

STATE OF NEW YORK : COUNTY OF OSWEGO

NUCLEAR REGULATORY COMMISSION

Public Hearing

SUNY Oswego  
Lanagan Hall  
Oswego, New York

September 16, 1991  
7:45 p.m.

P r e s e n t :

Nuclear Regulatory Commission

- C. Hehl
- C. Cowgill
- J. Calvo
- D. Haverkanp
- J. Menning
- E. Marinos
- J. Beall
- W. Schmidt
- C. Gordon
- T. Martin

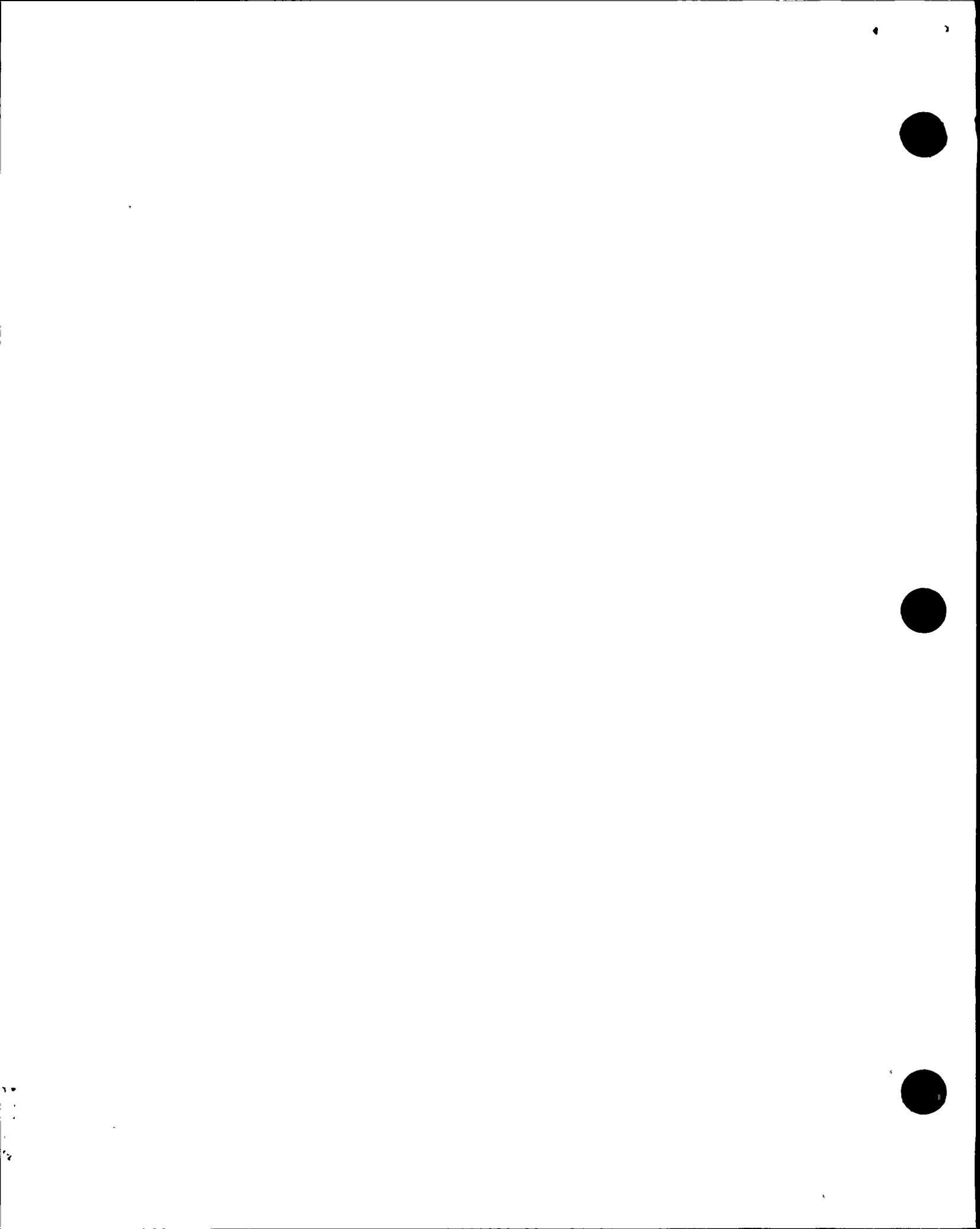
Terri L. Mack  
Court Reporter



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

MR. COWGILL: Good evening, ladies and gentlemen. I'd like to reconvene the meeting between the NRC and the public. The purpose of the meeting tonight is to answer your questions regarding the NRC findings and the event that happened on August the 13th, and how we performed our reviews and how we came to the conclusions that we did regarding the activities of this utility. It's also to receive the public's comments pertinent to the restart of Nine Mile Unit 2. And we would like to limit your discussions tonight to those two subjects. There's a sign-up list in the back of the room, which Mr. Hehl identified earlier, for those wishing to speak. It will be on a first come, first served basis. You have now heard about our inspection and NRC evaluation activities, and our conclusions. You have also heard that the NRC staff intends to recommend to the regional administrator that the plant be -- that the plant is ready for restart. Before we get into tonight's meeting, I would like to talk about a couple ground rules. In the interest of time, we would like each individual who has signed up to speak, will be allotted five minutes; this includes question and

..9204140133



1  
2 answer time. You will be signaled at the four-minute  
3 mark, so you may start to conclude your question and/or  
4 statement.

5 At the end of the five-minute period, or after  
6 your question has been asked, the panel would like to  
7 recognize the next speaker. You may present your  
8 questions or a statement directly to the NRC panel when  
9 called. If you have not been called by 11:00 o'clock  
10 tonight or if you do not wish to speak, you may submit  
11 your question or statement in writing. All questions  
12 and statements will be reviewed for relevance to the  
13 restart decision regarding Nine Mile Unit 2.

14 MR. HEHL: Let me ask something. As we go through  
15 here, we are trying to capture all of the comments and  
16 questions. We are transcribing the meeting. If you  
17 have a statement that you are going to read, we would  
18 appreciate it if you would try to read it as clearly  
19 and slowly as you can, from the standpoint of  
20 understandability and being able to get it into the  
21 record. And, in fact, preferably, if you can, if you  
22 have a statement written out, be my guest to read it  
23 anyway, but if you can provide a copy of that  
24 statement, it would really help in assuring we receive  
25 an accurate transcript of the questions and comments.



1  
2 MR. COWGILL: As we have stated earlier, and for  
3 those of you who may have come in late, our regional  
4 administrator, Mr. Tim Martin, is here to hear the  
5 public's comments, as well as the comments of the staff  
6 tonight, which will help in his evaluation of his  
7 decision that he has to make.

8 We would like to thank Oswego County and the folks  
9 here at SUNY Oswego for helping us set up the meeting  
10 tonight. Also, one final note. For the court reporter  
11 tonight, if you wish to read from a statement, our  
12 court reporter asks that you please provide a copy of  
13 that statement to her so that she may enter it into the  
14 transcript. If it is your only copy, if you will give  
15 her your mailing address, she will be happy to make a  
16 copy and mail your statement back to you.

17 With that, I'd like to spend just a couple minutes  
18 going over the event again, and try to put it in terms  
19 that are not quite so technical so we can develop a  
20 common understanding from which we're working tonight.

21 Now, at 5:48 on the morning of August the 13th,  
22 the plant was operating, generating essentially full  
23 power, through its main turbine and main generator; and  
24 the voltage was being transformed up, increased in  
25 voltage to the distribution system, which supplies this



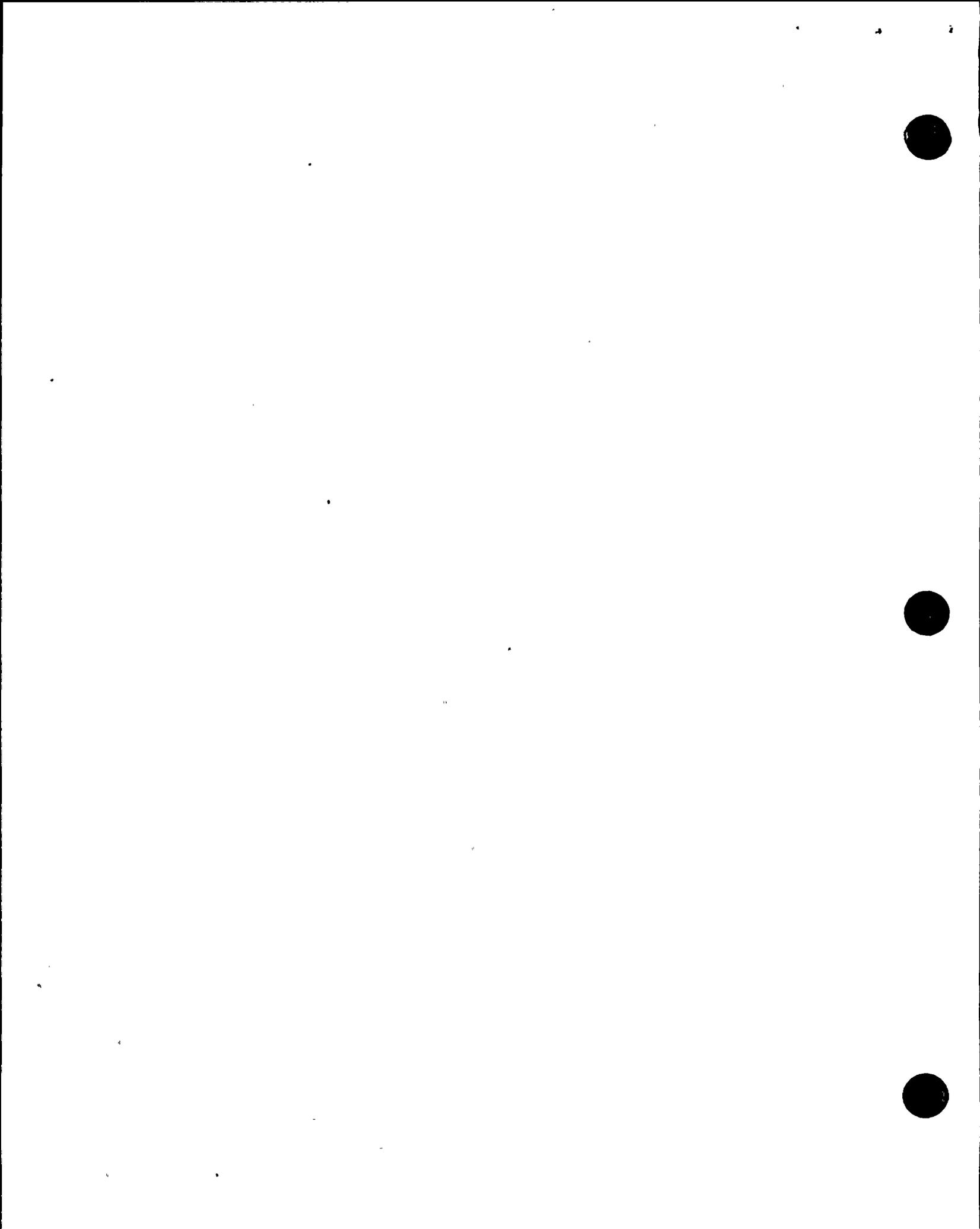
1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

part of the state. And that's 345,000 volts. At about that time, this part of the main transformer -- and that's a structure that stands about two stories high, it weighs multiple tens of tons -- had a failure. And in the next 1/10th of a second -- we called it 100 milliseconds -- but about 1/10th of a second, that caused reverberation back into this system here, which caused the main generator to turn off, which tripped the main turbine. When the main turbine was no longer able to remove heat from the reactor, the reactor automatically shut down.

At the same time, the disturbance on this part of the main transformer, through some other subtransformers over here, caused the brains, essentially, of this power supply to turn off, which caused the loss of the indications in the control room, which left the plant operators with the problem that we have been discussing for the last several weeks.

So with that explanation, I'd like to begin. And the first speaker that has signed up tonight was a Mr. Stuart Kantor. Would he please come forward.

MR. KANTOR: I would like to know why it took 10 years to find a wire error in the panel, why it took 20 years to find that a panel over at FitzPatrick was



1  
2 welded improperly. That's the first of my questions.  
3 Is there any -- do I get an answer or --

4 MR. HEHL: Let me attempt to answer that with  
5 regard to the Nine Mile Point wiring error in that  
6 uninterruptable power supply. These particular power  
7 supplies are used for a lot of applications other than  
8 just nuclear plants. They are used in hospitals, they  
9 are used in a number of locations to provide an  
10 uninterruptable source of power. That's why they call  
11 them uninterruptable power supply. They have an A/C  
12 source normally, they have a D/C source, provided by  
13 large storage batteries that are to take over if the  
14 normal A/C source becomes de-energized. And they also  
15 have a third source of power, and that is a maintenance  
16 source.

17 So if the charger -- If this uninterruptable power  
18 supply has to be taken out of service to provide  
19 maintenance on it, it has this maintenance supply that  
20 will continue to provide power, even with -- even with  
21 this unit out of service. The wiring that was in place  
22 at Nine Mile Point served the purpose to provide a  
23 power source to a D/C power supply to the UPS logic.  
24 And in fact, back when this particular unit apparently  
25 was purchased, and specified the wiring at that point



1  
2 in time, was either placed on one A/C supply or the  
3 other A/C supply. As it turns out, the most -- the  
4 most unsusceptible to disturbance, happens to be the  
5 power source where they didn't hook in this logic  
6 supply. So although it was not wired such that it had  
7 the most stable source of A/C power for this logic, it  
8 was wired in a functional manner. It did perform. It  
9 was just this particular combination of events that  
10 occurred that caused this -- This, we refer to it as a  
11 wiring error. Essentially, what it is, it's a learning  
12 experience that this power supply ought to be powered,  
13 perhaps from the other source of A/C.

14 MR. KANTOR: I have to ask the ever so obvious:  
15 What do you do besides blow the siren and have media  
16 coverage? Aren't they checked out? What if the  
17 transformer went out? What if the power supply went  
18 out? Don't they do that in the disaster drills?

19 MR. HEHL: Disaster drills --

20 MR. CALVO: You have to look at the power supply.  
21 The first question that you asked, how important that  
22 power supply is to the safety of the nuclear power  
23 plant. It's an important, important supply. The only  
24 things up there that are supposed to have doubled, two  
25 or three at a time, that actually look at one another,



1  
2 when the power supply failed. The power supply, by  
3 itself, is a single power supply. It will fail sooner  
4 or later. It was only one, and one thing will fail;  
5 there are other things up there that are supposed to  
6 compensate for those failures. The -- we -- The  
7 particular power supply will fail. We have so much of  
8 the equipment there that is supposed to compensate for  
9 the failure. We also have procedures in place to help  
10 the operator to compensate for that failure, and train  
11 the operator to compensate for that failure. The  
12 importance of the power supply, the important -- You  
13 have to put in importance -- part of importance is  
14 certain things; it is not the end of the world, we have  
15 power supplies that fail. Why that thing was not done  
16 that way, the base, because it was not as important as  
17 the other, was it was not closely followed.

18 MR. KANTOR: How can you determine -- it's  
19 important to all of us who live in the area...

20 MR. CALVO: You have other things to compensate  
21 for the failure. We are -- You see, you have to  
22 believe me, that that particular power supply plays a  
23 certain role here. You have other things that  
24 compensate.

25 MR. KANTOR: Is this a fail-safe system? In other

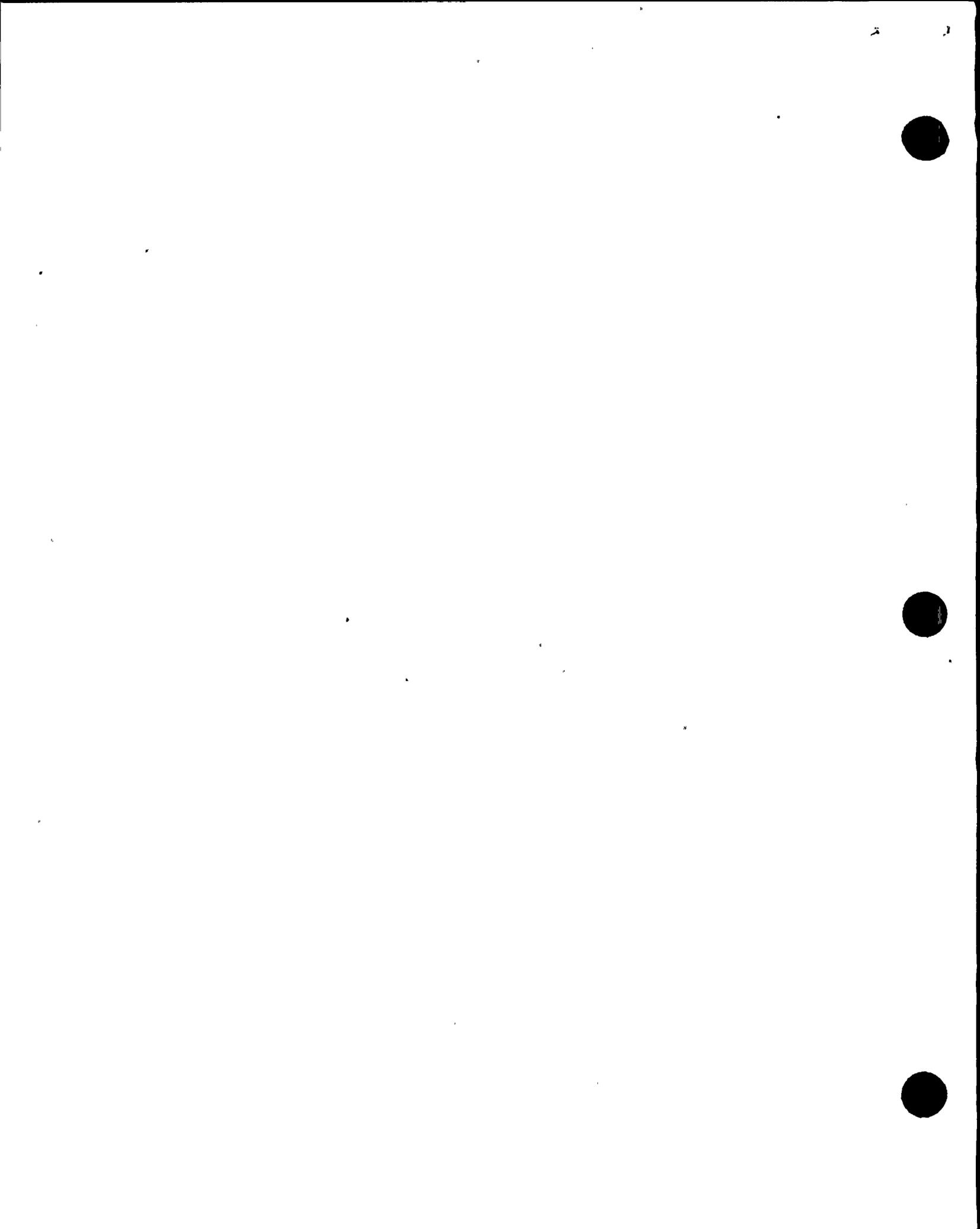


1  
2 words, if fail -- a fail-safe system, in my idea, is  
3 that you have relays with switches on certain types of  
4 operations. Now, it would seem to me that these relays  
5 should be set up so when they are picked up, they  
6 switch in these operations when they fail, when the  
7 relay is relaxed it goes to back-up position. It seems  
8 it didn't happen in this situation.

9 MR. HEHL: That was the intent of the design. And  
10 in fact, if the way the thing was wired, it would have  
11 performed that way if, in fact -- if there was a real  
12 failure that occurred. What occurred in this  
13 particular event was not a loss of the voltage through  
14 that to that B supply. If that voltage had been lost,  
15 this unit would have transferred over and picked up the  
16 load, as it should have done. It just happened that  
17 the voltage decreased enough where it kind of fooled  
18 the logic into not switching to its alternate supply.

19 MR. KANTOR: That's not a fail-safe thing. If  
20 that voltage goes down, then that whole system should  
21 shut down.

22 MR. HEHL: That's the reason why we don't panic.  
23 And in review of the design and construction of the  
24 facility, we don't depend on one piece of equipment or  
25 five pieces of equipment. These plants are designed



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

with the <sup>Defense in</sup>  ~~Benson~~ depth type of system, such that you have multiple backup systems that are in place to mitigate or take care of a failure that may occur. You know, human beings design the systems, and human beings are subject to errors. There is no doubt about that.

MR. KANTOR: And we human beings are the ones who get hurt when that thing fails. And -- (inaudible) -- Not to start up Nine Mile 2 -- it's unsafe; it's too costly. We have had other -- we have hydroelectric power. Niagara Mohawk -- not Niagara Mohawk, Niagara Falls has been in operation over 60 years. I have yet to hear any problem with that. It's been there over 60 years. They shut it down, rebuilt it; now it's functioning. Again, you can't even keep these things on for two weeks. Shut them down.

VOICE: We live with solar electricity, folks, and it works. They ought to start doing the same thing.

MR. HEHL: We appreciate your comments.

MR. COWGILL: The next person on the list is a Miss Linda Downing.

MS. DOWNING: Is this the finalized report? Is there going to be a finalized report?

MR. COWGILL: I don't know what the paper you have --



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

MS. DOWNING: What you handed us tonight. Is this a finalized report? Is this the extent of the investigation of the problem?

MR. HEHL: No.

MR. COWGILL: No, it is not.

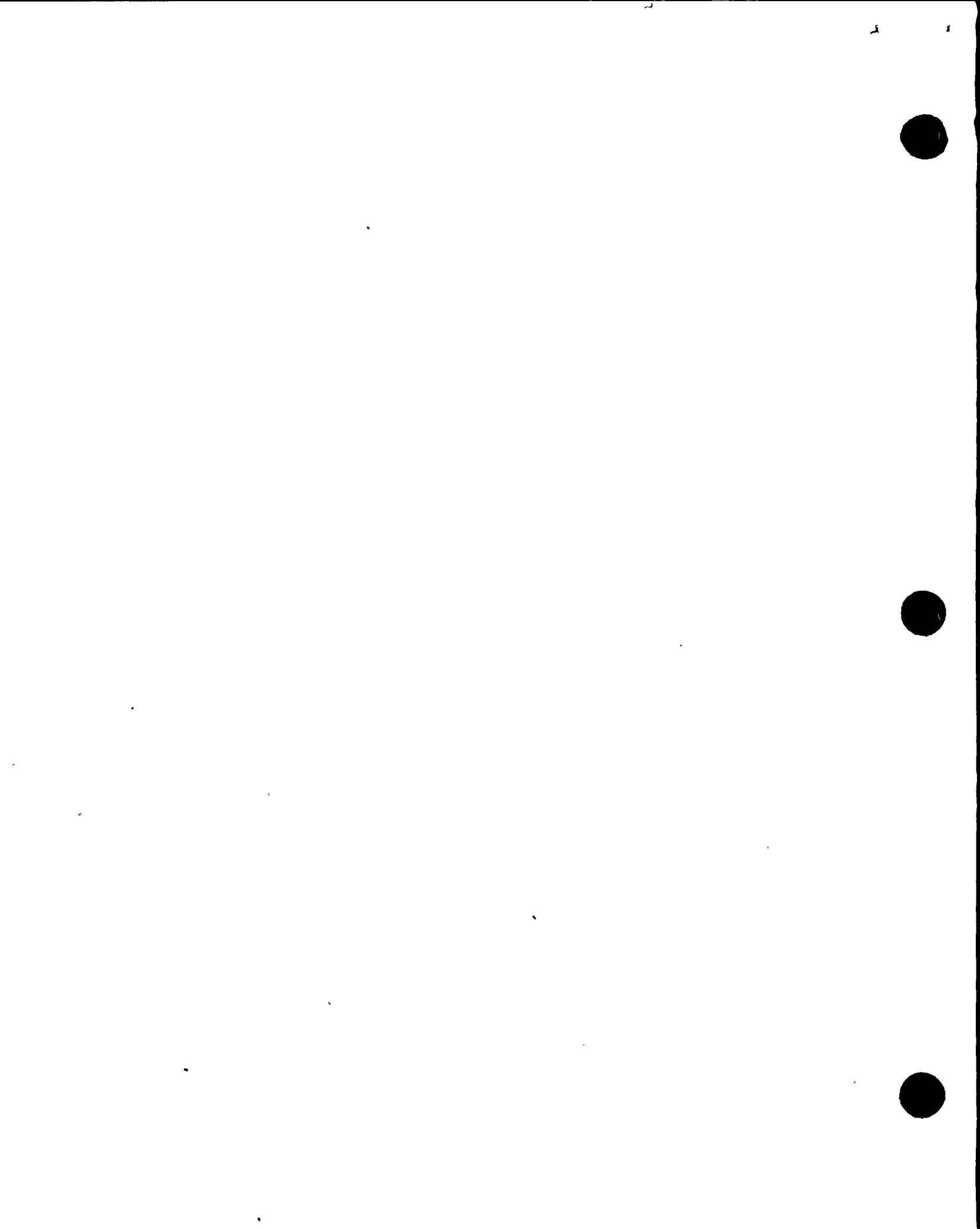
MS. DOWNING: In other words, you handed us out tonight some paperwork, without a glossary I might add, to comment on, when it's not even a finalized report, and we're supposed to stand up here and make comments about restart of a plant without information --

MR. HEHL: In fact, we didn't even hand that out.

MS. DOWNING: Are you going to be restarting up the plant without a finalized report?

MR. HEHL: There are inspections that are conducted to determine whether or not the plant is ready to restart. Those inspections with regard to the hardware have been completed, and that was really the results of what we presented tonight, was the results of the inspection activities that took place. There will be inspection reports that are published that will provide all the details.

MS. DOWNING: When? When? When? When? Why weren't these available tonight for us to read in five minutes, and then get up here and comment on them?



1  
2 MR. HEHL: Well, the inspection reports are  
3 published on a regular basis. We provide -- We do the  
4 inspection activity. Those reports will be produced  
5 and will be available for public consumption. And if  
6 you have comments on the reports, we'll be glad to  
7 respond or address these comments; but the inspection  
8 reports are not completed at this point in time.  
9 However, as we present it tonight, the inspection  
10 findings have been completed.

11 MS. DOWNING: Okay. When did you determine the  
12 date for this meeting?

13 MR. HEHL: This meeting was determined, I guess,  
14 about last Thursday or Friday.

15 MS. DOWNING: Is that customary, to give the  
16 public a weekend in order to review -- to be able to  
17 come to a public meeting for comments?

18 MR. HEHL: The purpose --

19 MS. DOWNING: Do you work on the weekends?

20 MR. HEHL: I do a lot of the time. We had people  
21 here for a number of weekends to -- including Mr. Beall  
22 here, who is -- who led the team that looked at the  
23 restart items. This is his third weekend in a row  
24 working in that particular area.

25 VOICE: Are you getting paid?



1  
2 MR. HEHL: Irregardless (sic) of that. The  
3 activities that we review, were to perform a specific  
4 purpose, and that was to determine whether or not the  
5 facility was ready to restart from a hardware  
6 standpoint. This facility, under law, has a right to  
7 operate. We have a commitment from them not to restart  
8 this plant until the issues associated with this event  
9 have been reviewed and corrective action was necessary  
10 and implemented. And the NRC reviewed that corrective  
11 action and made a determination that the plant could  
12 restart.

13 MS. DOWNING: Regardless of anything the public  
14 has here to say; correct? It's regardless --

15 MR. HEHL: No.

16 MS. DOWNING: Let me go on. I only have five  
17 minutes here. Nine Mile 1 and 2 -- and if you read in  
18 USA Today, have been shut down twice as much as any  
19 other reactor in the United States. A Scriba resident  
20 was quoted, and -- in the Palladium Times, as saying  
21 you don't even know if you're supposed to be scared or  
22 not. That's because of so many unusual events over  
23 there that they have become commonplace; the people  
24 don't know whether or not to be scared or not. This  
25 thing was a Class 3, brought down to a Class 2; am I



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

correct? The site consumer protection board director, Kessel, stated something always seems to be wrong-out there. It's clear that Niagara Mohawk requires eminent oversight by the NRC. Does that mean that Niagara Mohawk Unit 2 is going to go back on the watch list?

MR. HEHL: Would you like an answer?

MS. DOWNING: Yes.

MR. HEHL: I didn't want to interrupt you in your discussion. I didn't know if you were taking a breath or what.

MS. DOWNING: No, it was a question.

MR. HEHL: Again, starting, I guess at the last question, whether or not Niagara Mohawk goes on the watch list, per se of the NRC, that decision is made every six months in a management meeting that occurs at various places around the county. The senior NRC management gets together, reviews the performance of the facilities, and makes a decision, which facilities require this enhanced monitoring.

MS. DOWNING: I'm assuming in November you should make a decision?

MR. HEHL: The next meeting scheduled right now is for January. We'll have meetings within the NRC to assess performance at the facilities. We'll assess



1  
2 this event and how this event entered us into the  
3 process. But every six months, there's a new review to  
4 determine whether or not these plants go on a watch  
5 list.

6 Now, that doesn't mean that in the interim time,  
7 if things degrade or performance is observed to  
8 decline, that we won't take action in that regard. We  
9 have three inspectors stationed up here full time to  
10 oversee activities. This plant receives significant  
11 amounts of inspection activity out of our regional  
12 office, our headquarters. And whether or not they're  
13 on the watch list for the NRC really doesn't dictate  
14 necessarily the inspection activity, the oversight that  
15 takes place when an event occurs such as it did here on  
16 August the 13th. It doesn't matter whether they're on  
17 a watch list or not on a watch list. We respond to  
18 that event, evaluate how the facility performed, and  
19 make a determination on whether or not that facility  
20 can continue to operate safely. And in this case, we  
21 have reviewed -- the event took place, and we have  
22 reviewed the actions that have been taken to resolve  
23 some of the issues that were determined through the  
24 investigation that need to be corrected prior to  
25 restart again.



1  
2 MS. DOWNING: Just in closing, Mr. Sylvia -- he's  
3 gone. I don't know where he went, but he made a  
4 comment saying that performance of his people, he was  
5 really glad to see it. I would like to make the  
6 comment, if his people want to perform, let him go into  
7 a play. We don't need a real-life scenario that might  
8 take our lives.

9 MR. COWGILL: Third person is Miss Cindy Gagne.

10 MS. GAGNE: Are any of you familiar with this  
11 report? It's a government accountability report on  
12 nuclear safety and health counterfeit and substandard  
13 products, our government-wide concern... Are any of you  
14 familiar with this?

15 MR. HEHL: Yes, we're familiar with it.

16 MS. GAGNE: Is Nine Mile 2 on this list?

17 MR. HEHL: In what regard?

18 MS. GAGNE: Is Nine Mile 2 -- Is Nine Mile 2  
19 listed in this report?

20 MR. HEHL: I don't know... Does somebody know  
21 specifically?

22 MS. GAGNE: Yes, Nine Mile 2 is listed in that  
23 report. That means that it might have one or some of  
24 the following. Counterfeit fasteners, pipe fitting,  
25 electrical equipment, such as circuit breakers and



1  
2 valves. Maybe the public ought to see this report.

3 MR. HEHL: That report is available to the public.

4 MS. GAGNE: But they don't know about it yet.

5 First of all, I'd like to thank so many NiMo people for  
6 coming out tonight on what I think is your own time.

7 There were many references made to car parts and  
8 situations in automobiles when the accident happened on

9 August 13th. Many so-called qualified officials made  
10 statements suggesting that it was like losing your

11 brakes or various things. I didn't really appreciate  
12 that; but if you want to start getting into car parts,

13 then I suggest that Nine Mile 2 is the Corvair, unsafe  
14 at any speed. It ought to be shut down forever.

15 If people tonight don't understand why we're in  
16 this mess, then all they have to do is read The  
17 Post-Standard, an article by Mark Hoss, that was  
18 written a number of years ago called Nine Mile 2; The  
19 Broken Promise. It documented all the construction  
20 problems that -- at Nine Mile 2. I don't commend

21 Niagara Mohawk for the way that they behaved during the  
22 accident. If it wasn't for them insisting that that  
23 plant be finished, lying to the public through this  
24 Commission in 1979 and '80 about how much the plant was  
25 going to cost and what the percentage was done, they



1  
2 wouldn't have had to be in such a hurry to rush and put  
3 in electrical systems wrong, like wiring a control room  
4 wrong, that they then had to rewire.

5 They might have had time to check the welds. And  
6 many people here might not know about -- the NRC  
7 does -- that the Seabrook Nuclear Plant has been  
8 down -- or has been down since spring to check on welds  
9 that were never documented, not X-rayed. Well, I would  
10 like to suggest that maybe ITT Grinnell also did not  
11 document all their welds. Last year when you had your  
12 restart meeting on Nine Mile 1, no one could tell me at  
13 that time if all the welds at Nine Mile 2 had been  
14 X-rayed properly and documented. I don't believe they  
15 have, but then again, what would I know? I only live  
16 around here.

17 I would like to suggest that Nine Mile 2 is a very  
18 expensive plant that is going to cost -- is going to be  
19 broken more than it's going to be running. Though, I  
20 don't like coal-fired steam plants; I might feel more  
21 comfortable with a coal-fire or an oil-fired steam  
22 plant next door, because I have never had to review an  
23 evacuation plan for one.

24 Thank you.

25 MR. COWGILL: Mr. Richard Luke.



1  
2 MR. LUKE: Good evening. My name is Richard Luke;  
3 I'm a resident of Scriba. I have been most of my life,  
4 and I may have a dubious distinction of being the  
5 person living the closest to Nine Mile Point. The view  
6 that I see from my front porch scares me considerably.  
7 It seems that each day I look at a three-ring circus  
8 down at the point. What I see seems to be the  
9 technological equivalent of Curly, Larry & Moe. But  
10 the Three Stooges got paid for being funny. That was  
11 their job. And the responsibility --

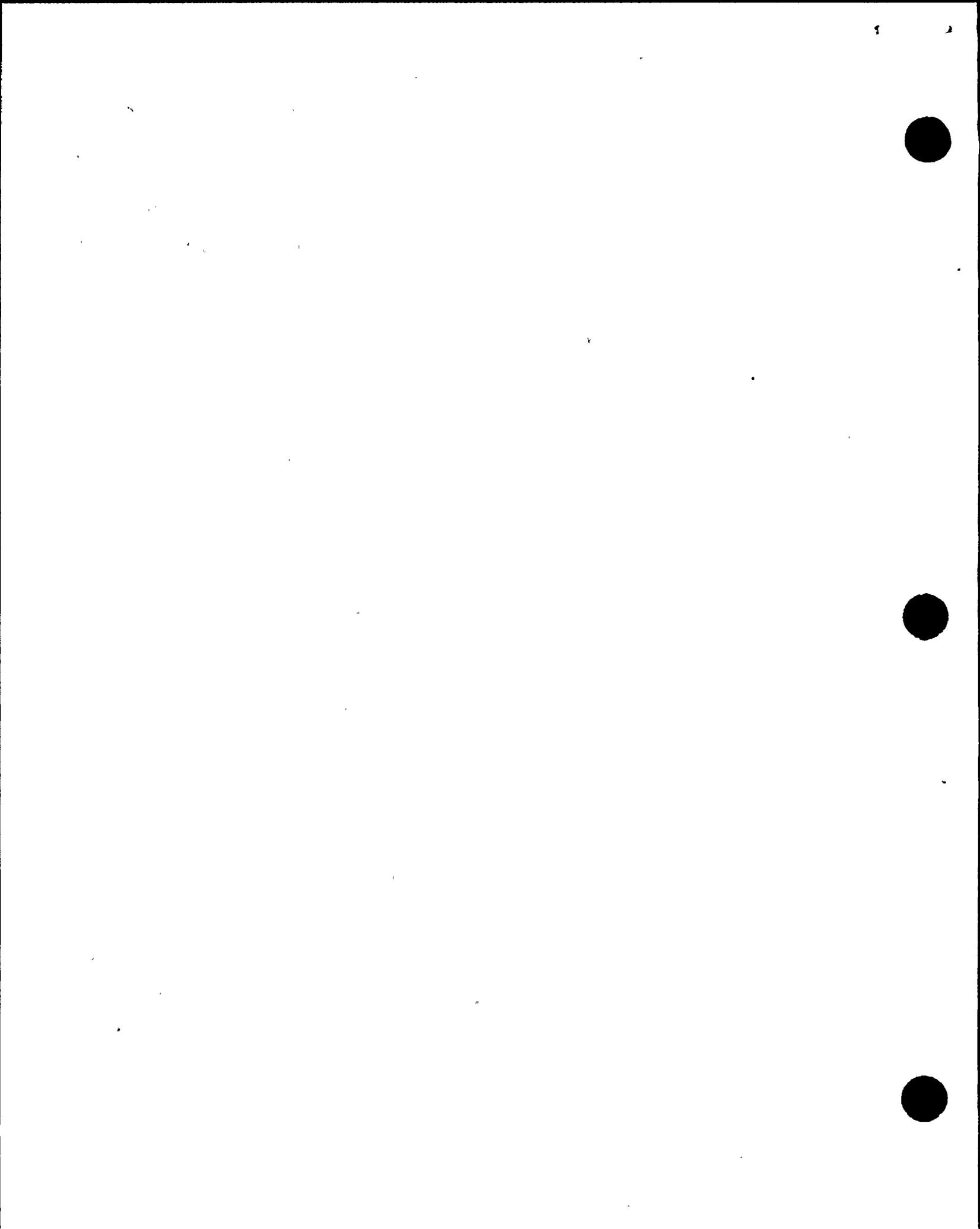
12 VOICE: NiMo is being paid well.

13 MR. LUKE: That's true. The responsibility of  
14 injury usually resulted in only the Stooges,  
15 themselves, being hurt. It's increasingly more clear  
16 that the act at Nine Mile may someday destroy Central  
17 New York.

18 VOICE: And the world.

19 MR. LUKE: Possibly that, too. Now, let me ask a  
20 couple of questions concerning what I've heard, and you  
21 gentlemen probably have the expertise to answer them.  
22 I understood that during this incident, the coolant  
23 around the core was lowered considerably. Is that  
24 true?

25 MR. COWGILL: There was a reactor vessel level,



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

the coolant in the core did decrease.

VOICE: Where did it go?

MR. LUKE: By how much did it drop?

MR. COWGILL: Wayne Schmidt, can you handle it?

MR. SCHMIDT: During the transient, the one level, the core never got to a point where it was threatening the fuel. And that's what you --

MR. LUKE: How much did it drop?

MR. SCHMIDT: Do you remember the exact --

MR. LUKE: 6 feet.

MR. SCHMIDT: It's on that order.

MR. LUKE: Approximately a third of the coolant.

MR. SCHMIDT: It's a third of the coolant above the core.

MR. LUKE: It better be above the core.

MR. SCHMIDT: That's correct.

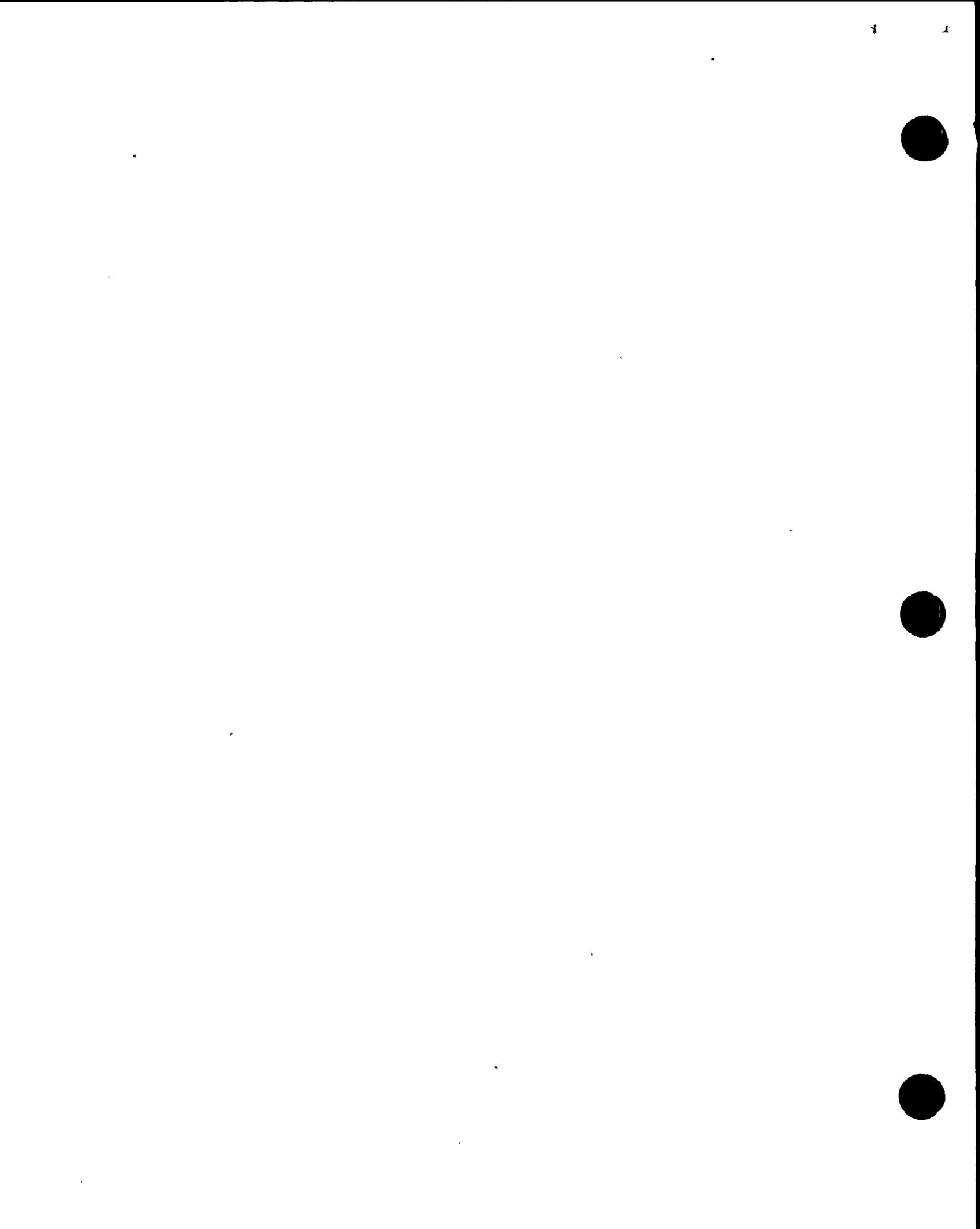
MR. LUKE: It doesn't do a lot of good below the core.

MR. SCHMIDT: Well, the point is it was above the core. And --

MR. LUKE: Okay.

MR. SCHMIDT: And none of the safety --

MR. LUKE: Please, I'm on a time limit. You've answered my question, let me continue. What caused



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

that drop in coolant?

MR. SCHMIDT: During the transient, when the transformer failed, the turbine tripped. But in order to relieve the energy that the heat stored in the core after the reactor trip, which followed the turbine trip, you have to boil the water. And when you boil the water, it makes steam. And the steam goes, and it is condensed in the condenser. It's the normal way of removing decay heat in the plant.

MR. LUKE: This was a normal -- to lose a third of the water in the core?

MR. SCHMIDT: It's normal under that transient, yes.

MR. LUKE: What stopped more water from being lost?

MR. SCHMIDT: What stopped more water from being lost was that the operator took proper action and lit off an item <sup>(RCIC pump)</sup> to put water back into the core.

MR. LUKE: Now, what would happen, hypothetically, if all of the water did get removed from the core?

MR. SCHMIDT: The item that the operators <sup>(lit)</sup> took off was not technically what we consider to be a Class 1-E safety system. There were numerous other systems at the plant to design -- to provide water to the core.



1  
2 MR. LUKE: Is that like an uninterruptable power  
3 supply?

4 MR. SCHMIDT: All the supplies that supply the  
5 Class 1-E equipment functioned properly during this  
6 event, so it's not --

7 MR. LUKE: Okay. But let's just humor me.  
8 Hypothetically, what would happen?

9 MR. COWGILL: We don't want to get into  
10 hypothetical situations.

11 VOICE: They have you in a hypothetical situation  
12 about FitzPatrick and the earthquake; that would just  
13 be hypothetical.

14 MR. LUKE: If there was a drop of coolant in the  
15 core, and if there was a danger that somehow this could  
16 continue or be repeated, then obviously there's a  
17 danger that the core could some day explode through  
18 some scenario that you're right now not thinking of.  
19 If it is exploded, what would happen?

20 MR. HEHL: I think the results of a lost coolant  
21 accident that results in the coolant draining from the  
22 core, depends a lot on how that occurred. If, in fact,  
23 it occurred through a basic break in a pipe, one of the  
24 biggest pipes in the system, then there are backup  
25 systems in place to reflood the core. If they can't



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

reflood the core, then there's no doubt about it, you know, I think it's understood that you can have a meltdown in the core.

VOICE: Just say meltdown. That's what he's looking for.

MR. HEHL: There's no doubt about it, that that is an ultimate consequence of complete loss of cooling to the reactor core.

MR. LUKE: Now, if such a meltdown had occurred, would I be safe if I stood beyond the 10 mile line?

If I, for example, put one foot over the line, and just kind of shifted back and forth, would that be safe, 10 miles from the reactor?

VOICE: Would it be night or day?

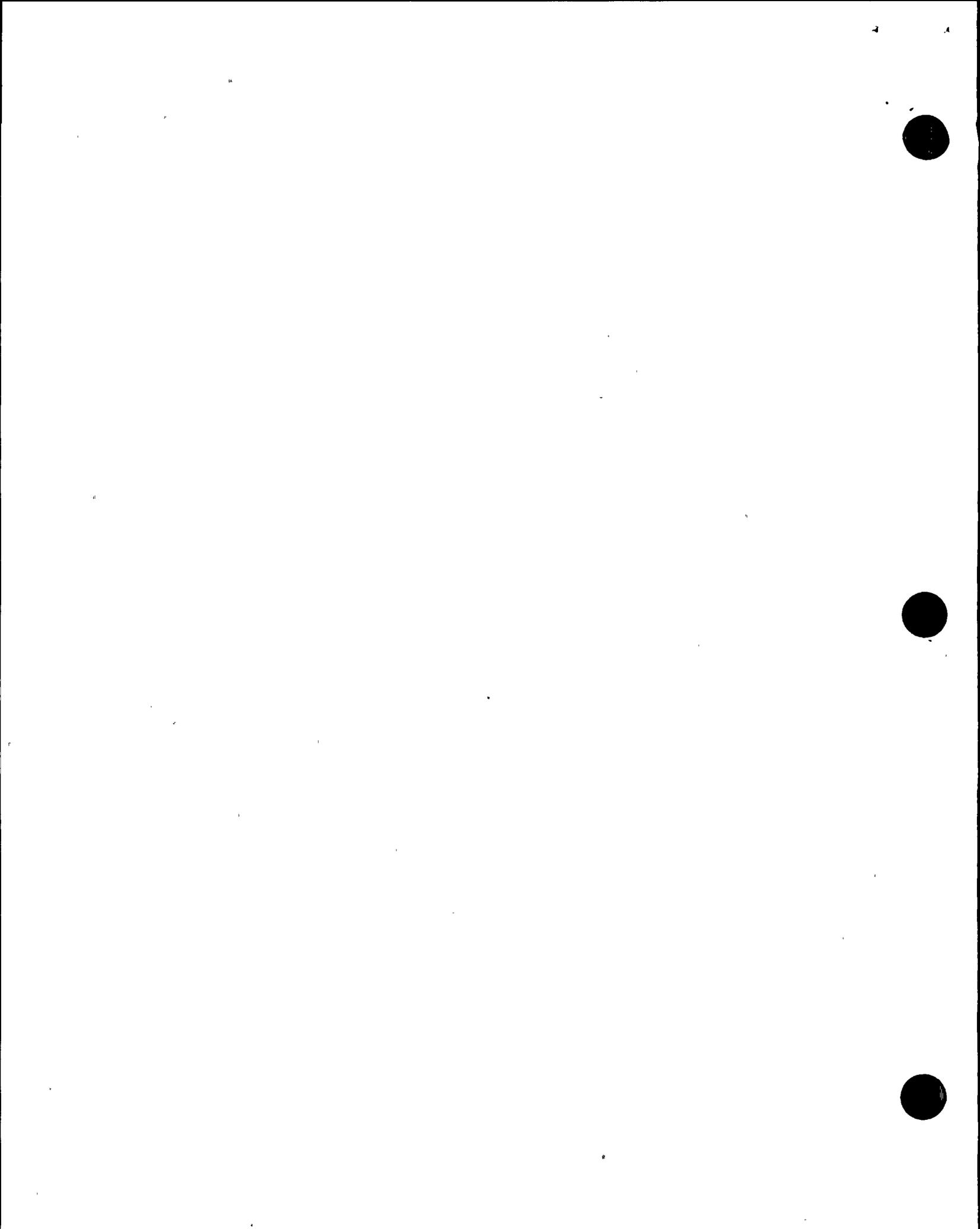
MR. HEHL: That's why there's been a lot of calculations to determine what the potential effect is.

MR. LUKE: Would you want to stand 10 miles from the reactor if it melted down?

MR. SCHMIDT: He would probably have to.

MR. LUKE: If you have to-- Seriously, obviously, you know, you wouldn't. Since you live around the reactor

VOICE: Why is it such a dangerous toy? Why don't we just eliminate it? Why are we playing with such a



1  
2 toy?

3 MR. LUKE: My point is -- before I'm out of time  
4 completely -- the emergency preparedness plan, I think  
5 is woefully inadequate. You have many people around  
6 here convinced -- absolutely convinced they are safe if  
7 they live in Fulton, they are safe if they live in  
8 Phoenix, that they are safe if they live in Syracuse.  
9 The media people here, I don't think realize how  
10 catastrophic it would be if this core did melt down,  
11 and how far-reaching it would be. And I think we have  
12 to start telling people around here the reality of it.  
13 It may never happen, I pray to God it never happens,  
14 but I don't think you're playing fair to these people  
15 by convincing them that there's an invisible line 10  
16 miles from Oswego they're safe behind, because that  
17 just isn't so. Thank you.

18 MR. COWGILL: The next question is from a  
19 Mr. William Snyder. He wrote a written statement and a  
20 question. His question is: Pending favorable review  
21 from the NRC, what steps will be taken to prevent this  
22 from happening again? And will you upgrade any of your  
23 safety equipment.

24 With respect to the first half of the question,  
25 what steps will be taken to prevent this from happening



1  
2 again; the utility has modified the power supply wiring  
3 such that the event that caused the problem on August  
4 the 13th should not happen again, that has been  
5 reviewed by the incident investigation team, and  
6 confirmed by the folks in our headquarters office, and  
7 evaluated by the inspection team. That is one of the  
8 steps that have been taken to prevent this from  
9 happening again. And one of the charters of the  
10 incident investigation team is to evaluate NRC rules  
11 and other equivalents at the plant as a part of their  
12 long-term evaluation to see if there was anything that  
13 needs to be changed. And so that team is in the  
14 process of continuing to do that.

15 The next question will come from the next speaker  
16 on the list, Mr. Brian Quail:

17 MR. QUAIL: Gentlemen, I'm not an activist. I'm a  
18 student reporter. I'd like to ask a few questions that  
19 my students would be -- fellow students would be  
20 interested in. First off, with evacuation plans. My  
21 understanding, especially from discussions I've had  
22 from this evening, that there are five buses that would  
23 be provided to the campus; and also a rule that all of  
24 the vehicles leaving the campus must be filled to  
25 capacity. There's been some concern about where the



1  
2 buses will come from. I've heard the buses are  
3 supposed to come from Syracuse. That the evacuation  
4 plan calls for all traffic to be going one way; and  
5 that's towards Syracuse.

6 Again, I'm somewhat concerned about the public  
7 recording that goes on, as a member of the media,  
8 coming up; not journalism. If someday I'm working at  
9 the Post Standard, how long before something happens at  
10 the nuclear power plant comes across my desk and the  
11 phone rings.

12 Third, I'd like to ask about safety devices. This  
13 evening you talked about fail safety mechanism. And at  
14 one point a member of the panel, I think, said, you can  
15 trust us, or words to that effect. And my concern,  
16 gentlemen, is that if, in fact, this problem that we  
17 had here was actually a problem with the devices that  
18 monitored the problems that are going wrong within the  
19 plant at an actual reporting gauge problem, so to  
20 speak, you know, how safe are the safety devices; and  
21 given the number of problems this plant has suffered  
22 over the course of the last seven years, why should I,  
23 as a student in Oswego trust you gentlemen with this  
24 great power of responsibility to keep our life safe?  
25 Why, given your track record, should I trust you?



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

VOICE: You shouldn't.

MR. GORDON: To respond to your first two questions regarding the evacuation planning and bus route, NRC does not really evaluate the adequacy of those.

VOICE: You should.

MR. GORDON: Basically, what we do is defer to the federal emergency management association who have -- has the proper expertise in looking at the adequacy of those routes. FEMA gives us the report, and a determination whether they believe those routes are -- and the bus drivers are -- adequately trained to make sure that people are evacuated in a timely manner. We take that FEMA evaluation, NRC couples it with its on-site evaluation in making an overall determination whether we believe the emergency preparedness is good enough.

VOICE: Obviously, it's not.

MR. GORDON: At the current time, we have no off-site issues from FEMA that we're aware of regarding evacuation and bus drivers.

VOICE: You didn't blow the whistle.

MR. COWGILL: With respect to public reporting of events at nuclear power plants, there are several



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

methods by which events are publicly reported for very low level events, and problems -- and the like. The utilities are required to report certain classes of events within 30 days.

VOICE: You want to watch my radioactive waste, please.

MR. COWGILL: Certainly, there are second classes of events required by our regulations to be reported within four hours. And then there are other classes of events that are required to be reported to us within an hour. And I think that's the response to your question. And third -- I'm not real sure I understood your question about safety devices.

MR. QUAIL: I think my question is a general kind of question, that if the problem in the plant was with control mechanism, you didn't know what was going on in your plant, it sounds like. What exactly are the safety devices that are in place? How do they work? Are they all geared into your little control center? Are there, you know -- What is it that actually makes these safety mechanisms work, and how much in control are they?

MR. HEHL: The mechanisms are various types of mechanisms. There's diversity. There are, honestly,



1  
2 you know, a lot of very complex electronic devices that  
3 are in place. The bottom line on this particular event  
4 on August 13th was that the instrumentation, that we  
5 specify as a minimum to be able to safely control the  
6 plant and shut it down, was still available. The  
7 instrumentation that was not available was  
8 instrumentation that provides a lot of information to  
9 the operators; there's no doubt about it. The  
10 operators were hindered by the lack of that  
11 information. But the instrumentation that was required  
12 that they need to perform their activities was still  
13 available, and that is because there was diversity in  
14 the design of these types of instrumentation. There  
15 was diversity in the systems there to provide backup  
16 support. And that system worked.

17 Now, these complex systems are tested on a regular  
18 basis. They are tested. Some of them are tested  
19 weekly, some are tested daily, some are tested every  
20 quarter, some of them get tested, because of their  
21 functions, only once every 18 months. But these  
22 particular systems throughout the plant are tested on a  
23 regular basis to ensure that they are ready and capable  
24 of performing their activities.

25 MR. COWGILL: The next speaker is Mr. Joe Haney.



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

MR. HANEY: Good evening, gentlemen. I kind of feel like I'm right back where I was about a year and a half, two years ago when we restarted 1. I can almost go down my comments from that night, and it would basically apply to the situation we have tonight. But I'd like to get a -- one particular aspect of these restart action plans that Niagara Mohawk comes up with all the time. And one particular phrase that is always made, and that is the root cause. Now, as you said, all this equipment is made by humans, and therefore, some of the design can be in error. The upkeep of this equipment is also done by humans, and every incident that has come down the pike in the last few years out at Nine Mile has eventually gotten down to poor management, poor maintenance, and the root cause to me seems to be personnel.

Now, as you have said, there are backup systems and the plant did shut down automatically. I guess the control room operators in that particular instance did function properly. However, in the past, some of your comments on emergency procedures have been barely adequate. So I'll give them that. They did do a good job shutting down the plant. However, the plant shut down automatically, as we found out later, but the



1  
2 procedures were proper. But maintenance on these UPSs,  
3 they have been in there, installed for about six years  
4 now. The manual says the battery should be charged --  
5 or changed every four years. It wasn't done. Why?  
6 Why wasn't it done? I mean, these batteries would have  
7 given a few more minutes, of course. I was going to  
8 suggest that we alleviate the essential lighting  
9 problem with the old Navy battling liner, but maybe  
10 they wouldn't change batteries in those, either. So I  
11 don't know. What is the root cause of the problem?  
12 You say it's a design malfunction. I question that.  
13 Is there any response?

14 MR. HEHL: Yes, there is. And, in fact, that's  
15 part of what we tried to discuss this evening. And I  
16 think we have identified over the years significant  
17 problems in the performance of this facility. We have  
18 high standards, and we expect a lot from the facility.  
19 We do a number of activities and thousands and  
20 thousands of hours of inspection each year to try to  
21 improve their performance to ensure that it more than  
22 meets minimal acceptable requirements. There have been  
23 a number of changes that have occurred at the facility  
24 over the years in management to the facility. I hope,  
25 in part, that we have been part of that process in



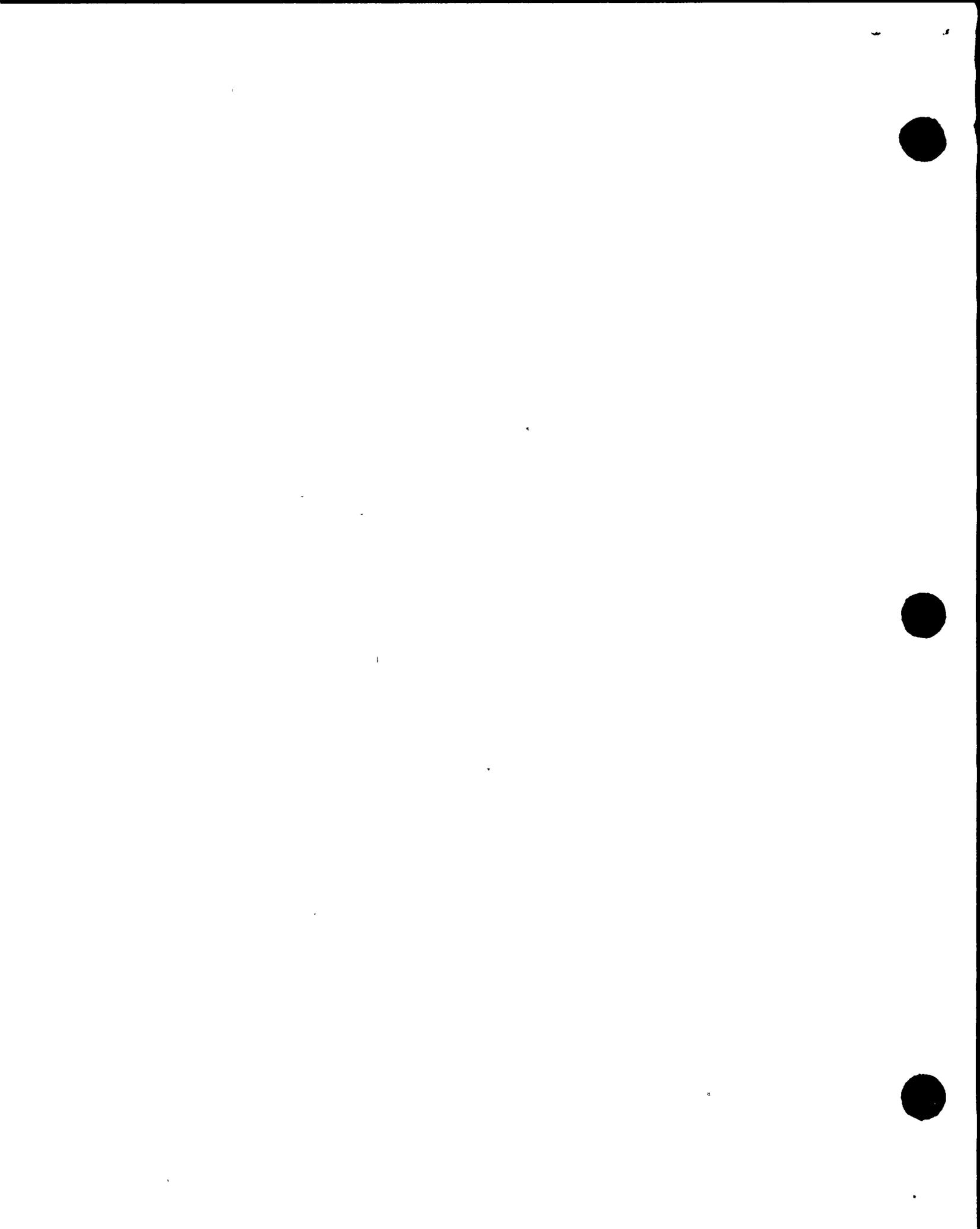




1  
2 We also know through testing that, because of the  
3 location of these batteries in the circuit, that, oh,  
4 by the way, if they have been charged; if they had been  
5 in place, it probably would have provided a sufficient  
6 D/C power source to this power supply for the logic  
7 that the unit would have been able to ride through this  
8 event without tripping off, without de-energizing  
9 itself, because it got confused. There's no doubt  
10 about it, the batteries should have been replaced on a  
11 more frequent schedule, but it wasn't. We took a look  
12 at that.

13 We also have taken a look at part of this  
14 inspection, other manuals that come into the plant,  
15 vendor manuals, that tell them -- the facility how to  
16 maintain the equipment. And we have looked at that  
17 area, and have not found significant problems in the  
18 way they translate the preventive maintenance to those  
19 manuals to practice in the plant.

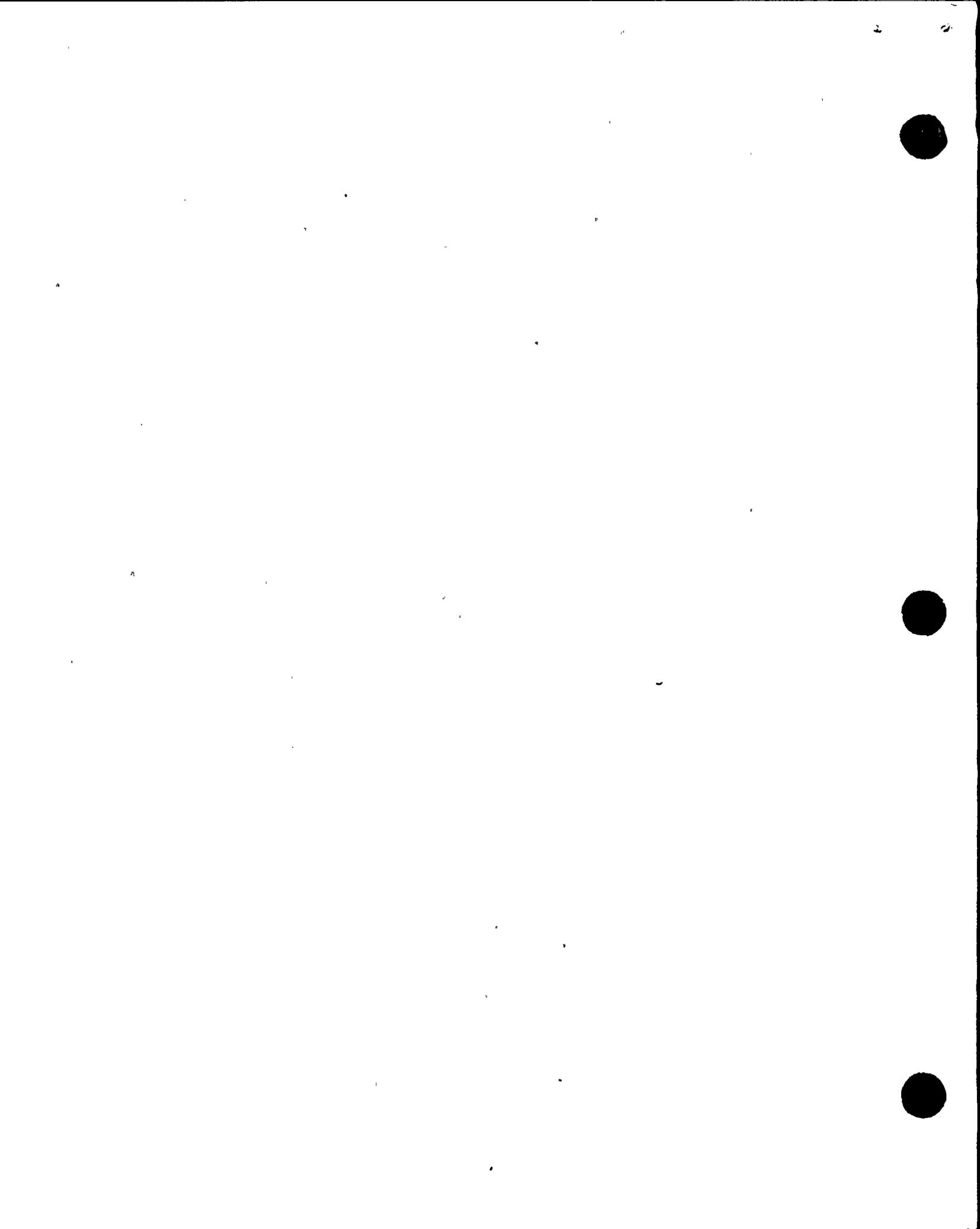
20 MR. HANEY: I hear what you're saying. And, you  
21 know, I'm a retired 20-year Navy veteran, chief  
22 electronics. And if I didn't do my PMS on board ship  
23 as I was coming up through your ratings, as most of you  
24 know, because most of you are -- I would be in serious  
25 trouble, serious. You believe -- In fact, I did get



1  
2 busted from E-5 to E-4 for gun decking on a weapon  
3 system. What is done out here for punitive action? I  
4 mean, this is a continuum, of -- as Mr. Luke said -- a  
5 comedy of errors, a three-ring circus out here. Now,  
6 all of these people -- or most of these people in the  
7 control room, most of the people in the upper  
8 management, middle management, out at these plants, are  
9 ex-service personnel, ex-nuke flukes (sic). Why does  
10 this continue to happen? These manuals are written,  
11 the PM instructions are in there. You have the  
12 technical writers to devise a schedule so that it's  
13 done on time and in a timely manner. Why isn't it  
14 being done? That's my whole question.

15 Now, I'll leave that at that, but, you know, one  
16 thing that is really scary about this, we talked about  
17 FEMA just a little bit. And you people should be  
18 aware, I have a very good friend who lives in Scriba.  
19 We all got this information basically on scanners, by  
20 the way, you know; that's by word of mouth. That's how  
21 the community got the word. I knew it before the town  
22 supervisor knew it, and the town supervisor is here  
23 tonight; he can verify that.

24 Now, this one person that I know very well, I went  
25 to his house to let him know what was going on. He



1  
2 says, well, I'm getting my green card and getting the  
3 hell out of here. I said, what do you mean, your green  
4 card? He had a .38 special he was stuffing in his  
5 belt, and he was taking his family out. Now, that's  
6 scary to me. That's as scary as the plant scramble.  
7 That's real scary. Here's a fellow taking a .38  
8 special and calling it his green card, to get out.  
9 Now, that is definitely just a lack of information on  
10 the EMO's part. It's -- like I say, it is scary to me.  
11 I don't want people going out of here panicking with  
12 .38 specials in their belt. And, you know, sawed off  
13 shotguns in a pickup, and away we go with the good old  
14 boys, get out of my way.

15 That's all I basically have to say tonight.

16 MR. COWGILL: Thank you, sir. Kathleen Harris.

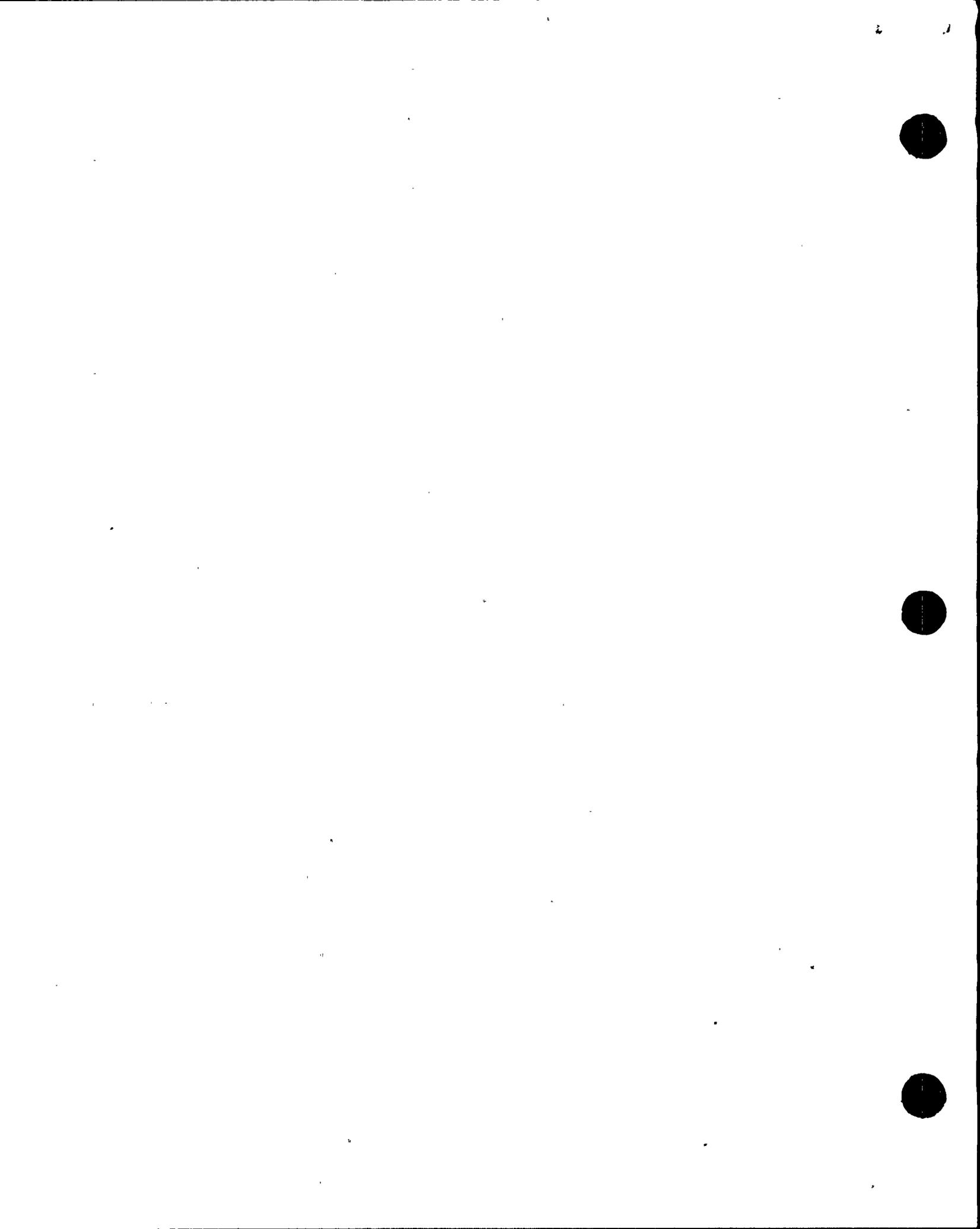
17 MS. HARRIS: First of all, I'd like to say I'm  
18 just one of the frightened people who live in this  
19 area, and I think it's a terrible crime against  
20 humanity if people have to live under situations as we  
21 have had to live under with three defective nuclear  
22 plants which have been okayed by the Nuclear Regulatory  
23 Commission. And I'd like to know why you people okay  
24 these plants to operate when you know deep down in your  
25 hearts that they are not safe, you know that they emit



1  
2 into the air this radioactivity that would eventually  
3 cause cancer to even animals, cows that give off milk,  
4 that is fed to babies, for babies to be deformed, to  
5 die of leukemia.

6 And how about the rest of us? We have to live  
7 with the threat that we don't know when, from one day  
8 to the next, that we're going to have to take a hike to  
9 Binghamton or Scranton. I happen to be a senior  
10 citizen and I can't drive, so I have to take my poor  
11 dog and start hiking the highway from here to Scranton  
12 or Baltimore, or where the hell else I have to go, to  
13 get away from the poisons that are being emitted right  
14 here in Oswego.

15 And another thing, I'd like to know why you insist  
16 on having these plants run when you don't know what the  
17 hell you're going to do with the nuclear waste. Where  
18 is that going to go? Back into Lake Ontario? People  
19 come here in the fall to fish and they bring the fish  
20 to Pennsylvania, Massachusetts, Connecticut, Vermont,  
21 besides New York State and Ohio. Why, I've seen all  
22 their cars. They take this poisonous salmon back to  
23 feed to their families; and that's another terrible  
24 thing. I tell people not to throw the fish back. I  
25 said, fish for the pleasure of it, but don't eat it.



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

But a lot of people eat that salmon, and I know people who do. And I think that's another terrible thing.

And I think for you people to say it's okay for those plants to run, it's on your conscious until your dying day, and you will face God for it someday.

And that's about all I have to say. And I think that's about enough.

MR. HEHL: I recognize that this is -- it's a frightening business. It's something that is not easy to understand.

VOICE: It's easy to understand we don't need nuclear power. You don't understand.

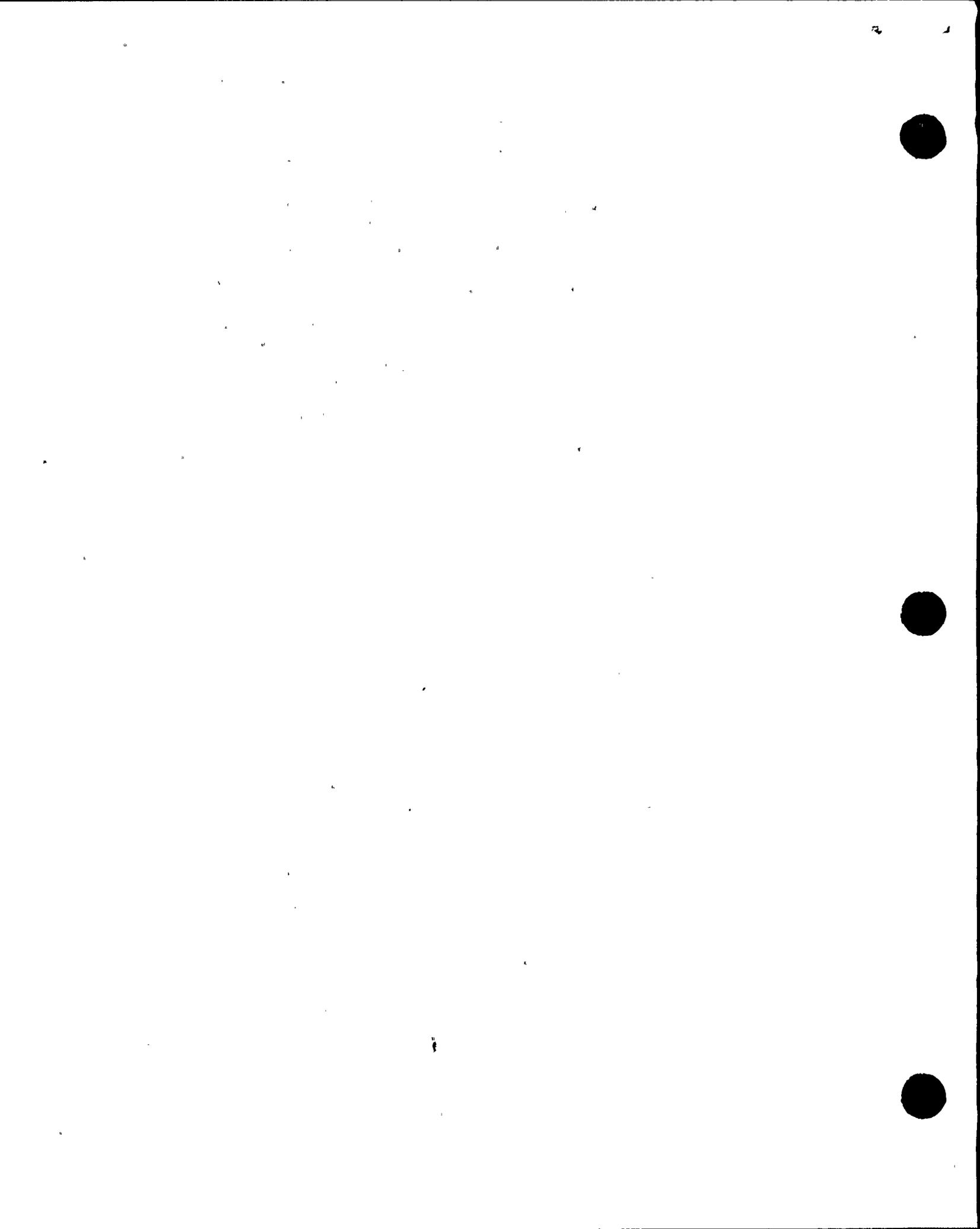
VOICE: We don't want nuclear waste, either.

VOICE: What will it do to your county if you don't have it?

VOICE: It will kill people a thousand years from now. When are you people going to smarten up? You're suppose to be smart, with your blazers and neck ties, and put something in your head --

VOICE: Take a pound of waste home with you with each paycheck.

VOICE: Nuclear waste is even worse than the nuclear plant, and you all know it. Are you -- any of you going to tell me that it's not so?



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

VOICE: Tell the people from Cortland County that nuclear waste is good, but explain why Oswego County doesn't want -- for God sakes -- what they produce so wonderfully.

VOICE: If you make it in Oswego County, you keep it on site or shut it down.

VOICE: Shut them down.

VOICE: Shut them down.

VOICE: Shut them down.

MR. COWGILL: Let's go on to our next speaker. Helen Kelly, please.

(No response.)

MR. COWGILL: Does she no longer wish to speak?

VOICE: She can say ditto.

MR. COWGILL: Bill DeForest.

VOICE: I hope you guys are not drinking water that was stored in Nine Mile 1; that's radioactive water.

MR. COWGILL: Go ahead, Mr. DeForest.

MR. DeFOREST: I watched and saw a cycle that goes on. Niagara Mohawk will come up with a solution, an engineering solution. You'll certify that it's a wonderful solution, a month later it blows apart. And everyone huddles; Niagara Mohawk has another solution,



1  
2 you certify it, month later, two months later, poof,  
3 it's gone. So, the thought is, how long are you  
4 going -- have you come up with -- in your minds -- and  
5 said, there's a point at which the cycle system is  
6 going to stop? I mean, are you going to stay with the  
7 companies whose engineering is so shabby that year  
8 after year it fails? You know, are you going -- you  
9 have a cutoff point on that? Are you just going to  
10 wait until we have 100,000 bodies laying out there in  
11 the street, then, that you've certified?

12 VOICE: It might even be your own, if you're  
13 lucky.

14 VOICE: What's so funny? I don't think it's  
15 funny.

16 MR. HEHL: Through the process of inspections that  
17 takes place through systematic, regular assessments of  
18 their performance, we try to assure that that facility  
19 operates with a measure of safety that's not in danger  
20 for health and safety of the public that live around  
21 these plants. We do that to the best of our ability.  
22 We do that consistent with the mandate that's been  
23 given from Congress. And that mandate is that those  
24 plants can operate if they are operated safely. We do  
25 a regular assessment of those facilities to include



1  
2 those watch-lists to take place, to include inspection  
3 activities on a daily basis. We're looking at the  
4 performance of that facility, we're looking at the  
5 performance of the facility in -- inside the facility,  
6 we're looking from outside the facility on a regular  
7 basis. We are looking at that facility.

8 MR. DeFOREST: I watch that, too. And I'm looking  
9 at it. The thing is, in other words, you tell me there  
10 was no cutoff. All you can do is go in after an  
11 accident, after an accident, until the day comes when  
12 there is no count, we will all be dead. Maybe it's not  
13 your fault, maybe that's the law. I'm trying to get an  
14 answer. Is there a point where you can cut off Niagara  
15 Mohawk and say you're out of the nuclear system?

16 MR. HEHL: No doubt about it, if their performance  
17 falls to a level that we feel does not meet safety  
18 requirements, they will not operate. And we have done  
19 that in a number of cases throughout the United States.  
20 We have shut plants down. We had Niagara Mohawk shut  
21 down for a period of time until they could demonstrate  
22 that they could effectively and safely operate this  
23 plants. And we have plants that are currently shut down  
24 in that condition.

25 MR. DeFOREST: What is it that caused -- what



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

point --

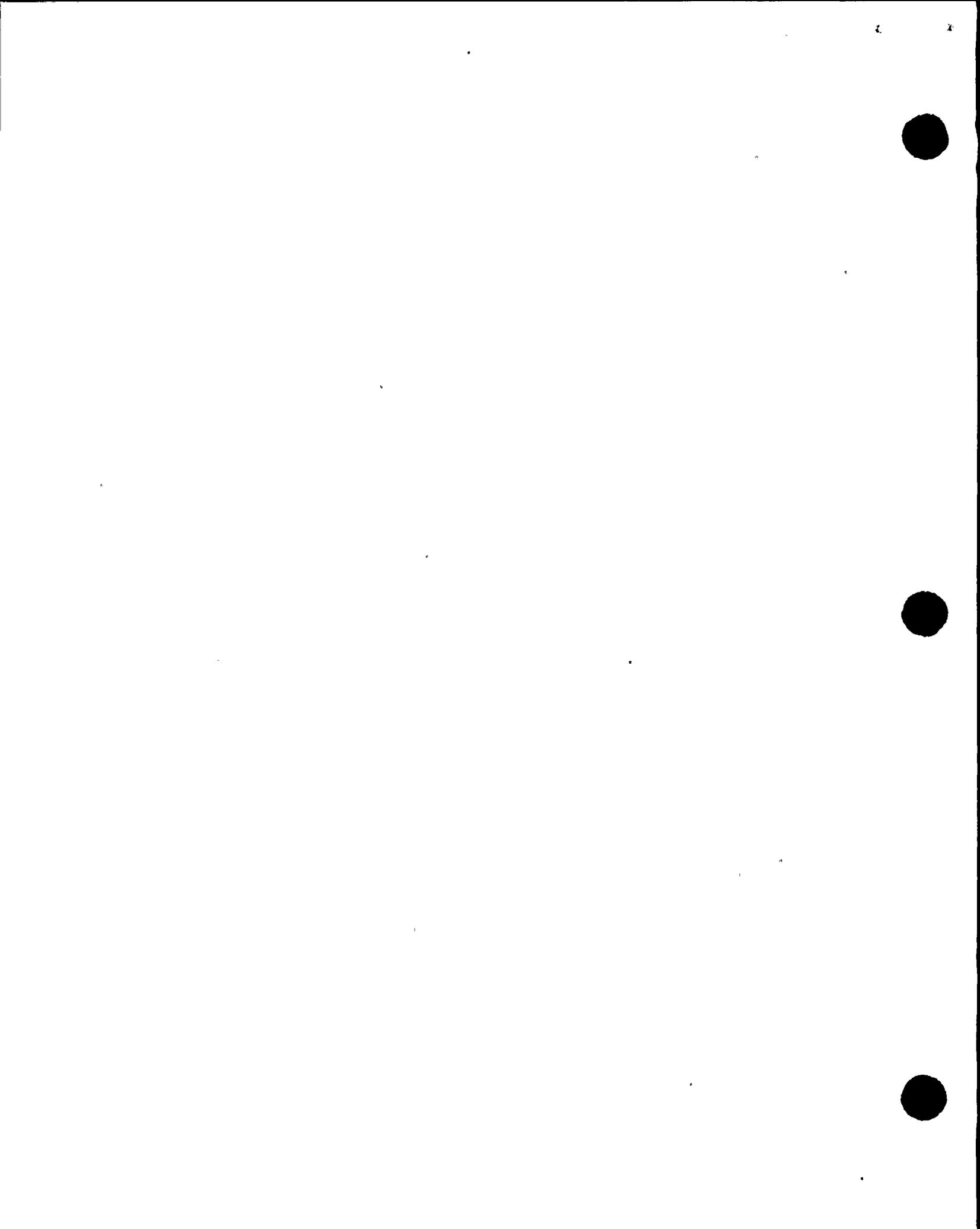
MR. HEHL: It's based on their performance. If their performance is determined to be below what we feel is acceptable performance with regard to safety, then that plant is shut down. And we have not hesitated to shut plants down.

MR. DeFOREST: There are plants worse than that?

VOICE: No.

MR. DeFOREST: I mean, you know, you can't get a worse record than that; can you?

MR. HEHL: My only hesitation is -- in answering that question is not that, you know. It depends on the facility, you know. Each facility is -- Each facility is a very complex, dynamic organization. It includes people that are working on the facility, it includes equipment that is operated in that facility, it includes a number of very complex factors that all have to go together for that facility to operate safely. And we look at a whole range of those activities, from the performance of the operators in the control room to the equipment that is put in place, the testing that takes place, the emergency plans that are implemented. We cover a very broad spectrum of activity. And a particular plant, from time to time, may not focus



1  
2 sufficient attention, in your opinion, that we think  
3 that their performance is where it ought to be. And I  
4 will say, again, we have high standards with regard to  
5 their performance.

6 MR. DeFOREST: I was wondering, what's your  
7 background? Was your --

8 MR. HEHL: My background? I'll tell you. I spent  
9 a number of years in the nuclear Navy. I worked as a  
10 senior reactor operator for -- at a control room in the  
11 northwest. I've been with the NRC about ten years. I  
12 live within distance, that I could read by the lights  
13 of a two-unit nuclear plant in Pennsylvania. And I  
14 have four kids, and I love them very much.

15 VOICE: Did you want a medal for that?

16 MR. HEHL: No. He asked me what my background was  
17 and where I was coming from. I don't want a medal.

18 VOICE: I didn't say that. Do they live anywhere  
19 near Oswego?

20 MR. COWGILL: Susan Griffin.

21 MS. GRIFFIN: I'd like to know why you didn't  
22 notify the citizens as soon as a site emergency was  
23 called.

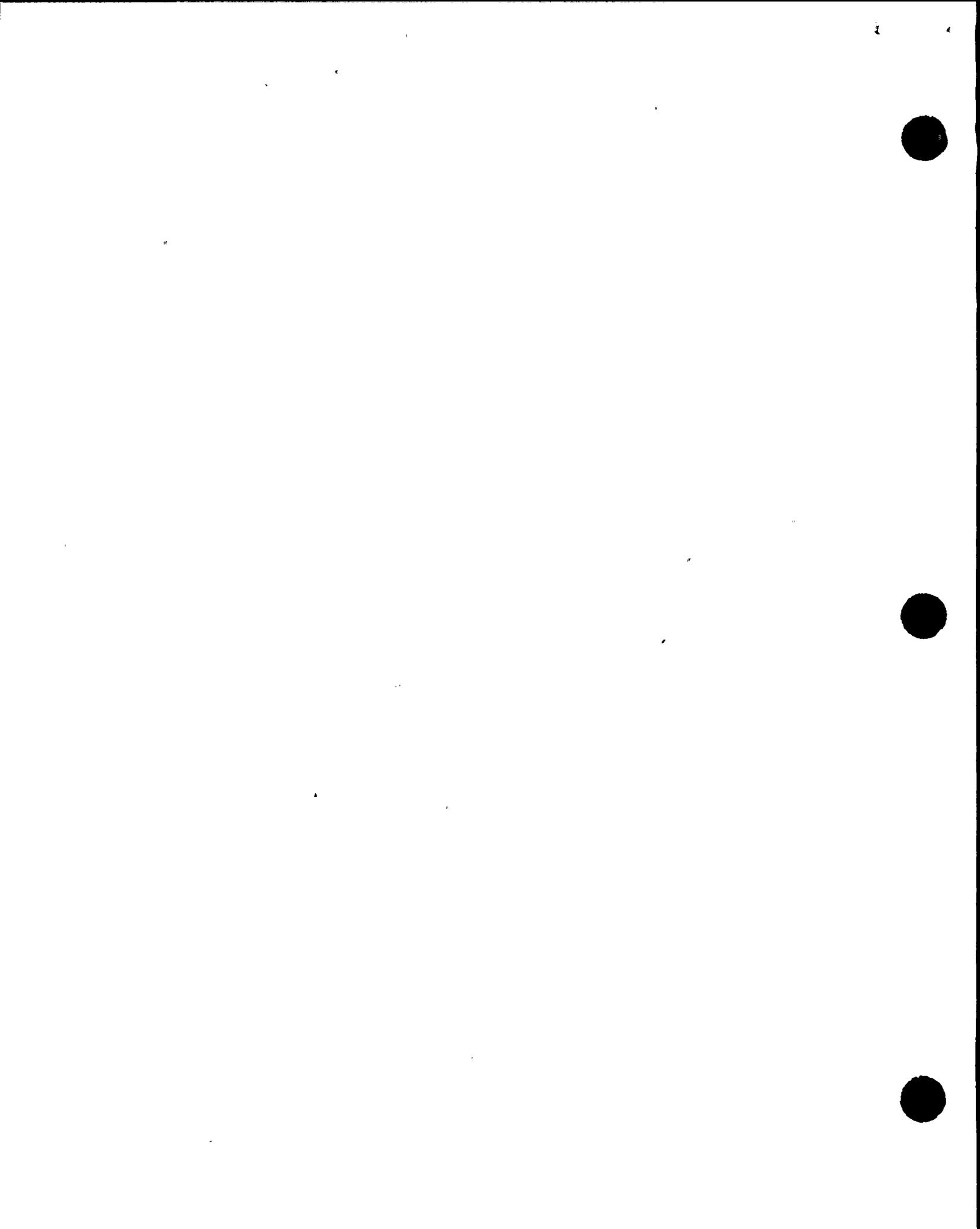
24 MR. COWGILL: When the site area emergency was  
25 declared at 6:00 o'clock, the NRC was notified about 20



1  
2 minutes later. When the NRC was notified of the  
3 declaration of the site area emergency -- which, by the  
4 way, was in accordance with the utility's emergency  
5 plan -- by the time we were notified, the plant  
6 personnel had restored the uninterruptable power  
7 supply, and had restored the control indications ●  
8 through consultation with county officials, with the  
9 NRC at that point, ~~it~~ it was determined that there was no  
10 imminent danger, no imminent danger of any release.  
11 And it was decided that it was not necessary to make  
12 the siren announcements or the other public  
13 announcements because of the condition of the plant at  
14 the time.

15 MS. GRIFFIN: So a few individuals decided that,  
16 even though we were hearing for the rest of the day  
17 that you really didn't know what was going on, you  
18 decided that it wasn't important enough to sound the  
19 siren and run through the regimen that we are trusting  
20 you with our lives to follow?

21 MR. COWGILL: No, ma'am, I didn't say that. I  
22 said that at the time that the notifications -- at the  
23 time the NRC was notified, plant conditions had been  
24 restored to a condition which no longer required --  
25 which would -- no longer required those notifications



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

to be made.

However, in accordance with the licensee's procedures at the time, their criteria for withdrawing from the site area emergency was to get the plant to a full shut down condition, and develop a restart plan. It was decided at that time that the utility did not want to make a change to these procedures, so they stayed in the site area emergency until they got to their cold shut down condition, and then went through the site area emergency as required by the procedure. However, at the time, 6:20, when we were notified, the uninterruptable power supplies had been restored and the control room indications that were -- they had lost earlier, were back in operation.

MS. GRIFFIN: And yet, as this gentleman said before, some of the reactor water had been lost, and you didn't know for sure that the rest of it wasn't going to be lost.

MR. COWGILL: The operators had restored the system level to normal operating level, and the reactor plant was in a stable condition.

MS. GRIFFIN: Yeah.

MR. COWGILL: It was in a normal reactor cool down.



1  
2 MS. GRIFFIN: The statement was made before that  
3 the NRC is on the citizens' watch list; and that's  
4 exactly the case. You have allowed Niagara Mohawk and  
5 the New York Power Authority to get away with instance  
6 after instance of mismanagement, unbelievable -- what's  
7 the word I'm looking for here? Negligence; negligence  
8 that ordinarily would put somebody out of business,  
9 should close the plant down. You, the NRC, are charged  
10 with the responsibility for protecting our health and  
11 safety. How can we possibly believe that you will do  
12 this for us when you keep siding with the utility?  
13 What kind of defense can you put out to tell me that in  
14 the instance that we -- for instance, at the  
15 FitzPatrick release into the air, things were so bad .  
16 they had to dig up a foot of dirt around the whole  
17 plant, they had to scrape the roof, they had to paint  
18 the building, or rescraper and paint the building. You  
19 want us to believe that none of that radiation went  
20 outside of the gate? In other words, that was smart  
21 radiation, like we have smart morons, you know, that  
22 radiation knew it had to stop right there at the gate  
23 at FitzPatrick. Do you think that we're stupid enough  
24 to believe that? Well, we're not.

25 VOICE: Answer the question; will you?



1  
2 MR. HEHL: And we have. And we haven't indicated  
3 that's where it stopped. There was some release of  
4 radioactive material that went through some storm  
5 drains into the lake during that event. There was --

6 VOICE: Accident.

7 VOICE: What about the air?

8 VOICE: That's acceptable; right?

9 MR. COWGILL: No. We did not consider that  
10 acceptable.

11 VOICE: Neither do we.

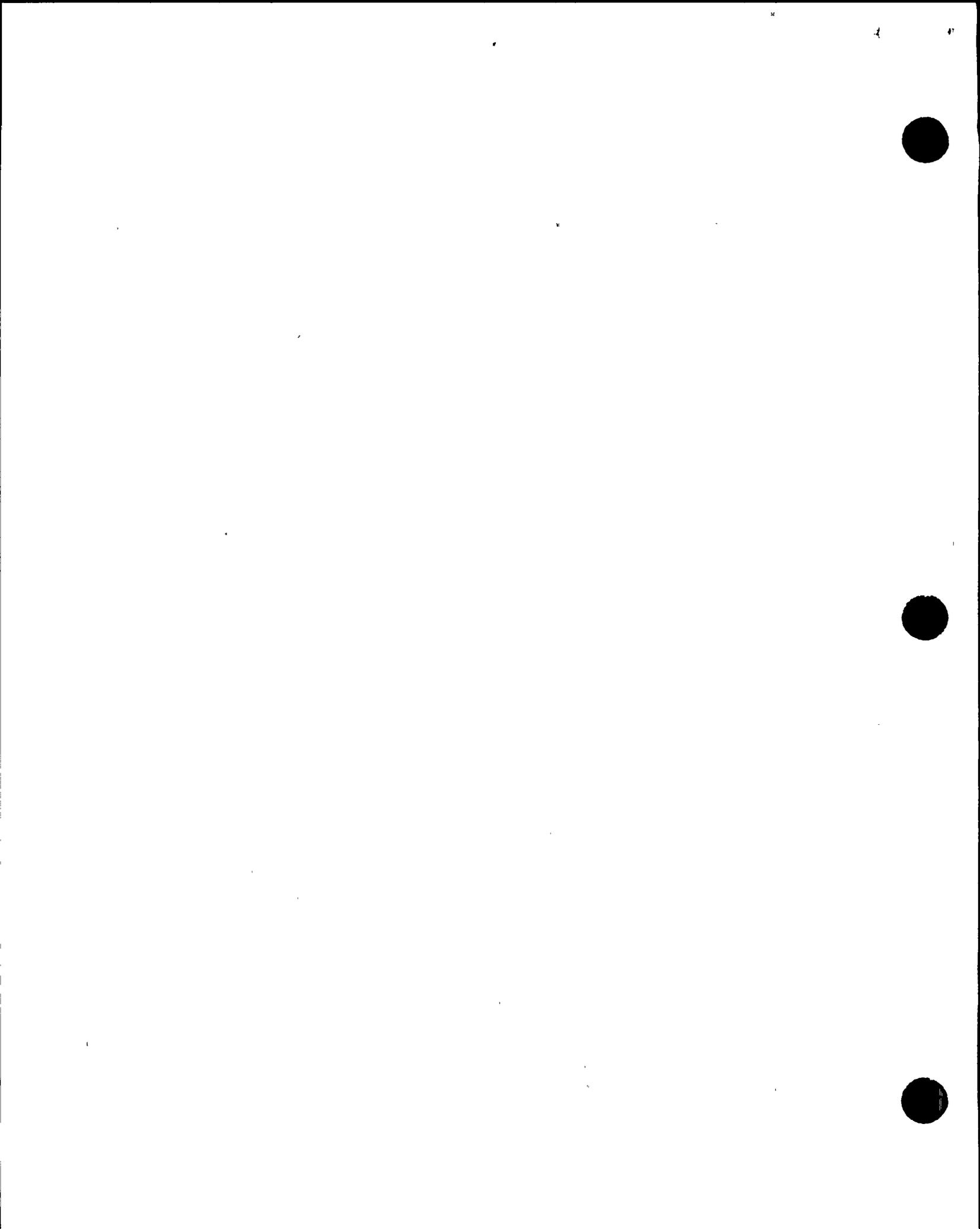
12 MR. COWGILL: Excuse me, please. And we had a  
13 number of conferences with the New York Power  
14 Authority. And the NRC levied a fine of about \$137,000  
15 for that event. We did not consider that acceptable,  
16 and we took what we believed to be action --

17 VOICE: Is that the first time that happened at  
18 the site?

19 VOICE: Are you guaranteeing me that would never  
20 happen again at a nuclear power plant in the United  
21 States; never release it in the air or soil?

22 MR. COWGILL: You're using this lady's time.

23 MS. GRIFFIN: I think the point is, this rad waste  
24 building, like that release of radiation, just like the  
25 transportation incident, we are -- 2,200



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

disintegrations per minute were found on a cast you were trying to transport across the country at 30 miles an hour. You just don't take our health and safety into consideration. Now, I want to ask you. It's sad that you're going to allow NiMo 2 (sic) to increase it's output by 5 percent so that they can recapture some of this energy that they have been selling far too cheap, or not getting enough money for, or they want more money for: Are you going to allow Nine Mile 2 to do this, to go, like, 5 percent higher power than it's rated at now?

MR. MENNING: There are some boiling-water reactors in the country that are considering what they call somewhat of a power upgrade.

MS. GRIFFIN: Is -- Nine Mile 2 is on the list that is being considered?

MR. MENNING: The utility has not submitted any kind of amendment request for that. Any kind of a request of that nature would require a considerable amount of paperwork and review to justify -- and obviously, there's an increase in power level, does affect a lot of -- a lot of areas in plant operation -- and paperwork and requests for a license amendment to accomplish that has not been forwarded or submitted to



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

us.

MS. GRIFFIN: I would hope it would also call for a public hearing, although two years --

VOICE: With proper notice.

VOICE: With more notice than a weekend.

MS. GRIFFIN: That's a very good point. This public hearing is really ludicrous, to think people can really get documented evidence within a two-day notice is another --

MR. HEHL: This is not a public hearing. This is a meeting --

VOICE: This is a charade.

MR. HEHL: -- to answer questions.

MS. GRIFFIN: There's one more thing that I'm worried about, and that is that -- I know this is about Nine Mile 2, but Nine Mile 1 has requested to get out of doing some maintenance on the Taurus. We know the Taurus is scheduled to reach its thinness in 1994, and Niagara Mohawk has asked the NRC to let them off without doing this kind of preparation, because they have determined by looking at some computer models that they can get by until 2,007, without doing this maintenance. Is the NRC going to allow the Nine Mile -- the -- Niagara Mohawk to get out of paying



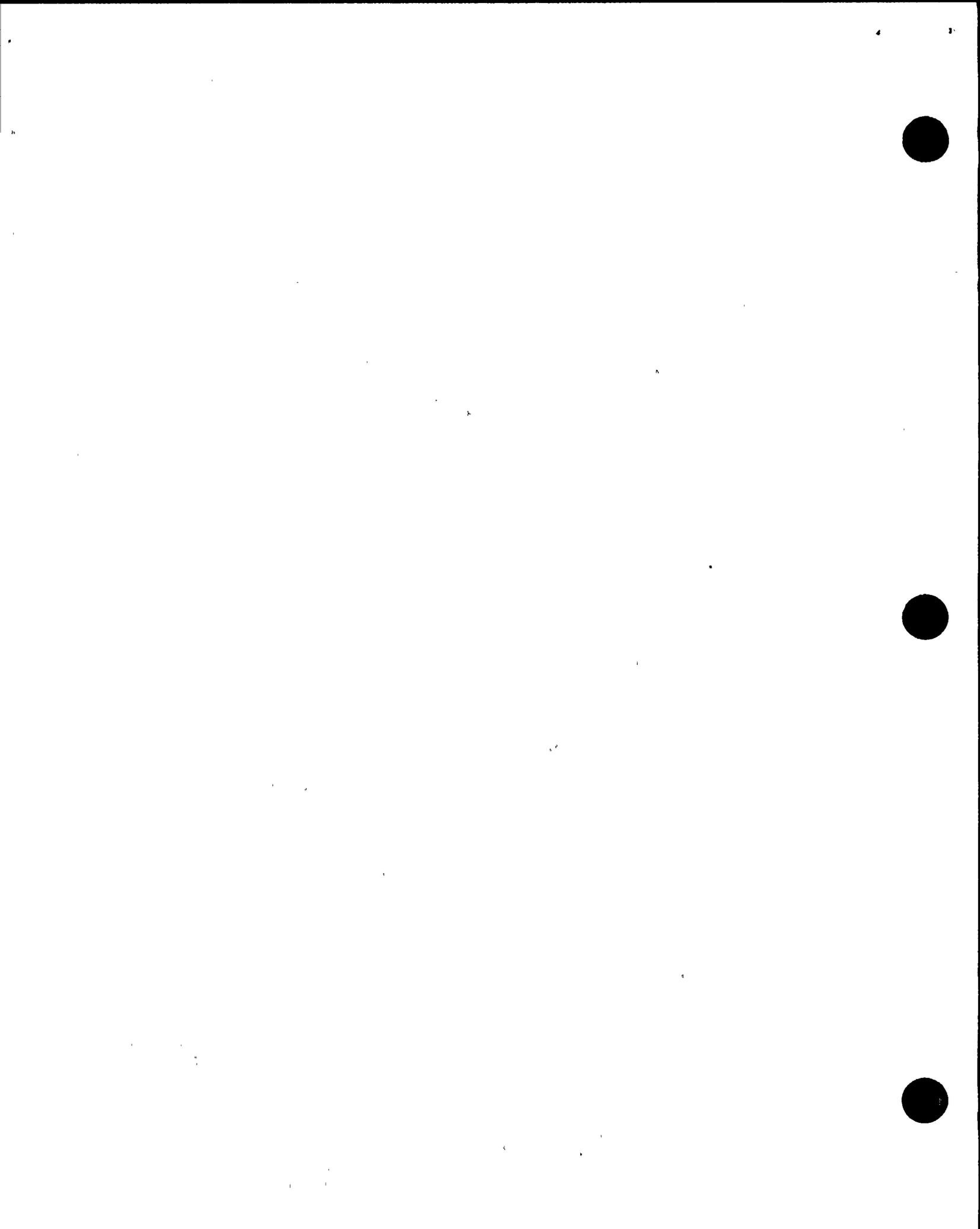
1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

\$12.5 million and taking our lives for granted?

MR. COWGILL: That question --

MR. SCHMIDT: That question has two answers to it. The first is based on the current engineering analysis, that is a generic analysis for the type containment at Nine Mile 1. The licensee has calculated, with the current corrosion rate, the thing would be below the code allowable limits which gives you the strength of the Taurus by 1993. And they have proposed to do an upgrade to increase the strength of the Taurus by putting in extra supports. That is being reviewed by the NRC now.

Further, the licensee has -- this is the second part of the question. The licensee has submitted a request to us to look at an engineering evaluation that they have done on a site specific -- when I said generic before, I meant every Mark I containment in the country. They did further engineering analysis, and submitted it for our review to say, based on the design of Nine Mile 1, the specifics of the amount of energy that would have to be released and contained in the Taurus, they believe they have justification for doing exactly what you said, continuing to operate until 2,007. But that --



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

VOICE: Until when?

MR. SCHMIDT: 2,007. Without doing any upgrade on the Taurus.

VOICE: God help us.

MR. SCHMIDT: That still is under evaluation by the NRC.

MR. COWGILL: Ma'am, we have exceeded your time. Do you have a final question or statement?

MS. GRIFFIN: No. I want to say, it would be criminal to allow something to go really wrong before you owned up to the fact that NiMo was not a responsible operator of the nuclear plant.

MR. COWGILL: Marlene Schneider.

MS. SCHNEIDER: As a registered nurse, commission of 38 years, I'm very concerned about Mr. Beall's health. If he works seven days a week, with the circles under his eyes and the paleness, would denote a lack of mental acuity. He still has humor, because he can smile when you were slow about answering the question about the worse nuclear power plant. But as a clinician, I look at non-verbal activity, the folded arms, the head down, which denotes not listening, the tired, bored looks on the faces. We're really concerned about you as supervisors of Niagara Mohawk.



1  
2 Now, Niagara Mohawk I don't see as so much of a  
3 problem. They're probably told by the good old boys,  
4 it's okay, go on and operate. And as far as public  
5 reporting, my concern is when this happened, our  
6 children from Albany called, why are all the planes  
7 going to Oswego? We're notified by families in  
8 Montana, Colorado, Missouri, what's happening in  
9 Oswego. We didn't know. We were in the hay field.

10 .. VOICE: That's right.

11 .. MS. SCHNEIDER: Now, my questions are: Is it  
12 correct that the Nuclear Regulatory rules and  
13 regulations are set for a single system failure?

14 MR. COWGILL: For equipment that is classed as  
15 safety-related equipment, that equipment is required to  
16 be designed to be single failure proof, that's correct.

17 MS. SCHNEIDER: Well, since there have been  
18 multiple failures in the system, and as on August the  
19 13th, has the Nuclear Regulatory agency changed their  
20 rules and regulations to provide for multiple systems  
21 failure?

22 .. MR. HEHL: None of the safety equipment which  
23 would be there to provide for mitigation of an accident  
24 was affected or failed during this event. There wasn't  
25 any challenge to the safety systems, and there was no



1  
2 failure of safety systems. These were all  
3 nonsafety-related portions of the plant, that are in  
4 there to provide --

5 VOICE: Feedwater?

6 MR. HEHL: Feedwater is a nonsafety system. There  
7 are safety systems which provide feedwater in the case  
8 of an accident that were unaffected, available, could  
9 have been called upon automatically to perform during  
10 this event. There were no failures of safety systems.

11 MR. COWGILL: I might add, it's a part of the  
12 incident investigation team charter, they will take a  
13 fresh look at all of the systems in the plant,  
14 including the systems that were involved in this  
15 particular event, and may or may not make  
16 recommendations to the NRC to change some of the safety  
17 classification codes of the equipment that's within  
18 their charter. And they have not reported back on that  
19 particular point.

20 MR. HEHL: One of the reasons why we mentioned  
21 earlier on that you received notification from  
22 relatives far away is because the decision was made by  
23 those county and local officials and state officials  
24 that had the responsibility for activating sirens that,  
25 in fact, this event did not warrant that type of



1  
2 evacuation.

3 VOICE: Would a meltdown <sup>require</sup> ~~be~~ reactivating the  
4 monitoring system; yes or no?

5 MR. HEHL: Yes, it would.

6 VOICE: After how many minutes?

7 VOICE: 30?

8 MR. HEHL: No one -- 15 minutes to notify --

9 VOICE: Why bother.

10 MR. COWGILL: The significance of the event, when  
11 you look at a -- what we got here, which is the site  
12 area emergency, this is -- this is --

13 MR. GORDON: At this point, there is no need for  
14 the county to implement their emergency plan in terms  
15 of activating the sirens. If the situation would be  
16 great, and you're talking about meltdown type of  
17 conditions, or general emergency, at that point, we  
18 would expect the need for some kind of protective  
19 action. And at that point you would hear the siren  
20 sound, the -- and a protective action recommendation  
21 come from the utility. Okay. That would go directly  
22 from the utility to the state and the county.

23 MS. SCHNEIDER: Okay. And then my last question  
24 is: What really does this meeting have -- impacting  
25 NRC to the safety of all the people within the 50 or



1  
2 hundred mile limit depending on how the wind is  
3 blowing? Really; what do you -- you consider?

4 MR. GORDON: Basically, we would expect them to do  
5 environmental sampling, go out to take soil samples,  
6 vegetative samples, milk, coordinate with the farmers,  
7 and basically to send down environmentalists to monitor  
8 the team, basically verify or confirm, you know,  
9 exactly what, you know, if there was a release,  
10 confirming the -- how much -- how much radioactivity is  
11 involved in the release, itself. They do that by  
12 basically confirmatory-type measurements.

13 MS. SCHNEIDER: Thank you.

14 VOICE: Didn't you ask what impact does this  
15 meeting have?

16 MS. SCHNEIDER: Yes, I did.

17 VOICE: I was kind of wondering when you were  
18 going to answer that.

19 MR. HEHL: As we -- and I think Craig has tried to  
20 answer associated with the impact. And I think he  
21 might have been confused by the <sup>50 to 100</sup>~~17500~~ miles. In any  
22 case, this meeting was identified for the purpose of  
23 obtaining your comments, to provide some answers to  
24 questions in, perhaps not as technical and detailed in  
25 nature as the previous discussions, but provide answers



1  
2 to your questions and get relative comments to the  
3 restart of these units associated with the things that  
4 we have to look at for restarting the plant. So in  
5 that regard, you know, we're interested in your  
6 comments; we're interested in your observations.

7 VOICE: In that regard only. But basically your  
8 minds are made up anyhow.

9 MR. COWGILL: Would Kevin Bond please --

10 Kevin Bond is next.

11 MR. BOND: Good evening. I would like to thank  
12 you for this meeting. It's not usually good to see you  
13 face to face and have a moment to talk you. With -- my  
14 name is Kevin Bond; I'm a father, taxpayer of the Town  
15 of New Haven. I have a few questions of August the  
16 13th. At 5:48 in the morning -- an hour -- was  
17 Unit 2 -- or total system failure? Was there or was  
18 there not two shifts of operators present that morning  
19 of the failure?

20 MR. SCHMIDT: Yes. When the failure occurred  
21 shortly thereafter, the oncoming day shift was on the  
22 way in. And they did assist the night shift in  
23 response to the event.

24 MR. BOND: Okay. So we had twice as many  
25 operators present?



1  
2 MR. SCHMIDT: There was twice as many operators  
3 present; that's true. But the evaluation of what those  
4 operators did was that there was no -- if the normal  
5 shift crew had been on shift, the impact wouldn't have  
6 been negligible as far as when events -- or what  
7 actions were taken. And when the actions were taken,  
8 they were there; they helped. But the normal shift  
9 crew could have performed exactly the same function in  
10 the same manner.

11 MR. BOND: Normal shift crew could have went  
12 with -- dispersed and sent individuals to different  
13 parts of the plant to monitor gauges visually, being  
14 that the control panel was totally inaccurate?"

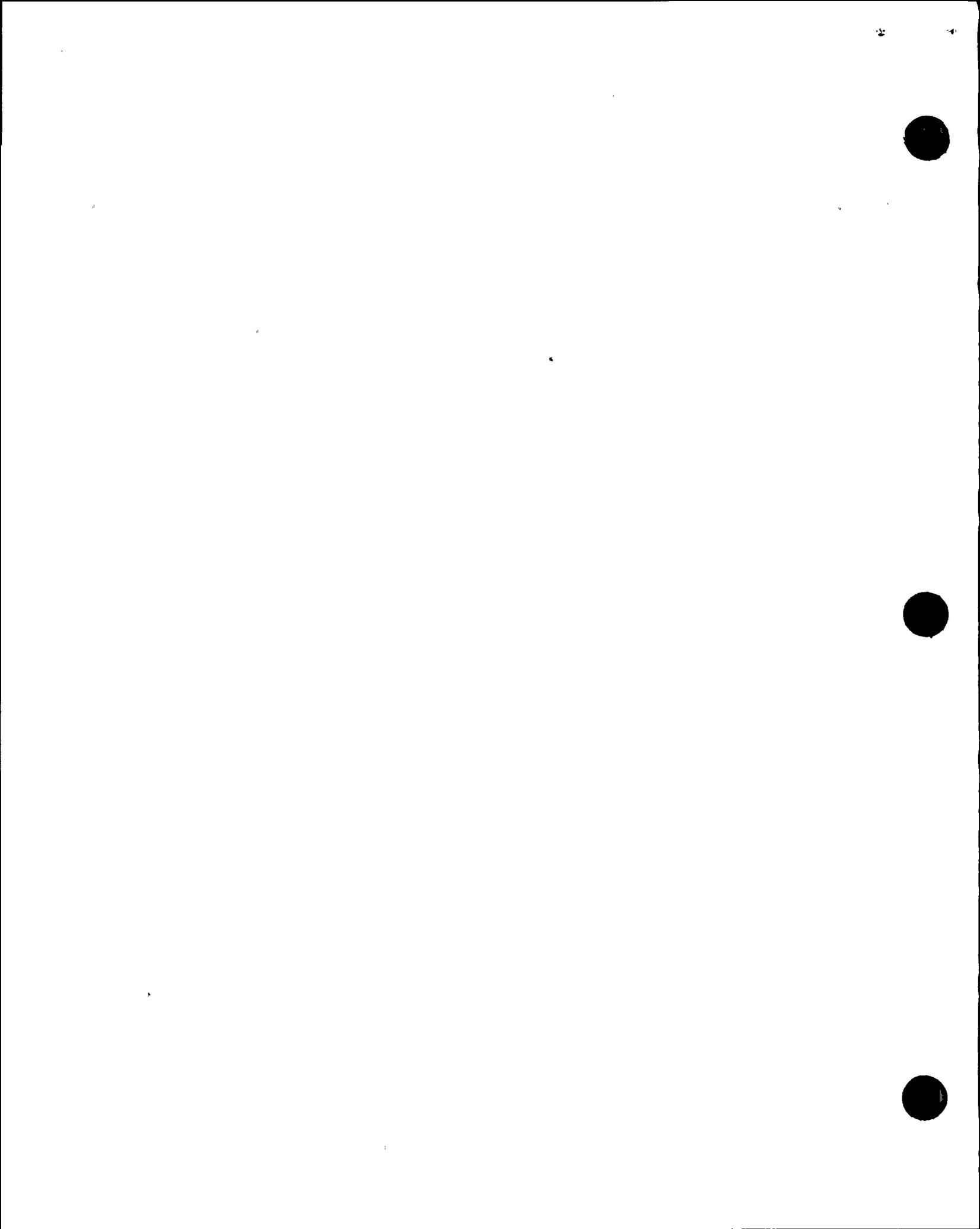
15 MR. SCHMIDT: No need to send people to different  
16 parts of the plant. All the gauges the people needed  
17 to assess the condition of the reactor and the reactor  
18 plant were all operational through the entire event.

19 MR. HEHL: In the control room.

20 MR. SCHMIDT: In the control room.

21 MR. BOND: Everything these operators needed were  
22 in the control room?"

23 MR. SCHMIDT: Everything the operators needed to  
24 assess the core and assess what was going on was in the  
25 reactor plant in the control room, was operational.



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

MR. BOND: Would it be safe to assume that had there only been one shift of operators --

VOICE: Praise the Lord.

MR. BOND: -- that they would have taken longer to bring the reactor to a safety state, or to verify that the reactor was in a safety state?

MR. SCHMIDT: No. The verification was done by one person, the chief shift operator on shift that day. He verified that the reactor scram had occurred, verified that the power of the reactor was down-scaled, indicating that the reactor was no longer critical, no longer producing a self-sustained reaction of neutrons. That was all done by one person, and the shift supervisor on shift at the time was charged with ensuring that the reactor was brought to -- monitored and continued to be in a safe condition. That's exactly what happened. The restoration of the UPSs was done -- I'm not sure -- by people on that shift or the other shift, but the shift that was on, without the other operators; had the technical expertise to go down, restore the UPSs, and restore the indications, although not safety-related and not shut down, did restore those indications in a timely manner.

MR. BOND: So one person could safely take care of



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

business that morning?

MR. SCHMIDT: I'm not saying one person. The shift crew could have taken care of business that morning.

MR. BOND: So we have nothing to fear due to the fact it was a dual shift, essentially, there. It wasn't needed, and it didn't help the situation whatsoever.

MR. SCHMIDT: No, did -- I didn't say that. It did help the situation to -- whenever you have more people on an event, you can do things in a more expeditious manner. What I did say, if they had the normal shift crew, the manner of things would have been done in -- would have been done correctly, in a timely manner.

MR. BOND: It probably would have taken a little longer.

MR. SCHMIDT: Sure. You can't evaluate how much longer it was going to take; you can't speculate on that.

MR. BOND: We won't speculate, we'll just say that half an hour went by and the water level reactor is down 6 feet, takes twice as many; so twice as long. I'm just speculating.



1  
2 MR. SCHMIDT: You cannot do that. You can't  
3 speculate with something like that. The water level  
4 transient in the reactor was specific to this  
5 condition. When the water level went down, there were  
6 enough operators in the control room to take notice of  
7 and take action to restore it. The way it works is,  
8 you have safety systems that are triggered by actual  
9 measurement of the reactor vessel water level. Those  
10 systems that measure reactor vessel water level were  
11 always operable, and in fact, none of them had to  
12 initiate an automatic activation of safety systems; the  
13 operators took action to prevent that. They used a  
14 system that's driven by steam from the reactor. It put  
15 water back in the vessel. It never reached a trip set  
16 point. That system, in fact, would have started  
17 automatically if the operators hadn't take any action.  
18 The operators took the action that was appropriate at  
19 the time to get water back into the vessel.

20 MR. BOND: I think the operators did a hell of  
21 a job. I think you people are doing a hell -- you have a  
22 job with a task out your -- it's a dinosaur technology.  
23 It's been around for 40 years. We're using designs 15,  
24 20 years old. I think it's time we installed new  
25 reactors that are safer than these.



1  
2 MR. COWGILL: Have you closing comments? Your  
3 five minutes --

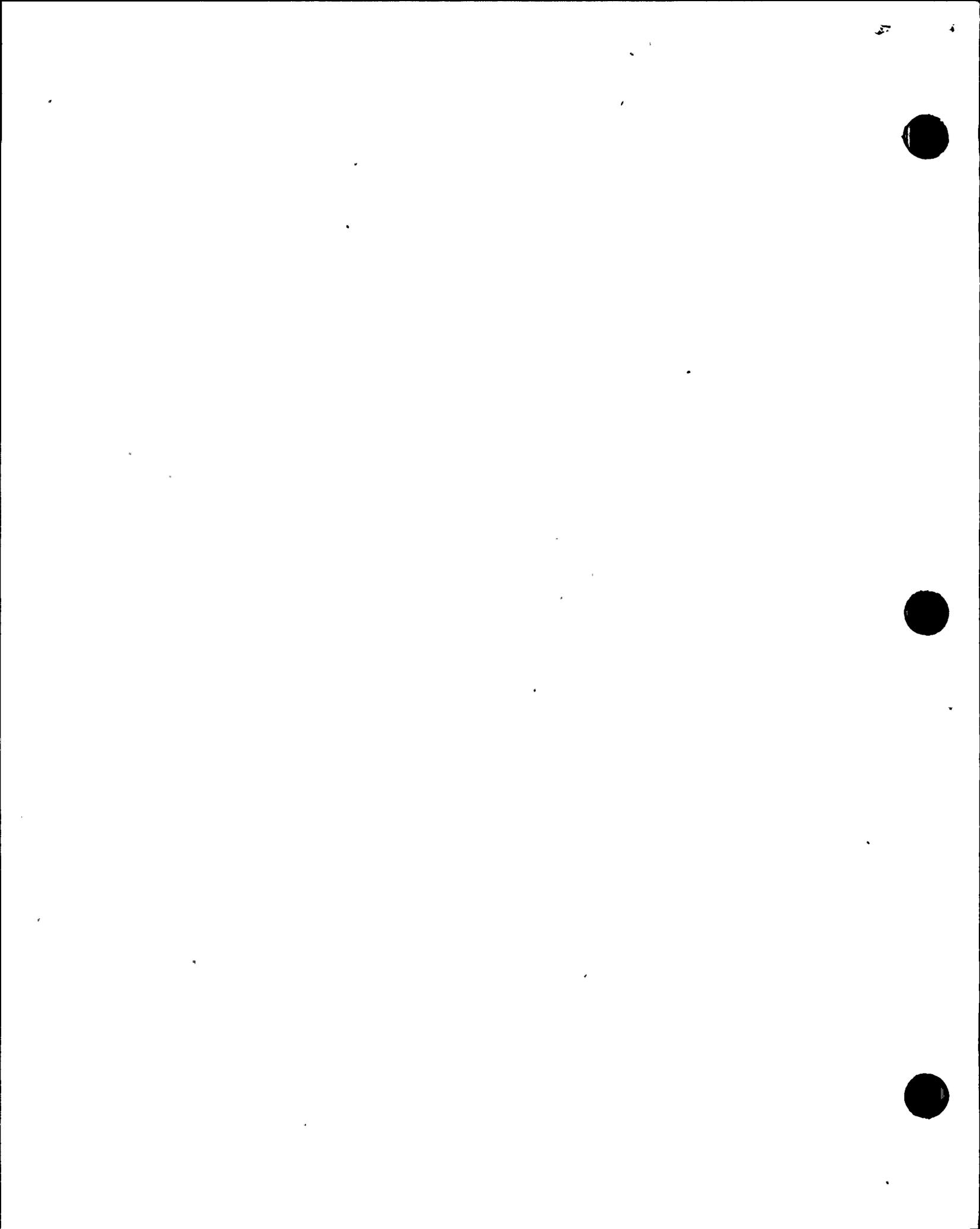
4 MR. BOND: Yes. I'm just going to -- This is a  
5 statement. I'd -- This is the way I feel things went  
6 that morning with uncontrolled, unmonitored reactor, if  
7 the total system failed, shouldn't the residents have  
8 been alerted immediately to close windows and stand by  
9 for a possible evacuation? After all, with the  
10 monitoring equipment disabled, the uncertain state the  
11 reactor had, this -- if it mushroomed in containment,  
12 very precious time would have been lost and many -- if  
13 not all -- of your neighbors could have been  
14 contaminated by leaving too late. I feel we should  
15 have an automatic early warning system, not the present  
16 system which requires waking up bureaucratic  
17 departments and waiting for their opinions. Let me  
18 decide if it's a good time to take a shopping trip  
19 until the accident blows over.

20 Thank you, gentlemen.

21 MR. COWGILL: Mr. Serlin.

22 VOICE: Will someone respond to his last comment,  
23 please?

24 MR. HEHL: With regard to the automatic system; is  
25 that the comment?



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

VOICE: Yes. With regard to being able to make up your own mind whether you should leave, or not being told --

VOICE: Early warning system.

MR. HEHL: I think we have tried to address the notification issue here with regard to the event that actually occurred. And that was the event did not --

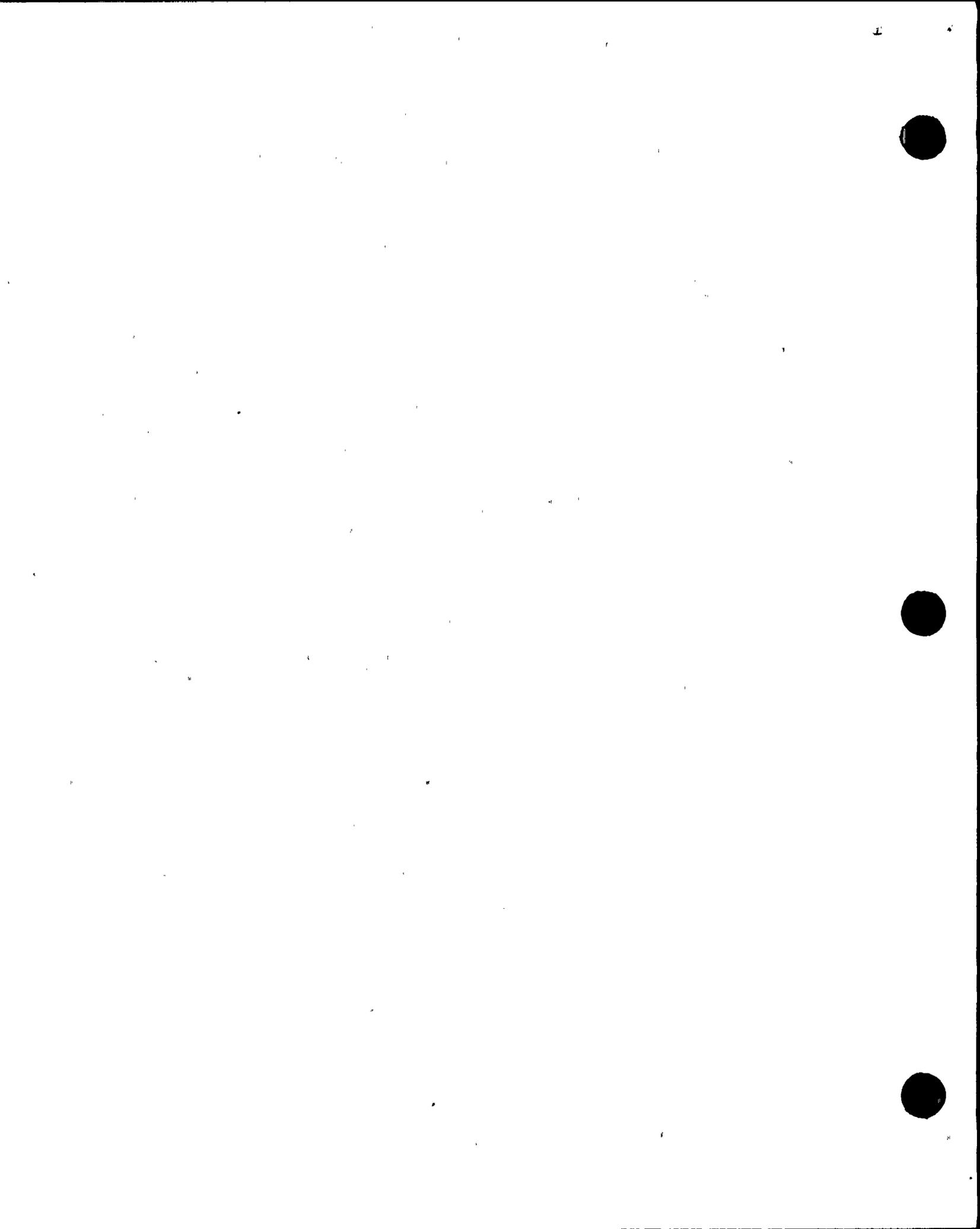
VOICE: You have not addressed the early warning system. You have addressed other systems.

MR. HEHL: There is an early warning system, and that is the 24-hour a-day manning of the control room that occurs at each one of the sites. Now, obviously, that is a good suggestion, you know. And we'll take that suggestion back with us and evaluate it.

VOICE: That doesn't go beyond a 10 mile point, does it, in order --

MR. GORDON: The basic design of the siren is to provide early indication, early warning of a potential problem. The whole purpose of emergency planning is to be able to try to identify a problem early on and give the people enough warning to basically make up their own minds and, you know, try to follow the off site planning that is in place. So it really --

VOICE: Why wasn't it used, then?



1  
2 MR. GORDON: It really is an early warning system.

3 MR. SCHMIDT: Why wasn't it used here? The answer  
4 is there was never any threat to the public health and  
5 safety.

6 VOICE: It's never any threat. Give me a break.

7 MR. SCHMIDT: I'm saying this specific instance --

8 MR. GORDON: And this type of event, we do not, by  
9 definition -- we would not expect any kind of  
10 radioactive release off site. And that is basically  
11 the driving point in --

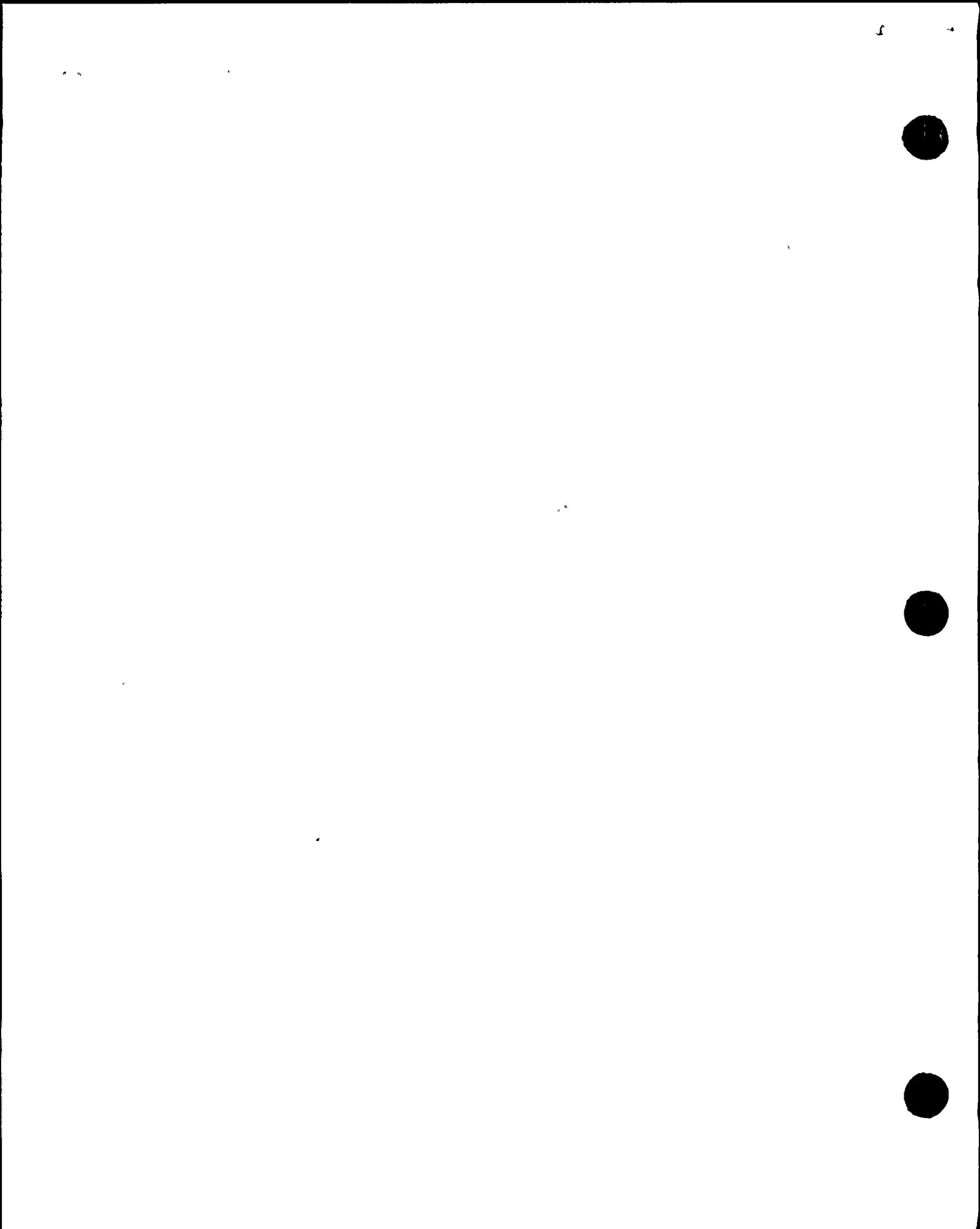
12 VOICE: You never expected it to happen in the  
13 first place.

14 MR. GORDON: For evacuation.

15 VOICE: You expected it at the FitzPatrick plant?

16 MR. COWGILL: Excuse me, sir, Mr. Serlin has the  
17 floor.

18 MR. SERLIN: Hello. I'm a student, and I'm also  
19 on the board of directors at SUNY Oswego; public  
20 interest. And I just have one question. It's going to  
21 be directed both towards Niagara Mohawk and the NRC.  
22 And that is if a group such as NIPER (phonetic) or a  
23 public citizen or Don't Waste (phonetic), or any other  
24 group representing citizen's interest, were to ask for  
25 full disclosure of all documents, specifically



1  
2 regarding vendor manuals, and whether or not they were  
3 updated, basically, documents that would prove to the  
4 public that all modifications that NiMo's engineers had  
5 planned to make, and that the NRC has so nicely  
6 approved, would be available to the public and for  
7 everyone to look at and to evaluate for just a while  
8 longer before Nine Mile 2 plant went on line again.  
9 And I would also -- This is not a public hearing,  
10 correct?

11 MR. COWGILL: This is a meeting between us and the  
12 public, not a specific adjudicatory hearing; yes.  
13 That's correct.

14 MR. SERLIN: Okay. So we have a hold of these  
15 documents, looked them over, had some engineers look at  
16 them, maybe some attorneys, stuff like that, in a month  
17 could we hold a public hearing?

18 MR. HEHL: At any time, you can petition the  
19 Commission to hold a public hearing.

20 VOICE: Now --

21 MR. HEHL: All you have to do is write a letter  
22 and request it.

23 MR. SERLIN: What about the documents, full  
24 disclosure, not selective disclosure?

25 MR. HEHL: To start with, Nine Mile Point is --



1  
2 Niagara Mohawk is not here to answer that portion of  
3 the question. With regard to the NRC --

4 VOICE: Half the people in the room --  
5 Bob Purchase sitting over there --

6 VOICE: Dan is right there.

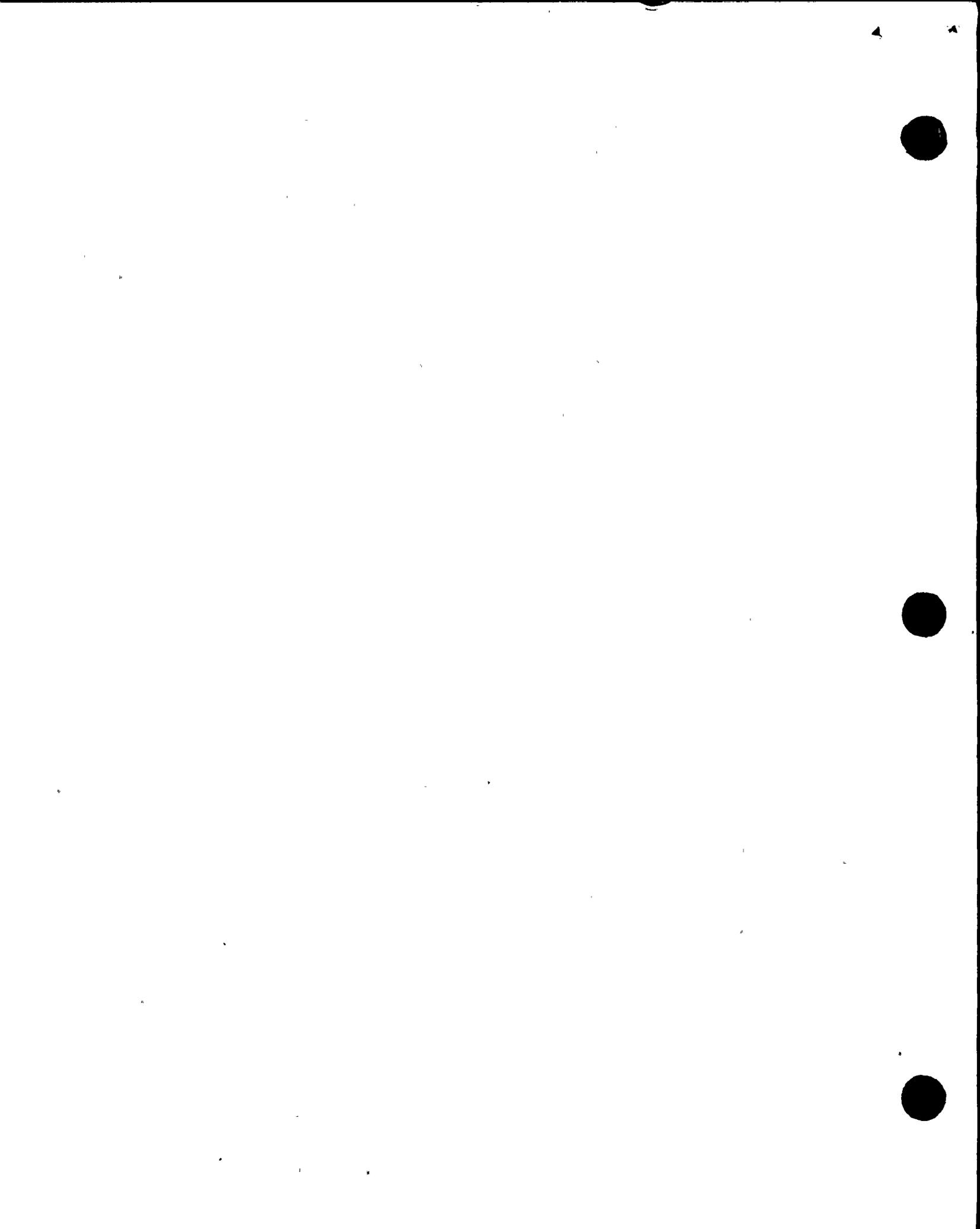
7 MR. HEHL: That's his choice whether or not he  
8 wants to stay and answer the question. But with regard  
9 to the NRC's activity, there is a full disclosure of  
10 the information. We look at all of our inspection  
11 activities with regard to the vendor manuals to the  
12 things we reviewed, is available to the public, our  
13 assessments of their programs for maintenance; that's  
14 all public available information. With regard to the  
15 vendor manuals, you'll have to talk to Niagara Mohawk  
16 about that, but as I said, with regard to the hearing,  
17 all you need to do is request it.

18 MR. SERLIN: Would anyone from Niagara Mohawk like  
19 to answer my question regarding full disclosure?

20 MR. HEHL: There is nobody from Niagara Mohawk up  
21 here.

22 VOICE: There's several here tonight.

23 MR. COWGILL: Excuse me. This is a meeting  
24 between us and the public. The people that are here  
25 from Niagara Mohawk Corporation are here as private



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

citizens. If you have questions --

VOICE: Bob, can we meet you after the meeting?  
How about Al Beansheet (phonetic) I -- We all know him better.

MR. COWGILL: Are you through with your question?

MR. SERLIN: They are not going to stand up and say they are going to represent Niagara Mohawk, so therefore, you're not going to answer the question; is that correct?

MR. COWGILL: Not in this form, yes, sir, that's correct.

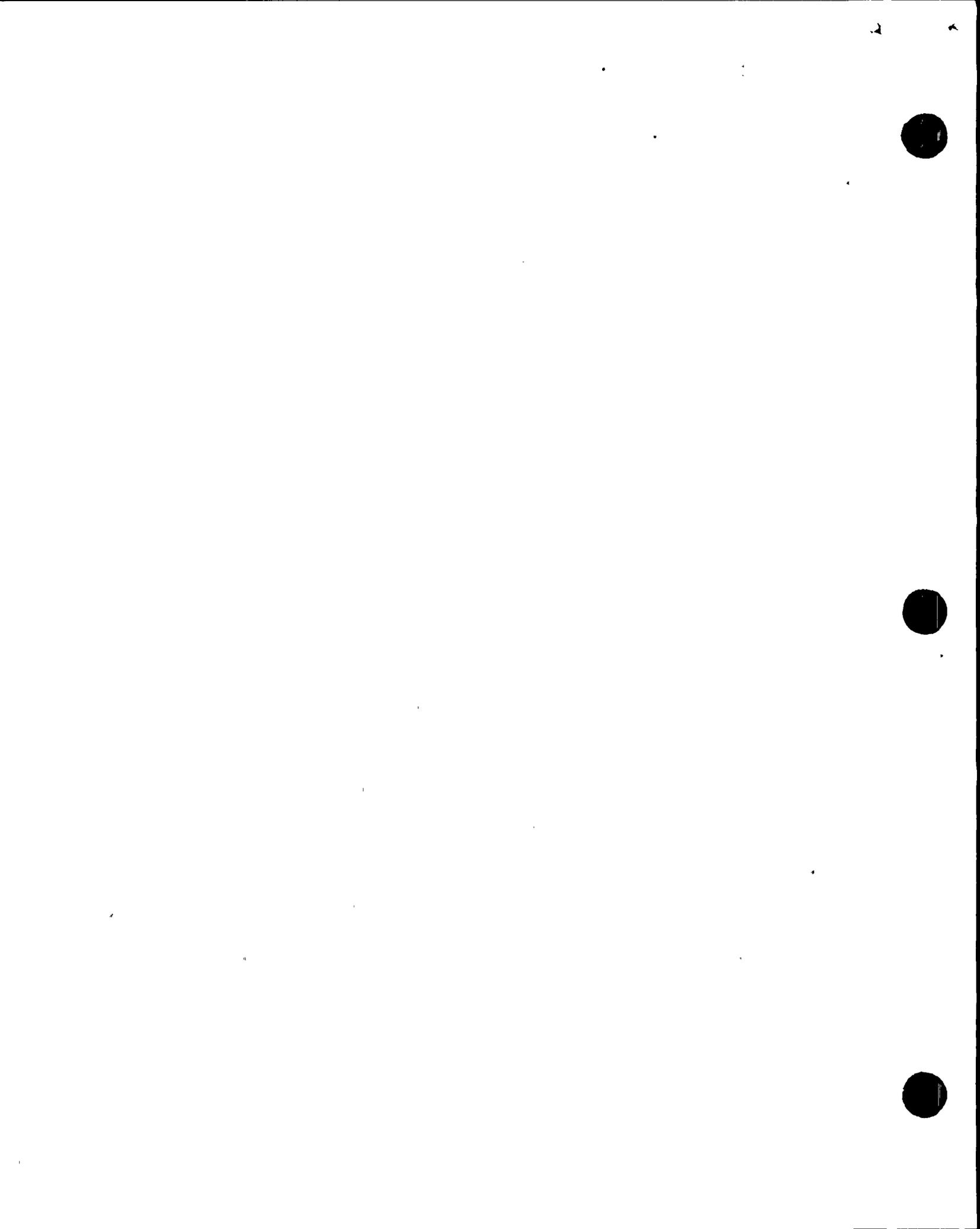
MR. SERLIN: Can you --

MR. COWGILL: However, you do have the opportunity to call them up and ask them those questions.

MR. SERLIN: Okay.

MR. COWGILL: Joe Sammons.

MR. SAMMONS: Good evening. I'm the regional director for the New York Public Interest Research Group. Gerry Southerland is one of the students involved in this project. I just want to -- I guess he took the question that I was going to ask, which is about public hearings. Your role here, as entrusted government agency, is to provide the citizens of the community with the assurances this plant is safe. I



1  
2 think you've done a pretty good job in answering some  
3 of the questions. And I admire your engineering  
4 expertise, and what not.

5 What you have to be patient with and understand is  
6 that the kind of things you're talking tonight, Niagara  
7 Mohawk -- and then just telling us what we've been  
8 hearing for years and years and years -- it's sort of  
9 the insight of almost ignorance, if you will, that  
10 we're supposed to accept without us getting a chance to  
11 investigate and get our own engineers and our own folks  
12 to take a look at it. I would plead as an activist,  
13 and community activist now for the past 17 years; I've  
14 seen citizens make knowledgeable and informed  
15 decisions, if you give them the chance. And if we had  
16 full hearings, we could bring on lawyers and work it  
17 out together. We might see something we didn't see  
18 before, and maybe this kind of stuff wouldn't have to  
19 happen again. That's the only thing people in this  
20 room care about, because it's our lives and our  
21 families.

22 And the very least, the minimum, what you should  
23 be able to do is grant these people a chance to get  
24 full document review and our own experts to come in  
25 here and take a look and work it out that way. This



1  
2 isn't fair. A couple days isn't enough to take a look  
3 and see what's happening. The only thing I would do is  
4 plead with Mr. Martin, and the other folks making this  
5 decision, hey, let's give everybody a chance to make a  
6 decision here, nothing wrong with public oversight and  
7 public review. That's what a full hearing would be.

8 MR. HEHL: Now, we'll be happy to provide you with  
9 the address and all the information you need.

10 MR. SAMMONS: Can I write to the same fellow -- I  
11 would like to make a formal request for that. Can I  
12 write to the gentleman that came in here? Mr. Martin's  
13 address?

14 MR. HEHL: The decision with regard to a hearing  
15 needs to go to our main headquarters organization.  
16 We'll get you the address.

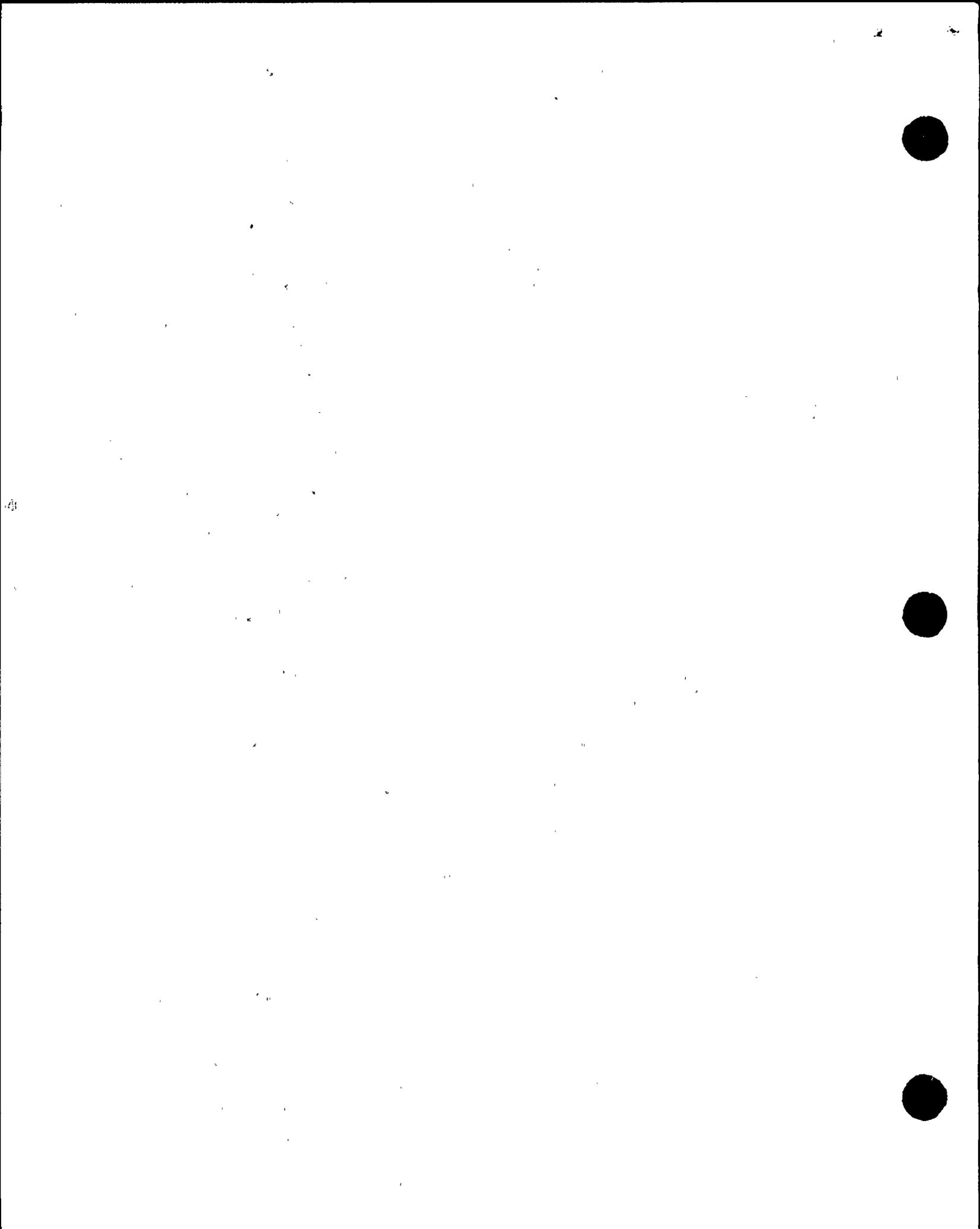
17 MR. SAMMONS: Thank you very much.

18 MR. COWGILL: Mr. Gary Michaels.

19 MR. MICHAELS: I'm the vice chairman --

20 VOICE: They're not listening yet, Gary; wait a  
21 minute. They have to get something behind the chair.

22 MR. MICHAELS: I'm vice chair of Delways  
23 (phonetic), New York statewide group originally formed  
24 in response to sighting of radioactive waste dumps. We  
25 have since broadened the base and taken a total nuclear



-1  
2 stance. As I got here tonight I was reminded once  
3 again why we had to do that. I entered this building  
4 somewhere -- I really can't tell you. It is an  
5 odd-shaped building, no signs how to get here. I asked  
6 somebody, and she said go that way. I looked in one  
7 lecture room. I asked, is this the NRC hearing. And  
8 no. Lectures room and lectures all over the place. I  
9 knew I was here, because when I got to this hearing  
10 room, there were armed guards at the door. This is the  
11 only place in this entire campus where there are armed  
12 guards at the door of a lecture or hearing. I know  
13 that those of us who came here tonight to speak against  
14 nuclear power, against the restart of Nine Mile 2, had  
15 no intentions of harming anybody. So I just much  
16 wonder why the guards are there. Somebody must have  
17 had intentions somewhere.  
18 It seems to me that nuclear power doesn't work  
19 well in a democracy because of the links to the  
20 weapons, because of the security problems, and because  
21 of the possibility of terrorists gaining this material,  
22 as if terrorists don't have it. There's too many  
23 secrets in a democracy. People need the information in  
24 order to make a decision. Now, in -- the United  
25 States, for a number of years, has a poll that comes



1  
2 out, has said that the people in this country no longer  
3 want nuclear power. The percentages keep going up poll  
4 after poll after poll. It's now about 72 percent of  
5 the people want no more nuclear power in this county.  
6 Now, if there is a democracy, then you guys are going  
7 to be out of a job soon. If it's not, then I suspect  
8 you guys will be working for a while yet. I have a few  
9 questions.

10 Now, last year I went on a tour of the West Valley  
11 Plant. I don't know if any of you have been out to  
12 West Valley.

13 VOICE: What is it?

14 MR. MICHAELS: A failed nuclear reprocessing and  
15 leaking dump. Have any of you ever been there? I see  
16 one of you has been there. Well, I live in Taylor, New  
17 York. Why you folks would like to plant another one of  
18 those places, is -- At any rate, in the control room  
19 of the different processes that go on there, they  
20 solidify the waste, take it to another building,  
21 another control room. They handle it, remote control,  
22 and they pile it up and index it and keep track of it.  
23 And when they get done, they still got a lot of  
24 radioactive waste, but they have it in a nice, neat  
25 pile in the control rooms. I was there in about three



1  
2 different control rooms.

3 The one common denominator I saw there was a  
4 Thesaurus. I got to thinking, this is kind of  
5 interesting that they have a Thesaurus there. Why  
6 would they need a Thesaurus in the control rooms? When  
7 I come to a meeting here, I know -- and the question  
8 I'm going to ask you relates to a Thesaurus. Why does  
9 the NRC insist on calling an accident an event? I have  
10 promoted events, and I got a lot of people at my event;  
11 it was a success. You got a lot of people at your  
12 event. I say it's a failure. Does anybody have the  
13 answer? Why you won't call an accident an accident?

14 VOICE: After Three Mile Island --

15 MR. MICHAELS: If it wasn't an accident, then it  
16 must have been done on purpose.

17 Does anybody have an answer?

18 MR. GORDON: I believe the terminology is  
19 basically used interchangeably. You can call it event,  
20 incident --

21 VOICE: Melt down.

22 MR. GORDON: We look at it in terms of an  
23 emergency. And the basic response to the emergency  
24 would be based on the severity of the event. So these  
25 are --



1  
2 MR. MICHAELS: Or accident.

3 MR. GORDON: Or an accident. These are  
4 different -- the response is that investigation of  
5 different levels of response to an emergency.

6 MR. MICHAELS: But the word, accident, never comes  
7 into place in anything I have ever seen NRC nuclear  
8 industry publish. I see incidents, I see emergency, I  
9 see -- how about unusual event. Can an unusual  
10 event -- something that happens in Oswego every month  
11 or two, is an unusual event.

12 I have a couple other questions, too, that are  
13 related to the same thing. They just shipped 50,000,  
14 curries of waste out of here in a cast 30 miles an hour  
15 across the country. It got to Washington, and the  
16 outside of the cast was contaminated when it left here,  
17 it wasn't -- did that cast leak? No; it weeped. Well,  
18 you're not fooling us anymore. We weep. The people  
19 weep for the <sup>lies</sup> lives and the bullshit that you put us  
20 through. I have another one for you.

21 MR. COWGILL: Excuse me, sir. Mr. Michaels,  
22 you've exceeded your limit. Do you have one more  
23 question?

24 VOICE: Everybody else did, too. Let him go.

25 MR. MICHAELS: I think you get the point. The



1  
2 people in this country are opposed to nuclear power.  
3 If there's a democracy, you will be out of a job soon.

4 (Recess taken.)

5 MR. COWGILL: The next speaker is Patti Michaels.

6 MS. MICHAELS: I did not have a chance to prepare  
7 for this meeting; we heard about it Saturday. I live  
8 in Taylor, New York, where you people want to hide your  
9 radioactive waste. I have two sons that, for the last  
10 three years, have been to meetings and conferences and  
11 all this bullshit for years. I don't even read to my  
12 kids anymore. I go to bed reading nuclear material.  
13 I'm tired of it. I'm not the only one. America does  
14 not want nuclear power; not Nine Mile 1, Nine Mile 2,  
15 Oyster Creek. I don't care what you call it. You're  
16 living in the Stone Age. I live below Syracuse with  
17 photovoltaic cells on my house. I have never plugged  
18 into NiMo's grid, ever, in 13 years. It works below  
19 Syracuse. When is America going to get progressive and  
20 get out of the Stone Age of boiling water with  
21 hazardous materials. When? When?

22 MR. COWGILL: Is that question directed at us?

23 MS. MICHAELS: Yes. Who do you think I'm talking  
24 to?

25 VOICE: How do you run an industrial plant on



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

that?

MS. MICHAELS: You'll have to figure that out. I don't think it's acceptable to expose children, people, people that live in Oswego. I live 72 miles from here. I'm in the evacuation zone; is that correct? Anybody know that?

MR. GORDON: 72 miles?

MS. MICHAELS: Yes.

MR. GORDON: No.

MS. MICHAELS: You mean when the wind blows, as it did in Chernobyl, it goes hundreds of miles and land is contaminated for eons? I'm not affected 72 miles away? I've been affected anyway. Just by you people not having an answer to the radioactive waste problem. You've been hiding it 50 years. Let's stop playing games and stop pretending that there is a solution to the radioactive waste problem; 'cause there isn't. Is there an answer? Does anyone have a solution? Would you tell me? Any one of you? Hide it in the hills somewhere?

MR. HEHL: There are technological ways that are underway. There are other countries using --

MS. MICHAELS: Over 50 years. I've been hearing this.



1  
2 MR. HEHL: Would you like me to answer the  
3 question?

4 MS. MICHAELS: Go ahead.

5 MR. HEHL: There are evaluations taking place;  
6 there is a technology available. It is a political  
7 decision at this point in time. If you want to change  
8 the way the country operates, if you want to change  
9 nuclear power, if you want to change these other  
10 things, you know, you have a political process that you  
11 should go through to make those changes.

12 You know, we're tasked with trying to ensure that  
13 those plants operate safely. We're not tasked with the  
14 decision process of whether or not Niagara Mohawk uses  
15 nuclear power or coal power or oil power or sun power  
16 or anything else, or hydro power.

17 MS. MICHAELS: But I don't feel that you do take  
18 the public health and safety into consideration.

19 MR. HEHL: That's your opinion, ma'am. We  
20 appreciate your comment.

21 MS. MICHAELS: For instance, low levels of  
22 ionizing radiation have been found to be hazardous more  
23 than previously believed; correct? Correct?

24 MR. HEHL: There are studies that indicate that  
25 there is not a definite lower level of impact on



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

ionizing radiation, yes. There's ionizing radiation that comes from the sun that causes skin cancer.

MS. MICHAELS: I'm not talking nuclear. I'm talking man-made radiation. My point there was going to be that you people, the NRC, want to deregulate radioactive waste; correct?

MR. HEHL: That is an issue that --

MS. MICHAELS: That's another issue. This is just a point of the ineptitude in dealing with public health and safety. We don't want nuclear power anymore.

MR. HEHL: I appreciate your comments.

VOICE: Tell it to the boys in Washington; would you?

MS. MICHAELS: You were saying that this was not so much an event as a learning experience; you over there.

MR. HEHL: No, I said with regard to the complex equipment that, as you use the equipment in place, the -- General Motors produces a car. There was a certain amount of components that fail or --

VOICE: It doesn't kill 100,000 people.

MS. MICHAELS: When you folks are flying back to Washington, let's hope your plane doesn't have a learning experience. We are not stupid. We know



1  
2 what's right and wrong. And it is wrong to continue to  
3 operate any plant when you don't have anything you can  
4 ever do with the waste, ever, because it's going to  
5 come back to haunt somebody. And I don't understand  
6 why you people put it up on future generations. I got  
7 stuck with it.. My mother didn't have to deal with this  
8 crap. I'm dealing with it now, and my kids are dealing  
9 with it now. They'll be out of high school before  
10 we're done with the dump issue. Just go close them  
11 down and leave us alone. Somebody is going to die in  
12 this. You try and dump something down in Taylor, I'm  
13 warning you.

14 MR. COWGILL: Nancy Moon.

15 MS. MOON: My name is Nancy Moon, and I'm here  
16 tonight as a parent of a SUNY Oswego student. I'm also  
17 here, I'm sure, to represent a lot of parents who  
18 couldn't be here tonight because they were not notified  
19 and did not have the fortunate networking that I'm part  
20 of; so that people were calling me to tell me about  
21 these meetings. I wouldn't want to call them hearings,  
22 because this is a meeting.

23 I came tonight to let you know that I am terrified  
24 every night over the evacuation plan that has been  
25 approved for this school system. As one of the young



1  
2 students pointed out earlier; the evacuation for this  
3 college calls for these kids to stand on the curb and  
4 wait for a God damn bus. What kind of a bus driver --  
5 what kind of a human being, who is fearful for his own  
6 life, is going to get into a machine and drive it  
7 against double lane traffic coming at him because  
8 there's no traffic heading into Oswego to evacuate my  
9 child.

10 This gentleman on the end said evacuation plans  
11 for this school are not part of NRC policy. NRC  
12 doesn't have any input in this plan. Well, I would  
13 like to know if there's someone here tonight who  
14 represents this organization, that does have input into  
15 this evacuation plan. Is there anyone?

16 VOICE: Talk to your county.

17 MS. MOON: Is there any student in this room who  
18 knows where to go to catch the bus if that siren should  
19 go off right now? Is there any advisor in this room  
20 who knows what the evacuation route is to get out of  
21 this town?

22 VOICE: Any way you can get there.

23 MS. MOON: I would like this on the record: That  
24 this evacuation plan is woefully inadequate. There are  
25 45,000 people who have to get out of town. And when I



1  
2 came through Fulton tonight, there's stop and go,  
3 bumper to bumper traffic, which is normal 5:00 o'clock  
4 exiting traffic out of that town. How can we be sure  
5 that the communication system that is set up,  
6 gentlemen, will tell my student where to go? The  
7 safety requirements that you set up for the power  
8 plant, don't end at the gate. You're also responsible  
9 for what happens to the kids here at school. So where  
10 do I go? How can I get my question answered?

11 MR. HEHL: With regard to the evacuation plan, we  
12 can pass that information to the federal emergency  
13 management agency that has the responsibility for  
14 evaluating the off-site activities. We can provide  
15 that information to them.

16 VOICE: Will you take that into consideration when  
17 you give the start up order?

18 VOICE: That you got two lanes out of Syracuse;  
19 and the bus drivers from Centro that don't even know  
20 yet they are going to drive their buses to Oswego to  
21 pick up the kids; which lanes are they going to ride on?

22 MR. HEHL: As I said, we will provide this  
23 information to FEMA. FEMA has the relationship with  
24 the NRC. They do the off-site review of the emergency  
25 plans. They work with the local committees.



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

MS. MOON: If they are going -- that -- is it taken into consideration in the start-up procedure?

MR. HEHL: Yes. From the standpoint that we look at the continued operation, the restart of any plant, with regard to the acceptability.

MS. MOON: Then are you satisfied that there is a good enough evacuation plan to get the students out of here?

MR. GORDON: If FEMA tells us that there's a deficiency with respect to the evacuation planning or the fact that the bus driver's not familiar with his designated route. In other words, the train is not adequate, we --

MS. MOON: It's not just of the bus driver, sir; the students have to know where to go, also.

MR. GORDON: That's part of the bus driver training. Most of the buses are summoned, evacuation routes that a bus driver is supposed to be following --

MS. MOON: You're telling me the bus driver will stand there and say, hey students, head this way, I've got the bus?

VOICE: First he has to get down here when traffic is going the other way.

MR. GORDON: To answer your question, if FEMA has



1  
2 any inefficiencies with respect to the off-site  
3 planning, we will take that into consideration in any  
4 licensing proceeding.

5 MS. MOON: I would also like to know that -- the  
6 Oswego evacuation plan has stated that they will not  
7 evacuate until 5,000 millirems level is reached. And  
8 as a point of reference, a chest X-ray is 20 millirems.  
9 They are not evacuating until 5,000 millirems is  
10 reached, but a chest X-ray is 20 millirems. I also  
11 would like to know -- chest X-ray ends in a fraction of  
12 a second. A 5,000 millirem level reached, does not  
13 end. It continues and continues until the event  
14 ceases. I also, gentlemen, would like to know, what is  
15 the definition of the Level 3 site emergency that was  
16 called?

17 MR. GORDON: The definition of site area  
18 emergency?

19 MS. MOON: Right.

20 VOICE: Of a Level 3 site emergency.

21 MR. GORDON: Well, basically we -- the terminology  
22 we use in the regulation would be site area emergency.  
23 Okay. It's one of four levels of the classification  
24 scheme that we use at NRC. And all utilities --

25 MS. MOON: How does it differentiate from a



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

Level 2 or a Level 4?

MR. GORDON: I'm not familiar with the actual levels. It's -- A site area emergency is a specific level that is supposed to have a certain response by the utility to associate with it, and a certain --

MS. MOON: How do you arrive at calling it a Level 3 or -- not Level 2 or 4?

MR. COWGILL: Maybe we can answer that for you. There are certain conditions that are specified by the federal regulations in a document that specifies conditions which exist, which would get them to a particular emergency.

MS. MOON: The press defined it as eminent radiation release.

MR. HEHL: Well, that's --

MS. MOON: I'll tell you, radiation was released. I'm saying that the definition of a Level 3 was that eminent radiation would be released; and with that in mind, then, what about running that siren so the people can make a choice?

MR. COWGILL: Let me go back to what we said earlier in the evening with respect to eminent radiation release. There was no eminent radiation release associated with this event. Let me finish,



1  
2 please. The emergency classification scheme in this  
3 particular case required the utility to declare their  
4 emergency, based on the fact they lost the  
5 annunciation, and transient in progress. Shortly after  
6 the plant transients, they restored their annunciators.  
7 There was no eminent release. There was no threat of  
8 release. The plant was basically in a normal plant  
9 shut down condition. There was no --

10 MS. MOON: There's only one more level above what  
11 we were at; right? That's a Level 4.

12 MR. COWGILL: Right.

13 MS. MOON: Is that eminent release, or is that a  
14 release --

15 MR. COWGILL: By the definition of your rules,  
16 there was a release in progress when a general  
17 emergency is --

18 MS. MOON: With the next level; a higher level.  
19 So wouldn't the one prior to the higher level mean  
20 there's an eminent release?

21 MR. COWGILL: That would be one of the  
22 classifications in this case. There was no eminent  
23 radiation release.

24 MS. MOON: In view of the fact that there could  
25 have been an eminent release, in the summer,



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

FitzPatrick had to drill. And it was discovered that, indeed, the emergency broadcast system was not operating because wires were severed. If that were to happen at any given time, and you needed to use these sirens, gentlemen, would they work? Would my child know? Would I know to come and get him? I couldn't get here. There would only be one-way traffic.

MR. GORDON: The utility has a surveillance program; they are responsible for the sirens in terms of maintenance and upkeep and making sure that they, in fact, do work.

VOICE: Like they changed the batteries?

MS. MOON: My son's been on campus for two years. He's never heard the sirens go off. How often are they tested?

MR. GORDON: I believe they are tested regularly.

VOICE: What's that?

MS. MOON: Like once every five years or something?

MR. GORDON: I believe monthly.

VOICE: Wrong; wrong.

MR. GORDON: Electronics test. You may not hear them go off.

MS. MOON: You can't hear them go off. The public



1  
2 doesn't know to do anything.

3 VOICE: He's probably got his Thesaurus down  
4 there.

5 MR. GORDON: The results -- they do sound the  
6 siren, I believe, it's quarterly. We can check that --

7 MR. HEHL: There's various levels of testing that  
8 go on on the system, such as the siren system. And  
9 that includes a test of electronics.

10 VOICE: Drug testing?

11 MR. HEHL: That occurs, also. But there's, you  
12 know, testing that occurs, electronics that occurs much  
13 more frequently. But you don't want to blow the siren  
14 every time you make that electronics test.

15 MS. MOON: Once or twice might be nice, so the  
16 people at least know what to be listening for. I would  
17 also like to know, as a parent of a student here, and  
18 if there's any college officials here I'd like to know.  
19 I have never received in the mail any instructions  
20 where to meet my student if he was, indeed, evacuated  
21 from this town. I don't know how to meet up with him.  
22 I don't know who to get in contact with. I have no  
23 idea if they are evacuated. I understand they are  
24 supposed to go to the State Fair facility, how ever  
25 they can get there. And there are showers in the Youth



1  
2 Center to decontaminate.

3 VOICE: One shower.

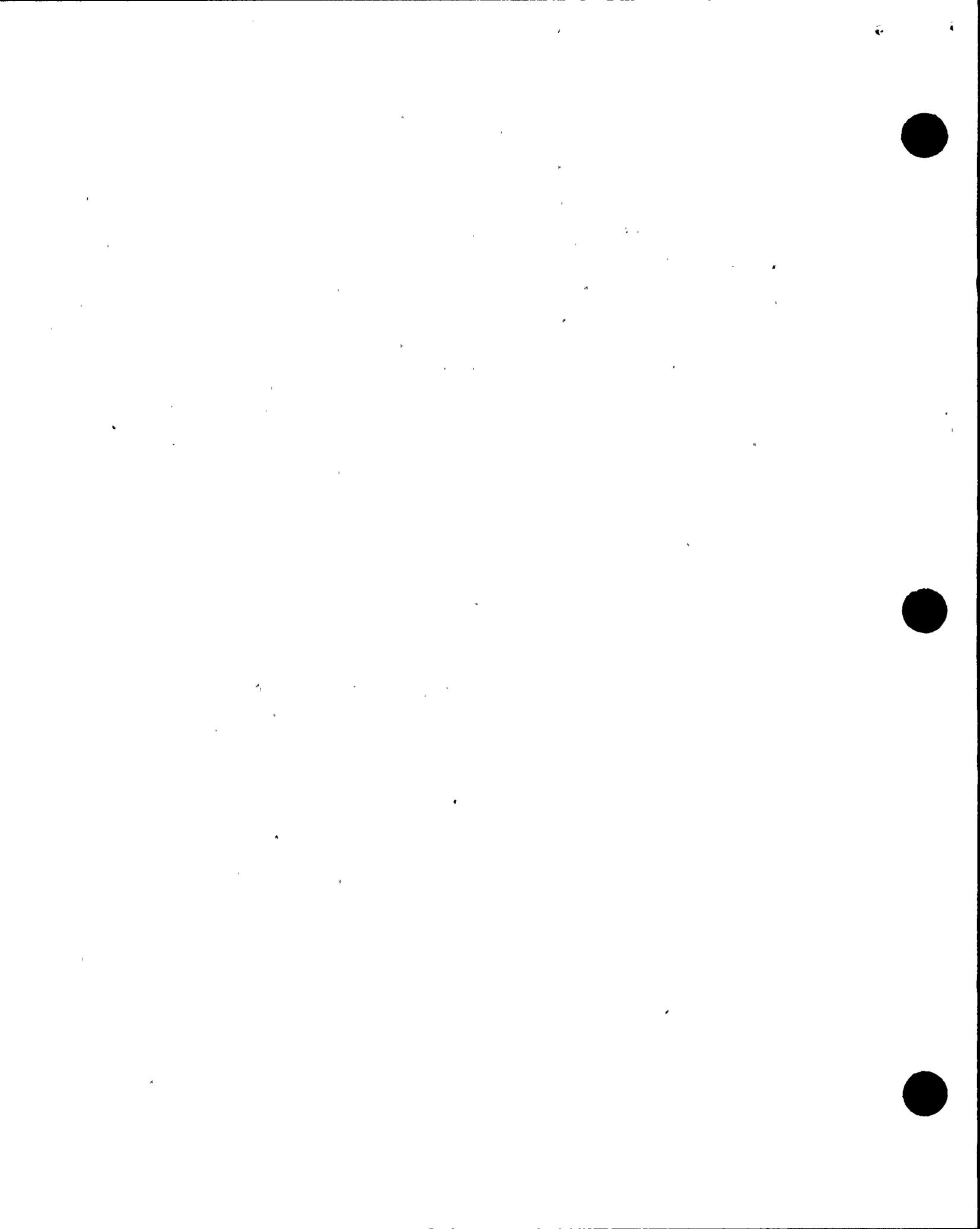
4 MS. MOON: I do believe there are in excess of  
5 4,000 students who live on campus. There are more  
6 students who live off campus. There are commuting  
7 students. There are advisors; there are teachers, and,  
8 of course, there are people who live here within the  
9 miles radius. And yet, in this Young Center building,  
10 I believe there are two showers to decontaminate all of  
11 these people.

12 MR. COWGILL: We pass -- We can pass your  
13 concerns on to the federal emergency management  
14 meeting.

15 You have had several minutes past your time. Are  
16 there any other questions that you had?

17 MS. MOON: I would like to make a good point.  
18 Students made a good presentation here tonight. And  
19 you pointed out that they had to request in writing to  
20 get full disclosure and to have a true hearing. I  
21 provided the writing for you, and I'm sure that at some  
22 point you gentlemen will be going back to work. And  
23 you can deliver this for me.

24 MR. COWGILL: The next person signed up is a  
25 cartoon character. Would that person please come



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

forward.

VOICE: What cartoon character?

MR. COWGILL: They know who they are. I do not choose to talk about that.

We have two cartoon characters who were signed up. Do they wish to speak?

VOICE: You want to defer your time?

MR. COWGILL: Would Barbara Brown please come forward. She is the next speaker on the list.

MS. BROWN: I'm here to read a letter from our Farm Bureau president who was unable to be here this evening. There was a death in his family. She was a cousin of 102 years that died. She lived before nuclear power, I guess. The Farm Bureau is an organization in New York State that has 58 units. We represent over 23,000 people, and we have tried to go through government channels with some of our problems. On May 9th I spoke to the Oswego County legislature group about the lack of the emergency program not meeting the needs of the farm community. We still have not received an answer from our own county. Farm Bureau's position remains that we have been, and still are, concerned over operational procedures of nuclear plants in Oswego County, and the apparent lack



1  
2 of capability by staff of handling day by day  
3 operations, and the maintenance procedures necessary  
4 for a safe and trouble-free program.

5 We are concerned about apparent unconcern  
6 regarding alert of those farms within the evacuation  
7 zone. Also, we have concern for these persons residing  
8 within these zones. We do not feel that the proper  
9 program was followed for the last site emergency. We,  
10 as persons engaged in the production of food for your  
11 nation, as persons engaged in agriculture for the state  
12 of New York's largest industry, and persons who depend  
13 entirely on our land and waters for a living, feel that  
14 the Nuclear Regulatory Commission would make a wise  
15 decision if it would put the power plants in Oswego  
16 County back on the watch list. Sincerely, George H.  
17 Young, president of the Oswego County Farm Bureau.

18 I would like to add that the morning of the site  
19 emergency, I was driving into Oswego. I left home at  
20 approximately 20 minutes after 8:00; drove -- drove all  
21 the way to Oswego with my radio turned on WSEP, a  
22 county radio station, which was unaware that anything  
23 was going on. I drove back home, turned on WSYR, and  
24 found out that I was receiving a different report every  
25 three minutes. Members of my family in Syracuse and



1  
2 Minnetto area listened to the radio and heard the story  
3 change 12 times within three hours. And I really  
4 wondered what was happening where we were living.

5 And I called WSEP at 11:00 o'clock, and asked if  
6 they had been notified. And they said no, they had a  
7 reporter on the way to find out what was going on. I  
8 also talked to WOSG reporter, Tom Herbert, that morning  
9 and he said that no, a citizen had called him and he  
10 called the plant to verify what was going on. A farmer  
11 that lives in the area said he saw the shift leave and  
12 go, he thought that was a walk-out of the employees  
13 that day; and that the plant workers had been released.  
14 He wasn't even concerned, he just thought everyone was  
15 leaving.

16 And so our community was in total darkness,  
17 literally, as to what was going on, as well as your  
18 control board that was in darkness. It would be nice  
19 if the emergency plan would work. When I called my own  
20 emergency preparedness office and asked if the Nuclear  
21 Regulatory team was out to do monitoring on site, I was  
22 told they couldn't tell me. I was referred to another  
23 phone number service, which referred me to another  
24 service, rumor control, who also could not tell me  
25 anything, but could tell me that I had to assume that



1  
2 nuclear teams were out inspecting. And I said, honey,  
3 I'm not assuming anything. It makes an ass of you and  
4 me.

5 MR. COWGILL: The next speaker is Katherine Drake.  
6 Katherine Drake. She's not here now. Okay.

7 We'll go to the next speaker, Ed Hurd. Are you  
8 Mr. Hurd?

9 MR. HURD: That's my dad. I'm Ed.

10 MR. COWGILL: Okay.

11 MR. HURD: Hi. I've lived in Oswego County for  
12 about 30 years. I work in the Syracuse area, large  
13 corporation, industrial. Our industry is leaving the  
14 state. I trust that Niagara Mohawk can produce power  
15 at a reasonable rate to entice these industries to come  
16 back, because I need a job.

17 I appreciate what your legislations have done for  
18 Oswego County. They have kept down our waste treatment  
19 considerably, cost-wise, compared to our neighbors.

20 As I understand it, your sketch and blocks A, D  
21 and C, those are transformers; correct?

22 MR. COWGILL: The sketch on the board, each of  
23 these represents one phase of the main transformer.

24 MR. HURD: Okay. B went down, which caused your  
25 uninterruptable power source to fail, right? As far as



1  
2 I know, the UPS is for a -- temporary power to be able  
3 to bring down your computer system without crash or  
4 losing data; is that right?

5 MR. COWGILL: Uninterruptable power source is a  
6 very regulated power source for things like the  
7 computer and other sensitive instrumentation.

8 MR. HURD: Okay. So it wasn't an accident, just a  
9 power failure, or just a failure of equipment --  
10 equipment failed.

11 MR. COWGILL: This particular event was caused by  
12 equipment failure, that's correct.

13 MR. HURD: Are we going to be able to meet your  
14 power requirements for this next coming year? Why I  
15 say that is because my neighbors are changing their  
16 service to their house from 100 amp to 200 amp service.  
17 Large corporations are turning -- large corporations  
18 are turning out equipment that requires power. And at  
19 one time, I was at one of the large manufacturing  
20 systems in Syracuse. And every minute, a unit would  
21 come off an assembly line, and every one of those units  
22 had a plug to plug in. So I hope you fellows are doing  
23 a good job for us, because we need the power.

24 VOICE: Solar works.

25 MR. HURD: Yes; but what do you do on a cloudy



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

day?

VOICE: Solar works on a cloudy day, also, sir.

MR. HURD: Your large corporations would not be able to do --

VOICE: They did that in L.A.

VOICE: Come to Cortland County --

MR. COWGILL: Let him finish.

MR. HURD: Also, we're having new homes in Oswego County. We're going to need a lot of power. And I hope you can use this power at a -- cost effective for industry. That's just about it guys. Thanks.

MR. COWGILL: Thank you for your comments, sir. Next speaker, Mr. Timothy Moon.

VOICE: How come you thanked him, and didn't thank anyone on this side of the room?

MR. HEHL: We did. We appreciate your comments, but unfortunately we're not deserving of those comments, because actually we don't have anything to do with --

VOICE: You have something to do --

MR. HEHL: -- production of that power from the standpoint of planning what units --

VOICE: Keep smoke-screening the problems. You have a lot to do with it, so don't pass responsibility



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

off.

MR. MOON: Yeah; I'd like to ask if you have a final report from Niagara Mohawk on exactly what they have changed in order to keep this accident from happening again.

MR. COWGILL: We have received a letter from Niagara Mohawk which contains their root cause analysis, and describes the modifications they have made to prevent this particular event from happening again in the future.

MR. MOON: Is this the final report? Is this all, the entire information that Niagara Mohawk will give you?

MR. CALVO: This is Niagara Mohawk's assessment of the problem that comes to the NRC for review and comment. And then from there the NRC will prepare a final report. That information, by the way, is available to the public. It's a public document in this area.

MR. MOON: Which -- just a note -- a side note on that. When FitzPatrick had their accident up here last March, approximately 3 months afterwards, it took me and the local librarian here 20 hours to find any information on the accident which occurred up there,



1  
2 because the manuals in the microfiche are gone. I'm  
3 not going to blame anybody, but they are not there. I  
4 checked this year, and they appear to be returned, but  
5 it would be helpful if they were around.

6 The only reason I ask about the final report is, I  
7 want to make sure that Niagara Mohawk is giving you all  
8 the information, that way you can -- that's the only  
9 way you can make an educated, you know, decision. So  
10 please, you know, I want you to hold off until you get  
11 everything from them.

12 Secondly, Niagara Mohawk is here talking about  
13 stuff that they had done to deserve a restart. And  
14 they talked about the piping, and they thought it was  
15 adequate, and they that they saw no visible damage. As  
16 a technology student at this college, I very well know  
17 that pipes and fittings and solderings and welds  
18 usually have to be X-rayed in order to be -- tell if  
19 there's no stress, fractures, et cetera, et cetera, in  
20 those. You cannot tell that just by looking at this --  
21 them, and seeing if drips are coming off from them. I  
22 hope they have those X-rayed for my safety.  
23 Uninterruptable power supply. If they knew about  
24 it since June, why wasn't it fixed in June? Why did  
25 they wait until the next event time, which is after



1  
2 something major like this happens? Why do you guys  
3 wait when something is in disrepair so long to get it  
4 fixed?

5 MR. COWGILL: I don't know what you're referring  
6 to.

7 MR. MOON: The uninterruptable power supply. I  
8 was --

9 MR. COWGILL: Are you referring to the batteries?

10 MR. MOON: No. I'm referring to the, I believe,  
11 the oscillating power problem.

12 MR. COWGILL: You're talking about the oscillating  
13 problems with the reactor core coolant solution?

14 MR. SCHMIDT: The system you're talking about is a  
15 steam-driven system required by the NRC, issued  
16 technical specifications, as part of the license given  
17 to the plant so they can operate safely. The system  
18 was tested properly in June, and the operators observed  
19 oscillatory response. This means that the flow in the  
20 system was increasing 20 GPM at 600 --, normally rated  
21 600 GPM. The flow was going from 620 to 580 GPM back  
22 and forth; and it was a slow oscillation. The  
23 operators evaluated that at the time, and said that  
24 they really didn't think there was a problem with it,  
25 and the only thing we could fault them with was not



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

writing that down.

So that the management -- Niagara Mohawk management would -- could get another cut at that when the operator went to start the system during this transient to refill the vessel; he started the system in automatic, the same load it's operated in during the surveillance test in June. And again, saw an oscillatory response.

What the operator then did, he -- the system wouldn't perform properly with the oscillatory response. He said, hey, I don't like that oscillatory response, I want to take it to manual control. He took it to manual control, the turbine -- from the control room to automatic, to manual, and controlled the speed. And that was what he did. And he did the -- the oscillation was no longer there. And he continued to properly feed the vessel from the standpoint of the -- the -- the system was always operable to perform its function. And the operators did the proper thing with regard to the oscillatory response.

MR. BEALL: You want us to address each of the items you've asked?

MR. MOON: I would like one thing. I would really like to know about the piping. Have they been X-rayed,



1  
2 and have they gone over every inch of piping that  
3 was -- took that initial shock, that pressure  
4 difference that was talked about?

5 MR. BEALL: What I mentioned earlier was there was  
6 a potential for reports of a possible water hammer. Is  
7 what you're talking about?

8 MR. MOON: Yes; water hammer.

9 MR. BEALL: In order to determine whether there  
10 was a damage or any effects on the pipe, we don't do  
11 any one of these things. We do several of those  
12 things. First thing you do -- the simplest thing you  
13 do, is go out and look and see whether the pipe is  
14 moved, whether there are scratches from rubbing against  
15 things:

16 MR. MOON: You said you did --

17 MR. BEALL: We did that, and determined there was  
18 no visible damage. We walked it down ourselves, along  
19 with them. Furthermore, as I said earlier, the  
20 licensee did an engineering assessment to determine the  
21 forces that would be generated during that and compared  
22 that. And determined that what potentially occurred in  
23 terms of energy and all that, was well within the  
24 capabilities of the --

25 MR. MOON: As we all know, the major equation is



1  
2 not as good as going out and testing the pipe, itself.  
3 You cannot, by writing it down on paper, because  
4 there's a difference between actual effectiveness and  
5 plant effectiveness; that's where the difference is.  
6 You can design the things to be fool-proof. When you  
7 put the fools in there, sooner or later something is  
8 going to happen.

9 MR. BEALL: The answer to your question is -- that  
10 you asked, whether there had been an analysis and  
11 assumption.

12 MR. MOON: I asked if they had been gone over inch  
13 by inch and checked.

14 MR. BEALL: There was no need to do X-rays of the  
15 piping because the stresses and the force involved were  
16 not of the magnitude necessary to postulate there could  
17 have been things of that sort.

18 MR. MOON: Okay. My last comment. What kind of  
19 guarantee can you give everybody that lives in this  
20 town, and within the blast zone -- and I happen to live  
21 in Taylor, New York, also, where it's subject to the  
22 dump? And I have to deal with nuclear power plants  
23 when I come to school here. And I just want to know  
24 what guarantee can you give me that the second these  
25 things start up, that if something happens, I can get



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

out. And why --- should something happen, why not shut these things down? I want a guarantee. It's my life on the line; because you guys will be in Washington.

MR. SCHMIDT: I hope I'm not in Washington. I live over on Skyler Street.

MR. MOON: Then I hope you feel that it's safe.

VOICE: Will you stop and pick my son up on the way out of town?

MR. MOON: When you go to Syracuse, swing by Rick's Hall and pick up a truckload of us; also.

MR. SCHMIDT: I won't be coming to Syracuse, I'll be heading to the plant.

VOICE: Get it over with quick; huh?

MR. COWGILL: Next speaker is John Peterson.

(No response.)

Linda Clark.

MS. CLARK: Hello. We have talked an awful lot tonight about expectations, and it brings me back to the first time that I ever sat down with the Nuclear Regulatory Commission; which was 20 years ago, when they wanted to build the New Haven -- another plant in this area of New Haven. At that time one of the contentions that we wanted to discuss was possible evacuation in case of an emergency. And we were told



1  
2 flat out by the Nuclear Regulatory Commission that we  
3 could not use it as a contention, because it was so  
4 improbable, that they would never have an evacuation  
5 plan around a nuclear plant. Since then we have come  
6 to expect that, yes, we do need evacuation plans around  
7 nuclear plants. So it's just been kind of one thing  
8 after another with expectations with the entire  
9 industry in this area.

10 When I first talked to Niagara Mohawk, I talked to  
11 them about possible contamination of my milk. And they  
12 said that it's not a problem. Except for when the New  
13 York State Health Department showed up at my door and  
14 said there had been releases, and that in 48 hours they  
15 could let me know if my milk was safe to drink or not.  
16 But until that time, don't let me children touch it.  
17 Unfortunately, I had already given it to them that  
18 morning. So I learned to expect the fact that there  
19 really was nothing in place for me to know if there had  
20 been a release, and so that I would know enough not to  
21 feed my children any milk and vegetables that morning.

22 And that's kind of been the whole gamut of  
23 expectations that I've learned with you people, with  
24 the on-site inspector at Nine Mile 1, who sat there  
25 with a spill in the basement for ten years that was



1  
2 highly radioactive. It's incomprehensible to me that  
3 we can have an on-site inspector overlook for ten years  
4 a radioactive spill in the basement that is that bad.

5 And because of that, it brings us to the incident  
6 of late, in which what really bothers me is  
7 notification. I want to be notified. I want to make  
8 the choice on whether I should let my cows out that  
9 day. I want to make the choice on whether we should  
10 harvest 2,000 bales of hay that day. I want to make  
11 the choice on whether I send my children to school that  
12 day. When an incident happens -- I don't think that  
13 we're all morons in this area. We should be able to  
14 make a choice. And we're never given any choices. We  
15 live with this plant, and we are not given any choices.  
16 One of the things that really bothered me was the fax  
17 number on page 2 where Niagara Mohawk is asking to  
18 reduce the, you know, the notification level here.  
19 Could you tell me exactly what you plan on doing with  
20 this?

21 MR. COWGILL: Ma'am, I would have to look at the  
22 letter. I think I know what you're talking about. I'm  
23 not sure. I'm not specifically sure about it. I'd  
24 like to see it before we answer the question, so it can  
25 be accurate.



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

(Document handed.)

MR. COWGILL: I think this is the September 10th letter to the Nuclear Regulatory Commission with changes of some of the specific conditions for declaration for a site area emergency. And this is it?

MS. CLARK: Right. Is the NRC going to change that, or did Niagara Mohawk just inform you that they did change it already? I didn't quite understand the language.

MR. COWGILL: That change requires NRC review and approval before it can be made.

MS. CLARK: Is the NRC going to approve of this?

MR. COWGILL: Yes, ma'am; they are and they have.

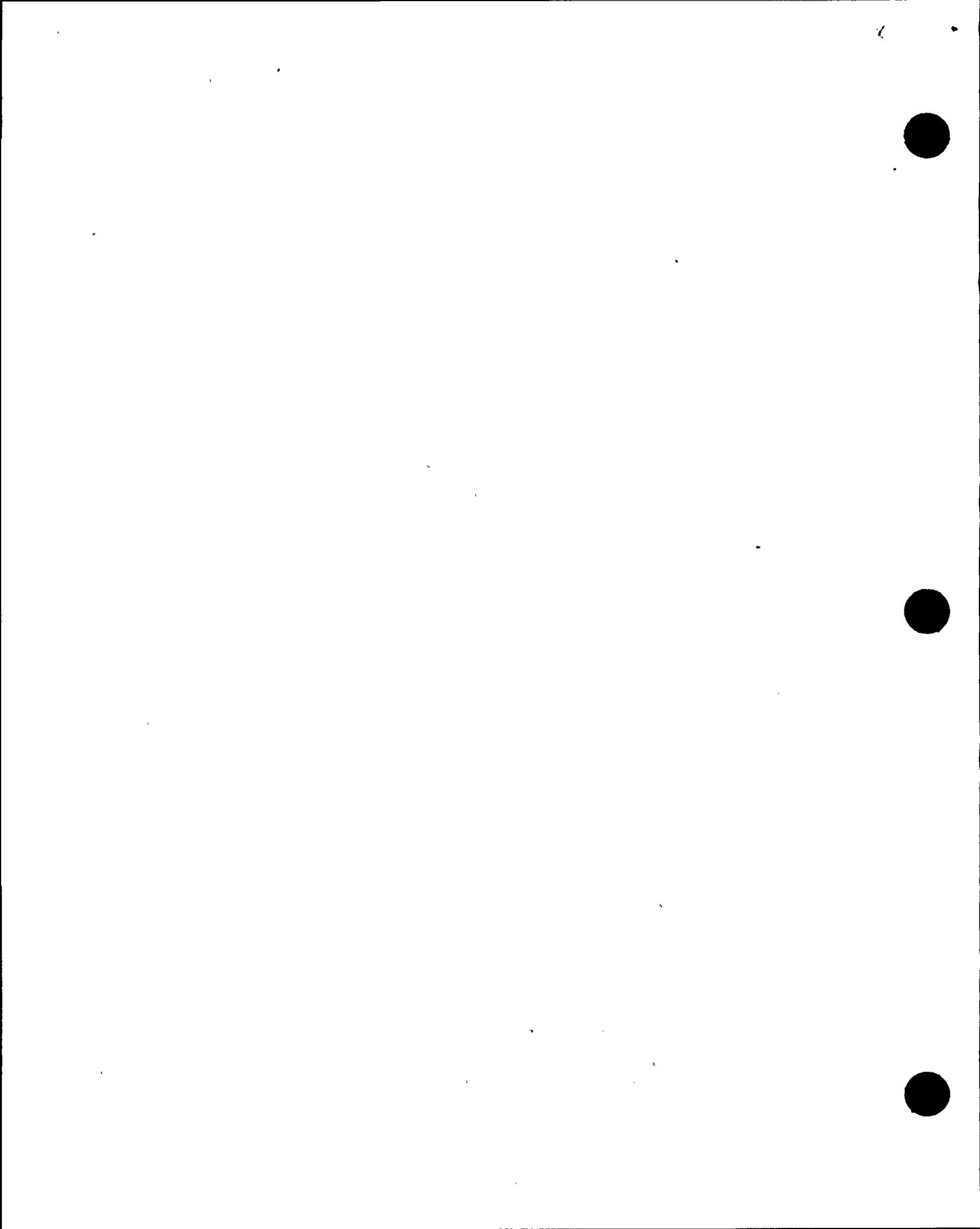
MS. CLARK: So they already have approved that Niagara Mohawk no longer would need to declare a site emergency --

MR. COWGILL: To the --

MS. CLARK: -- in an incident like this?

MR. COWGILL: There are specific conditions which they must meet. Before they meet specific conditions, they may declare this an alert. If they don't, it will be site area emergency. And Craig --

MR. GORDON: The basic event, that basic reason that they were in a site area emergency, was the



1  
2 combination of two factors. First, was the loss of the  
3 annunciation in the control room. That, coupled with a  
4 scram shut down of the reactor. Those two events are  
5 basically what were the initiating conditions for the  
6 site area emergency. Okay. We've taken a look at  
7 that. And basically, if the same event were to happen  
8 again, they have made a request to add a third  
9 condition, so that they would not get into that event.  
10 So basically, if you have the two parts together, it  
11 would be an alert. If you would have to add to that  
12 a -- some safety-related conditions which triggered the  
13 site area emergency --

14 MS. CLARK: I would like something much more  
15 specific than what you're saying here, on exactly what  
16 they're -- what they're asking here is basically to say  
17 they want to downgrade this emergency. But it doesn't  
18 really explain in here all the specifics of why. You  
19 know. And it always makes me nervous when they always  
20 want to downplay everything, you know. And basically,  
21 you're saying that yes, this is okay. You've already  
22 made this decision that they are no longer going to  
23 have to declare any kind of an alert for what happened.

24 MR. GORDON: Well, really what we would like to do  
25 is to get in place the necessary resources and staffing

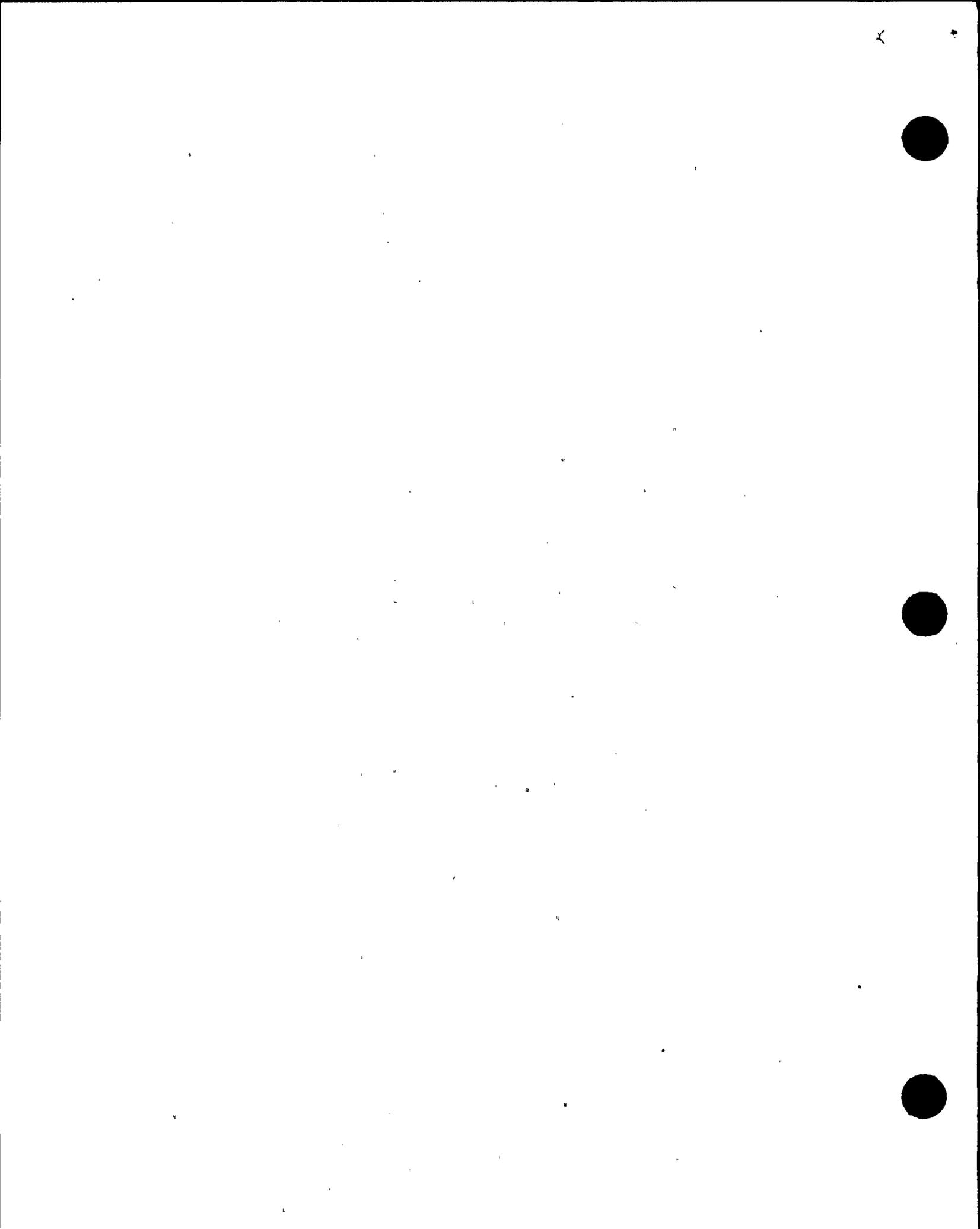


1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

to be able to deal with, you know, the event at hand. That was part of the evaluation that was made in determining that a change was necessary. Basically, if the same event would occur again, they believed that the staffing organization and the level of response for the alert condition would be appropriate.

MS. CLARK: On the notification, I know you've said over and over again you don't feel that's anything to do with you, but doesn't the Nuclear Regulatory Commission also okay evacuation plans, or they don't on a plant?

MR. HEHL: We never said that notification is not perceived by the NRC. The off-site emergency planning and safety are the responsibility of FEMA. FEMA evaluates those during emergency exercises, during performance of events that occur, accidents that occur at the plant, to evaluate performance of that system, and then provide feedback to the NRC with regard to how the facility performed. The NRC has responsibility for establishing the appropriate notification levels. In this case, you know, we have determined that the licensee followed the procedures that were in effect at that time. In retrospect, the licensee feels, based on



1  
2 the event that occurred, that perhaps that was overly  
3 conservative. They submitted a request for that to be  
4 reviewed. We reviewed that. We agreed that in this  
5 particular situation the event, itself, the accident,  
6 did not warrant the classification of site area  
7 emergency.

8 MS. CLARK: In past incidents, when there have  
9 been releases that have gotten into the food chains, I  
10 have never been notified ever, ever, ever, except by a  
11 person from the State Health Department showing up at  
12 my door. When would this, you know --

13 MR. GORDON: In terms of the notification process,  
14 in this event, five-minutes after it was recognized,  
15 the initial notification --

16 MS. CLARK: I'm talking about other events,  
17 though.

18 MR. GORDON: The notification goes to the state  
19 and the county simultaneously. That's basically the  
20 first response action that was taken by the utility.  
21 Okay. Now, at that point, it's up to the state and the  
22 county to decide whether they believe it's necessary to  
23 implement their own emergency plans; okay? At that  
24 point, it -- when the notification process filters out  
25 down to the public, okay, there -- Oswego County,

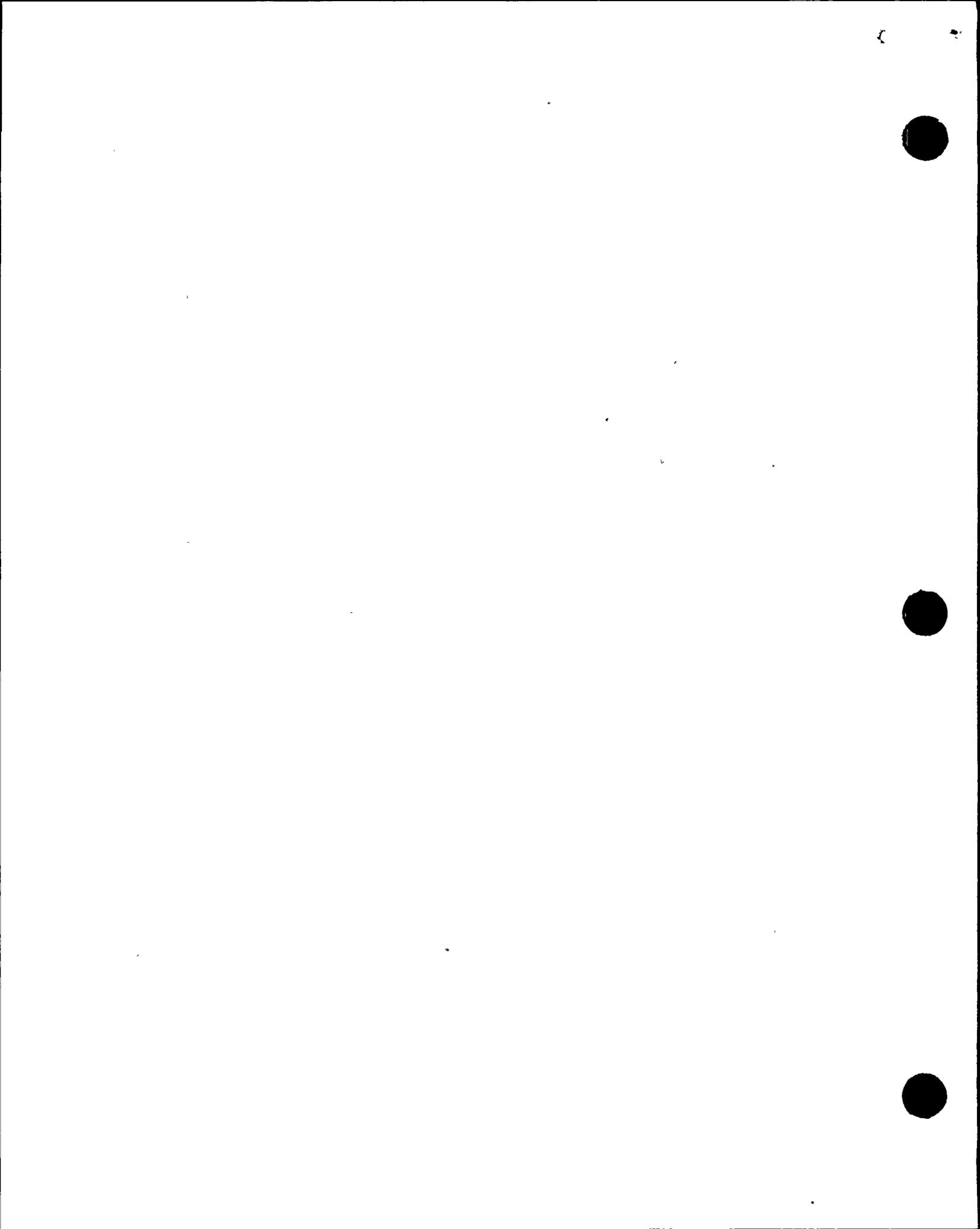


1  
2 itself, would then make a decision based on the  
3 severity of the accident, whether they believe it was  
4 necessary to sound the siren and notify the citizens.

5 MS. CLARK: One thing that has really always  
6 bothered me -- and I thought if I get another chance to  
7 talk to the NRC, I'm going to ask it -- is how a  
8 resident inspector could walk around such a  
9 contaminated area, as the basement of Nine Mile 1, for  
10 ten years and not notice it. It really makes me feel  
11 like, are you people really doing your job or are you  
12 putting blinders on? I mean, I have to ask that  
13 question: How could that possibly happen? It gives me  
14 no confidence in you people.

15 I have inspectors. I have a dairy farm. I have  
16 state inspectors. I get federal inspectors. I have  
17 plant inspectors. It's highly unlikely, for certain,  
18 if I had a resident inspector and I had a pile of  
19 manure at the back of my barn for 10 years that they  
20 wouldn't notice -- I can't understand this. And that's  
21 why I don't have any faith, you know. I would like  
22 somebody to say this happened because, you know, give  
23 me some reasonable explanation.

24 MR. HEHL: I can, I guess, from the standpoint  
25 that I think we were concerned, also, when this was



1  
2 identified with regard to storing, you know,  
3 radioactive materials in that manner. The licensee  
4 has --

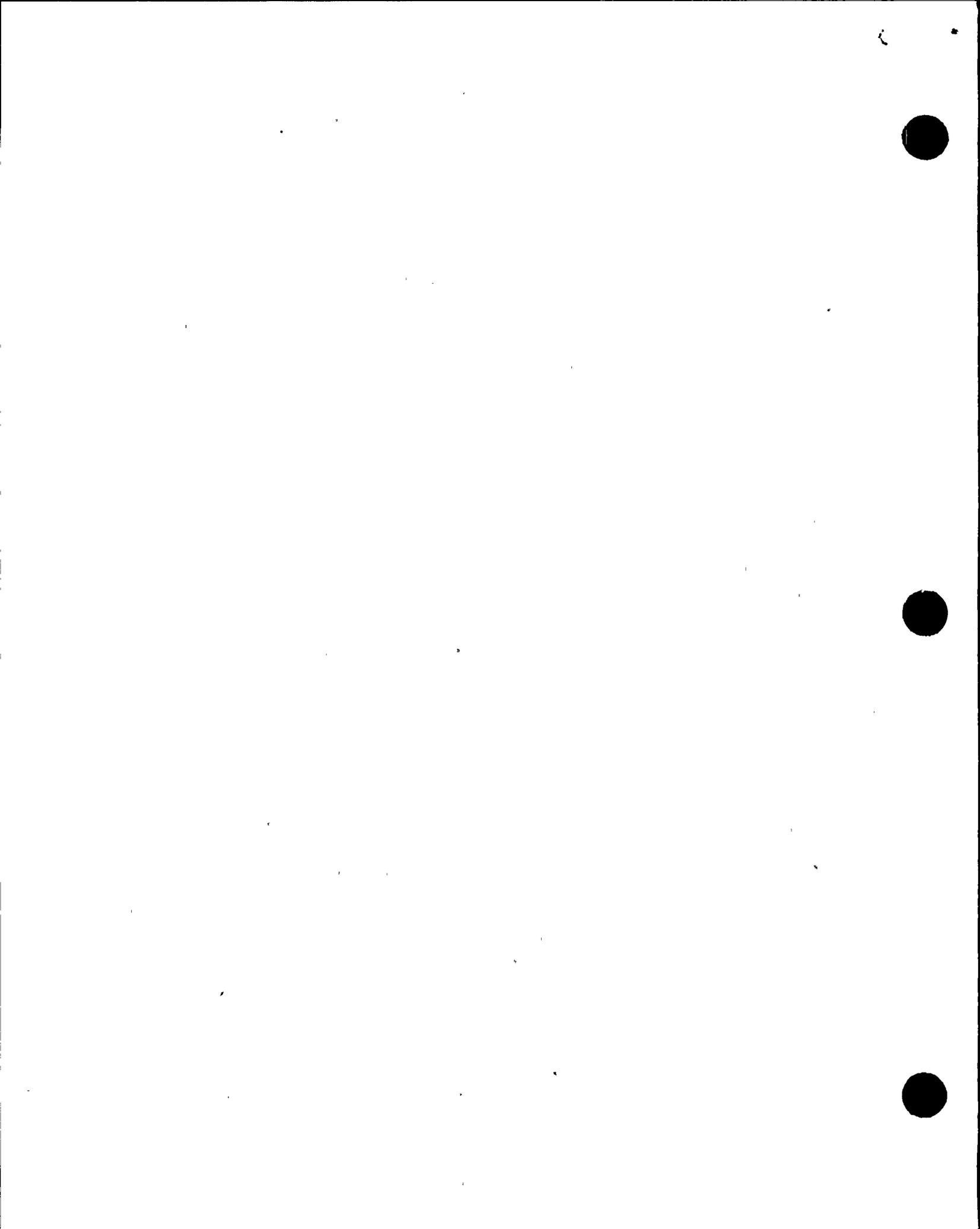
5 VOICE: Stored?

6 MR. HEHL: Well, you know. I'll tell you, a few  
7 years back -- <sup>(it was a)</sup> Practice to, you know, use a room which  
8 is surrounded by concrete as a storage vessel for  
9 processing liquids and things. But it was a concern  
10 that this area was at the level it was at, and we have  
11 taken action to look throughout the industry for other  
12 type of situations similar to that.

13 MS. CLARK: During that particular period, did the  
14 spill ~~happy~~ <sup>have anything to do with the</sup> ~~had no problem~~ <sup>(Cerium 137)</sup> with CC-137 (phonetic) in  
15 my milk, which the NRC required Niagara Mohawk to try  
16 to find out where the C.C. (phonetic) was coming from.  
17 They can never identify a source. In retrospect, do  
18 you think it's possible that it all went back to this  
19 spill and the hiding in the basement and --

20 MR. HEHL: I don't know what the chemical  
21 compensation of that was. I don't know if there is  
22 anybody else up here. We can --

23 MS. CLARK: Are you saying that nowadays it's  
24 unlikely -- Well, this just happened last year, but,  
25 you know --



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

nobody noticed this type of spill. I'm saying to you, that's why I feel, can we really trust the NRC, and has anything been done since this particular incident? It may be -- that a resident inspector maybe gets a little too chummy with -- for instance, where they are, because --

MR. COWGILL: Let me talk about our policy.

MR. HEHL: Let her finish.

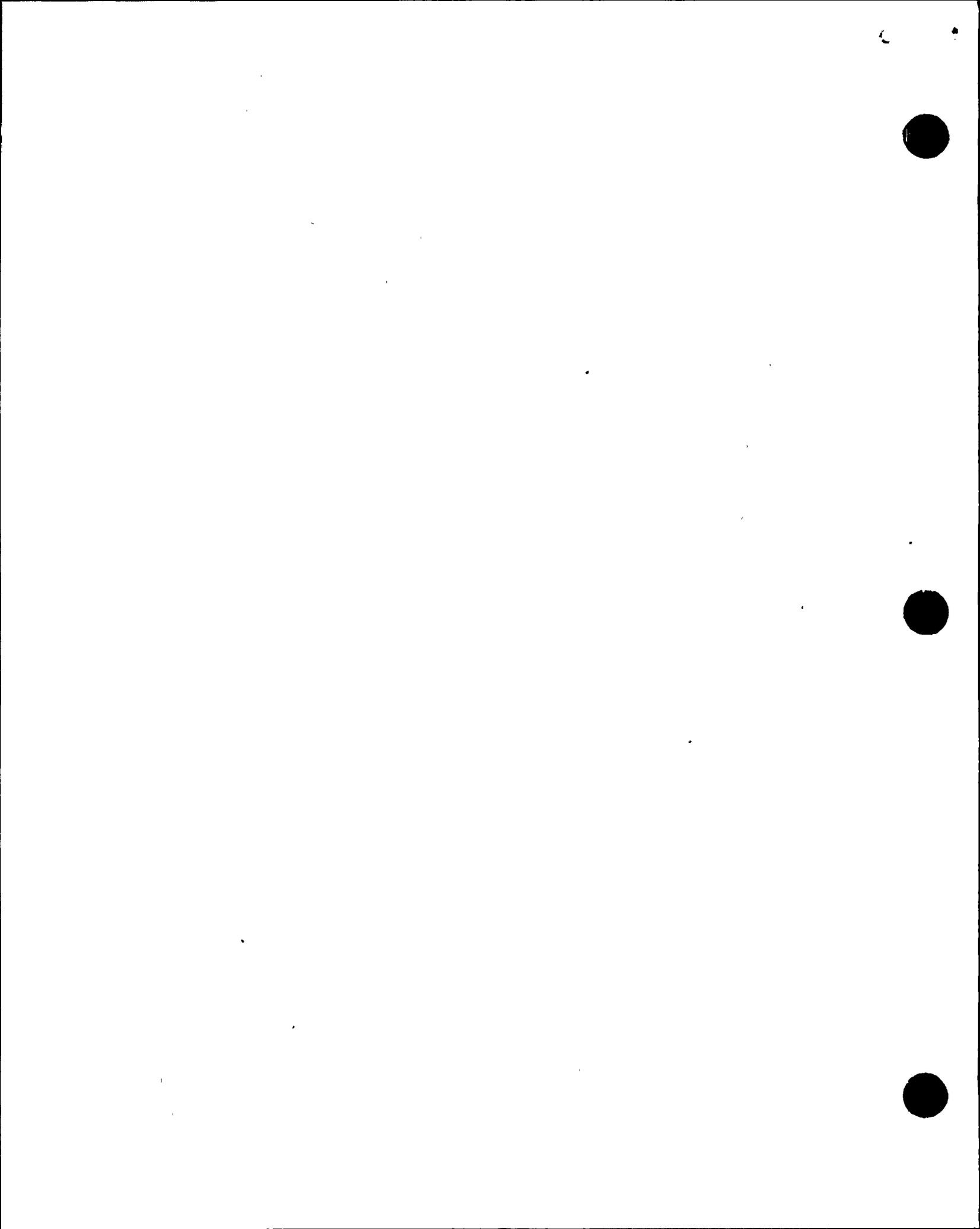
MS. CLARK: I was finished, basically. What I was saying is, I would love for you to be able to say, hey, we can trust you guys, you're not going to sidestep problems and pretend you don't see them. But it's been done in the past. It's been done here.

MR. COWGILL: That event, you know, that happened, you know, there was no denying that it happened. The water was there and that there was a -- a -- mistake, probably.

VOICE: Probably.

MR. COWGILL: We do a number of things to provide oversight to the resident inspectors. We -- including -- We have a policy for rotation, that once every five years we ask the resident inspector to be removed from one site.

MS. CLARK: You think possibly that should be

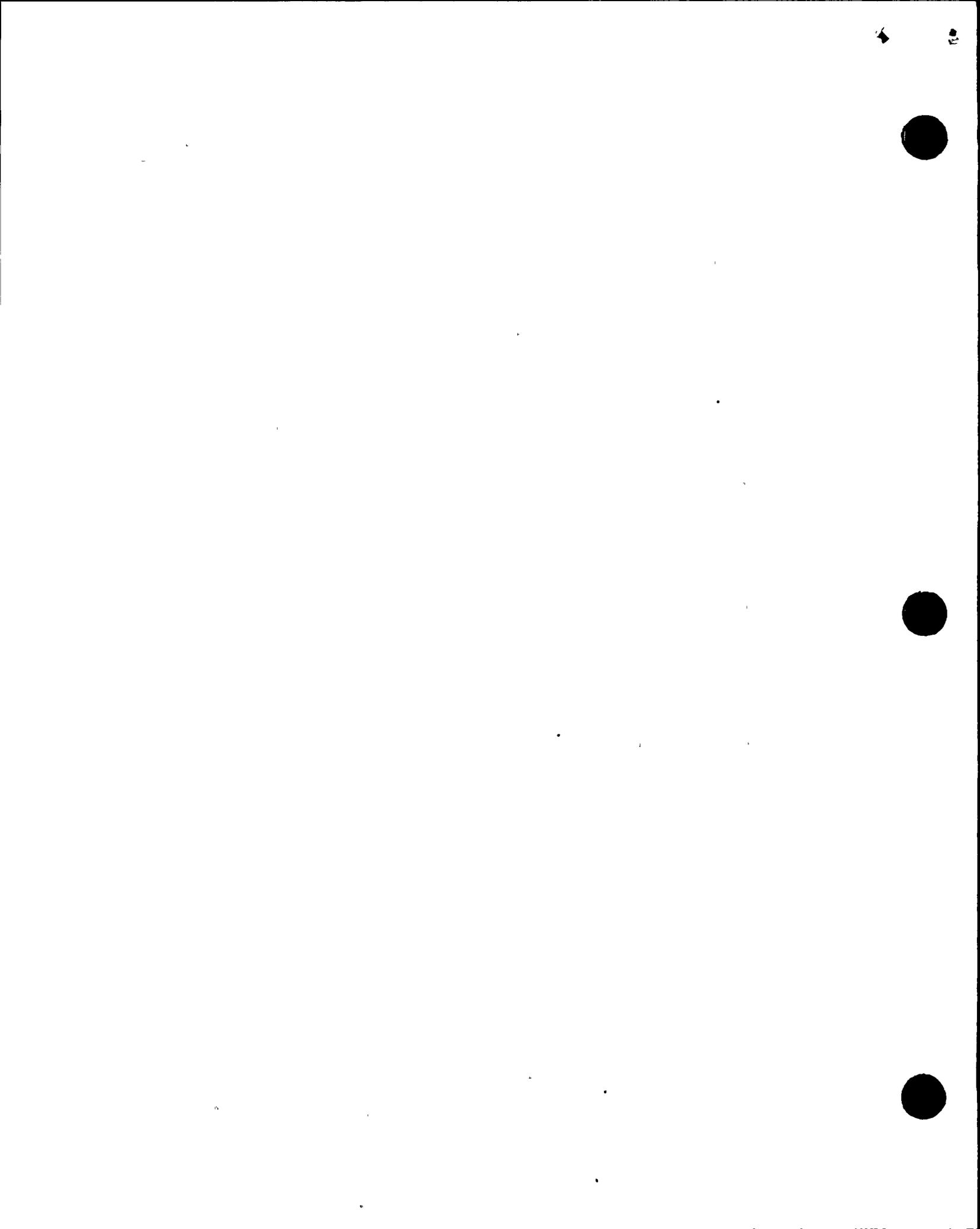


1  
2 stepped up to be, maybe, like once every two years?. I  
3 think it's very hard for somebody to work side by side  
4 and regulate them. I think that's nearly impossible.

5 MR. HEHL: It is a difficult situation. I have  
6 responsibility for all the residents in the northeast  
7 here. It is a concern that the NRC takes very  
8 significantly. We, in addition to just rotating the  
9 residents every five years, making them move from one  
10 utility, one location to another, we also provide  
11 oversight activities. We have, on a daily basis,  
12 contact with -- Don Haverkanp talks to Wayne, and  
13 evaluates how he's performing on a daily basis. I  
14 have -- Curt goes out and reviews how the inspectors  
15 are doing their job at the plant several times, you  
16 know, a month in some cases. And I try to visit the  
17 plants for observation. -- There's not just inspectors --  
18 resident inspectors of the plant. We have regional  
19 inspectors who look at all the plants in the northeast.  
20 And, in fact, you know, maybe do inspections in other  
21 parts of the country. Those people are, on a routine  
22 basis, out at the site looking at a lot of areas  
23 residents have looked at.

24 VOICE: Why did it take them ten years to find it?

25 MR. HEHL: I don't know why it took them ten years



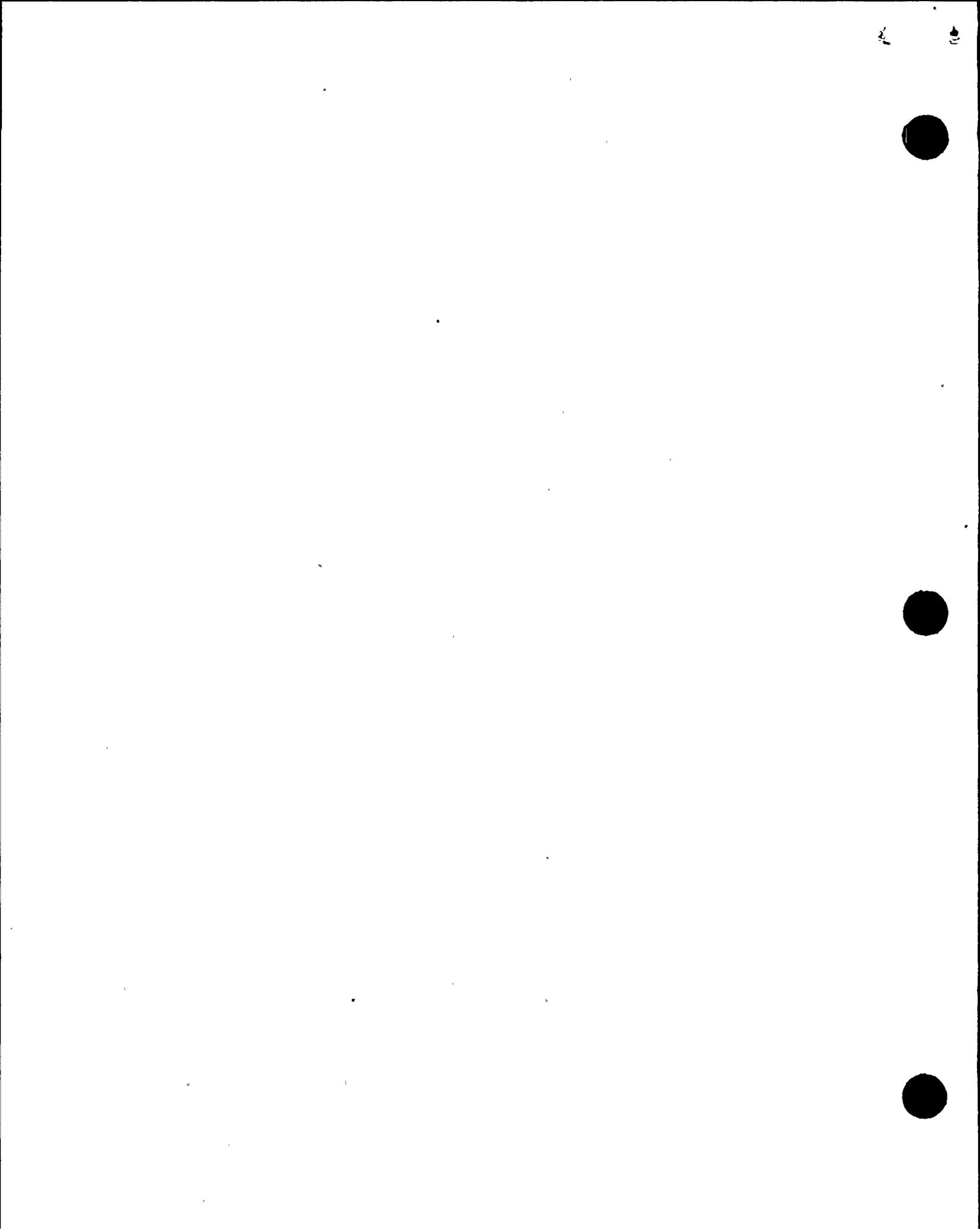
1  
2 to find it. As I said, in this -- the past, this was  
3 not an unheard of practice, to use a sealed room for an  
4 overflow storage location. And we recognize it's not a  
5 good practice. The licensee has fixed that. We have  
6 made generic communications and inspections throughout  
7 the industry to try to alleviate that sort of  
8 situation, because we feel that the contamination  
9 within the plant should be at the smallest and minimal  
10 value, that it's consistent with the safe operation of  
11 the facility. So, you know, we can't -- you know, we  
12 can't, you know, make an excuse for oversight that  
13 occurs, but we do, I think, have to take action to  
14 address that problem, not only at Nine Mile, but across  
15 the nation.

16 MS. CLARK: I'd like to close and say that in Nine  
17 Mile 1 and in Nine Mile 2, from the cost overruns and  
18 the construction, you know, unfortunately we have  
19 learned we can't trust them. So please put them back  
20 on the NRC watch list.

21 MR. COWGILL: It's 10:30, and we have five more  
22 speakers to get through.

23 The next speaker is Ray Petersen.

24 MR. PETERSEN: I want to make reference to the  
25 statement earlier by Mr. Hehl. This is a paraphrase of



1 a statement that you made reference to logic backup  
2 battery. If the battery had been changed, the plant  
3 would ride through the problem, and that it should have  
4 been changed. Will the NRC submit a brief to the New  
5 York Public Service Commission to require Niagara  
6 Mohawk to bear the full cost of the plant shut down?  
7

8 VOICE: No. Because there -- there was a prudent  
9 shut down.

10 MR. PETERSEN: I want to address a meeting from a  
11 different context. The NRC operates the way -- with  
12 the assumption on the part of the public, it's a  
13 quasi-judicial agency, but it's also a political  
14 agency, always has been, picking up from its  
15 predecessor.

16 Has the NRC submitted any briefs or conducted any  
17 lobbying on the energy bill submitted in Congress  
18 regarding the licensing process for new plants? Is the  
19 bill being considered in Congress? Does the NRC have a  
20 position on whether there are enough procedures to go  
21 through for public hearings? I imagine that the NRC  
22 probably does have a position on this. It means it's a  
23 political agency.

24 MR. COWGILL: I'm going to let Mr. Calvo respond  
25 to that.



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

MR. CALVO: The thing is, the bill's in Congress - and I think the -- they have different -- From the facilities in the state, are not quite passed yet. And I guess we have had, in essence, looked at both bills and indicated we can live with either one of them. But that's where it stands right now.

MR. PETERSEN: So the NRC is in favor of further stream licensing for nuke plants?

MR. CALVO: That's correct.

MR. PETERSEN: How about on closing down public document rooms? The NRC has been looking at regulations to shut those down because of a bunch of considerations:

MR. COWGILL: I'm unaware of any.

MR. PETERSEN: How about <sup>re-</sup>moving protections to whistle blowers?

MR. HEHL: No. We have no information to indicate any.

MR. PETERSEN: These are regulations that have been looked at by the NRC in the last year and a half.

VOICE: They don't read their own documents.

MR. HEHL: They may be looked at. That doesn't mean there's a change coming. We look at all the regulations.



1  
2 MR. PETERSEN: There are some changes proposed,  
3 and that would remove protection from whistle blowers,  
4 close down public document rooms.

5 MR. CALVO: It's a -- Matter of fact, we try to  
6 make it better; as a matter of fact.

7 VOICE: You better try a little harder right here.  
8 This one has five years of documents missing on Nine  
9 Mile 2. And I called the NRC. They said it was not  
10 their responsibility to replace them unless I knew the  
11 name of every document and what that document was about  
12 and the date, they could not replace them. And I said,  
13 lady, if I could do that, I'd have your job. She  
14 explained to me things are filed in boxes by the date,  
15 not the plant. And the college here blamed a student  
16 that just happened to go and pull five years of  
17 documents off the shelves, and the document room now is  
18 totally unusable.

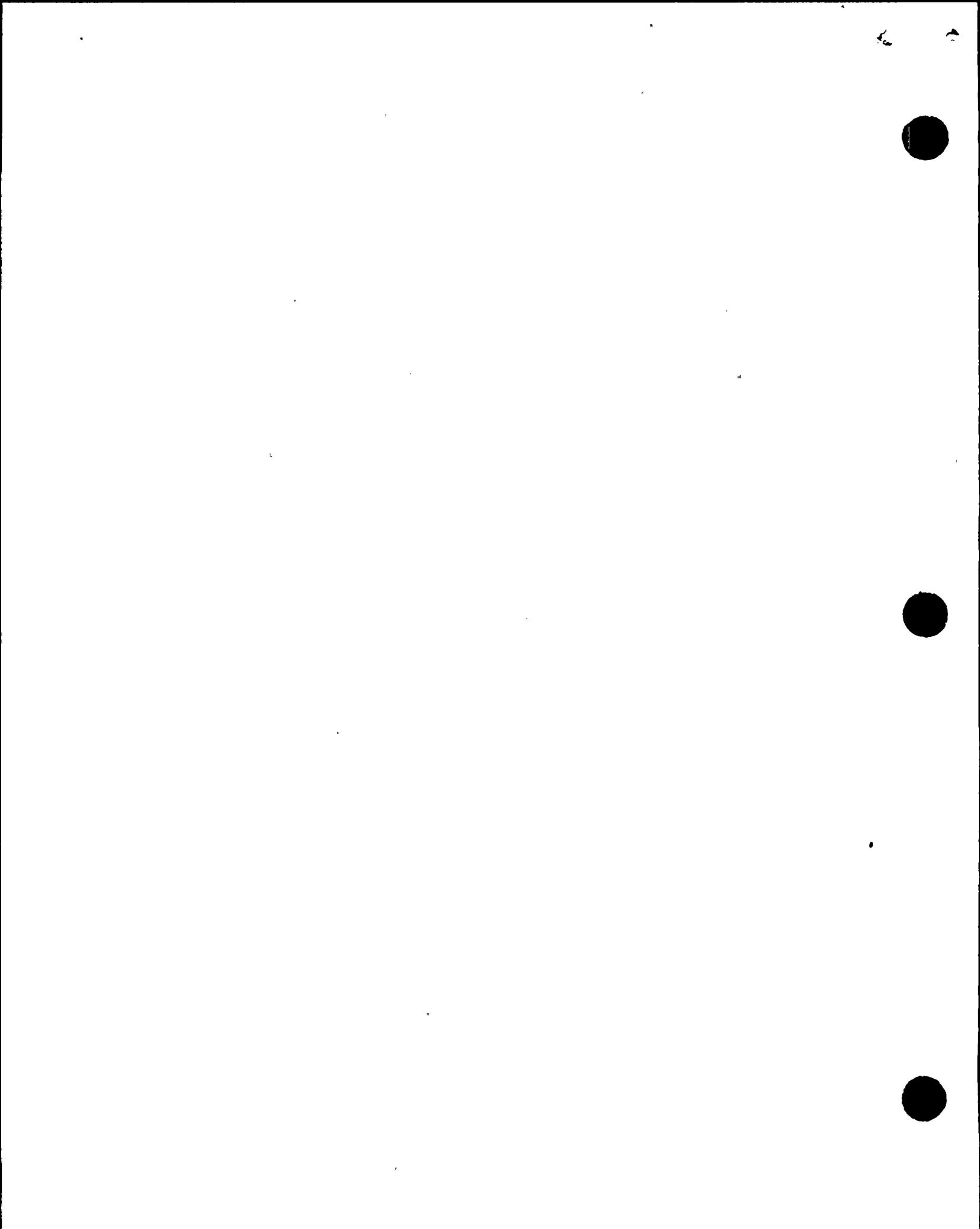
19 MR. CALVO: I know for a fact that they are  
20 converting into microfiche. And I think maybe starting  
21 in the worse case -- I know they're doing that in  
22 California for the next two weeks, converting to  
23 microfiche, makes it cut the volume on the paper, and  
24 makes accessible to the public. I know those efforts  
25 are going on right now.



1  
2 MR. HEHL: We'll check into the document room,  
3 because, you know, our full intention is for those  
4 document rooms to be usable, and to have the  
5 information that you need in order to stay informed on  
6 the activities at the plant. And we do conduct  
7 periodic inspections of these public document rooms to  
8 try to ensure they are kept up. We'll take that  
9 information --

10 MR. PETERSEN: Well, considering the status of the  
11 local document room issue, as well as the lack of  
12 notification and -- of this -- of this meeting, it  
13 just -- it creates a kind of atmosphere where it  
14 indicates -- it suggests that you don't want the public  
15 as informed as you probably do.

16 I want to follow up with a question that Linda  
17 Clark just raised regarding the reduction of  
18 requirements for a declaration of site area emergency.  
19 In this -- on this cover letter from Mr. Sylvia to  
20 Mr. Varga: It says in the -- in this second full  
21 paragraph: This change has been official in that the  
22 availability of sufficient station support personnel  
23 will not be unnecessarily impacted. Does that mean  
24 that the words, sufficient station support personnel,  
25 can handle a situation like this and to move to a site



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

area emergency; takes a -- from the pool of people who are available; to deal with the problem?

MR. COWGILL: No.

MR. GORDON: The level of response to this type of event would not change, whether it was an alert or site area emergency. However, we still expect to see certain personnel in place. The licensee has certain on-site emergency response facilities that would be activated, a technical support center, an operation support center, and emergency operations facility control room; each one of these centers would have specific responders that would staff it up. So it really wouldn't matter whether it was the alert or site emergency. In either case, you would receive that same level of response.

MR. PETERSEN: Then what's the benefit of reducing this, of reducing the requirements for a declaration of site area emergency? I don't -- It's indicating there's some impact upon personnel. What's the impact?

MR. GORDON: Well --

MR. COWGILL: If you declare a site area emergency, and all of the things that go into motion in a site area emergency would dictate a number of off-site responses in terms of other agencies, and so



1  
2 forth. And when you do those things, you want to make  
3 sure you have the right level of response. And it's  
4 felt that, in this case, that that type of response by  
5 off-site agencies and organizations was not necessary,  
6 and that the proper level for the particular event at  
7 hand was -- worked well.

8 MR. PETERSEN: This says station and support  
9 personnel. Are the support personnel off site?

10 MR. COWGILL: No; no. I was referring to the  
11 station support personnel would be available in both  
12 alert and site area emergency.

13 MR. PETERSEN: The utility is referring to station  
14 and support personnel.

15 MR. COWGILL: We'll have to take a look at what  
16 you're saying. I've given you the best answer I can.

17 MR. PETERSEN: It's in the same --

18 MR. GORDON: It refers to other people responding  
19 to the site that we notify if this -- this type of  
20 event --

21 MR. PETERSEN: So they are off-site persons?

22 MR. GORDON: They are utility people that --  
23 right, that go to the site to assist in a response.  
24 Assist the site personnel that are already there. So  
25 it's additional people.



1  
2 MR. COWGILL: By the way, Mr. Petersen, we have a  
3 number of people to get through. We have been 10  
4 minutes.

5 MR. PETERSEN: I have one more statement, if you  
6 would permit me. It seems that the NRC is in a bind.  
7 They have invested in the nuclear industry, financial  
8 people and utilities are at risk as a result. And any  
9 time a sending off -- and the way plans are  
10 implemented, people are reminded of the nuclear risk to  
11 their health. So every time the sirens might need to  
12 be off, someone has the ball, the imagine (sic) of the  
13 industry and of the utility against the health threat.  
14 And it's the utility and the NRC in conjunction with  
15 local industries whose self-interest is being  
16 considered here. And whether the siren goes off or  
17 not, and -- that's a unique situation for the people  
18 who live around the plants.

19 MR. COWGILL: Andy Mager.

20 MR. MAGER: Hi; I'm going to be real brief up here  
21 tonight. It's late, and I'm tired, and obviously you  
22 all are tired. Being here reminds me of a similar  
23 occasion years ago. I was in high school when the  
24 accident happened at Three Mile Island when people  
25 around a nuclear power plant similarly were faced with



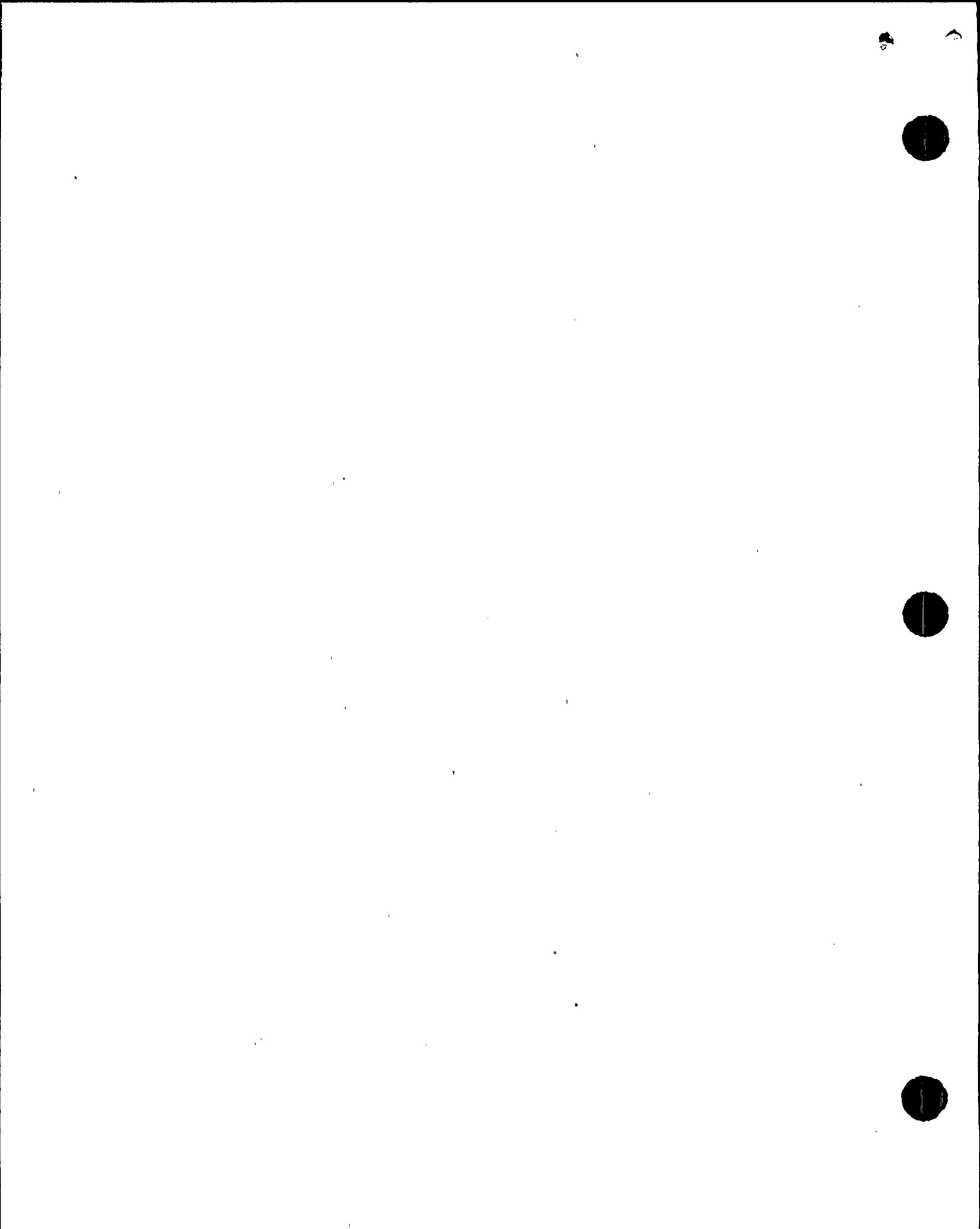
1  
2 a situation where information was coming from a variety  
3 of sources, where the information wasn't accurate; it  
4 wasn't complete; it was contradictory in many  
5 situations. And I happened to live at that point on  
6 Long Island where they were in the process -- well, the  
7 company was building the Shoreham Nuclear Power Plant.  
8 And the things that happened at Three Mile Island  
9 caused me to look at that and to think about it. And I  
10 went to some public hearings; and I must say, the  
11 observations of the woman who was a nurse about  
12 people's attention, says something here. But compared  
13 to the officials in that hearing, you all have been  
14 quite attentive, which says that perhaps at least some  
15 appearances have changed since then.

16 In responding to a lot of people's questions, it's  
17 clear that you all can try to mitigate people's  
18 (fears)  
19 fathers, that you can explain various safety  
20 procedures, can say that things are not likely to get  
21 as bad as some of us think they might, as bad as they  
22 almost got at Three Mile Island, and as bad as it did  
23 get at Chernobyl. And I'm not a scientist, I'm not a  
24 technical person. I'm sure there's differences in  
25 plant designs in Chernobyl and here in Oswego. But I'm  
sure that the kind of things that happened in Chernobyl



1  
2 could happen here, or could happen in other nuclear  
3 plants in this country.

4 And as I looked at the situation of energy in this  
5 country, it seems clear to me that nuclear power is not  
6 necessary; that there are other ways for us to reduce  
7 the electricity we consume and to generate it in other  
8 ways. And as a human being, I ask you as human beings,  
9 as people who have families, as people who may live  
10 near nuclear power plants yourself, to think about the  
11 risks you're asking people to take. The risks -- so  
12 that utilities can continue to make large profits.  
13 After all, that's what utilities are -- most utilities  
14 are private corporations designed to make profits.  
15 They make profits by generating power, but they are in  
16 business to make profits. And it just seems that those  
17 risks are really not sensible. That there are other  
18 ways. And that people have talked about you all being  
19 out of jobs. And certainly one of the big concerns  
20 here in Oswego is if the plants are shut down, a lot of  
21 people will be out of jobs, and they'll need to be  
22 changes here. But those changes are going to happen.  
23 Nuclear power is a dying industry. And the Bush  
24 administration, through the energy bill -- which was  
25 discussed just a little while ago -- is trying to



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

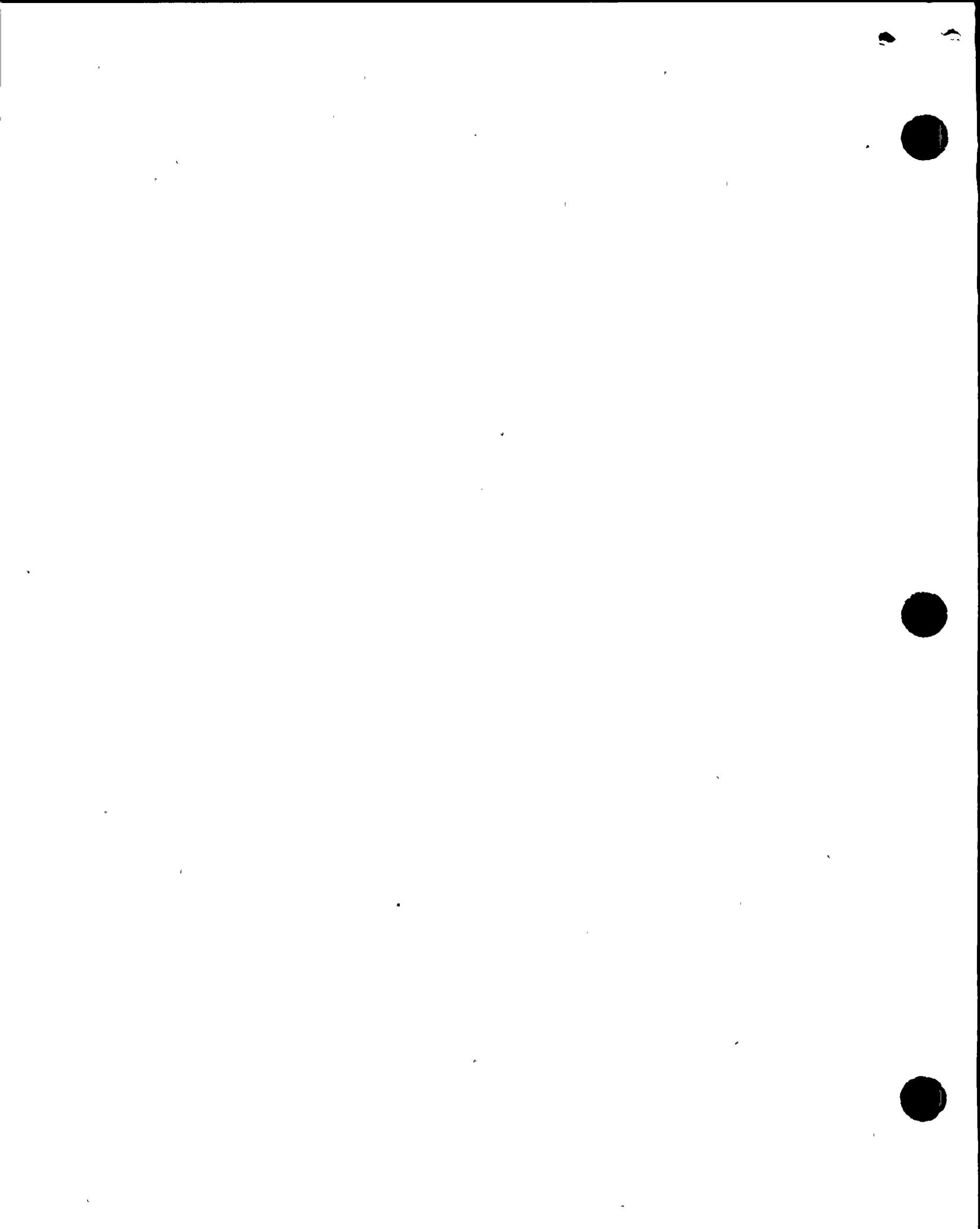
revive that industry. But I think it's much too late to do that. So I ask you to look within, not -- you don't need to answer what I said. But just think about it.

Thank you.

MR. COWGILL: Thank you.

Next speaker is Tom Restuccio.

MR. RESTUCCIO: Good evening. I guess I'd like to start by saying my name is Thomas Restuccio, and I'm an auxiliary operator over at Unit 2. Outside of the dubious distinction stating that I was on the ship the morning that the incident happened -- and I'm sure I had the opportunity to meet some of the personnel that are sitting on the board here -- I just wanted to say, personally, that I was amazed at the professionalism that was shown during the incident. Everything you probably -- you stated before and before, you don't believe the NRC; you don't believe Niagara Mohawk. Well, maybe I'm going to talk until I'm blue in the face. Everything was by the book; it was incredible. We had procedures that were put in place, and those procedures worked. There was no release. And I don't think there was every/ any incident when there was ever going to be a meltdown, the core was going to be



1  
2 uncovered, anything like that.

3 And I just wanted to say it, personally, that it  
4 was just -- it was remarkable. It's often said that  
5 people fear what they don't understand. -- Granted, a lot  
6 of people look at nuclear energy, it's smoke, it's  
7 mirrors. It's not. Maybe -- let's take an invitation  
8 to some of you to come out to the energy information  
9 center. They have put on a good program --

10 VOICE: Good show.

11 MR. COWGILL: Ladies and gentlemen, please let him  
12 finish.

13 MR. RESTUCCIO: I listened to you people talk and  
14 rant and rave and listened to you listen to yourselves  
15 talk, give me the opportunity. Take the opportunity to  
16 come out and look. I'm sure they would be happy to  
17 answer any questions you have. And if you have a  
18 closed mind right now, probably nothing will ever  
19 change it. At least they give you the opportunity to  
20 look at what we have to offer and look at what we do  
21 out there. It's our jobs and livelihood.

22 VOICE: That's what it is.

23 MR. RESTUCCIO: I'm proud of it. In response to  
24 these restart procedures and all that, I myself, as  
25 operator, have seen other operators. We have been



1  
2 working long hours, along with instrumentation and  
3 control electricians, rad protection, chemical  
4 maintenance, trying to take care of all the problems  
5 that Niagara Mohawk has addressed and the NRC has  
6 addressed. I think it's come out that Niagara Mohawk  
7 has said that we are ready to start up. As a worker at  
8 Unit 2, I have seen the work that's gone on, the hard  
9 work between all the departments. And in closing, I  
10 would like to say, let's <sup>(put the mode switch in run.)</sup> pull the moat switch and run.  
11 Let's do it.

12 MR. COWGILL: Next speaker is Katie West.

13 VOICE: I'd like to say something. I think you  
14 probably did a good job. I think it's a shame you had  
15 to even come to Level 3 to use the procedures. I don't  
16 blame you as operator. I blame NiMo for letting that  
17 plant be built, knowing they knew what was wrong. It's  
18 no justification to me. Now they have Stone & Webster  
19 for all the screw ups, and G.E. It's not your fault.  
20 I am not blaming you. I am blaming a corporation that  
21 let Stone and Wasted -- as everybody called them --  
22 finish the plant in the method they did. That's why  
23 systems failed, not because you did something wrong.  
24 You did nothing wrong; you followed the procedures.

25 MS. WEST: My name is Katie West, and I live in



1  
2 Oswego, close enough to see the nuclear power plant.  
3 I've been hearing that the public doesn't want nuclear  
4 power. I -- I am a public -- and I am  
5 environmentalist. And I am definitely for nuclear  
6 power. I would like to see all the time and money put  
7 into protecting nuclear power go to the research of  
8 breeder reactors to use -- they have to create more  
9 power, thus eliminating waste for research to --  
10 decreasing with the hope of revealing findings for  
11 nuclear waste while still providing a cheap power  
12 source. Nuclear power is regulated in the United  
13 States to ensure it's safety; it's physically  
14 impossible to have a Chernobyl here. It won't work.  
15 We've got too many safeguards.

16 Many of you have focused on the poor evacuation  
17 plan. It is intended by -- that evacuation plan will  
18 never be needed. It was mentioned you weren't  
19 notified. There was no release. It would have caused  
20 a panic in the general public, and it was something  
21 that -- granted, it was final until you save an  
22 industry -- that people have been protested for quite  
23 some time, but it was determined there was absolutely  
24 no danger to the public; therefore, it wasn't needed to  
25 sound alarm. Everything I learned about nuclear



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

pressure, I can -- more -- it was necessary for the quality of life I have come to enjoy and is not detrimental on the public or the employees of the nuclear power industries.

VOICE: Come look at the beautiful hills in Cortland where they want to hide their nuclear waste, where we want to farm and waste -- come visit us.

MS. WEST: It is unformulated products --

VOICE: And we're unformulated victims of the stress --

MS. WEST: It wasn't affecting Cortland County.

VOICE: You keep it here, you like it.

VOICE: You're an environmentalist? And you don't think it will hurt lands if you put nuclear waste on lands; it will not hurt it?

MR. COWGILL: Ladies and gentlemen. Excuse me, folks. Let's -- Next, we have Mr. Tom Gurdziel.

MR. GURDZIEL: I have a brief statement. Good evening. Anyway, my name is Tom Gurdziel. I'm a resident of Scriba, 15 years. My wife and I have raised two girls here. And I'm a -- presently, Niagara Mohawk employee. I'd like to thank them for your patience tonight, especially when people screamed. It bothers me a little bit that happens. I have one other



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

thing I would like to state. I am particularly proud of the performance of our operators on shift, and the job they did on August 13th. Thank you very much.

MR. COWGILL: We have completed the list of the speakers. We are -- We have been here -- It is five minutes of 11:00. That concludes the public meeting. We thank you for your attendance.

\* \* \*

CERTIFICATE

The foregoing is certified to be a true and correct transcript of the testimony in this proceeding.

Terri L. Mack  
Terri L. Mack  
Notary Public

\* \* \*

