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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

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PUBLIC MEETING

NEIMA SECTION 108

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WEDNESDAY,

OCTOBER 2, 2019

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CORTLANDT, NEW YORK

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The Public Meeting was held in the gymnasium at the Morabito Community Center, 29 Westbrook Drive, Cortlandt, New York, at 6:07 p.m., Brett Klukan, Facilitator, presiding.

NRC STAFF PRESENT:

BRUCE WATSON, Branch Chief, Reactor Decommissioning
Branch

ZAHIRA CRUZ, Project Manager, Reactor Decommissioning
Branch

KIM CONWAY, Project Manager, Reactor Decommissioning
Branch

BRETT KLUKAN, Region I Office

P R O C E E D I N G S

6:07 p.m.

MR. WATSON: Hi, can you hear me? Yes, it looks like I have to be very close to this mic, so I hope I don't get too loud for you because I speak kind of loud.

Good evening and welcome. My name is Bruce Watson. I am Chief of the Reactor Decommissioning Branch at NRC Headquarters. My branch is responsible for the licensing activities associated with power plants and research reactor decommissioning. We also provide programmatic and technical support to our regional inspection offices who continue to inspect the plants after they're shut down and will continue to inspect the plants until all the radioactivity is removed from the sites.

We're here to talk tonight about the Nuclear Energy Innovation and Modernization Act, specifically Section 108 which my branch has been tasked with providing the information on. This is our 9th of 11 meetings we are holding around the country.

The purpose of our meeting is to obtain your comments on Community Advisory Boards. And I want to make sure you understand. They're called different things around the country. They may be called Citizens

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Advisory Panels. They may be called Citizens Engagement Panels. They may be called Community Advisory Boards. There's even one, I think just called an annual stakeholders meeting with a local utility on the decommissioning.

So they by a variety of names. I've had the pleasure of being here about a year and a half or two years ago. I spoke to the Cortlandt Community Concerned Citizens Group and so we knew that there was a group here that was very interested in decommissioning and so we were very happy to see that we got an invite to have a meeting in this area.

With that in mind, I want to remind everybody that we are here for that specific mission, to talk about Community Advisory Groups. I know a lot of you are very passionate about various issues about nuclear power, about radioactive waste, about high-level waste, and other issues, but we're here to talk specifically about Community Advisory Boards.

So with that, we'll go ahead and go to my first slide, please.

As far as the meeting goes, if the fire alarm goes off, we all know where the exits are. Please exit, go out to the parking lot, please, and stay out of the way of any fire trucks or any other

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emergency people. We do have two, three now, Westchester -- or more, local law enforcement here also to help us if anything were to happen.

So with that, I'll introduce the NRC staff that's up here with me. On my right is Zahira Cruz. She is a Project Manager in my branch. She is responsible for the decommissioning of Dresden 1, Oyster Creek, and Peach Bottom.

On my left here is Kim Conway. Kim is the future Project Manager for Indian Point when it goes into decommissioning. She's also the Project Manager at Fermi 1, Indian Point -- excuse me, Three Mile Island Unit 1, which just shut down last week and Three Mile Island Unit 2 and I think that's it, right? Yes.

So there's other NRC people in the audience. Would you like to introduce yourselves or -- this is Trish Holahan. Go ahead.

MS. HOLAHAN: I'm Patricia Holahan. I'm the Director of the Division of Decommissioning, Uranium Recovery, and Waste Programs. And these folks all work for me and we're happy to be here and listen to your comments.

MR. WATSON: Okay. We're going to have a brief presentation and then I'm going to turn the

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meeting over to Brett Klukan. Brett is from our Region I Office in King of Prussia, Pennsylvania and he's our Regional Counsel there. He typically will facilitate -- he has facilitated many of the Indian Point meetings. So he should look familiar to you.

Brett will give some ground rules for tonight, then we'll go to public comments. We're going to allow the Community Advisory Board members to go first and then we'll close the meeting at 9:00 since my staff and I have to travel to New Jersey for another public meeting tomorrow night.

So with that, let's go to the next slide, please.

I want to point out to everybody that the NRC has a lot of experience in decommissioning. There have been ten power plants decommissioned in this country which is more than the sum of the rest of the power plants that have been decommissioned in the world.

We currently have four more that will have their licenses terminated in 2020. So we expect that Humboldt Bay, La Crosse, and both Zion units, the two Zion units are very similar to the Indian Point plants, they're going to be completing their decommissioning this fall and submitting all their

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documents to us so we can terminate the license next year. So there will be a total of 14.

Unfortunately, seven of the ten that are presently decommissioned and licenses have terminated, still have licensed dry fuel storage facilities on them, so we continue to inspect those facilities for the high-level waste that's in storage there.

In all, we've terminated licenses on almost 80 complex radioactive sites and that includes those 10 reactors, about 18 research reactors, and over 40 complex materials sites. So we have, as I say, we have extensive experience and our regulations have been in place since 1997, so we have proven regulations on how to do this.

I want to point out that all of these sites have been released for unrestricted use. That means the owner can use those for whatever purpose they want to. There are no restrictions. They've met the radiological release criteria set up by the NRC and so they can be released for whatever purpose the owner wants; of course, consistent with the regulations, the local state, and local community on whatever they're zoned for or whatever. But since they are released for unrestricted release, there is no requirement by the NRC for them to have a Community

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Advisory Board.

We do have in the regulations an opportunity for them to release the site under restricted conditions which means leave some radioactive material behind. Under those conditions, we do require that the licensee engage themselves with the local community.

Since all these sites have been released for unrestricted use, there is no requirement in the NRC regulations for a Community Advisory Board.

Next slide, please.

We have done some decommissioning in New York. This is a picture of the Shoreham Nuclear Plant which is on Long Island. It was decommissioned and most of the buildings still remain, but it was decommissioned. It's one of the ten that we have had terminated the license on. It's one of the sites that the fuel is removed since it was fairly new and it was transferred to another nuclear power plant for use.

Next slide, please.

Another decommissioning project in New York was a State University of New York at Buffalo research reactor. Kim was actually the project manager for that site and as you can see here, the building was removed and the site was released for

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unrestricted so that the university could use it for other purposes.

Next slide, please.

As I mentioned, we're here to talk about the Community Advisory Boards. Like I said, it was required by the Nuclear Energy Innovation and Modernization Act under Section 108. The legislation -- the act was passed on January 14th of this year and it basically says that the Commission, meaning the NRC, shall support -- submit to Congress a report identifying best practices with respect to the establishment and operation of a local Community Advisory Board to foster communication and information exchange between a licensee planning for and involved in decommissioning activities and members of the community that the decommissioning activities may affect, including lessons learned from such boards in existence.

As I said, this is our ninth meeting. At previous meetings, we've heard from the previous CABs at Maine Yankee, Connecticut Yankee, Yankee Rowe, and so we've heard from the ones that are now terminated and we've got their information on what they considered good practices also.

As far as the comment period, we recently

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published a Federal Register notice which we require that you complete all your comments and send them to us by November 15th. So you've got some time yet to still provide us comments, so with that, you have some time for that. We have lots of information.

Please don't interrupt. I'll get to you in just a minute, okay?

We have information here. There's a questionnaire which you can fill out and we also have these cards on how to get to our website and other things.

So next slide, please.

So what is a Community Advisory Board? It's an organized group of citizens interested in safety, decommissioning practices, and safe spent fuel management at a decommissioning facility. They are sponsored usually by a local licensee or mandated by state legislature. They can also be formed on their own and I believe the one here has been formed on its own. The composition typically includes local community leaders and elected officials. Sometimes there are state representatives on there and members of the licensee staff to facilitate information.

Most CABs have a governing charter, established roles, and responsibilities.

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Next slide, please.

And what are the typical CAB responsibilities? They review licensee's plans for decommissioning, provide insight into potential impacts on local communities. They provide an opportunity for education on decommissioning, and they can provide recommendations to state officials. They also provide input -- can provide input on site restoration, plants or future reuse of the site, and also concerns about economic development.

So what is our report going to look like?

Well, it's got to include a description of our discussion topics. It will have the CAB recommendations, informed decision making processes during decommissioning, how the CAB interacts with the Commission, and other federal regulatory bodies to support the board's overall understanding of decommissioning processes and promote dialogue between affected stakeholders, and of course, the licensee involved in the decommissioning activities. And also will provide a description of how a CAB could offer opportunities for public engagement through all the phases of the decommissioning process.

Next slide, please.

So our report will contain CAB best

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practices for CAB membership, the composition, selection process, and the terms of the membership; when the CAB was established and the frequency of CAB meetings, specific logistics required to support the CAB, and other identified best practices or activities. These topics are captured in a questionnaire that's available in the front of the meeting area here and they can be submitted electronically.

You can also -- how do you submit comments? Well, we're going to be transcribing tonight's meeting. Pete here is transcribing the meeting. It will be made publicly available, so we'll be reviewing the transcripts for public comments made at this meeting and the other meetings we have. You can fill out the NEIMA questionnaire on line at this particular email address or web address. It's also on these cards that you can take. You can submit the comments electronically to the federal rulemaking website which is regulations.gov. However, you're going to need this docket number in order to get to the right area to provide the comments. And you can scan the completed questionnaires and you can email them to NEIMA108.Resource@nrc.gov or you can write them down, fill them out, and mail them to Kim Conway

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and Kim will have a full mailbox, I'm sure, but you can mail them to Kim.

Next slide, please.

You can go to our public website, and if you go to the public website, we have what we call the Spotlight section, what we're trying to highlight or spotlight for people. That's under Community Advisory Board meetings. You can click on that link and it will take you right to our website to make it convenient to find our website and provide comments.

Next slide, please.

If you have any additional questions, you can refer them to our Office of Public Affairs. Dave McIntyre, here's his phone number, and also you can use that email address, NEIMA108.Resource@nrc.gov.

Go to the summary slide.

Again, I wanted to just reiterate that the meeting's purpose is to obtain your public comments and feedback on the best practices for Community Advisory Boards at decommissioning nuclear power plants. And with that, I'll turn the meeting over to Brett and he'll establish the meeting ground rules so we can get on to your comments and feedback.

Mr. Webster, yes, what I can do for you?

(Off-mic comment.)

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MR. WATSON: Right. Okay.

MR. KLUKAN: So for the transcript, the question was from Richard Webster about whether oral comments will receive the same weight as written comments, and the answer is yes, yes.

So this is -- I'll start. Welcome, everyone. My name is Brett Klukan. I'm the Regional Counsel for Region I. But tonight, as I have done in the past for other Indian Point meetings, I'll be the facilitator.

I'm going to talk a little quick to make up time because we started a couple of minutes late. I assume that everyone can hear me well enough? No? Louder? Is this better? All right. So this far away.

So just some quick logistics. One, as Bruce already mentioned, we are transcribing the meeting tonight, so if you say something and you do not have a microphone in front of you, it's not going to be picked up. The microphones are -- the transcriptionist is sort of linked into the two microphones. And I'm actually wearing a lapel mic and this isn't linked in either.

So please, if you do have a comment or something, make sure it's at the microphone or else

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I'm just going to be repeating you.

So a few other minor logistics. Bathrooms are just out the hallway. We have emergency exits out both doors. Cameras are, of course, permitted. You're welcome to film or to take photos. Just be judicious with flash, of course, and please silence your phone cells if you haven't done so already.

If we are asked to evacuate the buildings, please follow the instructions of the building staff or the security we have present with us this evening.

And then I would ask that you try to avoid walking in front of the podium. If you have something you'd like to give to the NRC staff, hand it to me, or make sure you avoid this morass of cords up here. I don't want anyone to trip, okay?

All right, now for the ground rules. I have two very basic ground rules as the facilitator and the reason why I do this is one, is to give everyone who wants an opportunity to speak, an opportunity to do so where we give the maximum amount of people an opportunity. And second, is to protect your time at the microphone. That is your time to give your comments and I want to protect it as much as I can. Those are my two basic rules.

So in light of that, I would ask that you

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try to keep to the time limits I set, ensuring that everyone who came this evening to speak. And then too, please don't interrupt each other. Please treat each other with respect. I have no reason to doubt that will be the case tonight, but I'd like to set that up front as one of our ground rules.

And then let me clear after this point, I have no expectation this is going to occur, but let me make this very clear. Under no circumstances whatsoever will threatening statements or gestures be tolerated. If you engage in such behavior, you will be immediately escorted from the meeting room. Okay?

If you feel that you've been threatened in any way, please tell me or one of the security personnel you see situated around the room.

Okay, as to the order of public speakers, there is at the registration desk still a sign up sheet. When you sign up, you'll receive one half of a ticket, which will be entered into a container. Given the number we've received so far at this point, I'm going to call them in random numbers. My expectation still is, hopefully, that everyone who wants an opportunity to speak will have an opportunity to do so before 9 p.m. this evening. That probably means we'll stick to either a three or a four minute. I have to

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look at how many people we have signed up. Time limit, I would ask you observe that not for my sake, but for everyone else's sake so everyone who wants an opportunity to speak gets a chance to do so.

You can, of course, trade your ticket. It's really your ticket to do with as you wish. I would just ask that if you've already spoken, that you give your ticket to someone who has not spoken yet this evening.

Okay, and again -- thank you, I'll get my list. So when you get up to the microphone, again for the sake of the transcriptionist, please state your and then if you wouldn't mind spelling it quickly. That really helps out our transcriptionist so they don't have to -- or he doesn't have to try to flag you down afterwards. Okay?

All right, I will be using this electronic timer. I'm going to figure out while elected officials are speaking how many -- how much time we have to give each person. It looks like we have roughly about 20 people signed up, so it's probably going to be either three or four minutes depending how long elected officials use their prepared remarks.

And I just want to echo something that Bruce said real quickly. The purpose of tonight's

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meeting is to collect comments from you. As we already kind of noted, this meeting is -- the purpose of which, it was established by Congress in Section 108 of NEIMA, as we call it, is to solicit public comment on the function of CABs, what their role should be, what their authority should be, what should be the scope of their jurisdiction so to speak, who should be on them, who should pay for them. That's what we're looking for is ideas from you or your thought as those questions.

So as to that or because of that, we won't be focusing as we do, for example, at the annual assessment meeting on necessarily answering your technical questions. We're simply, actually, don't have the staff here that we normally have at our annual assessment meeting.

What I would say to you today, please don't take that as commentary upon your questions, but if you do have such a technical question on Indian Point operations, please stick around after the meeting and hopefully, we can find someone here who would be able to answer your question. Okay?

All right, before we turn to elected -- whoops, I should not step on that.

Before we turn to elected officials, I

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just want to make sure, are there any questions regarding the Section 108? This is just limited to what we're going to do with your comments. How we're going to put it together, what this report is. Does anyone have any process questions?

Okay, all right. With that, I'm going to turn to -- please.

Can we get someone to turn this up? It's on. It's just not --

MR. WEBSTER: Okay, right. So I have two questions. Timing, when will the report be finished? Who is the report to? And then seeing outcome, whatever the recommendation regarding a rulemaking or a change in rule?

MR. WATSON: I can answer part of his questions. Can't hear anything now.

MR. KLUKAN: So this seems like a safe distance. While we work that out, I'm going to repeat the question. You state the questions again. I'll repeat them, and we'll get Bruce to answer them. The first one was is when is the report going to be done.

MR. WATSON: Is it working now? It's working now. I turned it off and on. It works. Okay. Is it still on? Okay. Check.

MR. KLUKAN: I think that might have been

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mine.

MR. WATSON: The report is due within 18 months on July 14, 2020 to the Congress. It will be sent to the Congress from the NRC.

MR. KLUKAN: Just give us one second here. We're trying to make sure the transcription part is working.

(Pause.)

It should be working now. Okay. Just repeat your answer real quickly.

MR. WATSON: All right. In the act, it requires NRC to provide a report to the Congress within 18 months after the act was issued. The act was issued on January 14th, I believe it was, in 2019, which means the report is due to the Congress by July 14, 2020.

MR. KLUKAN: Okay, we might need a new microphone. Well, actually because -- you have to come up. I'm sorry. There's two microphones which are sort of tied into each other and so that's why we're having these problems. I apologize.

MR. WEBSTER: You've answered the second question, who is the report delivered. I see it will also be delivered it to the Commission. Is that correct?

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MR. WATSON: It is a report from the Commission to the Congress.

MR. WEBSTER: Okay.

MR. WATSON: So we're collecting the data for that report in these meetings.

MR. WEBSTER: Right. And will the NRC staff or the Commission make a recommendation regarding rulemaking to the Congress?

MR. WATSON: Depends on what we find from our meetings. It could result in a rulemaking recommendation. It could not. It depends what we determine.

MR. KLUKAN: Any other questions regarding the process? If not, okay.

PARTICIPANT: If there is enough time at the end, and if everyone has had their chance to speak, will people be allowed to speak twice?

MR. KLUKAN: Yes, up until 9 o'clock. We have to vacate at that point. If there's extra time, people will be allowed to speak again and then we'll figure it out at that point.

PARTICIPANT: Once you get all the comments, will you be putting together a draft report so the public can see before, that we can make comments on before you submit it to Congress so we can

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see what you've included and what you didn't include?

MR. WATSON: There's no requirement for that. It's going to be a public report when we do publish it, but there's no requirement for us to publish a draft for comments by the public.

PARTICIPANT: Won't you do that though?

MR. WATSON: I doubt it. We're on a pretty tight string to get this done as we're rushing to get these meetings done.

MR. KLUKAN: I will say, this might help. The transcripts for these meetings will be public. The comments we receive will be public and so all of that will be available to you, so you can kind of take that and look and see. And if there's something we didn't include you'll have all the source material. You get my sense, okay? All right, let us now turn to elected officials.

First, I would like to offer any representative of Native American Tribes the opportunity to stand and be recognized and give prepared remarks. Okay.

We have with us several representatives from federal offices. We have first, we have Megan Glander. I hope I'm saying your name correct, of Senator Chuck Schumer's office, with us this evening.

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Then we have Lisa Hofflich of Senator Gillibrand's office. And then we have from Representative Nita Lowey's office, Pat Keegan. All right.

And then --- are there any other representatives from congressional offices who would like to either stand and be recognized at this time or who would like to offer prepared remarks? This is for congressional offices. I'm going to go down the list.

Okay. Are there any state representatives? I know I have one who would like to be recognized and that is Mr. Davila from Senator Pete Harckham of the New York State Senate. Thank you for attending this evening.

And thank you to all of you who I had previously announced, I forgot to say that. Thank you.

Are there any other representatives from state office, who would like to stand and be recognized? Speak or to stand, it's up to you. If you would like to speak later, you can speak later.

MS. GALEF: Well, actually, I signed up and I was number eight. I'm sorry. Because I didn't know what was going to happen here.

I actually think -- I'm Sandy Galef, New

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York State Assemblywoman from the 95th Assembly District. And you know, actually, after your presentation it almost seems like we're here just to tell you what you should do. But I don't know whether that's what I got. So I didn't know how this meeting was going to work, but I have some thoughts.

First of all, with the CABs, is there the best example of one? You've closed ten power plants, so is there an example of something of one that you think is extremely good? Or two, and you may not have it for us today, but I think we would like to see what has been done. I don't know whether you want to respond.

MR. WATSON: I don't think there's one we can recommend, but the industry best practices, one that was offered by the industry from the Electric Power Research Institute, is the one from Maine Yankee. It's probably the one that's most documented.

And that report was sent to our website and it's also available from the Maine Yankee folks. It was one of the first power plants to be decommissioned and I would start there.

There's a number of different communities and how the different, I'll say CABs operate. They may have different names, but they all seem to be

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regionally specific and they all have certain things they do that they like that others may not choose to do. So --

MS. GALEF: But that's a prototype that we could look at.

MR. WATSON: Right.

MS. GALEF: Was that done by the state legislature or was that just a --

MR. WATSON: No. The Maine Yankee one was sponsored by the Maine Yankee utility, the licensee.

MS. GALEF: By the licensee.

MR. WATSON: Yes, but there's a couple that have been sponsored by the state and states.

MS. GALEF: Okay, there's a mix. So there's no preference whether it's sponsored by the state or the company or the local citizens. It doesn't really matter?

MR. WATSON: Right. Well, it's up to the local community what they do.

MS. GALEF: Okay, we're trying to find the best, so --

MR. WATSON: Yes. I don't know we can define that. We're trying to get information on that, best practices.

MS. GALEF: Okay. So does it -- when you

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have the best advisory board, does everything happen faster, that decommissioning takes place better? Is there a relationship, a correlation with a good advisory board versus not having a very active one? And what happens to the plant?

MR. WATSON: I really can't answer those because some sites, there's no public interest in the decommissioning at all, so there's no Citizens Advisory Group. There's ones that are very active and there's ones that are kind of there to get educated, and hear what the plans are. And so like I said, no one size fits all and they're all different. And so we're just trying to extract what are the best practices out of those.

MS. GALEF: Okay. I think this is going to be a very active one. And I guess that's for Kim to know.

The other thing is, you know, one of the questions who should pay for it. Well, I happen to believe that the NRC allowed the nuclear plants to be here. They license them, et cetera, et cetera. And now that they are leaving and being decommissioned, I believe that the NRC should fund the Community Advisory Boards.

MR. WATSON: Well, let me be very clear.

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The states regulate the energy markets. The NRC is only an independent safety regulator. So to have the power plants built, they had to have been approved by the state public utility commission or service commission first from the -- at the request of the utility or the licensee -- who became the licensee.

So we made no judgment on what power plants were built and where. It was always the states approve those for their -- to be constructed in the local areas within their domain of authority.

MS. GALEF: I kind of tend to differ with you because you're involved whether the plant is open or not open. I mean you are the main -- the public service commission isn't on special site, giving regulations to the plant. There may be some on the outside with environmental and the Hudson River and so on, but it would seem to me that you would -- they're under your jurisdiction and because there's still spent fuel rods and the NRC hasn't figured out where they go, I still believe that you are totally involved and you should be funding these boards.

MR. WATSON: I appreciate your thoughts on it, but we are an independent safety regulator. The states are responsible for the energy markets in their states. They are the ones who authorize the plants to

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be built. We only license them when we had a qualified licensee or utility that was going to instruct and operate them safely. That's our job, okay?

And it's also the Federal Government's responsibility, not just the NRC, for the safe disposal or final repository for the spent fuel. The only job the NRC has in that is to make sure it remains safe until they do find that permanent repository or in some -- there's the thing out there with consolidated storage right now is a possibility.

But our job is to make sure it remains safe while it's still there and under license and we continue to inspect them.

MS. GALEF: So I think you're saying you believe that the State of New York should fund the Community Advisory Boards?

MR. WATSON: Well, it's -- I have no comment on that because most of them are voluntary. At this point, we don't know of anybody that really pays for anything. Thank you for your comments.

MS. GALEF: What is the relationship with the NRC with the Community Advisory Boards once the decommissioning takes place?

(Off-mic comment.)

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MS. GALEF: So once the decommissioning takes place and there's a Community Advisory Board, what is your role with the NRC with that Community Advisory Board?

MR. WATSON: We have spoken at a number of different Community Advisory Boards when invited. We will typically attend those if we have an inspection going on. Our inspector will come to those meetings and observe.

(Off-mic comment.)

MR. WATSON: I'm sorry, I'm sorry. I'm sorry. We have attended a number of Community Advisory Boards when we are invited to speak on specific technical topics or regulatory process topics. For example, I've been to San Onofre a number a number of times and talked about environmental reviews and the decommissioning process with the CAB - - the citizens engagement panel there.

I came here to talk with the Cortlandt Community Concerned Citizens about the decommissioning process about a year and a half ago.

I've been to Pilgrim and talked about the license transfer process up there. We've been to Vermont to talk with their CAB about the decommissioning process and also the license transfer

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process.

So it's really up to the local CAB to invite us to come and speak, and where we can do that, we will do that.

MS. GALEF: Okay. I would just like to leave and say that I believe the NRC should be sponsoring each -- you don't have that many plants that are closing at this moment and that there should be money in the Federal Government, in the budget, to be able to fund the Citizens Advisory Boards, to be able to -- for them to be able to hire specialists or whatever in the field.

I mean there can be a lot of local involvement, but I think there should be a certain amount of money that you give to each of those ten plants now, I think it is, and maybe some in the future. But some of those plants are closed already.

You said ten power plants have been decommissioned?

MR. WATSON: Yes. And 23 in decommissioning now.

MS. GALEF: Right. And you have four more that are in the process and you have us.

MR. WATSON: Right. You in the future. Other than Unit 1 which has been shut down. I just want to --

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MS. GALEF: Right, right. Okay. Thank you.

(Off-mic comment.)

MR. WATSON: I'm sorry. I'm sorry. There are 23 plants in decommissioning and that includes Unit 1 here at Indian Point. So there's quite a few in decommissioning at this point. Okay? Thank you.

MR. KLUKAN: Any other representatives from the state or state level? Please.

MR. DORSAINVILLE: Good evening. Is this loud enough? Can you hear me? Can you hear me now?

So good evening, everyone. My name is Stanley Dorsainville. I am a District Representative from State Senator David Carlucci, 38th District. And on the Westchester side that includes the Town of Ossining, which includes the Village of Briarcliff and the Village of Ossining as well.

First, I want to apologize for using up time that is available to the constituents here. I will try to make this as short as possible.

My question -- well, first, I'll preface this question by asking you, I'm personally new to the NRC and CAB and the construction of CAB. But in the past formations of CAB, how aggressively has the NRC made sure that the CAB is composed of diverse and

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marginalized people opportunity?

MR. WATSON: Well, there is no requirement by the NRC for any CABs, as long as the site is going to be released for unrestricted use. So it's really up to the CAB and whoever sponsors those to make sure the membership has the diversity of representation from the local community on the CAB. So we have no say in that.

It's really up to the local community and the sponsor of the CAB or whoever is the organizer of the CAB. But I think if you frame that as a comment to us that the CAB should have a diversity of members, that would be a good recommendation.

MR. DORSAINVILLE: Thank you.

MR. KLUKAN: Thank you very much. Any other representatives in the state level.

Okay, we have a couple -- two people who would like to be recognized. We have James Creighton, Councilman from the Town of Cortlandt with us this evening. Thank you for joining us.

And then we have Kathleen Talbot who is the Deputy Mayor of Peekskill with us and we thank you. And then there are a couple others here who would like to give prepared remarks and I'm just going to let them introduce themselves and come to the

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microphone.

We'll start with Linda Puglisi.

MS. PUGLISI: Good evening, everyone. I'm Linda Puglisi, Supervisor of the Town of Cortlandt. I'm here with members of our Town Board. I'm here with our partners that are working together. They are Theresa Knickerbocker from the Village of Buchanan, her Trustees, Superintendent Joe Hochreiter from the Hendrick Hudson School District, and our other partners and I say -- and members of the community.

We're all in this together. This is a big challenge for us in our communities. We found out January 9th, 2017 that the Indian Point Nuclear Plants were going to close by the Governor of New York State and by the CEO of Entergy. And since then, we've been working collectively together, all of us, citizens, public, and those from various entities of our community. So it's very important that we all continue together collectively to meet these challenges.

The purpose of the public hearing is to address the decommissioning and I have a packet that I'm going to submit to the NRC when I'm finished. I will try to be brief, I promise you.

So enclosed, this information in a packet

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pertaining to the Citizen Advisory Panel, CAP, established earlier this year by local officials and members of our community regarding decommissioning. The packet today that I'll submit includes the panel's charter, organization, and membership, as well as the duties and responsibilities of the panel's officers and members.

A copy of the agenda for the first panel of the meeting of June 13th, 2019 is also enclosed. It was a public meeting open to the public. As you know, the nuclear plants owned currently by Entergy are located in the Village of Buchanan, the host community, and in the Town of Cortlandt.

Mayor Theresa Knickerbocker and myself are the elected heads of these local governments. The Mayor will serve as the chairperson of the Citizens Advisory Panel and the Supervisor will hold the position of the vice chair of the CAP.

The CAP has a large membership, including members from the public at large, members from environmental groups, the local school district of Hendrick Hudson that will be affected with the closure the plants, other elected officials at various levels of government, members from the area of business and economic groups and chamber of commerce, also

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membership from the Central Labor Council.

We have all been a part of a two year task force since the closure announcement in 2017 and have met just about each month and we've been working well together.

I must say it has been a research paper, these various months, hasn't it, Theresa?

The mission statement includes open meetings, public involvement, education to the public regarding the decommissioning of these nuclear plants which close in 2020 and 2021.

The CAP will function in an advisory capacity and will serve to disseminate information to the public to monitor this project and to ask pertinent questions that our community will demand and will need answers to. Therefore, I and we are requesting that the NRC recognizes this already established Citizens Advisory Panel. In semantics, it really doesn't matter what it's called, except for the fact that we all have to work together to meet these big challenges that we are going to be facing. The plant is our biggest taxpayer, biggest employer. We're concerned about the environment. It abuts the Hudson River and the reclamation dismantling -- the dismantling/decommissioning of these plants, how it

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will affect businesses and beyond, and of course, our school district and how it will affect our Hendrick Hudson School District that's going to be losing one third of their tax revenue. All those issues are what we are concerned about. We've been working together collectively since the announcement. We need to go forward together and I hope, we hope, that you recognize this already established panel. And other members who want to be on it, I know the Mayor would entertain it. I certainly would. Councilman Richard Becker is here from the Town Board.

And we thank you for being here in Cortlandt, by the way, Mr. Watson, and having this hearing in our community. So I'm going to give you some packets, if I may. Thank you for the time.

MR. WATSON: Thank you very much. And thank you for your comments.

MR. KLUKAN: Thank you. Thank you very much. Next we'll have Theresa Knickerbocker, the Mayor of the Village of Buchanan.

MS. KNICKERBOCKER: Good evening. My name is Theresa Knickerbocker. I am the Mayor of the Village of Buchanan, the host community of the Indian Point Energy Center. I am also the chairman, chairwoman, I could say chairperson, but I will say

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chairwoman of the Indian Point Citizen Advisory Panel.

The reason why the panel was formed was because there was a concern in our community that after the closure of Indian Point and the lack of communication, the lack of concern for the community, and the effects that would also be coming from that and Linda summarized everything greatly, we were concerned that we would not be involved in the decommissioning process and be aware of things that were going on.

So the panel was formed. Our first meeting was on June 13, 2019 and we will be scheduling another meeting by the end of this year. And I'm going to read you some parts of our charter.

The Community Advisory Panel, CAP, so from now on I will say CAP, is established to enhance open communication, public involvement, and education on Indian Point decommissioning issues. The CAP will serve as a formal channel of community involvement with Indian Point. The CAP will evaluate and comment upon data and other information provided by Indian Point and other reliable sources.

Information provided by Indian Point will include (1) publicly-available information regarding the balance of the Indian Point nuclear

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decommissioning trust funds; (2) the status of decommissioning activities, including spent fuel nuclear management, and site restoration work; (3) filings submitted to the NRC or any other state agency or commission. And we do understand that the NRC has exclusive jurisdiction over the radiological decommissioning of nuclear facilities.

The CAP is, I feel, that it's a panel of a diverse group. There are pro- and anti-Indian Point people. There are supporters and critics. So what I could say to you, one of our -- we have Deb Milone here this evening and she is the president of the Hudson Valley Gateway Chamber of Commerce, so we have also the business community involved. And we also have Manna Jo Greene on our panel who is involved in Clearwater and I believe Riverkeeper also.

So we do have the pro and the anti and we just want to be able to work together. As the supervisor has said, this is a huge undertaking for all of us. This is not something we do every day.

We also have -- Sandy Galef has spoken, Senator Peter Harckham. We have the County Legislator for this District, District 1, John Tesa. The Westchester County Executive George Latimer is involved. We also have on our panel we have a

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representative of Rockland County. Rockland County is right across from the Indian Point plant and they have been our neighbors for many years. This closing of Indian Point will affect them. We have also a representative from Westchester County, someone else who is, Peter Lachman.

So one of the comments I would like to make, when we had our press conference, the comment was made that there are -- it's made up of politicians. Well, that is -- there are some politicians, but there are some also local community people, the stakeholders in the community. Also, we have other -- we have different other -- Putnam County. So these are people that are part of the emergency planning zone also.

And what I'd like to say about the comment about the politicians, we are elected officials. We are elected by the community. We are the eyes, the ears, and the voices of the community. So we are here to represent our community. And that's what this is all about.

So we are -- our agenda is the safe decommissioning of Indian Point, also the restoration of the site. Also the spent fuel pads, we'll be deal with that also. So there's many things that we will

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be dealing with going forth. So we are elected officials. We are not self-appointed.

Let me put my glasses on. The big difference -- there has been task force formed, but the big difference from the Citizens Advisory Panel is we allow public comment which going forward should lead to some lively discussions. But it is not a group of people that think the same way and that wouldn't be good for our community.

After all is said and done, after Entergy is gone, after Holtec is gone, after all the activists and people who followed the Indian Point plant for years, this community will still be here. It is our home. We are the most vested in this community. We want our voices heard.

This committee, this panel will drive the bus for decommissioning. We are hoping along the way we can all work together towards a common goal and the common goal is the safe decommissioning of Indian Point.

We already feel that this panel is following many of the best practices, but we are also open to other suggestions because we want this panel to be the best that it can be. We also want everyone to remember that we need to be open minded. We need

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to be considerate of one another. So we're going to differ on many different things, but it's important to maintain open communication.

The thing that -- I'm going to say this. I know there is a petition going around to stop Holtec from buying. But let's remember everyone has a right to say what they want to say. Everyone has a voice. So let's all remain open through this process and work together. I would really like to see that happen.

I would like to thank the NRC for coming to our community. We have our hands full going down the road with this decommissioning. And thank you for letting us comment on the public hearing, on this NEIMA hearing. And we look forward to having you participate going forward in some of our meetings, some of them -- well, they call them NDCAP, Nuclear Decommissioning Citizens Advisory Panels, but we look forward to having you come and do some presentations.

And I also do want to say something, too.

I do appreciate that you pointed out where the fire exits were. When I was at the Nuclear Summit, Bruce is -- Mr. Watson is laughing. When we were at the Nuclear Summit the last couple of days and I'm sure Nancy is laughing, too, well, fortunately, we can laugh. The fire bells went off and everybody went out

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the door and there was a lot of smoke in the building and people weren't too sure what to do. So I do appreciate when we are directed what to do in case of emergency.

So I'd like to thank you once again for coming to our community and listening to our concerns, but our Citizens Advisory Panel has already been formed and we will be the official Citizens Advisory Panel for this community. Thank you very much.

MR. WATSON: Thank you.

MR. KLUKAN: Thank you. Are there any other elected officials who would like either stand and be recognized or give prepared remarks? Please.

MR. FUNCHION: My name is Richard Funchion. I'm the Deputy Mayor in Buchanan. Something mentioned here is I want to emphasize the economic impact of this to our community. Buchanan is the target of everything. Our school taxes are going to go up. Our property taxes will go up in the village. So I have just one or two questions that I'd like to ask you.

Holtec is in the process of purchasing this from Entergy. What, if anything, is the Commission here going to do if Holtec goes out of business while they're decommissioning the plant?

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MR. WATSON: First of all, we don't have an application for them to buy the plant or transfer the license. However, if you're a licensee of the NRC, you will have to show that you are financially qualified to hold that license, so that's part of our license transfer evaluation. But since we don't have one in hand to discuss about Indian Point, I really can't comment other than the -- there's a regulation, the Common Defense clause in the regulations that the people who hold a license are responsible for ensuring the safe and secure operations and then decommissioning of whatever facility they are licensed to have. So they can be prosecuted under the law.

MR. FUNCHION: One other question, you mentioned earlier in your presentation that there were plants that were closed and now the property is now open to any kind of use. In that respect, what happened to the spent fuel of those plants?

MR. WATSON: Seven of the ten plants still have spent fuel on them. At those sites, I know two have additional generating plants put on them, built on them. At Rancho Seco, they still have a spent fuel facility. They have too what's called combined cycle plants. They can burn a variety of fuel.

At Humboldt Bay, which is closing this

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year, or next year, we'll be terminating the license.

They have built a ten unit peaking natural gas plant there for handling peak loads in Northern California.

At La Crosse, which will be terminated next year, there's been a large coal plant next to the nuclear plant for a long time. And some of them just become parts and some of them are just being -- sitting there waiting for the utility or the licensee, former licensee, now the owner of the property to decide what they want to do. But I've given you examples where they've built new generating capacity on them, also they're not doing anything other than making parts and some that are --

MR. FUNCHION: If the spent fuel, are they going to be taken care of by the Federal Government or --

MR. WATSON: Possibly the Department of Energy and the Congress has to come -- our national policymakers have to come up with a solution as they've promised to solve the issue.

MR. FUNCHION: Okay. Thank you. I want to thank you for coming here and giving us all this information. And please, I just want to emphasize the economic impact to our community. Thank you very much.

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MR. WATSON: Thank you.

MR. KLUKAN: Thank you. Any other elected officials?

MS. TALBOT: Good evening, my name is Kathy Talbot. I'm Deputy Mayor of the City of Peekskill which is immediately adjacent to the power plant. I've been on the local Cortlandt Task Force for Indian Point for two years now and I have listened to a lot of experts and I've listened to a lot of people offer their opinions of how this is going to forward in a safe manner.

I'm concerned. My concern is mainly about the safety going forward. I hear competing experts, all of whom sound very knowledgeable and it leaves me sort of in the middle. I have -- my question though is for the NRC. I heard that at one of our meetings that there will only be oversight by the NRC in the decommissioning process only once a year. Is that the case? That seemed a little on the light side to me.

MR. WATSON: Okay, let me be very clear about this. At Indian Point 1 which has been shut down and placed in a safe condition for a long time. We inspect that for decommissioning activities once per year. However, the Resident Inspectors that are there are there year round. But if a plant does go

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into a SAFSTOR condition where it's been placed in if you want to call them moth balled or very safe condition where there's no water to be leaked out of the plant, because all of the systems have been drained, and other preparations for decommissioning, then we generally will only inspect it about once a year because there's nothing happening at the plant.

(Off-mic comment.)

MS. TALBOT: Well, I think some of the things that concern me are the -- once the plant is completely decommissioned, is first of all, I heard varying reports about how thick the casks that hold the spent fuel rods should be and what the safety factor is there. And I -- we're living in a strange time and there's a lot of terrorist activity. I have no idea what the threat level would be to those nuclear spent fuel rods if a terrorist decided to make an action there.

And of course, there's climate change. So I would urge the NRC to increase its oversight of the plant, both in decommissioning and also after its decommissioning.

Do you do any oversight once it's decommissioned?

MR. WATSON: Well, once a plant enters

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active decommissioning when it's being disassembled, we are there very often to inspect the activities at the plant. So it could be more than once a month, maybe twice a month, maybe once a quarter. It depends on the activity.

MS. TALBOT: That's during decommissioning.

MR. WATSON: During actual dismantling of the plant, okay? We will continue to inspect the spent fuel storage facility. The spent fuel storage facilities actually have a guard force that are there 24/7 to make sure it stays safe and secure also.

MS. TALBOT: Okay. Well, that's, I guess, the point that concerns me.

MR. WATSON: Thank you.

MR. KLUKAN: Thank you. There's a gentleman in back who would like to speak.

MR. HERSH: Good evening. My name is Caleb Hersh. I'm the Legislative Aide to Westchester County Legislator Catherine Borgia. Legislator Borgia represents the 9th District which includes parts of the Town of Cortlandt, as well as the Town Village of Ossining, the Village of Croton, and parts of the City of Peekskill and the Village of Briarcliff Manor. And while it is not specifically the -- it isn't

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physically covering Indian Point, there are certainly many current employees of Indian Point that live in her District and the District falls entirely within the Indian Point Emergency Planning Zone.

After the announcement of Indian Point's closure, certainly we in the surrounding community have convened various forums to address the many crucial concerns that this decision presents, whether or not they necessarily meet the NRC's exact definition of a Community Advisory Board. I think the closest being the Community Advisory Panel in the Village of Buchanan. But certainly there are a variety of concerns that we have talked about in various forums: labor, the loss of jobs, environmental protection, risk management, economic development, tax revenue, and particularly where it is affecting the Hendrick Hudson School District.

And over the past three years, I think Legislator Borgia, and I would say as well as the other elected officials who have been working on this, would certainly not have become as educated on both the scope of all these concerns and their specifics without the input that we've received from the community members.

And so as you report on the best practices

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for Community Advisory Boards, she wanted to highlight some what the stakeholders and the issues that she believes are most essential to engage with when thinking about communities that are surrounding a nuclear power plant undergoing decommissioning.

So first and foremost, she emphasizes listening to individuals, the people who are going to be most affected by decommissioning which in our case are the current employees at Indian Point. These workers are skilled professionals and their collective bargaining agreements, we hope, will be honored during the decommissioning process. We will work to that end.

It is essential and important to hear their perspective and has been for us, both individually and through their representatives of their collective bargaining units, given that they are obviously the most directly affected.

Second, Legislative Borgia believes that community advisory boards should act as a conduit for transparent communication around issues of safety and oversight between the company doing the work of the decommissioning and the public. This has certainly gained particular importance in our case as the responsibility for decommissioning is set to shift

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from Entergy to Holtec. Certainly members of the public have raised important questions about safety plans, about monitoring radioactive material to be stored on the site, the stringency of oversight in light of both the impending transfer of ownership and the fact that expect nuclear material to be stored on the site for a considerable period of time. And I think that she believes, as well, that a Community Advisory Board should be an agent to address these concerns, these public concerns in a clear and a direct manner.

And finally, she believes that it's critical for entities that are there to channel community input about decommissioning do not just have the appearance of being receptive, but to actually act as agents for broader advocacy to the relevant decision makers. They need to actively plan how to convey good ideas as they are coming in, but also how to get the pulse of the sort of broad sweep of public input and turn that into a message that is going to be able to reach people who can address those concerns. There are so many people in our community that are rightly worried about how their children's education, their village and town and county services, their tax burden, their home values, their safety to say nothing

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of their jobs and their livelihoods will be affected by decommissioning.

And so we, as their representatives, need to make sure their concerns can reach the ears of people who can provide answers and we think particularly in the Federal and the State Government which do bear significant responsibility for environmental and energy policy and certainly the Federal Government with nuclear energy policy.

Our community is counting on the NRC as much as it's counting on state and local authorities to work together to solve the substantial challenges that are involved in transitioning away from an operation at Indian Point. And Legislator Borgia knows that she's certainly obligated to involve community members of all stripes in addressing these challenges. And so she just believes strongly the community input as well can be channeled to be productive to this effect if we think about those priorities. And that's all she has to say. So thank you for being here.

MR. KLUKAN: Thank you very much. Any other elected officials?

MR. SMITH: Yes, good evening. My name is Colin Smith. I'm a Councilman with the City of

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Peekskill. My colleague, Deputy Mayor Talbot spoke earlier. And I want to thank you for coming this evening and addressing the community and also to everyone from the community who has come out to have their comments and their concerns addressed here this evening.

I just had one or two quick questions I wanted to put forth. There was a comment earlier by Mayor Knickerbocker regarding the decommissioning company that's -- as far as -- the one that's in line to do the decommissioning.

My question, without necessarily asking about that particular company, because you stated that there's been no license or approval of that situation or that company yet.

Could you just briefly describe the NRC's role in approving and how that process works when a decommissioning company has been selected for a nuclear power plant shutting down. What's the role that the NRC -- what are the important measures that you look for?

MR. WATSON: The role of the NRC is fairly unique in that we are not privy to the contractual or sale agreement. Our sole responsibility is to ensure that the applicant that wants to be the license holder

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of that particular facility is technically qualified and has the financial ability to be the owner of that plant or facility. And those are the two basic criteria that we look at in a license application. So the license application will contain the applicant's technical qualifications, and of course, financial information which may or may not be public. But those are the things we look at in assessing whether they're qualified to be a licensee.

MR. SMITH: And so by technical that means whether or not they have the company infrastructure to --

MR. WATSON: Or a relationship with a company that has safe decommissioning experience.

MR. SMITH: Okay. So as far as the experience of the company itself, that's not necessarily something that you would look at?

MR. WATSON: All the companies that have applied for licenses thus far are actually companies that have been involved in nuclear decommissioning either in the Department of Energy or in other places worldwide or even in the U.S.

MR. SMITH: Okay. Thank you for that, for answering that. And I do have just one more question. Something new that you had mentioned a few minutes

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ago and with respect to the handling of the spent fuel rods, what does that process look like in terms of time line when the Congress decides how that's going to be handled, whether they're going to be stored or is there any estimate that you can --

MR. WATSON: You know, I wish I had an answer for you, but if the Congress made the promise to take care of this high level waste when they authorized all these plants -- encouraged all these plants to be built. So it's really in their ballpark to facilitate the final repository or disposal of the spent fuel and it's way above my pay grade to make that kind of policy position. So I wish I had an answer for you.

MR. SMITH: Thank you very much.

MR. KLUKAN: Thank you. Any other elected officials?

We're going to now turn to -- okay so -- Ms. Agudelo.

MS. AGUDELO: Good evening, everyone. My name is Vanessa Agudelo. I'm a Councilmember from the City of Peekskill. Hi to my colleagues. I came in a little late. I apologize I missed the presentation at the beginning.

I wasn't originally going to make any

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comments tonight, but there were a couple comments made and I did jot a couple of things down. And I really had a question for you all and I should say thank you so much for picking this location as one of the 11 meetings that you're having across the nation.

I think that's -- it's a very necessary conversation to be having with this community, given that Indian Point Power Plant is decommissioning and it's keeping a number of us up at night with a number of concerns.

In terms of the CBA, to what degree can -- or what powers, what teeth can be given, what is the furthest amount of power that CBAs can be granted in order to be keeping the licensees accountable to the communities in which they are performing this decommissioning?

MR. WATSON: Well, by definition, they're an advisory group and so they provide advice to the licensee on decommissioning activities. For example, one community we visited has concerns about truck traffic and other issues in the transportation area. So the licensee is going to make some adjustments in the timing of those truck shipments of truck shipments of radioactive material when they leave. So they have the ability to ask questions about -- in this case, it could be related to public safety, the amount of

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trucks on the road at certain times. And so that's what they have. They can gather information, provide advice, provide estimates of what the schedule and work is being done as far as how it affects the community.

MS. AGUDELO: And if the board raises a certain amount of concerns, is it mandated for those concerns to be addressed by the licensee?

MR. WATSON: No.

MS. AGUDELO: Okay, is that something that -- and I would suggest that this is something that you consider as you're crafting kind of the model of --

MR. WATSON: So your comment is that you think they should have more authority?

MS. AGUDELO: Absolutely. I think that the public should have complete confidence in the company which is performing the decommissioning. I know that here there's a number of us that have concerns with the current company that will be taking up the decommissioning, because there's been a history of a whistleblowing of kind of inadequate handling of the spent nuclear fuel canisters, as well as unions complaining that Holtec is hiring lower-skilled workers to -- because it makes it cheaper.

And I know that there is some concern over

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perhaps what could be a profit-driven motive on Holtec's part in decommissioning the power plant as cheaply as possible because they're able to then keep the funding that's being allocated for this project.

So these are all concerns that I think that the Board should be equipped to hold the licensee accountable.

And I also want to stress that the Board does need to include competent scientists, people with science backgrounds, especially those that are living in the communities that are directly impacted by these projects, the decommissioning projects, and also including the marginalized voices that are usually left behind, especially those of people of color, et cetera. So that's all my comments for tonight and thank you so much for offering us the time for this hearing.

MR. KLUKAN: Thank you.

(Applause.)

MS. GREENE: Thank you. My name is Manna Jo Greene and I'm the Environmental Director for Hudson River's Clearwater. I also serve as an Ulster County legislator.

And I want to thank you for having this type of a meeting. I know some of the other meetings

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were smaller, table top meetings, but we all need to hear and listen to each other.

I think one of the things you're hearing is that we need independent funding for Citizen Advisory Boards or Panels and in fact, there is a proposal in New York State for a Citizen Oversight Board. These boards need to have effective input. And in order for them to do that, they have to have funding for independent experts, for technical experts, for auditors of the decommissioning funds and for many other reasons. For example, there's a debate, somebody mentioned, a battle of experts.

There's a debate about how long high burnup fuel should stay in the fuel pools to cool off.

And it's my understanding that at Oyster Creek, there's going to be a very rushed decommissioning that can put that community at risk. We don't want to see that happen here. The scientists from the Department of Energy and other scientists are recommending five to seven years for high burnup fuel. That's just one example. There are questions about thin wall versus more robust casks, et cetera.

And there is potential funding. That funding should not come from the communities that are burdened with loss of revenue, loss of taxes, loss of

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charitable donations, it needs to come from the state or the Federal Government. The federal bill that could affect this is the STRANDED Act that has not get been passed, but Congresswoman Nita Lowey is a sponsor. And there is state legislation that would tax spent fuel and if that money could be directed so the communities can have access to independent experts and really have effective input.

Another important point is -- has to do with the decommissioning specialists. Their responsibility to their shareholders is profit. The responsibility of the community members and elected officials is to be sure that the decommissioning is done absolutely as safely as possible. And that's in competition. And unfortunately, over the years, I think that the NRC has lost the confidence of the community, primarily because of the number of waivers and exemptions that you've given and the fact that I think the community has felt unheard when raising questions. You have responsibility for safety, but I really think you've lost the trust of the community.

I also want to mention that New York State is a deregulated state, so it's difficult for state agencies to have this much control over the deregulated facilities, over the owners. And the

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owners have very different perspective than the community members.

One other thing I just want to mention is putting a gas facility at a nuclear facility is very dangerous. The gas pipeline that's there presents danger. But at Oyster Creek, reusing the electric -- the infrastructure for electricity that is already at that facility, for wind coming from offshore winds, that's a really good beneficial reuse.

And the last thing I want to say because I want to give other people a turn, that we are having an in-depth conference, this is the third forum in this community and the fifth forum that Clearwater and others have put together. It's the 2019 Regional Nuclear Decommissioning Forum next Thursday afternoon, October 10th, from 1 to 4 at the Hendrick Hudson Free Library and a lot of the topics that are being discussed here tonight will be discussed in depth. We're bringing in people from the communities of New England, Pennsylvania, Three Mile Island, Zion, et cetera, to share their experience which you've already heard, as you've traveled around the country, but to bring those community members and elected officials here and also a panel of science experts to dig down into the questions that these communities face, but

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they need funding and they need independent funding that cannot be left to the owners. That would be unwise and unfair. It has to either come from the state or the Federal Government and that would give the communities a real voice. Thank you.

MR. WATSON: Thank you.

MR. KLUKAN: Thank you very much.

(Applause.)

MR. KLUKAN: I don't want to say too much, but Ms. Green is on the CAP as well. So this is a good transition. At the other meetings that we've done so far for the Section 108 meetings, we now invite, after elected officials are invited, current CAB members or CAP depending on what they're called, to come up and speak.

I would ask given how much time we have and we have a full plate of public speakers, to keep your comments brief. I will not time you, but I want to make sure you're treated the same as we treat other CAB members at our past meetings.

So whatever order you like, if you're a current member of the CAB, we offer you this opportunity to make some short remarks.

MS. MILONE: My name is Deb Milone and for the record Milone is M-I-L-O-N-E. I am the President

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of the Hudson Valley Gateway Chamber of Commerce. I'm also nearly a 30-year resident of the City of Peekskill and am an Advisory Board Member of the New York Affordable, Reliable Energy Alliance. I am also a member of the CAP.

Our chamber and I have had long advocated for the continued operation of Indian Point and we were very sad to learn of the decision to close. But we must deal with the reality that Indian Point will be closed by 2021.

Deciding how best to move forward is something that the entire community must be involved in. That's why I was so pleased when the Village of Buchanan Mayor Theresa Knickerbocker and Town of Cortlandt Supervisor Linda Puglisi announced the formation of the Indian Point Nuclear Decommissioning Citizen Advisory Panel. This panel is true representation of the community with business owners, labor groups, environmental advocates, scientific experts and others coming together to help navigate our community through the decommissioning process.

Having a task force assembled under the leadership of Governor Cuomo has also been important.

But this local Indian Point CAP should be just that, local. With no offense meant to our friends in

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Washington or the State Capital, we know our community best and our voices should be heard. Lastly, I want to comment on Entergy, the plant's owner. They have been and continue to be an incredible corporate neighbor with their tax revenues and charitable contributions, they have lifted this community up in immeasurable ways. The announcement that they plan to transfer Indian Point to Holtec is bittersweet because we will miss our friends at Entergy, but we know that Holtec will fill that important role in our community.

Holtec has also committed to decommissioning the Indian Point site decades sooner than if Entergy were to remain the owner. That alone should be welcome news to anyone who truly cares about this community. Thank you for your time this evening.

MR. KLUKAN: Thank you very much.

(Applause.)

MR. KLUKAN: Are there any other current members of the CAP who have not yet spoken?

Okay, so we're now going to move on to public speakers. We're going to do it in random order. We're going to get through everyone on the list. I'm going to do my best. With that said, I'm going to hold you to three minutes. And when that three minutes are up I'm going to thank you like that

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and then we're going to have to move on. Just so we make sure that everyone has an opportunity to speak. I recognize that's not rule. I don't enjoy cutting anyone off. It's not like I wake up in the morning and be like yippee, you know? But that's what we're going to have to do to get, make sure everyone gets an opportunity to speak.

I will say this, as we've already mentioned, written comments will continue to be received through November 15th and they will be given the same weight as whatever you say here tonight. So whether you say it here tonight, or through additional comments you didn't get an opportunity to say, you can submit that in writing to the NRC. They'll be considered exactly the same, okay?

So with that, we're going to start with number, first one I pull out of the list, number 27. Joan Voot.

MS. EICHENHOLTZ: Good evening, my name is Jenean Eichenholtz. I'm speaking on behalf of Joan Voot. Joan and I are founding members of a community group called Power Through Cortlandt. As the purpose of this meeting is to identify best practice to the establishment of community groups, I'm going to read a statement, parts of a statement that we prepared when

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the Community Advisory Panel was announced. I'm going to give you a copy of the full release that we submitted at the time.

First, the Advisory Panel was not conceived or drafted with input from the community, nor was it tailored to the needs of the Indian Point impacted communities. Power Through Cortlandt and other groups have been working on a Citizens Oversight Board with input from stakeholders for over a year and have drafted legislation tailored to the Indian Point community.

Second, the Citizens Oversight Board would have been made up of residents, not elected officials, and would better represent the impacted communities. With the Advisory Panel being composed mainly of elected officials, means that the individuals will come and go based on elections. We need individuals to serve full terms and be selected by their communities because of their expertise and independence.

Third, the Advisory Panel lacks proactive abilities, funding access, and oversight. A Citizens Oversight Board would be empowered to gain access to communications and documentation that would allow informed input from the community. The licensee must

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be forced to follow best practices, not cheap or easy methods. A Citizens Oversight Board must be able to negotiate and receive inaccurate information.

Fourth, the Advisory Panel has an expiration date, while the nuclear waste will be there in perpetuity and requires rolling stewardship.

Finally, the structure is similar to the New York Indian Point Closure Task Force and concentrates control of the Citizens Advisory Panel with a chair and vice chair who serve and are enabled to appoint residents themselves. It does not accurately represent the impacted communities and was announced without their input.

When Mayor Knickerbocker said they are not self-appointed, I believe she meant they were elected to their offices. However, they self-appointed themselves to the Citizens Advisory Panel without first inquiring from the community as to who they would like to represent them. I feel that any Advisory Panel that's made up of community members should have input before its formation so that they can have the representation that truly represents their communities. Thank you.

MR. KLUKAN: Thank you very much.

(Applause.)

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MR. KLUKAN: Next up, we're going to have number 18 which is Susan Shapiro and then I'm just going to give you a heads up now and then we're going to have number 3 and then number 25. So 18, 3, then 25.

MS. SHAPIRO: Thank you. I'm Susan Shapiro. One thing that I would like to clarify is I understand that the safe storage is for 60 years and so for you to say that the NRC basically is going to be not involved in any kind of funding for the Citizen Advisory Board doesn't make any sense.

Can you hear me now? Okay. Is it true that the waste will be here for at least 60 years? Is that true? A minimum of 60 years?

MR. WATSON: Let me be very clear what the 60-year requirement is. The NRC requires that the licensee, the reactors be -- complete their decommissioning within 60 years. So the longest they typically will run will be 50 years in a SAFSTOR situation. This allows a lot of radioactive decay to take place so the dose rates that the workers would receive are very small. About one percent of what they were when the plant first shut down. So there's a safety issue there where the dose rates are significantly reduced.

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Secondly, after that 50-year period, the plant is decommissioned. It typically takes seven to ten years to safely decommission a nuclear power plant. And so when you hear a schedule of about ten years from any of the licensees or the people who are going to do the decommissioning, that's typically what it has taken for the first ten that were completed in the 1990s.

Zion, which is two large units up at -- near Chicago, is going to be completing the decommissioning there right around nine, ten years and that's typical for a decommissioning project. So that's about what it takes, about ten years to decommission it. Sixty years is really a time for the plant to sit in a moth balled, safe condition until the licensee decides to do the decommissioning.

MS. SHAPIRO: So during that time, Entergy will still be putting money into their decommissioning fund?

MR. WATSON: That's -- the decommissioning fund will continue to grow with whatever investments the trustee has made of it. I don't think there's any requirement for them to put money in the fund. However, there is a requirement that the report to the NRC at the end of March of each year on the status of

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those decommissioning funds that the trustee has which is an independent bank, the status of those funds from the previous years. So we continue to monitor how much money is in that fund and how it's growing or what the expenses are for.

MS. SHAPIRO: I'd like to make a recommendation that a small portion of those funds are being used for a citizens advisory oversight board so that the community can actually participate and experts can be hired that can give advice, proper advice with technical knowledge.

I'd also agree that the community advisory board should be elected from the communities. The reactor communities and all the counties surrounding any nuclear reactor should have representation on the community advisory board.

The other things that I think the money that -- some of the money for the decommissioning needs to be spent on that you're already collecting is that continuous real-time monitoring of any releases of the waste be continuously monitored and reported to the communities including any releases of carbon-14 and krypton-85, which we know is part of the issue in the spent fuel.

We need quality control experts to ensure

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that the casks are properly inspected. We know already at Indian Point that some of the casks that are already in use were not properly fully inspected and they're still in use. And that's a real serious issue going forward for the -- what already happened and what might be going forward.

We all -- there also has to be a mechanism to recast these casks. It was in the new waste storage fund, I mean decision --

MR. KLUKAN: Thank you very much.

MS. SHAPIRO: I'm sorry. They took up a lot of my time answering questions.

MR. KLUKAN: I actually paused when they were talking, so I actually gave you your full three minutes. And I'm going to speak to that in a second after you're done. So you spent a full three minutes speaking and I paused it when Bruce was talking.

So --

MS. SHAPIRO: Well, evacuation must take place until all the waste is gone. We cannot remove evacuation planning for this area. We have 20 million people in a 50-mile radius and it -- with high-pressure gas lines running right through Indian Point that evacuation planning must stay in place and be fully funded. Thank you.

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MR. KLUKAN: Thank you.

(Applause.)

MR. KLUKAN: All right. Two very quick things: One, I didn't announce this in this instance.

My apologies. Mea culpa. Because we have such limited time, if you ask questions I'm not going to from here on out stop the clock. I stopped the clock for Ms. Shapiro because I didn't make that announcement, but if you wait for them to respond, that's your time you're using. So you can either bundle all your questions together and then they'll answer afterwards, if they choose to answer, but I will no longer be pausing the clock.

And then two, someone asked me if you should just go in order since we're going to -- I'm going to do my best to get to everyone tonight. I am going to get to everyone tonight. So, well, does anyone care if we just go down the list one, two, three, four, five?

(No audible response.)

MR. KLUKAN: All right. So we got one vote. Does anyone want the --

PARTICIPANT: Just go.

MR. KLUKAN: Just go? All right. Let's do it. So we're going to go with Joel Gingold next,

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No. 1.

MR. GINGOLD: Good evening. My name is Joel Gingold. I'm from Croton-on-Hudson, right down the river. I currently serve on Croton's Sustainability Committee. I'm the environment climate chair for CCoHOPE Indivisible and I'm a nuclear engineer who's been active in the industry for nearly 60 years.

I'd like to thank the Panel for this opportunity, but before commenting on the board itself, I think with so much decommissioning that will be going on in the next decade or so it would be incumbent to create some kind of clearing house for experience on decommissioning and best practices as these projects go forward. Now this could be maintained by NRC, by DOE, by EPRI, but I think that would certainly help everybody if they could take advantage of the experience of others.

I don't have to tell this panel that decommissioning is a very complex and highly technical process. Bright men and women, however well-informed and conscientious, cannot effectively oversee this process without the assistance of objective professionals. This is even more critical in the case of Indian Point since many in the community, as you

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have already heard, do not have a great deal of trust in Entergy and Holtec, or even in the NRC itself.

So I believe there needs to be a professional staff, more professionals on the board, and I would suggest that they include as a minimum at least one individual who's an expert in radiation protection and health physics and has worked at a nuclear power station; at least two or more engineers with detailed knowledge and experience in nuclear plant systems, operation and maintenance; one or more environmental scientists, not activists, but scientists with experience in the impact of major industrial facilities and their processes on the environment; one or more accountants or other financial professionals with the knowledge of the types of financial transactions and statements associated with decommissioning; and finally one or more experienced science and technology journalists who can take all this technical information developed by the professional staff and present it in a way that is understandable to the public, to state legislators and officials.

I think it would be best if some or all of these professional staff were members of the board rather than just advisors. Participation of such

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individuals will necessitate a significant budget as has already been mentioned here. I think it is quite reasonable for the funds to be provided by the licensee and placed in an escrow account which is controlled either by the state or by the oversight committee itself.

And finally, I think the non-professional members of the oversight committee should be chosen to be capable of working cooperatively --

MR. KLUKAN: Thank you very much.

MR. GINGOLD: -- with the professional staff. Thank you.

MR. KLUKAN: Thank you.

(Applause.)

MR. KLUKAN: Okay. Next up, No. 2 has already spoken, so we'll go to No. 3, Richard Kline.

MR. KLINE: Okay. Thank you. Thank you for being here.

So in the mid-20th Century there were two developments that brought enormous potential for benefit and risk, and one was nuclear fission which gave us nuclear power plants and nuclear weapons, and the NRC model regulates that, but the other was genetic engineering and modern medicine. So that also had enormous potential for benefit and risk. And

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there were a number of missed steps early on in that which led the government to generate a series of regulations that -- people know the FDA, but there's also OHRP which also regulates.

PARTICIPANT: We can't hear you.

MR. KLINE: Okay. So modern medicine was -- another system was set up to regulate that, and that was the FDA and OHRP, which are similar in a sense in that they're high in expertise and they look at whether or not potential medicines or devices are beneficial and whether the benefits justify the risks that are taken.

But what most people don't know is that basically every day in this country at hospitals and medical centers there's what's called the institutional review board which was described in 45 CFR 46, and the institutional review boards are similar to what we're proposing with the CAPs. They had M.D.s, they had scientists, and they also required lay members. So these people brought to bear the ethical concerns and the ethical notions and helped in making the decision as to whether the risks and the benefits were appropriate. So the main decision of these institutional review boards are in what's called the 111 Regulations where they determine whether the

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risks and benefits are appropriate.

So even though the FDA has all that expertise, at a given site, at a hospital or a medical center, one lay person can basically say I don't think this is right and they can least cause that to be reconsidered. So I mean, the FDA; there are a lot of sites, they can go to other places, but this is an example that is working all the time, there's professional allegations, there's litigation on it, there's a whole -- you know, case history. So I would suggest that that be -- and I can write this up in a -- in comments, but I would suggest that the way this is handled in the medical sphere, especially like with -- there are very similar things with genetic engineering. People will worry that we'd lose some kind of virus --

(Simultaneous speaking.)

MR. KLUKAN: Thank you very much. Thank you.

MR. WATSON: So if I understood you correctly, your comment is that there should be an oversight board of experts that look at the decommissioning process and issues.

MR. KLINE: Yes, they should model it on the institution review board --

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MR. WATSON: Okay.

MR. KLINE: -- which is already in the regulations.

MR. WATSON: Okay. Thank you.

MR. KLUKAN: Thank you very much.

(Applause.)

Okay. No. 4, Mr. Paul Blanch.

MR. BLANCH: Thank you very much. My name is Paul Blanch. I traveled 100 miles and I appreciate this time and I'm going to try to stick within my -- I will stick within my three minutes.

I, like the gentleman before me, have almost 60 years. I have 55 years including reactor operations, engineering and so forth. I have been a part of the equivalent at Millstone Unit 1. I have participated in the Vermont Yankee, Connecticut Yankee and the Maine Yankee decommissioning boards, panels, whatever we want to call them.

Most important thing that is needed by the oversight board is a charter. And I think that the charter has to, number one -- as supported by my two previous speakers, has to have a very clear charter taking a look at how the NRC enforces its regulations. That hasn't been mentioned tonight.

There are regulations. These regulations

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are found in 10 CFR 50 -- 54.3. They are very specific. They address things like criticality. They address things such as transportation, the integrity of the canisters. One of the words in the regulations is that these regulations are applicable over the life of the facility, and that's defined in 10 CFR Part 72, but not defined in the NRC regulations.

Again, the most important things; and after working many, many with the NRC, the NRC itself needs the oversight more than any other organization invited here. The NRC is totally and completely unable to define the applicable regulations. A FOIA, Freedom of Information Act request was filed yesterday for the identification of the applicable regulations for the decommissioning of the plant. That will be found in response to the FOIA.

And again, to reiterate, the NRC itself needs oversight. That doesn't need to go through the state. It's got to go directly to the NRC to say, NRC, you're doing a good job. NRC, you are not paying attention to the regulations that are written in the Code of Federal Regulations.

MR. KLUKAN: Thank you very much.

MR. BLANCH: Thank you.

MR. KLUKAN: Thank you.

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(Applause.)

MR. KLUKAN: Okay. Next up, No. 5, Mr. Limoges.

PARTICIPANT: Can you mention who's No. 6 so that we can --

MR. KLUKAN: Sure. So your numbers are printed on your tickets, just so you're aware of it. Next up will be Tim Smith and then Tim will be followed by Jackie Dressler. Okay? So next up after this will be Tim Smith and then Jackie Dressler. Okay? Thank you.

MR. LIMOGES: My name is Charles Limoges. I've lived in the area since 1964. I've worked at Indian Point, earned my senior reactor operator --

PARTICIPANT: Sir? Can -- yes.

MR. KLUKAN: Just get a little closer to the microphone.

MR. LIMOGES: -- earned my senior reactor operator's license for Indian Point 1 and Indian Point 2. I'm against the shut down and decommissioning of the Indian Point plant because it's simply going to be replaced with a fossil fuel plant which results in air pollution and contributes to global warming. Thank you very much.

MR. KLUKAN: Oh, thank you.

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MR. WATSON: Thank you for your comment.

MR. KLUKAN: Okay. Again, next up --

(Applause.)

MR. KLUKAN: -- we have Tim Smith followed by Jackie Dressler. And then we'll have Klaus Jacob, No. 13.

Please?

MR. SMITH: Thanks very much. My name is Tim Smith and while I have some relationship to New York having been born and raised here, I'm a consultant in Washington for an organization called the Decommissioning Plant Coalition, known affectionately in some circles as the Dead Plants --

PARTICIPANT: We can't hear you.

MR. SMITH: -- known affectionately in some circles as the Dead Plant Society.

As I've said in other forums, we were initially created by the five companies that were in the first wave of decommissioning, and I regret to some extent that we've now grown to 14 and 15 members.

While several of our member companies have participated in previous meetings, I came this evening to observe the dialog and share some thoughts that I've learned from discussions with our members in visits that I've had at several meetings of other

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engagement panels.

I start by observing that the end of life of a nuclear energy plant is often a traumatic event for a community. While some who have sought closure of a particular plant for a variety of reasons are what I'll term relieved, others, particularly the men and women who've made a career in the industry see well-paying jobs come to an end and are left to wonder what the next stage of their career will be. Depending on the size and resources of the community the taxes paid by these large electric generating facilities and the spin-off economic activity they generate are often a substantial portion of its economic life blood.

Of course the Indian Point reactors have not yet shut down, but shut down is coming and it is natural that a host of new questions arise in the community in anticipation of that event, and I think we've heard a lot of those tonight and will hear more in the rest of the evening and at your other meetings.

And I think it can all be summed up as relating to questions of risk, who's in charge and what's going to happen on what time frame?

I think it's axiomatic that the purpose of community engagement during decommissioning is to

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ensure effective communication to answer these questions and others that are important to the local community and facilitate a trusted flow of information between the site licensee and the public. DPC members represent a spectrum of sites where decommissioning activities are underway from those where shut downs have recently occurred to those where the physical plant and associated equipment have been completely removed.

Bruce, I think at the start of the meeting you outlined the various models that have sprung up over time on that and I won't go into that now, but experience at our member sites shows that the key to effective engagement is not one of form, but one based on a commitment of all parties to an openness in dialog and a commitment on the part of everyone to act collegiality. From what I've heard tonight I think it's clear to me that the Indian Point decommissioning citizens advisory board or panel is an excellent first step. Thank you very much.

MR. KLUKAN: Thank you.

(Applause.)

MR. KLUKAN: Okay. Next up, again we have Jackie Dressler followed by Klaus Jacob, and then No. 14, Frank Schanne. Okay.

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So again, please?

MS. DRESSLER: Hi there. My name is --
can you hear me?

(No audible response.)

MS. DRESSLER: Okay. My name is --

MR. KLUKAN: So please feel free to pick
up the microphone. Yes, don't think you have to hold
it in the stand.

MS. DRESSLER: I'm too short.

So my name is Jackie Dressler. I'm from
Rockland County, New York. I don't know if there are
a lot of Rockland County people here. A few. Great.
Susan Shapiro and another lady.

So we have to shut it tight, shut it right
with local citizen oversight, and that includes people
in this impacted community. It includes citizen
activists, scientists. This is so important that we
get this right.

Holtec is a corrupt corporation. They're
not in the business of doing anything except making
money. They have a horrible track record, very bad
safety record, and I do believe that they should not
be the company that's going to be doing this shut
down.

We have several big issues here. We have

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the frack gas high-pressure pipeline of Spectra AIM that runs through Indian Point. I don't know that these people are going to be safe enough for us. I believe that Holtec probably does not have the financial ability and deep understanding and technical abilities to carry this through safely and fully. I'm very concerned about what I hear in the news, what's coming out about their corruption and about what's happening out in California.

I believe that the citizen oversight board or the CAP, COB; there is many different names, needs to have authority to use subpoena power to get safety information out to the public from the licensee. We cannot be kept in the dark. We've been kept in the dark with Entergy; we've been kept in the dark with the NRC. And we have a real lack of trust. And so we need to be able to get the information and share it.

And I do believe that having experienced Indian Point workers is one of the most important ways to meet safety in this decommissioning process. They have the institutional memory. They know how things work. And I believe that we need to keep as many people involved in this process as we can who have the understanding.

So my big feeling here is that Holtec is

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the wrong company for this and I hope that you -- that's something that someone said earlier, Mr. Blanchard I think it was -- Blanchard? So we kind of -- I kind of feel that the NRC needs oversight, and you're going to be overlooking a company that's corrupt, that doesn't know what they're doing, that is creating damage already out in California.

MR. KLUKAN: Thank you.

MS. DRESSLER: Thank you.

MR. KLUKAN: Thank you.

(Applause.)

MR. KLUKAN: And again, if there's time at the end, people will have an opportunity to speak again.

So next up again is Mr. Jacob, No. 13, followed by No. 14, Frank -- I just said it out loud -- Schanne. And No. 15, John Sullivan.

Please? Or No. 11, 12 and 13. We need to take -- but please go.

MR. JACOB: My name is Klaus Jacob. I'm a resident of Rockland County within the evacuation zone and I happened to be involved actually in the licensing procedures of Indian Point Nuclear Power Plant. I am a geophysicist by profession and I have looked at the seismic issues over the last 30 years

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and I'm very concerned to what degree your involvement in oversight of the nuclear spent facility -- spent nuclear material will continue and how often you actually will inspect.

For instance, the spacing of the casks or the kind casks that are being used, the transfer of the spent fuel to those casks. And not only are there still seismic issues that the NRC in the past has never, at least from my profession and to other professions' opinion, answered to say what is actually the seismic design of the mat which the casks extend, the response of the casks to any potential shaking. And this is not the only asset that needs to taken into account.

I do not know off the top of my head what the elevation is where the spent fuel will be, or is already, but after all we have storm surges coming up the Hudson and it could be that there would be inundation during the decommissioning of the facilities while they're being decommissioned and flooding could occur in those facilities. Also in the standby generator facilities that are at much lower level to the degree they may not be needed for the decommissioning once the plant is shut down, but there is a number of technical issues where I think the CVA

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will be overwhelmed and without the ability to bring experts into advise them. And the question is where does the advice actually go? We hear it will go to the licensee, but the report goes to Congress. And that's too late.

MR. KLUKAN: Thank you very much.

(Applause.)

MR. KLUKAN: So next up we will have again ticket No. 12. I realize the numbers of the tickets and the numbers in which you signed up got different, so I apologize for that. And then we'll have number -- ticket No. 13 and then ticket No. 14.

Please?

MR. SCHANNE: Good evening. My name is Frank Schanne. I'm from White Plains. I'm coming as a resident. Can you hear me? No?

PARTICIPANT: (Off microphone.)

MR. SCHANNE: Yes? Okay. Good. Thank you very much for coming this evening and hearing our concerns. I thank Nita Lowey's office because it was your email that got me to find out that this was happening. Otherwise, I'd probably be to more of these.

I do have some concerns about what's going on. I actually felt blind-sided when Indian Point was

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closed without the consent of the local community. And so it has a variety of impacts that I see. It's already been talked about the employment, the tax base, the economic impact, but I also wonder about the energy availability. Nuclear energy, as everyone knows, is the highest density energy we produce on the least square or cubic feet to produce the highest amount of energy. It's naturally occurring. All this radiation is -- these radioactive developments are detained anyway. So in a way it's only because we concentrate it that we make it successful enough to create the energy.

So decommissioning the plant is causing these economic impacts and it may destabilize the energy available for the New York City area. That's my biggest concern. And I can ask -- you can tell me what they -- what other communities have done and so forth. So that's a concern.

But when I read the bill that came along with this, the Innovation and Modernization Act -- and I thought, whoa, this space is going to be of limited use in the future anyway. Why don't we innovate, use modern nuclear facilities and put them in place in this space? Some of the wealthiest people in the U.S. like Bill Gates and Peter Thiel advocate and they've

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been funding research in these innovative sites where they can even make use of low-density enriched elements that can even consume radioactive waste.

So at the end of the process there's less radioactive waste than there was in the beginning and it's a way to consume it. We could do it right here.

It would make money. It would provide energy for the area. And so all of those things would occur.

Oh, I'm also -- my expertise is actually in pathology. I teach radiation pathology. I have a degree in chemistry, a Ph.D. in pathology. My expertise is in toxicology. I'm a professor of pharmaceutical sciences at St. John's University in their College of Pharmacy and Health Sciences.

So, and -- oh, and of course thank you all for coming and representing the various points of view we have in our community.

MR. KLUKAN: Thank you very much.

MR. SCHANNE: And, yes, 15 seconds --

(Simultaneous speaking.)

MR. KLUKAN: Thank you. Thank you for returning the 15 seconds.

All right. Next up we have --

(Applause.)

MR. KLUKAN: Well, thank you. You got it.

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And then that will be followed by Mr. Kelly --

MR. SULLIVAN: Okay.

MR. KLUKAN: -- No. 14, and then Mr. Outhouse at No. 15.

MR. SULLIVAN: Okay. John Sullivan, a local resident, four questions. I'll make them as quick as possible.

Who actually designates the CAB? My understanding that it's the company. The NRC makes a recommendation that the company set up a CAB. I'm assuming that where there's a government entity involved that the company has agreed to be involved with the government entity, that they could actually challenge it if they wanted to.

MR. WATSON: There is no requirement from the NRC to have a community --

(Simultaneous speaking.)

MR. SULLIVAN: I understand that, and it's --

MR. WATSON: Right.

MR. SULLIVAN: -- the recommendation of the NRC to the company to set up the CAB.

MR. WATSON: Right, or --

MR. SULLIVAN: So it's the company that has the -- designates who the CAB is?

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Second question:

MR. WATSON: Yes, if they're the sponsor, yes.

MR. SULLIVAN: Okay.

MR. WATSON: Just like if the state's a sponsor they designate who the members are.

MR. SULLIVAN: And I'm assuming if the company disagree with that, they could fight the state and do --

MR. WATSON: Well --

MR. SULLIVAN: Okay.

MR. WATSON: -- in some states it's legislated.

MR. SULLIVAN: Okay. Thank you. The NRC is the final arbiter over safety. That's the way it's been. That's the way it's going to be as long as decommissioning is going on. The only reason why New York State was able to fight the plant had to do with the economic effects. That's the only thing that's allowed to the state to challenge the plant on. The NRC is the final arbiter of safety?

MR. WATSON: We're the safety regulator, that's correct. And if we felt there were unsafe operations, we could order the plant shut down.

MR. SULLIVAN: Okay. But we're relying

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upon you to make that judgment.

Yucca Mountain, as planned -- I'm sorry Colin Smith left -- Yucca Mountain, as planned is taking waste first come, first serve. By the order the plants are closed. So Indian Point 2 and 3 are down on the list. So we'll have the waste for a while?

MR. WATSON: Well, the Yucca Mountain --

MR. SULLIVAN: Is not --

MR. WATSON: -- project was de-funded --

MR. SULLIVAN: Right. Okay.

MR. WATSON: -- so it's probably no longer a viable option for disposal of waste.

MR. SULLIVAN: Okay. And you're looking at the CIS in Texas --

(Simultaneous speaking.)

MR. WATSON: But the Department of Energy establishes the priorities for the fuel.

MR. SULLIVAN: All right. And the last thing actually I have, I am assuming that you have on your website the list of plants that you have unrestricted use, you've closed or you've decided unrestricted use and that you have minimum regulations for that in -- minimum standards in terms of what the -- in terms of what it means to be unrestricted use --

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MR. WATSON: Yes, the sites --

MR. SULLIVAN: -- radiation?

MR. WATSON: -- that have been decommissioned are listed on the website, correct?

(No audible response.)

MR. WATSON: And all of them have to meet the unrestricted release criteria, which is in Title 10 of the Federal Regulations, Part 20.

MR. SULLIVAN: Title 10, Part 20?

MR. WATSON: Yes, it's 20.1402, sub-part E, I believe it is, but --

MR. SULLIVAN: Okay.

MR. WATSON: -- they've got to be --

MR. SULLIVAN: I'm sure some of the folks know it.

MR. WATSON: It's in the regulations. They all have to meet that requirement for unrestricted use in all sites that have been decommissioned in the United States including the reactors. Research reactors and all the complex material sites which are generally industrial sites that use radioactive material have been released from unrestricted use.

MR. SULLIVAN: Okay. Thank you.

MR. KLUKAN: Thank you very much.

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(Applause.)

MR. KLUKAN: All right. Next up is ticket No. 14, Mr. Kelly and then followed by ticket No. 15, Mr. Outhouse, and then ticket No. 16, Ms. Vaughn.

MR. KELLY: Okay. My name is Hank Kelly.

I live in Ossining and one of the things I'd like to say is if it hadn't been for the Examiner News I wouldn't have known this was happening. And I think that's a big deal in the community because people don't know about meetings, they don't know the discussions, they don't know that there's a CAP or CAB already put into operation.

I think a lot of the local folks, at least in the 10-mile radius, especially the residents, should be communicated with and have input to what's going on in that community, in that organization.

I also think the CAP, the CAB, whatever you call it, must have some official input and monitoring power over the decommissioning company. What's the sense of having that outfit if they can't bring some power to bear in terms of making sure things are done correctly and they're being communicated with effectively and honestly?

The other thing is the actual waste disposal issue, which is big on everybody's mind,

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okay. Plants have been in operation since 1960 in this country and we still don't have a place to put the stuff. Holtec is in the middle of a hassle right now in Carlsbad, New Mexico because they want to put their disposal site on a 1,000-acre parcel in an oil field and the people in the community are outraged by this. So I mean it -- I think somebody better really look hard at where this stuff is going.

And I'll ask Ms. Conway, does Three Mile Island still have its stuff on site?

MS. CONWAY: (Off microphone.)

MR. KELLY: Three Mile Island. Fuel.

MR. WATSON: Yes, yes. Yes, Unit 2 is like 99 percent de-fueled. The fuel was removed and moved to Idaho.

MR. KELLY: Okay. So it's actually out of there?

MR. WATSON: Yes, there's a little bit left in the plant but it will be -- has to be decommissioned to get to it.

MR. KELLY: Okay. That's good news to hear that it's actually out of the community and somewhere -- unfortunately in somebody else's community, but some place where maybe it will eventually end up.

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I guess the next question is who makes the determination as to how long this stuff stays in the pools and then goes into the casks? And then how long does it stay on site? You talked about decommissioning, 10 years usually, sometimes 50 years for the reuse, but how long do you really think it's going to be that that stuff is going to be there, left there? Best guess.

MR. WATSON: Well, I can't make a guess on how long the fuel will remain on site. That's a responsibility of the federal government, in particular our national policy makers, to solve that problem.

MR. KELLY: But that's a big factor in how this is going to --

MR. WATSON: Well, I know, but --

MR. KELLY: -- influence things.

MR. WATSON: -- like I said before, it's well above my -- it's our local -- it's your -- it's our national elected officials who have to make those policy decisions to solve the high-level waste issue.

MR. KELLY: Okay. The last thing I'd say just for half a second, the repurposing of that site, I would think that the NRC would have some ideas, and I'm surprised I haven't heard anybody actually talking

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about the fact that we've got this pipeline that's got problems but could be fixed that could be used to set up a generating facility there.

MR. KLUKAN: Thank you.

MR. KELLY: Thank you.

MR. KLUKAN: You're welcome.

All right. Next up we have Mr. Outhouse, ticket No. 15, then followed by Nancy Vaughn.

Is Nancy still here?

PARTICIPANT: No, (off microphone.)

MR. KLUKAN: Okay. She gave her ticket to you?

(No audible response.)

MR. KLUKAN: All right. Please?

MR. OUTHOUSE: Thank you very much. I'm Bob Outhouse and I have lived in the Cortlandt community for my entire life. I'm a 40-year first responder for the local community: fire, police and EMS.

I want to thank you for coming and allowing this opportunity. I do have some comments I think that should be brought back.

Number one, if we're going to shut down a nuclear power plant in this country, there should be a 10-year head up to all the local officials. Okay? In

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January 2017, you heard the town supervisor say we were blind-sided, and we were. We're scrambling. The community is scrambling. The community is looking at the economic and environmental impacts that all still haven't been told to us. Number one.

Number two, first responders. When this plant closes it's my understanding there will be no fire protection once the plant is not in operation, so that relies on the first responders on the outside of the power plant, the local communities. To my knowledge to this date nobody's come to the first responders and said this is the process that's going to happen. What are we going to be looking at as first responders? We know what we're looking at when a plant's in operation, but we've never seen a plant decommissioned before. These are concerns that have been brought to my attention.

And there are extreme concerns about personnel, equipment. Is there different training? There's been -- I've listened to a lot of comments here tonight and I think it's excellent coming from residents and residents that just heard about this. I think some people think Buchanan has a bubble around it. Well, there's no bubble around the Village of Buchanan. It's going to affect all of us.

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The emergency evacuation plan needs to remain in effect. The jobs that are supplied by Entergy to the County Department of Emergency Services, OEM, need to be maintained as long as we're going to have nuclear fuel on that site. The decommissioning fund is probably a good place to start. If it's not coming from there, then it has to be the federal government that takes care of this. This is your fuel. At the end of the day it's your fuel. It's your problem, but it's in our back yard. And we need some plans set in place.

You've done 10 plants, correct? Ten plants. In 10 plants we should have some type of plan that will be given out to the community first responders and alerting them of the types of incidents that could occur. And I would like to see the types of incidents, whether they're minor, moderate and how they're responded to.

MR. KLUKAN: Thank you.

MR. OUTHOUSE: Thank you very much.

MR. KLUKAN: Thank you.

(Applause.)

MR. KLUKAN: Okay. Next up we will have the ticket held by Nancy Vaughn, which is No. 16. And then we will go to Richard Webster, ticket No. 17, and

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then ticket No. 19, Tina Volz-Bongar. I apologize if I'm mispronouncing.

But again, ticket No. 16.

MS. WILLIAMS: Hi, my name is Courtney Williams. Along with Nancy Vaughn I co-founded Safe Energy Rights Group and I'm speaking on behalf of SEnRG tonight.

My first question was must a citizens advisory panel be recognized by the NRC?

MR. WATSON: I -- excuse me. I'm -- recognition, I don't --

MS. WILLIAMS: Can there be more than one?

MR. WATSON: I would assume there could be. I --

MS. WILLIAMS: Great.

MR. WATSON: -- but I'm just saying --

MS. WILLIAMS: Then I would recommend that we not approve --

MR. WATSON: Well, please, let me finish.

MS. WILLIAMS: Well, you're --

MR. WATSON: I didn't interrupt you.

MS. WILLIAMS: I was going to reclaim my time.

MR. WATSON: You stopped during my time by talking. We've never had --

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MR. KLUKAN: I'll pause it.

MR. WATSON: Sorry. I'm sorry. But we've never had more than one that I know of. I'm must making that clear, that --

MS. WILLIAMS: Okay.

MR. WATSON: -- the ones that have been have either been utility-sponsored or sponsored by the state, so we generally recognize those right away. And then we have the one that -- locally here that's been formed --

MS. WILLIAMS: Okay. Then I would recommend not recognizing the one that we already have formed. Since we are here tonight to talk about best practices for citizens advisory panels, I would recommend waiting until that process is complete and then using those best practices to form our local one.

I have several questions and I know there's probably not time to answer all of them, so I will just go ahead and read them onto the record and then with my remaining time we can answer some of them.

So I, one, would like an example of a time that the NRC took advice from a host community.

I would ask can you explain why no risk assessment was done of the pipelines on top of which

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Indian Point was built in the first place?

Is the NRC aware that when pipelines rupture there is often an explosion and fire?

Can you explain why you ignored community input regarding the siting of the AIM pipeline expansion under Indian Point?

Can you explain why you accepted this document as part of Entergy's risk assessment for citing the AIM pipeline underneath Indian Point Nuclear Power Plant? This is FOIA'd from you and I will -- but I will submit it to the record when I'm done.

Can you explain why Chairman Burns ignored this community's member of Congress, Nita Lowey, and refused to act after she questioned him about the faulty risk assessment of the AIM pipeline under Indian Point during a joint session of Congress?

Can you explain why the only nuclear power plant in the nation crisscrossed by gas pipelines was awarded a waiver by the NRC for fire resistance of electrical wiring?

Has the NRC done any modeling of a spent fuel fire at Indian Point?

Do you know how many people would be displaced by a spent fuel fire such as the one that

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could be caused by a pipeline rupture?

We worked with researchers at Princeton University to model what would happen if there were a spent fuel fire at Indian Point. The average would be over 13 million people displaced. I will submit that to the record.

Can you explain why you did not require Spectra Energy to prove that they could shut off the flow of gas under Indian Point within three minutes as they asserted to you and you --

MR. WATSON: Are these issues for the citizens advisory panel, because we're looking for --

MS. WILLIAMS: I can skip ahead then.

MR. WATSON: All right.

MS. WILLIAMS: I can skip ahead. The best case for the need for a citizens oversight of decommissioning is the lack of oversight by the NRC. My advice is that the NRC look in the mirror, reflect on the danger that your negligence has put this community in and then empower a local citizens oversight board to fight back against Entergy and Holtec to undo the damage that has been done.

MR. KLUKAN: Thank you.

MS. WILLIAMS: We do not trust you. We are right not to trust you, as my questions have

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pointed out, and we will continue to fight you on this.

MR. KLUKAN: Thank you.

(Applause.)

MR. KLUKAN:

MR. WEBSTER: I've actually got two tickets in my hand. I've got 17 and 22. Can you give me a bit more --

PARTICIPANT: (Off microphone.)

MR. WEBSTER: I've got ticket 17 and 22. Could I possibly have more than three minutes?

MR. KLUKAN: Sure, I will give you six minutes.

MR. WEBSTER: All right. Thank you.

MR. KLUKAN: Yes, that's how that adds together. Okay.

MR. WEBSTER: Okay.

MR. KLUKAN: So it's going to beep and then I'm going to restart it.

MR. WEBSTER: Sounds good. Thank you.

MR. KLUKAN: Ready?

MR. WEBSTER: Right. Okay. So I'm Richard Webster, as you know. I'm the legal director of Riverkeeper.

First of all, let me say that I know; it's

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not on the topic of this meeting, a number of people have spoken about Holtec. This is a company with a record of bribery, lies and risk taking. We know you've allowed it to come into New Jersey. We know you've allowed it to come to the State of Massachusetts, even before the objections of the State of Massachusetts were heard in a local citizens group, but what we don't want to hear, and we will be doing our utmost to make sure the NRC does not approve it and we'll fight it to our utmost.

Second, whoever is the decommissioning entity for Indian Point, we need good oversight. Bruce, what you didn't mention in your presentation is that the NRC had a conference call taking national input and almost every caller, everybody, every participant on that call, including those that are on the citizens advisory boards, recognized that those boards are failing. Even a former NRC administrative judge said that he is on an advisory board and his advisory board is failing.

And they're failing for the reasons that people have already identified, that the boards have no power to gain information and the boards have no power to do anything beyond write a report. It's pretty obvious I think that if you want to supervise

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somebody they can't be the one who's convening the panel. In the English vernacular the fox cannot guard the hen house, but that is what NRC allows to happen now and that is totally inadequate.

Further, showing inadequacy of current citizens advisory boards, New Jersey just established a safety panel to oversee the safety of Oyster Creek decommissioning. There may be a question of preemption here, but I certainly hope the NRC will not be the one to raise that. And I also hope Holtec will not be the one to raise that, because in the absence of good federal oversight we need good state oversight.

So I have five key recommendations: First, that we need an inclusive board that includes marginalized individuals, that includes representatives of local stakeholders including first responders, non-profits, community leaders and so forth. I think the expertise should be in their advisors rather than on the panel because we really want this to be a community board.

Second, we need a legal obligation for the licensee to affirmatively disclose various types of incidents, safety-significant incidents and unusual events. And that needs to be supervised by the NRC so

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that if they fail to do that, that is actually a violation.

We need the board to have the power to subpoena or otherwise require licensees to supply information, because without full information no good decisions can be made.

We need the federal -- the federal government already has a good model for citizens advisory boards to some extent, and that is in the Superfund law. In the Superfund law the citizens advisory boards have funding to hire experts. And in this area, as we've heard, we all recognize I think it's a technical area. It's a confusing area for the lay person. I would say when I go to planet NRC, they speak a different language. And so for the lay person to go to planet NRC, it's a tough thing. And so we need them to be guided by their own experts, experts they can trust, experts that are not being paid either by the NRC or by the company.

And finally, if there's an issue that the board of the licensee cannot resolve, there needs to be some kind of arbiter to decide who is right. I would suggest a three-panel type of system where we have an expert appointed by the panel, by the board, an expert appointed by the licensee, and then an

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expert that's mutually agreed upon by the licensee and the board. That way you would actually have a way of having these panels regulate safety. And I would ask the NRC if they would then say that they would abide by the decisions of that arbitration panel and actually enforce the requirements of the arbitration panel.

And let me just say that I think that the NRC is in a strange position where it has hard preemption over safety, but it's saying but states can convene these panels. I don't quite understand, maybe this is a question.

Can you explain, Bruce, how these panels can have any power over safety when the state has hard preemption? Sorry, when the NRC has hard preemption over safety?

MR. WATSON: Can you repeat the question?

MR. WEBSTER: How can the board have any power over safety when the NRC has hard preemption over safety?

MR. WATSON: Well, the first part of your statement is that the boards have power for authority for safety. They don't have any power. They're advisory in capacity. Okay? So the NRC has ultimate responsibility for the safety of the decommissioning

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and the operations that happen during the site dismantling, remediation and then closure from a radiological standpoint.

MR. WEBSTER: No, I know, but if you'd listened to my whole presentation --

MR. WATSON: Yes.

MR. WEBSTER: -- it told you that I'm recommending to you that you give the board some power.

MR. WATSON: I --

MR. WEBSTER: But what I'm asking you is if the --

MR. KLUKAN: Thank you.

MR. WATSON: Yes, I heard your recommendation. I wrote it down, and we'll be -- I'll be summarizing some --

MR. WEBSTER: But I'm saying is that possible?

MR. WATSON: It's one of the things we'll have to report to the Congress as an issue.

MR. KLUKAN: Thank you.

(Applause.)

MR. KLUKAN: Okay. Thank you very much.

Okay. Next up we have ticket No. 19, Tina. Okay. Good. And then she will be followed by

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Courtney Williams, ticket No. 20, and then Sally Gelbert, ticket No. 23.

MS. VOLZ-BONGAR: Hi.

MR. KLUKAN: Whenever you're ready.

MS. VOLZ-BONGAR: Hi, I'm Tina Volz-Bongar and I live a quarter mile from Indian Point. And in 2005 I was part -- I facilitated a neighborhood association where we dealt with quality of life issues and we had a police representative there.

And in August 2005 it came up that there was radioactive isotopes found in the groundwater underneath Indian Point. And so we all looked at each other and said how are we going to handle this, and went to our elected officials. And from that point on I've approached people at the NRC. I've come to your public meetings and no one has really sufficiently answered the question of how is this -- how are these isotopes and how is this waste going to be addressed environmentally?

Since that time we've had the building and the expansion, really the building of a high-pressure methane gas pipeline 105 feet from the back-up electrical generator at Indian Point. And we all know what happened with Fukushima. Our -- my elected officials and the NRC has been incapable of answering

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some pretty basic questions about how this is going to be remediated and cleaned up and our public safety.

So anyway, I have three FOIAs here for information. I'm still on this quest to try to find somebody who knows and will take some accountability for this. And I find it -- I mean, I'm a little perplexed having the NRC come. And I appreciate a public meeting and I like to think of the public being heard, but I have no expertise in what a citizens oversight board should look like.

I would say that I hope that the NRC follows the advice of Mr. Gingold here, Paul Blanch and Richard Kline who are intelligent people and scientists and do the right thing with the citizens oversight board.

So here's the FOIAs, and thank you and good luck.

MR. KLUKAN: Thank you very much.

(Applause.)

MR. KLUKAN: Okay. Next up we have ticket No. 20, Courtney Williams.

MS. WILLIAMS: I gave my ticket to Maria.

MR. KLUKAN: Okay.

MS. SCHARA: My name is Maria Schara. I live in Peekskill. Like the vast majority of citizens

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in attendance at this meeting tonight I live quite close to Indian Point Energy Center; in my case 2.2 miles, or just a little too close. Undoubtedly this accounts for much of my concern over the operation of this plant over the too frequently reports of problems that have occurred during its operation over the fact that it was built atop two gas pipelines, that it is within a stone's throw of a double seismic fault line, that flaunting all logical concerns for safety permission was given to install an additional 42-inch high-pressure gas pipeline to the scenario. Add to this the impending climate crisis and projections of flooding at Indian Point within the next 40 years.

Now in addition to these fears I can add concern over the decommissioning process that will be observed after Indian Point's closure. I have read enough about the Holtec company and the way it conducts business to make my hair stand on end from the description of the events at the San Onofre Nuclear Plant to the accusation of bribery in New Jersey to its insistence on the superiority of its five-eighth-inch casks, in spite of how poorly these line up in comparison with more robust methods used in Europe.

The company's insistence on the need for

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interim storage sites which they will provide conveniently in New Mexico, which the state's governor is apparently not in favor of; and what state would want to become a nuclear waste dump anyway, brings up the additional question of how the huge amount of tonnage of highly radioactive spent fuel from Indian Point will find its way to any storage site and what cities or communities would allow its passage. Although all of us would prefer to have the waste simply disappear, it cannot be at the expense of other communities' futures.

So for many of us who fought to see Indian Point shut down, we must now insist that it be done safely, not just quickly. This requires at the outset that all gas at Indian Point must be turned off in anticipation of the disruptive effects of excavating, dismantling and other large-scale work that risks interfering with the integrity of the pipelines and other infrastructure on the property including water and electrical lines.

Further, we must insist that only the most resilient canisters be used for storage, those that are crack-resistant, repairable, with replaceable seals, able to be inspected inside and out and monitored for leaks and capable of being stored on

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concrete buildings. None of these parameters apply to the Holtec canisters.

Finally, many of us believe that since we in the region benefitted from the energy produced by Indian Point, we must be responsible for the long-term on-site storage of the waste produced but agree that there should be recompense for storage, long-term storage of stranded assets available to the host communities. This on-site storage will require community memory that can only exist within a rolling stewardship model. There needs to be true community oversight for this aspect of Indian Point's future and equally importantly for the entire process of decommissioning.

The citizens oversight board that I envision would possess the authority to obtain and provide the information the community should have and would have access to expert scientific information at all times. The COB would not exist --

MR. KLUKAN: Thank you.

MS. SCHARA: -- at the whim of the plant's license holder. Okay. So obviously I'm --

MR. KLUKAN: Thank you very much.

MS. SCHARA: -- pushing this as --

(Applause.)

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MS. SCHARA: Thank you.

MR. KLUKAN: And again you will also -- if you have written comments or typed comments, we will gladly take them as well.

Okay. Next up is No. 23, Sally Gelbert followed by Ms. Marilyn Elie, No. 24, and then Ms. Margo Schepart, No. 25.

MS. GELBERT: Good evening. Sally Gelbert from Woodcliff Lake, New Jersey. I'm a member of numerous groups working on energy and environmental issues. Most relevant today are the Indian Point Safe Energy Coalition, United for Clean Energy, the Stony Point Convergence, and National Decommissioning Working Group. However, that's informational. I am speaking for myself alone, not for any group or organization.

The convergence has been working on draft legislation for a citizens oversight board for the decommissioning process. We realize that residents are truly the primary stakeholders. Their family lives, their homes, which for most of us represent the bulk of our family wealth, are at stake. For corporations and facilities it means making a profit. Important yes, but in the end Holtec lives in Trenton.

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Our politicians represent us and we are pleased that the politician's group has been open to hearing our concerns. We think that it is also important to have a state legislature-empowered residents group with a budget to consult with independent experts. Although Holtec scientists may be very knowledgeable, they are paid by a corporation with a profit-driven agenda that is opposite to that of local residents. They aim to decommission and move on. We expect to remain.

As I learn more about decommissioning the more concerned I get. We, like all nuclear reactor sites, have a sleeping dragon and moving fuel assemblies out of the cooling pools into dry casks runs the risk of awakening that beast. At San Onofre the operators who moved the assemblies were selected not based on experience, but on allowable radiation exposure, not a fact that gives one confidence.

In fact, one cask was left hanging for 18 hours and the cask was scratched, something that was revealed not by the corporation, but by a whistleblower. Scratches may not seem to be significant, but they lead to corrosion, to moisture within the cask, which can cause a hydrogen explosion and the thin-walled casks can not be monitored so that

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preventative action may be taken.

Though we believe that our community, having benefitted from the employment and taxes paid by Indian Point over the decades, has the responsibility to maintain the waste in place or as close to the site as possible should the river rise, we are also concerned that if it becomes necessary to move them, the thin-walled casks cannot be transported without an additional cask and additional move. The pool casks have none of these deficiencies. In particular, if the fuel assemblies are placed into robust casks initially they may not be an expensive dangerous later transferred to casks for transport.

We have concerns about Holtec and SNC-Lavalin itself from the thin-walled casks which cannot be inspected as to internal fuel conditions and are not ASME-certified to the stories from New Jersey about misrepresentation and bribery to get government subsidies now being investigated by the New Jersey legislature, to the bribery scandals in Canada. We are very wary of trusting this company, certainly not without active citizen monitoring, something that concerns us that the NRC is currently regulating by exemption from rules such as the NWPA, a violation of the Administrative Procedures Act. These exemptions

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must not be built into new regulations.

We are particularly concerned about subsurface contamination --

MR. KLUKAN: Thank you very much.

MS. GELBERT: -- radioactively migrating out of the Hudson, into the Hudson.

MR. KLUKAN: Thank you. And again, if you have that prepared, feel free to submit that as a written comment. Next up we have Ms. Marilyn Elie, number 24, then Ms. Margot Schepart, number 25, and then Ms. Linda Ostro, number 26.

MS. ELIE: Thank you. I appreciate this opportunity to address the NRC. I'm Marilyn Elie, I am part of the Indian Point Safe Energy Coalition, and I'd like to know if this meeting is being recorded. Oh, thank you, good. Good to know.

Twenty million people live within a 50-mile radius of Indian Point. This is true whether the reactor is working or whether it's being decommissioned. Decommissioning Indian Point is not a local issue, it's not a local issue any more than it was when the reactor was, right now still is, working.

Local politicians, business community, and elected officials are very focused on this issue now, mostly for economic and tax reasons, and that's

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understandable, that's their job.

However, as the years go on and a lot of these issues are resolved, eyes and ears of the local community, these elected people, will certainly dim as they move on to other challenges, especially if they are counting on license holders to provide money and help in a board that theoretically would be supervising the whole procedures and advising the community on what is happening.

It is absolutely essential that a citizens' oversight committee, a citizens' oversight board, be state-legislated, there is -- and supported with a budget for independent experts, not people from the license holder, but independent experts. That is the only way that we can assure that there will be community support, community oversight as the years go on and as the spent fuel remains on site.

Members on a, on an -- members that represent stakeholders on a board need to be drawn from a wider area than just the reactor community. They need to be drawn from a wider area, and they need to be drawn in a very systematic and organized way.

There certainly can be people who are appointed by legislative officials, there certainly can be legislative officials or politicians on the

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board. No one from the stakeholders should be on that board. And there can be people who are elected from the public who are interested members of the public on that, on a board.

And I have here in my hand a draft piece of legislation that outlines exactly how to do that. I will offer it to your for your contemplation, and I hope that this is a body that can be enacted because it can report to the community for as long as there is high level radioactive waste on that site.

MR. KLUKAN: Thank you. Okay, thank you very much. Next we have Ms. Margo Schepart, number 25. And then we have Ms. Lindy Ostro, number 26. And then Ms. Jenean Eichenholtz, number 28.

MS. SCHEPART: I've been very gratified to hear a lot of the --

MR. KLUKAN: State your name.

MS. SCHEPART: I'm Margo Schepart, I'm with the Indian Point Safe Energy Coalition. Many of the speakers before me have done an amazing job of expressing my concerns and outlining the kind of expertise that is totally crucial in order to supervise the decommissioning, to be advising on the decommissioning, and to be mindful of what's going on during the decommissioning and afterwards for as long

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as it takes, which is going to be a really, really long time.

I want to answer the question somebody said wasn't sure what happened with the storm surges or how high it's ever come to Indian Point. And I don't know if it's exactly 11 feet or 12 feet or 15 feet, I remember one of those. But during Hurricane Sandy, the water, we were very aware, and the water did come up within that range. It was not far away from the fuel pools.

So this is something that we know the weather's uncertain and the climate is changing and that all kinds of weird weather stuff happens.

It's of grave concern that after Indian Point is closed and the decommissioning process starts, that the awareness of the dangers of water rising and other concerns, such as seismic concerns with the earthquake faults, we need to have -- whoever said this, expert scientific information at all times available to the advisors of the decommissioning process.

And the citizens' oversight board, I'm going to pick up where Marilyn left off, it's very, very systematic and specific of who should be on this board to ensure that all the needs are covered.

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Fourteen voting members, one member appointed by the town board of Cortlandt, one member appointed by the Village Board of Buchanan, one member appointed by the Common Council of Peekskill, one member shall be a member of the town or village environmental commission or a conservation advisory council, one member appointed by the Board of Fire Commissioners of the Verplanck Fire Protective Association or other first responder organization.

Eight members appointed by the Governor and selected to represent the following constituencies: two members representing labor unions whose members were employed at Indian Point as of the effective date of the legislation, two members representing environmental organizations with at least ten years of experience researching and advocating about issues related to Indian Point, one member representing an environmental organization with at least ten years of experience researching and advocating to address the differential effects of Indian Point on economically disadvantaged communities, and four members of the public.

So a very, very wide range, very, very specific. And my own personal thing, the scientists, real scientists. Scientists who are not, don't have

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any vested interest except safety of the public.

MR. KLUKAN: Thank you very much. Okay, next we have Ms. Linde Ostro, and then Jenean Eichenholtz.

MS. OSTRO: Thank you. My name is Linde Ostro, I live in Garrison, and I also work for Riverkeeper. Okay try and speak louder.

You said earlier today that when you look at an organization that would potentially participate, you look at their technical expertise and their financial ability. Do you also look at their -- how they, whether they break regulations, whether they have, you know, been suspended from contracting, or any of those sort of character and fitness kinds of issues of an organization?

MR. WATSON: That's a tough question to answer because you can't depend on reputation for, as an, as a criteria, because that's people's opinion. What we can look at is their financial capabilities, their actual regulatory history, you know, all the things that are factual in our review.

MS. OSTRO: So if they have been suspended from contracting, you would know that.

MR. WATSON: Well, I know in the federal government, when you go to apply for a contract, that

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is one of the criteria they use. I can't speak for the technical people that do that type of review, but this is the type of review at the NRC. I'm sorry, I'm a health physicist, so.

MS. OSTRO: Right, but you will be in the position to consider whether Holtec is fit to take over, and if there are issues, would you consider those issues?

MR. WATSON: I personally cannot comment on that because I don't do that review. So I'm sure our people who do the financial review will take a look at the company as a whole and all the issues associated with it.

MS. OSTRO: Okay, so my recommendation for a citizens' advisory board is that there be a consideration of all of their regulatory and contracting patterns, and that that be given to the citizens' advisory board so they can take that into consideration when they advise on the decommissioning. Thank you.

MR. KLUKAN: Thank you very much. Okay, next we have Jenean Eichenholtz. Okay, so we have time for I would say two more speakers. Is anyone who has not yet spoken like to speak tonight? Okay, one, and then I need one more. No one else who has not yet

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spoken? All right, we'll leave it with that.

Or else I would go with a second round, but it's out of fairness, then like who gets to go second. So if there's someone else who's not yet spoken and would like to speak tonight, now's your chance. Okay, two, so please. Ma'am, whenever you're ready.

MS. RITTER: Hi, Maureen Ritter from Rockland County, scared stiff housewives of America. When I step away from the mic, I would like a little bit more information about what exactly the job is of the NRC during and after decommissioning. So it seems to me I've heard a lot about, you know, you see, you approve Holtec or whoever it is.

I mean, I feel like if I had just a few more shekels in my pocket with some of the experts in the audience, that I also could be eligible for probably doing the decommissioning and do a good job of it. So I'm not really, I don't have a lot of confidence in your selection process, so I'd like to know a little bit more about that again.

Also, I'm sensing or I heard you say something about you going back and making recommendations to Congress. Is that part of your job? Is that part of the NRC's job?

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MR. WATSON: It's specifically spelled out in the Act that's what we're supposed to do.

MS. RITTER: I'm sorry?

MR. WATSON: It's specifically spelled out in the Act that Congress passed for us to provide them a report on best practices.

MS. RITTER: Okay, so I know that when you're selected for your position, I read a book by one of your colleagues who spoke truth to power and is no longer with you, you, it is your job then to go back to Congress and tell them, rather than telling us what your job isn't, it's your job to go back to Congress and represent what we need.

So, so far, I've heard things about we really need to up the decommissioning fund, you have to go back and tell them we need money for impaneling, you know, community boards. We need money to understand how the monitoring is going to go in perpetuity.

I think we're all going to be leaving whatever state we live in that has to be responsible for the monitoring of the spent fuel that is really going to remain onsite forever.

So you have to go back, that should be your job to go back to Congress and tell them exactly

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what you heard here tonight so that it doesn't, you know, that you don't have to feel the anger of everybody else. That you actually the power to make that difference. And I hope you will use your power to do just that.

MR. KLUKAN: Thank you.

MS. MELILLO: Hi, my name is Jeannine Melillo, M-E-L-I-L-L-O. I live in the Peekskill area, and I would like to say a few things and then ask you a question.

I'd like to, first of all, I'd like to thank the people in this room who I consider to be heroes, who for literally decades have kept their eye on this issue, have tracked the history of this plant, and when I have taken my eye off the ball, have continued to watch out for the safety of this community while we have been under the threat, I see it, of this plant being improperly run, first by Con-Ed, then better run by Entergy.

But then by our elected officials allowing dangerous things like gas pipelines to be built underneath them. And for there not even to be proper communication with first responders. So I'd like to thank those people personally.

Then I would like to say that it appears,

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it seems to me, having listened all night, that the CAP, the CAB, any entity that is created by this community will have no teeth. And that the NRC needs to, you are probably far more intelligent people than me, you need to focus on all of the suggestions that were given to you tonight and bring to bear your conscience and your intelligence to create boards that have teeth and that can actually protect these communities.

It seems very clear that if you have not even made it a requirement that first responders be contacted and that there be communication with fire fighters to protect people after, during the decommissioning process, that there has not been nearly enough thought put into this.

And then I would just ask you this question: if at some point in the process of this decommissioning company closing down the plant, it's apparent that they are not being transparent or that they are not proper, following proper procedures for safety, what happens then? What is the act of the CAP or the CAB at that point, and then what will the NRC do to protect us?

MR. WATSON: First of all, I can't answer on behalf of what a CAB will do as far as safety and

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transparency. I can only tell you what the NRC will do, and that is unless it's a security-related or safeguards-related issue, all our inspections report are publicly available for you to look at where we describe the issues that we have found and how we are handling through our enforcement policy for holding the licensee accountable for their actions.

So that's how we ensure safety, and we continue to inspect and also have a licensing program which provides a safety envelope to stay within on the things that they can do and can't do.

MS. MELILLO: So would they be fined? Would they lose their --

MR. WATSON: It's a possibility. We have inspection manual, the inspection manual has a criteria on which different a severity level of safety issues are handled and managed. And some would include civil penalties, which are fining them for activities that are, we find that are unsafe.

MS. MELILLO: Okay, I would just like to say I don't know the history of the panels that are here tonight.

MR. WATSON: Yeah, I would suggest you look at our website. And there's a lot of publicly available information there.

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MS. MELILLO: What I'd like to say is that the history of this plan included a time at which Con-Ed was running that plant with pumps that had been, they had lost a lawsuit, GE lost a lawsuit, and those pumps were clearly inadequate. And the NRC had to be pushed by this community and by activists in this community to make Con-Ed replace those pumps.

So I don't know your history, and I hope that you have stronger consciences than the previous NRC members who never made them do, make that, take that action, and this community had to make them do that. So I hope that if we are that danger again, that type of danger again, that you will step up to protect us. And I have to say I'm not feeling very secure in that.

MR. KLUKAN: Thank you. So I'm going to add to, because that was our last, I'm going to add to this very quickly. I would, as the acting Branch Chief for Allegations Enforcement in the region. We go -- did you, you haven't spoken yet? You haven't spoken yet, so please, come on, we got a couple minutes, go for it.

MS. SHAW: I'm Jean Shaw, I'm with the Indian Point Safe Energy Coalition, and I'm just here to please remind everybody to go to the regional

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nuclear decommissioning forum this Thursday -- well, next Thursday, sorry, October 10 from 1:00-4:30 p.m. at the Hendrick Hudson Free Library, 185 Kings Ferry Road. There are leaflets about it up in the front.

It'll be useful to everybody to do this and go and see what everyone's talking about, learn about it. There are plenty of experts, plenty of other elected officials will be there, and people will learn a lot. So please go, thank you very much.

MR. KLUKAN: Thank you very much. So I just want to remind people as we're closing out tonight that, again, I recognize that many of you had more to say. I really encourage you to submit them as written comments. There's no limit to the number of written comments you can submit.

There were a lot of creative ideas I heard tonight about adjudicatory bodies, funding streams for it, making sure that minority communities are included within the process. So, and I've done a lot of these meetings so far and these are ideas I hadn't heard yet before.

So I encourage you, please, submit your ideas. You have until November 15 to submit those comments. And with that, I will turn it over to Bruce to close the meeting. Thank you very much, and thank

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you to the community center for hosting us.

MR. WATSON: Okay, first of all, I want to thank you all for coming out tonight. I just thought I'd summarize a couple of the, a number of the things I heard tonight, the first of which I think is that I heard very clearly that the CAB should have more authority and have a diversity of membership, and it should be, the membership should also comprise mainly of local residents.

Secondly, the CABs should be more independent and they should have some type of funding, either from the federal government or from the states.

The CABs should have technical experts, scientists, health physicists and that are familiar with the nuclear power plants and the issues and also environmental scientists. And it may include financial people that can do audits of the financial information.

And part of this would also include a, there should be a formation possibly of a medical, of an oversight board. And the examples I heard were in the medical community for medical oversight board. Also Superfund oversight, technical expertise also were given as examples.

I think the main thing is that the CABs

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are formed to communicate local community concerns to the licensees for ensuring the safe decommissioning, environmental cleanup, and reuse of the site, and that they need to be committed to open communication by all parties including the licensee.

I also heard some doubts about the NRC's ability to ensure safety during the decommissioning process. I can tell you I'm not going to be defending that, but we have our track record is very good with almost 80 sites safely being completed decommissioning and safely cleaned up and released for unrestricted use.

I also want to point out that we do have an inspection program for, that continues all the way up until all the radioactivity is removed from the site, and then we will continue to inspect to ensure the fuel stays on site, safely in storage.

So with that, I'd like to thank you for coming out tonight, appreciate all the comments. We obviously will take these into consideration with the other comments we receive. Like I said, this is our ninth meeting, we still have two more to go. But you can also provide your comments on the little cards here.

We have the website and the email address

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where you can send in additional comments that you may have. We'll be accepting comments through November 15, so you still have some time to think about it and send them to us.

So with that, I'm going to close the meeting and thank you all for coming out. Please have a safe drive home. Thank you very much again.

(Whereupon, the above-entitled matter went off the record at 9:01 p.m.)

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