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UNITED STATES NUCLEAR REGULATORY COMMISSION

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MEETING NEAR ZION NUCLEAR POWER STATION ON THE NUCLEAR
ENERGY INNOVATION AND MODERNIZATION (NEIMA) SECTION

108

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PUBLIC MEETING

+ + + + +

THURSDAY

SEPTEMBER 26, 2019

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The meeting was held in the Conference Room
of the Courtyard Chicago Waukegan/Gurnee, located at
3800 Northpoint Boulevard, Waukegan, Illinois, at 6:00
p.m., Bruce Watson, Branch Chief, presiding.

PRESENT

BRUCE WATSON, Reactor Decommissioning Branch
Chief

JOHN HICKMAN, Reactor Decommissioning Project
Manager

ZAHIRA CRUZ, Reactor Decommissioning Project
Manager

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

7:03 p.m.

MR. WATSON: Good evening. We're going to go ahead and start. We're still expecting a few people; I hear traffic's really bad out there. Imagine that.

Being from the Washington, D.C. area, we don't have traffic problems; we don't move. So we do our best to get around. So anyway, welcome and thanks for coming out tonight. My name is Bruce Watson. I'm chief of the Reactor Decommissioning Branch at NRC headquarters, and I'm in the Office of Nuclear Safety and Safeguards, Nuclear Materials Safety and Safeguards at headquarters.

Our meeting purpose tonight is to obtain public comments on citizen or community advisory boards. You'll hear a variety of names, so we're going to use CABs, the Community Advisory Boards, which is what is spelled out in the Nuclear Energy Innovation and Modernization Act.

We're responding for Section 108 of that act, and that is that we're to hold 10 public meetings, a minimum of 10 public meetings, to obtain comments on the good practices of community advisory boards here in the U.S.

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So just go to the first slide, please? I want to point out that's a picture of Zion. It would probably be right before it got shut down or when it was operating. So that's what it looked like. Next slide, please?

And there's a picture that I took, I think last spring, and it's even just native soil now, pretty much with a couple piles of dirt and concrete to be removed.

This is an NRC Category III meeting. Again, we're here to obtain comments to identify best practices for establishment and operation of local advisory boards or CABs for decommissioning nuclear power reactors including lessons learned from existing CABs.

The meeting is being transcribed, and Mr. Crawley over here is our court reporter who is going to be transcribing the meeting. You'll see these types of devices around, so if you can collect the audio if you have a really difficult name like mine, like Watson, we may ask you to spell it, so he gets it correct for the record when you do speak.

With me are John Hickman; he's a project manager for Zion, actually, and a few other nuclear power plants in decommissioning, and also Zahira Cruz,

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who is a project manager on my working group that we formed to do the Section 108 work.

Zahira's a project manager for Oyster Creek, locally here Dresden 1, and Peach Bottom and is now taking on San Onofre, so she's got a full plate.

If anybody else in NRC would like to introduce themselves?

MR. PELTON: Yes, just real brief. David Pelton. I'm a director of nuclear materials safety from our regional office. I've been in the nuclear oversight business for about three years. A lot of that time was in reactors. Actually the first picture you showed of Zion, I was inspector there back in the '90s, I was an operating reactor inspector. Now I have responsibility for managing the inspection staff to assure that the space where Zion once was is appropriate for release for unrestricted use. So I'm pretty proud of being able to be a part of the safety message earlier in the '90s and continue that through today through decommissioning. So thanks, everybody, for coming.

MS. CHANDRATHIL: I am Prema Chandrathil, public affairs officer for Region 3. Thanks for coming.

MS. LEWMAN: I'm Shelbie Lewman, I'm regional counsel for the Lisle, Illinois office for

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NRC.

MR. EDWARDS: Rhex Edwards; I'm one of the senior inspectors in Region 3 that inspects decommissioned Zion station.

MR. WATSON: Okay. Thank you. As far as our meeting safety procedures, we have a fire alarm out the doors. You can go outside, get to the parking lot and wait for the fire trucks to arrive. Other than that, not much else to talk about as far as safety goes.

I'm going to do a short NRC presentation.

I have the list of people that have requested to talk, so we'll go in order of the standard NRC Category 3 meeting. We'll ask any elected officials who want to be recognize or provide comments.

And then we'll also ask about Native American tribes, and then if there is anybody from the Citizens Advisory Board here from Zion to speak first, and then we'll go to public comments.

Based on this list of, I guess it's six people, we can probably give you 10 minutes to talk, and then we'll open it up to anybody else that -- just like talking after that, who didn't quite want to when they first got here.

So we've got to be done by 9:00, so we have to hold that because that's what the contract says from

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the hotel. So we have plenty of time.

So let's go to the first slide here. I just want to point out to you a couple of things. The NRC has a lot of decommissioning experience, and I call it extensive because we've decommissioned probably more sites than any country in the world.

We've done 10 nuclear power plants. Obviously, when Zion is finished next year and we terminate those two licenses plus the one at La Crosse in Wisconsin and one in Humboldt Bay in California, we'll have done 14. That's almost twice as many as other country has done in the world.

Along with that, though, we've also done 70 research reactors and complex material sites, and the important part of that is that all of those sites have been released for unrestricted use. So we're expected Zion and all the rest to be released for unrestricted use, which means the owner can do whatever they want with the property for whatever purpose after we terminate the license.

So it demonstrates that it meets our radiological criteria for being released from the NRC license and then any other issues that happen to be with, like taken by the state, would also be addressed by them.

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But I just want to make sure that everyone understood that decommissioning is not new to us. Obviously, you've been with Zion since about 2010 when they decided to go into decommissioning, and you can see that it does happen.

The other point I'm going to make is that since all the sites so far have been released for unrestricted use, meaning the owner can do anything with it, there is no NRC requirement to have a citizen's advisory panel. It's only if the licensee is going to request a restricted use for the site that we would require one, because obviously they're leaving radioactive material behind; therefore, the community ought to be involved in that process.

So if it's unrestricted release, we don't require it, but we do encourage it. We encourage the licensees with the states or the local communities to form those, and so that's what Congress wants us to find out: What are the best practices from the ones that are out there, and what lessons learned that we can glean from the ones that, like, Zion, are finishing up? So that's the real purpose of our meeting, again.

So with that, next slide. We've also done some decommissioning here in Illinois. This is the University of Illinois Research Reactor. John

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actually was the project manager for that, and that was completed, I think, in -- we're not rehearsed on that, but it was done in about 2010, I think.

It's also a site that has been completely had all the radioactive material and had the license terminated. It's in the middle of an engineering complex at the university, and so they wanted to use it for a different purpose and build a new budget on it.

Next slide, please?

PARTICIPANT: Which university?

MR. WATSON: University of Illinois.

PARTICIPANT: Which one?

MR. WATSON: Champagne-Urbana. Next slide, please?

So let's get back to that NIEMA, the Nuclear Energy Innovation Modernization Act, Section 108 was issued on January 14th, 2019. It says that the Commission shall submit to Congress a report identifying best practices with respect to the establishment and operation of a local community advisory board or CAB to foster communications and information exchange between a licensee planning for and involved in decommissioning activities and members of the community that the decommissioning may affect,

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including lessons learned from such boards in existence.

So that's directly out of the law, so that's our exclusive purpose here tonight. I understand some of you may be passionate about other nuclear issues, but this is the topic tonight. We'd like to keep it on that topic, please.

You can provide comments to us by November 15th. We've been out doing public meetings here for the last six weeks, I think it's been, and we've got numerous ways to do that via our website, the NIEMA website. We'll have more information on that. You can do it through regulations.gov website or by letter or by email.

So let's go to the next slide, please? So what is a community advisory board? It's an organized group of citizens interested in safe decommissioning practices and spent fuel management at a decommissioning facility.

The sponsor is usually a local licensee or mandated by state legislature. There is a third one now; up in New York the local community has formed one with the local mayor as the chairperson. We're going to be going there next week, so we're going to be interested in seeing how that's going. Just to let

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you know, but they normally have a sponsor.

Composition typically includes local community leaders and elected officials, sometimes state representatives and, of course, members of licensee's staff. And then again, most CABs have a governing charter to establish the roles and responsibilities.

Next slide, please? So, what do they do?

Well, they review licensee's plans for decommissioning; they provide insight into potential impact on the local community. They provide an opportunity for public education on decommissioning.

They can make recommendations to state officials. They can provide input on site restoration, plans for future use of the site and, of course, economic development. So there's a variety of things they can do; it doesn't mean they all do that, but these are what we see from the charters.

Next slide, please? So our report to Congress, the content of that will provide a description of the decommissioning CAB, decommissioning topics, their recommendations to inform the decision-making process, CAB interactions with the Commission and other federal regulatory bodies. So how they interface with us is an important factor of that and, of course, to

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support the board members' overall understanding of the decommissioning process and promote dialogue between the affected stakeholders and the licensee involved in the decommissioning activity.

And of course, how a CAB can offer opportunities for public engagement through all phases of the decommissioning process.

Next slide, please? The report will contain CAB membership composition, selection process and terms; when was the CAB established and the frequency of meetings, which all of these can be good practices; specific logistics required to support a CAB, and of course, other identified best practices or activities.

So, next slide. How can you submit your comments? Well, at public meetings such as this one.

You can fill out the NIEMA questionnaire; we have copies of those on the table there, or you can do it online at this webmail address. We'll be leaving it up for you to write that down instead of trying to write it down quickly here.

You can do it electronically to the federal rulemaking website, regulations.gov. Look for this docket number, NRC-2019-0073-001 to get it to the right spot. You can scan and complete the questionnaires

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and email them to our NIEMA108.resource@nrc.gov, or you can mail the questionnaires to Kim Conway, who is one of my project managers at our headquarters, and that's her address right there.

Next slide, please? Now, we placed this website so it's easy to find on our homepage of the NRC public website. Under this area right here you'll see an area called Spotlight. So if you go to that and click on Community Advisory Board Meetings, it will take you to the website. That's about as easy as you can get, I think, instead of trying to find it by putting in that long email address or web address. So hopefully that's useful to you.

Next slide, please? You can get additional information from our Office of Public Affairs. Dave McIntyre is one of our headquarters public affairs officers, and that's his phone number.

And of course, you can get it through this email at NIEMA108.resource@nrc.gov.

Next slide, please? Oh, those two pictures were -- this is them moving the spent fuel at Zion, and then you can see here where they're demoing the containments, which area all gone.

Next slide, please? So let's summarize. Our purpose is to obtain public comments on the best

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practices for community advisory boards for decommissioning sites. As far as ground rules, we're going to ask that you speak clearly and into the mic.

Mr. Crawley may ask you to spell your name.

But based on the six people we have signed up to talk, you can have 10 minutes, no problem. There should be plenty of time to get any ideas and concepts across to us.

So with that, our --

MR. REILLY: Is it possible in the context of this presentation to indicate whether the NRC to date or in the future will be approaching the citizens advisory boards that might have been in existence for the previous 14 decommissionings? Could you be doing that other than an --

MR. WATSON: Let me answer. We've already been -- we already have speakers from Maine, speakers from Yankee Rowe; was there another one? There was one associated with Yankee Rowe and one from Connecticut Yankee. So we got the major ones that were in existence before.

Not all sites have them, though.

MR. REILLY: May I ask, it is just for clarification. Was that in a public meeting like this, or was --

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MR. WATSON: Yes, yes. It's in the transcript.

MR. REILLY: -- interviews or any staff engagement with those folks?

MR. WATSON: To answer your question, it was in a public forum just like this. We invited them to speak. They were given an amount of time, actually more time than most people, to talk about their particular CABs at their sites, okay?

As far as addressing community advisory boards, the NRC is available and has been to many community advisory boards when invited to come speak.

We've also had our inspectors attend many of the boards to observe and answer any questions that people may have.

So it's just a matter of knowing when they are, and if it coincides with an inspection or specifically, I know I've been to San Onofre a number of times to talk at their citizens engagement panel.

I've been to Vermont and Yankee to talk with what they call the nuclear decommissioning citizens' advisory panel. I've also spoken at Pilgrim twice, and Indian Point I think once or twice now also. So we do go where we're invited.

So with that, let's go to -- are there any

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elected officials that would like to be recognized or make a statement? Sure, would you like to come up?

MS. HARRIS: Thank you. I am Loren Harris, I'm the Chicago director for Senator Tammy Duckworth, and I am making statements on behalf of her.

The process of engaging the public and listening to all perspectives is essential for improving our community's environmental justice and regulating the effects of power plants is a top priority.

This is both a matter of health and safety.

The causative effect of practices regarding regulation or lack thereof of nuclear power plants are felt by all members present today. As the local nuclear power plant is in the process of being decommissioned, feedback from community members will play a large role in determining how to best serve the needs of the constituents while complying with the Nuclear Energy Innovation and Modernization Act.

MR. WATSON: Are there any other federal elected officials? Any state officials? Local?

Mr. HILL: My name is Al Hill. Until four months ago I was the mayor of Zion, and I'm here representing Mayor Billy McKinney who is -- I'd like to speak whenever --

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MR. WATSON: Oh, yes. Well, you're welcome now if you want.

Mr. HILL: No, I'll wait.

MR. WATSON: Okay. Any other elected officials want to be recognized or speak? Are there any --

MR. CLAUS: Greg Claus, I'm here with Congressman Brad Schneider's office. We're just here to observe and listen closely.

MR. WATSON: Thank you for coming. Yes, ma'am?

Ms. WELTER: Quinne Welter with State Senator Melinda Bush's office, and I'm here to observe and listen as well.

MR. WATSON: Anybody else? Any Native American tribes that are here who would like to speak? Okay. With that, is there anybody from the local community advisory board that would like to speak?

MS. VAN HOOGEN: I guess I'm the only one.

MR. WATSON: Okay. I see you've prepared a lot of notes. Can you state your name for the record, please?

MS. VAN HOOGEN: Kim Van Hoogen; V-A-N H-O-O-G-E-N. I am an employee of Energy Solutions, so when I started in 2014 I was put on the ZCAB as the

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reporting secretary, and about two years after that I was made a member of the CAB.

MR. WATSON: Any comments on how the CAB operated or meetings frequencies or --

MS. VAN HOOGEN: In my early days it was four times a year, and they were held at the Zion High School. They were -- we put ads in the local paper a week ahead to let the community know they were going on, and everyone was welcome to attend.

Once Zion High School went under construction, we moved them over to our offices at the plant. We had one there, and then we have another office over on another avenue, also in Zion; we had one there.

Our speakers that we had do our presentations were always very, very well-versed and able to answer any of the public's questions regarding the decommissioning. Of course, as you know, questions went off on different tangents, and sometimes the meetings weren't as productive as they could have been.

That's all I have to say.

MR. WATSON: Okay. With that, we can go to the members of the public. Jan?

MS. BOUDART: Yes.

MR. WATSON: Jan? Yes. I was going to

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say, were you at Palisades?

MS. BOUDART: Yes.

MR. WATSON: That's what I was wondering. I know that name. Please come on up.

MS. BOUDART: Hi, I'm Jan Boudart from the Nuclear Energy Information Service. Thank you for calling this, and past and subsequent meetings and for giving me an opportunity to speak.

My understanding of the purpose of these meetings is to discover best practices for a report to an audience in the U.S. Congress and Senate.

The best practices you seek are for the establishment of a panel of individuals who will follow the various activities and expanses involved in dismantling merchant nuclear power plants, making sure of the safety of works and members of the community, and that the money involved in the various operations is sufficient for the task at hand, available and properly used.

My first comment is regarding the name the NRC has chosen for these panels. Citizens advisory board is not descriptive in that it hides the nuclear aspect of the activity and does not convey that an extensive and valuable tax base is being removed from the community.

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Because of necessity and deep concern, nuclear decommissioning citizens activist panels have existed for more than a decade now; in fact, I think a couple of decades. They have had various self-given names. One of the most descriptive is the Palisades Shutdown Campaign Coalition. The Vermont Nuclear Decommissioning Citizens Advisory Panel was formed by Act 178 of the 2014 Vermont legislature. That name explains for interested people that this is a nuclear activity; that it involves dismantling of a nuclear facility while at the same time revealing that the panel is advisory.

Personally, I don't like the word advisory, that the advice will be ignored is a heavy follow-on to that name. The panel should be called activist. The NRC, by changing the name to one that obscures the purpose of the group is attempting to take control of this activity and change its nature to fit better into the opacity that has characterized the control and sometimes out of control fission project from its beginning, the \$1.7 trillion of taxpayer money that has been spent since the project began in 1939. The \$15 billion of ratepayer money that will go to protect, the huge business layer that is called merchant nuclear power.

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The decades of incessant transport of radioactive packages on public and private vehicles of all sorts; the routine emissions of unspeakably filthy isotopes from all activities involving fission; the careless disposal of Class A, B, and C wastes in unlined or poorly-lined pits near the Great Columbia River as it rolls on and the deserts of the Great Basin; the untended, unmarked, and abandoned uranium mines that dot the American West; the tailings disposal ponds filled with uranium ore whose release into the Puerco River in 1979 rivals or exceeds the accident at Chernobyl.

All this and more has been obscured from public view and that secrecy is furthered by the purpose hidden in the name, Citizens Advisory Board.

What organization is it a board of? For example, using a name change to control and determine the character of an organization I want to talk about an elementary school in San Rafael, California. The school was named Las Gallenas, which means chickens.

But about 15 years ago when my grandchildren were attending that school, the name was changed, and the mascot became a falcon in full attack mode. It seems that it's never too early to prepare little children for success in a nation of perpetual

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war.

The NRC, by turning its back on the name already used, is attempting to take control of the panel and change its mission. I personally reject the change in name and hereby submit a definite ask: that the NRC revert to the name Nuclear Decommissioning Citizens Advisory Panel. It is more descriptive and more in line with the hard work and passionate caring about the fission project that U.S. citizens have shown for many decades.

Along with the name change, the NRC has adopted a common term for the people who will be on the panel: stakeholders. Stakeholders is loaded with the implication that those who have risked the most money have the largest stake and should be more equal than the less well-to-do members of the group.

The problem is, every person, rich or poor, young or old, male, female, and everything in between, is a stakeholder. But I am not speaking of the money stake. I speak of the influence nuclear fission asserts on the bodily health of the individuals in its horizon.

Looking at it this way, women have a bigger stake than men; children have a bigger stake than adults, and those in utero and yet to be born have the

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biggest stake of all. It is young parents and old grandparents who must speak up for them.

Thus there must always be at least one couple with small children included in any NDCAP now and in the future.

In addition, more women than men should be chosen for the panel because the effect of radiation upon them is greater. In addition, best practices indicate that members of the panel be paid as the staff at NRC is paid for their time and transportation to conveniently placed meetings.

Especially because young people with growing families must be encouraged to participate by mitigating the cost of their activism. The meetings should be held in a central place that is easy to get to.

Getting to this meeting, for example, required us to drive. Taking the train was not feasible because bus service from the train to this venue is not frequent and not very well-explained online for those who might inquire.

Marriot has no shuttle to the train station so people coming from Chicago have little choice but to drive. Part of the reason we are here is that Zion, Illinois -- is that in Zion, Illinois, 61 casks of spent

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fuel are hanging up, bowling alley style, near the beach of Lake Michigan where Chicago and all surrounding cities get their water.

Water is life. If the meeting were held in the College of Lake County, Waukegan Lakeshore Campus which is close to the train and the NRC provided the shuttle from the train, we could have done better advertising for this event and more people would have come because many were interested.

Also, I cite a document NEIS submitted to the NRC why Chicago would have been a superior venue for this meeting. Many more would have come if Chicago had been your choice.

One last thing: I called NRC hoping to use the projection technology that has been evident here today, but only NRC officials used it. The NRC invited me to produce multiple copies of anything we wanted to pass out to people in the audience. In other words, we could go to the expense and trouble of producing materials because the projection equipment was only for the those who were doing more prestigious presentations than the ones coming from the floor.

The inequality of resources for our presentations is unfair. If you can project figures and talking points, then this should be provided for

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all of us. Again, I thank you for listening to my views on this subject, and I urge you to choose the name Nuclear Decommissioning Citizen's Advisory Panel. But the name I really liked is Nuclear Dismantling Citizen's Activist Panel.

And to allow those citizens with the biggest stake in the outcome of the nuclear fission project either be women and those who can speak for children and the unborn to have leadership positions on the panels.

MR. WATSON: Thank you very much.

(Applause.)

PARTICIPANT: With that said, is there a reason for that to stay on?

MR. WATSON: We don't have to.

PARTICIPANT: Because people are standing in front --

MR. WATSON: Oh, yes, yes. I see that now. Thank you. I just wanted to make sure everybody got a chance to write down that long website if they really wanted to do something --

MS. BOUDART: It's online.

MR. WATSON: Yes, it is. While Zahira is getting that, Mr. David Kraft? Do you want to come on up and get ready?

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MR. KRAPT: My name is Dave Kraft, K-R-A-F-T, and I'm director of nuclear energy information service based in Chicago, and I want to thank you for the opportunity to make these remarks here tonight.

NEIS just had the opportunity to witness firsthand the entire process regarding the decommissioning of the Zion Nuclear Power Plant, going back as far as 2008, actually. This observational window gives us a unique perspective into the various aspects of decommissioning including and perhaps especially the conduct of the Zion Citizen Advisory Panel or ZCAP.

Based on these observations -- and at this time I want to bring up five broad points, then I'll fill them in with details. So let me get them up first.

The first point we want to make is that in our impression from the outside looking in the Zion ZCAP was a failure and represents a model to be avoided.

Second: advisory boards are insufficient and inadequate for the public's purpose. Third point: the characteristics of an effective public decommissioning authority -- I'll go into some detail what we think those should be -- and then the last two points are actually comments on the NRC itself.

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The first is, the reputation that the agency has for taking advice; and the second point we would make is the notion of what a safety culture entails that the NRC itself has been promulgating over the years.

So back to the first point about the ZCAP.

There was a creation of a contract with Zion Solutions, ostensibly to conduct information flow between the company's progress on decommissioning and the public.

As such, its purpose was to represent and assert the needs and interests of the company, not those of the affected community of Zion and the public. Admission to ZCAP was controlled by the company, not necessarily by the community. There were several members of the general public who petitioned to become members, including representation from NEIS. Despite having more nuclear rate expertise than any of the sitting people on ZCAP, we were all rejected as participants.

The ZCAP was never funded. It was comprised of volunteer participants selected by Zion Solutions and had no ability or funding to solicit outside technical advisory expertise.

While operated by well-intentioned and significant community representatives and fixtures,

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no one on the panel had any depth of experience or specific credentials regarding nuclear power and waste, reactor decommissioning, structural engineering, major contaminated site remediation, and radioactive waste transport.

Therefore, without a budget and critically required expertise, the ZCAP could only accept at face value any information that Zion Solutions presented.

The information flow between Zion Solutions and both the ZCAP and the observing public was inconsistent at best, non-existent at worst. The public website was not updated regularly; requested information was not always forthcoming or provided in a timely manner.

Some requests were outright ignored by Zion Solutions until forced by outside authorities such as the Illinois Attorney General's Office. Just on a lark, I went to the Zion Solutions website today, and I looked over the representatives of the ZCAP, which includes Representative Sherri Jesiel. Are you here tonight? She's been out of office for a year.

Also, Larry Booth was the community outreach person from Zion Solutions, and I don't know think he's been in their employ for at least three years.

This gives you an idea of the ability of the public

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to find out what was going on at that site based on their website.

So in conclusion, the Zion ZCAP ended up providing the illusion of public participation without much of the needed substance, at least from the standpoint of the Zion community and the general public.

It was checkbox exercise designed for Zion Solutions and the NRC to point to as evidence of public participation while largely ignoring legitimate concerns raised by members of the community and the extended public.

Point 2: Advisory boards are insufficient and inadequate. It's our conclusion after witnessing the ZCAP situation and hearing of similar scenarios in other reactor sites around the country, that citizen advisory boards are inadequate in representing and protecting the interests and concerns of the communities around decommissioned and operating nuclear reactors.

They provide PR cover for contractors, utilities like Exelon, and the NRC who can then disingenuously say that they are involving the public without having to commit in any meaningful way to addressing or resolving the legitimate concerns presented at these CABs.

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As we will demonstrate below, CABs are useless simply because they are advisory in nature. Advice can be, and repeatedly has been, ignored by contractors, utilities like Exelon, and the Nuclear Regulatory Commission over the four decades of nuclear power operation and the 10 years of design decommissioning.

What is needed is creation of an independent, funded, transparent public entity that first and foremost represents the needs, interests, and concerns of the local affected communities; communities like Zion, like Covert, Michigan at the Palisades reactor; not those of the contractors, utilities, and the NRC and secondarily, those of the general public, independent of the decommissioning contractors and related utilities.

These decommissioning stakeholder authorities, rather than CABs, would have just that: legal, regulatory authority and funding to oversee and have binding impact in effect on the decommissioning process occurring in their backyards.

So I want to list a few characteristics that we think should be in a public decommissioning authority. First, the formation and membership should be independent of the local decommissioning contractor.

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Second: decision-making representation should primarily be selected from the local community, affected general public, and people with relevant expertise. Advisory representation would consist of one person from the contractor and the Nuclear Regulatory Commission.

Funding to conduct operations as necessary, also meetings and the need to contract an outside, independent expertise and consultants of their own choosing, not of the company's choosing.

And finally, the public decommissioning authority should be able to make recommendations to NRC and contractors on the site to give decommissioning process and receive written, documented explanation for acceptance or rejection of recommendations.

Second: they should request and receive in a timely manner for the decommissioning contractor and NRC any information, documentation, and responses to inquiries and have access to all pertinent documents from NRC, the utility, and decommissioning contractor.

They should have the authority to convene and conduct public meetings and presentations relevant to decommissioning. They should request and receive intervention in the decommissioning process from the appropriate state, federal, and NRC officials on

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matters of interest to the community.

Now, the last two points relate to the Nuclear Regulatory Commission, and I'll state out of the box here, this is in no way addressed to any of the individuals in this room. This is a 38-year critique of the agency that has been supposedly charged with regulating the nuclear industry.

You have a long and deep standing reputation for ignoring advice. The major flaw of the CAB concept is that it is strictly advisory in nature and regrettably, the Federal Nuclear Regulatory Commission has a long and egregious failure to act on advice given to them, even from their own staff and their own peers.

Because of this obvious, easily-documented, and less than stellar track record and unresponsiveness to public concerns, there's no rational or credible evidence to indicate that the creation of CABs will magically result in the NRC taking any of their advice.

I'll just tick off a few examples of this.

In 2002 over a hundred environmental organizations gathered in New England to talk about a concept of storing radioactive waste, the hardened onsite storage concept. That process has been advocated over and over

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again within the states before the NRC at the federal level in 2008 before there was a stake stuck in the ground up in Zion.

We wrote and suggested that the hardened onsite storage be considered, especially for Zion, which is under the flight path of over 1,000 outgoing flights, fully loaded, fully fueled, from O'Hare Field every day. It's a special case that, as you can see, that advice was ignored.

Meetings that we were involved in face to face with NRC Chair Dr. Gregory Jaczko, NRC Commissioner William Magwood IV at the Palisades reactor, and then in 2016, I believe, with a core team with NRC Chair Allison Macfarlane talking about decommissioning issues. All those conversations were for nothing. We see no evidence that anything we brought up and groups that were involved have been addressed or resolved in any way.

Subsequent to the Fukushima nuclear disaster the Nuclear Regulatory Commissioners rejected the advice of their own allegedly highly-competent professional technical staff and their recommendations to install critical safety enhancing changes for the GE Mark 1 reactors.

And finally, as late as January of this

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year by a three-to-two vote, the Nuclear Regulatory Commissioners rejected a recommendation from their own senior staff to require reactor owners to recognize the hazards created by the new climate reality and fortify their plants against real world natural hazards such as flooding and seismic events.

So these are just examples of the ability of the Commission to accept the advice from the public at all levels. So our conclusion is this: CABs are useless because they are advisory and they should be adopted. What you need is to create and fund local, independent, transparent decommissioning stakeholder authorities with the authority to oversee decommissioning activities and represent the interests of the local communities.

These should be independent of the contractors and utilities and of the Nuclear Regulatory Commission.

My last remark is simply on the issue of safety culture. We brought this up in Michigan when we went to the first meeting in Palisades. I was at a meeting when NRC staff was really going after the then operator of the Palisades utility, saying they didn't have a safety culture.

And it was then NRC's Region 3 director,

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Chuck Casto, who described a safety culture as going beyond what's required; not merely checkbox requirements, but doing more, and that the NRC expected the utility to have that attitude in engaging in safety.

Well quite frankly, we don't know that the NRC has that attitude incorporated in its day-to-day operations, and how you write your report, your report to Congress, will either prove me wrong or prove me right.

If this is just a checkbox exercise that you're going through so that you can satisfy a congressional requirement, well, that's the way the NRC has been operating.

If you see that an adequate safety culture is going beyond what's required, then we hope to see some of the recommendations made here and at the other dozen or so sites around the country, recommending to the agency that it start reforming itself on decommissioning. Thank you.

MR. WATSON: Thank you for your comments.

(Applause.)

MR. WATSON: Gail Snyder? Welcome.

MS. SNYDER: Can you tell me if this report is submitted to a particular committee of Congress? The report you generate?

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MR. WATSON: I can tell you, I think it's just sent to the Congress as any other report is. So it will go to probably every member.

MS. SNYDER: Great. My name is Gail Snyder. I serve as board president of Nuclear Energy Information Service.

As the NRC conducts these public meetings on community advisory boards, a lot of information has been discussed and shared among a variety of reactor community members across the country.

Some have had some form of an advisory committee; some did not have an advisory committee, while others are looking to form some type of citizen panel related to decommissioning.

All of these communities are in some state of pre-, post-, or current decommissioning. What has become abundantly clear from all these exchanges is that the U.S. Congress has not prioritized the citizens of the reactor communities. The Congress has not provided a legitimate pathway for local citizens and local governments or state governments to really have any meaningful authority over the decommissioning or storage of nuclear waste in their own communities and states.

This must be changed, and Congress must

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create a real mechanism for communities to know what is happening with a nuclear reactor decommissioning and have some authority over it.

Unfunded, unadvised, unstaffed, industry swayed advisory panels with no real authority to demand anything are not acceptable anymore.

It has been 45 years since the U.S. Congress established the Nuclear Regulatory Commission as an independent agency. While the NRC is independent from the Department of Energy, the NRC has not remained independent of the nuclear industry. It has become obvious to communities who work and look to the NRC to be an independent arbitrator of community and licensee differences that the communities are having with the licensee, that these communities are the last in line and given only a token level of consideration while the NRC works to facilitate the industry interests more so than protect and represent the public.

The current system of complete federal control over nuclear decommissioning and abandoned nuclear waste does not work well for communities most impacted. Until Congress takes action to change the way the NRC and licensees are required to work and respond to reactor communities, local governments and states, these hearings, as well as citizen advisory

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panels, will not be very effective in serving the public.

I ask for Congress to rectify this unacceptable situation. Thank you.

(Applause.)

MR. WATSON: Let's see here. Kathleen --

MS. RUDE: It's Rude, just like it looks.

MR. WATSON: Okay. I'm making sure there's not a -- R-U-D-E, okay.

MS. RUDE: And I'd like to invite Jan to come up. We'd like to offer a short example of one way the CAB might function if we have them here in Zion.

MS. VAN HOOGEN: This is a Radioactive Eggs and Ham, and I am the NRC.

I am the NRC; the NRC I am.

MS. RUDE: That NRC, that NRC, they must regulate greater than Class C.

MS. VAN HOOGEN: Do you like radioactive waste?

MS. RUDE: I don't like radioactive waste.

MS. VAN HOOGEN: Would you move here or there?

MS. RUDE: I would not move here or there. I would not move it anywhere. Don't move this radioactive waste. Harden it onsite, in place.

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MS. VAN HOOGEN: Would you move it to New Mexico or give Yucca Mountain another go?

MS. RUDE: I would not move it to New Mexico. I would not give Yucca Mountain another go.

I would not move it here or there. I would not move it anywhere. Don't move this radioactive waste; harden it onsite in place.

MS. VAN HOOGEN: Would you take it to Idaho? Would you take it to the Alamo?

MS. RUDE: Not Idaho, not the Alamo, not in New Mexico. Yucca Mountain's not a go. I would not move it here or there. I would not move it anywhere.

Don't move this radioactive waste; harden it onsite in place.

MS. VAN HOOGEN: Waste control specialists are in this biz. Take it, take it. Here it is.

MS. RUDE: No, we cannot take your biz. Texas does not want this for their kids.

MS. VAN HOOGEN: A train; a truck; a barge; a crane. Could you haul it on a train?

MS. RUDE: Not on a train, not through our yard, not a truck. You make this hard. I would not, could to Idaho. I would not, could not, to the Alamo.

I will not take it to Mexico, and Yucca Mountain is still not a go. I would not move it here or there.

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I would not move anywhere. Don't move this radioactive waste. Harden onsite in place.

MS. VAN HOOGEN: Would you, could you, in a borehole?

MS. RUDE: I would not, could not in a borehole.

MS. VAN HOOGEN: What if it's safe and under control?

MS. RUDE: I would not, could not in a borehole. It is not safe or under control. I will not take it on a train or on a barge; that's just insane. Not on a truck, not next to me. Not through my yard. You let me be. I do not like it in Idaho. I do not like it at the Alamo. I will not take it to New Mexico, and Yucca Mountain is still not a go. I would not move it here or there. I would not move it anywhere. Don't move this radioactive waste. Don't move this radioactive waste. Harden on site in place.

MS. VAN HOOGEN: You do not like it, so you say. What shall we do to save the day?

MS. RUDE: Stop making radioactive waste. Don't transport it all over the place. Harden on site until we find a permanent place. Perhaps this might save the human race.

(Applause.)

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MR. WATSON: Thank you. Mr. Hill?

MR. HILL: If you don't mind, I'm going to sit. I have a new knee, still recovering.

I hope you all appreciate how many times green eggs and ham things, and how many times in Zion you've heard how green we are and how we glow, so that was very appropriate.

(Laughter.)

MR. HILL: I guess the first thing that I want to say, I want to read what Dave Kraft said, and agree with his recommendation 100 percent.

What is needed is the creation of an independent, funded, transparent, public entity that first and foremost represent the needs, interests, and concerns of the local affected communities, communities like Zion, not those contractors, utilities, or the NRC. And secondarily, those of the general public independent of the decommissioning contractors and related utilities.

These decommissioning stakeholder authorities would have just that: legal, regulatory authority and funding to oversee and have binding effect and impact on the decommissioning process occurring in our backyard.

And I think one of the important things

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that any decommissioning committee, local committee and the NRC, we need -- everybody has to understand the expectations on a decommission site. For 20, 40, or 100 years. That's one of the issues that's happened to us in Zion.

Zion was gung ho to bring nuclear power.

We thought it was good for Zion; thought it was good for Illinois; thought it was good for our country. And we gave up a lot. We gave up the lakefront, recreational use of it, the economic development potential.

In return, we received \$19 million a year in tax dollars from Commonwealth Edison at the time.

So it was a tradeoff. But there was an expectation that when a decommissioning process was completed, that that facility would be pristine, back to the prairie.

There was never, ever an expectation that we would be sitting as a dump for a nuclear waste for we don't know how long. If we had understood those expectations back then, perhaps it would have been a different decision on whether Zion was going to cooperate in this process or not.

I understand that Yucca Mountain closed down, and that put a wrench in a lot of things, but I guess that's my point. And I've got some questions

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I want to ask so that hopefully when these committees are put together, if they answer these questions they will have some expectations of what's going to happen and when things go wrong.

There was never an understanding of what was going to happen if the NRC said, We can't get rid of this stuff for you anymore, generating companies. We can't do it.

So what happens? That was never discussed.

And I think somebody has to look at all of the issues that could come up on this plant and on this site for the next 100 years and the committee, this strong committee, needs to be able to perhaps bring suit to make things happen if they don't, or if something goes wrong, because the Zion community needs to be protected, and we're not right now. Nobody cares.

We talked to Exelon about having the spent fuel rods down, and they told us to go pound sand. The only people who are doing anything for us are Representative Snyder and the good Senator. So thank you very much. We do appreciate what you guys are doing in Washington D.C. We're trying to get compensated for being a host site, a storage site.

So my questions are, is the Zion site going

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to be an unrestricted site, or a restricted site?

MR. WATSON: Unrestricted land with the exception of the dry field storage area.

MR. HILL: But that's 15 feet away from that is an unrestricted site?

MR. WATSON: Okay.

MR. HILL: Okay. Will the unrestricted site be monitored at all in the future? I mean for groundwater? Is there a possibility of groundwater contamination or anything that's buried below?

MR. WATSON: Well, there's no groundwater contamination presently. There should not be any in the future, since we have verified that they have removed the radioactivity from all the different layers of structure underneath and clean soil is --

MR. HILL: That's all I asked.

MR. WATSON: I know, but there's no soil -- the contamination has been removed such that there's none to be entering the groundwater.

MR. HILL: For real?

MR. WATSON: For real, yes.

MR. HILL: And you think I'm going to believe that? There's no chance of anything going wrong.

MR. HICKMAN: Well, let me address that

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real quickly. John Hickman, by the way, from the Decommissioning Project. The site is being reduced to that dry cask storage facility. They still have to monitor any releases from that facility whether it's airborne or in the ground. So if there's any release from that facility of ground contamination, they would then have to monitor where it might propagate offsite.

So assuming there is no release from the dry cask storage facility, everything off site is fine.

But the licensee will need to maintain control and monitoring of that dry cask storage facility.

MR. WATSON: I was speaking about the area that's been decommissioned.

MR. HILL: I'm a little cynical. I'm very cynical, and I'm dealing with what we have sitting down there right now. Who will be responsible for monitoring the site? You said the licensee?

MR. HICKMAN: The licensee will monitor it. The NRC will continue to do inspections of the dry cask storage facility.

MR. HILL: Which will be Exelon?

MR. HICKMAN: Yes, it will be Exelon.

MR. WATSON: Exelon will be the licensee when the license is transferred back.

MR. HILL: Who will they report to?

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MR. HICKMAN: They're holding the NRC license.

MR. HILL: Who will they report to?

MR. HICKMAN: To the NRC.

MR. HILL: Okay. Will they report to the local community? I guess that's my point. They need to report to this committee that has some power to do something about it.

I guess my next question is, if something does go wrong, who's going to pay for it? Groundwater is contaminated; there's a radioactive leak. Who is going to pay for the remediation on that site?

MR. WATSON: It will be Exelon through their -- Price-Anderson Act and other insurances that they have for this facility.

MR. HILL: All right. Let me ask you this: it was going to be -- I'm not sure I'm going to be able to get this straight, but it's my understanding that Exelon was responsible for the -- the NRC was going to be responsible for getting the spent fuel rods out of there.

MR. WATSON: The Department of Energy actually still owns the fuel. Zion is maintaining it for them to be transferred to whatever facility DOE has for permanent repository.

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MR. HILL: Okay. But when Yucca closed down and there was no place to take it, it's my understanding that the nuclear industry sued the federal government and so they were relieved of having to contribute money to the Yucca Mountain facility while there's --

MR. WATSON: You're getting way outside my area of expertise, but, yes --

MR. HILL: Yes, but --

MR. WATSON: I'm going to respond to the -- I know that many of the utilities sued the Department of Energy to ensure they were able to get their funds back for maintaining the safety of the fuel in the future.

MR. HILL: Right, and they were successful in that. And I guess --

MR. WATSON: And I know they had a spent fuel trust fund for managing that fuel into the future and decommissioning that facility when it is removed.

MR. HILL: And prior to that happening, the lawsuit, Exelon was supposed to pay for all the fuel rods that are down there now; maintaining them, taking care of them and everything.

I guess my point is, something went wrong, and I ask you who's going to pay for it, and you said

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Exelon. And something went wrong with the spent fuel rods, and they're not paying for them anymore. They don't have the expense.

MR. WATSON: No, they're under NRC license. They're responsible and culpable for the safety and security of that fuel.

MR. HILL: I get that. But they're not paying for it. I mean, you guys have relieved them of that responsibility to pay into that fund.

MR. WATSON: No, we have not.

MR. HILL: What was lawsuit?

MR. WATSON: The lawsuit as to recoup their money back from the Department of Energy because the government, through the Department of Energy, promised to take that fuel years ago. And now they're having expenses to pay for it, and so --

MR. HILL: Right, it switched on who was going to pay. Department of Energy, I mean, help me here.

MR. WATSON: Well, they sued the Department of Energy because the Department of Energy wasn't fulfilling their responsibilities as promised.

So they sued the Department of Energy so when they incur costs for the maintenance, security, and safety of the facility, even the construction of

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it, they get their money back from the Department of Energy so the ratepayers aren't paying for it, okay?

MR. HILL: Okay.

MR. WATSON: So that's who they sued, and they get their money back usually in the form of -- they have to go back and apply to get the money back or maybe some other means. That's an area I'm not familiar with.

MR. HILL: Okay. If something goes wrong onsite, are they going to then sue and say, Now, wait a minute. The Department of Energy or the NRC or whoever was supposed to get this stuff out of here didn't get it out of here, it's still staying here. We're having trouble with it now, and it shouldn't be our cost. Who is going to pay for this, is what I want to know.

MR. WATSON: Well, it will be their cost; they have to maintain the safety and security of that fuel. The NRC is going to be there is going to be there every year to inspect it, or every other year, I think it is after a little while. But we'll be back to inspect the facility to make sure it's safe and secure.

MR. HILL: Are they going to get the money from the -- I guess I'm not --

(Simultaneous speaking.)

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MR. HILL: You're saying something goes wrong -- I'm assuming something will go wrong.

MR. HICKMAN: Exelon would have to pay for whatever the issue was at that time. Theoretically they could then make some legal argument that DOE should have taken it so DOE should pay for it. But that's a hypothetical.

MR. HILL: But that's exactly the argument they made on getting it offsite to begin with.

(Simultaneous speaking.)

MR. WATSON: So I realize you've got a lot of questions. Can we get back on the CAB issues? That's what we're here for tonight.

MR. HILL: Well, no. What I'm trying to get at is, this CAB group needs to have an understanding, there needs to be an expectation about what's going to happen if something goes wrong and who's going to pay for it because it affects the local community.

MR. WATSON: I do not know if there's a citizens advisory panel or community advisory board or whatever you want to call them associated with the dry field storage. We know there's been one from Zion Solutions for the decommissioning.

MR. HILL: Well, the dry field storage is part of the decommissioning process.

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MR. WATSON: It's separate in a way.

MR. HILL: Separate in a way, but it's part of the decommissioning process.

MR. WATSON: It eventually will be decommissioned, yes.

MR. HILL: Okay. If something does go wrong, who will determine what the remedial work is supposed to be? Who will do that?

MR. WATSON: Well, I hate to stay off-subject here, but it would be the licensee along with the cask owner, the certificate owner of that particular storage system. And that would be approved by the NRC.

MR. HILL: And I would say that we are on subject because the questions I'm asking I think need to be addressed between any facility that becomes decommissioned and the local community.

These are questions that they need to straighten out before you get into a process here, not 40 years later or not in the middle of an emergency, but prior to. And these are some of the things that I'm saying need to be addressed. I guess that's it.

I'll leave it at that. David, I like your committee.

I think it needs to have some teeth. It can't just be an advisory board, please.

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MR. WATSON: Okay.

(Applause.)

MR. WATSON: Our next person is Tom Rielly.

MR. RIELLY: Good evening. I am Tom Rielly, R-I-E-L-L-Y, with Vista 360. We're a public interest leadership organization based in Libertyville. For the record, I put a profile and my name and information with the stenographer.

First, I come with no particular condemnation or complaint, just an observation and a few comments.

Most of the problems in the world are created by people, and usually it has to do with communication. I think it's important to emphasize that this aspect with the CAB concept here, that the NRC is not particularly good at communicating with the public. This is an issue where history has to be invoked a bit.

Many years ago, Nils Diaz, who was, I believe, the NRC commissioner, put together a blue-ribbon panel commission that was to study the engagement of the NRC with the general public. That's commonly found on the website. You can look it up. There were benchmarks and also diplomatic, if you will, comments made as to best practices.

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We see the word best practices used up here, and we see that the NRC is driving towards a harvest of what these might be to be congealed into a summary document that will be delivered to Congress and hopefully get somebody's attention.

I want to get your attention first to start on one point as a comment. ADAMS, with its broad array of millions of bit, billions of bits of information inside, does not define the word stakeholder.

We've heard stakeholder used tonight. I heard it in all kinds of meetings, organizations with the blue ribbon commission. We've been to Yucca. We've been involved in all kinds of peripheral activities. We've attended every single ZCAP meeting in Zion for 10 years.

More so than anyone in this room, including the NRC, our organization was involved in decommissioning in 2007 because we saw the looming aspect of what was coming on for the Zion transaction.

Now, what the NRC really needs to do is, you need leadership. We're a leadership organization.

We're going to offer you the opportunity where we become the tip of the spear. We become the entity that channels the general public at each and every one of these sites, and we put into place what really amounts

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to a very scary term called the External Board of Overseers. Really scary, right? Federal agency over here and here's the public over here.

Now, what really amounts to -- it's built on the Harvard Model. The Harvard Model is Harvard University, Harvard College, which has been around for almost 400 years. How have they kept that institution sustainable, active, and also on the rails for its customers, its students, its alumni, and most of all its owners, the faculty?

What they do is, they bring outsiders actually in to interface with every facet of the institution. By doing that, they're almost able to create excellence inside. And what's needed really now with the onslaught of a number of decommissioning spending just through the age of plants is, it's needed more now than ever.

So we want to issue the challenge which we follow by proposal, whereby we take the lead. You obviously would have the opportunity not to avail yourself of what might come from that, but that effort external would be very strong.

It also would be very strong because it is more, I'll say, populist base of how we get to the common denominator of decommissioning and how to

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communicate.

We've had 10 years of experience in Zion, a lot more. It started with talking to our utility who keep our lights on. I'm a stockholder. I'm a shareholder. I know senior executives of the company.

The very first thing they told me is, We just hope this new model goes. We really hope it goes.

And the last thing they said to me going out the door to our group was, And you know what? The new licensee wants to work with you. I just want to tell you; wants to work with us with doughnuts and coffee one time, we've never seen a senior exhibit in 10 years.

Additionally, no person inside that company has ever contacted us. I don't want to let the NRC off the hook here, so I do want to tell you we wrote the regional director in Region 3 long before the license transferring said. We see this commonly; we'd like you to know who we are, and we'd like to work with you into the future. That letter went unanswered.

You heard from Public Affairs; guess what? We heard from Public Affairs now, 10 years later, when he sent somebody to the latest ZCAP meeting.

Now, this is 10 years. We're here in north suburban Chicago. I wouldn't say we know all elected officials. But I have never personally met any elected

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official; I've never met anybody in the county; I've never met anybody anywhere else that has talked to the NRC.

I happen to know Rahm Emanuel and I asked him one time, by the way, has anybody, has a fire marshal, did the NRC ever contact the City of Chicago? I realize we're up here in Zion, but we have eight million people in the community. No, no, no; never.

Well, guess what? In the region there's a box called Government Relations. Guess what? They never went out. There's a box, there's a box in D.C., Government Relations. No one ever contacted anyone unilaterally. Nobody ever dares to be great in this.

I'd also say too, we are grateful for what we are in Zion, that the engineering challenges have been met, that the regulations have been met, that you've been on station and addressed your regulatory mission. We really are grateful for that. And we hope it meets the final benchmark and we can get to unrestricted use and all of that type of thing.

But in this case, this really has to come together for the people of the United States, and Zion is a great opportunity to look at that. Not necessarily the feelings of what's there on the public dimension, but what was there for the largest nuclear

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decommissioning in history, one that required two license transfers in a new model which should have really raised the flag in Rockland, Maryland. We've got to be paying attention. We've got to be paying attention, and we've got to be involved with the public.

We really do.

And what has happened here, as Mr. Kraft, I think, alluded to or guessed correctly is, we have well-intentioned neighbors that weren't prepared. I've never talked to them about what they expected and where they are in the benchmark of now 10 year later.

But they need a contribution. But they were set up to start with.

And here's the real downside to that: the billion dollars that was advanced to do this project belongs to the people in this audience. And secondly, most importantly, no one in those three million are represented. You've got 10 people from the Zion area basically at the ZCAP.

In terms of the releases and other things, this is a huge issue, so a new model is needed. This model should be citizen-driven. We volunteered to take the part with out-of-pocket expenses. It should be addressed like all other projects inside the NRC but with external stakeholders so we are a bit of co-equals

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to come up with the proper model moving forward. And that model will serve everyone.

And contrary to what you might have believed when I asked the question to start with, 10 minutes of anybody's time is 10 minutes of anybody's time. I respect that you're on the road; I respect that that's the case. I respect that you've been speaking elsewhere and whatnot, but you really cannot get the feel of things and understand it unless you drill down and you are belly to belly with people.

And we would offer that plan for moving forward as an opportunity. Thank you for the opportunity to make a comment.

MR. WATSON: Thank you. Do we have any more members of the community? Come on up. He said he could wait.

MS. LEWISON: I'm not from here. I want to make sure of the local law.

MR. WATSON: Come on up. Just state your name and --

MS. LEWISON: All right. My name is Linda Lewison, and I'm a member of Nuclear Energy Information Service. We've been participating in the ZCAP meetings for the past 10 years.

From the beginning we've also attended

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nuclear regulatory briefings here in Zion. ZCAP members have always been courteous when we've asked our questions, although we were reminded that we only had three minutes.

Mr. Paxton, the chair, was always respectful. I don't see we were so limited. What difference would it make if everyone stayed an hour or so later? After all, it is we, the unwashed public, as Tom said, that are paying for the bills here. There's a decommissioning charge on our electric bills for these trust funds to underwrite the decommissioning done here.

At one NRC meeting the speaker was asked if Zion Solutions had to adhere to national accounting standards. The answer was no. The NRC just had to make sure there's enough funds to cover the cost of the decommissioning work. Otherwise they can live up to their pseudonym of Not Really Concerned.

We understand that you are here today to check off a box and are mandated to hold these meetings around the country, hear the public's comments, and send a report to Congress. We thank you for coming and giving us this attention. We hope that our comments will make a difference in future planning for CABs for decommissioning.

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Zion has been for the last 10 years the poster child for CABs to test what works and what doesn't. Here are our conclusions and recommendations.

Basically, ZCAP didn't work. This was a sham of a public process as other speakers have already mentioned. Ostensibly, the people chosen to serve are members of the public. They were local professionals and business people, and they didn't have expertise in decommissioning.

There was no real way for them to have oversight and transparency in financial matters because there were very few numbers given out.

Nuclear Energy Information Service met with the AG's office several times during the past 10 years and asked the AG to look into the matter of public trust funds of almost a million dollars not having any fiscal oversight.

As a result, two things happened: Zion Solutions, on one occasion, gave the AG a four-page audit report of finances; and number 2, Representative Joyce Mason was able to pass a bill -- it was passed this session -- that required some type of financial report to be filed.

This is not acceptable, so our first

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recommendation is that we need public oversight including transparency and accountability for financial transactions in all future decommissionings.

Number 2: ZCAP was an advisory body at best and we need to have authority or it's powerless.

So our second recommendation, as was mentioned before by other speakers is, we need public bodies who have real and legal authority to enforce oversight and accountability.

Number 3: Experts. As was mentioned in other people's speeches, we need experts who understand radiation, how it behaves as it decays, engineers, and other experts who understand the special issues in taking apart a radioactive reactor.

Number 4: public meeting process. As was alluded to before, there were many times when it was difficult to get copies of the minutes. There was difficulty in getting access to them online and in timely manner.

The minutes of CAB meetings need to be published and accessed within a week or so of the meetings. This is not a small matter. The public needs to be kept informed at all times.

We are all stakeholders here, and we are all downwinders. If something goes wrong, we will all

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suffer greatly.

Number 5: There should be no cap on questions. It seems self-explanatory, but since there was this three-minute cap it needs to be corrected.

The public needs to be allowed to ask questions. We pay the bills both as taxpayers and as ratepayers. It is revealing that the most extensive discussions in the last 10 years at the ZCAB were on setting dates for future meetings, not on any substantive issues.

The powers that be just didn't want to spend any more time than they had to, going through this sham of a public reporting process.

This concludes my recommendations and observations about the ZCAP and future CABs. However, it is even more important to mention that we are still at high risk at Zion. We are living in a large area in Chicago. We are living near 60-plus dry casks full of high level radioactive waste. These casks are thin walled; they are welded shut. They can't be easily opened if there is a leak.

They can't be easily inspected, monitored repaired, or replaced. What happens to the spent fuel pool at Zion? Despite public outcry it was destroyed.

What happens to the hot cells? There are not hot cells

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currently in existence. We need a hot cell at every reactor site to be able to put a canister that might leak to contain radiation leakage.

We are concerned about the plans for the future, and we are concerned, as was mentioned here before, that we need the continuation of a process here, a public process, to continue the oversight at Zion and to protect the public.

We are also concerned about emergency arrangements, so this is still a recommendation to reinstate emergency arrangements that were in place for the operating reactor. The emergency arrangements that were in place with an operating reactor were withdrawn once the reactor was closed down.

But the danger from these dry casks is just as significant, and as we stated, they are too dangerous to be moved in the near future.

We need to reinstate the radioactive monitoring systems and emergency arrangements to continue to be as vigilant as was the case before. The public is just as at risk and needs adequate safeguards.

Looking into the future, we in Illinois and we as Con Ed big payers in the top third of the state, are facing a second attempt by Exelon of a

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multimillion dollar bailout for their failing nuclear plants. But you cannot compete with other energy fuel sources in the current markets.

Exelon wants to rewrite the rules and create new market arrangements that would crowd out the competition. This new bailout attempt would cost ratepayers more millions of billions of dollars and allow nuclear reactors to continue their operations.

There is no safe way to store radioactive waste. The bailouts would generate thousands of tons more of radioactive waste with no place to store it safely.

The experience at Zion teaches us that we cannot go ahead and make more high-level radioactive waste until we have better plans for public oversight and fiscal responsibility than we do now.

The decommissioning experience at Zion should serve as a warning against extending the use of this dangerous nuclear technology any further. The bailout may come up in the legislative session in a month or in 2020. Therefore it behooves us to take preventative action for the future. At the same time that reactors are closing and the nuclear age is ending, we are entering an age of decommissioning. This requires open processes, public authority, and oversight, fiscal responsibility. None of these

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elements were present at the ZCAB in Zion.

It is our hope that our collective critique and recommendations here will be communicated to the NRC and to Congress and that actions will be taken not to repeat these mistakes in the future. Thank you.

MR. WATSON: Thank you for your analysis.

(Applause.)

MR. WATSON: Anybody else?

MR. MCCULLEN: My name is Rod McCullen. I'm from the Nuclear Energy Institute. I want to identify myself for the record. I represent the commercial nuclear industry in Washington D.C.

I raised my hand when Mayor Hill was speaking because I wanted to give him my business card and let you know I'd be happy to talk to you after the meeting or at any time about what we do to keep dry cask storage safe and how the various financial arrangements for whatever work.

We are with you. We want that fuel moved off your beach as much as you do.

MR. HILL: No, you don't.

MR. MCCULLEN: Well, we'll talk about that. Maybe almost as much. But I came to this meeting for two reasons. I'm glad to see such strong representation here.

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First of all at the Nuclear Energy Institute, we are following NRC on this learning tool.

As we shut down more plants, Bruce Watson talked about how that's happening more and more and all the experience we have it's becoming more and more a part of our value chain, our business. We want to get it right, so we want to make sure that we meet our good citizens in their communities wherever we decommission plants.

We want to hear what the communities have to say through these panels.

Having followed NRC on this learning tour, we are seeing that there's a definite one size does not fit all. Every community is different; every committee has different interests; every community has different needs.

We've seen all the way to Kewanee where we were Tuesday where there was no advisory panel to over in Vermont and San Onofre where you have a committee that is very impactful and made a difference on those projects.

So I'm hoping that the result of this in our position to NRC and on behalf of the industries that it will continue to let these things happen organically, coming from the communities up as opposed

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to having things proposed from above.

So that's the main reason I came to this meeting. Another reason I came to this particular meeting, we've had different representatives to some of the meetings. We've had a couple of other people in the last few.

But I was working at Zion the day of shutdown. I had only been there two months. I came on board to try and help save the place, so I know what a life-changing event the shutdown of a nuclear plant can be. I used the process through security and that's where I was meeting people because everybody was talking before they went into the serious work of being a nuclear plant. So they were processing it and asking each other's kids and all that sort of stuff.

The day after the shutdown, all you could hear was the whirring and clicking of machines as we processed our way through. There were no human voices. There was very much sadness.

A lot of people poured their hearts and souls into that plant. I wish I would have been able to spend more time there; they were great people.

But nevertheless, I think it is important that we learn these lessons and you communicate with the Congress. I stated our position and, Mayor Hill,

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I'll hand you my card and be happy to talk with you further.

MR. WATSON: Well, we are at about 7:30, so we still have some time left. Is there anybody who didn't sign up to speak nor raise their hand? Yes, you want to speak?

PARTICIPANT: Can I ask you a question?

MR. WATSON: Sure, but step up to the microphone, please, make sure we hear you.

PARTICIPANT: At the beginning of the presentation you said there were 70 research reactors decommissioned.

MR. WATSON: About 70 research reactors and complex materials.

PARTICIPANT: And complex materials, okay.

MR. WATSON: About 40, I want to say almost 50 of them are complex material sites that were used in -- reduction fuel was used in manufacturing of various --

PARTICIPANT: I was going to say, can you give a handful of examples of what those complex material sites are? That's what I was just curious about the categories --

MR. WATSON: Yes. Let's see. A good

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example of that would be one not too far from here. The company was called AAR. They manufactured airplane parts, and they used thorium alloy on one of the hardening surfaces of the aircraft wings or something.

And so they used to smelt, use that particular -- and what they would do is, in the aircraft you have to have everything so smooth, right? Because of the airflow. They actually had processes where they would remove the -- to make it really smooth -- I want to call it sanding, but they really didn't sand. They used these tumbler type things for cleaning the parts.

But anyway, that would have some of the thorium come off. Then they would dump this thorium solution and dispose it onsite, so that was one site where it was an atomic energy license before the NRC, and they were allowed to so that. That was one site that was cleaned up near Detroit where the company went out and cleaned everything up that they had basically been allowed to do a very long time ago under Atomic Energy.

Another one is the fuel fabrications facility that was down in Hematite in Missouri. That site actually had some groundwater contamination, which made it very complex.

They were allowed to, under the AEC rules,

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allowed to bury some waste onsite. So they had to remove all the waste from underground, and when they did that the amount of groundwater contamination slowed and they were doing groundwater remediation to make sure that the groundwater was cleaned up.

So they're fairly complex as you can imagine having groundwater contamination onsite is not the easiest thing to do because of the chemistry and the environment. You're not able to see it. So those are two examples --

PARTICIPANT: They have the same problem in Japan.

MR. WATSON: Yes, I guess with the leaky water through Fukushima, yes. But I'm saying those are types of things. They're generally manufacturing facilities. There were quite few of them in Ohio and in Pennsylvania. Mostly of the old industrial rust belt if you want to call it that.

MS. BOUDART: Was it a jelly manufacturing facility? You said a jelly manufacturing facility?

MR. WATSON: Generally.

MS. BOUDART: Oh, generally. Could you explain what hematite is?

MR. WATSON: Hematite is was a fuel fabrication facility. They can make fuel for the

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nuclear industry.

MS. BOUDART: Thank you.

MR. WATSON: Yes, they manufacture nuclear fuel. Any other public comments? Yes, sir.

MR. KRAPT: Dave Kraft, NEIS one more time.

It's an observation I just want to make sure got into the record. It will be in our written comments that we submit online, but in listening to former Mayor Hill and thinking about the future of decommissioning and that's 50 years, perhaps longer until we get the disposal facility, we would urge that whatever your report contains, it makes recommendations that these principles that you are being suggested apply to the proposed CIS facilities in West Texas and New Mexico.

Any high-level radioactive waste holding facility anywhere else, and certainly a final repository wherever that might be located.

And of course, any of the orphan reactor sites that would result from the closure of reactors with no place to put the waste.

It sounds like we do need a second round of -- I won't call them advisory groups because I'm urging something stronger -- but of any site that retains waste after a reactor is closed and/or decommission, that's a whole other proposition that

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requires community involvement and some community control.

MR. WATSON: Any other comments? I know there's a football game on tonight, but that's not as important as this. Anybody else with any comments?

Instead of putting the slide up, we have these little cards here, and it has the website on them.

So if you can just take one of these with you. We also have brochures over there on decommissioning, spent fuel management, and other things, so you're welcome to take those with you.

So this does have the website on them; I'm not going to put it back up on the screen because it seems like we have this as an alternative. You can put it in your pocket and keep it for that.

If I don't have anybody who wants to talk, I'll kind of give a few of the items that I heard as kind of a summary if that's okay.

A couple things I heard: CABs should be independent and have more authority. CABs should be publicly funded and be a transparent entity. There needs to be a resolution to the high level waste in the country, and these also should have a CAB until the fuel is gone.

CABs should be formed early. Mayor said

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that, but I think that's what you were talking about, Mayor, and that it should be formed early, and it should be formed so that people can get involved in all the processes that are going to happen with the plant. Maybe owner/operator; I don't know, but that's an example we have from Diablo Canyon. There are CABs going now. They're not shutting down for four or five more years. But they're planning decommissioning and they're getting input from the public.

Lastly, I heard that these CABs should be applied to other nuclear facilities in other communities, not just nuclear power plants. I think some of the companies do that. Specifically, the Congress asked us to look at CABs at nuclear power plants, so we're doing that.

And lastly I just want to say I enjoyed the Green Eggs and Ham parody. I have four grandchildren so I'm frequently in the Dr. Seuss books and other things. So I really appreciated that.

So with that, thank you all --

MS. RUDE: I would add one thing in addition to those, the CABs being funded. But there was a call for having access to experts who really understood the issues to be a part of those --

MR. WATSON: That's part of the funding

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thing.

MS. RUDE: Right.

MR. WATSON: If you had money to go pay for them, you could do that.

MS. RUDE: But even, regardless of that, the fact of how important it is to have experts available to the CAB that are not --

MR. WATSON: Okay. So thank you all for coming; appreciate it. Safe travel, please.

(Whereupon, the above-entitled matter went off the record at 8:38 p.m.)

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