

Official Transcript of Proceedings
NUCLEAR REGULATORY COMMISSION

Title: Waste Confidence Proposed Rule and Draft
 Genetic Environmental Impact Statement

Docket Number: NRC-2012-0246

Location: Orlando, Florida

Date: Wednesday, November 6, 2013

Work Order No.: NRC-356

Pages 1-91

NEAL R. GROSS AND CO., INC.
Court Reporters and Transcribers
1323 Rhode Island Avenue, N.W.
Washington, D.C. 20005
(202) 234-4433

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

UNITED STATES OF AMERICA

NUCLEAR REGULATORY COMMISSION

+ + + + +

WASTE CONFIDENCE PROPOSED RULE

AND

DRAFT GENERIC ENVIRONMENTAL IMPACT STATEMENT

+ + + + +

Wednesday, November 6, 2013

Hyatt Regency Orlando International Airport

Briefing Room

Orlando, Florida

The above-entitled hearing was conducted
at 7:00 p.m.

BEFORE: MIRIAM JUCKETT, Facilitator

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

I N D E X

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

<u>AGENDA</u>	<u>PAGE</u>
I. Welcome and Ground Rules	4
II. Opening Remarks	8
III. NRC Staff Presentation	12
IV. Q & A	17
V. Public Comments	20
VI. Closing	
Keith McConnell	90

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

P R O C E E D I N G S

7:03 P.M.

MS. JUCKETT: I'd like to welcome you to this evening's Nuclear Regulatory Commission Public Meeting on the Draft Generic Environmental Impact Statement and Proposed Rule for Waste Confidence.

My name is Miriam Juckett and I'll be your Facilitator for this evening's meeting, and I'll be given some help in the back here by Sarah Lopas.

I'd like to go over just a couple of items with you before we start the substance of this evening's meeting, just some brief introductions and an explanation of what's going to happen here tonight.

The objective of this evening's meeting is for the NRC staff to be able to hear your comments and your recommendations on the Draft Generic Environmental Impact Statement, which we'll be referring to as the GEIS.

The staff will be listening to your comments and will take them back to consider in the finalization of the Generic Environmental Impact Statement and Proposed Rule, which will be released in a few months.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 So, this evening what we're going to do is
2 a very quick presentation by our NRC staff and then
3 we'll go to the comment period. And, in between,
4 before we go to comments, we'll have a very brief
5 question and answer period. We'll take just a couple
6 of questions to help make sure that everybody's
7 understanding the schedule and the process that will
8 be used to finalize the EIS.

9 So, a couple of housekeeping items. We
10 want to make sure that everyone knows too that you can
11 submit comments through writing. We have a couple of
12 avenues available that our speakers will be
13 discussing. And all of the comments, whether at
14 tonight's meeting, at another meeting, or submitted in
15 writing, will be considered equally in the
16 finalization of the EIS.

17 Another thing that I would like to mention
18 is that when we do go to the question and answer
19 period we will not be considering those as comments.
20 So if you do have comments you would like to make,
21 please make them during the comment portion of the
22 meeting, which I'll make sure is very clear.

23 And also, we want to make sure that you
24 know that outside in the hallway we have several of
25 the NRC staff members who are here that were authors

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 on the GEIS and will be happy to answer your
2 questions. So while the NRC staff will be listening
3 carefully to what you have to say, they're not going
4 to be responding to the comments this evening. We're
5 just here to listen and those comments will be
6 considered. But if you want to talk to somebody and
7 get some in-depth information, we're happy to have
8 some people out in the lobby for you to speak to.

9 When we do go to the comment portion, if
10 everyone would just wait for me to call your name, and
11 you can come up here to the microphone that's on stage
12 and we'll take your name, affiliation, and then you
13 can speak for about five to seven minutes. We've got
14 several people here that want to speak, and we're not
15 going to have a hard time on how long you can speak
16 tonight, but we're asking people to stick to about a
17 five to seven minute comment just to start off with.
18 And if we do have time, we'll go ahead and go to a
19 second round of comments if time allows and if
20 everyone still wants to speak.

21 Last but not least, just a few
22 housekeeping items. They've got some stairs on both
23 sides coming down to the podium to speak. Please
24 watch your step, don't trip up and down stairs.
25 Restrooms are out the doors, through the double doors

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 to your left, if you happen to need them.

2 We do have feedback forms available.
3 They're on your tables in front of you, or if you
4 didn't see one here you can pick them up outside. The
5 feedback forms are just to help us to understand
6 whether you felt like tonight's meeting was
7 productive, and if you have comments on how we can
8 improve in the future we'd love to hear them.

9 We also have a few forms available that
10 are just blank comments sheets. Something occurs to
11 you that you would like to write down as a written
12 comment, we'd be glad to take that. Just give it to
13 any of the NRC staff who are here and they'll be glad
14 to take those comments.

15 Up here we have Gretchen, who is going to
16 be our stenographer for this evening's meeting. All
17 of the comments will be transcribed and the comments
18 will be available in a transcript online after the
19 meeting.

20 One other item that's a little bit
21 different for tonight. If you parked on the site
22 without the SunPass, we have parking vouchers
23 available at the registration desk. So please pick
24 those up on your way out if you didn't already receive
25 one.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 So, with that I'd like to go ahead and
2 introduce tonight's speakers. Our first speaker will
3 be Dr. Keith McConnell, who is the Director of the
4 Waste Confidence Directorate, and our second person
5 will be Andy Imboden, who is the Branch Chief for the
6 Communications and Rulemaking branch. We also have
7 here Sarah Price, who is from our Office of General
8 Counsel.

9 And, I want to make sure to also thank TR
10 Rowe and Susan Wittick, who I'm not sure -- TR's in
11 the very back there and Susan is at the registration
12 desk. They do a lot of our logistics and things to
13 make these meetings possible and we really appreciate
14 their work.

15 So with that, I would like to turn it over
16 to Keith McConnell for our opening presentation.

17 DR. McCONNELL: Okay. Thank you, Miriam.
18 As Miriam's indicated I'm Keith McConnell and I'm the
19 Director of the Waste Confidence Directorate at the
20 Nuclear Regulatory Commission.

21 I do want to welcome you here tonight,
22 along with Miriam, to this public meeting on the --
23 what's called the Waste Confidence Rule. The purpose
24 of tonight's meeting is to gather public comment on
25 the Draft Generic Environmental Impact Statement and

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 Proposed Rule for the continued storage of spent
2 nuclear fuel after the operating life of a power
3 reactor until it's disposed of in a geologic
4 depository, otherwise known as the Waste Confidence
5 Rule.

6 These two documents, the Draft Generic
7 Environmental Impact Statement and the Proposed Rule,
8 are the combination of the Directorate's activities
9 over the past year to address the U.S. Court of
10 Appeals from the District of Columbia's decision to
11 vacate or void the 2010 version of the Waste
12 Confidence Rule and remand it back to the NRC staff to
13 address certain deficiencies that the Court identified
14 with respect to the analyses of the environmental
15 impacts of spent fuel storage.

16 Given that the purpose of tonight's
17 meeting is to gather comment, as Miriam's indicated,
18 we're going to keep our presentation short and brief
19 so that we maximize the opportunity for public
20 comment. We're doing that even in this sense tonight
21 where we have a limited attendance, in comparison to
22 some of our other public meetings, because we do want
23 to keep the approach consistent throughout the 13
24 public meetings that we are having on this subject
25 matter.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 And as also -- as also Miriam indicated,
2 we do have technical staff here who have written large
3 parts of the Draft Generic Environmental Impact
4 Statement, and they are available to take any question
5 you might have specifically related to those two
6 documents.

7 I do want to start off with a few comments
8 about our rulemaking process at the NRC. Rulemaking
9 is a very important part of what we do, it's how we
10 implement national policy and standards, and it's the
11 mechanism that we use to achieve the NRC's goals of
12 maintaining public health and safety and security and
13 protecting the environment.

14 Tonight's meeting is a very important part
15 of that rulemaking process. It's that part of the
16 process where we collect comments, and, we then take
17 those comments back, analyze them, look at how we need
18 to change the final documents, and then we would
19 provide that information to the Commissioners, the
20 five NRC Commissioners for their consideration in
21 terms of moving forward with this Waste Confidence
22 Rule.

23 So we encourage you to participate
24 tonight, we encourage you to take advantage of the NRC
25 staff that are out in the lobby, and we encourage you

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 to provide us with your perspectives.

2 Tonight's meeting is just one of the
3 mechanisms that we in the Directorate are undertaking
4 to try to make this Waste Confidence Rulemaking effort
5 as open and transparent as we can. In that regard we
6 do appreciate those of you who participated in the
7 scoping process that occurred last fall, and also any
8 of you that might have been participating in our
9 monthly status calls as we try to update the public in
10 terms of where we are in the production process.

11 I would note that the NRC Commissioners,
12 when they reviewed the draft documents, did ask that
13 we include in the Federal Register Notice for the
14 Proposed Rule, four questions soliciting public
15 comment on those specific questions, and they related
16 principally to the format and structure of the Waste
17 Confidence Rule as well as the content of the
18 supporting information for the Rule.

19 We have information out on the table that
20 will direct you to those specific questions, if you
21 need that information. By providing a response to the
22 Commissioners' questions and providing your specific
23 views on those issues, as well as any general comments
24 you might have, it will help us when we revise the
25 final -- revise the Generic Environmental Impact

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 Statement and the Rule, and it will provide the
2 Commissioners with valuable information and insight
3 from you all when they evaluate what the staff does.

4 So, again, we encourage you to participate
5 actively tonight and provide us either oral or written
6 comments. And, with that, I'll turn it over to Andy
7 Imboden and he'll provide a brief description and some
8 background information.

9 MR. IMBODEN: Good evening, my name is
10 Andy Imboden, I'm the Chief of the Communications,
11 Planning, and Rulemaking Branch, and I'd like to add
12 to Keith's welcome and thank you all for participating
13 today. If anyone's interested, there's a hard copy of
14 my presentation outside in the hall.

15 At tonight's meeting I'll give a brief
16 history of Waste Confidence, outline key aspects of
17 the Draft Generic Environmental Impact Statement and
18 the Proposed Rule, and explain how you can comment on
19 the documents. Then, we'll get to the public comment
20 period which is the heart of the meeting.

21 Waste Confidence accomplishes two things.
22 It generically addresses the environmental impacts of
23 continued storage and makes a determination about the
24 feasibility of safe storage and the time frame for
25 repository availability.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 The Draft Generic Environmental Impact
2 Statement for Waste Confidence satisfies part of the
3 Commission's National Environmental Policy Act
4 obligations for reactor licensing and relicensing, and
5 the licensing and relicensing of spent fuel storage
6 facilities.

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

16 The NRC's history with Waste Confidence
17 began in 1984 when the Commission issued the Waste
18 Confidence Rule. Since then the Rule has been updated
19 on several occasions, most recently in 2010. In 2012
20 the Rule was challenged and the Court of Appeals for
21 the D.C. Circuit vacated the 2010 rulemaking.

22 The Court identify three deficiencies with
23 the Commission's environmental analysis that supported
24 the 2010 Waste Confidence Rule. The Court found that
25 the previous analysis did not evaluate the

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 environmental effects of failing to secure permanent
2 disposal of the spent nuclear fuel. The Court also
3 directed the Commission to make a forward-looking
4 assessment of spent fuel pool leaks and the
5 environmental consequences of spent fuel pool fires.

6 The Court stated that a generic approach,
7 either with an environmental assessment or with an
8 Environmental Impact Statement would appropriately
9 address the issues associated with Waste Confidence.

10 Following the Court's decision, the
11 Commission directed the staff to go forward and
12 prepare an Environmental Impact Statement evaluating
13 the three issues the Court identified, also with the
14 possibility of issuing an updated Waste Confidence
15 Rule.

16 So, there are two things I'd like you to
17 remember. The first is that Waste Confidence is just
18 a small part of the overall environmental review for
19 reactor or storage facility licensing or relicensing.
20 Secondly, the Waste Confidence Rule does not license
21 any facility or authorize storage after the expiration
22 of a facility's license.

23 The draft statement describes the impacts
24 of continuing to store spent nuclear fuel beyond the
25 license life for operation of the reactor, whether in

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 spent fuel pools or at independent spent fuel storage
2 installations located at both reactor sites and away
3 from reactor sites.

4 The draft statement describes why the NRC
5 is revising the Waste Confidence Rule, it discusses
6 the alternatives that are considered, it describes how
7 the environmental impacts were evaluated, it describes
8 what facilities are covered, and the environmental
9 impacts of continued storage at reactor sites and away
10 from reactor sites.

11 It also contains information on the costs
12 of the alternatives to the rulemaking, it describes
13 the cumulative environmental impacts of continued
14 storage, and it contains information on the
15 feasibility of a repository and the feasibility of
16 safe storage of the spent fuel.

17 The draft statement assessed impacts of
18 continued spent fuel storage for three time frames
19 based on when a repository might become available.
20 The first time frame is a short term, or 60 years,
21 following license expiration; the second is the long-
22 term, or 100 years beyond the short term for a total
23 of 160 years beyond license expiration; the third time
24 frame is indefinite storage where no repository
25 becomes available.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 The draft statement serves as the
2 regulatory basis for the Proposed Rule. The Proposed
3 Rule would generically address the environmental
4 impacts of continued storage. And these impacts would
5 not be revisited in future site-specific licensing
6 actions unless the NRC discovers something about the
7 site that would make the application of the
8 conclusions in the Environmental Impact Statement
9 inappropriate.

10 The Proposed Rule would revise the NRC's
11 regulations. Specifically the citation in Title 10 of
12 the Code of Federal Regulations Section 51.23. This
13 Proposed Rule states that the analysis supports the
14 Commission's determination that it is feasible to
15 safely store spent nuclear fuel following license life
16 for operation at a reactor.

17 The Proposed Rule also states that it is
18 feasible to have a mined geologic repository within 60
19 years following the licensed life for operation of a
20 reactor. And we are specifically seeking comment on
21 whether the final Rule should contain these two
22 statements.

23 There are several ways to comment. To
24 ensure that your comments are considered they must be
25 received by December 20th, 2013. Mailed comments must

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 be postmarked by that date, December 20th. All
2 comments, whether submitted in writing or provided
3 orally, are considered equally. Some have already
4 commented and others comment later on, and today we're
5 here so that you can tell us your comments on the
6 Draft Generic Environmental Impact Statement and the
7 Proposed Rule.

8 Tonight's comments are being transcribed
9 and will be considered part of the record. You may
10 also leave written comments with the NRC staff,
11 located at the registration table, and we will make
12 sure that those comments are also added to the
13 permanent record.

14 You may also e-mail, fax, or mail the NRC
15 with your written comments. You may also provide
16 written comments using the Federal e-Rulemaking
17 website, www.regulations.gov.

18 That concludes the NRC's presentation.
19 Thank you for your attention. Miriam.

20 MS. JUCKETT: Thank you, Andy, and thank
21 you also, Keith.

22 All right. Now we'll go ahead and take
23 just a couple of questions. And these questions,
24 again, are ones that you might have on either the
25 process or the schedule.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 Does anyone have any questions like that?

2 MR. ROSSIN: Yeah. I think I will.

3 MS. JUCKETT: Just one second, sir. Let
4 me hand you the microphone. Please introduce
5 yourself.

6 MR. ROSSIN: Oh, I'm Dave Rossin. I would
7 like to ask you, who have made the presentations, did
8 the NRC have the option with the Court's decision to
9 respond directly to the issues raised by the Court,
10 since all that information is available and has been
11 for decades, and supply a set of direct answers to
12 those and send it right back to the Court? Did the
13 NRC have that option?

14 MS. JUCKETT: Here, I'll bring you another
15 mic. This is Keith McConnell.

16 DR. McCONNELL: Yeah. After the Court's
17 decision the Commission went through a deliberation
18 process on how it wanted to respond to the Court
19 decision. Given that the Court was fairly specific in
20 what it saw as deficiencies in the environmental
21 analysis, the Commission chose to do a Generic
22 Environmental Impact Statement. That was the approach
23 the Commission decided to take.

24 We are not obligated to go back to the
25 Court. Basically, once this is done, once it goes

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 through the process and the Rule is finalized and the
2 NRC is done, unless it's subsequently challenged again
3 in court.

4 MR. ROSSIN: Which it will be?

5 DR. McCONNELL: Did we answer your
6 question... I guess?

7 MR. ROSSIN: Yes, it's a -- yes, too bad.

8 MS. JUCKETT: Do we have any other
9 questions on process or schedule?

10 Okay. Oh, one more. Hang on.

11 MS. ZUCCARINI: Hi, my name is Ana
12 Zuccarini, I'm from UCF. My question was -- the
13 gentleman was speaking about regulations after the
14 plants are done with their license; that they will
15 keep those wastes in the facilities after the
16 regulations are ended.

17 My question was, what are the guidelines
18 of those regulations after the licensing has ended and
19 who will regulate that?

20 Also, he was speaking about storing these
21 possibly away from those facilities. Where would be
22 the location of these places? Will those also be up
23 for debate, you know, just because of environmental
24 inequalities?

25 MS. JUCKETT: Okay. So if I understand

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 your question correctly, you're asking who will be
2 regulating the waste during the Waste Confidence
3 period, so after the licensed life of the reactors,
4 and where the offsite locations that were mentioned
5 might be. Is that right?

6 MR. ZUCCARINI: Yeah.

7 MS. JUCKETT: Okay, great. This is Andy
8 Imboden.

9 MR. IMBODEN: Yes. Hi, my name's Andy
10 Imboden. Yes, the Nuclear Regulatory Commission would
11 be regulating the storage of spent nuclear fuel,
12 commercial generated fuel, as long as it's out there.

13 What we're doing here tonight is getting
14 comment on what the environmental impacts of that
15 might be should it occur after a reactor's operating
16 life. And in our Draft Environmental Impact Statement
17 we have a chapter on what away from reactor storage
18 might look like. And so, you know, we're asking for
19 comments on that. The NRC would regulate that
20 versatility as well. So, thanks.

21 MS. JUCKETT: Okay. Thank you. Are there
22 any other? We probably have time for one more.

23 (No response.)

24 MS. JUCKETT: Okay. At this time we'll go
25 ahead and go to the comment. And, again, I'll just

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 call your name and if you could come up and speak at
2 the microphone.

3 And one thing I'd like to ask is, I know
4 we may have people in here with differences of
5 opinions and who will have differing points of view
6 from one another. If everyone could maintain, one
7 speaker at a time, and please be polite to one another
8 that we can get a clear transcript and make sure that
9 everybody gets an opportunity to speak.

10 So first of all, let's go ahead and go to
11 James Tulenko. Is James here?

12 My colleague, Sarah, has reminded me to
13 ask, if you do have a cell phone with you, could you
14 please turn it to vibrate or turn it off? Thank you.

15 This is James. And, James, please do
16 introduce yourself with your affiliation. Thank you.

17 MR. TULENKO: Okay. I am Emeritus
18 Professor James Tulenko of the University of Florida.

19 I'm the principal engineer for the
20 consortia fuel for the University of Florida. The
21 University of Florida is part of a six university
22 consortia which is researching the performance of
23 nuclear fuel which may be stored in airtight dry steel
24 or concrete and steel containers for long periods of
25 time exceeding hundreds of years.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 This university research consortia is
2 funded by the Department of Energy and is headed by
3 Texas A&M University and includes universities of
4 Florida, Boise State, Illinois, Wisconsin, and North
5 Carolina State.

6 I am the task leader for the thermo creep
7 of nuclear fuel in long-term storage. Our initial
8 studies indicate the satisfactory performance of
9 nuclear fuel in this long-term storage.

10 I agree with the NRC's definition of
11 proposed action of promulgating of a rule that
12 generically addresses the environmental impact of used
13 fuel storage, making such considerations largely
14 unnecessary in individual licensing proceedings which
15 then would focus strictly on the individual licensed
16 properties.

17 It is important for the Federal Government
18 to put in place a program to safely dispose of these
19 spent fuel assemblies. Nuclear energy is a vital
20 component of the U.S. electrical generation family.

21 I commend the NRC for having these
22 meetings to provide an opportunity for interested
23 parties to provide comments on the Waste Confidence
24 Draft Generic Environmental Impact Statements and the
25 Proposed Rule.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 I would also like to indicate the research
2 teams from the Electric Power Research Institute and
3 our national nuclear laboratories are also forming
4 consortias which are ensuring the safety of the long-
5 term dry storage of nuclear fuel. Thank you.

6 MS. JUCKETT: Thank you. For our next
7 speaker, do we have Berdell Knowles?

8 MR. KNOWLES: Good evening. I'm Berdell
9 Knowles, I am representing the Florida Chapter of the
10 American Association of Blacks in Energy, of the
11 acronym AABE, A-A-B-E is how we're commonly referred
12 to or known as.

13 AABE was formed in the mid-1970s. It's
14 the world's largest organization of African American
15 energy professionals. During the 1970s was a time of
16 the first energy crisis, as this country came to know
17 it. And it was during that time that the African-
18 American community leaders kind of recognized that the
19 way our country responded to that crisis, as well as
20 some subsequent energy crisis, was under-
21 representation of the African-American community, and
22 AABE was found out of that deficiency.

23 So what we're about is representing under-
24 represented communities, economically challenged
25 communities and minority communities. We find it

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 necessary to give those communities voice, make them
2 aware of energy issues, be an advocate for
3 environmental injustice issues, and to advocate
4 responsible energy policy that does not compound their
5 economic plight by imposing unnecessary costs on the
6 communities.

7 I appreciate the opportunity to comment on
8 the behalf of AABE Florida. I think this is important
9 work you're doing because there is really no need that
10 waste handling -- nuclear waste handling should be a
11 barrier to future continued development of nuclear
12 power generation.

13 AABE Florida strongly believes that
14 nuclear energy is an integral part of our national
15 energy plan and must continue to generate an essential
16 share of the nation's clean, non-emitting, zero-carbon
17 baseload electricity.

18 According to the Department of Energy's
19 Energy Information Administration, in Florida, nuclear
20 generates 98 percent of zero carbon electricity. The
21 state's nuclear facilities also provide substantial
22 economic benefit to state and local economies,
23 including high-paying jobs, tax revenue, which helps
24 keep local taxes down, and also funds local services.
25 Property taxes, for example, are much lower than they

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 would otherwise be.

2 On average a typical nuclear facility
3 provides nearly \$500 million in annual economic output
4 including more than \$35 million of employment income.
5 Each year it pays about \$67 million in federal income
6 taxes and nearly \$16 million in state and local taxes.

7 While nuclear energy is a vital part of
8 our state's electricity portfolio and economy, we
9 recognize the need to address issues related to
10 transportation and safe storage of spent nuclear fuel.
11 It's the Federal Government's statutory responsibility
12 to remove used nuclear fuel from nuclear energy
13 facilities -- this is pursuant to Federal law, and was
14 to have started in 1998, 15 years ago. But so far the
15 Federal Government is yet to remove one spent nuclear
16 fuel assembly.

17 The American Association of Blacks in
18 Energy supports Federal action to develop consolidated
19 facilities for interim storage of high-level
20 radioactive waste until a permanent repository is
21 sited. We urge the NRC to continue its strong,
22 independent oversight of commercial nuclear energy
23 facilities; the operation of existing plants; the
24 licensing of new reactors; the renewing of operating
25 licenses of existing reactors; and the management,

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 transportation, and disposal of spent nuclear fuel.

2 We believe that is important that the NRC
3 continue its transparent and efficient efforts to
4 maintain this 24-month schedule for the current Waste
5 Confidence proceedings so that progress on both
6 licensing and spent nuclear fuel disposal can
7 continue.

8 I would like to thank the NRC for hosting
9 this public meeting and providing an opportunity for
10 AABE to comment. Thank you.

11 MS. JUCKETT: Thank you. Let's go next to
12 Mandy Hancock. Is Mandy here? Excellent.

13 And after Mandy we'll go to David Rossin,
14 and Tom Steorts. We'll call your names again. I just
15 wanted to let everybody get ready.

16 This is Mandy.

17 MS. HANCOCK: Thank you. My name is Mandy
18 Hancock and I am the High Risk Energy Organizer with
19 the Southern Alliance for Clean Energy. We are a
20 regional nonprofit organization with members here in
21 Florida and across the Southeastern U.S. We are
22 concerned about the impacts energy choices have on our
23 health, economy, and environment. Thank you for
24 holding tonight's meeting.

25 Before I comment on the Draft Generic

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 Environmental Impact Statement or DGEIS, I'd like to
2 address the accessibility of this meeting location.
3 As the gentleman mentioned in the beginning, there is
4 not a very big turnout here.

5 And a meeting in Atlanta, Georgia was
6 requested by U.S. Representative Hank Johnson, which
7 was echoed by several organizations including SACE.
8 Despite Atlanta having 11 nuclear reactors within 170
9 miles compared to the 5 reactors within 250 miles of
10 Orlando, the NRC denied the request, citing, in part,
11 a lack of resources.

12 This is surprising rationale considering
13 the location of NRC's Region 2 headquarters in the
14 city. Atlanta is also a major metro area and serves
15 as a hub for airline and bus transportation for
16 multiple surrounding states, which would have made it
17 much more accessible and affordable than Orlando to
18 organizations and residents from many reactor
19 communities.

20 I personally know of several people in
21 Atlanta that were forced to travel nearly six hours to
22 attend the Charlotte hearing on Monday. We still
23 request an additional meeting be held in Atlanta.

24 Now for my comments. The Court ruling to
25 which the NRC is responding, with this Draft GEIS,

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 requires the NRC to examine the risks of spent fuel
2 storage and did not allow the NRC to merely assume
3 that storage would be safe.

4 Instead of examining what would happen if
5 spent fuel remained unprotected at reactor sites
6 indefinitely the NRC assumed the spent fuel can be
7 safely managed in service storage for an indefinite
8 period. To this end the NRC is essentially involved
9 in the same fallacy that rendered the Waste Confidence
10 rule insufficient.

11 Just as we cannot assume that long-term
12 geologic storage will be secured, we cannot assume
13 that indefinite storage onsite will be safe. To act
14 under these assumptions is inconsistent with the
15 Nuclear Waste Policy Act and violates NRC's own
16 regulations.

17 Instead of these some assumptions the NRC
18 should draft a new GIS to examine the probability that
19 a geologic repository will be successfully sited, the
20 probability that a successfully sited repository will
21 actually contain radiation, the degree to which a
22 repository may leak radiation, and the public health
23 and environmental consequences that may occur if a
24 repository is not sited or if it ineffectively
25 contains radioactivity.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 The proposed action of the draft GIS is to
2 issue a rule that, if adopted, would not require
3 consideration of the environmental impacts of
4 continued onsite surface storage at individual reactor
5 sites. This is absurd and unacceptable and it fails
6 to address the circumstances at individual reactor
7 locations.

8 For instance, several reactor sites in our
9 region are in ecologically sensitive areas, including
10 FPNL's Turkey Point near Miami, which is situated
11 between the Everglades National Park and Biscayne Bay.
12 Given Turkey Point's location, sea level rise and
13 storm surges are real threats that must be considered.

14 Can the NRC ensure that spent nuclear fuel
15 can safely sit at Turkey Point even for 100 years, let
16 alone indefinitely?

17 Likewise, Southern Company's Plant Vogtle
18 in Georgia is located on the endangered Savannah
19 River. In addition to being in a sensitive ecosystem,
20 Plant Vogtle, it is also located across the river from
21 Savannah River site, yet no consideration was given to
22 the cumulative impacts of having reactors and
23 corresponding nuclear waste in such close proximity to
24 a highly contaminated DOE radioactive waste site.
25 Additionally, both Vogtle and Turkey Point are slated

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 for more reactors and thus, if built, even more toxic
2 radioactive waste would be generated.

3 The NRC cannot turn a blind eye to the
4 unique characteristics of each site and each
5 community. Communities in the Southeast bear a heavy
6 load of burden when it comes to highly radioactive
7 spent nuclear fuel. There are only five states with
8 over 3,000 metric tons of spent fuel and two of those
9 are in the Southeast in North and South Carolina. Of
10 the 104 licensed reactors in the country, 33 of them
11 are in our region, and all 5 of the reactors currently
12 under construction are here.

13 While the NRC has confidence that long-
14 term geologic storage will eventually be found, the
15 public has lost confidence in the NRC to adequately
16 address their unique and important concerns. This is
17 especially true in light of the Draft GEIS and is
18 based on erroneous assumptions and has the NRC
19 confident that spent fuel will be safe onsite for an
20 indefinite period, a period that could be literally
21 forever.

22 Just last month, much of our government
23 was shut down for two weeks prompting the NRC to
24 furlough roughly 90 percent of its employees. How can
25 the NRC guarantee that radioactive waste here in

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 Florida and across the country can remain safely
2 onsite for thousands of years when the public can't
3 even be guaranteed that the Government will be
4 operating next year?

5 The bottom line is this, the public's
6 confidence has run out. We respectfully request that
7 the NRC stop assuming that spent nuclear fuel can be
8 safely stored forever.

9 And I brought with me an article -- I have
10 copies of this for anyone who's interested, and I also
11 have a Rolling Stone article that talks specifically
12 about Miami and Turkey Point. And we think it's
13 pretty interesting that the Rolling Stone is
14 supporting the consensus among scientists, yet it
15 doesn't seem that the NRC is heavily weighing those
16 factors. Thank you.

17 MS. JUCKETT: Thank you, Mandy.

18 Our next speaker will be David Rossin, and
19 if I understand correctly, Mr. Rossin, you had some
20 handouts on the table out in the back; is that
21 correct?

22 MR. ROSSIN: Yes.

23 MS. JUCKETT: Okay, great. So he had some
24 handouts that were available on the registration table
25 if anyone did not get a copy. If you're interested

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealgross.com

1 you can pick one up on your way out this evening.

2 MR. ROSSIN: My name's Dave Rossin. I was
3 Assistant Secretary of the Department of Energy for
4 Nuclear Energy, 1986-87. I was President of the
5 American Nuclear Society at one time, and I was in a
6 class of about seven of us who were the first students
7 to get Master's degrees in Nuclear Engineering from
8 MIT in 1955 who were not U.S. Navy trainees, and the
9 program was run on a classified basis. MIT changed
10 that...told Admiral Rickover, "We're going to run this
11 unclassified or we're not going to do it." MIT won.

12 A philosopher, George Santayana, said that
13 those who ignore the failures of the past are doomed
14 to repeat them. Within his first 100 days in office,
15 Jimmy Carter issued an Executive Order on April 7th,
16 1977 to defer indefinitely the reprocessing of used
17 nuclear reactor fuel. He said it was necessary to
18 prevent proliferation and that nuclear power could go
19 ahead just fine. He was wrong on both counts.

20 His Order was a major Federal action.
21 Executive Orders by the President have the force of
22 law. Did he prepare an Environmental Impact
23 Statement? No. He made his decision in secret,
24 listening only to those who he knew would agree with
25 him. Kept tightly classified, there were no White

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 House leaks and his statement caught the American
2 nuclear industry off-guard, they didn't know it was
3 coming.

4 Carter ignored four decades of planning,
5 study, Congressional funding on waste disposal, and
6 never reviewed the lengthy hearings in the Senate or
7 the House on the economics, proliferation, or the
8 Waste Confidence Rule.

9 The Vietnam War had brought changes to
10 American policymaking, and these changes were very
11 evident by the mid-70s before Carter was elected
12 President. Activists challenged government from
13 Federal level on down to county levels. "Public
14 participation in decision-making" was Ralph Nader's
15 banner, and it was demanded by activist groups one
16 after the other on one issue or another.

17 In 1975 a group of activists won a court
18 decision that forced the Environmental Impact
19 Statement -- forced an environmental statement on the
20 entire planning for reprocessing and recycling of used
21 nuclear fuel. It had the funny acronym, GESMO, G-E-S-
22 M-O, the Generic Environmental Impact Statement on
23 Mixed-Oxide Fuels. And this meant months and months
24 of preparation and a series of public meetings had
25 already been announced and the locations had already

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 been set when Jimmy Carter was elected.

2 Just one aside on environmental impact
3 statements. I was working at the Argonne National
4 Laboratory and then at Commonwealth Edison Company in
5 Chicago during the first few years of NEPA. The
6 Atomic Energy Commission still existed.

7 The guidance from the Environmental
8 Protection Agency and the Council on Environmental
9 Quality called for a section in the Environmental
10 Impact Statements on the alternatives to the proposed
11 project, and the NRC has done that with this revision
12 for the Waste Confidence Rule.

13 I wrote a memo to the agencies suggesting
14 that the guidance add a section on the environmental
15 and national impacts of not going ahead with the
16 project. Not going ahead. The Council on
17 Environmental Quality rejected the idea, but I think
18 the NRC should provide a clear analysis of the
19 potential environmental impacts and the national
20 impacts if the Waste Confidence Rule continues to be
21 derailed.

22 Anyway, back to Jimmy Carter's new policy.
23 It stopped the GESMO. It achieved victories for NRDC,
24 Union Concerned Scientists, Environmental Defense
25 Fund, and Common cause. GESMO's demise showed that a

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 small group of dedicated organizations could use the
2 National Environmental Policy Act and the
3 Environmental Impact Statement to try to stop a big
4 program of a major industry while not offering viable
5 alternatives or even documented facts, and maybe not
6 even being able to totally stop it, they were able to
7 delay a project while raising costs, feeding public
8 doubts and fears, and fueling more distrust of
9 government. And these were impacts.

10 Jimmy Carter read voraciously, but he
11 skipped or ignored experts who knew enough to point
12 out the weaknesses and fundamental errors in his
13 scheme, including its impact on the National Program
14 for Nuclear Waste Management. Even after his election
15 President Carter never consulted the directors of our
16 weapons laboratories about plutonium. He feared that
17 if his policy were leaked, the nuclear industry would
18 use its vast financial resources to undermine the
19 plan.

20 Carter just believed that if the United
21 States took the lead by stopping our reprocessing,
22 separating, and recycling of plutonium and the breeder
23 reactor, other nations would follow our lead and that
24 would prevent proliferation. They did not follow our
25 lead and the United States lost its leadership in the

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 nuclear power world.

2 You can look at the difference between
3 1976 and 1978, the United States was no longer a big
4 player. Our friends and partners were appalled and
5 furious at this policy. They realized that the United
6 States had just given activist groups a powerful
7 political gimmick that they could use to stop nuclear
8 power, and they tried.

9 I want to take a few seconds just to tell
10 one story. I said the U.S. nuclear industry didn't
11 know about Jimmy Carter's policy, neither did anybody
12 else. A day before his press conference he made
13 personal phone calls to the Prime Ministers of the
14 United Kingdom, Germany, and France.

15 The United Kingdom told the President of
16 the United States politely to mind his own business.
17 Carter had asked them to shut down the reprocessing
18 plant that the UK was building. Helmut Schmidt in
19 Germany hung up on Jimmy Carter; he said, "You're
20 crazy."

21 The Prime Minister of France, whose name
22 was Couve de Murville, took Jimmy Carter's call,
23 thanked him for calling, picked up his other phone and
24 called the project manager at the reprocessing plant
25 that the French were building. He said, "Monsieur, I

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 have just received a call from Jimmy Carter. The
2 United States is going to stop its reprocessing
3 program and they want us to do the same." "Thank you
4 Mr. President," said the chief engineer, and he picked
5 up the other phone and called his construction design
6 manager and in effect said, "Stop the presses, triple
7 the size of our reprocessing facility," and they did.

8 MS. JUCKETT: Mr. Rossin, could I ask you
9 to please wrap up real quick?

10 MR. ROSSIN: I've got a minute or two
11 more. I'll try and be quick.

12 Well, of course the GESMO hearings were
13 canceled by Jimmy Carter's Order, and he created a
14 moratorium on nuclear plant orders that has lasted
15 almost four decades -- that lasted almost four
16 decades.

17 His legacy created the impasse that the
18 nation finds itself in, rewriting its Waste Confidence
19 Rule in light of Senator Harry Reid's personal agenda.
20 It is the rule that is the obvious target of activist
21 groups who use nuclear power as their pet issue.

22 The parallel? In 2008 a new President
23 found himself indebted to Senator Harry Reid. All
24 Reid asked President Obama to do was to let him defund
25 Yucca Mountain. Senator Reid stopped the NRC review

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 of the Yucca Mountain Safety Analysis Report. Five
2 years later here we are in hearings about a well-
3 established process, the storage of nuclear fuel. The
4 simple issue has succeeded in creating more delay and
5 confusion on the Waste Confidence Rule.

6 The NRC must now revise these -- review these
7 transcripts and then complete the edits of the
8 Environmental Impact Statement called for by the
9 Court, and publish the EIS and the revised Rule, and
10 it should not take a year to do it. Thank you.

11 MS. JUCKETT: Thank you, Mr. Rossin.

12 Next, let's go ahead and go to Mark
13 Klutho, and then we'll go to Tim Steorts.

14 MR. KLUTHO: The NRC can't even handle a
15 speaking list with integrity. How sad. You know what
16 I can't get over, and I didn't hear it from any of the
17 cheerleaders, that statement back from when I was a
18 young tyke that nuclear power was going to be too
19 cheap to meter. Didn't turn out to be true.

20 And right now that plant over in Finland
21 they can't finish, and the cost is way beyond what is
22 supposed to be, and the same thing for the one in
23 Georgia. And what it was supposed to be was; we have
24 it all figured out now, it's not going to be like it
25 was in the past, there aren't going to be cost

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 overruns, and we're going to finish them on time.

2 And then I hear, oh, 60 years, 100 years,
3 and this is well thought out science here, oh, maybe
4 100, hundreds of years. Hundreds of years? Deadly
5 radioactive for hundreds of thousands of years.
6 Who's going to be the watchdog? This is a joke.

7 Here's Popular Science from this past
8 summer, "American Energy Independence, Five Clean
9 Technologies That Will Set Us Free," they don't
10 mention nuclear. And Non-Nuclear Futures: The Case
11 for an Ethical Energy Strategy from Amory Lovins,
12 copyright 1975.

13 I brought out the old old shirt, it's
14 about ready to disintegrate, but, you know, these are
15 what I had back when I was on that energy -- that
16 nuclear weapons assembly team down in Fort Hood, Texas
17 in 1970. And here's the newsletter from the Rocky
18 Mountain Institute and Amory Lovins says, "New nuclear
19 reactors, same old story."

20 And this word, "confidence," it's not to
21 be used by the NRC. It's like when I'm up at the
22 hearing just recently that the PSC had, and over and
23 over and over again I hear the word, "prudent." No.
24 No. Not hardly. Not hardly.

25 In here is this neat, neat, book that I

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 got from the U.S. NRC, Generic Environmental Impact
2 Statement for License Renewal of Nuclear Plants
3 Regarding Crystal River. You know what happened to
4 Crystal River, don't you? It's not going on.

5 And here is 8.4.4, Energy
6 Conservation/Energy Efficiency: "Though often used
7 interchangeably, energy conservation and energy
8 efficiency are different concepts. Energy efficiency
9 typically means," -- no, it always means, "deriving a
10 similar level of services by using less energy, while
11 energy conservation simply indicates a reduction in
12 energy consumption."

13 Yet after the NRC makes that statement on
14 the same page you contradict -- you contradict
15 yourself. Now, you're going to use the word
16 "confidence"? It can't come from you. That's
17 impossible. It's a fraud and a farce. A joke. Too
18 cheap to meter. And, we have a handle on it now. The
19 plants will be on time, there won't be cost overruns.
20 Is that plant in Finland working? And have you seen
21 what's happening in Georgia? No.

22 I just had a conversation with a friend of
23 mine and he said, "Well, you know what I think, these
24 people they just really aren't worried. They think
25 Jesus is coming. It's the apocalypse, they don't have

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 to worry, it's all going to be over."

2 So like when I was up there at that PSC
3 hearing just recently, they're jacking the rates
4 because of their fiasco. You know, and I say, do you
5 feel lucky, do you feel lucky? Oh yeah baby, roll
6 those dice (indicating).

7 That's what you're doing. You don't know
8 what's coming. This is just a big big guess. You
9 don't have any proof. You're all a bunch of jokers.
10 You're rolling the dice. That's all it is, it's a big
11 craps game here. And all these people are saying,
12 "Oh, we know what this is, we know the science, we can
13 tell you with confidence."

14 And, you can't even get a line right. I
15 was supposed to be speaking number four. Clown.

16 MS. JUCKETT: Okay. Thank you, Mark.

17 Next, let's go to Tim. And after that
18 we'll go to the group from University of Florida.

19 MR. STEORTS: I don't know if I'm supposed
20 to introduce...

21 MS. JUCKETT: Yes.

22 MR. STEORTS: I'm Tim Steorts from Lake
23 Wales, Florida. I just want to say thank goodness the
24 Court threw out the Waste Confidence Rule, because the
25 radioactive waste produced by nuclear power is

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 dangerous, toxic, and deadly. That is indisputable.

2 The industry, governments, and the NRC
3 have already imposed the dangers and costs on hundreds
4 of future generations. Hundreds of generations.
5 There is no solution, period. There is no solution on
6 the horizon. The lie of a possible future solution
7 has been told so long and so many times that you have
8 fooled many people into believing it. I was told --
9 it was told 50 years ago, 40 years ago, and every year
10 and every day for decades. It is still a pipe dream
11 and a lie.

12 I am opposed to this rulemaking. It is an
13 enormous waste of time, money, and resources. It must
14 stop. The NRC should take no action to generically
15 address the environmental impacts of continued
16 storage.

17 And then from there, the Executive Summary
18 of the Impact Statement, the Purpose and Need for the
19 Proposed Actions. Number 1: To improve the
20 efficiency of the NRC's licensing process. Improve
21 the efficiency of the licensing process? What's the
22 purpose of the NRC?

23 And Preliminary Conclusion is to provide
24 because the efficiencies will be gained and reactor
25 and spent fuel storage licensing reviews. We're not

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 here for your efficiency -- licensing and reviews, we
2 should be here to try to make us safe from these
3 things.

4 NRC should not be facilitating licensing
5 of new or existing plants. Nuclear power is so
6 extremely dangerous there are no words to even come
7 close to expressing the dangers. You know, I don't
8 know if you people ever hear what we try to tell you
9 sometimes.

10 The NRC should focus on trying to keep the
11 existing plants from completely destroying our planet
12 and continually searching long-term storage solutions.
13 The plant owners and operators should pay for the
14 long-term costs. They're the ones who profited from
15 this disgusting mess they've gotten us into. It
16 should not be citizens' and taxpayers' responsibility.

17 There have been proposals to incorporate
18 their radioactive effluent in consumer products. That
19 may not be the exact point of this hearing, but that
20 may be the most insane proposal of all. What a great
21 idea, let's expose everyone, including babies and
22 children, to products known to cause horrible
23 illnesses and death.

24 As you know, if it weren't for the
25 enormous taxpayer subsidies in numerous ways;

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 Federally imposed limits on owner/operator liability;
2 exemption of nuclear accidents from virtually all home
3 and business insurance coverages; a decades-long
4 conspiracy by governments, industry, academia, the
5 scientific community, and the press to lie about the
6 cost and problems and to brainwash the public into
7 believing there were benefits; none of these
8 abominations would ever have been built.

9 There is no need for nuclear power and
10 it's extremely expensive -- enormously expensive. You
11 know, extremely, enormous, there's no words. The cost
12 is virtually infinite as even in the best-case
13 scenarios we're using power now that will be paid for
14 for thousands of years.

15 It's my opinion that nuclear power is
16 insane, if you hadn't noticed or already guessed that,
17 and must be phased out even if sacrifices must be
18 made. The people in this industry have no right to
19 continue creating additional risks to humanity to
20 profit their stockholders.

21 And I would just like my power company,
22 based in North Carolina to know, that there are no
23 words to express how much I resent them continuing to
24 charge me to fund something that I pray to God will
25 never be built. And if anyone here directly addresses

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 my comments, I reserve the right to respond.

2 MS. JUCKETT: Thank you, Tim.

3 Next, there is a group of students from
4 University of Florida with American Nuclear Society,
5 and if you guys could come on up. And, if one of you
6 could please introduce your group.

7 MR. KUNTAWALA: Thank you. We'd first
8 like to thank the NRC for holding this hearing and
9 allowing us -- allowing public comment during this
10 process.

11 To my right is Devin Kelley, to my left
12 Allan Martin, Chelsea Collins, and I'm Jitesh
13 Kuntawala. We are students from the University of
14 Florida's College of Engineering and we are members of
15 the American Nuclear Society at UF.

16 As students in the state of Florida, we
17 believe that current and continued use of zero-
18 emission nuclear energy is vital to the state both
19 economically and environmentally.

20 For the many decades which nuclear energy
21 has been use, spent nuclear fuel has been stored
22 safely and securely onsite at Florida's nuclear power
23 plants. With their environmental assessments, the
24 Nuclear Regulatory Commission has shown that the
25 environmental impact of the storage of spent nuclear

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 fuel is small. In addition, research by major
2 universities around the nation have shown the safety
3 of the storage of spent nuclear fuel.

4 We believe that the NRC should move
5 promptly to finalize the Waste Confidence Generic
6 Environmental Impact Statement. A delay in this
7 process is detrimental to the future of our state's
8 long-term energy portfolio.

9 To finalize: the continued storage of
10 spent nuclear fuel onsite is not a limiting factor of
11 the operation of Florida zero-emission nuclear plants,
12 nor is it an environmental or public safety issue.
13 We, as nuclear engineering students, are studying
14 every day so that we can be a part of our nation's
15 clean, zero-emission future.

16 We again would like to commend the U.S.
17 Nuclear Regulatory Commission for holding this hearing
18 and allowing us the opportunity to express our
19 comments and concerns on Waste Confidence. Thank you.

20 MS. JUCKETT: Thank you. Next let's go to
21 Jason Totoiu. I apologize if I mispronounce that.
22 And then we'll go to Jerry Paul.

23 MR. TOTOIU: Good evening, I'm Jason
24 Totoiu, the Everglades Law Center. I'm an attorney, I
25 represent a number of environmental organizations and

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 individuals in a pending COL proceeding involving
2 Turkey Point's -- Turkey Point Units 6 and 7.

3 I'm here today to speak briefly about the
4 Waste Confidence Rule and the Draft Environmental
5 Impact Statement. I think some of the things I'm
6 going to say -- I'm going to echo the fine words
7 voiced by Mandy earlier.

8 From the onset I think the fundamental
9 flaw here is just what Mandy said that, you know,
10 instead of really following what the Court had
11 ordered, which was an examination of the environmental
12 effects, instead it works off this assumption that
13 things will be okay, it's safe indefinitely.

14 And I think NEPA demands more, and I
15 think, you know, the law over the last 40 years is --
16 you know, you see that in court decisions after court
17 decisions. It's not a tool to justify a predetermined
18 outcome.

19 And these effects that we speak of, I mean
20 it's not speculative. I mean there's at least two
21 events that, strangely enough, were not identified in
22 this Generic Impact EIS, there being Yankee Rowe then
23 the high flux beam reactor, issues from years ago.

24 Secondly, I don't believe that the EIS is
25 adequate to address the individual characteristics of,

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 you know, individual sites across the country. Taking
2 Turkey Point, because that's what I'm currently
3 involved in, as an example, and as Mandy spoke earlier
4 about. You know, regardless of whether or not you
5 believe that climate change is human-induced or if
6 it's other factors, I think it's -- you can't deny
7 that the seas are rising. And I think the science
8 strongly points to the next 100 years we're going to
9 have 2- to 5-foot increase in sea level rise.

10 Miami is ground zero for that, Homestead.
11 And so it's really surprising to me that a lot of
12 money is being spent to put two more reactors in
13 Homestead, and coupled with the long-term indefinite
14 storage of spent fuel, within ten miles of two
15 National Parks and Everglades National Park, which the
16 country is spending billions, with a "B," to restore.
17 And all the while we're proceeding right along, almost
18 as business as usual.

19 Additional issues. I don't think the EIS
20 really -- you know, going back to this individual, you
21 know, the consideration of some individual site-
22 specific things. I think Florida has a unique
23 geography and it has unique hydrology, especially
24 South Florida, it can vary within just a few miles.
25 I'm not sure if that's really adequately looked at in

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 this Environmental Impact Statement, and how fuel
2 leakage and how the interaction and the resulting
3 effects.

4 Lastly, the one thing I'd like to also
5 mention is that the EIS kind of looks at this scenario
6 of one leaking fuel pool, but it doesn't look at the
7 likelihood or the probability of multiple failures,
8 and what are the cumulative effects of that,
9 especially when you have multiple reactors, especially
10 when you're in sites that are ecologically sensitive
11 like that of around Turkey Point.

12 So I appreciate, again, the time to
13 provide my comment here tonight and I would just ask
14 that the NRC -- I know it's tough, it's a tough ask,
15 but to really start over and make a really more
16 concerted effort to prepare a EIS that really examines
17 all these impacts. Thank you.

18 MS. JUCKETT: Thank you. Next we'll go
19 ahead to Jerry Paul.

20 MR. PAUL: Thank you. And for the record,
21 Jerry Paul. I wanted to first thank you, Mr.
22 Director, and NRC staff, for taking the time, not just
23 to hold these proceedings, but to do it all across the
24 country and to come to a place like Florida. And
25 hopefully today is an opportunity for you to hear a

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 few Florida-specific pieces of input.

2 I think you heard a little bit of that
3 from Professor James Tulenko, who talked about the
4 work that's being done here at the University of
5 Florida, many years of research, high-level technical
6 analysis by technical experts like Mr. -- Professor
7 Tulenko, people like Mr. Rossin who has a PhD in
8 Nuclear Science with many years in the nuclear
9 industry. And it was nice to hear from a group of
10 undergraduate and graduate level nuclear engineering
11 students right here from the University of Florida
12 here in this state.

13 I would like to point out, respectfully,
14 that the credible, factually correct, technically
15 correct testimony that you've heard today has largely
16 been from those who have indeed studied these issues,
17 have spent time at these plants, and have, quite
18 frankly, been the ones who have spoken most directly
19 to the issue that is on the table today.

20 Which, quite frankly, is a fairly narrow
21 question, and that is do -- is there confidence that
22 we can safely, and for an extended period of time,
23 store spent nuclear fuel onsite beyond the reactor
24 life. And the simple truth is, is that those who
25 suggest that you can't have suggested that 50 years

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 ago, 40 years ago, 30 years ago, 20 years ago, 10
2 years ago, and they have always been wrong. They were
3 wrong then and they're wrong now.

4 For five decades in the state of Florida
5 we have operated successfully five reactors, which,
6 quite frankly, have provided -- as I think another
7 engineer pointed out, Mr. Bernard Knowles from
8 American Association of Blacks in Energy -- have
9 provided 98 percent of the emission-free energy in the
10 state of Florida. Those plants have done that by
11 storing their spent nuclear fuel onsite in spent fuel
12 pools and now in dry cask storage.

13 If what the opponents have suggested were
14 true, 50 years ago, 40 years ago, 30 -- 10, 30, 20,
15 10, and tonight, I wouldn't have been able to say
16 that. I believe we do have confidence in our ability
17 to store fuel onsite for an extended period of time;
18 short term, intermediate term, and indefinitely.

19 Certainly I think most of us would prefer
20 that the U.S. Department of Energy had complied and
21 would comply with its statutory obligations to take
22 possession of that fuel, but in the absence of that,
23 as the group the students pointed out, it is not a
24 limiting factor. It has not been a limiting factor to
25 the operation of the five reactors in the state for

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 five decades. It's not a limiting factor to the
2 continued operation of them. And, it is not a
3 limiting factor to the development of additional
4 nuclear generation that's currently being proposed in
5 this state.

6 By way of -- briefly, by way of
7 background. I am a former reactor engineer myself,
8 formerly served in the Florida Legislature, and
9 formerly served as the U.S. -- as the assistant --
10 excuse me, as a Deputy Administrator for the U.S.
11 National Nuclear Security Administration, and the
12 Assistant and Deputy Administrator for Non-
13 proliferation for the U.S. Department of Energy.

14 My purpose for pointing that out is only
15 this: I've been involved with energy policy, energy
16 planning, and nuclear energy in the state of Florida
17 for over two decades. And I will tell you that the
18 issue that you're dealing with right now is probably
19 the most important one for Florida's clean energy plan
20 in the future.

21 Certainly Florida has made some modest
22 attempts to develop more solar energy, some of which
23 have been successful, some of which have not. But in
24 the absence of that, the only source of zero-emission
25 energy that we have is those nuclear power plants.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 It's been that way for five decades, it is going to be
2 that way for a long, long time in the future.

3 As to witness who spoke earlier ostensibly
4 on behalf of an alliance for clean energy, a witness
5 whose title I think was a high-risk energy advisor. I
6 would just suggest that the high risk, the high risk
7 is that we further delay licensing decisions for more
8 clean energy, more zero-emission nuclear power.
9 That's the real risk here.

10 And although I know it's -- it's no fault
11 of y'all's but the Waste Confidence Rule and the
12 politics of it, some of which Dr. Rossin spoke about,
13 really has only served to delay, delay the ability to
14 provide cleaner air for more people.

15 I think a member of the audience asked a
16 question before we got started about whether the issue
17 of environmental justice had been considered. I think
18 ostensibly from the perspective of where nuclear power
19 plants are sited or whether they're sited, or the
20 relative environmental injustice of that particular
21 energy source that is relative to different people, I
22 would suggest to you that it is nuclear energy that is
23 needed more by our minority and under-served --
24 underprivileged communities than any other energy
25 type. It is they who needs zero-emission energy more

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 than anybody else.

2 For the record, I would direct you to a
3 wonderful guest column that was published, I think two
4 or three months ago, by a lady named Luz Weinberg, who
5 is the Mayor of Adventura and President of the
6 National Association of Latin American Elected
7 Officials, who pointed this very thing out; that it is
8 minority communities, it is people who are -- who need
9 clean air the most, it is people who -- also people
10 who have health conditions who need clean air the
11 most. It is those people who are served most by
12 nuclear energy. Not just the nuclear energy we have
13 today, but the prospect of more clean energy in the
14 future.

15 So I know that some of that is slightly
16 off-topic, but it is to say to you that this issue
17 that you're wrestling with, the question of approving
18 a generic EIS and moving forward so that Florida can
19 get back on track with planning more clean energy.
20 It's very important to the state, not just to the
21 nuclear industry and people who work in the industry,
22 but for the people who need the clean air that come
23 from it.

24 So, I hope you keep that in mind, and I
25 just wanted to wrap up. The bottom line is that I do

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 believe that we do have the technical basis for
2 concluding that there is confidence in our ability to
3 store spent nuclear fuel onsite, short term, long
4 term, and indefinitely.

5 I believe that your conclusions in your
6 existing EIS, pursuant to the Federal Register that
7 you have posted out there, the number of which you
8 cited earlier, that they are valid conclusions.
9 Particularly those that, in its draft form, conclude
10 small impact, especially as to the air quality and air
11 impact of the EIS, and I hope that your record
12 reflects that. Thank you

13 MS. JUCKETT: Thank you.

14 Let's next go to Nelson Betancourt.
15 Nelson? And after that we'll go to Adam Levin.

16 MR. BETANCOURT: I thank the NRC for
17 having these presentations throughout the country.
18 Thank you.

19 I'd like to talk about -- first of all
20 today's a really, really important day, which is the
21 reason -- one of the reasons why I'm here. Today is
22 Amchitka Day. Forty-two years ago today the United
23 States had the largest underground nuclear test in the
24 island of Amchitka in Alaska. It was 380 times -- 85
25 times the yield of the bomb that was dropped on

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 Hiroshima.

2 My father was one of the people that dug a
3 cavity a mile deep in the earth's crust to put that
4 bomb. He was also one of the people that went back
5 and cleaned up the place afterwards. He was also one
6 of the people that died as result of nuclear
7 contamination.

8 I've been active in this field for a long
9 time because I feel that I think it's time to change
10 the conversation about other sources that we can use
11 besides nuclear power.

12 I think there is a -- first of all let me
13 just get to the point here. I think -- I'm not an
14 expert, I'm not educated in the field of nuclear
15 radiation, but I feel it from the standpoint that what
16 happened to my father. As a result of that I run a
17 nonprofit organization that is involved with the
18 abolition of nuclear weapons.

19 We have gotten the city of Orlando to sign
20 onto the Mayors for Peace, there are almost 7,000
21 cities throughout the world that have signed to be
22 members of Mayors for Peace, calling for the abolition
23 of nuclear weapons by the year 2020.

24 I think that there is a white elephant in
25 the room here that we're not looking at, and that is

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 what is going on with Fukushima. For people to just
2 blithely think that we can continue on using nuclear
3 power as though it's a panacea or is the best thing, I
4 think is crazy.

5 For people to continue to insist that
6 we're going to have as an alternative that the other
7 alternative that we have is nuclear power, is no
8 longer a question of ignorance or a question of
9 incompetence, it's insanity. The potential for what
10 is going on right now, what could happen if we don't
11 deal safely with spent rods, fuel rods, in generator
12 No. 4 at Fukushima could have a devastating effect to
13 this country.

14 Yet my whole point here is that I think we
15 need to change the conversation about this. I realize
16 that a lot of people make a lot of money from nuclear
17 -- nuclear power. But it's also true that banks will
18 not finance it, Wall Street will not finance it, and
19 I'm sick and tired of our government having to finance
20 it and the citizens having to pay the price when these
21 events happened.

22 So to the gentleman that just spoke, I
23 happen to be from Columbia, South America. I don't
24 know who wrote that article about why nuclear power
25 would be so fine for Latinos. That's baloney.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 Personally, that has not been the case in my family.

2 I would like to leave you with a couple of
3 things. We run a film festival in this town for the
4 past nine years, and one of the people that we invited
5 to our festival was Dr. Rosalie Bertell. Some of you
6 know who she is. She passed away recently. One of
7 the world's most well-known nuclear scientists. She
8 was also a Catholic nun, by the way.

9 And she wrote this. And this is where I
10 feel in my heart that's really going on if we continue
11 to push the idea of nuclear power much longer. She
12 says, she wrote, "The probable fate of our species is
13 extermination by poisoning."

14 So we've got all kinds of environmental
15 poisoning and now we're poisoning the seas with
16 nuclear -- with the toxic waste from Fukushima, and
17 God knows what else some of the other folks have
18 talked about here.

19 But I wanted to leave you with one last
20 quote by the poet Anne Sexton. And she says, "Live
21 and die, but don't poison everything."

22 Thank you for listening.

23 MS. JUCKETT: Thank you.

24 Let's go to Cindy Jurie.

25 MS. JURIE: (Speaking off microphone.)

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 MS. JUCKETT: Okay. Thank you.

2 Ms. Jurie has decided to put her comments
3 in writing.

4 Next let's go to Rod McCullum and then Jim
5 Ratchford.

6 MR. McCULLUM: My name is Rod McCullum and
7 I represent the Nuclear Energy Institute, the trade
8 association of the nuclear industry in Washington,
9 D.C.

10 This is the fourth one of these meetings that I've
11 attended, and they continue to be, what I would
12 consider, a shining example of the way our regulatory
13 processes work. It is a very rigorous process, it is
14 very open, it is very transparent. It is a very
15 necessary process. The rulings of the Court do need
16 to be responded to and this is an issue we should
17 weigh very seriously.

18 It also is being conducted on schedule,
19 and this is very important that you continue to be
20 conducted on schedule. The Waste Confidence decision
21 supports the licensing of nuclear plants that provide
22 63 percent of the nation's carbon-free electricity.
23 And I think a comment was made earlier that, you know,
24 why does the regulator need to be efficient.

25 Well, NRC has been efficient and is

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 continuing to be efficient in this process even while
2 making sure that all comments are heard. Because all
3 forms of energy are regulated. The nuclear regulatory
4 process is one of the toughest ones out there. Coal
5 is regulated; natural gas is regulated; oil, solar,
6 and wind are regulated. If all those regulators don't
7 pay attention to being efficient, the end result is
8 that energy, electricity, becomes very very expensive.

9 A world in which electricity is priced out
10 of reach is perhaps the most dangerous world we could
11 possibly live in. If you don't believe that, have you
12 ever seen the pictures called *The World At Night*,
13 where it's a composite photo of the globe looking down
14 as if it was night all over the globe? You see where
15 the bright spots are in the world? The developed
16 countries, the countries that have a high standard of
17 living, those bright spots also tend to be clustered
18 around nuclear plants. We are a significant source of
19 baseload electricity around the world, over 400
20 plants.

21 I, of course, come to these meetings to
22 state the industry's -- one thing I must digress on.
23 Another good aspect of this process will be that all
24 that is said tonight and all that's been said in the
25 previous meetings, and all that will be written and

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 sent into NRC -- and this is why it's going to take
2 you almost a year to complete this process after
3 you've closed the last hearing -- will be put into
4 something called a Comment Summary Document.

5 I know I went through a similar process
6 with Yucca Mountain, where they produced -- they had
7 an Environmental Impact Statement of similar scope and
8 produced a Comment Summary Document. I found that to
9 be one of the most useful documents ever produced
10 there, and I'm sure that what you guys produce will be
11 the same. Because all of the questions that are being
12 asked on both sides in these meetings will continue to
13 be asked over time as we continue to safely store used
14 nuclear fuel. And that will truly be one of the best
15 references we can look back for the answer, so I
16 really look forward to that.

17 But as I say, you know, I've come here to
18 state industry's position and I've done that. But
19 I've also come to listen. Because what we know, based
20 on our experience, that we can safely store used
21 nuclear fuel in both pools and casks, we know we also
22 have to demonstrate that to the public. So it's
23 important for me and for our industry to hear what
24 others are saying.

25 And I've heard, in the meetings I've been

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 to previously and to some extent tonight, I've heard a
2 few things that I do want to speak to very quickly
3 here.

4 What is this question of why not evaluate
5 all the impacts on a site-specific as opposed to a
6 generic basis? And this is where the question of
7 efficiency comes in.

8 Well, the easy answer is the Court upheld
9 NRC's right to do that, so, end of story. NRC does
10 not need to reverse Court. But that -- that's an
11 answer only a lawyer can love. You know, to me the
12 answer is in the way NRC has done this GEIS. You see
13 a lot of bounding analysis, you see looking at things
14 like spent fuel staying open for 60 years after a
15 plant closes when in reality the average, since we
16 developed dry cask storage technology, is around 11
17 years.

18 You know, you see us building dry transfer
19 facilities and repackaging at all these places every
20 100 years. Well, not likely to be there for 100 years
21 when you look at repository developments around the
22 world, but even if it is we'd come up with better
23 ways. We would bring in portable systems and
24 different technologies, but that's okay. That what it
25 means to be bounding. This analysis is appropriate

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 for every site because it bounds and envelopes what is
2 likely to happen at any site. This is where it's a
3 good job.

4 It is factually based. Because I've heard
5 tonight and we've heard before, it's all assumptions,
6 you don't know. Well, if you look at the experience
7 we've had in loading 1,700 casks, in managing 104
8 spent fuel pools for 40 years, or longer in some
9 cases, and you look at all of the events, these things
10 are all in great detail discussed in the EIS.

11 We don't stop there. Well, we don't say,
12 oh, "Well, past predicts the future," because you
13 never know what can happen. There is a lot of very
14 forward-looking science and it was good to hear a
15 representative of that scientific community speak
16 earlier about how we're always looking, doing research
17 to look further into the future, to keep our
18 headlights safe on the road ahead of us.

19 It's also heartening to see the four
20 students get up here and talk about what they're
21 doing, because one of the big flaws in the EIS is it
22 assumes that every 100 years is going to be the same
23 100 years over and over again. I know better, I know
24 these young people are going to do a way better job
25 than my generation did. So, you know, again, that's

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 where -- an example of where its bounding.

2 Another thing that I've seen in this EIS
3 is the -- or I've seen in these meetings is people
4 think that NRC might be, what they call a "captured
5 regulator," where NRC is on our side. And if you've
6 been to a lot of the meetings I've been to where we're
7 discussing the details of this process, nothing could
8 be further from the truth. It's a very adversarial
9 process. If you don't believe that look at the record
10 of public meetings recently between industry and NRC.

11 You know, we both agree that we should be
12 focusing our resources on the things most important to
13 safety, and as we see regulatory costs increasing
14 across our industry we don't always agree about what
15 those things are. Look at the correspondence that's
16 gone back and forth between NRC in industry. If you
17 look at the facts, there's a very strong record to
18 suggest that -- not just to suggest but to prove that
19 this is a very tough adversarial regulator.

20 Those of you concerned about nuclear
21 safety probably say, "Darned good thing." And, you
22 know, we do too. And we don't say, "Oh, phew, we met
23 the regulations let's go home." Our safety culture,
24 where regulatory compliance is a minimum standard of
25 performance. We don't just meet regulations, we

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 exceed them.

2 I've heard about Fukushima being a reason
3 why you should not be confident in the safety of
4 storage. What Fukushima's -- and a tragic and
5 unacceptable event that it was -- is an example of why
6 you shouldn't build a reactor at sea level in an area
7 where there's a historical record of very tall
8 tsunamis without sufficient protection, with safety
9 systems vulnerable.

10 There were seven used fuel pools and nine
11 dry casks on the Fukushima site. They all survived
12 the accident very well. Some of us who were familiar
13 with the details of those pools were talking before
14 the meeting.

15 The pool -- there was concern that we
16 didn't know what was going on in the pools, but when
17 the pools were investigated that fuel was still in
18 good shape, that fuel will be very thoroughly and
19 methodically removed from those pools. And the casks
20 were over washed by the tsunami and shaken by the
21 earthquake; three of those pools, and they're fine.
22 Three of those pools were in the buildings that suffer
23 the hydrogen explosion. It is perhaps the most
24 dramatic example of how robust its used fuel storage
25 is, what happened at Fukushima. If you look at the

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 videos on YouTube, the data that exists now that we've
2 seen those pools, it is indeed a dramatic
3 counterexample as to why they're not safe but why they
4 are safe.

5 But industry doesn't rest on that. Once
6 again, we go beyond. You know, we are very confident
7 at our plants we didn't overlook something as a high
8 probability as the tsunami in Japan. But we're not
9 going to say, "Okay, we're fine, we're stopping
10 there." No. Not even close.

11 We're saying, "Okay, in spite of all the
12 work we've done over all the years to look at what can
13 happen, what if something we didn't think could
14 happen, happens?"

15 We're putting in place flexible strategies
16 that can be deployed from offsite and from areas where if
17 everything is wiped out we could bring in the right
18 stuff, and it's called flex, and it will be yet
19 another innovation in nuclear safety. We always
20 continue to get better and to get stronger.

21 Yet, in this EIS the NRC has assumed we
22 stay the way we are, and based on the facts they have
23 concluded, and there are a lot of facts in there, that
24 the impacts are small. We believe the impacts will be
25 even smaller.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 One other fact check, and then I will wrap
2 up, Miriam. It is -- it wasn't mentioned that the
3 HFBR reactor experience wasn't considered in here.
4 And I've heard that before and that really gets to me
5 because I have personal experience on that one.

6 First of all, it's a bit out the scope
7 because, you know, it was a DOE, not a commercial
8 reactor, it was an unlined spent fuel pool, which is
9 not typical in our industry. But, yes, it was a spent
10 fuel pool leak. The leakage was detected very early
11 by onsite wells, not offsite wells. The Department of
12 Energy, and I was involved in this, went through some
13 very proactive efforts to make sure that nobody's
14 drinking water supply was harmed.

15 And in fact this is consistent with the
16 facts that I reviewed for the other spent fuel pool
17 leaks that are considered in this EIS. We have in
18 place groundwater-detection and mitigation strategies,
19 that if there is a small leak in a pool, we take care
20 of it. We are in our safety culture and we know what
21 to do.

22 So, again, that HFBR example is entirely
23 consistent with the facts that are cited in the GEIS.
24 It is an impressive document, we urge the NRC to
25 continue to collect comments, to respond to them.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 Again, I look forward to that Comment Response
2 Document. I look forward to the rest of this process.
3 Thank you.

4 MS. JUCKETT: Thank you.

5 Next we'll go to Jim Ratchford.

6 MR. RATCHFORD: I liked the comments of
7 other speakers tonight. I'm thanking the NRC for all
8 the time that they put into holding this meeting
9 tonight and to holding this series of meetings. I
10 think everyone appreciates what a challenge it's been
11 and we thank you.

12 I'm James Ratchford with the CASEnergy
13 coalition. We're a national grassroots organization
14 that supports the increased use of nuclear energy to
15 ensure an affordable environment -- environmentally
16 clean, reliable, and safe supply of electricity.

17 As everyone knows, safety is the most
18 important element of our focus in nuclear. Our
19 priorities in Waste Confidence should be no different
20 and protecting the public must be the top priority in
21 what we do.

22 The NRC is correct in concluding that it
23 is feasible to have a mined geologic depository
24 available within 60 years after the licensed operating
25 life of a nuclear power plant. There are no technical

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 obstacles to achieving this, nor are there any
2 financial obstacles given that the Nuclear Waste Fund
3 now has a balance of more than 26 billion.

4 There is strong scientific -- there is
5 strong international scientific consensus that
6 geologic disposal is the best solution to permanently
7 isolate spent nuclear fuel from the public and the
8 environment. Studies by the National Academy of
9 Scientists and the International Atomic Energy Agency
10 have confirmed this conclusion.

11 In fact, the IAEA concluded in 2003 that
12 geologic disposal is the generally accepted solution
13 in practically all countries faced with the issue.
14 Sweden and Finland are developing geologic -- geologic
15 disposal facilities and are expected to begin disposal
16 of their spent fuel by the early 2020s. France is
17 making significant progress. They have selected and
18 characterized a geologic region and are now working to
19 identify a specific site. Belgium, China, and the
20 United Kingdom plan to start geologic disposal by 2050
21 or earlier.

22 The United States made significant
23 progress towards disposal, up to the point where the
24 Yucca Mountain licensing process was abruptly halted
25 in 2010. The Energy Department has documented its

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 safety case in a license application in a Final
2 Environmental Impact Statement.

3 The Nuclear Regulatory Commission
4 conducted an exhaustive review of these documents and
5 sent DOE more than 600 detailed scientific and
6 technical questions. DOE answered all these questions
7 to the NRC's satisfaction. The NRC was preparing the
8 Safety Evaluation Report when the process was abruptly
9 stopped.

10 The President appointed a commission to
11 examine nuclear waste management issues, and they
12 issued a report that suggested finding two or three
13 alternate -- alternative sites using a consent-based
14 process. Legislation is currently pending in the
15 Senate to begin the process of selecting alternative
16 sites.

17 Recently the U.S. Court of Appeals ordered
18 the NRC to resume Yucca Mountain licensing process,
19 which will inform -- further inform our efforts
20 towards geologic disposal, even if development of the
21 Yucca Mountain repository is not resumed. Both the
22 industry and some members of Congress are calling for
23 the NRC to complete and issue the safety evaluation
24 report.

25 The U.S. was the first country to develop

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 commercial nuclear power plants, and we've the largest
2 nuclear program in the world; 100 reactors with 5 more
3 under construction. Having once been a leader in this
4 technology, we are risking -- we are at risk of losing
5 our competitive edge and our nation's credibility
6 among other nuclear powers.

7 We have the technology to develop a
8 geologic repository for spent nuclear fuel, and we
9 have the money to do so. The only thing blocking the
10 U.S. from building a geologic repository is political
11 decision-making. The analysis contained in the Draft
12 Waste Confidence Generic Environmental Impact
13 Statement supports what the industry has long known.
14 If necessary, used nuclear fuel can continue to be
15 stored in a safe, environmentally sound manner for a
16 long period while we wait for the political process to
17 reach agreement on a disposal solution.

18 In the meantime the NRC can and should
19 issue its Waste Confidence Rule.

20 MS. JUCKETT: Thank you.

21 Our next speakers will be Greg Wilson --
22 is Greg here? Followed by Lisa Marie Prescott.

23 MR. WILSON: From what I've been hearing,
24 everybody knows about Fukushima. There is a reporter
25 on Fukushima that lives in Fukushima that keeps

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 reporting live, reports every day. It's not on
2 national news or anything. From what I get, it takes
3 about six months to a year for this information to
4 come out. He is reporting at TEPCO. Tokyo Energy has
5 been lying quite a bit, and three of the cores have
6 melted down into the ground.

7 We don't want to see that happen here, but
8 it can. The reason being is that there are new shows
9 coming out on the Science and History channels that
10 talk about things like tsunamis and asteroid airburst.
11 The most recent asteroid airburst -- the most recent
12 asteroid airburst was in Russia about three months
13 ago, that damaged the Russian town up in Siberia.

14 There was a airburst back in 1908, I
15 believe it is -- yeah, June 30th, 1908, an event that
16 release somewhere around 10 to 15 megatons of TNT. It
17 was 1000 times greater than the atomic bomb dropped on
18 Hiroshima. It's taken them up until just a few years
19 ago to figure out exactly what caused the damage up
20 there. Some thought it was a volcano, but the studies
21 on tree rings have shown that it is a -- it was either
22 an asteroid or comet that blew up somewhere around 10
23 miles high or so. They have found nuclear type of
24 material in the tree rings showing that it was
25 something that fell from the sky. If we have an

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 asteroid burst or an asteroid hit somewhere in -- near
2 any nuclear reactor it would devastate it.

3 The event that happened in Russia damaged
4 the entire town. It was caught on dashboard cameras.
5 And it was quite interesting to watch because there
6 was a four-story school there, it blew all the glass
7 into the school and blew all the window frames out on
8 the ground, and it was about 100 window frames that
9 dropped out all at one time. But every single
10 building in the entire town was damaged.

11 Another show that's came on is -- talks
12 about the Hawaiian Islands and the volcanoes out
13 there. And the scientists, with a reporter, went
14 climbing down into the lava flow tubes that is in the
15 shield volcano -- and this is on the big island --
16 that's still around. And they were just walking
17 around and looking at things and realized that the
18 rock that's made from the volcano is pumice, has a lot
19 of air bubbles in it and it's very soft rock. And
20 the scientists went over and picked up a rock and he
21 flipped it over and there was rust on the backside, so
22 there's a lot of iron in that rock and it causes the
23 island to basically fall apart faster than normal
24 erosion or any kind of thing like that.

25 And they were wondering why a lot of the

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 Hawaii Islands are elongated, they're not round, and
2 they started looking from satellite pictures and they
3 were able to see how the islands are basically peeling
4 off like an onion with big chunks of rocks, some of
5 then 10 miles long, that kick out tsunamis. One of
6 them actually flooded the LA basin.

7 So these are massive earthquakes that can
8 happen from volcanic islands. And the nuclear plant
9 that's down in San Diego is directly in line of one of
10 these tsunamis, because even though it's on a cliff it
11 could still get hit by a tsunami and wipe it out.

12 So basically the spent fuel rods that are
13 stored along these power plants that are along the
14 ocean coastlines are at a really high risk of having a
15 tsunami. And this brings me to the island of -- in
16 the Canary Island it's the island of, let's see, Viga
17 -- wait a minute, Cumbre Viega, in the Canary Islands,
18 which belongs to Spain.
19 The island is also an elongated island, it sits on a
20 fault line that has fissures on it, which means
21 there's several volcanoes on this island. Back in, I
22 think it was about '49 or 1959, a 10-mile piece of the
23 island slid over some 15 yards. So that piece of rock
24 is loose and it's about 10 miles long. They say that
25 if it falls into the ocean and drops the 2000 feet to

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 the bottom of the Atlantic Ocean it will kick up a
2 tsunami 600 feet tall moving at 600 miles an hour, and
3 it will affect most of the Atlantic basin. Spain,
4 France, and the British Isles will be hit within three
5 hours.

6 There's a place in Southwestern England
7 that has 800 tons of plutonium -- excuse me -- 800,000
8 tons of plutonium stored there. That will be hit by a
9 very tall tsunami.

10 The East Coast of the United States will
11 be hit in about five hours, and the movie that I was
12 watching it said that -- and the movie's name is,
13 Tsunami Apocalypse. It's on the Science and History
14 channels. And it says that 26 nuclear power plants
15 will be wiped out.

16 So we'll have a whole bunch of Fukushimas
17 is going on at one time. The bridges and highways and
18 roads around that area -- up and down the entire East
19 Coast will be wiped out, so it will be very hard for
20 anybody to get to these nuclear power plants.

21 Turkey Point and Hutchison Island, they'll
22 be gone. There isn't anything that we have, if the
23 spent fuel rods are blown out into the Everglades,
24 that would be able to go out there and pick them up.
25 We don't have air boats or swamp buggies or anything

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 that big that could actually go out there and get it.

2 I grew up in Miami and I've seen quite a
3 number of very large swamp buggies. They're not going
4 to be able to pick up big, heavy, spent fuel rods.
5 It's just that the ground will support that much
6 weight. And it will be scattered all over the place
7 and it will be very hard to find until, you know, you
8 come upon one and it will be too late.

9 So basically all the spent fuel rods in
10 all them power plants up and down the East Coast and
11 the West Coast need to be moved out of the range, up
12 to high ground, away from where a tsunami could hit
13 it. It would be like up in the Appalachian Mountains
14 or up in the Rocky Mountains, a ways away from the
15 power plants so that they're protected.

16 And to build another power plant or two
17 down at Turkey Point, that's just insane. To be
18 honest with you, I don't see why they would want to do
19 that.

20 Solar and wind energy are coming online.
21 I have a patent on a new wind energy and I will be
22 building wind generators that will make nuclear power
23 obsolete. If it wasn't for the Koch brothers and our
24 Governor Rick Scott -- there was a grant that I was
25 trying to get that disappeared as soon as Rick Scott

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 got in office and he went to visit the Koch brothers
2 and as soon as he came back it was gone. So that was
3 the obvious link right there that -- there's a lot of
4 political things going on that want to stop renewable
5 energy from getting going and making a real impact on
6 the way our energy sources come from.

7 And on the way over I realized I forgot to
8 add in Yellowstone. I don't know if you all know
9 about that, but there's a super volcano growing
10 underneath Yellowstone National Park, and it's making
11 moves like it's going to explode again. It explodes
12 around every 600,000 years and it's been 660,000 years
13 since the last time it blew up, so it's due any time.
14 And a super volcano, like the last time Yellowstone
15 blew up, it was a major impact upon the entire planet.

16 I saw a movie the other night that was
17 talking about Yellowstone, and the ash cloud will go
18 from central Canada all the way down to Mexico and it
19 will cover -- from side to side it will be from the
20 Blue Ridge Parkway in the Appalachian Mountains over
21 to the Continental Divide on the west side will be
22 covered in hot ash, burning stones.

23 Now, airplanes can't fly through volcanic
24 ash. It burns up the jet engines and they come
25 crashing down. That's already happened, or came close

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 to happening on several occasions. So when there was
2 the volcano in Iceland that happened just a few years
3 ago all the jet travel in Europe was shut down days at
4 a time, if y'all remember that.

5 So anybody living in and around
6 Yellowstone for several hundred miles, when that thing
7 goes off they will probably be dead.

8 MS. JUCKETT: Could I ask you to --

9 MR. WILSON: No one knows when that will
10 happen, but it's coming, and it could be tomorrow or
11 it could be in 5000 years. We don't know, but nuclear
12 power -- nuclear spent fuel rods stay radioactive for
13 250,000 years from what I understand. So we talk
14 about time. The time nuclear power's been going on
15 has only been a few seconds of a tick on a clock
16 compared to the time that the planet's been around,
17 and we've really got to think about those things.

18 One good thing about the reporter in
19 Fukushima. He has said that there is bacteria, a
20 fungus of some kind growing on the reactor buildings
21 that have been blown up, and that is a very hot,
22 radioactive environment, and maybe the people that are
23 looking at what to do with spent fuel rods can find
24 out what kind of growth that is and use it to eat up
25 the spent fuel rods.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 Thank you very much.

2 MS. JUCKETT: Before you go, could you
3 please state your name and affiliation for the record?

4 MR. WILSON: Oh, yeah. I'm Greg Wilson,
5 and my company is Windjammer Energy Incorporated.

6 MS. JUCKETT: Thank you very much.

7 MR. WILSON: Thank you.

8 MS. JUCKETT: And our next speaker is Lisa
9 Marie Prescott. Is Lisa here? Great.

10 MS. PRESCOTT: Good evening. My name is
11 Lisa Marie Prescott, I'm a biologist and a secondary
12 educator in the fields of biology, chemistry, and
13 mathematics. I'm also licensed by the state of
14 Florida as a Certified Environmental Health
15 Professional in the area of onsite wastewater-
16 treatment systems.

17 Thank you for making this evening possible
18 and allowing people from diverse backgrounds to
19 participate in the planning process regarding nuclear
20 waste confidence.

21 Waste confidence revision warrants careful
22 examination because it serves as a foundation to
23 several key safety and environmental findings
24 regarding the operation of nuclear power plants and
25 the disposal of waste that they generate.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 In Waste Confidence the NRC proposes
2 reasonable assurance that the disposal of spent fuel
3 will not pose an undue risk to public health and
4 safety. It does so via the NRC finding and assumption
5 that disposal is technically feasible and can be
6 achieved with no significant environmental impact.

7 The Waste Confidence decision makes a key
8 assumption that spent fuel in the future, when
9 necessary, can be isolated in a repository and no
10 radioactive releases will go to the biosphere. The
11 Commission has determined that continued onsite
12 storage of spent nuclear fuel, beyond the licensed
13 life, for operation of a reactor is feasible. They
14 also make the assumption that having a mined geologic
15 repository within 60 years following the licensed life
16 or operation of a reactor is also feasible.

17 In the event that repository is not
18 developed in the future when necessary, the NRC
19 assumes that the nuclear industry will successfully
20 develop alternative methods of storage.

21 Why does the NRC, an official regulatory
22 agency, incorporate terminologies such as, "when
23 necessary" in reference to permanent spent fuel
24 disposal? Why does the NRC rely on assumptions rather
25 than directly implement specific and measurable

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 expectations? How can the nuclear industry and U.S.
2 society have confidence in such a system for managing
3 waste, waste associated with detrimental biological
4 effects when inappropriately handled?

5 Regarding the environment. According to
6 the NRC, changes in the environment around spent
7 nuclear fuel storage facilities are sufficiently
8 gradual and predictable to be addressed generically.
9 I beg to differ.

10 Lessons learned from management of Japan's
11 Fukushima nuclear reactors since March 11th, 2011, and
12 those currently being experienced due to continuous
13 leakage of radiation into groundwater, should nullify
14 this viewpoint of environmental stasis.

15 We face, in the coming days and in the
16 coming year, the challenging and potentially dangerous
17 transfer of 1300 spent rods from Fukushima reactor 4.
18 Was the damage in Fukushima the result of stasis? Was
19 it predictable?

20 In the coming years, the impacts of
21 climate change will be evident; sea level rise,
22 stronger storms, flooding, erosion, intense storm
23 surges, and increasingly frequent wildfires will have
24 to be addressed with scientifically based planning.

25 Nine U.S. nuclear reactor plants are

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 within two miles of the ocean. Others far from the
2 ocean already lie in regions prone to flooding. As
3 experienced in Nebraska during the summer of 2011 at
4 Fort Calhoun and Cooper Nuclear Stations, NRC must
5 begin to focus upon reactors in a site-specific manner
6 with scientifically based analysis.

7 Currently, 2000 metric tons of commercial
8 high-level nuclear waste is being produced each year
9 by nuclear power reactors. Nuclear industry is not
10 currently able to safely dispose of these 70,000
11 metric tons of commercial high-level nuclear waste
12 already generated. Unless and until permanent
13 isolation of the existing radioactive waste from the
14 biosphere has been demonstrated, there should be no
15 confidence in licensing waste production regarding
16 nuclear.

17 The NRC should expedite reduction in the
18 number of fuel assemblies in water-filled pools,
19 securely transferring them to dry cask storage. The
20 NRC should stop licensing new reactors and relicensing
21 old ones until it has proven that the waste can be
22 isolated from global ecosystem with long-term storage
23 and sites secured. Only then can we truthfully
24 express and experience waste confidence.

25 The methodology by which our current

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 society generates electricity must be managed in a
2 responsible manner with health and stability of future
3 generations in mind. NRC has the purpose and the
4 responsibility of protecting public health. The NRC
5 should provide clear, focused, site-specific analysis
6 of nuclear plants as it determines adequate storage
7 methods for spent fuel.

8 Thank you for your attention.

9 MS. JUCKETT: Thank you. That gets
10 through the list of speakers that I had signed up to
11 speak. Is there anyone who didn't get a chance to
12 speak yet that wanted to go ahead and make a comment?

13 (No response.)

14 MS. JUCKETT: I'm not seeing any hands.
15 At this time let's go ahead and take a -- oh, I'm so
16 sorry, I'm so sorry, I didn't see you. You can go
17 ahead and come on down.

18 MS. ZUCCARINI: Hi. Good evening. Thank
19 you so much for providing the opportunity for us to
20 speak. It means a lot to have you guys here from the
21 community.

22 My name is Ana, I'm from the University of
23 Central Florida.

24 MR. TENARIO: Hi, and I'm Frank from UCF
25 as well.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 MS. ZUCCARINI: I wanted to take this
2 opportunity to go over some suggestions for the
3 revision of your draft. As I was looking over this
4 report I found a couple of suggestions that I thought
5 I would share with you guys.

6 You say that this is the Waste Confidence
7 Generic Environmental Impact Statement, so the key
8 word would be confidence. And, to me, confidence
9 comes from knowledge, so just a couple of suggestions.

10 In this report the word "small" in
11 capitalized font appears more than 119 times.
12 However, there's no actual outline of what small
13 really means. There's no numbers, there's no science,
14 no actual graphs to really assess what the word small
15 really means in this study. Also, it would just be
16 nice to have, like, a copy of the data in which that
17 was based upon.

18 And then, another point would be that
19 there is -- they haven't addressed any human health --
20 there's not an actual section of public health, sort
21 of what measures of the waste created by these. Like,
22 what types of waste would be stored, what is the life,
23 you know, the half-life or basically the decay time
24 for these substances. Specifically, just because we
25 all know that nuclear substances, they remain active

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 and radioactive and noxious for, you know, centuries.
2 So if the report was based on assessing, you know, the
3 time that it would be safe to store them, how were we
4 measuring that if it would take centuries to really,
5 you know, really have a confidence in how long we're
6 storing it?

7 Then another thing that I wanted to say
8 was that -- a gentleman before was saying that he was
9 very concerned with having this project go through
10 because of public interest and bringing power to the
11 poor. However, you know, as Mr. Rossin said, there
12 are other types of energies. There was not a section
13 on here addressing alternatives or the effects of not
14 having this thing go through.

15 And also, you know, if the poor really
16 need power, sunlight's always free. I, myself, come
17 from a Third World country, I come from Peru. I lived
18 there for 12 years and I did not have an iPad or a
19 cell phone or computers. So I really just, you know,
20 had enough power for a TV and a radio and I was happy.
21 So there's really not a lot of high demand for nuclear
22 for the poor. I'm pretty sure they're more concerned
23 about food and clothing and housing.

24 And, yeah, I'd just really like to see a
25 more -- basically a detail-oriented section in the

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 Environmental Justice area, because aside from the
2 very vague terminology that is provided, it goes on to
3 say that the effects of these things -- well, they
4 don't really specify what effects or what things are
5 here. But they just go on to say that the potential
6 for moderate impacts to air quality, terrestrial life,
7 and transportation are based on construction-related
8 potential fugitive dust emissions. However, there's
9 not really like an outline of a measure of how much or
10 which substances would be the ones that would be
11 fugitive.

12 So it's just -- for a nuclear, you know,
13 very science-based, you know, PhD's, there's not a lot
14 of science to these, it's just a lot of capital
15 letters, small, moderate, large. So, you know, I'd
16 appreciate, since this is up for the community and you
17 are providing us a chance to really be acquainted with
18 what you are doing, if you would just provide that
19 kind of science for us to assess, even if somebody may
20 not grasp completely what is written on there, it
21 would just be like a good -- indicative of, you know,
22 how much the study -- like how in depth it went, you
23 know, many might be able to recognize some, you know,
24 maybe some pollutants that are already in the
25 environment that could maybe interact with some that

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 might leak or whatnot.

2 So, you know, even if I -- I'm not going
3 to use this for anything, it would just be appreciated
4 if you would provide that.

5 And then I guess I would like to sort of,
6 you know, make a little highlight point on here on the
7 Environmental Justice section. It says, the ISFSIs
8 would have minimal human health and environmental
9 effects on minority and low-income populations.

10 Since -- as I had asked before, you guys
11 said that you did not have these facilities yet built
12 and you were not able to answer my question or really
13 address it. However, in your Draft you are already
14 saying that it would have minimal effects on minority
15 and low-income populations.

16 My question is, why would you put that on
17 here if you have no idea where you're going to locate
18 these facilities? Is it some kind of like hint
19 towards already you're heading in the direction of
20 environmental inequalities?

21 And then, also it says here that these --
22 the overall contributor, human health and
23 environmental effects from continued short-term spent
24 fuel storage would be limited in scope and small for
25 all populations. However, what are the limiting

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 factors of the scope?

2 And, you know, again with the word "small"
3 in capital letters. What does that mean?

4 In this case, when it comes to noxious
5 substances and possible, you know, deaths of
6 population in close proximity to these facilities,
7 size matters, guys. The length of exposure, the
8 amount of contact and just basically, you know, how
9 long you're in contact with the poison, you know, even
10 hours and it can kill you over, you know, a couple
11 weeks or whatnot. However, we don't know if these are
12 -- you know, we don't know the substances, we don't
13 know the time, we don't know the times of exposures,
14 so we can't really -- well, me, as I am reading this,
15 I can't assess if this is small or not.

16 At the same time, another thing of
17 interest is, what are your assumed costs? Like, what
18 is a small cost for progress? What are we putting on
19 the line here? You guys are all pushing for progress
20 and, you know, we want to bring this energy; however,
21 at the cost of what? What are we sacrificing?

22 If we have indeed the confidence and the
23 technology to say that we are okay to go ahead with
24 these projects, you know, I would suggest that we have
25 a trial site, maybe a storage of these fuels maybe

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 going for a couple years, and if you guys are really
2 confident in your technologies, maybe it could be at
3 your offices and then that way we could see the
4 effects of these, you know, nuclear waste on you guys,
5 you know, and then we could really assess if this is a
6 small cost or not instead of the small communities and
7 population or low-income people who might be easily
8 deceived by progress.

9 You know, long-term storage, there's not
10 really like a specific time line. You know, just have
11 a little more science with it would be my
12 recommendation. Thank you so much.

13 MS. JUCKETT: Thank you. And was there
14 anyone else who did not get a chance to speak already
15 that would like to go ahead and get a comment on the
16 record?

17 (No response.)

18 MS. JUCKETT: Okay. I didn't see any
19 hands this time, so let's go ahead and take a quick 10
20 minute break. And if there is anyone who would like
21 to make a second comment, if you would come see me and
22 we'll put your name on the list for a second comment.

23 But for now let's go ahead and take quick
24 10 minute break and give everybody a chance to stretch
25 their legs for a minute. Thank you very much.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 (Off the record, 9:10 p.m.)

2 (Back on the record, 9:25 p.m.)

3 MS. JUCKETT: Okay everybody, let's go
4 ahead and get started again. I didn't have anybody
5 come up during the break and tell me that they wanted
6 to make a second comment, but I want to just go ahead
7 and offer just one more time.

8 Is there anybody who wants to make a
9 second comment? We have a little bit of time here.

10 (No response.)

11 MS. JUCKETT: Still not seeing anybody.
12 So, we've got to be here until 10 o'clock, since we
13 said that we were going to be here til 10 we want to
14 make sure that we keep the transcriber here and that
15 we give everybody the opportunity in case we have
16 somebody who couldn't make it until very late.

17 But we'll go ahead and close out the
18 meeting now so that we can let all of y'all go home.
19 And we appreciate so much that you were able to be
20 here, and Keith will give some closing remarks. And
21 if any of you have questions additionally we still do
22 have the NRC staff here available to talk and we'll be
23 glad to talk to you. And I hope that everybody will
24 take advantage of the extra time that we have
25 available tonight.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 So, here's Keith McConnell again with some
2 closing remarks.

3 DR. McCONNELL: Okay. Well, thank you
4 all. We know how much effort it takes to come to
5 these meetings and we do appreciate that effort. We
6 take the comments seriously, and as a representative
7 from the Nuclear Energy Institute mentioned, we do
8 prepare a Comment Response Document that does address
9 the comments that are raised here, as well as comments
10 that we get in writing and the comments that we've
11 gotten from the other public meetings.

12 So, we will close out this part of the
13 meeting. We do want to stay here because some other
14 people might come in later, and so we'll be here until
15 10 o'clock. So, we'll end it now, at least this part
16 of it, and we thank you for your participation. Thank
17 you.

18 (Off the record, 9:27 p.m.)

19
20
21
22
23
24
25

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com