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UNITED STATES OF AMERICA

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NUCLEAR REGULATORY COMMISSION

SD-213

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PUBLIC HEARING

+ + + + +

THURSDAY

JANUARY 15, 1997

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HIGGANUM, CONNECTICUT

+ + + + +

The Public Hearing was held at the Haddam  
Killingsworth High School, in the cafeteria, Little City  
Road, Higganum, Connecticut, Marjorie DeBold, presiding.

PRESENT:

From Northeast Utilities:

TED FEIGENBAUM

JERE LAPLATNEY

From the Nuclear Regulatory Commission:

DR. MICHAEL MASNIK

GENE HOLLER

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

(7:00 p.m.)

MS. DEBOLD: Welcome to Haddam, one of the great towns in Connecticut. We are glad to have you here. I'm Marjorie Debold, the first selectman of Haddam.

I'd like to let you know, right away, that this is just an information meeting. It is not a hearing in the formal sense. There is an agenda for the meeting, and there were some copies around, I believe. If there were, they are gone, but I will review it.

Is there anyone who doesn't have an agenda, were they passed out? They may be all gone, but I can run through the agenda, and speak to each of the items.

First, a little bit of housekeeping. There are men's and women's lavatories at the back of the room, around the corner. There are lavatories down the hall, behind me. The emergency exits are marked.

There is a concert that will be going on shortly, and it is in the auditorium. You can go there after we finish here, or maybe they will come up after they finish.

Let me go over the agenda just very quickly. It must be 7 o'clock on a Wednesday. If you wish to speak or make comments, there is a sign-up sheet over to my left. The comment period will be at the end.

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1           At the beginning, after I introduce myself,  
2 describe very briefly, most of you know already, the  
3 purposes of the meeting. Shortly thereafter, Ted  
4 Feigenbaum of Northeast Utilities and Jere LaPlatney, also  
5 of Connecticut Yankee, plant manager, will outline for you  
6 the future plans for the plant.

7           If you have a question following that  
8 presentation, and if you would wait until the end, if you  
9 can, they will be happy to answer your question. And if  
10 you raise your hands, I will point or whatever. And if  
11 you go to a mike, to be heard, please. And I will explain  
12 why in just a minute.

13           Following that presentation, Mr. Michael  
14 Masnik of the NRC will describe the decommissioning  
15 regulations and proposed future NRC oversight. Again,  
16 there will be a short question and answer period, same  
17 relatively easy manner of responding.

18           And then by 9 o'clock, if we could, we would  
19 like to open it for public comment. Several of you have  
20 signed up already. We will try to limit that, we will  
21 find out how many people signed up, and we will divide the  
22 hour into the number of people or something akin to that,  
23 and maybe try to hold it down to three minutes for  
24 comments, if we can.

25           And at 10, I would like to close the meeting.

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1 I'm sure there will be other opportunities, so if we can  
2 try to keep to a fairly close time schedule.

3 Just trying to skip through and make sure I  
4 don't miss anything. If you wish to give a written  
5 statement, the NRC will accept those. If it is something  
6 that is very short, or of a summary nature, it probably  
7 will be included with the written communication that will  
8 come out following this meeting. If it is very long,  
9 please try to abbreviate it.

10 People that do not want to speak, do not need  
11 to sign up, of course. But people who do wish to speak or  
12 make public comment should sign up. And that will happen,  
13 hopefully, starting at 9 o'clock.

14 There is a second sign-up sheet, again, over  
15 to my left, that asks for your name and address if you  
16 would like a copy of tonight's proceedings. As you have  
17 noticed, we are having this meeting transcribed.

18 Not that it is a formal hearing, but rather to  
19 make sure that we understand what questions were raised  
20 and what comments were made. Single copies of that  
21 transcript will be mailed to anyone who signs up for it.  
22 Any group or individual who would like to distribute  
23 information should have a table, again to my left, and  
24 hopefully that is where you will pick up materials.

25 Since the meeting is being transcribed, please

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1 make sure when you speak, that you give your name. And if  
2 it is one that might be confusing to the person  
3 transcribing the meeting, if you would spell it.

4 Also, if you have a question or comment, again  
5 following the presentations, don't forget, if you will  
6 raise your hand I'll point to indicate, and then do go and  
7 use one of the microphones in the aisle, so that you can  
8 be heard, and then also so that it can be transcribed  
9 properly.

10 At the end of the evening's proceedings, the  
11 transcript and a copy of the overhead slides will be bound  
12 into that transcription. It will be, again, you can  
13 receive it, I'm sure I will have it, and any material that  
14 you wish to have included there, should be given to the  
15 NRC project manager. It could go right here to Mort  
16 Fairtile, or to Mike Masnik.

17 Remember, if it is a few pages, I'm sure they  
18 will include it, and if it is more than that, if it could  
19 have a summary page.

20 The NRC project manager will review the  
21 transcription before he mails it out, and will make minor  
22 changes to correct any obvious errors, but it is going to  
23 be done in pen, so you will get whatever the transcription  
24 says, as it was originally transcribed.

25 Since this is an information meeting and it is

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1 not part of a formal proceeding, speakers will not get the  
2 opportunity to correct -- this is, principally, in the  
3 interest of getting the transcription out, so that the  
4 public can have it as soon as possible.

5 As you can see, from hearing the agenda, there  
6 is a lot of ground to cover. I will try to insist that we  
7 keep to the schedule. I will cut you off, I brought my  
8 egg timer. It has a little 20 second beeping series that  
9 I can stop, but hopefully I will not even have to use it.

10 You are encouraged, by the way, to ask  
11 questions and later to make comments. And I certainly  
12 don't mean to be flip about limiting your time, but it is  
13 important that we try to give everybody a chance to speak  
14 who wishes to.

15 If we take a break, or at the end of the  
16 meeting, you are, of course, free to speak to the NRC  
17 people who will be here. And I'm sure that the NU  
18 personnel will be around, also.

19 For those of you who are media people, I would  
20 ask -- and they've been very good today -- they generally  
21 are, I don't mean to say that. If they wish to interview,  
22 I would ask that they do it outside of this room, or  
23 during a time when we are not actively going through the  
24 meeting.

25 The NRC people, certainly, as well as the rest

1 of us who are public officials, I'm sure will speak to you  
2 at your request.

3 Is there anything that you need to know from  
4 me before we continue on?

5 I'm doing very well, it is now 7:10, and Mr.  
6 Feigenbaum if you would come up, and maybe you would  
7 introduce the people who are here with you today, and help  
8 us keep going on schedule.

9 MR. FEIGENBAUM: Thank you, Marge. I'm Ted  
10 Feigenbaum, and I'm the Executive Vice President for  
11 Northeast Utilities, and Chief Nuclear Officer for  
12 Connecticut Yankee.

13 This is a beautiful facility, and it is a  
14 pleasure to be here. I tell you, this is a facility that  
15 is unlike one that I went to high school. I had a school  
16 that was maybe a tenth of the size of this one.

17 It is a pleasure being here today. I do want  
18 to introduce some folks that work with us at Connecticut  
19 Yankee. First of all, Jere LaPlatney is here, Jere is the  
20 prematurely grey individual here, he is our unit director,  
21 and has been at Connecticut Yankee for 12 years.

22 He has over 20 years of experience in the  
23 nuclear power business, was licensed on the plant, and is  
24 licensed to operate the plant. And, as I said, he is the  
25 current unit director.

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1 John Haseltine is another member of my staff.  
2 He is the director of engineering. John has background  
3 not only at Northeast Utilities and at Connecticut Yankee,  
4 but was also involved at Yankee Rowe, which was a plant  
5 that was recently decommissioned up in Northwestern  
6 Massachusetts.

7 Interesting background on John, his father was  
8 one of the first plant superintendents of Connecticut  
9 Yankee, in the early 1960's. And now John has been  
10 associated with the plant, and is going to be involved in  
11 the decommissioning of the plant, so it is kind of a  
12 closing of the loop.

13 Gary Bouchard is here, as well. Gary, if you  
14 would stand? Gary is our director of work services, Gary  
15 is over there in the back. He is also a past unit  
16 director of Connecticut Yankee. He is experienced in  
17 maintenance, and he was also licensed on the plant, to  
18 operate the plant, and also has more than 20 years of  
19 experience.

20 So we have a strong experience base at  
21 Connecticut Yankee that remains. And that is going to be,  
22 obviously, supplemented with additional new talent, and  
23 individuals who are highly experienced in radiological  
24 controls, and health physics, which is a very important  
25 aspect moving forward into the decommissioning process.

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1           We are also going to supplement our existing  
2 work force with specialized decommissioning experience, as  
3 we need it, going forward as we do our planning process.

4           But I just did want to introduce some of the  
5 key members of my staff. There are other individuals here  
6 that are also in the audience, and we will call upon them  
7 as needed during the evening to answer questions.

8           Well, today we -- as Marge indicated, we want  
9 to start the dialogue. Decommissioning is a big deal. It  
10 is a major effort, and it is very important for us at  
11 Connecticut Yankee that it be done properly.

12           We are very proud of the 28 years of service  
13 of the plant, we want to make sure that the plant is  
14 retired properly, and brought completely to a safe  
15 condition and maintained until we can off-load the fuel,  
16 and ship it to a final repository.

17           Now, we recognize that decommissioning is very  
18 different from operating a plant. It presents different  
19 challenges, and special requirements. But also, at the  
20 same time, there are radiological issues, there are  
21 industrial safety issues and concerns, as we dismantle  
22 major pieces and buildings, and remove certain equipment  
23 in the plant. And, certainly, there is the need for  
24 environmental stewardship throughout this entire process.

25           The process, the initial process of

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1 decontamination and decommissioning and preparing the  
2 plans and the engineering for decommissioning the plant  
3 will take a number of years. We estimate that that is in  
4 the six to eight year range.

5 But, of course, the fuel facility will remain  
6 operational, on the site, for many more years, until we  
7 can ship the fuel. And that could be as long as 20 years.

8 We plan to work very closely with the NRC  
9 every step of the way, following their rules, learning  
10 from their experience, as they regulate other facilities  
11 that are decommissioned. So we will always be up to speed  
12 with the latest of what is happening in the industry.

13 And, certainly, we want to carefully listen to  
14 the public at every step during the process. 1997 is  
15 going to be really a year of listening for us, and  
16 planning. Planning for the decommissioning of Connecticut  
17 Yankee.

18 We did not expect to shut the plant down when  
19 we did, the plant license life, as you may recall, was to  
20 run through the year around 2007. But we, for economic  
21 reasons, which we periodically check all our facilities,  
22 we came to the conclusion that it was in the best interest  
23 of the rate payers to decommission the plant early.

24 So this year, 1997, will be a year where we  
25 study options, where we determine the best way to

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1 decommission the plant safely and efficiently, so that the  
2 public is satisfied that we've done a good job, and that  
3 we meet all the rules and requirements of the NRC, and  
4 that we are satisfied that we can shut this facility down  
5 and maintain it in a safe condition for many years to  
6 come, and remain a good neighbor in the community.

7           We are, as I said, completely committed to  
8 public participation. That is the reason we are here  
9 tonight, and I'm sure there will be many other meetings in  
10 this facility to provide more details as we get further  
11 along in the planning process.

12           But, certainly, before we get into any active  
13 decontamination/dismantlement of the plant, there are  
14 certain things that we have to take care of, first.

15           Our performance at Connecticut Yankee last  
16 year, in the late last -- the last half of last year,  
17 certainly was not up to our standards. We had some events  
18 that led us to re-examine the way we do business at the  
19 plant, and clearly we have to raise our standards and  
20 change some things that we do at the plant.

21           We need to make improvements in several areas,  
22 before we move forward, at all, with any major  
23 decommissioning. I'm talking about the radiological  
24 control area. We certainly have talked about this in  
25 public forums before. Corrective action process, that is

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1 the process of finding problems and fixing them  
2 effectively.

3 The way we control our design basis and our  
4 documentation, to make sure that the parts of the plant  
5 that will remain functional are, in fact, in accordance  
6 with the documents that we all use on a daily basis, and  
7 that the NRC uses to provide oversight of us.

8 So we shut the plant down, but as we move  
9 forward, we have to make sure that all these issues that  
10 have concerned us over the last few months as we've had  
11 these operational events are, in fact, taken care of.

12 I want to talk about our commitments to the  
13 public, to ourselves, to the NRC, regarding our key  
14 priorities for moving forward. Certainly, safety has to  
15 be at the very top of that list. We are, even though we  
16 are a non-operating facility in terms of producing  
17 electricity, we are still a nuclear facility, and we will  
18 have spent fuel, on-site obviously for many years to come.

19 Now, when we have a shutdown facility with  
20 fuel in the fuel pool, the operational risks are,  
21 obviously, much decreased, but there are still important  
22 safety issues that have to demand our continuous attention  
23 on a daily basis.

24 And we recognize that, and safety will come  
25 first, in all our planning and design and engineering,

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1 before we move into the decommissioning process.

2           Also, in the area of resources, our commitment  
3 is to provide all the necessary resources to do the job  
4 without any compromises. We will be doing, in 1997, a  
5 research, visiting other facilities. We have already  
6 visited some of the 70 some odd facilities in this country  
7 that have gone through different stages of decommissioning  
8 to come up with the best decision as to how to move  
9 forward in decommissioning and how to do it carefully.

10           We will not hesitate to bring in experts when  
11 we need them. We've already done some of that, and we  
12 will do a great deal more of it. People from other  
13 utilities who have gone through this, and from other  
14 organizations that have been involved in the  
15 decommissioning of plants. And there certainly is a  
16 growing industry of people and expanding knowledge in the  
17 area of decommissioning, which we will tap, and take  
18 advantage of.

19           We are going to staff the CY, Connecticut  
20 Yankee organization with the right number of people, with  
21 the right talents, to deal with the decommissioning  
22 challenges. And they are different talents, somewhat  
23 similar, but certainly the emphasis changes when you are  
24 in a decommissioned kind of situation.

25           Also, I just want you to be aware, because

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1 many of the people that work at the plant are your  
2 neighbors, they live in this community. We are working  
3 very hard to make sure that as we transition from an  
4 operating facility that employed directly at the plant  
5 about 360, 370 people, and as that -- as we de-staff in  
6 certain areas, that we are working very hard to make sure  
7 that those people are able to continue their nuclear  
8 careers, or continue in other careers as they wish to.

9 We are taking some of the key talented people  
10 and using them in our Millstone facility, where obviously  
11 we have great needs at this moment. We also run a  
12 facility that I'm responsible for up at Seabrook in New  
13 Hampshire.

14 And we have, just recently, starting I believe  
15 Monday of this week, taking some 12 people from the plant  
16 and brought them up to Seabrook to work up at Seabrook.

17 So it is important to us, because certainly we  
18 have been criticized, and I think criticized is true, that  
19 sometimes we have not always taken care of our people  
20 properly, in the past. We want to change that, we want to  
21 continue the Connecticut Yankee tradition of making sure  
22 that our people are cared for, and that they can continue  
23 to contribute as they wish.

24 So we are working hard to be able to do that.  
25 At the same time, retaining the necessary talent at the

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1 plant, that we will need, and we will certainly need to  
2 retain the operational history, the history of the  
3 organization, as we move forward in the decommissioning  
4 process.

5 Certainly, in the area of compliance with the  
6 rules, we recognize that we have relinquished the right to  
7 operate the plant. We have certified to the NRC that we  
8 will no longer operate the plant, but we still have many  
9 regulatory requirements that still exist. Whether those  
10 are in security, for example, or emergency preparedness in  
11 the ten mile zone around the plant.

12 Certainly we have quality oversight  
13 requirements, surveillance requirements of key components  
14 that remain functional, and will remain functional for  
15 many years to come.

16 These requirements remain in force. And we  
17 intend to provide strict compliance with procedures and  
18 NRC rules, and that will be a cornerstone of our  
19 operations going forward.

20 Another major commitment we have is to a  
21 public dialogue. We are going to listen to our neighbors,  
22 and hear what you have to say on a continuous basis, and  
23 we will not finalize our plans for decommissioning until  
24 we feel that we've heard from the public and we understand  
25 your concerns, and those have been addressed, and factored

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1 into our plans.

2 We are helping to create a community  
3 decommissioning advisory committee, which will hopefully  
4 represent a broad spectrum of people in Haddam and Haddam  
5 Neck area, and we hope to be able to start getting that  
6 committee off to a series of meetings beginning in the  
7 March time frame.

8 And that March time frame will certainly be  
9 well in advance of any active or major decommissioning  
10 work that we are planning at Connecticut Yankee. So there  
11 will be many months of this committee, which will have a  
12 lot of tentacles out into the various towns, and key  
13 constituencies into the community, to be able to feed back  
14 to us your concerns, that we can work into our plan.

15 We have had a very active Connecticut Yankee  
16 information function that has been staffed by Tony  
17 Nericcio and a number of people who have done a good job  
18 of keeping people in the community informed of issues and  
19 events going on at Connecticut Yankee.

20 We are going to continue to keep that function  
21 staffed. Our practice of giving tours of the plant will  
22 continue, and we invite anybody in this room, or anybody  
23 else that has an interest, to come by and see what is  
24 going on at Connecticut Yankee.

25 We will be holding our own, in addition to the

1 advisory committee, citizen's advisor committee, holding  
2 meetings ourselves, when we have important information,  
3 and we have reached certain milestones in the  
4 decommissioning planning process.

5 We will hold meetings in public places to  
6 inform you of the directions we are going in, and seek  
7 your input where we feel that it deserves to be heard.

8 So public dialogue is definitely one of our  
9 cornerstone commitments going forward in the years ahead.  
10 We want your input. I can't stress that enough. That is  
11 why we are here tonight, and we will have additional  
12 forums and opportunities. Give us a call, you know, we  
13 can't always have a meeting every week, but if you hear  
14 something, or you read something that disturbs you, or you  
15 just want to ask a question, please give us a call, at the  
16 plant, and we promise to get back to you with a prompt  
17 response.

18 At this point, I'm going to ask Jere LaPlatney  
19 to come up, the unit director, and talk a good deal more  
20 about specific activities in 1997, and what we are going  
21 to be doing in the process.

22 MR. LAPLATNEY: I am Jere LaPlatney, the unit  
23 director. My name is not as simple as Ted's, so I'll  
24 spell it. L-A-P-L-A-T-N-E-Y. That is to get even for the  
25 prematurely grey comment.

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1 I guess I want to tell you a little bit about  
2 me, first, before I get started. I'm a member of this  
3 community. I've lived in the area for 20 years, and that  
4 is a newcomer by my family standards. My wife has lived  
5 here her whole life. Her family has lived here their  
6 whole lives, their grandparents lived here their whole  
7 lives. So it is pretty important that I be standing here  
8 in front of my community and talk about these subjects.

9 I'm going to give you an overview of the  
10 activities that will go on at Connecticut Yankee in 1997.  
11 I would characterize these as the big picture look. There  
12 are no details here. We didn't plan shutting the plant  
13 down, so we haven't filled them all in.

14 In 1996, as Ted mentioned, we had a series of  
15 performance issues, specifically two contaminations of a  
16 couple of individuals, and a nitrogen intrusion in the  
17 reactor vessel at Connecticut Yankee.

18 These were both very disturbing events. They  
19 were, I would characterize it as well outside the norms of  
20 our performance in the past, and they were quite gut  
21 wrenching.

22 In public forums we have told you that we feel  
23 that significant corrective actions had to be taken. We  
24 have identified those corrective actions, and they are in  
25 our programs and processes, and will be implemented in

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1 1997.

2 Those processes will really carry through, at  
3 least until the summer, so this is not a quick fix, you  
4 know, put a band-aid on it and get on with  
5 decommissioning. These are fundamental changes in the way  
6 we are doing business. It is going to take some time.

7 So the first thing we are going to do in 1997  
8 is to correct the performance deficiencies that we  
9 identified at the end of 1996.

10 The second item, and it is these items, some  
11 of them are going in parallel, this is one of them, is  
12 that we need to staff this organization for  
13 decommissioning. The decommissioning needs of a plant are  
14 not as large as an operating plant. This is well  
15 documented, across other plants that have gone through  
16 this process.

17 We have identified our needs, and we have  
18 identified, basically, two phases of our needs. In 1997  
19 we maintained a full 10CFR50 in regulatory parlance,  
20 operating license, even though we have given up the right  
21 to operate the reactor, we have to maintain compliance  
22 with those regulations.

23 In order to do that, we've identified a  
24 staffing size, which has been in the newspapers. It is  
25 approximately 177 permanent folks, plus additional

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1 contractor support.

2 By the end of the year, we expect to be able  
3 to drop that number down to about, in the range of 100, I  
4 think 107 is the number I've seen in the newspapers, which  
5 is pretty accurate. And that will carry on for a  
6 considerable amount of time in the decommissioning.

7 Taking an organization from 322 people to 177,  
8 to 107, is a very emotional event. These people, a lot of  
9 them have been working there as long as I've lived in  
10 Connecticut, and their lives and their souls, and a lot of  
11 what they've been in the last 28 years, is about this  
12 plant.

13 Managing that process is delicate. This  
14 company is going out of its way to try to place every  
15 employee in a place of meaningful employment. And that,  
16 quite honestly, is a big focal item for us. That is the  
17 second big thing that we are looking at this year, is  
18 managing the transition to a decommissioning organization.

19 The third thing is very technocratic. I  
20 mentioned our license, that we still have it in effect.  
21 Through the licensing processes provided by the NRC, we  
22 will make submittals, and we will change our license to  
23 reflect the fact that the fuel is no longer in the  
24 reactor, it is now in the spent fuel building.

25 Specifically, things like the emergency plan,

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1 the security plan, and our technical specifications can be  
2 revised to eliminate requirements that simply no longer  
3 exist.

4 We have a technical specification, for  
5 example, on how quickly the reactor has to trip. That is  
6 no longer applicable to this unit. Items like that will  
7 be removed from our current requirements, and only those  
8 items which apply to a de-fueled reactor will remain.

9 Next slide, please.

10 I think of importance to this audience is also  
11 an activity, a key activity in 1997, will be the  
12 development of the post-shutdown decommissioning  
13 activities report. I still haven't memorized the term  
14 yet, because like Ted said, we weren't planning on  
15 shutting this unit down.

16 This is the plan. It is a document -- summary  
17 level document on the order of eight to ten pages. It  
18 will have how we plan to tear this plant apart, in  
19 accordance with regulations.

20 We will spend the better part of 1997 putting  
21 this plan together. Right now, our optimistic schedule  
22 shows this being completed around the end of the summer  
23 time frame, but that will require reviews and everything  
24 else, so understand, this is not something that is going  
25 to come out in the next month or so.

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1           We are going to fix the problems from 1996, we  
2 are going to staff the organization and take care of those  
3 issues, then we will get to work on the plan.

4           When the plan has been submitted, we can  
5 actually -- we can begin planning the actual  
6 decommissioning work. If you want to think of it this  
7 way, we submit a plan to the NRC, and I'll discuss the  
8 process in a minute. Pending their approval, we can go  
9 off and start figuring out the nuts and bolts, where do  
10 you make the cut, how do you remove the component, the  
11 detailed planning can begin.

12           Those are activities that may occur in 1997,  
13 so I put them up here for completeness.

14           Last point I wanted to make is, the regulation  
15 says, that we cannot begin any major decommissioning work  
16 until the PSDAR has been filed with the NRC, and 90 days  
17 have elapsed to allow time for public comment.

18           As Ted has already announced, we intend not to  
19 live just to the letter of that, we are going to go to the  
20 spirit, and we intend to involve the public in the  
21 development of the plan.

22           The citizen's committee, I see is a key  
23 resource to helping us identify those issues that the  
24 community is worried about, and we intend to provide good  
25 responses.

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1 But, again, we cannot do any major  
2 decommissioning work until 90 days after the plan has been  
3 submitted.

4 So, what I'm telling you is, if you look  
5 across the river, or if you happen to be on the Haddam  
6 Neck side as you come down the road, the physical plant  
7 will appear the same for the next year. We will not cut  
8 out steam generators, we will not be cutting out reactor  
9 vessels, it will stay the same.

10 The intent of the regulation is to plan your  
11 decommissioning, submit it to the NRC, get approval, and  
12 then next fit your plan. That is exactly what we plan on  
13 doing at Connecticut Yankee.

14 Connecticut Yankee, when we make decisions, we  
15 run through a series of decision gates, and so any  
16 decision that we make, we have to pass that series of  
17 gates. The top gate, the gate that you have to pass first  
18 is safety.

19 So when we look at -- when we make decisions  
20 for decommissioning, or any decision during the day, we  
21 look at our priorities. Our priorities are safety first.  
22 In this case, we always used to say, nuclear safety, I  
23 think we are going to change our thinking here, it is fuel  
24 storage safety now. That really is the majority of our  
25 nuclear safety.

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1 Radiological safety is going to gain  
2 importance. At Connecticut Yankee we have a lot of  
3 seasoned radiation workers, and notwithstanding the event  
4 of this fall, these people have done this work for a long  
5 time, and they are experienced.

6 In the decommissioning mode there will be  
7 people who aren't as experienced, taking on tasks that are  
8 more challenging, radiologically. We need to make sure  
9 that we keep radiological safety high on the scope.

10 Environmental safety is another important  
11 aspect at Connecticut Yankee. We have a good  
12 environmental record, we do report everything as required  
13 by the regulations, and we manage the very lowest level  
14 indicators, what is called exceedences.

15 As we go through the decommissioning, there is  
16 a potential use of chemicals, there is potentials where we  
17 have to address the environmental impact of our  
18 activities. Most activities have been evaluated, but some  
19 may not have, and they have to be looked at.

20 And so environmental safety, I think will be  
21 coming up, higher on our radar scope than maybe it has  
22 been in the past, because of the nature of the new work.

23 And, finally, industrial safety. This has  
24 been around for a long time. Our industrial safety record  
25 is excellent. We've completed -- I see some employees, it

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1 is over 400 days now without a lost time accident.

2 Our industrial safety record, I notice  
3 reportables is an order below the construction industry.  
4 We intend to maintain that kind of focus on industrial  
5 safety. Industrial safety is -- the benefits of  
6 industrial safety, there is a number of them.

7 First of all, is that you return your  
8 employees to their families the same way they gave them in  
9 the morning. That is the most important. Industrial  
10 safety attitude also shows an overall attitude. If a  
11 person is focusing on safety, and they safely perform  
12 their job, that is a good indicator as to how they do  
13 their job, overall.

14 And, finally, safety -- doing his job safely,  
15 usually means you are doing it right. So it is a good  
16 thing to focus on, it has a lot of benefits, and we've  
17 kept that high on the screen for many years, and we have  
18 good results, to date.

19 The second major item is quality. Do it right  
20 the first time. In the nuclear field, if you do not do  
21 something properly the first time, you will always get the  
22 opportunity to do it, and do it until you get it right.  
23 So there is no benefit in trying to cut corners in a  
24 nuclear power plant.

25 Our focus is do it safe, do it right the first

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1 time. And finally, the actual performance of the job.

2 And just so you know the difference -- go back  
3 to that slide for a second, please.

4 The only thing different from the first time I  
5 delivered this talk to my first set of shift managers in  
6 1990, was the fact that I've added the emphasis on fuel  
7 storage and environmental. The rest of this hasn't  
8 changed, at least for me, for the last six, seven years.

9 I'm going to change topics, here, for a  
10 second. I'd just like to spend a couple of minutes  
11 talking about the nuts and bolts of decommissioning  
12 options. So this is a small primer on regulation.

13 There are three options in the regulation for  
14 the decommissioning. Prompt dismantlement is DECON. That  
15 is, essentially, filing a plan with the NRC and the plan  
16 says, we intend to decontaminate and disassemble the  
17 plant, and remove all radioactivity from the site. And do  
18 it, essentially, starting whenever our plan is approved.

19 The second one is SAFSTOR, that one says that  
20 you can store the plant up to an overall period of 60  
21 years, and at some point in the 60 year period, you begin  
22 the dismantlement of the first option, but you can just  
23 safely store the plant for the interim period.

24 And the final is ENTOMB, and that is where you  
25 do some engineering items to put concrete and entomb

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1 certain portions, but within the 60 year period, you still  
2 have to go back and tear it apart and have it dismantled  
3 and, you know, you have to have DECON done at the end of  
4 the 60 years.

5           The point I'm making here is they will all end  
6 up at the DECON. The question is, the durations that you  
7 wait, and how you configure the plant, while you wait to  
8 get to the ultimate dismantlement.

9           The final stage for any nuclear facility is,  
10 you remove the radioactivity from the site.

11           At Connecticut Yankee, our options will be  
12 evaluated. We have filed with FERC a cost estimate for  
13 decommissioning that is required. The current cost  
14 estimate is based on the DECON option.

15           That does not mean we have selected the DECON  
16 option. That means that the current cost estimate is  
17 based on the DECON option.

18           When we file our PSDAR, we will in fact have  
19 the final decision in that document.

20           And the final point I want to make is that  
21 we've had a lot of questions from the public, and I'm  
22 trying to answer some of the questions I anticipated in  
23 this slide, about the future use of the facility.

24           Currently, there is no planned use for the  
25 facility. It is considered to be a -- basically a

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1 liability that we have to dispose of, at this point.

2 That could change at some point, but right now  
3 there are no plans for the facility. There have been  
4 questions about re-powering, etcetera. That is not in the  
5 cards, currently, at Connecticut Yankee.

6 I got a little bit choked up when I was  
7 talking about my family. But I really want to reiterate  
8 that, you know, Gary has been here at Connecticut Yankee  
9 for 25 years, and he is a life-long resident of  
10 Connecticut.

11 I'm a member of this community, my daughter  
12 just played sports yesterday in the gymnasium, in the  
13 shot-put by the way. And, you know, we are here to make  
14 sure that this job gets done right. We live in the EPZ,  
15 we are part of this community, and we are going to make  
16 sure this job gets done right.

17 And that is the end of our presentation,  
18 Marge.

19 MS. DEBOLD: Next we had planned a short  
20 period so that you might ask questions related to what the  
21 two presenters have just given you. If there is anyone  
22 who would like to ask a question, if you would just raise  
23 your hand or step to the mike.

24 Is there anyone at this point who would like  
25 to ask -- go right ahead.

1 MR. BLOCK: Yes. My name is John Block, and  
2 I'm the attorney for the Citizens Awareness Network of  
3 both Massachusetts and Connecticut, as well as Friends of  
4 the Coast, and Nuclear Information Resource Service.

5 My question is this. A point was made that no  
6 major decommissioning work will be done until the PSDAR  
7 has been submitted and approved.

8 I was wondering if you could describe what  
9 activity will take place that you are not considering  
10 major decommissioning work.

11 Also, one technical question. There was a  
12 citation to a FERC filing, and I was wondering if you  
13 could provide the citation, so that somebody could get a  
14 copy of that filing.

15 MR. LAPLATNEY: I'll take the first question,  
16 because that is in my realm, I'm the plant manager.

17 MR. BLOCK: Thank you.

18 MR. LAPLATNEY: What we are going to do here,  
19 for the first -- for the next couple of months, is  
20 maintain the spent fuel pool, and really very little else.  
21 The only activity that would be in excess of that, that I  
22 can foresee in 1997, is the possibility of a full circuit  
23 chemical decontamination of our contaminated primary  
24 systems.

25 We would do that to reduce the subsequent

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1 radiation exposure for the engineering evaluations, the  
2 walk-downs, and all the work on that piping.

3 We are one of the oldest plants in the  
4 country, and we are quite contaminated.

5 Other than that, there are -- I don't want to  
6 say no equipment removals. I mean, if we took out a  
7 circulating pump like you have in your basement, I  
8 wouldn't want to be held to that standard. But we are not  
9 moving any major equipment out of the plant, we are not  
10 going to attempt to take any out of the turbine building,  
11 or the reactor site.

12 There is no work planned, other than a  
13 potential chemical decontamination. The FERC filing, Ted,  
14 I may have to defer to you on the number.

15 MR. FEIGENBAUM: If you would give me  
16 information as to where we can contact you, we will give  
17 you that citation. There may be somebody here in the  
18 audience that might have it, from my staff, I do not carry  
19 that information around with me.

20 But I will get it for you, within the next 24  
21 hours, if you would just give me a phone number.

22 MR. BLOCK: It can even be 48 hours. Thanks.

23 MS. DEBOLD: Is there further questions? Step  
24 right up.

25 MR. SMITH: My name is Peter Smith, and I'm

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1 from Haddam Neck. I'd like to know, now that the  
2 attention is going to be focused more on the spent fuel  
3 area, you talked 20 year storage, somewhere in that area,  
4 but I'm a little -- I don't know, not disbelieving, but I  
5 think it might be there a lot longer.

6 Since attention is going to turn to that,  
7 rather than the chamber and the actual reactor area, I  
8 wondered if they may find a problem with the storage area,  
9 once the concentration -- really looking at that area,  
10 specially seeing as there are faults in the area.

11 Have there been any contingency plans to  
12 store, at least the older fuel, above ground?

13 MR. LAPLATNEY: Okay. I believe I can address  
14 your question. First of all, I think you allude to a  
15 point that at least I would like to drive home. And that  
16 is, we are reviewing the design of the spent fuel  
17 building.

18 If you remember I said, we have corrective  
19 actions to complete from 1996. One of the things that we  
20 found was that the design basis at Connecticut Yankee is  
21 poorly documented.

22 Every system that is required to support spent  
23 fuel pool cooling and maintenance of the fuel in the spent  
24 fuel pool, the design basis is being completely  
25 reconstructed. That is one of the reasons why it is going

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1 to take us some time to submit our PSDAR.

2 The second -- and the fault and the earthquake  
3 proof is part of that design review. So that will get  
4 looked at.

5 You alluded to the length of storage. You  
6 recognize -- I'm sure the public recognizes that is really  
7 a DOE issue, they need to take possession of the fuel.  
8 I'm not going to comment on, you know, they have an  
9 obligation, they need to deal with that, and it is our  
10 obligation to safely store the fuel until such time as  
11 they do that.

12 You also alluded to a thing called dry storage  
13 option. Some utilities have gone that way. There is no  
14 way we would make a decision on that now, but it is a --  
15 it is considered a viable option, in fact, a very good  
16 option that some utilities have pursued.

17 But there is an awful lot of questions that  
18 have to be answered in terms of compatibility of the fuel  
19 storage canister within the shielding, making sure it is  
20 compatible with the over-the-road transporter, so you  
21 don't have to undo work that you've done once.

22 You don't want to handle spent fuel any more  
23 than you have to.

24 MR. SMITH: I have one other question. It has  
25 to do with the canal area. Will that be filled in, at

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1 some point?

2 MR. LAPLATNEY: The current cost estimate,  
3 which I said was the DECON, does not include filling in  
4 the canal. So it assumes that we will leave the canal  
5 essentially as is.

6 MR. SMITH: Thank you.

7 MR. LAPLATNEY: I'd like to throw in one more  
8 thing on that. I wanted to call Rosemary but -- come on  
9 up, Rosemary.

10 I just said, though, that the canal will not  
11 be filled in. That is the current plan. I want to re-  
12 emphasize, until the final plan is approved, anything we  
13 are saying here is preliminary.

14 MS. BASSILAKIS: Rosemary Bassilakis, a  
15 resident of Haddam, and also a member of the Citizens  
16 Awareness Network. Mr. LaPlatney, you are assuring us  
17 that you are going to decommission the reactor safely and  
18 in compliance with NRC regulations.

19 However, I would like to bring up the fact  
20 that you've operated that reactor outside of NRC  
21 requirements for the past 28 years. You have not updated  
22 your final safety analysis report. You've been operating  
23 with an inoperable emergency core cooling system, as well  
24 as containment air recirculation fans, just to mention a  
25 couple of issues.

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1 I would like to know how we can be sure that  
2 you will follow the rules now, when you have a long time  
3 history of not following the rules.

4 MR. LAPLATNEY: Well, Rosemary, I'm glad you  
5 asked that question. I guess I've got to be honest, I  
6 expected you to ask that question this evening. So I  
7 thought about the answer to that, okay?

8 Let me tell you the story of what happened.  
9 You've cited long-time design basis issues at Connecticut  
10 Yankee, which quite frankly did surface in 1996.

11 At the first occurrence of one of those, which  
12 was the CAR fans, which you've pointed out, we could not  
13 prove that the CAR fans could survive a water hammer event  
14 after a large break loss of coolant.

15 You are looking at the person who made the  
16 decision to shut the plant down, based on that question.  
17 So when I became aware of the design basis issue, I shut  
18 the plant down.

19 Additionally, information came to light,  
20 subsequent to that, which the NRC brought to our  
21 attention, I can't take credit for us bringing it out,  
22 that showed there were significant design issues at  
23 Connecticut Yankee.

24 That is when we, the local management, pointed  
25 out, we have to do a complete design basis reconstruction.

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1 It is going to cost this much money, it turned out to be  
2 about 40 million dollars, and I think this number is in  
3 the public record.

4 And that prompted a cost benefit study of the  
5 unit. The cost benefit study says, well, not only does  
6 the 40 million cause you problems, but by the way, you are  
7 not economical, anyway. Which I think this is all off-  
8 hand.

9 So quite honestly, when we found out about it,  
10 and we understood it, we did the right thing. So I'm  
11 going to do the right thing again.

12 MS. BASSILAKIS: If I may just rebut. So what  
13 you are saying is that you didn't know you weren't in  
14 compliance?

15 MR. LAPLATNEY: That is what I'm saying.

16 MS. BASSILAKIS: So what will stop that from  
17 happening again?

18 MR. LAPLATNEY: Well, you know, you want to go  
19 back in history a little bit, I think you have to  
20 understand. Connecticut Yankee was not initially licensed  
21 to be single failure proof. We pre-dated those  
22 regulations.

23 The initial design of the plant only has one  
24 suction line from the containment over to the RHR pumps.  
25 The initial design of the plant only had one spent fuel

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1 cooling pump, and one spent fuel heat exchanger.

2 This plant is not a modern plant. It is a 30  
3 year old design.

4 So, for us, we have had to try to meet the  
5 regulations as best we could, and there is a program  
6 called SEP, which has compared us against the regulation,  
7 and quite frankly, we've done an awful lot of  
8 modifications.

9 I'll point out, to rebut the other way, that  
10 Connecticut Yankee has voluntarily undertaken  
11 modifications since 1987, that have reduced the core melt  
12 frequency by magnitude.

13 That gobbledygook means that we voluntarily,  
14 over the last decade, have made modifications to the plant  
15 that reduced the risk inherent in the plant. The core  
16 melt frequency is our measure of risk, which I know you  
17 are aware of.

18 So I think we are doing the right thing.

19 MR. FEIGENBAUM: A couple of points, here,  
20 regarding oversight of the facility. We are constituting  
21 a new and separate safety oversight board, with specific  
22 individuals from outside the company that have  
23 decommissioning and nuclear power operational experience.

24 We have never had, in the recent past, a  
25 specific Connecticut Yankee focused oversight board, and

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1 we are putting one together, and we hope to have that in  
2 place very shortly, that will have, again, special talents  
3 from people around the country, recognized experts to  
4 watch our performance, to look at our programs and our  
5 procedures, to make sure that we are meeting all  
6 requirements.

7           In addition to that, we have a new quality  
8 oversight manager at the site, and he has brought in  
9 people from another company, completely separate from  
10 Northeast Utilities, to provide the day-to-day  
11 surveillance and auditing and inspection of activities in  
12 the plant.

13           So I feel that this provides an additional  
14 level of assurance, in terms of compliance, to make sure  
15 that we meet the necessary standards, here, going forward.

16           MS. BASSILAKIS: Thank you.

17           MS. DEBOLD: Is there anyone else with a  
18 question? This gentleman right here in the front.

19           MR. REARDON: Jerry Reardon, Newington,  
20 Connecticut.

21           I have two questions for you. In regard to  
22 your statement about long-term liability, long-term  
23 storage of radioactive materials on-site, should Northeast  
24 Nuclear go belly up, are you planning for that  
25 contingency?

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1 LAPLATNEY: Do you want to take that one,  
2 since it is financial?

3 MR. FEIGENBAUM: Well, first of all,  
4 Connecticut Yankee is a jointly owned facility. There are  
5 10 owners of Connecticut Yankee. We are obligated, going  
6 forward, whether it is Northeast Utilities or some  
7 subsequent company, whoever takes ownership of the assets,  
8 is responsible for decommissioning that plant, and taking  
9 it to its full decommissioned state.

10 We have done some cost estimates, as I'm sure  
11 we mentioned earlier, that indicate based on the prompt  
12 dismantlement, that we need approximately 425 million  
13 dollars to complete the job, and that includes the 20  
14 years of storage of the fuel on-site.

15 We have collected, through rates, at least  
16 half of that amount, about 200 million dollars. We have  
17 filed, as the gentleman pointed out, with FERC, to collect  
18 the remaining cost to complete the necessary trust funds  
19 to complete the decommissioning.

20 We have filed with FERC, who will do a review,  
21 and hopefully grant the ability for us to collect those  
22 costs over time. And we expect to be able to do that, and  
23 be able to maintain rates, to the rate payers in the area,  
24 without any effect, because the savings that we are going  
25 to get from shutting Connecticut Yankee, and buying the

1 power elsewhere, at a lower price, will pay for that  
2 difference.

3 So we believe that whether it is Northeast  
4 Utilities or somebody else that takes ownership of assets,  
5 we are all responsible, under the law, to make sure that  
6 this plant is decommissioned safely.

7 MR. REARDON: Question two. Recent newspaper  
8 articles indicated that the NRC will require CY to update  
9 the FSAR before proceeding with decommissioning.

10 Could you elaborate on your plans of updating  
11 the FSAR?

12 MR. LAPLATNEY: Jerry, that is very accurate.  
13 Not only do we have to revise the design basis of the  
14 systems required to support spent fuel operation, but part  
15 of that is we have to update the FSAR.

16 We have to maintain an active FSAR right  
17 through decommissioning, as well as a set of tech specs.  
18 We will have a plan, we will have a security plan. It is  
19 the scope of the documents, the FSAR will be maintained.  
20 It has to be updated and maintained.

21 MR. REARDON: Thank you.

22 MS. DEBOLD: The gentleman right on the aisle,  
23 and then we will follow him by the woman to his right.

24 MR. GUNTNER: Thank you. My name is Paul  
25 Guntner, I'm director of the Reactor Watchdog Project for

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1 Nuclear Information and Resource Service in Washington,  
2 D. C. and I think one of the reasons that we are here,  
3 today, up from Washington, has to do with what we believe  
4 to be a precedent that is likely to be set with the  
5 Connecticut Yankee decommissioning under the new NRC  
6 decommissioning rules.

7 But what I'd like to address, just briefly,  
8 Mr. Feigenbaum's remarks with regard to the fact that the  
9 anticipation of 10 co-owners in Connecticut Yankee  
10 basically pooling their efforts to cover what we see, in  
11 Washington, as an ever escalating cost of decommissioning.

12 I'm sure you are aware that the cost of  
13 decommissioning Yankee Rowe is a moving target right now.  
14 And, already, it is up to nearly 400 million for that much  
15 smaller plant.

16 The concern that I just think that shouldn't  
17 be glossed over, here, is that this whole issue of  
18 decommissioning is occurring at a very unstable time for  
19 this industry, in terms of deregulation of the electricity  
20 market.

21 And at the same time that your 10 co-owners  
22 who are all nuclear power operators, would be seeking to  
23 raise the cost to their consumers. There is going to be  
24 increasing competition, in New England, particularly, with  
25 regard to cheaper, safer, cleaner sources of electricity.

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1           And this is part of the problem that we are  
2 facing, because -- and as the gentleman brought up before  
3 us, the risk is that you will default on an un-  
4 decommissioned plant leaving the whole issue of safety,  
5 environmental quality, basically in limbo.

6           And it shouldn't just be glossed over with  
7 just a casual remark. This gentleman had a very good  
8 question.

9           MR. FEIGENBAUM: Mr. Guntner, I'm not trying  
10 to gloss over the issue. It is an important issue. The  
11 Public Utility Commissions in the various states around  
12 the country, are struggling with this issue of stranded  
13 assets, of which decommissioning is part of that.

14           Certainly, the Federal Energy Regulatory  
15 Commission is well aware of it, as are the utilities in  
16 this nation. It is a responsibility that we have to make  
17 sure that these facilities that provided power all these  
18 years, are safely decommissioned.

19           We understand that, I think the public utility  
20 commissioners around the country understand it. It is  
21 being discussed on agendas on a daily basis.

22           And I believe that it will be worked out,  
23 because it is the responsible thing to do, it is the only  
24 thing that is necessary to do, and the monies that we  
25 collect, I just want you to understand, that the monies

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1 that are collected through rates, are put in trust funds,  
2 where this money is dedicated, it can't be touched by the  
3 utility for any other purpose than for decommissioning.

4 And this is overseen and regulated quite a  
5 bit. So that money is protected, once it is collected,  
6 for the purpose of decommissioning. And, yes, the  
7 industry is going through restructuring, and there is  
8 deregulation and competition coming. It is a very  
9 important issue to us, and I think to all of you in the  
10 community, and this is an issue of stranded investment,  
11 and commitment for service provided in the past, that has  
12 to be dealt with.

13 So it is important, and I'm not glossing over  
14 it, but I do believe that through the process that we have  
15 in the government of -- before we move into deregulation,  
16 that these issues will be fully aired and worked out, and  
17 resolved successfully, so that we can be sure that plants,  
18 like Connecticut Yankee, are decommissioned safely.

19 MS. KATZ: Hi. My name is Debby Katz, I'm  
20 with the Citizen's Awareness Network.

21 I have a couple of questions. I was a little  
22 confused about some of the things that you presented. Not  
23 that you were confusing, but it just raised some issues  
24 with it.

25 You were talking about doing evaluations for

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1 the issues that were out of compliance with the reactor,  
2 where the NRC is mandating that you do that.

3 But I had some confusion. It sounds like you  
4 were possibly only going to do the compliance issues that  
5 would be effective under decommissioning, so that you were  
6 not going to correct all the 50.59 errors that were  
7 happening in the reactor, in total?

8 MR. LAPLATNEY: That is correct.

9 MS. KATZ: Which is correct?

10 MR. LAPLATNEY: I'll try that again. That is  
11 correct. Yes, we will, right now we have to plan the  
12 configuration with a limited number of systems required to  
13 safely protect the fuel.

14 We have deficiency, and I'll give you the most  
15 glaring one. Rosemary mentioned it, okay? We had a  
16 problem with the containment sump suction not being  
17 adequate to provide net positive suction to the RHR pumps  
18 on recirculation.

19 That means that we may not be able to get  
20 enough water from the containment to cool the core after a  
21 large break LOCA accident.

22 There is no longer fuel in the core, we have  
23 certified to the NRC that we will never put fuel in the  
24 core, it is a waste of money, of the citizen's and my  
25 community, to fix that deficiency. There is no reason to

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1 go and fix that deficiency.

2 We should focus our resources on safely  
3 maintaining the fuel in the spent fuel building, and  
4 fixing the things that are a problem.

5 MS. KATZ: Oh, I agree that maintaining the  
6 radiated fuel pool is terribly important. But since  
7 reactor workers are going to be decommissioning the  
8 reactor, just as they were operating the reactor, and they  
9 are going to have to cut it apart, and they are going to  
10 potentially be contaminated in the process, the issue of  
11 knowing how that reactor worked, and knowing what the  
12 blueprint really means, and whether it is accurate, would  
13 seem very important, given the kinds of exposures that  
14 we've seen at Rowe, in a reactor that was one-third the  
15 size.

16 MR. LAPLATNEY: Okay. There were no  
17 deficiencies noted in the structural prints or any prints  
18 that -- or any design features that you would have to have  
19 knowledge in order to safely dismantle it.

20 The deficiencies were noted in the operation,  
21 how does this system work, what is its flow, what is the  
22 operating characteristics.

23 The issues you raised, if there happens to be  
24 one out there, we will certainly deal with it, but we are  
25 being conservative, and we are including more things

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1 rather than less in the things that we are dealing with.

2 But something which clearly no longer applies,  
3 is a waste of resources, and that is not appropriate.

4 MR. FEIGENBAUM: Just to complete our answer  
5 on that, though. Jere talked about specific systems that  
6 we may be dismantling them, and it doesn't make sense to  
7 spend a lot of time and effort and money to update  
8 drawings and specifications.

9 But there are some generic programmatic  
10 issues, such as our radiological control program, which we  
11 will fix generically across the board. Corrective action,  
12 that is when we find a problem, how it gets fixed and  
13 implemented throughout our processes.

14 Those kind of generic issues will get  
15 addressed, everywhere, across the board.

16 MS. KATZ: You see, from the Rowe experience,  
17 there were major problems, potentially, with the reactor  
18 vessel. When that reactor shut down, those problems  
19 disappeared. And, as of yet, what has happened with the  
20 Rowe reactor, has not fully been understood, even though  
21 it could be very helpful, to the industry, in terms of  
22 understanding embrittlement of reactor vessels.

23 We are concerned that the problems that may  
24 have come up at Connecticut Yankee, will in fact be  
25 buried, as the problems in Rowe were buried.

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1 But I want to ask you about what maintenance  
2 operations will be -- this is my last question.

3 MS. DEBOLD: Well, the time -- if you will  
4 make it quick.

5 MS. KATZ: It will be a very quick question,  
6 it may be a longer answer, I can't guarantee that.

7 I wanted to know what maintenance operations  
8 would be taking place during 1997, on the reactor, by  
9 reactor workers.

10 MR. LAPLATNEY: The only activities that will  
11 occur on the reactor vessel, as I see it now, is we may  
12 take a radiation survey of the internals of the reactor  
13 vessel, in order to make the calculations to safely ship  
14 it.

15 So a radiological survey that would be  
16 performed under water. The people are on top of the  
17 water, the shielding protects them from the vessel, so I  
18 would characterize it as very low risk, compared to some  
19 activities, such as assembling and disassembling the  
20 reactor.

21 MS. KATZ: So there is no other maintenance  
22 work going on?

23 MR. LAPLATNEY: We do not need to maintain a  
24 reactor that is no longer going to be used, so we will not  
25 waste exposure time or money on that.

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1 MS. DEBOLD: I did say that I would call on  
2 one other person at this section, so I will call you to  
3 the microphone, then we will judge whether we move on to  
4 the second part of the program.

5 MR. FARBER: Doug Farber of Middletown,  
6 Connecticut.

7 In the event that less than rational minds  
8 prevail in the method of decommissioning chosen is prompt  
9 dismantlement -- this is a multi-part question. What is  
10 the anticipated mode of transporting contaminated  
11 materials and components from the site.

12 And will the public be made aware prior to  
13 transportation, as well as the route being taken? And  
14 finally, what safeguards will be taken against, you know,  
15 not that I want to sound paranoid, but vandalism and/or  
16 terrorism.

17 MR. FEIGENBAUM: We have made no decisions as  
18 far as method of transportation, yet. And I think this is  
19 the kind of issue, because it is an important issue,  
20 about, you know, barges or trucks going through the  
21 community, and what is the best way to do that with the  
22 least risk and the least environmental impact.

23 This is the kind of an issue that we would  
24 expect the citizens, community advisory committee to help  
25 us with, to air before we move forward, to talk about the

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1 way we are going to transport these major components, the  
2 way it is going to go through the town, and get feedback  
3 from the community about their feelings about that, and  
4 how we should look at other options.

5 So I would say that we made no decisions in  
6 that regard. We will get input from the community before  
7 we go forward and make any decisions in that regard.

8 MS. DEBOLD: I'd like to move on to the NRC  
9 part of this, just to try to keep to our time schedule.  
10 Save your questions. At the end, I'm sure, the people  
11 from Northeast Utilities will be happy to answer them.

12 I've been a little flexible. Hopefully, some  
13 of the questions that you asked at this point will not  
14 have to be asked again later.

15 At this point, I would very much like to ask -  
16 - I've got to look at my -- Mike Masnik, from the NRC.

17 DR. MASNIK: Good evening. My name is Mike  
18 Masnik, I'm the section chief of the decommissioning  
19 section of the U.S. Nuclear Regulatory Commission. I work  
20 in Rockville, Maryland, at NRC headquarters.

21 I hope that most of you have gotten a copy of  
22 a handout of my slides. Unfortunately, I didn't expect  
23 quite so many folks tonight, and I did not provide enough  
24 copies. However, it will be bound in the transcript.

25 Also, what we will do is we will put several

1 sheets of paper up on the table there, and if you would  
2 like a copy of the slides, you just leave your name and  
3 address and we will mail them to you.

4 I have a number of other people here with  
5 me tonight, and I would like to take a few minutes to  
6 introduce them.

7 Steve Dembek, also from NRC headquarters, is  
8 the immediate task project management for the Haddam Neck  
9 plant. Mr. Mort Fairtile, who is the current  
10 decommissioning project manager for Haddam Neck. Mort is  
11 an important person in the decommissioning of the plant.  
12 He is the principal point of contact for the NRC.

13 Your second slide has all the pertinent  
14 information for contacting Mort, if you have any questions  
15 about the plant.

16 Also with me, today, is William J. Raymond,  
17 who is the Senior Resident Inspector stationed full-time  
18 at Haddam Neck. Mr. Raymond's immediate supervisor, John  
19 Rogge, and his branch chief, John White, from our regional  
20 office in King of Prussia, Pennsylvania, is also with us.

21 Also Mr. Dave Matthews, the Deputy Director of  
22 the Division of Reactor Program Management. One of our  
23 senior managers out of Rockville Maryland.

24 And Mr. Gene Holler, an attorney from the NRC  
25 headquarters, with the Office of General Counsel. Gene is

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1 an expert on the legal aspects of decommissioning, and has  
2 been an attorney on several recent shutdown reactors.

3 Also with the NRC is Diane Screnci, also from  
4 King of Prussia, and she works in the NRC Office of Public  
5 Affairs.

6 And finally, I have also brought along Ms.  
7 Etoy Hylton, from our branch, who is our licensing  
8 assistant.

9 As you can see, we've brought a lot of folks,  
10 here, tonight, primarily to be sure that we have the right  
11 people here to answer your questions, but also to listen  
12 first-hand to your concerns about the transition of Haddam  
13 Neck from an operating plant to a decommissioning plant.

14 The purpose of today's public meeting is to  
15 provide you with a little background on decommissioning of  
16 nuclear power facilities, and to share with you the NRC's  
17 experiences in our role of oversight of decommissioning of  
18 power reactors. And, finally, to explain the Commission's  
19 new regulations on decommissioning.

20 I first want to talk a little about  
21 decommissioning of power reactors. There are definite  
22 stages in the life of a nuclear power plant. There is the  
23 planning, the construction, the licensing, the operation,  
24 and finally decommissioning.

25 Decommissioning is the last phase in the life

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1 of a nuclear facility, and its purpose is to remove the  
2 facility safely from service, and reduce the residual  
3 radioactivity of the facility, and the site, to a level  
4 that permits the release of the site, and termination of  
5 the NRC license.

6 Now, this definition is important as to what  
7 it says, and what it does not say. The focus of the NRC  
8 is limited, solely, to the removal of the radiological  
9 hazards resulting from operation of the facility.

10 The fact that the licensee may choose to spend  
11 additional funds to remove buildings from the facility, is  
12 of interest to us, only if the material that is being  
13 disposed of is radioactive.

14 Now, once the residual levels of radioactive  
15 materials are reduced to below certain criteria, either by  
16 decontamination, or disposal off-site, then the NRC  
17 license for the facility and site can be terminated.

18 Before the license is terminated, the licensee  
19 has to perform an extensive, final survey that proves to  
20 the NRC that the site is clean enough to terminate the  
21 license.

22 The NRC may do a confirmatory survey to be  
23 certain that the site is clean enough. Once the license  
24 is terminated, the NRC no longer has any regulatory  
25 oversight over the facility or site.

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1           This is the ultimate goal with  
2 decommissioning, the termination of the license.

3           Now, there is one other key phrase in the  
4 definition of decommissioning, and that is removing the  
5 facility safely from service. Once the facility  
6 permanently ceases power operation, there are a number of  
7 systems that still are required to protect public health  
8 and safety.

9           They relate, principally, to the safe storage  
10 of irradiated spent fuel. The spent fuel pool and its  
11 associated systems are the principal structure systems or  
12 components that must be maintained operational.

13           Licensee activities that result in disposal of  
14 contaminated and activated materials must also be  
15 conducted in such a way as to safeguard public health and  
16 safety, and to protect the environment.

17           Now, you may have noticed that I have not said  
18 anything about disposal of the spent fuel. The spent fuel  
19 will ultimately be disposed of in a U.S. Department of  
20 Energy high level waste burial site.

21           Today, however, the U.S. Department of Energy  
22 does not have an approved burial site for disposal of the  
23 spent fuel. Therefore, the fuel will remain on the site  
24 until a decision is made as to its disposal.

25           Initially, when the spent fuel is removed from

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1 the reactor, it is both highly radioactive, and it  
2 generates a lot of heat. Over time, the radioisotopes  
3 decay, and the fuel becomes less radioactive, and the  
4 amount of heat generated decreases dramatically.

5           However, even after many years, the radiation  
6 levels of the spent fuel are quite high, and radiation  
7 shielding must be provided.

8           What most licensees are doing, are  
9 constructing on-site storage facilities that store the  
10 fuel in a dry condition, in large casks. These dry  
11 storage facilities are thoroughly reviewed by the NRC  
12 prior to approval.

13           The storage facility is, typically, only a  
14 couple of acres in size, and requires minimal maintenance.  
15 Concrete and steel shielding reduces the radiation to very  
16 low levels, and the storage containers are constructed so  
17 that there is no leakage of radioisotopes to the  
18 environment.

19           So to summarize, decommissioning is the  
20 removal of the facility from service, reducing the levels  
21 of radioactivity of the facility and site, the levels that  
22 will ultimately result in termination of the license.

23           NRC oversight activities relate directly to  
24 the continued safe storage of the irradiated fuel, and the  
25 proper decontamination and dismantlement of the facility.

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1           Now that I've provided you with some  
2 background on the concept of decommissioning, I'd like to  
3 talk a little about your experience with the actual  
4 decommissioning of other power reactors in the United  
5 States.

6           We've had 15 nuclear power reactors  
7 permanently cease operation, and begin decommissioning  
8 since the early 1960's. These plants, their location and  
9 status, are given on the next slide.

10           I realize that it is difficult, for those of  
11 you in the back, to read it. And, again, if you do not  
12 have a copy of the slides and you would like one,  
13 immediately after the presentation you can sign up for  
14 one.

15           As you can see, we've had a fair amount of  
16 experience in the area of decommissioning oversight. A  
17 number of plants are in long term storage. A number are  
18 actively being decontaminated and dismantled.

19           And one, the Shoreham plant, has actually had  
20 its license terminated. The Fort St. Vrain plant in  
21 Colorado, is also very close to having its license  
22 terminated, as well.

23           You will notice under the column, "status" I  
24 indicate for the most part, that we have facilities that  
25 are either in long term storage, or decontamination and

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1 dismantlement.

2 I would like to talk a little about these two  
3 options. Our regulations allow licensees, after  
4 permanently ceasing operations, to decide if they would  
5 like to begin dismantlement immediately, or if they prefer  
6 to store the facility in a safe, stable condition, for  
7 some period of time, before they begin dismantling.

8 Or they may conduct a partial dismantlement,  
9 followed by a storage period, ending with final  
10 dismantlement. Our regulations say that under normal  
11 circumstances, the licensee has 60 years to completely  
12 decommission the facility.

13 The decision as to store or dismantle  
14 immediately, as I said, is a licensee decision. Some  
15 years ago we performed a generic environmental impact  
16 statement that looked at decommissioning options, and we  
17 determined that as long as the licensee complied with our  
18 regulations, either option, or a combination was  
19 acceptable.

20 One of the principal reasons for arriving at  
21 this conclusion is because the risk to the public health  
22 and safety and the environment associated with licensee  
23 activities at a nuclear power plant undergoing  
24 decommissioning, is significantly less, than those at an  
25 operating facility.

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1           This risk continues to decrease over time, due  
2 to radioactive decay, which reduces both the radiation  
3 levels, and the heat generated by the spent fuel.

4           This reduction in risk, after a period of  
5 time, is so significant, that many of the regulatory  
6 requirements associated with plant operation are no longer  
7 needed.

8           For example, off-site emergency planning in  
9 many of the detailed technical requirements applicable  
10 only to operating plants. These regulatory requirements  
11 are generally reduced gradually, based on a detailed  
12 evaluation by the NRC staff of the risk.

13           Another example of our response to the  
14 reduction in risk is the ultimate elimination of the full  
15 time resident inspector at a site, and the reliance on  
16 inspections conducted by NRC specialists in the field of  
17 decommissioning.

18           Some regulatory requirements are eliminated  
19 immediately when the plant permanently ceases operation.  
20 An example would be the monitoring program for reactor  
21 vessel embrittlement.

22           So to summarize, there have been a number of  
23 power reactors in the United States that are permanently  
24 shut down, and are in the process of decommissioning. The  
25 NRC staff has considerable experience in the oversight of

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1 these activities.

2           There is a gradual reduction in regulatory  
3 requirements on the licensees, as the decommissioning  
4 progresses. And this reduction is based on significant  
5 reduction in risk to the public due to permanent cessation  
6 of power generation operation.

7           I next want to talk a little about the  
8 regulations governing decommissioning.

9           Now, the first comprehensive regulations  
10 dealing with reactor decommissioning were promulgated in  
11 1988. Based on the experience gained over the next seven  
12 years, the Commission extensively revised the regulations  
13 in the summer of 1996.

14           In July of 1996, the NRC published a final  
15 rule making that substantially changed the decommissioning  
16 process. Perhaps the easiest way to explain how the new  
17 decommissioning rule works is by describing the process of  
18 decommissioning from the regulatory perspective, for a  
19 hypothetical nuclear power reactor that is nearing the end  
20 of its normal life.

21           The licensee has decided not to pursue license  
22 renewal, so the reactor is destined to permanently shut  
23 down. The process is summarized in the next slide, and we  
24 will talk a little about each of these steps.

25           Each power reactor licensee will, about five

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1 years prior to the projected end of operations, submit a  
2 preliminary decommissioning cost estimate. The purpose of  
3 this cost estimate is to force the licensee to evaluate  
4 how much money it would need to decommission the facility,  
5 and compare it to how much it has in its decommissioning  
6 trust fund.

7 If the amount of money is inadequate, the  
8 licensee has approximately five years to adjust the amount  
9 of money they have in their decommissioning trust fund.

10 The decommissioning trust fund is a fund that  
11 each licensee is required, by our regulations, to set up  
12 to assure that there is sufficient funds to radiologically  
13 decommission the facility when the time comes.

14 Our regulations require about 350 to 400  
15 million dollars, in today's dollars, for the radiological  
16 decommissioning of an average 1,000 megawatt electric  
17 reactor.

18 Typically these funds cannot be used for  
19 anything other than radiological clean-up of the facility.  
20 Obviously, if a plant shuts down prematurely, as did  
21 Haddam Neck, it cannot submit a preliminary cost estimate.

22 However, they still are required to collect  
23 the funds necessary for decommissioning the facility.  
24 Five years go by, or the licensee decides to prematurely  
25 shut down their reactor, and they cease power generating

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1 operations.

2           The reactor is permanently shut down. The  
3 licensee is required to submit written certification to  
4 the NRC, within 30 days of the decision to permanently  
5 shut down.

6           The date of cessation must be specified. Once  
7 the fuel has permanently been removed from the reactor  
8 vessel, the licensee will submit a second certification to  
9 that effect.

10           Then the licensee will no longer be allowed  
11 operation of the reactor, or allow the movement of fuel  
12 back into the reactor vessel. This eliminates the  
13 requirement to adhere to other certain regulatory  
14 requirements only necessary for power reactors.

15           Once these two certifications have been  
16 received by the NRC, the licensee can begin some limited  
17 decommissioning activities, and can begin reducing its  
18 licensing requirements on the facility.

19           For example, the regulations require certain  
20 minimum staffing requirements in the control room of an  
21 operating reactor. Once the two certifications have been  
22 received, the licensee may apply to amend its license to  
23 reduce the staffing requirements, and revise the  
24 qualifications to certify fuel handlers, based on the  
25 assumption that the licensed power reactor operators are

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1 no longer needed.

2 After receiving the two certifications, the  
3 NRC staff will likely hold a public meeting in the  
4 vicinity of the nuclear site, to discuss the  
5 decommissioning process with interested members of the  
6 public. That is what we are doing tonight.

7 Within two years of permanently ceasing  
8 operations, the licensee must submit a post-shutdown  
9 decommissioning activities report, PSDAR, to the NRC, with  
10 a copy to the affected states.

11 The PSDAR must include a description of the  
12 planned decommissioning activities, along with a schedule  
13 for their accomplishment, an estimate of the expected  
14 costs, and a discussion that provides the reasons for  
15 concluding that the environmental impacts associated with  
16 site-specific decommissioning activities will be bounded  
17 by appropriate, previously issued environmental impact  
18 statements.

19 The NRC shall notice the receipt of the PSDAR  
20 in the Federal Register, and make it available to members  
21 of the public. The NRC staff will hold a public meeting  
22 in the vicinity of the nuclear plant to allow the licensee  
23 to present their plans for decommissioning of the  
24 facility, to describe what the role of the NRC in the  
25 decommissioning of the facility will be, and to listen and

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1 respond to questions from members of the public.

2           The licensee is prohibited from undertaking  
3 any major decommissioning activities until 90 days after  
4 they submit the PSDAR. The purpose of the 90 day period  
5 is to allow sufficient time for the NRC staff to examine  
6 the PSDAR, to publish notification of the receipt in the  
7 Federal Register, to hold public meeting in the vicinity  
8 of the facility to discuss the licensee's plans for  
9 decommissioning, and to conduct any necessary safety  
10 inspections prior to initiation of major decommissioning  
11 activities.

12           Ninety days after the NRC receives the PSDAR,  
13 and after certification of permanent cessation of  
14 operations, and permanent removal of fuel from the reactor  
15 vessel, the licensee could begin to perform major  
16 decommissioning activities, without specific NRC approval,  
17 using a process described in Section 50.59 of the  
18 Commission's regulations.

19           The new rule also imposed some additional  
20 requirements on decommissioning activities by licensees.  
21 The licensee is prohibited from performing any  
22 decommissioning activity that would foreclose the release  
23 of the site for possible unrestricted use, or result in  
24 significant environmental impacts not previously reviewed,  
25 or result in there no longer being reasonable assurance

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1 that adequate funds would be available for  
2 decommissioning.

3           So now the road is clear for the licensee to  
4 begin decommissioning in earnest. The PSDAR may call for  
5 the nuclear reactor to be placed in long term storage. So  
6 systems would be drained, certain electrical systems  
7 deactivated, and the nuclear reactor placed in a safe,  
8 stable condition.

9           Or the PSDAR may call for immediate  
10 dismantlement, in which case the licensee would begin to  
11 take the nuclear reactor apart, and ship the contaminated  
12 material to a burial site.

13           This activity is expected to take several  
14 years. The NRC staff would actively be involved in the  
15 areas of reducing unnecessary regulatory requirements, on-  
16 site inspections, and licensee documentation of the safety  
17 basis of their activities.

18           The NRC staff would continue to have  
19 interactions with the public and the affected states.

20           Two years prior to the planned termination of  
21 the license, the licensee would submit a license  
22 termination plan. The license termination plan would  
23 include a site characterization, identification of  
24 remaining dismantlement activities, plans for site  
25 remediation, detailed plans for the final radiation

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1 survey, a description of the end use of the site if it is  
2 restricted, and an updated site-specific estimate of  
3 remaining decommissioning costs, and a supplement to the  
4 environmental report describing any new information or  
5 significant environmental change associated with the  
6 licensee's proposed termination activities.

7           The NRC staff would, again, notice the receipt  
8 of the licensee termination plan in the Federal Register;  
9 make the plan available for public comments, and offer an  
10 opportunity for a hearing on the plan.

11           The NRC would also hold a public meeting in  
12 the vicinity of the site to allow the licensee to explain  
13 the license termination plan to the public, and to discuss  
14 the remaining NRC activities associated with terminating  
15 the license, and of course, allow the public to ask  
16 questions.

17           The NRC approval of the license termination  
18 plan will be by license amendment, which would authorize  
19 implementation of the license termination plan.

20           The licensee would then continue to clean up  
21 the site, perform the final radiation survey. The NRC  
22 staff would continue to provide oversight during this  
23 process. Next slide.

24           The Commission shall terminate the license if  
25 it determines that the remaining activities have been

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1 performed in accordance with the approved license  
2 termination plan. And that the terminal radiation survey  
3 and associated documentation demonstrates that the  
4 facility and site are suitable for release.

5 Now, the above decommissioning process, from  
6 permanent cessation of operations to license termination,  
7 could take, at a minimum, 3 to 5 years, and at a maximum,  
8 60 years, since the regulations allow for a licensee to  
9 take 60 years.

10 It would likely take, if the licensee pursues  
11 immediate dismantlement, and commits to a reasonable level  
12 of effort comparable with what we've seen at other  
13 facilities to date, approximately ten years, with  
14 approximately 150 to 200 people on-site, using contractors  
15 to do much of the work.

16 I'd like to end with a few specific comments  
17 on Haddam Neck. The licensee has notified the NRC of its  
18 permanent cessation of operations, and permanent removal  
19 of fuel from the reactor in a letter dated December 5th,  
20 1996.

21 They now have two years to submit a PSDAR. As  
22 we've heard tonight, they probably will submit that  
23 sometime this summer, or late this summer.

24 During that time, or during the time between  
25 now and when they submit the PSDAR, they will submit a

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1 number of amendment requests to their license, asking for  
2 elimination of unnecessary regulatory requirements.

3 For example, we would expect the licensee to  
4 submit an amendment request removing from the license  
5 those requirements that deal with operations. Now,  
6 depending on what the licensee plans to do, the licensee  
7 will either begin planning for dismantlement, or place the  
8 plant in a safe stable condition for long-term storage.

9 That concludes my prepared remarks, and I  
10 would like to entertain questions at this time. Yes, in  
11 the front, there?

12 MR. BLANCH: My name is Paul Blanch, from West  
13 Hartford, Connecticut, ex-employee of Northeast Utilities.

14 Again, a lot of mistrust here, between the  
15 public, the NRC and Northeast Utilities, and what we've  
16 heard tonight, really, doesn't further instill that trust.

17 We are calling this a decommissioning plan.  
18 This is a decommissioning meeting. But, as you said  
19 yourself, and out of the rule, it says, the NRC definition  
20 of decommissioning excludes interim storage of spent  
21 reactor fuel.

22 What is actually being accomplished here is a  
23 transition from a power operation license part 50, to the  
24 establishment of a high level waste site.

25 Now, the decommissioning rule does not address

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1 the storage, the safeguards, and so on and so forth, of  
2 the spent fuel. That comes under another regulation that  
3 was designed specifically for the storage of high level  
4 waste and spent fuel, 10CFR72.

5 What the NRC is doing here, with this new  
6 decommissioning rule, is ignoring, and I do mean ignoring,  
7 the requirements for storage of high level waste. We have  
8 specific regulatory requirements, in part 72, that  
9 require, number one, a safety analysis of the dangers of  
10 the spent fuel, such that you can determine whether  
11 emergency planning is or is not required.

12 What I would like to hear, from the NRC, is  
13 that because you are establishing a high level waste site,  
14 here, how can you in good conscience ignore the  
15 requirements of 10CFR72?

16 DR. MASNIK: Well, as you've said, there are  
17 two separate sets of regulations, here, of course. And  
18 nothing in the decommissioning -- the new decommissioning  
19 rule leads me to believe that we are ignoring the other  
20 regulations.

21 The other regulations are still in force. The  
22 licensee can safely store the fuel in the spent fuel pool  
23 for an extended period of time. That is permitted by the  
24 regulations. If they should choose to go to a dry storage  
25 option, they would be required by the regulations to

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1 submit a license application, just like every other  
2 licensee, and that license application would be reviewed,  
3 and if it is determined that the proposal is acceptable,  
4 under the regulations, they would be licensed to maintain  
5 an independent spent fuel storage facility.

6 MR. BLANCH: But, again, part 72 addresses any  
7 type of storage. You are alluding, or trying to convince  
8 the public that it only applies to dry storage. It  
9 applies to any storage of spent fuel.

10 These are the requirements that were  
11 essentially approved by Congress, dictated by Congress,  
12 and now the Nuclear Regulatory Commission is going to  
13 license a high level waste facility here, and not apply  
14 the regulations. This is ludicrous.

15 We have regulations, we have a purpose, and as  
16 a member of the public, I think that we need to impose  
17 those regulations, because that is what we are winding up  
18 with, for probably the next 50 years.

19 MR. MCCORMICK: I would like to know, from the  
20 NRC -- my name is Tom McCormick -- if NU could do anything  
21 that would result in them not being determined to be of a  
22 fit corporate character to receive a license from you, to  
23 decommission this plant.

24 We know they lie in public, consistently,  
25 about safety matters, telling us there is containment

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1 accidents, when clearly the NRC, in one of your studies,  
2 is saying there is at least five pathways out, not even  
3 including going through the steam generator, directly to  
4 the environment.

5           So they lie about that. They lie, lie about  
6 radiatic dangers. They keep telling us safe, safe, safe.  
7 Yet when the International Commission on Radiation  
8 Protection tells us at least 400 people die, per year, per  
9 reactor year, from the mining of the fuel alone, they say  
10 that is safe.

11           We know they lie to the state of Connecticut,  
12 consistently, consistently, consistently, on matters  
13 involving the cost of Millstone III. The plant cost 4  
14 billion dollars, and I followed this very closely, the  
15 best I can remember NU ever saying that plant was going to  
16 cost was something like 2.6 billion dollars.

17           I think that if you are a company, and you are  
18 building a plant at 2.6, and it comes in more like 3.8,  
19 you have a fiscal management problem, perhaps?

20           Do you foresee any circumstance where you  
21 would not allow them a license? They are being  
22 investigated by the Attorney General for criminal  
23 activities regarding polluting the Long Island Sound.

24           We know that there is a strong possibility  
25 that they are going to receive further fines from you, and

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1 possible other criminal indictments from the Attorney  
2 General of the United States, for material false witnesses  
3 regarding the sump screening at Connecticut Yankee.

4 Is there anything they can do, or do they have  
5 carte blanche, sir?

6 DR. MASNIK: They do have a license, and we  
7 are charged, as the NRC, to assure that the licensee  
8 either operates the facility, or in this case, dismantles  
9 the facility in a safe manner.

10 And we will continue our oversight of the  
11 licensee, and obviously there have been some problems that  
12 have been identified in the past, and they are serious,  
13 and we acknowledge that.

14 But we will provide the oversight to assure  
15 that the activities that are planned will be carried out  
16 in a safe manner. I guess --

17 MS. DEBOLD: Would you step up to the mike and  
18 repeat the question, please?

19 MR. MCCORMICK: The questions are, what could  
20 Northeast Utilities do, as a holding company, to prevent  
21 you from granting them a license, in this case? The  
22 senior stock is going down, down, down, they could end up  
23 in bankruptcy court.

24 Do you think they are a stable corporation?  
25 What could prevent it? Just give me a little list, four

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1 or five factors that would prevent, if proven, different  
2 factors of granting them a license to carry forward.

3 DR. MASNIK: Well, first of all, they have a  
4 license, there is no granting --

5 MR. MCCORMICK: But they will need a new  
6 license, they will need a renewal.

7 DR. MASNIK: There is no renewal of the  
8 license planned, here. They are in the process of  
9 terminating the license. I guess, you know, ultimately if  
10 the situation is such that we no longer have any  
11 confidence that the licensee can safely dismantle the  
12 plant, there are provisions, under the Atomic Energy Act,  
13 that the federal government would take over the facility.

14 However, you know, for years I worked on Three  
15 Mile Island, and there was a situation where there was a  
16 tremendous amount of money, there was a possibility of a  
17 default involved. But through the efforts of the  
18 licensee, and our efforts at oversight, that money was  
19 scraped together, and they accomplished what they set out  
20 to do, and that was, basically, place the plant in a safe,  
21 stable condition.

22 So I don't know how else to answer your  
23 question.

24 MR. MCCORMICK: One financial, do you think if  
25 they were financially able to carry forward, you would

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1 remove them from the job of decommissioning and bring in  
2 another agent to do it?

3 DR. MASNIK: I think before we got to that, we  
4 would compel them to provide the money. I mean, it is not  
5 a question of whether or not they choose to, they have to,  
6 okay?

7 If the company no longer exists because it  
8 goes into default, and there aren't sufficient assets to  
9 finish the job, then under the Atomic Energy Act, the  
10 federal government has the authority to step in and take  
11 over the process.

12 But I think that -- I mean, that is so far  
13 down the road, we are nowhere near that point, yet. In  
14 fact, this plant is in reasonably good shape, compared to  
15 other plants that have shut down prematurely.

16 They have a considerable amount of money put  
17 aside. If they choose to place the plant in long term  
18 storage, there is sufficient money there to take it for  
19 quite some time, until other funds become available.

20 Yes, in the back?

21 MR. HYMAN: My name is David Hyman. You said  
22 that the NRC asks that the licensee have 350 to 400  
23 million dollars for a 1,000 watt reactor, is that correct?

24 DR. MASNIK: That is correct.

25 MR. HYMAN: It is my understanding that Yankee

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1 Rowe has spent in excess of 400 million dollars for their  
2 decommissioning, and yet they are a third that size. Have  
3 you considered revising your numbers, perhaps?

4 DR. MASNIK: Well, first of all, they haven't  
5 spent that money.

6 MR. HYMAN: I believe the actual number is  
7 365.

8 DR. MASNIK: Well, they've estimated 425  
9 million dollars.

10 MR. HYMAN: They originally estimated 50, so -  
11 -

12 DR. MASNIK: Yes, I grant you that.

13 MR. HYMAN: But still, they are one-third the  
14 size. I mean, what you are talking about is funds that  
15 would, in fact, cover one-third of the dismantling here.

16 What does the NRC suggest --

17 DR. MASNIK: No, no, no. The number 350 to  
18 400 million dollars is an estimate for 1,000 megawatt  
19 plant, electric. This is --

20 MR. HYMAN: Well, what is the megawatt at  
21 Yankee Rowe?

22 DR. MASNIK: That is roughly one-third of  
23 that.

24 MR. HYMAN: Correct. Therefore, if Yankee  
25 Rowe has spent 360 million, and they are not done, and

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1 they are one-third the size, if you multiply that number  
2 by three, I believe you come up to somewhere a little over  
3 one billion dollars, is that correct?

4 DR. MASNIK: I guess I'm having trouble --

5 MR. HYMAN: Isn't that correct?

6 DR. MASNIK: No, they have not spent anything.

7 MR. HYMAN: It is a free job?

8 DR. MASNIK: No, they have not spent any money  
9 yet. They have not accessed any of the funds that are in  
10 the decommissioning cost fund.

11 MR. HYMAN: How much has Yankee --

12 DR. MASNIK: Oh, Yankee, I'm sorry.

13 MR. HYMAN: Rowe spent to take apart that  
14 reactor, sir? How much?

15 DR. MASNIK: I don't know the answer to that,  
16 at this point.

17 MR. HYMAN: Well, I'll tell you what, if you  
18 could possibly come up with a number at some point, it  
19 would be nice. Let's move on, if you would, because I  
20 know that there are other people that would like to talk  
21 to you.

22 There is a handout over here on the table,  
23 that I was looking at, and there is a quote here from a  
24 Federal District Court Judge, in a case that the Citizen's  
25 Awareness brought with the NRC.

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1                   And the quote goes as follows: "This course  
2 of conduct by the NRC suggests a concerted bureaucratic  
3 effort to thwart the efforts of local citizens to be heard  
4 about an event that vitally affects them and their  
5 children. It calls to mind the activities of Charles  
6 Dickens' fictional Office of Circumlocution in Bleak  
7 House. The prospect that this tax may be used nationally,  
8 as more nuclear plants shut down, and more local citizens  
9 groups express concern about the impact of the process on  
10 their lives is to put it mildly, disquieting."

11                   So this is a federal court judge talking about  
12 you. Now, somebody here, earlier, made reference to the  
13 trust that is trying to be established here.

14                   I was wondering if you could comment on this  
15 quote, and what the NRC is doing to try and regain our  
16 trust.

17                   MR. HOLLER:       If I may, sir, my name is Gene  
18 Holler, and I'm an attorney with the Office of General  
19 Counsel with the NRC.

20                   The court case that you referred to, CAN  
21 versus the NRC, was addressed to the regulations in force  
22 at the time that the Yankee Rowe facility began its  
23 decommissioning. Subsequent to that, the Commission has  
24 published and promulgated the new regulations.

25                   In more detail, for those that are interested,

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1 in the statement of considerations accompanying the new  
2 regulations that talked about, referred to, and that were  
3 published on July 29, 1996.

4 The Commission addressed those matters that  
5 the Court in CAN v US found to be deficient. Primarily  
6 the Court perceived that the Commission had not adequately  
7 provided the reasoning for the NRC's change in  
8 decommissioning.

9 That has been explained, and has been  
10 promulgated with the new rules that are in effect. The  
11 Court also had some problems with decommissioning  
12 activities taking place prior to meeting the appropriate  
13 National Environmental Protection Act reviews.

14 Again, the Commission, in the new rules, has  
15 provided for that. Specifically, a licensee may not  
16 undertake decommissioning activities, as allowed in this  
17 PSDAR, without explaining how they fall within the  
18 environmental impact that had been previously assessed in  
19 the generic environmental impact statement, or the  
20 specific environmental impact statement for the plant in  
21 question.

22 Lastly, the Court also perceived that the  
23 Agency had approved the expenditure of funds for  
24 decommissioning before approval of a decommissioning plan,  
25 and thereby triggering hearing rights, or possibly NEPA

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1 reviews, National Environmental Protection Act reviews.

2 Again, the new regulation sets forth specific  
3 rules, criteria, for the expenditure of those funds, and  
4 those specific NRC approval, therefore, is needed to do  
5 those.

6 In sum, the Commission takes the position that  
7 it has explained the rationale for its revised  
8 decommissioning rules, that the Court in *CAN v U.S.*  
9 despite the colorful language that you cited that the  
10 Court used to emphasize certain points, that they -- the  
11 Commission has addressed those concerns that the Court had  
12 with the 1988 rule, and as it was applied in the *Yankee*  
13 *Rowe* proceedings.

14 And that the Court did not specify any  
15 specific approach that the Commission must take in  
16 promulgating decommissioning rules.

17 MR. HYMAN: Thank you for addressing these  
18 concerns. I was wondering if you could address my  
19 original question. What are you doing to try and regain  
20 any confidence that we might or might not have?

21 MR. HOLLER: Yes, sir. Briefly, the  
22 Commission, in the new rules, has provided for, as Dr.  
23 Masnik has pointed out, first of all, the opportunity for  
24 early public participation in the form of a meeting.

25 MR. HYMAN: Does that include public

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1 disclosure of documents, specs, radiation doses to public,  
2 to the workers? We are talking about operating this  
3 decommissioning in the light of day, are we not?

4 MR. HOLLER: Yes, sir. I think we are sort  
5 of getting into speculation, and if you have a specific  
6 question there?

7 MR. HYMAN: No, that is not speculation. I'm  
8 really quite --

9 MR. HOLLER: So that we don't become  
10 argumentative, let me answer the first part of the  
11 question, first. And your question was, what is the NRC  
12 doing to re-establish trust? To begin with, as Dr. Masnik  
13 has pointed out, the NRC conducts, early on in the  
14 process, the public participation meetings.

15 The licensee submits the PSDAR, it goes onto  
16 the docket, it is publicly available in the local public  
17 document room, as well as copies can be obtained. The  
18 public is invited to comment on it, a public meeting is  
19 held, where it is discussed.

20 So early on in the process, that participation  
21 takes place. More importantly, as the decommissioning  
22 process proceeds, and prior to termination of the license,  
23 which is really the more important step, because that is  
24 the part where the NRC, after the termination of the  
25 license is no longer in the process.

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1           Again, the licensee must submit a termination  
2 plan, which includes specific radiation surveys, a report  
3 on those things that are still required before  
4 decommissioning is finished, an update on the cost and  
5 monies available for decommissioning, and the approval of  
6 that is through a license amendment process.

7           Which, again, provides not only the  
8 opportunity for public participation and comment, but for  
9 the public to request a hearing on the final approval of  
10 the termination plan.

11           So in sum, through the long process, early  
12 involvement with the public, when the licensee first comes  
13 out with its post-shut down decommissioning activities  
14 report, and a continuation of having things available in  
15 the public docket, and finally with an opportunity to  
16 review and comment on the termination plan.

17           MR. HYMAN: I respectfully submit, sir, that  
18 despite the opportunity for hearings, discussions,  
19 etcetera, concerning Yankee Rowe, there was no movement  
20 until court was brought into it.

21           It leads one to believe that your process of  
22 hearings and panels and meetings is merely a lot of hot  
23 air, and that it is not taken very seriously by the NRC.  
24 Thank you.

25           MR. HOLLER: Yes, sir, I take your opinion.

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1 Thank you.

2 MR. MELLOR: Russ Mellor. Just to provide a  
3 point of fact for Dave Hyman. Rowe's cost of  
4 decommissioning, as estimated in its 1995 FERC case was  
5 341 million, and that is on out through the entire  
6 decommissioning. That includes dry storage, it includes  
7 things that the NRC isn't concerned about, such as removal  
8 of buildings.

9 So it is a long process, and that money hasn't  
10 all been spent, nowhere near has it been spent.

11 MR. KATZ: My name is Fred Katz, I live in  
12 Rowe. It is my understanding, and I think you sort of  
13 said it, that the only time for the public to have an  
14 opportunity for a hearing, that is an adjudicatory  
15 Hearing, is after the entire process is complete. Am I  
16 right?

17 DR. MASNIK: No, it is not quite right.  
18 Whenever there is an amendment to the license, there is an  
19 opportunity for a member of the public to request a  
20 hearing. And there will be a number of license  
21 amendments, as this plant proceeds down to  
22 decommissioning.

23 MR. KATZ: I didn't quite understand what you  
24 said. But I'm still laboring under the assumption, or the  
25 understanding that the only time that the public will have

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1 an opportunity for a hearing on decommissioning, is after  
2 decommissioning is complete.

3 DR. MASNIK: Well, the only time that -- the  
4 license termination plan that I spoke of, and that Mr.  
5 Holler also talked about, requires a hearing, an  
6 opportunity for a hearing.

7 But, during that period of time, any change to  
8 the Haddam license, which requires a license amendment,  
9 there is an opportunity for a member of the public to  
10 request a hearing.

11 MR. KATZ: Well, hasn't there been a change in  
12 the license of Yankee Haddam in terms of their shutting  
13 down and going into decommissioning; or is that not a  
14 change?

15 DR. MASNIK: No, that is not a change --

16 MR. KATZ: Is there an opportunity for a  
17 hearing?

18 DR. MASNIK: That is not a change in the  
19 license.

20 MR. KATZ: I see. It is not a change in the  
21 license, but it is a change somewhere?

22 DR. MASNIK: Well, it is a change in the  
23 status of the facility, that is correct.

24 MR. KATZ: Which doesn't require the offering  
25 of an opportunity for a hearing. Now, the opportunity for

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1 a hearing was available under the old rule, was it not?

2 MR. HOLLER: Excuse me, sir. If I understand  
3 your question correctly, the question was, was there an  
4 opportunity for a hearing under the old rule? And the  
5 answer was, yes, and there is an opportunity under the new  
6 rule.

7 The difference is the timing of it. Under the  
8 old rule --

9 MR. KATZ: When the amendment for -- at the  
10 possession of the license, and now the opportunity comes  
11 after the decommissioning is over.

12 Now, is this not a concerted bureaucratic  
13 effort to thwart the ability of citizens to have a voice  
14 in matters that affect them?

15 MR. HOLLER: I would submit to you, sir, not.  
16 I think what Dr. Masnik was trying to explain, and perhaps  
17 this may clarify it; if the licensee were able to go from  
18 an operating plant, and doing those activities that are  
19 authorized by its license to the point of completing all  
20 of its decommissioning activities without the need for any  
21 amendment of its license, a theoretical case if you will,  
22 then they could get to that point which you suggest.

23 However, it is highly unlikely that a licensee  
24 would be able to go from the point of operating a plant,  
25 to conducting all the activities necessary for

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1 decommissioning without the need for some license  
2 amendments, changes to its license.

3 Now, each change to its license presents the  
4 opportunity for notice to the public of that change, and  
5 an opportunity to request a hearing.

6 Ultimately, when the licensee has gone through  
7 the process of just prior to terminating the license, he  
8 still has a license, then the mere fact of presenting its  
9 final plan for termination of the license, itself,  
10 presents the opportunity for another hearing, for the  
11 opportunity to request a hearing.

12 MR. KATZ: So, in other words, Connecticut  
13 Yankee is operating -- or its license is an operating  
14 license right now? Whatever activities are going to take  
15 place will take place under its operating license?

16 MR. HOLLER: Correct. Yes, sir.

17 MR. KATZ: So that will make it possible for  
18 them to use the opportunities that are presented by the  
19 50.59; is that right?

20 MR. HOLLER: What the gentleman is referring  
21 to is 10CFR, the code of Federal Regulation 50.59, which  
22 allows the licensee to engage in other activities, as  
23 described in its FSAR, if it meets certain criteria?

24 MR. KATZ: See, this is very circumlocutious,  
25 you see? Because at Rowe what we experienced was

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1 10CFR50.59 being utilized in a closed reactor, and usually  
2 that regulation is used for operating reactors, which we  
3 found very puzzling.

4 But now you are telling me that since the  
5 license has been changed, they can use it, and it is  
6 perfectly all right.

7 In terms of invoking any trust, what I'm  
8 experiencing right now, is having my head twisted around  
9 in a circumlocutious way. I think that this is an example  
10 of what Judge Ponzer was talking about.

11 MR. HOLLER: All I can say, sir, I take your  
12 point. I think we have probably reached the point of  
13 where we both understand the positions that we've taken,  
14 and I don't know if we will accomplish anything more.

15 MR. KATZ: Well, I understand it perfectly  
16 well, but we will have no opportunity to have a hearing on  
17 the choice of the decommissioning option.

18 MR. HOLLER: That is correct.

19 MR. KATZ: That is correct. Thank you. It  
20 doesn't leave me feeling very trustful.

21 DR. RAYBLATT: Please stay, because I have a  
22 question that involves --

23 MR. HOLLER: Your name, please?

24 DR. RAYBLATT: My name is Dr. Rayblatt, and  
25 I'm from Bridgeport, Connecticut. I received a letter

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1 from Mr. Seymour Weiss, who unfortunately is not here  
2 tonight. And in that letter which is concerned with  
3 information regarding the fraudulent tests on TMI II, that  
4 resulted, finally, in the worst disaster in the history of  
5 generation of nuclear power in the United States.

6 And the reason why I was denied the  
7 information I was seeking, was that there is no health  
8 significance, anymore, since the plant is shut down.

9 My question to you is, since the Haddam Neck  
10 at CY is going to be, or actually is, permanently shut  
11 down, does this mean that any information that otherwise  
12 would have been made available to citizens, would not be  
13 available anymore?

14 DR. MASNIK: In the situation that you've  
15 explained with TMI, I think your request was to require  
16 us, the NRC, to produce that information. And require the  
17 licensee to submit it.

18 And, basically, we came to the conclusion that  
19 since the plant -- could you let go of the mike, please?  
20 If you would let go of the mike please, it is causing  
21 interference in the system. Yes, that is fine.

22 The Agency took the position that they were  
23 not going to compel the licensee to provide that  
24 information. Now, any information that is provided to the  
25 NRC, and any information that is provided by Haddam to the

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1 NRC, or that we require of Haddam, is put in the public  
2 docket.

3 And that public docket is available to  
4 everyone. That information is down at the local public  
5 document room in Middletown. We were there today, and it  
6 is accessible.

7 DR. RAYBLATT: This is not true. Simply, I  
8 have a document which says that the report of the vital  
9 leak rate test of the containment system on TMI II has  
10 never been placed in the public documents room, until  
11 February of 1996, 18 years, or 17 years after the  
12 disaster.

13 The report on structural integrity test, the  
14 test that shows whether the containment can withstand  
15 pressure, is not available even today, has never been  
16 placed, according to response to my FOIA.

17 And Mr. Weiss, he is the person who is  
18 responsible for such things, for violations, severe  
19 violations of Freedom of Information Act.

20 As a matter of fact, today, I filed a petition  
21 to punish Mr. Weiss and the NRR, much more than it was  
22 done by removing Mr. Taylor and other heroes, Russell. We  
23 must change the staff at the NRC.

24 Until people like Weiss and other heroes are  
25 there, we are not sure that things will be done right.

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1 These people are simply puppets of the industry.

2 MR. CLEW: My name is Harvey Clew, C-L-E-W,  
3 from Haddam, I'm a selectman here, which is our version of  
4 the Town Council.

5 Several years down the road Haddam may wish to  
6 make sure of the Connecticut Yankee site to produce tax  
7 revenue, or for residential purposes, or recreation  
8 purposes, or something or other.

9 Forgive me if you've covered this, but have  
10 any decommission -- are any decommission sites now in use  
11 for something other than nuclear power generation, and do  
12 any of these sites contain nuclear fuel, high level  
13 nuclear fuel, or other nuclear waste?

14 DR. MASNIK: We've only -- of course, Shoreham  
15 is the only one that has -- a recent plant that has been  
16 decommissioned. I know that there is some plans at other  
17 facilities, but they haven't come to fruition, yet, to re-  
18 power the sites, using gas and gas turbines.

19 In fact, one of the plants that I work on,  
20 Trojan, is actively pursuing that, and they plan to have  
21 an independent spent fuel storage -- this dry storage  
22 facility, so the fuel would be on-site, and they are  
23 planning to convert the turbine deck into a couple of gas  
24 turbines.

25 So I don't believe that there are any

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1 facilities that have undergone that sort of conversion,  
2 but there are some that are planned. And there is no  
3 reason why that can't occur. I mean, we would have to  
4 look at the safety significance of whatever activity is  
5 planned for there, if we do have one of these dry storage  
6 facilities, there.

7 Of course, if the license is completely  
8 eliminated, and the fuel is shipped off-site to a  
9 permanent repository, then the licensee would be free to  
10 do whatever they want with the site.

11 MR. CLEW: I'm aware of that. My point is  
12 that it may be very difficult to get anyone else to occupy  
13 this site for any other purpose, as long as there is  
14 nuclear fuel there, or any other suspicion that the site  
15 is still contaminated, or dangerous in some way.

16 Now, the Trojan plan, of course, they are very  
17 familiar with radioactivity and so on. But most people  
18 aren't. My point is, won't it be difficult for -- to make  
19 some other use of this site, as long as there is nuclear  
20 fuel there.

21 DR. MASNIK: You may be right, I clearly can't  
22 answer further than what I just said.

23 Yes, Debbie?

24 MS. KATZ: I just wanted to make a clarifying  
25 point, because you keep bringing up the Shoreham reactor

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1 as the one reactor that is decommissioned. That reactor  
2 was only in operation for 100 hours. And so it really  
3 didn't operate for very long, so its decommissioning isn't  
4 quite the same as Connecticut Yankee or Yankee Rowe.

5 I just felt that was clear. And the other  
6 point is that the site will, in fact, remain contaminated.  
7 Reactors are allowed to leak 15 milli-rem a year about  
8 background radiation, at site, according to your own  
9 regulations.

10 DR. MASNIK: The gentleman in the back with  
11 the black shirt.

12 MR. MALONEY: Hi, I'm Tom Maloney, from the  
13 Connecticut River Watershed Council. And I would just  
14 like to re-emphasize a question that was raised by  
15 somebody over here, and maybe follow up on selectman  
16 Clew's point.

17 Did I hear correctly that there will be no  
18 opportunity for a public Hearing to discuss  
19 decommissioning options? Which I think the community here  
20 would be very interested in having that opportunity to  
21 discuss what options the utility might take in the future.

22 MR. HOLLER: Gene Holler, again. Just so we  
23 are clear, there is an opportunity for the public to  
24 comment, both in writing, and there will be a public  
25 meeting similar to this one, once the licensee has

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1 submitted its PSDAR, the post-shut down decommissioning  
2 activities report.

3 If you mean a hearing in the sense of an  
4 adjudicatory hearing, then the regulations do not provide  
5 for an adjudicatory hearing. They do provide, though, for  
6 public comment on what the licensee chooses to put in its  
7 PSDAR.

8 MR. MALONEY: Even in the event that the PSDAR  
9 prescribes something that is a fundamental change in the  
10 existing license?

11 MR. HOLLER: Well now, again, we are getting  
12 into the previous discussion we had. If the licensee were  
13 proposing to do something that is not allowed under its  
14 license, such that it would require a fundamental change,  
15 if that is the background you set up, then what  
16 fundamental change would require a license amendment, and  
17 then there would be an opportunity for a hearing.

18 But, again, we are talking hypotheticals and  
19 it is difficult to do that.

20 MR. MALONEY: Right. But in the event that it  
21 is just a PSDAR there is not a public hearing?

22 MR. HOLLER: That is a correct statement.

23 MR. MALONEY: Okay.

24 MR. HOLLER: And the licensee then is  
25 proposing in its PSDAR to do those things that are allowed

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1 under its current license.

2 MR. FEIGENBAUM: Ted Feigenbaum from Northeast  
3 Utilities. Again, as I said earlier, once we go through  
4 1997 and decide on the options, and research and evaluate  
5 the best methodology, we will come to the public, we will  
6 talk about why we selected the option we did, and we want  
7 to hear your input, we want to get your input.

8 And if you don't feel comfortable at a public  
9 meeting, you can come to my office, we will sit down, we  
10 will go over it in detail, what the issues are, and we'd  
11 like to hear your input.

12 You can mail us information. So I think there  
13 will be plenty of opportunity for the public input, and we  
14 do want to get it, and we do want to receive it, and we do  
15 want to consider it.

16 MS. DEBOLD: I know that your question relates  
17 to this statement, is that correct?

18 ANSWER: Yes, ma'am.

19 MS. DEBOLD: If you want to come to the mike I  
20 will recognize one quick short question, and then, if we  
21 may, in an effort to keep this to the timetable that we  
22 established earlier, I'd like to begin a comment period.

23 The names that are on the list who have signed  
24 up, we will go through them, but I will explain that after  
25 your question gets answered, and hopefully -- thank you.

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1 QUESTION: What we are trying to say, sir, is  
2 that you are making a decision, and then allowing us to  
3 comment on it, or vent.

4 What we are saying is, we would very much like  
5 to be a part of the decision making process. And that is  
6 not allowed, at this point, by you. We are asking for  
7 that to change. You are asking for our support and our  
8 trust.

9 By excluding us from the process, I believe  
10 you are diminishing, greatly, that trust. Thank you.

11 MS. DEBOLD: Thank you for helping us get  
12 through the question and answer period. The next part of  
13 the session is a period of public comment. I had hoped  
14 that we would have time for a break, but I think in the  
15 interest of giving everyone a chance to say what they wish  
16 to, we will continue.

17 If you need to leave, if you would just leave  
18 quietly, and otherwise we will go right ahead.

19 There are two papers that are sign-up sheets  
20 that people have signed up on. Some of you who have  
21 signed up may not wish to speak. There are about 40 names  
22 listed.

23 It was not clearly, and that is my fault,  
24 noted that the two sheets I'm holding are for making a  
25 comment that would be record, and hopefully will be

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1 responded to at a later time, not at this time, by either  
2 the utility or the NRC.

3 So I'll start with the names on the list, and  
4 read them and we will go right in order. If you wish to  
5 be excused or excluded or say pass or whatever, we will  
6 take you off the list if you don't want to speak.

7 I'll give you the first five names, and you  
8 can arrange yourselves in that order. Thomas LaGuardia,  
9 Donald Eggett, Paul Jacobson, Charles -- sorry about that.  
10 Connecticut Department of Environmental Protection, if you  
11 could give us the name yourself.

12 And then I think the fifth one is Nick  
13 Williams. So is Thomas LaGuardia interested in speaking?  
14 Good. Step right up, and after him it will be Donald  
15 Eggett.

16 If you keep it to two minutes, please.

17 MR. LAGUARDIA: Thomas LaGuardia, President of  
18 TLC services. We are in the decommissioning planning and  
19 field services business.

20 The work that has been done in decommissioning  
21 the plants, to date, has been done safely and with public  
22 interest at heart. Public health and safety, as well.

23 The work that goes on during decommissioning  
24 is drastically different than what goes on during  
25 operations. The systems that are used to maintain and

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1 operate a plant in a safe operating condition, are not of  
2 concern in decommissioning.

3 In decommissioning the only concern is, where  
4 is the contamination, and how do we deal with it? And  
5 this has been done safely, repeatedly, at decommissioning  
6 projects dating back from the early 1960's.

7 The planning that is being done now by this  
8 utility, and by the Nuclear Regulatory Commission, and all  
9 of the contractors that work in this industry, is done  
10 with the interest of protecting public health and safety,  
11 and our own workers.

12 I have a stake in this. Every time I bid a  
13 job my house is on the line, to fund and to support the  
14 project. I have an interest in public safety, and the  
15 safety of my workers, and all the co-workers.

16 This is a safe industry. It is the safest  
17 industry in the decommissioning field, because it has been  
18 done with experience based, now, some 30 odd years long.  
19 Thank you.

20 MS. DEBOLD: Thank you. Donald Eggett,  
21 please. Followed by Paul Jacobson.

22 MR. EGGETT: My name is Don Eggett, I'm with  
23 Commonwealth Edison in Chicago. I didn't really plan to  
24 come here, it was just an opportunity to come here because  
25 I was in the neck of the woods, here, at Tom LaGuardia's

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1 office.

2 I just wanted to respond to one of the  
3 questions regarding re-powering or other future  
4 alternative uses that was brought up by one of the  
5 comments.

6 Fort St. Vrain in Colorado has re-powered a  
7 gas turbine unit, 133 megawatts, and they plan to re-power  
8 two additional 133 megawatt gas turbines, on site. They  
9 do have an independent spent fuel storage facility, which  
10 is on site, under the part 50.72 license.

11 I agree that the spent fuel issue is something  
12 we have to deal with. But as you probably know, that is  
13 the Department of Energy's responsibility, today, and we  
14 have to work with them.

15 Thank you.

16 MS. DEBOLD: Thank you. Paul Jacobson? Nick  
17 Williams, please.

18 MR. WILLIAMS: My name is Nick Williams, from  
19 radiological services of New London, Connecticut. I'm a  
20 lifelong Connecticut resident.

21 I'd like to echo Mr. LaGuardia's comments. I  
22 was a radiation protection manager on the Shoreham  
23 decommissioning, which is mentioned with a reactor that  
24 didn't operate very long.

25 However, there were about four million pounds

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1 of radioactive material shipped from that site, and dose  
2 rates of up to 1200 R per hour, so it was fairly  
3 significant. And we had very good cooperation and  
4 reaction from the public, and also we had extensive NRC  
5 involvement, even long after the license was terminated,  
6 we still had follow-up and review, and incredibly thorough  
7 work by the NRC in that project, to the satisfaction of  
8 the general public on Long Island.

9 That is it.

10 MS. DEBOLD: Thank you. Let me give you the  
11 next few names. James McClear, if you would speak next.  
12 Then we have Ted Feng, Ernie Woods, Adam Levin and  
13 William -- looks like -- I'm going to say Fair, but it is  
14 -- but we will get it in a minute.

15 How about Ted Feng, please? Ernie Woods,  
16 please.

17 MR. WOODS: I have a short, prepared  
18 statement. Good evening, my name is Ernest Woods, I've  
19 lived in Haddam for forty years, and I've been an employee  
20 at Haddam Neck for 15.

21 I have spoken to you many times, in the past,  
22 on the techs and economic viability issues, but I'm here  
23 tonight to reassure you that the decommissioning of the  
24 Haddam Neck plant will be performed safely.

25 I have the utmost confidence in the leadership

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1 of Bruce Kanyon, President and CEO of NU nuclear, and the  
2 management of CY.

3 At the Haddam Neck plant, safety is stressed  
4 over and over, every day. Station management continually  
5 states that no job is so important that safety has to be  
6 compromised.

7 The employees and management are sensitive to  
8 the concerns of the public and safety, environmental, and  
9 radiological issues.

10 We, myself as a worker and also a town  
11 resident, is confident that the decommissioning process at  
12 Haddam Neck will be completed correctly, safely,  
13 professionally, and in a timely manner.

14 MS. DEBOLD: Thank you. Adam Levin, please.

15 MR. LEVIN: No comment.

16 MS. DEBOLD: William --

17 ANSWER: No comment.

18 MS. DEBOLD: I'll never find out the last  
19 name. Kim Medeiros, please.

20 MS. MEDEIROS: I'm going to forfeit my time to  
21 Debbie Katz.

22 MS. DEBOLD: Fine. Although she is down here  
23 later. Do you want to go now, Debbie?

24 MS. KATZ: Yes, I'll take it now.

25 MS. DEBOLD: Thank you.

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1 MS. KATZ: What we experienced at the Rowe  
2 reactor in Massachusetts was the meltdown of democracy.  
3 Yankee Atomic engaged in experimental decommissioning that  
4 we believe exposed workers and the public to unnecessary  
5 radiation.

6 And the people that are accountable for this  
7 are the NRC. Yankee Atomic is a corporation, it is their  
8 job to do the decommissioning and to get rid of the  
9 radiation.

10 The reality about nuclear power is that it is  
11 a dirty technology, and it contaminates everything it  
12 comes in contact with. And what you have left after 30  
13 years of operation, is an enormous amount of contaminated  
14 waste that is really deadly, and you have to find another  
15 community to dump it on, to get rid of it from the site it  
16 is on.

17 This raises ethical issues about what we do  
18 with waste, in terms of who do we contaminate, what  
19 communities suffer the sacrifice of increased exposure to  
20 radiation, and increases in disease.

21 In our community, we have an epidemic of  
22 disease that we fear is related to long-term exposure to  
23 radiation from that reactor going into our local Little  
24 River.

25 But Rowe removed over 136,000 curies from that

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1 reactor without an approved decommissioning plan. And  
2 when we won a court case against the NRC, and the NRC was  
3 found to be arbitrary, capricious and utterly irrational,  
4 in their allowing the stripping of the Rowe reactor, and  
5 when the NRC was found to have violated the national  
6 environmental policy act, the administrative procedures  
7 act, and the atomic energy act, and was told by the court  
8 that decommissioning is a major federal action, and you  
9 cannot skirt that by calling it another name.

10           The NRC made a new rule in which  
11 decommissioning is no longer a major federal action, in  
12 which there are no longer hearings allowed for citizens to  
13 be involved in matters that vitally affect them, like how  
14 do they want their community contaminated, and do they  
15 want other communities contaminated in the process of  
16 having themselves cleaned up.

17           And what do we do with this incredible problem  
18 of nuclear waste that, in fact, we have no solution for.  
19 And what we are doing is shifting it from pillar to post,  
20 because this whole process is bankrupt, and nobody knows  
21 what to do with it.

22           And instead of creating a policy that will  
23 allow looking at it, we are creating a very dangerous  
24 precedent. I want to acknowledge that we think that NRC  
25 is in violation. CAN v NRC at this point, in terms of

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1 that Appellate Court decision, and that you are operating  
2 outside the law.

3 MS. DEBOLD: Thank you. Brian Wood. All  
4 right, I'm not seeing Brian. How about Tom Cleary?

5 MR. CLEARY: No comment.

6 MS. DEBOLD: No comment. Paul Blanch?

7 MR. BLANCH: Again, Paul Blanch from West  
8 Hartford, Connecticut.

9 Just to expand on some of the issues that I  
10 brought up in the questioning of the NRC. We have a basic  
11 credibility problem, here, with the NRC and with Northeast  
12 Utilities.

13 I have six inches worth of Inspector General  
14 reports on my desk, that report on the incompetence and  
15 false statements made by various levels of NRC people, to  
16 the public, to Congress, and so on and so forth.

17 We just don't have the confidence that the NRC  
18 is going to do their job. We've already seen an  
19 indication, tonight, how they are going to ignore the  
20 requirements for high level waste storage.

21 If we remember, a few years back, it was  
22 proposed to site low level waste storage here in  
23 Connecticut. There was a public outcry. We don't have,  
24 and will not have low level waste storage.

25 But yet, what is going on, what I hear tonight

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1 is, we are going to have high level waste storage, and we  
2 are going to have no requirements for a high level waste  
3 storage.

4           Why do we need requirements? We need  
5 requirements, specially a safety analysis report, which is  
6 required by part 72. This safety analysis report will  
7 determine what the risk is associated with the storage of  
8 spent fuel.

9           Why do we need that? We need it so that we  
10 can determine whether there is a credible risk, such that  
11 do we need off-site emergency planning? Do we need safety  
12 related cooling systems? Do we need qualified operators?

13           All these questions beg answers. What we are  
14 seeing tonight is, anyone can do just about anything they  
15 want, because there are a total of 102 words covering  
16 spent fuel storage in 10CFR50.

17           We look at part 72, it goes on for probably 20  
18 or 30 pages, and it is a reasonable regulation, and I urge  
19 you to address everything contained within part 72.

20           Thank you.

21           MS. DEBOLD: Thank you, Paul. Next I have  
22 John Block, followed by Paul Guntner, and Gerald Reardon.  
23 Do those people wish to speak.

24           MR. BLOCK: My comment is addressed to  
25 something that has not been discussed this evening by

1 either the NRC or the utility. And perhaps it wasn't  
2 included in the       nda, because it seems to have been left  
3 out of the NRC's rules, even its new rules.

4               And that is, the need, in the NRC's rules, to  
5 have a mandated, economic decommissioning plan for every  
6 area of the country that is affected by the process of  
7 shutting down a large scale industry that employs many,  
8 many people, and moving it away, so that the tax base of a  
9 community is sometimes irreparably damaged by that shift.

10              And people have been speaking of Shoreham.  
11 Well, the people out in Shoreham got a real surprise after  
12 they had been continuing to tax Wilco to run their school,  
13 and found that millions of dollars that they had taxed the  
14 utility for, have to be paid back.

15              And I think that unless something is done to  
16 demand this kind of an economic plan that includes  
17 planning to retrain workers, relocate people, and in the  
18 long term assure the economic viability of towns that have  
19 come to live on the largesse of having a very large  
20 employer there, that is suddenly going to go away, that  
21 nothing will be done, the towns will be left in ruin, in  
22 addition with being left with big piles of waste sitting  
23 there for long periods of time.

24              So I think that my comment is addressed to the  
25 NRC, that it is time to have a rule making, not only to

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1 deal with the need to increase decommissioning funds.

2 I mean, this was mentioned here previously and  
3 it is absolutely ludicrous for you to stand up there and  
4 listen to somebody tell you that a reactor a third the  
5 size of this one is going to cost, you know, something on  
6 the order of 360 million, and you are not requiring that  
7 they have funds sufficient to pay for the decommissioning.

8 Why isn't there a rule that requires that  
9 there be economic dislocation planning for every community  
10 that has to experience what this one is going to  
11 experience, and what Rowe experienced, and what Shoreham  
12 experienced.

13 So it is time for that rule making. That is  
14 my comment.

15 MS. DEBOLD: Paul, you are the next one.  
16 Thank you.

17 MR. GUNTNER: Just briefly. I think that  
18 we've heard, quite eloquently this evening, that there is  
19 some very real concerns that the public is being removed  
20 from this process, and that the Nuclear Regulatory  
21 Commission -- when the rules don't work to shield the  
22 industry, the NRC changes the rules.

23 And I think that given that in this era of  
24 electric industries deregulation, when the rising  
25 competition associated with this out of control

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1 decommissioning costs, what we are faced with is the  
2 public left holding the bag, without a voice.

3 And I think that my message here is that the  
4 warning clearly goes out, tonight, that it is our  
5 responsibility as a democracy, to reclaim our voice, and  
6 take our stand.

7 MR. REARDON: Gerald Reardon, Newington,  
8 Connecticut. The spelling is the same.

9 I have in my hand two documents that were  
10 recently issued. They both speak to the public's trust  
11 and confidence in Northeast Utilities and the NRC.

12 The first document is a 300-plus page report  
13 that was issued by the Department of Public Utilities,  
14 State of Connecticut, on December 31st, 1996.

15 It says a lot of things about Northeast  
16 Utilities management. None of them very flattering.

17 The second report was issued in November, by  
18 the Citizens Awareness Network, and the Nuclear  
19 Information and Resources Services.

20 It is a petition for enforcement, a 2.206 to  
21 the NRC, and it is focused on CY operations and its  
22 management. Again, it is not very flattering to that  
23 organization.

24 In total, they represent serious doubts  
25 whether NU is capable and ethically -- on an ethical and

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1 competency basis, to operate as well as decommission any  
2 of their nuclear units.

3 And I urge the NRC, I beg the NRC, to tonight  
4 establish a commitment that will address and resolve all  
5 the issues raised in both these documents, prior to any  
6 further steps to be taken about CY's decommissioning.

7 I'd like to speak, also, to the point of  
8 estimates in the nuclear industry. I want to bring to  
9 your attention that when Millstone III was initially --  
10 began its construction, and these are very round numbers,  
11 these are estimates of estimates, it was estimated that  
12 that plant would cost 800 million dollars.

13 When it was completed, the cost of that plant  
14 was 3.6 billion dollars. It is the nature of the nuclear  
15 industry, in my past 25 years in it, that estimates are  
16 grossly under-estimated in factors, as a previous  
17 gentleman mentioned, of three to five, and I would not be  
18 surprised in the order of magnitude, would be the final  
19 cost to CY's decommissioning.

20 Thank you.

21 MS. DEBOLD: Thank you, Mr. Reardon. Next we  
22 have -- I'll read through the names of the next few, so  
23 you can get ready. I have Peter Smith, Rosemary  
24 Bassilakis, I've got Debbie Katz again, but maybe you will  
25 wait until the end, this was the second request. We will

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1 go to David -- looks like Koffer.

2 We will do those in that order, if we may.

3 Peter? Peter must have left. Rosemary?

4 MS. BASSILAKIS: I want to make it very clear  
5 that this meeting does not satisfy our decommissioning  
6 concerns.

7 What we want is an adjudicatory hearing, where  
8 we are allowed to question both the NRC and the utility,  
9 under oath, and that we have disclosure of their records.  
10 We want to have meaningful input in the decommissioning  
11 process.

12 We want to participate in pollution prevention  
13 and control. We don't accept the new decommissioning  
14 rule, and we believe it is unconstitutional.

15 We further want decommissioning to be  
16 recognized as a major federal act. And because of that,  
17 we would like it to have to be in compliance with the  
18 national Environmental Policy Act.

19 Further, as a good neighbor policy, we would  
20 like prior notification to all releases from the reactor,  
21 into both the air and the water. And we would like prior  
22 notification to any waste shipments off the property,  
23 starting now.

24 We would like something like an 800 number set  
25 up, where we can call to be notified of this information.

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1 We would like to have a resident inspector on-site,  
2 throughout decommissioning, given Northeast Utilities'  
3 track record, or bad track record, should I say.

4 They are under criminal investigation, that is  
5 not a petty deal. We would like a resident inspector  
6 there at all times.

7 And although this has never been done before,  
8 I would like to see the reactor put on the watch list.  
9 Although it is not operating, it should be on the watch  
10 list, until they are proven to be willing to follow NRC  
11 compliance.

12 Thank you.

13 MS. DEBOLD: Thank you. David?

14 MR. KOFFER: Yes, my name is David Koffer. I  
15 was puzzled. This was originally going to be a question  
16 having to do with the NRC's additional requirements on  
17 decommissioning activities, and I was confused in that the  
18 licensee, which in this case would be Haddam, was  
19 prohibited from performing any decommissioning activity  
20 that results in significant environmental impacts.

21 And it occurred to me that since the only dump  
22 actually available for radioactive waste disposal in this  
23 country is Barnwell, which is in South Carolina, and since  
24 it is an acknowledged fact that the Barnwell dump is  
25 leaking into its aquifer, and since the dump is unlined,

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1 and since, if you went into Haddam tomorrow and said, you  
2 propose the Barnwell dump is what they should do for their  
3 municipal waste, they would laugh you out of town.

4           Clearly, putting nuclear waste in an unlined  
5 dump that wouldn't make standards for a municipal waste  
6 dump in most states, is going to result in significant  
7 environmental impacts.

8           And I was going to ask what interpretation of  
9 their own rules the NRC was able to use to spin this  
10 around not to be a problem.

11           But since the question period is over, I'll  
12 just frame it as a comment, and just ask people to  
13 remember that the end of the process that the NRC is  
14 proposing here isn't some magic -- isn't a technological  
15 quick fix answer, it is just that a small town in South  
16 Carolina gets poisoned more, as it has been for a number  
17 of years.

18           And it is not really any reason -- they didn't  
19 buy into that, they didn't ask for that, and that is  
20 something that we should consider when it is a question of  
21 Haddam trying to get rid of all the radioactive liability  
22 on land it owns, to fulfill what it sees as its  
23 responsibilities for its shareholders.

24           That is all.

25           COMMENT: There was a gentleman who wrote a

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1 book about the truth about Chernobyl. He was the high  
2 Soviet bureaucrat in the nuclear agency there. And he  
3 went there to investigate and report to the Politburo, and  
4 basically he was kind of given the charge, find out the  
5 truth, but make sure the truth is this.

6 And I think that is too much happening in this  
7 country, also. And he refers to the international  
8 agencies, and the NRC, and the nuclear utilities, as the  
9 nuclear mafia.

10 And I think that is really a quite accurate  
11 assessment of the situation. That you simply are engaged  
12 in an act of criminal syndication to foist mass murder on  
13 the population of the earth.

14 Whether it be the 400 that die per reactor  
15 year, from the mining of uranium, from those that die of  
16 breast cancer all around plants around the United States,  
17 those that are dying from Chernobyl, those that are dying  
18 and have died from atmospheric nuclear tests, you simply  
19 are engaged in mass murder, and thus are criminal, and are  
20 part of a criminal conspiracy or syndicate.

21 And there is really no other way to view you,  
22 and I wish my fellow citizens would delve into that view a  
23 little further. Because it is certainly my belief very  
24 true.

25 Mr. Feigenbaum says he wants to be a good

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1 neighbor. Logic simply dictates, a good neighbor does not  
2 dump poisons in one's public waters. Does that mean, Mr.  
3 Feigenbaum and Northeast Utilities are now going to cease  
4 dumping chemical and radioactive poisons into the  
5 Connecticut River from Connecticut Yankee?

6 Or if -- because if we follow logic, that  
7 means if they dump poisons, they are not a good neighbor.  
8 So, are they going to be a good neighbor?

9 And that leads me to a request. I would like  
10 the NRC's best estimate for further releases, airborne,  
11 and affluent, involved in decommissioning from Connecticut  
12 Yankee, precisely what types, kind, and radioactive levels  
13 will we be seeing during the decommissioning of  
14 Connecticut Yankee.

15 And I'm simply concerned -- I'm very  
16 conservative. Right, liberty -- what is it, life? Would  
17 some conservative help me here? Life, liberty, pursuit of  
18 happiness, U.S. Constitution?

19 I consider the dumping of poisons in the  
20 public water an attack on my right to life. And I would  
21 hope my federal government would protect my right to life.  
22 And if you are not, I guess you just proved my point, you  
23 are part of that criminal syndicate.

24 And I will close with one observation. We  
25 heard a comment that closing down Connecticut Yankee was

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1 going to save the rate payers money. And by saving the  
2 rate payers money, we are going to be able to have more  
3 money for decommissioning costs.

4 Well, I'm not sure what Connecticut Yankee  
5 cost is to produce power, but we will say five cents a  
6 kilowatt hour, for the sake of argument here. Millstone  
7 must be over 20 cents a kilowatt hour, Seabrook must be 25  
8 cents plus. 25 cents, 30 cents a kilowatt hour.

9 Does that mean Northeast Utilities is going to  
10 shut down Millstone III, shut down Seabrook, and buy  
11 cheaper power and give the money back to the rate payers?

12 Thank you.

13 MS. DEBOLD: David Hyman, followed by Fred  
14 Katz and Stacy -- is David here? Fred?

15 MR. KATZ: I'm Fred Katz, and I just have -- I  
16 briefly want to say that my presence and my little  
17 participation here, I want to make sure is not construed  
18 as my assenting to this process as satisfying, in any way,  
19 the requirements under the Constitution, and under the  
20 Atomic Energy Act.

21 That an opportunity for a hearing be presented  
22 at the point that a license amendment is required at  
23 decommissioning. So that I believe that NRC is engaged in  
24 a concerted bureaucratic effort to thwart the intention of  
25 the Constitution, the Congress, the Atomic Energy Act, and

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1 of the citizen's participation in events that vitally  
2 affect them.

3 Thank you.

4 MS. DEBOLD: Stacy, Barbara Day? Tom Maloney,  
5 you are next, followed by Art Collins and Walt Czaka.  
6 Tom, did you wish to speak, is he still here? All right,  
7 he may have spoken his words earlier.

8 How about Arthur Collins Junior? Walt Czaja.  
9 After Walt is Robert Groves.

10 MR. CZAJA: My name is Walt Czaja. I'm a  
11 minority selectman in the town of Haddam.

12 Being a mechanical engineer, I've always felt  
13 that there was a place in this world for nuclear power.  
14 And I based this on the fact that several years ago, one  
15 of the very few times he was on public television, Admiral  
16 Rickover said, that it is the safest type of power you can  
17 have, providing you have the right people running the  
18 show.

19 He always maintained that the problem between  
20 nuclear reactors on a nuclear submarine, and the  
21 commercial reactors are, they have professional people  
22 running the reactors on a submarine, and they have people  
23 with MBA's running nuclear power plants.

24 This is Hyman Rickover talking, and I agree  
25 with him completely. And this is what has happened.

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1           Now, we are in a position in town, where we  
2 are going to suffer from the standpoint of taxes. But, if  
3 decommissioning shall take place, it shall take place.  
4 But the things that I cannot fathom, as I just spoke with  
5 Mr. Nericcio about, and I've talked many times with Ernie  
6 Woods, you people are dedicated people that do your job.

7           You've worked over there to the best of your  
8 ability. The problems are, I feel, are in the top echelon  
9 of Northeast Utilities, which always have said, we are  
10 your good neighbor. I have no trust in these people, even  
11 today. Including Mr. Kenyon, after that public address  
12 statement he made over to our people in the business  
13 community, in East Haddam, here about a month ago.

14           Just a bunch of drivel. The same general, run  
15 of the mill statements that any politician would make to  
16 its constituents.

17           But let me tell you why I suspect, and have no  
18 trust in these people. They have told us they are going  
19 to shut down this facility, which I think, from a  
20 standpoint of maybe 40 to 60 million dollars, could be put  
21 on line to NRC specifications, and continue to live its  
22 life and generate power.

23           Now, remember this. That this facility has  
24 had an outstanding record over the years. It was number  
25 two reactor in the country, okay? Now, we are in a

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1 position where we are going to retire this reactor.

2           Okay, our top echelon management in Northeast  
3 said they are going to save 120 million dollars. And yet  
4 our Public Utilities Commission, our Attorney General only  
5 recently said, that they suspect mismanagement to the tune  
6 of 600 to 800 million dollars of Northeast Utilities, over  
7 the last several years.

8           Now, does it take a kid in the first grade to  
9 understand the mathematics of what that statement I just  
10 made to you, is? Now, who in heaven's name is really  
11 telling us the truth? I suspect that either what the  
12 Attorney General is telling me is true, and if it is, we  
13 should never be shutting this plant down.

14           But if this is the case, we have no choice.  
15 This is why I have no confidence in these people who are  
16 now going to direct the decommissioning of this facility.

17           Thank you for your time.

18           MS. DEBOLD: Thank you, Walt. Bob Groves is  
19 next. Ray, he must have left also -- Mr. -- I'm not sure.  
20 Rich Badon. Next name I don't have a good --

21           COMMENT: I already spoke.

22           MS. DEBOLD: Thank you. Tony Nericcio? Peter  
23 Bowman.

24           MS. BOWMAN: Peter is out of the building at  
25 this time, and my name is after his, so if you want me to

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1 --

2 MS. DEBOLD: Sure, why don't you please come  
3 up.

4 MS. BOWMAN: Thank you. I think we should be  
5 talking about the decommissioning of all the plants right  
6 now at Northeast Utilities, and under their control. I  
7 wish we were.

8 I was going to ask a question, and I also  
9 didn't realize that the question and answer period would  
10 be over. But I have something on my mind that worries me,  
11 and I do need a response.

12 The Department of Energy is planning to enlist  
13 nuclear -- commercial nuclear reactors to volunteer to  
14 have plutonium loaded fuel rods, called MOX, mixed oxide  
15 fuel, in commercial nuclear power plants, for the reasons  
16 that they've listed in the papers, I don't have to go into  
17 that.

18 I would like to know, since Northeast  
19 Utilities is in a pretty precarious position financially,  
20 in a period of deregulation and possible competition,  
21 whether Northeast Utilities is looking to the Department  
22 of Energy to volunteer either Connecticut Yankee or any of  
23 the other plants, to be rebuilt, as they have to do, and  
24 to process these plutonium fuel rods, which is weapons  
25 grade plutonium, which would be then transported, and then

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1 finally put into the reactors.

2 And I understand that 13 utilities have  
3 volunteered already, and I would like to know if there is  
4 any discussion going on, I would alert -- if you haven't  
5 already thought of it, the public here, to keep your eyes  
6 and ears open, and try to monitor this.

7 And I would like a response from the NRC, and  
8 if it is directly directed to me by letter or by phone,  
9 then I will pass it on. But another correction -- a  
10 question was asked, whether any other nuclear plant that  
11 had been decommissioned was in a position where other  
12 forms of energy were being used.

13 And, actually, the Sacramento Municipal  
14 Utility District shut down a nuclear plant, which I  
15 believe was Diablo Canyon, I'm not sure which one. Rancho  
16 Seco, thank you.

17 And they are presently using clean energy and  
18 conservation to service their public. And it would seem  
19 to me that the public here, the people here, should get  
20 right on the ball with their legislators, and in this  
21 period of deregulation and reconstruction, insist that  
22 Northeast Utilities either shut down completely, as a  
23 corporation, or convert as Sacramento Municipal Utility  
24 District did, to alternate clean energies and  
25 conservation, or that the public -- public control of its

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1 utilities, public control of the electricity that has to  
2 be put into people's homes and into factories and  
3 businesses, that this be a major change.

4           That we have clean energy, clean safe jobs for  
5 the workers who are presently, specially the transients  
6 and the people who go into the hot parts of the plant, who  
7 are risking their health and their children's futures --  
8 their children's health, and have to work in these filthy  
9 dangerous plants, where you don't see, smell, or taste the  
10 danger, but it is there.

11           These people would then have jobs in clean,  
12 solar based energy, and would be able to use their skills  
13 effectively, there, for the people.

14           Thank you.

15           MS. DEBOLD: And is Mr. Bowman here?

16           MS. BOWMAN: He hasn't come back.

17           MS. DEBOLD: He hasn't come back. I have no  
18 further names on my list. But I did agree that I would  
19 stay until 10. If there is anyone else who wishes to  
20 speak, or I don't know what Northeast Utilities or the NRC  
21 be willing to take a question or two, since we cut people  
22 off early.

23           If you would like to ask a question, if you  
24 would step to a mike after you've gotten the okay, then we  
25 will let you announce who you are.

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1           Let's start with the next hand that is up. If  
2 you would make sure to identify yourself and who you want  
3 to answer the question, so that they will start listening.

4           MR. MCCORMICK: Tom McCormick, it is for the  
5 NRC. And Paul, if you would please help me out here. In  
6 New London, there was an NRC hearing where I asked about  
7 the possibility of criticality in a spent nuclear fuel  
8 pool, and what would happen if there was a loss of coolant  
9 in a spent nuclear fuel pool that was fully loaded, or at  
10 least say five or six years of fuel in there.

11           And a gentleman from the NRC said, yes, that  
12 pool could go critical, conceivably, at least in terms of  
13 physics, if there was a loss of coolant.

14           And at that time, I believe, there was a  
15 statement from an NRC person that as part of re-opening  
16 the Millstone facility, that there would be a full  
17 evaluation of what would happen in a loss of coolant  
18 accident to a spent fuel pool.

19           Yes, I've heard it, and other people have  
20 heard it. I would like to know what is the status of that  
21 study, and when we will be seeing a full-fledged spent  
22 fuel pool study of a fully loaded pool.

23           DR. MASNIK: I'm not prepared to answer that,  
24 because I know nothing -- well, I don't know nothing, but  
25 I know very little about what is occurring at Millstone.

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1 Is there anyone else on the NRC staff here  
2 that has a response to that?

3 (No response.)

4 I can address in general terms what might  
5 happen. Obviously, it is highly dependent on how long the  
6 fuel has been taken out of the reactor. And, over time,  
7 the danger decreases.

8 So after a number of years, there could be a  
9 loss of coolant accident with very little consequence,  
10 other than extremely high radiation fields in the area of  
11 the pool.

12 Now, if it occurs early on, there is the  
13 possibility that you could have a fire, basically, and a  
14 release of radioactive material to the atmosphere.

15 The pool is designed so that a loss of coolant  
16 accident is a very, very small probability. There is  
17 other sources of make-up water to the pool. They are  
18 typically redundant, in some cases, five or six different  
19 sources of water.

20 The probability of a pool failing  
21 catastrophically, and the loss of liquid at such a rate  
22 that it could not be made up, is close to incredible.

23 MR. BLANCH: Again, this is Paul Blanch in  
24 response. And you just supported my point, before, that I  
25 made before. You are not sure what that probability is,

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1 I'm not sure what it is, I don't know what the  
2 consequences are. I have a good idea.

3 This is why we need a complete safety  
4 analysis, to determine what that risk is. Nobody knows.  
5 The NRC has promised it to us, we are still requesting it.  
6 Now they are reneging on their promise.

7 But I believe that before Connecticut Yankee  
8 goes into decommissioning, we need a full safety analysis  
9 to determine what these risks are. And the NRC is  
10 extremely reluctant to provide that.

11 MS. DEBOLD: Is there anyone else who would  
12 like to ask a question? Rosemary. Again say your name  
13 for us, and to whom you wish to ask your question.

14 MS. BASSILAKIS: Either the NRC -- actually  
15 the NRC should be able to answer this. Rosemary  
16 Bassilakis.

17 As far as the reactor goes, since there is  
18 going to be no maintenance being done, I'm just curious  
19 whether or not anything like cutting up control rods are  
20 considered maintenance.

21 MR. FAIRTILE: That is an operation that is  
22 commonly done at operating plants, and it is done  
23 underwater, and it is a routine operation.

24 MS. BASSILAKIS: But it won't be done prior to  
25 the decommissioning plan being submitted to the NRC.

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1 MR. FAIRTILE: I have no idea what the  
2 licensee schedule is. Ted?

3 MS. BASSILAKIS: I was hoping the NRC would be  
4 able to answer it, since they are the ones overseeing the  
5 utilities.

6 MR. LAPLATNEY: My understanding of the  
7 regulation is, there is nothing prohibiting us from  
8 cutting those up, okay? We have 45 control rods in the  
9 cavity. In order to take the water out of the cavity  
10 right now, we would have to do something with those rods.

11 We may choose to cut them up, we may not. It  
12 is not a major activity, it's been done many times. It  
13 was done at Connecticut Yankee a couple of years ago.  
14 That is not a major decommissioning activity.

15 That is my take on it, Rosemary.

16 MS. BASSILAKIS: So you may do that, before  
17 you submit your partial decommissioning plan to the NRC.  
18 My point is that --

19 MR. LAPLATNEY: We may or we may not. And  
20 we've done it before at Connecticut Yankee. That is an  
21 activity under our current license that we have  
22 participated in.

23 MS. BASSILAKIS: I guess my point is, since  
24 you are no longer an operating facility, what happens from  
25 now forward is part of decommissioning, and that if

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1 workers are going to incur a certain dose of radiation,  
2 that this should be considered under decommissioning.

3 MR. LAPLATNEY: I understand your point. You  
4 are asking about the total dose commitment. You know, I  
5 think we will end up discussing that. I think that will  
6 be one of the issues we will be talking at our meetings  
7 with the Committee, and I'm sure you recognize we are  
8 going to invite your group to be on this committee.

9 Quite frankly, we are aiming to reduce the  
10 dosage to extremely low levels. Connecticut Yankee is one  
11 of the most highly contaminated plants in the country.  
12 The Environmental Impact Statement is something like 1200  
13 rems at Connecticut Yankee. We intend to come well below  
14 that from this point forward.

15 That is our goal, so there was questions about  
16 will we give numbers, will we give effluent? We will give  
17 you everything we have. This stuff is in the docket. We  
18 docket every six -- it used to be every six months, now it  
19 is every year, all the effluents from Connecticut Yankee.

20 We will continue doing that. This information  
21 is provided as a matter of record. If you want to come  
22 visit Connecticut Yankee, I'll give you a meter, and you  
23 can measure the radiation yourself. This is going to be  
24 an open process.

25 MS. BASSILAKIS: I would like to find out

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1 before the six months are up. I know that you file every  
2 six months, but we want to know before the beans are out  
3 of the can.

4 MR. LAPLATNEY: You are talking if we are  
5 planning a release or something like that? You know, we  
6 will talk about that. I just -- right now I'm trying to  
7 think of a process to do that, but we can certainly  
8 discuss it. It is all a matter of public record.

9 MS. BASSILAKIS: Call an adjudicatory hearing.

10 MR. LAPLATNEY: I don't preside over  
11 adjudicatory hearings.

12 MS. BASSILAKIS: I understand. Thank you.

13 MS. BOWMAN: I wanted to ask my question both  
14 to the Nuclear Regulatory Commission and to Northeast  
15 Utilities.

16 And that is, if my previous point, if my  
17 previous question, if there is any approach by either the  
18 DOE or the utility to consider restructuring for the use  
19 of MOX, will the public be told; at what point in the  
20 process will the public be told, and who and how.

21 MR. FEIGENBAUM: Ms. Bowman, Ted Feigenbaum,  
22 Northeast Utilities. There is absolutely no plans to use  
23 mixed oxide fuel in any of the Connecticut reactors.

24 And if there ever was a change in that  
25 approach, we would certainly make that public.

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1 MS. BOWMAN: How?

2 MR. FEIGENBAUM: But there are no plans to do  
3 that.

4 MS. BOWMAN: How and when would you make it  
5 public, at the first contact, or after the decision?

6 MR. FEIGENBAUM: All our contacts with the NRC  
7 are public, those are in the public document room I  
8 mentioned earlier.

9 MS. BOWMAN: I'm talking about the DOE.

10 MR. FEIGENBAUM: Same thing. Same deal. We -  
11 - all those letters and correspondence --

12 MS. BOWMAN: Well, I wouldn't know how to  
13 access that information. Could you tell me how?

14 MR. FEIGENBAUM: Well, anything that deals  
15 with the regulations, we send on the copy of the NRC, and  
16 that ends up in the public document room, which is here in  
17 Middletown. So it is all a matter of public record. And  
18 something as significant as that, we would also have a  
19 press release, and a public statement.

20 But, again, I'm talking about a hypothetical.  
21 There is absolutely no plans to use mix oxide fuel.

22 MS. BOWMAN: In any of your plants?

23 MR. FEIGENBAUM: In any of our plants, that is  
24 correct.

25 MS. BOWMAN: Thank you.

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1 MS. DEBOLD: Maybe this could be the last  
2 question. Let's have this one be the last question, and  
3 then I will make a comment or two. Yes, Debbie?

4 MS. KATZ: I had my hand up, as well.

5 MR. REARDON: Jerry Reardon, Newington. My  
6 question is for Dr. Masnik of the NRC.

7 In your presentation you listed a series of  
8 new plants that have been shut down for decommissioning.  
9 Amongst them are Dresden. I recollect, some years ago,  
10 where the NRC had issued an inspection report, identifying  
11 that that utility had allowed their containment heating to  
12 be shut down, which subjected their cooling water pipes to  
13 the spent fuel pool, to freezing conditions, and had also  
14 allowed their spent fuel pool water quality to degrade to  
15 the point where there was actually algae, as an old  
16 swimming pool that has not been chlorinated.

17 Has NRC obtained any lessons learned from that  
18 activity, and what have you put in place to assure the  
19 public that such violations of just general maintenance  
20 conditions don't occur, again, under the NRC's nose.

21 DR. MASNIK: The Dresden plant was in long-  
22 term storage, and you are correct in saying that there was  
23 a rather cold weather, which resulted in the freezing of a  
24 pipe.

25 And after we -- after we did an investigation

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1 at Dresden, which resulted in a civil penalty, we  
2 conducted a series of inspections at all shut down plants  
3 that had fuel in spent fuel pools.

4 We've also reviewed all the procedures  
5 associated with cold weather precautions at these plants.  
6 And to answer your question, yes there was a lessons  
7 learned document that was prepared in response to that  
8 event.

9 And we are confident that the licensees have  
10 gotten the word, and additionally, our inspectors are also  
11 sensitive to that issue.

12 So the answer is yes, we learned a lesson.

13 MR. REARDON: In response to my previous plea  
14 to you, and the NRC tonight, can you commit to the public,  
15 the general public, to address and resolve both those  
16 documents that I spoke to, in my previous discussion? The  
17 DPUC report, and Citizens Awareness Network's petition  
18 before proceeding further?

19 DR. MASNIK: I can't commit to that, no, I  
20 cannot.

21 MR. REARDON: What do you need to do to -- I  
22 mean the --

23 DR. MASNIK: Those documents will be handled  
24 in the manner -- the normal manner that we do. One is a  
25 2.206 petition, and that document will be handled as we

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1 handled 2,206 petitions, by the regulations. So it will  
2 be considered, yes.

3 MR. REARDON: Well, judging by how long it  
4 took you to handle George Galatis' petition, which is  
5 still pending, it is several years. By that time it is  
6 too late.

7 That petition and the DPUC report contain very  
8 serious information regarding the competency of NU  
9 management to decommission CY.

10 MS. DEBOLD: Debbie, you have a quick  
11 question?

12 MS. KATZ: Yes. Thank you very much for your  
13 generosity in letting me do this.

14 I would like to know if Connecticut Yankee  
15 would, in fact, create a good neighbor policy, in which  
16 they would give prior notification of all releases into  
17 the air and water, and prior notification of all shipments  
18 of radioactive waste out of this community.

19 To whoever from NU will answer that, because  
20 it wasn't clear that you would do that, and Rosemary  
21 didn't really ask for an answer. But I'd like an answer.

22 MR. LAPLATNEY: And the answer is, this  
23 evening I will not make that commitment, I have to figure  
24 out what that means to us. However, I think this is an  
25 excellent first topic for the citizens decommissioning

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1 advisory committee.

2           If that body decides they want that  
3 information, so it is a representation of the entire  
4 community, not just one particular faction, we will  
5 definitely consider that request. It is not something  
6 that we can't do.

7           I'd like to hear from the rest of the  
8 community, first.

9           MS. KATZ: Because in Maine, Maine Yankee,  
10 provides that information to the whole community, as a  
11 public service.

12           MR. LAPLATNEY: We'll have a representation,  
13 let the whole community be heard. I'd rather hear it from  
14 everyone first, before we go and commit the resources to  
15 do it.

16           MS. DEBOLD: I want to thank everyone who has  
17 come tonight. If you will be patient with me long enough  
18 to say thank you to the Northeast Utilities people, and to  
19 the NRC people. And I will say that the comments and the  
20 questions left a lot to be considered, and I think they  
21 are taken in the right vein. I notice the Nuclear Energy  
22 Advisory Council had members here, tonight.

23           And also, there are several people here who  
24 may have membership on the -- at any rate, thank you for  
25 coming, and I hope there will be more meetings, and we

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1 will try to help get them before the public.

2 Thank you.

3 (Whereupon, the above-entitled matter was  
4 concluded at 10:10 p.m.)

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# **Connecticut Yankee Decommissioning**

***NRC Public Meeting  
Haddam-Killingworth High School  
January 15, 1997***



# **Introduction**

**Ted C. Feigenbaum**  
***Executive Vice President &***  
***Chief Nuclear Officer - Connecticut Yankee***



# Agenda

- **Decommissioning  
Overview / Commitment  
to Public Participation** *Ted Feigenbaum*
- **Plans for 1997 /  
Decommissioning  
Priorities and Options** *Jere LaPlatney*
- **Closing Remarks** *Ted Feigenbaum*



# **Our Decommissioning Commitments**

- **Safety**
- **Providing Adequate Resources**
- **Vigilant Compliance with all the  
Rules and Regulations**
- **Public Participation**



**Jere LaPlatney**  
*Unit Director*  
**Connecticut Yankee**





# **CY in 1997**

***... a year for improvement and planning***

- **Complete Corrective Actions for 1996 Performance Problems**
- **Organize and Staff for Decommissioning**
- **Change License to Reflect Defueled Plant**



# **CY in 1997**

***... a year for improvement and planning***

- **Develop and Submit Post-Shutdown Decommissioning Activities Report (PSDAR)**
- **Begin Planning of Actual Decommissioning Work**
- **No Major Decommissioning Work Will Be Done Until at Least 90 Days After PSDAR is Submitted**



# **CY Decommissioning**

## **Priorities**

- **Safety**
  - *fuel storage*
  - *radiological*
  - *environmental*
  - *industrial*
- **Quality**
- **Performance**



# **Decommissioning Options**

- **Prompt Dismantlement (DECON), Safe Storage (SAFSTOR), or Entombment (ENTOMB)**
- **All Options Will Be Evaluated**
- **Current Cost Estimate Based on Prompt Dismantlement**
- **PSDAR will Include the Final Decision and Cost Estimate**
- **There are no Future Plans for the Site**



### AGENDA

1. 6:30 to 7:00pm. Advance sign-up for public. Each person, depending on number of sign-ups and time available, will be able to make comments during public comment period.
2. 7:00 pm. Mrs. Marjorie DeBold, First Selectman of Haddam chairs meeting. She describes purpose of meeting, briefs attendees on agenda and establishes ground rules.
3. 7:10 pm. Mr. Ted Feigenbaum of Northeast Utilities and Mr. Jerry LaPlatney, Plant Manager will outline future plans for the plant. Open to questions after presentation.
4. 8:00 pm. Mr. Michael Masnik of NRC describes decommissioning regulations and proposed future NRC oversight. Open to questions after presentation.
5. 9:00 pm. Public comment period.
6. 10:00 pm. Closing remarks by Chair and adjournment.



## DECOMMISSIONING NUCLEAR POWER PLANTS

### Background

Several licensees have announced their decisions to permanently cease power operation of their nuclear power plants. The licensees' decisions have been based on economic and technical considerations. Thus, these facilities and several others have entered the decommissioning process before their operating licenses expire, earlier than originally anticipated. Decommissioning highlights for individual plants are presented in Tables 1 and 2.

### Decommissioning

Title 10 of the Code of Federal Regulations, Section 50.2 (10 CFR 50.2), defines decommissioning as the safe removal of a facility from service and reduction of residual radioactivity to a level that permits release of the property for unrestricted use and termination of the license. Decommissioning involves three different alternatives: DECON, SAFSTOR, or ENTOMB.

Under DECON (immediate dismantlement), equipment, structures, and portions of the facility containing radioactive contaminants are removed or decontaminated to a level that permits release for unrestricted use and termination of the license.

Under SAFSTOR, often considered "delayed DECON," a nuclear facility is maintained in a condition that allows the decay of radioactivity to reduce radiation levels at the facility; afterwards, it is dismantled.

Under ENTOMB, radioactive contaminants are encased in a structurally long-lived material such as concrete and the entombed structure is appropriately maintained and monitored until the radioactivity decays to a level permitting unrestricted release of the property.

To be acceptable, the method selected must provide for completion of decommissioning within 60 years. A time beyond 60 years will be considered only when necessary to protect public health and safety in accordance with Nuclear Regulatory Commission (NRC) regulations.

### Regulations

The procedure for decommissioning a nuclear power plant is set out principally in NRC regulations 10 CFR Parts 50.75, 50.82, 51.53, and 51.95. An underlying assumption embodied in the regulations when the Commission issued the original decommissioning regulations in 1988 was that decommissioning would occur after the facility operating license expired. Five



years before the licensee expected to end operation of the plant, it was obligated to submit a preliminary decommissioning plan containing a cost estimate for decommissioning and an up-to-date assessment of the major technical factors that could affect planning for decommissioning. Then, within one year before expiration of the license, (or two years after operation for plants closing before their license expires) a licensee had to submit to NRC an application for authority to decommission that facility, together with an environmental report covering the proposed decommissioning activities. However, several licensees have permanently ceased operations prematurely without having submitted the documentation required under the regulations. In addition, these licensees requested exemptions from some safety requirements to reflect their status of no longer having fuel present in the reactor. Because the regulations did not specifically address prematurely shutdown facilities, these situations were handled on a case-by-case basis.

Throughout fiscal years 1995 and 1996, the NRC staff worked on revisions to NRC regulations to clarify their applicability and to make certain changes in decommissioning policy regarding permanently shut down reactors. On July 20, 1995, the Commission issued a "Notice of Proposed Rulemaking on Decommissioning of Nuclear Power Plants." On July 2, 1996, the Commission approved the final rule. The rule was published in the *Federal Register* July 29 and became effective 30 days from the date of publication (on August 28, 1996). The final rule redefines the decommissioning process, defines terminology related to decommissioning, requires licensees to provide the NRC with early notification of planned decommissioning activities at their facilities, and explicitly sets forth the applicability of certain NRC requirements to permanently shutdown reactors.

The Commission believes the amendments will enhance efficiency and uniformity in the decommissioning process for nuclear power reactors. The amendments allow for public participation in the decommissioning process and furnish the licensed community and the public a better understanding of the process as the operating personnel at a nuclear power reactor facility undergo the transition from an operating organization to a decommissioning organization.

The revisions to 10 CFR 2, 50, and 51 related to the final rule on decommissioning power reactors require that:

- (a) Within 30 days after a nuclear power plant licensee decides to cease operations permanently, the licensee must submit a written certification to the NRC, and
- (b) When the licensee permanently removes nuclear fuel from the reactor vessel, the licensee must submit another written certification to the NRC.

When NRC receives these certifications, the licensee's authority to operate the reactor or load fuel into the reactor vessel will be removed by regulation. This will entitle the licensee to an annual fee reduction and eliminate the obligation to adhere to certain requirements needed only during reactor operation. Within two years after submitting the certification of permanent cessation of operations, the licensee must submit a post-shutdown decommissioning activities report (PSDAR) to the NRC. This report must provide a description of the licensee's planned decommissioning activities, along with a schedule for accomplishing them, and an estimate of the expected costs.

In the PSDAR, the licensee is required to discuss the reasons for concluding that environmental impacts associated with the site-specific decommissioning activities have already been considered in environmental reports or environmental impact statements prepared previously. If this has not been done, the licensee would have to request a license amendment for approval of the activities and submit to the NRC an environmental report on the additional impacts.

After receiving a PSDAR, the NRC must publish a notice of receipt, make the PSDAR available for public review and comment, and hold a public meeting in the vicinity of the plant to discuss the licensee's intentions.

Ninety days after the NRC receives the PSDAR, and generally 30 days after the public meeting, the licensee can begin to perform major decommissioning activities without specific NRC approval. These activities could include permanent removal of such major components as the reactor vessel, steam generators, large piping systems, pumps, and valves.

The final regulations state that decommissioning activities conducted without specific prior NRC approval must not:

- foreclose release of the site for possible unrestricted use,
- result in there being no reasonable assurance that adequate funds will be available for decommissioning,
- cause any significant environmental impact not previously reviewed.

If any decommissioning activity could not meet these terms, the licensee is required to submit a license amendment request, which would provide an opportunity for a public hearing.

Initially, the licensee could use up to three percent of the amount specified in 10 CFR 50.75 for decommissioning activities without prior NRC approval. An additional 20 percent could be expended 90 days after submittal of the PSDAR. The remaining decommissioning trust funds would be available for decommissioning activities when the licensee submits a detailed

site-specific decommissioning cost estimate to the NRC.

### Rulemaking

A new rule, entitled "Safeguards for Spent Nuclear Fuel or High-Level Radioactive Waste - 10 CFR Parts 60, 72, 73, and 75" (SECY-95-104), addresses physical protection requirements for the storage of spent fuel and high level radioactive waste in a permanently shutdown reactor, independent spent fuel storage installation, monitored retrievable storage installation, or a geologic repository. The Commission published the proposed rule on August 18, 1995. After a period for public comment, a final rule was scheduled to be issued April 15, 1996. However, the NRC staff is requesting a Commission policy review of ISFSI safeguards based on public comments and staff reviews. Following the Commission policy review, the proposed rule will be revised and will be submitted for public comment if significant changes occur.

Other rulemakings that are anticipated in the decommissioning area include a revision of regulations to address spent fuel cooling periods and indemnity issues; decommissioning costs, funding, and financial assurance.

### Prematurely Shutdown Plants

Since the original decommissioning rule was published in 1988, seven power reactor facilities have shut down prematurely:

- Fort St. Vrain Nuclear Generating Station,
- Shoreham Nuclear Power Station,
- Rancho Seco Nuclear Generating Station,
- Yankee Rowe Nuclear Station,
- San Onofre Nuclear Generating Station, Unit 1,
- Trojan Nuclear Plant, and
- Haddam Neck Plant.

Three Mile Island Nuclear Station, Unit 2, also ceased operation after the March 28, 1979, accident. In addition, Indian Point Nuclear Generating Station Unit 1 and Dresden Nuclear Power Station Unit 1, Humboldt Bay Power Plant Unit 3, and LaCrosse Boiling Water Reactor, which were shut down in 1974, 1978, 1980, and 1987, respectively, are in the decommissioning process.

### Approved Decommissioning Plans

In June 1992, the NRC issued an order to Long Island Power Authority, approving the Shoreham decommissioning plan. Long Island Power Authority announced completion of dismantlement of the facility in October 1994.

In November 1992, the NRC issued an order approving the Fort St. Vrain decommissioning plan and dismantlement activities are nearly completed.

The NRC approved Yankee Rowe's decommissioning plan on February 14, 1995. Subsequently, due to a U.S. Court of Appeals ruling, the Commission rescinded its approval on October 12, 1995. A hearing was conducted and on October 18, 1996, the Commission denied the most recent petition regarding the decommissioning plan. On October 28, 1996, the NRC staff informed Yankee Atomic that decommissioning activities may be conducted at Yankee Rowe.

On June 16, 1993, the NRC staff issued its safety evaluation and environmental assessment of the Rancho Seco decommissioning plan. The plan proposes safe storage (SAFSTOR) of the facility for about 20 years followed by dismantlement and decontamination. Approval of the decommissioning plan was delayed because of contentions raised by the Environmental and Resources Conservation Organization (ECO). However, ECO reached a settlement with the Sacramento Municipal Utility District, the licensee for Rancho Seco, and on August 1, 1994, withdrew from the proceeding. The staff reviewed and updated its previous safety evaluation and issued the order authorizing decommissioning of Rancho Seco on March 20, 1995.

On April 15, 1996, the NRC issued an order approving the Trojan decommissioning plan and dismantlement activities are ongoing.

#### NRR/NMSS Memorandum of Understanding on Decommissioning

On March 15, 1995, the Office of Nuclear Reactor Regulation (NRR) and the Office of Nuclear Material Safety and Safeguards (NMSS) reached agreement on a realignment of certain responsibilities regarding power reactor decommissioning. In the future, NRR will maintain project management responsibility for power reactor facilities until fuel is permanently transferred from the spent fuel pool.

#### CONTACT:

Seymour H. Weiss, Non-Power Reactors and Decommissioning Project Directorate, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington, DC 20555, (301) 415-2170

TABLE 1

DECOMMISSIONING HIGHLIGHTS

INDIAN POINT UNIT 1

- October 31, 1974, plant was permanently shut down because its emergency core cooling system did not meet current regulatory requirements.
- January 1976, reactor was defueled.
- June 19, 1980, NPC order revoked authority to operate plant.
- October 17, 1980, licensee submitted proposed decommissioning plan. NRC review has been ongoing since then and has prompted numerous supplemental licensee submittals.
- January 1996, the proposed decommissioning plan was submitted to Commission for approval.

HUMBOLDT BAY POWER PLANT UNIT 3

- July 2, 1976, plant was shut down due to seismic issues.
- July 30, 1984, Decommissioning Plan submitted.
- July 19, 1988, SAFSTOR Decommissioning Plan approved. Spent fuel (390 assemblies) will remain onsite in the spent fuel pool until a federal repository is available for it.

DRESDEN UNIT 1

- October 31, 1978, plant was shut down to meet new federal regulations and to perform chemical decontamination of major piping systems.
- January 7, 1986, while plant was still out of service, licensee announced its decision to decommission the plant, rather than comply with regulations imposed in response to the March 1979 accident at Three Mile Island Unit 2.
- July 23, 1986, license was amended to possession only license (POL) status.
- September 3, 1993, decommissioning plan was approved.
- January 25, 1994, licensee personnel discovered about 55,000 gallons of water in the containment building. The source of the water was a service water line which had frozen and ruptured within the unheated containment. The water was pumped from the containment building for processing by the site radwaste system. The NRC responded by conducting a two-week special team inspection that identified numerous discrepancies that the licensee had to address.
- July 13, 1994, licensee submitted a check for \$200,000 in response to the NRC-imposed civil penalty for its failure to maintain required systems and to staff unit in accordance with Dresden Unit 1 decommissioning plan.



LA CROSSE

- April 30, 1987, plant was permanently shut down.
- August 7, 1991, SAFSTOR decommissioning plan was approved.

FORT ST. VRAIN

- August 18, 1989, plant was permanently shut down because of failure of the control rod drives and degradation of the steam generator ring header.
- May 21, 1991, license was amended to possession only license (POL) status.
- June 11, 1992, all fuel was placed in an onsite independent spent fuel storage installation (ISFSI).
- November 23, 1992, NRC issued order approving licensee decommissioning plan.
- September 1, 1993, removal of the prestressed concrete reactor vessel top head was completed.
- April 1, 1994, all of the graphite reflector blocks had been removed from the reactor vessel and shipped to the low level waste burial site at Hanford, Washington.
- July 1, 1996, dismantlement is nearly complete.

SHOREHAM

- June 28, 1989, licensee's shareholders approved agreement with the New York State to not operate the facility.
- August 24, 1989, reactor vessel was defueled.
- June 14, 1991, license was amended to POL status.
- February 29, 1992, license was transferred to Long Island Power Authority for decommissioning of plant.
- June 11, 1992, NRC issued order approving licensee decommissioning plan.
- September 1993, transfer of fuel to Limerick began. Fuel transfer was completed June 1994.
- October 1994, the licensee announced completion of the dismantlement. Confirmatory surveys conducted.
- April 11, 1995, decommissioning complete, POL terminated.

RANCHO SECO

- June 7, 1989, plant was shut down because voters approved non-binding referendum prohibiting licensee from operating facility.
- December 8, 1989, reactor vessel was defueled.
- March 17, 1992, license was amended to POL status.
- Environmental and Resources Conservation Organization (ECO) was active intervenor in regards to proposed decommissioning plan.
- June 16, 1993, NRC issued safety evaluation and environmental assessment of proposed decommissioning plan.

- November 30, 1993, the Atomic Safety and Licensing Board (ASLB) admitted for hearing certain contentions associated with decommissioning funding and costs of Rancho Seco independent spent fuel storage installation.
- August 1, 1994, ECO reached settlement with Sacramento Municipal Utility District and filed notice of withdrawal; ASLB terminated proceeding.
- September 2, 1994 Commission order (CLI-94-14) authorized NRC staff to issue decommissioning order.
- March 20, 1995, NRC approved the decommissioning plan for SAFSTOR by issuing the decommissioning order.

## YANKEE ROWE

- October 1, 1991, plant was shut down and vessel defueled because of concerns about reactor vessel integrity.
- February 27, 1992, licensee announced permanent cessation of operations because of inability to address uncertainties associated with the safety margin of the reactor vessel.
- August 5, 1992, license was amended to POL status.
- July 15, 1993, NRC stated it had "no objection to early component removal activities" proposed by the licensee.
- November 16 to December 8, 1993, as part of the early component removal activities, the four steam generators and pressurizer were shipped from the plant to the low level waste burial site in Barnwell, South Carolina.
- March 11, 1994, NRC stated it had "no objection" to use of decommissioning trust funds for proposed second phase of activities associated with early removal of components, including reactor coolant pumps, contaminated piping, and asbestos. Activities were completed by June 30, 1994.
- March 31, 1994, Citizens Awareness Network (CAN) filed a complaint in the Massachusetts District Federal Court claiming the NRC did not follow National Environmental Protection Act (NEPA) in its review of licensee's early component removal program. The court denied the complaint on jurisdictional grounds; however, CAN appealed to the U.S. Court of Appeals for the First Circuit in Boston.
- February 14, 1995, NRC approved the decommissioning plan for SAFSTOR.
- March 23, 1995, Yankee Atomic applied for a (10 CFR 71) license to enable shipment of the reactor vessel. The vessel will not be shipped before summer 1996.
- July 20, 1995, First Circuit found that the Commission erred when it rejected CAN's request for a hearing on the component removal program, that CAN was entitled to a hearing under section 189a of the Atomic Energy Act, and that the NRC had violated NEPA by permitting YAEC to initiate the component removal program before the agency had prepared an environmental assessment or impact statement. The Court remanded the case to the Commission for further action.



- October 27, 1995, in response to the July 1995 Court of Appeals decision, the NRC staff issued a Federal Register notice offering the public an opportunity for hearing.
- November 30, 1995, CAN and the New England Coalition on Nuclear Pollution submitted a joint petition to intervene on the Yankee decommissioning plan.
- October 18, 1996, the Commission issued an order which denied CAN's latest petition regarding the decommissioning plan.
- October 28, 1996, the NRC staff informed Yankee Atomic that decommissioning activities may be conducted at Yankee Rowe.

#### THREE MILE ISLAND UNIT 2

- March 28, 1979, accident occurred in the plant that caused permanent cessation of operations.
- January 30, 1990, reactor was defueled.
- August 12, 1993, processing of accident-generated water was completed.
- September 14, 1993, POL amendment was issued.
- December 28, 1993, post-defueling monitored storage technical specifications were issued.

#### SAN ONOFRE, UNIT 1

- November 30, 1992, based on settlement agreement with California Public Utilities Commission licensee permanently shut down plant rather than bring it into compliance with current NRC safety requirements.
- October 23, 1992, POL amendment was issued. Amendment became effective March 9, 1993, when reactor vessel was certified as completely defueled.
- December 28, 1993, permanently defueled technical specifications were issued.
- November 3, 1994, licensee submitted proposed decommissioning plan for NRC review.

#### TROJAN

- January 4, 1993, licensee announced permanent cessation of operations.
- January 27, 1993, reactor was defueled.
- May 5, 1993, NRC issued POL amendment.
- November 1994, licensee commenced removal of steam generators and pressurizer for shipment to the U.S. Ecology low level waste burial site at Hanford, Washington.
- January 26, 1995, licensee submitted proposed decommissioning plan.
- November 1, 1995, licensee completed the large component removal project.

BP24 (12/96)

- December 22, 1995, NRC staff published *Federal Register* notice offering opportunity for public comment on Environmental Assessment and Safety Evaluation for the decommissioning plan. The 30-day comment period passed without a request for hearing.
- March 31, 1996, permanently defueled technical specifications were issued.
- April 15, 1996, NRC issued the order approving the decommissioning plan.

HADDAM NECK

- December 4, 1996, licensee announced permanent cessation of operations.

BIG ROCK POINT

- May 31, 2000, is expiration date of current license.
- February 27, 1995, licensee submitted SAFSTOR decommissioning plan for early NRC review.
- February 14, 1996, Consumers Power Company requested that the NRC defer review of the Big Rock Point decommissioning plan until after issuance of the revised 10 CFR Part 50 decommissioning regulations.



*United States  
Nuclear Regulatory Commission*

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## **PUBLIC MEETING ON DECOMMISSIONING**

**January 15, 1997**

*Dr. Michael T. Masnik  
Non-Power Reactor and Decommissioning Project Directorate  
Division of Reactor Program Management  
Office of Nuclear Reactor Regulation*

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**NRC POINT OF CONTACT FOR HADDAM NECK:**

**MR. MORT FAIRTILE, SENIOR PROJECT MANAGER  
OWFN 11B20  
U. S. NUCLEAR REGULATORY COMMISSION  
WASHINGTON, DC 20555-0001**

**301-415-1442 OFFICE**

**301-415-2102 FAX**

**E-MAIL: [MBF@NRC.GOV](mailto:MBF@NRC.GOV)**

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# REACTOR DECOMMISSIONING STATUS SHUTDOWN POWER REACTORS

<u>REACTOR</u>	<u>LOCATION</u>	<u>SHUT DOWN</u>	<u>STATUS</u>
Indian Point 1 (PWR)	Buchanan New York	10/31/74	Storage
Dresden 1 (BWR)	Morris Illinois	10/31/78	Storage
Fermi 1 (Fast Breeder)	Monroe Co. Michigan	9/22/72	Storage
GE VBWR (BWR)	Alameda Co. California	12/9/63	Storage
Yankee Rowe (PWR)	Franklin Co. Massachusetts	10/1/91	Decontamination & Dismantlement
Humboldt Bay 3 (BWR)	Eureka California	7/02/76	Storage
Peach Bottom 1 (HTGR)	York Co. Pennsylvania	10/31/74	Storage
San Onofre 1 (PWR)	San Clemente California	11/30/92	Storage
Haddam Neck (PWR)	Haddam Connecticut	7/22/96	To be Determined
Fort St. Vrain (HTGR)	Platteville Colorado	8/18/89	Storage
Rancho Seco (PWR)	Sacramento California	6/7/89	Storage
50-320 Three Mile (PWR) Island 2	Middletown Pennsylvania	3/28/79	Storage*
Shoreham (BWR)	Suffolk Co. New York	6/28/89	License Terminated
Trojan (PWR)	Rainier Oregon	11/9/92	Decontamination & Dismantlement
LaCrosse (BWR)	LaCrosse Wisconsin	4/30/87	Storage

\* Post-defueling monitored storage (PDMS).

## **DECOMMISSIONING PROCESS**

- **Preliminary cost estimate - five years before permanent shutdown**
  - **Certification of permanently ceasing power generation operations - within 30 days of the decision**
  - **Certification of permanent fuel removal from the reactor - regulatory relief**
  - **Submission of the Post-Shutdown Decommissioning Activities Report (PSDAR) - within 2 years of shutdown**
  - **Long term storage followed by dismantlement or immediate dismantlement**
  - **License Termination Plan submitted - approximately two years prior to expected license termination**
  - **License termination**
-

# **POST-SHUTDOWN DECOMMISSIONING ACTIVITIES REPORT (PSDAR)**

- **Description of the planned decommissioning activities**
  - **Schedule for the accomplishment of the planned activities**
  - **Estimate of expected costs**
  - **Discussion of environmental impacts**
-



## **ADDITIONAL REQUIREMENTS ON DECOMMISSIONING ACTIVITIES**

**The licensee is prohibited from performing any decommissioning activity that:**

- **Forecloses the release of the site for possible unrestricted use; or**
  - **results in significant environmental impacts; or**
  - **results in there no longer being reasonable assurance that adequate funds will be available.**
-

# **LICENSE TERMINATION PLAN**

- **Site characterization**
  - **Identification of remaining dismantlement activities**
  - **Plans for site remediation**
  - **Detailed plans for the final radiation survey**
  - **Description of end use of site if restrictions are imposed**
  - **Updated site-specific cost estimate of remaining costs**
  - **Supplement to the environmental report describing new information**
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## **LICENSE TERMINATION**

- **License terminated if the license termination plan was followed and the site radiologically cleaned up.**

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