

**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

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Pages 1-91

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UNITED STATES OF AMERICA

NUCLEAR REGULATORY COMMISSION

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WASTE CONFIDENCE PROPOSED RULE

AND

DRAFT GENERIC ENVIRONMENTAL IMPACT STATEMENT

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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

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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.

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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

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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

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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.

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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

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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.

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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

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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

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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.

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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

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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

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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.

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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

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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](http://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.

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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

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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

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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

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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.

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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.

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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

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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

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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,

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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

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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,

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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.

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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

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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

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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

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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

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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

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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

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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

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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

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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

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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

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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

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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

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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

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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

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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;

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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

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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

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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

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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,

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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

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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

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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

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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

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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.

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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

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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

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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

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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

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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.

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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.)

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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

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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

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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

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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

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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

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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

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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

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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.

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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.

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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

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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

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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

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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

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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

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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

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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 them 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

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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

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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

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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

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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.

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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.

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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

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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

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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

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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.

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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

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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

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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

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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

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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

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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.

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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.

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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.)

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