fire" by Joanna Macy, who
10 has thought about these issues a lot, has called it.
11 And how can we conceive words like "always,
12 certainty, leak-proof, safe, rigorously inspected,
13 safely and reliably, and confidence."

14 I have confidence that the sun will rise
15 in the east and basically, death and taxes. But I
16 don't have confidence that any agency could actually
17 take responsibility and carry out a responsibility to
18 deal with this huge, huge issue. When I hear news or
19 information presented as fact, I ask myself what's
20 the source of the information and what does that
21 source have to gain by their so-called facts? Follow
22 the money is my motto, and I respect everyone here
23 who has spoken and who has spoken on both sides of --
24 on whatever side of this issue. However, it cannot
25 be said that somebody who works for the nuclear

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1 industry is disinterested, is a disinterested party.

2 I'm old enough to remember a whole lot
3 of lies starting for me with the Vietnam war, with
4 what got us into the Vietnam war, the Iraq war,
5 asbestos poisoning, the tobacco industry, the risks
6 of smoking and enough of the lies except the lie
7 about clean nuclear power. When -- it's true that
8 nuclear energy doesn't produce carbon in the actual
9 production of energy of electricity. However, from
10 the start of mining and building and all the other
11 things that go into making a plant startup, there's
12 plenty of damage done and it's not economical. It's
13 definitely not economical. Amory Lovins, a brilliant
14 scientist who works on practical solutions and is a
15 co-founder of the Rocky Mountain Institute, has said
16 nuclear power is not -- is not viable and that
17 efficiency and the development of more sustainable
18 methods of getting energy are the way to go but --

19 MR. CAMERON: Emily --

20 MS. SACK: Yes. I just urge everybody
21 to look up on Google Joanna Macy and her idea for the
22 storage onsite of this poison fire and the creation
23 of communities around each site that will keep the
24 story -- that will tell the story of the poison fire
25 for generations and generations and pass it along so

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1 that as people come up, they know that this is
2 something that they have to respect and that as
3 science and storage improves, the most up-to-date
4 storage will be taken and --

5 MR. CAMERON: Thank you.

6 MS. SACK: Thank you very much.

7 MR. CAMERON: Thank you Emily.

8 (Applause)

9 MR. CAMERON: Is James Slevin? James
10 Slevin. How about Allegra? Okay. And then Barbara
11 Kidney, Mark Fry, Andrew Dalton, Steve Laifer. And
12 this is Allegra?

13 MS. DENGLER: Yes.

14 MR. CAMERON: Hi.

15 MS. DENGLER: Hi. Boy, this is a great
16 crowd to stay until the bitter end. Allegra Dengler.
17 I'm representing the Sierra Club. I have some
18 remarks, but I think I'll leave those to written
19 remarks because I can't fit it in three minutes.

20 Indian Point contains almost three times
21 the amount of radioactive material in the spent fuel
22 pools that are causing so much trouble from
23 Fukushima. Three times as much radiation in the
24 spent fuel pools. But, on the other hand, Indian
25 Point is number one. We're -- Indian Point is number

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1 one in safety violations of any plant in the United
2 States. It's number one in the risk of earthquake
3 damage of any plant in the United States. It's
4 number one in the risk of flooding of any plant in
5 the United States. It's number one in the most
6 impossible evacuation plant -- plan of any plant in
7 the state. It's number one in the most risk to the
8 most people of any plant in the United States.

9 (Applause)

10 MS. DENGLER: And it's number one in
11 risk to the United States economy of any plant in the
12 United States. World Series night, Yankees alone is
13 an over three billion dollar economic industry within
14 this -- within the 50 miles, within 20 miles.

15 There is nothing generic about Indian
16 Point and if any of this rulemaking should address
17 the worst-case scenario at Indian Point, what you do
18 with this waste? Staying on the theme of waste, just
19 segue way into "S*T happens." Just speaking from
20 myself, we're remembering Sandy. A year ago my
21 family lost our little beach house out at Breezy
22 Point Queens. It was one of the 135 houses that
23 burned. 345 houses were destroyed. Most of those
24 were owner occupied. In July, the big tree in my
25 backyard got caught in one of these little micro

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1 bursts and was broken off and dropped on my house,
2 and I still have, you know -- I'm dealing with
3 contractors, roof repairs, no heat. So I personally
4 am feeling that climate change is personal. It's
5 real. It's here. My personal pain, economic
6 dislocation is nothing compared to what other people
7 are suffering from climate change around the world.

8 In Breezy Point my neighbors, for whom
9 these were their primary homes that they lost, where
10 there's nothing left now but sand, but we can --
11 somehow or other people will go back to Breezy Point.
12 Now you look at the maps there's nothing there. In
13 two years, three year it will be back, but you look
14 at those same maps of Fukushima, people aren't going
15 back. Tens of thousands of people are never going
16 back, so just make -- put this waste, which is now
17 overflowing these spent fuel pools, into dry cask
18 storage immediately and stop creating more of the
19 stuff.

20 MR. CAMERON: Thank you.

21 MS. DENGLER: Thank you.

22 MR. CAMERON: Thank you Allegra.

23 (Applause)

24 MR. CAMERON: This is Barbara, and then
25 we're going to go to Mark. Thank you. This is

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1 Barbara.

2 MS. KIDNEY: Hello, my name is Barbara
3 Kidney. I live in southern Ulster County. I work in
4 Orange County, and I'm here in Westchester County
5 tonight having shut my business down early and, you
6 know, coming, as you all have, to stay for a very
7 long meeting because I think this is such a very
8 important issue. And -- but it's kind of hard for me
9 to make a coherent statement for a couple of reasons.
10 One, I'm about to fall asleep through my own remarks.
11 Secondly, other than that, the situation is so
12 absurd, is it not? I mean here we are, hard-working
13 people coming from all over the place.

14 (Applause)

15 MS. KIDNEY: And it's kind of like we're
16 having this long meeting to determine "Gee, is it
17 safe to drink the arsenic," you know. You know, is
18 it safe to jump off a ten-story building? Well,
19 we're at story number five. Everything is cool,
20 right, why worry? It's safe, you know, it's that
21 kind of thinking. So I'm just going to touch on a
22 few points to emphasize a few points that other
23 speakers have made so well.

24 The denial process, you know, Daniel
25 Fullerton, I think, touched on that. By trade I am a

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1 psychologist, so I think I'm somewhat, you know,
2 equipped to deal with the issue of denial and
3 dysfunctionality, as in, "Well, sure, I drink five
4 quarts of vodka today, but I'm not an alcoholic.
5 Come on, you know."

6 So anybody who has any kind of
7 intelligence or is past the age of five knows for
8 sure that nuclear energy is very unsafe. But --
9 thank you. But a process that human beings, we all
10 engage in this at times, is rationalization, right.
11 If a truth is too inconvenient, we generate pseudo
12 reasons why what we're doing that's really dangerous
13 is really okay. So that's something that's going on.
14 Thank you.

15 The other thing I would like to point
16 out and emphasize again, is of course, how shall I
17 put this? Well, I will put it this way. In a
18 functional society the decision-making on any issue
19 would not be open to anyone who has a vested interest
20 in the outcome of that decision, right.

21 (Applause)

22 MS. KIDNEY: Meaning -- meaning of
23 course that the honorable thing is that if you're
24 making money off of, say, Indian Point, you recuse
25 yourself from decision-making about waste storage and

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1 whether it should be open because even if you try to
2 be devoid of the conflict of interest, it's going to
3 be there and present, you know, your livelihood
4 depends on it. And for those people who are making a
5 living by, you know being engineers or management
6 people or secretaries at Indian Point, yes, I have
7 sympathy for your predicament, but it's kind of like,
8 you know, you're making money off something that's
9 very dangerous.

10 The witch burnings in Europe went on for
11 300 years because the interrogators of witches and
12 the people who made instruments of torture for the
13 interrogation, it was a big money-maker in Europe,
14 you know. We got to put money behind good stuff that
15 we need and take it away from poisoning the water,
16 poisoning the air, poisoning the earth, poisoning
17 ourselves, et cetera.

18 Thank you.

19 (Applause)

20 MR. CAMERON: Thank you Barbara. And
21 this is Mark. Mark Fry.

22 MR. FRY: Good evening. My name is Mark
23 Fry. I live in Sleepy Hollow, New York, and in spite
24 of the fact I have on a nice jacket, I want to point
25 out I am an environmentalist. That I do not

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1 represent --

2 (Laughter)

3 MR. FRY: -- the United States Nuclear
4 Regulatory Agency. Let me see if I -- can I get this
5 a little closer. I guess I'll just lean forward.

6 I want to give a little different
7 perspective on this. When I came to Tarrytown in
8 1977, I met an old man. Now, my own grandfather was
9 born in 1882. The old man I met, Wally Buxton was
10 born in 1900, and in the business I owned on Main
11 Street in Tarrytown everyday he gave me a lesson in
12 the history of Tarrytown. So if you ask Wally, "What
13 do you know about 18 Main Street?" He said "Oh,
14 George E. Cole lived there in 1904." I said "Well,
15 how do you know that, Wally?" He said "I used to
16 play with George Cole in 1904." And Wally never
17 drove. I was born before the horseless carriage, and
18 he died on his way to work at a bus stop with his
19 wife at the age of 92.

20 He'd seen a lot of changes in Tarrytown.
21 He -- we only had in the building I ended up buying
22 at 18 Main Street and restoring, we had gas lamps,
23 gas lamps. And the -- all of the piping was still
24 there, and I was helping the electrician remove the
25 old dead piping, and he was telling a story, "Oh, in

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1 Yonkers we found out it was still live." I said "Oh,
2 man, I'm glad that's not true here." Well, it was.
3 We wrenched open a pipe in the attic and it was still
4 live. Everything had been taken out 40 years -- I'm
5 sorry, 50 years previously except for one pipe
6 running up behind the wall against the foundation.

7 Fortunately, we were able to shut that
8 gas off, find -- I'm sorry, okay, one minute to go.
9 Prevented an explosion, but I'm here to talk first of
10 all, let me jump to a legal conclusion. I write
11 DEIS's for a living and I -- not for a living, but
12 I've had occasion to write them.

13 Let me jump to my conclusions first of
14 all on this and I analyzed them. I don't think I
15 agree with Philip Musegaas of RiverKeeper absolutely
16 that this particular -- there cannot be a Generic
17 Environmental Impact Statement. It is not sufficient
18 when there's a broad variety of different risks at
19 different locations, so I reject the very basis of
20 it.

21 Secondly, I have analyzed a lot of --
22 enough of the DEIS's, usually looking critically at a
23 developer's DEIS, to make a couple of points. It's
24 like the old -- what they used to say about
25 computers, garbage-in, garbage-out. And when I look

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1 at this Generic EIS and I see line after line of
2 small risk, small risk, small risk, it's their
3 unsubstantiated assertions and conclusions based on
4 those unsubstantiated assertions are necessarily
5 false.

6 We've gone through a lot of
7 technologies. The coal that we were mining, we
8 thought was harmless and we found that tens of
9 thousands of people died of black lung disease. The
10 manufactured gas that was manufactured here in
11 Tarrytown, \$14,000,000 to clean up the coal tar. We
12 thought that --

13 MR. CAMERON: Mark, could you give us
14 the rest -- I think we would like to hear the rest of
15 your conclusions, but if you could just wrap up.

16 MR. FRY: Yes, I will

17 MR. CAMERON: Thank you.

18 MR. FRY: I should note, I think
19 RiverKeeper certainly, I've been a member of
20 RiverKeeper, Clearwater, and so forth, but all of the
21 new technologies we've gone through whether it was
22 leaking gas, gas tanks that have taken out aquifers
23 in Armonk, New York, where I lived, permanently
24 destroyed the aquifer in Wilton. All of these
25 technologies were unproven and brought with them all

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1 kinds of risk that were unmeasurable at the time. We
2 thought it was all safe.

3 We think this is safe. In my view it is
4 not safe technology. We didn't expect the pools to
5 leak. They're leaking into the Hudson River I love
6 right now this minute as we are speaking. These are
7 unacceptable risks. The process by which the risks
8 are being evaluated are unacceptable and I would ask
9 the NRC most respectfully to reject -- answer the two
10 questions in the negative. I don't think we have
11 shown that the safely -- we can safely store spent
12 nuclear fuel for the -- after the operational life of
13 the reactor. And I don't think we're going to have
14 an answer in 60 years. I was in Germany recently.
15 They have a fabulous sustainable energy program.
16 It's incredible the progress we've made. Let's make
17 that our model going forward.

18 MR. CAMERON: Okay. Thank you. Thank
19 you Mark.

20 (Applause)

21 MR. CAMERON: And is it Andrew, Andrew
22 Dalton and Steve later if he's still here. Then
23 Craig Waters, Eric Burgher, and Susan Kelly.

24 MR. DALTON: Yes, my name is Andrew
25 Dalton and I think it's time for a major shift in

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1 thinking towards evaluating risks and, you know, et
2 cetera. And I'm going to call upon somebody whose
3 name may ring a bell, Dick Cheney. Remember him? He
4 used to be vice president. He said the following
5 about a completely different matter, the war on
6 terror. Sometime after 9/11 he is supposed to have
7 said this, "You may convince me that the risk of
8 another 9/11 attack on our country is low. Low
9 probability we'll call it, but if it does happen, the
10 consequences will be huge. So we will call it low-
11 probability, high-consequence equation."

12 Bringing the top around to this one, I
13 could believe perhaps, I don't really, but I could
14 believe everything I've heard from, you know, the
15 union gentleman from Indian Point, the engineer about
16 the safety of the casks, the young people talking
17 about clean energy and how we need it. I could
18 believe all of that and yet I'm still stuck with this
19 low-probability, high-risk equation.

20 Low probability is not the same thing as
21 saying no -- no possibility, right. I keep hearing
22 this phrase "small risk" in the GEIS, but small risk
23 is not no risk, and unless we had -- we really have
24 no risk in all of this, the consequences are so huge.
25 We spent millions and billions of dollars in pursuit

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1 of Cheney's idea about low risk but high probability,
2 so we have the war on terror. If we use the same
3 kind of thinking towards solving our energy problems,
4 getting rid of the low-risk nuclear and, you know,
5 some of the other things that are also low risk, I'm
6 sure like fracking, and really put that same
7 attention, you know, into solving our energy and
8 environment problems that we're putting into the war
9 on terror, I think we could do it.

10 I mean frankly, if Germany, the high-
11 energy use country that it is, can do away with
12 nuclear power plants, why can't the states?

13 (Applause)

14 MR. CAMERON: Thank you. Thank you very
15 much.

16 Is Steve Laifer here?

17 How about Craig Waters or Eric Burgher?

18 How about Susan Kelly?

19 Janet Marcley-Hayes? Here she is.

20 MS. HAYES: I will be brief. It's so
21 fundamentally and fearsomely apparent that a mistake
22 has been made. Starting to generate nuclear energy
23 before a plan was formulated regarding the used rods
24 was the mistake and is now a huge problem.

25 We can stop compounding this mistake by

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1 closing operations until such time as we have a
2 solution to that problem. There is a time for every
3 purpose, to make mistakes and a time to recognize
4 that a mistake has been made and to stop making that
5 mistake.

6 It is so absurd. It reminds me of "How
7 do we make pigs fly?" Well, we don't know, but let's
8 just forward -- go forward as if we did know and drop
9 them out of planes and hope a plan will be developed
10 before they land. It's double speak. Waste
11 Confidence. I mean the ministry of truth has been at
12 work folks.

13 (Applause)

14 MS. HAYES: We have to close the nuclear
15 reactors, put that money, the millions and billions
16 of dollars into developing renewable energy. It's
17 not that hard.

18 Thank you.

19 (Applause)

20 MR. CAMERON: Thank you very much.
21 Thank you.

22 Ayumi Mergee?

23 AUDIENCE: She had to leave.

24 MR. CAMERON: Okay. And I think
25 Lawrence. Lawrence Salley probably left. I think he

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1 was here earlier. George Klein. There's George.

2 MR. KLEIN: Hi. Thanks to the Nuclear
3 Regulatory Commission for holding these hearings and
4 I beseech you to live up to your title there. You
5 probably can't see it back there. It says
6 "Protecting people and the environment."

7 I'm George Klein. I'm the Chairman of
8 the Sierra Club Lower Hudson Group which has about
9 4,000 members in Westchester, Rockland, and Putnam
10 counties, and we have called for years for the
11 closure of Indian Point, as has the state entity of
12 the Sierra Club.

13 I live about six miles from Indian Point
14 and I'm speaking for the Sierra Club. I'm speaking
15 as a grandfather and as a father. The remarks I'm
16 going to read were written by Laurie Seeman of New
17 City, New York, over in Rockland. She is a member of
18 the Rockland Water Coalition and a member of the
19 Sparkill Creek Watershed Alliance and the Director of
20 the Strawtown Studio.

21 "I have no confidence that under any
22 rules that waste stored at Indian Point will be
23 handled appropriately." This is Laurie speaking.
24 "Recently I received a Geiger counter to take part in
25 the project for monitoring radiation from levels in

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1 our atmosphere caused by Indian Point for citizens to
2 live within the ten-mile dead zone. The impossible-
3 to-evacuate zone, and I work with children. The
4 experience of using the Geiger counter makes the
5 reality of Fukushima so profoundly real.

6 I've seen a documentary with the
7 citizens of Fukushima with Geiger counters. It is
8 haunting to walk about with a Geiger counter thinking
9 of what it means that we need a detection program.
10 We can only hope that this detection program is only
11 going to be something that will wisely inform the
12 shutdown of Indian Point and never to become a
13 program that tells us which of our beds and pillows
14 are too contaminated to lay down on at night.

15 When the women farmers from Fukushima
16 came here a year ago, as they did, that is one thing
17 that they said that stuck with me hard. That in
18 Fukushima they had no place to rest safely at the end
19 of each exhausting day. This is traumatic. Imagine
20 you go to lie down and you know your pillow was
21 contaminated with radiation.

22 Then also imagine that your family is
23 divided maybe forever. The elders did not want to
24 leave their homes. Men stayed behind to work while
25 women left with children. Imagine. Imagine. But

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1 don't just imagine. People need to realize the
2 vulnerability we live with every day with Indian
3 Point is tick-tocking toward the eventuality of
4 causing increased sickness. The women of Fukushima
5 came here to tell the people of the Hudson Valley and
6 the NRC 'learn from Fukushima. Do not let this
7 happen to you.'"

8 MR. CAMERON: And could we -- can we put
9 that on the record.

10 MR. KLEIN: Yeah, I'm going to give it
11 to you and you can put it on record.

12 MR. CAMERON: Thank you. Can you just
13 wrap up for us.

14 MR. KLEIN: But let's -- let's close
15 Indian Point and the many tons of radioactive
16 material that are impounded at Indian Point. If we
17 relicense Indian Point we're going to add at least 50
18 percent more. This is -- this is lunacy. Thank you.

19 MR. CAMERON: Thank you. Thank you very
20 much.

21 (Applause)

22 MR. CAMERON: Thank you very much. Is
23 Susan Leiter. Hi Susan. Do you want to come up and
24 speak?

25 MS. LEITER: I don't know if you can

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1 stand it anymore.

2 MR. CAMERON: And thank all of you for
3 hanging in there. This is Susan.

4 MS. LEITER: Hi. I work with the Sierra
5 Club, and I also work with a group of Close Indian
6 Point people called Stony Point 55. And I'm
7 listening to all of this and I'm thinking we're
8 dealing with Entergy. It's a specific corporation.
9 It does specific things. Its stockholders decided
10 not to change the spent fuel rods that were ready to
11 go into dry cask. Only 15 percent of them in dry
12 cask. 85 percent is left and they don't do anything.
13 They don't care about it. Who is going to pay for it
14 when they depart from the scene?

15 Entergy ran Indian Point during Sandy.
16 The buses had been canceled the day before. The
17 trains had been canceled the day before. There were
18 logs all over the roadways. They had no evacuation.
19 Not even a pretend evacuation. And still they
20 decided to keep running it. We're leaving the
21 responsibility for something as dangerous as this to
22 a corporation that doesn't act as if it cares. It
23 doesn't believe that its responsibility is to take
24 some of the profit and put the spent fuel rods that
25 are aged enough out of the pools which are too

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1 crowded and put them in dry cask.

2 I don't believe the Nuclear Regulatory
3 Commission can actually twist it enough to follow --
4 get them to follow anything that's real and I'm not
5 assured that their staff, their engineers, and
6 anything have a bigger picture in mind. And so, I
7 would say let's close Indian Point.

8 (Applause)

9 MR. CAMERON: Thank you Susan. Thank
10 you very much. Rachel Clark, Elizabeth Segal and
11 Laurie Evans and Andrea Sadler. Rachel or Elizabeth.
12 Elizabeth Segal is here.

13 MS. SEGAL: Good evening. So I'm
14 Elizabeth Segal. I live right here in Tarrytown and
15 like at least one of the other speakers, I don't have
16 prepared remarks and I don't think I will be nearly
17 as eloquent as that person was because I was very
18 impressed.

19 So first of all I -- to me it is, yes,
20 incredible that we continue to generate profoundly,
21 profoundly toxic material whose toxicity lasts, as
22 many people have said, beyond our imaginations and
23 which I do not have any confidence that we can store
24 safely. I don't -- I don't think anybody has figured
25 that out, and the one thing that I think I can maybe

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1 add to this conversation is, two people spoke about
2 the program in Finland. And there is a wonderful
3 movie whose name I can't remember now, but I'm going
4 to -- Here to Eternity, right. Sorry, Into Eternity,
5 and it is about the program in Finland Onkalo. It is
6 a -- I'm going to send that to this email and I
7 really hope that everybody involved in anything at
8 the NRC watches it, because what is really impressive
9 about it is that on the one hand, if you could think
10 of the ideal way of doing this, Finland of course is
11 relatively remote and certainly not extremely densely
12 populated, and they have picked a site that is as
13 much in the middle of nowhere as you could possibly
14 imagine. I believe the geology is such that the rock
15 base is very firm. They are going incredibly far
16 down.

17 This is all shown beautifully in the
18 film, and yet despite all of that, the risks and the
19 problem of beginning to deal with what is going to
20 happen in 1,000 years, 2,000, there are lots of very
21 interesting problems, and they would be more
22 interesting if they weren't endangering the entire
23 planet.

24 One of the people asked the -- I think
25 it was Darcy, what language are the signs going to

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1 say? Well, they are dealing with that. They're even
2 dealing with the question of should there be signs.
3 What would it mean to people if they say, you know,
4 don't go, this is very dangerous. Some people might
5 react and think oh, there's something there that I --
6 anyway, so Onkalo, the Into Eternity film shows both
7 sort of what the best-case scenario of best minds
8 trying to deal with the storage and despite all that,
9 the fact that it is far from inadequate -- far from
10 adequate.

11 MR. CAMERON: Thank you.

12 (Applause)

13 MR. CAMERON: Yes, sir, if you could
14 join us up here and just introduce yourself to us.

15 MR. MEYER: Hi, my name is Bill Meyer.
16 I'm with the Sierra Club as well. I'm the
17 Conservation Vice Chair for the Chapter of New York
18 State. In 1972, the Sierra Club National Group first
19 voted to stop nuclear energy generation in this
20 country, and we're continuing to do that here today.

21 I would like to thank the NRC for having
22 us and Attorney General Schneiderman for making this
23 issue come to the courts.

24 First, I would like to dispel the myth
25 that nuclear power is carbon-free energy. It is the

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1 seventh most carbon-intensive energy source we have.
2 Uranium mining is one of the most fossil-fuel
3 intensive industries out there. Converting
4 yellowcake into uranium is very fossil-fuel intensive
5 and transporting the fuel is very expensive as well
6 and takes a lot of truck trips.

7 Nuclear energy in general is the most
8 expensive way we have in the world to generate power.
9 I don't know why we're still generating power using
10 nuclear energy. The fact is that cheaper wind is
11 closing down nuclear power plants. Yankee -- Vermont
12 Yankee closed because it was losing money.

13 The only nuclear power plants being
14 built in this country are in South Carolina, and they
15 have to pre-charge their rate payers in order to
16 afford to build these plants, and these rate payers
17 are also paying for the cost overruns of these
18 plants. These plants are unsustainable economically.
19 They're also unsustainable environmentally. We need
20 to take away government-subsidized insurance policies
21 for these plants.

22 (Applause)

23 MR. MEYER: We need to stop the farce
24 that we can find safe geological storage for nuclear
25 waste for 250,000 years. Once we stop the farce and

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1 take away the nuclear-subsidized policy, there will
2 be no nuclear industry in this country or anywhere
3 else.

4 We heard from nuclear storage engineer
5 earlier tonight. Do you think there's a conflict of
6 interest there. He testified unequivocally that
7 storage systems for spent nuclear fuel work, that
8 they are tight, and that there is no possible way for
9 these systems to leak. Well, I have news for all the
10 other engineers who have worked on these systems.
11 They are leaking.

12 Vermont Yankee closed in part because it
13 was leaking and it was too expensive to dig up all
14 the miles of pipes to figure out where the leak was.
15 Indian Point is leaking. There are plants across the
16 country leaking as we speak. This is what scares me
17 the most. Engineers make questionable assumptions to
18 support their designs. Designs that may be built
19 under conflict of interest, that is to support the
20 nuclear industry.

21 This GEIS, the flaws in this GEIS make
22 this clear that there are conflict-of-interest
23 issues. No matter how much detail goes into these
24 designs, there will be unforeseeable circumstances in
25 the future that future generations will have to bear.

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1 With all due respect, the engineers who
2 have made these assumptions in the GEIS should be
3 ashamed of themselves. These are real people lives
4 that we're talking about.

5 (Applause)

6 MR. CAMERON: Okay. Thank you Bill. Is
7 Laurie Evans here?

8 MR. MEYER: One more point here to make.
9 It's not here. Oh, yes. How can we trust NRC when
10 we see all of these flaws in their assumptions? The
11 point I would like to make here is that the system
12 for long-term mined geological storage has failed.
13 We see that through Yucca Mountain, through the salt
14 caverns in Kansas, and I would ask the nuclear -- NRC
15 to -- the only solution we could have is to
16 immediately stop generating all nuclear power. Move
17 to wind, solar, and efficiency. Thank you.

18 MR. CAMERON: Okay. Thank you.

19 (Applause)

20 MR. CAMERON: And this is Laurie, Laurie
21 Evans.

22 MS. EVANS: Hello, my name is Laurie
23 Evans. I'm Director of Westchester Safe, and I've
24 been a resident of Westchester for 26 years. I'm
25 here to say "No confidence."

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1 An image I have in my mind right after
2 Fukushima is a young mom in a shelter with her five-
3 year-old and she said "Before the accident I didn't
4 think about it. Now my husband is still working at
5 the plant after the accident, and I don't know what
6 our future holds."

7 Another person trained as a nuclear
8 physicist, her sister asked her "What is the impact
9 on human health?" She said "We didn't learn that in
10 our studies."

11 And I was with Laurie Seeman the day we
12 met with the organic farmers, the moms from Fukushima
13 a year ago, who said they had to send their soil to
14 France to be tested, and that instead of protecting
15 their children at the schools, the government raised
16 the allowable levels.

17 Last week at an event on nuclear energy,
18 Naoto Kan, the prime minister of Japan when Fukushima
19 occurred, said that he had been a supporter of
20 nuclear power, but after the Fukushima accident I
21 changed my thinking 180 degrees. He said that the
22 first days of the accident it looked like an area
23 that included Tokyo. He said "We do have accidents
24 such as an airplane crash and so on, but no other
25 accident or disaster can affect 50 million people."

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1 And Jaczko, the former NRC Chair, said Fukushima
2 exploded the myth that severe accidents wouldn't
3 happen. Severe accidents can and will.

4 Just yesterday I got word that more
5 marine life is dying in the Pacific Ocean. Food in
6 California is contaminated. It's time now to shut
7 down Indian Point and put the fuel that is already
8 there into dry cask storage.

9 Thank you.

10 MR. CAMERON: Thank you. Thank you very
11 much.

12 (Applause)

13 MR. CAMERON: Is Andrea Sadler here? Or
14 perhaps Edie Kantrowitz?

15 Paula, Paula Gotsch? Katherine Congdon?

16 How about Blake Rowe? Or Joe Porrovecchio?

17 Jackie Drexler?

18 Jocelyn DeCrescenzo -- Jocelyn, is that you?

19 Good.

20 MS. DECRESCENZO: (Inaudible)

21 MR. CAMERON: So I guess we got you just
22 in time.

23 And DeCrescenzo?

24 MS. DECRESCENZO: Actually, that's my
25 sister Josie.

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1 MR. CAMERON: Oh, that's Jocelyn.

2 MS. JACKIE DECRESCENZO: I'm Jackie.
3 Thank you. So it's a pleasure to be here once again.
4 And I'm usually quite eloquent. I really respect
5 everyone that has spoken tonight. But all I can
6 think of, and I know this is going to be very crude
7 and rude, all I can think of is my father, who really
8 would have just been aghast at what is going on. And
9 all I can think of is the expression he told me once.
10 All you can do is put your head between your knees
11 and kiss your ass goodbye. That's all.

12 (Applause)

13 MR. CAMERON: That's your sister?

14 MS. JOCELYN DECRESCENZO: Yes.

15 MR. CAMERON: All right. Okay. This is
16 Jocelyn.

17 MS. JOCELYN DECRESCENZO: Yes.

18 Yes, here we are again. Some things
19 never change it seems. I have absolutely no
20 confidence in the NRC. I'm actually just going to
21 look at you four gentleman because you are from the
22 NRC, yes? Yes.

23 I'm really shocked by the audacity that
24 you have presented such a general document for Indian
25 Point. And I know I should say thank you for being

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1 here, but I don't thank you. You had two years to
2 work on similar problem with Indian Point and nothing
3 is done. It's just another rubber stamp.

4 I think your arrogance is shameful and I
5 don't know how any one of you can look at me full in
6 the face and tell me that I am safe.

7 I'd like to hear one of you say that to
8 me.

9 MR. McCONNELL: We believe, as we said
10 in the report, that spent fuel can be stored safely.

11 MS. JOCELYN DECRESCENZO: I don't
12 believe that. And I'm -- I'm very upset. I think
13 quite honestly that you've all insulted the
14 intelligence of many people here tonight, and I am
15 really shocked and dismayed by this, so that's all I
16 have to say. I want Indian Point shut down
17 immediately if not sooner, and I agree with my
18 sister's statement that you can -- well, she said it
19 very well. I don't need to repeat that.

20 So do your jobs and protect the public.
21 I am the public. You are the public too. Protect
22 me. That's your job so do it. Thank you.

23 (Applause)

24 MR. CAMERON: Is Bob, Bob Corn? Or Joe
25 Asarat?

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1 Well, I think that we've covered
2 everybody and again, thank you for your patience and
3 concern and comments. And we usually -- we're going
4 to ask Keith McConnell to just close the meeting for
5 us. Keith.

6 MR. McCONNELL: Just as Chip said, we do
7 want to thank you for your participation. We want to
8 thank you for keeping with us through this long
9 meeting, and also, thank you very much for staying
10 within the time and allowing all your colleagues and
11 all your residents here to be able to participate and
12 to provide their input, so we appreciate that very
13 much.

14 So thank you and goodnight.

15 (Time noted: 10:45 p.m.)

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