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**OFFICIAL TRANSCRIPT OF PROCEEDINGS  
UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION**

**Title: MILLSTONE 3 LICENSE AMENDMENT  
PROCEEDING**

**Case No.: 50-423-LA-3**

**Work Order No.: NRC-1395**

**LOCATION: New London, CT**

**DATE: Tuesday, July 18, 2000**

**PAGES: 1 - 81**

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UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION  
BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

- - - - -X

In the Matter of :  
NORTHEAST NUCLEAR ENERGY COMPANY : Docket No. 50-423-LA-3  
(Millstone Nuclear Power Station, :  
Unit No. 3) :  
Millstone 3 License Amendment :  
Proceeding :

- - - - -X

Radisson Hotel New London  
Ballroom 1 & 2  
35 Gov. Winthrop Blvd.  
New London, CT  
Tuesday, July 18, 2000

The above-entitled matter came on for hearing,  
pursuant to notice, at 7:13 p.m.

BEFORE:

THE HONORABLE CHARLES BECHHOEFER, Chairman  
ADMINISTRATIVE JUDGE  
THE HONORABLE CHARLES N. KELBER,  
ADMINISTRATIVE JUDGE

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

[7:13 p.m.]

CHAIRMAN BECHHOEFER: Good evening, ladies and gentlemen. This proceeding involves the proposed increase in capacity of the spent fuel storage pool of the Millstone Plant Unit 3 here in New London County. Tonight, we're going to hear oral limited appearance statements from members of the public, who are interested, and we put out a notice -- in fact, we put out two, informing people and any person who is not a party to this proceeding has the opportunity to make such a statement. And although these statements are not testimony or evidence and they do not become part of the decisional record, they may assist us in -- and the parties in reaching decisions and considering various matters at issue in this proceeding.

SPEAKER: We can't hear you. You're very ineffective.

CHAIRMAN BECHHOEFER: I guess I have to learn how to talk louder. As we previously announced, limited appearance statements may be submitted at any time in writing during this proceeding should you not wish to speak tonight or Thursday morning we were also going to offer a session. A sign-up sheet has been posted in the back. But as we have previously announced, those who wrote in to Washington or headquarters would receive preference as to

1 the time they're heard and there are a number of people who  
2 specifically requested to be heard earl and we'll try to  
3 honor that. I have a whole list here -- I said I will try  
4 to honor --

5 SPEAKER: Your mic is not working.

6 CHAIRMAN BECHHOEFER: I will try to honor people  
7 who wrote in and requested to be heard early.

8 SPEAKER: That's better; much better.

9 CHAIRMAN BECHHOEFER: Anyway, we announced  
10 beforehand that we would give preference in timing to those  
11 who wrote in and requested -- and a number of people have  
12 and we're going to try to accommodate that.

13 Before we begin, I'd like to introduce the members  
14 of the Atomic Safety and Licensing Board. On my left is Dr.  
15 Charles Kelber, a nuclear physicist; my right is Dr. Richard  
16 Cole, who is an environmental engineer; and I am Charles  
17 Bechhoefer. I'm an attorney and chairman of this Board.

18 The parties to this proceeding are also here. And  
19 on my left here is the NRC staff. Would you like to  
20 introduce yourselves or maybe not.

21 [Laughter.]

22 CHAIRMAN BECHHOEFER: And in the center is the  
23 representative for the Concerned Citizens Against Millstone  
24 and the Long Island Citizens Against Millstone. And on my  
25 right are the representatives of the utility -- Northeast

1 Utilities.

2 In any way, I will call the names of people. You  
3 can come up to make your statements at either of the  
4 microphones -- the standing microphones on either side of  
5 the aisle. And please try to -- I say this, but I don't  
6 always do it, please try to speak clearly, so that the court  
7 reporter may record what you have to say. Normally, these  
8 statements should not be more than about five minutes in  
9 length, to get everybody in. It's obvious the two hour or  
10 so that we have will have to stick fairly to the five-minute  
11 limit or less -- I mean, up to you.

12 Assuming there are no questions beforehand, I'll  
13 call the first speaker. As I say, I'm going to start with  
14 the list of people that wrote in and said they wanted to be  
15 heard early, and the first one of those on my list is  
16 Jonathan Block, who has represented parties in other  
17 proceedings before me. Mr. Block?

18 MR. BLOCK: Thank you, Judge. My name is Jonathan  
19 Block. I'm an attorney. I'm here representing the parties  
20 not in interest in this proceeding, but parties who  
21 supported the efforts of some of the people who are an  
22 interest here, the groups who are against the fuel pool  
23 expansion. I'm here representing the Citizens Awareness  
24 Network, which is a 501(c)(3) organization, with its  
25 headquarters in Rowe, Massachusetts, and our executive

1 director, Debbie Katz, was not able to be here due to  
2 illness and she asked me to come.

3 I have only a few points to make that express  
4 CAN's position in this matter. CAN takes the position that  
5 when a nuclear utility reaches a point where it can no  
6 longer dispose of its waste, it has a moral and ethical  
7 obligation to stop producing that waste. We believe that  
8 the safety aspects involved in continued waste production  
9 should be treated as extraneousities that are used in the cost  
10 benefit analysis that is made in deciding whether to keep a  
11 nuclear facility operating.

12 Our position is that in a situation where such a  
13 rational approach will not be taken, that the next step is  
14 to look at the safety aspects that are involved and come up  
15 with a next best option. The next best option we recommend  
16 in this case is the construction of an independent spent  
17 fuel storage installation that would hold the waste from the  
18 fuel pool, in this case. We believe that if the utility  
19 licensee is determined to continue operating, that this is  
20 the only sensible, moral, ethical, and safe way to solve the  
21 problem that they're confronted with.

22 And we would urge the Board, in making its assay  
23 of the facts in this matter, to carefully consider how the  
24 utility is placed in a situation, at this point, where it  
25 may be making decisions based on what is best financially

1 for the utility and not what is best for the health and  
2 safety of the people of this area, but for the those of us  
3 in the north, who view this as the gateway to our northern  
4 communities for all of us in New England. So, our hope is  
5 that the Board will simply take careful look at the risks  
6 and benefits that are involved and come down in a decision  
7 that not only considers the scientific and engineering  
8 evidence that is placed before it, but the evidence of what  
9 I would refer to as those extranalities of health and  
10 safety.

11 Thank you, very much for your consideration,  
12 gentlemen.

13 [Applause.]

14 CHAIRMAN BECHHOEFER: Peter Cook from  
15 Bridgehampton, New York.

16 MR. COOK: Thank you, Judge. My name is Peter  
17 Cook. I'm a resident of Long Island. As a full-time  
18 resident of Long Island and a father of three children, I  
19 want to thank you for hearing my opinion in Northeast  
20 Utility's petition for the expansion of their spent fuel  
21 rack assembly storage facility.

22 In principle, I believe that nuclear power  
23 threatens the health and welfare of the residents of the  
24 communities that surround these nuclear facilities.  
25 Although the nuclear industry began with the best of

1 intentions, it has been a failed experiment. Urgely touted  
2 as energy too cheap to meter, the resulting environmental  
3 impacts, health effects and long-term waste disposal problem  
4 make the ultimate cost of nuclear power too high to  
5 calculate. Any expansion of the spent fuel pools at the  
6 Millstone reactors would increase the quantity of waste on  
7 site and thus increase the possibility of an accident, an  
8 accident in an uncontained spent fuel pool that could have  
9 catastrophic consequences for Long Island, an island whose  
10 shore is only 11 short miles from the Millstone facility; an  
11 island with inadequate emergency planning; and an island for  
12 which a feasible evacuation plan is unattainable.

13 Long Island has demonstrated during the debate  
14 over the Shoreham nuclear power plant that Long Island would  
15 be impossible to evacuate in the event of a nuclear  
16 emergency and that the shadow phenomena would result in  
17 widespread evacuation, even if residents were not instructed  
18 to do so. The spent fuel pool is not contained and the  
19 impossibility of evacuating Long Island endangers public  
20 health and safety.

21 Technically, Northeast Utility is proposing to  
22 make the Millstone spent fuel pool a high-level waste  
23 repository, in direct violation of safety regulations.  
24 Furthermore, the proposed expansion significantly increases  
25 the probability that the spent fuel water temperature will



1 exceed the structural qualification temperature and reach  
2 the boiling point. Permitting Northeast Utilities to expand  
3 the storage capacity of their spent fuel rack assembly  
4 facility by almost two-and-a-half times the intended design  
5 specifications is tantamount to putting sawdust in a  
6 transmission of an old car. It makes it easier to sell. It  
7 gives the appearance of a longer, smoother ride, without  
8 having to really address any of the long-term problems with  
9 its operation.

10 The NRC has been charged by Congress to ensure,  
11 through its licensing and regulatory functions, that the  
12 generation of transmission of nuclear power does not  
13 unreasonably threaten the public welfare. I hope I've  
14 illustrated to you just how unreasonably threatened Long  
15 Islanders are by the potential expansion of the Unit 3 spent  
16 fuel pool and the extended operation of the reactors at  
17 Millstone. We do not want to live near defacto long-term  
18 nuclear waste repository and we encourage the Atomic Safety  
19 and Licensing Board to take this opportunity to put a halt  
20 to this trend by establishing a precedence against the  
21 overexpansion of waste storage in nuclear facilities around  
22 the nation. The Atomic Safety and Licensing Board should  
23 reject this and any application to expand the capacity of  
24 the Unit 3 spent fuel pool.

25 Thank you.

[Applause.]

CHAIRMAN BECHHOEFER: Ms. Kristin Brinkley?

MR. BRINKLEY: Thank you for giving me this opportunity to air my concerns and believe me, I've got a lot of them. I don't pretend to qualify as a scientist or politician or lobbyist, but I do qualify as a mom, a very concerned mom. I have three very happy health children and I want them to stay that way. But, unfortunately, the health and welfare of my kids and yours, in fact the health of all of us is being jeopardized by the issue we're discussing here today. This frightens and infuriates me.

Think about it, the Nuclear Regulatory Committee is charged by Congress to ensure, through its licensing and regulatory functions, that the use of nuclear power does not threaten the public welfare. But right now, right here, the NRC is considering a blatant violation of that responsibility. They are being petitioned to increase the capacity of spent fuel pools to an alarming degree. More specifically, the NRC is being asked to store 1,806 assemblies in a space designed to accommodate 756 spent rods. This is an invitation to disaster.

This has happened before with frightening results. Back in 1966, the Advisory Committee on Reactor Safeguards warned the NRC of potential accident risks at nuclear power plants. The warning was ignored. And shortly thereafter, a

1 serious meltdown occurred at the Fermi reactor outside of  
2 Detroit and only luck, sheer, blind luck averted a massive  
3 explosion that could have killed thousands of people. I  
4 don't know about you, but when it comes to potential nuclear  
5 disasters, I don't want to trust to luck.

6 The more waste on site, the greater the  
7 probability of an accident. Any such accident in a spent  
8 fuel pool could have catastrophic -- catastrophic  
9 consequences. And on Long Island, where I live, the present  
10 level of emergency planning is hopelessly inadequate; in  
11 fact, it doesn't even exist. And now, Northeast Utilities,  
12 the very same company that recently plead guilty -- guilty  
13 to 25 federal criminal accounts of violating the Clean  
14 Waters Act and falsifying credentials of the operators  
15 running the reactors, this very same company is proposing to  
16 make the Millstone spent fuel pool a high-level waste  
17 repository. This is a shameless and arrogant violation of  
18 safety regulations. If the NRC approves of this  
19 irresponsible proposal, they are participating in a direct  
20 threat to the health and welfare of my kids and yours.  
21 Please, for the sake of our children, please don't let this  
22 happen.

23 Thank you.

24 [Applause.]

25 CHAIRMAN BECHHOEFER: Ms. Valerie Justin?

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1 MS. JUSTIN: Thank you, members and Judge of the  
2 Atomic Safety and Licensing Board. I grew up in New London  
3 and now I live in Sag Harbor in Long Island, so I'm closely  
4 connected with Long Island Sound, with the people, and the  
5 environment on both sides of the Sound. To me, your  
6 decision on this petition by Northeast Utilities is not just  
7 another decision, but a momentous decision. We've all been  
8 living with the problems of the Millstone plant and as you  
9 now know, we on the east end of Long Island cannot be  
10 evacuated.

11 As the plant ages, it is a fact that the safety  
12 hazards increase. Now the plant is for sale. This adds to  
13 our justifiable fears. We fear ownership by a non-local  
14 corporate conglomerate with loyalty only to its  
15 shareholders. We can anticipate what that ownership can  
16 bring to this troubled plant, whose embrittled structure is  
17 vulnerable to leakage and/or valve failure from the  
18 slightest oversight in safety procedures.

19 In the pending petition, Northeast Utilities is  
20 asking for storage room for 1,860 spent fuel racks in space  
21 planned for 745. What is at stake here is the possibility  
22 of a chain reaction from the pressure of crowding. This  
23 unchecked overload could bring about a small event or a  
24 meltdown, a large event, and with no containment building to  
25 retain it. The awful truth is that it is a possibility.

1 I feel sorry for the leadership of Northeast  
2 Utilities having to face storage of continuing nuclear  
3 waste. It is the hot potato of the industry. I feel sorry  
4 for the plant's employees. I feel sorry for us on both  
5 sides of the Sound. But, I don't feel sorry for the members  
6 of this Board. You can take a positive action. You're in a  
7 position at this watershed moment in the saga of nuclear  
8 waste to speak the safety -- for safety, draw the line in  
9 the sand, the sand right here on the coast of Long Island  
10 Sound; deny this petition.

11 If there is no room for additional nuclear waste,  
12 good. We don't want anymore. The Millstone plant should be  
13 closed. It should not be sold. Don't pass greater risks  
14 onto us all. Shut it down and thank you.

15 [Applause.]

16 CHAIRMAN BECHHOEFER: Ms. Arlene Colter?

17 MS. COLTER: Yes. My name is Arline Colter. I  
18 live in East Hampton, approximately 12 miles from this  
19 threat to our lives. I'd like to ask the NRC, given  
20 Northeast Utilities record of mismanagement, accidents,  
21 crises, why this request to pack the spent fuel pools far  
22 beyond capacity should even be considered. The NRC's  
23 mission, less they forget, is to protect the public, not to  
24 solve Northeast's problems by endangering us even more. The  
25 fact that Northeast has no place to go with their spent fuel

1 is just one more excellent reason for closure.

2 I began to feel like we're walking backwards on a  
3 treadmill. We've been dealing with this problem for years  
4 now and we're presented always with more danger and more  
5 danger. Well, I will tell you, I'm going to start running  
6 and I hope everyone else here is going to, too. We're going  
7 to fight this and we're going to solve it somehow. I hope  
8 the NRC is interested in helping.

9 [Applause.]

10 CHAIRMAN BECHHOEFER: Sue Avedon.

11 MS. AVEDON: Good evening. I, too, live in East  
12 Hampton, New York. We came across on the ferry and it was a  
13 long trip and we're going to hope that we make the last  
14 ferry back, so that we're not here in Connecticut all night,  
15 although it's not a bad place to be, although it's very  
16 close to the Millstone plant, which scares me.

17 I would invite any of the Commissioners or anyone  
18 from the NRC to get on the Long Island expressway on any  
19 Sunday night -- you're laughing; you know -- in the summer  
20 and try to get out. Can you imagine in your wildest dreams  
21 what it would be like to try evacuate our little part of the  
22 world in the case of an emergency. It would be -- just the  
23 evacuation process would be a disaster. That is one of the  
24 main concerns of us on Long Island and I really urge you not  
25 to put us in this very, very dangerous position.

1 I also have concerns about the kind of precedence  
2 that you're going to be setting. You're saying, in essence,  
3 it's okay if you run out -- if the design that you created  
4 when you first put this together no longer can be used  
5 because things didn't work exactly the way we thought they  
6 were going to work. We thought we'd be able to move this  
7 stuff; we'd be able to get rid of it; it would be out of  
8 here. Well, it's not working that way and, therefore, the  
9 design that was made to facilitate the situation can be  
10 modified to deal with what your situation is now. You can't  
11 run things that way. You have a very, very serious and a  
12 very special opportunity, I think, to do something that will  
13 really help, not only us, who are going to be directly  
14 affected by Millstone, but people who live in the shadow of  
15 every other nuclear plant in this country.

16 Thank you, very much.

17 [Applause.]

18 CHAIRMAN BECHHOEFER: Christine Guguelmo? I hope  
19 I pronounced it --

20 MS. GUGUELMO: Close enough. I'm here present  
21 with written comment from over -- well over 1,000 Long  
22 Island residents. Can I give this to you?

23 CHAIRMAN BECHHOEFER: Yes.

24 [Applause.]

25 MS. GUGUELMO: Those are just the people who took

1 the time and effort to return those to me by today. There  
2 is plenty more coming.

3 These are all residents, by the way, who are  
4 opposed to the expansion of the Millstone fuel pool. Long  
5 Island is well within the ingestion plume exposure pathway.  
6 We are in a federal emergency planning zone for this  
7 facility, so we need to be taken into serious consideration.  
8 You are mandated to do so.

9 Long Island has nothing to gain from the operation  
10 of this facility and everything to lose. The fact that  
11 there's no containment structure over the pool makes it  
12 unconscionable to consider increasing the risk of an  
13 accident. The United Nations issued a report this April,  
14 stating over seven million people were exposed to the  
15 radioactive fallout from the Chernobyl explosion. How many  
16 millions more would be exposed by an accident in this  
17 Millstone spent fuel pool?

18 You should not make a final decision on this  
19 expansion application until after the NRC Advisory Committee  
20 on Reactor Safeguards has resolved their concerns about the  
21 safety of storing spent fuel in pools, in general. You do  
22 not have my consent to expose my family to any more  
23 increased risks by this facility.

24 [Applause.]

25 CHAIRMAN BECHHOEFER: Raymond Shadis?



1 MR. SHADIS: Thank you. I speak slowly and  
2 sometimes at length, so you can just shut me off when the  
3 time comes, if you would. My name is Raymond Shadis. I am  
4 staff technical advisory to the New England Coalition on  
5 Nuclear Pollution, and I'm here to address you this evening  
6 on behalf of that organization and its members and  
7 supporters throughout New England.

8 Before addressing the issues in the matter before  
9 you, however, I would like to take note of this panel's  
10 extension of time to permit the intervenors to perfect and  
11 resubmit their petitions for leave to intervene and, thus,  
12 to gain standing in this matter. The fact is that unless  
13 persons are represented by counsel trained and experienced  
14 in this very narrow area of law, ordinary citizens and  
15 attorneys in general practice cannot know by the most  
16 careful reading of the NRC's Federal Register notices or the  
17 Code of Federal Regulations the formalities that they must  
18 observe to gain standing.

19 In the State of Maine, we recently petitioned for  
20 leave to intervene on the representation from NRC's counsel  
21 that all we had to do was read the Federal Register notice  
22 and the appropriate regulation. The staff opposed our  
23 standing in that matter and they cited over 25 different  
24 pieces of case law that narrowed and restricted the  
25 citizen's ability to participate in these hearings. I would

1 like to remind you that the origin of these particular kinds  
2 of hearings, at least according to former NRC Commissioner  
3 Peter Bradford, was that the citizenry traded off their  
4 rights, the state's rights, to regulate nuclear power and  
5 permitted federal regulation, with the understanding that  
6 there would be opportunities for extensive hearings. These  
7 hearings were originally to address the concerns of  
8 citizens. So, I applaud the fact that you extended  
9 yourselves to include the intervenors in this case and the  
10 public tonight.

1 It is a fact, however, that you have narrowed the  
2 issues to the three contentions dealing with criticality and  
3 there are a great deal more in the light of concerns for the  
4 public here tonight. People are concerned about the  
5 possibility of a spent fuel pool accident involving drain  
6 down and zirconium cladding fire and I believe it's a  
7 mistake on the part of the Board not to permit people to  
8 bring that information forward in a formal way.

9 I'd ask you to consider, within the scope of your  
10 discretion, that this proposal for increased spent fuel  
11 storage proportionally increases the consequences of a spent  
12 fuel pool fire. Consequences, as they are described in  
13 various studies, are dire enough. NUREG CR-4982 and NUREG  
14 CR-6451 and subsequent studies by NRC staff on spent fuel  
15 pool accident risks at decommissioning nuclear power plants

1 estimate cancer fatalities resulting from a severe spent  
2 fuel pool accident fire and meltdown at 20,500 to 138,000,  
3 at a range of one to 500 miles. Those are contained in the  
4 tables of those studies.

5 This is hardly a local issue. Certainly, New York  
6 and all of New England have an interest in the outcome of  
7 this proceeding. Doubling the amount of fuel doubles the  
8 potential consequences. Damage to the rest of the biosphere  
9 is not even calculated in the effects of these accidents.

10 I would simply -- I did prepare a written  
11 statement and I will pass that to you, but I would like to  
12 say that there are any number of potential minor accidents,  
13 which would be precursors to a loss of coolant and a spent  
14 fuel pool fire. There are any number of minor accidents,  
15 which would also be precursors to a criticality accident.  
16 And the NRC staff has undertaken an intensive two-year study  
17 of accident potential at decommissioning reactor pools and  
18 they have yet to complete that. And as someone remarked  
19 earlier, the Advisory Committee on Reactor Safety has taken  
20 issue with the scenarios and the consequences that staff has  
21 brought forward.

22 So, I just -- in sum, I would urge caution. I  
23 would urge you to include within the scope of your  
24 discretion as much as you can possibly include in these  
25 hearings. Thank you.

1 [Applause.]

2 CHAIRMAN BECHHOEFER: Mr. Kenneth Lavalley? Is he  
3 here? Levai or -- Lavalley, L-A-V-A-L-L-E?

4 [No response.]

5 CHAIRMAN BECHHOEFER: We'll skip that. Carol  
6 Morrison?

7 MS. MORRISON: I assume I can talk into this one?

8 CHAIRMAN BECHHOEFER: Yes.

9 MS. MORRISON: Carol Morrison. I'm a permanent  
10 resident of Montauk, which is even closer than East Hampton  
11 to the dangers of Millstone. Actually, I'm concerned, very  
12 concerned, and I feel -- I want to -- what do I want to say  
13 -- endorse everything that has been said here before. Mrs.  
14 Christine Brinkley's statement and her husband's statement,  
15 very, very important statements.

16 But, what I want to put to you people, frankly, is  
17 you have the responsibility for safety. That is one of the  
18 criteria under which you work as a group, safety. Now,  
19 safety, to me, involves health and well being of the human  
20 body. Also, it might be a few animals, too. But, the most  
21 important thing is safety.

22 Now, can you guarantee to us that this is a safe  
23 petition to grant? If you can, we'd like to see proof of  
24 that. Is there scientific proof that you can more than  
25 double a capacity of what is was designed for originally for

1 doubling that to this number 860? Is there proof of that?  
2 Can you -- so, therefore, you can guarantee our safety,  
3 because that's what your responsibility is. It's not maybe,  
4 if, or anything else; it has to be positive. And I think  
5 this is a very important thing for you to think about.

6 For example, you're going over a bridge. How many  
7 times does it say over 4,000 tons don't go? You don't go,  
8 because if you went, you might break the bridge. Now,  
9 obviously, this pool was designed for 745. That's what they  
10 thought it could -- the capacity for it. Don't you have to  
11 stick to what it was designed for? Otherwise, it's going to  
12 explode.

13 Give it very serious thought, because you have  
14 lives that you are responsible for and I hope you could  
15 sleep on knowing that you've endangered them in any way.  
16 Please close Millstone.

17 [Applause.]

18 CHAIRMAN BECHHOEFER: I'll just ask, is  
19 Representative Michael Forbes here? He wrote us a letter.  
20 Or his representative?

21 MR. AMES: Hi, my name is Jack Ames. I'm here on  
22 Congressman Forbes behalf. He would like to have been here  
23 in person, however, he's in Washington. So, if it's okay  
24 with the administrative judge, I will just read a copy of  
25 the letter, which he has already sent to you, if I can get a

1 hold of it.

2 MR. COLE: I think we have a copy here, if you  
3 can't find it.

4 MR. AMES: I've got it here. "Dear Chairman  
5 Bechhoefer, I strongly oppose the application filed by  
6 Northeast Utilities to double the capacity of the spent fuel  
7 pool of the Millstone Nuclear Power Station's Unit 3 reactor  
8 in Waterford, Connecticut. The nuclear waste storage pool  
9 at the Millstone Unit 3 reactor was designed to store 756  
10 spent rods. Northeast Utilities plans to fit 1,860  
11 assemblies into that space."

12 "I've long been in opposition to continued  
13 operation of the reactors at Millstone. Several years ago,  
14 I asked the Nuclear Regulatory Commission to close down the  
15 reactors after a checkered history and the absence of an  
16 evacuation plan for the people of Long Island."

17 "The continued operation, much less the expansion  
18 of the Millstone facility, should be denied for a variety of  
19 reasons. First, the addition of high density storage racks  
20 of the spent fuel storage pool is too great a risk to the  
21 public. The proposal would make the Millstone spent fuel  
22 pool a high-level repository in direct violation of safety  
23 regulations. According to scientists, the fuel pool is not  
24 designed for this purpose and this greatly increases the  
25 chance of an accident that can release long-lived

1 radioactive substances. The proposed activity significantly  
2 increases the probability of an accident in the spent fuel  
3 pool."

4 "Second, Millstone has incurred the largest single  
5 fine in the history of the United States nuclear power  
6 industry, signifying a pattern of serious operational  
7 problems and a weak safety record. Many others and I still  
8 lack complete confidence in Millstone's ability to properly  
9 manage these facilities."

10 "Third, in the event of a catastrophe, there is no  
11 emergency management and evacuation plan for Suffolk County,  
12 New York residents. Located in Waterford, Connecticut, just  
13 11 miles across the Long Island Sound from the north folk of  
14 Long Island, Millstone is clearly in close proximity to the  
15 three million people in Long Island. Any event involving  
16 the reactors there could likely devastate this region. I  
17 believe that any expansion of Millstone's storage facilities  
18 would unnecessarily endanger the public welfare."

19 "The Nuclear Regulatory Commission is responsible  
20 to make sure that the generation and transmission of nuclear  
21 power is safe. Thus, the NRC must deny Northeast Utilities'  
22 application to prevent such a threat."

23 "Thank you. Michael Forbes."

24 [Applause.]

25 CHAIRMAN BECHHOEFER: Fred Thiele, Jr.?

1 MR. THIELE: Thank you, members of the Board. My  
2 name is Fred Thiele and I reside in Sag Harbor, Long Island,  
3 New York, and I am a state legislator. I'm the  
4 representative in the state assembly of the second assembly  
5 district. The second assembly district contains about  
6 120,000 residents and includes what you would know as the  
7 south fork of Long Island. Both the town of East Hampton  
8 and the town of South Hampton are within my district. And I  
9 want to thank the members of the Board for giving us this  
10 opportunity to present our views, with regard to Northeast  
11 Utilities' application tonight. We are deeply appreciative  
12 of the opportunity to be heard.

13 Now, as it's been stated many times so far  
14 tonight, you are well aware of what this application is all  
15 about, which would be to double the capacity of the spent  
16 fuel pool and increase the number of assemblies, which could  
17 be placed and stored to over -- to 1,860. I oppose this  
18 application personally and on behalf of the 120,000 people  
19 that I represent. And first and foremost, that opposition  
20 is based upon the fact that the people that I represent have  
21 made it clear, both South Hampton and East Hampton, in a  
22 referendum of their opposition to the operation of the  
23 Millstone Nuclear Power Station without the existence of a  
24 proven evacuation plan, which covers the east end of Long  
25 Island.



1           The area that I represent is just outside of the  
2 10 mile evacuation zone and we do not have an evacuation  
3 plan in place and we have serious doubts whether one could  
4 ever be put together for our area. The people that I  
5 represent would be left defensively in the case of a  
6 radiological accident at Millstone. And you really need to  
7 understand the geography and the demographics of the east  
8 end of Long Island. Of course, you know, there are two  
9 forks. There's one road on each fork each way, east, west,  
10 to be able to get out. As I said, there's about 120,000  
11 people on the east end.

12           But, you also need to understand what it's like in  
13 the summer time in the district that I represent. The  
14 population nearly triples. And it always reminds me of a  
15 saying of Yogi Berra, when I think of my area in the  
16 summertime. Yogi was asked about going to a certain  
17 restaurant. He says, "Well, nobody goes there anymore,  
18 because it's too crowded." And I won't say that nobody goes  
19 to the east end of Long Island, because they certainly do;  
20 but, it is extremely crowded. And I'm not worried about  
21 whether they go there or not; I'm worried about whether they  
22 can get out of there, if there was a radiological accident  
23 at Millstone in the middle of the summer and what would  
24 happen on the east end of Long Island.

25           There are over a half a million New Yorkers that

1 live within 50 miles of Millstone and we believe that the  
2 threat to public health and safety is substantial and is  
3 unacceptable. And as has also been stated here tonight, the  
4 track record of Northeast Utilities with regard to Millstone  
5 over the years has been deplorable, with the most fines, the  
6 most safety violations in the country, largely because of  
7 their operation of Millstone. Profit has clearly been put  
8 ahead of human health and safety. Consequently, you know, I  
9 must oppose the expansion of the spent fuels storage pool.

10 Simply stated, the proposed expansion increased  
11 the probability of an accident at the facility and there  
12 already is no evacuation plan for my constituents related to  
13 the current operation. Such a risk is -- increased risk is  
14 unacceptable and is intolerable. I oppose the application  
15 and I would urge the Board to deny the application of  
16 Northeast Utilities.

17 Thank you, very much.

18 [Applause.]

19 CHAIRMAN BECHHOEFER: Well, Robert F. Kozakiewicz?

20 MR. COLE: Kozakiewicz from River Head?

21 CHAIRMAN BECHHOEFER: From River Head. He's a  
22 River Head town supervisor. Does he wish to speak or is he  
23 here?

24 MR. THIELE: Actually, he's not here.

25 CHAIRMAN BECHHOEFER: Oh, okay. Michael

1 Caracciolo, is he here? These are just people who wrote.

2 MR. THIELE: He's a county legislator.

3 CHAIRMAN BECHHOEFER: Yeah. Patricia Acompora?  
4 She's from the New York assembly.

5 MR. THIELE: She's our colleague on the north  
6 folk. I don't believe she is here.

7 CHAIRMAN BECHHOEFER: Okay. Mrs. Belinda Nye from  
8 South Hampton?

9 [No response.]

10 CHAIRMAN BECHHOEFER: George Guldi?

11 [No response.]

12 CHAIRMAN BECHHOEFER: Marianne Leonard?

13 [No response.]

14 CHAIRMAN BECHHOEFER: I can't read this one. I  
15 couldn't read it on the card either.

16 MR. COLE: Cewmible?

17 CHAIRMAN BECHHOEFER: Sean Cewmibel, something  
18 like that. I couldn't read the --

19 MR. COLE: From Sag Habor.

20 [No response.]

21 CHAIRMAN BECHHOEFER: And Allison Aird from Sag  
22 Harbor?

23 [No response.]

24 CHAIRMAN BECHHOEFER: Alice Slater?

25 [No response.]

1 CHAIRMAN BECHHOEFER: Dr. Arne Skiela, something  
2 like that, from Sag Harbor it says.

3 MR. THIELE: Arne Stilbreck.

4 CHAIRMAN BECHHOEFER: Pardon?

5 MR. THIELE: Arne Stilbreck.

6 CHAIRMAN BECHHOEFER: Oh.

7 MR. THIELE: They're not here.

8 CHAIRMAN BECHHOEFER: Oh, okay. These are just  
9 the people who wrote into me.

10 SPEAKER: They all oppose it.

11 {Laughter.}

12 CHAIRMAN BECHHOEFER: No, I realize that; but if  
13 they want to make a statement, I wanted to give them the  
14 chance to make a statement if they were here.

15 Gene Cochran?

16 SPEAKER: She's a supervisor at South Hold. She's  
17 not here.

18 CHAIRMAN BECHHOEFER: Okay. Elizabeth Neville,  
19 who is from the same place -- from South Hold?

20 [No response.]

21 CHAIRMAN BECHHOEFER: I guess not. Julie Penny  
22 from Sag Harbor?

23 SPEAKER: She's not here.

24 CHAIRMAN BECHHOEFER: Okay. Jay Schneiderman?

25 MR. SCHNEIDERMAN: Thank you, Judge Bechhoefer and

1 members of the Board. My name is Jay Schneiderman. I am  
2 the supervisor of the town of East Hampton. As supervisor,  
3 I am the highest ranking elected official from my community.  
4 You've already heard from many members of our community.  
5 You have plenty of reading material right there on your  
6 table. I'm just going to reiterate much of what's been  
7 said.

8 This time of year, my community has about 80,000  
9 people living there. Last year, we voted overwhelmingly  
10 against the continued operation of the Millstone Nuclear  
11 Power Plant. I took time out of my busy schedule today to  
12 come here to Connecticut to reiterate my community's  
13 concerns. We do not want any increased capacity from  
14 Millstone, storage or otherwise. We want it shut down.

15 If there was an accident today, with the strong  
16 winds blowing our way, we would be sitting ducks. There is  
17 no evacuation plan for Long Island. There is no way to  
18 evacuate my town. We are trapped. Even if it was a false  
19 alarm, it would be devastating, as the people scurried to  
20 try to get out of the east end of Long Island.

21 We spend an awful time and an awful lot of money  
22 protecting our beautiful environment and our peaceful way of  
23 life. Millstone is a constant threat to our lives. As a  
24 speaker said earlier, we have nothing to gain from its  
25 operation and everything to lose. Expansion of the nuclear

1 fuel rack storage capacity only increases that risk.

2 The Nuclear Regulatory Commission is charged with  
3 protecting the public health and safety. Well, we, in East  
4 Hampton, do not feel very protected right now. I urge you,  
5 on behalf of my community, to deny the Northeast Utility --  
6 Northeast Utilities' application to expand Millstone's spent  
7 fuel rod storage capacity and to help Long Island by helping  
8 to close down the Millstone facility.

9 [Applause.]

10 CHAIRMAN BECHHOEFER: Beth Mazer.

11 MR. COLE: Betty Mazer.

12 CHAIRMAN BECHHOEFER: Oh, Betty Mazer?

13 MS. MAZER: Good evening. My name is Betty Mazer.  
14 I'm a resident full-time of Amaganset, which is part of the  
15 township of East Hampton.

16 The judge introduced at the beginning of this  
17 hearing the public here tonight as interested members.  
18 Well, we are more than interested. We are horrified and  
19 outraged that this poorly managed and seriously flawed  
20 public nuclear utility function is seeking to more than  
21 double the capacity of the spent fuel pool of Millstone 3.  
22 This is a known risk and hazard. It's a hazard to the  
23 public. Northeast Utilities is putting cost above safety,  
24 safety of the public that the NRC is supposed to be  
25 protecting.

1 I pray and appeal to you, gentlemen, that the  
2 repetition of the message that you have heard tonight and  
3 that you have heard over and over and over again -- and many  
4 of the same people have come across on the ferry and marched  
5 and protested to this threat to our communities and to our  
6 lives -- we pray you, please deny this dreadful, dreadful  
7 application to more than double the capacity of a seriously  
8 dangerous situation. Give us, please, your -- let our words  
9 penetrate your consciousness and your consciences and deny  
10 this petition.

11 Thank you.

12 [Applause.]

13 CHAIRMAN BECHHOEFER: Shirley either Talie or  
14 Talcott. It's hard to make out.

15 MR. COLE: Shirley W?

16 SPEAKER: You mean Shirley Talcott?

17 CHAIRMAN BECHHOEFER: Yes. Okay, we're trying to  
18 --

19 MR. COLE: Is it Shirley W?

20 SPEAKER: Sounds like W.

21 MR. COLE: Okay, thank you.

22 MS. TALCOTT: I represent the Energy Options Study  
23 Committee of Old Lyme. We are one of the charter members of  
24 the Connecticut Energy Cooperative and we have been looking  
25 into the energy situation here for quite a long time, along

1 with a number of other organizations and we've been to many  
2 hearings. Unfortunately, the officers of my group couldn't  
3 be here and I've got -- I'm on a last minute stand here to  
4 at least register their opposition to what you're hoping to  
5 do for Millstone.

6 I'm not going to say very much in their name, but  
7 I would like to say in my own name, Shirley W. Talcott of  
8 Old Lyme, that I am very happy to see all the people from  
9 Long Island here today. And I emphasize more and reiterate  
10 the same things that they've been saying, to please shut  
11 this plant down. I oppose the extension of this storage  
12 facility and I hope that you will think about the  
13 performance of this company in the years long gone. This  
14 company has not operated in a proper fashion; it has  
15 disregarded the regulations of the Nuclear Regulatory  
16 Commission; and it has been very poorly managed and is  
17 damaging the environment in many ways.

18 If there were an accident here larger than the  
19 ones that have already been and Old Lyme were to have to be  
20 evacuated, most of us in Old Lyme simply would not go  
21 anywhere. Our regulations send us to the Yale Bowl for the  
22 regulatory -- well, I mean, it just seems very foolish, so  
23 we all just decided to die in our beds.

24 However, I do think -- I've lived here a long time  
25 and I've been to many hearings about this plant. I've been



1 through it myself. I've looked at their environmental  
2 programs, which are very nice. The company has been very  
3 nice to the community around here. Northeast Utilities has  
4 done a lot of very good things for this community. But, as  
5 far as running this plant, nobody that I know wants it to  
6 continue.

7 So, that's about it.

8 [Applause.]

9 CHAIRMAN BECHHOEFER: Geralyn Winslow?

10 MS. WINSLOW: Hello to our Nuclear Regulatory  
11 Atomic Safety and Licensing Board. Thank you for coming  
12 here tonight. I'm Geralyn Winslow. I live in Waterford,  
13 Connecticut. I'm a member of the Citizen's Regulatory  
14 Commission and I am also a member of the Millstone 1  
15 Decommissioning Advisory Committee.

16 I'm here tonight as a citizen of Waterford. I've  
17 taken in information about Millstone's high-level  
18 radioactive waste for at least 10 years. Before I joined  
19 the CRC, I knew we had many hundreds of metric tons of  
20 high-level waste here in Waterford. High-level waste has a  
21 history in Waterford. I do not want to rerack high-level  
22 waste at Millstone Unit 3. I do not want any more  
23 high-level waste than we already have to be stored here in  
24 Waterford.

25 Six years ago, we, in Waterford, found out that

1 high-level waste was off loaded not by one-third of the  
2 core, but by the full core, which was against NRC  
3 regulation. And you didn't play by the rules and the NRC  
4 let them for 17 years. High-level waste is a complex  
5 problem with one simple solution: stop making it.

6 [Applause.]

7 MS. WINSLOW: NRC Advisory Board, I am asking you  
8 not to let NU rerack nor the new owners, whomever they may  
9 be. We can't trust the Department of Energy and NRC is  
10 always blaming the Department of Energy for not taking the  
11 waste. The utilities blame the DOE, too. Utilities get a  
12 big break, because they should take care of the waste  
13 themselves and then with deregulation, they wouldn't be able  
14 to afford to be in business. They're getting off the hook  
15 by the citizens paying for the storage of this waste in the  
16 final repository.

17 Millstone isn't the only nuclear plant asking you  
18 to amend licenses to rerack spent fuel. The Harris facility  
19 in North Carolina also needs to rerack its spent fuel and  
20 that plant's congressman is asking the NRC chairperson to  
21 take another look, because the NRC doesn't fully understand  
22 spent fuel science. I strongly recommend that no amendment  
23 to rerack there or here be granted. If Millstone has to  
24 shut down to do it, so be it. That would be some sanity.  
25 It is only as a society that we can figure out what to do

1 with high-level waste after we stop making it.

2 Thank you, for hearing me tonight.

3 [Applause.]

4 CHAIRMAN BECHHOEFER: Sal Mangialo or Mangiagli?

5 MR. MANGIAGLI: Hi. Thank you for being here  
6 tonight to listen to us. My name is Sal Mangiagli. I'm  
7 with the Citizens Awareness Network. I live one mile from  
8 the Connecticut Yankee reactor, which is about 25 miles or  
9 so up the Connecticut River from here.

10 Connecticut Yankee is in the midst of  
11 decommissioning its reactor and what I have here is a  
12 drawing of high-level waste pad that is going to be built at  
13 Connecticut Yankee to store the high-level radioactive  
14 waste, so that they can tear apart their spent fuel pool to  
15 clean up -- supposedly clean up that site.

16 We didn't want a high-level waste facility in  
17 Haddam. When the Department of Public Utility Control  
18 okayed that site for a reactor, the utility told the  
19 Department of Public Utility Control that they were going to  
20 clean up the site to a green field, to the way they found  
21 it. The high-level waste from Connecticut Yankee is slated  
22 to leave, to go to Yucca Mountain in the year 2024. The  
23 casks are licensed for 20 years. They're going to be  
24 sitting there for at least 24 years.

25 Three years ago, Hazel O'Leary, the Energy

1 secretary, gave Yucca Mountain a 50-50 chance of being found  
2 suitable. It's gotten worse since then. Yucca Mountain has  
3 surface infiltration from the surface of Nevada down into  
4 those trenches, where they are boring their tunnels, less  
5 than 50 year surface to trench water infiltration. Their  
6 suitability guidelines call for no water infiltration from  
7 the surface for 1,000 years. That whole subterranean has  
8 hairline fractures from the underground atomic bomb blasts.  
9 Yucca Mountain might not be found suitable -- it should not  
10 be found suitable and it may not.

11 Yucca Mountain will hold -- if it's completed and  
12 found suitable, Yucca Mountain will hold one-third of this  
13 country's high-level waste. They're not building another  
14 one right now. They're not building two more. They've  
15 dumped a ton of money -- we have dumped a ton of money into  
16 Yucca Mountain and it may not be the answer.

17 How long are we going to have this spent fuel in  
18 those casks? How long are those casks going to last? The  
19 dry cask storage is an experiment in itself, with lots of  
20 problems, quality control problems, leakage. What to do  
21 with a leaking cask is still, you know, an issue that  
22 they're trying to figure out.

23 Increasing any risk at a nuclear reactor is  
24 completely unacceptable to anyone who is not making a profit  
25 at it. Northeast Utilities wants this license amendment to

1 rerack their spent fuel pool. They're not going to rerack.  
2 It's just a sales technique. Energy or Amergen or whoever  
3 buys that reactor with this license amendment will be able  
4 to rerack. This is very dangerous and you should not allow  
5 Northeast Utilities to pull this ploy. If they're having a  
6 problem with their waste, then they should stop producing it  
7 and they should shut down.

8 Because of deregulation, the rate payers are  
9 paying three-and-a-half billion dollars to Northeast  
10 Utilities. Those reactors are going to go on the auction  
11 block 200 million. We should have just thrown that in to  
12 the stranded -- to the stranded costs and we could own the  
13 reactors and put them in SAFSTOR and employ plenty of  
14 workers, letting those reactors cool down. That is the  
15 auction waste management that works, is long term, on-site  
16 cool down. There is no solution for high-level waste and to  
17 allow them to increase the risk of that spent fuel pool  
18 would be a great disservice to the citizens.

19 BY MR. MANGIAGL:

20 ..... but they're the only ones. And it is not  
21 about them; it's about us. That's your job. It's about us.  
22 So I want you to think very hard and come to your senses and  
23 don't allow this.

24 Thank you.

25 [APPLAUSE.]

1 CHAIRMAN BECHHOEFER: Rosemary Bassilakis, or  
2 something like that.

3 BY MS. BASSILAKIS:

4 Good evening, I am Rosemary Bassilakis, and I am  
5 with the Citizens Awareness Network as well, and I would  
6 like to welcome you back to Connecticut, and we are very  
7 grateful that we have this opportunity to speak with you  
8 tonight.

9 At the -- it is hard to talk when I don't see any  
10 faces. So I'll just give you guys a moment. At the Yankee  
11 --

12 (Interruption) No. I understand.

13 At the Yankee Rowe Licence Termination Plant, I  
14 just want to bring that up, because we can, of course, as  
15 you know -- because you three judges presided there -- we  
16 had contentions on the issue of high level nuclear waste and  
17 its storage and concerns we had all about it, but the  
18 Nuclear Regulatory Commission directed you to not hear any  
19 of our condition -- contentions on high level radio active  
20 waste. And we really consider that and I think you may  
21 have, at least, somewhat considered that to be a melt down  
22 in democracy. And the fact that this waste was never  
23 intended to be on site, so long as Sal Mangiagl really,  
24 well, pointed out, that fact that it wasn't supposed to be  
25 here so long raises some very big concerns. And if we are

1 not allowed to discuss our concerns with you at the end  
2 game, at the License Termination and of reactors life, then  
3 when do we have that opportunity to talk about these issues  
4 of concern.

5 And you know, the nuclear utilities have been  
6 allowed to make this lethal waste which is just absurd, in  
7 and of itself. And I think everybody in this room, just  
8 about, would agree with that point. They have been allowed  
9 to make this waste and we have no long term safe or ethical  
10 solution for it. They have been guaranteed profits and we  
11 have had to pay high electric rates. They are going to be  
12 leaving us as we introduce deregulation, as Sal pointed out,  
13 with billions of dollars of debt from bad investment in  
14 nuclear reactors -- billions of dollars for just Connecticut  
15 alone.

16 We have to pay for the storage of the high level  
17 waste forever, because that is essential how long we have to  
18 take care of it. And we have to live with the risk of  
19 proximity to the waste because these are our communities,  
20 and in all likelihood this waste will remain here for  
21 decades if not hundreds of years, and we will accept that.  
22 If that is the safest solution, we will accept that but we  
23 will have to have a say in what happens, and how much waste  
24 is allowed to be created, and how it will be stored. And  
25 this is all that we are asking for.

1 Overwhelmingly, the people in this room, if you  
2 were to ask them, they would vote to shut it down. And I  
3 understand that that is not the issue before you tonight or  
4 over the next couple of days. And what we are asking, is  
5 that you really give the people an opportunity to have an  
6 input on this very important issue because the NRC has seem  
7 to bar meaningful input on the issue of high level waste.  
8 And when it has come up in legislation with regard to  
9 transporting the high level waste, the people,  
10 overwhelmingly won. And we have defeated bills that would  
11 allow it to be shipped off sight to some permanent or not  
12 permanent temporary storage facility. That is amazing.  
13 This is how democracy works. And if we have that same kind  
14 of democratic process allowed, with regard to nuclear  
15 reactors and with the NRC, all of the reactors would be shut  
16 down.

17 So all I am asking, I guess, is for you to not  
18 allow the utility to put profits ahead of our safety, and  
19 really, expanding the fuel pool is the cheaper alternative.  
20 They have other alternatives and that is to install a dry  
21 caste storage system. So be it if it too expensive for them.  
22 Then they will have to shut down, and we will all the more  
23 happier. But certainly, don't let them get away with just  
24 doing the cheaper alternative.

25 I guess that is it. I mean, I just thank



1 everybody here tonight for making their comments. And I also  
2 want to thank Attorney Nancy Burton for having the  
3 wherewithal to represent both the coalitions against melt  
4 downs and it is through this kind of work that we actually  
5 have an opportunity to talk about this and it is vitally  
6 important to us.

7 Thank you.

8 [APPLAUSE.]

9 CHAIRMAN BECHHOEFER: John Markowicz.

10 BY MR. MARKOWICZ:

11 Good evening. I am vice-chairman of the City of  
12 Connecticut Nuclear Advisory Council. An organization  
13 constituted several years ago by the legislature of the  
14 state of Connecticut to exam and monitor the safety issues  
15 relative to the operation of commercial nuclear power plants  
16 in the state of Connecticut.

17 I attended your meeting here last December, and I  
18 appreciate the opportunity that you have afforded the public  
19 to take another crack at the apple, so to speak, to have  
20 standing and to address some of the issues that you have  
21 heard this evening and of which they have great concern. We  
22 intend to monitor these activities and to file the  
23 appropriate reports as required by statute.

24 I would particular be most interested, I  
25 understand that you are limiting the issues here to the

1 criticality events and to hearing the testimony on that, and  
2 your deliberations and conclusions relative to that and I  
3 thank you for the opportunity to speak here and to come back  
4 to Connecticut and visit with us.

5 Thank you.

6 CHAIRMAN BECHHOEFER: Tom McCormick

7 BY MR. MCCORMICK:

8 Good evening. My name is Tom McCormick of West  
9 Hartford. Now I know speaking to the NRC is something to  
10 akin to pissing in the face of a hurricane, but I guess I am  
11 an optimist and I certainly will try. I hope you are not  
12 wed to the irrational dream of nuclear power; that you have  
13 not followed the dictates of your first commissioner that,  
14 you know, there simply had to be a use for nuclear power,  
15 because after all the bomb was so bad. I hope you have not  
16 fallen under David Leventhal's paw.

17 Now, obviously after addressing the criticality  
18 issue, I want to ask you and I expect an answer, back in  
19 '96, and I was here, there were a lot of NRC people in front  
20 of me, and I asked the guy in middle that was the chair,  
21 "Sir, in the boil-off of a spent fuel pool would there be  
22 criticality?" And the guy he sat there like this  
23 [demonstrated] and didn't say anything. So I had to ask the  
24 guy next to him and he didn't say anything. Then I asked  
25 again, "Sir, boiling pool." "You're going to have

1 criticality." And I asked the next guy, still no answer. I  
2 got way down to the end after I had to repeat myself about  
3 five times, and the guy mumbled, "Yes, you could have  
4 criticality."

5 In the boil-off a pool, is it possible to have  
6 criticality? I would like an answer please.

7 CHAIRMAN BECHHOEFER: If you want to, you can.

8 BY DR. RICHARD F. COLE:

9 I'll give you my answer then. There certainly is  
10 a possibility that that would occur. But there is also a  
11 possibility that it might not occur, it depends on the kind  
12 of fuel that is in there -- the spent fuel, the activity of  
13 the fuel, the age of the fuel.

14 MR. MCCORMICK:

15 I see. If it is very oil fuel it won't be so hot.  
16 Well, thank you we got an answer. We established something.

17 DR. COLE: I am an environmental engineer.

18 JUDGE KELLER: You want some one who has done  
19 criticality calculations?

20 MR. MCCORMICK: Just an answer.

21 DR. COLE: Yes.

22 [Laughter]

23 BY MR. MCCORMICK:

24 Well, yes and no. Well, anyway, let us continue.  
25 And I will attempt to speak to you because after all I hope

1 I can't treat you as a class, I have to treat you as  
2 individual, just like I can't assume that all Northeast  
3 Utilities employees are convicted felons, it is just some of  
4 them. So I assume there are some people in the NRC that are  
5 rationale and don't have the emotional attachment to nuclear  
6 power and have not fallen for what "Forbes Magazine" called  
7 -- by the way Forbes highlights itself as the capitalist  
8 tool. What did Forbes say about nuclear power the greatest  
9 capitalistic failure of the century. Well, I hope you are  
10 not wed to that failure and you have some ability to be  
11 rationale, let us up. So I'll give you a chance.

12 Now, if there is an accident in the pool, I don't  
13 know what is going to happen, I guess you don't know either.  
14 Now, back, way back, boy, in '86 there was a cavity seal  
15 failure at Connecticut Yankee and water rushed out of the  
16 fuel canal connecting the reactor in the pool. And the NRC  
17 asked, "Well, what would have happened if there was a rod or  
18 a fuel assembly sitting in that canal when that seal failure  
19 happened?" And gees, boy, you know, it is hard to  
20 recollect, but I remember something that the NU and the NRC  
21 came out and lied, saying that there were these backup  
22 systems and everything would be okay. And I had to ask for  
23 years, "What was the backup system?" Years I asked the NRC.  
24 I eventually got an answer. Do you know what the answer  
25 was, "Well, we could, probably, after a time get a firehose

1 down to the Connecticut River and pump water up from the  
2 Connecticut River." However, they wouldn't say who the fool  
3 was going to be that was going to drag that hose into this  
4 pool where it is boiling off and there is shine and alfa  
5 embedded, everything bouncing off the steel girders killing  
6 anybody that attempted to walk in it. Well they didn't  
7 answer that.

8 Well, let us hope that the truth will be known at  
9 some point because back at that hearing in '96, was this  
10 rumor or not but I asked NRC, "Would the NRC do a full study  
11 of a spent fuel pool boil off?" And guess what they said,  
12 they guy standing like you, right in the middle there, you  
13 know what he said, "Yes, we will, Mr. McCormick. Yes, we  
14 will." And I got out in the parking with Mr. Blanche, I  
15 don't know if he is still here, and I said, "Paul, is it  
16 really true that that guy just said 'that the NRC would have  
17 a full study of an accident consequence?'" And Mr.  
18 Blanche, I don't know if you would still yes, but I think he  
19 would. "Yes, they did."

20 The issue came up, again, you know. Years go by.  
21 Keep asking and asking and you want know what the guy said  
22 in the middle of one of these hearings "No, Mr. McCormick,  
23 you are mistaken. We never promised you that." Well, it is  
24 the transcript, so you did. So I will repeat the request.  
25 When are we going to get a full scale study of the

1 consequence of a boil-off of a pool?

2 Now I know Mr. Lochbaum can address that, and I  
3 know West Germany did I study and I've asked some NU  
4 engineers. You know what one told me very interesting, he  
5 said, "Mr. McCormick, one word 'Boom'." "Boom." And I  
6 said, "What are you talking about? Reactors can't explode."  
7 And you know what he said, "Well, it is the same effect so  
8 we don't have to be overly technical about this."

9 So anyways, we would loose Long Island Sound, we  
10 would loose everything around here in a spent fuel spill,  
11 apparently. But of course, you know what NU says, one of  
12 their representatives in a meeting said, "Nothing more than  
13 a chest  
14 x-ray at the fence." How many times have we heard that.  
15 But anyways, let us get on with this.

16 In any (inaudible) environmental scientist there,  
17 and I am sure in any college text book it talks about risk  
18 benefit. Am I right; is that a fair assumption? And you are  
19 in that environment we talk about risk and benefit and NU  
20 always talks about risk and benefit and the chemical  
21 companies. Everybody risk benefit. Well, let us look at the  
22 benefit. Let us say the risk is very small. Well, we will  
23 loose Long Island, loose Long Island Sound, lower Island,  
24 but let us say there is a small chance. What's the benefit;  
25 well let's look.

1 That is an institute. Industry trade group '94,  
2 '95, '96. Millstone 2, produced power 13 cents a kilowatt  
3 for operation and maintenance only. Replacement power cost  
4 2.3 cents available. So basically, Millstone 2 ran for three  
5 years there at 10 cents a kilowatt hour greater than what  
6 replacement power was.

7 Now let us look at the benefit of running  
8 Millstone 3, what is the benefit? Same years, 4.1 cents a  
9 lot cheaper for O&M, but still 1.8 cents per kilowatt hour,  
10 more expensive than other power available. So, according to  
11 Edison Institute there was no benefit of running the  
12 Millstone Nuclear Power station. No benefit.

13 We had a DPUC case about taking Millstone out of  
14 rates while it was out of service. Thanks to a petition and  
15 myself and Ken here, and if you look at NU numbers to  
16 determine benefit well Millstone 3, according to NU, is  
17 running about twenty-five million dollars a month. Now  
18 replacement power cost could be gotten for what -- ten  
19 million dollars a month. So basically, fifteen million  
20 dollars negative benefit to running Millstone 3. Millstone  
21 2 about sixteen million dollars a month to run. Replacement  
22 cost about ten million. Negative six million dollars a  
23 month benefit to run Millstone 2.

24 Now let us look at it another way, if you want,  
25 integrated resource document at the DPUC. We see Millstone

1 3 has cost up to twenty-five cents a kilowatt hour a month.

2 Excuse me,

3 I misspoke, twenty-five cents a kilowatt hour to produce  
4 power. Now let us put that in the background; wholesale  
5 power, I am not sure what it costs NU right now, but I think  
6 it is 4.02 cents kilowatt hour under their power contract  
7 with Duke. But that is secret information at the DPCU, no  
8 one is allowed to know. So this is an educated guess 4.2  
9 cents it cost them to buy power other than from Millstone.

10 Now there is another way to look at this cost.

11 Our consumer council office says that at least 13 cents a  
12 kilowatt hour for Millstone 3. So minus 7 cents a kilowatt  
13 hour benefit to run Millstone. Well, let us look at it  
14 another way. When Millstone -- and the hearing of the DPC  
15 -- you see recently for the investiture of Millstone, NU was  
16 adamant that they not be required to buy power from  
17 Millstone to whomever they sold it to, you want to know why?  
18 You want to know Mr. Morris, your chair said, "Millstone  
19 Power would be uncompetitive. And we would be at competitive  
20 disadvantage if we were force by contract to buy power from  
21 Millstone." That's NU.

22 So in the totality of things, when you are  
23 thinking about things, remember there is no benefit. So any  
24 risk, of course, is magnified, because there is no benefit.  
25 Now, that's some economic stuff.



1           Let's get to some other things. The consequences  
2 of this accident; what would they be? Now the industry has  
3 always told us "Low level radiation don't worry about it,  
4 folks."

5 The government has always told us. Well, why didn't the  
6 government tell us they were committing mass murder with the  
7 bomb test and radiating all of us through the '50's. They  
8 just kept piling the radiation in the atmosphere, it is  
9 getting in the milk we're drinking it; getting into our  
10 bones; strontium, cesium, all sorts of things. The  
11 government killed a lot of people with the bomb test. Then  
12 recently, you see in the New York Times, we finally saw an  
13 article the government admitting something like ten thousand  
14 deaths from Iodine 131, alone.

15           But let's look at this radiation issue. If  
16 radiation is more dangerous than the NRC says, or the EPA,  
17 or the industry, of course, any consequences magnified. Now  
18 there is a lot of evidence coming out of research out of  
19 Chernobyl that in areas that were only very, very slightly  
20 dusted, very, very low levels of radiation. There have been  
21 changes to the immune system of infants being born. Setting  
22 them up for leukemia and a whole host of disease throughout  
23 their lifetime.

24           We know the government has suppressed information  
25 about the dangers of radiation according to Carl Morgan, of

1 the Research of Tamplin Gothman, JARIN, on and on, and on.  
2 We know that extremely, extremely minor doses are causing  
3 oxygen to become radical, destroying cells (inaudible) in  
4 our bodies, and setting us up for disease.

5 MR. COLE: Mr. McCormick, can I ask you pick-up the  
6 pace a  
7 little bit. You have been going eleven minutes now, and we  
8 have a lot of people yet to hear.

9 MR. MCCORMICK: We will close. Now, you had a  
10 decision to make as an individual. Maybe in this case there  
11 is a narrow legal thing about the case before you but I want  
12 to remind you about of something. There was a rather famous  
13 case, for those that remember history, but of course most of  
14 us don't know much about history but, and that of course is  
15 because if we knew about history people couldn't go on  
16 repeating it on us, but -- I think there was a guy name  
17 Peter Zanger, and he obviously was guilty, very guilty, I  
18 guess he did something the British didn't like, guilty as  
19 sin. And you know what the jury did? The jury freed him.  
20 They said, "Go your way." An obvious violation of the rules  
21 and the dictate and the judge. And I ask you to think about  
22 that case, and then consider the scope of what will happen  
23 if that pool goes bad.

24 Thank you.

25 [Applause.]

1 CHAIRMAN BECHHOEFER: Pete Reynolds

2 BY MR. REYNOLDS:

3 Hi. I am Pete Reynolds. I live in Waterford. I  
4 use to work at Millstone. I have a whole folder here. I  
5 don't have to say too much because everybody else has  
6 already said it. I have a good question though. Have you  
7 ever said "No" to an industry that asks for a license  
8 amendment?

9 MR. COLE: Yes.

10 MR. REYNOLDS: You have? To rerack a fuel pool?

11 MR. COLE: I don't know about that.

12 MR. REYNOLDS: As far as I know, you haven't.

13 MR. COLE: I think that is probably true, sir.

14 MR. REYNOLDS: As an ex-worker at Millstone, I  
15 watched them rerack Unit 1 shield pool to accommodate for  
16 more storage. Also, watched -- after they did it, the  
17 radiation levels increased on the fuel floor where we had to  
18 work. The criteria for working there got more strict because  
19 there was more radiation and the same thing is going to  
20 happen to Unit 3. It's going to be a lot more radiation; a  
21 lot more safety factors; the design criteria of these fuel  
22 pools, Unit 1 has a crack inside of it and NU won't admit to  
23 it, they painted it over. So this is the kind of people you  
24 are dealing with. And all they are concerned about is  
25 selling these plants right now.

1           My electric bill has doubled in the past five  
2 months because they installed a new meter on my house so  
3 they wouldn't have to get out of the truck to walk to where  
4 the meter was on the wall, they could read it from the  
5 truck.

6           So all they are out to do is save money. They want  
7 to be a distribution company and they don't care about these  
8 plants when they are sold. They want their slices of  
9 amendment so they can store extra fuel, or the company that  
10 buys them. We have been lied to since the inception of  
11 nuclear power.

12           Northeast Utilities, the NRC, our government they  
13 have all lied to us. They said it was cheap, inexpensive,  
14 no danger. It has been proven, year after year, it is not  
15 cheap. The danger is still there, Chernobyl, Three Mile  
16 Island, we are still feeling the effects of it. And  
17 radiation is radiation. They say, "Well, you get radiation  
18 from the sun." Look at the studies they are doing now and  
19 the measures they are doing on sunblock to prevent people  
20 from getting cancer from the sun. The radiation from the sun  
21 is probably one millionth of what you would get if there was  
22 a nuclear accident at Millstone.

23           I live in Waterford. I have lived in this area for  
24 over forty years and it is a nice area. They have an  
25 evacuation plan for Waterford. It would not work. They talk

1 about Long Island on a Sunday afternoon. You try to get on  
2 Route 95, here, any Sunday afternoon during the summertime,  
3 you can't do it. So anymore risk that they want to -- I'll  
4 put it this way, anymore lies they want to tell you and tell  
5 the public why don't you just say, "No, we are fed up with  
6 the lies. Just so they can make a profit."

7 That is all I got to say.

8 [Applause.]

9 CHAIRMAN BECHHOEFER: Susan Perry Luxton.

10 BY MS. LUXTON:

11 Hi, I live in Waterford, Connecticut. I have been  
12 a resident my entire life. My family lives there; my  
13 elderly parents, my husband's elderly parents; my entire  
14 extended family except my brother, who died of cancer at 40,  
15 he was an employee of Millstone. He doesn't live there  
16 anymore but all of do.

17 I have come to these meetings since 1995, when a  
18 whistle-blower came forward in our community and woke us up  
19 to what was happening at Millstone. And every single time  
20 I've come, I looked at the people that are facing me with  
21 the suits on and I had hoped that they would really hear  
22 what I was saying. And I had hoped you would have  
23 compassion about what I was asking you. And I've been  
24 disappointed so many times, and so many years even the  
25 people at Millstone, when they first denied any wrong doing

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1 in '95 and '96 regarding the Millstone 1 spent fuel pool  
2 issue. They looked us right in the eyes and denied any wrong  
3 doing and they were lying, and it came out that they were  
4 lying.

5 Now, it is very hard to see that when you are kind  
6 of an innocent, trusting individual. So I lost all respect  
7 for corporations in general. And I do know a lot of my  
8 neighbors work at the plant, and they are good people, and  
9 they want to do the right thing. I just don't trust the  
10 management, still, and the fact that they are under a lot of  
11 pressure financially. At this time, they want to look good  
12 and they've always put profit before our safety, even though  
13 they tell us they don't. I don't see that this is any  
14 different. I really think this has gone beyond the pale  
15 with the spent fuel pool amendment to rerack.

16 Now, one of the things that I just heard David  
17 Lockbaum from the Union of Concerned Scientist in a press  
18 conference. And he has been one of the fair and  
19 knowledgeable experts that we have relied on in the  
20 community to give us, you know, up and up information. And  
21 he said, "If this reracking occurs the risk is so increased  
22 that it is not if there is an accident, it is when there is  
23 an accident."

24 And I thought I could get this out of my life, and  
25 kind of go on with my life, and I kind of thought I made

1 peace with fact that I live in a community with a nuclear  
2 power plant. But this is just too arrogant, or too -- I will  
3 not -- I had to come tonight because I just have to let you  
4 know that I want you to hear what I am saying. Please do  
5 not give permission for Millstone to increase the reracking  
6 of the Millstone 3 spent fuel pool. This is my family, this  
7 is my community. Please don't put us at anymore risk than we  
8 already are.

9 And I speak not just for my family, but we started  
10 a citizens group six years ago. It has about three hundred  
11 fifty people in it; we all live in the community. I speak  
12 for every single one of them. Have pity on us. Don't do this  
13 to us.

14 Thank you.

15 [Applause.]

16 CHAIRMAN BECHHOEFER: John McGuire.

17 MR. MCGUIRE: John McGuire. I'm also a lifelong  
18 resident of Waterford and also felt compelled to come here  
19 this evening.

20 Susan took a lot of my words. She happens to be a  
21 neighbor of mine; maybe she was reading my mind.

22 I have come to a lot of these meetings for years  
23 now, I have spoken with people from NU. I too am a very  
24 optimistic, hopeful person. I came hoping that NU would do  
25 the right thing.

1 I'm sure there are a lot of good workers there who  
2 want to, you know, do the right thing for their community  
3 and have a good place that they work at and feel proud of,  
4 but unfortunately, Northeast Utilities has proven that the  
5 management isn't not going to take care of the citizens.

6 I have spoken with NRC people and had them laugh  
7 in my face while I'm trying to speak to them about something  
8 that I'm very concerned about.

9 So I come here this evening hoping that you  
10 gentlemen will listen to me, as Susan has said, and take our  
11 concerns seriously. I see that the gentleman here in the  
12 blue seems like a very honest person, I hope I can, you  
13 know, trust my feelings on that. The gentleman in the  
14 middle, it seems that he's concerned about what the people  
15 are saying. The gentleman on the right there, I don't know,  
16 he has been kind of looking down all night long; so I'm kind  
17 of hoping that maybe two out of three of you will vote for  
18 the overwhelming majority of people. I don't think anybody  
19 here has said that they want to you grant this license that  
20 they're asking for.

21 I am a father of two daughters, I teach school  
22 here in New London. When I was growing up, I was probably  
23 in elementary school when they decided to have Millstone be  
24 built in my town, and I wish someone had asked me when I was  
25 in school, would you want this in your community, and I wish



1 someone had given me the facts.

2 When I talk to my children about this, it's very  
3 logical to them. You know, I said to them, girls, this is  
4 what they want. They have a pool that has 750-some-odd rods  
5 in it; they want to put 1800 rods in there. Do you think  
6 that's a logical thing? It's in black and white, and  
7 children nine and eleven years old understand that it's not  
8 the thing to do.

9 So I'm here this evening to voice my opinion, and  
10 I'm glad that a lot of people are on board with Susan's  
11 group. That's a grassroots group. A lot of people that I  
12 speak to also agree. When I tell them I'm going to these  
13 meetings, they say good for you, speak up at the meeting,  
14 please, and I'm sorry I can't be there at the meeting.

15 So I really and truly -- unfortunately, I have to  
16 say that I don't -- I would be very, very surprised if you  
17 voted for what all the citizens here are asking for. I  
18 would be very surprised if when the time comes, that you say  
19 no, Northeast Utilities, you will not have that. I am very  
20 hopeful that you will, but from what I've seen from  
21 Northeast Utilities, the NRC, and now you gentlemen, I'm  
22 hoping the best, but I'm -- it's very sad what's happening  
23 here. We're citizens that come up here, we speak to you, we  
24 give you our views, and yet over and over again, we get put  
25 down and we get, oh -- you know, it's almost like, who cares

1 what those people think? You know, it's their town, but,  
2 you know, we're going to do what Northeast Utilities asks  
3 us.

4 Maybe everyone is looking out for their job,  
5 unfortunately. We're looking out for our lives. We know  
6 you need jobs, we know, we need jobs, but we need a place to  
7 live and I'm very embarrassed that Millstone is here. And  
8 that banner that's out front that says Millstone has been  
9 given an award something environmental excellence is a joke.  
10 I want to take my daughters and my wife and go over there  
11 and take a picture of us tearing that stupid thing down.  
12 There's no reason for that.

13 The people on Long Island, I'm glad their on board  
14 with us. Maybe something will get done if there's money  
15 from those wealthy towns in Long Island, because no one has  
16 listened to the people in Waterford.

17 I try to think of solutions. Whenever there is a  
18 problem, I think to myself, well, you know, maybe there's a  
19 solution to this problem.

20 I believe in democracy, I believe people should  
21 have a say in what goes on in their communities, and maybe  
22 we should have some kind of a vote somehow, maybe with the  
23 Internet. We can put something from the Internet and people  
24 can log on and give their opinion about what this is, and we  
25 can see what the overwhelming majority -- unfortunately,

1 it's always been proven here tonight -- of the towns around  
2 here want for their town. It's their town, it's my town.  
3 Don't come into my town and put nuclear waste without asking  
4 me. Or when I do give my opinion, don't laugh in my face  
5 and go against what I'm saying.

6 I see you're looking at me. I hope you're  
7 listening to me, and the gentleman in the middle. Maybe we  
8 can get two of you on board and tell Millstone, you know,  
9 tell Northeast Utilities that the citizens of Waterford, of  
10 Long Island, of all the surrounding communities do not want  
11 this. Most of them don't even want Millstone. I hate to  
12 say that to the people that work at Millstone, but, you  
13 know, that's the truth. And we definitely do not want the  
14 capacity of the fuel pool expanded.

15 Thank you.

16 [Applause.]

17 CHAIRMAN BECHHOEFER: Thomas Mastrianna.

18 MR. MASTRIANNA: Good evening. I'm Tom  
19 Mastrianna, and I, my family and children live within the  
20 EPZ zone of Millstone, and I'm a former long-time NU Nuclear  
21 employee.

22 I observed and worked on the Millstone spent fuel,  
23 rerack and other projects over the years, and it's ironic,  
24 that was in '86, I was at CY on the reactor floor when the  
25 spent fuel cavity was draining, and it was scary, and you

1 have to live it. Some of these people haven't been there.

2 But Northeast Utilities as a licensee has asked  
3 for a license amendment that would allow it to increase the  
4 capacity to Millstone reactor spent fuel pool through the  
5 addition of high-density storage racks in an obviously  
6 inadequate and improper design storage area.

7 I hope you -- we are all well aware of NU's past  
8 gross mismanagement -- gross mismanagement -- and  
9 inattention to detail at the Millstone and Connecticut  
10 Yankee Atomic power plants, and that would be and is -- and  
11 is -- a potential disaster waiting to happen.

12 Alarmingly and what has been commonplace for the  
13 licensee with the most recent NRC inspection reports -- May  
14 of the year 2000 -- I hope you can read these -- there is  
15 still problems and violations at the Millstone's Unit 2 and  
16 3 reactor facilities. There are problems and violations  
17 with the reactor coolant system, inadequate surveillance  
18 testings, Unit 3 electric breaker and battery charger  
19 operational problems, there's maintenance QC problems,  
20 there's operational problems, emergency preparedness  
21 problems, and on and on.

22 This is current. I brought up an issue in 1988  
23 that still is an ongoing issue that is an open issue. We're  
24 not going to get into specifics here, but it's amazing to me  
25 -- they fluffed it over by putting temporary measures and

1 getting license amendments for fire watch. It's just  
2 amazing. It's just -- it's just -- it's sickening.

3 I hope and pray for all the concerned that you and  
4 the NRC take this fuel pool expansion issue and the other  
5 pending regulatory issues very seriously and will at the  
6 very least deny this application.

7 Northeast Utilities errors and violations are  
8 well, well documented. It has been going on for many, many  
9 years, and it has to stop, and you must make the licensee  
10 compliant and not allow this application to go forward.  
11 Please.

12 Thank you very much.

13 [Applause.]

14 CHAIRMAN BECHHOEFER: Karen Norton.

15 MS. NORTON: Good evening. I'm Karen Norton, I'm  
16 from Stores, and, you know, I just found out recently that  
17 the mission I have felt most in my life -- I guess it must  
18 be genetic, because my dad was an engineer and he worked in  
19 space ordnance. I never knew this. I just found out my  
20 granddad, who I knew was an engineer, apparently designed  
21 and built nuclear facilities, including Oak Ridge. It seems  
22 like I would have known that before I was 46, but well, no  
23 accounting for things like that.

24 Anyway, I'm a member of the Green Party of  
25 Connecticut, and, no, I'm not here as a representative, I

1 don't speak for the Green Party of Connecticut, but I think  
2 you're probably all aware that the Green Parties worldwide  
3 have an anti-nuclear stance, and everyone here has said so  
4 much more eloquently what I'm not going to try to repeat in  
5 my own words. But I do want to read to you from -- and I'll  
6 be brief -- just one little blurb, very mildly written,  
7 actually, from the platform just ratified by the Association  
8 of State Green Parties. So this just came out of Denver a  
9 couple weeks ago.

10 There is quite a bit in here on the Green Party's  
11 stance on nuclear issues and waste management and on and on,  
12 but one thing, it is evident that the Nuclear Regulatory  
13 Commission with its goal of promoting nuclear energy -- most  
14 recently, we've seen the fast-track licensing design to  
15 avoid community opposition.

16 The Nuclear Regulatory Commission, with its goal  
17 of promoting nuclear energy, should be replaced with a  
18 nuclear decommissioning board charged with the phase-out of  
19 nuclear power.

20 So anyway, just wanted to say that this request --  
21 this requested amendment by NU is taking us in the absolute  
22 wrong direction. Expansion is unacceptable and incompatible  
23 with anything but corporate profits. Tom seemed to do a  
24 pretty good job of putting that out as a reason.

25 Thank you very, very much.

1 [Applause.]

2 CHAIRMAN BECHHOEFER: John Moran.

3 [No response.]

4 JUDGE COLE: Green Party of New York, John Moran?.

5 MS. NORTON: Oh, I think he had to leave. He had  
6 to catch the ferry.

7 CHAIRMAN BECHHOEFER: Jennifer Gatshal.

8 MS. GATSHAL: Good evening. I think this is  
9 probably going to be really short, but so many people had so  
10 many great things to say, and I hope you will actually, on  
11 your drive -- oh, you're not driving home tonight -- as you  
12 walk up to your room and you lay down to go to bed, that  
13 you'll let some of this stuff seep into your consciousness.

14 You have a really interesting job right now. The  
15 energy industry is changing dramatically, and it's not this  
16 certain thing that we've been used to, a regulated monopoly  
17 where the utility acted more as a public utility with  
18 guaranteed profits, with guaranteed certain senses of  
19 oversight by the Department of Public Utility Control here  
20 in Connecticut or the NRC or any role that the DOE might  
21 play.

22 The fact is, is by separating off the transmission  
23 and distribution from the generation, you have a very  
24 different job. It's a completely different animal.

25 So while you're looking at how -- or if to grant

1 NU this license amendment, you have on one hand -- I think  
2 there's too many unknowns. Let me just be blunt. There's  
3 too many unknowns for you to make a decision on this license  
4 amendment because, on the one hand, you have NU who is about  
5 to sell Millstone 3. The bid is about to be taken or  
6 accepted in August.

7 So what you have is someone asking for a license  
8 amendment to expand their pool when they know that they're  
9 not going to own it. They're not going to be the  
10 contractor, they're not going to oversee it. So say the  
11 timing is right. Say it so happens that the process to buy  
12 a nuclear power plant takes a certain amount of time where  
13 they have to hurry up and, you know, expand their spent fuel  
14 pool. Then they're doing it in an environment of haste, and  
15 no other consideration than timing and cost, doing it as  
16 quick and cheap as possible because all they're doing is  
17 selling a lemon. They're trying to clean it up quick enough  
18 to sell it.

19 On the other hand, you have Entergy, possibly  
20 Amergen, who they themselves have horrible track record,  
21 coming in who may be responsible. It's almost as if this --  
22 I have this feeling that this license amendment is -- you  
23 could consider it an asset on their balance sheet. It's  
24 something that sort of props up the justification for  
25 selling this plant. It justifies the ability for them to



1 sell this plant to the new potential owner, and the new  
2 owner has -- in the newly deregulated market is in a  
3 situation where they're pure motivation is profit. Pure.

4 There's no reason to buy a nuclear power plant in  
5 this stage of the game. I really have to say that it's  
6 insane and that I can understand back when the whole Atoms  
7 for Peace thing was going on and Eisenhower did such a great  
8 job of selling nuclear power out of the nuclear weapons  
9 industry, that -- and with everything from Price-Anderson  
10 Act to this, that and the other thing, it seemed feasible  
11 for a utility to take this on.

12 But, you know, decades later, 50 years later when  
13 we realize how much it really cost, the fact that  
14 Connecticut taxpayers are paying \$3 billion and this nuke is  
15 selling for \$200 million is amazing to me.

16 So you have these variables and this changing  
17 situation in which, on the one hand, you have some -- there  
18 are some knowns. NU wants to sell this plant as fast and do  
19 as little as, you know, pump up the tires to sell it; and on  
20 the other side, you have an unknown, Amergon or Entergy,  
21 buying it, who -- they are unknown except for their bad  
22 track record. The only thing you can say for sure about  
23 them is that they're only doing it for profit, pure and  
24 simple.

25 So this is -- you have an extremely -- I feel -- I

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1 would hate to be in your position. I mean, no I wouldn't  
2 because I would just say shut it down, but --

3 [Applause.]

4 MS. GATSHAL: -- but simply put, you have a very  
5 interesting situation before you, and make no small thing  
6 about the fact that this evolution in the energy industry is  
7 significant. It's not just simply, are we going to save  
8 money on our power? Can you switch to this supplier or that  
9 supplier? The deals that are going on at upper levels of  
10 transmission and distribution, the deals that go on around  
11 sales, the deals that are going on around rearranging this  
12 whole electric industry to be in the hands of a few --  
13 transmission over here, distribution over here, and  
14 generation over here -- in the hands of a few is something  
15 we never can -- I don't think we're going to be able to  
16 conceive of what is really happening until it is already  
17 behind us.

18 Fifteen years down the road, we'll say, oh my god,  
19 all of a sudden, the whole nuclear industry is in the hands  
20 of one major multinational corporation. That may seem  
21 dramatic, but the fact is, is that's the way it's moving.  
22 That's the way it's moving. What you would be doing by  
23 granting them this amendment is essentially greasing the  
24 skids.

25 So I hope you take all the variables about the

1 changing energy industry, the free market of electricity  
2 which should have been a true public utility from the start  
3 -- it's a dangerous gambit.

4 So thank you for your time and please think about  
5 this.

6 [Applause.]

7 JUDGE COLE: Susan Alzner.

8 MS. ALZNER: Hello again. I think we've seen you  
9 three before together -- kind of a team, I guess. You're  
10 working on these issues a lot and you're listening to a lot  
11 of people in a lot of different places talk about a lot of  
12 different problems with the nuclear industry.

13 Since everybody here has really focused on what's  
14 primarily happening in the Connecticut and Long Island area,  
15 I want to speak to how that feels to me, but then also kind  
16 of broaden it out to how the situation that exists here in  
17 Millstone actually has ramifications in a very broad way on  
18 a lot of different populations around the nation.

19 I was born on Long Island. My family still lives  
20 there. I did not even really come to terms with the fact  
21 that Millstone is such a threat to Long Island honestly  
22 until today, which is yet another example in the millions of  
23 examples of every-day new awareness that come upon me as far  
24 as how this nuclear industry -- the threats of it. You just  
25 keep living and looking, and you'll discover new ones

1 everyday.

2 I'm currently now a resident of New Haven. I have  
3 lived there for 14 years, and I have learned a lot from my  
4 friends in this state who have been working very diligently  
5 to understand and fight this death machine, is really what I  
6 don't consider to be an extreme name for the industry, and  
7 here are the reasons why.

8 As a consequence of everything that I learned over  
9 a number of years, I decided to found a non-profit  
10 organization to visit communities all around the nation who  
11 are struggling with environmental injustice issues. The  
12 organization is called Earth Challenge.

13 I have a partner who lives in Atlanta, and what we  
14 do is we take teams of people on bike rides across country  
15 and we stop and we talk to people along the way to see what  
16 their lives are like, basically, in these places where  
17 there's this kind of debate going on like what's happening  
18 here.

19 You know, somebody pointed out how all the  
20 citizens in this room are opposed to the granting of  
21 additional space for fuel storage at Millstone. Across the  
22 nation, everyone citizenship-based, just people living in  
23 towns, is opposed to this industry, everyone that we have  
24 met, which last summer, we rode bikes across from Atlanta to  
25 Yucca Mountain, and in September, we're going to be going

1 from here in Connecticut starting at Millstone down to  
2 Atlanta looking at how communities all down the coast have  
3 been impacted by this industry. Here is what I would like  
4 to sketch out.

5 From the beginning of the nuclear fuel cycle to  
6 the end, your decision about what happens with the Millstone  
7 fuel storage can have affects on people who are affected  
8 basically by the nuclear fuel cycle from beginning to end.  
9 That's what I wanted to say.

10 So starting with uranium mining, if you extend  
11 Millstone's opportunity to have more fuel storage, you're in  
12 effect giving it a grant for further life. If you give  
13 Millstone a grant for further life or any other plant for  
14 further life, it's not just the community that's affected  
15 there; it backs up all over the place. It backs up to the  
16 Navajo people in New Mexico who -- you know, the Government  
17 has acknowledged how much death and destruction has been  
18 caused to those communities down there, how many people have  
19 died unnecessarily because of lies that they were told about  
20 how safe it was. Kids were eating chunks of uranium when  
21 they were little in the '50s, you know, during this mining  
22 time, which continued until the '90s, and now they want to  
23 open new mines there. That's because of money, obviously.

24 But uranium mining is the beginning. It's not  
25 just the Navajo whether are affected; there are a lot of

1 other communities in addition to them.

2 Then you have -- I would like to just skip past  
3 processing because I don't know a lot about it, but I know  
4 that there are people who work there that are getting  
5 contaminated by it.

6 Nuclear power plants -- you have the communities,  
7 the people how live around them, the people who work in the  
8 plants. I don't care how safe you say it is. It's not  
9 safe, and the people who have worked there who spoke tonight  
10 clearly indicate that.

11 The poison is invisible, and that's to the nuclear  
12 industry's advantage obviously because nobody can just point  
13 to it like solid waste and say, there it is, that's bad. I  
14 was thinking about it. I like when people have good  
15 analogies to try to drive home the point, and I was  
16 thinking, you know, the nuclear industry is kind of like a  
17 toilet bowl, and so just imagine if you live in a house and  
18 somebody sells you a toilet bowl and says, you know what,  
19 this is a really cool toilet bowl -- it's going to actually  
20 give you electricity because we've --

21 [Laughter.]

22 MS. GATSHAL: No, listen. Because we've come up  
23 with technology, right, that's going to take your human  
24 waste and generate electricity, right? And then just use  
25 the toilet bowl and you're going to have your lights turned

1 on.

2 So then you use the toilet bowl and they install a  
3 storage tank in your backyard, right, that has a lifespan of  
4 40 years, and you get to the age of, you know, whatever --  
5 let's say you got it when you were 20, so you're 60; I don't  
6 know -- and it turns out that the toilet that you bought  
7 from, well whoever -- the nuclear industry, let's just say  
8 -- starts backing up into your house and you can't figure  
9 out why, why is it backing up into your house.

10 So you call the company up and they come out and  
11 they discover, well, it's because our process made the human  
12 waste not biodegradable anymore; it just sits back there in  
13 your backyard, and the tank is full now. If you want to get  
14 rid of it, you now have to pay a lot of money, like tons and  
15 tons of money -- because this is happening all over the  
16 nation, you know -- to put it somewhere because there's not  
17 really anywhere that they can put it because everybody --  
18 you know, let's put this in the future. All the land is  
19 covered with houses now. There's no more room for just like  
20 how many tons of human waste this would be, where are we  
21 going to put it? It's going to cost you a fortune to try  
22 to find a place to put this, you know?

23 So you're basically stuck with it, so what are you  
24 going to do? You're going to stop using the toilet bowl,  
25 you know? You're going to go back, you're going to find

1 another way to get yourself electricity and you're going to  
2 go back to disposing of, you know, or taking care of this  
3 particular need that you have in a more natural way.

4 You know, I mean, that's just what I was going  
5 through over there in my head behind the camera.

6 But to get back to the point, I just -- I can't --  
7 I have spent so much energy and I have been through so much  
8 hell trying to learn about and, you know, and make progress  
9 with the mindset with regard to this issue on a broad scale.  
10 I mean, I like totally exhausted myself last year trying to  
11 figure this stuff out and talk about it and ride my bike  
12 across the country and deal with all the people who were  
13 dying in front of me, literally in front of me.

14 One of the women that was the -- I have to say she  
15 was the most inspirational person that we met with on the  
16 ride last year, and her name was Dorothy Purley and she  
17 lived on Laguna Pueblo in New Mexico right beside the  
18 world's largest open-put uranium mine. This woman was  
19 incredible. She made our whole team break into tears in a  
20 basically like sandwich shop telling her story of everything  
21 she had been through. Unfortunately, she died December 3rd,  
22 and that was really hard for us.

23 You know, it's just -- it's too much. It's too  
24 much to let this continue. You know, too many people are  
25 suffering all over the place, and you really have to get out



1 there and live with these people to maybe have it get into  
2 you like it's gotten into me. I'm not sure.

3 But the last thing I just want to kind of paint  
4 out as a way of illustrating this sort of bumbling I'm doing  
5 through this is I was thinking, what if this room was the  
6 whole country, you know, and like, you know, that's the  
7 Southwest over there, and over there by my camera is the  
8 Northeast and, you know, we're the whole country and you  
9 guys are in charge of the situation here, right? And as a  
10 consequence of having the lights on in a room, one by one,  
11 people start dying, you know, and the lights are powered by  
12 Northeast Utilities, you know? How long is it going to take  
13 you before you say, we're not going to use that source, you  
14 know, because the people are dying from the plant that's  
15 just over there? How long is it going to take you before  
16 you're going to make a change?

17 That's all I have to say.

18 [Applause.]

19 CHAIRMAN BECHHOEFER: We've reached the last  
20 person who was on the list. Does anyone else who hasn't  
21 made a statement wish to make one?

22 Come on up here. Read off your name because we  
23 don't have it here.

24 MR. MASSEY: I'm sorry I arrived a little late and  
25 not all that well prepared.

1 My name is Eugene Massey, M-a-s-s-e-y. I have  
2 been a resident of Black Point, Connecticut, since 1950. I  
3 started going there as a very young child with my family.  
4 We lived in Hartford and we used to come down here for the  
5 summers, and we made many good friends, and 50 years later,  
6 I'm still coming back although I'm now living in Washington,  
7 D.C. most of the time.

8 There are two thoughts. We have always been  
9 concerned about Millstone because it's really just two miles  
10 across Niantic Bay from us and it's visible to us everyday  
11 when we go to the beach, and we can't really forget that  
12 it's there.

13 I just had two points that I wanted to share with  
14 you. One, you know, I'm a believer in the governmental  
15 processes. I think the Government does a lot of good things  
16 for us all the time, and I think there's a lot of criticism  
17 of the Government that is not really fair and justified, and  
18 I appreciate the difficulty of the responsibilities of those  
19 of you who have to exercise those responsibilities.

20 But I also know that there is a tremendous lack of  
21 trust in this country right now of governmental processes,  
22 and I think that you've heard some of the comments here  
23 today that show you how deeply felt some of this distrust  
24 is. I think it's important for you to recognize that on a  
25 really macro issue, everybody who is in the Government has

1 to work hard to restore the trust that we used to have in  
2 our Government.

3 I think that that really is an overriding concern,  
4 whether you're talking about campaign finance or what you're  
5 talking about now. There's a real malaise in this country,  
6 and everybody who is in a governmental role has an  
7 opportunity to help.

8 So I think the fact that you are listening to all  
9 of us today is very commendable. I think it's very good  
10 that you are doing this, and I think that the process  
11 hopefully will help build that trust that I think we all  
12 want to have in the Government. So we hope that when you're  
13 making these decisions, you will be able to give us trust.

14 I wanted to just explain one other anecdote that  
15 just recently happened. On July 11th, in Niantic Bay, we  
16 had the OpSail 2000. All the tall ships came in here to New  
17 London on the 12th. But they kind of parked in readiness in  
18 Niantic Bay before they came over here, and as a result,  
19 many people who knew people over in Black Point, in that  
20 area, came down for the day and sat around on the beach and  
21 watched the ships. At the end of the night, the little town  
22 of Niantic put on a little fireworks display which was quite  
23 nice. Of course, when the fireworks were over, everybody  
24 wanted to leave, and just getting off Black Point took three  
25 hours, and the residents weren't leaving. The residents had

1 no reason to leave, they were staying there; it was just the  
2 guests that came down there.

3 You know, it struck me that anybody -- you know,  
4 we heard many people from Long Island talk about evacuation  
5 plans and about they're too far away to have one. Of  
6 course, we have one at Black Point, although I don't know  
7 what it is, and I know, whatever it is, it won't work.

8 So I was thinking, you know, it's kind of like  
9 when you get on the airplane and the stewardess tells you  
10 how to run the life vest, you know? You know it's a  
11 complete waste. Every plane that has crashed in the ocean,  
12 everybody dies before anybody puts the life vest on.

13 [Laughter.]

14 MR. MASSEY: They don't do anything. And these  
15 evacuation plans are the same thing. The evacuation plans  
16 will not work anymore than the life vests on these airplanes  
17 will save any of the people when the plane crashes.

18 So just think about the fact that there isn't any  
19 safety valve. The plant has to be safe. If you make it  
20 unsafe, there is no safety valve. There is no evacuation  
21 plan. Everybody in here will suffer. So I just ask you,  
22 don't do anything that will make that plant any more unsafe  
23 than it already is.

24 Thank you.

25 [Applause.]

1 CHAIRMAN BECHHOEFER: Is there anyone else who  
2 hasn't made a statement who wishes to do so?

3 MR. BESADE: Sir, will there be statements  
4 tomorrow at nine o'clock in the morning?

5 CHAIRMAN BECHHOEFER: Not tomorrow. Thursday.

6 MR. BESADE: Thursday? You gentlemen won't be  
7 present tomorrow?

8 CHAIRMAN BECHHOEFER: Well, tomorrow we're having  
9 oral argument.

10 AUDIENCE PARTICIPANT: Just among lawyers and  
11 technical people.

12 AUDIENCE PARTICIPANT: Speak tonight, Joe.

13 MR. BESADE: Beg your pardon?

14 AUDIENCE PARTICIPANT: Speak tonight.

15 MR. BESADE: Okay.

16 Joe Besade from Waterford, Connecticut.

17 JUDGE COLE: Spell your name, sir.

18 MR. BESADE: B-e-s-a-d-e. Former pipefitter.  
19 Millstone since '73. Have witnessed what goes on inside the  
20 perimeter of that plant and the oversight by the NRC, who I  
21 believe is not going to bite the hand that feeds them.

22 Up until this time here, I've listened to a lot of  
23 intelligent people from Connecticut and Long Island with  
24 their problems with their one mile that they're out of the  
25 NRC's area that they figure they are going to count. I've

1 been over and videotaped them also, and the NRC's meetings  
2 at the -- with Northeast Utilities at Millstone for the past  
3 five years. I've got quite a library, and the only ones I  
4 don't have are the 23 that were held behind closed doors,  
5 and that's the part that irritates me.

6 When I see you people, who I looked up to to take  
7 care of us and look out for our safety and the reply out of  
8 the NRC's mouth is, don't you think Northeast has suffered  
9 enough financially for being down for 2-1/2 years? And it's  
10 not your position to worry about their financial position.  
11 Your position is supposed to be to look out for us little  
12 people and make sure that nothing happens to us when one of  
13 these plants decides to go haywire.

14 I think that's it for tonight. Thank you.

15 [Applause.]

16 JUDGE COLE: Do you want this included in the  
17 record?

18 AUDIENCE PARTICIPANT: Yes, please.

19 AUDIENCE PARTICIPANT: I wonder how if you could  
20 tell us how long this hearing will be open for reports? May  
21 we send some written material in?

22 CHAIRMAN BECHHOEFER: Well, that -- yes, you can  
23 always do that, and the proceeding should last several more  
24 months anyway, if not longer.

25 We will be taking statements again on Thursday

1 morning at a different address.

2 JUDGE COLE: 120 North Broad Street in this town.  
3 At the Richard Martin Center Auditorium, 120 Broad Street,  
4 New London. Nine o'clock in the morning, we'll be taking  
5 more limited appearances.

6 CHAIRMAN BECHHOEFER: Well, I should say either  
7 nine o'clock, or if we don't finish the oral argument  
8 tomorrow, and I'm hoping we are able to do so, but if we  
9 don't, we'll probably have the end of the oral argument  
10 before the limited appearance statements.

11 So we -- anything further? Yes, sir?

12 MR. SMITH: If I may, just one request. I  
13 understand that the cameras are just from a private group,  
14 and I would request that they be turned off.

15 Okay. My name is John Smith, I'm a local  
16 resident, I live fairly close to Millstone as well. I'm not  
17 going to speak for or against this thing. You gentlemen as  
18 well as other people in this meeting tonight have their own  
19 opinions. They have the expertise and knowledge. I'm  
20 certainly not the guy that has that.

21 One thing I would ask you three gentlemen, do you  
22 have grandchildren? Do you have children and grandchildren?

23 JUDGE COLE: I have a brand new grandchild whose  
24 seven days old.

25 AUDIENCE PARTICIPANT: Congratulations.

1 MR. SMITH: Congratulations.

2 JUDGE COLE: The only one I have so far.

3 [Applause.]

4 MR. SMITH: It's wonderful. I'm sure you're  
5 enjoying the experience. There's many grandchildren around  
6 this plant -- there's many grandchildren in the surrounding  
7 towns as well.

8 I would ask that when you try to come to your  
9 decision, and I can appreciate it being a very difficult  
10 one, would you want to see your grandchild put at risk?

11 I think I have to agree with this gentleman here,  
12 Mr. McGuire, who thought you looked like a fairly honest  
13 guy, and I think you probably -- and with all due respect to  
14 the other gentlemen on this committee, because I do realize  
15 it is a difficult job. Ask yourself tonight when you leave  
16 this meeting -- and hopefully you'll go out and have a drink  
17 and just kind of ponder these things -- would you put your  
18 own grandchildren at risk. You have an elementary school  
19 that's virtually at the end of the driveway to this place.

20 As far as Millstone being in town, I don't want to  
21 see it close. It employs many people. I myself worked  
22 there many years ago. It's a good job, there's no question  
23 about it, and you have good, dedicated people who work there  
24 and they also live in the town. They're not looking to see  
25 anything bad happen to their community.



1 With respect to increasing the amount of the spent  
2 fuel pools, going back to the nine-year-old and the  
3 eleven-year-old logic, it's an ice cube in a glass of water  
4 basically is what it comes down to -- the more ice cubes you  
5 put in, you displace that much more water. So it just seems  
6 to make sense that you could increase the risk.

7 I'm not standing here again as an expert saying  
8 that, you know, you will have a problem. We don't know.  
9 I'm sure a lot of the pools have been designed and  
10 engineered to take that into consideration, just as that  
11 4,000 pound truck going over the bridge, we know if you're  
12 4,100 pounds, you're not going to crash to the ground. That  
13 isn't how we do things in this country, thankfully.

14 But again, in trying to come to your decision, I  
15 would ask all three of you gentlemen to take into  
16 consideration what it really means to the community. In the  
17 event that something drastic should happen here, it really  
18 is on you guys' shoulders. And again, please ask yourself  
19 when you leave tonight, would you put your own families in  
20 this situation? It's really in your court.

21 I thank you.

22 [Applause.]

23 CHAIRMAN BECHHOEFER: Are there --- anybody else?  
24 Otherwise, we'll -- yes.

25 MS. MASTRIANNA: Tina Guglielmo from Star who gave

1 you the thousand petitions had forgotten to give you this,  
2 and what it is, it's a picture of a cloud of smoke that came  
3 from a fire that was on the Connecticut shoreline which  
4 reached Long Island within one hour, and she wanted you to  
5 have this. So I'm going to just give this to you.

6 CHAIRMAN BECHHOEFER: Thank you.

7 With that, I think we'll adjourn for the evening.  
8 We're going to start tomorrow at nine a.m. for the formal  
9 oral argument at the Richard Martin Center on Broad Street,  
10 120 Broad Street.

11 Thank you for all being here.

12 [Whereupon, at 9:29 p.m., the proceeding was  
13 recessed, to reconvene at 9:00 a.m., Wednesday, July 19,  
14 2000, at 9:00 a.m.]  
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### REPORTER'S CERTIFICATE


This is to certify that the attached proceedings  
before the United States Nuclear Regulatory Commission in  
the matter of:

NAME OF PROCEEDING: MILLSTONE 3 LICENSE AMENDMENT  
PROCEEDING

CASE NO: 50-423-LA-3

PLACE OF PROCEEDING: New London, CT

were held as herein appears, and that this is the original transcript thereof for the file of the United States Nuclear Regulatory Commission taken by me and thereafter reduced to typewriting by me or under the direction of the court reporting company, and that the transcript is a true and accurate record of the foregoing proceedings.

  
Jon Hundley

**Official Reporter**

**Ann Riley & Associates, Ltd.**