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# PUBLIC SUBMISSION

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**Docket:** NRC-2019-0073

Agency Activities in Response to a Portion of the Nuclear Energy Innovation and Modernization Act

**Comment On:** NRC-2019-0073-0036

Stakeholder Input on Best Practices for Establishment and Operation of Local Community Advisory Boards in Response to a Portion of the Nuclear Energy Innovation and Modernization Act; Reopening of Comment Period

**Document:** NRC-2019-0073-DRAFT-0044

Comment on FR Doc # 2019-24923

## Submitter Information

**Name:** Alex Karlin

## General Comment

PUBLIC HEARINGS CONFIRM THAT CAB INDEPENDENCE IS THE PUBLIC'S TOP CONCERN AND A NECESSARY "BEST PRACTICE" FOR DECOMMISSIONING CABS: The attached a review of the transcripts of the eleven nationwide hearings shows that the public commented on one issue far more than any other: INDEPENDENCE - the need for a decommissioning community advisory board to be independent from the company running the nuclear power plant.

Time after time, the commenters asserted that it is crucial that the CAB be independent, i.e., that its creation, membership, funding, technical expertise, administrative support and charter not be dependent on, or controlled, by the corporation doing the decommissioning.

The ATTACHED 20 pages of quotes (with citation to the relevant NRC transcripts) are of some of the public's comments demanding that CABS be independent from the licensee. This issue was raised in hearing after hearing.

Public comments make clear - CAB independence must be the first and most important "best practice" to be included in NRC's NEIMA report to Congress in July 2020.

## Attachments

INDEPENDENCE WAS TOP PUBLIC CONCERN DURING NEIMA HEARINGS

**INDEPENDENCE WAS THE PUBLIC'S TOP ISSUE IN  
NATIONWIDE HEARINGS ON BEST PRACTICES FOR  
COMMUNITY ADVISORY BOARD FOR NUCLEAR REACTOR DECOMMISSIONING.**

**(20 Pages of Quotes of Public Comments on Independence - compiled by Alex S. Karlin)**

Section 108 of the Nuclear Innovation and Modernization Act (NEIMA) requires the Nuclear Regulatory Commission to issue a report to Congress as to what constitutes “best practices” for the “establishment and operation of a local community advisory board” (CAB) for communities confronted with the shutdown and decommissioning of a commercial nuclear power plant. NEIMA requires that NRC hold at least 10 ten public meetings so that such communities can comment on what they want and need from a “best practices” CAB. NRC conducted such public meetings from August to October 2019 and the transcripts of those meetings are posted on NRC’s NEIMA webpage.

**A review of the transcripts of the eleven nationwide hearings shows that the public commented on one issue far more than any other: INDEPENDENCE - the need for a decommissioning community advisory board to be independent from the company running the nuclear power plant.** Time after time, the commenters asserted that it is crucial that the CAB be independent, i.e., that its creation, membership, funding, technical expertise, administrative support and charter not be dependent on, or controlled, by the corporation doing the decommissioning.

The following are 20 pages of quotes (with citation to the relevant NRC transcripts) of some of the public’s comments demanding that CABs be independent from the licensee. This issue was raised in hearing after hearing.

Public comments make clear - CAB independence must be the first and most important “best practice” to be included in NRC’s NEIMA report to Congress in July 2020.

**AUGUST 21, 2019 - NRC NEIMA MEETING FOR PALISADES, MICHIGAN**

**Statement of Iris Potter, Member of Palisades Shutdown Campaign Coalition**

My name is Iris Potter, I’m from Kalamazoo. I am a member of the 25 Palisades Shutdown Campaign Coalition and Michigan Safe Energy Future Kalamazoo Chapter. I want to say that **I support an independently-established local regional CAB**, comprised of a majority of citizens of course, which must be the true intent of decommissioning CABs. I would also support a state-established and funded CAB, also with a majority of citizens. Now, I say the above because citizens on the 50-mile radius zone, which I am part of, and beyond are very concerned about safety. We’re concerned about the current safety at Palisades, and so we definitely have concerns about the decommissioning process.<sup>1</sup>

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<sup>1</sup> Transcript of NRC NEIMA Meeting at Palisades - ADAMS Document ML19296D062 page 31 - 32.

### **Statement of David Kraft, Director of Nuclear Energy Information Service, Chicago, Illinois**

There are a few points I do want to make. I will certainly be going in more detail on September 26th when you guys come over to the Zion meeting that we have over there. But I do want to start with that because our organization was in from the get go when Zion began its decommissioning over about 10 years ago, actually more than 10 years.

You know, we saw the formation of what they called ZCAP, **the Zion Citizens Action Panel**, which was cited in your slide show.

**It was an industry-created panel.** I would point out that we actually applied for membership but were turned down, as were a number of other citizens from the local Zion area who had expertise in economics and other things. I don't feel real badly about that, but I do want to say that it was indicative of what you're going to get if you rely on citizens advisory groups that are run or financed or initiated by the vendors themselves.

**So, I would support many of the comments you've heard tonight that the citizens advisory panels must be independent. Now, they could be funded by the industry, but they need to be independent of any kind of operation from the participants.** So, that was our history. It's kind of interesting. Our 10-year **experience at Zion was that it was just a dog-and-pony show.** It really didn't achieve much other than **PR for the industry** itself.<sup>2</sup>

### **Statement of Bruce Brown, Citizen**

Number one, **when I saw the part where some of these citizens' panels are sponsored by the licensee, flags went up in my mind.** There aren't many people in Southwest Michigan who would not be **suspicious of Entergy or Palisades or Holtec as the licensee sponsoring the panel that oversees the decommissioning** that the licensee is doing.<sup>3</sup>

### **Bruce Watson Summarizing Comments Heard**

With that, I thought we could close the meeting. I have a couple of summary comments from this evening that I'd like to tell you what I heard, and I think my staff will also agree with me that we did hear.

**For Palisades, I heard a lot of comments that there should be a citizen's advisory panel or CAB, citizen's advisory board. It should be independent, possibly state or locally sponsored,** but it needs to be locally based. The panel membership should include local citizens, local elected officials, including safety representatives, and possibly even people extending to the agriculture and tribal nations, and also include people who volunteer to be on the CAB.<sup>4</sup>

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<sup>2</sup> Transcript of NRC NEIMA Meeting at Palisades - ADAMS Document ML19296D062 page 53 - 54.

<sup>3</sup> Transcript of NRC NEIMA Meeting at Palisades - ADAMS Document ML19296D062 page 62.

<sup>4</sup> Transcript of NRC NEIMA Meeting at Palisades - ADAMS Document ML19296D062 page 72.

## AUGUST 27, 2019 – NRC NEIMA MEETING FOR DIABLO CANYON, CALIFORNIA

### Statement of Rochelle Becker, Executive Director of Alliance for Nuclear Responsibility

So, when you're considering your new policy for CABs, I think you need to look at people that have responsibility to the state of California, responsibility to this community. Elected officials have staff, and they're elected to have responsibilities. **State officials are appointed and have staff that can actually look for an independent people.**<sup>5</sup>

### Statement of Alex Karlin, Retired USNRC Administrative Judge and Member of Diablo Canyon Decommissioning Engagement Panel (But not speaking on behalf of the Panel)

Best practices for a community advisory board must benefit the community. Community advisory board, not the nuclear plant operator. **By definition, the CAB should be created by the community and for the community.** NRC's best practices report should recognize this essential point when you evaluate the entities that exist around this country.<sup>6</sup>

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Throughout this country there are two main types of decommissioning boards. Some are created by the state and local community to advise and serve the community. **Some are created by the nuclear plant operator for the nuclear plant operator.** The former, I suggest, are best practices. The latter are wittingly or not, **essentially public relations tools for the nuclear plant operator** and should be avoided as an **inferior practice.**<sup>7</sup>

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**The Diablo Canyon Decommission Engagement Panel, which I am a member, is not an advisory board and it is not a best practice.** We've done hard work, we're good people, and we've worked hard.

And as Rochelle Becker has said, we need something better and more important.

I can tell you as a member of the board, by direct experience, it is **basically a public relations tool**, in my opinion, for PG&E.

**It was created by PG&E for PG&E.**

**PG&E wrote the charter.** We are to serve under the charter as a conduit from information to help PG&E with public engagement. **The word advisory is never found in the charter.** The word advice and recommendations are never found in the charter.<sup>8</sup>

There is here in San Luis Obispo a Diablo Canyon Independent Safety Committee which was created by the Public Utilities Commission. I think it presents a very good model for some of the things we should be doing.

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<sup>5</sup> Transcript of NRC NEIMA Meeting at Diablo Canyon - ADAMS Document ML19267A021 page 40-41.

<sup>6</sup> Transcript of NRC NEIMA Meeting at Diablo Canyon - ADAMS Document ML19267A021 page 46.

<sup>7</sup> Transcript of NRC NEIMA Meeting at Diablo Canyon - ADAMS Document ML19267A021 page 47.

<sup>8</sup> Transcript of NRC NEIMA Meeting at Diablo Canyon - ADAMS Document ML19267A021 page 47-48.

First off **for a best practice all of the meetings of CABs should be public meetings. You shouldn't make any decisions in private meetings,** and that's what we do. In contrast, [The Diablo Canyon Decommissioning Engagement Panel] meets in private and we decide what our recommendations are going to be. It's not a public meeting.

[Next], I think conflicts of interest in the selection of all the members of an advisory panel [should be evaluated] it should be a public process. The Diablo Canyon Independent Safety Committee's members are selected in a public process. The nominees are all listed, the members of the public get to comment, and the relevant agencies get to pick which ones they choose.

If they have conflicts of interest, they have to disclose their financial and organizational interests. If they are members of certain advocacy groups or a certain group that wants something from PG&E that needs to be put out there on the record, and I think that's a best practice.

**Anyone who sits on these things should have, you know, no conflict of interest, they should have open meetings, and they should be selected in an open process.**

And so I think when I had my 22 best practices that I lay out as a consequence of being a public advisory committee for the community you need to have trust, you need to have people who are selected through a trusted public process and who will operate in a trusted public process, and who are funded through a public process. Not to be beholden to PG&E.

Now Mr. Weisman is correct, PG&E is asking the rate payers to pay for our panel. But they want it set up in a way so that the rate payers pay PG&E and then PG&E decides how much money we get each year and there's an MOU with them. That's the plan. Well, an MOU means they can veto it. They can say no.

The Diablo Canyon Independent Safety Committee, in contrast, is paid for by the rate payers but their budget is allocated by the PUC. It doesn't come through PG&E, it doesn't have PG&E veto; it's independent and PG&E does not have a role or a veto in selecting any of the members of the Diablo Canyon Independent Safety Committee.<sup>9</sup>

#### **Statement of Linda Seeley, Member of Diablo Canyon Decommissioning Engagement Panel (But not speaking on behalf of the Panel)**

I have conflicting opinions and feelings about our panel. I feel we have a valuable panel, number one. It is comprised of people who are very ethical, who are committed, who work hard, who, you know, are invested in this community for years and years and just have a tremendous amount of integrity.

We have changed the charter.<sup>10</sup> We are starting out -- **We do need to be more independent, we do need to have our own budget. We need to be above suspicion** for members of our community, like Rochelle, because there is a -- it's a fine line that you trek when you are working like this and, indeed, maybe our panel doesn't have legal authority.<sup>11</sup>

I said this the other day to Tom Jones, I want to have our cake and eat it too. **I want us to be independent and I want us also to have the financial support from PG&E** because they have the money

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<sup>9</sup> Transcript of NRC NEIMA Meeting at Diablo Canyon - ADAMS Document ML19267A021 page 68-70.

<sup>10</sup> Note: Only PG&E can amend or change the charter for the Diablo Panel. PG&E has not done so.

<sup>11</sup> Transcript of NRC NEIMA Meeting at Diablo Canyon - ADAMS Document ML19267A021 page 57 - 58.

and I want us to be able to have some kind of an administrative, you know, helpers, because we can't do all of the administrative work that PG&E does now, so who is going to do it if they don't do it.<sup>12</sup>

### Statement of Jane Swanson

This is a very interesting discussion tonight. We have had various in-depth and diametrically opposed views on **what constitutes independence and a meaningful advisory function**. I see merit in these opposing views. I mean they are diametrically opposed, but certainly each of them makes a strong case. I am speaking of Alex's Karlin's idea, which is diametrically opposed to what Lauren Brown and some others have expressed.

I can't help but wonder if there might be a third way where you've got some elected officials appointed and also some citizens active in the community working together. It would seem to, you know, the structure would have to be very well thought out, and, again, I do buy Alex Karlin's argument that you can't be an advisory body if nobody wants your advice.<sup>13</sup>

### Statement of Carole Hasasue

So I am very happy that we have a decommissioning panel, engagement panel for Diablo Canyon, but a **community engagement panel, advisory board, whatever, I think really needs to have much more independence from PG&E**.<sup>14</sup>

But, you know, really **my biggest concern is that it's not independent enough and I don't really trust PG&E because it's a business**, you know, the bottom line profits are going to be way more important to them than our public safety. .... **what I really want is a way more independent advisory board**. Thank you.<sup>15</sup>

### Bruce Watson Summarizing Comments Heard

**The CAB should have more independence with a budget to self-direct some information gathering and to have access to technical experts**.<sup>16</sup>

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<sup>12</sup> Transcript of NRC NEIMA Meeting at Diablo Canyon - ADAMS Document ML19267A021 page 59.

<sup>13</sup> Transcript of NRC NEIMA Meeting at Diablo Canyon - ADAMS Document ML19267A021 page 62 - 63.

<sup>14</sup> Transcript of NRC NEIMA Meeting at Diablo Canyon - ADAMS Document ML19267A021 page 71.

<sup>15</sup> Transcript of NRC NEIMA Meeting at Diablo Canyon - ADAMS Document ML19267A021 page 72-73.

<sup>16</sup> Transcript of NRC NEIMA Meeting at Diablo Canyon - ADAMS Document ML19267A021 page 76.

**AUGUST 29, 2019 – NRC NEIMA MEETING FOR SAN ONFRE, CALIFORNIA**

**Statement of David Victor, Chairman of Licensee Created SONGS Community Engagement Panel**

I want to just highlight, from our experiences, what I think we -- and I'm just speaking now for myself -- **five things that seem to be very important. First, independence**, and the second is the diversity in membership of the CEP.<sup>17</sup>

**Statement of Raymond Lutz, Executive Director of Citizens Oversight**

So basically I view this a little bit differently than what you've heard ..... David Victor does a great job [on the SONGS CEP] within the bounds that he's allowed to conduct. **But [the SONGS CEP] is an organization -- this is a board which contrived from the beginning to be an organ of Edison, the operator. It is not independent.** They pick and choose who is going to be on it. Sometimes they boot people off that they don't like, outspoken people that are taken out or their life is made miserable being on the board and so they leave. It is not a very good cross-section of the community.<sup>18</sup>

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But basically we can look at independence. **Is the CEP independent? Absolutely not. Everything that it does is pretty much dictated by the utility.**<sup>19</sup>

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**But are they independent? No. The CEP is not independent.** The people are selected by the utilities. Some were kicked off because they were too outspoken on the board. The utility sets the agenda. There's no mechanism for the public to help set the agenda for what they do. They maybe say, gee, David, can you put this on? There's not a real mechanism. There's just whether or not they want to do it. The board meets in private sometimes.<sup>20</sup>

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**So I think somehow we've got to get this out from under the wing of the utility and put back in more control of the public rather than as a tool of the utility.**<sup>21</sup>

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<sup>17</sup> Transcript of NRC NEIMA Meeting at San Onofre - ADAMS Document ML19263A659 page 15.

<sup>18</sup> Transcript of NRC NEIMA Meeting at San Onofre - ADAMS Document ML19263A659 page 57.

<sup>19</sup> Transcript of NRC NEIMA Meeting at San Onofre - ADAMS Document ML19263A659 page 60.

<sup>20</sup> Transcript of NRC NEIMA Meeting at San Onofre - ADAMS Document ML19263A659 page 61.

<sup>21</sup> Transcript of NRC NEIMA Meeting at San Onofre - ADAMS Document ML19263A659 page 67.

## Statement of Judy Jones

**So, first of all, I think that the CEP should be more of an independent entity. And, I think that Gene Stone and Ray Lutz made some very good points about that.**<sup>22</sup>

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I happen to be a very long-term member of the League of Women Voters. And, it's my understanding from some people who remember some of things that when nuclear energy became an energy source, the League of Women Voters worked with some government groups to have nuclear energy 101 training. And, maybe we need to revive that and **have an independent group do something like that.**

So, that's really my second point is educating whoever the panelists are. And, in general, I think that we don't want to have a panel that is run by the utilities. We do want some independent people.<sup>23</sup>

## Bruce Watson Summarizing Comments NRC Heard

I'd just thought I'd summarize a few things I heard tonight. The first one -- point I would make is that the local community is very engaged and attends many of the CEP meetings. **Another comment was that the CEP should be more independent of SCE the licensee.**<sup>24</sup>

## SEPTEMBER 10, 2019 – NRC NEIMA MEETING FOR VERMONT YANKEE, VERMONT

### Deb Katz, Executive Director of Citizens Awareness Network

What I can say is that CAN has sat on the CAB for Yankee Rowe, Connecticut Yankee. We worked with the Public Service Department in Vermont to establish the CAP, and in fact set the parameters that they used.

They were limited in ways, but **we felt that it was essential that the board in fact be independent of the corporation,** that one of the faults we experienced in Rowe and Connecticut Yankee that the -- well, in that case it was utilities, that they were driven by the needs of the utility, not by the needs of the public to know.<sup>25</sup>

### Lisa Wienmann, Community Business Owner

And also with **the presence of the corporation on the panel it makes it impossible really for us to have a vote and to really make a meaningful decision about things like that because there's different**

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<sup>22</sup> Transcript of NRC NEIMA Meeting at San Onofre - ADAMS Document ML19263A659 page 87.

<sup>23</sup> Transcript of NRC NEIMA Meeting at San Onofre - ADAMS Document ML19263A659 page 89.

<sup>24</sup> Transcript of NRC NEIMA Meeting at San Onofre - ADAMS Document ML19263A659 page 118.

<sup>25</sup> Transcript of NRC NEIMA Meeting at Vermont Yankee - ADAMS Document ML19317D097 page 58.

**financial incentives at play and conflicts of interest.** So I'd say on this issue of these panels, yes, it's good to have the corporate presence, however, I don't think that they should have a role in terms of voting on things. And I think that we should have more power as a community to weigh in on these matters that relate to decommissioning that -- and the compensation that will allow our state government to participate fully, to do testing, **to do things independently** that we're currently spending money on now and we really shouldn't be.<sup>26</sup>

#### **Mike Mulligan, Resident and Formerly US Nuclear Navy Former Vermont Yankee Employee**

You know, you -- to be a -- on a decommissioning panel you have to be on the ground level. **You have to see things independently.** You just can't let people, you know, more or less, you know, give an explanation of what happened. That might be part of it, but **you have to independently walk around, talk to people, and get your own information and -- you know, and follow your conscience and stuff.**<sup>27</sup>

#### **Bruce Watson Summarizing Comments Heard**

A couple things that I did hear tonight: that the CABs should be formed earlier before the plant is shut down to allow some learning of the process to help the understanding of the decommissioning process and the issues that will be presented by the plant shutting down. The use of a CAB or an NDCAP can help establish a trust between the public and the licensee. **CABs could be more independent, vested with resources, funding and compensated for the membership's work on the committee.** CABs should be more diverse, have a diverse membership, but have more local representation.<sup>28</sup>

### **SEPTEMBER 11, 2019 – NRC NEIMA MEETING FOR PILGRIM, MASSACHUSETTS**

#### **Jim Cantwell, State Director for U.S. Senator Ed Markey**

I want to thank State Senator Dan Wolf for their great work in The Massachusetts Legislature, creating the ND CAB. They worked very hard to make sure that there would be a public process. We were very disappointed thus far to know that the result of this process have not been listened to. I want to thank Sean Mullin, The Chair, and all the ND CAB members. There are over 21 formal meetings, over three hours a piece -- there were numerous subcommittee meetings, and thousands of hours of individuals to try to make sure that this transfer process and that decommissioning would be done properly.

Now the Nuclear Regulatory Commission Staff are here to look at best practices and lessons learned in how community advisory boards can hope to effect nuclear decommissioning activities. But the lesson

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<sup>26</sup> Transcript of NRC NEIMA Meeting at Vermont Yankee - ADAMS Document ML19317D097 page 73.

<sup>27</sup> Transcript of NRC NEIMA Meeting at Vermont Yankee - ADAMS Document ML19317D097 page 75 – 76.

<sup>28</sup> Transcript of NRC NEIMA Meeting at Vermont Yankee - ADAMS Document ML19317D097 page 100.

learned here is clear. Despite promising to listen to local stakeholders, **their opinions were ignored**. They were cut out at every single turn.

The **Pilgrim Nuclear Decommissioning Citizens Advisory Panel ND CAB has done a tremendous job**. Indeed, they took in its role as community advocate and liaisons very seriously. For two years members of the ND CAB fulfilled their legislative duty, holding regular meetings -- I mentioned the 21 full meetings -- but also working day in and day out to gather community concerns to ensure the people of Massachusetts are well represented and protected. The panel has repeatedly raised concerns over the use of decommissioning trust funds for desired to have a 10 millirem radiation standard -- not what the federal standard would be. The safety of communities within the 10-mile emergency protection zone -- concerns about what you've already started to do, which is not to allow funds to go to the surrounding communities, even while this waste is being transferred -- and the cost of emergency preparedness.

**The NRC did not address a single one of these concerns before allowing the transfer.**

**Entergy -- Entergy did not address a single one of these concerns, and Holtec has not addressed a single one of these concerns through the process.**

It is hard to take the NRC's search for best practices seriously tonight when our community members too often saw the worst of government bureaucracy and corporate indifference throughout this process. When we needed reassurance and responses, we got delayed and denials. Pilgrim's decommissioning should not have had this canary in the coal mine for the NRC to realize it needs to do much more to ensure that stakeholders are heard throughout the decommissioning process.

The best practice would have been to listen ND CAB when it first convened two years ago. Or at any point throughout the process -- or at any time moving forward. The Pilgrim Nuclear Decommissioning Citizens Advisory Panel is made up of bright, passionate public servants. This panel cares deeply about the community. They deserve to be listened to, not brushed aside, or to be pushed out.

In summary, the **Senator would like you to know that, as a member of the United States Senate, feeling that these people have been disregarded and not listened to**, he will be calling for U.S. Senate hearings and will be joining with others to make sure that we have some review process of the Nuclear - the NRC not doing its job.<sup>29</sup>

#### **Statement of U.S. Senator Elizabeth Warren read by Hannah Benson**

My name is Hannah Benson and I have a short statement here from Senator Warren. Senator Warren believes that the Nuclear Regulatory Commission's handling of the Pilgrim Power Station jeopardized the health and well-being of Massachusetts residents. **The Nuclear Regulatory Commission's decision to grant the license transfer from Entergy to Holtec without appropriately considering input from the people of Southeastern Massachusetts is deeply troubling**, especially given Holtec's plans to decommission the site on a much more rapid timeline than previously announced. Furthermore, The Nuclear Regulatory Commission should reject Holtec's request for an emergency preparedness exemption, and instead ensure that Pilgrim develops and maintains emergency procedures that could prevent or respond to potential future disasters.

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<sup>29</sup> Transcript of NRC NEIMA Meeting at Pilgrim - ADAMS Document ML19274B663 page 16 – 19.

It is unfortunate that the **Nuclear Regulatory Commission** came to Pilgrim to discuss best practices with the community advisory boards, but **remains unwilling to change its behavior to assuage residents' concerns**. Senator Warren will continue advocating on behalf of her constituents, and holding federal agencies accountable for putting the safety of Massachusetts at risk. Thank you.<sup>30</sup>

#### **Statement by U.S. Congressman Bill Keating read by Michael Jackman**

**This chain of events demonstrates the need to give citizens advisory boards a more meaningful role in the decommissioning process.**

I have cosponsored with Representative Welch of Vermont the Nuclear Plant's Decommissioning Act of 2019, which would require the licensee to consult with affected states and localities before submitting a post shutdown decommissioning activities report -- PSDAR. It would also require the NRC to solicit public comment on the PSDAR, hold at least two public hearings, and invite the state to register its support or non-support for the proposed PSDAR, as well as make specific recommendations to approve the PSDAR.

This will give the host community and host state greater oversight of the decommissioning process, and require the licensee to work with the affected communities to develop a safer, more effective decommissioning plan.

As I work in Congress to effectuate this change, I urge the NRC to review its own regulations and policies to allow greater and more meaningful input from the public in its deliberations around decommissioning plants. The public must not be shut out of these discussions, as it unfortunately has been here in Plymouth. Across the country more and more nuclear plants will undergo decommissioning in the years ahead. The NRC has the opportunity to learn significant lessons from its experience with Pilgrim's decommissioning and license transfer. I urge the Commission to take steps to ensure local public input is considered fully and incorporated into its decision-making processes. Signed Congressman Bill Keating. Thank you.<sup>31</sup>

#### **Statement by Vinny DeMacedo, Massachusetts State Senator from Pilgrim, MA**

MR. DEMACEDO: Thank you, my name is Vinny deMacedo, I'm the State Senator from the Plymouth and Barnstable District. I would like to thank Congress for giving us an opportunity to speak about the NDCAP and how the best practices go forth.

As you heard earlier, **I, along with my colleague Dan Wolf and Representative Muratore, worked together to create this NDCAP**, because we felt it was very important. We learned from, and this -- from people in Vermont, that they did this and it was important that we have these tools early on. And so, we did it. And I would like to thank the members of the NDCAP, because I was thoroughly impressed over the few years that they have met and they have spent time and really educated the community and the Commonwealth of what would happen when this plant was decommissioned.

**I stand here to tell you how concerned I am about my disappointment in regards to the way that the NRC dealt with us through this process.** I tried to be reasonable, I tried to share my concerns. Not too

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<sup>30</sup> Transcript of NRC NEIMA Meeting at Pilgrim - ADAMS Document ML19274B663 page 20 - 21.

<sup>31</sup> Transcript of NRC NEIMA Meeting at Pilgrim - ADAMS Document ML19274B663 page 21 - 25.

long ago, I had a meeting, along with my colleagues at the state and local and federal level, to ask the NRC, in regards to some concerns that we had in regards to the trust fund and how that process would go and giving us an explanation. I was told by the NRC at that time, along with my colleagues, you need to put that request in writing and we will get you this information. Of course, that information was in regards to what would happen if there was not enough money in the trust fund to finish and who would be liable. Would it be the Commonwealth of Massachusetts? Would it be the Town of Plymouth? Would it be the licensee? A pretty simple question, I believe. Probably about a month and a half later, I received a letter telling me, from the NRC, thank you for writing this letter, but I'm sorry, we can't answer that question, because there's been a request to intervene and for a hearing, a license transfer amendment application for the Pilgrim Plant, and we have to be impartial, so we can't answer the question. However, you told me to write you a letter and now, I get a letter back.

**This is just another example of how disappointed we are with the process.** So, I say this to really make this message clear to Congress, because I hope that everything that is being said here is going back to Congress, so that people around the country will understand how, despite the goodwill and efforts of local communities, the Commonwealth of Massachusetts, bipartisan delegation, to try to get to a common sense answer, because guess what?, at the end of the day, we are a de facto spent fuel repository for nuclear waste. And that is just a reality. And I'm simply asking, how is it that we know that we're protected? And I know I'm getting cut off in a second.

**However, I just wanted to say that that is not fair and I do not believe that the NRC was fair in dealing with us through this process.** They should have taken the time to have listened to a greater degree to the community, to the Attorney General, to the Governor, everyone was concerned about this and you still just moved forward and it really didn't matter what we thought. And that's disappointing, because you're a federal agency, you work for the people of the country, just as we do.....

We're just asking for answers. That was a simple question that we asked and the NRC just basically said, we're not answering you at all. I just think that that's just irresponsible and I'm disappointed in the NRC. So, I hope Congress gives communities and the states more power to require responses from the NRC in the future. Thank you very much.<sup>32</sup>

### **Ken Tavares, Chair of the Plymouth Board of Selectmen**

Good evening. My name is Ken Tavares, I'm Chair of the Plymouth Board of Selectmen. I've gotten to know a number of you over the -- well, I should stay, I started this game back in the '70s, so I've seen some of you for a good number of years.

But I have to be very sincere with you tonight and to tell you that **I am extremely disappointed.** When I first looked at the call to this meeting, I wondered why, what happened in Plymouth is done. And I feel extremely, on behalf of my community, let down. **I asked a number of our citizens to work on our NDCAP committee and they have put in countless hours.** I've been to many of their meetings and I know that they have put in the hours with a great deal of passion and concern for our community, as well as the surrounding communities. **But nothing has happened.**<sup>33</sup>

And going back to the community, we're beginning anew. We have a nuclear plant here, we have spent fuel here, and as previous speakers have said, we have to deal with it. So, the road is not over for us.

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<sup>32</sup> Transcript of NRC NEIMA Meeting at Pilgrim - ADAMS Document ML19274B663 page 25 - 28.

<sup>33</sup> Transcript of NRC NEIMA Meeting at Pilgrim - ADAMS Document ML19274B663 page 32 - 33.

But boy, I'll tell you, my respect for the federal government, for the Congress right now and the rules that we're actually governed by right now, scare the living daylights out of me. I don't think we're out of the woods and I'm hoping that word will get back to the right people at the right time that we all need help and that this process has to change. It's not working, gentlemen. I know you've tried hard, but it's not working. Thank you.<sup>34</sup>

#### **Statement of Sean Mullin, Chair of Pilgrim NDCAP**

MR. MULLIN: Hi, my name is Sean Mullin, and **I'm the Chair for this year of the NDCAP here in Plymouth.**

Mr. Watson, other representatives of the NRC, welcome back to Plymouth. We're glad you came. Thank you for including Plymouth and Pilgrim in your efforts to identify the best practices and lessons we have learned from the creation and operation of the Commonwealth's Nuclear Decommissioning Citizens Advisory Panel, or NDCAP.

While I truly appreciate your presence and I'm sure you fully expect and understand the reasons for the **anger and the outrage you'll hear tonight**, please know that it's not directed to you personally, as you've heard, but to the ongoing actions, or in way too many cases, the inaction of the organization you work for and represent, as well as the Congress and the other agencies of the federal government. Many of the citizens you'll hear from tonight feel this way because of the lessons they have learned over the past five decades, including the current license transfer and decommissioning process.

As Chair of the NDCAP, I'm going to share some very specific observations and lessons learned and offer some equally specific suggestions for the Congress, other states, other host communities, and the NRC to consider as these many additional locations and facilities go through this same process in the future. I hope with your help and with Congress's efforts, they don't go through what we've been through. These are my own observations, opinions, and conclusions, they don't necessarily reflect the thoughts of other members of the NDCAP or the public. I hope you'll hear them tonight as well.

**But before I get into the details, let me summarize my observations, lessons learned, and conclusions. The system, the entire system, the regulations, the policies, the practices are rigged in favor of the nuclear power industry.** (Applause.)

As I'll describe, the outcome of the license transfer, decommissioning, and exception approvals was known to the companies involved well before the decision was made, almost down to the exact date. That is the very definition of the word rigged.

As a result, I can only conclude that the NRC's process and decision on the license transfer and decommissioning approval has been nothing short of a travesty and a sham. With all due respect to your personal intentions and professional experience and integrity, which are not in question here tonight and have never been, this evening's meeting and this process are a costly charade. (Applause.)

You know it's true, we know it's true. You're here because Section 108 of the Nuclear Energy Innovation and Modernization Act, NEIMA, requires the NRC to develop a report identifying best practice for the establishment and operation of local Community Advisory Boards, CABs, associated with decommissioning. We're here, all of us, not because we have any confidence that our opinions, based

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<sup>34</sup> Transcript of NRC NEIMA Meeting at Pilgrim - ADAMS Document ML19274B663 page 34.

on past practices, will change anything, but we're here because we can't be silent when what is wrong is so clear. (Applause.)

Without strong Congressional action, and you heard some of the comments tonight, this dangerous farce will continue until a disaster occurs. And that is particularly noteworthy on September 11th. I hope I'm wrong. I hope your findings and report convince Congress to act. But I'm pessimistic, because in some cases, past performance is in fact a very good indicator of future performance.

**That said, here are my personal lessons learned and best practices. I've organized my thoughts by the purpose, creation, composition, role, and governance of Citizens Advisory Boards.**

**Let's start with the purpose. As the name states, these are citizens advisory boards, advisory being the key word.** Advisory is not authority. Advice can be considered or ignored by those who have the power and the authority to make decisions. In our case, our advice was considered by the Commonwealth and was ignored by the companies involved and the NRC.

I would urge every other state to create a Citizens Decommissioning Authority, not an Advisory Board. (Applause.) Average citizens who live in the impacted communities should have more than just an advisory role, they should have a voice.

**Now, on to the composition.** I learned that the **nuclear industry's money, power, and influence** extends far beyond Washington, D.C., Rockville, Maryland, and in Plymouth's case, King of Prussia, Pennsylvania. I learned that the industry's highly paid lobbyists are just as effective on Beacon Hill as they are on Capitol Hill.

**This is a very important lesson for every state and every host community, because the industry's lobbyists and their locally hired mouthpieces can permanently undermine and pervert every Citizens Advisory Board before it even gets started.**

Let me give you an example. Here in Massachusetts, the bill that created the NDCAP, we have the sponsors, co-sponsors of it here with Senator DeMacedo and Senator Wolf, that bill mysteriously changed at the last minute, altering the original language and composition of the Panel.

These changes **ensured that the citizen appointees to the Panel were unable, even when they voted unanimously to support a motion, to gain the required majority vote without the support of the appointees of the plant's operator and the ex officio appointees on the Board.** This still unexplained change to the legislation effectively stacked the Panel and muted the collective voices of the citizen members and public. It was a disgrace.

**If other states and communities use legislation to create their Advisory Panel, they need to ensure that the industry and its lobbyists are not allowed to subvert the citizens' efforts** before the process even begins.

**In addition, I learned that reasonable and sufficient financial support and resources are needed to effectively operate the Citizens Advisory Panel.** The volume and complexity of the issues involved require financial and human resources and expertise beyond the hundreds of hours citizen volunteers, other advocacy groups, such as Pilgrim Watch, no matter how committed, can realistically devote to this effort. When you compare these limitations to the rate payer funded deep pockets of the industry, the need for a true regulatory agency becomes even more apparent. Keep in mind, every dollar that was spent against the proposals made by the NDCAP, by Pilgrim Watch, by the Attorney General, every dollar came from rate payer money.

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The role. I also learned that the existing open meeting laws, unintentionally, but effectively, curtail the role of Citizen Advisory Boards by limiting the open and transparent discussions they were meant to ensure. Massachusetts open meeting laws require, their requirements, rather, unintentionally distorted the role of the NDCAP by placing unnecessary, questionable, and obviously very counterproductive restrictions on open discussions among Panel members. While the members of the Panel who represented the license holder and the operator and the successor were free to discuss and deliberate the license transfer and the decommissioning issues with their management in private, and the ex officio state employees could meet, discuss, deliberate, strategize in private meetings, the Citizens Panel was strictly prohibited from doing so. This severely undermined the effectiveness of the NDCAP, because among other things, it meant the plant's operator had to be involved in every group conversation. Absurd, nothing short of absurd. This had a chilling and damaging effect on the Panel's ability to discuss and deliberate critical decommissioning issues.

For example, the NDCAP here in the Commonwealth was prohibited from learning the details of or participating in any meetings, discussions, or negotiations between the State and the plant's owner or the decommissioning successor.

This effectively limited the Citizens Panel from participating in precisely what it was created to do, advise the Governor, the Attorney General, and the legislature.

**As a result, a critically important lesson was learned that employees of the license holder or its successor must always be prohibited from becoming voting members of any Citizens Advisory Panel. (Applause.) In this context, they do not fit the definition of a citizen. They only represent the interests of their stockholders and management. Inherently, and quite understandably, they cannot represent the best interests of the communities in which they operate, because those interests are naturally at odds with the stockholders' interests.**

I also learned that it's essential to draw on the experience and knowledge of other communities. The information we received from Vermont's NDCAP was invaluable and greatly appreciated. This, in my opinion, is the best of the best practices other communities should adopt and embrace.

Turning to the lessons I learned from the federal perspective. I learned that the doctrine of preemption, based on the supremacy clause as it applies to the licensing and regulation of nuclear power facilities, continues to solely benefit the nuclear power industry at the expense of public safety, health, environmental concerns of the citizens of the host community, the region, and the state. Since 1972, this doctrine has provided the legal basis for preventing ten separate administrations in the Commonwealth of Massachusetts, four Democrats and six Republicans, from effectively asserting the Commonwealth's right to protect its citizens and communities from the seemingly arbitrary and capricious actions and decisions of the NRC. Like so many of the lessons learned in our case, the Congress must bear the blame for allowing this to happen and continue. And just like the host communities, who are in fact spent nuclear waste dump sites for the foreseeable future, I find it difficult to believe, personally, that any member of Congress would have ever allowed preemption to apply to the NRC if they had known the communities in their districts or their states would end up also being de facto nuclear waste sites.

**Finally, the lessons I learned regarding the NRC.** First, and again, I want to say that everyone I have personally interacted with at the NRC, including you, Mr. Watson, and several of your colleagues who are here tonight, have always been very responsive and professional. And I know I speak on behalf of all members of the NDCAP when I say thank you for the time you have spent with us in the past. That said, as our second president and local favorite son John Adams said, facts are stubborn things.

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**In this case, the facts support my conclusion that the NRC's regulations, policies, and practices are rigged in favor of the nuclear power industry.** (Applause.)

For example, in May of this year, three months before the NRC approved the license transfer application, decommissioning plan, and exemptions, without any public hearings on the petitions to intervene, on the contentions, and on the motions, Entergy employees were openly saying that they had been told the NRC would approve the proposed deal on August 21. Three months in advance. Now, the folks here tonight had conversations with me about this. I personally spoke with NRC staff to determine whether this information was true, because the NRC had told the NDCAP that no timetable had been established. Like that old expression, you can look it up in our meetings. In telephone conversations and in written responses to my questions, I was told that the NRC could neither confirm nor deny that the employees' information was correct. As we all know, the NRC approved the license transfer on August 22, one day later. Only one day later than the employees knew three months in advance. Lesson learned, the fix was in. The fix was in between the NRC and the companies.

By itself, this fact, in support of any reasonable person's conclusion that the entire process was and is rigged in favor of the industry the NRC is mandated to regulate. That's the facts, there is no dispute.

Unfortunately, there are many more examples of the results of the NRC's egregious failures to follow its own regulations, practices, in order to accommodate the corporate desires, convenience, and bottom line of the companies it is mandated to regulate. Each is another painful lesson learned.

For example, Holtec's refusal to negotiate in good faith with the Commonwealth and its refusal to even discuss, never mind negotiate, critical issues with the Town of Plymouth taught us a lesson that I hope every other community, every other state across the nation, will both understand and keep in mind when they go through this process.

**The lesson was obvious from their first meeting with us, with the NDCAP. Holtec refused to reach any agreement with the State or even discuss the Town's request, because they knew they didn't need to.**

They knew they didn't need to, because they also knew virtually to the exact date when they would receive the approvals from the NRC. Fixed, rigged, those are the only two words that come to mind. Armed with this knowledge and assurance, Holtec knew it could run out the clock and refuse to answer even the simplest and most basic questions.

For example, when asked to disclose how long the warranty period was on the dry cask storage containers they proposed to provide, a very simple question, Holtec refused to answer because they said that was proprietary information between them and Entergy. Between them and Entergy. That the community, that the Citizens Advisory Board, that the State had no right to know how long they're warranting these things for.

When asked a basic question about the purchase of the assets owned by Entergy, Holtec refused to answer again, because they said the information was proprietary. Time and time again, in virtually every instance, Holtec refused to answer basic questions about the commitments they would make to the Commonwealth or to the Town of Plymouth or to the region regarding the transaction, the sufficiency of funding, public safety, environmental, radiological standards, or payments in lieu of taxes.

They stonewalled everybody, except the NRC, because they knew it didn't matter. They knew when they would be receiving the NRC's approval, right down to the date.

The important lesson learned, that I sincerely hope every community and state keeps in mind going forward, is that as long as the industry knows the NRC will approve their applications and requests,

regardless of the legitimate concerns that are raised even by their own state's Attorney Generals and quality, long-term invested organizations like Pilgrim Watch, the regulatory process is a sham. I believe it will remain that way until Congress takes action to correct it, and I hope they do. Thank you.<sup>35</sup>

### **Mary Lampert, Director of Pilgrim Watch**

MS. LAMPERT: Yes. Mary Lampert, Pilgrim Watch Director. Also, Vice Chair of the Tax Free Nuclear Advisory Committee and a Petitioner..... **There are four points on the CABs that I'd like to address. The first is money. And that's first and foremost in importance. It's important that it be funded by the NRC and not taken out of the insufficient decommissioning trust funds.... We don't have it. But there is a need for administrative assistance, and particular so that a robust website can be developed, which we don't have. That can have important documents such as the PSDARs, the license transfer, independent analysis of the vulnerability of spent fuel casks, et cetera, et cetera. It's also important to be able to hire independent experts so that the group hears not just from the licensee or from NRC.**

So money is critical. We don't have it, but it's necessary.

**The second is membership. It's clear that the licensees should not be members of the Citizen Advisory Board.** Sean Mullen discussed that clearly. It's important that they be required to come to each meeting so they can answer questions and give updates. But certainly not sitting on the panel. It's also important that each EPC community be represented. And be appointed by the Board's selectmen.<sup>36</sup>

### **Susan Carpenter, Member of Cape Downwinders**

I remember one of the first meetings, I don't remember if it was the first or the second of NDCAP, a motion was made. And the voting took place.

**And that was when I realized that the industry could block anything that the panel wanted to do. And that just totally destroyed my faith in what we're doing here.** I think it's time that we let people have a place in the hierarchy of what's needed. And we need to let go of the corporate interests that basically rule everything the NRC does.<sup>37</sup>

### **Bruce Watson Summarizing Comments Heard**

**CABs or NDCAPs should be more independent.** And should be provided funding by the NRC or another government federal agency. CABs should have more local representation that are voting members of the CAB. CABs should be required to -- should be required by the NRC. And the NRC should attend each meeting to provide input.<sup>38</sup>

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<sup>35</sup> Transcript of NRC NEIMA Meeting at Pilgrim - ADAMS Document ML19274B663 page 35 – 48.

<sup>36</sup> Transcript of NRC NEIMA Meeting at Pilgrim - ADAMS Document ML19274B663 page 67 - 68.

<sup>37</sup> Transcript of NRC NEIMA Meeting at Pilgrim - ADAMS Document ML19274B663 page 90 – 91.

<sup>38</sup> Transcript of NRC NEIMA Meeting at Pilgrim - ADAMS Document ML19274B663 page 117 - 118.

**SEPTEMBER 24, 2019 – NRC NEIMA MEETING FOR KEWAUNEE, WISCONSIN**

**Doug Ower, Member of Zion CAB**

**So the panel was set up by Zion Solutions and I personally think it's a conflict of interest. I strongly believe that Citizens Advisory Panels should be independent and funded separately** by the decommissioning funds so that hopefully we can take a harder look at what's going on to make sure that we get the best results for our community. We have 65 dry casks in Zion that are going to be there a long time. And how do we know that these are done -- I mean, the NRC watches of course -- how do we know that it's done to standards We're the community that's impacted. So the Advisory Panel is really the only opportunity for citizens to have an eye on what's going on. And so I think that there should actually be an application process for citizens, it shouldn't just be elected officials -- certainly some elected officials are great to be on there, but I think people that are highly interested in decommissioning should be on the panel.<sup>39</sup>

Also, I think with the separate group that's funded separately you could maybe hire some technical experts to see what's going on. I think that that would be an important item so that it's just not us listening to the contractor, telling us what they're doing, and hopefully it's correct.<sup>40</sup>

**So I think that's one reason that speaks to why the Citizens Advisory Panels should be independent, because basically things are filtering through the contractor to us, and I don't think we have the knowledge that that would be available.** If we had then, if I had known that, I would have insisted for our panel that we have the NRC speaking at every meeting.<sup>41</sup>

**Bruce Watson Summarizing Comments Heard**

So I was just going to kind of summarize a little bit of what I heard briefly tonight. And you've heard a few of these comments before in that **Community Advisory Boards should be somewhat independent**, they should be funded maybe out of the decommissioning fund. There's been other suggestions on how to do that funding from the state, some funding from the NRC, but **the key thing is they need to be -- the recommendation from what we're hearing is that they should be somewhat independent of the license.**<sup>42</sup>

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<sup>39</sup> Transcript of NRC NEIMA Meeting at Kewaunee - ADAMS Document ML19284B574 page 16 - 17.

<sup>40</sup> Transcript of NRC NEIMA Meeting at Kewaunee - ADAMS Document ML19284B574 page 18.

<sup>41</sup> Transcript of NRC NEIMA Meeting at Kewaunee - ADAMS Document ML19284B574 page 23.

<sup>42</sup> Transcript of NRC NEIMA Meeting at Kewaunee - ADAMS Document ML19284B574 page 34.

**SEPTEMBER 26, 2019 – NRC NEIMA MEETING FOR ZION, ILLIONIS**

**Statement of Al Hill – Mayor of Zion**<sup>43</sup>What is needed is the creation of an **independent**, funded, transparent, public entity that first and foremost represent the needs, interests, and concerns of the local affected communities, communities like Zion, not those contractors, utilities, or the NRC. And secondarily, those of the general public **independent of the decommissioning contractors and related utilities**.

**Statement of David Kraft Director of the Nuclear Information Research Service, Chicago Officer**<sup>44</sup>

What is needed is creation of an **independent, funded, transparent public entity** that first and foremost represents the needs, interests, and concerns of the local affected communities; communities like Zion, like Covert, Michigan at the Palisades reactor; not those of the contractors, utilities, and the NRC and secondarily, those of the general public, independent of the decommissioning contractors and related utilities. So I want to list a few characteristics that we think should be in a public decommissioning authority.

First, the **formation and membership should be independent of the local decommissioning contractor**. Second: decision-making representation should primarily be selected from the local community, affected general public, and people with relevant expertise. Advisory representation would consist of one person from the contractor and the Nuclear Regulatory Commission. Funding to conduct operations as necessary, also meetings and the **need to contract an outside, independent expertise and consultants of their own choosing, not of the company's choosing**. And finally, the public decommissioning authority should be able to make recommendations to NRC and contractors on the site to give decommissioning process and receive written, documented explanation for acceptance or rejection of recommendations.

**Bruce Watson Summarizing Comments Heard**

**A couple things I heard: CABs should be independent and have more authority. CABs should be publicly funded and be a transparent entity.**<sup>45</sup>



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<sup>43</sup> Transcript of NRC NEIMA Meeting at Zion - ADAMS Document ML19296D472 pages 40.  
<sup>44</sup> Transcript of NRC NEIMA Meeting at Zion - ADAMS Document ML19296D472 pages 29-30.  
<sup>45</sup> Transcript of NRC NEIMA Meeting at Zion - ADAMS Document ML19296D472 pages 71.

**OCTOBER2, 2019 - NRC NEIMA MEETING FOR INDIAN POINT, NEW YORK**

**Statement of Manna Jo Greene, Environmental Director for Hudson River’s Clearwater and Ulster County Legislature**

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.**<sup>46</sup>

**Statement of Sally Gelbert, Member of Indian Point Safety Coalition**

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.<sup>47</sup>

**Statement of Marilyn Elie, Member of Indian Point Safety Coalition** 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 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 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.<sup>48</sup>

**Bruce Watson Summarizing Comments Heard**

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.<sup>49</sup>

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<sup>46</sup> Transcript of NRC NEIMA Meeting at Indian Point - ADAMS Document ML19318G438 page 56-57.  
<sup>47</sup> Transcript of NRC NEIMA Meeting at Indian Point - ADAMS Document ML19318G438 page 114 - 115.  
<sup>48</sup> Transcript of NRC NEIMA Meeting at Indian Point - ADAMS Document ML19318G438 page 117 - 118.  
<sup>49</sup> Transcript of NRC NEIMA Meeting at Indian Point - ADAMS Document ML19318G438 page 131.

**OCTOBER 3, 2019 – NRC NEIMA MEETING FOR OYSTER CREEK, NEW JERSEY**

**Paul Dressler, Member of Concerned Citizens of Lacey Coalition**

It sounds like in your presentation what you expect a CAB to be is what **our concerned citizens want, basically the creation of a panel that will provide checks and balances** through enhanced transparency in an otherwise decommissioned process that's controlled almost exclusively by the corporate owner, Holtec.<sup>50</sup>

**Sally Gellert, Citizen**

I'm a member of numerous groups, most relevant Indian Point Safe Energy Coalition, United for Clean Energy, the Stony Point Convergence and the National Decommissioning Working Group, which sponsored that briefing I mentioned. However, I'm speaking for myself alone, not for any group or organization.

Regarding the questions that the NRC is considering, here are some thoughts. We, and when I say we, I am reflecting the opinions of those who drafted decisions oversight board legislation that is either soon to be introduced or recently introduced in the New York legislature, which we hope will be a model for sites across the country.

We believe that the COB, the **Citizens Oversight Board, should be created by the state legislature to represent the local community.** The enabling legislation establishes the criteria for membership, including union workers from the plant, representatives from environmental groups with 10 years' experience, residents within 25 miles of the facility, et cetera, **excluding anyone with a financial and fiscal or other relationship with the licensee.** It sets a budget for administrative work, including a website for public information and for consulting independent experts.<sup>51</sup> \*\*\*\*

There's no reason to trust this company. As Mary Ann Clemente said in a recent meeting here in the county, Holtec being completely in charge would be the fox guarding the hen house.<sup>52</sup>

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<sup>50</sup> Transcript of NRC NEIMA Meeting at Oyster Creek - ADAMS Document ML19284B638 page 50.

<sup>51</sup> Transcript of NRC NEIMA Meeting at Oyster Creek - ADAMS Document ML19284B638 page 60 - 61.

<sup>52</sup> Transcript of NRC NEIMA Meeting at Oyster Creek - ADAMS Document ML19284B638 page 61 – 62.