

Official Transcript of Proceedings
NUCLEAR REGULATORY COMMISSION

Title: NextEra Energy Seabrook
Seabrook Station, Unit 1
Limited Appearance Statement Session

Docket Number: 50-443-LA-2

ASLBP Number: 17-953-02-LA-BD01

Location: Newburyport, Massachusetts

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UNITED STATES OF AMERICA

NUCLEAR REGULATORY COMMISSION

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ATOMIC SAFETY AND LICENSING BOARD PANEL

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LIMITED APPEARANCE

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In the Matter of: : Docket No.
NEXTERA ENERGY SEABROOK, LLC : 50-443-LA-2
(Seabrook Station, Unit 1) : ASLBP No.
: 17-953-02-LA-BD01

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Monday, September 23, 2019

Newburyport City Hall
Auditorium
60 Pleasant Street
Newburyport, Massachusetts

BEFORE:
RONALD M. SPRITZER, Chair
NICHOLAS G. TRIKOUROS, Administrative Judge
DR. SEKAZI K. MTINGWA, Administrative Judge

P R O C E E D I N G S

(6:02 p.m.)

1
2
3 JUDGE SPRITZER: Good evening. Powerful
4 microphone. Good evening. My name is Ron Spritzer.
5 I'm the Chairman of this Atomic Safety Licensing
6 Board. The case we are here about is in the matter of
7 NextEra Energy Seabrook, Seabrook Station Unit 1. For
8 those that may be interested, this is NRC Docket
9 Number 50-443-LA-2, and it's also ASLBP Number 17-953-
10 02-LA-BD01. As I mentioned, my name is Ron Spritzer.
11 I'm Chairman of this Licensing Board. We've been
12 designated to hear this matter and decide the issues
13 related to a license amendment request submitted by
14 NextEra concerning the operating license for Seabrook
15 Station Unit 1, located in Seabrook, New Hampshire.

16 I'm an Administrative Judge with the
17 Nuclear Regulatory Commission. I've been in that job
18 for approximately 11 years. Before that I was an
19 attorney in the United States Department of Justice
20 working in the Environment and Natural Resources
21 Division. And I will briefly ask my fellow judges to
22 introduce themselves.

23 JUDGE MTINGWA: My name is -- I'm Judge
24 Sekazi Mtingwa. I'm a retired nuclear physicist
25 retiring from MIT about seven years. I've been an

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1 Administrative Judge with the NRC since 2016.

2 JUDGE TRIKOUROS: My name is Nick
3 Trikouros. I'm a nuclear engineer practicing for
4 approximately 30 years in my own consulting company
5 for a number of years, and I've been a judge with the
6 Atomic Safety and Licensing Board for the past 13
7 years.

8 JUDGE SPRITZER: Very well. We're going
9 to move on to statements as soon as possible. I just
10 want to cover a few other preliminary things. First,
11 I'd like to thank Mayor Donna Holaday and the city
12 government for making this facility available to us.
13 We prefer, at the NRC, whenever we can to hold
14 proceedings like this in the community that's affected
15 by the facility we're hearing about, and -- but we
16 have to have cooperation of local governments to make
17 that possible. We do not have our own facility in
18 this immediate area, so we're very grateful to the
19 city for helping us make this happen.

20 There are a few matters related to
21 procedure that I do need to cover. Well, first let me
22 give a little background on this case for those who
23 may not be fully familiar with it. This case arose in
24 response to a license amendment request filed by
25 NextEra on August 1, 2016. The request was intended

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1 to revise the Unit 1 updated final safety analysis
2 report to include methods for analyzing the impact of
3 a type of concrete degradation caused by an alkali-
4 silica reaction -- we refer to it as ASR -- affecting
5 Seismic 1, Category 1 reinforced concrete structures
6 at the Plant. C-10 filed a number of contentions
7 related to this license amendment. The Board was
8 created to hear the case and after we had oral
9 argument in Rockville, Maryland in 2017, the Board
10 granted the hearing request of C-10 and admitted it as
11 a party to the proceeding.

12 Now before the Board is one contention,
13 which is essentially an amalgamation of five separate
14 contentions that we admitted, and the substance of
15 that contention is that NextEra's large-scale
16 concrete-testing program yielded data that are not
17 representative of the progression of ASR at Seabrook
18 Unit 1 and that the resulting monitoring acceptance
19 criteria and inspections intervals are inadequate.
20 We'll be starting that hearing tomorrow, on the 24th,
21 and we may continue as long as Friday, the 27th,
22 although it's quite possible we'll end before that.

23 All right. As far as the procedure we'll
24 be following this evening, first, we have allotted
25 each speaker five minutes. We had about eight

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1 speakers that have registered in advance. We've had
2 a number of others that have registered and maybe a
3 few more that are still registering to speak. We'll
4 give priority to those who submitted timely requests
5 to make a statement before the commencement of this
6 hearing. Once those speakers have concluded their
7 statements, precedence will be given to those who
8 registered with our law clerks at the table outside,
9 although I'm going to make one slight modification to
10 that procedure. We have a couple of public officials
11 or representatives or public officials' offices here,
12 so I'll let them start first, and then we'll move into
13 those who pre-registered and those -- and then last,
14 those who registered this evening.

15 We've heard -- we're planning to go to
16 until 8 o'clock this evening. If we need to go a
17 little later, we can do that, but we do need to be out
18 of here certainly no later than 9 o'clock this
19 evening.

20 The statements you'll be hearing tonight
21 do not constitute testimony or evidence before the
22 Board in the evidentiary hearing that we'll be
23 starting tomorrow, but they may aid the Board in
24 formulating questions for the evidentiary hearing. So
25 it will help for those who are making statements if

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1 you focus on matters pertaining directly to this state
2 -- to this case, general statements about your views
3 on nuclear power, while certainly interesting, are not
4 really going to help us much prepare for the hearing
5 tomorrow.

6 Please silence all cell phones, refrain
7 from talking. We want to be able to give our full
8 attention to those who are speaking. In order to keep
9 within time limits, one of our law clerks will have
10 time cards and -- yes, what is that -- yes -- one
11 minute and stop, so he'll give you a little warning
12 that you're approaching your time limit.

13 As I said, it's best to focus your
14 questions on this case. Please do not ask questions
15 of us. It's not appropriate for judges to comment on
16 a case before we've heard the evidence.

17 Finally, no -- this may be obvious, but
18 please, no violent or threatening language.

19 And as I mentioned, the evidentiary
20 hearing will start tomorrow. You are welcome to
21 attend. This will not be a public participation
22 event. However, we have a list of designated
23 witnesses -- oh, I'm sorry -- we have a list of
24 witnesses who will be speaking -- who will be
25 answering questions from the Board. That's the

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1 purpose of the evidentiary hearing, to give us a
2 chance. We have extensive -- we have about 15 volumes
3 that look something like this of evidence, and we have
4 a number of questions we have to get answered in order
5 to make our decision. That's what we'll be doing for
6 the next two, three, four days, however long it takes.

7 On Wednesday, we will have to have a
8 closed session. That is one that is not open to the
9 public. That's because there are certain information
10 that's been designated by the parties as proprietary
11 and that cannot be heard in the public session. But
12 other than that, the evidentiary hearing is open to
13 the public. And so everything we're doing tomorrow,
14 which will include opening statements, admission of
15 evidence, and then questioning of witnesses should be
16 open to the public for those who may be interested in
17 attending.

18 All right. With no further -- unless
19 there's any preliminary matters I've overlooked -- I
20 don't think so. All right. Let's begin with -- let's
21 see, we have a representative of the -- from the New
22 Hampshire House of Representatives, from the Chairman
23 of the Criminal Justice and Public Safety Committee.
24 This is Representative Renny Cushing. I hope I'm
25 pronouncing the name correctly. Is that individual

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1 here?

2 All right. Well, that cuts down our list
3 somewhat. We have -- next, let's hear from Hannah
4 Vogel from the office of Senator Edward Markey. Is
5 she here?

6 Okay. Well, we're moving right along.
7 The last public representative we have I believe is
8 here, and that's Alex Bradley from the Office of the
9 Attorney General of Massachusetts. Is it Maura
10 Healey?

11 (Off mic comment.)

12 JUDGE SPRITZER: Yes, exactly. All
13 speakers will speak from the podium up here.

14 MR. BRADLEY: Thank you. Thank you all
15 for holding this meeting and taking the time to hear
16 from the public. My name is Alex Bradley, and I'm
17 here in an official capacity representing the Office
18 of Attorney General Maura Healey. I was born and
19 raised in Newburyport. Generations of my family live
20 in this city, and AG Healey has a longstanding and
21 deep connection with this region as well, so it's
22 important to her as it's important to me that the
23 safety and health of this committee -- this community
24 is not put at risk by the Seabrook Plant. And that's
25 why in March, AG Healey wrote the NRC expressing her

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1 concern with the Seabrook Plant's ability to operate
2 safely.

3 As you know, there have been concerns for
4 years regarding the risk of the serious danger
5 developing from ASR at the Seabrook Plant. These
6 concerns have been validated by experts, by engaged
7 people in this community, and by local, state, and
8 federal leadership. And it's the AG's view that there
9 was no legitimate reason for the NRC staff to act on
10 the request for license extension back then. And it's
11 clear that at the time, that extending the license was
12 premature, and it would possible to revisit the
13 request for an extension after NextEra had fully
14 addressed the concerns about ASR.

15 So knowing that, the approval of the
16 license extension was baffling and disappointing to
17 the AG, as I'm sure it was to many here. But
18 regardless of that hasty and, frankly, a little
19 alarming, decision involved in granting the Seabrook's
20 plant extension, the concern about ASR has not gone
21 away. In fact, if this plant is going to continue to
22 operate, it's even more critical now that NextEra
23 sufficiently responds to those concerns and monitors
24 the development of ASR at the Seabrook plant. Right
25 now we believe that is not happening, and we

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1 respectfully ask that it does. C-10's experts are
2 among the best in the world. They raised serious
3 concerns about ASR at Seabrook, and we can all benefit
4 by allowing them to do their analysis of the plant and
5 know exactly what we're dealing with.

6 So, you know, the NRC -- it's the AG's
7 view that the NRC has already undermined the public's
8 trust after its decision making, so this is a chance
9 to restore that trust. And on behalf of AG Healey and
10 the AG's office, thank you again for your continued
11 engagement. Thank you to everyone here for being
12 here, and thank you for allowing us to speak today.

13 JUDGE SPRITZER: Thank you. All right.
14 The next person we would like to hear from is Brian
15 Campbell.

16 MR. CAMPBELL: Thank you. My name is
17 Brian Campbell, and I am a U.S. Navy vet, ecomodernist
18 and BSEE who studied utility and renewable energy at
19 UMass Lowell. What is the most dangerous nuclear
20 reactor? Answer: The one that is not built like
21 Seabrook 2, or the one that is prematurely closed like
22 Pilgrim Nuclear. Why? Because their potential
23 electrical generation was replaced by fossil fuels.
24 Nuclear power is the safest method of electrical
25 generation, including renewable energy. Anti-nuclear

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1 Douglas Foy, former president and CEO of the
2 Conservation Law Foundation, led the fight in court to
3 shutter Seabrook project. Seabrook 1 was built but 22
4 percent completed Seabrook was cancelled. This and
5 other lawsuits doubled the cost of Seabrook. Thirty
6 years later, Foy says, "Seabrook 1 needs to stay up
7 and running" recognizing its emission-free generation.

8 Public health and environmental scientists
9 at Harvard studied the emissions from Brayton and
10 Salem coal plants in 2002. They concluded that Salem
11 Harbor was responsible for 30 deaths, 400 emergency
12 room visits, 2,000 asthma attacks, 50,000 incidents of
13 upper respiratory symptoms per year. Had Seabrook
14 Unit 2 been completed in the mid-1990's, its no
15 emission, 1245 megawatts electrical generation could
16 have displaced closed coal-burning Salem Harbor Power
17 Station and still-operating Merrimack Station in Bow,
18 New Hampshire in the 1990's.

19 Anti-nuclear, C-10 ally, New Hampshire
20 State Representative Pete Somssich, supports Granite
21 Bridge Pipeline proposal by Liberty Utility to build
22 a connector pipeline from Manchester area to Exeter,
23 New Hampshire. Representative Somssich sees more gas
24 as a bridge to unreliable renewables. Anti-nuclear
25 Massachusetts Sierra Club calls more pipelines a dirty

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1 bridge to nowhere bus. Renewable emission-free
2 Seabrook Station nuclear power providing 57 percent of
3 New Hampshire's total electrical generation can be
4 replaced by gas infrastructure and extra emissions.
5 Remember the 2018 Merrimack Valley gas explosions?
6 This is what Massachusetts taxpayer-supported C-10 and
7 similar groups are really advocating.

8 New Hampshire and New England needs more
9 nuclear power, not gas, to really reduce emissions.
10 Thank you.

11 JUDGE SPRITZER: Thank you. We would next
12 like to hear from John Gibson.

13 MR. GIBSON: Well, thank you, gentlemen,
14 for the chance to speak. And welcome to our backyard
15 and our neighborhood where Seabrook Station looms
16 large. Thank you also to C-10 for monitoring
17 conditions in the area and whose intercession made
18 these hearings possible.

19 What does C-10 see that NRC and the
20 Licensing Board does not, and what interests are
21 served by each? It's a step in the right direction to
22 reconsider NextEra's license renewal, but all the
23 agencies that have put input need to go further to
24 ensure greater accountability and oversight for
25 safety's sake. What this coastal area will look like

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1 in 2030 and 2050 depends on your decisions and those
2 of your successors.

3 With the future in mind, let us not forget
4 the past. Throughout the early years of permitting
5 for Seabrook, many did their best to remind your
6 predecessors that health and safety were paramount.
7 That process is ongoing and although the hearings this
8 week will deal with degrading concrete, the focus
9 needs to be the same. All the engineering,
10 construction, management, and agency responsibility
11 are designed to maximize the health and safety of
12 plant staff and the general public.

13 What can be said that has not been said
14 before? Only that we need to be reminded of the
15 gravity of decisions made that go beyond the interest
16 of plant owners, electrical rates, bankers, investors,
17 and the nuclear industry. The Atomic Energy Act of
18 1954 encouraged the private development of nuclear
19 power. Cost is always a factor in business but should
20 not be at the expense of health and safety. Let us
21 learn from the past, put hubris in its place and err
22 on the side of caution. As public servants, be
23 mindful of the past nuclear accidents in this country
24 and worldwide and how natural disasters can exacerbate
25 the unforeseen.

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1 The two hours this evening are a fraction
2 of the time that will be spent this week reviewing
3 technical and procedural issues, but it's not so much
4 the time allotted as it is the matters that are
5 presented that bear on health and safety. We, the
6 people, are the invisible stakeholders and need to be
7 head at the table. We are not a variable in a risk
8 assessment formula. Policy is made in Washington but
9 impacts far and wide and generations to come.

10 Last week, the FAA gave Boeing the
11 authority to assess safety certain flight control
12 systems in the MAX 737, but an international panel
13 disagreed. Let this week be different where testimony
14 convinces you to rule on the side of independent and
15 fair review and hold NextEra to greater accountability
16 and higher standards.

17 Yes. Concrete cracks are a cause for
18 concern, but the cracks in procedures that allow for
19 license renewal contrary to facts are distressing.
20 Both need to be monitored and fixed to ensure the
21 health and safety of the general public. This is your
22 responsibility. Thank you for listening.

23 JUDGE SPRITZER: Thank you.

24 (Applause.)

25 JUDGE SPRITZER: I understand we have an

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1 additional public representative, Senator Markey or
2 someone from Senator Markey's office?

3 MS. TEYLOUNI: No. I am not Senator
4 Markey. My name's Claire. Thank you for the
5 opportunity to read a statement on his behalf.

6 MS. TEYLOUNI: Claire Teylouni.

7 JUDGE SPRITZER: Okay.

8 MS. TEYLOUNI: In January, the Nuclear
9 Regulatory Commission announced its plans to issue a
10 license amendment and a license renewal to NextEra,
11 licensed operator of the Seabrook Nuclear Power
12 Station months before the Atomic Safety and Licensing
13 Board was set to hear key evidence about structural
14 degradation at the Seabrook Plant. I urge the NRC to
15 wait until after the ASLB hearing and to hold
16 additional public meetings in order to allow
17 stakeholders to voice their concerns and present
18 additional evidence about the threats posed by
19 continued degradation of the plant's concrete.

20 When the NRC then delayed its announcement
21 and solicited community input and feedback at a public
22 meeting in February, I again noted m concern that the
23 NRC would still approve the Seabrook license amendment
24 before the Atomic Safety and Licensing Board held its
25 evidentiary hearing. This concern was validated when

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1 the NRC approved a license amendment and 20-year
2 license renewal in March. There was no rush driving
3 the NRC's hasty actions. The Seabrook license was not
4 set to expire for another decade yet the NRC rejected
5 calls from community stakeholders, elected officials,
6 and safety experts to wait until after the ASLB
7 hearing and instead moved forward with its approvals.

8 This timeline has unacceptably subverted
9 the public input process, an issue we are grappling
10 with across the state with the decommissioning of the
11 Pilgrim Nuclear Plant as well, and I am deeply
12 concerned that this disregard for transparency and
13 public input is becoming endemic across the NRC.

14 I implore the Atomic Safety and Licensing
15 Board to take the next several days to seriously
16 consider the evidence presented by C-10 and associated
17 experts. NextEra's plans to address, monitor, and
18 inspect structural degradation at Seabrook must be
19 held to the highest scientific standards. The trust
20 of the entire community and its protection from
21 exposure to danger from a fracturing unsafe facility
22 over the next several decades I at stake. Thank you.

23 JUDGE SPRITZER: Thank you. Next on our
24 list is Sandra Thaxter.

25 MS. THAXTER: Hello. Can you hear me?

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1 JUDGE SPRITZER: Yes, we can.

2 MS. THAXTER: I'm speaking as a citizen of
3 Newburyport and because many of the people in this
4 room have spent most of their lives keeping us safe
5 and monitoring the nuclear power plant and actively
6 advocating for this community. This is a matter of
7 public trust. Seems to me this is a really good time
8 in the history of our country to show that government
9 institutions can be trusted to protect citizens.

10 We've always known that nuclear power was
11 a powerful but dangerous technology. We saw with
12 Fukushima what can happen if bureaucracies are not
13 fully attentive, do not use all their knowledge and
14 all the strategies of good management to manage
15 nuclear power. Sometimes bureaucracies can become too
16 comfortable in their role, but they are meant to serve
17 our country and our citizens. C-10 is asking to
18 restore the public trust by using the best available
19 tools and information to evaluate the risk of this --
20 ASB is it --

21 JUDGE SPRITZER: ASR.

22 MS. THAXTER: -- ASR, thank you -- on the
23 nuclear power plant here.

24 JUDGE SPRITZER: Thank you. Next person
25 is Kathleen O'Connor Ives.

1 (Off mic comments.)

2 JUDGE SPRITZER: All right. We do not
3 appear to have Ms. Ives with us. I previously
4 mentioned Representative Renny Cushing. I don't know
5 if that individual has arrived. Apparently not.
6 Glenn Richards?

7 MR. RICHARDS: Thank you for giving me the
8 opportunity to speak. My thrust was going to be -- my
9 tentative total was quite, "Do Your Job," but lest you
10 take that personally and feel insulted, I think I
11 should explain. And it's already been partly
12 explained that we have been disappointed in the past.
13 I've been around here since -- I moved up here I think
14 in 1980 when Seabrook was on the cusp of being built,
15 and there were a lot of -- you know, there was -- it
16 disappointed back -- the first disappointment was
17 around evacuation planning. I'm not going to go into
18 that. It's not really relevant right now.

19 But it's important to understand that
20 right now this is not some pissing contest between
21 tree-hugging hippies and anti-nuclear activists on one
22 side and pro-industry whatever on the other side.
23 That's not what this is about.

24 This is about public safety. You work for
25 us, me. That's why I can tell you or suggest you,

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1 quote, "Do your job," because through my taxes,
2 through our taxes, we're paying you to protect us.
3 And so I encourage you take seriously everything you
4 hear, both sides, you know, be fair. I'm sure you
5 will be. NextEra will have their experts. C-10 has
6 also some very credible experts.

7 And I think that with this ASR thing,
8 there were some very critical questions at the hearing
9 that was mentioned. I think it was in February. The
10 NRC was there and we talked about -- discussing this
11 ASR problem and we were discussing inspections of the
12 plant. And I said well, how do you inspect the
13 pressure vessel -- containment building I should say,
14 not the pressure vessel, the containment building,
15 because it's, you know, very radioactive. They said
16 well, it's actually not the radioactivity. It's
17 really the heat in there. It's extremely hot.
18 Workers can only be in for a short period of time.

19 And then, you know, something clicked.
20 Heat, as you all know, as engineers -- well, and a
21 judge -- that heat accelerates chemical reactions.
22 And when that came up, they said yeah, literature is
23 clear that ASR is accelerated due to heat, has -- and
24 I think a very relevant question for you would be to
25 consider the testing that NextEra had done. Did they

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1 consider that. Did they try to simulate those
2 conditions? So that's a very relevant question, I
3 think, to be looked into.

4 And the other one that occurred to me was
5 pressure. They -- you know, they always talk -- I'm
6 referring to a CRW (phonetic) article -- it's not a
7 local paper -- about, you know, Neal Sheanna
8 (phonetic), someone saying don't worry, everything's
9 fine, plant was designed with a margin of error,
10 margin of safety, which is great. There's a reason
11 they do that, but when they built in the margin of
12 safety, that margin is no longer the margin it was in
13 1980, whenever the plant went online, because of the
14 ASR. And the containment building in particular not
15 only has to -- it's not just a structure that's
16 holding up a roadway. It's got to be able to
17 withstand pressure in the event of something
18 unfortunate, in the event of, you know, some kind of
19 either pressure, pipe breaking, or worse case
20 scenario; okay, you get my drift.

21 So I don't know that any of that was taken
22 into consideration in the Texas testing that was done
23 or in this -- evaluating this margin of error or
24 margin of safety that was built into the -- you know,
25 yeah, okay, the walls aren't going to fall down. We

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1 know that, you know, there's enough strength there
2 despite the ASR, that the place isn't going to
3 collapse. You know, that's pretty much a given.

4 But I hope you will listen to both sides,
5 take them seriously, and most of all -- and I consider
6 myself kind of a citizen scientist; my mantra is
7 "challenge your assumptions, never be afraid to ask
8 yourself what if I'm wrong; you know, what if this
9 thing -- you know, what if we weren't -- didn't get
10 this right; you know, what are the consequences and,
11 you know, which -- you know, which side is really
12 making sense here, which one -- which data holds up
13 and withstands your scrutiny?

14 You know, it's not about opinions like oh,
15 the plant has been operating well. Oh, I should
16 mention that, too. You know, they -- on all your
17 perspectives, past performance is no guarantee of
18 future success. And the fact that the plant has
19 operated safely for however many years does not
20 guarantee it will continue to do so.

21 So anyway, thanks for the time. I see my
22 time is about up, so I hope these things will -- you
23 know, you'll get into these things tomorrow and take
24 them very seriously. Thanks.

25 JUDGE SPRITZER: Thank you. Let's see, I

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1 think we've heard from Hanna Vogel or another
2 representative of Senator Markey's office. Afroz
3 Khan?

4 MS. KHAN: Thank you very much. My name
5 is Afroz Khan. I'm actually a Newburyport City
6 Counselor-at-large, but today I'm here in front of you
7 as a resident of Newburyport. So two weeks ago when
8 my kids started school, we all had to fill out the
9 regular forms that we do for medical and all the
10 emergency contact information. But we also have to
11 fill out a form giving permission for our kids to be
12 provided with potassium iodide tablets in the event of
13 a radiation emergency from the NextEra Nuclear Plant.

14 So I have master's in electric power
15 engineering from RIP in the 90's, and I'm not here at
16 all tonight to diminish or speak out against nuclear
17 power plants. My intention tonight is actually to
18 highlight a public safety concern. So alkali-silica
19 reaction is a slowly progressive problem that occurs
20 in concrete structures over time.

21 So in doing a quick research on this
22 phenomena, it's easy to see what has been happening
23 globally with the detection of ASRs. And I was able
24 to see that it's been found in bridges, in dams, in
25 parking garages. And in almost all of those

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1 situations, those structures have been demolished
2 because of the risk. So as you know, ASR can lead to
3 cracking, and then it really compromises the long-term
4 longevity of the structure. So in many cases, you
5 know, as an engineer, we see that if construction
6 materials are compromised, it does affect not only the
7 performance but the lifespan of a structure.

8 So as we know, a controlled nuclear
9 reaction is nothing but routine, and it's the concrete
10 that protects 180,000 people from the inadvertent
11 release of radioactive gasses, fallout, and molten
12 corium if a catastrophe was to occur.

13 But a known concrete problem such a ASR
14 has not been seen in nuclear reactor containment
15 structures. In fact, with 98 nuclear reactors in the
16 U.S., this is the first one that has a known ASR
17 issue. And unlike other structures, nuclear plants
18 don't have shear reinforcements.

19 So when dealing with the public safety, I
20 think it's really important to expect the unexpected.
21 It is the unexpected that has led to the largest
22 nuclear disasters in our recent history. So I'm
23 asking that the Atomic Safety and Licensing Board
24 please take the necessary actions in assuring our
25 safety. So of the number that -- of reactors I talked

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1 about and with NextEra facility being the first to
2 have an ASR issue, I think a decision from this body
3 can help launch best practices needed in addressing a
4 critical issue that is being faced by the nuclear
5 power community for the first time. We are relying on
6 your oversight and your guidance in safeguarding this
7 affected concrete containment vessel that lies a mere
8 9-1/2 kilometers from this very spot. Thank you.

9 JUDGE SPRITZER: Thank you.

10 (Applause.)

11 JUDGE SPRITZER: I believe we also have an
12 Aboul B. Khan. Is that individual here? Here we go.

13 MR. KHAN: Good evening. My name is Aboul
14 Khan. I'm a Selectman in Seabrook for -- this is my
15 fourth term, and also I represent Seabrook and Hampton
16 Falls at the statehouse as a state rep. This is my
17 third term.

18 Good evening. I have resided in Seabrook
19 for many years and actually lived in relatively close
20 proximity of the Seabrook Station. I have raised my
21 family in Seabrook, and as a resident I have always
22 been impressed with the Seabrook Station's commitment
23 to our community. They have been and continue to be
24 good neighbors, good corporate citizens, active in
25 promoting positive actions and outcomes for Town of

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1 Seabrook and the whole seacoast area. As a town
2 official, I can tell you that I and the Board of
3 Selectmen have worked closely with NextEra in areas of
4 emergency planning and other procedures that we go
5 through all the time. They have been both proactive
6 and diligent in meeting our needs and requirements
7 with a strong and bond and cooperation between
8 Seabrook and NextEra and the entire seacoast region.

9 As a host community, we have seen
10 firsthand NextEra's commitment to running Seabrook
11 Station in a safe and efficient manner. I and the
12 Board have high confidence in NextEra's commitment to
13 the health and safety of your community and the
14 seacoast region -- and of the seacoast region.

15 Finally, I would like to express my
16 confidence in the rigorous oversight over the Seabrook
17 Station by NRC. Seabrook Station, through the course
18 of applying for license amendment and license
19 extension, has been subject to a process designed to
20 protect the public and ensure that Seabrook Station
21 meets standards and delivers energy in a clean,
22 efficient, and safe way. This process has been taking
23 much time and examined many issues. We in Seabrook
24 support the NRC and feel that the process should not
25 be hurried, but we also recognize that the process

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1 would not and should not continue forever. It is our
2 strong belief that NRC review on the concrete issue
3 met the highest standard and was based on solid
4 science and that the data provided by all the experts
5 and the study more than sufficient to support the
6 license amendment sought by NextEra. Thank you very
7 much.

8 JUDGE SPRITZER: Thank you.

9 (Applause.)

10 JUDGE SPRITZER: Next we -- I believe it's
11 Jack -- is it Santos?

12 MR. SANTOS: I'd like to thank the Board
13 for holding this hearing and letting me speak. I also
14 have a copy of written comments I can enter into the
15 record after the session.

16 JUDGE SPRITZER: Why don't you give them
17 to our -- one of our people who met you at the front
18 desk.

19 MR. SANTOS: I will do after I speak.

20 JUDGE SPRITZER: Okay.

21 MR. SANTOS: My name is Jack Santos. I'm
22 a resident within a 10-mile radius of Seabrook
23 Station. I live here in Newburyport. My comments are
24 anchored in my experience as a software engineering
25 professional, a senior executive in healthcare and

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1 financial services, and I currently provide consulting
2 and research services to the NRC as well as the
3 Canadian NRC, the U.S. Air Force, and NASA, and other
4 public and private sector organizations including
5 NextEra. But I'm here as a private citizen, and the
6 opinions expressed are my own.

7 Since 1990, the Seabrook Nuclear Power
8 Plant has been operating safely. My interest is in
9 making sure it continues to do so. Based on the work
10 of Dr. Saouma, I believe that the testing by Ferguson
11 Structural Engineering Labs does not give me that
12 level of certainty that we will not avoid a failure at
13 Seabrook Station. It's not representative of the
14 level of concrete degradation onsite at Seabrook, nor
15 does it adequately take into account additional
16 factors that may cause worsening of the concrete or
17 its related structure.

18 So my testimony is simple. I propose that
19 the Board, over the next few days, consider three key
20 points; number one, ensure open and transparent
21 testing results publicly peer-reviewed by experts in
22 the field other than those hired just by NextEra or
23 the NRC. What is at risk is too great to limit review
24 and exclude portions just because of proprietary
25 concerns.

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1 Number two, sufficiently replicate
2 conditions by analyzing the concrete and related
3 structures in situ. This includes destructive and
4 non-destructive independent scientific testing of the
5 onsite concrete exhibiting ASR and the related
6 structures. We want to ensure that the
7 infrastructure, including concrete, is still within
8 operating parameters and includes its ability to
9 withstand events like earthquakes and flooding.

10 And number three, share those results with
11 the public in full disclosure, factor in concrete and
12 building practices that were in place during the
13 construction of Seabrook Station and how ASR
14 deterioration would affect its soundness today,
15 especially during an abnormal event like an earthquake
16 or a storm surge. I believe m three points are
17 reasonable considering what is at stake here.

18 Let me remind the Board of two other
19 engineering instances, one recent, one not so recent
20 where this kind of due diligence we are asking for
21 here was not taken and with consequences. The first
22 is still fresh in our mind. It's already been
23 mentioned. It continues to be investigated. The
24 Boeing 737 MAX airplane failure. It's been chilled
25 for the sake of competitiveness, proprietary data was

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1 withheld from the airlines, from the pilots, and from
2 the public that had it come out, we would have brought
3 into question the MCAS systems single point of
4 failure. Not all operating conditions were tested,
5 and there was no transparent and/or independent review
6 of the MCAS software. It's a situation that mirrors
7 what we are dealing with here. Three hundred forty-
8 six lives were lost. We're looking at much higher
9 stakes with Seabrook Station.

10 The second is the Challenger accident of
11 1986. I was at Cape Canaveral at the launch. One
12 simple decision to launch or not hinged on a statement
13 in the launch procedure manual: "Are current
14 conditions on the launch pad below freezing?" It has
15 been proven that freezing temperatures would result in
16 brittle O-rings, the cause of the disaster. What
17 nobody asked or like what we are discussing this week,
18 no one cared to replicate, was what if it had been
19 freezing just a few hours before but temperatures had
20 risen to above freezing by launch time.

21 I implore you, don't make an O-ring
22 mistake. Consider independent public professionally-
23 verified results that reflect real onsite tests, and
24 share those with those of us whose lives depend on it.
25 Thank you.

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1 JUDGE SPRITZER: Thank you.

2 (Applause.)

3 JUDGE SPRITZER: Next person we'd like to
4 hear from is Carolyn Johnson.

5 MS. JOHNSON: Hello. First, I'd like to
6 agree with Mr. Santos' skepticism about the validity
7 of the tests of the concrete. They really -- the
8 requirements of those tests really did not meet the
9 standards that they should have. It was all done
10 offsite at lab in Texas on newly-produced concrete
11 that may or may not be even similar to the concrete at
12 Seabrook. Until onsite testing is done with core
13 samples from Seabrook's actual concrete, we will have
14 no idea whether the test results concerning concrete
15 degradation are at all meaningful.

16 In addition, because the ASR problem is
17 caused by the presence of water reacting with elements
18 of the concrete, there should be great concern for the
19 effects of higher tides resulting from climate change,
20 especially because parts of the plant are already 80
21 feet below sea level. Continued storm surges are a
22 threat that should be considered. However, this issue
23 is not being addressed.

24 The same problem applies to the spent fuel
25 rods which are now onsite stored in ponds, in water.

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1 Nuclear waste has never -- the problem with storage of
2 nuclear waste has never been considered or addressed
3 -- it's been considered, but it has not been addressed
4 successfully. And again, the threat from extra high
5 tides reaching the pools where the spent fuel is
6 stored is really terrifying. So I'd really like to
7 believe that these concerns will be addressed further
8 than they have been so far. Thank you.

9 JUDGE SPRITZER: Thank you.

10 (Applause.)

11 JUDGE SPRITZER: The next person we would
12 like to hear from -- I hope I'm pronouncing this
13 correctly -- is Hank Baotzmann.

14 MR. BAOTZMANN: Thank you. My name is
15 Herman Baotzmann. I served on two nuclear power
16 submarines in the U.S. Navy, and I'm a retired chief
17 engineer from Raytheon residing in Portsmouth, New
18 Hampshire. The process of concrete degradation caused
19 by alkali silica reaction, or ASR, a chemical process
20 that causes small cracks in concrete, has been fully
21 reviewed and an acceptable inspection program has been
22 put in place to assure nuclear safety. Assessments by
23 Seabrook Station engineers and nuclear experts,
24 independent reviews by some of the most accomplished
25 structural engineering experts in the world, the

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1 International Atomic Energy Agency, and the NRC
2 itself, all have concluded that Seabrook Station is
3 and will operate safely. Academic scientifically-
4 verifiable studies have established that ASR is an
5 identified manageable condition common in critical
6 infrastructure like bridges, runways, and dams, the
7 same infrastructure that is currently in service
8 across the country. Most bridges in Massachusetts and
9 New Hampshire not only have ASR, they are built with
10 nowhere near the robustness or reinforcement of the
11 nuclear power plant.

12 Several of my -- of the country's most
13 experienced structural engineering experts including
14 MPR Associates, Simpson Gumpertz & Heger, and the
15 University of Texas have studied and validated
16 Seabrook Station's strategy to manage ASR. The NRC
17 has validated this approach noting the actions of
18 Seabrook Station have taken regarding concrete issue
19 ASR have been comprehensive and reasonable, and all of
20 the commitments made regarding ASR have been
21 completed. Thank you.

22 JUDGE SPRITZER: Thank you.

23 (Applause.)

24 JUDGE SPRITZER: The next person we would
25 like to hear from is Howard Mandeville.

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1 MR. MANDEVILLE: Hi. I'm Howard
2 Mandeville from Newburyport. Thank you for having
3 this public comment opportunity. Like many of us here
4 today, I love this ocean shore and its vibrant
5 communities. I want all of us to ensure that it
6 remains a beautiful and safe place for many
7 generations. What had always been confidence in the
8 endurance of this region is now a worry. There are
9 many concerns on which to hang our worries, but chief
10 among them for me is the conceivable notion that there
11 exists a clear and present danger, a nuclear power
12 plant made of degrading concrete in an area that
13 includes rising tides, nor'easters, hurricanes, and
14 earthquakes, all of those since I moved here three
15 years ago.

16 The one thing that makes this scenario
17 even more alarming is that the danger of degrading
18 concrete is not adequately addressed. NextEra has
19 told us that there's a plan to manage the ASR concrete
20 degradation, but an unbiased expert, Victor Saouma, an
21 expert on ASR, concrete degradation, has a different
22 view. He said he could not tell us that the plant is
23 now operating safely. He could not tell us how long
24 into the future the plant could operate without
25 hazard.

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1 He explained that the tests that would
2 illustrate the impact of ASR concrete degradation
3 could be conducted but these tests have not been done.
4 Given the risk, given the worry, why would testing
5 using available methods of analysis not be carried out
6 as soon as possible? The atomic safety and licensing
7 board and the NRC should insist that NextEra allow
8 unbiased experts to demonstrate to you and to the
9 citizens in this region whether or not the plant, with
10 its ASR concrete degradation currently unresolved, can
11 operate safely. The residents of this area rely on
12 you to mobilize objective and unbiased experts to
13 confirm the plant's safety now and during its half-
14 century licensing tenure. Thank you.

15 JUDGE SPRITZER: Thank you.

16 (Applause.)

17 JUDGE SPRITZER: Susan Stafford.

18 MS. STAFFORD: Good evening, delight to
19 see such a diverse and committed group here, and
20 August, highly-credentialed judges. It's a delight
21 because I have lived in New England all my life, but
22 I spent a lot of time in Philadelphia, and we didn't
23 have this kind of stuff.

24 A nuclear power plant is not something
25 that is like a bridge. If it goes bad, it doesn't

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1 mean a couple of people will fall off the bridge. I
2 drove in '95 in Connecticut, which had a terrible
3 bridge, and several people died and finally, they
4 fixed the bridge. We are now talking -- and I
5 appreciate Senator Martin's representative -- about
6 something that is not minor. This is America. We have
7 competent engineers. We know about ASR, concrete
8 structures, 80-foot below sea level, the weather has
9 changed. I have done climate change reporting on the
10 seacoast; I'm a NOAA-credentialed person from UNH.

11 The point is very simple, continued
12 degradation without careful analysis by unbiased
13 experts who report publicly -- this is America -- we
14 appreciate all the remarks that people made, I
15 appreciate the gentleman from Seabrook, but this is
16 not something that can be sloughed off. I met an
17 engineer from Seabrook many, many years ago, and she
18 said, "It's dangerous." And she had no reason to fib
19 to me, and she was an employee. I feel that we cannot
20 degrade, and we cannot give up the chance to analyze
21 this professionally. We do not want a Chernobyl here.
22 Thank you.

23 JUDGE SPRITZER: Thank you.

24 (Applause.)

25 JUDGE SPRITZER: Philip Hurzeler.

1 MR. HURZELER: Thank you for allowing us
2 to speak to this issue. Despite the technical experts
3 on both sides going at it, it seems to me that the
4 core issues here are not really technical. What we
5 have here is an argument about sample selection,
6 whether the process of testing and the -- and -- the
7 process of selecting a sample and the tests that are
8 done on it, whether that's secret or open. I think we
9 can all understand that it's a matter of common sense
10 that there's possibility of a bias there.

11 Also, as the representative from Senator
12 Markey's office said, the 20-year extension that came
13 in, it seems prematurely. We don't understand,
14 haven't heard, despite going to the meetings up on
15 Route 1 in the Hamptons, why it is so premature.

16 I would also like to make the remark that
17 the notion that we need to do something really quick
18 in a hurry to avoid the use of fossil fuels is just a
19 red herring. We need to consider this case on its own
20 merits.

21 We need to take a conservative approach.
22 This is where we truly need to be conservative in the
23 purest sense of that word. And thank you very much.

24 JUDGE SPRITZER: Thank you.

25 (Applause.)

1 JUDGE SPRITZER: Marcia Hart.

2 MS. HART: Hello.

3 JUDGE SPRITZER: Good evening.

4 MS. HART: I'm from Gloucester,
5 Massachusetts, which is 17 miles across the water from
6 Seabrook. I have not been in favor of Seabrook for
7 40-something years. During the time that has
8 transpired between 1977 and the present, I've had an
9 entire career, a training as a nurse and a 36-year
10 nursing career. My children were 6 and 3 when I first
11 protested at Seabrook. They're 45 and 48. I have a
12 granddaughter who's 26.

13 So two generations have taken place during
14 this time, and my opinion has not changed in all that
15 time. I would like to feel safe across the water from
16 Seabrook, but when you have licensing procedures that
17 continue in the present to hurry up and give a
18 premature license, I don't feel secure. So I didn't
19 come here knowing a great deal about this issue. I'm
20 shocked that it's the first plant that has this ASR
21 problem. Certainly, this is -- you're in a position
22 of setting precedent on how the government will deal
23 with that danger.

24 I have not developed a feeling of faith
25 and trust in any of the operating managers of any of

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1 the worldwide nuclear plants. They seem intent on
2 protecting their bottom line, withholding information,
3 so you are our hope that you will look into this
4 sufficiently. I stand with Senator Markey's opinions,
5 with Maura Healey's opinions, with C-10's opinions.
6 I have learned to trust all of them over this period
7 of time, but I can't say that I have the same faith in
8 corporation.

9 Please be very cautious. Many people's
10 lives depend on it. It isn't a bridge, as someone
11 said. Thank you.

12 JUDGE SPRITZER: Thank you.

13 (Applause.)

14 JUDGE SPRITZER: Those are all the people
15 on my list. Do we have any other -- please proceed.
16 Why don't you state your name since we don't have you
17 --

18 MS. HOLADAY: Donna Holaday, Mayor of the
19 City of Newburyport.

20 JUDGE SPRITZER: We've met previously.

21 MS. HOLADAY: And I do apologize for the
22 heat in here. We had anticipated that by this time in
23 September, it would not quite be this warm. But after
24 listening to the testimony of all these people from
25 Greater Newburyport who came today, I thought that I

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1 had to stand up and again reiterate the fact that this
2 is critical. The license was premature. I agree with
3 Senator Markey, Attorney General Healey, all of the
4 people who spoke -- the majority of the people who
5 spoke today asking you to do your due diligence. I
6 have toured the plant myself, had a private tour
7 several years ago, and really felt that I was being
8 given sort of the marketing response, "that we know
9 what we're dealing with in terms of the ASR, and it's
10 nothing to worry about."

11 But C-10 has brought in an expert, and
12 there are very few experts who have the kind of
13 international capacity who have done the research.
14 And we do not have, as you've heard from many people
15 testify tonight, experience with a nuclear power plant
16 that has this kind of ASR degradation. Yes, lots of
17 bridges, dams, but look at the response in terms of
18 repair. We do not have that information about how to
19 proceed going forward with this plant, and it's not
20 like a bridge. It's not a building that can be torn
21 down and replaced. This is extremely serious.

22 We need you to listen to the -- all of the
23 experts that will be presenting testimony. Please
24 make the research public to us. This is our
25 community. The climates have changed. We have storm

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1 surge issues that we're approaching. We have many
2 issues and concerns about the future licensing of this
3 plant, and we ask that, as one of the speakers said,
4 please, do your job. You are here to protect the
5 public, and we need you to do that over the course of
6 this week.

7 Thank you for these evidentiary hearings.
8 This means a lot to our community that you are here to
9 take testimony -- and to really understand the
10 seriousness of this issue for our community, our
11 future, and our children. Thank you.

12 JUDGE SPRITZER: Thank you.

13 (Applause.)

14 JUDGE SPRITZER: Okay. Jim, is it Kirk?
15 I'm not sure. This is a little hard to read.

16 (Off mic comments.)

17 JUDGE SPRITZER: Oh, okay.

18 (Off mic comments.)

19 MR. KIRBY: So my name is Jim Kirby. I
20 live in Brattleboro, Vermont. We have a moth-balled
21 somewhat being taken apart nuclear plant, and I just
22 wanted to come and support C-10 on their -- on this
23 concrete issue. The thing that the nuclear industry
24 has done is they had a whole procedure on how to put
25 plants together, but they never really thought of the

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1 waste, and they never thought of how to take a plant
2 apart. And it's like the bookends at this final date
3 where the reactor is complete. After that,
4 everybody's on their own. I think they're starting to
5 address that issue, but all the communities, this
6 community will face that issue. Whether they face it
7 now or in 10 years or in 20 years, they're going to
8 face that issue, and they're not going to have -- is
9 there going to be sufficient money.

10 It's a merchant plant. Nobody really
11 thought about what a merchant plant will mean in terms
12 if the trust fund runs out of money. Eventually,
13 it'll all come back to us. We pay the bill and this,
14 from an energy point of view, has been -- you know,
15 it's been a little detour which ultimately has not
16 really produced much in the way of power. In the
17 long-term, it's got to be renewables. That's our only
18 hope. And again, I thank you for your time.

19 JUDGE SPRITZER: Thank you.

20 (Applause.)

21 JUDGE SPRITZER: Lori Cartwright.

22 MS. CARTWRIGHT: Good evening, gentlemen.

23 Thank you for giving the public the opportunity to
24 make their comments heard. I am Lori Cartwright. I
25 live in Putney, Vermont. I drove down to support the

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1 work of C-10 and the work that they've been doing to
2 keep their communities safe. And we're not here to
3 talk about the change in climate. There's a lot of
4 controversy about that in certain circles. And we're
5 not here to talk about natural gas.

6 We're here to talk about the nuclear power
7 industry and the way in which the regulators seem to
8 rubberstamp anything that the nuclear reactors want,
9 and it's clear that some evidence has emerged that
10 puts this community and other communities at risk.
11 And I implore the Board to do everything within their
12 jurisdiction to listen to the evidence and with an
13 unbiased decision, do your work, like one of our
14 speakers said earlier, to keep this community safe.
15 Thank you.

16 JUDGE SPRITZER: Thank you.

17 (Applause.)

18 JUDGE SPRITZER: Clay Turnbull.

19 MR. TURNBULL: Hi. Good evening. My name
20 is Clay Turnbull. I'm a resident of Townshend,
21 Vermont, and I'm a staff person and trustee with New
22 England Coalition on Nuclear Pollution in Brattleboro.
23 My comments tonight are my own. They're not for the
24 organization, but I suspect that the majority of our
25 membership and trustees would agree with what I have

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1 to say; and that is quite simply that C-10 has done
2 phenomenal work over the years. They've proven their
3 ability to bring real issues to light, and I just
4 wanted to come over from Vermont tonight to lend a
5 voice of support to C-10 and the work that they do.
6 Thank you.

7 JUDGE SPRITZER: Thank you.

8 (Applause.)

9 ADMIN. JUDGE HARVEY: And William
10 Woodward.

11 MR. WOODWARD: I, too, am here to support
12 C-10. I come from Durham, New Hampshire, home of the
13 University of New Hampshire. I teach psychology for
14 sustainability. We, in the past, have taken tours of
15 the Seabrook Power Plant. They're not in-depth tours.
16 We know that they're trying to be safe, but having
17 come to numerous events up in Hampton where NRC has
18 made its case, we continue to wonder how safe it is
19 when a whole raft of concerns such as escape routes,
20 disposable nuclear waste are not dealt with. Now I
21 know this is the evening for ASR, but one of the
22 lingering concerns is why they didn't test the
23 concrete from Seabrook. You have a -- the second
24 reactor was never put into operation, but the concrete
25 is there. From a scientific point of view, why

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1 wouldn't test that concrete rather than some simulated
2 concrete down in Texas. I've always wondered about
3 that.

4 I recently heard Greg Jaczko speak. Some
5 of you know his book, "Confessions of a Rogue NRC
6 Regulator." He says that the 10 recommendations
7 following the Fukushima disaster by United States
8 Commission were not respected and not followed. How
9 could that be? Why would the NRC not take an
10 independent scientific commission seriously? I'm told
11 that we have the same mark, whatever, power plant that
12 Fukushima has. We, too, live on the water. Why do we
13 assume that we couldn't have a Fukushima? And why
14 don't we take the commonsense recommendations?

15 Now the gist of that book is that the NRC
16 is a rubberstamp for the nuclear industry. Go read
17 the book. I hate to say that. I'd like to think that
18 they're an impartial regulatory agency but according
19 to Greg Jaczko, the people on the committee are
20 primarily representatives of industry, nuclear
21 industry, which is, by the way, a heavily subsidized
22 industry.

23 And they really haven't through long-term,
24 as the previous gentleman said. They haven't thought
25 about the decommissioning. These -- NextEra's not

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1 going to pay for the decommissioning. The nuclear
2 waste problem which we were addressing in the Seacoast
3 in the 1970's has not been answered. Where is it
4 going to go? No one will take it. Who's going to
5 keep it cooled for an eternity? How much will that
6 cost? Who will pay for that?

7 Now these -- I suppose, those comments
8 don't belong here tonight, but this is part of the
9 unease, that we don't have a basis for trusting NRC's
10 safety claims. We want to see a safety record on
11 their part. So at least you could test the local
12 concrete and at most, you could look at some of these
13 other concerns that have been in the air since the
14 1970s. Thank you very much.

15 JUDGE SPRITZER: Thank you.

16 (Applause.)

17 JUDGE SPRITZER: These are all the people.
18 All the people have spoke. Oh, we have one more.

19 (Off mic comments.)

20 JUDGE SPRITZER: I was just about to say
21 since we -- everyone has been concise and to the
22 point, we're actually -- it's only a little after 7,
23 we're going to be here -- we've arranged to be here
24 until 8. We don't have to stay here till 8 just to --
25 for the sake of staying, but if there are other people

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1 who would like to speak, we'll try and give you a
2 chance. So why don't you go up, and please identify
3 yourself since you're not on the list.

4 MR. BOGEN: Yes. My name is Doug Bogen.
5 I'm Director of the Seacoast Anti-Pollution League
6 based in Exeter, New Hampshire. On behalf of our
7 hundreds of members throughout the 10-mile EPZ and
8 beyond, SAPL supports the contention by C-10, and we
9 urge you to address it conscientiously and thoroughly.
10 For the record, we are not a party to this contention,
11 but we did become an intervener back earlier in the
12 decade on the issue of alternatives to continued
13 operation of Seabrook under NEPA, but the NRC
14 evidently determined that there are no other
15 alternatives, that Seabrook is the most viable power
16 source for many decades to come. But we do appreciate
17 the opportunity to address this current issue before
18 you.

19 I should mention that the public was not
20 aware of ASR even though the plant owners, and I guess
21 the NRC, was prior to when we submitted our
22 contentions, but we certainly would have if we'd known
23 about it at the time. And as we've heard from others,
24 the studies did not look -- the Texas study did not
25 look at actual concrete onsite, the actual conditions

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1 likely to affect the plant in coming decades. As an
2 environmentalist, I'm very concerned about the impacts
3 of the environment on human structures as well as
4 vice-versa. And we know a few things about ASR. We
5 know that it increases with higher humidity. We know
6 it increases with higher temperatures. And the one
7 thing we know about climate change is that these
8 conditions are likely to increase over time, over
9 coming decades. And in particular, also, the post
10 Fukushima study of flooding in severe weather impacts
11 projects impacts that were, quote, "not bounded by the
12 current design basis flood hazard." In other words,
13 the plant was not built to handle the increased
14 flooding, storm surges, severe weather, etcetera that
15 is now projected from climate change. And even more
16 recent studies of climate impacts since that study was
17 done show that it is likely a much worse situation and
18 the estimates developed in that plan are probably too
19 conservative.

20 At the very least, this ground water
21 regime at the plant will change. It will add pressure
22 and additional water infiltration to the existing
23 structures. The need to pump ground water from the
24 site will increase. The water chemistry could
25 certainly change with increased tidal infiltration and

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1 so forth. And temperatures will definitely change.
2 I think recent experience the last few months, even
3 the last few days tells us that temperatures are
4 changing, and they're changing faster than previously
5 determined.

6 So I urge you to look at all -- at this
7 report done on the flooding hazard and the NRC
8 analysis of it. And please consider whether the
9 monitoring plan and the Texas study really addresses
10 those issues in the real world, in the world we live
11 in where the plant is subject to these environmental
12 impacts. I'm very concerned that there's no
13 mitigation plan discussed or contemplated. I know the
14 NRC claims there's no need for that, because they'll
15 be monitoring it and they don't expect anything to
16 happen. Well, that's great, but, you know, it's our
17 lives we're dealing with here. Decades into the
18 future, it really strains credulity that anybody could
19 know for certain that this won't be an impact, a
20 greater impact, an impact that threatens the viability
21 of the plant.

22 All we have to do is look at the one other
23 plant in the -- in North America that had exhibited
24 ASR up in Quebec, Canada, and that plant, when the
25 price of the mitigation of that problem exceeded \$2

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1 billion, they abandoned the plant. This is something
2 that we ought to be looking into. We ought to be
3 considering what those eventualities could be.

4 And I just ask you to please consider that
5 these concerns are fully discussed in this proceeding,
6 and also these contentions, whether the existing
7 research is adequate or not and whether the ASR
8 approach, the monitoring is adequate or not to ensure
9 our safety for decades to come. Thank you very much

10 (Applause.)

11 JUDGE SPRITZER: Thank you.

12 (Off mic comments.)

13 JUDGE SPRITZER: Is there anyone else I
14 haven't called that would like to speak, please,
15 again, state your name since we don't have you on the
16 list.

17 (Off mic comments.)

18 JUDGE SPRITZER: Oh, all right. Yes. It
19 looks like I missed one. All right. Well, please
20 proceed. Are you on this one?

21 MR. SZABO: Good evening, gentleman. My
22 name is Tom Szabo. I've been a resident of
23 Newburyport for 37 years, and I've raised my family
24 here. But I come to you not just as a citizen of
25 Newburyport, but also as a scientist. I'm a professor

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1 at Boston University and I've been doing research for
2 over 50 years, much of it on materials and tissues,
3 the viscoelastic properties of these materials. And
4 I've also spent nearly 20 years in industry doing
5 product design, and I'm also a chair of an
6 international standards group on medical imaging, so
7 that standards group, what we do is we bring -- I have
8 30 different countries, and we reached consensus on
9 the best ways of testing the efficacy of products and
10 also ensuring their safety.

11 So what I'd like to bring to your
12 attention from a scientific point of view is that ASR
13 is a progressive and irreversible process. And
14 therefore, the only way to really monitor it is by
15 doing in situ testing, and I think that we can appeal
16 to good science here, because if you think about it,
17 when this plant was designed, the Seabrook Plant was
18 designed in 1976, we had IBM XT computers, and we had
19 1976 automobiles. Now from an industrial design point
20 of view, products have a lifetime and during that life
21 cycle, then they're replaced by other products. So
22 the -- also, the standards for design have enormously
23 changed over all these years. And as we know that
24 now, our cars today are not only more efficient and
25 safer, but they're also much more reliable because of

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1 improved design standards that have come into play.

2 So what we're talking about here is a
3 plant that was designed in the late 70s, and what
4 we're trying to do is figure out a safe way of
5 maintaining that plant. And I believe that right now
6 none of us can say what is the condition of the
7 concrete due to ASR. The only way that we can find
8 out is by doing in situ testing. And I believe that
9 there are methods now available to do that. For
10 example, in Fukushima, they're spending billions of
11 dollars right now to do further testing of the plant
12 using robotics and other instrumentation to measure
13 things under very extreme conditions. I'm not
14 suggesting that's what we do here, but there are
15 several methods, seismic methods using propagating
16 waves, also acoustic emission and other methods which
17 could be used to do in situ testing.

18 And the burden of proof is on the owner of
19 the nuclear plant to show that ASR is not a problem
20 and that the plant is safe. And I believe it's our
21 responsibility and yours to hold them to that, that we
22 look at the side of caution here and make sure that
23 they're doing their job. And so as you know now, we
24 know that there are good construction processes that
25 could avoid ASR just by, you know, doing things

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1 correctly. But back in the -- that time, these things
2 were not known.

3 So what we know about ASR is that it
4 compromises the structural and elastic integrity of
5 the concrete. What this means is that the structure
6 is compromised. So if there is an earthquake -- and
7 there was one in, I believe, 2011 -- it's not -- you
8 don't need much of an earthquake. When you have a
9 structure that has got cracks in it, it can crumble.
10 And I don't know if you're aware of problems like
11 that, but if the actual structure has microcracks in
12 it, then that whole structure is compromised.

13 So I think that in terms of ensuring the
14 continued safety of Seabrook and also the nuclear
15 waste storage, that you are at a critical point where
16 you can ensure that good practices are being done here
17 and that you should hold the owner of Seabrook to the
18 highest standards of testing, in situ testing. Thank
19 you.

20 JUDGE SPRITZER: Thank you.

21 (Applause.)

22 JUDGE SPRITZER: Gary Schoene.

23 No longer with us. All right. Heather
24 Crowley.

25 MS. CROWLEY: Good evening and thank you

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1 for holding this public session for comments. My name
2 is Heather Crowley and I'm a physician and mother, and
3 I've lived in East Kingston, New Hampshire with my
4 husband and two children, ages 13 and 17, for the past
5 16 years. Notably, in that 16 years, we have never
6 had a practice evacuation and as, you know, just to
7 see if there was an accident if we could get out
8 safely in small New England roads. So I just wanted
9 to bring that to your attention.

10 Tonight I'm here to remind you of your
11 responsibilities and to let you see one of the faces
12 of the over approximately 150,000 people living in the
13 15 towns within a 10-mile radius of Seabrook. In
14 2011, during the Fukushima nuclear accident, the U.S.
15 Government instructed Americans living in the area to
16 evacuate if they were in a 50-mile radius. If you
17 widen the radius around Seabrook Plant to 50 miles,
18 the City of Boston, with over 600,000 people living in
19 it, is included, and we would easily be over a million
20 people at risk from an accident or leak at Seabrook
21 including all the other towns in a 50-mile radius.

22 You hold the lives and safety of all of
23 these families in your hands, and I am asking you, we
24 are asking you to follow your own principles of good
25 regulation as described on the NRC website. These

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1 include, and I quote, "Independence, nothing but the
2 highest possible standards of ethical performance and
3 professionalism should influence regulation; openness,
4 nuclear regulation is the public's business, and it
5 must be transacted publicly and candidly; and
6 reliability, regulations should be based on the best
7 available knowledge from research and operational
8 experience; systems interactions and technological
9 uncertainties must all be taken into account so that
10 risks are maintained at an acceptably low level."

11 So I am here to remind you of what and who
12 is at stake and to ask you to be guided by your
13 organization's values which include, and I again quote
14 from the NRC's website, "integrity in our working
15 relationships, practices, and decisions; service to
16 the public and others who are affected by our work;
17 openness and communications and decision-making
18 including transparency and forthrightness; and
19 commitment to public health and safety, security, and
20 the environment." I am very concerned that these
21 values are not being upheld and have been undermined
22 in light of the premature re-licensing of the Seabrook
23 Plant despite significant risks posed by concrete
24 degradation and ASR.

25 I implore you to remember your commitment

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1 to public health and safety, security, and the
2 environment before all other possible interests
3 including interest from the nuclear industry. You are
4 serving the people, not the industry, and we are
5 counting on you. I mean it's on the pamphlet that
6 you've handed out tonight. It says, "Protecting
7 people and the environment." And I implore you to do
8 that this week. Thank you.

9 (Applause.)

10 JUDGE SPRITZER: Thank you. Cathryn
11 Capra.

12 MS. CAPRA: Hi. I'm Cathryn Capra. I
13 live in Georgetown, which is about 10 miles south of
14 Newburyport, and I came tonight because I -- I know
15 very little, but what I have heard about ASR in
16 Seabrook, what's been discovered so far has really
17 alarmed me. And the concrete testing conditions
18 seemed inadequate. NextEra conducted them and it was
19 not natural sample from the plant is my understanding.
20 So it's the first plant in the U.S. that has this, and
21 there's no clear idea of exactly what the progression
22 will be, what the damage will be in the future,
23 because this has never happened before here.

24 So the license extension seemed premature
25 and was very alarming to me, and I agree with Dr.

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1 Saouma that there needs to be more extensive testing
2 and monitoring done independently and transparently.
3 Thank you.

4 JUDGE SPRITZER: Thank you.

5 (Applause.)

6 JUDGE SPRITZER: Barry Connell.

7 MR. CONNELL: Thank you for coming here
8 tonight. My name is Barry Connell. I am President of
9 the Newburyport City Council. My comments are my own
10 and not those of the Council, and what I'm going to do
11 is point out that the last time the Council offered
12 testimony to you regarding the extension of the
13 license for the reactor in Seabrook, we never received
14 a reply. I hope that that's different this time
15 around.

16 My question to you is this. I'm not
17 prepared to offer competent testimony to you tonight,
18 but my question to is how long will the record remain
19 open so that I might submit testimony in the hope that
20 in this instance you will reply?

21 JUDGE SPRITZER: We have -- I don't know
22 -- we can receive comments whenever you care to submit
23 them. I think the proceeding you're referring to was
24 probably with the NRC staff as you haven't been before
25 this Board before, so I can't really speak to what

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1 they did or didn't --

2 MR. CONNELL: I understand.

3 JUDGE SPRITZER: -- did or didn't do.

4 They're a different part of the Agency or actually,
5 one of the parties who will be before us tomorrow
6 defending their position. So if you want to -- but if
7 you want to put comments in the record of this public
8 hearing, we can still take them I think.

9 MR. CONNELL: For how long?

10 JUDGE SPRITZER: I don't know that we have
11 an express deadline but the sooner the better.

12 MR. CONNELL: Okay. Is a week's time
13 reasonable?

14 JUDGE SPRITZER: I think so.

15 MR. CONNELL: Very well, I'll submit it
16 then. Thank you for your time.

17 JUDGE SPRITZER: You're welcome.

18 (Applause.)

19 JUDGE SPRITZER: Well, we do have a little
20 time left. Does anybody else want to be heard? We
21 have a lady in the back.

22 MS. KAPLAN: Yes. Hello, my name is Fran
23 Kaplan. I've lived with my family here for 44 years,
24 love this community. I am a supporter of C-10, and I
25 just want to thank everyone that spoke with their

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1 concerns. I'm not going to bring up a scientific
2 concern. I think people have shared that, but what I
3 wonder about is we protect ourselves and our property
4 with insurance policies. Monetary values are assigned
5 to compensate us in the event of loss of our most
6 valued physical possessions, our homes, health
7 insurance tries to compensate us in the event of
8 disease. If there's a high level of confidence by the
9 NextEra Plant and the NRC and your Board for
10 licensing, is there a dollar figure set aside to
11 compensate all the people that would lose property and
12 health in the event of a disaster happening, even a
13 small scale one that would cause us to have to leave
14 our homes? I've never heard about such a fund, so I
15 really would like to know if there is such a thing,
16 because that's the way the world operates. We operate
17 on risk, and we operate on monetary presumed, you
18 know, amounts tied to that risk, so thank you.

19 JUDGE SPRITZER: Sure. To answer your
20 question, there is a statute called "The Price-
21 Anderson Act that requires nuclear power utilities to
22 contribute to a fund. I'm not an expert on it as
23 we're not hearing about that this week, and we don't
24 here contentions about that ever to my knowledge, but
25 there is a fund. You might -- you can probably do

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1 research online and find out more about it than I
2 could tell you.

3 MS. KAPLAN: I would really appreciate
4 knowing that and to the scope, as you heard from one
5 of the physicians -- that it could involve a distance
6 of up to 50 miles. So I really would like to know if
7 that fund exists and what they propose. Thank you.

8 JUDGE SPRITZER: Thank you. All right.
9 Do we have anyone else? One more. Yes, sir.

10 MR. FITZSIMMONS: Peter Fitzsimmons, 45-
11 year resident of Newburyport, so I was here before the
12 nuclear power plant. I don't want to beat it to
13 death, because others have already talked about it,
14 but my biggest concerns are how the decision actually
15 gets made in whether to move forward or not. You see,
16 I have very little trust, faith in our regulatory
17 institutions. I think someone already mentioned the
18 737 disaster. Clear failure of one of our regulatory
19 institutions as well as corporate greed. A worse case
20 came up 10 years ago, just as I retired, and that was
21 the 2008 great financial collapse destroyed \$28
22 trillion in wealth within a matter of a month. Again,
23 at least five U.S. Government regulatory agencies
24 didn't do their job.

25 And the thing is no one was punished. I

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1 don't think anybody will be punished or see anything
2 other than maybe a demotion for the 737. These are
3 decisions made by people we don't even know,
4 bureaucrats who will disappear into the woodwork and
5 if something happens 20 years from now or 10 years,
6 they're not going to be around. That's my biggest
7 concern.

8 I have a background in engineering. I
9 have master's degree in electrical engineering. I'm
10 a 10-year member of the IEEE Power Engineering
11 Society, although I've never worked in power. Most of
12 my life, I worked in telecom, but I do have -- I feel
13 I'm unbiased in the sense that I see the advantages of
14 nuclear power, particularly given climate change or
15 global warming as I prefer to call it. It may be at
16 least a temporary solution to that.

17 So I'd like to see this go through if it's
18 absolutely safe, but as I said, I don't have much
19 faith in current regulatory agencies. Thank you.

20 JUDGE SPRITZER: Thank you.

21 (Applause.)

22 JUDGE SPRITZER: All right. Is there
23 anyone else who has not spoken?

24 MR. LYNCH: Hello. My name is
25 Bill Lynch. I'm also an electrical engineer, a

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1 graduate of UMass Lowell with expertise in renewable
2 energy with a doctorate degree. I'm currently working
3 on -- at MIT on studying energy storage devices,
4 batteries, although my opinion is my own and not
5 specifically representing MIT.

6 I agree with the previous gentleman in
7 many respects. Nuclear power is an extremely large
8 source of clean energy. I haven't personally studied
9 the ASR issue that much, but I understand it could be
10 serious, and it should be studied in an unbiased
11 manner. But if the plant can be operated safely,
12 which seems likely if enough care goes into the
13 maintenance, it's a huge source of clean energy and,
14 therefore, can mitigate climate change.

15 And I like solar energy very much and wind
16 energy and other renewables. I studied those. I've
17 participated in solar car races, and I like people
18 learning about those technologies. But it also takes
19 a lot of them to replace a nuclear power plant. Some
20 offshore wind is planned. It would take hundreds of
21 large 10-megawatt offshore wind turbines that could
22 take a long time to be installed to replace that clean
23 energy as well as to make that intermittent energy
24 acceptable to utilities, large amounts of batteries.
25 Some prototype systems set up a Tesla in Hawaii, I

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1 recall about, had four hours of battery storage, four
2 peak energy hours of battery storage for PV systems.
3 That's a lot of batteries, and it is not that it's not
4 doable, but it's a lot, and we are doing it, and we
5 should be doing both.

6 PV panels, it could take millions of PV
7 panels to replace a nuclear power plant, and they are
8 being put in. But again, I think we should be doing
9 both and as long as it's safe, I don't think it should
10 be prematurely closed. Thank you.

11 JUDGE SPRITZER: Thank you. Does anyone
12 else want to speak that hasn't?

13 MR. MOYER: My name is Herb Moyer. I'm a
14 47-year resident of Exeter, New Hampshire. I've been
15 involved in the Seabrook licensing hearings as a
16 member of the Seacoast Anti-Pollution League since
17 they were first run at the high school where I taught
18 in Hampton, New Hampshire in the early 70s. I have
19 very jaded experience with NRC decisions, and I'll
20 give you one example.

21 As part of some of the ASLB hearings in
22 the 70s, we came upon an administrative law judge
23 named Helen Hoyt. The utility, then public service
24 company, was supposed to have done a certain technical
25 correction. They hadn't done that and my organization

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1 has been through legal proceedings to -- for -- since
2 1969 really to work in opposition to the construction
3 permit, the licensing permit, and certainly the
4 license extension. And I estimated we probably spent
5 half a million dollars on legal fees just to get our
6 point considered seriously by various NRC entities.

7 In that administrative law judge Helen
8 Hoyt situation where the utility was supposed to have
9 done X, they didn't do it, and we requested why, why
10 have you -- why has the utility not done that fix.
11 Her response -- and I will never forget this -- her
12 response was, "The utility's commitment to comply was
13 evidence of compliance." Obviously, that can't stand.
14 That's irrefutable evidence that the game is rigged.

15 We've been involved in a variety of NRC
16 hearings. I'm not optimistic that we will get any
17 satisfactory answers from the ASLB or from any NRC
18 entity. When we proposed our contention on reliable
19 alternative energies about five years ago, the NRC
20 wasn't listening obviously, and the courts weren't
21 listening, and I doubt that they're still doing it.
22 I'm concerned that the so-called science that the
23 Texas consultant is doing regarding ASR. This is
24 being done in the dark. There is no opportunity for
25 comment on the techniques if it's not being made

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1 available to the public. How can you have a
2 scientific analysis that's done fairly when you don't
3 know all the parameters of that technique that was
4 being done?

5 So I'm in the camp with the Dr. Victor
6 Saouma that what the Texas utility is doing -- and
7 these are not his words, these are my words -- is
8 really junk science. So we expect to have reliable
9 scientific techniques done on things throughout our
10 government. If they're not, we're going to find there
11 are problems. So my feeling is the NRC pretends that
12 it's listening to the public; however, the extensive
13 record of NRC rulings is replete with evidence to the
14 contrary. History will show that the people who are
15 involved in making such decisions were putting the
16 public in harm's way.

17 Dr. Gregory Jaczko is correct. Nuclear
18 power is a dying technology. Why don't you let it die
19 a dignified death instead of being linked with
20 decisions that have put the public at greater risk at
21 loss of health and property? There will be another
22 nuclear accident in the U.S. I'm convinced of that.
23 I hope you have factored that into your moral
24 calculus.

25 And just in response to the woman that

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1 raised the issue of insurance liability, I'm in the
2 insurance industry and obviously, from 1957 forward,
3 the nuclear industry took very little, if any,
4 responsibility for any damage that it would do. That
5 was what the Price-Anderson Act did in 1957. It took
6 the utilities off the hook for any liability and
7 casualty damage that was done, and they now contribute
8 so many million dollars, and I don't remember the
9 figure, but Dr. Jaczko, at a recent presentation, told
10 us that the amount of money available to deal with any
11 major technological hazard is about \$20 billion.
12 We've now seen Chernobyl and Fukushima cost in the 2
13 to \$300 billion right now. So, all you property
14 owners, check out your liability policy. You have no
15 protection. It's going to be the public that will be
16 put at risk financially for any accident. I urge you
17 to consider all these wonderful comments that people
18 have made seriously. Thank you very much.

19 (Applause.)

20 JUDGE SPRITZER: Thank you.

21 MR. CUSHING: My name is Renny Cushing.
22 I'm a State Representative from New Hampshire. I'm
23 from the Town of Hampton. A portion of the atomic
24 plant is in my district. I apologize for being late.
25 I'd signed up earlier. I appreciate --

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1 JUDGE SPRITZER: That's all right. We're
2 glad to have you.

3 MR. CUSHING: And my comments, I'll keep
4 them brief and to the point. My background with the
5 plant goes back to when I was in high school,
6 Winnacunnet High School, and there was -- the
7 announcement was first made that there'd be an atomic
8 plant built on our state's precious 18 miles of
9 seacoast. In 1972, I testified before the State Site
10 Evaluation Committee here, and which gave the states
11 permission to proceed with the licensing before the
12 Atomic Safety and Licensing Board.

13 And what I recall from that, the promises
14 that were made, the representations that were made
15 back then have nothing to do with what we're seeing
16 now. My perspective of the current situation with ASR
17 at Seabrook is that I don't understand how it is that
18 we could have gone through the process of constructing
19 an atomic power plant that now 30 years later has ASR,
20 has the concrete cancer that seems to be besetting the
21 plant.

22 I don't know how come -- and I've never
23 had anyone be able to explain to me how is it that
24 Seabrook is distinguishable from every other atomic
25 plant in the United States as far as I know, is the

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1 only one that has ASR. I know that the promise that
2 the state made -- the owner of the Seabrook Plant, the
3 builders, was that the plant would operate for 40
4 years. A license was granted. A certificate of site
5 was granted by the Site Evaluation Committee
6 predicated upon a 40-year operating license. It was
7 also predicated upon a prompt dismantlement. It was
8 also predicated upon not storing high-level
9 radioactive waste. It's turned now into kind of a
10 nuclear waste dump. We've got the dry cask storage
11 that are there. Never received permission from the
12 state to do that, simply went to the NRC.

13 I would ask you to just please let the
14 Seabrook license expire and just waste -- don't devote
15 further time. I think ASR is a compelling reason to
16 close it right now. Thank you.

17 (Applause.)

18 MS. CARR: My name is Victoria Carr, and
19 I'm a 40-year resident of Newburyport. I remember
20 picketing on the lines up in Seabrook with a lot of
21 other people here, and I also -- a friend of mine,
22 good friend of mine had a couple of friends who worked
23 at Seabrook, and I still remember the parties and some
24 of the comments of those people. And I'm sure
25 probably other people here have done the same thing

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1 where they would talk, laugh about going in blitzed,
2 particularly on a Monday, and they would joke about
3 the -- how they covered up things.

4 And at the time, my sister was working as
5 an accountant for nuclear designer for plants, but he
6 only worked in Europe. And we used to have these
7 awful arguments about Seabrook and about nuclear power
8 in general. And he kept on saying, "it's very safe,
9 they had very stringent criteria in terms of
10 construction, they had maintenance, and of the
11 plants," but he was talking about European plants.
12 And several years after Seabrook was built, he
13 contacted me and said he was really sorry for all of
14 the putdowns that I had gotten the times that we had
15 talked, and he said from what he has heard from the
16 industry, that he could see my concerns about
17 Seabrook. And he didn't talk about the other plants
18 in the United States, but he did say that he thought
19 based on things that have been documented and
20 discussed in the industry, that we had every right to
21 worry about the future of Seabrook. Thank you.

22 JUDGE SPRITZER: Thank you.

23 (Applause.)

24 JUDGE SPRITZER: All right. Has everyone
25 spoken that -- we have more.

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1 MR. McLAUGHLIN: Evening, folks. It's a
2 real honor to be here with some of the people that
3 you've heard from tonight. I'm very familiar with
4 some of them and the very distinguished service that
5 they've given to their community over the last 40 or
6 50 years. All have been true heroes to me the way
7 they put their community above everything else and
8 make tremendous amounts of social sacrifice in the
9 name of the clamshell and what have you.

10 My name is Dave McLaughlin. I live in
11 Derry so I'm well within that 50-mile limit that we
12 talked about. But I did live in Newburyport during
13 the construction of the plant, and I just wanted to go
14 along with what this last person said. I, too,
15 remember the stories of my friends that worked at the
16 nuclear power plant and their very uncomfortable ill-
17 at-ease feeling working there. And when they would
18 inquire of their project managers and supervisors why
19 they were pouring concrete in below-freezing weather
20 when they had never worked for a housing contractor
21 that would pour a foundation in the wintertime, they
22 were just told that due to regulation setbacks and one
23 thing or another, these guys were under a tremendous
24 amount of pressure to be able to work within the time
25 restraints they had. It was very important to get two

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1 -- the space for two reactors over there although
2 eventually, sense prevailed and there's only one
3 reactor going. They were forced at that time to be
4 building the retainers for two reactors over there.
5 And they simply had to keep pouring through the
6 winter.

7 I don't know if anybody here lives in a
8 house with a foundation that was poured in the
9 wintertime, but it's my understanding it's never been
10 a particularly good idea to pour concrete in the
11 winter.

12 I hope you folks are able to take a look
13 at the construction records over there and determine
14 when that concrete was poured and go over U.S.
15 meteorological records of those time periods to see
16 what the temperatures were on those days when it was
17 poured, and perhaps there would be a little better
18 understanding of why we are very close to the only
19 nuclear power plant in the country that apparently
20 showed tremendous stress problems in its concrete.
21 Thank you. Good luck, gentlemen, ladies, and I hope
22 you people are what we would very much like to see,
23 people that are looking at your own selves, your own
24 communities, your own families when you make these
25 decisions, because we're all human.

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1 JUDGE SPRITZER: Thank you.

2 (Applause.)

3 JUDGE SPRITZER: All right. Does anybody
4 else want to speak that has not spoken already? We're
5 getting close to our -- oh, we got one more. All
6 right. I think we will make this our last, but please
7 go ahead.

8 MS. SCOTT: Sharon Scott. I came to
9 Newburyport in '72. I did leave for a little while,
10 and I've been back here for over 20 years. And I also
11 had friends that worked at the nuclear power plant,
12 and it used to horrify me some of things, but I don't
13 want to get into all that. I just want to be very
14 brief and say that it frightens me, and I find it
15 rather appalling that the age of this plant now, that
16 it's in the process of possibly being re-licensed and
17 the license will expire in 2050. That's 31 years from
18 now. I mean most of us are going to be dead, but it's
19 31 years from now, and we've got this problem that's
20 been building up -- I mean I don't really know when it
21 started, the cracking, but I just find it appalling
22 that it's got this issue now, and we're actually
23 considering letting it go until 2050, 31 years from
24 now. So basically, that's all I have to say. Thank
25 you.

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1 JUDGE SPRITZER: Thank you.

2 K (Applause.)

3 JUDGE SPRITZER: Well, I said that would
4 be the last, but she was very brief, so if anybody
5 else wants to speak, we can accommodate one more. All
6 right. Thank you for attending. It's been a very
7 interesting and informative session for us. As I
8 said, you are welcome to attend the evidentiary
9 hearing where we will really be getting into the
10 details including the 15 volumes or so of evidence
11 that we have already to consider.

12 There will be a transcript prepared of the
13 hearing. Initially, it will be kept non-public until
14 the parties have had a chance to go over it and remove
15 any protected information, but that's a relatively
16 small part of the case. And once that's completed,
17 the transcript, except for those protected parts, will
18 be made public. It should be available on the NRC
19 website, I would estimate, roughly 30 days from the
20 conclusion of the hearing, although that's not an
21 absolute guarantee. So you're more than welcome to
22 review that, and you can see what actually transpired
23 at the hearing.

24 We will, of course, issue a decision after
25 the hearing is closed. Given the volume of

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1 information we have to deal with, it will take us a
2 while, but I would estimate hopefully by January of
3 2020, we should have a decision, perhaps earlier,
4 perhaps a little later. But we will definitely be
5 issuing a decision that will be publicly available
6 except in the event there are any specific protected
7 information that's included and -- but I can't imagine
8 -- most of the decision, if not all of it, will be
9 publicly available.

10 What happens next after that, any party
11 dissatisfied with our decision can appeal to the
12 Commission. Once the Commission issues a decision,
13 any party that is dissatisfied with that decision has
14 the opportunity to challenge the Commission's decision
15 in federal court, which is usually the federal Court
16 of Appeals, either here in Massachusetts, the First
17 Circuit, or in D.C., the United States Court of
18 Appeals for the D.C. Circuit. Eventually, the case
19 could conceivably go to the Supreme Court although of
20 course, they have a lot on their plate so --and they
21 have the ability to choose which cases they do or
22 don't take.

23 In any event, we will be issuing a
24 decision and you're more than welcome to review the
25 decision and the transcript when they're available.

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1 All right. Thank you for your attendance.

2 (Applause.)

3 (Whereupon, the above-entitled matter went
4 off the record at 7:54 p.m.)

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