

# **Official Transcript of Proceedings**

## **NUCLEAR REGULATORY COMMISSION**

Title: Three Mile Island Unit 1 Post-Shutdown  
Decommissioning Activities Report (PSDAR)  
Public Meeting

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UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION  
  
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THREE MILE ISLAND UNIT 1  
POST-SHUTDOWN DECOMMISSIONING ACTIVITIES REPORT  
(PSDAR) PUBLIC MEETING  
  
+ + + + +  
TUESDAY,  
JULY 23, 2019  
  
+ + + + +  
HARRISBURG, PENNSYLVANIA

+ + + + +  
The public meeting occurred at the  
Sheraton Harrisburg Hershey Hotel, located at 4650  
Lindle Road, at 6:00 p.m., Brett Klukan, Meeting  
Facilitator, presiding.

NRC STAFF:

BRETT KLUKAN, Meeting Facilitator

KIM CONWAY

JIM DANNA

ANTHONY DIMITRIADIS

STEVE HAMMAN

ZACK HOLLCRAFT

JUSTIN POOLE

1 BILL RAUTZEN  
2 JEFFREY RIKHOFF  
3 NEIL SHEEHAN  
4 EMIL TABAKOB  
5 RICHARD TURTIL  
6 BRUCE WATSON  
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## P R O C E E D I N G S

6:01 p.m.

MR. WATSON: Good evening, and welcome to our meeting. And I thank you for attending, taking out from your busy lives to attend this public meeting. My name is Bruce Watson. I'm chief of the Reactor Decommissioning Branch, and I work in the NRC headquarters in Rockville, Maryland.

Tonight we're here to discuss the TMI Unit 1 Post-Shutdown Decommissioning Activities Report, and that is the sole purpose of our meeting tonight. Go to the next slide. This is an NRC Category 3 meeting to hear your comments and if we can answer any questions that the staff could answer on the PSDAR tonight.

So as far as meeting safety procedures, we have the doors in the back and the one in the front. Please use the ones in the back to exit appropriately safely as, say, if we had the fire alarm or whatever. That's pretty much the only real safety issue we have here.

I'd like to introduce the NRC staff to you with the NRC staff that's here like to introduce themselves. First, we have Steve Hamman on my right. He's a senior inspector and he will be inspecting TMI-

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1 after it enters decommissioning. He's a  
2 decommissioning inspector out of our Region I  
3 headquarters.

4 Next to him is Justin Poole. He's a  
5 project manager who's responsible for the licensing  
6 activities of the plant right now. Eventually when  
7 the plant shuts down and reaches a point where we  
8 issue the defueled technical specifications, the plant  
9 will be transferred to my branch in the Office of  
10 Nuclear Safety and Safeguards and enter into the  
11 decommissioning arena.

12 And then Kim Conway who's over here will  
13 become the project manager. So we have a transition  
14 phase that we will go through within the NRC and the  
15 plant transitions of the decommissioning.

16 With that, I'd like to turn it over to the  
17 NRC staff that would like to be recognized.

18 MR. DANNA: I'm Jim Danna. I'm the branch  
19 chief for Region 1 licensing at headquarters.

20 MR. TURTIL: My name is Richard Turtill.  
21 I'm a senior financial analyst at NRC headquarters in  
22 Rockville.

23 MR. RAUTZEN: My name is Bill Rautzen.  
24 I'm a technical reviewer in the environmental review  
25 branch at headquarters in Rockville.

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1 MR. RIKHOFF: Jeff Rikhoff. I'm also an  
2 environmental reviewer at headquarters.

3 MR. TABAKOB: I'm Emil Tabakob. I'm a  
4 financial analyst at NRC headquarters at Rockville.

5 MR. HOLLCRAFT: Zack Hollcraft. I'm the  
6 senior resident inspector currently on site.

7 MR. WATSON: We're going to conduct a  
8 number of short presentations because we want to get  
9 on to your comments. At that point, we'll turn the  
10 meeting over to the Brett Klukan who is our facilitator.  
11 Brett is also from Region I. He's General Counsel for  
12 the Region I office. And so after that we will go  
13 over the ground rules for the meeting and then we'll  
14 begin receiving comments from the public. We plan to  
15 close the meeting at 9:00 o'clock is when it's  
16 scheduled. Next slide, please.

17 I just want to let everybody know that the  
18 NRC has a lot of experience in the decommissioning  
19 area. We have overseen the decommissioning in over 80  
20 sites in the country since 1997. This is when our  
21 current decommissioning rules went into effect. This  
22 includes ten power reactors that have completed  
23 decommissioning and had their licenses terminated.

24 We also expect to be terminating four  
25 licenses over the terms of either the end of this year

1 or into next year. And those four plants will be  
2 Humboldt Bay out of California, La Crosse in  
3 Wisconsin, and Zion 1 and 2 in Illinois. I want  
4 everybody to know that all those sites have been  
5 released for unrestricted use.

6 In other words, the sites have been  
7 cleaned up so the land can be used for whatever  
8 purpose the landowner wants to use it for. There are  
9 no restrictions on it from the NRC's perspective. So  
10 the owner can sell the land, continue to use the land  
11 without any NRC oversight of that land. We will be --  
12 basically, we're out of the business then. Next  
13 slide, please.

14 I also wanted to point out that there have  
15 been some successful decommissionings in the state of  
16 Pennsylvania. The Saxton Power Plant was  
17 decommissioned. The license was terminated in 2005.  
18 On your right top, there's the B&W Parks Township  
19 site. It was decontaminated and as well remediated  
20 and the license was terminated in 2004. On the bottom  
21 of the B&W Apollo site. This site was cleaned up and  
22 the license was terminated in 1997. So there's  
23 significant decommissioning work in Pennsylvania.  
24 Next slide, please.

25 It's a picture of the Zion Unit 1 and 2



1 plants. Up in the left is the picture of the two  
2 plants when the plant shut down. On the right is  
3 what's left is the two containments which are being  
4 demolished in 2018. And on the bottom is a picture  
5 taken this past April where you can see the  
6 containment buildings have been demolished and they're  
7 in the process of removing the final bit of concrete  
8 debris as we speak today. Also on the site is the  
9 onsite dry fuel storage facility. And it's up in the  
10 right-hand corner of the picture. Next slide, please.

11 I want you to realize that there are three  
12 decommissioning options offered by the NRC. The first  
13 is DECON as we call it. In this case, the plant is  
14 promptly decommissioned. The equipment, structure, et  
15 cetera are removed and decontaminated that allows a  
16 radiological release.

17 The second option is for SAFSTOR. Plants  
18 are placed in a safe and stable condition and  
19 maintained in that state until they are subsequently  
20 decontaminated to levels that permit a radiological  
21 release in the course of the license termination.  
22 Just as a matter of example for you, we have 11 plants  
23 that are being actively decommissioned in the U.S. and  
24 we have 11 plants that are in SAFSTOR. TMI Unit 1  
25 will become the twelfth that will enter SAFSTOR.

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1           One of our rules are that the decommission  
2     is that -- for decommissioning is that the  
3     decommissioning must be completed within 60 years. So  
4     with that, I will turn it over to Steve. And he will  
5     talk a little bit about the Unit 1 PSDAR.

6           MR. HAMMAN: Okay. The Unit 1 PSDAR which  
7     they said they were going to shut down by September  
8     30th. Once they shut down, they will take all the  
9     fuel out of the reactor and put it in their spent fuel  
10    pool. It'll stay in the spent fuel pool until they  
11    have their independent spent fuel storage installation  
12    built and ready to go. And at that point, they'll  
13    start transferring fuel from the spent fuel pool into  
14    dry cask storage.

15           And the timeline they gave us was by the  
16    end of 2022, they think they'll have all their fuel  
17    into the dry storage once the fuel is in dry storage.  
18    And they will go into the SAFSTOR mode. And they plan  
19    on staying in SAFSTOR until 2079. Bruce just  
20    described the options that would give them, and the  
21    SAFSTOR is one where they can just keep everything in  
22    a safe, stable condition until they're ready to do the  
23    DECON option. And then in 2073, they'll begin doing  
24    the radiological decommissioning of the site and  
25    terminate the license by 2079. Next slide, please.

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1           Okay. NRC oversight, when they shut down,  
2           we still continue doing inspections. It's not like  
3           even though we might not have a resident inspector  
4           assigned there permanently, still we do inspections  
5           of all the licensed activities, all the operations.

6           There will be a resident inspector who  
7           stays on site when they initially shut down. The time  
8           is a little indeterminate. It could be anywhere up to  
9           six months that we'd keep a resident inspector on  
10          site. And once the resident inspector is no longer on  
11          site, we'll still continue to do regular inspections  
12          of their activities. Next slide, please.

13          Tony Dimitriadis is not yet here. So I'm  
14          filling in for Tony which is why I'm up here. Next  
15          slide. Okay. Inspections are performed in accordance  
16          with Manual Chapter 2561. That is the Decommissioning  
17          Power Reactor Inspection program. This inspection  
18          program starts as soon as the licensee certifies that  
19          all the fuel is out of the reactor.

20          The program has core inspections that are  
21          performed at least once per year. And they also have  
22          discretionary inspections that can be performed as  
23          needed. Security and emergency training inspections  
24          are still performed under the decommissioning  
25          inspection program. The frequency of inspections is

1 dependent on what activities are taking place on site.  
2 And that's usually related to what phase of  
3 decommissioning they're in.

4 For instance, if they're in active  
5 decommissioning, we'll be there quite more often than  
6 if they're in SAFSTOR. SAFSTOR where there's no  
7 activity going on, we're not there quite as much. And  
8 all inspections are performed by the Region I office  
9 and by decommission inspectors. And they're  
10 supplemented by specialist inspectors as we need them.  
11 Next slide, please.

12 Okay. We've mentioned the spent fuel  
13 storage. Currently, TMI has all their spent fuel  
14 stored in their spent fuel pool. But the PSDAR states  
15 that they're going to start moving fuel into the dry  
16 cask storage starting in 2021.

17 Again, we perform inspections of the spent  
18 fuel storage. The first inspections will be any kind  
19 of construction activities that take place on site.  
20 If they're building a concrete pad, if they're putting  
21 in a new crane or if they're upgrading their crane, if  
22 they're fabricating the modules, we'll do inspections  
23 of all those.

24 Once that's done, before they're allowed  
25 to start putting fuel onto an ISFSI, they have to do

1 a series of dry runs, pre-operational activities. And  
2 basically we come out. We watch them do their dry run  
3 to make sure that they're ready to go. Once that's  
4 done, we will be there to inspect the first time they  
5 actually do an initial loading in the dry cask  
6 storage. After that, we then inspect on a regular  
7 basis their dry cask storage.

8 MR. POOLE: Next slide, please. Good  
9 evening. My name is Justin Poole. As you heard  
10 before, I'm the project manager in the Division of  
11 Operating Reactor Licensing in the Office of Nuclear  
12 Reactor Regulation at the NRC. And I'm located in  
13 Rockville, Maryland headquarters. Next -- yeah, next  
14 slide.

15 So in accordance with the NRC  
16 requirements, the Post-Shutdown Decommissioning  
17 Activities Report, the PSDAR, must be submitted to the  
18 NRC and a copy to the Commonwealth of Pennsylvania  
19 prior to or within two years following the permanent  
20 succession of operations.

21 Exelon submitted the Three Mile Island  
22 Unit 1 PSDAR on April 5th of this year. The PSDAR  
23 must contain a description of the planned  
24 decommissioning activities along with a schedule for  
25 their accomplishments and a site-specific

1 decommissioning cost estimate including the projected  
2 cost of managing irradiated fuel.

3 Exelon shall not perform any major  
4 decommissioning activities until after Three Mile  
5 Island Unit 1 notifies the NRC that operations have  
6 permanently ceased and Exelon has permanently removed  
7 fuel from the Three Mile Island Unit 1 reactor vessel  
8 and after the NRC has received the PSDAR.

9 Decommission activities must not endanger  
10 the public health or result in significant  
11 environmental impacts not previously reviewed. The  
12 PSDAR must contain the information required by the  
13 regulations. The NRC staff as well as licensees use  
14 the regulatory guide pictured above that provides  
15 guidance on content and format. The regulatory guide  
16 is available to the public in our document collection  
17 system known as ADAMS and can be found Accession No.  
18 ML13140, alpha, 038. Next slide, please.

19 Upon receiving the PSDAR, the NRC review  
20 consists of reviewing the proposed strategy and  
21 schedule, reviewing the funding plans for  
22 decommissioning and spent fuel management, and the  
23 environmental review for decommissioning the site.  
24 Next slide, please.

25 The PSDAR must contain the licensee's

1 discussion that provides the reasons for concluding  
2 that the environmental impacts associated with the  
3 site-specific decommissioning activities are bounded  
4 by previously issued environmental impact statements.  
5 To review the PSDAR, the NRC staff uses two staff  
6 reports called NUREGs to consider generic  
7 environmental impacts and site specific issues and  
8 changes not addressed in prior environmental impact  
9 statements. In addition, the NRC would rely on the  
10 inspections program. Next slide, please.

11 During the NRC staff's review, if needed,  
12 we will notify the licensee if additional information  
13 is required to complete our review. Should the staff  
14 find that the PSDAR meets the regulations, the NRC  
15 will document its review of the PSDAR and a letter to  
16 the licensee. And that letter will address the  
17 comments received during the comment period. And the  
18 next slide will talk more on how comments will be  
19 received.

20 The licensee shall notify the NRC in  
21 writing and send a copy to the Commonwealth of  
22 Pennsylvania before performing any decommissioning  
23 activities inconsistent with or making a significant  
24 schedule change from those actions and schedules  
25 described in the PSDAR. Next slide, please.

1           So for obtaining comments from the public  
2           on the PSDAR. There are multiple ways someone can  
3           submit comments on the Three Mile Island Unit 1 PSDAR.  
4           The first is here tonight at this public meeting.  
5           It's being transcribed, so any comments received will  
6           go on the record.

7           Second is by mail, and the address to send  
8           it to can be found here on the slide. Third is by  
9           going to the U.S. federal rulemaking site,  
10          www.regulations.gov, and search for the docket number  
11          seen on the slide above or seen on the slide. All  
12          comments received via mail or on the website need to  
13          be received by October 9th of this year.

14          I'll now turn the presentation back over  
15          to Bruce to close out the prepared presentation.

16          MR. WATSON: Thank you, Justin. And thank  
17          you, everybody, for showing up again tonight. We are  
18          here to listen to your comments on the Three Mile  
19          Island Unit 1 PSDAR. I want to remind everybody that  
20          the meeting is being transcribed. We have a court  
21          reporter over here. And so actually the transcription  
22          will be made publically available. We'll also be  
23          publishing a meeting summary, and it will also be  
24          publically available. As I said, the NRC staff, we'll  
25          do our best to answer your questions.



1 MR. KLUKAN: So at this time -- hi,  
2 everyone. Again, my name is Brett Klukan. I'm the  
3 meeting facilitator. Sorry. I was just making sure  
4 I understand the comment there.

5 Before we begin the public comment  
6 portion, usually we like to give elective officials or  
7 any representatives of elective officials an  
8 opportunity at this juncture to stand and be  
9 recognized and to give any prepared remarks. Are  
10 there any such elected officials or representatives  
11 thereof in the audience with us this evening?

12 Here, I'll bring you the microphone.

13 (Off-microphone comments.)

14 MR. KLUKAN: Well, I appreciate your  
15 comment, but I'm going to continue. So are you an  
16 elected official?

17 REP. MEHAFFIE: Thank you. Good evening.  
18 I'm State Representative Tom Mehaffie. I am the  
19 sponsor of House Bill 11 to try to save Three Mile  
20 Island. Unfortunately, that bill did not pass. And  
21 unfortunately, we didn't get it done. As many of you  
22 know, if you did see that the state of Ohio today  
23 passed legislation to save their two plants. Kudos to  
24 them.

25 It's something that should've been done

1 here in Pennsylvania. Unfortunately, we have to go  
2 through the decommissioning of the Three Mile Island  
3 and a lot of jobs are going to be lost. And  
4 unfortunately a lot of families are going to be  
5 displaced and moved throughout the country where  
6 they're going to find work in their profession.

7 At this point in time, though, it's my  
8 concern and I see representation from Senator Palmer's  
9 officer here. We want to make sure that this is done  
10 correctly and the company that comes in and does the  
11 decommissioning is doing it the right way.

12 I know there's only so many throughout  
13 this state or throughout the country that do this kind  
14 of work. And we just want to make sure it's done  
15 professionally and done the right way. So thank you  
16 for your time and appreciate you guys being here to do  
17 this public meeting.

18 MR. KLUKAN: Thank you. Anyone else,  
19 other elected officials or representatives? You can  
20 just stand and be recognized. You don't need to give  
21 prepared remarks. Anyone else? All right. We will  
22 get underway with the public comment portion then.

23 So just a couple little reminders before  
24 we get into it. I won't take up too much time here is  
25 that again please silence your cell phones because

1 they will be picked up by not only the court reporter  
2 but the various other news outlets in the room with us  
3 this evening. So please do that. Don't worry. It's  
4 happened to me before in the past as well.

5 There's drinking water in the back. You  
6 can avail yourself of it. And then I would ask if you  
7 are going to submit something to the NRC. Let's say  
8 you want to hand them a document, testimony, please  
9 hand it to me. I'd like generally to keep this one  
10 area clear so we don't have people milling about up  
11 here. So when it's your turn to speak, I'll ask you  
12 to queue up to the microphone. And at that point, if  
13 you have something to hand to the NRC, just hand it to  
14 me and I'll hand it to them. Okay? All right.

15 Once again, so this is the third time that  
16 you're going to be reminded that the meeting is being  
17 recorded tonight. I'm going to add to that is that  
18 for the sake of our court reporter whose job is not  
19 easy as it is given the amount of acronyms and other  
20 technical jargon we use. Please spell your name when  
21 it is your turn to speak. So get up and say, hello,  
22 my name is Brett Klukan, K-L-U-K-A-N. And then once  
23 you've done that, then I'll start the speaker clock  
24 which I'll explain here in a moment.

25 So before I get into that, just some basic

1 ground rules, and I announce these at every meeting I  
2 facilitate. I have no expectations that there will be  
3 any outbursts tonight or any threatening gestures or  
4 anything like that. But let me be very clear on this  
5 point. Threatening gestures or statements, anything  
6 indicating a likelihood of violence or anything like  
7 that will be cause for an immediate ejection from the  
8 meeting room by the local law enforcement officer we  
9 have in attendance throughout this evening.

10 In terms of general disruptions, I usually  
11 go by a three strikes rule. So by the third instance  
12 in which you disrupted a member of the public when it  
13 is their turn to speak, I will ask you to leave the  
14 room. I've never had to do that. I hope tonight is  
15 not the first night that I have to do that. Let's try  
16 to be civil to each other.

17 I respect that many of you in this room  
18 have views which may be opposed to one another. But  
19 out of the spirit of respect for one another, there'd  
20 be -- respect each other's speaking time at the  
21 microphone. Okay.

22 So how are speakers going to be called?  
23 If you did not already, there was a signup sheet  
24 outside the room. It looks like we have 11 people  
25 signed up to speak. Now just so I can get a sense of

1       how many people want to speak tonight, just so I can  
2       make sure that everyone who would like to speak gets  
3       an opportunity to do so, how many want to speak now  
4       having heard the NRC's presentation but who did not  
5       already sign up to do so? Does that make sense what I  
6       just said? So if your name isn't on this list but you  
7       think you want to speak, please raise your hand right  
8       now. So maybe one more. So we might have 12 people.

9               Okay. I am probably going to stick then  
10       to the three minute speaking time with an opportunity  
11       to provide people a second round opportunity at the  
12       microphone. The reason being is that I expect there's  
13       going to be a lot of technical questions for the NRC  
14       staff tonight. I'm going to allot time and  
15       opportunity for them to respond to your questions.

16              MR. PORTZLINE: May I comment on that?  
17       Three minutes is -- my name is Scott Portzline and I'm  
18       from Harrisburg, Pennsylvania associated with Three  
19       Mile Island. Even for the first round that somebody  
20       would like to speak three minutes is unreasonably  
21       short. Especially if there's a simple question that  
22       requires a complex answer, there may be no time for  
23       follow up. So I suggest at least doubling that.

24              And then the second comment that I have if  
25       we could have Mary Stamos Osborn speak first because

1 of her health condition. If that's been arranged, I'm  
2 sorry.

3 MR. KLUKAN: It's okay.

4 MR. PORTZLINE: I'd appreciate that. Or  
5 we would appreciate that.

6 MR. KLUKAN: So that was what -- when I  
7 paused there, when they were explaining the comments  
8 to me, that's where I was -- so yeah, that's fine.  
9 Everyone, I think we can accommodate all speakers  
10 tonight assuming people take their speaking time. So  
11 how about this. If we have ten people, that gives us  
12 about an hour assuming everyone sticks to their time.  
13 All right. So that's 72 minutes.

14 Let's do that. Okay? But I'm going to  
15 hold you to those six minutes. Okay? So when those  
16 six minutes are up and this things dings, and it will  
17 ding, that's it. You say thank you. If you have  
18 additional comments, you can provide them in a written  
19 format to the NRC staff or go on regulations.gov  
20 afterwards.

21 However, here's what I'm going to say.  
22 There's one caveat with this. If you pause because  
23 the NRC has started to respond to your question, I  
24 will pause the clock for that. So I will pause the  
25 clock if the NRC staff is talking. However, if you

1 are talking, the clock runs. Does that make sense to  
2 everyone? Can I get some nods? I want to make sure  
3 just so people understand they don't feel like they're  
4 being treated unfairly.

5 MR. PORTZLINE: Well, grounds rules are  
6 important and this is a Category 3 meeting. And by  
7 definition, that makes that the public can participate  
8 and speak throughout the meeting as they see fit. Now  
9 I do recommend that everybody adhere to a six-minute  
10 time limit. But to strictly enforce that and say that  
11 somebody is out of order would be the Nuclear  
12 Regulatory Commission being out of order.

13 So if it's a Category 3 meeting, then we  
14 have -- don't grab my mic yet. Then we have the right  
15 to speak throughout the meeting as we see fit. Don't  
16 violate that.

17 MR. KLUKAN: So here's what I'm just  
18 saying. So just to be clear. The reason they bring  
19 me in is to make sure -- I have one principle purpose  
20 is that everyone who came here tonight gets an equal  
21 opportunity to speak, to be heard. And no voice is  
22 more important than anyone else in this room. So I  
23 treat everyone exactly the same.

24 Now if there's time at the end of the  
25 meeting in which people -- like, there is additional

1 amount of time. We have not gone to 9:00 o'clock,  
2 then I will give another round for those who would  
3 like to speak again.

4 However, I recognize this is a Category 3  
5 meeting. But it is still the NRC's meeting. I  
6 appreciate the purpose of this is to speak with  
7 members of the public. But the reason why we have  
8 these rules is to be fair to everyone who took time  
9 out of their busy schedules to be here today. So with  
10 that, I'd like to proceed.

11 MR. PORTZLINE: Yeah, there was a fellow  
12 there who wanted to comment.

13 MR. WATSON: Yeah, he said it. This is  
14 NRC's meeting. We will follow our rules. We will  
15 treat everybody fairly. We want to make sure everyone  
16 that wants to speak has the opportunity to speak. So  
17 it can't be dominated by one or two people. We have  
18 to give everyone the opportunity to speak.

19 MR. KLUKAN: Okay. Give me one second to  
20 set this up so that we can have a six-minute clock.  
21 I apologize. Okay. So this clock will count down six  
22 minutes and ten seconds. It will give you a warning  
23 buzz. And then at the end, it will make another noise  
24 at that time. Again, I would ask you to please wrap  
25 up your remarks. Again, if we have additional time at



1 the end, I'll be more than happy to do a second round  
2 of comments. Okay?

3 So what I'm going to do is work through  
4 this list chronologically just going from -- well,  
5 first we're going to start with Ms. Stamos. Does the  
6 microphone need to be brought to her? We can easily  
7 bring the microphone to her.

8 (Off-microphone comments.)

9 MR. KLUKAN: Sure. Okay. And if you're  
10 sure you're comfortable. We can do it from this seat.  
11 Okay. And then we'll go down the list in order from  
12 1 to 11 and then get an additional person.

13 MS. STAMOS OSBORN: Okay. My name is Mary  
14 Stamos Osborn. My husband worked at Three Mile Island  
15 before the accident. So I have some experience. My  
16 name is spelled S-T-A-M-O-S and the Osborn was when I  
17 was married to him, O-S-B-O-R-N. And that's when I  
18 have most of my information.

19 What bothers me is not that you guys are  
20 going to be doing cleanup and stuff. But Three Mile  
21 Island is on an earthquake fault. And we had one  
22 Lancaster County some years ago and it was under Three  
23 Mile Island, under my house, under this area here and  
24 the Harrisburg Mall.

25 What will you do to protect the waste and

1 fuel pools and dry cask storage if there's an  
2 accident. Michio Kaku, the nuclear scientist,  
3 mentioned if the fuel pools -- if the fuel  
4 reconfigured, it could possibly blow up. Would you  
5 consider windmills or cooling towers on the --  
6 windmills or cooling towers or solar on the parking  
7 lot?

8 By the way, this hotel was not here when  
9 the accident happened. But the radiation plume line  
10 as mentioned and shown in NUREG 0600 at Section 2-3-6  
11 said that the radiation was coming out all over this  
12 area. And the radiation came out for days and days.  
13 And the one documented 0558 nuclear book mentioned  
14 that it was ten days of the accident that exposed us  
15 to radiation, not the ten years that actually  
16 happened.

17 So I would be really curious to know how  
18 you're going to protect us from an explosion from an  
19 earthquake, and that's it.

20 MR. KLUKAN: Thank you very much. There  
21 we are. Thank you. Okay. Next we have Patricia  
22 Longenecker. So one second. The NRC staff would like  
23 to make some comments.

24 MR. WATSON: Yes, I was going to respond  
25 with the question on the earthquakes. The dry fuel

1 storage facilities are designed to withstand  
2 earthquake seismic activity. I'm sure the types of  
3 earthquakes around taken into account into that. As  
4 far as installing windmills or solar panels on the  
5 site, either on the cooling towers or in the parking  
6 lot, that would be up to the owner to decide that, not  
7 the NRC. Once we terminate the license and the owner  
8 can use the land for any reason, any purpose. They'll  
9 welcome to do whatever they choose to do. So whatever  
10 Exelon would choose to do as the current owner could  
11 do what they wanted to.

12 MS. STAMOS OSBORN: Okay. Michio Kaku was  
13 the world expert on using power for the public. And  
14 he's the one who mentioned that it could reconfigure  
15 if there was an earthquake. Based on how it's been  
16 stored for all these years, I just want you to be  
17 aware of that and I would check it out with what  
18 happened Fukushima.

19 MR. WATSON: Thank you for your comment.

20 MR. KLUKAN: Thank you. Okay. Ms.  
21 Longenecker, please.

22 MS. LONGENECKER: May I lower it?

23 MR. KLUKAN: Oh, of course. Yes, by all  
24 means.

25 MS. LONGENECKER: Thank you, everyone

1     who's come this evening. I think we've all got a good  
2     intention of safety at our nuclear plant as well as  
3     safety for the public. Almost 200 years ago, my great  
4     grandfather would walk along that river and pass what  
5     is now Three Mile Island with his mule team. Of  
6     course on the island was Duffy's at that time, cousins  
7     grew the best melons in the whole area because it sits  
8     in a flood plain in the middle of the Susquehanna  
9     River.

10           And the cheapest, safest energy came to  
11     our town in '72. Everyone was excited. In '79, we  
12     were appalled to see the world attention on our small,  
13     sleepy area. We never thought 40 years later we would  
14     have to think of us becoming neighbors to a waste dump  
15     that will outlive our lives.

16           This goes very deep in the blood of all of  
17     us who have spent 40 years of our time. And as we all  
18     know, time is that one precious entity that most of us  
19     now do not have. We are the old generation and will  
20     not be here hopefully to see a conclusion to what was  
21     a worldwide mess created among farmers, hardworking  
22     people in this area.

23           Grandfather Grindsor never knew iodine  
24     would be handed out among his neighbors except in  
25     bottle for remedies at home. The people of that time

1 never dreamed an emergency management pamphlet would  
2 need to be printed every year to cover what might go  
3 wrong at the place we were told would never have an  
4 accident.

5 So again, thank you for what you are  
6 trying to do to make this wrong right. And remember  
7 you are dealing with high level waste that would be  
8 flooded out. If we have another Agnes as we did in  
9 '72 when the island was flooded. It's the main  
10 tributary to the Chesapeake Bay, a treasure for this  
11 country.

12 MR. KLUKAN: Thank you very much.

13 (Applause.)

14 MR. KLUKAN: Okay. Next we have Joseph  
15 Kucharik. I apologize if I mispronounce anyone's  
16 name.

17 MR. KUCHARIK: Don't worry about  
18 mispronunciation. I've had that all my life. My name  
19 is Joseph Kucharik. It's spelled K-U-C-H-A-R-I-K, Jr.  
20 First off, I'd like to say that I am a proponent of  
21 nuclear energy. I think it's a big mistake for people  
22 who want to get rid of nuclear as one of the rights of  
23 our source for electricity here at the United States.

24 It's a good system. And these gentlemen  
25 are all professionals. They got a lot of experience.

1 They've shut down reactors prior to this in various  
2 locations with various geological faults, et cetera.  
3 They know what they're doing. Trust in that.

4 I worked for the government at one time 42  
5 years. I won't say what I did, but I have some  
6 background in nuclear. I believe that it's a mistake  
7 to shut down nuclear reactors. I can understand why  
8 this is occurring because they've only got on reactor.  
9 If you have the viable reactor had to shut down for  
10 refueling, that they've got to go out and get energy  
11 from another source during that shut down period.

12 So from Exelon's standpoint, they can't  
13 afford it right now. So trust these gentlemen. They  
14 know what they're doing. They're not going to let  
15 this go bad. And the only thing I would say is Exelon  
16 knew what they were getting into when they were  
17 building reactors. They knew that eventually they'd  
18 have to shut it down.

19 They should fund it which funding for  
20 shutting down should not come from any other source  
21 other than Exelon. I would have supported the  
22 government stepping in and underwriting to a portion  
23 to keep the facility open because I believe it's still  
24 a viable source for electricity.

25 We just had a head index of 112 the other

1 day. And everybody wants air conditioning. We're in  
2 a nice, beautiful air conditioned building. Where do  
3 you think that comes from? You don't want coal. You  
4 don't want -- some people don't want natural gas. You  
5 want to rely on solar and wind. It's not enough.  
6 It's just not enough. You want to go live in a cave?  
7 Go live in a cave.

8 That's all I have to say. These gentlemen  
9 are going to do a good job. I have no doubt. Thank  
10 you for what you're doing.

11 MR. KLUKAN: Thank you.

12 (Applause.)

13 MR. KLUKAN: Okay. So the next two  
14 individuals, Joyce Conrad and Paula Kinney said they  
15 would like to -- do you still want to come up  
16 together? Okay. So what I'm going to do because it's  
17 kind of painful for me to try to -- I'll give you a  
18 full 12 minutes because there's two you. So the clock  
19 is going to go to six, and then I'll restart it again.

20 MS. CORRADI: We're not going to take that  
21 long.

22 MR. KLUKAN: All right. I was willing to  
23 offer it.

24 MR. PORTZLINE: I'll take her six minutes.

25 MR. KLUKAN: All right. Well, we'll talk

1 about that later. So please, start by introducing  
2 yourselves and then --

3 MS. CORRADI: Okay. My name is Joyce  
4 Corradi, C-O-R-R-A-D-I.

5 MS. KINNEY: And my name is Paula Kinney,  
6 K-I-N-N-E-Y. And after the accident, we formed a  
7 group called Concerned Mothers and Women, and we're  
8 here to represent them.

9 MS. CORRADI: First of all, I'd like to  
10 let you know a little bit about the earthquake that  
11 Mary spoke about. They had earthquake equipment at  
12 the time they had the earthquake except they had it  
13 set at a seven. And it never registered what they  
14 had. So I would be a little concerned about that if  
15 I were you, gentlemen. Make sure you check your  
16 status on that.

17 My biggest concern is that you as an  
18 entity consider strictly the health and wellbeing of  
19 this community when this process happens, not money,  
20 not the company, but us. We have lived through an  
21 accident. I did not cause that accident. The people  
22 you were supposed to be watching over caused that  
23 accident. So that's why I'm here tonight.

24 Somebody made a mistake somewhere, and I  
25 know it wasn't me. So I expect from you to do better



1 than what you have already done. And I would like to  
2 see someone on site during the whole process to find  
3 out what's going on and to be responsible to oversight  
4 the company.

5 MS. KINNEY: It's my understanding that  
6 the gentlemen to my left were on site. Is that  
7 correct? And you were on site at all times?

8 MR. HOLLCRAFT: No, not right now. I  
9 permanently stationed at my office.

10 MS. KINNEY: Okay. And is your family  
11 with you? I'm sorry. Is your family with you?

12 MR. HOLLCRAFT: This is Zack Hollcraft,  
13 senior resident inspector at Three Mile Island. Yes,  
14 I live at Mount Joy and my wife and daughter live with  
15 me there. I work at the site on a daily basis. I  
16 exercise along there often.

17 MS. KINNEY: That's a feeling of comfort  
18 to know that a family -- because it's easy to say what  
19 you're going to do when you don't have your family  
20 there. We've been going through an awful lot, and I  
21 must say with all due respect to the gentleman that  
22 just spoke. We were told to trust when the accident  
23 happened and we did. And that trust, I'm sorry, is  
24 gone. And this is a chance to rebuild it.

25 One of the things is the NRC is mandated

1 for the health and safety of the public. That's what  
2 we're asking for. We're asking you to please -- as  
3 Joyce said, don't take shortcuts. We're not  
4 statistics. We're people. We're people and we have  
5 children. We have grandchildren. We've been through  
6 a lot.

7 We're asking you please when you speak  
8 about the plants that were cleaned up, did -- and you  
9 said it's perfectly safe. Was there ever a health  
10 study done to follow up and see if, indeed, it didn't  
11 affect the public? Do you know if there was ever a  
12 health study?

13 MR. WATSON: Yes, the National Academy of  
14 Sciences and other entities have done health studies  
15 during the operation and after they shut down.

16 MS. KINNEY: And they followed the people  
17 because I know we were promised a health study, and it  
18 was never followed through. But we ask you now to  
19 please restore the trust. As Joyce said, please don't  
20 take short cuts. Please don't let this be a financial  
21 thing, please.

22 MS. CORRADI: I would like to know who  
23 gives the approval for the company that comes in to  
24 clean up. Is it you? Is it Exelon who makes that  
25 decision? And what are the standards by which you'll

1 do that?

2 MR. WATSON: Well, right now their plan is  
3 going into a SAFSTOR situation. The NRC requirement  
4 is they complete the decommissioning within 60 years.  
5 They have not announced any intentions to either hire  
6 a contractor which they would be responsible for  
7 making sure the work got done safely which we would  
8 provide oversight of both Exelon and the contractor  
9 that would be doing the cleanup.

10 So at this point, the plant is going to be  
11 placed in a safe condition and will be there for many,  
12 many years in a safe condition until they determine  
13 when they're going to decommission it which apparently  
14 in about 50 years.

15 MS. CORRADI: You say condition. I say  
16 it's unsafe right now. It's had an accident. No  
17 other decommissioned plants you worked on had  
18 accidents like this one, did they?

19 MR. WATSON: TMI-1 has not had an  
20 accident, so --

21 MS. CORRADI: I'm sorry.

22 MR. WATSON: Yeah, so it's still operating  
23 safely --

24 MS. CORRADI: Yes, right, it's one site --

25 MR. WATSON: -- and it will until

1 September 30th if I understand it.

2 MS. CORRADI: Yes, it's one site next to  
3 a place where it has had an accident.

4 MR. WATSON: We understand. Thank you.

5 MS. CORRADI: And we yield the rest of our  
6 time to Scott.

7 MR. KLUKAN: All right. So it looks like  
8 -- let's stick to the six minutes. Thank you for your  
9 comments. And then it looks like if we continue on  
10 this schedule, that we'll have plenty time for people  
11 who would like to speak beyond their initial six  
12 minutes. So let's stick with six minutes and then you  
13 can get up and speak again. The reason for that being  
14 I just want to make sure because I have made promises  
15 at other meetings where, oh, I'll get to speak, and  
16 then it hasn't happened. So let's get through  
17 everyone who would like to speak first and then we'll  
18 go through round two.

19 All right. With that said, let us move on  
20 to number five, Mr. Keith Gutshall.

21 MR. GUTSHALL: Good evening. Keith  
22 Gutshall, G-U-T-S-H-A-L-L. My concern, I mean, is  
23 with NRC. I worked at TMI before the outages. Most  
24 of these people don't understand when you work in the  
25 outages, you're doing the same thing you're doing now

1       except for you guys are going to be removing the fuel  
2       rods into a safe place till you get time to remove  
3       them out of the plant is one of the things people  
4       worry about.

5               My concern is when you've already  
6       decommissioned it, if there's an accident that does  
7       happen, how do you guys communicate with the public?  
8       How are you going to communicate with the public?

9               MR. WATSON: Well, in the event of a --  
10       I'll say in an event that causes us to notify the  
11       public, we would be notifying you exactly the way we  
12       do it today.

13              MR. GUTSHALL: Okay.

14              MR. WATSON: Okay. And so that would be  
15       in concert with the State of Pennsylvania who would be  
16       making decisions on protective action recommendations,  
17       based on any dosed -- any releases of any  
18       radioactivity. So really nothing changes.

19              MR. GUTSHALL: It's just like an outage?

20              MR. WATSON: Just like in an outage, yeah.  
21       The only difference is they don't -- if they take a  
22       pump out, they don't put it back. They --

23              MR. GUTSHALL: Keep it on.

24              MR. WATSON: They package it for  
25       radioactive waste to go off site.

1 MR. GUTSHALL: And I also want to  
2 appreciate these guys. I worked down there and these  
3 guys had the radiation monitors for dose and rems.  
4 These guys are really -- I mean, people don't  
5 understand when you're in there, the radiation you get  
6 in there. You don't get -- you get more out in public  
7 by your cell phone, you microwave, the ground.

8 So I mean, I'm not trying to talk down  
9 anybody. But if you don't know what you're talking  
10 about, don't be screaming at the nuclear world because  
11 it's the safest energy that you can have. Where can  
12 you fill something up every two years without a  
13 problem? When the outages come around, nobody here is  
14 saying anything about the outages. They go without a  
15 hitch. It's basically like an outage.

16 So I want to commend these guys for doing  
17 it safely, going through the outages, and the way he  
18 was booted up for a dose. I mean, I was here since  
19 '72. I was born in '69 and I lived in here '71. I  
20 watched Jimmy Carter drive right past my house. So  
21 most of these people don't even know, wasn't around  
22 the area and don't live Middletown and didn't worry  
23 about the taxes or anything else with the benefit that  
24 TMI did for us. So they want to down TMI for closing  
25 up.

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1                   My other question is what was the  
2                   determination by you closed TMI down?

3                   MR. WATSON: It's a real simple question  
4                   that the NRC did not shut the plant down. The owner,  
5                   Exelon, decided to shut it down for a variety of  
6                   reasons. One was economics. And so that's the only  
7                   choices that -- the only real decision maker and this  
8                   is Exelon. The NRC's role will continue to be the  
9                   same as it has been, to make sure the plant remains  
10                  safe, whether it's operating or whether it's in  
11                  decommissioning, until all the radioactive material is  
12                  removed.

13                 MR. GUTSHALL: Okay, thank you. I mean,  
14                 we do have other nuclear plants in Pennsylvania. And  
15                 just don't want all nuclear plants being shut down for  
16                 gas because it's just like Comcast. They market it  
17                 and everything, all the prices go up. So I mean, I  
18                 hope you guys take into consideration there is people  
19                 that are hurting because these jobs are missing. And  
20                 hopefully everything will be safe like an outage does.  
21                 Thank you for your time. Have a nice evening.

22                 MR. WATSON: Thank you for your comments.

23                 MR. KLUKAN: Thank you. All right. Next  
24                 up we have number six, Mr. Eric Epstein.

25                 MR. EPSTEIN: How are you guys doing?

1 MR. WATSON: Good.

2 MR. EPSTEIN: You all use the same tailor?

3 MR. WATSON: I don't think so. I can't  
4 afford their tailor.

5 MR. EPSTEIN: You're the only ones getting  
6 paid tonight. Anyway, Eric Epstein, Chairman of Three  
7 Mile Island. We were founded in 1977, Three Mile  
8 Island. Yeah, let me first of all say I'm going to  
9 take a different tact thank everybody else. I have  
10 zero confidence in the process. I actually think this  
11 is a choreographed farce.

12 We went through this and I have actually  
13 a quote when we did this again in 1988. We had a TMI  
14 safety advisory panel, went through the same identical  
15 protocol. We pleaded with you to clean the plant up.  
16 We were told and here's a nice little quote from Frank  
17 Stendifer that the plant TMI-2 would be cleaned up in  
18 2008. Not only is the plant not cleaned up. I  
19 doesn't have enough money for decommissioning. And  
20 we're faced with the same conundrum again at TMI-1.

21 I gave you testimony today that documented  
22 that we are grossly underfunded. You have absolutely  
23 no ability to compel anybody to raise the money to  
24 raise the shortfall. You do not regulate rates in  
25 Pennsylvania. That's a reality.



1                   And so what I'd like to do is the other  
2                   thing that bothers me is I think the gentleman just  
3                   said here. The only decision maker here is Exelon.  
4                   What are you guys doing here? I mean, the NRC is a  
5                   regulator. So if Exelon is self-regulating -- we'll  
6                   get back to this in a second.

7                   MR. WATSON: Exelon is not self-  
8                   regulating.

9                   MR. EPSTEIN: You just said the only  
10                  decision-maker is Exelon.

11                  MR. WATSON: No, decision maker --

12                  (Simultaneous speaking.)

13                  MR. WATSON: -- for determining for  
14                  whether they operate the plant or not is Exelon.

15                  MR. EPSTEIN: Who determines the quality  
16                  --

17                  MR. WATSON: And I just said after that  
18                  was the NRC will ensure that the plant remains safe,  
19                  whether it's in operation and decommissioning until  
20                  all the radioactive material is gone. Our job is  
21                  oversight.

22                  MR. EPSTEIN: Basic question. You have no  
23                  authority nor have you raised any money for  
24                  nonradiological decommissioning. You have no  
25                  authority nor have you raised any money for site

1 restoration. You have in your policy savings that go  
2 to the minimal amount. So structurally you're already  
3 underfunded. In fact, if you look at the numbers and  
4 math doesn't lie unless Exelon is lying. You're  
5 underfunded by 365 million right now.

6 Your theory is that if you wait to 2075,  
7 you'll be funded completely. What I would like to do  
8 is take a stark opposition. Can I finish? Let me  
9 finish. I appreciate it. Because I know you're  
10 boiling there, but you'll be okay.

11 MR. WATSON: No, I'm not boiling.

12 MR. EPSTEIN: No, that's good. Well,  
13 maybe some rouge. Basically, we oppose -- and I want  
14 to make -- because nobody has talked about this today.  
15 You've had six nuclear power plants that have been  
16 decommissioned. By the way, you have not done a  
17 health study on any of them. The National Academy  
18 study you were talking about was a generic study, had  
19 nothing to do with decommissioning.

20 We oppose ratepayer monies which is what  
21 Exelon is also applying to do. They're asking for an  
22 exemption. Every nuclear power plant in Pennsylvania,  
23 Beaver Valley, Limerick, Susquehanna, Peach Bottom  
24 have used their own monies to build dry cask storage.  
25 Three Mile Island knew back in the '90s they were

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1 running out of dry cask storage.

2 I met with you guys time and after time  
3 after time. You allowed them to rerack their fuel  
4 three times, three times. Now they created an  
5 artificial crisis. They have no -- they're basically  
6 out of storage space.

7 Exelon is requesting from you the ability  
8 to raid their decommissioning funds to build these  
9 casks, yet they paid out of corporate funds to perform  
10 the same task at Peach Bottom and Limerick. Every  
11 other nuclear power plant is doing it. So one of the  
12 things that I want to make crystal clear is it's not  
13 your money. It's ratepayer money.

14 In addition to that, Exelon has received  
15 over 300 million dollars from the Department of Energy  
16 to manage your spent fuel. They're double dipping.  
17 I stridently oppose allowing you to take money from  
18 us, Pennsylvania ratepayers, to pay for a core nuclear  
19 power function. In addition to that, it's double  
20 dipping. Department of Energy has already released  
21 300 million dollars to -- and I'm going to keep  
22 hammering this -- to Exelon for spent fuel management  
23 capabilities.

24 The other things that I put in here, and  
25 you don't really have to respond to is -- and I think

1 somebody raised this before. We all know or many of  
2 us know that Environmental Solutions signed a contract  
3 with FirstEnergy today. It's highly unlikely that  
4 when this plant is decommissioned the licensee will be  
5 Exelon.

6 There'll be Holtec which is wholly a  
7 suspect company or Environmental Solutions. In fact,  
8 if Exelon wanted to decommission this plant, they can.  
9 They did it at Zion and they're going to do it at  
10 Oyster Creek. They choose not to. I think that  
11 unconscionable.

12 You can frump all you want, but it  
13 happened at Zion and it's going to happen at Oyster  
14 Creek. What I'm saying to you is this. This is a  
15 decision that the company is making to walk away from  
16 their commitment. They're going to mothball TMI-1.  
17 That's exactly what played out at TMI-2. TMI-2 has  
18 not been decommissioned, has not been decontaminated.  
19 It's been placed in post-fuel modular storage. But  
20 it's limbo.

21 So if you allow this plant to sit in limbo  
22 to 2075, that means TMI-2 sits in limbo to 2075, 100  
23 years after the accident. What I'm suggesting to you  
24 is if you allow this plant to raid the decommissioning  
25 funds to be placed in SAFSTOR, the plant is never

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1 going to get cleaned up. You have absolutely no  
2 ability to compel them to make up the funding  
3 difference.

4 Now I did talk to your two economic  
5 experts prior to the meeting, and I'm happy with meet  
6 with them. But if you look at the proposal, it looks  
7 like they're violating at least three Pennsylvania  
8 statutes, minimum three statutes.

9 So these are questions -- well, you can  
10 chuckle all you want. I'm looking at you and I'm  
11 trying to be serious with you and you're dismissing me  
12 with your body language.

13 MR. WATSON: No, you're misreading me. I  
14 want to make it clear that you're making accusations  
15 that you're not giving us an example so we can  
16 understand --

17 (Simultaneous speaking.)

18 MR. EPSTEIN: The proposal lacks  
19 accountability and transparency, violates PA Title 66,  
20 transition or stranded costs, paragraph 283(1) and  
21 (3). Two, 284, standards of restructuring of electric  
22 industry, 2808, competitive transition charge. We  
23 called the CTC, determination of competitive -- I  
24 mean, we can go on and on. Everything is documented  
25 here.

1 (Applause.)

2 MR. EPSTEIN: Everybody -- this is --  
3 look, what's happening here is by federal law. They  
4 don't have the authority to raid the decommissioning  
5 fund for spent fuel. I know you guys are making rules  
6 you need to grant them an exemption. I'm pleading  
7 with you not to grant them an exemption. This is a  
8 core function in nuclear power to have radioactive  
9 waste storage. They choose to create the prices.

10 I have a 37-page document. Unfortunately,  
11 there's 81 pages of enclosures. So I don't say this  
12 glibly or without satisfaction. And I don't know what  
13 you've encountered in other communities and frankly I  
14 don't care. But I'm not going to say anything else I  
15 can substantiate it and empirically verify it. And if  
16 you had been to these meetings over the last 40 years,  
17 you know this community has been to this dance before.  
18 And it never ends well for us.

19 Same suits. Different people. Same  
20 results. I'm just asking for different results. Are  
21 you listening? Do you want to respond?

22 MR. WATSON: I was going to just respond  
23 to one area. Obviously the exemption is in progress  
24 right now. So I really can't comment on anything  
25 that's pre-decisional. I was going to point out to

1 you that site restoration and nonhazardous materials  
2 are not the responsibility of the NRC to oversee.  
3 They would be for the Environmental Protection Agency,  
4 for hazardous materials, or some entity in the state  
5 that has an agreement with EPA.

6 For site restoration, that would be up to  
7 the state to determine what the site restoration  
8 requirements are along with the owner. That's  
9 negotiated somewhere along the lines. But it's not an  
10 NRC overview. Once we terminate the license, we have  
11 no more business at the sites. So that may include  
12 site restoration.

13 Once we determine that it meets the  
14 radiological criteria for the license termination, we  
15 no longer have any authority in any of those areas to  
16 make sure the site is restored to whatever the owner  
17 wants it or the state wants it to.

18 MR. EPSTEIN: I was under the assumption  
19 when I began this journey that the site was going to  
20 be restored to its pre-nuclear standards. We were  
21 told when you came here to build a nuclear power  
22 plant, you could build an elementary school on the  
23 site once nuclear power failed to operate. Those were  
24 the words.

25 So we still have a good memory. I respect

1 what the gentleman had said before. But we put an  
2 offer on the table regarding Three Mile Island.  
3 Exelon never responded. The governor responded. The  
4 gas industry responded. Industrialists responded. A  
5 number of folks responded, were fully aware, and  
6 actually we think that an accelerated cleanup through  
7 DECON would employ more people, protect the tax base,  
8 and preserve the institutional knowledge we have here.

9 None of those things are factored by you  
10 in this. I mean, this is really -- you've got folks  
11 with really good experience. All these plants are  
12 different. Sixty years, that goes away. In addition,  
13 if you read your document, you have no criteria and no  
14 way of preserving that institutional knowledge.  
15 That's why I think it makes sense to clean the plant  
16 up immediately.

17 (Applause.)

18 MR. KLUKAN: Thank you. So your time has  
19 expired. So it looks like at this juncture, we're at  
20 7:00 o'clock. I'd like to get through the others.

21 MR. EPSTEIN: I understand.

22 MR. KLUKAN: And there will be plenty of  
23 time probably for you to go back up. So let's just  
24 get through the other people and then we'll go back.

25 MR. EPSTEIN: I should actually compliment



1       you. I like that outfit.

2                   MR. KLUKAN: Thank you.

3                   MR. EPSTEIN: That's a good looking  
4 outfit.

5                   MR. KLUKAN: I aim to please. So next up  
6 we have -- well, wait. All right. So next we have  
7 Scott Portline.

8                   MR. PORTZLINE: Portzline.

9                   MR. KLUKAN: Portzline.

10                  MR. PORTZLINE: My name is Scott Portzline  
11 from Harrisburg, Pennsylvania, Three Mile Island. I  
12 have quite a bit of expertise in researching sabotage  
13 and terrorism of nuclear power plants along with loss  
14 of stolen nuclear materials.

15                  I'm going to ask you thoroughly go over  
16 what Eric just testified to because he's made about 20  
17 great points there for a dose of reality. And now I  
18 want to address a few things regarding  
19 decommissioning. I want to try to stay on point just  
20 with decommissioning. Just by the way, are the spent  
21 fuel casks going to be stored horizontal or  
22 vertically?

23                  MR. HOLLCRAFT: Zack Hollcraft, Senior  
24 Resident Inspector. The site is using a NAC design.  
25 That's a vertical cask.

1 MR. PORTZLINE: Thank you. Zack, your  
2 degree was in geology?

3 MR. HOLLCRAFT: One of my degrees, yes.

4 MR. PORTZLINE: What's the other ones?

5 MR. HOLLCRAFT: Environmental engineering.

6 MR. PORTZLINE: All right. Well, good.  
7 We have an earthquake man here. But I sure wish that  
8 the Nuclear Regulatory Commission would have systems  
9 analysts for senior resident inspectors because once  
10 I did meet with this resident inspector to bring  
11 forward a safety issue. And he said he had no  
12 authority to handle that issue. So we took our  
13 complaint a petition review board about a safety issue  
14 with the steam generators. Justin Poole was the  
15 manager of that.

16 And we're being asked to trust what the  
17 Nuclear Regulatory Commission says and decides. If  
18 there's a decision issued with a petition over the  
19 safety of the steam generators where Justin Poole's  
20 team could not substantiate with one sentence, one  
21 document, one paragraph the reason for their decision.  
22 They cite documents, but there's nothing in the those  
23 documents that they point to because there's nothing  
24 there to counter what we are charging. Now back to  
25 decommissioning.

1           There are some unique things that Three  
2 Mile Island Unit 1 and they're connected there too.  
3 I know this is about Unit 1. And so my concern the  
4 spent fuel cask facility will not be aircraft crash  
5 proof. And I see that as a major problem. It's not  
6 acceptable. It's the only plant that is two and a  
7 half miles from an international airport.

8           Justin, I need to sit down because of an  
9 injury I have. Can I use that microphone and move it?  
10 Thank you very much. And I wonder if anybody has any  
11 comment about the problem associated with an air crash  
12 -- an accidental air crash?

13           MR. WATSON: I'm not an expert in spent  
14 fuel, but I know there's been a number of studies done  
15 for missile impacts which includes aircraft. It was  
16 a very, very, very big topic after 9-11 when the  
17 planes crashed into the towers in New York City.

18           I know the NRC and almost every safety  
19 agency in the country did their own assessment of  
20 that, and this included the spent fuel casks as well  
21 as the containment buildings and other safety related  
22 areas in the event of an airplane crash or a missile  
23 strike. So I know those studies have been done. It  
24 was determined that these were safe. And so we've  
25 continued along that line.

1 MR. PORTZLINE: When you say determine  
2 that these are safe, could you expand on that, if the  
3 resident inspector wants to speak?

4 MR. HOLLCRAFT: Yeah, I'll just expand a  
5 little bit. Three Mile Island is a little unique for  
6 a nuclear site because they are so close to Harrisburg  
7 Airport. So because of that, they do have extra  
8 hardening that they've accomplished for the operating  
9 unit. Yes, they have. It's in their design basis.  
10 It's in the FSAR.

11 MR. PORTZLINE: Are you talking about the  
12 concrete?

13 MR. HOLLCRAFT: The reactor building is  
14 hardened. The --

15 MR. PORTZLINE: I'm sorry now I don't have  
16 a microphone.

17 MR. HOLLCRAFT: I understand your  
18 disagreement, Mr. Portzline. But there are extra  
19 steps. There are extra design bases or designs in  
20 their --

21 MR. PORTZLINE: Not with the concrete  
22 building, so don't say that there is.

23 MR. HOLLCRAFT: Okay. I understand your  
24 point, sir. Anyways, as far as the licensing for the  
25 independent spent fuel safety installation, they'll

1 have to -- they haven't submitted their supplement to  
2 the NAC design control document. So when they do  
3 that, that will be something for the ISFSI licensing  
4 folks at headquarters to determine whether or not they  
5 do need to harden against aircraft just like the  
6 operating units are.

7 MR. PORTZLINE: Do you want to continue  
8 with an answer?

9 MR. WATSON: He answered the question.

10 MR. PORTZLINE: Okay. You are familiar,  
11 though, that in the decommissioning document it does  
12 say that of all the risk that concerns the NRC,  
13 there's only one big one and that's an air crash with  
14 fire. And it sounds like you're not even familiar  
15 that that's in the decommissioning document. So I'll  
16 refer you to that.

17 MR. WATSON: I've read it. I mean, I'm  
18 not going to report every detail in it.

19 MR. PORTZLINE: That's why we're here.  
20 I'll help you out.

21 MR. WATSON: But I also have experts that  
22 are also looking at it, and I'm just managing the  
23 process.

24 MR. PORTZLINE: Yeah, I'm familiar with  
25 how the experts work because they give us accidents.

1 They have accidents with fuel handling. When there  
2 was an outage down at Three Mile a few years ago,  
3 there was a radioactive release. Very minor, nothing  
4 to worry about. But I don't want to hear that these  
5 accidents don't happen as the previous speaker said.

6 So how about the purposeful air crash into  
7 a spent fuel pool? I'm saying as my comment that we  
8 need to consider that this is a very real possibility.  
9 Al Qaeda threatened to target Three Mile Island with  
10 a cargo jet laced -- filled with explosives. This  
11 happened on October the 17th, 2001, one month after  
12 the attacks on the World Trade Center and Pentagon.

13 And you might want to look at a Dateline  
14 episode. There's a transcript you can get of that  
15 where we talk about that. So Al Qaeda also surveilled  
16 Three Mile Island the summer before 2001. They were  
17 right here surveilling it. It's a real possibility.  
18 I'm not going to stand by without yelling to the NRC  
19 and whoever will listen with the legislatures that we  
20 have a facility next to an international airport  
21 surveilled and targeted by Al Qaeda and threatened by  
22 Al Qaeda would be a better description without having  
23 aircraft proof buildings. Got to have it.

24 The fire as a result of the fuel tanks  
25 would disperse that radiation to catastrophic levels

1 exceeding Fukushima, exceeding Three Mile Island  
2 because of the radioactive content is more than  
3 probably 10,000 nuclear bombs. Inside each reactor  
4 core is radioactive content greater than 1,000 nuclear  
5 bombs. So we have year after year.

6 I'm trying to move as fast as I can, but  
7 I'll probably claim some more time later one. Let's  
8 talk about how high the casks are going to be above  
9 the flood level. Does anybody know that. Is there  
10 anybody here from Exelon that can tell us that?

11 MR. WATSON: I don't believe there is  
12 anybody here that's going to answer that. So you're  
13 going to have to refer your question to Exelon, the  
14 Office of Public Affairs.

15 MR. PORTZLINE: Yeah, in the  
16 decommissioning document, it talks about leveling the  
17 buildings to five feet below the current level. And  
18 so I think it ought to be in the decommissioning  
19 document. It ought to state in there what level Three  
20 Mile Island needs to have to protect against a flood  
21 so that we don't have -- we know what happened in  
22 Cooper where they had to put inflatable dams or berms  
23 around the spent fuel cask and the plant. And one of  
24 them failed. Fortunately, it failed to the extent  
25 where the pumps inside the reactor building could keep

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1 up.

2 Now the second issue is with Unit 2, so  
3 those may be out of bounds. But inside the  
4 containment building in Unit 2 in the basement is  
5 deadly radioactivity in the water content there. If  
6 there is a flood, this is why we need to clean up both  
7 reactors now. If there's a flood, it will infiltrate  
8 the containment building of Unit 2 and release that  
9 water downstream to cities like Lancaster and so forth  
10 at terrible levels. I'll stop there. Thank you.

11 MR. KLUKAN: Thank you. Okay. And again,  
12 we are likely to have time remaining after we get  
13 through the initial speakers just to make people  
14 aware. So next up we have Gene Stiles.

15 MR. STILES: Stiles, S-T-I-L-E-S.

16 MR. KLUKAN: Oh, Stiles. I'll let you --  
17 I'm sorry. Just let you pronounce your own name.

18 MR. STILES: Gene Stiles, G-E-N-E S-T-I-L-  
19 E-S, a longtime nuclear activist. A little while ago,  
20 we tried to -- at the NRC level, the national level,  
21 try to get the high level waste storage changed -- the  
22 rules changed for that to make it more -- how should  
23 I say it? To take care of it in this century in some  
24 fashion. At this point, everybody in this room is  
25 going to be dead before this plant is cleaned up here.



1 Is that a good idea.

2 That's what they're betting on. So I'm  
3 not betting on that. Okay? I'm with Eric Epstein.  
4 Okay? I'd like to see this plant cleaned. I'd like  
5 to see the waste cleaned up now. How many dog and  
6 pony shows can you bring to Harrisburg over the last  
7 40 years? All right.

8 You guys, NRC, the faces of NRC is here.  
9 The faces changes. The outcome always stays the same.  
10 All right. Makes it look good and that's it. I  
11 remember being in the Middletown fire house four years  
12 ago with these ladies here fighting this whole thing,  
13 and everything stayed the same for so many years.  
14 Plant 2 is not cleaned up yet. It's going to be there  
15 forever unless we do something.

16 And this is where you people in the back  
17 of the room come in. How many people in this room  
18 have lost your jobs at Three Mile Island, had to go  
19 someplace else? Anybody? How many people? Must be  
20 somebody out there, right?

21 Well, guess what? There's a new job just  
22 waiting for you if you start lobbying for them. If  
23 you started getting representatives at the federal  
24 level, state level. Guess what? The job is cleanup.  
25 Start getting jobs for cleanup right now. You can do

1 that. Get retraining, some fashion set up things for  
2 that. But you can actually have jobs right now to  
3 start on that, not just monitoring the site, not just  
4 doing that. All right.

5 But we live in a world where things have  
6 to change and you have to change with it. I was on a  
7 lobby against the Davis-Besse and the Perry plant out  
8 there. We had a battle here. In Ohio, it's so  
9 corrupt, you won't believe how bad it was out there.  
10 It passed today, but so much corruption. It's  
11 unbelievable. Thank God you don't live in Ohio.

12 Now the thing here is that there's jobs  
13 out there if you make them. Okay? Half of you ain't  
14 going to do a damn thing for you. Okay? As a matter  
15 of fact, he let an incinerator be built for burning of  
16 bodies right in the middle of a neighborhood. In  
17 Middletown, he wanted to do that. He won't help us  
18 fight that. But fortunately, we beat them without  
19 him.

20 Anyhow, start providing jobs right now by  
21 starting the cleanup right now. Not waiting for these  
22 guys to do their dog and pony shows ten years from now  
23 again and again and again. So the key thing is make  
24 jobs right now. Start jobs right now. Get Mehaffie  
25 working on that because all he's doing is he's boo-

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1 hooing the fact that he couldn't get the bill through  
2 the legislature. So get him cooking on that right  
3 now. Put him to work.

4 That's all I have to say except that we'll  
5 see you in about five years. Same people -- oh,  
6 sorry, different faces, same issue in a couple years.  
7 And while we're at it, don't forget. This is not a  
8 microcosm here at Three Mile Island. Okay? Waste in  
9 the river here. All right. Or upstream, Peach  
10 Bottom, downstream, all nuclear waste storage sites.

11 We originally did the deal for nuclear  
12 power years and years ago. Our parents did okay. All  
13 the nuclear waste was supposed to go someplace else.  
14 But it fell through the cracks. There's nothing being  
15 done to make a national nuclear waste storage site.  
16 Who knows what has to happen to get that going? But  
17 this thing, storing it in the middle of the river,  
18 this deal, this devil with -- excuse me, bargaining  
19 with the devil to store it in the rivers.

20 And the Susquehanna River is an  
21 abomination to the river, abomination to the citizens  
22 who live here, abomination to all points of nature.  
23 And it provides more targets for the world we live in  
24 now, more terrorist targets, okay, in a big way. More  
25 terrorist targets unfortunately. It's a sad thing.

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1                   So get off your duff. When you go back to  
2 D.C. or wherever you have to go to, talk to the policy  
3 makers or higher up. We realize you guys are just the  
4 little guys, okay, and things like that. You're just  
5 -- how should we say it? And we realize the NRC  
6 commissioners are just political appointees by this  
7 idiot Trump.

8                   So my point is that get off your Duff.  
9 Start doing something. If you have to get fired from  
10 your job for shaking the foundation of the NRC, do it.  
11 Okay? And get to it. Right now, make jobs for  
12 Pennsylvania. Make jobs for Pennsylvania, Mehaffie.  
13 All right. I see you back there, hiding back there.  
14 Make jobs for Pennsylvania. Start to clean.

15                   (Off-microphone comments.)

16                   MR. STILES: I know that. He had to go to  
17 the bathroom. I know. Anyhow, the point of the  
18 manner is that start making jobs now for Pennsylvania,  
19 right now for Pennsylvania. Get off your duff and do  
20 that. All right? Thank you so much.

21                   (Applause.)

22                   MR. KLUKAN: All right. Thanks. So, look  
23 --

24                   MR. PORTZLINE: Say something about that,  
25 would you?

1 MR. KLUKAN: So here's what I'm going to  
2 say about that. Well, the reason I do this. Give me  
3 one minute since we have plenty of time. This is  
4 volunteer activity for me. Like, they're required to  
5 be here. I'm not. Shoot. All right. There we go.  
6 So I turned it off so I didn't pick on bleeding or  
7 whatever while I'm just standing here.

8 This is a volunteer activity for me. The  
9 reason I come here to facilitate these meetings is to  
10 really encourage discourse between the public and the  
11 NRC. I believe that it's important, this kind of  
12 outreach, and I would encourage it. Part of that is  
13 also inculcating a level of civil respect.

14 So when it's someone's turn to speak,  
15 they're being heckled, it is really difficult to  
16 concentrate having been heckled plenty of times  
17 myself. So I'd ask you not to do that. I don't know  
18 who yelled that out back there. I would just ask that  
19 you not do that again. And the same thing goes for  
20 other little comments I kind of heard on the side.

21 Look, it's one thing if you're heckling  
22 us. As someone else said, we're being paid here. I  
23 would ask that you not do it. But I can understand  
24 it. But please don't heckle each other, other members  
25 of the public here. It's hard to think when it

1 happens.

2 All right. So with that said, let's move  
3 on. Okay. Next we have Judy Richard.

4 MS. RICHARD: I'm giving up my time to  
5 Eric.

6 MR. KLUKAN: Okay. Well, Eric -- are you  
7 sure you don't have anything you want to say? There's  
8 going to be plenty of time.

9 MS. RICHARD: No.

10 MR. KLUKAN: Okay. All right. So there  
11 was someone else. So please.

12 MS. McMILLEN: My name is Dusty McMillen,  
13 M-C-M-I-L-L-E-N. My husband and I live directly  
14 across from Three Mile Island. And it's gorgeous and  
15 I'm probably going to leave tonight scared out of my  
16 wits. My grandchildren and I swim in the river, and  
17 it's a concern that the fish are having problems and  
18 things like that.

19 But to get to my point, is there a time in  
20 the safe storage piece that is more dangerous or more  
21 apt to have an accident than any other time?

22 MR. WATSON: That's actually a good  
23 question because once the plant shuts down, the plant  
24 will be defueled just like they do in a refueling. So  
25 it'd be done very safety. After that, the fuel is in

1 the spent fuel pool. It's in its safest configuration  
2 it can be. You can have a reactor accident because  
3 the reactor no longer has fuel in it.

4 MS. McMILLEN: Okay.

5 MR. WATSON: Okay. So from that  
6 perspective, it becomes safer and safer as time goes  
7 on because also the fuel goes through an energy decay  
8 from heat, okay, as it cools down. So after a while,  
9 after about a year, year and a half, the fuel can no  
10 longer cause an offsite release that would exceed any  
11 of the protective action recommendations or protective  
12 action guides.

13 So as time goes on, it gets safer and  
14 safer and safer. Once the fuel is moved to the dry  
15 fuel storage, it is even in a safer condition. It's  
16 in a passive system for cooling and it's also shielded  
17 with large concrete shields. And so it's even safer  
18 at that point. So right now with the plant operating,  
19 it only becomes safer.

20 MS. McMILLEN: And we really appreciate  
21 your being there and watching carefully. And  
22 hopefully you have a backup that's there in the  
23 evenings when you're not there maybe.

24 MR. KLUKAN: Yes, yes, the answer is yes.

25 MS. McMILLEN: 24-7?

1 MR. HOLLCRAFT: We'll go ahead and clarify  
2 a little bit. So there's usually two residents at  
3 each site. Actually, my normal resident just actually  
4 took a promotion. I get a new one on Thursday. We  
5 don't have to be there 24-7. We are on 24-7 call. I  
6 got my phone right here. If they have any issues,  
7 they give me a call and I'll truck on out to the site.

8 I should clarify, though. This was  
9 mentioned earlier that my job goes away once the plant  
10 decommissions. And we will no longer have resident  
11 inspectors on site. As he described, the risk goes  
12 significantly lower. And so there's no need for me to  
13 be there. Those systems he talked about --

14 MS. McMILLEN: They'll still be checked?

15 MR. WATSON: Oh, yeah. Steve will be out  
16 there.

17 MS. McMILLEN: But it's not an onsite 24-7  
18 deal? Okay.

19 MR. HOLLCRAFT: That's correct. We still  
20 do inspections. We just don't need someone on site at  
21 all times for emergency response because the risk is  
22 so much lower.

23 MS. McMILLEN: Okay. I've got a couple  
24 more things here. It's okay. Since we're here in  
25 Pennsylvania, we have a major industry in fracking.



1 And there have been some states where fracking has  
2 been promoted to the point where they do have unusual  
3 things sometimes happening with their water and also  
4 an increased chance of earthquakes.

5 And I was hoping that that would be on  
6 your radar. We are seriously fracking a lot of places  
7 in Pennsylvania. And between the sinkholes -- I  
8 taught at Milton Hershey School for 20 years. And I  
9 had a sinkhole on my hockey field and it was because  
10 of the porous, the limestone caverns, and the drainage  
11 in that area as well. So just to put those on your  
12 radar screen.

13 And the danger to the fish and the  
14 wildlife in the river is a big concern to me. As a  
15 state, it's not been given an endangered river  
16 designation. It's consequently given like a D-plus,  
17 not a C even on the quality of fish and things. We  
18 have fish that have all kinds of tumors and things  
19 growing on them already. There's a big concern over  
20 the chemicals that are put into the river.

21 It's not -- 50 years ago, it was what you  
22 could see, the particles and things, sewage and that  
23 kind of stuff. Now it's what you can't see that's in  
24 the river. So the health of the wildlife in the river  
25 and the aquatic lives are there, it's a big concern

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1 and we'd like you to take that seriously.

2 And then the final thing is with the  
3 changes in your EPA, the political scope I guess.  
4 Climate change for me somebody living on -- I mean,  
5 literally we walk down into the water. I'm right  
6 there. And we flooded last year and we didn't get a  
7 boat in after July 23rd last summer because the river  
8 was so high. So climate change is like hitting me  
9 right in the face every morning I wake up.

10 So those are just a couple of the things  
11 that are a concern and I'll hope you'll consider all  
12 those. Thank you very much for coming.

13 (Applause.)

14 MR. KLUKAN: Okay. So before we go to  
15 round two, I want to make sure is there anyone in the  
16 audience who has not yet had an opportunity to speak  
17 who would like to do so? Please raise your hand. I'm  
18 just seeing one, so please come on up, sir. Come on  
19 down as they say on The Price is Right. And then  
20 we'll go to round two.

21 MR. RUNK: Hi, thank you. My name is  
22 Timothy Runk. I'm from Elizabethtown, Pennsylvania.  
23 I'm just catching up on a lot of this and hearing  
24 about the alternatives between a DECON and a SAFSTOR.  
25 And I'm getting the feeling that the residents around

1 here would really like to see an accelerated closure.  
2 It's something that would fix the job scenario. And  
3 I'm curious. Who makes that decision?

4 So if it's going to go to the SAFSTOR to  
5 a DECON, is that Exelon that decides their path  
6 forward? And why are they allowed to make their own  
7 decisions on that?

8 MR. WATSON: Yes. Exelon is responsible  
9 for making those decisions. The NRC Commission back  
10 in the late 1990s, 1997 when the regulations were  
11 issued allowed the reactors up to 60 years to complete  
12 the decommissioning. So this was made by our boss'  
13 bosses way back when and that's the policy and that's  
14 what's in the regulations.

15 I can tell you that they can change their  
16 mind at any time. Some plants enter into a SAFSTOR  
17 and begin some minor decommissioning after they get  
18 the fuel removed and quietly kind of do it. But you  
19 can't tell from looking at the building. But that's  
20 their choice at what rate and whether they just do  
21 nothing for 50 years.

22 There are some advantages of waiting  
23 because as time goes on, the radioactive material  
24 decays. The actual dose rates that the workers would  
25 be working in to remove, dismantle the equipment are

1 reduced significantly as time goes on. So there are  
2 some benefits of waiting. But like I said, it's  
3 solely the licensees or in this case Exelon's decision  
4 when they're going to do the decommissioning. The  
5 only thing I can tell you is that we will be there to  
6 make sure it's safe and secure during that entire  
7 period.

8 We presently inspect Unit 2 at least  
9 annually. Kim, you were there earlier this year with  
10 the Region 1 inspectors. So we will continue to  
11 inspect the plant and that activity will be based on  
12 -- those inspection activities will be based on what  
13 activities are done at the site. So anything of risk  
14 significance, we would be there to observe that. And  
15 so like I said, we're going to be there to make sure  
16 it's safe and secure. But it's Exelon's decision on  
17 the rate at what they decommission the plant.

18 MR. RUNK: And can I follow up with that?  
19 Is there any -- I mean, it's a large risk and a  
20 consideration of risk with the time frame being around  
21 financially and also environmentally. As a risk  
22 mitigation factor, what -- if things change or  
23 conditions change on site, what's the process? Who  
24 compels there to be a change to clean it up faster?  
25 Is that a decision that Exelon will make based on

1       their own observations on site? Or is that something  
2       that an oversight agency will do?

3               MR. WATSON: Fundamentally, Exelon will  
4       make that assessment and they will advise us what  
5       their plans are if they're going to change. And then  
6       we would be there to inspect those activities as they  
7       became risk significant to us for safety and for  
8       security. Obviously, they own the plant. They got to  
9       keep it safe and secure. That means they got to  
10      protect it from whatever issues come up, whether it's  
11      additional flooding, whatever. But it's their  
12      requirement to keep the plant in a safe condition.

13             MR. RUNK: What would that look like? Do  
14      they just submit a request to change from a SAFSTOR to  
15      a different strategy?

16             MR. WATSON: More than likely, it would be  
17      a conversation between them and our project manager.  
18      They may come in and send a letter addressing what  
19      their change in strategy is. They can amend this  
20      Post-Shutdown Decommissioning Activities Report.  
21      There's a number of ways to do it. So it's really an  
22      ongoing communication between the NRC, mainly between  
23      our project manager, our regional inspectors  
24      throughout the year on what activities are happening  
25      at the plant and make sure we have the proper

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1 oversight there.

2 We will continue to inspect the plant,  
3 like I said, to make sure it's safe. We'll have  
4 security inspections, EP inspections. We'll continue  
5 to do our job to make sure the plant is safe and  
6 secure.

7 MR. RUNK: Thank you.

8 MR. KLUKAN: Thank you. All right. Last  
9 call. Anyone who has not yet spoken, please.

10 MS. TAYLOR: I have a question more than  
11 anything else.

12 MR. KLUKAN: Could you just state your  
13 name? I'm sorry to interrupt you.

14 MS. TAYLOR: It's Wendy Taylor. And I  
15 didn't live here when the accident happened, but I  
16 moved here afterwards. And I'm sitting here hearing  
17 that it's going to be safe. But what if it isn't  
18 safe? What if your inspectors go and say whatever is  
19 happening isn't safe. Can you compel them to do  
20 something differently?

21 MR. WATSON: Absolutely. We have an  
22 enforcement policy which includes besides just issuing  
23 them violations and having them take corrective  
24 actions. But it may involve issuing orders which are  
25 -- I'm trying to remember, CAL, confirmatory action

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1 letters and which require them to do certain  
2 activities to ensure the safety of the facility. And  
3 those get a lot of attention at the NRC if we get to  
4 that point.

5 So like I said, we have the enforcement  
6 program where we issue violations. Those violations  
7 can also have civil penalties with them. And of  
8 course, if things really are not being maintained  
9 safely, we can issue a corrective action, confirmatory  
10 action letters. And our reports are public, as you  
11 know.

12 MS. TAYLOR: How often do you inspect  
13 those dry casks? I heard regularly, but I don't know  
14 what regularly means.

15 MR. HAMMAN: We will inspect them from the  
16 time they're starting to fabricate the concrete and  
17 doing upgrades to the cranes and things. The initial  
18 loading, we're there for the initial loading. If  
19 they're doing a continuous campaign where they're  
20 going to completely empty out the pool, we'll be there  
21 probably about three times, three separate inspections  
22 throughout that time period. And then once everything  
23 is out on the pad and it's stored in dry cask storage,  
24 we inspect every two years.

25 MS. TAYLOR: If you find a cask is

1 leaking, what happens?

2 MR. HAMMAN: Well, it is dry cask storage,  
3 so there's no liquids in it. They do take -- there is  
4 radiation monitoring. So there are certain limits.  
5 And if they bypass the limit, then they have to  
6 address the problem, find out -- do a corrective  
7 action. Find out what the problem is and they have to  
8 fix it.

9 MS. TAYLOR: Okay. And you will know  
10 that?

11 MR. HAMMAN: Yes, besides doing the dry  
12 cask storage inspection every two years, we are on  
13 site a lot more often than that. So we do look at the  
14 corrective action program. We will see if there are  
15 any problems like that of the cask.

16 MS. TAYLOR: Thank you.

17 MR. KLUKAN: Thank you. Just to follow up  
18 really quickly on enforcement. So usually I don't  
19 step aside from my facilitator role. But I'm also the  
20 team leader for allegations and enforcement within the  
21 region apart from the regional counsel.

22 So just to complement what Bruce was  
23 saying is that we can issue orders for safety reasons.  
24 If we find a condition unsafe at the facility, the  
25 Commission can, in order to ensure public health and

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1 safety, issue an order for the licensee to continue or  
2 to take additional actions.

3 We also -- as enforcement as it would  
4 indicate can also penalize the licensee or its  
5 employees for violating NRC requirements including  
6 submitting fraudulent information to the NRC. So we  
7 review all the submission by the licensee including  
8 what they submit during decommissioning in accordance  
9 with those rules and can take enforcement action  
10 against the licensee if we find any of those numbers  
11 to be incorrect or inaccurate and even further  
12 enforcement actions if we find those to be  
13 deliberately inaccurate.

14 And that can even extend to criminal  
15 prosecution. I was involved in one case from a Region  
16 I perspective. Not decommissioning but a material  
17 site in California where DOJ did come and step in and  
18 take criminal -- engage in criminal prosecution  
19 against mid-level individuals within the company for  
20 submitting false information and other fraudulent  
21 acts.

22 So anyway, all right. Anyone else who has  
23 not yet spoken who would like to speak? Going once --  
24 oh, one person, please.

25 MR. ERDMAN: My name is Dennis Erdman, E-

1 R-D-M-A-N. I live in Harrisburg. A question about  
2 the financial part of the same. Someone has to pay  
3 for this. The NRC is not paying for this. Exelon is  
4 paying for this. There could be a lot of different  
5 things that can be done financially with Exelon. I'm  
6 not -- I don't really know how those kind of things  
7 work. But transferring the plan into another entity.  
8 That entity goes bankrupt. Who pays to shut it down  
9 or to decommission it or even do what you're doing  
10 right now?

11 MR. WATSON: Do you want to answer it or  
12 do you want me to answer it?

13 MR. TURTIL: If you'd like to.

14 MR. WATSON: All right. Well, feel free,  
15 Rich. Whoever accepts a license is responsible for  
16 the -- I'll say cradle to grave of that facility. So  
17 right now Exelon is the licensee. They are  
18 responsible for maintaining the plant in a safe  
19 condition. That means during operations. It means  
20 during decommissioning until the license is  
21 terminated. So therefore, they are financially  
22 responsible for making sure all those things happen.  
23 Okay?

24 Should they request an application to  
25 transfer the plant to another entity as part of an

1     asset transfer or sale or whatever you want to call  
2     it?     Then that entity would be assuming that  
3     responsibility.     Okay?     So they would become the  
4     responsible party for ensuring the decommissioning  
5     gets done safely and accounting for the money, the  
6     financial part of the decommissioning, so --

7                 MR. ERDMAN:   So you ensure that there's an  
8     insurance policy if that's the way that works?   It's  
9     not going to be money sitting in the bank.   Exelon  
10    probably buys an insurance policy that ensures --

11                MR. WATSON:   That's one way they could do  
12    it, but --

13                MR. ERDMAN:   A billion, eight billion  
14    dollars.

15                MR. TURTIL:   If I can -- my name is  
16    Richard Turttil.   I'm one of the financial analysts at  
17    NRC headquarters in Rockville.   Is this on?   Good.

18                Just to give you a basic background on our  
19    decommissioning funding requirements.     So it's  
20    important to know that any facility that has come  
21    online had to get certification that they are putting  
22    in place decommissioning funding dollars.   And there  
23    are a series of steps throughout the operating life of  
24    a reactor, where they're putting what we consider to  
25    be     reasonable     assurance     for     radiological

1 decommissioning funding.

2           So currently, TMI-1 has -- as of December  
3 of 2018, has 600 -- I think it's 669, 669 million  
4 dollars that it has been putting aside for decades,  
5 building the amount of money that is required. Again,  
6 I want to be clear. It's for radiological  
7 decommissioning. And all of these requirements are  
8 very specific. They're a part of NRC's criteria in an  
9 area called 50.75.

10           So there's funding requirements, sort of  
11 a minimum formula amount over the years. And then as  
12 we get closer and closer to end of life of operations,  
13 the NRC requires site-specific cost estimates. So  
14 they have a minimum amount based on what their  
15 megawatt thermal capacity is and if they're a PWR  
16 versus a BWR.

17           So every reactor in this country, each of  
18 the 100 or so power reactors in this country are  
19 putting aside or have put aside funding for our  
20 decommissioning funding criteria. And TMI-1 has put  
21 aside -- I believe it's 669 million as of December of  
22 2018. We're looking at that dollar figure. We're  
23 seeing if it meets this funding requirement.

24           But now we're also look at this  
25 decommissioned site specific as required. The

1 licensee has come in with a site specific  
2 decommissioning cost estimate. And that's part of  
3 this April 5th series of submittals that they've sent  
4 in. April 5th of 2019 that we are reviewing as part  
5 of the PSDAR review as well as the site-specific cost  
6 estimate as well as the irradiated fuel management  
7 plan.

8 All of these things, we're looking at the  
9 estimates. We're looking at the funding that is  
10 currently set aside. And we are concluding, staff,  
11 one way or the other, do we feel there's reasonable  
12 assurance that funding is adequate for radiological  
13 decommissioning.

14 Now there are other areas that NRC does  
15 not have the authority which is nonradiologic. But I  
16 hope that gives you a sense of what is being put  
17 aside. It's not just an insurance policy or a  
18 promise. There are funds sitting in what are called  
19 decommissioning trust funds, and that is what NRC's  
20 authority is in looking over that.

21 MR. ERDMAN: And they can't touch that for  
22 any other reason, even if the company is ready to go  
23 out of business?

24 MR. TURTIL: That is correct. First,  
25 they're maintained by third parties. So even the

1        licensee -- hold on a sec. Even the -- the licensees  
2        are not managing these funds. They're managed by  
3        third parties, number one. Number two, these funds  
4        are for radiologic decommissioning only. Now they can  
5        always say, we have more than adequate funds and we  
6        believe we can make a case that maybe we can use some  
7        of these funds for spent fuel management, et cetera.

8                NRC would consider -- and one way or  
9        another, we may say, we don't agree with you. Or we  
10       may conclude otherwise. But again, these funds right  
11       now cannot be used for other than radiologic  
12       decommissioning unless otherwise they come in for a  
13       conversation exemption with the NRC.

14               MR. WATSON: I was just going to add one  
15       point and that is to emphasize that these funds are in  
16       an independent trust fund with a bank. There's a  
17       trustee. They can only withdraw those funds for  
18       radiological decommissioning. They can't be used for  
19       any other purpose.

20               Right now, Pacific Gas and Electric is in  
21       bankruptcy. They have the Humboldt Bay plant which  
22       they're finishing the decommissioning on and they have  
23       the Diablo Canyon plants that are due to shut down in  
24       2025 somewhere in there. But one of the first things  
25       is that they cannot touch the decommissioning funds to

1 help them with their bankruptcy situation. And so  
2 those funds stay intact so they're available for when  
3 they do need to decommission the plant.

4 Like I said earlier tonight, Humboldt Bay  
5 is about finished with the decommissioning. And we  
6 expect them to finish late this year or early next  
7 year and have the license terminated next year. So  
8 those funds that are in that decommissioning fund will  
9 remain there until they terminate the license. And  
10 then the laws of California would go into effect,  
11 whatever leftovers or however they handle it in  
12 California.

13 MR. ERDMAN: All right. Thank you.

14 MR. KLUKAN: Okay. Anyone else who has  
15 not yet spoken? I just want to make sure. Okay.  
16 Going once, twice. All right. Who here who has  
17 already spoken would like to speak again, raise hands.  
18 So we have four people. Okay. How about we give you,  
19 what do we say, like, eight, ten minutes? Does that  
20 seem fair?

21 Now for the rest of the audience, if you  
22 have not yet spoken tonight and you hear something  
23 that you would like to respond to, raise your hand and  
24 we'll slot you in. So between yourselves, decide  
25 who's -- well, I guess we'll just go through the list.

1 So Patricia, you were first up. So why don't we just  
2 go to you next.

3 MS. LONGENECKER: Question. We've been  
4 talking here insurances and liability area. What  
5 insurance have you thought or funded if the safe  
6 practices become unsafe? Does that families that live  
7 on 441 -- the lady who spoke that she and her  
8 grandchildren boating on that river. What if you have  
9 an incident in this process over the next years, where  
10 is their insurance for them?

11 Currently, in this country there is no  
12 company that will provide nuclear insurance. The only  
13 one is USAA government funded insurance only for a  
14 fire caused by nuclear. So to me, that's a very real  
15 question in some many thousands of people in the  
16 vicinity of this island that could be impacted  
17 adversely in this process.

18 MR. WATSON: I'm thinking here. But the  
19 nuclear plants are required -- you want to because  
20 it's Price-Anderson insurance issues?

21 MR. TURTIL: Again, Richard Turtill. Thank  
22 you for that question. Just so that you know, so  
23 nuclear power reactors in operations have liability  
24 insurance, what's called the Price-Anderson Act. It's  
25 an act that was put in place by the federal government



1 to make sure there are insurers and reinsurers for  
2 nuclear, basically catastrophic incidents.

3 And all these different entities,  
4 utilities, merchant plants pay into and provide  
5 insurance through that act. As facilities become less  
6 of a risk because they're stepping out of nuclear  
7 power operations, the NRC is basically looking at  
8 criteria that come down. So since there is a less of  
9 a liability at such a facility, their liability  
10 insurance would be coming down because the risk  
11 possibilities have come down as well.

12 But reactor facilities are able to get  
13 both through Price-Anderson the catastrophic insurance  
14 and liability. But also we have requirements in  
15 50.54(w) which has onsite liability for the reactor  
16 facilities and other insurance. So these facilities  
17 have insurance and have liability considerations for  
18 how they cover what could potentially occur as a  
19 result of their operations.

20 MS. LONGENECKER: And Price-Anderson I  
21 think is in 58, specifically written to protect the  
22 nuclear industry's liabilities. And I think more so  
23 to protect Exelons of this world, not these people  
24 living on 441.

25 So the problem is the question still

1 remains, what would be provided if a family like this  
2 loses property, loses health? Instead of saying, we  
3 can't tell you that breast cancer came from this.  
4 There are so many unanswered questions.

5 I appreciate you bringing up Price-  
6 Anderson, and that was an important act created for  
7 the nuclear industry. But it does not resolve these  
8 problems of people who will be continuing to live  
9 through this next safe storage and hopefully see it  
10 complete its course at that direction and not impair  
11 their health and safety.

12 MR. TURTIL: I appreciate that. I know  
13 that as we look at these transitions from operating  
14 reactor to non-operating, we are looking for what  
15 insurance and what insurance indemnity coverage these  
16 facilities have. And we have precedent where  
17 different facilities are to be ensured to some level  
18 for such potential incident.

19 MS. PEDERSEN: Okay. Thank you.

20 MR. WATSON: It's not an insurance issue.  
21 But I want to point out that once the plant shuts  
22 down, the actual effluence from the plant will go to  
23 a very small fraction of what they were when they were  
24 operating. So both gaseous releases and any liquid  
25 releases would go to an extremely small fraction,

1 almost zero once the plant reaches a point where it's  
2 in SAFSTOR condition.

3 MR. KLUKAN: Would you like to speak?

4 MS. MULLIGAN: Maureen Mulligan, President  
5 of Sustainable Futures Communications group and a  
6 member of TMIA as well. From what I understand about  
7 Price Anderson, it's grossly underfunded. There's  
8 approximately 10.5 billion dollars in the accounts,  
9 but that money is not available for certain kinds of  
10 things.

11 So if something happened in a  
12 decommissioning state, it's for catastrophic  
13 accidents, 103 plants in the country. Maybe there's  
14 a few less now. The numbers show that they've been  
15 underfunded significantly for a long time.

16 So to over-rely on Price-Anderson as an  
17 answer seems a little -- doesn't give me a lot of  
18 confidence in the system, frankly. I don't have all  
19 the stats. I didn't know I was going to speak on this  
20 here tonight.

21 MR. WATSON: We don't have them either.

22 MS. MULLIGAN: But I do think that Price-  
23 Anderson is not the full answer. And if someone can  
24 address where the rest of the money will come from  
25 because I fear it's taxpayers and ratepayers.

1 MR. KLUKAN: Thank you. All right. Next  
2 up? Oh, any comment?

3 MR. WATSON: No, I don't know enough about  
4 Price-Anderson to --

5 MR. PORTZLINE: Can I speak to Price-  
6 Anderson?

7 MR. KLUKAN: Sure. So we have Eric. Mr.  
8 Epstein, I don't want to use first name. We have you  
9 and we have Mr. Stiles left. So really it's between  
10 the three of you who wants to go next. So if you want  
11 to go next, if you two consent to that, that's fine  
12 with me. But am I hearing any objections?

13 MR. PORTZLINE: I'd like to speak to  
14 Price-Anderson.

15 MR. KLUKAN: Why don't we -- if you're  
16 okay, then why don't just let Scott. All right.

17 MR. PORTZLINE: My concern with Price-  
18 Anderson is it kicks in for catastrophic events. We  
19 could have the people that live along 441 lose their  
20 home for a month or so maybe with an evacuation.  
21 Price-Anderson is not going to cover that. Price-  
22 Anderson didn't kick in for Three Mile Island accident  
23 in 1979.

24 So when we talk about catastrophic events,  
25 there's a big judgment, a decision made that at that

1 time in 1979 that this did not meet the criteria. So  
2 good luck collecting just because you have to evacuate  
3 your home for a month. And if you lose the property  
4 value or let's say you lose property altogether, that  
5 still don't qualify as a catastrophic event in my  
6 judgment. And you'll have to take it to court. And  
7 the lawyers are going to fight with you, and you're  
8 going to be in court for at least ten years. So you  
9 have that to look forward to.

10 I want to pick up again on a security  
11 issue. How many companies are going to be involved at  
12 Three Mile Island in general? Because we have Unit 1  
13 owned by Exelon and Unit 2 owned by I think it's  
14 FirstEnergy. So do we have two companies guarding the  
15 reactor site?

16 MR. HOLLCRAFT: So right now, the status  
17 quo is that Unit 1 as an operating reactor has a  
18 protective area. And therefore, they protect --  
19 there's an MOU between Unit 2 and Unit 1 for them to  
20 protect Unit 2. Something they will have to work out  
21 in the future between the licensees and approved by us  
22 is how security will go forward for Unit 1 and Unit 2  
23 if there are two different licensees.

24 MR. DIMITRIADIS: Can I just say one  
25 thing? I had this security group a couple years ago.

1 And no matter how many companies there are, they  
2 maintain the security requirements as they're outlined  
3 in the regulations. And we inspect that annually.

4 MR. PORTZLINE: My comment is I see a  
5 problem with having just one company. And the concern  
6 is the illegal dumping or transferring of irradiated  
7 systems, components, liquids to Unit 2. And if you  
8 think something like that can't happen, Three Mile  
9 Island has a long history of security problems. In  
10 fact, it was Three Mile Island that brought security  
11 to the attention of this nation before it even had the  
12 accident.

13 And it resulted -- what happened was there  
14 were two competing guards groups down there and they  
15 were each harassing the other one, stealing gates and  
16 keys and all sorts of things. And two of the guards  
17 went to Washington, D.C. and triggered an  
18 investigation by the General Accounting Office.

19 Now I've done a lot of research on this.  
20 So I'm just pointing out to you that almost anything  
21 can happen, including right after the Three Mile  
22 Island accident, at the Surry plant in Virginia, two  
23 reactor operators sabotaged new fuel assemblies.  
24 Anything can happen.

25 I see it best that there actually be two

1 guard companies guarding each territory because what's  
2 to stop a company from bribing some guards to say,  
3 hey, we can save ourselves 30,000 dollars if you just  
4 let us dump this little piece radiated metal. Hand it  
5 to Unit 2. Nobody will know the difference.

6 I can't see going with just one company.  
7 There's no guarantees. There's a lot of falsification  
8 that goes on with companies and even with guards  
9 making their rounds and so forth. I want to see if  
10 there's anything else here in my notes.

11 As far as inspections, Wendy had talked  
12 about this. I'm not sure I see here. We met about  
13 four or five years ago in Hershey with the TMI Unit 2  
14 inspection team. And I asked, how much radiation is  
15 being released from Unit 2? Because there's a very  
16 small amount that does get released each year.

17 It took them over 15 minutes to answer the  
18 question, and I had to press for an answer so many  
19 times that they darn near threw me out of the meeting.  
20 In fact, the emergency responders showed up at that  
21 time. I think Gene still remembers me telling that  
22 story.

23 But the point is when they finally huddled  
24 two or three times and came back with an answer. And  
25 this meeting was being transcribed, court reporter.

1 The woman who signed off on the document and couldn't  
2 recall, held up her hand to make a zero sign, zero.  
3 And she didn't want that to go on the record. That's  
4 why she held her hand. That wasn't correct. She  
5 didn't know, yet she's the one that signed off.

6 So I don't trust these promises of how  
7 things will be safe. And I can tell you more stories,  
8 but I think there's more important things that some  
9 other people would like to say here. I'd like to hear  
10 from Rich Janati. I see him. Where'd he go? Rich is  
11 with the Pennsylvania Department of Environmental  
12 Protection and he is in the Radiation Protection  
13 Bureau. All right. Thank you.

14 MR. KLUKAN: Thank you. Okay. Next up,  
15 please, sir.

16 MR. ALLARD: Good evening, everybody.  
17 Dave Allard, A as in apple, L-L-A-R-D. I'm the Deputy  
18 Secretary for Waste, Air, Radiation and Remediation.  
19 Just to Scott, to your point, we do, do environmental  
20 surveillance around the power plants. Under Act 147,  
21 we do emergency response. PEMA is here. BP is here.

22 We are on site with the NRC on a regular  
23 basis. Our annual reports are online. It goes back  
24 20 years -- 40 years, 40 years to '79. Independent  
25 monitoring, we have all our radiation monitors, all



1 our air samples around the plant. And if anybody has  
2 any questions, we're here to answer them. Thanks.

3 MR. KLUKAN: Thank you for that. Okay.

4 MR. EPSTEIN: Eric Epstein. I'd like to  
5 take exception to some of the comments that were made.  
6 I don't know if you were intentionally trying to  
7 mislead or you frankly are just unaware. No corporate  
8 money has gone into the decommissioning fund. That's  
9 all ratepayer money. Those are ratepayer tariffs that  
10 are regulated by the Pennsylvania Public Utility  
11 Commission.

12 The money that's in the decommissioning  
13 fund is not corporate money. Just so you know how it  
14 works, the money is segregated in Nevada because  
15 that's where they get tax breaks. The corporate  
16 profit goes to Illinois, and the waste is in  
17 Pennsylvania.

18 And the reason it's to Nevada because the  
19 tax structure there is more appealing to the company.  
20 They're managing the money under regulation, and  
21 you're correct, by a bank. And we look at them every  
22 year. And the bank, it's a certain fee and restricted  
23 to what they can invest in. But you have no power to  
24 compel them to raise the money.

25 In fact, let's be honest here. When

1 you're talking about insurance, this is what's going  
2 to happen. It happened at TMI-2. It happened at  
3 Oyster Creek. They're going to reduce -- at TMI, they  
4 reduced their insurance from one billion to 50  
5 million. They did the similar thing at Oyster Creek  
6 in January of this year. I guaran-damn-tee at TMI  
7 one, as soon as it goes into SAFSTOR, they're going to  
8 reduce their insurance.

9 You don't have the ability to make a  
10 difference when a reactor is no longer generating  
11 electricity or profit. This is a state that went  
12 through the anthracite experience. Once a plant no  
13 longer operates, they're not going to pay anything to  
14 anybody at any time. So let's be clear.

15 Price-Anderson is only in the event of an  
16 accident. That's different. If you look at the  
17 annual reports, it'll tell you exactly how much money  
18 they have on site to protect themselves. Secondly,  
19 I'd like to point out that the CBO and GAO on two  
20 different occasions, the GAO and CBO on one occasion  
21 harshly criticized the NRC for the way they regulate  
22 and their oversight of nuclear decommissioning. It's  
23 also in my brief.

24 This is clear that over the years, and let  
25 me give you an example. You arrange for the minimal

1 amount. For the minimal amount, not the medium  
2 amount, not the maximum amount, the medium amount  
3 hoping that everything is unicorn and pink Lifesavers.

4 Reality doesn't work like that. So what  
5 I'd like to point out, and again, I'm happy to have a  
6 discussion with you. We've already at Peach Bottom 1  
7 and TMI-1 see what happens when you -- and I think you  
8 were talking about it. You visit these casks every  
9 two years.

10 What we've asked for is remote temperature  
11 detectors, helium detectors. And based on our  
12 experience at TMI-2, we've seen with a new whole dry  
13 cask corrosion occur in Idaho. And I further dispute  
14 you saying you don't take anything out of the  
15 decommissioning funds. We allowed people at TMI-2 to  
16 take money, and they can, from the decommissioning  
17 funds to repair gaskets in Idaho.

18 Moreover, we're here tonight because  
19 Exelon is requesting to raid the decommissioning fund.  
20 It's not only to pay for spent fuel casks. They want  
21 to waive the 30-day pre-notification period. Unless  
22 you missed something, what these guys are saying to  
23 you, we don't even want to notify you when we withdraw  
24 the money. We want to the ability to raid the  
25 decommissioning fund which by the way is underfunded

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1 by 331 million dollars now for a minimal level. I  
2 mean, this is bizarre.

3 I think -- I forget the well-dressed guy.  
4 You were talking about the enforcement stuff. I read  
5 my nuclear newspaper this morning. I happen to think  
6 that the enforcement since the ROP has come to mean  
7 little to nothing. It has the full force of a  
8 sparrow's fart.

9 What I read this morning is that, what was  
10 it, in Kansas where you caught folks falsifying data  
11 and you opted to fine them zero. I don't know how  
12 more egregious it gets. But when I belonged to the  
13 American Nuclear Society, the headline this morning --  
14 just this morning, operators not fined for falsifying  
15 material. That happened this morning.

16 So when you tell me you're going to take  
17 enforcement action against a dormant plant that may be  
18 owned by a limited liability corporation, I'm done  
19 with bedtime fairytales. It's not reality.

20 Let me point something else out to you.  
21 And again, perhaps you knew it or didn't know it. And  
22 I want to go through this because I don't want to say  
23 Mr. Turtle -- Mr. Tuttle?

24 MR. TURTEL: Turtil, but Turtle is fine.

25 MR. EPSTEIN: No, Turtil?

1 MR. TURTIL: Turtil.

2 MR. EPSTEIN: Okay. Thank you. But I  
3 couldn't take the opportunity not to have fun with  
4 that name. At any rate, what I did and this is in my  
5 brief too. These are what you don't calculate. I'm  
6 just going to run through these. This is the NRC's  
7 generic boilerplate formula. This is what you don't  
8 calculate when you calculate decommissioning.

9 You do not count regional labor cost,  
10 compensatory cost and measures for the loss of  
11 institutional knowledge, or the replacement of  
12 historical knowledge. You do no factor aging,  
13 corrosion, embrittlement for y our SSE costs. You  
14 don't look at that until two years before actual  
15 decommissioning.

16 You don't look at federal monetary policy  
17 regarding interest rates and changing tax protocols  
18 relating to decommissioning funds. Don't look at it.  
19 Believe me. The company does look at it. In addition  
20 to that, you don't look at escalated values for  
21 security cost, for transportation, and for dry cask  
22 construction.

23 Let me give you an example. I'm in a  
24 school board this year due to the tariffs. We spent  
25 350,000 dollars more for aluminum and iron. This is

1 reality, folks. So do you think that the dry cask  
2 costs are fixed? No, it doesn't happen. You guys  
3 don't factor values for inflation, stagflation,  
4 recessionary cycles which occur every seven years  
5 unless you live in North Korea, or stay or federal  
6 protocols related to this.

7 Three Mile Island we keep saying is an  
8 island in a river that leads into the Chesapeake Bay.  
9 They have to comply with Chesapeake Bay remediation,  
10 site run-offs, stormwater fees per the Clean Water Act  
11 and municipal. This is something they have to do.  
12 They have to pay for it. You choose not to regulate  
13 that because that falls under the bundle of site  
14 restoration.

15 Who compels them to pay money to comply  
16 with regulations when you have absconded from your  
17 regulatory duties? The state maybe. There's only so  
18 much that Rich can do. There's only so much that Dave  
19 can do.

20 In addition to that, there are no plans or  
21 cost factors for hazardous waste, institutional waste,  
22 any kind of waste. By the way, those are a premium to  
23 dispose of hazardous waste, caustic waste, chemicals,  
24 all those things not factored into your escalation.

25 Let me just point to something that you

1 may not be aware of, and I don't want to see kind of  
2 like a decommissioning bully. The company that they  
3 use is TLG, Thomas LaGuardia. TLG was bought by NRG.  
4 That's a reality.

5 Exelon, I don't know if they've told you  
6 but they've told us they're no longer going to use  
7 TLG. So all their decommissioning costs are baked  
8 internal. That's the reality. So the costs that you  
9 guys are going to monitory to make sure they're  
10 complying with the law are baked internal.

11 So now you're going to regulate rates  
12 baked internally by the company rather than have an  
13 independent entity report it to you. And I don't  
14 really believe you guys are independent. So I mean,  
15 the core assumption here about how much is going to be  
16 there to decommission is now being made by the company  
17 and not an independent entity.

18 Also because somebody I think -- I don't  
19 want to say attacked but had concerns about the  
20 veracity of what I have to say. It took us about a  
21 month to put this together. It's 37-page document  
22 with 11 enclosures. I strongly have talked to Mr.  
23 Turtill about looking at it.

24 But we've met with AmerGen who used to own  
25 -- if you remember the ownership here is pretty

1       freaky. We went from GPU. We actually went from  
2       Metta to GPU to GPU Nuclear to AmerGen which by the  
3       way was owned 50 percent by a foreign company which is  
4       a smart move. And then after that to Exelon. And so  
5       during this period, we met with each iteration.

6               So they delayed the construction of spent  
7       fuel management, all right, until 2019. So they  
8       created an artificial crisis here. Just to give you  
9       an idea of what they did, and this is documented, they  
10      re-racked spent fuel from 2002 to 2009. That's a  
11      fact. By mid-2003, they documented that for us as  
12      they put 2016 re-racked cells. They were installed.  
13      By 2009, another 432 re-racked fuels were installed.  
14      And we're talking about storing fuel that high burn-up  
15      capacity. It's a different kind of fuel.

16             The world has changed. I've seen none of  
17      this in the PSD -- whatever you want to call it, none  
18      of these factors. I guess my concern is you have a  
19      boilerplate approach here. And I'm not sure that it  
20      takes into consideration site specific challenges.

21             The final comment I wanted to make and I'm  
22      not really sure who to direct it to. And I'm not sure  
23      if we're going to get responses back to the comments  
24      we made today. You continue to ignore TMI-2. All  
25      right. Let me just put things in perspective.



1           That plan operated 90 days, 1/120th of its  
2           life span melted down. All right. Two and a half  
3           times over budget, five years behind schedule.

4           When we talk to funding, let's talk to the  
5           core issue. We here in this auditorium in 1981  
6           supported Governor Thornburgh's 987 million dollar  
7           bailout of TMI-2. I don't know if you remember this,  
8           but at the time of the TMI-2 accident, there were no  
9           decommissioning funds. I don't know who the brilliant  
10          bean counter was, but there was no funding in place.

11          So we've already spent an estimate of  
12          about two billion dollars for a plant that operated  
13          for, what, three months and has not been cleaned up  
14          yet. So the -- and I think we talked about this. I  
15          don't know if Neal is here. On the webinar, there's  
16          an MOU. Are you aware of that, between FirstEnergy  
17          and Exelon which basically says if TMI-1 is not  
18          cleaned up, the TMI-2 cannot be cleaned up.

19          I just want to emphasize whatever decision  
20          you make basically is a decision on TMI-2. I think  
21          it's fundamentally manifestly unfair that we're even  
22          discussing delaying the cleanup of TMI-2 to 100 years  
23          after the accident. I mean, it's --

24                        (Applause.)

25          MR. EPSTEIN: The reality is I think a

1 sense of fairness, fair play for the people around  
2 here is that we get to it right now. You have the  
3 workers. They have the expertise. Why not use them?

4 So again, I don't want to murder your last  
5 name. I committed to work with those two gentlemen  
6 and I'm happy to work with them to get some of this  
7 data straight. Your numbers aren't working right now.  
8 It won't work out. I plead with you. Do not allow  
9 Exelon to raid the fund. And please under all  
10 conditions, make sure they have to have pre-  
11 notification. If you go down this pathway, it's like  
12 allowing a bank robber to guard your security box.  
13 Thanks.

14 (Applause.)

15 MR. KLUKAN: Thank you. So next we have  
16 -- double check. Anyone who has not yet spoken want  
17 to speak? Just making sure. All right. Next we have  
18 Mr. Gene Stiles. What fun and games we're having.  
19 All right. Whenever you're ready, sir.

20 MR. STILES: This will be quick. I just  
21 want to commend all the speakers for our side tonight  
22 who did a good job for the last 40 years, okay, all  
23 you ladies and gentlemen. Eric has so many facts and  
24 figures, it's just amazing.

25 I used to work for the State House, and I

1 had the honor 30 years ago or however it was of  
2 writing the -- taking Governor Casey's low level  
3 nuclear storage bill -- waste storage bill that was  
4 required by the federal government to set up a compact  
5 and redoing it to make it work. But I made sure  
6 there's 120 minutes in there made it die a death by  
7 1,000 cuts over the next six years. All right. It's  
8 a perfect piece of legislation to do that. It never  
9 had been built in Pennsylvania.

10 Here's what, you say that the whole thing  
11 is going to stay the same you have these facts and  
12 figures as it exists now. But guess what? We have  
13 Three Mile Island accident. We have Chernobyl. You  
14 have Fukushima. There's another accident or two just  
15 in the pipeline coming to the United States.

16 What happens when that occurs? The whole  
17 framework of the decommissioning funds changes because  
18 at that point, they will want to use that money to  
19 help out for an accident or whatever. There's nothing  
20 sacred about keeping that money as it is. My point is  
21 this. All right. How many people work at the NRC  
22 right now?

23 MR. WATSON: 2,900.

24 MR. STILES: 2,900? Okay. How many fuel  
25 rods are down there right now?

1 MR. WATSON: 1,900, something like that,  
2 1,700.

3 MR. HOLLCRAFT: Approximately 1,500.

4 MR. STILES: So I've been to a lot of  
5 these meetings. This is my last freaking meeting like  
6 this. Okay. We have the people up from Washington.  
7 Take each of those fuel rods, stick them up your ass,  
8 and leave town. Bye.

9 MR. KLUKAN: So actually generally  
10 speaking, assuming the profanity is aimed at us and  
11 it's not hate speech, I'm okay with it. Trust me.  
12 Other meetings I've gotten far worse. But we will add  
13 that to the transcript. Anyone else who has not yet  
14 spoken or we have time remaining? So please.

15 MS. SMITH: I'm Patty Smith. I live in  
16 Susquehanna township. I have a question about  
17 security. Right now how far does Exelon -- how far  
18 beyond the fence are they in charge of security while  
19 they're operating?

20 MR. DIMITRIADIS: So every licensee --  
21 every licensed facility has an owner controlled area  
22 and a protected area. And the licensee is mandated to  
23 protect the protected area. They also monitor the  
24 owner controlled area for early warnings. We can't  
25 talk about a lot of details in security for obvious

1 reasons. But I'll see if I can answer any specific  
2 questions.

3 MS. SMITH: Once it goes into SAFSTOR, it  
4 is my understanding that there are security retreats  
5 to the fence line. And then it becomes taxpayer  
6 funded to secure the area outside. We have to provide  
7 the emergency management, police, all of that. Is  
8 that correct?

9 MR. DIMITRIADIS: So there's a lot to  
10 unpack there. You have two questions. One is  
11 emergency response. The other one is security. The  
12 licensee is required to pay for security, and they do  
13 that. The owner controlled area, sometimes depending  
14 on what they want to do as far as see all the property  
15 or pieces of it. They can negotiate with local buyers  
16 and so forth. For emergency management, it depends on  
17 the contracts and the agreements that they have with  
18 the local communities.

19 MS. SMITH: But is the company's  
20 responsibility diminished during SAFSTOR versus as it  
21 is running?

22 MR. DIMITRIADIS: I'm not sure what you're  
23 asking. But there are certain assumptions that are  
24 being -- that are made for ISFSI, for independent  
25 spent fuel storage installations. And the licensees

1 are required to maintain security. And I have to tell  
2 you without getting into details, it's very robust.

3 MS. SMITH: Right. But is it the same as  
4 it is when they're in operation?

5 MR. DIMITRIADIS: The level of security is  
6 --

7 MS. SMITH: And the distance from --

8 MR. DIMITRIADIS: Well, the distance  
9 changes because of the assumptions for postulated  
10 attacks and things like that. So it does change. It  
11 may get smaller. But the level of security is the  
12 same. And I don't want to go into detail --

13 (Simultaneous speaking.)

14 MS. SMITH: So it's the municipality's  
15 responsibility then to take up the difference between  
16 --

17 MR. WATSON: No.

18 MS. SMITH: You're saying no?

19 MR. WATSON: No, the owner owns the  
20 property.

21 MS. SMITH: Could you speak into the  
22 microphone?

23 MR. WATSON: Oh, I'm sorry. I thought I  
24 was. The owner of the licensee is responsible for  
25 maintaining the property and the plant in a safe and

1 secure position situation. So the security  
2 requirements remain in place whether the plant is  
3 operating or shut down.

4 The security footprint may change, such as  
5 a vital area as we call it, may change quite a bit  
6 because you no longer have an operating reactor. It's  
7 not just fuel in a spent fuel pool. So it will  
8 change. But there's no gap in between the local  
9 police and the security for the site. The security  
10 for the site remains basically the same.

11 MR. DIMITRIADIS: And I had the  
12 opportunity to visit a site in Connecticut last month  
13 that used to have a reactor site. It was dismantled,  
14 decommissioned. And what they have now is an area  
15 where they have the independent spent fuel storage  
16 installations, the ISFSI casks in a protected area  
17 with security and so on.

18 And there's no buildings. I mean, they  
19 have an administrative building. It looks like a  
20 house basically. And then they have security which I  
21 won't get into, and it's a much smaller footprint if  
22 that's what you're asking, yes.

23 MS. SMITH: It is. And then you had  
24 mentioned earlier that you don't want to comment on  
25 allowing Exelon to raid the decommissioning fund

1 because it's in progress, your decision. My question  
2 would be generically why would you allow that?

3 MR. WATSON: I think the issue is, is that  
4 they made a request for an exemption to be able to use  
5 the decommissioning fund for also for spent fuel  
6 management. Is that correct?

7 MR. TURTIL: Yeah.

8 MR. WATSON: And so the NRC is evaluating  
9 that request for an exemption. It's not a raiding of  
10 the funds.

11 MS. SMITH: Right.

12 MR. WATSON: If we approve it, it'll be  
13 with our approval.

14 MS. SMITH: Right. Why would you approve  
15 that when they have not gone down that path, if there  
16 are other plans and they have received millions and  
17 millions of dollars in the past for that purpose but  
18 chose not to use that money for that purpose?

19 MR. WATSON: I think we did approve it for  
20 Oyster Creek.

21 MR. TURTIL: We have in --

22 MR. WATSON: Yeah.

23 MR. TURTIL: I want to say five or six  
24 instances --

25 MR. WATSON: Yeah.



1 MR. TURTIL: -- where we have approved a  
2 request.

3 MS. SMITH: But my question is why?

4 MR. TURTIL: So why? So the NRC will look  
5 at the decommissioning trust fund. These are funds  
6 for radiologic decommissioning only. We would look at  
7 such funds and in some cases, I'll give an example,  
8 California.

9 There's markedly beyond levels of funds  
10 within the decommissioning trust that one would say,  
11 maybe we could use these funds with NRC approval.  
12 Should we retain enough funding for radiologic  
13 decommissioning to look at some other -- some  
14 radiologic related such as spent fuel management and  
15 nonradiologic such as site restoration. NRC will  
16 consider that exemption request. So it's within our  
17 authority.

18 MS. SMITH: I understand it's within your  
19 authority. My question is when they've already been  
20 paid for that, why would you allow them to be paid  
21 again and then --

22 MR. WATSON: We don't know that they've  
23 been paid before. They have lots of plants where they  
24 have gotten money from the Department of Energy. In  
25 most cases, plants transfer the spent fuel or do spent

1 fuel management activities and then provide a bill or  
2 sue the Department of Energy for the reimbursed money  
3 since there is no permanent disposal site for the fuel  
4 to go to.

5 So I don't know the specifics on this  
6 particular one. But I know of a number of plants  
7 where they go ahead and put the spent fuel in  
8 decommissioning and spent fuel into a dry fuel storage  
9 facility and then they go back to the Department of  
10 Energy and ask for their money back.

11 MS. SMITH: Okay. So if that happens to  
12 play out exactly like you said, are you going to  
13 require them to put the money back into the  
14 decommissioning fund once they successfully sue the  
15 federal government and get reimbursed for that?

16 MR. WATSON: I don't know.

17 MR. TURTIL: The logistics of that, I'm  
18 not familiar enough with. But it's a very good  
19 question for us to look into, so --

20 MS. SMITH: And at what point will the  
21 public be able to weigh in on this topic before you  
22 decide to allow it or not allow it since it affects  
23 us?

24 MR. WATSON: Unfortunately, exemptions,  
25 the process is not a public issue where you can

1 comment on. If it was a license amendment, it would  
2 be.

3 MS. SMITH: Even though it's public funds?

4 MR. WATSON: It's State of Pennsylvania  
5 ratepayers' money, but --

6 MS. SMITH: So you're saying it's  
7 ratepayer money but ratepayers have no voice in it.  
8 Is that what you're saying?

9 MR. WATSON: Not according to the NRC  
10 regulations. Now the state could weigh in if they  
11 chose to.

12 MS. SMITH: So you will not have a public  
13 meeting on that decision?

14 MR. WATSON: No.

15 MS. SMITH: And we have no recourse?

16 MR. WATSON: I don't think so. I don't  
17 live in the state.

18 MS. SMITH: Could you speak into the  
19 microphone.

20 MR. WATSON: Sorry. I don't know. It's  
21 all up to whether your state wants to weigh in on it  
22 or not. I mean, that's the only option I know of.  
23 Okay.

24 MS. SMITH: And what is the time frame for  
25 this decision?

1 MR. POOLE: This is Justin Poole. As  
2 stated before, the application came in -- well,  
3 actually this one wasn't April 5th like the others.  
4 I think it was April 12th that the application came  
5 in. We -- yeah, we told the licensee about 12 months,  
6 I think. But I can double check.

7 MS. SMITH: So it'll take approximately a  
8 year for your decision?

9 MR. POOLE: About.

10 MS. SMITH: And then again is, I'm sorry,  
11 April of 2020?

12 MR. POOLE: Yes, so it came in April 2019.  
13 So we typically finish our reviews for licensing  
14 actions in 12 months.

15 MS. SMITH: Okay. So the only people who  
16 have standing I guess to voice their concerns to you  
17 is state legislature. Is that what you're saying?  
18 I'm just trying to understand how --

19 MR. POOLE: The general exemption process  
20 is a licensee for whatever reason, decommission  
21 funding or anything that is allowable in our  
22 regulations be exempted from. They send in their  
23 request. The staff reviews it. The staff either  
24 approves it or denies it. And there's no public  
25 hearing such as with a license amendment request.

1 MS. SMITH: Okay.

2 MR. KLUKAN: So it can -- I just want to  
3 be clear in our answer. That is generally I'm wearing  
4 an attorney hat right now is it can get wrapped into  
5 -- if they're inextricably linked, a license amendment  
6 request and an exemption such that you can't really  
7 pry them apart. Okay? Then that can be subject of a  
8 hearing. All right. Or at least that's what's  
9 happened in the past.

10 I don't want to get -- because we're  
11 getting into hypotheticals now. So I just want to be  
12 clear that if you look at, like, our -- go back and  
13 look at past atomic safety and licensing board  
14 decisions and Commission decisions. You might come  
15 across this. And so I want to make you aware there is  
16 some history of that. But generally speaking, what  
17 they've said is true regarding how exemptions are  
18 processed and granted or denied.

19 MS. SMITH: Okay. And one last question.  
20 Do you or do you not have the authority to just say to  
21 them if you sue the government to be reimbursed, that  
22 must be returned to the decommissioning fund?

23 MR. WATSON: I don't know the --

24 MS. SMITH: As a contingency for the  
25 approval?

1 MR. WATSON: I don't know the answer to  
2 that.

3 MS. SMITH: Can you please talk into the  
4 microphone.

5 MR. WATSON: I'm sorry. I don't know the  
6 answer to that.

7 MS. SMITH: Who would? Thank you. I  
8 appreciate somebody giving me an honest answer. Thank  
9 you.

10 MR. KLUKAN: Okay. So it's 8:19 for those  
11 of you keeping score. Anyone else? We're here till  
12 up to 9:00 o'clock. So anyone else like to say  
13 anything? Anyone? Just raise your hand if you also  
14 want to have something to say. I'm not stopping you.  
15 I just want to make sure. All right. Anyway, go.

16 MR. PORTZLINE: Scott Portzline, Three  
17 Mile Island, Harrisburg, Pennsylvania. Now the  
18 gentleman on the end, I didn't catch your name because  
19 you came late.

20 MR. DIMITRIADIS: My name is Anthony  
21 Dimitriadis. I'm the branch chief for decommissioning  
22 ISFSI and reactor health physics. I apologize for  
23 being late today. I was caught up in traffic in  
24 Philadelphia and I'm a resident in Philadelphia. And  
25 it was unusually bad, so I apologize.

1 MR. PORTZLINE: Did we meet in King  
2 Prussia about five, six years ago?

3 MR. DIMITRIADIS: We may have. That's  
4 where I've been working for 27 years.

5 MR. PORTZLINE: Yeah, I was wondering  
6 because I had a meeting sitting across the table with  
7 about seven or eight of you with my laptop. Was that  
8 you showing the weaknesses?

9 MR. DIMITRIADIS: I think so.

10 MR. PORTZLINE: Yes, it wasn't me that  
11 released those GPO documents. Do you remember all the  
12 questions you were asking me? This is way off the  
13 topic, but I'll get to the security issue before. I  
14 ended up being threatened with prison time under the  
15 Patriot Act. I just wanted to say I had nothing to do  
16 with any of that. So if you want the story, we can do  
17 that later.

18 So my security issue is, and I know this  
19 isn't the NRC's bailiwick. But please urge the  
20 Department of Energy and the Department of  
21 Transportation to come up with roles that define the  
22 conditions exactly of when spent fuel, trains and  
23 trucks, transports can move.

24 I live next to two waste routes for high  
25 level waste, Route 81 and the railroad that goes right

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1 underneath 81. I'm 700 feet from two transport  
2 routes. So I've seen four instances of rules being  
3 broken where high level spent fuel from the military  
4 is sitting stationary in an urban area. I've seen  
5 another incident, the third day in row of 95 degree  
6 days and the high level waste is being moved through  
7 Harrisburg when just the previous day in Washington,  
8 D.C. the tracks had warped due to the high  
9 temperatures.

10 So there's no -- this is what I'm getting  
11 at. There are no requirements defining don't move  
12 spent fuel under these conditions. Or I should say  
13 transports under these conditions.

14 They do talk about some bad weather in the  
15 regulations, but the discussion is about how do the  
16 emergency responders get there if there's two feet of  
17 snow, not why were we moving it with two feet of snow.  
18 So please somehow review that and talk to the  
19 Department of Transportation and Department of Energy  
20 and get that corrected. That's it. Thank you.

21 MR. DIMITRIADIS: Excellent. Thank you.

22 MR. KLUKAN: Thank you. Anyone else like  
23 to have --

24 MS. McMILLEN: One really quick question.

25 MR. KLUKAN: You don't have to be that



1 quick.

2 MS. McMILLEN: Speaking of security, Dusty  
3 McMillen, M-C-M-I-L-L-E-N, the grandmother swimming  
4 with her kids in the river. We take boats, not often.  
5 But the pontoon boat, the fishing boat, we go really,  
6 really up to the fences practically. And I hope we  
7 always -- we assume that we're on camera and people  
8 are watching us. But as far as a terrorist opening,  
9 that would be my first choice if I were one.

10 MR. DIMITRIADIS: So I can answer that.  
11 And in not very specific terms but absolutely if you  
12 think you're not being watched, you're mistaken.

13 MS. McMILLEN: Right. I love it. Thank  
14 you so much.

15 MR. KLUKAN: Okay. Would anyone else like  
16 to pose any questions or comments. No? Again, I  
17 apologize for breaking it up in the beginning. I  
18 wasn't certain. You never know in these things how  
19 they go.

20 PARTICIPANT: You did a good job.

21 MR. KLUKAN: You don't need to say that,  
22 but thank you. All right. So if there's nothing  
23 else, then I'm going to turn it over to Bruce to close  
24 out the meeting. So thank you all. Again, I  
25 appreciate you coming out tonight. Thank you.

1 MR. WATSON: Again, thank you for coming  
2 out tonight. I guess I heard a number -- the staff  
3 heard a number of issues or concerns. One is with the  
4 exemption process, that it's not a public  
5 participation issue. I heard issues about seismic  
6 concerns and the safety of spent fuel and other  
7 structures.

8 There are obviously financial issues and  
9 financial assurance issues and insurance issues that  
10 there were plenty of information that was provided  
11 about the concerns on that.

12 I also heard about flooding and the safety  
13 of the plant with the floods. Also there's issues or  
14 concerns about spent fuel storage and of course the  
15 transportation of those spent fuel when it's time. I  
16 heard issues about health concerns. We also heard  
17 from the State of Pennsylvania about their independent  
18 monitoring program on that particular area for  
19 releases from the site.

20 And I also heard a very strong comment  
21 that I think Exelon should take into consideration and  
22 that is I heard numerous times that you would like to  
23 have the site cleaned up now. So I think that's just  
24 a general summary of the big topics I heard.

25 MR. PORTZLINE: Did you mention funding?

1                   MR. WATSON:    Yes, I did.    Financial  
2   assurance is funding.  So with that, I'd like to thank  
3   you again for coming out.  We do listen.  We may not  
4   always have all the answers, but we try, at least the  
5   staff that's here.  We're not all financial experts.  
6   We're not all technical experts on specific issues.  
7   But we can always take those back to the management  
8   for their consideration.

9                   So thank you all for coming out and have  
10   a safe drive home please.

11                   (Whereupon, the above-entitled matter went  
12   off the record at 8:25 p.m.)