

ORIGINAL
UNITED STATES
NUCLEAR REGULATORY COMMISSION

IN THE MATTER OF:

SHEARON HARRIS NUCLEAR
POWER PLANT

DOCKET NO:

50-400-0L

50-401-0L

LOCATION: APEX, NORTH CAROLINA

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NATIONWIDE COVERAGE

1 EVENING SESS.
 2 7:35 p.m.
 3 Sue Traylor
 4 #19-3-SueT

UNITED STATES OF AMERICA

NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

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 In the matter of: :

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CAROLINA POWER AND LIGHT COMPANY : Docket Nos.

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and NORTH CAROLINA EASTERN MUNICIPAL : 50-400-OL

POWER AGENCY : 50-401-OL

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(Shearon Harris Nuclear Power Plant :
 Units 1 and 2) :

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Ramada Inn

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Interstate 55

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ECU Room

Apex, North Carolina

14

Tuesday, October 23, 1984

15

The LIMITED APPEARANCES portion of the above-

16

entitled matter was convened at 7:35 p.m.

17

BEFORE:

18

JAMES L. KELLEY, Esquire

19

Chairman, Atomic Safety and Licensing Board

20

DR. JAMES H. CAPPENTER, Member

Atomic Safety and Licensing Board

21

DR. GLENN O. BRIGHT, Member

22

Atomic Safety and Licensing Board

23

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25

EVENING SESS.

#19-4-SueT

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APPEARANCES:

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On behalf of the Applicants:

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Carolina Power and Light Company
Raleigh, North Carolina

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Shaw, Pittman, Potts & Trowbridge
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On behalf of the NRC Staff:

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BRADLEY JONES, Esquire
Region II, U. S. Nuclear Regulatory Commission
Atlanta, Georgia

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12

JANICE MOORE, Esquire
and

13

BARTHOLEMW BUCKLEY, Esquire
U. S. Nuclear Regulatory Commission
Bethesda, Maryland

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On behalf of the Intervenor, Conservation Council
of North Carolina, Inc. (CCNC)

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JOHN RUNKLE, Esquire

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P R O C E E D I N G SEVENING SESS,
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(7:35 p.m.)

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JUDGE KELLEY: Good evening. My name is James Kelley. I am Chairman of this Atomic Safety and Licensing Board, the Nuclear Regulatory Commission.

On my left is Dr. James Carpenter. On my right is Judge Glenn Bright. Seated on the long tables to my right are representatives first of Carolina Power and Light Company, Intervenors, and the NRC Staff at the end of the table.

As I expect you know, the Board and the parties I have just named have been conducting a formal evidentiary hearing on Carolina Power and Light's application for an operating license for its Shearon Harris facility. The hearings have been focusing on a range of environmental and safety issues. We had hearings back in June on environmental issues, a set of hearings in September. And we just last week started a second set of hearings on safety issues, most of which we are holding right here at the Ramada Inn in Apex.

Later on, probably in late Winter or early Spring there will be another set of hearings in the series of emergency planning issues.

It's customary for the Nuclear Regulatory Commission in association with hearings of the kind that I have been describing to hold what we call Limited Appearance sessions. And the main purpose of those sessions is to give

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2 members of the public a chance to express their views, whether
3 pro or con in nature, on the Shearon Harris Plant itself, or
4 nuclear power generally, if that's what you wish to speak
5 about. That gives people a chance to be heard and go on re-
6 cord with their views.

7 In addition, one of the reasons for the NRC Staff
8 to be here, apart from their status as a party, it does happen
9 from time to time in limited appearance sessions that people
10 will bring up specific concerns about the facility, whether
11 it's a safety concern, environmental concern, perhaps an emergency
12 planning concern, that the Staff may then look into it, and
13 possibly after that it might be injected in the formal hearing
14 itself.

15 So, I would ask those of you who speak tonight,
16 if you are contacted by the NRC Staff who say, in fact, that
17 they want to find out more about what you were talking about,
18 please cooperate with them and let them get the facts.

19 The rules that we follow in these sessions are few
20 and simple really. We put out a sign-up sheet next to the
21 entrance door tonight, and I've got what I will call Sign-Up
22 Sheet One. It has got sixteen names on it. And I put over
23 there on the table a second sign-up sheet and doubtless we
24 will have some other people coming in as time goes on and
25 they can start the second sheet but they would come after this
one.

#19-7-SueT 1 We would simply call the speakers in order. We
2 limit the spoken presentations to five minutes per person.
3 I want to emphasize that everybody is free also to submit a
4 written statement. It can be also, it can be instead of,
5 but in short anyone can submit a written statement for the
6 record of any length, and we will include that in the limited
7 appearance section record.

8 Having said what we see the purpose of this evening's
9 session to be, let me say briefly what it's not. This is not
10 the method for deciding whether Shearon Harris will operate or
11 under what conditions. That's the purpose of the formal hear-
12 ing that we are carrying on now, that has been going on for
13 many weeks and will be going on for many weeks to come. And
14 eventually this Board will make a decision based on that record.

15 I say this, because having been in several sessions
16 of this sort, I sometimes get the impression that even though
17 we try to make it clear in our press release, some people may
18 come to this session and feel that we are going to hear a
19 number of written presentations tonight and then the boys will
20 adjourn briefly and come back in and say thumbs up or thumbs
21 down. That is not why we are here. And we want you all to be
22 clear on that.

23 But it is a chance for you to state your views, a
24 chance for the NRC Staff to pick up on particular things. And
25 we think that's a worthwhile thing to do. We are very happy to

#19-8-SueT 1

see such a good turn out that we have here tonight. With that,
2 why don't we go right to the first speaker who is Larry Martin.

3

LIMITED APPEARANCE STATEMENT OF

4

LARRY MARTIN

INDEXXXX 5

MR. MARTIN: My name is Larry Martin. I am a
6 private citizen living in South Durham County, closer to the
7 Shearon Harris Plant than I would like personally. I'm not
8 a rabid anti-nuclear instigator or anything along those lines.
9 I think there might possibly be indications that nuclear power
10 is feasible in some places.

11

When I first heard of the construction plans for
12 the Shearon Harris Plant, I was living down in Wilmington,
13 not far from the Brunswick facility that CP&L operates. This
14 facility is held by many nationally to be one of the most
15 poorly run nuclear facilities in the country. Because of
16 the constant news of leaks and infractions of NRC regulations,
17 I began to take an interest in Shearon Harris and in CP&L in
18 general as things came along.

19

It has been continually recognized, I think, by
20 different organizations, public interest groups and what not,
21 nationally, that CP&L is one of the worst run, worst managed,
22 utilities in the country, at least in regard to certain nuclear
23 power facilities. I am somewhat troubled when a utility is
24 granted a fee increase so that it can attract investors which
25 would otherwise be repelled by their poor -- I guess it's a

#19-9-SueT

1 risk. They are generally considered a marginal risk by
2 investors.

3 From what I've seen of CP&L's business practices
4 it should be losing its license for the Brunswick facility
5 rather than being granted another license for Shearon Harris.
6 Being a public utility should not constitute a shield against
7 operating in a free market. And I think if CP&L's management
8 practices indicate that it should lose its business, should go
9 bankrupt, that should be exactly the case.

10 I think there are other utilities in this State
11 that would be quite competent to take over CP&L's operations.
12 Duke Power has as good a record as CP&L has a bad record.

13 Something else that concerns me apart from CP&L's
14 management history is that there have been numerous safety
15 infractions cited, or at least allegations made, on the con-
16 struction of the Shearon Harris Plant, as well as down at their
17 plant in Brunswick County. And I certainly think this should
18 be accounted for.

19 In case it's not clear, I'm not in favor of the
20 permit for the Shearon Harris Plant. Thank you very much.

21 JUDGE KELLEY: Let me just make a comment that might
22 be of interest to you and others in the audience.

23 One of the safety issues that was raised in the
24 pending case had to do with management capability and had to
25 do with the record at Brunswick, had to do with the numbers and

#19-10-SueT 1 kinds of safety infractions and the like. And we held a fairly
2 lengthy hearing back in September and did compile a fairly
3 large record.

4 And so the point I want to make is, the concern
5 that you are voicing, as I understand it, is one that we are
6 looking at and one on which we will be rendering a decision
7 in due course. I would guess next Spring.

8 MR. MARTIN: Well, we certainly appreciate ya'll's
9 attention to that. Thank you.

10 (The witness stood aside.)

11 JUDGE KELLEY: Mr. Runkle?

12 MR. RUNKLE: Do we get the opportunity to cross-
13 examine any of these witnesses?

14 JUDGE KELLEY: I've never done it, Mr. Runkle. I've
15 never seen it done, and it doesn't strike me as a real good
16 idea.

17 (Applause.)

18 I think that would be the short answer. We are
19 here to hear people. It's going to take a lot of our time
20 just to hear them. And I don't -- you know, this isn't a
21 formal evidentiary hearing. It's a chance for people to say
22 what's on their minds. Okay.

23 I'm not sure of the pronunciation. The last name,
24 M-a-r-e-r, and the first name, I'm sorry is -- oh, Sandi. I
25 see. I've heard that before. Go ahead.

LIMITED APPEARANCE STATEMENT OF

SANDRA MARER

MS. MARER: My name is Sandi Marer. And I am a resident of Durham County, but for four and a half years I paid CP&L's electric rates when I was a resident of Wake County.

I am personally concerned that nuclear power is a threat to the public health and to the environment. I don't like living that close to a nuclear power plant.

But my main concern is the rate hikes. I can remember reading about in the newspaper, it seemed like every six months, every time they asked for one it was granted. If not completely, most of it was granted. I'm concerned that the rate hikes are not paying for improvements in safety, improvements in management, genuine improvements in the efficiency of generating electric power. I'm concerned that they are going for construction work in progress, for paying for plants that have already been cancelled and are never going to serve the community, and for paying for the greater dividends for stockholders instead of the community that pays the rates and are the customers of the utility.

And then the safety questions also are heavy on my mind, but what I mostly wanted to say was that I'm concerned about the rate hikes, where the money is going and what it's for. Thank you.

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#19-12-SueT 1 JUDGE KELLEY: Thank you. I'm sure that is a
2 very prevalent concern. I might just note that the NRC does
3 not have any jurisdiction over the rates of nuclear power
4 plants. That is something that the Atomic Energy Act that we
5 operate under leaves exclusively to the state utility com-
6 missions.

7 So, I think insofar as your concern is rates and
8 construction work in progress and so on, that the North
9 Carolina PUC is probably the best place to go with the concern.

10 (The witness stood aside.)

11 James Henderson.

12 LIMITED APPEARANCE STATEMENT OF

13 JAMES G. HENDERSON

INDEXXXXX 14 MR. HENDERSON: My name is James G. Henderson, and I
15 have been living at 405 North Salem Street, Apex, North Carolina,
16 for six years. I am a teacher by profession, a Humanities
17 Ph.D. by training, and I speak tonight not only as an indivi-
18 dual but also on behalf of some twenty-five other professional
19 people and parents who are members of a local organization cal-
20 led Western Wake for Energy Alternatives.

21 As lay people, unable because of our jobs and
22 family obligations, to participate as fully as we would like
23 to in the licensing hearings for the Shearon Harris Nuclear
24 Power Plant, we appreciate very much the time you gentlemen
25 of the Board are taking this evening to meet with the public.

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2 Your openness to public opinion is a matter of
3 record, and we want to believe that your concern is not
4 merely pro forma but, like all you are doing in this proceed-
5 ing, stems from a genuine commitment on your part to serve
6 the public good.

7 Ever since my first visit to the Harris site five
8 years ago while a reporter for Apex's weekly newspaper, I
9 have been concerned about the risk I would face should the
10 plant ever open. At first, I was startled by the visible
11 fault line that passed directly through the hole in the ground
12 where the containment for Unit 3 was to have been placed. Then,
13 it was the inaccuracy of CP&L's load forecasts that troubled
14 me.

15 This concern in turn gave rise to worries over
16 the hidden costs of the Harris plant; increases of two, three
17 and fourfold in construction dollars, as well as unanswered
18 financial questions centering on costs of waste disposal and
19 decommissioning.

20 After the accident at Three Mile Island forced one
21 of my closest friends to evacuate his family to Baltimore
22 and to fear for the health of his unborn second child, a child
23 who later was born with a birth defect, I began with my friends
24 here in Apex to look into the safety problems associated with
25 nuclear power plant operation and into the health effects of
even long-term, low level exposure to radiation. My anxieties

#19-14-SueT 1 were not assuaged by the further unanswered questions which
2 our research yielded, and I began to feel increasingly uneasy
3 about raising a family and owning property in a town I loved
4 but saw falling every day deeper under the shadow of a por-
5 tentous nuclear neighbor.

6 Nor have matters improved with time. When I look
7 now at the operating record of CP&L's Brunswick Plant,
8 apparently one of the worst operated and most heavily fined
9 plants in the country, my reservations about Shearon Harris
10 are simply reinforced. And when I speak with neighbors who
11 work or live near the plant and hear from them stories about
12 shoddy welding, missing rebar, low morale, lack of pride
13 and quality in work, and widespread drug and alcohol abuse
14 at the site, then what little hope I had left for the Harris
15 project goes up in smoke before my mind's eye in a cloud of
16 false promises and certain risk.

17 Against such an unsettling background, I see
18 that our State Office of Crime Control and Public Safety has
19 submitted for your Board's review an Emergency Response Plan
20 in Support of the Shearon Harris Nuclear Power Plant. This
21 report, in my opinion, is so riddled with oversights that it
22 should make any thoughtful person cringe.

23 Just let me use my remaining minute to voice only
24 one of the many concerns I have about this plan. As a parent
25 who works thirty-seven miles from home, I am terribly concerned

#19-15-SueT

1 about what would happen to my son, who is now one and a half
2 years old, in case some serious transient at the Shearon
3 Harrison plant forced evacuation of Apex. How would I, work-
4 ing in Durham, know that there had even been an evacuation,
5 let along that my child was safe? How would I know that the
6 student-school bus driver who is supposed to pick him up at
7 school and drive him out of danger didn't decide to abdicate
8 that weighty responsibility in favor of more pressing urges
9 to care for his own family or to reach safety himself?

10 If my son were left behind, would I know it? And
11 what could I do if he were? Moreover, if my son were to be
12 safety evacuated where in the pandemonium at the State Fair-
13 grounds would I find him? And who would guarantee his safety
14 there?

15 Of even greater concern to me these days, then, than
16 the low liability limits provided by the Price-Anderson Act
17 are the obvious limitations and oversights contained in the
18 Emergency Response Plan now under consideration by the
19 Atomic Safety and Licensing Board.

20 In conclusion, gentlemen, let me thank you once
21 again for providing this forum tonight. And let me also leave
22 you with a plea to weigh carefully the public interest in the
23 matter before you. For you, the Shearon Harris operating
24 license proceedings are a job, and I believe you want to do
25 that job thoroughly, fairly and effectively. But should you

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err, to whom are you accountable? More than to the NRC
Commissioners, or to Congress, or to the President, or even
to the GAO, your primary responsibility, morally if not legally,
is to us, the people who will have to live with your decision.

For us, residents of Apex, your decision may very
well one unexpected day mean the difference between life and
death, or at least between the pursuit of happiness and the
terror of a disaster. So, please weigh the issues well. It
is our fate and our children's that hangs in the balance you
hold.

JUDGE KELLEY: Thank you, Mr. Henderson. We
appreciate your views.

MR. HENDERSON: Thank you.

(Applause.)

(The witness stood aside.)

end #19
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EVENING SESSION

1

JUDGE KELLEY: Jan Tedder?

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LIMITED APPEARANCE STATEMENT OF

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JAN TEDDER

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MS. TEDDER: My name is Jan Tedder, and I have lived in Apex for six years.

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Tonight, I want to voice some of my concerns about the Shearon Harris nuclear plant from three perspectives; that of a nurse, a real estate investor, and a mother.

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I am a registered nurse certified as a family nurse practitioner, and have been practicing with a family doctor in Apex for eight years. Ours is a general practice. We see all ages of people, an endless varieties of illnesses, and diverse socio-economic background.

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Tonight I want to address the evacuation plan as it pertains to homebound and disabled people. The plan, as I understand it, seeks to provide evacuation for people with sensory, mobility, or mental disabilities. Over the past week I have researched what would be involved for planning for such an evacuation, and pulling it off.

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I have identified what I believe to be problems with the proposed plan. The plan proposes to have home bound residents return post cards found in their electric bill stating that they are disabled. I believe it is unrealistic to expect adequate return of these cards.

25

The home bound patient often has numerous agencies

1 to deal with, and forms to complete.

2 It is not uncommon for a nurse to be asked to
3 interpret a letter from MEDICAID, a form from social services,
4 and a bill from the hospital. What will most likely be seen
5 as junk mail from the power company may go unnoticed.

6 The proposal also suggests working with local
7 agencies to establish up-to-date lists of home bound people.
8 This week, I called 15 agencies in Wake County to establish
9 how many patients would fall into this home bound category.
10 Several problems were identified.

11 Agencies do not organize their files by evacuation
12 zones. The administrators state that producing such a list
13 would be a massive job. They would have to go through case
14 by case to see who was in the evacuation area.

15 Number two, most home bound people in this area
16 have rural or route addresses, making specific location of
17 their homes difficult. Directions may read: Turn left at
18 the large oak tree, go the road at the fork before the dirt
19 road, and pass the yellow trailer.

20 Number three, people who are discharged from a
21 home bound service, are still often home bound, but after
22 discharge their names will not appear on any list.

23 For instance, a stroke victim may be taught to get
24 from bed to a wheelchair and how to care for his skin and
25 hygienic needs. His case would then be closed, yet he is still

1 home bound.

2 It is proposed that a list of home bound people
3 and specific directions to their home be kept in the rescue --
4 with the rescue people.

5 I question first if such a list would breach
6 confidentiality between the helping agency and the patient.
7 Secondly, and more interesting, is whether such a list would
8 actually endanger the property, and perhaps the life, of the
9 home bound patient.

10 If my grandmother was disabled and home alone, I
11 would not want her name and home directions to be in circu-
12 lation. Someone intent on robbery would certainly find her
13 a vulnerable victim, and such a list a valuable asset.

14 The sheer volume of home bound people to be
15 evacuated is most likely overwhelming. My initial research
16 this week identified over five hundred cases of home bound
17 or hospitalized patients within the evacuation zone, these
18 to be evacuated by half a dozen Apex and Fuqua Rescue
19 Squads, aided by other Wade County vehicles, all to be
20 accomplished within 236 minutes.

21 Our rescue workers are dedicated and diligent.
22 However, I believe they cannot perform the impossible.

23 My second perspective tonight is that of a real
24 estate investor. Over the past four years my husband and I
25 have purchased and personally remodeled four small homes

1 within the evacuation zone.

2 We have spent hours caulking windows, days mudding
3 sheet rock, and it seems like an eternity painting walls. We
4 refer to our projects as sweat equity.

5 I am not comforted, however, as I read my homeowners
6 insurance policy to discover that my properties are not covered
7 in case of a nuclear accident, and realize that the Price-
8 Anderson Act limitation would never reimburse me for my
9 potential loss.

10 My third perspective tonight is that of a parent.
11 This issue has already been addressed, so I will just mention
12 my observations and conclusions briefly.

13 On any snow day, it is common to see cars lined up
14 and double parked in front of our local elementary school, as
15 parents come by to bring their children to class.

16 The same children may ride the bus on pretty days,
17 but many parents will just not consider allowing their children
18 to be transported by high school drivers at dangerous times.
19 It follows, I believe, that many -- perhaps most parents --
20 will not consent to their children being transported as planned
21 to the fairgrounds during a nuclear accident. I will not
22 allow my young child to be at large with thousands of other
23 children in a situation where getting lost, being injured, or
24 even kidnapped is a possibility.

25 We live in a time where the impossible often becomes

1 possible. We are so accustomed to this chain of event, that
2 we just find it hard to accept that some things are impossible.
3 That as humans, as families, as communities, we do have
4 limitations.

5 I believe the Shearon Harris nuclear plant is posing
6 challenges and threats with impossible solutions. I suggest
7 it is impossible for the Shearon Harris plant to deliver
8 cost efficient energy, to manage nuclear waste, to dismantle
9 an aged, contaminated plant, to evacuate communities, and to
10 protect human life and property.

11 I believe what is possible is to stop the construction
12 and to prevent operation of a plant before its economic health
13 and social burdens become greater than they already are.

14 JUDGE KELLEY: Thank you, Mrs. Tedder. Let me just
15 comment that first of all we certainly are aware of, and
16 appreciate, the thought and research that you put into your
17 statement, and you bring to bear your own expertise as a nurse,
18 and that coupled with your research I think is very helpful.

19 I might just note that I don't have it here in front
20 of me the exact wording of the emergency planning contentions
21 that we have admitted into the case, that will be tried next
22 -- late winter or early spring, but I am sure we have some
23 contentions relating to, for example, transportation of the
24 school kids, something about snow conditions.

25 And I believe something about home bound people.

1 In any case, if it is not in now, it is not necessarily too
2 late to inject an issue that needs to be injected. I would
3 just suggest that we are going to ask the NRC Staff to take
4 a careful look at your statement, and that you may want to
5 get in touch with Mr. Runkle or one of the other Interveners,
6 and pursue your interest further.

7 Thank you.

8 Donna Davidson?

9 LIMITED APPEARANCE STATEMENT OF

10 MS. DONNA DAVIDSON

11 MS. DAVIDSON: I am Donna Davidson, and I have just
12 moved to Cary this summer. My husband has just retired from
13 the Methodist ministry. And we have come back to a home that
14 we built here 27 years ago.

15 I would like to read a letter that I had submitted
16 to the News Observer, but it was too premature for publication,
17 so I would like to read it now.

18 According to the CBS newscast of October 3rd,
19 workers in nuclear power plants die from cancer at a much
20 higher rate than those who do not work there, and according
21 to Nadar's Critical Mass Report, children who live near
22 nuclear plants have a much higher incidence of leukemia than
23 those who live further away.

24 What do these facts have to do with the citizens
25 of Apex, Cary, Pittsbery, Moncure, Sanford and Raleigh?

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1 It is my view that the Shearon Harris nuclear plant
2 is hazardous to the mental health of the citizens in this
3 area. One of our most prized basic human rights is freedom
4 from fear. Chronic fear curtails, inhibits, erodes, and
5 paralyzes. Having an operating nuclear plant in our midst
6 is a monumental point of fear.

7 Glib reassurances, favorable statistics, and
8 theoretical probability ratings will not suffice to reassure
9 us.

10 The possibilities, even probabilities for disaster
11 are too numerous to be dismissed with a wave of a hand, or
12 a patronizing comment that the rank and file, the general
13 public, just doesn't understand.

14 We should not be sold short. What we understand
15 is far deeper than the merely obvious. We understand that
16 once the genie is let out of the bottle, nothing will avail
17 to stuff him back in. We understand that there is a tolerance
18 level in nature beyond which the wonderful balancing system
19 of the natural order will be irretrievably ruined.

20 We understand that the cost of nuclear power, includ-
21 ing the horrendous cost of building and operating these plants,
22 has not proved to be conclusively or dramatically cheaper than
23 fossil fuel, and that no short term expediency is worth
24 gambling the future of clean air and water.

25 We understand that varying ton after ton of radioactive

1 material, which would be rendered harmless, perhaps, after
2 twenty-five thousand years, is not the road to tranquillity,
3 growth and fulfillment. We understand that the talk of
4 faulty construction and emergency evacuation plans serves
5 to increase rather than alleviate our fear.

6 We also understand that just because the process
7 is possible, it is not necessarily feasible or right to follow
8 it.

9 This kind of niggling fear engendered by the
10 nuclear presence in our community, this secret, insidious,
11 unspoken terror gnawing at the outer reaches of our conscious
12 mind, recks havoc on our psyche and productivity.

13 Vast stores of personal energy are needed to
14 quell this fear. To hold it in place so that our lives can
15 be lived. The energy and effort thus expended could be better
16 applied to productive living.

17 I also think that the convergence of nuclear terror
18 and the phenomenon of national addiction at the same moment
19 in time suggests that there is, perhaps, a cause/effect
20 relationship.

21 Who is to say that the anesthetized society isn't
22 one spawn of the nuclear shadow. I feel that nuclear power
23 is not a benevolent and innocent bystander before our national
24 ills. Its very presence makes it a participant, adding its
25 weight to the side of vast and unknown terrors which face us,

1 and so for the sake of the incommensurable qualities of life,
2 especially the trinity of health, beauty, and permanence,
3 I would like to oppose the Shearon Harris nuclear plant.

4 JUDGE KELLEY: Thank you, Ms. Prichard.

5 David Martin?

6 LIMITED APPEARANCE STATEMENT

7 OF MR. DAVID MARTIN

8 MR. MARTIN: My name is David Martin, and I have
9 been involved with opposing the Shearon Harris plant for some
10 fourteen years.

11 I have been originally -- originally I worked in
12 the nuclear industry ever since I worked in reactor physics
13 for some twenty years, and I have said lots of things before
14 the AEC and the NRC concerning technical problems with
15 nuclear power.

16 Many other people have, too, and I would like to
17 think that it would make some difference what the people here
18 might say to this group. Unfortunately, the record is clear
19 from the beginning the AEC, the NRC, have never taken the
20 public into account in any hearing or in any consideration,
21 even regarding safety.

22 For example, the first thing that happened in the
23 Shearon Harris plant was that the plant was located almost
24 directly up wind from Raleigh. The prevailing winds are
25 nearly towards Ralieigh. The economics of the situation

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1 favored that location, not the safety of the people of
2 Raleigh.

3 This group, this NRC Board, speaking to their
4 purpose is to rubber stamp this plant. There is no chance
5 whatsoever of them turning down this plant, no matter what
6 is turned up in the way of problems of testimony of anything
7 else.

8 JUDGE KELLEY: Excuse me, Mr. Martin.

9 MR. MARTIN: Yes.

10 JUDGE KELLEY: I am certainly -- the Board is here
11 to hear your views on Shearon Harris nuclear power, and I
12 think we have open minds. We are not here to be accused of
13 rubber stamping things. We are not here to have our integrity
14 questioned. If that is your purpose, sir, then why don't you
15 wrap up. If you have something else to say, go ahead.

16 MR. MARTIN: Well, I guess maybe your statement
17 maybe clarifies the situation quite well.

18 JUDGE KELLEY: In your mind, that could be.

19 MR. MARTIN: To the people here. There is no point
20 in my talking to you, and I know that, but the people sitting
21 out there need to hear from people like myself.

22 There have been many, many experts who have been
23 critical of the NRC. This is unheard of in other areas in
24 science. The reaction to the nuclear industry has been very,
25 very strong.

1 Many, many nobel prize winners, many other people
2 who have worked in this area.

3 In general, that has been ignored. I think that
4 you should hear that, and then you should listen to it.

5 JUDGE KELLEY: I am perfectly happy to hear that
6 sort of thing. What I don't like is attacks on the Board's
7 integrity, and I won't tolerate it.

8 Now, if you want to go ahead and talk about --

9 MR. MILLER: If you object --

10 JUDGE KELLEY: -- views on nuclear power, go ahead.

11 MR. MILLER: If you object to my saying that this
12 is a rubber stamping operation, all other situations of this
13 type, all other reactor licensing proceedings have been that
14 way.

15 We have put in contentions, and gotten back utter
16 nonsense. For example, we had a contention one time that
17 if the -- if radioactivity left the plant, it would not be
18 possible to predict where the radioactive cloud went, and
19 that is true.

20 End 20.
21 MS fols.

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Evening Session
Limited App. 1
Sim 3-1

2 And that is ture, and we got back some nonsense on
3 that from an NRC Board saying, well, the wind is a certain
4 amount and we know where it is going and this kind of thing.

5 There has not been ever any kind of a reasonable
6 treatment of the people who have taken issue with the Board.

7 Well, okay, my point. As a citizen I live some 15
8 miles from the Shearon Harris plant. I don't like that situa-
9 tion, and I don't think anybody else should.

10 I believe the reason there are not more people here
11 tonight, in other words, that the south end of Raleigh hasn't
12 turn out, in fact that all of Raleigh hasn't turned out is
13 mainly because of the fatalistic attitude, and again that
14 represents a vote of no confidence because those people don't
15 think it will make any difference whether they come here or
16 not.

17 Thank you, sir.

18 JUDGE KELLEY: Okay.

19 (Applause.)

20 JUDGE KELLEY: Dale Dusenburg.

21 (No response.)

22 JUDGE KELLEY: Mr. Dusenburg?

23 (No response.)

24 JUDGE KELLEY: I will come back to him in a minute.

25 We will go ahead with the next name.

Alfred Johnson.

LIMITED APPEARANCE STATEMENT OF

ALFRED M. JOHNSON

MR. JOHNSON: Mr. Chairman, I have a letter that the Mayor of Holly Springs asked me to read, and may I read that also?

JUDGE KELLEY: Sure.

MR. JOHNSON: My name is Alfred M. Johnson and I live at 206 Spring Street, Faqua Varina. I live approximately eight miles from the Harris nuclear plant.

I would like to read this statement.

Thank you for allowing me to express my concern about the importance of the Harris nuclear power plant. Electricity is an important need in our country today. No one wants to see their bill higher than necessary. But common sense tells us that we need to have an adequate amount of electrical power to supply our towns and industries which provide the needed jobs and services for our citizens.

Our area is one of the fastest growing parts of the country and everyone who is in business realizes that we need to prepare ourselves for the future. It concerns me that a company which provides an essential service in such a reliable and responsible way becomes the target of public wrath when they are trying to allow and provide the electrical needs of the present and future.

I wonder if these same people are willing to say to

Sim LP
3-3

1 their children and grandchildren that we really don't care
2 whether there is any electricity to power up business and
3 industry that will provide jobs for them 5, 10 or 15 years
4 into the future? Have they stopped to think about that?

5 I feel that the nuclear industry is a reliable and
6 alternate source of energy. Our country needs that reliability.
7 I also believe it to be safe and well regulated, and it is my
8 plea that this plant be allowed to operate and meet the needs
9 of our area. Signed Alfred M. Johnson.

10 Town of Holly Springs, Post Office Box "S", Holly
11 Springs, North Carolina.

12 It says U. S. Nuclear Regulatory Commission.

13 Gentlemen, and this is from Mr. Gerald W. Holleman,
14 who is the Mayor of Holly Springs, I would like to express
15 my support for the Shearon Harris plant.

16 This power plant is necessary for the continued
17 growth and prosperity in our area. I am not concerned about
18 any danger from a nuclear power plant because past history
19 has proven that they present no threat to a human while riding
20 in an auto or flying in an airplane.

21 I have difficulty understanding why opposition of
22 these plants comes from those people who live in other areas
23 of the country. If these people are so concerned about public
24 welfare and public safety, why have they allowed us as
25 citizens of our community to live for the past 40 years without

Sim LP 3-4 1 modern conveniences that the majority of the citizens of
2 this country take for granted?

3 When this project first started people from outside
4 the area came into the area and told the people that they
5 would not be able to eat the vegetables they grew in their
6 gardens or drink milk from their cows, which I believe to be
7 unduly ridiculous.

8 It is hard for me to understand after millions of
9 dollars have been spent and hundreds and thousands of rules
10 and regulations that have to be complied with, why there would
11 be any questions on the operation of this plant.

12 It would be a total disaster economically if the
13 residents served by Carolina Power and and Light Company
14 had to pay millions of dollars for a plant that did not produce
15 power.

16 I have great confidence in the Nuclear Regulatory
17 Commission to see that the plant is operated in a safe fashion
18 and strongly feel that any information or any testimony from
19 people that do not live in that plant site should totally
20 be disregarded because they have nothing to lose, but we
21 do.

22 Sincerely, Gerald W. Holleman, Mayor of Holly
23 Springs.

24 Can I leave this with you?

JUDGE KELLEY: Yes, sir, you can submit that.

Sim LP 3-5

1 Thank you very much.

2 John Byrne.

3 LIMITED APPEARANCE STATEMENT OF

4 JOHN BYRNE

5 MR. BYRNE: Thank you, Mr. Chairman.

6 My thoughts this evening quite frankly are our
7 government through the NRC has allowed the project to be
8 approximately 85 percent completed and for the company to make
9 a tremendous capital investment. At this point we are going
10 back and questioning the original decision that we made when
11 our government has allowed and has monitored -- the NRC I have
12 complete faith in -- has monitored the job, the Shearon Harris
13 plant as it has been built.

14 I really believe it is a project that is undertaken
15 by the free enterprise system which should be undertaken by
16 this type of system rather than a government agency itself. And
17 I think it should be carried through.

18 In closing I would just like to say that I have
19 complete confidence in the NRC and in our form of government,
20 and I think that certainly the hearings of this nature are
21 very important, and the commitment of all of the people to
22 understand about the needs of the future of this part of
23 North Carolina are really important.

24 Thank you.

25 JUDGE KELLEY: Thank you, sir.

Sim LP
3-6

1 MR. RUNKLE: Excuse me, sir, I didn't catch your
2 name?

3 MR. BYRNE: John Byrne.

4 JUDGE KELLEY: Stewart Adcock.

5 LIMITED APPEARANCE STATEMENT OF

6 STEWART ADCOCK

7 MR. ADCOCK: Mr. Chairman and members of the
8 committee, I am Steward Adcock, a County Commissioner. I tend
9 to agree with John Byrne. As he just said, get 85 percent
10 complete and then stop it.

11 Over the past two years the Board of County Commis-
12 sioners have approved \$311,100,000 worth of revenue bonds for
13 the safety and pollution abatement of this plant. So it has
14 been over \$300 million spent for safety. I have complete con-
15 fidence in CP&L. They have been a very good, cooperative
16 citizen in this county and, furthermore, they are the largest
17 taxpayer in this county.

18 Without this plant and the ongoing operation of
19 this plant, our schools and human service agencies of this
20 county would suffer drastically.

21 I would just like to say that I endorse the continua-
22 tion and operation of the Shearon Harris plant.

23 Thank you for being able to appear.

24 JUDGE KELLEY: Thank you, sir.

25 Waverly Akins.

LIMITED APPEARANCE STATEMENT OF

WAVERLY AKINS

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3 MR. AKINS: Mr. Chairman, my name is Waverly Akins.
4 I am an attorney in Fouqua.

5 At the inception or the beginning of this plant
6 back in 1971 I was Chairman of the Wade County Commissioners.
7 So I was involved from the standpoint of I would say helping
8 in certain respects getting this off the ground.

9 I had land in the project that was taken by Carolina
10 Power and Light. So I was involved from that standpoint. So
11 I have been involved in many different ways.

12 I was sent also truckloads of material as a member
13 of the County Commission, chairman at that time, and I will
14 be quite frank with you, I didn't read it all. It would have
15 taken me -- I would still be reading it if I had read it all.
16 But obviously somebody is doing lots and lots of work on it.

17 I am not an engineer, but I did visit the power plant
18 at Hartsville, South Carolina, the nuclear plant at the
19 insistence of Carolina Power and Light, and I was impressed
20 with the fact that these people were very much involved in
21 getting us involved.

22 Now to what extent we got involved, of course, I
23 don't recall. It has been a long time ago. But we did have
24 a lot of involvement at that time with rezoning, land
25 acquisitions and so on.

LP Sim3-8 1 I am also very much involved in that I know quite
2 a few inspectors. I know the people that are working on the
3 plant. And these people are very knowledgeable, very intelligent
4 and very dedicated people. They are the type people that I
5 feel comfortable with.

6 So I can say that my involvement with the operation,
7 which is limited, and the fact that I live only 10 miles away
8 and the people that I know who are involved in the plant itself,
9 inspectors and so on and so forth, my neighbors, next-door
10 neighbors, I am not overly concerned.

11 I have read enough about it throughout the world,
12 in France and the northern European countries to know that
13 there has never been any great catastrophe there and I don't
14 anticipate there being one here.

15 And with that type record throughout the world, I
16 feel like that the people that are involved in this and
17 with Carolina Power and Light, the quality of work that they
18 do and have done, that I don't have a great deal of concern.

19 I have children, and I have children in high school
20 and college and so on, and they are being raised 10 miles
21 away. Of course, they will be gone in a few years, but with
22 that in mind I would like to say I endorse the project. I
23 think they have spent far too much money to stop now, some
24 \$3 billion, and I would hate to see us lose that money.

25 Thank you very kindly.

Sim LP 3-9

1 JUDGE KELLEY: Thank you, Mr. Akins.

2 W. W. Finlator.

3 LIMITED APPEARANCE STATEMENT OF

4 W. W. FINLATOR

5 MR. FINLATOR: Mr. Kelley, gentlemen, my name is
6 W. W. Finlator, as you indicated, and I am a Southern Baptist
7 Preacher.

8 I wish to join my friends and fellow citizens in
9 expressing appreciation to all of you for holding this hearing
10 which we regard as crucial.

11 About a year ago I wrote a letter to the News Observer
12 and mine happened to get published, in which I was called
13 by the citizens of Raleigh to request that the City Council
14 join other cities across the country in declaring Raleigh
15 a nuclear free zone so that the world, including Russia, would
16 know that there is nothing nuclear in this area.

17 That meant not only our utilities, but it meant
18 institutions of higher learning, universities, and God forbid,
19 even the manufacturer of the nuclear bomb.

20 I regard this gathering tonight, this hearing as
21 an opportunity to extend that call to make this area now
22 and forever free of the bane, I say it advisedly, of any kind
23 of nuclear fission.

24 I do not share the cynical views regarding the
25 futility of addressing you gentlemen. Though I understand how

Sim LP 3-10 1 such a feeling could arise.

2 We tonight are not able to express our informed
3 consent or objection that we would like to because the Atomic
4 Energy Commission and all agencies connected with it have for
5 years entered into a conspiracy of silence and suppression of
6 news.

7 What we have learned we have learned on our own and
8 it hasn't been easy. We speak about covered actions down in
9 Central America, and we feel that some of the people responsible
10 for nuclear energy in this country have been operating under
11 covered action for quite a while, and we do resent that.

12 Mr. Kelley, someone has mentioned the genes getting
13 out of the bottle. I might call our attention to another
14 myth, and I don't mean myth in the sense of something that
15 is not true.

16 There is a myth of Prometheus out of early Greek
17 thinking. Prometheus made the great mistake, according to the
18 gods, of ascending up into heaven and stealing fire and bringing
19 it down to earth for the benefit of mankind. And we all feel
20 that in spite of the dangers of any kind of fire, including
21 fire arms and dynamite, that fire is a blessing.

22 Nonetheless, Prometheus got a punishment for that.
23 He was sent to hell and he had his liver exposed and a vulture
24 fed on that liver, and as often as the vulture ate it, the
25 liver was replaced. Horrible.

Sim LP 3-11

1 We don't believe in that, but we do think that there
2 is a kind of Prometheus today who has ascended up into heaven
3 and stolen the secret of the sunshine and brought it back
4 to this earth. It probably doesn't belong here. I think it
5 doesn't.

6 It is fraught with all kinds of mischief. No one
7 has even mentioned terrorism tonight, just a group of
8 people who are terrorists and getting ahold of this.

9 I agree with everything that has been said about
10 the environment. I would like to see this energy, this
11 proposal, banished for good and forever, and I say that with
12 good will towards CP&L which renders wonderful service.

13 We can have the energy we need without going this
14 route. And I would like to say that in my judgment, when you
15 think of waste disposal, which doesn't exist, nuclear energy
16 in any form is public enemy No. 1.

17 (Applause.)

18 JUDGE KELLEY: Thank you, Reverend Finlator.

19 Betsy Levitas.

20 LIMITED APPEARANCE STATEMENT OF

21 BETSY LEVITAS

22 MR. LEVITAS: That is Levitas just between you and
23 me.

24 JUDGE KELLEY: Sorry.

25 MS. LEVITAS: Thank you for the opportunity to speak

Sim LP 3-12, my mind.

2 As you know, I have been following the hearings and
3 am very concerned about this Shearing Harris plant. I am also
4 very concerned that the decision to build a nuclear plant is
5 made essentially behind closed doors.

6 The public, who must bear the tremendous economic
7 burdens and constant threats to health and safety has few
8 opportunities to participate in decisions affecting a nuclear
9 plant once the decision to build has been made and these
10 opportunities are very restrictive.

11 What are these opportunities? There are the
12 extremely arguous and expensive legal proceedings around the
13 plant's licensing. Two intervenors have already dropped out
14 or have been dismissed under the weight of this task. Citizens
15 may try to convince local governments to participate in the
16 licensing process or in more peripheral ways, and there is
17 always the hubbub that caring citizens can make.

18 I would like to present to the Board now a little
19 of Kudzu Alliance's hubbub for the record which consists
20 of a stack of petitions. These are some 5,000 signatures
21 from people all over the Triangle Area that were gathered
22 over the past few years all opposing the construction of the
23 plant.

24 JUDGE KELLEY: We can include them in the record.
25 We appreciate that.

Sim LP 3-1²₁

MS. LEVITAS: Okay.

2 What does the construction of this plant mean for
3 us? We have already paid well over a billion dollars to build
4 85 percent of this one plant left, and if we continue we will
5 pay a billion more to finish it.

6 If we are lucky, it will last more than 30 years.
7 If we are lucky, it will run more than 50 percent of the time
8 and therefore be worth half of what we paid for it. If we
9 are lucky, CP&L's mismanagement and mistakes in building this
10 plant will not result in an accident big or small that will
11 release radioactivity into our environment.

12 If we are lucky, someone will really solve the
13 nuclear waste problem and make it disappear rather than remain
14 a substantial risk to public health for hundreds of thousands
15 of years, which the next generations will have to pay to
16 oversee.

17 The integrity of this plant depends on the integrity
18 of this Board, the NRC, the NCP&L who all have enormous
19 economic, bureaucratic and political pressure on them to see
20 that this plant gets turned on.

21 But there is also another factor which bridges the
22 gap between these institutions and the public, the integrity
23 of the plant workers themselves who are citizens with special
24 knowledge of how these plants are actually being built at
25 great risk to their jobs, careers and family's well-being.

1 Workers such as Chan VanVo have come forward to
2 tell us what they could not tell their superiors due to
3 harassment and intimidation, or who did tell and were refused
4 adequate answers to their questions, as is the case with
5 Mr. VanVo.

6 For all our sakes I sincerely hope that this Board
7 will treat Mr. VanVo's allegations in both the technical and
8 oversight areas with the thoroughness and seriousness these
9 allegations demand.

10 I also have a couple of written statements from
11 Slater Newman and Jeanine Wehr Jones to present to the Board.

12 JUDGE KELLEY: We would be pleased to take them,
13 too.

14 MS. LEVITAS: Okay.

15 JUDGE KELLEY: Ms. Levitas, thank you very much.

16 MS. LEVITAS: Thank you.

17 end Sim
18 endtake
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8:35 p.m.
EVENING SESS.
#22-1-SueT 1

LIMITED APPEARANCE STATEMENT OF
HARVEY MONTEGUE

INDEXXXXXX 3

2
3 MR. MONTEGUE: I am Harvey Montegue. And I'm a
4 local developer, also Chairman of the Board of Wake County
5 Hospital System. I've been a resident of Wake County for
6 almost fifty years.

7 And one of the best things that has ever happened
8 to Wake County is Carolina Power and Light, the Company that
9 has an impossible task, trying to meet the needs of people
10 fifteen to twenty years in the future. And if you do the
11 thing that you think is best, you get criticized. If you
12 have a brown-cut you get criticized for not planning. If you
13 plan too heavy in the future and you don't have a need for
14 the projected demand you get criticized for spending too much
15 money. It's an impossible task.

16 But CP&L has done a beautiful job through the
17 years. They have met the needs. And from a hospital standpoint,
18 I, too, am very much concerned about patient care. But the
19 risk that I feel that we are experiencing with the Shearon
20 Harris plant is so minute that I'm more concerned about un-
21 interrupted power sources than I am a hypothetical situation
22 that may never exist.

23 The Company is not only operating a very, very
24 smart and their management is top quality. They also are
25 community neighbors. They offer into this community and every

#22-2-SueT 1

2 community they serve in top notch people that serve in civic
3 organizations and they are very civic-minded. The many things
4 that happened that we talk about, that people that are opposed
5 to the Shearon Harris plant, I feel like I'm representing the
6 silent majority tonight. Some three hundred thousand people
7 couldn't get in this room. They are home tonight feeling safe
8 that the Shearon Harris plant is going to be operated in a very
9 safe and proper manner.

10 And I have utmost confidence in CP&L, their manage-
11 ment team, their operators of the plant, and I very much approve
12 of the operation as it stands tonight and as it stands in the
13 future.

14 Thank you.

15 JUDGE KELLEY: Thank you, sir.

16 (The witness stood aside.)

17 JUDGE KELLEY: Donald Wiseman.

18 LIMITED APPEARANCE STATEMENT OF

19 DONALD WISEMAN

20 MR. WISEMAN: Thank you very much. I'm going to
21 come at you from just a little bit different angle if I might
22 for just a moment. My name is Donald Wiseman. I am a
23 certified safety professional, certified hazard control manager
24 and a professional member of the American Society of Safety
25 Engineers. I am a private safety consultant at this time and
very concerned with safety for twenty-one years.

INDEXXXX

#22-3-SueT 1

2 I am familiar with CP&L's day-to-day operation out
3 on the job. CP&L, many of their people are involved in very
4 hazardous operations. I get to where I work a lot of times
5 in handling electrical lines, 19,900 volts, 37,000 volts. I
6 see their people out there in the fields many times, many days.

7 From my observations and their low accident ex-
8 perience, it speaks for their effective on-the-job safety
9 program. I can't speak to some of the issues that were men-
10 tioned here tonight because I'm not knowledgable in everything
11 that was said. However, I can tell you that the CP&L people
12 that I've met and come in contact with are well trained and
13 very safety conscious.

14 I have confidence in CP&L and believe they have the
15 same concern for safety at Shearon Harris that they do on the
16 job every day. And I thank you very much.

17 JUDGE KELLEY: Thank you, Mr. Wiseman.

18 (The witness stood aside.)

19 We now have been about an hour and we happened to
20 have finished the first sign-up sheet list. We think this
21 will be a good point to just take about a ten minute break.
22 Wait just a minute and let me say a couple of more things.

23 We will take about a ten minute break, come back
24 around quarter of, ten of, and then we will resume. Now, I'm
25 assuming that there is a second list over there with some names
on it. Am I correct?

#22-4-SueT

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MR. JONES: Yes, there is.

JUDGE KELLEY: Well, this will be an opportunity for people in the audience, people maybe standing out the door, if you want to add your name to the list to come up and say something after we take a break, please go over there to the table by the door and sign up.

And we will come back at, let's say, ten of.
We are adjourned now for ten minutes, ten to fifteen.

(Whereupon, a recess is taken at 8:40 p.m., to reconvene at 8:55 p.m., this same day.)

JUDGE KELLEY: All right. We will reconvene if we can. Okay. I think we can go back into session.

Ms. Levitas pointed out to me something that I should have said before, and that is as far as submitting written statements is concerned, as I indicated we are happy to take written statements here tonight. However, there is no near or nor pre-fixed deadline for submitting written statements and, in fact, the ultimate decision on the operating license is going to be made, I assume some time next year.

But in the next several months, I will put it that way, if you want to submit a written statement you can simply write it up and then mail it to the Secretary, U. S. Nuclear Regulatory Commission, Washington, D. C. 20555. And I would put on it, Attention: Shearon Harris Limited Appearance, and I think it will find its way to the right place if you do that.

#22-5-SueT 1 I will just repeat that quickly. Any time in the
2 next several months if you want to submit a written statement,
3 send it to the Secretary, U. S. Nuclear Regulatory Commission,
4 Washington, D. C. 20555, Attention: Shearon Harris Limited
5 Appearance.

6 Okay. There was one person who, when called before,
7 didn't respond. Dale Dusenbury?

8 (No reply.)

9 Okay. Robert Reams.

10 LIMITED APPEARANCE STATEMENT OF

11 ROBERT REAMS

INDEXXXX 12 MR. REAMS: My name is Robert Reams. I am a farmer,
13 plant breeder, and a biochemist in agriculture. I would like
14 to congratulate those of you who have come tonight to talk
15 about the public interest. I think it's great that we do this.
16 I think it would be remiss if each of you who has come tonight
17 and concerned for the public safety would be remiss if this
18 were not allowed.

19 I think it's part of the American system, and I
20 commend each of you. And, Mr. Chairman, I have observed your
21 handling. I think it's a great thing that our rights are
22 protected in the manner that it is being protected.

23 I would like to make some comments, and I agree
24 with a few of you and disagree with a few of you. I think
25 that if we look at the dangers of living, the dangers of being

#22-6-SueT 1 in this room tonight, that it will be a danger when you drive
2 home to your home or wherever you are going from this meeting.
3 It is a mad house some time on the belt line going to Raleigh.
4 I see lines of cars, several abreast, between Windale and
5 East Raleigh when I happen to be there in the mornings. And
6 when I go to sausage biscuits at Hardee's each morning, I hope
7 that I will make it and I have been doing it for many years.
8 But I'm always concerned to be careful because of the driver
9 that didn't see me.

10 And I don't think that we have guarantees. It is
11 our responsibility, though, to guarantee that we get the best
12 protection we can from the environment and to protect the
13 environment in the process, to leave this for our children.
14 I think that perhaps I have as much to lose or to gain as
15 anyone in this room by having a safe system in Wake County.

16 And I work in Green Level or near Green Level. We
17 are doing plant breeding, work in biochemistry and developing
18 products for agriculture and humanity. We are very concerned
19 and very close to, we think, some of the basic life processes.

20 I think that some of the greatest forces that we
21 have present in our world today are going to be revealed in
22 the examination of plant systems which our company is doing
23 and many other people are working with at this time. We know
24 that we don't have guarantees of all things that we would like
25 to have. We would like to be certain that life would be good

#22-7-SueT

1 and kind and gentle, that all of would be good people and that
2 we would protect each other. And we find that maybe sometimes
3 this is not quite so.

4 We would like very much, ladies and gentlemen, to
5 be sure that we never had to fear anything. But I want to
6 suggest a couple of things to you. I go back to the time in
7 the late '30s when the power lines came to New Hill, Friendship,
8 those of you who live near the Shearon plant know where this is,
9 and we got our power from I believe the plant down below New
10 Hill and we used to go down catching catfish when they turned
11 the water off now and then. It's an old tradition. But that's
12 far gone now because back in those days when that plant was
13 first functioning for Wake County, North Carolina, most of
14 the people that had power and had it just a few months or a
15 few years at the very most, you had a 30 amp fuse out on the
16 porch and you also had a ceiling light in every room, and it
17 didn't take much power.

18 You know, the most dangerous thing that could happen
19 during those periods, if the power plant happened to blow a
20 boiler and hurt a few people, and maybe if the wind was wrong
21 and the cinders came down in the wrong direction, mama had to
22 get the clothes off the line because that's before the time of
23 dryers.

24 So, we have seen things change. You know, we have a
25 growing pain that I think we need to thing about in Wake County.

#22-8-SueT1

1 The very thing that makes us need power is the thing that makes
2 this area great. Of all the areas in North Carolina, perhaps
3 in North America and perhaps the whole world, the Research
4 Triangle has been blessed with a growth that is phenomenal
5 and that continues. Now, we are looking at a new water line
6 being put in the ground between Hollow Springs and Apex. One
7 of the great industries coming in that will provide income for
8 this entire area.

9 And when will the time come that the power fails
10 because we didn't provide for it? I was in Rhode Island,
11 Providence, Rhode Island, in 1964 when the power went off.
12 Some of you might remember that day when the northeast was
13 either brown or black. Now, there wasn't too much looting.
14 There was some in Providence. But I think that it was the
15 fortitude of the estabulary and the control of traffic and
16 so forth, and the people tended to stay home, and they couldn't
17 watch t.v. and they couldn't do much of anything else, but at
18 least there was not too much happening until the power came
19 back on.

20 And we had stop lights working, the traffic con-
21 trols back on again, and the lights came back. Folks, it's
22 terrifying. If you realize that we are out of control if we
23 lose the source of power, I hope that never happens in North
24 Carolina.

25 I would like to comment that while I share some of

#22-9-SueTl

1 your concerns with the future of any highly technical area,
2 I think that this is one of the penalties we are paying for
3 being in a modern society. And when the first atomic bomb
4 was blown and when Enrico Fermi a few years before had made
5 his projection, got his patent on atomic fission, that made
6 a change and we can't very well go back. And I think that
7 now that we have it that we have to use the power that it can
8 produce as long as it is being produced under proper safe-
9 guards and control.

10 I do trust CP&L. I worked with them for years.
11 They come out to the farm. We would need a new building, we
12 need a new service. We say: How can we do it? And they say:
13 Well, you've got to put in some additional equipment because
14 you are not going to be safe with the proper load. We have
15 got to put in a center pole. We have to do these things.

16 And we have worked with them, and they have saved
17 us money, and we have cut out interruptions. In fact, one of
18 the things I would like to comment on is that they suggested
19 the installation of a central pole. The central pole we
20 hooked up with 200 amps and a special grounding system. We
21 used to always have trouble with the power during storms be-
22 cause of our hill top location. We had lightening coming in
23 on the wires. And, knock on wood, we haven't had lightening
24 come in on the wires since we put in this new installation.

25 And so again I think that the Company has been, over

#22-10-Sue

1 the years that I've known them -- and that has been quite a
2 few -- that they have been safety conscious and I trust them.
3 I would like to say this, with due respect to those who differ,
4 I'm afraid that the big difference, the big complaint we will
5 have of nuclear power is that perhaps down the road ten years
6 from now we will wish we had made the other units complete
7 instead of just one.

8 Thank you.

9 JUDGE KELLEY: Thank you, sir.

10 (The witness stood aside.)

11 Phyllis Lotchin.

12 LIMITED APPEARANCE STATEMENT OF

13 PHYLLIS LOTCHIN

14 JUDGE KELLEY: Nice to see you again.

15 MS. LOTCHIN: I'm having a definite sense of
16 deja vu being here.

17 In May of 1979, the Mayor and Council of Chapel Hill
18 set up a Citizens' Task Force to try to assess the effects
19 of the Shearon Harris Nuclear Plant on Chapel Hill. There
20 were twelve people on the Task Force. I was the Chairman.
21 Seven of those twelve had Ph.D.'s of one brand or another.
22 Some were medical people, some were -- two physicists and
23 so on.

24 We worked for a year and a half listening to the
25 most expert experts we could find, either coming and going

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#22-11-SueT1

2 to the area or in the area. We did read truckloads of material
3 and I think we paid our dues. What we found during that time,
4 the strongest message was that the experts that we listened
5 to on nuclear power didn't agree. Some would tell us that
6 the winds blew towards Raleigh from the Shearon Harris Plant,
7 others would tell us that on the contrary, they are rather
8 variable. Some would tell us that low level radiation over a
9 long period of time was very safe. Others would point to
10 figures which -- and give arguments -- said that being exposed
11 to low level radiation on a continuous basis over a long period
12 of time is either unsafe or certainly unresearched to the point
13 that nobody really knows what the effects will be.

14 Our report to the Mayor and Council after a year
15 and a half was not a stand for or against the plant, but
16 rather a strong plea for safety. Chapel Hill is twenty miles
17 from the Shearon Harris Nuclear Plant. One thing became very
18 clear as we listened to the experts, and that is that any sort
19 of accident at the plant which would require the emergency plan
20 to go into operation at all would have definite ramifications,
21 far beyond the ten mile emergency planning zone.

22 Three years ago, a committee of our Task Force
23 asked the NRC for a rulemaking. We asked that the emergency
24 planning zone be expanded to a twenty mile radius or that the
25 emergency planning zone be made site-specific as it is in
California, the State of California has asked that emergency

#22-12-SueT 1 planning zones be related to the terrain, the weather condi-
2 tions, the winds. And so each nuclear power plant has -- does
3 not have -- no nuclear power plant has a predetermined
4 emergency planning zone.

5 For reasons that I don't know, even though we
6 followed up on this situation on several occasions, our request
7 for rulemaking was printed in the Congressional Record, we
8 have up to this point had no response. And as far as I know,
9 no action has been taken on that rulemaking. I think that's
10 still so.

11 At any rate, we asked in our Task Force report for
12 several things which we felt would help make our lives safer
13 and more secure. And I think they seem to me infinitely
14 reasonable, infinitely modest. One of them, we asked that
15 base line data be gathered. We did a great deal of checking
16 and found that nobody has any idea of the specific background
17 radiation in Chapel Hill, or anywhere else really. We were
18 told that there are averages for the State.

19 We imagine that in the future at some time it would
20 be probable to be told that X amount of krypton or whatever
21 had been released but that there was no danger. I think that's
22 a phrase we have all grown to know and love.

23 No danger to human health. Well, when we hear that
24 phrase, we will know, the Task Force will know, that that's not
25 based on any sort of base line data.

#22-13-SueT1

2 Another thing we asked for, which again seems to me
3 infinitely reasonable and modest, was some sort of monitoring
4 system set up in Chapel Hill and in the surrounding areas so
5 that in an emergency people would be trained and have the
6 equipment to monitor radiation releases and wouldn't have to
7 wait until they heard the news on the radio. We also asked
8 for a hot line, some sort of direct communication between our
9 Mayor and the plant.

10 We also asked for some sort of early warning system,
11 sirens or whatever, that would be directed at Chapel Hill,
12 twenty miles away. We also asked that mortality records be
13 kept. There have been studies which have found that mortality
14 rates around operating nuclear plants go up dramatically from
15 cancer. One estimate in Waterford, Connecticut is that cancer
16 rates in five years went up fifty-three percent.

17 CP&L screams at that study, discredits it, dis-
18 credits that study. And my request to both CP&L and to the
19 NRC was, I'm not anxious to believe that study; give me another
20 study that you have done which tells me what the mortality
21 rates are, how many extra cancers are there for people who live
22 ten, twenty, thirty miles from an operating nuclear power plant
23 over a period of five, ten or fifteen years.

24 I've been asking for that information for a good
25 long time. So far, I don't know of any study. I haven't been
directed to any study. I would be very happy to believe much

#22-14-SueT

1 lower figures. And I think if the NRC, the government, CP&L
2 or whoever has done such a study that's reliable, then we need
3 to know it. If that study has not been done, I think it is un-
4 conscionable that it hasn't.

5 One thing -- well, let me just say this. The Task
6 Force was set up in 1979. In 1980 we made those requests. We
7 didn't -- the twelve of us on the Task Force had not told each
8 other during that time if we were pro nuclear power or anti
9 nuclear power. It was only after the report was finished that
10 we found out how we personally felt.

11 I will tell you that I went into the study, into
12 the Task Force, feeling neutral. I was scared. I had a five
13 year old child. He is ten now. I was particularly scared
14 about leukemia and other cancers in children. I didn't know
15 much about it. And after five years this is what I've learned.

16 I've learned that being -- what's the phrase --
17 top notch people is not enough. That won't protect us. I've
18 learned that nobody knows what the risks are for those of us
19 who will be living five, ten, fifteen, twenty miles from an
20 operating nuclear power plant for ten, twenty, thirty years,
21 whatever.

22 I've learned unhappily that CP&L was unwilling to
23 offer to our community even a semblance or even an indication
24 that they took our concern seriously. My impression of their
25 dealing with ordinary people like myself has been that they are
high-handed, cynical and imperious.

1 I have been disturbed by the legality of the
2 proceedings. I think to really deal in any semblance of
3 effectiveness as an ordinary citizen, takes a lawyer and a
4 private fortune, and a good deal of free time.

5 As I said, I have been here before, and I have said
6 much the same thing. I begin to feel like a character in an
7 Orwell novel, caught up in legalistic double think, and I am
8 not cheered by the fact that this is 1984.

9 I have a copy of our task force report that I would
10 like to read into the record.

11 JUDGE KELLEY: Like to include in the record, you
12 mean. That scared me a little.

13 I might just make a comment about the planning zone
14 that we are operating under in the operating license proceeding.

15 The NRC, as Ms. Lotchin indicated, it does have a
16 rule which says that the emergency planning zone shall be
17 an area within a ten mile radius around the plant, and then
18 lots of things flow from that, such as evacuation plans, sirens,
19 and so on.

20 And there isn't any requirement generally speaking
21 for emergency planning outside that ten mile zone, so that is
22 the rule that this Board is obliged to apply. That is the rule
23 that CP&L is obliged to follow, and so if someone comes and
24 says: Gee, do something at 20 miles; there really isn't
25 anything that this Board can do. There isn't anything that

1 CP&L can do. The law of the NRC is quite clear; it is ten
2 miles.

3 Now, you may not think that is right, that it is
4 wrong, but that is what the law is. You can change that law
5 if you can persuade the NRC as a whole that their rule is
6 wrong, and they ought to have a different rule. Now, that
7 is the route that Mrs. Lotchin did follow, as I understand it,
8 or your task force, and I think I would like to ask the Staff
9 when you get a chance, if you can check into the status of that
10 rulemaking and maybe write Ms. Lotchin a letter and just tell
11 her where it stands and what has been done, and what is in the
12 offering as far as that is concerned.

13 I have heard some proposals -- not proposals
14 exactly, but I understand there is some sentiment to change
15 the rule to shrink the ten mile zone back to three or five
16 on the basis that the amount of radiation expected to be
17 emitted in an accident is much less than heretofore thought.

18 Whether that is true or not I don't know, but there
19 is some sentiment in that direction, I believe.

20 Okay. Robert Cockrell?

21 LIMITED APPEARANCE STATEMENT

22 OF MR. ROBERT COCKRELL

23 MR. COCKRELL: I am Doctor Robert G. Cockrell. I am
24 a registered professional engineer and a physicist. My
25 nuclear training education goes back to 1961, when I first

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1 worked on a nuclear reactor.

2 From 1980 until '83, I was an Associate Professor
3 and Director of Nuclear Reactor Program at North Carolina State
4 University.

5 During that time, I assisted in the training of
6 reactor operators for Carolina Power and Light. They sent
7 their operators to the University to train on our reactor.
8 During that time, I had an opportunity to visit the Shearon
9 Harris plant, got familiar with their training program, as
10 well as meeting a lot of the people that will be operating the
11 power plant.

12 We found that during the training of the operators,
13 that CP&L appeared to be very receptive to our comments. If
14 we found an operator who we felt would not be a good operator
15 for various reasons, we would give those comments to CP&L,
16 and they would take those into consideration. We found them
17 to be very receptive, and to have what appeared to me to be
18 a good training program at the Shearon Harris plant.

19 On several occasions, I took students who were
20 nuclear engineering students to the Shearon Harris plant for
21 tours, and I requested at the very beginning of the tour, in
22 each case, not to give us a just a song and dance about how
23 good nuclear power was, but to just cut all of that and let
24 us ask questions, and that is exactly what they did.

25 And those students had studied very carefully all

1 about how power plants are designed, and we went through the
2 plant and we walked everywhere that it was safe to walk, the
3 plant was under construction, of course, and we asked a lot
4 of questions, and I found that they were very open to those
5 questions.

6 On two occasions I took students from North Carolina
7 State University to Washington, D. C., and we sat in hearings
8 of the Advisory Committee on Reactor Safeguards, and we were
9 welcomed there, and we could ask questions. And, in fact,
10 they seemed very pleased that we sat in on those hearings.

11 On those two occasions, we also sat on hearings
12 of the Atomic Energy Commission. They were very receptive,
13 and in fact, in one case, the head of the Nuclear Regulatory
14 Commission, Dr. Joseph Henry, requested that we meet back with
15 him at five o'clock and he would talk with us, and we did, and
16 he sat and he talked with the students for about an hour,
17 answering any questions they had about how the Nuclear
18 Regulatory Commission operates.

19 We went over and we met with Harold Denton, who is
20 head of the Division of Nuclear Reactor Regulation. He and
21 his entire top level staff met with the students individually,
22 each of the managers came in one at a time, and answered any
23 questions that we had.

24 I make these statements to point out these things
25 because I had heard that there seems to be some covert activities.

1 In no case have I found any semblence of cover-up
2 of anything, either from Carolina Power and Light, or the
3 Nuclear Regulatory Commission in all of my dealings with them
4 in these past few years in this area.

5 Another thing is it was pointed out some concern
6 about decommissioning and this being an impossible task.
7 While at North Carolina State University, I had the opportunity
8 to personally lead the decommissioning of the oldest nuclear
9 reactor on a university campus in the United States. That
10 was the R-3 reactor at North Carolina State University.

11 I personally crawled into that reactor and loosened
12 the bolts with a wrench that I was holding in my hand and
13 took that reactor apart, and had help from the university
14 students. I had radiation badges on me, and the amount of
15 radiation that I picked up during that entire operation
16 amounted to what I would have gotten from flying from here to
17 California and back.

18 We disassembled that reactor with students and with
19 laborers that we got out on the market. It was just a matter
20 of breaking up concrete, carefully measured -- it was heavily
21 measured and so forth, and the State Radiation Protection
22 Office checked on everything that we did.

23 I point that out not so much to say that a reactor
24 is that simple to decommission. This was much simpler, of
25 course, than a nuclear power plant, but in the course of

1 planning all of that, I found that there is a tremendous amount
2 of technology available. Plants can be decommissioned, so this
3 is not a black art. This is something we know very well, and
4 it can be done some day in the future if it needs to be done.

5 One final point. I am very, very concerned that
6 should the Nuclear Regulatory Commission decide that this plant
7 should not go into operation, that this utility still having
8 a responsibility to provide electric power in the future, will
9 be forced to provide power from some other source.

10 I personally have studied coal-fired plants. I
11 have sat in on solar energy seminars. I have visited the wind-
12 mill that was in Boone. I have reviewed designs for all sorts
13 of tidal waves and various things, ocean currents. I have
14 visited the largest hydro electric dams in the United States,
15 and I can say that nuclear power is by far -- has the least
16 environmental impact of any of these things that I have looked
17 at.

18 And by the way, I have studied fussion in my early
19 nuclear career, over twenty years ago, and it is still a long
20 way off.

21 So, I have asked some large utilities what will they
22 do, those that have cancelled nuclear power plants, I said what
23 will you do if you -- if you need electricity in a few years,
24 and I will tell you the answer, because it shocked me. They
25 said well, it is just easier for us right now to delay building

1 any more power plants, because we can build some gas turbine
2 plants, or some that burn expensive oil. And we can pass those
3 oil costs onto the customers in the fuel adjustment clauses,
4 and that is what we will do, because they will have to have it.

5 I am sure that if this plant should not be allowed
6 to operate, it will not be able to start up some years later,
7 because you can't pick up where you left off with a nuclear
8 power plant.

9 And the cost of electricity will be even higher
10 than if you go ahead with this plant. And I know that because
11 of all the laws, the rules and regulations that the Nuclear
12 Regulatory Commission imposes upon the utility, the utility will
13 be required to operate the plant safely, and you will keep a
14 close watch on them, so I don't have any fear along those
15 lines.

16 JUDGE KELLEY: Thank you, Dr. Cockrell. We appreciate
17 your perspectives, and particular your describing some
18 opportunities you have had for learning more about nuclear
19 power and the regulatory system, and opportunities that other
20 people, perhaps, might take advantage of.

21 Keith Pankoe?

22 LIMITED APPEARANCE STATEMENT

23 OF KEITH PANKOE

24 MASTER PANKOE: My name is Keith Pankoe, and I am a
25 student at East Cary Junior High School, in the 8th Grade.

1 Right now in science, we are learning about energy
2 and the sources of it, and we have learned things about
3 nuclear energy that -- they are facts that not many people
4 know, and that should be known.

5 First thing is, nuclear -- the uranium supply will
6 probably only last 40 years, or shortly thereafter will run
7 out. After this time, when this supply runs out, the
8 generator will not be able to do its job as it was meant to
9 be done, and therefore it would become inappropriate.

10 I think we should go and look for other sources
11 of energy, such as solar, because they don't hurt the
12 environment as much, and they don't cost as much either.

13 Another thing I would like to point out is only
14 one percent of our energy is generated by nuclear fission.

15 That is about all I have to say. Thank you.

16 JUDGE KELLEY: Thank you, Keith. Appreciate your
17 comments.

18 JUDGE KELLEY: That takes us through our sign-up
19 sheets. Is there anyone else in the audience that would like
20 to come up?

21 (NOTE: No response,)

22 UUDGE KELLEY: Okay. Then the Board would just
23 like to say thank you very much for coming tonight. We do
24 appreciate your being here, and goodnight.

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(Whereupon, the limited appearance portion of the hearing concluded at 9:25 p.m., Tuesday, October 23, 1984.)

* * * * *

CERTIFICATE OF OFFICIAL REPORTER

This is to certify that the attached proceedings before the UNITED STATES NUCLEAR REGULATORY COMMISSION in the matter of:

NAME OF PROCEEDING:

SHEARON HARRIS NUCLEAR POWER PLANT

DOCKET NO.: 50-400-OL & 50-401-OL

PLACE: APEX, NORTH CAROLINA

DATE: TUESDAY, OCTOBER 23, 1984

were held as herein appears, and that this is the original transcript thereof for the file of the United States Nuclear Regulatory Commission.

(Sigt)

(TYPED) GARRETT S. WALSH, JR.

Official Reporter

Reporter's Affiliation

Ace Federal Court Reporters

MYRTLE H. TRAYLOR

Official Reporter

Ace Federal Court Reporters

MARY SIMONS

Official Reporter

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